

**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**

ORDER OF DETERMINATION

May 6, 2009

DATE THE DECISION ISSUED

April 28, 2009

*STEVE LAWRENCE v. SAN FRANCISCO PUBLIC UTILITIES COMMISSION
(09013)*

FACTS OF THE CASE

On February 2, 2009, Steven Lawrence sent to the SFPUC records section a Sunshine request to review nine documents or categories. Later that day, Steven Lawrence received back from Public Records acknowledging his request. However, 15 days passed and Steven Lawrence did not receive the records. Steven Lawrence then contacted Tony Winnicker, director of communications at SFPUC. Tony Winnicker stated that he would look into the matter. Another 3 days passed and Steven Lawrence still did not receive the documents.

COMPLAINT FILED

On February 27, 2009, Steven Lawrence filed a complaint against the SFPUC alleging violations of Section 67.21 of the Sunshine Ordinance because of the agency's failure to timely respond to a Public Records request.

HEARING ON THE COMPLAINT

On April 28, 2009, Complainant Steven Lawrence was not present at the hearing. Suzanne Gautier of the SFPUC presented the Agency's defense.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Respondent Suzanne Gautier of the SFPUC admitted that the agency violated Sec. 67.21 (b) and had no plans to contest it. She noted that the Agency had already produced the records that were requested.

DECISION AND ORDER OF DETERMINATION

The Task Force finds that the agency violated Sec 67.21 (b) for failure to produce documents in a timely manner. The agency shall appear before the Education, Outreach and Training Committee on May 14, 2009.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on April 28, 2009, by the following vote: (Goldman / Cauthen)
Ayes: Knee, Cauthen, Knoebber, Goldman, Williams, Chu
Recused: Craven-Green
Excused: Washburn, Johnson, Chan

A handwritten signature in black ink, appearing to read "Kristin M. Chu". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Kristin Murphy Chu, Chair
Sunshine Ordinance Task Force

c: Steve Lawrence, complainant
Suzanne Gautier, respondent
Ernie Llorente, Deputy City Attorney