



San Francisco Public Library

SAN FRANCISCO PUBLIC LIBRARY COMMISSION

Minutes of the Regular Meeting of October 6, 2011

(Approved at the regular Commission meeting of November 17, 2011)

The San Francisco Public Library Commission held a regular meeting on Thursday, October 6, 2011, at the Visitacion Valley Branch Library.

The meeting was called to order at 4:33 pm.

Commissioners present: Breyer, Gomez, Ono and Randlett

Commissioner Nguyen arrived at 4:49 pm.

Commissioner Kane arrived at 4:50 pm.

Commissioner Munson arrived at 4:52 pm.

AGENDA ITEM NO. 1 PUBLIC COMMENT

An anonymous citizen said the focus of public comment over the last few months has been that the Ethics Commission has found the President of the Commission guilty of conduct which “falls below the standard of decency required of all public officials.” He said they also recommended her removal from office. He said he found a germane article in the New York Times with a quotation about the political system having abandoned its citizens and having lost a sense of responsibility for one another. He said the Library Commission feels that the idea that they should be constrained by ethical and moral considerations is just preposterous. He said the library has a network of self-serving interests called the “Friends of the Library” family. (See Addendum for a summary of this comment submitted by the speaker.)

Ray Hartz, Director San Francisco Open Government, said the Visitacion Branch Library is a beautiful one and gave his compliments to the librarian and those involved. He read a quote from one of his favorite authors, Frank Herbert that “politics is the art of appearing candid and completely open, while concealing as much as possible.” He said he believes the Library Commission and Commission Secretary are truly

political creatures as opposed to public servants and that the City Librarian is first and foremost a true politician as is clearly shown in his repeated attempts to restrict public access to public records which related to the finances of the Friends of the Library. He said no one tries so hard to hide something, unless there is truly something to hide. He said the Library Commission has done nothing to oversee the finances of the Friends of the Library. He said millions of dollars are raised by the Friends and the Commission should be questioning how those dollars are spent. (See Addendum for a summary of this comment submitted by the speaker.)

Betty Paschal, resident of Visitacion Valley, said thank you to the Commission for opening this beautiful branch library.

Peter Warfield, Executive Director, Library Users Association, said he agrees with the previous speakers and said this is a very nice new building. He said the dysfunctional copying machines that have been installed in the branches are essentially unusable without considerable assistance. He said it has never been said that the 11 x 17 paper would not be available. He said he had to have two people assist him with doing basic copying and it still did not print properly. He challenged the Commissioners to be able to do basic copying and printing tasks. He said the Library has vandalized its oldest building on the front of the Park Branch with metallic inserts in the front of the building.

Eddie Epps, resident of Visitacion Valley, said thank you to the Commission from all the residents of Visitacion Valley for this beautiful new library. She said the library is a safe place for children and members of the community to get together and has made a big difference for Visitacion Valley.

President Gomez said that Item No. 8 approval of the Minutes of August 18, 2011, would be trailed to a later date because of a problem related to the posting of these minutes on the web.

AGENDA ITEM NO. 2. STATEMENT OF INCOMPATIBLE ACTIVITIES (SIA)

Jill Bourne, Deputy City Librarian, said there is a [memo](#) and background information in the packets about the Statement of Incompatible Activities (SIA). She said all City departments, boards and commissions are required to adopt a SIA. She gave a presentation on the requirements for the SIA and a chronology of events on the preparation of the SIA. She said the recommended edits include adding key policy and procedural documents that guide library specific activities; removing specific prohibitions that restrict staff activities in areas of: authorship, publishing, instruction, and exhibits; and adding language restricting activities of "officers" per Ethics Commission. She explained the specific edits within the document itself. She said Mabel Ng, Deputy Executive Director, Ethics Commission, is available to answer any questions from the Commission.

Public Comment

An anonymous citizen said on January 15, 2004 the Library Commission approved a SIA. He said he attended the Ethics Commission meeting on May 9, 2011 and was shocked to learn that the library staff was requesting an amendment to the SIA. He said the issue had not been before the Library Commission and since he brought that to the Ethics Commission's attention, Jill Bourne told the Ethics Commission that the 2004 policy had insufficient input from the staff and too much from the public. He said many issues, including a private digitization project, have been concealed and he said he was shocked that the Library Commission has been bypassed. (See Addendum for a summary of this comment submitted by the speaker.)

Ray Hartz, Director, Director San Francisco Open Government, said it is interesting to note that all of the Commissioners have shown up for this meeting. He said the Commission should ask the representative of the Ethics Commission about the letter they had sent to the Mayor asking that the President of the Library Commission be removed. He said the Sunshine Ordinance Task Force has found the Library Commission and the City Librarian in violation of the Sunshine Ordinance.

Andrea Grimes, Special Collections Librarian and SEIU officer, said the 2004 document was not a good document. She said there was very little input from the staff at that time. She said the Library Administration has worked carefully to insure that the library staff has been included in the preparation of this document. She said she is confident that this is a good document that will support staff in the work that they do for the public.

Peter Warfield, Library Users Association, said he would request the Commission not take action on this item today especially since the Deputy City Librarian said there is no urgency on this. He said the initial packet he received was a mess. He said there were multiple versions and none were labeled so it was very confusing.

Commission Discussion

Commissioner Munson said he did have similar issues with the attachments as did Mr. Warfield and he would like to see this item discussed today but that the Commission not take action at this meeting. He said some of the earlier drafts were too rigid. He said staff should be commended for taking this on.

Commissioner Breyer said he wanted to specifically know about what applies to the Commissioners and the administrative staff.

Mabel Ng, Deputy Executive Director Ethics Commission, said Commissioners can ask the Ethics Commission in advance to rule on certain types of activities. She said they would specifically like to know

what type of compensation is received and the type of vendor or contractor with the City. She said for staff an advance written determination would be from the City Librarian. She said for the City Librarian, it would be the appointing authority and for the Commission it would be the appointing authority, the Commission itself or the Ethics Commission. She said the Ethics Commission wanted to make sure there was no undue pressure from the Library Commissioners on the library staff.

Commissioner Randlett said she would like to support the recommendations by the Ethics Commission.

Luis Herrera, City Librarian, said he would like language drafted on the publication authorship issues as well as any other issue the Commission is concerned with.

President Gomez said we should give specific concerns to Jill Bourne, Deputy City Librarian who can then work with the Ethics Commission to draft specific language.

Commissioner Kane said the Commission does not approve specific contracts and the City Charter precludes Commissioners from undue influence.

Commissioner Breyer said he was curious about the types of examples of conflicts.

President Gomez said this item would be brought back to the Commission for further discussion.

AGENDA ITEM NO. 3. BRANCH LIBRARY IMPROVEMENT PROGRAM (BLIP) BUDGET TRANSFERS TO BLIP PROGRAM RESERVE AND PROGRAM MANAGEMENT BUDGET

Luis Herrera, City Librarian, said there is a [memo](#) in the packets that explains the requested transfers. He said the first is to increase the BLIP Program Reserve by a total of \$717,692 as a result of closing out the Richmond and Ingleside projects and decreasing the BLIP Bond Financing budget allocation and the second is to transfer \$795,250 from the Program Reserve to the Program Reserve to the BLIP Program Management budget.

Maureen Singleton, Chief Financial Officer, responded to questions from Commissioner Randlett and explained that the Richmond and Ingleside project closeouts were additional money in the budget after the projects were complete. She said the Richmond reduction is \$255,813, the Ingleside reduction is \$103,377 and the BLIP Bond Financing budget reduction is \$358,502 for a total of \$717,692 to be transferred to the BLIP Program Reserve. She said additionally they are requesting a transfer of \$795,250 to the BLIP Program Management budget from the Program Reserve. She said the Department of Public Works (DPW) provides the

BLIP Program management services for the Library. She explained the current and projected BLIP Program Management Costs. She said the proposed action is to increase the Program Management budget by \$795,250, which would cover the costs through 2012, when the Bayview Branch Library is anticipated to be complete. She gave the breakdown of the BLIP Program Management Costs. She said there has been a downward trend for each year as the projects have been completed. She outlined the line items for the BLIP budget transfers.

Public Comment

An anonymous citizen said the Commission recently approved transfers in August. He said there was no mention at that time about these transfers. He said we are told that the bond program management was funded through the end of 2012 and now we need three quarters of a Million for the same period. He said that if the library suddenly got three quarters of a Million dollars it seems we could have found some public services for that money. He said if you have come to the end of the program management that should be where we are saving money, not where we are increasing it. (See Addendum for a summary of this comment submitted by the speaker.)

Peter Warfield, Library Users Association, said there are a great number of questions that seem not to be answered by the memo. He said he wondered why we are just now hearing about savings from the Richmond Branch, which opened a number of years ago and Ingleside as well. He said there is not a very good explanation for the numbers coming in and going out. He said the management costs are not delineated very clearly. He said the library could not afford \$30,000 for an alternative space while the Park Branch was closed and now there is additional revenue to be found.

Ray Hartz, Director of San Francisco Open Government, said he cannot tell whether the information provided is correct or not and whether there is enough information for the Commission to take action. He said he questioned the amount of \$400,000 a year for a program manager. He said this program has gone over budget and over time. He said he doesn't understand what is going on and he is sure the Commission doesn't either.

Commission Discussion

Maureen Singleton responded to a question regarding the Bond Program Manager's salary and said the salary is approximately \$130,000 with fringe benefit costs and overhead.

Commissioner Kane asked to see more detail on the amount.

Commissioner Randlett said she thought the information presented needed to have a little more detail than what has been presented.

Commissioner Kane said there has been a history of issues regarding soft costs. He said with only two projects going forward he is concerned about the amount for the soft costs.

Commissioner Randlett said every single renovation has different issues. She said it is more important to have transparency about what the figures are. She said she needs clarification as to what is being presented.

Luis Herrera, City Librarian, said there are a lot of variables that go into the cost of the BLIP. He said no one would have anticipated how long the program would take to complete. He said not too long ago there was a significant deficit and we were able to find additional resources. He said there have been issues on soft costs versus hard costs. He said what we are talking about now are indirect costs that we have no control over. He said that is the cost of doing business and we work closely with DPW to control costs.

Commissioner Kane said this is really funding the program management budget.

Maureen Singleton, Chief Financial Officer, said besides the two projects to complete there are closeouts of other projects that need to be taken care of.

Commissioner Randlett said there is also a delay in some of the close outs because there are State grants involved and the State audits have not been complete.

Commissioner Kane would like to know the construction budget for the Bayview Branch.

Lena Chen, Bond Program Manager, said the last budget for the Bayview project was \$13.5 million. She said the construction piece totals just over \$8.7 million.

Luis Herrera, City Librarian, said there are some DPW costs included within each project budget.

Jill Bourne, Deputy City Librarian, said the amount being discussed today is for administrative activities.

Commissioner Kane would like to know at another meeting exactly what the DPW costs are with this program.

Luis Herrera, City Librarian, said he urges the Commission to take action on this item today. He said there will be additional costs with the entire BLIP program.

Edgar Lopez, Deputy Manager with DPW, said the program management costs are not included in the soft costs. He said there is still a lot of work

to be done on the projects. He said they can come back with additional information if that will be helpful to the Commission.

Commissioner Munson said it would be helpful to receive more details.

Maureen Singleton said the amount requested would take the program through 2012. She said there is no money available now. This money is needed to support the program.

Commissioner Randlett said she was concerned about the need for the immediacy of the transfer.

President Gomez said this reserve was explicitly created for just this sort of thing.

Commissioner Munson asked if there could be an amount for a shorter period of time.

Motion: By Commissioner Kane, seconded by Commissioner Munson to approve the [budget transfer](#) from Richmond, Ingleside and the Bond Financing Cost budgets of \$717,692 to the BLIP program reserve and to approve the transfer of \$477,153 funds from the BLIP Program Reserve to increase the BLIP Program Management budget through June 30, 2012.

Action: AYES 7-0: (Breyer, Gomez, Kane, Munson, Nguyen, Ono, and Randlett).

AGENDA ITEM NO. 4 BOND PROGRAM MANAGER'S REPORT

Lena Chen, Bond Program Manager, said the approved [budget](#) is \$188,910,119. She said the North Beach Branch is in the construction document phase. She said the Golden Gate Valley Branch is [scheduled](#) to open on October 15, and the Bayview Branch is in construction. She said after next week there will be 22 branches complete and open. She showed photographs and gave [reports on projects](#) in [construction](#) including: Golden Gate Valley and Bayview. She said the design team for the North Beach Branch Library has just completed 50% construction documents and she showed some of the designs. She showed slides from the opening of the Ortega Branch Library.

Roberto Lombardi, Facilities Director, gave an update on post-BLIP follow up for the Richmond, Potrero, and Park Branches. He said there were a few leak problems with the Richmond Branch, which have now been corrected and a few HVAC issues which they are still working to correct. He said at the Potrero Branch there were some issues with waterproofing one of the walls so the branch was closed for a few days to correct that. He said there was an issue with the spacing between buildings at the Park Branch which caused a security problem so they have been working with the neighbor and are working on correcting the problem.

Public Comment

An anonymous citizen said he is not sure it is such an occasion for completing 22 branches when it is so far behind schedule and that delay has caused enormous problems. He said he is sure you count your blessings because of the collapse of the economy, because if the economy had not collapsed, the BLIP certainly would have had egregious cost overruns in good times. He said he did go to the Ortega opening and it was a gorgeous day and many young people were excited about the opening of the playground at the same time. (See Addendum for a summary of this comment submitted by the speaker.)

Peter Warfield, Library Users Association, said the Ortega opening was quite festive and he is looking forward to the Golden Gate Valley Branch Library opening. He said apparently the beautiful sculptural urinal was not saved at the Golden Gate Valley Branch. He said the Park Branch Library façade as an historic building should not have been touched and certainly after all the discussion that took place at the Historic Preservation Commission about the branch. He said it was not a good idea that this was done without any public discussion.

Ray Hartz, Director of San Francisco Open Government, said since he has been coming to these meetings the BLIP program has been a constant concern to him. He said it seems like staff always comes to the Commission at the last minute with requests for budget transfers and says they have to have the money today or everything will stop.

Mindy Linetzky, Branch Library Improvement Program Administrator, said there was a wonderful article on the front page of the San Francisco Chronicle about the Branch Library Improvement Program and how it has flourished and how the libraries are doing a wonderful job. She said she has worked on the program for 9 ½ years and now she is only doing 50% time and will be off the program by the end of the year. She said the Chronicle article was sort of the best present she could get.

Commission Discussion

Commissioner Kane thanked Mindy Linetzky for her incredible work over 9 years.

Commissioner Randlett said that independent journalists clearly did their homework and found that the program was successful and that says a lot. She said she appreciates the public comment and she asked that members of the public please consider that Commissioners do listen to what the public has to say and she hopes there will be some level of decorum in the meetings.

President Gomez thanked Commissioner Randlett for her insightful comments.

Commissioner Munson there has been very negative comments about how long the BLIP program has taken. He said we have 21 really great completed branches. He said we are taking advantage of opportunities and making the branches better. He said the library system is very healthy. He said we would all appreciate a civil atmosphere.

Commissioner Nguyen left the meeting at 6:45 pm.

AGENDA ITEM NO. 5 GENERAL STATEMENT ON PRIVATIZATION OF LIBRARIES

Luis Herrera, City Librarian, said a couple of meetings ago the labor group brought to your attention information regarding Assembly Bill 328. The Bill was discussed at the next Commission meeting and the Commission requested that a general on the [Privatization of Public Library Systems](#) be brought back to the Commission for discussion and action.

Public Comment

An anonymous citizen said the members of the public have always been a force for respect and civility and demanded equal treatment and not gotten it. He said if you want to change that, the ball is in your court. He said Assembly Bill 438 was sent to the Governor on September 22. He said his understanding is that it is still unsigned and unvetoes, or it becomes law without signature. He said the Board of Supervisors had this item on its agenda but they continued an endorsement of this bill. He said he heartily endorses this statement. (See Addendum for a summary of this comment submitted by the speaker.)

Peter Warfield, Library Users Association, said he certainly aims for civility and he appreciates some of the actions by the Commission at this meeting. He said the Statement on Privatization came out of a request for the Commission to endorse Assembly Bill 328, but he does not see any reference to that in this statement. He said he would support the Commission approving this Statement but would like to see support for the Assembly Bill as well.

Ray Hartz, Director San Francisco Open Government, said one of his favorite authors, Frank Herbert, wrote the following: "Politics is the art of appearing candid and completely open, while concealing as much as possible." He said the statement before the Commission says that they affirm the independence, freedom and effectiveness of the American public library. He said this sounds good, but unfortunately it does not hold true when a citizen wants to access public regards, he said then the word "freedom" is conveniently disregarded. He said this is especially true when it relates to the Friends of the Library and how their money is raised and expended. He said if he were the City Librarian, he would not want anyone looking at the annual City Librarians Discretionary Fund in which the Friends provide him amounts in excess of \$35,000 per year. He said if someone respects his right to free speech then he would return the

favor, but he simply gets a body that looks the other way and denies his civil rights. (See Addendum for a summary of this comment submitted by the speaker.)

Motion: By Commissioner Kane, seconded by Commissioner Ono to approve the following Statement on Privatization of Public Library Services: American public libraries are a public good – a common resource available to all, funded by public dollars and governed by local residents. They are an essential public service and should remain directly accountable to the public they serve. Maintaining the control and oversight of operations is critical to preserve a strong and viable library system. In light of the recent and growing trend of local municipalities considering the privatization of library services, the San Francisco Public Library Commission wishes to affirm its commitment to a free and public library system. Privatization threatens the loss of local community control of the library, its services and expenditures of tax dollars. As members of the San Francisco Public Library Commission we are dedicated to the life of the public commons, reject the privatization of public libraries and uphold and affirm the independence, freedom and effectiveness of the American public library.

Action: AYES 6-0: (Breyer, Gomez, Kane, Munson, Ono, and Randlett).

AGENDA ITEM NO. 6. CITY LIBRARIAN'S REPORT

Luis Herrera, City Librarian, said Alice Chan, the Visitacion Valley Branch Manager will give a brief overview of this wonderful community and the services offered at the library.

Alice Chan, Visitacion Valley Branch Manager, said there are about 41,000 residents in the Visitacion Valley community. She said 57% of the population is Asian, 21% Latino Hispanic, 16% Caucasian and 10% African American and only 31% only speak English at home. She said the new library opened on July 30, 2011 with a wonderful opening party. She said the branch is open six days a week Monday through Saturday with an average of 630 visitors per day. She said the staff is multilingual and has a multilingual collection. She said the branch has 17 public computers. She said the community room is very well used by many of the community organizations. She said circulation to date as gone up 54% compared to the circulation the same time last year. She said the library holds new programming including multilingual story times and has developed strong partnerships with community organizations and schools. She said the library is here to serve the community and they receive a lot of support from the community.

Luis Herrera, City Librarian, said the Bernal Heights Branch Library Art Project has been presented to the Visual Arts Committee and the Arts Commission with suggestions for modifications and it is now making its way back to the Visual Arts Committee for further review. He said they are looking at a timeline of executing the project next spring. He said there is a [letter](#) in the packets from the Executive Director of the Ethics

Commission, John St. Croix, dismissing the matter relating to the 150-word statements in the minutes.

Public Comment

An anonymous citizen said the credit and thanks for this new library belongs to the Visitacion Valley neighborhood itself. He said at every juncture this neighborhood resisted being short changed for a library here and finally they succeeded in getting a new building. He said the statement that the Ethics Commission has dismissed the complaint is not accurate and only the Executive Director has done so. He said both the Civil Grand Jury and the Board of Supervisors have both said that is not adequate and there should be hearings before the full Ethics Commission. He said the Executive Director did say that the Ethics Commission could have put this on their agenda and they didn't, but he said he does not think that is adequate. (See Addendum for a summary of this comment submitted by the speaker.)

Peter Warfield, Library Users Association, said the previous speaker has pointed out some very significant aspects related to the report. He said there was a long process in which this neighborhood fought to get an adequate library which has had a very good outcome. He said the Ethics Commission has only once considered a referral from the Sunshine Task Force which involved your President shouting down a member of the public. He said the Ethics Commission recommended that that Commissioner be sacked. He said the Ethics Commission has been faulted for not hearing referrals from the Sunshine Task Force. He said the Art Commission has not seriously taken up consideration on the Bernal Heights Branch Library art project.

Ray Hartz, Director San Francisco Open Government, said one of his favorite authors, Frank Herbert, wrote the following: "Politics is the art of appearing candid and completely open, while concealing as much as possible." He said Mr. Herrera's selective presentation of documents shows again his primary focus as a truly political creature. He includes letters from the Ethics Commission, dismissing a complaint while excluding any documentation related to the two findings by the Sunshine Ordinance Task Force which found the defendants in violation of the Ordinance. He said the letter from the Ethics Commission is simply a pro forma dismissal by their Executive Director. He said the Civil Grand Jury report found the Ethics Commission had dismissed every case sent them. He said he has tried to exercise his rights. He said the Commission ignores his civil rights and the rights of others. (See Addendum for a summary of this comment submitted by the speaker.)

Commission Discussion

Commissioner Breyer asked about the change in printers in the library.

Luis Herrera, City Librarian, said there is a new contract for printers with a lot of new equipment and like any new initiative it will take a considerable amount of time to roll out.

Kathy Lawhun, Chief of Main, said before the printers were installed 200 people were trained on them. She said we now have technicians going around to each branch to further train staff.

Jill Bourne, Deputy City Librarian, said there is a learning curve for the new equipment.

Commissioner Kane said he is interested in what issues if any there are at the new branch.

Linda Brooks-Burton, South East District Manager, said that Alice Chan the Visitacion Valley Branch Manager is doing a wonderful job and doing a lot of outreach to the community.

Luis Herrera, City Librarian, said there are some minor punch list items that need to be worked out for the branch.

AGENDA ITEM NO. 7 APPROVAL OF THE MINUTES OF JULY 21, 2011

Public Comment

An anonymous citizen said he hopes the Commission remembers that there has been public comment on these minutes before on September 1. He said it would have been more satisfactory if your secretary had explained this but Commissioner Kane had continued these minutes so changes could be made. He said not a single change was made. He said all of the flaws are still there. He said the unfavorable comments were buried time after time. He said on page 4 Mr. Hartz never said the mural was sexist and the minutes are putting words in his mouth. He said comments from Commissioner Nguyen on page 12 do not include his comment about an illegal meeting. He said his comments on page 11 were not reported accurately. And his comments in general public comment about your failure to clean your own house have been ignored. (See Addendum for a summary of this comment submitted by the speaker.)

Peter Warfield, Library Users Association, said he would like to postpone the approval of the minutes because he went to the library today and had problems watching the DVD because it would stop and start again. He said it was not possible to do a thorough review. He said these minutes have a number of problems regarding several very important issues. He said on page 1 the anonymous citizen's comments were not complete. He said his comments included that it was important to report that Sue Cauthen's comments had been denied during public comment. He said Mr. Hartz's comments regarding the Bay Area Reporter were not reported

accurately. He said his remarks about the Bernal Artwork were not complete.

Ray Hartz, Director San Francisco Open Government, said one of his favorite authors, Frank Herbert, wrote the following “Politics is the art of appearing candid and completely open, while concealing as much as possible.” He said approval of these minutes in their current form is an additional violation of prior rulings of the Sunshine Ordinance Task Force (SOTF). He said the SOTF is by law the body which decides what the Ordinance means. He said he can think of no other description of the City Librarian and Commission’s conduct as cowardly. He said to evade the responsibilities under law and then to send the Commission Secretary to answer for your decisions is nothing short of cowardice. He said when someone doesn’t take the effort to obey the law and the person who has pressed these allegations they are taken to task for being uncivil. He said the Constitution guarantees his right to free speech. He said we have laws that are not followed. (See Addendum for a summary of this comment submitted by the speaker.)

Motion: By Commissioner Kane, seconded by Commissioner Munson to approve the [Minutes of July 21, 2011](#).

Action: AYES 6-0: (Breyer, Gomez, Kane, Munson, Ono, and Randlett).

AGENDA ITEM NO. 8 APPROVAL OF THE MINUTES OF AUGUST 18, 2011

These [Minutes](#) have been trailed to the next meeting.

AGENDA ITEM NO. 9. ADJOURNMENT

Public Comment

An anonymous citizen said he would like to recommend that the Commission adjourn in honor of the passing of Edeltraut Raith a career librarian who died on July 30, 2011 at the age of 92. He said he remembers her from the late 70’s and early 80’s when she was involved with some of the controversies surrounding the Children’s Librarian and he does not remember when she retired. He said she was one of those people who gave her entire working life to this library.

Peter Warfield, Library Users Association, said he would second the anonymous citizen’s recommendation to adjourn in honor of Edeltraut Raith. He said once again this meeting will be adjourning without discussing new business and that should be included on your agenda.

Motion: By Commissioner Munson, seconded by Commissioner Kane to adjourn the regular meeting of October 6, 2011.

Action: AYES 6-0: (Breyer, Gomez, Kane, Munson, Ono and Randlett).

The meeting adjourned at 7:30 pm.

Sue Blackman
Commission Secretary

Explanatory documents: Copies of listed explanatory documents are available as follows: (1) from the commission secretary/custodian of records, 6th 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 Public Library's website <http://sfpl.org>. 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 Hate & Ignorance – Don't give or accept money from the Friends & Foundation

The Ethics Commission found your president guilty of conduct "below the standard of decency" and recommended her removal from office.

A germane NY Times article describing the world-wide contempt for the political class contained the quotation, "The political system has abandoned its citizens. We have lost a sense of responsibility for one another."

The Library Commission feels that the idea that they should be constrained by ethical and moral considerations is just preposterous and the lies are incredible. You will claim that water doesn't run downhill, then laugh at our powerlessness to claim the truth.

As far as you are concerned, you are only dispossessing the dispossessed, but it is done to the entire society.

The reason for this dishonesty is the network of self-serving interests you call the "Friend of the Library" Family.

The Visitacion Valley Neighborhood knows it.

Ray Hartz, Director San Francisco Open Government: One of my favorite authors, Frank Herbert, wrote the following: "Politics is the art of appearing candid and completely open, while concealing as much as possible." I believe the members of the Library Commission and its Secretary, Sue Blackman, are truly political creatures as opposed to public servants. I also believe that City Librarian, Luis Herrera, is first and foremost a true politician in that his overall actions are those of someone "appearing candid and completely open, while concealing as much as possible.: This is clearly shown, first and foremost, in his repeated attempts to restrict public access to public records which relate to the finances of the Friends of the San Francisco Public Library. No one tries so hard to hide something unless there is truly something to hide!

Item 2: Statement of Incompatible Activities (SIA)

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

While informing an Ethics Commission meeting of your malfeasance, your library administration appeared to request changes to its Incompatible Activities policy never approved by you.

On July 15, 2004, this Commission approved a policy that was never rescinded, yet that policy is not listed with your other policies, and the version before the Ethics Commission is on the City Librarian's web page.

The Assistant City Librarian explained both that the 2004 policy had insufficient input from the Library Staff and too much from the public, apparently not exclusive enough, and also that the present Library Commissioners are all new.

Since I was there, the Assistant City Librarian was obliged to tell the Ethics Commission that it would come before you.

Many issues, including a private digitization project, have been concealed and I am shocked that the Library Commission has been bypassed.

Item 3: Branch Library Improvement Program (BLIP) Budget Transfers to BLIP Program Reserve and Program Management Budget

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

Would I be able to make sense of this if I had access to the graphics? Apparently, the Administration can't.

It would have been interesting to explain the recent transfers from the Visitacion Valley Infrastructure Fund here in Visitacion Valley.

We are told that management was funded through the end of 2012, and now we need three-quarters of a Million for the same period.

One would assume that if we suddenly discovered 3/4 of \$Million that we didn't know we had as recently as six weeks ago, we could find public services for that money.

By the presentation's own terms, we are putting money into management we thought was funded through the end of 2012. As we come to the end of the program, management should be where we are saving money, not where we are increasing it.

Item 4: Bond Program Manager's Report

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

I think I can be brief. I don't think it is such an occasion for completing 22 branches when it is so far behind schedule and that delay has caused enormous problems. I am sure you remind yourselves constantly of what a blessing the collapse of the economy has been, because if the economy had not collapsed, the BLIP certainly would have with the egregious cost overruns in good times. There is a saying about dark clouds having silver linings.

I finally saw myself in one of the crowd shots. Not as big of a thrill as I thought it would be. Perhaps when I was younger.

I was at the Ortega opening. It was a gorgeous day and many young people were excited about the opening of the playground at the same time.

Item 5: General Statement on Privatization of Libraries

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

Speaking for myself and the members of the public who have attended this meeting over many years, we have always been a force for respect and civility and

demanded equal treatment and not gotten it. If you want to change that, the ball is in your court.

Since your City Librarian has not given you any background let me do so. Assembly Bill 438 was sent to the Governor on September 22, and my understanding is that he has 30 days to either sign or veto it, or it becomes law without signature.

The Supervisors have continued an endorsement of this bill.

I detect the hand of the Librarian's Guild in the phrase "the life of the public commons" in recognition that democracy depends on a shared commons and the library belongs not to the philanthropists, but to us all.

Ray Hartz, Director of San Francisco Open Government: One of my favorite authors, Frank Herbert, wrote the following: "Politics is the art of appearing candid and completely open, while concealing as much as possible." In this draft statement, the Library Commission says that they "affirm the independence, freedom and effectiveness of the American public library." Sounds good but, unfortunately it does not hold true when a citizen of the City and County of San Francisco wants to access public records. There the word "freedom" is conveniently disregarded. This is especially true if anyone attempts to understand the relationship between the Library and the Friends of the Library. In particular, how millions of dollars are raised each year and how those funds are expended. And, I guess, if I were the City Librarian, I would not want anyone looking at the annual City Librarians Discretionary Fund, in which the Friends provide him amounts in excess of \$35,000 per year.

Item 6: City Librarian's Report

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

I don't have time to go through the entire history, but the credit for this new branch belongs to the neighborhood itself. At every juncture the neighbors resisted being shortchanged on this branch and finally forced the construction of the full-scale project.

The statewide bond had scenarios for funding levels that put Visitacion Valley at the end, and still the administration tried to save money here and the neighborhood resisted strenuously.

You claim that the Ethics Commission has dismissed the complaint against you, when in fact only the Executive Director has done so. Both the Civil Grand Jury and the Board of Supervisors have both gone on record as stating that is inadequate and there should be hearings before the full Ethics Commission. The fine print is that dismissal was endorsed by omission, but that is clearly insufficient.

Ray Hartz, Director San Francisco Open Government: One of my favorite authors, Frank Herbert, wrote the following: "Politics is the art of appearing candid and completely open, while concealing as much as possible." The City Librarian's Report, particularly Mr. Herrera's selective presentation of documentation, shows again his primary focus as a truly political creature. He includes letters from the Ethics Commission, dismissing a complaint while excluding any mention, let alone documentation, related to two findings by the Sunshine Ordinance Task Force: #10054 against the Library Commission and #11054 against the City Librarian. Both of these decisions found the defendants in violation of the Sunshine Ordinance. The letters presented from the Ethics Commission is simply a pro forma dismissal by their Executive Director. The recent Civil Grand Jury report found the Ethics Commission had dismissed every case sent them, stating: "None of these cases were ever heard at an open hearing before the Ethics Commission."

Item 7: Approval of the Minutes (July 21, 2011)

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

I hope you are having a moment of déjà vu. We made public comment on these minutes on September 1. It would have been more satisfactory if your secretary had explained this, but Commissioner Kane continued these minutes so that changes could be made. Not a single change was made. All of the flaws that we pointed out at that time are still there.

I can go through them again so you can ignore me again.

Mr. Hartz on Page 4 never said the mural was sexist and you are putting words in his mouth.

Page 12 references a question from Commissioner Nguyen where he admitted an illegal meeting and that has been ignored.

My comments in general public comment about your failure to clean your own house: All are ignored for the second time around – déjà vu.

Ray Hartz, Director San Francisco Open Government: One of my favorite authors, Frank Herbert, wrote the following: "Politics is the art of appearing candid and completely open, while concealing as much as possible." Approval of these minutes, in their current form is an additional violation of prior rulings of the Sunshine Ordinance Task Force #10054 and #11054, finding that 150 word summaries must be included in the body of the minutes. The SOTF is, by law, the body which decides what the Ordinance means. I can honestly think of no other description of the Library Commission and the City Librarians behaviors than to describe them as cowardly. To evade your responsibilities under law and then send the Commission Secretary to answer for your decisions is nothing short of cowardice. It is simply a device being used to evade your responsibilities under the law. If you can't win a fair fight, you simply chose to not fight fairly.

Item 9: Adjournment

Anonymous Citizen: I would like to recommend that we adjourn in honor of one of our career librarians, Edeltraut Raith. She actually passed away on July 30, but her obituary did not appear until September 16. She was born in 1919 and was 92 when she passed away. I remember her from the late 70's and early 80's when she was involved in the Children's Department controversies. She was educated at UC Berkeley and got her library degree at USC. She was one of those people who gave her entire working life to this library.