

**SUNSHINE ORDINANCE
TASK FORCE**



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**ORDER OF DETERMINATION
November 21, 2016**

DATE ISSUED
November 2, 2016

CASE TITLE – Library Users Association v. Michael Lambert, Luis Herrera, and the Public Library (File No. 15162)

FACTS OF THE CASE

On November 19, 2015, the Library Users Association filed the following complaint:

File No. 15162: Complaint filed by the Library Users Association against Deputy City Librarian Michael Lambert, City Librarian Luis Herrera, and the San Francisco Public Library for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.22, for failure to respond to public records requests, submitted orally, and by discouraging staff from providing information orally, in a timely and/or adequate manner in regards to BiblioCommons.

HEARING ON THE COMPLAINT

On August 16, 2016, the Compliance and Amendments Committee heard the matter.

Peter Warfield (Complainant) provided a summary of the complaint and requested the Committee to find violation. Mr. Warfield provided details of his interaction with Library staff and stated that he should be allowed to interact with individual staff members at the Library because various staff members have expertise in different areas of BiblioCommons whereas a point person cannot provide. There were no speakers in support of the Complainant. Michael Lambert and Laura Lent, Public Library (Respondent), provided a summary of the department's position. Mr. Lambert stated Mr. Warfield was not barred from contacting individual Library staff members and provided a summary of various meetings between Library staff members and Mr. Warfield. However, Mr. Lambert stated that due to limited resources, the technical nature of BiblioCommons and with the advice of the Office of the City Attorney, Ms. Lent was designated as the primary contact person. There were no speakers in support of the Respondent. A question and answer period followed. The Complaint and the Respondent were provided the opportunity for rebuttals.

Upon review of the testimony and the submitted documents, the Committee does not believe that Mr. Warfield was restricted from contacting various members of the Public Library staff. In addition, the Committee believes that the designation of Ms. Lent as the point person for BiblioCommons questions and setting a 15 minute limit is allowable under the Sunshine Ordinance, Section 67.22.

Member Wolfe opined that it is the choice of individual members of Library staff to not speak with Mr. Warfield and that issues with individual's actions should be addressed to their supervisor.

On November 2, 2016, the Sunshine Ordinance Task Force (Task Force) heard the matter.

Peter Warfield (Complainant) provided an overview of the complaint and requested that the Task Force find violations. There were no speakers in support of the Complainant. Deputy City Librarian Michael Lambert, Public Library (Respondent), provided a summary of the department's position. Laura Lent, Public Library, provided a summary of the assistance she provided to Mr. Warfield in regards to the matter. There were no additional speakers in support of the Respondent. A question and answer period followed. The Respondent and Complainant were provided the opportunity for rebuttals.

FINDINGS OF FACT AND CONCLUSION OF LAW

Based on the testimony and evidence presented, the Task Force found that violations of Administrative Code (Sunshine Ordinance), Chapter 67, **DID NOT** occur in regards to File/Complaint No. 15162.

ORDER OF DETERMINATION

On November 2, 2016, the Task Force found that Deputy City Librarian Michael Lambert and City Librarian Luis Herrera, San Francisco Public Library, DID NOT violate Administrative Code (Sunshine Ordinance), Chapter 67, in regards to File/Complaint No. 15162.

The motion PASSED by the following vote:

Ayes: 10 - Baranetsky, Eldon, J. Wolf, Tesfai, Maass, Cannata, Fischer, Hinze, Hyland, Wolfe

Noes: 0 - None

Absent: 1 - Chopra



Bruce Wolfe, Chair
Sunshine Ordinance Task Force

- c. Nicholas Colla, Deputy City Attorney
- Peter Warfield, Complainant
- Michael Lambert, Public Library (Respondent)
- Sue Blackman, Public Library (Respondent)
- Luis Herrera, Public Library (Respondent)