

**SUNSHINE ORDINANCE  
TASK FORCE**



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**ORDER OF DETERMINATION**

**DATE THE DECISION ISSUED**

June 4, 2008

KIMO CROSSMAN v. SAN FRANCISCO CITY ATTORNEY'S OFFICE (08021)

**FACTS OF THE CASE**

Kimo Crossman states the following:

On or about April 18, 2008, Kimo Crossman called DCA Buck Delventhal and asked to speak with him about the Sunshine Ordinance consulting meeting between himself, Supervisor Maxwell and Supervisor Peskin and/or his staff. Kimo Crossman stated that DCA Delventhal refused to assist him and referred him to Public Information Officer Matt Dorsey ("PIO"). Kimo Crossman stated that DCA Delventhal claimed that only the PIO has to provide oral information under the Ordinance.

**COMPLAINT FILED**

On April 30, 2008, Kimo Crossman filed a complaint against City Attorney's Office alleging violations of Sections, 67.21(a) and 67.20(b), 67.22(b), and 67.22(c) of the Sunshine Ordinance.

**HEARING ON THE COMPLAINT**

On May 27, 2008, Complainant Kimo Crossman appeared before the Task Force and presented his claim. Respondent Agency did not attend and submitted no written response to the Complaint.

The issue in the case is whether the Agency violated Section(s) 67.21 and 67.22 of the Ordinance and/or Sections 6253 of the California Public Records Act.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Based on the testimony and evidence presented the Task Force found that this very issue was raised in a prior Complaint filed by Mr. Crossman, where the Task Force did not find a violation. In response to this Complaint, the Task Force does not find that the City Attorney's office violated sections 67.21 and 67.22 of the Ordinance by Mr. Deventhal's refusal to provide oral information on the specific topics requested by Mr. Crossman.

**ORDER OF DETERMINATION**

**DECISION AND ORDER OF DETERMINATION**

The Task Force found that there was no violation.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on May 27, 2008, by the following vote: (Craven / Knee)

Ayes: Craven, Knee, Cauthen, Gokhale, Washburn, Comstock, Pilpel, Chu, Chan, Goldman, Williams

A handwritten signature in black ink, appearing to read 'D. Comstock', written in a cursive style.

Douglas Comstock, Chair  
Sunshine Ordinance Task Force

c: Ernie Llorente, Deputy City Attorney  
Kimo Crossman  
Buck Delventhal