

Date: April 26, 2011

Item No. 28 & 29  
File No. 11025

## SUNSHINE ORDINANCE TASK FORCE

### AGENDA PACKET CONTENTS LIST\*

- Susan Dumont v City Attorney's Office**
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Completed by: Chris Rustom

Date: April 22, 2011

**\*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.



<complaints@sfgov.org>

03/22/2011 05:11 PM

To <soft@sfgov.org>

cc

bcc

Subject Sunshine Complaint

To:soft@sfgov.orgEmail:complaints@sfgov.orgDEPARTMENT:City Attorney

CONTACTED:Paul Zarefsky

PUBLIC\_RECORDS\_VIOLATION:Yes

PUBLIC\_MEETING\_VIOLATION:No

MEETING\_DATE:

SECTIONS\_VIOLATED:immediate disclosure procedures

DESCRIPTION:On 3/14/11 I submitted an email request for urgent/immediate disclosure of public information from the City Attorney's office. I did not receive any response and called Mr. Zarefsky on 3/18/11. He informed me he had received my request and understood his office was supposed to respond within 24 hours to such requests. He said he needed to speak with others in his department and would get back to me but I have not received any further communications.

HEARING:Yes

PRE-HEARING:Yes

DATE:3/22/11

NAME:Suzanne R. Dumont

ADDRESS [REDACTED] Rockdale Drive

CITY:San Francisco

ZIP:94127

PHONE:415 [REDACTED]

CONTACT\_EMAIL [REDACTED]@gmail.com

ANONYMOUS:

CONFIDENTIALITY\_REQUESTED:Yes

Sunshine Ordinance Task Force  
1 Dr. Carlton B. Goodlett Place Room 244  
San Francisco, CA 94102-4689  
VIA FACSIMILE (415) 554-7854

4/4/11

**Re: Complaint #11025 Suzanne Dumont v City Attorney's Office**  
Supporting documentation for Committee members for 4/12/11 meeting

Dear Sunshine Ordinance Taskforce,

I called the City Attorney's office on March 14, 2011 and was told that Mr. Paul Zarefsky handled all Sunshine requests. I am forwarding to you 3 emails I sent to Mr. Zarefsky at the City Attorney's office, requesting urgent Sunshine information in support of my complaint #11025.

I called Mr. Zarefsky on 3/22/11 to follow up on my 3/14/11 email and he told me he had received my email and that I would receive a response. He said I needed to change the request to read: "Immediate Disclosure Request" so I sent him an email with that change.

As of this date I have not received any response to my requests. I hope you can assist me in obtaining the information I request.

Thank you.

Sincerely,



Suzanne R. Dumont

Zangsf1@gmail.com

415.999.5823

Attachments - 3 emails dated: 3/14/11, 3/18/11, 3/22/11

From: Suzanne Dumont <zangsf1@gmail.com>  
Subject: **URGENT Sunshine Ordinance Request**  
Date: March 14, 2011 4:24:53 PM PDT  
To: paul.zarefsky@sfgov.org



Dear Mr. Zarefsky,  
I am writing to request the following disclosure of information from the Office of the City Attorney, under the San Francisco Sunshine Ordinance.

1. For 2010 the total number of hours "billed" to the Recreation and Park Department for "work ordered" and what the topic of service was for.
2. For 2010 the total dollar amount of bills to the Recreation and Park Department for "work ordered".
3. For January 2011 the total number of hours "billed" to the Recreation and Park Department for "work ordered" and what the topic of service was for.
4. For January 2011 the total dollar amount of bills to the Recreation and Park Department for "work ordered".
5. For February 2011 the total number of hours "billed" to the Recreation and Park Department for "work ordered" and what the topic of service was for.
6. For February 2011 the total dollar amount of bills to the Recreation and Park Department for "work ordered".

Thank you very much.  
Suzanne R. Dumont  
841 Rockdale Drive  
San Francisco, CA 94127

From: Suzanne Dumont <zangsf1@gmail.com>  
Subject: **Immediate disclosure request**  
Date: March 18, 2011 9:36:21 AM PDT  
To: paul.zarefsky@sfgov.org



Dear Mr. Zarefsky,

I am writing to request the following disclosure of information from the Office of the City Attorney, under the San Francisco Sunshine Ordinance.

1. For 2010 the total number of hours "billed" to the Recreation and Park Department for "work ordered" and what the topic of service was for.
2. For 2010 the total dollar amount of bills to the Recreation and Park Department for "work ordered".
3. For January 2011 the total number of hours "billed" to the Recreation and Park Department for "work ordered" and what the topic of service was for.
4. For January 2011 the total dollar amount of bills to the Recreation and Park Department for "work ordered".
5. For February 2011 the total number of hours "billed" to the Recreation and Park Department for "work ordered" and what the topic of service was for.
6. For February 2011 the total dollar amount of bills to the Recreation and Park Department for "work ordered".

Thank you very much.  
Suzanne R. Dumont  
841 Rockdale Drive  
San Francisco, CA 94127

From: Suzanne Dumont <zangsf1@gmail.com>  
Subject: **f/up to 3/18/11 Immediate disclosure request**  
Date: March 22, 2011 11:33:03 AM PDT  
To: paul.zarefsky@sfgov.org



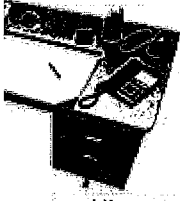
Paul,  
I have not received any reply to this request. Please follow up and provide the information requested.  
Thank you.  
Suzanne R. Dumont

Begin forwarded message:  
**From:** Suzanne Dumont <zangsf1@gmail.com>  
**Date:** March 18, 2011 9:36:21 AM PDT  
**To:** paul.zarefsky@sfgov.org  
**Subject:** **Immediate disclosure request**

Dear Mr. Zarefsky,  
I am writing to request the following disclosure of information from the Office of the City Attorney, under the San Francisco Sunshine Ordinance.

1. For 2010 the total number of hours "billed" to the Recreation and Park Department for "work ordered" and what the topic of service was for.
2. For 2010 the total dollar amount of bills to the Recreation and Park Department for "work ordered".
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5. For February 2011 the total number of hours "billed" to the Recreation and Park Department for "work ordered" and what the topic of service was for.
6. For February 2011 the total dollar amount of bills to the Recreation and Park Department for "work ordered".

Thank you very much.  
Suzanne R. Dumont  
841 Rockdale Drive  
San Francisco, CA 94127



Jack  
Song/CTYATT@CTYATT  
04/11/2011 04:10 PM

To SOTF/SOTF/SFGOV@SFGOV  
cc zangsf1@gmail.com  
bcc  
Subject Re: Sunshine Complaint Received: #11025\_Suzanne  
Dumont v City Attorney's Office

History: This message has been forwarded.

Dear Members of the Sunshine Task Force:

This is in response to Ms. Dumont's complaint that:

DESCRIPTION: "On **3/14/11** I submitted an email request for urgent/immediate disclosure of public information from the City Attorney's office. I did not receive any response and called Mr. Zarefsky on **3/18/11**. He informed me he had received my request and understood his office was supposed to respond within 24 hours to such requests. He said he needed to speak with others in his department and would get back to me but I have not received any further communications.

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City Attorney's Responses:

On **March 18, 2011**, by email, we informed Ms. Dumont's that her request for:

1. For 2010 the total number of hours "billed" to the Recreation and Park Department for "work ordered" and what the topic of service was for.
2. For 2010 the total dollar amount of bills to the Recreation and Park Department for "work ordered".
3. For January 2011 the total number of hours "billed" to the Recreation and Park Department for "work ordered" and what the topic of service was for.
4. For January 2011 the total dollar amount of bills to the Recreation and Park Department for "work ordered".
5. For February 2011 the total number of hours "billed" to the Recreation and Park Department for "work ordered" and what the topic of service was for.
6. For February 2011 the total dollar amount of bills to the Recreation and Park Department for "work ordered".

was not "simple, routine or otherwise readily answerable" and did not meet the criteria for "immediate disclosure" under S.F. Administrative Code Sec. 67.24(a).

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On Monday, **March 28, 2011**, this office provide Ms. Dumont with the response to her request. Please see attached.

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Attached is the correspondence City Attorney's Office had with Ms. Dumont.



DUMONT  
PDF.pdf

Thus, we see no violation here.

JACK SONG  
Public Information Officer

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OFFICE OF CITY ATTORNEY DENNIS HERRERA  
San Francisco City Hall, Room 234  
1 Dr. Carlton B. Goodlett Place  
San Francisco, California 94102-4682

(415) 554-4653 Direct  
(415) 554-4700 Reception  
(415) 554-4715 Facsimile  
(415) 554-6770 TTY  
[www.sfcityattorney.org](http://www.sfcityattorney.org)





**Response to Your Inquiry**

Jack Song to: zangsf1

Bcc: Virginia Dario Elizondo, Allie Fisher, Gina Gutierrez

03/18/2011 04:38 PM

Dear Ms. Dumont:

This is in reponse to your public records requests of March 14 and March 18, 2011, for:

1. For 2010 the total number of hours "billed" to the Recreation and Park Department for "work ordered" and what the topic of service was for.
2. For 2010 the total dollar amount of bills to the Recreation and Park Department for "work ordered".
3. For January 2011 the total number of hours "billed" to the Recreation and Park Department for "work ordered" and what the topic of service was for.
4. For January 2011 the total dollar amount of bills to the Recreation and Park Department for "work ordered".
5. For February 2011 the total number of hours "billed" to the Recreation and Park Department for "work ordered" and what the topic of service was for.
6. For February 2011 the total dollar amount of bills to the Recreation and Park Department for "work ordered".

This morning we received an email identifying this as an "immediate disclosure" request. However your request is not "simple, routine or otherwise readily answerable" and does not meet the criteria for "immediate disclosure." (S.F. Adm. Code Sec. 67.25(a).) We will provide your response within 10 days, by March 25, 2011.

JACK SONG  
Public Information Officer

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OFFICE OF CITY ATTORNEY DENNIS HERRERA  
San Francisco City Hall, Room 234  
1 Dr. Carlton B. Goodlett Place  
San Francisco, California 94102-4682

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[www.sfcityattorney.org](http://www.sfcityattorney.org)



Response to Dumont PRA request  
Jack Song to: zangsf1  
Bcc: Virginia Dario Elizondo, Allie Fisher, Gina Gutierrez

03/28/2011 11:02 AM

Dear Ms. Dumont:

We prepared the attached report in response to your public records requests of March 14 and March 18, 2011, for:

1. For 2010 the total number of hours "billed" to the Recreation and Park Department for "work ordered" and what the topic of service was for.
2. For 2010 the total dollar amount of bills to the Recreation and Park Department for "work ordered".
3. For January 2011 the total number of hours "billed" to the Recreation and Park Department for "work ordered" and what the topic of service was for.
4. For January 2011 the total dollar amount of bills to the Recreation and Park Department for "work ordered".
5. For February 2011 the total number of hours "billed" to the Recreation and Park Department for "work ordered" and what the topic of service was for.
6. For February 2011 the total dollar amount of bills to the Recreation and Park Department for "work ordered".

Please note, that we did not include hours worked on currently open claims or litigation matters. That information is exempt from disclosure under the attorney work product privilege. See California Government Code Section 6254(k) (public agencies not required to disclose documents where disclosure is exempted or prohibited by federal or state law) and California Code of Civil Procedure Section 2018.030 (protecting as work product writings that reflect an attorney's impressions, conclusions, opinions or legal research or theories).



Rq20110318-3.pdf

Best regards,

JACK SONG  
Public Information Officer

OFFICE OF CITY ATTORNEY DENNIS HERRERA  
San Francisco City Hall, Room 234  
1 Dr. Carlton B. Goodlett Place  
San Francisco, California 94102-4682

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Time Period	Category	Time Hours	Time Amount
Calendar 2010	Rec and Park - Candlestick	85.25	\$19,314.25
	Rec and Park - Capital Projects	252.50	\$54,360.00
	Rec and Park - Claims, Closed	483.75	\$81,191.75
	Rec and Park - Collections, Advice	0.25	\$57.25
	Rec and Park - Contracts	27.25	\$5,793.25
	Rec and Park - General Advice	836.25	\$179,377.25
	Rec and Park - General Labor Advice	45.00	\$9,636.75
	Rec and Park - Litigation, Closed	1,332.00	\$274,161.00
	Rec and Park - Marina	188.25	\$35,053.50
	Rec and Park - Open Space	47.50	\$10,175.00
	Rec and Park - Prop G	58.75	\$12,616.75
	Rec and Park - Real Estate	240.50	\$49,340.75
	Rec and Park - Workers Comp Advice	12.75	\$2,727.00
	Rec and Park - Zoo Facilities	17.75	\$3,747.75
	Rec and Park - Collections, Closed	13.00	\$1,972.25
	<b>Total</b>	<b>3,640.75</b>	<b>\$739,524.50</b>
January 2011	Rec and Park - Candlestick	58.25	\$13,581.50
	Rec and Park - Capital Projects	13.25	\$2,871.00
	Rec and Park - Claims, Closed	31	\$5,150.00
	Rec and Park - General Advice	72.5	\$15,372.50
	Rec and Park - General Labor Advice	1.75	\$400.75
	Rec and Park - Litigation, Closed	17.5	\$3,621.00
	Rec and Park - Marina	0.5	\$94.00
	Rec and Park - Prop G	7.5	\$1,616.50
	Rec and Park - Real Estate	28.75	\$6,137.00
	Rec and Park - Zoo Facilities	0.5	\$107.00
February 2011	Rec and Park - Candlestick	29.25	\$6,634.50
	Rec and Park - Capital Projects	8.75	\$1,899.00
	Rec and Park - Claims, Closed	27.00	\$4,357.75
	Rec and Park - Contracts	1.50	\$334.50
	Rec and Park - General Advice	43.00	\$8,975.00
	Rec and Park - General Labor Advice	11.25	\$2,556.75
	Rec and Park - Litigation, Closed	0.25	\$53.50
	Rec and Park - Marina	1.75	\$374.50
	Rec and Park - Open Space	1.00	\$214.00
	Rec and Park - Prop G	3.00	\$642.00
	Rec and Park - Real Estate	88.75	\$19,036.00
	Rec and Park - Workers Comp Advice	1.00	\$223.00