

**SUNSHINE ORDINANCE
TASK FORCE**



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ORDER OF DETERMINATION

May 6, 2009

DATE THE DECISION ISSUED

April 28, 2009

*SAVE OUR RICHMOND ENVIRONMENT v. SAN FRANCISCO PUBLIC
UTILITIES COMMISSION (09017)*

FACTS OF THE CASE

On February 13, 2009, a community group named Save Our Richmond Environment made a public records request to the San Francisco Public Utilities Commission.

COMPLAINT FILED

On March 27, 2009, Wing Fat who identified himself as Chair of the PUC Committee of the Save Our Richmond Environment group filed a complaint against the SFPUC alleging that the agency did not respond to the public records request that was filed on February 13, 2009.

HEARING ON THE COMPLAINT

On April 28, 2009, a hearing was held and Complainant Wing Fat was not present. Representatives of Save Our Richmond Environment were also not present. Suzanne Gautier of the SFPUC presented the agency's defense.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Suzanne Gautier admitted that the agency was late in its response to the public records requests and was working toward improving its response time. She noted that Save Our Richmond Environment's request was for answers and not for any particular document.

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 written in a cursive, flowing style.

Kristin Murphy Chu, Chair
Sunshine Ordinance Task Force

c: Wing Fat, complainant
Suzanne Gautier, respondent
Ernie Llorente, Deputy City Attorney