



# *San Francisco Public Library*

## **SAN FRANCISCO PUBLIC LIBRARY COMMISSION**

### **Minutes of the Regular Meeting of August 16, 2012**

As approved at the Regular Meeting of October 4, 2012

The San Francisco Public Library Commission held a regular meeting on Thursday, August 16, 2012 in the Koret Auditorium Main Library.

The meeting was called to order at 4:36 pm.

Commissioners present: Munson, Nguyen, Ono, and Randlett.

Commissioner excused: Gomez

Commissioner Kane entered the meeting at 4:48 pm.

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

Marcella Ingraham said she sits on the Advisory Committee for the Library of the Blind. She said there is an immediate issue that needs to be taken care of. She said an arsonist set fire in the Library of the Blind on February 26 and she has taken it upon herself to coordinate a number of different entities to work on this problem. She said the elevator is not functioning properly and it goes directly to the Library of the Blind. She said she hopes this will be taken care of.

An anonymous citizen said maybe we should do what we did in the old Roman Republic - elect Ms. Gomez for the position of dictator for life and then at least the rest of us would have the hope an assassination might result in a change of leadership. He said there is no new Library Commissioner and he said there is a state statute that requires the Mayor to post the commission vacancy. He said the deadline for doing that was July 1 not August 1 and it still has not been done. He said it is probably an acknowledgement that the Mayor cannot find a new Library Commissioner willing to do it. He said in the old days everyone would resign rather than serve with someone below the standard of decency. He said the Commission probably feels they cannot abandon Jewelle Gomez because they are just as guilty as she is. He said a new commissioner would not be in that position. He said do you want to be Jewelle Gomez-ed when you go to the Planning Commission or the

Health Commission? He said Mr. Munson and Mr. Kane are trying to distance themselves from the Friends of the Library. He said Mr. Munson stated you don't have the right to demand the Friends' books. He said you maintain the social barriers that enable this fraud. He said the library is public so that won't happen. (See Addendum for a summary of this comment submitted by the speaker.)

Peter Warfield, Executive Director, Library Users Association, said the Commission's actions and inactions are placing the mural at the Bernal Heights Branch Library in danger as well as the library itself and the public. He said new developments keep coming. He said in June after the scaffolding went up, this body did nothing. Subsequently he said that a blog was threatening the mural. He said the Library Commission and administration did nothing. He said graffiti has been recently found on the building and he thinks the scaffolding is contributing to that.

## **AGENDA ITEM NO. 2 CITY LIBRARIAN'S REPORT**

Luis Herrera, City Librarian said at the end of July there was an International Poetry Festival sponsored by the Friends of the Library. He said at the kickoff event, the Sixth Poet Laureate Alejandro Murguia was announced by Mayor Lee. He said Alejandro Murguia is an editor, translator, poet, community organizer and a recipient of the American Book Award and his most recent book of poems was published this last February. He said there will be a series of events and Alejandro Murguia will be engaged with youth activities.

Commissioner Ono said that Alejandro Murguia also works at San Francisco State University.

Luis Herrera, City Librarian, said the second update is on the public safety initiative where the Library is partnering with the Department of Public Health (DPH) and the Police Department. He said the Main Library alone welcomes 2.7 million a year and the 4,000 or so library incidents represent less than .5% of the overall visitors that we have. He said there has been an 8% decrease in incidents and if you take away the sleepers out of that number we actually have a significant decrease of 20% in incidents. He said the library is also a barometer of what is happening in the society at large.

Karen Strauss, Acting Chief of Main, said we have made progress with DPW and our Social Worker, Leah Esguerra. She said over 200 patrons have been helped over the last year. She said there are 7 health and safety associates who have been provided with SFPL employment. She showed the comparison of statistics from FY 2011 and FY 2012 on impacts made by the Social Worker. She said we are able to provide access to training for patrons.

Roberto Lombardi, Facilities Director, said Sgt. Patrick Kwan, who is in charge of security is also available and he wanted to thank him for his fine service. He gave security statistics for the Main Library and showed

security trends. He said of the 4,412 incidents at the Main, serious incidents were only 131 occurrences. He said one activity that we classify as an incident is sleeping and we have discovered that people who are sleeping have other issues and we have been able to help in some cases.

Luis Herrera, City Librarian, said our trends are looking good. He said we need to continue to develop and strengthen the partnerships that we have. He said we need to provide training opportunities for our security personnel. He said thanks to Leah Esguerra and her work; we now serve as a national model for public safety in libraries. He said we need to continue to look at evaluation and measurements for public safety. He said the last update is on the public hearings on library service hours. He said he wanted to emphasize how important the hearings are and there is a memo which outlines the dates and times for the hearings. He said the Library Preservation Fund requires us in five year intervals to review our public service hours. He said we are ahead of the game so that we can bring any recommended changes to the Commission by July of next year. He said the assessment will be comprehensive. He said we are working with the Board of Supervisors and their districts. He said it is important that we hear from a diverse constituency. He said in addition to the hearings, there will be approximately 1,000 intercepts with patrons and there will be telephone calls for infrequent library users. He said a report will come back to the Commission with the results.

Explanatory Documents: [Public Safety presentation](#); and [Memo from City Librarian](#) dated August 13 on Tentative Schedule for Public Hearings on Library Service hours). [Poet Laureate 2012](#)

### Public Comment

An anonymous citizen said that public safety is not about data, it is about human beings that we serve. He said it is gratifying that this security shield is not created to keep him out alone. He said those people are human beings as is he. He said it used to be a concern that there were not a bunch of barriers to get to interact with a librarian. He said a metaphorical Huckleberry Finn might be turned away before he got to a librarian. He said there was no mention of the Community Benefit District because it was another barrier you had to get through to get to library service. He asked if the library statistics are improved because the District has increased incidents. (See Addendum for a summary of this comment submitted by the speaker.)

Peter Warfield, Executive Director, Library Users Association, said he is glad that there are people being provided for within the public safety plan. He said unfortunately there are some omissions that could be added. He said there is nothing about a practice of the library 86ing certain patrons for breaking the rules. He said 86ing is slang for kicking out for various periods of time. He said that is a statistic we ought to have. He said he is very concerned about due process and whether there is a formal procedure or appeal available. He said he would be interested to hear from the group of people who have been helped. He said he is very

concerned about the professionalization and making it more difficult for people to understand the surveys on the open hours. He said in the past the library has solicited its patrons.

### Commission Discussion

Commissioner Randlett wanted to thank Leah Esguerra and Sgt. Kwan for their service and efforts. She said she would like to learn more. She said it might be good to get feedback from the people who have been helped. She said she is happy to hear that open hours will be looked at with a well thought out outreach plan.

Commissioner Nguyen said thank you to the presenters and all involved in the public safety update. He said he would like to know how you are grading the severity or intensity of incidents.

Luis Herrera, City Librarian, said there is a degree level of incidents that merit suspension and it ranges up to a year. He said there is due process for the level of suspensions. He said we capture as many statistics as possible. He said we need to be very cognizant of privacy concerns and we do have the opportunity of having anecdotal commentary on the types of help that have been offered.

Commissioner Kane said safety at the Main is extremely important. He said he would like to hear a report back on the Community Benefit District and how that is working. He asked what is done when someone is sleeping in the library.

Sgt. Patrick Kwan said people are made aware that there is no sleeping. He said if people are bedded down for the entire day we try to find resources for them. He said that is the main focus. He said 99% of the time it is people that have just dozed off and need to be reminded there is no sleeping.

Commissioner Kane asked if we have been sued for falls.

Luis Herrera, City Librarian, said yes there have been claims for falls, etc. and the City Attorney handles those and in some cases there are settlements.

Roberto Lombardi, Facilities Director, said we try to be very vigilant about things that could cause a trip and fall before hand. He said there have been sidewalk falls. He said it is a routine procedure. He said we track any repair that is related to safety. He said falls and medical are lumped together and most are medical like chest pains, etc.

Commissioner Kane said he would like to see a public safety report done for the branches. He said it would be important to see the trends for the branches. He said on the public hours he asked if there will be a place at each branch for people to come in and pick up a survey. He said the

survey should also be on our website. He said he would like to see the survey in advance.

Toni Cordova, Chief of Communications, Programs and Partnerships, said the survey is in the process of being developed and we anticipate seeing the draft next week.

Commissioner Kane said he would like to see more detailed information. He said it is important that the schedule is made very public and all of the hearing dates should be posted at each of the libraries.

Luis Herrera, City Librarian said we will be happy to share the draft survey with the Commissioners for their feedback.

Commissioner Randlett said it is interesting that people congregate at the library because it is a welcoming place. She said she does not see a lot of homeless people congregating around branches. She said she is curious about why it mostly happens at the Main.

Sgt. Kwan said that it does happen at the branches also, but not the same level as at the Main and probably because of the location of the Main and the nearness to the Tenderloin.

Luis Herrera, City Librarian, said he does not want to concentrate on the homeless issue because there are a lot of other concerns.

Commissioner Ono said she wanted to commend the Mayor on the selection of the Poet Laureate and that she is glad they will be doing youth programs around poetry. She said she was interested in how we compare to other cities or other systems on public safety.

Luis Herrera, City Librarian, said we have not done benchmarking on public safety but that would be a good thing to look at.

Commissioner Ono said she would like to see the surveys ahead of time for the public hours and she said it would be important to identify the user's current branch.

**AGENDA ITEM NO. 3. POSSIBLE CLOSED SESSION REGARDING NORTH BEACH BRANCH LIBRARY LITIGATION (FRIENDS OF APPLETON-WOLFARD LIBRARIES, ET AL. v. CITY AND COUNTY OF SAN FRANCISCO, SAN FRANCISCO SUPERIOR COURT CASE NO. 11-511469)**

Vice President Munson said they will now take public comment on all matters relating to the closed session, including subsection d., which is a vote on whether to disclose any or all discussions held in closed session San Francisco Administrative Code Section 67.12(a)).

**Public Comment**

An anonymous citizen said your opportunity for closed session is to avail yourself of attorney client privilege with respect to pending litigation. He said the obligation is to disclose things where the public benefit in disclosure outweighs the public's benefit in keeping it private. He said the benefit that is weighed is the benefit to the public. He said this is a lawsuit where there has been a final order but the time to appeal has not expired. He said the judge's order turns on the idea that recreation might include a library. He said he is sure the attorney will tell you that this is a double-edged sword. He said the library may benefit from recreation money, but do you want recreation to benefit from library money? He said this is something that the public should be able to hear and advise you on. (See Addendum for a summary of this comment submitted by the speaker.)

Peter Warfield, Library Users Association, said in the past, closed sessions used to be heard as the last item so he said it is inconsiderate, rude or worse to schedule closed session in the middle of an agenda at which there are other items which require public comment. He said it is unfortunate that you did not alert the public to what apparently is specific and public information about the state of the lawsuit. He said the North Beach Branch Library is a library that is landmark worthy and it would be a pity to lose that branch. He said it is a branch worth keeping. He said it is unfortunate to split the item up into a, b, c, and d and public comment be limited to one time. He said he hopes the Commission will disclose what has been discussed and certainly will disclose if a decision is made.

Motion: By Commissioner Kane, seconded by Commissioner Ono, that, based on advice of counsel, to move to closed session pursuant to California Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1).

Action: AYES 5-0: (Kane, Munson, Nguyen, Ono, and Randlett).

The Commission went into closed session at 5:40 pm.

The Commission was called back into open session at 6:43 pm.

Commissioners Present: Kane, Munson, Nguyen, Ono and Randlett.

Commissioner Excused: Gomez

Motion: By Commissioner Kane, seconded by Commissioner Ono, to not disclose any or all discussions held in closed session pursuant to San Francisco Administrative Code Section 67.12(a).

Action: AYES 5-0: (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 \$196,259,350 as of February 16, 2012. She said the Bayview Branch is

under construction and the North Beach Branch is in the construction award phase. She said the Bayview Branch Library is approximately 64% complete. She showed photographs of the Bayview Branch construction. She said project completion is scheduled for November. She said we are exceeding the city workforce goal for San Francisco residents and we are also exceeding the goals HRC has set. She showed the renderings of the history panel on the Bayview Branch. She showed design and site plans for the completed design for the North Beach branch. She said the North Beach project is fully funded and is ready for award. She said we are coordinating closely with other city agencies performing construction at or near the site. She said the City prevailed in the legal challenge in the Superior Court and the next step is pending the appeal process. She said on August 15, 2012 Bayview received final approval from the San Francisco Arts Committee for the history panels to be incorporated into the exterior storefront glazing system. Explanatory document: [Current Budget Report](#); [Manager's Report](#); and [Quarterly Report Second Quarter 2012](#).

### Public Comment

An anonymous citizen said we might have asked what the expectation for how long the closed session would last but the chair is probably right to preserve your priority to make this as dysfunctional as possible for the public. He said the changes in the budget with regard to Furniture Fixtures and Expenditures in the report now reads "amount reported by the Friends." He said there is still no documentation for this figure. He said we assume it is duplicative, or there would be documentation. He said the amount for Furniture Fixtures and Expenditures that for years was \$273,000 expended from the Library Preservation Fund now has been replaced with a dash. He said most alarming from an accountability perspective is that the \$8.8 Million by the Friends of the Library has been duplicated in the Quarterly Report without any acknowledgment that it is "by" the Friends, an outside entity with no documentation. He said there is no notice in the Quarterly Report that the figure is based on nothing. (See Addendum for a summary of this comment submitted by the speaker.)

Peter Warfield, Library Users Association, said it is unfortunate that the Bond Program Manager's Report has nothing written about the North Beach Branch lawsuit. He said there was an oral comment that the City prevailed and that an appeal is possibly pending. He said that was not written in the report. He said there is nothing about the Bernal Branch Library mural delay. He said the excuse for the destruction of the mural was the renovation of the library. He said there has been a question about when the delay will end. He said the City Librarian has stated that everything that was done was legal. He said the Library Users Association pointed out that there was about to be an illegality in painting out the mural. He said the Minutes point out that the initial noticing was done in 2007. He said there was no notification of the artists or their families at that time. He said the scaffolding is a clear and present danger to the library, the mural and the public.

### Commission Discussion

Commissioner Randlett said thank you to the Bond Manager especially for the photos which she enjoys very much.

Commissioner Kane said the revenue side for the \$16 Million is no longer correct and that should be corrected. He said the footnote number 6 should be clarified so that the Friends number is reflected more clearly. He said the Library Preservation Funds that have been used for FF&E is not reflected in the report and he would like that reflected in the report.

Luis Herrera, City Librarian, said there was a contribution from the Library Preservation Fund and that will be clarified.

### **AGENDA ITEM NO. 5 APPROVAL OF THE MINUTES OF JUNE 21, 2012**

#### Public Comment

An anonymous citizen said Cato the Elder was a Roman Senator of the 2<sup>nd</sup> Century B.C. He included in every one of his speeches, “Cathago delenda est” meaning Carthage must be destroyed. He said in the beginning it seemed a little crazy, but eventually Carthage was destroyed. Now even schoolboys remember Cato the Elder as vindicated. He said I repeat the phrase “Stop the Hate, Stop the Ignorance – Don’t give money to or accept money from the Friends of the Library.” He said some day this institution will be rid of that vile parasite and people will say starting in 2005 the anonymous citizen included that in every comment. He said we wouldn’t remember Cato the Elder if someone cleaned up his speeches. He said his phrase never appears in the minutes. He said it should it is part of the historical record. He said even if he is not vindicated, it is still history. He said on page 9 the anonymous citizen was referring to \$10.47 Million in FY 14 and that should state “for collections.” He said on page 4 the criticism depends on the budget being the same. (See Addendum for a summary of this comment submitted by the speaker.)

Peter Warfield, Library Users Association, said on page 1 the emphasis on my comment should be there and that is with the addition of the word “unanimously” after the statement “. . .not only did the Mayor do nothing but the Commissioners “unanimously” elected” . . . He said under the Resolution honoring Commissioner Breyer it was not clear who was the person with the perfect attendance record and he said he would suggest adding Mr. Breyer’s name at the top of page 3. He said it should read “He said a perfect attendance record is exemplary” he said he would like it indicated that he was talking about Mr. Breyer and he would like that added. He said Old Business should be before New Business on the agenda and we have not had follow up on some of the items brought up in the past.

### Commission Discussion



Commissioner Randlett said adding Mr. Breyer's name at the top of page 3 as recommended by Mr. Warfield should be added and the unanimous election of the President on page 1 should be added.

Motion: By Commissioner Kane, seconded by Commissioner Munson to approve the [Minutes of June 21, 2012](#) with a correction to page 1 to add the word "unanimously" after the statement ". . .not only did the Mayor do nothing but the Commissioners **unanimously** elected" and by adding Mr. Breyer's name to the top of page 3 under Mr. Warfield's remarks to read "**Mr. Breyer's** perfect attendance record is exemplary. . .

Action: AYES 5-0: (Kane, Munson, Nguyen, Ono, and Randlett).

### **AGENDA ITEM NO. 6 ADJOURNMENT**

There was no public comment on this item.

Motion: By Commissioner Randlett, seconded by Commissioner Ono, to adjourn the regular meeting of August 16, 2012.

Action: AYES 5-0: (Kane, Munson, Nguyen, Ono, and Randlett)

The meeting adjourned at 7:09 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 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 of the Library.

“Maybe what you should do is what they used to do in the old Roman Republic – elect Ms. Gomez for the position of dictator for life and then at least the rest of us would have the hope an assassination might result in a change of leadership.”

The Mayor violates state statute by not posting the commission vacancy.

Formerly, everyone would resign rather than serve with someone below the standard of decency. You can't abandon Jewelle Gomez because you are just as guilty.

A new commissioner wouldn't admit having abandoned any claim to decency and representing the public.

Do you want your family to be Jewelle Gomez-ed?

Mr. Munson stated you don't have the right to demand the Friends' books.

Yet, you maintain the social barriers that enable this fraud. The library is public so that won't happen.

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## Item 2: City Librarian's Report

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

As I look at the agenda, I believe there was suppose to be a report on library service hours. Perhaps I missed it. There was a memorandum in the packet about the hearings, etc.

The public safety is not about data, it is about human beings that we serve. It is gratifying that this security shield is not to keep me out alone. The library profession used to be concerned that people did not have to go through barriers to interact with a librarian. A metaphorical Huckleberry Finn might be turned away before he got to a librarian.

Librarians wanted being “off the grid” not to be a barrier to service.

I opposed the Community Benefit District as just another barrier. Are the library statistics improved because the district has increased incidents?

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### Item 3: Possible Closed Session Regarding North Beach Branch Library Litigation

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

Your opportunity for closed session is to avail yourself of attorney-client privilege with respect to pending litigation.

It is your obligation to disclose things where the public's benefit in disclosure outweighs the public's benefit in keeping it private. The benefit that is weighed is the benefit to the public.

There is a final order in this litigation, but the time to appeal has not expired.

The judge's order turns on the fact that the library might be recreation. I'm sure your attorney will tell you this is a double-edged sword. In a sense, a library is a recreational activity, but is recreation a library activity? You want to benefit from recreation money, but do you want recreation to benefit from library money?

This is something that might benefit from public testimony.

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### Item 4: Bond Program Manager's Report

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

We are still here. We might have asked how long the closed session would last, but the chair is probably right to preserve your priority to make this as dysfunctional as possible for the public.

As reported orally last time, the furniture item now reads, "amount reported by the Friends." There is still no documentation for this figure. We assume it is duplicative, or there would be documentation.

The \$273,000 expended from the Library Preservation Fund has been replaced with a dash.

Most alarming from an accountability perspective, the \$8.8 Million has been transferred to the Quarterly Report without any acknowledgment that it is "by" the Friends, an outside entity with no documentation.

There is no notice to those reading the Quarterly Report that the figure is based on nothing.

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Item 5: Approval of the Minutes (June 21, 2012)

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

Cato the Elder was a Roman Senator of the 2nd Century, B.C. He included in every one of his speeches, "Carthago delenda est," meaning, Carthage must be destroyed. In the beginning it seemed a little crazy, but eventually Carthage was destroyed. Now even schoolboys remember Cato the Elder as vindicated.

I repeat the phrase, stop the hate . . . don't give money to the Friends. Someday when we are rid of that vile parasite, people should be able to say, beginning in 2005, the anonymous citizen included that in every comment.

We wouldn't remember Cato the Elder if someone cleaned up his speeches. My phrase never appears in the minutes. Even if I am not vindicated, it is still history.

On page 9, the discussion regards "collections."

On page 4, the criticism depends on the budget being the same.