

**SUNSHINE ORDINANCE
TASK FORCE**



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**ORDER of DETERMINATION
December 11, 2015**

DATE ISSUED
November 4, 2015

**CASE TITLE – Library Users Association v. Luis Herrera, SF Public Library
(File No. 15133)**

FACTS OF THE CASE

On September 15, 2015, the Library Users Association (Complainant) filed a complaint with the Sunshine Ordinance Task Force (SOTF) alleging that City Librarian Luis Herrera and the San Francisco Public Library violated Administrative Code (Sunshine Ordinance), Section 67.21(a) and (c), for failure to permit the public record to be inspected and examined during normal and reasonable hours of operations, without unreasonable delay, and failure to assist a requester in identifying the existence, form, and nature of a record in regards to the BiblioCommons webinar.

HEARING ON THE COMPLAINT

On November 4, 2015, the SOTF heard the matter.

Peter Warfield (Complainant) provided an overview of the complaint and requested the Task Force to find violations. There were no speakers in support of the Complainant. Deputy City Librarian Michael Lambert and Laura Lent, Public Library (Respondent) presented the department's position and described the actions taken to comply with Mr. Warfield's requests. There were no speakers in support of the Respondent. A question and answer period followed. The Complainant and Respondent provided rebuttals.

FINDINGS OF FACT AND CONCLUSION OF LAW

Based on the testimony and evidence presented, the SOTF finds that a violation of Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25 occurred.

DECISION AND ORDER OF DETERMINATION

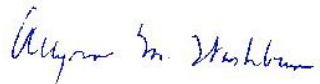
The Sunshine Ordinance Task Force finds City Librarian Luis Herrera, Deputy City Librarian Michael Lambert and the San Francisco Public Library in violation of Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, for failure to provide public records (BiblioCommons webinar) in a timely matter and/or complete matter.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on November 4, 2015, by the following vote:

Ayes: 6 -, Eldon, Wolf, Hepner, Fischer, Hinze, Hyland

Noes: 1 - Pilpel

Absent: 4 – Rumold, Chopra, Washburn, Haines

A handwritten signature in blue ink that reads "Allyson M. Washburn".

Allyson Washburn, Chair
Sunshine Ordinance Task Force

- c. Jerry Threet, Deputy City Attorney
- Peter Warfield, Complainant
- City Librarian Luis Herrera, Public Library
- Deputy City Librarian Michael Lambert, Public Library