Date: June 23, 2009

Item No. 17
File No. _____

SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST*

- ☒ **Administrators Report for June 2009**
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Completed by: Frank Darby **Date:** June 17, 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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San Francisco 94102-4689
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TDD/TTY No. (415) 554-5227

MEMORANDUM

Date: June16, 2009

To: Sunshine Ordinance Task Force

From: Chris Rustom

Subject: Administrator's Report

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1. Requests from community persons:
   - From May 20, 2009, through June 16, 2009, the Task Force's office responded to approximately 293 calls/e-mails/office visits from individuals requesting information regarding the Sunshine Ordinance, or to mediate request for records.

2. 2009 Complaint Log

3. Communications Received Log

4. Orders of Determination:
   - 09014 Dr. Ahimsa Sumchai v Board of Supervisors
   - 09016 Peter Green v Department of Public Health
   - 09020 Anonymous v Municipal Transportation Authority
   - 09021 Save Our Richmond Environment v SFPUC
   - 09022 Raymond Banks v SF HIV Health Services Planning Council
   - 09023 Save Our Richmond Environment v SFPUC

Complaints 2009

Date Received	Complainant	Department/Respondent	Status
1/5/2009	Ray Hartz (09001)	CAO, Matt Dorsey	Complaint 2/10/09, Task Force 02/24/09, Contd, 03/24/09, Withdrawn
1/6/2009	Michael Petrelis (09002)	Public Health STD Unit	Task Force 1/27/09, No violation
1/19/2009	Rita O'Flynn (09003)	Dept of Technology	Task Force 02/24/09, continued, Complaint Committee 3/10/09, Task Force 3/24/09, Violated 67.21-1 and CPRA 6253.9, CAC 5/12/09, Contd 6/9/09, 7/14/09
1/23/2009	Ray Hartz (09004)	City Attorney, Matt Dorsey	Task Force 2/24/09, No action taken, petition for reconsideration denied 3/24/09.
1/23/2009	Steve Lawrence (09005)	Public Utilities Commission	Task Force 2/24/09; Withdrawn 2/9/09
1/26/2009	Joshua Arce & Eric Brooks (09006)	Public Utilities Commission	Task Force 2/24/09, quorum loss, Task Force 3/24/09, violated 67.29-7, CAC 5/12/09, Task Force 5/26/09, EC referral failed
1/30/2009	David Larkin (09007)	Public Works	Complaint 03/10/09, Task Force 3/24/09, 4/28/09, Violated 67.21, CAC 5/12/09, Task Force 5/26/09, Referred to EC
2/4/2009	Ray Hartz (09008)	Police Commission	Task Force 2/24/09, violated 67.29 & 67.21(e). EOT 4/9/09, SOTF 6/23/09
2/9/2009	Charles Pitts (09009)	Health Dept	Complaint 03/10/09, Task Force 3/24/09, Violated 67.21 (e)
2/20/2009	Ray Hartz (09010)	Arts Commission	Task Force 3/24/09, EOT 4/9/09
2/23/2009	Ray Hartz (09011)	CAO, Matt Dorsey	Task Force 3/24/09, Withdrawn
2/23/2009	Ray Hartz (09012)	Office of Citizen Complaints	Complaint 4/14/09, Withdrawn
2/27/2009	Steve Lawrence (09013)	Public Utilities Commission	Task Force 3/24/09, 4/28/09, violated 67.21 (b), EOT 5/14/09, 6/11/09
3/18/2009	Ahimsa Porter Sumchai (09014)	Board of Supervisors	Task Force 4/28/09, Contd 5/26/09, No violation
3/18/2009	Raymond Bank (09015)	SF HIV Health Services Planning Council	Complaint Committee 4/14/09, Task Force 4/28/09, violated 67.21 (b), EOT 5/14/09, 6/11/09
3/23/2009	Peter Green (09016)	Public Health	Task Force 4/28/09, Contd 5/26/09, No violation
23-Mar	SORE (09017)	SFPUC	Task Force 4/28/09, violated 67.21 (b), EOT 5/14/09, 6/11/09

Complaints 2009

3/27/2009	Anonymous Tenants (09018)	Dept of Bldg Inspection	Complaint Committee 4/14/09, Task Force 4/28/09, Violated 67.28, CAC 5/12/09, Contd 7/14/09
4/3/2009	Christian Holmer (09019)	COB & SOTF	Task Force 5/26/09, Withdrawn
4/7/2009	Anonymous (09020)	MTA	Task Force 5/26/09, No violation
4/23/2009	SORE (09021)	SFPUC	Task Force 5/26/08, Violated 67.21, CAC 6/9/09
5/13/2009	Raymond Banks (09022)	SF HIV Health Services Planning Council	Task Force 5/26/08, No violation
5/13/2009	SORE (09023)	SFPUC	Task Force 5/26/08, No violation
5/15/2009	Paul Weston (09024)	Dept. of Human Services	Complaint 6/9/09, Task Force 6/23/09
5/15/2009	Charles Pitts (09025)	Dept of Human Services	Task Force 6/23/09; 7/28/09
5/18/2009	Hanna Leung & Lydia Fong (09026)	Dept. of Human Services	Complaint 6/9/09, Task Force 6/23/09
5/18/2009	Alvin Xex (09027)	Office of Economic and Workforce Development	Complaint 6/9/09, Task Force 6/23/09
5/18/2009	Alvin Xex (09028)	Dept. of Human Resources	Complaint 6/9/09, Task Force 6/23/09
5/20/2009	Paul Weston (09029)	Human Services (St Vincent de Paul Society)	Task Force 6/23/09
6/8/2009	Ann Grogan (09030)	Police Commission	Complaint 7/14/09;

COMMUNICATIONS RECEIVED LOG

May 20, 2009, through June 16, 2009

	DATE	FROM	DESCRIPTION
1	20-May	Eileen Shields	Charles Pitts (3)
2	20-May	mpetrelis	Iraq torture
3		Kimo Crossman	Client-itis (1)
4	21-May	Christian Holmer	COB/BOS log
5		Christian Holmer	CA Supe of Records (9)
6		Christian Holmer	Ammiano emails (2)
7		Kimo Crossman	Displaying timelines
8		BOS	Christian Holmer
9		Pamela Tebo	Paul Weston
1	25-May	heart5594	Req for assistance
11	26-May	mpetrelis	Corrupt cop
12		Dr. Ahimsa Sumchai	Ethics complaint (1)
13	28-May	Eileen Shields	Charles Pitts (1)
14	29-May	Kimo Crossman	Digital recording
15		Nick Goldman	Linkedin
16	1-Jun	Melvin Banks	CDPH-OOA-HCB (1)
17		John Lum	Parking removal (1)
18	2-Jun	Tim Papandreou	Parking removal
19		Charles Pitts	Shelter Committee
20	5-Jun	Doug Comstock	Hererra Sunshine (2)
21		Sue Cauthen	Hererra Sunshine
22		Ray Hartz	Hererra Sunshine (4)
23		Eric Brooks	Hererra Sunshine (3)
24	4-Jun	RBHauptman	Video posting
25		Kimo Crossman	Video posting
26	6-Jun	Kimo Crossman	CA lawsuit (2)
27	7-Jun	Angelaav	Hererra Sunshine
28		Marc	Hererra Sunshine (2)
29		Richard Knee	Hererra Sunshine (1)
30		Pro-SF	Hererra Sunshine (3)
31		Bruce Wolfe	Hererra Sunshine
32		Sue Cauthen	Library IDR
33		Kimo Crossman	CA campaign
34		Richard Knee	CA lawsuit 1
35		James Chafee	Hererra Sunshine
36	9-Jun	Pro-SF	Vendors
37		Rita O'Flynn	Ethics complaint
38	11-Jun	dc250	Juvi meeting
39	12-Jun	Kimo Crossman	Video and summaries from the Na 2009 FOI Summit
40	14-Jun	Kimo Crossman	Connecticut - HMO's follow FOIA- Performing Gov. Function
41		Kimo Crossman	No requirement to work with Nonprofit under 12L
42		Kimo Crossman	SF COIT website
43		Kimo Crossman	Missouri solveed email problem - SF DT says it is a hard problem
44		Kimo Crossman	Vexatious actions by Herrera
45		Kimo Crossman	Outrageous Cauthen calls Armed police on upset public
46		Kimo Crossman	Correction - Email must be perserved 5 years in SF
47		Kimo Crossman	CAC use of Google groups for SOTF documents
48		Kimo Crossman	Recommendation to CAC re: email and digital preservation
49	15-Jun	Christian Holmer	Newsome Updated Calendar etc.
50		Kimo Crossman	Tenants complaintants not notified of EOT/SOTF meetings
51		Kimo Crossman	Notes: CAC 6/9/09 meeting (2)
52	16-Jun	Ray Hartz	IDR: 2009 audio recordins of EOT meetings
53		Kimo Crossman	IDR: James Knoebber email address

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ORDER OF DETERMINATION
June 2, 2009

DATE THE DECISION ISSUED
May 26, 2009

AHIMSA PORTER SUMCHAI v. SAN FRANCISCO BOARD OF SUPERVISORS (09014)

FACTS OF THE CASE

Complainant, Dr. Ahimsa Porter Sumchai indicated that the Board of Supervisors cancelled their regularly scheduled meeting for the week of March 9 -13, 2009, and that six members of the Board went to Washington, D.C., to meet with Senator Dianne Feinstein and House Speaker Nancy Pelosi.

COMPLAINT FILED

On March 18, 2009, Dr. Sumchai filed a complaint with the Task Force alleging that the Board conducted a policy body meeting while in Washington D.C. without providing public notice of the meeting and without providing an opportunity for Public Comment in violation of the Public Records Act, Brown Act and the Sunshine Ordinance.

HEARING ON THE COMPLAINT

On April 28, 2009, Complainant Dr. Ahimsa Sumchai appeared before the Task Force and presented her claim. Respondent Agency was represented by Frank Darby, the Records and Information Manager for the Board of Supervisors. The hearing was continued to May 26, 2009, because Dr. Ahimsa Sumchai claimed that she had information that a majority of the members of the Board of Supervisors held non-public and non-noticed meetings with federal officials and discussed topics within their jurisdiction as Board Members.

At the May 26, 2009 meeting, Dr. Ahimsa Sumchai pointed to the following proof of the alleged improper meeting; first, that a meeting with Senator Feinstein that was referenced by the president of the San Francisco Chamber of Commerce in an *Examiner* article, and, second, information provided by the Mayor's Office indicated that the transfer of Treasure Island was to be discussed by members of the San Francisco delegation with federal officials. Dr. Sumchai reiterated that during the Chamber of Commerce sponsored trip there was clear evidence that all six members of the Board of Supervisors had opportunities to

ORDER OF DETERMINATION

discuss federal funding for San Francisco initiatives, but the public was not allowed to participate.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Task Force acknowledged that Dr. Ahimsa Sumchai had submitted an additional 500 pages of documents regarding the DC trip, but could not find proof in those documents that the Supervisors violated the Sunshine Ordinance or the Brown Act. The Task Force noted that members of the Board of Supervisors meeting with their federal representatives was not a violation of the Brown Act or the Sunshine Ordinance unless there is clear evidence that a majority of the members of the Board of Supervisors met with specific federal representatives (or as a group) to discuss matters within the jurisdiction of the Board of Supervisors.

The Task Force agreed to advise the Board of Supervisors to refrain from having a majority of Supervisors participate in non-public "conferences" or "lobbying" trips because of the potential for public meeting law violations.

DECISION AND ORDER OF DETERMINATION

The Task Force found that there was no proof that a violation of the Sunshine Ordinance or Brown Act occurred during the Washington, DC trip by members of the Board of Supervisors.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on May 26, 2009, by the following vote (Goldman / Knee)
Ayes: Craven-Green, Knee, Washburn, Knoebber, Johnson, Goldman, Chu
Noes: Williams
Excused: Cauthen, Chan

The Task Force however agreed to advise the Board of Supervisors to refrain from having a majority of Supervisors attend non-public meetings.

Kristin Murphy Chu, Chair
Sunshine Ordinance Task Force

c: Dr. Ahisma Sumchai, complainant
Frank Darby, Records and Information Manager
Ernie Llorente, Deputy City Attorney

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ORDER OF DETERMINATION
June 2, 2009

DATE THE DECISION ISSUED
May 26, 2009

PETER GREEN v. DEPARTMENT OF PUBLIC HEALTH (09016)

FACTS OF THE CASE

On March 6, 2009, Complainant Peter Green made an Immediate Disclosure Request to Dr. John Brown of the Emergency Medical Services of the San Francisco Department of Public Health for all communications, including hard copies and emails, regarding the proposed Emergency Medical Services ("EMS") Regulations. Dr. Brown requested a 10 day extension.

Peter Green alleges that no emails or other communications from companies, public or city agencies were provided. On March 20, 2009, Dr. Brown stated that documents had been produced and the only communications that had been withheld were "protected Attorney-Client" communications. After conducting a second search, responsive emails were found and produced.

COMPLAINT FILED

On March 23, Peter Green filed his complaint against Emergency Medical Services and the Department of Public Health for violations of the State Public Records Act and the Sunshine Ordinance.

HEARING ON THE COMPLAINT

On May 26, 2009, Complainant Peter Green was not present and was not represented before the Task Force to present his claim. Respondent Agency was represented by Dr. John Brown, the Medical Director of the San Francisco EMC agency.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Dr. John Brown said Peter Green requested information on the development of the Ambulance Ordinance and was provided with 21 documents including worksheets that were used in developing the fee section. Dr. John Brown said additional emails were provided when Mr. Peter Green alerted him to the fact that no emails had been provided. The only documents not produced were emails between the department and the City Attorney that are exempt from disclosure under the attorney-client privilege.

ORDER OF DETERMINATION

DECISION AND ORDER OF DETERMINATION

The Task Force found that Dr. John Brown and the Department of Health did not violate the Sunshine Ordinance. The Task Force reminded Dr. Brown that when responding to future information requests, as part of the initial response, he must search for responsive documents, including emails, from all employees who could reasonably be expected to have responsive information. Dr. John Brown acknowledged that responsibility and agreed to do so in the future.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on May 26, 2009, by the following vote: (Knoebber / Knee)
Ayes: Craven-Green, Knee, Washburn, Knoebber, Johnson, Goldman, Williams, Chu
Excused: Cauthen, Chan

Kristin Murphy Chu, Chair
Sunshine Ordinance Task Force

cc: Peter Green, complainant
Dr. John Brown, respondent
Ernie Llorente, Deputy City Attorney

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ORDER OF DETERMINATION
June 3, 2009

DATE THE DECISION ISSUED
May 26, 2009

ANONYMOUS PERSON v. MUNICIPAL TRANSPORTATION AGENCY (09020)

FACTS OF THE CASE

Anonymous Person states that when he tried to obtain access to public documents pertaining to the business of the Municipal Transportation Agency ("MTA") Board of Director's meetings, he experienced difficulty because the MTA receptionist was reluctant to hand over the documents. Anonymous Person further states that during MTA meetings there are not public binders. Anonymous Person further states that he had difficulty in using the MTA Website-specifically in navigating through the various links and search options.

COMPLAINT FILED

On April 7, 2009, Anonymous Person filed a complaint against the MTA citing the above stated difficulties in obtaining public records with the general claim that the MTA violated the Sunshine Ordinance.

HEARING ON THE COMPLAINT

On May 26, 2009, Complainant appeared and identified himself as Barry Taranto. He stated that the MTA does not keep the board packet on a table accessible for public viewing but rather that one has to request the information from the receptionist at the office. He stated that the receptionist was reluctant to provide the documents. He stated that the Board does not have public binders containing the meeting materials at the MTA Board Meetings. He also stated that the website was not user friendly and was difficult to navigate.

At this same hearing, Roberta Boomer, secretary to the MTA Board of Directors, appeared and responded to the complaint that the receptionist was reluctant to provide the meeting materials. She stated that what actually happened was that the person at the reception. desk was not the regular receptionist and while handling a number of matters, she fielded Mr. Taranto's request to see the meeting materials and called a knowledgeable person to find out which materials would be available for review. The process of making her call took a few minutes and Mr. Taranto became upset at the delay. Ms. Boomer heard the frustration of Mr. Taranto and assisted in getting the materials to Mr. Taranto within a few

ORDER OF DETERMINATION

minutes. Regarding the lack of binders, Ms. Boomer explained the logistical problems of having hard copies of a large number of documents physically present at the meetings when the MTA had provided internet access to all of its documents at its website. Regarding the claims of Mr. Taranto about the difficulty is using the website, Ms. Boomer provided a visual demonstration of the MTA website.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Task Force found that the MTA did not violate the Sunshine Ordinance when it responded to Mr. Taranto's request to see the meeting materials. The Task Force also found that the MTA did not violate the Sunshine Ordinance in how it provided its materials through its internet website. The Task Force did not find a violation for the MTA's failure to have a hard copy of the meeting packet but it suggested that it is the best practice to have a hardcopy of the meeting packet for public viewing during the MTA Board meeting.

DECISION AND ORDER OF DETERMINATION

The Order of Determination which made the above findings of fact and conclusions of law was adopted by the Task Force on May 26, 2009, by the following : (Knee / Washburn)
Ayes: Craven-Green, Knee, Washburn, Knoebber, Johnson, Goldman, Williams, Chu
Excused: Cauthen, Chan

Kristin Murphy Chu, Chair
Sunshine Ordinance Task Force

c: Barry Taranto, complainant
Roberta Boomer, respondent
Ernie Llorente, Deputy City Attorney

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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

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ORDER OF DETERMINATION
June 3, 2009

DATE THE DECISION ISSUED
May 26, 2009

RAYMOND BANKS v. SAN FRANCISCO HIV HEALTH SERVICES PLANNING COUNCIL (09022)

FACTS OF THE CASE

Complainant Raymond Banks is a member of the San Francisco HIV Health Services Planning Council ("Council"). The Council is a federally mandated and supported program made up of volunteers who, in San Francisco, are appointed by the Mayor of San Francisco. The authority for the Council comes from Title I and II of the Ryan White CARE Act of 2006.

Raymond Banks lodged a complaint with the Council against Council Members Mark Molnar, Steve Manley and Laura Thomas over their alleged efforts to call into question the conduct of member Raymond Banks at council meetings. In order to process these charges, the Council established a Special Membership Committee ("Committee") to investigate the complaint and to conduct interviews of the parties to the complaint.

On February 18, 2009, the Committee met to develop the procedures to hear the complaint. At this meeting, the Committee discussed whether to close the meeting to the public but allow access to other parties who have an interest in the case. The committee decided to conduct interviews of Council Members Mark Molnar, Steve Manley and Laura Thomas at this meeting and to conduct the interview of Raymond Banks on February 25, 2009. The Committee also scheduled a third meeting date on April 13, 2009, to wrap up the investigation.

COMPLAINT FILED

On May 10, 2009 Raymond Banks filed a complaint against the Council alleging that the Committee's closing of the investigation hearings to the public and its failure to make the testimony of the Council Members a part of the minutes of the hearings violated the Sunshine Ordinance and the State Brown Act.

ORDER OF DETERMINATION

HEARING ON THE COMPLAINT

On May 26, 2009, Complainant Raymond Banks appeared before the Task Force and presented his claim. Respondent Agency was represented by Mark Molnar, the interim Planning Council Support Director, and Steve Manley, a co-chair of the Planning Council.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Task Force found that the February 18, 2009, meeting where the testimony of Council Members Mark Molnar, Steve Manley and Laura Thomas was taken was, in fact, open to the public. The Task Force also noted that the majority of minutes from the Council's meetings (found at the public library's Government Information Center) were in draft form and very few versions had been approved.

The Task Force also found that all of the Council's meetings, including the February 18, 2009, meeting, are audio recorded and transcribed for persons with disabilities when a request is received.

DECISION AND ORDER OF DETERMINATION

The Task Force found that the Planning Council did not violate the Sunshine Ordinance, but recommended that the Council revise its minutes of the February 18, 2009, meeting to include a one sentence summary that reflected each Council Member's position on the agenda item regarding Mr. Banks. The matter was referred to the June 11, 2009, Education, Outreach and Training Committee meeting.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on May 26, 2009, by the following vote: (Knoebber / Goldman)
Ayes: Craven-Green, Knee, Washburn, Knoebber, Johnson, Goldman, Chu
Noes: Williams
Excused: Cauthen, Chan

Kristin Murphy Chu, Chair
Sunshine Ordinance Task Force

c: Raymond Banks, complainant
Mark Molino, respondent
Ernie Llorente, Deputy City Attorney

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ORDER OF DETERMINATION
June 3, 2009

DATE THE DECISION ISSUED
May 26, 2009

SAVE OUR RICHMOND ENVIRONMENT ("SORE") v. THE SAN FRANCISCO PUBLIC UTILITIES COMMISSION (09023)

FACTS OF THE CASE

On March 16, 2009, Wing Fat on behalf of the Save Our Richmond Environment's PUC Committee made a public records inquiry to the Public Utilities Commission regarding Contract No. WW-476 Job Order Contract, Spot Sewer Repair. The contract was referenced as part of an agenda item for the March 10, 2009, PUC meeting.

Agenda item stated:
Staff Recommendation: Approve Modification No.1 to Wastewater Program-funded Contract No. WW-476, Job Order Contract, Spot Sewer Repair (A-license), San Francisco with Synergy Project Management, Inc., to increase the contract by $1,500,000 for a total contract amount of $4,500,000, and with a time extension of one (1) year for a total contract duration of three (3) years. This Modification will allow repair and replacement of approximately six deteriorated segments of the City's sewer system.

The March 16, 2009 letter stated: Please provide documentation or response to this inquiry regarding the captioned contract. Thanks.

- The spot sewer backlog listing of 2950 locations
- The spot sewer backlog listing 0f 539 high priority locations.
- The criteria for distinguishing priorities'
- The locations for the 12 projects completed.
- The costs for each project: estimated vs. actual.
- The location for the 6 proposed projects.
- The estimated cost to repair each.
- Who selected the initial 12 projects: The proposed 6 projects?

In response to the inquiry, the PUC asked Wing Fat for clarification of his request. Wing Fat claims that the PUC's actions of asking questions of the requestor were in fact the PUC purposefully evading their responsibility to respond to the inquiry.

ORDER OF DETERMINATION

COMPLAINT FILED

On May 11, 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 request that was filed on March 16, 2009.

HEARING ON THE COMPLAINT

On May 26, 2009, Complainant Wing Fat did not appear before the Task Force to present his case. He was also not represented at the meeting. Respondent Agency was represented by Suzanne Gauthier of the SFPUC's communications division.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Task Force found that the SFPUC responded to the Public Records Request which was more of a list of questions. In response, the SFPUC requested clarification on the original request. The response to the request was reasonable and the Task Force found no violation of the Sunshine Ordinance.

DECISION AND ORDER OF DETERMINATION

This Order of Determination was adopted by the Sunshine Ordinance Task Force on M/D, 2008, 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, respondent
Ernie Llorente, Deputy City Attorney