

## **SAN FRANCISCO PUBLIC LIBRARY COMMISSION**

### **Minutes of the Regular Meeting of March 17, 2011**

(Approved as amended at the May 5, 2011 regularly scheduled meeting)

The San Francisco Public Library Commission held a regular meeting on Thursday, March 17, 2011, in the Koret Auditorium, Main Library

The meeting was called to order at 4:35 pm.

Commissioners present: Breyer, Gomez, Kane, Munson, and Nguyen.

Commissioners excused: Ono and Randlett

### **AGENDA ITEM NO. 1 PUBLIC COMMENT**

An anonymous citizen said former commission president Steve Coulter created the blueprint you follow. He said the commission president is always both contemptuous and contemptible. He said a publicly-funded library with access to the truth, becomes a farce as the Friends pay for their wall of lies. He said Library commissioners don't accept the "Golden Rule." He said if the tables were turned, you would agree that "The lies cost more than the money." (See addendum for a 150 word statement submitted by the speaker included in the Minutes.)

A man from the audience said he would like the Commission to address a maintenance issue in the library. He said the urinals are separated by metal separators and the screws that hold them in place are loose. He said he would like to see this fixed.

A woman from the audience said thank you. She said the thing that makes San Francisco special is the library system here. She said she appreciates the kindness of the staff. She said she wanted to give special thanks to the Financial Department for helping her make some financial decisions.

Peter Warfield, Library Users Association, said the Library Citizens Advisory Committee (LCAC) expired recently after six year of existence. He said efforts are underway to renew it. He said the Park Branch has reopened. He said while there were many improvements at the Park Branch there were also many things that were not fixed and he said certainly there was not enough credit given to those in the community,

who had worked hard to improve the final project. He said members of his group and others brought this to the attention of the Historic Preservation Commission, who helped bring about many improvements.

Ray Hartz, Director San Francisco Open Government, said he has the Order of Determination from the Sunshine Ordinance Task Force (SOTF) on the complaint regarding the Minutes that he brought before the Task Force. He said the SOTF found the Library Commission in violation of Sunshine Ordinance Section 67.15 by altering Mr. Hartz's statement as it constituted an abridgement of the submission and Section 67.16 for attaching the statement as an addendum and not placing it within the body of the minutes. He said the Task Force also found Ms. Gomez in violation of Section 67.21(e) for not sending a person knowledgeable in this matter to the hearing. He read other parts of the Order of Determination. He said the Commission is leaning on the Good Government Guide for direction in this matter.

Ruth Maginnis said she is a retired librarian and is on the Council of Neighborhood Libraries; however, she is speaking for herself as an individual. She said the results for the tests for the Librarian II and III, which were given recently, concerned her. She said the leadership skills were very uneven in the test and it did not measure experience. She said the test did not show that people who are in place now as proven leaders and managers will be kept in place. She said there were other issues with the test and she would like to see these cleared up prior to the Library Technician test being given.

Roger Cat said he is very pleased overall with the public library system. He said a lot of the branches and the Main close down at the same time and it would be helpful if the opening and closing hours could be staggered.

Lurilla Harris said she has previously come before the Commission and requested that three seats in the back of the Koret Auditorium be made available for handicapped people. She said she hopes that you are paying attention when she makes a request representing a number of people and she would like some feedback from the Commission on this.

## **AGENDA ITEM NO. 2. BRANCH LIBRARY IMPROVEMENT PROGRAM SCHEDULE CHANGE**

Jill Bourne, Deputy City Librarian, said there is a [memo](#) from the City Librarian explaining the request for a three month delay in the construction of the Ortega Branch. She said the Commission has been apprised of the expected delay at a previous meeting. She said the reason for the delay is unforeseen lead paint abatement and sub-grade soil conditions; additional design, fabrication and delivery of Zinc metal roofing; changes to lighting criteria and rain delays. She said the new forecast is for the branch to be complete in late July, 2011.

### **Public Comment**

An anonymous citizen said this issue was discussed at the November meeting and the information received at this meeting is substantially the same. He said this demonstrates some management sophistication and planning. He said it would be more satisfactory if there were more answers to the questions asked in November about why a rain delay would overlap with sub-grade conditions. (See addendum for a 150 word statement submitted by the speaker included in the Minutes.)

Ray Hartz, Director San Francisco Open Government, said this is an improvement over the reports about delays in the past. He said this has more clarification of the reasons for the delay. He said still it is the last meeting in March and you are being asked to approve a delay from April to July.

Peter Warfield, Library Users Association, said it is not clear why these unforeseen conditions happen and asked what additional design means. He said he would appreciate it if the Commission asked questions about these issues.

Roger Cat said he has been to many public libraries around the country and he said San Francisco has one of the finest library systems in the country.

#### Commission Discussion

Motion: By Commissioner Kane, seconded by Commissioner Nguyen to approve a three month schedule change for the opening of the Ortega Branch Library from April, 2011 to July, 2011.

Action: AYES 5-0: (Breyer, Gomez, Kane, Munson, and Nguyen).

### **AGENDA ITEM NO. 3. BOND PROGRAM MANAGER'S REPORT**

Lena Chen, Bond Program Manager, said the [approved budget](#) is \$188,910,119. She said the Bayview Branch is in the pre-construction stage and the North Beach Branch is in the EIR/Design Development phase. She said six branches are in construction. She said 16 branches are complete and open. She showed [photographs](#) and gave [reports](#) on projects in construction including: Presidio Branch which will open on March 26; Merced; Anza; Visitacion Valley; Ortega; and Golden Gate Valley. She said the Bayview Branch Library is in the preconstruction phase. She said Planning Department staff is compiling a response to the comments made on the Draft Environmental Impact Report (DEIR) for the North Beach Branch Library. She said the Planning Commission will hold a hearing in April to certify the EIR. She gave a summary of public outreach activities. She said the Park Branch Grand Reopening was held February 26 and showed photographs of the reopening celebration. She said they hope to see everyone at the Presidio Branch Grand Reopening at 1:00 on March 26, 2011 and the Merced Grand Reopening on May 14, 2011.

### Public Comment

An anonymous citizen said the schedule having so many branches opening is a double edged sword. He said it is gratifying that the public is going to get their branches open, but it belies the time when so many years went by with so few openings. He said the public is going to expect the open hours that they were promised. He said the current Mayor showed up in his baseball cap and sunglasses and walked through the crowd without being recognized. He said a good time was had by all. (See addendum for a 150 word statement submitted by the speaker included in the Minutes.)

Peter Warfield said it is always nice to see a new Branch opening. He said there were many things at the Park Branch that the community had supported as well as a number of disappointments and surprises. He said the historic chairs are back in the branch even after the architect said they could not be saved. He said the 100 year tables were kept, but with a new plastized top slapped on top of the tables.

Ray Hartz, Director San Francisco Open Government, said he supported the request for chairs at the back of the room for handicapped patrons. He said you don't have to do badly to do better. He said having 30 pages of pictures is a waste of paper.

### Commission Discussion

Commissioner Kane said he is concerned a little bit about Bayview and not knowing what the budget for that project will be. He said we should have an understanding on where the money is going to come from for the construction of the branch before closing the existing branch.

Luis Herrera, City Librarian, said there should be enough money in the reserve to cover the Bayview Branch.

Jill Bourne, Deputy City Librarian, said the temporary site for the Bayview Branch will be opening at the YMCA on April 18, 2011.

Commissioner Breyer asked about printing the documents. He said he would like a report back on the handicapped seating in the Koret.

### **AGENDA ITEM NO. 4 CITY LIBRARIAN'S REPORT**

Luis Herrera, City Librarian, said John Doidge our Chief Financial Officer and Pat Fahrenthold, Chief of Technical Services both retired this week. He said we will miss both of them. He said Laura Lent, will be serving as Interim Chief of Collections and Technical Services. He said he is pleased that the Library is going to be a co-sponsor of the Filipino-American International Book Festival, to be held on October 1 and 2. He said last year on March 17 a Statement of Consensus was reached in the Bernal Heights Library Mural Mediation. He said the Bernal Library Art

project is moving forward after an extensive [process of neighborhood engagement](#), including two community meetings. He said the library has funding for about \$20,000 for the outside painting of the Bernal Heights Branch, which will be applied to the [project](#). He said the conceptual drawings will come back to the Commission for approval once they are prepared.

Kathy Lawhun, Chief of Main, introduced Christina Moretta and Wendy Kramer from the San Francisco History Center/Book Arts and Special Collections to give an update on the Center.

Christina Moretta and Wendy Kramer gave a [presentation](#) on the Center. They said the Center is now open seven days a week. They said the Center extensively uses blogs and social media and explained the many resources and collections available. They said many of the Center's materials are featured throughout the Library in various programs and exhibits. They said they also show exhibits from the Center in the Skylight Gallery.

Kathy Lawhun, Chief of Main, said she would also like to acknowledge Susan Goldstein, the City Archivist.

Lisa Vestal, Chief Curator, gave a presentation on Exhibitions and Programming in the Library. She said the program "San Francisco Eats" has been very successful and has run from December 11, 2010 to March 20, 2011. She previewed upcoming exhibitions and programming for the spring.

#### Public Comment

An anonymous citizen said the presentation did not mention the fact that this is National Sunshine Week. He said it was not mentioned that it is the Koshland San Francisco History Center and the Marjorie and Carl Stern Book Arts and Special Collections Center. He said the importance of the Center is that it gives us an awareness of primary sources. (See addendum for a 150 word statement submitted by the speaker included in the Minutes.)

Peter Warfield, Library Users Association, said he agrees that primary sources are extremely important. He said the Main Library will soon be having its 15<sup>th</sup> anniversary and he didn't hear anything about programming relating to that. He said there are issues relating to the politics of food carts.

#### Commission Discussion

Commissioner Kane asked about storage for the History Center.

Luis Herrera, City Librarian, said some of the material is in storage offsite and some is in Brooks Hall. He said they are currently doing a space audit of the Library.

Jill Bourne, Deputy City Librarian, said it is a constant process on what is available in the History Center and what will be digitized.

Commissioner Kane asked about old newspapers.

Kathy Lawhun, Chief of Main, said some of the old newspapers are copyrighted but they are digitizing all of the rest.

Commissioner Nguyen asked about how the digitization is protected from altering data.

Commissioner Breyer said he is interested in social media.

Christina Moretta said they are concentrating on the blogs.

Commissioner Breyer asked if we were keeping statistics on numbers of people accessing things on line and people actually using the History Center to review documents.

Luis Herrera, City Librarian, said it is important to track the usage.

Commissioner Breyer asked about the programming in the branches and how support is given to the branches.

Jill Bourne, Deputy City Librarian, said the exhibits staff works closely with the branches on programming throughout the system.

President Gomez said thank you to the Committee that has been working on the Bernal Mural. She said she looks forward to seeing what comes out of this collaboration.

Gia Grant said they are working on the artwork for the Bernal Branch Library. She said the teams are working together in a collaborative way and they will come back to the Commission with the results.

#### **AGENDA ITEM NO. 5 LABOR UNION REPORT**

Cathy Bremer, SEIU, said the History and Special Collections Department is fabulous. She said she wanted to know why there is a rope across the Special Collections Room. She said it is important to the staff that what we have is recognized and made the most of. She said the Center is now open seven days a week; however, there is not enough staff to cover the room. She said there needs to be a librarian in that room all seven days in the future. She said there were two librarian tests recently and said the results show a flawed experience for most people. She said many people scored very low and a couple of our current managers failed the test. She said the Library pays DHR \$289,000 a year to provide tests for staff members. She said if we are getting a product that has such bad results; it is time to look at it again. She said the Union did file an appeal, which

was denied, so she is coming to the Commission to make sure the next time a test is given it is reviewed thoroughly by the Library.

### Public Comment

An anonymous citizen said the History Center and Special Collections should be open when the rest of the Library is open. He said if the union is bringing this to the Commission's attention it should be looked at. He said as far as the testing situation is concerned it should be appealable to the Civil Service Commission and if it is not, that is what should be corrected. (See addendum for a 150 word statement submitted by the speaker included in the Minutes.)

Peter Warfield, Library Users Association, said it has been a concern that the History Center and Special Collections is not open the same hours as the rest of the library. He said it is problematic that there is a rope across the door to the special collections room. He said with respect to the Civil Service tests it is important to have tests that are fair and reasonable and the perception of being fair and reasonable. He said that does appear like something that should be addressed by this Commission.

Ray Hartz, Director San Francisco Open Government, said the concern he is hearing from the Union is that equal opportunity has not been given to all employees. He said it sounds like there was a general management test given. He said if you send people to training and there is no connection to the training it sets up the people for failure.

### Commission Discussion

Commissioner Munson said he was on the Civil Service Commission for 16 years and unless things have changed, he would think this would be something that would go before them.

Donna Marion, Human Resources Director, explained the test process. She said the exam is vetted by Department specialists that help to formulate the measurements and mechanisms that were used to determine the questions and minimum requirements. She said there was a study done by the Director of the Department of Human Resources and it was found that the test was reasonable and fair. She said this was reported back to the Civil Service Commission and the Union.

President Gomez said it seems that the test was appealed to the same Department that created the test.

Luis Herrera, City Librarian, said it was appealed to the Civil Service Commission who referred it to the Director of the Department of Human Resources to review.

Commission Kane asked for a copy of the report. He asked about preparation for the tests.

Donna Marion said the report will be made available to the Commission. She said that the Department of Human Resources does have training programs but the library does not have a formal program for preparation for tests.

Commissioner Kane said he would like to have more discussion about this issue and that he is concerned about the morale issue.

Commissioner Breyer said it appears there are a number of concerns by the Union. He said he would hope that their concerns are taken into consideration when developing the next test. He said the Union was commending the training program the Library was giving but it looks like that training should be reflected in the test.

Luis Herrera, City Librarian, said the Special Collections Art Room is open but it is not staffed and it has a rope so that patrons will need to have a librarian from the History Center assist them.

President Gomez said it will be interesting to have a report back on how the History Center is working.

#### **AGENDA ITEM NO. 6 APPROVAL OF THE MINUTES OF JANUARY 20, 2011**

##### **Public Comment**

An anonymous citizen said there has been a determination by the Sunshine Ordinance Task Force that citizen summaries must be included within the body of the minutes. These Minutes have the words "See attached 150 word statement submitted by the speaker." He said you can honor this result, which was arrived at by due process or you can insist on your right to refuse to be reasonable in any fashion. He said "attached" and "included" are not synonyms. (See addendum for a 150 word statement submitted by the speaker included in the Minutes.)

Peter Warfield, Library Users Association, said the Sunshine Ordinance Task Force did have a hearing and it did rule that it is a violation of the law to not include as part of the minutes the 150 word statement that may be submitted by members of the public. He said there is a choice for the Commission to follow the law or to continue in the old process and continue to be unlawful. He said his statement on page 5 with respect to the budget was not accurate.

Ray Hartz, Director San Francisco Open Government, said the bottom line is that the summary statements by the public are to be included in the minutes. He said there are vague comments in the Good Government Guide, but the law is specific. He said you should ask the City Attorney's Office for a written opinion on this issue.

##### **Commission Discussion**

Sue Blackman, Commission Secretary, said the Sunshine Task Force had found in a previous ruling that placing the 150-word statement as an addendum was acceptable if it was mentioned in the body of the minutes.

Motion: By Commissioner Munson, seconded by Commissioner Nguyen to approve [the Minutes of January 20, 2011](#) with an amendment to page five to add the word “is” to Peter Warfield’s statement so that it reads “said he **is** concerned about . . .” Also to incorporate the words: “See addendum for a 150 word statement by the speaker” whenever a reference to a 150 word statement is included.

Action: AYES 4-0: (Breyer, Gomez, Kane, and Nguyen).

### **AGENDA ITEM NO. 7 APPROVAL OF THE MINUTES OF FEBRUARY 3, 2011**

#### Public Comment

An anonymous citizen said on page 2 he talks about a complaint pending before the Ethics Commission. He said that complaint is against the Library Commission, not Jewelle Gomez and he said the Commission refuses to answer or show responsibility for this complaint. He said on pages 8 and 9 his comments did not include what he actually said about the Family Pass Program.

Peter Warfield, Library Users Association, said he would reiterate that he would like to see these minutes not be approved until the 150 word statements are included in the body of the minutes pursuant to the ruling of the Sunshine Ordinance Task Force. He said on page 6 his comments were not accurately reflected.

Ray Hartz, Director San Francisco Open Government, said the Sunshine Ordinance Task Force only deals with the Sunshine Ordinance, but it is also a Brown Act violation. He said the Commission should ask the City Attorney for a written opinion.

#### Commissioner Comments

Commissioner Kane said based on the advice of the City Attorney he is comfortable with the way the Minutes are prepared.

Motion: By Commissioner Kane, seconded by Commissioner Nguyen to approve the Minutes of [February 3., 2011](#) with an amendment to incorporate the words: (See addendum for a 150 word statement submitted by the speaker included in the Minutes.)

Action: AYES 4-0: (Breyer, Gomez, Kane, and Nguyen.)

### **AGENDA ITEM NO. 8. ADJOURNMENT**

Motion: By Commissioner Kane, seconded by Commissioner Nguyen to adjourn the regular meeting of March 17, 2011.

Action: AYES 4-0: (Breyer, Gomez, Kane, and Nguyen).

The meeting adjourned at 7:38 pm.

Sue Blackman  
Commission Secretary

Explanatory documents: Copies of listed explanatory documents are available as follows: (1) from the commission secretary/custodian of records, 6<sup>th</sup> floor, Main Library; (2) in the rear of Koret Auditorium immediately prior to, and during, the meeting; and (3), to the extent possible, on the Library Commission's website <http://sfpl.org/librarycommission>. Additional materials not listed as explanatory documents on this agenda, if any, that are distributed to library commissioners prior to or during the meeting in connection with any agenda item will be available to the public for inspection and copying in accordance with Government Code Section 54954.1 and Sunshine Ordinance Sections 67.9, 67.28(b), and 67.28(d).

#### **ADDENDUM**

**These summary statements are provided by the speaker: Their contents are neither generated by, nor subject to approval or verification of accuracy by, the San Francisco Public Library Commission.**

#### Item 1: General Public Comment

Anonymous Citizen: Stop the Corporate Rape of the Library – Don't give or accept money from the Friends & Foundation. Recent frustration illustrates how shocking is the complete lack of humanity or integrity of this Library Commission.

Former commission president Steve Coulter created the blueprint you follow. The commission president is always both contemptuous and contemptible. That is why they are president. "Le mot de Coulter" became both your modus operandi and your cultural ethos.

A publicly-funded library with access to the truth, becomes a farce as the Friends pay for their wall of lies. There are too many forces that say people don't belong in their own institutions if they are not donating money.

Would you be content to make public comment and be treated the way we are treated? Library commissioners don't accept the "Golden Rule." If the tables were turned, you would agree that "The lies cost more than the money."

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Item 2: Branch Library Improvement Program Schedule Changes

Anonymous Citizen: Stop the Hate, Stop the Ignorance – Don't give or accept money from the Friends & Foundation.

I hope someone helped the lady who came to the wrong meeting.

The rest of us may think we came to the wrong meeting now. This issue was indeed discussed at the November meeting and the information we are receiving is substantially the same.

This is the way it should work, and it demonstrates some management sophistication and planning. This was presented in November, there has apparently been some consideration of it, and now it is up for action.

It would be more satisfactory if there were more answers to the questions I asked in November about why rain delay would overlap with sub grade conditions.

But this is the way it should work.

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Item 3: Bond Program Manager's Report

Anonymous Citizen: Stop the Hate, Stop the Ignorance – Don't give or accept money from the Friends & Foundation.

Wouldn't it be nice if the citizens had access to the graphics.

This precipitous schedule with so many branches opening is a double-edged sword. It is gratifying that the public is going to get their branches open. It belies the time when so many years went by with very few openings while the Friends were raising money. Leaving aside whatever you may think of that, the public is going to want their services.

The public is going to expect the open hours that they were promised.

The opening at Park Branch highlighted the fact that we are all looking for a mayor who is six feet three, with an extravagant mane of hair. The mayor showed up in his baseball cap and sunglasses and started talking to me as the only one who recognized him.

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#### Item 4: City Librarian's Report

Anonymous Citizen: Stop the Hate, Stop the Ignorance – Don't give or accept money from the Friends & Foundation.

Since a citizen asked; yes, the library is going to hell in a handbasket and the staff is not doing their job. Anything else would be an exception.

The presentation did not mention the fact that this is National Sunshine Week.

The statement on the Bernal Heights Mural referenced "principles of respect and equity we hold in common." You will notice that no one was called a "process junkie" or had reflections cast on their character. Also, no one gave credit to the Friends. I suspect there is a causal relationship between those two facts.

That it is the Koshland San Francisco History Center, and Marjorie and Carl Stern Book Arts and Special Collections Center was not mentioned.

The important part of the presentation was to highlight the fact that primary sources are there and available to the public.

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#### Item 5: Labor Union Report

Anonymous Citizen: Stop the Hate, Stop the Ignorance – Don't give or accept money from the Friends & Foundation.

If a commissioner wants to clarify a point in order to inform public comment he should have the right and the wisdom to do so.

Why would the presenter think she might be throwing a wrench into this otherwise pleasant meeting? A presentation that raises significant issues is what the commission is for.

One of the first things I learned is the library is not a museum. The library is a public service and the San Francisco history and special collections departments should be open when the library is open. There was a time when this department was closed for receptions and that was ended out of a sense of public service.

As for the testing situation, if the matter cannot be appealed to the Civil Service Commission, that is the problem that needs to be corrected.

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Item 6: Approval of the Minutes (January 20, 2011)

Anonymous Citizen: Stop the Hate, Stop the Ignorance – Don't give or accept money from the Friends & Foundation.

The public comment on page one references the commission's practice of attempting to prevent people from speaking and then ignoring them when they do. But nothing about an aspect of democracy being the creation of a forum where the people will be heard.

Then the summary states, "See attached 150 word statement submitted by the speaker."

The Sunshine Task Force has considered the legality of this strategy and come to the determination that, "The Task Force finds that the [Library] Commission violated Sunshine Ordinance . . . Section 67.16 for attaching the statement as an addendum and not placing it within the body of the minutes."

You can honor this result which was arrived at by due process or you can insist on your right to refuse to be reasonable in any fashion. "Attached" and "included" are not synonyms.

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Item 7: Approval of the Minutes (February 3, 2011)

Anonymous Citizen: Stop the Hate, Stop the Ignorance – Don't give or accept money from the Friends & Foundation.

In these minutes there are two instances where you have obliterated anything controversial which is the core issue that you are not entitled to launder what people say.

On page 2, the complaint pending before the Ethics Commission is against the Library Commission, not Jewell Gomez and I stated that the report treated your actions very harshly, meaning the commission's actions. The Library Commission refuses to answer or show responsibility for this complaint.

On page 9, in discussing the Family Pass program I stated that Ms. Bernardi let the cat out of the bag by admitting that it is popular with the attractions because it does not overwhelm their staff. It should not be alright to overwhelm our staff.

Wouldn't it be nice if the citizen's own summary actually appeared in that spot, as the law requires?