

1 [San Francisco Zoological Gardens—City Oversight.]

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3 **Resolution urging the Recreation and Park Department to review the current lease**
4 **management agreement with the San Francisco Zoological Society to determine**
5 **whether, and how, the City and the Zoo Society could amend the lease management**
6 **agreement to clarify Recreation and Park Commission's ultimate authority over the**
7 **Zoo.**

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9 WHEREAS, The grounds and the animals of San Francisco Zoological Gardens (“Zoo”)
10 are the assets of the City and County of San Francisco; and

11 WHEREAS, The non-profit San Francisco Zoological Society (“SFZS”) was founded in
12 1954 for the acquisition and maintenance of animal and plant life collections and specimens,
13 for the study and promotion of zoology, natural history and wildlife conservation, and for the
14 education and recreation of the public, and for several years managed the concessions as
15 developed many exhibits; and

16 WHEREAS, The section 4.113 of the Charter of the City and County of San Francisco
17 imposes on the Recreation and Park Commission ("Commission") the nondelegable duty,
18 authority and responsibility to the public for the management and direction of all City parks,
19 playgrounds, recreation centers and other recreation facilities, avenues and grounds,
20 including the San Francisco Zoo and all the animals and facilities in it; and

21 WHEREAS, In 1993, the City entered into a Lease and Management Agreement
22 (“Agreement”), on file with the Clerk of the Board of Supervisors in File No. _____, with the
23 SFZS to lease and operate the entire Zoo and such Agreement was approved by the Board of
24 Supervisors and cannot be amended without Board approval; and

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1 WHEREAS The Agreement could not, nor did the City and the SFZS intend to, bargain
2 away or relieve the Commission of its duties, responsibilities and authority under the City
3 Charter over the Zoo; and

4 WHEREAS, The tragic events that resulted in the loss of life require careful review and
5 analysis of both the facility and its operation; and

6 WHEREAS, The current Agreement may not adequately articulate the Commission's
7 nondelegable charge under the City Charter and delineate clear lines of Commission policy
8 oversight authority over the maintenance and operation of the Zoo and SFZS's accountability
9 to the Commission; now, therefore, be it

10 RESOLVED, That Board of Supervisors urges the Recreation and Park Department to
11 review the terms of the Agreement to determine whether, and how, the City and the SFZS
12 could recommend to the Board for its approval amendments to the Agreement to clarify the
13 Commission's policy oversight over, and the SFZS's accountability to the Commission for, the
14 SFZS's day-to-day management of the Zoo.

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