

Date: Jan. 4, 2011

Item No. 9 & 10

File No. 10060

SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST*

- Charles Pitts against the Local Homeless Coordinating Board**
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Completed by: Chris Rustom

Date: Dec. 23, 2010

***This list reflects the explanatory documents provided**

~ Late Agenda Items (documents received too late for distribution to the Task Force Members)

** The document this form replaces exceeds 25 pages and will therefore not be copied for the packet. The original document is in the file kept by the Administrator, and may be viewed in its entirety by the Task Force, or any member of the public upon request at City Hall, Room 244.



DENNIS J. HERRERA
City Attorney

JERRY THREET
Deputy City Attorney

Direct Dial: (415) 554-3914
Email: jerry.threet@sfgov.org

JURISDICTION MEMORANDUM

TO: Sunshine Ordinance Task Force
FROM: Jerry Threet
Deputy City Attorney
DATE: December 13, 2010
RE: Complaint 10060: Charles Pitts v. Local Homeless Coordinating Board (LHCB)

Background

Complainant Charles Pitts ("Complainant") alleges that on October 20, 2010, the LHCB held a public meeting without posting advance notice of the meeting time and agenda, and did not allow public attendance or public comment, all in violation of unspecified sections of public meeting and public records laws. Respondent LHCB responds that the meeting on October 20, 2010 was not held by the LHCB and therefore respondent could not have violated the law.

Complaint

On November 8, 2010, Complainant filed this complaint against LHCB, alleging violations of public meeting and records laws.

Discussion and Analysis

Initially, the Task Force should consider the threshold question of whether Mr. Pitts has named the correct respondent in making his complaint. It is unclear from the documents provided what role the LHCB may have played in the meeting in question. It also is unclear what body, if any, hosted the October 20, 2010 meeting. If, after gathering further facts, the Task Force concludes that LHCB did not hold the October 20, 2010 meeting, then Mr. Pitts named the wrong respondent. In that case, the correct respondent would not have received due process notice of a complaint against it, and been provided an opportunity to respond to the complaint.

Should the Task Force conclude that LHCB held the October 20, 2010 meeting, however, the Task Force would then have jurisdiction to hear the complaint.

PC



SUNSHINE ORDINANCE TASK FORCE
1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102
Tel. (415) 554-7724; Fax (415) 554-7854
http://www.sfgov.org/sunshine

SUNSHINE ORDINANCE COMPLAINT

Complaint against which Department or Commission Local Homeless Condemnation Board

Name of individual contacted at Department or Commission _____

- Alleged violation public records access
- Alleged violation of public meeting. Date of meeting see attached document

Sunshine Ordinance Section _____
(If known, please cite specific provision(s) being violated)

Please describe alleged violation. Use additional paper if needed. Please attach any relevant documentation supporting your complaint.

Failure to Post meeting
not allowed to attend meeting
NO PUBLIC COMMENT ON AGENDA

Do you want a public hearing before the Sunshine Ordinance Task Force? yes no
Do you also want a pre-hearing conference before the Complaint Committee? yes no

(Optional)¹
Name Charles Pitts Address _____

Telephone No. _____ E-Mail Address [REDACTED]@yahoo.com

Date _____ Signature _____

I request confidentiality of my personal information. yes no

¹ NOTICE: PERSONAL INFORMATION THAT YOU PROVIDE MAY BE SUBJECT TO DISCLOSURE UNDER THE CALIFORNIA PUBLIC RECORDS ACT AND THE SUNSHINE ORDINANCE, EXCEPT WHEN CONFIDENTIALITY IS SPECIFICALLY REQUESTED. YOU MAY LIST YOUR BUSINESS/OFFICE ADDRESS, TELEPHONE NUMBER AND E-MAIL ADDRESS IN LIEU OF YOUR HOME ADDRESS OR OTHER PERSONAL CONTACT INFORMATION. Complainants can be anonymous as long as the complainant provides a reliable means of contact with the SOTF (Phone number, fax number, or e-mail address).

ATTENTION:

All McKinney Funded programs that serve families

Roundtable Discussion:
Homeless Programs and
the Unified School District

Wednesday, October 20, 2010

2pm-4pm

77 Otis St.

Please attend this roundtable discussion which will review the current policies, protocols, and resources in place to serve homeless children and families in the San Francisco Unified School District.

SFUSD Homeless Education Liaison will be in attendance

If you are a McKinney Funded Program, representation by at least one person from your agency is mandatory.

Please RSVP to Ali Schlageter

Alison.Schlageter@sfgov.org

AGENDA
Educational Roundtable
Wednesday, October 20, 2010
2:00pm-4:00pm
77 Otis St.

- I. Introductions-
 - A) Agency and the families you serve

- II. Background
 - A) Why we are here

- III. Families and Youth In Transition Liaison- Tatum Wilson
 - A) Process (Identifying students to getting them resources)
 - B) Resources (What are families eligible for?)
 - C) Coordination (What partnerships exist now and which ones need to be created?)

- IV. Discussion questions for the agencies
 - A) Who has written polices in place- what are they and how do you implement?
 - B) What are we good at?
 - C) What are our challenges?
 - D) Where are the gaps?

- V. Next Steps

Project Specific

Does _____ (project name) have policies and practices that are consistent with, and do not restrict the exercise of rights provided by the education subtitle of the McKinney-Vento Act, and other laws relating to the provision of educational and related services to individuals and families experiencing homelessness?

Yes / No

Does the _____ (project name) have a designated staff person responsible for ensuring that children are enrolled in school and connected to the appropriate services within the community, including early childhood education programs such as Head Start, Part C of the Individuals with Disabilities Education Act, and McKinney-Vento education services?

Yes / No

Community Wide:

Indicate if the CoC has established policies that require homeless assistance providers to ensure all children are enrolled in school and connected to appropriate services within the community.

If yes, please describe the established policies that are in currently in place.

Describe the CoC's efforts to collaborate with local education agencies to assist in the identification of homeless families and inform them of their eligibility for McKinney-Vento education services.

Describe how the CoC has, and will continue, to consider the educational needs of children when families are placed in emergency or transitional shelter.


Alison
Schlageter/DHS/CCSF@CC
SF

11/17/2010 03:05 PM

To SOTF/SOTF/SFGOV@SFGOV

cc

bcc

Subject Re: Sunshine Complaint Received: #10060_Charles Pitts vs
LHCB 

The meeting referenced in complaint #10060 was not a meeting of the Local Homeless Coordinating Board and did not require public notification.

I would like to request a prehearing conference a hearing and will submit supporting documents by December 7th.

Thank You.

Ali Schlageter
SF Local Homeless Coordinating Board Policy Analyst
Ten Year Implementation Council, Staff
Phone: 1-415-557-6451
Email: Alison.Schlageter@sfgov.org



**SAN FRANCISCO
LOCAL HOMELESS COORDINATING BOARD
AGENDA**

November 1, 2010

11:00am-1:00pm

170 Otis St., Born Auditorium

**Christine Ma, M.D.
Co-Chair**

**Laura Guzman
Co-Chair**

Roberta Rosenthal,

Richard Springwater

Wendy Phillips

Rae Suber

Kevin Sharps

Erick Brown

Ali Schlageter, Staff

Note: Public Comment will be taken after each agenda item. The public comment has to pertain to that agenda item and will last 2 minutes in length. General public comment is taken at the end of the meeting.

- I. Introduction (2 min)**
- II. Minutes from October 4, 2010 (Action) (3 min)**
- III. Performance Measurements 2010 Application (Discussion and Action) (30 min)**
 - A) As part of the 2010 McKinney application, all renewal projects will have to submit performance measurements to report on. LHCB will review the proposed recommendations to be included in the application.
- IV. McKinney Vento Application Exhibit One (Discussion and Action) (20 min)**
 - A) Review of Policy RE: Educational system and the CoC
 - B) Other
- V. Input on quarterly survey to be completed in City funded homeless shelters (Discussion and Possible Action) (20 min)**
 - A) Review of comments collected on the draft survey that were submitted to HSA.
 - B) Create recommendations to send to HSA
- VI. Old Business (Discussion and Action) (10min)**
 - A) Appointment of seat on the Workforce Investment Board Advisory Committee
- VII. New Business (Discussion) (20 min)**
 - A) LHCB Seats: Term expiration and next steps
 - B) 2011 Homeless Count
- VIII. General Public Comment**
- IX. Adjournment**

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at: Sunshine Ordinance Task Force, Frank Darby, Administrator, Sunshine Ordinance Task

Force, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683. Telephone: (415) 554-7724, Fax: (415) 554-7854. E-Mail: sotf@sfgo.org. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force (listed above), the San Francisco Public Library, and on the City's web site at: www.sfgov.org.

TRANSLATION SERVICES

Interpreters for languages other than English are available on request. Sign language interpreters are also available on request. For either accommodation, contact (415) 252-3136 at least two business days before a meeting.

LOBBYIST ORDINANCE

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by San Francisco Lobbyist Ordinance [SF Admin Code Section 16.520-16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, No. 701, SF 94102, (415) 554-9510, FAX (415) 703-0121 and web site <http://www.sfgov.org/ethics/>.

SUBMITTING WRITTEN PUBLIC COMMENT TO THE LOCAL HOMELESS BOARD

Persons who are unable to attend the public meeting may submit to the Local Homeless Board, by the time the proceedings begin, written comments regarding the subject of the meeting. These comments will be made a part of the official public record, and brought to the attention of the Local Homeless Board. Written comments should be submitted to: Ali Schlageter, LHCB Policy Analyst – ZB16, Department of Human Services, P.O. Box 7988, San Francisco, CA 94120, or via fax at (415) 557-6033 or via email: Alison.Schlageter@sfgov.org

ORAL PUBLIC COMMENT TO THE LOCAL HOMELESS BOARD

Public comment will be taken on each item being considered by the Board prior to the Board's vote.

EXPLANATORY DOCUMENTS RELATED TO AGENDA ITEMS

Copies of explanatory documents are available through the Local Homeless Coordinating Board (415-557-6451) during normal business hours. The material can be faxed or mailed to you upon request.

