

File No. 12007

SOTF Item No. 19
CAC Item No. _____

SUNSHINE ORDINANCE TASK FORCE
AGENDA PACKET CONTENTS LIST

Sunshine Ordinance Task Force

Date: April 4, 2012

Compliance and Amendments Committee

Date: _____

CAC/SOTF

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Completed by: Andrea Ausberry Date March 27, 2012

Completed by: _____ Date _____

*An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document is in the file.



DENNIS J. HERRERA
City Attorney

JERRY THREET
Deputy City Attorney

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

MEMORANDUM

TO: Sunshine Ordinance Task Force
FROM: Jerry Threet
Deputy City Attorney
DATE: March 22, 2012
RE: Complaint 12007 – Library Users Association v. Supervisor Campos

BACKGROUND

Complainant Library Users Association ("Complainant") alleges that the San Francisco Supervisor David Campos (the "Supervisor") violated the Ordinance by failing to properly respond to an Immediate Disclosure Request ("IDR") asking to inspect documents related to the Bernal Heights Branch library mural project.

COMPLAINT

On January 13, 2012, Complainant filed this complaint against the Commission, without specifying which provision of the Ordinance it believed had been violated.

JURISDICTION

The Commission is a department under the Ordinance. Therefore, in general, the Task Force has jurisdiction to hear public records complaints against Commission. Commission does not contest jurisdiction.

APPLICABLE STATUTORY SECTION(S):

Section 67 of the San Francisco Administrative Code:

- 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.

Section 6250 et seq. of Cal. Gov't Code (PRA)

- Section 6253 governs time limits for responding to public records requests.
- Section 6254(c) governs exemption from disclosure where it would constitute unwarranted invasion of personal privacy.

APPLICABLE CASE LAW:

IFPTE, Local 21, et al. v. Superior Court (2007) 42 Cal.4th 319 [public employee constitutional right of privacy must be balanced against public interest in disclosure of public employee salary information, with balance favoring disclosure].

MEMORANDUM

TO: Sunshine Ordinance Task Force
DATE: March 22, 2012
PAGE: 2
RE: Complaint 12007 – Library Users Association v. Supervisor Campos

ISSUES TO BE DETERMINED

Uncontested/Contested Facts: January 13, 2012, Complainant filed this complaint against the Supervisor, alleging that several months ago, the Supervisor's office violated the Ordinance by failing to properly respond to an IDR asking to inspect documents related to the Bernal Heights Branch library mural project. Complainant alleges that "more than a week passed before [Complainant] received any reply, and then it was a telephone call saying the office was working on the request." Complainant further alleges that "when [Complainant was] finally allowed to inspect the documents [he] found many redactions without any notes or written explanation."

Complainant alleges that he was "told orally that the redactions were contact information withheld for privacy reasons, but no statutory citations were provided." Complainant argues that "the redactions were both unjustifiable, unjustified, and excessive. For example, it is not always possible to see whether the redaction is a name, or an email address, or a street address or phone number. In some cases it is evident that some of the redactions are not email addresses but very short names of email senders or recipients."

The Supervisor responded through his Legislative Aide, Hillary Ronen, on January 31, 2012. Ms. Ronen states that the office missed Complainant's initial IDR due to the volume of emails they receive. She further alleges that, once Mr. Warfield telephoned the office, they began immediately to respond to the IDR and requested an extension of time to fully respond. Ms. Ronen further alleges that the office provided responsive pdf file of all responsive documents to Complainant on November 10, 2011, "which would have been timely if [they] had invoked an extension of time to respond under the Sunshine Ordinance." She also says that the office has revised its protocol for Sunshine requests as a result of this error.

Ms. Ronen then goes on to argue that the Supervisor's redaction of personal email addresses, home addresses, and personal telephone numbers of individuals from the documents they produced was justified to protect the privacy of the individuals who contacted the Supervisor's office, and cites CPRA § 6254(c), as well as Article 1, Section 1, of the California Constitution.

QUESTIONS THAT MIGHT ASSIST IN DETERMINING FACTS:

- When was the IDR made?
- What exactly was the first response to the IDR and when?
- Have any of the individuals whose information was redacted indicated that they expected or needed privacy in connection with their contacts with the Supervisor's Office?

LEGAL ISSUES/LEGAL DETERMINATIONS:

- Was the Supervisor's response to the IDR timely?
- Would disclosure to a member of the public of personal contact information of individuals who contacted the Supervisor constitute an unwarranted invasion of personal privacy under CPRA § 6254(c)?
- Would such disclosure constitute a violation of privacy rights protected by Article 1, Section 1, of the California Constitution?

MEMORANDUM

TO: Sunshine Ordinance Task Force
DATE: March 22, 2012
PAGE: 3
RE: Complaint 12007 – Library Users Association v. Supervisor Campos

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 Ordinance Task Force
DATE: March 22, 2012
PAGE: 4
RE: Complaint 12007 – Library Users Association v. Supervisor Campos

CHAPTER 67, SAN FRANCISCO ADMINISTRATIVE CODE (SUNSHINE ORDINANCE)**SEC. 67.21. PROCESS FOR GAINING ACCESS TO PUBLIC RECORDS; ADMINISTRATIVE APPEALS.**

(b) A custodian of a public record shall, as soon as possible and within ten days following receipt of a request for inspection or copy of a public record, comply with such request. Such request may be delivered to the office of the custodian by the requester orally or in writing by fax, postal delivery, or e-mail. If the custodian believes the record or information requested is not a public record or is exempt, the custodian shall justify withholding any record by demonstrating, in writing as soon as possible and within ten days following receipt of a request, that the record in question is exempt under express provisions of this 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.

MEMORANDUM

TO: Sunshine Ordinance Task Force
DATE: March 22, 2012
PAGE: 5
RE: Complaint 12007 – Library Users Association v. Supervisor Campos

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.

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**

(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.

MEMORANDUM

TO: Sunshine Ordinance Task Force
DATE: March 22, 2012
PAGE: 6
RE: Complaint 12007 – Library Users Association v. Supervisor Campos

- (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.
- (4) The need to compile data, to write programming language or a computer program, or to construct a computer report to extract data.

(d) **Nothing in this chapter shall be construed to permit an agency to delay or obstruct the inspection or copying of public records.** The notification of denial of any request for records required by Section 6255 shall set forth the names and titles or positions of each person responsible for the denial.

SECTION 6254. EXEMPTION OF PARTICULAR RECORDS

(c) Personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.

**CALIFORNIA CONSTITUTION
ARTICLE 1 DECLARATION OF RIGHTS**

SECTION 1. All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and *privacy*.

10/21/2011 08:34 4157532180

PWARFIELD

PAGE 01

Library Users Association

P.O. Box 170544, San Francisco, CA 94117-0544

Tel./Fax (415) 753-2180

October 27, 2011

Honorable David Campos
Supervisor
Board of Supervisors
City Hall
San Francisco
By email: David.Campos@sfgov.org

Subject: Immediate Disclosure Request

Dear Supervisor Campos:

The Bernal Heights Branch library murals have been discussed at Library Commission meetings and elsewhere, and the decision of a community process, or task force, was recently brought to the Commission.

As we understand that you had a role in the creation of this process and its deliberations and decisions, we would like to (a) inspect at your office, and (b) have sent by email to our email address, libraryusers2004@yahoo.com, information that you or your office may have about the existing Bernal murals and plans for their removal/replacement, from the years 2009, 2010, and 2011 as follows:

1. Communication with Library, Arts Commission, and others to/from your office and yourself and your staff -- including but not limited to the existing murals and what would replace them (new murals, no murals, etc.) and the community process to deal with the issue
2. Creation of the community process, including but not limited to selection of participants, procedures, bylaws, setting of goals, etc.
3. Operation, decisions, and decision-making of the community process, including but not limited to Agendas and Agenda-related materials, Reports, Votes, materials reviewed, attendees at meetings such as City officials and employees, announcements of meetings, and the like.

We would appreciate reviewing and receiving this material on a rolling basis, if necessary. We would be glad to answer any questions you or your staff may have regarding this request.

Thank you for your attention to this.

Sincerely yours,

Sunshine #12007-1

10/21/2011 08:34 4157532180

PWARFIELD

PAGE 02

Immediate Disclosure Request - Yahoo! Mail

YAHOO! MAIL
Classic

Thursday, October 27, 2011 5:11 PM

Immediate Disclosure Request

From: "Library Users Association" <libraryusers2004@yahoo.com>

To: David.Campos@sfgov.org
1 File (26KB)

Dear Supervisor Campos:

Please see the attached Immediate Disclosure Request, regarding our interest in reviewing and having information about existing and planned Bernal Heights Branch Library murals.

We attach the text below (with probable formatting anomalies) should you have difficulty opening the document.

Thank you for your attention to this.

Sincerely yours,

Peter Warfield
Executive Director
Library Users Association
415/7 5 3 - 2 1 8 0

Library Users Association

P.O. Box 170544, San Francisco, CA 94117-0544

Tel./Fax (415) 753-2180

October 27, 2011

Honorable David Campos
Supervisor
Board of Supervisors
City Hall
San Francisco
By email: David.Campos@sfgov.org

Subject: Immediate Disclosure Request

Dear Supervisor Campos:

The Bernal Heights Branch library murals have been discussed at Library Commission meetings and elsewhere, and the decision of a community process, or task force, was recently brought to the

12007-2

10/21/2011 08:34 4157532180

PWARFIELD

PAGE 03
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Second Request ... Fw: Immediate Disclosure Request - Yahoo! Mail

YAHOO! MAIL
Classic**Second Request ... Fw: Immediate Disclosure Request**

Tuesday, November 1, 2011 11:23 AM

From: "Library Users Association" <libraryusers2004@yahoo.com>

To: David.Campos@sfgov.org

1 File (26KB)



pw-Camp...

Dear Supervisor Campos:

Second Request --

We are forwarding our Immediate Disclosure Request sent last week on 10-27-11 as a Second Request, as we have not received a response to date.

As we are sure you are aware, San Francisco's Sunshine Ordinance requires a response by the end of the next business day.

Thank you for your attention to this.

Sincerely yours,

Peter Warfield
Executive Director
Library Users Association
415/7 5 3 - 2 1 8 0

--- On Thu, 10/27/11, Library Users Association <libraryusers2004@yahoo.com> wrote:

From: Library Users Association <libraryusers2004@yahoo.com>
Subject: Immediate Disclosure Request
To: David.Campos@sfgov.org
Date: Thursday, October 27, 2011, 5:11 PM

Dear Supervisor Campos:

Please see the attached Immediate Disclosure Request, regarding our interest in reviewing and having information about existing and planned Bernal Heights Branch Library murals.

We attach the text below (with probable formatting anomalies) should you have difficulty opening the document.

Thank you for your attention to this.

Sincerely yours,

Peter Warfield

12007-3

10/21/2011 08:34 4157532180

PWARFIELD

PAGE 04

Third Request.... Fw: Second Request ... Fw: Immediate Disclosure Request - x anou: man 1 4 6 1 6 1 0 4



Third Request.... Fw: Second Request ... Fw: Immediate Disclosure Request

Wednesday, November 2, 2011 6:39 PM

From: "Library Users Association" <libraryusers2004@yahoo.com>
 To: David.Campos@sfgov.org
 Cc: Hillary.Ronen@sfgov.org, Sheila.Chung.Hagen@sfgov.org
 1 File (26KB)



pw-Camp...

Dear Supervisor Campos:

Third Request - We would appreciate your prompt response.

We are particularly interested to see meeting announcements, meeting agendas, meeting minutes and other reports of meeting activity, related to the community process that considered what to do about Bernal Heights branch library murals.

Should there be any question or difficulty, please do not hesitate to call.

Thank you.

Peter Warfield
 Executive Director
 Library Users Association
 415/7 5 3 - 2 1 8 0

--- On Tue, 11/1/11, Library Users Association <libraryusers2004@yahoo.com> wrote:

From: Library Users Association <libraryusers2004@yahoo.com>
 Subject: Second Request ... Fw: Immediate Disclosure Request
 To: David.Campos@sfgov.org
 Date: Tuesday, November 1, 2011, 11:23 AM

Dear Supervisor Campos:

Second Request --

We are forwarding our Immediate Disclosure Request sent last week on 10-27-11 as a Second Request, as we have not received a response to date.

As we are sure you are aware, San Francisco's Sunshine Ordinance requires a response by the end of the next business day.

Thank you for your attention to this.

Sincerely yours,

12007-4

10/21/2011 08:34 4157532180

PWARFIELD

PAGE 05

Immediate Disclosure Request - Yahoo! Mail

YAHOO! MAIL
Classic

Monday, November 7, 2011 4:59 PM

Immediate Disclosure Request

From: "Library Users Association" <libraryusers2004@yahoo.com>
To: David.Campos@sfgov.org
Cc: Hillary.Ronen@sfgov.org, Sheila.Chung.Hagen@sfgov.org

Dear Supervisor Campos:

As we have not formally heard anything regarding our request for Bernal Heights Branch library mural information, here is a simplified high-level request for basic information that we place a particular priority on receiving:

We would like to (a) inspect at your office, as well as (b) receive electronically.

the following covering the years 2009-2011 and dealing with the "community process" that dealt with what to do about the Bernal Heights branch Mural:

1. Meeting notices, Agendas, and Minutes of meetings related to the "community process" that dealt with what to do about the Bernal Heights branch Mural -- 2009-2011.
2. Reports and other documents prepared by the community process / task force describing deliberations and actions taken

I understand there was a limited number of meetings, perhaps six, but we would like to see them all.

Please provide on a rolling basis, if necessary.

Thank you.

Sincerely yours,

Peter Warfield
Executive Director
Library Users Association
415/7 53 - 2 1 8 0

12007-5

10/21/2011 08:34 4157532180

PWARFIELD

PAGE 06

Second Request ... Fw: Immediate Disclosure Request - YAHOO! MAIL

YAHOO! MAIL
CLASSIC

Thursday, November 10, 2011 4:10 PM

Second Request ... Fw: Immediate Disclosure Request

From: "Library Users Association" <libraryusers2004@yahoo.com>

To: David.Campos@sfgov.org

Cc: Hillary.Ronen@sfgov.org, Sheila.Chung.Hagen@sfgov.org

Dear Supervisor Campos:

We would appreciate receiving the written reply to this request of four days ago that is required by law to be provided on the next business day.

Thank you.

Peter Warfield
Executive Director
Library Users Association
415/753-2180

--- On Mon, 11/7/11, Library Users Association <libraryusers2004@yahoo.com> wrote:

From: Library Users Association <libraryusers2004@yahoo.com>
Subject: Immediate Disclosure Request
To: David.Campos@sfgov.org
Cc: Hillary.Ronen@sfgov.org, Sheila.Chung.Hagen@sfgov.org
Date: Monday, November 7, 2011, 4:59 PM

Dear Supervisor Campos:

As we have not formally heard anything regarding our request for Bernal Heights Branch library mural information, here is a simplified high-level request for basic information that we place a particular priority on receiving:

We would like to (a) inspect at your office, as well as

(b) receive electronically,
the following covering the years 2009-2011 and dealing with the "community process" that dealt with what to do about the Bernal Heights branch Mural:

1. Meeting notices, Agendas, and Minutes of meetings related to the "community process" that dealt with what to do about the Bernal Heights branch Mural -- 2009-2011.
2. Reports and other documents prepared by the community process / task force describing deliberations and actions taken

I understand there was a limited number of meetings, perhaps six, but we would like to see them all.

Please provide on a rolling basis, if necessary.

Thank you.

Sincerely yours,

Peter Warfield

12007-6

10/21/2011 08:34 4157532180

PWARFIELD

PAGE 07

Second Request ... Fw: Immediate Disclosure Request - Yahoo! Mail

Executive Director
Library Users Association
415/7 5 3 - 2 1 8 0

12007-7



Re: Meeting at City Hall & selection task force

brandonpowell to: [redacted]

04/02/2010 04:31 PM

Cc: [redacted] johanna, [redacted], dan.martinez, susan, [redacted]
[redacted] david.campos, [redacted]

Please respond to brandonpowell

May I suggest that we refrain from having substantive discussions via e-mail? It seems like we frequently get our wires crossed with this medium. It's just a suggestion, but I think it can go a long way toward preserving the consensus we've established.

bp

Sent from my BlackBerry® smartphone with SprintSpeed

From: [redacted]

Date: Fri, 02 Apr 2010 16:39:54 -0400

To: [redacted]; [redacted]

Cc: [redacted]; <johanna@hoperoadconsulting.com>; [redacted];

[redacted]; [redacted]; <susan@precitaeyes.org>;

[redacted]; [redacted]; [redacted];

<david.campos@sfgov.org>; [redacted]

Subject: Re: Meeting at City Hall & selection task force

Folks: Thanks Amy! Wow regarding the Arts Commission staff. I see things in the opposite. I say keep the Arts bureaucrats at 25 Van Ness and let community do its thing. Precita Eyes Mural Center has conducted many community design processes and probably other artists in the community also. If we are really committed to recreating the Bernal Mural then we have a head start on the design and we are just adding to it. If we blow it they have ultimate design and budget approval.

My two cents.

mv

Mauricio E. Vela

Home/Office: [redacted]

Cell: [redacted]

-----Original Message-----

From: Amy Trachtenberg <[redacted]>

To: DARCY LEE <[redacted]>

Cc: [redacted]; johanna@hoperoadconsulting.com; [redacted];
[redacted]; susan@precitaeyes.org; [redacted];
[redacted]; david.campos@sfgov.org;

Sent: Fri, Apr 2, 2010 11:06 am

Subject: Re: Meeting at City Hall & selection task force

Thumbs up to Mauricio for the statement you put out to the community.

#122007 - [A]

10/21/2011 08:30 4157532180

PWARFIELD

PAGE 02

SAN FRANCISCO CA 94103

On Friday, April 02, 2010, at 10:47AM, "DARCY LEE" <[REDACTED]> wrote:

>
dear all
I am working on getting our document translated -and it will appear in my window and will forward it to you as soon as my friend finishes-
d
ps as for yesterday
give me a holler re any questions - i took a few notes

[REDACTED]
DARCY LEE
[REDACTED]

On Apr 2, 2010, at 9:41 AM, [REDACTED] wrote:

Beth & Others: Thanks for the update. I think it is good news. I'm interested in the task force until I find a replacement from our committee (I'll stay involved as long as it takes). I'm trying to empower as many of our committee members as possible and encouraging them to step up. Folks have expressed interest in the Arts side of the campaign versus the political side.

I find it a little bothersome that the reps. from the mediation team were "cherry picked" for yesterday's meeting. I would expect at least for the mediation group all members would be invited to participate and then form the contingent, that how I was told it would happen after the 3/17 meeting. This is the second time. Only a few members got to see the revised mural agreement before Sunday, and I was caught off guard with the replacement of the word Mural with Artwork. As I said on Sunday, I have reservations about the agreement and Implementation, and the above only serves to reinforce those reservations.

I attended the Library Commission meeting yesterday afternoon to listen to Luis Herrera present to the commission the agreement. I was on my best behavior, trying to respect the agreement, and only went to listen and didn't speak. He did a good job. When asked if current Mural was coming down, he responded that the current Mural wouldn't come down only after a new Artwork design was approved and funded. He did say no funds would come from Library general fund. I felt on Sunday and still yesterday that the word "Artwork" can be used as a loophole to not put a new mural on the facade of the library.

I'm pretty clear on my role as we move forward.

mv
Mauricio E. Vela
Home/Office: [REDACTED]
Cell: [REDACTED]

-----Original Message-----

From: Beth Roy <[REDACTED]>
To: 'Johanna Silva Waki' <johanna@hoperoadconsulting.com>; [REDACTED], Giulio Sorro <[REDACTED]>; 'Dan Martinez' <[REDACTED]>; [REDACTED]; 'Susan C' <susan@precitaeyes.org>; [REDACTED]; Michael Smith <[REDACTED]>; [REDACTED]; Monique Jaquez <[REDACTED]>; david.campos@sfgov.org; 'Ellen Frances' <[REDACTED]>

[B]

B-57

10/21/2011 08:30 4157532180

PWARFIELD

PAGE 03



Bernal Heights
LatinZoneProd to: david.campos

02/18/2010 10:22 AM

Hola David

As I shared with you in the past, I was one of the founders for the Bernal Heights Neighborhood Center and actually served as the first Director of the center.

I was involved in the mural projects with Archie Williams and Susan Cervantes to get some cultura and enrich the community with colors and history:

Today I urge to help save the mural. I can't believe people would want to destroy arte de la gente.

Gracias!

Roberto

Roberto Y. Hernandez
Presidente
Latin Zone Productions

[Redacted]

T. [Redacted]
F. [Redacted]

Email: [Redacted]
One day at a time!

[Handwritten mark]

F 8

10/21/2011 08:30 4157532180

PWARFIELD

PAGE 04

**Fwd: Bernal Library mural update**

Liztwin, [REDACTED] sandrafew, john.avalos,
 mauricioevela to: desink, [REDACTED] mitchellsalazar,
 [REDACTED] Gia, [REDACTED] Josehip,

08/18/2009 08:46 PM

Bernal Preschool Supporters: I sent out an e-mail this morning regarding the Bernal Library mural and the Library Commission vote this thursday at 4:30pm at the Main Library. The mural is item #2 on the agenda. I also mentioned that Luis Herrera had stated that Susan Cervantes from Precita Eyes Mural center was on board with the proposed restoration and paintout. Susan responded this afternoon and it seems pretty clear to me that she does not support any paint out/removal of the mural.

Assemblyman Arimiano has expressed his concern through his aide Kimberly Alvarado and Supervisor Campos has expressed his concern through his aide Linnette Peralta Haynes. Supervisor Campos would like us to let him know what we want done by tomorrow since the hearing is Thursday afternoon. I told Linnette I would call in the morning after reading responses from you. I haven't seen the BHNC's response to Campos but I spoke to Joseph today and his position was not to lose any public art space. I also mentioned this morning that I was trying to not get involved due to time so let me know what you're willing to do so I can help you. I need to leave the commission hearing by 5:30 PM. The library hearing is this Thursday than moves onto the Arts Commission.

The Library mural should be restored to sustain Bernal's people of color history and culture.

mauricio
 Friends of the Bernal Preschool/Learning Center

&nbs p; Precita Eyes Mural Arts and Visitors Center

Since 1977: Celebrating Over 30 Years of Community Mural Art

2981-24th Street, San Francisco, CA 94110 Phone: (415)285-2287 www.precitaeyes.org

August 18, 2009

To: San Francisco Library Commission
 100 Larkin Street
 San Francisco, CA 94103

RE: Bernal Heights Branch Library Mural Preservation

Dear Commissioners,



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10/21/2011 08:30 4157532180

PWARFIELD

PAGE 05

The Precita Eyes Muralists Board of Directors stand together in support of preserving and restoring the original mural by Arch Williams located on the front façade of the Bernal Heights Branch Library.

Preservation of the library and building maintenance is not a just reason to destroy and undo the community mural we have inherited. Working together we can preserve and restore the building and the mural so that both survive in their original condition with respect. Once restored the mural will again be a vivid voice for the Bernal Heights Community, it's legacy and that of artist Arch Williams for generations to come.

Respecting the historical and social values of all murals is a statement of cultural preservation. To paint out the mural would be painting out the communities' history and voice. Please consider the preservation and restoration of the mural as a great opportunity to accomplish all libraries goals which is to preserve all of our histories.

Sincerely,

Susan Cervantes, Founding Director
For Precita Eyes Muralists Assoc., Inc.

Henry Sultan, President
Oscar Urizar, V. President
Luz de Verano Cervantes, Treasurer
Kristina Lovato-Herman, Secretary
Michael Cecchini, Linda D'Avirro, Cory Deveereaux
Kimberly Newton, Peter Marin, Kelenia Olsen,
Diane Parkhill, Jane Wallace

Mauricio E. Vela

Home/Office: [REDACTED]

Cell: [REDACTED]

-----Original Message-----

From: Susan Cervantes <susan@precitaeyes.org>

To: [REDACTED] <[REDACTED]>

Sent: Tue, Aug 18, 2009 4:13 pm

Subject: Re: Bernal Library mural update

Mauricio,

Thank you for the many years of support and efforts to save the Bernal Library mural. I have attached a letter that will be presented to the Library Commission on Thursday. Please feel free to pass it along. Thanks again.

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10/21/2011 08:30 4157532180

PWARFIELD

PAGE 05



Precita Eyes Mural Arts and Visitors Center

Since 1977: Celebrating Over 30 Years of Community Mural Art

2981-24th Street, San Francisco, CA 94110 Phone: (415)285-2287 www.precitaeyes.org

To: Luis Cancel, Director of Cultural Affairs
San Francisco Arts Commissi
25 Van Ness Avenue, Suite 240
San Francisco, CA 94102

September 14, 2009

RE: Bernal Heights Branch Library Mural Preservation

Dear Mr. Cancel,

The Precita Eyes Muralists Board of Directors stand together in support of preserving and restoring the original mural by Arch Williams located on the front façade facing Cortland Avenue, east façade facing Moultrie St. and south façade facing the playground of the Bernal Heights Branch Library.

In the same way as the library itself is important to the community and to the original architect so is the mural which has long been embraced and supported by numerous volunteer participants, youth, neighborhood residents, Bernal Heights Neighborhood Center (BHNC), and approved by the Library Commission, SF Arts Commission, and Mayors Office of Community Development.

Preservation of the library and building maintenance is not a just reason to destroy and undo the community mural we have inherited. Working together we can preserve and restore the building and the mural so that both survive in their original condition with respect. Once restored the mural will again be a vivid voice for the Bernal Heights Community, it's legacy and that of artist Arch Williams for generations to come.

We should respect the original artist of the mural, Arch Williams, a veteran of the SF mural movement and Bernal resident, and restore the library mural on all three sides to their original state and/or the commissioners commit to preserve the front façade facing Cortland Avenue and support a new participatory community mural on the other 2 sides of the library replacing those painted out with the same themes: celebrating our diversity, Bernal history, our native heritage, and connecting community through knowledge, tolerance and inclusiveness.

Respecting the historical and social values of all murals is a statement of cultural preservation. To paint out the mural would be painting out the communities' history and voice. Please consider our recommendation for the preservation and restoration of the mural as a great opportunity to accomplish all public libraries purpose which is to preserve all of our histories.

Sincerely,

Susan Cervantes, Founding Director
For Precita Eyes Muralists Assoc., Inc.

Henry Sultan, President
Oscar Urizar, V. President
Luz de Verano Cervantes, Treasurer
Kristina Lovato-Herman, Secretary

,Michael Cecchini, Linda D'Avirro, Cory
Deveceaux, Kimberly Newton, Peter
Marin, Kelenia Olsen,
Diane Parkhill, Jane Wallace





New Complaint vs. Sup. Campos - Requesting Hearing

Library Users Association

to:

sotf

01/13/2012 04:19 PM

Cc:

Hope Johnson, bruce

Hide Details

From: Library Users Association <libraryusers2004@yahoo.com>

To: sotf@sfgov.org

Cc: Hope Johnson <hopeannette@earthlink.net>, bruce@brucewolfe.net

Please respond to libraryusers2004@yahoo.com

1 Attachment



pw-SOTF-Complaint-SupCampos-1-13-12.doc

Dear SOTF Administrator and Chair:

Attached is a new complaint regarding Supervisor Campos's response several to an Immediate Disclosure Request from Library Users Association, and we request a prompt hearing.

Thank you for your attention to this.

Sincerely yours,

Peter Warfield
Executive Director
Library Users Association
415/7 5 3 - 2 1 8 0

P.S. We provide the text below (with probable formatting anomalies) should you have difficulty opening the attached Word document.

Library Users Association

P.O. Box 170544, San Francisco, CA 94117-0544

Tel./Fax (415) 753-2180

January 13, 2012

Honorable Members
Sunshine Ordinance Task Force
City Hall , San Francisco
By Email: sotf @ sfgov.org

Subject: *Complaint and Request for Hearing - Supervisor Campos Provided Late Response to Immediate Disclosure Request, and Redacted Information from Bernal Heights Branch Library Mural Related Documents Inappropriately and without Documenting Reasons*

Ladies and Gentlemen:

Several months ago Library Users Association made an Immediate Disclosure Request to Supervisor David Campos, asking to inspect documents related to the Bernal Heights Branch library mural project. More than a week passed before we received any reply, and then it was a telephone call saying the office was working on the request; when we were finally allowed to inspect the documents we found many redactions without any notes or written explanation. We were told orally that the redactions were contact information withheld for privacy reasons, but no statutory citations were provided.

In addition to lack of documented explanation, we believe the redactions were both unjustifiable, unjustified, and excessive. For example, it is not always possible to see whether the redaction is a name, or an email address, or a street address or phone number. In some cases it is evident that some of the redactions are not email addresses but very short names of email senders or recipients.

We told the office aide that we believed the redactions were not justified and excessive, but she did not indicate a willingness to make any changes.

We ask for a hearing on this matter as soon as possible.

Library Users Association thanks you for your time and effort on this matter.

Sincerely yours,

Peter Warfield
Executive Director
Library Users Association