

Date: June 9, 2009

Item No. 3

File No. 09021

## SUNSHINE ORDINANCE TASK FORCE

Compliance and Amendments Committee

AGENDA PACKET CONTENTS LIST\*

- SORE v SFPUC
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Completed by: Chris Rustom

Date: June 4, 2009

**\*This list reflects the explanatory documents provided**

~ Late Agenda Items (documents received too late for distribution to the Task Force Members)

\*\* The document this form replaces exceeds 25 pages and will therefore not be copied for the packet. The original document is in the file kept by the Administrator, and may be viewed in its entirety by the Task Force, or any member of the public upon request at City Hall, Room 244.

**SUNSHINE ORDINANCE  
TASK FORCE**



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**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



Kristin Murphy Chu, Chair  
Sunshine Ordinance Task Force

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