

Date: April 9, 2008

Item No. 8  
File No. \_\_\_\_\_

**SUNSHINE ORDINANCE TASK FORCE**  
**Compliance and Amendments Committee**  
**AGENDA PACKET CONTENTS LIST\***

- Administrators Report for April 2008**
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Completed by: Chris Rustom

Date: April 2, 2008

**\*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.

**SUNSHINE ORDINANCE  
TASK FORCE**



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. (415) 554-7724  
Fax No. 415) 554-7854  
TDD/TTY No. (415) 554-5227

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**MEMORANDUM**

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**TO:** Sunshine Ordinance Task Force

**DATE:** April 9, 2008

**SUBJECT:** Administrators Report for April 2008

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1. 2008 – Complaint/Potential Complaint Logs.
2. Laura Carroll e-mail re Compliant #07075 (3/18/08)
3. Order of Determinations:
  - 08015\_Deniz Bolbol vs SF Zoological Society

# Complaint Log 2008

Date Received	Complainant	Department/Respondent	Status
1/3/2008	Kimo Crossman (08001)	District Attorney	Complaint Committee 2/12/08; Task Force 2/26/08 (No formal action taken)
1/7/2008	Hank Wilson (08002)	Public Health - HPPC	Complaint Committee 2/12/08 (Withdrawn: 2/6/08)
1/10/2008	Christian Holmer (08003)	Mayor's Office	Complaint Committee 2/12/08; Task Force 2/26/08 (Withdrawn: 2/22/08)
1/10/2008	Kimo Crossman (08004, 08005, 08007)	City Attorney	Complaint Committee 2/12/08; Task Force 2/26/08 contd.; 3/25/08 violation 67.21 (a), 67.21 (l), 67.24 (b) (1) (iii)
1/10/2008	Kimo Crossman (08005, 08004, 08007)	City Attorney	Complaint Committee 2/12/08; Task Force 2/26/08; 3/25/08 heard with 08004
1/10/2008	Kimo Crossman (08006)	City Attorney	Complaint Committee 2/12/08; Task Force 2/26/08 contd.; 3/25/08 violation of 67.26, 67.21 (l), 67.24 (b) (1) (iii)
1/10/2008	Kimo Crossman (08007, 08004, 08005)	City Attorney	Complaint Committee 2/12/08; Task Force 2/26/08; 3/25/08 heard with 08004
1/14/2008	Stephen Worsley (08008)	Recreation and Park	Complaint Committee 2/12/08; Task Force 2/26/08 (No formal action taken)
2/9/2008	Patrick Monett-Shaw (08009)	Board of Supervisors	Complaint Committee 3/11/08 (Withdrawn: 2/26/08)
2/11/2008	Patrick Monett-Shaw (08010)	Dept. of Health	Task Force 3/25/08 (Withdrawn 3/15/08)
2/20/2008	David Waggoner (08011)	Ethics Commission	Complaint Committee 3/11/08; Task Force 3/25/08 (No action taken)
3/2/2008	Kimo Crossman (08012)	Clerk of th Board, SOTF Administrator	Task Force 3/25/08 (Withdrawn 3/14/08)
3/2/2008	Kimo Crossman (08013)	SOTF Administrator	Task Force 3/25/08 (Violation 67.21 (a))
3/4/2008	Jason Berckart (08014)	Human Rights Commission???	Pending Clarification from Complainant
3/4/2008	Deniz Bolbol (08015)	SF Zoological Society	Task Force 3/25/08 (Violation 67.25)
3/7/2008	Anonymous (08016)	SF Arts Commission	Task Force 4/22/08 (Withdrawn 4/20/08)
3/17/2008	Kimo Crossman (08017)	Clerk, SOTF Administrator	Task Force 4/22/08
3/17/2008	Kimo Crossman (08018)	Clerk, SOTF Administrator	Task Force 4/22/08



"Laura Carroll"  
<lcarroll88@msn.com>  
03/18/2008 04:34 PM

To "SOTF" <sotf@sfgov.org>  
cc "Douglas Shoemaker" <douglas.shoemaker@sfgov.org>  
bcc  
Subject #07075

Dear Frank,

This is to inform the SOTF that I request no additional hearings be held on my complaint #07075. From Ms. Craven's remarks during the public comment period at the March 12th hearing, it is my understanding that the task force is not obligated to address my two outstanding items with the MOH, namely, 1) MOH refusal to comply with section 67.21c, and 2) completion of City Attorney review of privileged documents for proper withholding.

On 1), the task force does not have to address this item because the request it relates to was not in my original complaint, and on 2) while the Letter of Determination asked MOH to "double check to ensure that the withholding was as narrow as possible and whether redacted documents can be provided in certain circumstances" it did not determine that withheld documents would be reviewed by the City Attorney; the task force more informally suggested I pursue this type of review with City Attorney at the November hearing.

While I would like the support of the task force to ensure these items are completed or resolved, my understanding is that they are not required to do so at this point. Thus there is no need for further hearings on this matter.

Sincerely,

Laura Carroll

Cell [REDACTED]

**SUNSHINE ORDINANCE  
TASK FORCE**



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**ORDER OF DETERMINATION**

**DATE THE DECISION ISSUED**

March 27, 2008

*DENIZ BOLBOL v. SAN FRANCISCO ZOOLOGICAL SOCIETY (08015)*

**FACTS OF THE CASE**

On February 21, 2008 Complainant Deniz Bolbol submitted an Immediate Disclosure Request to the San Francisco Zoological Society ("SFZoo"), specifically seeking (1) The San Francisco Zoo's Collection Plan; (2) A list of zoo management personnel; (3) A list of SFZoo's steering committee members; (4) The original design plan for the African Savannah; and (5) Animal inventory. Bolbol stated that a temporary employee acknowledged that SF Zoo received the request. However as of March 4, 2008, Deniz Bolbol had not received the documents and had not been told when she might receive the documents.

**COMPLAINT FILED**

On March 5, 2008, Deniz Bolbol filed a complaint against the SF Zoo for violation of Section 67.21(a) and 67.25(b) of the Sunshine Ordinance and California Public Records Act Section 6250 et seq.

Ms. Bolbol alleged that as the SFZoo is paid by the City and County of San Francisco to manage and operate the city-owned San Francisco Zoo, and based on the San Francisco Zoo Lease and Management Agreement, the SFZoo is required to provide public access to information concerning the operation of the Zoo to the same extent that such information would have been available to the public if the Department had continued to operate the Zoo.

**HEARING ON THE COMPLAINT**

On March 25, 2008, Complainant Deniz Bolbol appeared before the Task Force and presented her claim. Ms. Bolbol indicated that the requested records had recently been produced, but wanted to proceed with her complaint to make a record on the untimely response from the SFZoo. Respondent Agency was represented by Michael Orosco who presented the Agency's defense.

The issue in the case is whether the Agency violated Section(s) 67.1, 67.21, 67.25, 67.26, and 67.27 of the Ordinance and/or Sections 6253 and/or 6255 of the California Public Records Act.

**ORDER OF DETERMINATION**

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Based on the testimony and evidence presented the Task Force finds that the testimony of Deniz Bolbol to be persuasive and finds that section 67.25 to be applicable in this case. The Agency did not dispute that they had failed to provide a timely response to Ms. Bolbol, and has committed to providing Sunshine Ordinance training to its managers and preventing further violations in the future.

**DECISION AND ORDER OF DETERMINATION**

The Task Force finds that the agency violated § 67.25 of the Sunshine Ordinance for failure to respond in a timely manner. The Task Force commends the Agency for putting a Sunshine Ordinance training process in place.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on March 25, 2008, by the following vote: (Pilpel / Goldman)  
Ayes: Craven, Knee, Cauthen, Comstock, Pilpel, Wolfe, Chan, Goldman, Williams  
Excused: Chu



Doug Comstock, Chair  
Sunshine Ordinance Task Force

c: Ernie Llorente, Deputy City Attorney  
Deniz Bolbol, Complainant  
Michael Orosco, SF Zoological Society