

Date: June 08, 2010

Item No. 4  
File No. 10022

**SUNSHINE ORDINANCE TASK FORCE  
COMPLAINT COMMITTEE  
AGENDA PACKET CONTENTS LIST\***

- Suzanne Dumont against the Recreation & Parks Department**
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Completed by: Chris Rustom

Date: June 01, 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.

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Mayor Gavin Newsom  
Philip A. Ginsburg, General Manager

May 26, 2010

Honorable Members  
Sunshine Ordinance Task Force  
c/o Frank Darby, Administrator  
1 Dr. Carlton B. Goodlett Place  
Room 244  
San Francisco, CA 94102-4689

**Re: Complaint #10022 Suzanne Dumont vs Recreation and Parks Department**

Dear Task Force Members:

This letter is in response to Complaint #10022, filed by Ms. Suzanne Dumont against the Recreation and Park Department, a copy of which was received by the Department on May 3, 2010.

The complaint concerns Ms. Dumont's request for the names of the selection panel members that are reviewing Statements of Qualification received in response to a Request for Qualifications soliciting an operator for the Stow Lake Boat House. On April 8, 2010, Department staff received a request from Ms. Dumont for the panel's membership. Department staff subsequently consulted with the City Attorney's Office and was informed that Section 67.24(e)1 of the City's Administrative Code stipulates that such information not be released until after the evaluation process is complete.

On April 14, 2010, Department staff informed Ms. Dumont of the relevant provisions of the Sunshine Ordinance and that the panel's composition would be publicly available immediately upon completion of the evaluation process. On April 20, 2010, Ms. Dumont submitted a formal Sunshine Request to the Department. On April 20, 2010, Department Staff responded to Ms. Dumont's request, again informing her that such information is not released until the evaluation is completed. (See Exhibit A)

If I can be of further assistance to the Task Force, please do not hesitate to contact me.

Sincerely,

Olive Gong  
Custodian of Records, SFRPD

Exhibit A

From: Olive Gong/RPD/SFGOV  
To: Suzanne Dumont <zangsf1@gmail.com>  
Date: 04/20/2010 12:53 PM  
Subject: Fw: Immediate Disclosure Request under Sunshine Ordinance re Stow Lake

Dear Ms. Dumont,

I have received your request for records and am not able to release the records you seek until after the selection process.

Thank you for your interest in SF Recreation and Park,  
Olive Gong

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Olive Gong  
San Francisco Recreation and Park Department  
McLaren Lodge  
501 Stanyan St., SF CA 94117  
olive.gong@sfgov.org email

*Reduce, Reuse, Recycle*



<complaints@sfgov.org>  
05/03/2010 02:14 PM

To <soft@sfgov.org>  
cc  
bcc  
Subject Sunshine Complaint

To:soft@sfgov.org  
Email:complaints@sfgov.org  
DEPARTMENT:Recreation Park Department &  
CONTACTED:Nick Kinsey  
PUBLIC\_RECORDS\_VIOLATION:Yes  
PUBLIC\_MEETING\_VIOLATION:No  
MEETING\_DATE:  
SECTIONS\_VIOLATED:

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DESCRIPTION:Save the Stow Lake Boathouse Coalition has requested the names of the persons on the selection panel for the Stow Lake Boathouse Concession RFQ. In 2009 the entire list of names of the selection panel for the Outside Lands contract was public before, during and after. So unless there have been changes in the Sunshine law since 2009 we do not understand why we are being refused the names of the persons who will decide the fate of the Boathouse. Here's the text of the email from Nick Kinsey on 4/14/10 refusing to give us the names: Suzanne, Sorry for my delay in responding, I was soliciting guidance from the City Attorney's office. In order to not jeopardize the competitive bidding process, the composition of the selection panel is not public record until after the selection has been made. I'm sure you can understand the City's need to protect the integrity of the process. I can assure you that the composition of the panel is consistent with the what is outlined below. Thanks, Nick Nicholas A. Kinsey Property Manager San Francisco Recreation and Park Department McLaren Lodge 501 Stanyan Street San Francisco, CA 94117 After this refusal we made a 2nd request to Olive Gong in RPD, and this is the text of her response on 4/20/10: Dear Ms. Dumont, I have received your request for records and am not able to release the records you seek until after the selection process. Thank you for your interest in SF Recreation and Park, Olive Gong So we would appreciate your assistance at this time. Thank you.Suzanne

HEARING:No  
DATE:  
NAME:  
ADDRESS:  
CITY:  
ZIP:  
PHONE:  
CONTACT\_EMAIL:  
ANONYMOUS:  
CONFIDENTIALITY\_REQUESTED:Yes

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