

Date: Nov. 29, 2011

Item No. 7 & 8
File No. 11060

SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST*

- Lars Nyman against the Department of Public Works**
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-

Completed by: Chris Rustom

Date: Nov. 22, 2011

***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.



DENNIS J. HERRERA
City Attorney

JERRY THREET
Deputy City Attorney

Direct Dial: (415) 554-3914
Email: jerry.threet@sfgov.org

MEMORANDUM

October 21, 2011:

LARS NYMAN VS. DEPARTMENT OF PUBLIC WORKS (11060)

COMPLAINT

THE COMPLAINANT ALLEGES THE FOLLOWING:

Complainant Lars Nyman ("Complainant") alleges that the Department of Public Works ("DPW") has not adequately responded to his public records request for public information "related to the Montgomery/Alta Street tree project that was performed in early 2011."

COMPLAINANT FILES COMPLAINT:

On September 21, 2011, Complainant filed this complaint against DPW.

JURISDICTION:

DPW is a City department subject to the provisions of the Sunshine Ordinance. The Department does not contest jurisdiction.

APPLICABLE STATUTORY SECTION(S):

- Section 67.21 governs the process for gaining access to public records.
- Section 67.25 governs the immediacy of response.
- Section 67.26 governs the withholding of records.
- Section 67.27 governs the written justifications for withholding of records.

APPLICABLE CASE LAW:

None

ISSUES TO BE DETERMINED

Uncontested/Contested Facts: Complainant alleges that he "requested documents from Department of Public Works on 8/19/2011 and re-iterated my request on 8/29/2011 twice but have not yet received the documents requested from them." He further specifies that the documents he has requested but not received are "any and all documents that authorizes and approves spending \$23,561.80 for 'Tree Support'." Complainant does not allege any other deficiencies in the response of DPW to his public records request, so the other factual allegations are omitted for efficiency.

MEMORANDUM

TO: Sunshine Task Force
DATE: October 21, 2011
PAGE: 2
RE: Complaint 11060: Nyman v. DPW

On September 30, 2011, DPW responded to the Sunshine complaint. In that letter, DPW stated:

[w]e researched Mr. Nyman's Public Records Request thoroughly and found that our department did not have the documents that he requested. [] In that response, we gave to Mr. Nyman the responsive documents that we had and informed him that we did not have any documents that would fit his request for "document(s) that approves the spending of \$23,561.80 for 'Tree Support'." We also explained to him the reason for not having such documents.

Complainant does not allege any facts as to why he believes that DPW has responsive documents that it has not provided to him. However, in his communications with DPW Complainant stated: " I assume the spending of \$23,561.00 for "Tree support" was approved at some point and by someone, therefore I am requesting that information[.]"

QUESTIONS THAT MIGHT ASSIST IN DETERMINING FACTS:

- Does DPW have further responsive records that it has not provided?
- What evidence does Complainant have that DPW may have such records?

LEGAL ISSUES/LEGAL DETERMINATIONS:

- Has DPW withheld any records responsive to the request?
- If so, did DPW justify withholding in accordance with the requirements of the Ordinance?
- Are DPW's justifications for any withholding within the exemptions allowed by the Ordinance and the PRA?

CONCLUSION

THE TASK FORCE FINDS THE FOLLOWING FACTS TO BE TRUE:

THE TASK FORCE FINDS THE ALLEGED VIOLATIONS TO BE **TRUE OR NOT TRUE.**

MEMORANDUM

TO: Sunshine Task Force
DATE: October 21, 2011
PAGE: 3
RE: Complaint 11060: Nyman v. DPW

CHAPTER 67, SAN FRANCISCO ADMINISTRATIVE CODE (SUNSHINE ORDINANCE)**SEC. 67.25. IMMEDIACY OF RESPONSE.**

(a) Notwithstanding the 10-day period for response to a request permitted in Government Code Section 6256 and in this Article, a written request for information described in any category of non-exempt public information shall be satisfied no later than the close of business on the day following the day of the request. This deadline shall apply only if the words "Immediate Disclosure Request" are placed across the top of the request and on the envelope, subject line, or cover sheet in which the request is transmitted. Maximum deadlines provided in this article are appropriate for more extensive or demanding requests, but shall not be used to delay fulfilling a simple, routine or otherwise readily answerable request.

(b) If the voluminous nature of the information requested, its location in a remote storage facility or the need to consult with another interested department warrants an extension of 10 days as provided in Government Code Section 6456.1, the requester shall be notified as required by the close of business on the business day following the request.

(c) The person seeking the information need not state his or her reason for making the request or the use to which the information will be put, and requesters shall not be routinely asked to make such a disclosure. Where a record being requested contains information most of which is exempt from disclosure under the California Public Records Act and this article, however, the City Attorney or custodian of the record may inform the requester of the nature and extent of the non-exempt information and inquire as to the requester's purpose for seeking it, in order to suggest alternative sources for the information which may involve less redaction or to otherwise prepare a response to the request.

(d) Notwithstanding any provisions of California Law or this ordinance, in response to a request for information describing any category of non-exempt public information, when so requested, the City and County shall produce any and all responsive public records as soon as reasonably possible on an incremental or "rolling" basis such that responsive records are produced as soon as possible by the end of the same business day that they are reviewed and collected. This section is intended to prohibit the withholding of public records that are responsive to a records request until all potentially responsive documents have been reviewed and collected. Failure to comply with this provision is a violation of this article.

SEC. 67.26. WITHHOLDING KEPT TO A MINIMUM.

No record shall be withheld from disclosure in its entirety unless all information contained in it is exempt from disclosure under express provisions of the California Public Records Act or of some other statute. Information that is exempt from disclosure shall be masked, deleted or otherwise segregated in order that the nonexempt portion of a requested record may be released, and keyed by footnote or other clear reference to the appropriate justification for withholding required by section 67.27 of this article. This work shall be done personally by the attorney or other staff member conducting the exemption review. The work of responding to a public-records request and preparing documents for disclosure shall be considered part of the regular work duties of any city employee, and no fee shall be charged to the requester to cover the personnel costs of responding to a records request.

MEMORANDUM

TO: Sunshine Task Force
DATE: October 21, 2011
PAGE: 4
RE: Complaint 11060: Nyman v. DPW

SEC. 67.27. JUSTIFICATION OF WITHHOLDING.

Any withholding of information shall be justified, in writing, as follows:

- (a) A withholding under a specific permissive exemption in the California Public Records Act, or elsewhere, which permissive exemption is not forbidden to be asserted by this ordinance, shall cite that authority.
- (b) A withholding on the basis that disclosure is prohibited by law shall cite the specific statutory authority in the Public Records Act or elsewhere.
- (c) A withholding on the basis that disclosure would incur civil or criminal liability shall cite any specific statutory or case law, or any other public agency's litigation experience, supporting that position.
- (d) When a record being requested contains information, most of which is exempt from disclosure under the California Public Records Act and this Article, the custodian shall inform the requester of the nature and extent of the nonexempt information and suggest alternative sources for the information requested, if available.

CAL. PUBLIC RECORDS ACT (GOVT. CODE §§ 6250, ET SEQ.)**SECTION 6253**

- (a) Public records are open to inspection at all times during the office hours of the state or local agency and every person has a right to inspect any public record, except as hereafter provided. Any reasonably segregable portion of a record shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law.
- (b) Except with respect to public records exempt from disclosure by express provisions of law, each state or local agency, upon a request for a copy of records that reasonably describes an identifiable record or records, shall make the records promptly available to any person upon payment of fees covering direct costs of duplication, or a statutory fee if applicable. Upon request, an exact copy shall be provided unless impracticable to do so.
- (c) Each agency, upon a request for a copy of records, shall, within 10 days from receipt of the request, determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and shall promptly notify the person making the request of the determination and the reasons therefor. In unusual circumstances, the time limit prescribed in this section may be extended by written notice by the head of the agency or his or her designee to the person making the request, setting forth the reasons for the extension and the date on which a determination is expected to be dispatched. No notice shall specify a date that would result in an extension for more than 14 days. When the agency dispatches the determination, and if the agency determines that the request seeks disclosable public records, the agency shall state the estimated date and time when the records will be made available. As used in this section, "unusual circumstances" means the following, but only to the extent reasonably necessary to the proper processing of the particular request:
 - (1) The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request.
 - (2) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request.
 - (3) The need for consultation, which shall be conducted with all practicable speed, with another agency having substantial interest in the determination of the request or among two or more components of the agency having substantial subject matter interest therein.



<complaints@sfgov.org>

09/21/2011 03:41 PM

To <soft@sfgov.org>

cc

bcc

Subject Sunshine Complaint

To:soft@sfgov.orgEmail:complaints@sfgov.orgDEPARTMENT:Department of Public Works

CONTACTED:Frank Lee

PUBLIC_RECORDS_VIOLATION:Yes

PUBLIC_MEETING_VIOLATION:No

MEETING_DATE:

SECTIONS_VIOLATED:

DESCRIPTION:I requested documents from Department of Public Works on 8/19/2011 and re-iterated my request on 8/29/2011 twice but have not yet received the documents requested from them. Thus, I am hereby filing this notice of violation of the Sunshine Ordinance by the Department of Public Works.

HEARING:Yes

PRE-HEARING:No

DATE:9/9/2011

NAME:Lars Nyman

ADDRESS:

CITY:

ZIP:

PHONE:

CONTACT_EMAIL:upwardfacingdog@hotmail.com

ANONYMOUS:

CONFIDENTIALITY_REQUESTED:No



Up Dog
<upwardfacingdog@hotmail.com>
09/09/2011 01:24 PM

To <soft@sfgov.org>
cc Up Dog <upwardfacingdog@hotmail.com>
bcc
Subject Sunshine Ordinance violation complaint

Dear Sir,

I requested documents from Department of Public Works on 8/19/2011 and re-iterated my request on 8/29/2011 twice but have not yet received the documents requested from them. Thus, I am hereby filing this notice of violation of the Sunshine Ordinance by the Department of Public Works.

I have included the original request, the replies from the Department of Public Works and my re-iterated request in the email thread below. To summarize:

- I issued original request on 8/19/2011
- DPW responded on 8/26/2011 but the information requested for item B1 was not included
- I re-iterated and clarified my request on 8/29/2011
- DPW responded on 8/29/2011 by sending the same information as was sent to me on 8/26/2011
- I re-iterated and clarified my request yet again on 8/29/2011
- DPW has not responded

As it is clear from my requests, in item B1 I am requesting any and all documents that authorizes and approves spending \$23,561.80 for "Tree Support". The Department Of Public Works has failed to provide me with such documents.

It is Mr. Frank Lee, Executive Assistant to the Director, Department of Public Works who has handled the request and is failing to provide the requested documents.

Thus, I am filing this complaint of violation of the Sunshine Ordinance by Mr. Frank Lee and by the Department of Public Works.

I also look forward to receiving the information requested.

I would very much appreciate if you could acknowledge the receipt of this email to ensure that this complaint AND request is being processed.

Sincerely,
Lars Nyman

From: upwardfacingdog@hotmail.com
To: frank.w.lee@sfdpw.org
CC: upwardfacingdog@hotmail.com
Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?
Date: Mon, 29 Aug 2011 18:23:07 -0700

Dear Mr. Lee,

On 08/12/2011 you wrote:

- > We found that there were nine reasons for exceeding the original estimate. They were, as follows:
- > ...
- > (8) Fabrication and installation of the custom tree support and saddle for the tree branch were also not part of the original estimate

The document you enclosed, dated 07/15/2010, does not mention any fabrication and installation of any custom tree support. This fabrication and installation of the custom tree support and saddle is included as "Tree Support" in the amount of \$23,561.80 in the final cost of the project. This amount, \$23,561.00, is close to 25% of the budget for the project.

I am requesting the document(s) that approves the fabrication and installation of the custom tree support and saddle. Since it was not included in the budget, it must have been approved at some point later prior to its fabrication and installation. The fabrication and installation cost, per your document, is \$23,561.00. I am requesting the document(s) that approves and authorizes spending that amount.

So, I am therefore, yet again, requesting information under the Sunshine Ordinance of the City of San Francisco. I am requesting the document(s) that approves the spending of \$23,561.80 for "Tree Support".

Sincerely,
Lars Nyman

From: Frank.W.Lee@sfdpw.org
To: upwardfacingdog@hotmail.com
Date: Mon, 29 Aug 2011 15:54:53 -0700
Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?

Mr. Nyman:

The original tree support budget of \$4,248.65 was approved in September 2010; this is what I gave to you in response to B1.

The final cost of the tree support ended up being \$23,561.

Sincerely,

Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727
Email: Frank.W.Lee@sfdpw.org

From: Up Dog [mailto:upwardfacingdog@hotmail.com]

Sent: Monday, August 29, 2011 3:08 PM
To: Lee, Frank W
Cc: Up Dog
Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?

Dear Mr. Lee,

Thank you for your response.

However, you failed to provide the information I requested in item B1. I stated:

- > In your prior response you indicated that the cost for
- > "Tree support" was \$23,561.00 but that the cost for "Tree support"
- > was not included in the estimate of cost for the project. I
- > assume the spending of \$23,561.00 for "Tree support" was approved
- > at some point and by someone, therefore I am requesting that
- > information in B1 above.

From the above it should be clear that I was requesting the document(s) approving spending \$23,561.00 for "Tree support". Your response to my request for information in item B1 is a document dated July 2010 and for the amount \$4,248.65. That is not what I requested.

The Department of Public Works in response to my Sunshine Ordinance Requests has stated that:

- the budget for the project was approved in September 2010 and was for the amount \$101,625.50
- the budget did not include any amount for fabrication and installation of the custom tree support
- the total cost of the project ended up being \$229,039.80
- \$23,561.80 of the \$229,039.80 spent on the project was to implement and create "Tree Support"

Included in the total cost is \$23,561.80 for "Tree Support", however the \$23,561.80 for "Tree Support" was not part of the approved budget.

I am therefore, yet again, requesting information under the Sunshine Ordinance of the City of San Francisco. I am requesting the document(s) that approves the spending of \$23,561.80 for "Tree Support".

Sincerely,
Lars Nyman

From: Frank.W.Lee@sfdpw.org
To: upwardfacingdog@hotmail.com
Date: Fri, 26 Aug 2011 17:11:05 -0700
Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?
Dear Mr. Nyman:

We are responding to your public records request that we received on August 19, 2011 and are responding within the time frame as specified in the San Francisco Sunshine Ordinance. That Ordinance requires departments to respond as soon as possible or within ten calendar days from receipt of any records requests. See San Francisco Administrative Code § 67.21(b) and California Government Code § 6253(c).

Below are the answers to your questions.

A1 - The itemized estimated budget or cost that I gave to you in response to your last request was the

approved estimated budget or cost for the project.

A2 - The itemized estimated budget or cost for the project was approved in September 2010.

A3 - Edmund Lee of our Infrastructure Design and Construction Division created the estimated budget or cost.

A4 - Ramon Kong of our Infrastructure Design and Construction Division approved the estimated budget or cost.

B1 - Attached are the documents related to the original estimate of the "tree support" that was also approved in September 2010.

The costs that I gave to you does not include cost or payments paid by the City of San Francisco to PG&E for any claims associated with this project.

Sincerely,

Frank W. Lee

Executive Assistant to the Director

Department of Public Works

Tel: (415) 554-6993

Fax: (415) 522-7727

Email: Frank.W.Lee@sfdpw.org

From: Up Dog [mailto:upwardfacingdog@hotmail.com]

Sent: Friday, August 19, 2011 3:44 PM

To: Lee, Frank W

Subject: Sunshine Ordinance request - Montgomery/Alta Street tree project?

Dear Mr. Lee,

This is a request for information under the Sunshine Ordinance of the City of San Francisco. I hope that the department will honor its obligations under the Sunshine Ordinance and will supply requested information in a timely manner.

The information requested is related to the Montgomery/Alta Street tree project that was performed in early 2011.

The information requested is as follows:

A- Information about the estimated budget or cost of the project as it was approved:

A1- the itemized estimated budget of cost of the project that was approved as the project was approved

A2- the date the estimated budget or cost was approved

A3- the name of the person or persons who created the estimated budget or cost

A4- the name of the person or persons who approved the estimated budget or cost

B- Information about approval of cost of "Tree support":

B1- the document(s) that approves spending money on creation of "Tree support"

Note, for the request A1-A4 above, I am referring to the "final" estimated budget, the estimated budget

that was the basis for the project's final approval prior to its start.

In your prior response you indicated that the cost for "Tree support" was \$23,561.00 but that the cost for "Tree support" was not included in the estimate of cost for the project. I assume the spending of \$23,561.00 for "Tree support" was approved at some point and by someone, therefore I am requesting that information in B1 above.

I also have one additional question related to your prior response about the cost of the project. This question is not a request for information under the Sunshine Ordinance per se (yet), but hope you can give me an answer. During the project, there were damages to PG&E infrastructure causing e.g. power outages. PG&E may have submitted claims to the City of San Francisco to re-coup costs for such damages caused by city workers. Did the cost in you provided in your prior response include any cost or payments paid by the City of San Francisco to PG&E for any claims for repair of damages that city workers inflicted on PG&E infrastructure during this project?

I look forward to receiving the information requested.

I would also very much appreciate if you could acknowledge the receipt of this email.

Sincerely,
Lars Nyman



1 Dr. Carlton B. Goodlett Place, City Hall, Room 348
San Francisco, CA 94102
(415) 554-6900 www.sfdpw.org



Edwin M. Lee, Mayor
Mohammed Nuru, Interim Director

September 30, 2011

Sunshine Ordinance Task Force
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Subject: Sunshine Complaint #11060
Lars Nyman v Public Works

Dear Sunshine Ordinance Task Force:

We researched Mr. Nyman's Public Records Request thoroughly and found that our department did not have the documents that he requested.

On September 9, 2011, we answered Mr. Nyman's Public Records Request that we received on August 30, 2011. We responded to his Public Records Request within the time period as specified in the San Francisco Sunshine Ordinance. That Ordinance requires departments to respond as soon as possible or within ten calendar days from receipt of any records requests.

In that response, we gave to Mr. Nyman the responsive documents that we had and informed him that we did not have any documents that would fit his request for "document(s) that approves the spending of \$23,561.80 for 'Tree Support'." We also explained to him the reason for not having such documents.

Mr. Nyman then followed with two emails asking for clarification. We answered both of these on September 9 and on September 12.

As evidence of our responses, I am attaching the following emails to Mr. Nyman:

- September 9, 2011 email that provided the responsive documents to the August 30, 2011 Public Records Request and explained why we did not have any documents that showed approval of spending \$23,561.80 for the "tree support";
- September 9, 2011 email that confirmed that we did not have any documents showing this approval; and
- September 12, 2011 email that confirmed for the second time that we did not have any documents showing this approval.



We understand that the Public Records Act requires an agency to make available to any person a copy of an “identifiable record or records” in its possession, unless the record is specifically exempt from disclosure. (Please see California Government Code § 6253(b).) Our obligation under the Sunshine Ordinance, like the Public Records Act, is to produce public records in our custody. (See San Francisco Administration Code § 67.20(b).) There is no requirement that our department or officers construct a document to meet the specifications of any request.

Our research included having Project Manager Ramon Kong – the person that approved of the expenditures – and his staff look for the documents that authorized the spending of funds for the “tree support”. They did not have any and provided the reason, which I shared with Mr. Nyman.

In summary, we believe that our department responded to Mr. Nyman’s request properly.

Sincerely,



Frank W. Lee
Executive Assistant to the Director



Lee, Frank W

From: Lee, Frank W
Sent: Friday, September 09, 2011 4:38 PM
To: 'Up Dog'
Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?
Attachments: Tree Support Base.pdf; Tree Saddle.pdf

Dear Mr. Nyman:

We receive almost 300 public records requests a year, and we handle all of them as expeditiously as we can.

For your request, I want to thank you for clarifying what you requested in your email (below), which we received on August 30. Therefore, with this email, we are responding to that request and responding within the time period as specified by the San Francisco Sunshine Ordinance. That Ordinance requires departments to respond as soon as possible or within ten calendar days from receipt of any records requests. See San Francisco Administrative Code § 67.21(b) and California Government Code § 6253(c).

We completed our research and are making the following available to you:

- Sketch of the tree base
- Sketch of the tree support and saddle

There were no estimates that accompanied these sketches. During construction, we realized that the original tree support design (which we gave to you earlier) would not work and needed to be modified. Subsequently, our engineers and arborists determined that the tree support/saddle (the sketches) would be the best solution. Since this solution was made while construction was occurring, Ramon Kong made a judgment call and approved the tree support/saddle quickly so that work could continue without further delays.

Sincerely,

Frank W. Lee

*Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727
Email: Frank.W.Lee@sfdpw.org*

From: Up Dog [mailto:upwardfacingdog@hotmail.com]
Sent: Friday, September 09, 2011 12:11 PM
To: Lee, Frank W
Cc: Up Dog
Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?

Mr. Lee,

You and the Department Of Public Works have failed to provide the information I have requested under the Sunshine Ordinance of the City of San Francisco. Consequently, I will be filing a complaint and notice of violation with the appropriate authorities.

It is very unfortunate that the Department Of Public Works is unwilling to provide the information in a timely manner.

Sincerely,
Lars Nyman

From: upwardfacingdog@hotmail.com
To: frank.w.lee@sfdpw.org
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Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?
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Mr. Nyman:

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The final cost of the tree support ended up being \$23,561.

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Tel: (415) 554-6993
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Cc: Up Dog
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Dear Mr. Lee,

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- > In your prior response you indicated that the cost for
- > "Tree support" was \$23,561.00 but that the cost for "Tree support"
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- > at some point and by someone, therefore I am requesting that
- > information in B1 above.

From the above it should be clear that I was requesting the document(s) approving spending \$23,561.00 for "Tree support". Your response to my request for information in item B1 is a document dated July 2010 and for the amount \$4,248.65. That is not what I requested.

The Department of Public Works in response to my Sunshine Ordinance Requests has stated that:

- the budget for the project was approved in September 2010 and was for the amount \$101,625.50
- the budget did not include any amount for fabrication and installation of the custom tree support
- the total cost of the project ended up being \$229,039.80
- \$23,561.80 of the \$229,039.80 spent on the project was to implement and create "Tree Support"

Included in the total cost is \$23,561.80 for "Tree Support", however the \$23,561.80 for "Tree Support" was not part of the approved budget.

I am therefore, yet again, requesting information under the Sunshine Ordinance of the City of San Francisco. I am requesting the document(s) that approves the spending of \$23,561.80 for "Tree Support".

Sincerely,
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Date: Fri, 26 Aug 2011 17:11:05 -0700
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Below are the answers to your questions.

A1 - The itemized estimated budget or cost that I gave to you in response to your last request was the approved estimated budget or cost for the project.

A2 - The itemized estimated budget or cost for the project was approved in September 2010.

A3 - Edmund Lee of our Infrastructure Design and Construction Division created the estimated budget or cost.

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B1 - Attached are the documents related to the original estimate of the "tree support" that was also approved in September 2010.

The costs that I gave to you does not include cost or payments paid by the City of San Francisco to PG&E for any claims associated with this project.

Sincerely,

Frank W. Lee

Executive Assistant to the Director

Department of Public Works

Tel: (415) 554-6993

Fax: (415) 522-7727

Email: Frank.W.Lee@sfdpw.org

From: Up Dog [mailto:upwardfacingdog@hotmail.com]

Sent: Friday, August 19, 2011 3:44 PM

To: Lee, Frank W

Subject: Sunshine Ordinance request - Montgomery/Alta Street tree project?

Dear Mr. Lee,

This is a request for information under the Sunshine Ordinance of the City of San Francisco. I hope that the department will honor its obligations under the Sunshine Ordinance and will supply requested information in a timely manner.

The information requested is related to the Montgomery/Alta Street tree project that was performed in early 2011.

The information requested is as follows:

A- Information about the estimated budget or cost of the project as it was approved:

A1- the itemized estimated budget of cost of the project that was approved as the project was approved

A2- the date the estimated budget or cost was approved

A3- the name of the person or persons who created the estimated budget or cost

A4- the name of the person or persons who approved the estimated budget or cost

B- Information about approval of cost of "Tree support":

B1- the document(s) that approves spending money on creation of "Tree support"

Note, for the request A1-A4 above, I am referring to the "final" estimated budget, the estimated budget that was the basis for the project's final approval prior to its start.

In your prior response you indicated that the cost for "Tree support" was \$23,561.00 but that the cost for "Tree support" was not included in the estimate of cost for the project. I assume the spending of \$23,561.00 for "Tree support" was approved at some point and by someone, therefore I am requesting that information in B1 above.

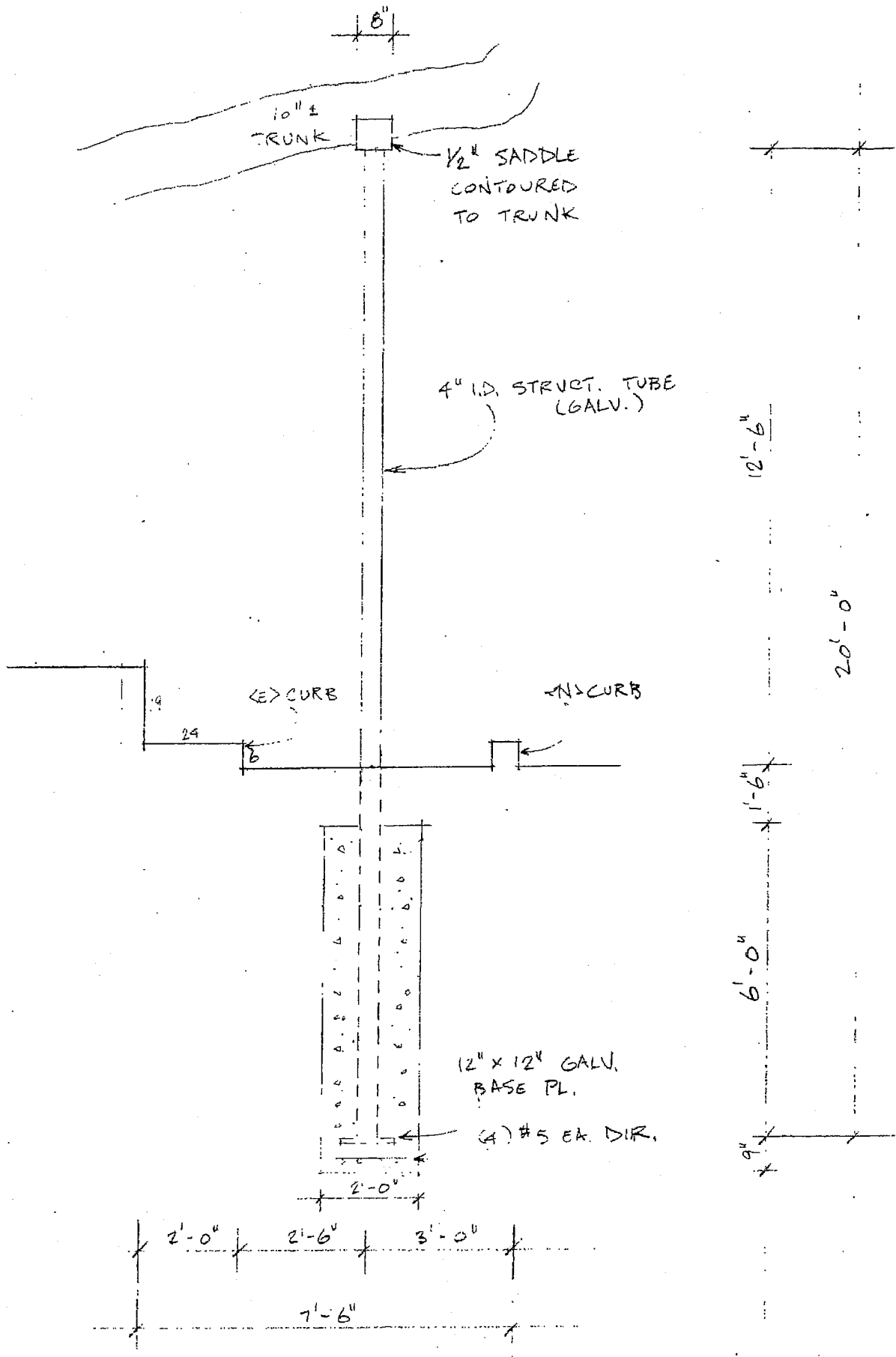
I also have one additional question related to your prior response about the cost of the project. This question is not a request for information under the Sunshine Ordinance per se (yet), but hope you can give me an answer. During the project, there were damages to PG&E infrastructure causing e.g. power outages. PG&E may have submitted claims to the City of San Francisco to re-coup costs for such damages caused by city workers. Did the cost in you provided in your

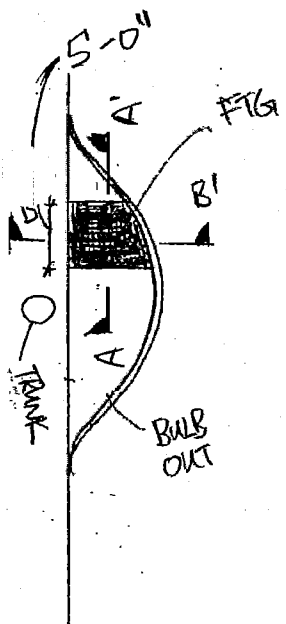
prior response include any cost or payments paid by the City of San Francisco to PG&E for any claims for repair of damages that city workers inflicted on PG&E infrastructure during this project?

I look forward to receiving the information requested.

I would also very much appreciate if you could acknowledge the receipt of this email.

Sincerely,
Lars Nyman



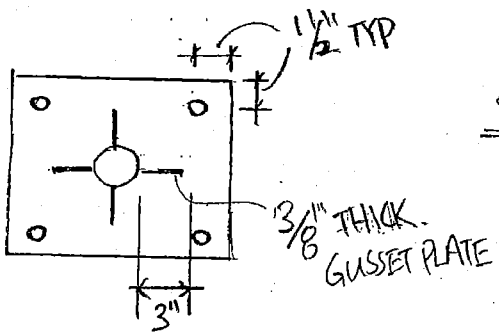
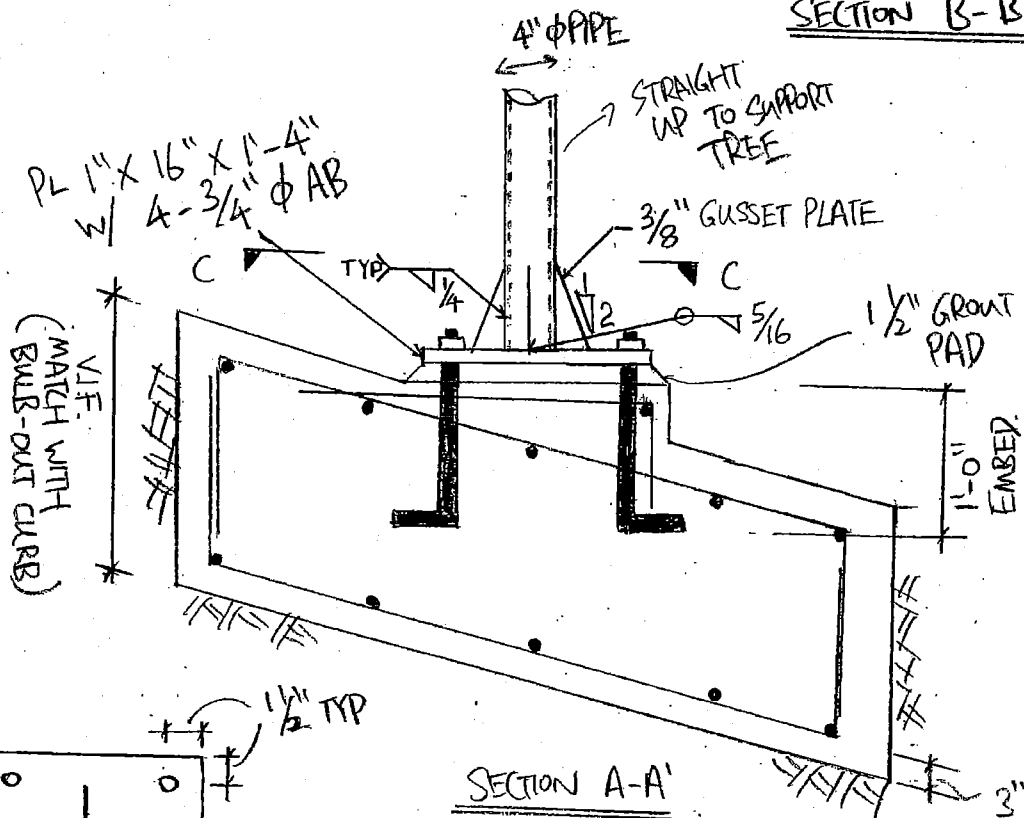
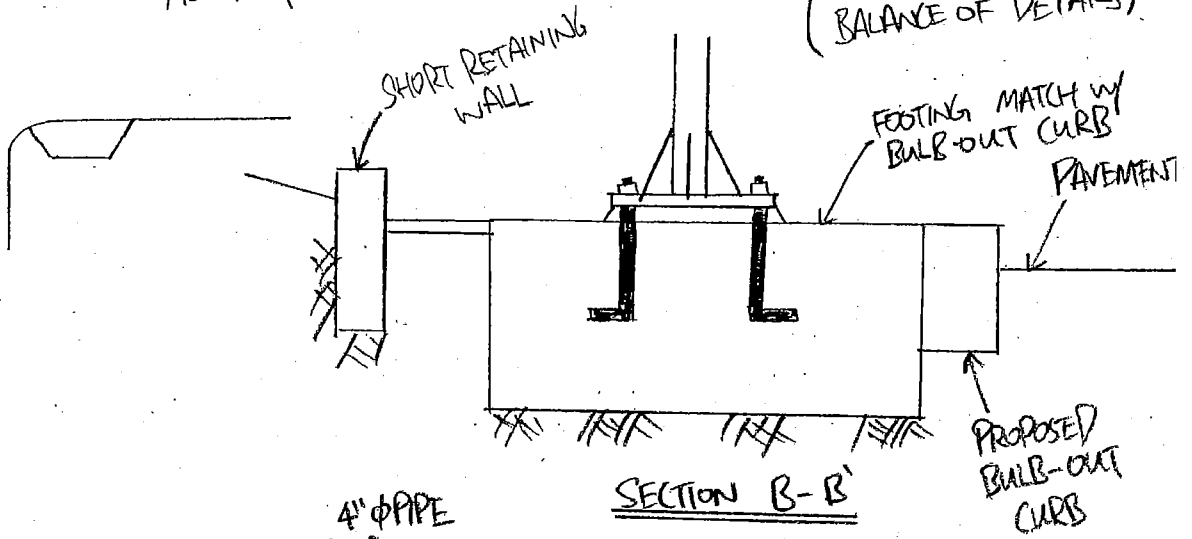


ALL STEEL SHALL BE GALVANIZED

ALTA ST

(SEE SECTION A-A' BALANCE OF DETAILS)

PLAN



3" CR TYP

Lee, Frank W

From: Lee, Frank W
Sent: Friday, September 09, 2011 6:57 PM
To: Up Dog
Subject: Re: Sunshine Ordinance request - Montgomery/Alta Street tree project?

Mr. Nyman:

There are no documents that would be responsive to your request.

Sincerely,

Frank W. Lee

Executive Assistant to the Director

Department of Public Works

Tel: (415) 554-6993

Fax: (415) 522-7727

Email: Frank.W.Lee@sfdpw.org

On Sep 9, 2011, at 6:08 PM, "Up Dog" <upwardfacingdog@hotmail.com> wrote:

Mr. Lee,

I have made it very clear, several times, that I am requesting the document(s) that approves the spending of \$23,561.00 for "Tree Support". The amount that was spent on this item, \$23,561.00, was close to 25% of the entire budget for the project, and 550% more than what was budgeted for this item.

You wrote: "... Ramon Kong made a judgment call and approved the tree support/saddle quickly ...".

You are stating that Ramon Kong approved the spending - I am requesting the document, or documents, that shows that, and I have yet to receive it/them.

So, yet again, I am hereby requesting under the Sunshine Ordinance of the City of San Francisco, the document(s) that approves the spending of \$23,561.80 for "Tree Support".

Sincerely,

Lars Nyman

From: Frank.W.Lee@sfdpw.org
To: upwardfacingdog@hotmail.com
Date: Fri, 9 Sep 2011 16:38:06 -0700
Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?

Dear Mr. Nyman:

We receive almost 300 public records requests a year, and we handle all of them as expeditiously as we can.

For your request, I want to thank you for clarifying what you requested in your email (below), which we received on August 30. Therefore, with this email, we are responding to that request and responding within the time period as specified by the San Francisco Sunshine Ordinance. That Ordinance requires departments to respond as soon as possible or within ten calendar days from receipt of any records requests. See San Francisco Administrative Code § 67.21(b) and California Government Code § 6253(c).

We completed our research and are making the following available to you:

- Sketch of the tree base
- Sketch of the tree support and saddle

There were no estimates that accompanied these sketches. During construction, we realized that the original tree support design (which we gave to you earlier) would not work and needed to be modified. Subsequently, our engineers and arborists determined that the tree support/saddle (the sketches) would be the best solution. Since this solution was made while construction was occurring, Ramon Kong made a judgment call and approved the tree support/saddle quickly so that work could continue without further delays.

Sincerely,

Frank W. Lee
*Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727*

Email: Frank.W.Lee@sfdpw.org

From: Up Dog [mailto:upwardfacingdog@hotmail.com]
Sent: Friday, September 09, 2011 12:11 PM
To: Lee, Frank W
Cc: Up Dog
Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?

Mr. Lee,

You and the Department Of Public Works have failed to provide the information I have requested under the Sunshine Ordinance of the City of San Francisco. Consequently, I will be filing a complaint and notice of violation with the appropriate authorities.

It is very unfortunate that the Department Of Public Works is unwilling to provide the information in a timely manner.

Sincerely,
Lars Nyman

From: upwardfacingdog@hotmail.com
To: frank.w.lee@sfdpw.org
CC: upwardfacingdog@hotmail.com
Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?
Date: Mon, 29 Aug 2011 18:23:07 -0700

Dear Mr. Lee,

On 08/12/2011 you wrote:

- > We found that there were nine reasons for exceeding the original estimate. They were, as follows:
- > ...
- > (8) Fabrication and installation of the custom tree support and saddle for the tree branch were also not part of the original estimate

The document you enclosed, dated 07/15/2010, does not mention any fabrication and installation of any custom tree support. This fabrication and installation of the custom tree support and saddle is included as "Tree Support" in the amount of \$23,561.80 in the final cost of the project. This amount, \$23,561.00, is close to 25% of the budget for the project.

I am requesting the document(s) that approves the fabrication and installation of the custom tree support and saddle. Since it was not included in the budget, it must have been approved at some point later prior to its fabrication and installation. The fabrication and installation cost, per your document, is \$23,561.00. I am requesting the document(s) that approves and authorizes spending that amount.

So, I am therefore, yet again, requesting information under the Sunshine Ordinance of the City of San Francisco. I am requesting the document(s) that approves the spending of \$23,561.80 for "Tree Support".

Sincerely,
Lars Nyman

From: Frank.W.Lee@sfdpw.org
To: upwardfacingdog@hotmail.com
Date: Mon, 29 Aug 2011 15:54:53 -0700
Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?

Mr. Nyman:

The original tree support budget of \$4,248.65 was approved in September 2010; this is what I gave to you in response to B1.

The final cost of the tree support ended up being \$23,561.

Sincerely,

Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

Email: Frank.W.Lee@sfdpw.org

From: Up Dog [mailto:upwardfacingdog@hotmail.com]
Sent: Monday, August 29, 2011 3:08 PM
To: Lee, Frank W
Cc: Up Dog
Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?

Dear Mr. Lee,

Thank you for your response.

However, you failed to provide the information I requested in item B1. I stated:

- > In your prior response you indicated that the cost for
- > "Tree support" was \$23,561.00 but that the cost for "Tree support"
- > was not included in the estimate of cost for the project. I
- > assume the spending of \$23,561.00 for "Tree support" was approved
- > at some point and by someone, therefore I am requesting that
- > information in B1 above.

From the above it should be clear that I was requesting the document(s) approving spending \$23,561.00 for "Tree support". Your response to my request for information in item B1 is a document dated July 2010 and for the amount \$4,248.65. That is not what I requested.

The Department of Public Works in response to my Sunshine Ordinance Requests has stated that:

- the budget for the project was approved in September 2010 and was for the amount \$101,625.50
- the budget did not include any amount for fabrication and installation of the custom tree support
- the total cost of the project ended up being \$229,039.80
- \$23,561.80 of the \$229,039.80 spent on the project was to implement and create "Tree Support"

Included in the total cost is \$23,561.80 for "Tree Support", however the \$23,561.80 for "Tree Support" was not part of the approved budget.

I am therefore, yet again, requesting information under the Sunshine Ordinance of the City of San Francisco. I am requesting the document(s) that approves the spending of \$23,561.80 for "Tree Support".

Sincerely,
Lars Nyman

From: Frank.W.Lee@sfdpw.org
To: upwardfacingdog@hotmail.com
Date: Fri, 26 Aug 2011 17:11:05 -0700
Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?

Dear Mr. Nyman:

We are responding to your public records request that we received on August 19, 2011 and are responding within the time frame as specified in the San Francisco Sunshine Ordinance. That Ordinance requires departments to respond as soon as possible or within ten calendar days from receipt of any

records requests. See San Francisco Administrative Code § 67.21(b) and California Government Code § 6253(c).

Below are the answers to your questions.

A1 - The itemized estimated budget or cost that I gave to you in response to your last request was the approved estimated budget or cost for the project.

A2 - The itemized estimated budget or cost for the project was approved in September 2010.

A3 - Edmund Lee of our Infrastructure Design and Construction Division created the estimated budget or cost.

A4 - Ramon Kong of our Infrastructure Design and Construction Division approved the estimated budget or cost.

B1 - Attached are the documents related to the original estimate of the "tree support" that was also approved in September 2010.

The costs that I gave to you does not include cost or payments paid by the City of San Francisco to PG&E for any claims associated with this project.

Sincerely,

Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727

Email: Frank.W.Lee@sfdpw.org

From: Up Dog [mailto:upwardfacingdog@hotmail.com]
Sent: Friday, August 19, 2011 3:44 PM

To: Lee, Frank W

Subject: Sunshine Ordinance request - Montgomery/Alta Street tree project?

Dear Mr. Lee,

This is a request for information under the Sunshine Ordinance of the City of San Francisco. I hope that the department will honor its obligations under the Sunshine Ordinance and will supply requested information in a timely manner.

The information requested is related to the Montgomery/Alta Street tree project that was performed in early 2011.

The information requested is as follows:

A- Information about the estimated budget or cost of the project as it was approved:

A1- the itemized estimated budget or cost of the project that was approved as the project was approved

A2- the date the estimated budget or cost was approved

A3- the name of the person or persons who created the estimated budget or cost

A4- the name of the person or persons who approved the estimated budget or cost

B- Information about approval of cost of "Tree support":

B1- the document(s) that approves spending money on creation of "Tree support"

Note, for the request A1-A4 above, I am referring to the "final" estimated budget, the estimated budget that was the basis for the project's final approval prior to its start.

In your prior response you indicated that the cost for "Tree support" was \$23,561.00 but that the cost for "Tree support" was not included in the estimate of cost for the project. I assume the spending of \$23,561.00 for "Tree support" was approved at some point and by someone, therefore I am requesting that information in B1 above.

I also have one additional question related to your prior response about the cost of the project. This question is not a request for information under the Sunshine Ordinance per se (yet), but hope you can give me an answer. During the project, there were damages to PG&E infrastructure causing e.g. power outages. PG&E may have submitted claims to the City of San Francisco to re-coup costs for such damages caused by city workers. Did the cost in you provided in your prior response include any cost or payments paid by the City of San Francisco to PG&E for any claims for repair of damages that city workers inflicted on PG&E infrastructure during this project?

I look forward to receiving the information requested.

I would also very much appreciate if you could acknowledge the receipt of this email.

Sincerely,
Lars Nyman

Lee, Frank W

From: Lee, Frank W
Sent: Monday, September 12, 2011 9:06 AM
To: 'Up Dog'
Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?

Dear Mr. Nyman:

Yes, there are no documents that show the approval or authorization to spend money to construct and install the tree support and saddle as shown in the two sketches that I provided to you.

Sincerely,

Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727
Email: Frank.W.Lee@sfdpw.org

From: Up Dog [mailto:upwardfacingdog@hotmail.com]
Sent: Friday, September 09, 2011 7:48 PM
To: Lee, Frank W
Cc: Up Dog
Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?

Mr. Lee,

To prevent any misunderstanding, are you stating that there are no documents approving, or authorizing, the spending of \$23,561.00 for the tree support?

Sincerely,
Lars Nyman

> From: Frank.W.Lee@sfdpw.org
> To: upwardfacingdog@hotmail.com
> Date: Fri, 9 Sep 2011 18:56:44 -0700
> Subject: Re: Sunshine Ordinance request - Montgomery/Alta Street tree project?
>
>
> Mr. Nyman:
>
> There are no documents that would be responsive to your request.
>
> Sincerely,
>
> Frank W. Lee
> Executive Assistant to the Director
> Department of Public Works

> Tel: (415) 554-6993
> Fax: (415) 522-7727

> Email: <mailto:Frank.W.Lee@sfdpw.org> Frank.W.Lee@sfdpw.org<mailto:Frank.W.Lee@sfdpw.org>

> On Sep 9, 2011, at 6:08 PM, "Up Dog" <upwardfacingdog@hotmail.com<mailto:upwardfacingdog@hotmail.com>> wrote:

> Mr. Lee,

> I have made it very clear, several times, that I am requesting the document(s) that approves the spending of \$23,561.00 for "Tree Support". The amount that was spent on this item, \$23,561.00, was close to 25% of the entire budget for the project, and 550% more than what was budgeted for this item.

> You wrote: "... Ramon Kong made a judgment call and approved the tree support/saddle quickly ...".

> You are stating that Ramon Kong approved the spending - I am requesting the document, or documents, that shows that, and I have yet to receive it/them.

> So, yet again, I am hereby requesting under the Sunshine Ordinance of the City of San Francisco, the document(s) that approves the spending of \$23,561.80 for "Tree Support".

> Sincerely,
> Lars Nyman

> From: <mailto:Frank.W.Lee@sfdpw.org> Frank.W.Lee@sfdpw.org<mailto:Frank.W.Lee@sfdpw.org>

> To: <mailto:upwardfacingdog@hotmail.com> upwardfacingdog@hotmail.com<mailto:upwardfacingdog@hotmail.com>

> Date: Fri, 9 Sep 2011 16:38:06 -0700

> Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?

> Dear Mr. Nyman:

> We receive almost 300 public records requests a year, and we handle all of them as expeditiously as we can.

> For your request, I want to thank you for clarifying what you requested in your email (below), which we received on August 30. Therefore, with this email, we are responding to that request and responding within the time period as specified by the San Francisco Sunshine Ordinance. That Ordinance requires departments to respond as soon as possible or within ten calendar days from receipt of any records requests. See San Francisco Administrative Code § 67.21(b) and California Government Code § 6253(c).

> We completed our research and are making the following available to you:

> • Sketch of the tree base

> • Sketch of the tree support and saddle

>
>
> There were no estimates that accompanied these sketches. During construction, we realized that the original tree support design (which we gave to you earlier) would not work and needed to be modified. Subsequently, our engineers and arborists determined that the tree support/saddle (the sketches) would be the best solution. Since this solution was made while construction was occurring, Ramon Kong made a judgment call and approved the tree support/saddle quickly so that work could continue without further delays.

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> Sincerely,

>
>
> Frank W. Lee
> Executive Assistant to the Director
> Department of Public Works
> Tel: (415) 554-6993
> Fax: (415) 522-7727

> Email: <mailto:Frank.W.Lee@sfdpw.org> Frank.W.Lee@sfdpw.org<mailto:Frank.W.Lee@sfdpw.org>

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> From: Up Dog [mailto:upwardfacingdog@hotmail.com]
> Sent: Friday, September 09, 2011 12:11 PM
> To: Lee, Frank W
> Cc: Up Dog
> Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?

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> Mr. Lee,
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> You and the Department Of Public Works have failed to provide the information I have requested under the Sunshine Ordinance of the City of San Francisco. Consequently, I will be filing a complaint and notice of violation with the appropriate authorities.

>
> It is very unfortunate that the Department Of Public Works is unwilling to provide the information in a timely manner.

>
> Sincerely,
> Lars Nyman

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> _____
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> From: <mailto:upwardfacingdog@hotmail.com>
upwardfacingdog@hotmail.com<mailto:upwardfacingdog@hotmail.com>
> To: <mailto:frank.w.lee@sfdpw.org> frank.w.lee@sfdpw.org<mailto:frank.w.lee@sfdpw.org>
> CC: <mailto:upwardfacingdog@hotmail.com> upwardfacingdog@hotmail.com<mailto:upwardfacingdog@hotmail.com>
> Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?
> Date: Mon, 29 Aug 2011 18:23:07 -0700
>

> Dear Mr. Lee,
>
> On 08/12/2011 you wrote:
> > We found that there were nine reasons for exceeding the original estimate. They were, as follows:
> > ...
> > (8) Fabrication and installation of the custom tree support and saddle for the tree branch were also not part of the original estimate
>
> The document you enclosed, dated 07/15/2010, does not mention any fabrication and installation of any custom tree support. This fabrication and installation of the custom tree support and saddle is included as "Tree Support" in the amount of \$23,561.80 in the final cost of the project. This amount, \$23,561.00, is close to 25% of the budget for the project.
>
> I am requesting the document(s) that approves the fabrication and installation of the custom tree support and saddle. Since it was not included in the budget, it must have been approved at some point later prior to its fabrication and installation. The fabrication and installation cost, per your document, is \$23,561.00. I am requesting the document(s) that approves and authorizes spending that amount.
>
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> So, I am therefore, yet again, requesting information under the Sunshine Ordinance of the City of San Francisco. I am requesting the document(s) that approves the spending of \$23,561.80 for "Tree Support".
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> Sincerely,
> Lars Nyman
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> From: <mailto:Frank.W.Lee@sfdpw.org> Frank.W.Lee@sfdpw.org<mailto:Frank.W.Lee@sfdpw.org>
> To: <mailto:upwardfacingdog@hotmail.com> upwardfacingdog@hotmail.com<mailto:upwardfacingdog@hotmail.com>
> Date: Mon, 29 Aug 2011 15:54:53 -0700
> Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?
>
> Mr. Nyman:
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>
> The original tree support budget of \$4,248.65 was approved in September 2010; this is what I gave to you in response to B1.
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>
> The final cost of the tree support ended up being \$23,561.
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> Sincerely,
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> Frank W. Lee
> Executive Assistant to the Director
> Department of Public Works
> Tel: (415) 554-6993
> Fax: (415) 522-7727
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> Email: <mailto:Frank.W.Lee@sfdpw.org> Frank.W.Lee@sfdpw.org<mailto:Frank.W.Lee@sfdpw.org>

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> From: Up Dog [mailto:upwardfacingdog@hotmail.com]
> Sent: Monday, August 29, 2011 3:08 PM
> To: Lee, Frank W
> Cc: Up Dog
> Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?

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>
> Dear Mr. Lee,
>
> Thank you for your response.

>
> However, you failed to provide the information I requested in item B1. I stated:
> > In your prior response you indicated that the cost for
> > "Tree support" was \$23,561.00 but that the cost for "Tree support"
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> > assume the spending of \$23,561.00 for "Tree support" was approved
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> > information in B1 above.

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> From the above it should be clear that I was requesting the document(s) approving spending \$23,561.00 for "Tree support". Your response to my request for information in item B1 is a document dated July 2010 and for the amount \$4,248.65. That is not what I requested.

>
> The Department of Public Works in response to my Sunshine Ordinance Requests has stated that:
> - the budget for the project was approved in September 2010 and was for the amount \$101,625.50
> - the budget did not include any amount for fabrication and installation of the custom tree support
> - the total cost of the project ended up being \$229,039.80
> - \$23,561.80 of the \$229,039.80 spent on the project was to implement and create "Tree Support"

>
> Included in the total cost is \$23,561.80 for "Tree Support", however the \$23,561.80 for "Tree Support" was not part of the approved budget.

>
> I am therefore, yet again, requesting information under the Sunshine Ordinance of the City of San Francisco. I am requesting the document(s) that approves the spending of \$23,561.80 for "Tree Support".

>
> Sincerely,
> Lars Nyman

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> From: <mailto:Frank.W.Lee@sfdpw.org> Frank.W.Lee@sfdpw.org<mailto:Frank.W.Lee@sfdpw.org>
> To: <mailto:upwardfacingdog@hotmail.com> upwardfacingdog@hotmail.com<mailto:upwardfacingdog@hotmail.com>

> Date: Fri, 26 Aug 2011 17:11:05 -0700
> Subject: RE: Sunshine Ordinance request - Montgomery/Alta Street tree project?
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> Dear Mr. Nyman:
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> We are responding to your public records request that we received on August 19, 2011 and are responding within the time frame as specified in the San Francisco Sunshine Ordinance. That Ordinance requires departments to respond as soon as possible or within ten calendar days from receipt of any records requests. See San Francisco Administrative Code § 67.21(b) and California Government Code § 6253(c).
>
>
>
> Below are the answers to your questions.
>
>
>
> A1 - The itemized estimated budget or cost that I gave to you in response to your last request was the approved estimated budget or cost for the project.
>
> A2 - The itemized estimated budget or cost for the project was approved in September 2010.
>
> A3 - Edmund Lee of our Infrastructure Design and Construction Division created the estimated budget or cost.
>
> A4 - Ramon Kong of our Infrastructure Design and Construction Division approved the estimated budget or cost.
>
>
>
> B1 - Attached are the documents related to the original estimate of the "tree support" that was also approved in September 2010.
>
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> The costs that I gave to you does not include cost or payments paid by the City of San Francisco to PG&E for any claims associated with this project.
>
>
>
> Sincerely,
>
>
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> Frank W. Lee
> Executive Assistant to the Director
> Department of Public Works
> Tel: (415) 554-6993
> Fax: (415) 522-7727
>
> Email: <mailto:Frank.W.Lee@sfdpw.org> Frank.W.Lee@sfdpw.org<mailto:Frank.W.Lee@sfdpw.org>
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> From: Up Dog [mailto:upwardfacingdog@hotmail.com]

> Sent: Friday, August 19, 2011 3:44 PM
> To: Lee, Frank W
> Subject: Sunshine Ordinance request - Montgomery/Alta Street tree project?

>
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> Dear Mr. Lee,

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> This is a request for information under the Sunshine Ordinance of the City of San Francisco. I hope that the department will honor its obligations under the Sunshine Ordinance and will supply requested information in a timely manner.

>
> The information requested is related to the Montgomery/Alta Street tree project that was performed in early 2011.

>
> The information requested is as follows:

>
> A- Information about the estimated budget or cost of the project as it was approved:

> A1- the itemized estimated budget or cost of the project that was approved as the project was approved

> A2- the date the estimated budget or cost was approved

> A3- the name of the person or persons who created the estimated budget or cost

> A4- the name of the person or persons who approved the estimated budget or cost

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> B- Information about approval of cost of "Tree support":

> B1- the document(s) that approves spending money on creation of "Tree support"

>
>
> Note, for the request A1-A4 above, I am referring to the "final" estimated budget, the estimated budget that was the basis for the project's final approval prior to its start.

>
> In your prior response you indicated that the cost for "Tree support" was \$23,561.00 but that the cost for "Tree support" was not included in the estimate of cost for the project. I assume the spending of \$23,561.00 for "Tree support" was approved at some point and by someone, therefore I am requesting that information in B1 above.

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> I also have one additional question related to your prior response about the cost of the project. This question is not a request for information under the Sunshine Ordinance per se (yet), but hope you can give me an answer. During the project, there were damages to PG&E infrastructure causing e.g. power outages. PG&E may have submitted claims to the City of San Francisco to re-coup costs for such damages caused by city workers. Did the cost in you provided in your prior response include any cost or payments paid by the City of San Francisco to PG&E for any claims for repair of damages that city workers inflicted on PG&E infrastructure during this project?

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> I look forward to receiving the information requested.

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