

**SUNSHINE ORDINANCE
TASK FORCE**



City Hall
1 Dr Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-7724
Fax No. (415) 554-7854
TTD/TTY No. (415) 554-5227

**ORDER OF DETERMINATION
March 3, 2023**

DATE DECISION ISSUED
February 1, 2023

CASE TITLE - File No. 22018

Complaint filed by Peter Drekmeier against the San Francisco Public Utilities Commission for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21, by failing to respond to a public records request in a timely and/or complete manner.

HEARING AND ACTION ON THE COMPLAINT

On April 19, 2022, the Complaint Committee acting in its capacity to hear petitions/complaints heard the matter.

Moved by Chair Schmidt, seconded by Member Stein, to find that the SOTF has jurisdiction, find that the requested records are public and to refer the matter to the SOTF to consider violations of Administrative Code, Sunshine Ordinance, Section 67.21 by asserting attorney/client privilege as an exemption to all the documents sought by the Petitioner and a violation of 67.24(b)(2) that under California law, when litigation is finally adjudicated or otherwise settled, records of all communications between the department and the adverse party shall be subject to disclosure, including the text and terms of any settlement.

The motion PASSED by the following vote:

Ayes: 2 - Schmidt, Stein
Noes: 0 - None

On February 1, 2023, the SOTF held a hearing to review the recommendation from committee and/or to review the merits of the petition/complaint.

Moved by Member Stein seconded by Member Padmanabhan, to find that the San Francisco Public Utilities Commission, violated Administrative Code, (Sunshine Ordinance), Section 67.21(b), by failing to provide records in a timely manner. The SOTF orders the release of any public records or public information that would help explain the water rationing calculation numbers as requested by the Complainant. The SOTF refers the matter to the Compliance and Amendments Committee to monitor compliances with the SOTF Order.

The motion PASSED by the following vote:

Ayes: 8 - Schmidt, LaHood, Padmanabhan, Stein, Hyland, Hill, Wolfe,
Yankee

Noes: 0 - None

Absent: 1 – Wong

This Order of Determination was approved
by the Sunshine Ordinance Task Force
on: March 1, 2023

cc. Complainant
Respondent