

**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

June 2, 2009

DATE THE DECISION ISSUED

May 26, 2009

*SAVE OUR RICHMOND ENVIRONMENT ("SORE") v. THE SAN FRANCISCO
PUBLIC UTILITIES COMMISSION (09021)*

FACTS OF THE CASE

On March 16, 2009, a community group named Save Our Richmond Environment ("SORE") made a public records request to the San Francisco Public Utilities Commission for information concerning contract WW 476-0 Job Order Contract Spot Sewer Repair.

On March 25, 2009, SORE made a public records request to the PUC for information concerning contract WD 2350 Pipeline Repair and Readiness Improvement Phase B Pipe Rolling Facility.

COMPLAINT FILED

On April 23, 2009, Wing Fat who identified himself as Chair of the PUC Committee of the SORE group filed a complaint against the PUC alleging that the PUC did not respond to the Public Records requests that were filed on March 16 and 25, 2009.

HEARING ON THE COMPLAINT

On May 26, 2009, Complainant Wing Fat did not appear nor was he represented before the Task Force to present his claim. The San Francisco Public Utilities Commission was represented by Suzanne Gauthier.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Based on the testimony and evidence presented the Task Force finds that the agency did not respond timely even though they knew that they could make time extension requests or produce documents on a rolling basis.

ORDER OF DETERMINATION

The Task Force finds that the agency violated Section(s) 67.21 (b) of the Sunshine Ordinance and is to appear before the Compliance and Amendments Committee on June 9, 2009.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on May 26, 2009, by the following vote: (Chu / Knoebber)

Ayes: Knee, Washburn, Knoebber, Johnson, Goldman, Williams, Chu

Recused: Craven-Green

Excused: Cauthen, Chan

A handwritten signature in black ink, appearing to read "Kristin M. Chu". The signature is written in a cursive, flowing style.

Kristin Murphy Chu, Chair
Sunshine Ordinance Task Force

- c: Wing Fat, complainant
- Suzanne Gauthier, SFPUC
- Ernie Llorente, Deputy City Attorney