

IN THE SAN FRANCISCO
SUNSHINE ORDINANCE TASK FORCE

Anonymous

v.

Controller Ben Rosenfield and
the Office of the Controller

Sunshine Ordinance
Petition and Complaint

Nov. 22, 2019

SOTF No.

COMPLAINT

[SFAC 67.21(b,c,k), 67.26, 67.27; CPRA Gov Code 6253(b,c)]

I allege Respondents failed to respond to a request for public records in a timely or complete manner, failed to assist, withheld more than the minimally exempt portion of a public record, failed to justify withholdings with clear reference to exemption statute or case law, and failed to provide an exact copy of records. This complaint does not contain metadata allegations; they will be filed separately.

FACTS OF THE CASE

I made an immediate disclosure request from 80368-97597279@requests.muckrock.com under the CPRA and Sunshine Ordinance on September 13, 2019, requesting nine sets of records from the Office of the Controller regarding the relationship between the City and two private non-profits, Fine Arts Museums Foundation and Corporation of the Fine Arts Museums, which fund and/or operate the Fine Arts Museums of San Francisco (a City agency). I also made a request under SF Admin Code 67.21(c) for a statement of existence, quantity, nature, and form of responsive records (regardless of exemption). See Appendix A for the request and email thread.

An unidentified employee¹ of Respondents acknowledged the request on Sept. 17. On Sept. 26, Respondents indicated requests 1–4 and 7–9 had no responsive records, but they also voluntarily provided past years of City accounting records with COFAM and FAMF parties since the years I requested had no transactions. Respondents also appears to have misunderstood² requests 5 and 6 and asked me to narrow them. On the same day, I

¹ Since no individual named employee was ever identified in Respondents' replies, the department head Controller Rosenfield is named as a custodian Respondent.

² Respondents incorrectly believed I wished for them to search every City employee's messages. "This request is extremely broad given that some 30k employees work for CCSF. To expeditiously

declined to narrow requests 5 and 6, but reminded Respondents that they had an obligation to provide records prepared, owned, used, or retained by their agency, not all of the entire City's records as they had apparently misunderstood. On Oct. 4, they provided a 2016 audit they conducted of Fine Arts Museums, and confirmed they lacked other records for 1–4 and 7–9. On the same day, I reminded them a response for 5 and 6 was still outstanding.

On Nov. 20, Respondents provided a 91-page printed and scanned collection of electronic records titled "MuckRock_80368-97597279.pdf" responsive to 5 and 6. The collection may be introduced into the SOTF record by the Respondents.

ALLEGATIONS

1. Violations of SF Admin Code 67.21(c) - failure to assist in a timely or complete manner

I made a request for a statement under SF Admin Code 67.21(c) on Sept. 17. Part of the statement for 1–4 and 7–9 was provided on Sept. 26. Because 67.21(c) dictates a seven day deadline for this statement, this was untimely. The remainder of the 67.21(c) statements for 5 and 6 was never provided.

2. Violations of SF Admin Code 67.21(b,k), CPRA Gov Code 6253(c) - incomplete response

The Nov. 20 records collection lists numerous attachments for the provided emails, for example: 3 listed on pg. 1, 7 on pg. 2, 1 on pg. 4, 1 on pg. 5, 7 on pg. 8, 1 on pg. 10 and more. The request specifically requested all attachments. Please determine all the attachments are public records and order them disclosed.

Furthermore, the Respondents must indicate whether or not there were responsive records withheld (CPRA Gov Code 6253(c)³), but have not done so. Therefore, there may be records presently withheld, without my knowledge and without justification, and I must also challenge their withholding.

3. Violations of SF Admin Code 67.26, 67.27 - failure to justify withholding with clear reference to statute or case law

SFAC 67.26 requires minimal withholding and a "clear reference" to a justification for each withholding/redaction, and 67.27 requires such justification be made only by exemption statute or case law. Dozens of redactions have been made throughout the Nov. 20 response,

handle this request, would it be possible to narrow this request to specific departments or individuals?"

³ "(c) Each agency, upon a request for a copy of records, shall, within 10 days from receipt of the request, determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and shall promptly notify the person making the request of the determination and the reasons therefor. ..."

none with any justifications. Therefore, all of the redactions are unlawful and should be determined to be public parts of records and ordered disclosed.

**4. Violations of SF Admin Code 67.21(k), CPRA Gov Code 6253(b) -
failure to provide exact copies**

The Nov. 20 responsive records are electronic records - emails, spreadsheets, word documents, etc. Instead of providing them in their original electronic form or converted to PDF directly, these records were printed and then scanned back in, causing substantial distortion of some of the records at issue and failing to provide an “exact copy” of the record. (The metadata of these records is not at issue in this allegation, but I reserve the right to file further complaints re: failure to provide the metadata.)

REQUEST FOR RELIEF

Please find that the Respondents violated SF Admin Code sections 67.21(b,c,k), 67.26, and 67.27, and CPRA Gov Code 6253(b,c), and determine that some or all of the records or portions thereof withheld or not yet disclosed are public, and issue all appropriate orders.

Respectfully submitted,

ANONYMOUS
Complainant/Petitioner

APPENDIX A

Email thread

RE: Immediate Disclosure Request - City/COFAM/FAMF Relationship

To Whom It May Concern:

** Please redact your responses correctly! This is a public mailbox, and all of your responses (including emails, attachments, file shares, and the disclosed records) may be automatically and instantly available to the general public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). Once you send them to us, there's no going back. **

I would like to get to the bottom of the intriguing relationship between the City, COFAM and FAMF.

Pursuant to the Sunshine Ordinance and CPRA, I hereby request the following records as 9 distinct Immediate Disclosure Request(s) from the San Francisco Controller's Office - note that you must turn over any records that your agency prepares, owns, uses or retains, even if they are about a different city agency or not from the city at all. Note also that you may argue some of them are not immediately answerable but must still immediately answer the ones that are. Many of these records involve the city agency Fine Arts Museums of San Francisco (FAMSF) - but I want all records, whether for FAMSF or otherwise. Where "City" is used below it means: the City as a legal entity, and any of its boards, departments, trusts, commissions, and so forth, and its commissioners, trustees, other officers and employees. Where "COFAM" and "FAMF" are used, it includes each legal entity and its boards, trustees, subsidiaries, other officers, and employees.

1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed
3. all accounting records/line items reflecting a transaction to, from, or involving COFAM, from Jan 1 2018 to present
4. all accounting records/line items reflecting a transaction to, from, or involving FAMF, from Jan 1 2018 to present
5. all correspondence* (asterisk means including all attachments, exhibits, memos, metadata, headers, emails, invoices, payments, checks, physical mail/notes, text, SMS, MMS, or any chat app messages, and in their original electronic format or scan of physical documents) between City and COFAM between Jan. 1, 2018 and present
6. all correspondence* between City and FAMF between Jan. 1, 2018 and Sept. 12 2019 (inclusive)
7. every invoice, payment, or check between the City and COFAM, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present
8. every invoice, payment, or check between the City and FAMF, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present
9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM

I would like to remind you that you need to indicate for each request above, whether you did or did not have responsive records (separate from whether or not you withheld them).

I request under SFAC 67.21(c) a statement regarding the existence/non-existence, form, quantity, and nature of records responsive to each of the 9 requests, regardless of whether they are exempt from disclosure. This statement must be provided within 7 days and there are no extensions.

Remember any record retained, owned, used, or prepared by your office must be included. If a city employee possesses a COFAM or FAMF document, you must disclose it. If COFAM or FAMF are holding records that were prepared or used by your office, you must disclose it.

We remind you of your obligations to provide electronic records in any format we request them in, as long that format is available to you OR easy to generate (SFAC 67.21(1)). Therefore, emails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best. All other documents may be provided as text .PDFs.

If you choose to convert documents, for example, to PDF or printed format (even though we have specifically emails in .eml or .msg formats), to easily redact them, you must still ensure that you have preserved a full copy of the original conversation record, which contains formatting, images, colors, attachments, and many detailed headers beyond the generally used From/To/Subject/Sent/etc.

If you send PDFs, please use only text/search PDFs, not image/scanned PDFs. You must make exact copies of records under the CPRA - do not exclude color, formatting, images, or any other content that may be lost by printing and scanning records incorrectly.

You also must justify each and every withholding or redaction with particularity. Use footnotes or inline markings for example, and justify each such redaction with a legal citation (statute, ordinance, or case law). If you withhold metadata/headers, even if you don't visually redact them, you are still withholding and must justify it.

If you provide the wrong format or withhold non-exempt parts of records, you may be in violation of SF Admin Code 67.21, 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision in court, before the Supervisor of Records, and/or the Sunshine Ordinance Task Force.

In all cases, please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required (free) notice of which of those records are available and non-exempt for inspection in-person if we so choose.

Thanks,
Anonymous

From: San Francisco Controller's Office

09/17/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (...)

Email

Hello:

This confirms receipt of your public records request. We are currently researching the matter and we will be in touch.

Best,

The Office of the Controller

[cid:image002.png@01D56D3C.73311700]



image002

 [Download](#)

From: San Francisco Controller's Office

09/26/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (...)

Email

Hello and thank you for your request to the City and County of San Francisco Controller's Office. Please see below for responses to your nine questions.

1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
* There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and COFAM.
2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed
* There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and FAMF.
3. all accounting records/line items reflecting a transaction to, from, or involving COFAM, from Jan 1 2018 to present
* See Attachment A for the last 5 years of payments. There is no record of transactions involving COFAM between your requested dates. We have provided the last five years of payments for your reference.
4. all accounting records/line items reflecting a transaction to, from, or involving FAMF, from Jan 1 2018 to present
* See Attachment B for the last 5 years of payments. There is no record of transactions involving FAMF between your requested dates. We have provided the last five years of payments for your reference.
5. all correspondence* (asterisk means including all attachments, exhibits, memos, metadata, headers, emails, invoices, payments, checks, physical mail/notes, text, SMS, MMS, or any chat app messages, and in their original electronic format or scan of physical documents) between City and COFAM between Jan. 1, 2018 and present
* This request is extremely broad given that some 30k employees work for CCSF. To expeditiously handle this request, would it be possible to narrow this request to specific departments or individuals?
6. all correspondence* between City and FAMF between Jan. 1, 2018 and Sept. 12 2019 (inclusive)
* This request is extremely broad given that some 30k employees work for CCSF. To expeditiously handle this request, would it be possible to narrow this request to specific departments or individuals?
7. every invoice, payment, or check between the City and COFAM, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present
* See Attachment A for the last 5 years of payments. There is no record of transactions involving COFAM between your requested dates. We have provided the last five years of payments for your reference.
8. every invoice, payment, or check between the City and FAMF, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present
* See Attachment B for the last 5 years of payments. There is no record of transactions involving FAMF between your requested dates. We have provided the last five years of payments for your reference.
9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM
* The Controller's Office has no agency policy or memorandum between the Controller's Office and FAMF or COFAM.



Best,

The Office of the Controller

[cid:image002.png@01D5748D.6EB9AA90]

 Attachment B
 [Download](#)

 image001
 [Download](#)

 image002
 [Download](#)

 Attachment A
 [Download](#)

From: Anonymous Person

09/26/2019 

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (...)

Email

Thank you for the documents. However, certain of your responses are improper, so I will give you a chance to correct them, but please do so immediately and not in 10 days, otherwise I will have to file a complaint.


Please read carefully the definition of a public record in the CPRA. You are required to disclose non-exempt records if your agency retains, uses, prepares, or owns the record; it does not matter whether your office is a party to the document. Therefore the following responses are insufficient:

- > 1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
 - * There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and COFAM.
- > 2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed
 - * There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and FAMF.
- > 9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM
 - * The Controller's Office has no agency policy or memorandum between the Controller's Office and FAMF or COFAM.

You were not asked for agreements or policies between your office and FAMF/COFAM, you were asked for those between the *City* and FAMF/COFAM. If your office retained, owned, used, or prepared any such agreement or other document, you must turn it over, even if for example a different city agency is named in the document. For example, its quite possible your office has a copy of agreements or policies between FAMSF and FAMF/COFAM, and if so, you must disclose them.

Thanks,
Anonymous

From: San Francisco Controller's Office

10/04/2019 

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (...)

Email

To Whom it May Concern:

Thank you for your public records request. The Controller's Office has conducted a diligent search for any records responsive to your request that it possesses. Please see this link<http://sfcontroller.org/sites/default/files/Documents/Auditing/Fine%20Arts%20Museums%20Audit%20Report%20%2810.27.16%29_0.pdf> for an audit report from October 2016. The Controller's Office has previously provided the payment transaction records for both COFAM and FAMF and does not have any additional contractual/legal/MOU records re COFAM and/or FAMF. If such information exists, it would be at the departmental level or with the City Attorney. To submit a public records request with the Fine Arts Museum of San Francisco, please find the contact information here<<https://www.famsf.org/about/board-of-trustees/meetings-and-agendas>>; for the City Attorney, please email cityattorney@sfcityatty.org<<mailto:cityattorney@sfcityatty.org>>.

This concludes your public records request.

Best,

The Office of the Controller
[cid:image002.png@01D57AD5.71B29790]

From: requests@muckrock.com <requests@muckrock.com>

Sent: Thursday, September 26, 2019 5:33 PM

To: CON, Controller (CON) <controller.con@sfgov.org>

Cc: CON, Controller (CON) <controller.con@sfgov.org>

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco Controller's Office
PRA Office
Room 316
1 Doctor Carlton B Goodlett Place
SF, CA 94102

September 26, 2019

This is a follow up to a previous request:

Thank you for the documents. However, certain of your responses are improper, so I will give you a chance to correct them, but please do so immediately and not in 10 days, otherwise I will have to file a complaint.

Please read carefully the definition of a public record in the CPRA. You are required to disclose non-exempt records if your agency retains, uses, prepares, or owns the record; it does not matter whether your office is a party to the document. Therefore the following responses are insufficient:

- > 1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
 - * There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and COFAM.
- > 2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed
 - * There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and FAMF.
- > 9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM
 - * The Controller's Office has no agency policy or memorandum between the Controller's Office and FAMF or COFAM.

You were not asked for agreements or policies between your office and FAMF/COFAM, you were asked for those between the *City* and FAMF/COFAM. If your office retained, owned, used, or prepared any such agreement or other document, you must turn it over, even if for example a different city agency is named in the document. For example, its quite possible your office has a copy of agreements or policies between FAMSF and FAMF/COFAM, and if so, you must disclose them.

Thanks,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): requests@muckrock.com

Upload documents directly: https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAfU-

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francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 80368
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

On Sept. 26, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

Hello and thank you for your request to the City and County of San Francisco Controller's Office. Please see below for responses to your nine questions.

1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
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3. all accounting records/line items reflecting a transaction to, from, or involving COFAM, from Jan 1 2018 to present
* See Attachment A for the last 5 years of payments. There is no record of transactions involving COFAM between your requested dates. We have provided the last five years of payments for your reference.
4. all accounting records/line items reflecting a transaction to, from, or involving FAMF, from Jan 1 2018 to present
* See Attachment B for the last 5 years of payments. There is no record of transactions involving FAMF between your requested dates. We have provided the last five years of payments for your reference.
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* See Attachment A for the last 5 years of payments. There is no record of transactions involving COFAM between your requested dates. We have provided the last five years of payments for your reference.
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* See Attachment B for the last 5 years of payments. There is no record of transactions involving FAMF between your requested dates. We have provided the last five years of payments for your reference.

9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM
* The Controller's Office has no agency policy or memorandum between the Controller's Office and FAMF or COFAM.

Best,

The Office of the Controller
[cid:image002.png@01D5748D.6EB9AA90]

On Sept. 17, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

Hello:

This confirms receipt of your public records request. We are currently researching the matter and we will be in touch.

Best,

The Office of the Controller
[cid:image002.png@01D56D3C.73311700]

On Sept. 13, 2019:

Subject: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

RE: Immediate Disclosure Request - City/COFAM/FAMF Relationship

To Whom It May Concern:

** Please redact your responses correctly! This is a public mailbox, and all of your responses (including emails, attachments, file shares, and the disclosed records) may be automatically and instantly available to the general public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). Once you send them to us, there's no going back. **

I would like to get to the bottom of the intriguing relationship between the City, COFAM and FAMF.

Pursuant to the Sunshine Ordinance and CPRA, I hereby request the following records as 9 distinct Immediate Disclosure Request(s) from the San Francisco Controller's Office - note that you must turn over any records that your agency prepares, owns, uses or retains, even if they are about a different city agency or not from the city at all. Note also that you may argue some of them are not immediately answerable but must still immediately answer the ones that are. Many of these records involve the city agency Fine Arts Museums of San Francisco (FAMSF) - but I want all records, whether for FAMSF or otherwise. Where "City" is used below it means: the City as a legal entity, and any of its boards, departments, trusts, commissions, and so forth, and its commissioners, trustees, other officers and employees. Where "COFAM" and "FAMF" are used, it includes each legal entity and its boards, trustees, subsidiaries, other officers, and employees.

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2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed
3. all accounting records/line items reflecting a transaction to, from, or involving COFAM, from Jan 1 2018 to present
4. all accounting records/line items reflecting a transaction to, from, or involving FAMF, from Jan 1 2018 to

present

5. all correspondence* (asterisk means including all attachments, exhibits, memos, metadata, headers, emails, invoices, payments, checks, physical mail/notes, text, SMS, MMS, or any chat app messages, and in their original electronic format or scan of physical documents) between City and COFAM between Jan. 1, 2018 and present

6. all correspondence* between City and FAMF between Jan. 1, 2018 and Sept. 12 2019 (inclusive)

7. every invoice, payment, or check between the City and COFAM, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present

8. every invoice, payment, or check between the City and FAMF, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present

9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM

I would like to remind you that you need to indicate for each request above, whether you did or did not have responsive records (separate from whether or not you withheld them).

I request under SFAC 67.21(c) a statement regarding the existence/non-existence, form, quantity, and nature of records responsive to each of the 9 requests, regardless of whether they are exempt from disclosure. This statement must be provided within 7 days and there are no extensions.

Remember any record retained, owned, used, or prepared by your office must be included. If a city employee possesses a COFAM or FAMF document, you must disclose it. If COFAM or FAMF are holding records that were prepared or used by your office, you must disclose it.

We remind you of your obligations to provide electronic records in any format we request them in, as long that format is available to you OR easy to generate (SFAC 67.21(l)). Therefore, emails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best. All other documents may be provided as text .PDFs.

If you choose to convert documents, for example, to PDF or printed format (even though we have specifically emails in .eml or .msg formats), to easily redact them, you must still ensure that you have preserved a full copy of the original conversation record, which contains formatting, images, colors, attachments, and many detailed headers beyond the generally used From/To/Subject/Sent/etc.

If you send PDFs, please use only text/search PDFs, not image/scanned PDFs. You must make exact copies of records under the CPRA - do not exclude color, formatting, images, or any other content that may be lost by printing and scanning records incorrectly.

You also must justify each and every withholding or redaction with particularity. Use footnotes or inline markings for example, and justify each such redaction with a legal citation (statute, ordinance, or case law). If you withhold metadata/headers, even if you don't visually redact them, you are still withholding and must justify it.

If you provide the wrong format or withhold non-exempt parts of records, you may be in violation of SF Admin Code 67.21, 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision in court, before the Supervisor of Records, and/or the Sunshine Ordinance Task Force.

In all cases, please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required (free) notice of which of those records are available and non-exempt for inspection in-person if we so choose.

Thanks,
Anonymous

Filed via [MuckRock.com](https://muckrock.com)

E-mail (Preferred): requests@muckrock.com

Upload documents directly: https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAFU-Xq1NDoOv1c%3A1iDeBh%3AoTvaM6_GbMEvAZo1mYW29uTsKn4&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org

[url_auth_token=AABkCAyh6oIMQAFU-Xq1NDoOv1c%3A1iDeBh%3AoTvaM6_GbMEvAZo1mYW29uTsKn4&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAFU-Xq1NDoOv1c%3A1iDeBh%3AoTvaM6_GbMEvAZo1mYW29uTsKn4&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org)

[Xq1NDoOv1c%3A1iDeBh%3AoTvaM6_GbMEvAZo1mYW29uTsKn4&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAFU-Xq1NDoOv1c%3A1iDeBh%3AoTvaM6_GbMEvAZo1mYW29uTsKn4&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org)

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For mailed responses, please address (see note):

MuckRock News
DEPT MR 80368
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

[Image removed by sender.]



image002

[Download](#)



~WRD000

[Download](#)

From: Anonymous Person

10/04/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (...)

[Email](#)

Thank you, however I do not believe you have completed these 2 requests:

5. all correspondence* (asterisk means including all attachments, exhibits, memos, metadata, headers, emails, invoices, payments, checks, physical mail/notes, text, SMS, MMS, or any chat app messages, and in their original electronic format or scan of physical documents) between City and COFAM between Jan. 1, 2018 and present

6. all correspondence* between City and FAMF between Jan. 1, 2018 and Sept. 12 2019 (inclusive)

Contrary to your prior concern, I do not need you to search all CCSF employees' records - I only need you to search those in your department. But remember, if your department or its employees "prepared, used, owned, or retained" a communication between some *other* City employee and COFAM or FAMF, you must still turn it over. For example if your employee has a forwarded email between a FAMSF employee and COFAM, you must disclose it.

I will also proceed against FAMSF and the City Attorney directly - however: that does not absolve your agency of its own responsibilities under the CPRA and Sunshine Ordinance.

Thanks,
Anonymous

From: San Francisco Controller's Office

10/18/2019

Hi,

We are following up on your request for items 5 and 6. We are processing this item and we will have a response to you next week.

Best,

The Office of the Controller
[cid:image001.png@01D585BC.FA816EB0]

From: requests@muckrock.com <requests@muckrock.com>
Sent: Friday, October 4, 2019 6:09 PM
To: CON, Controller (CON) <controller.con@sfgov.org>
Cc: CON, Controller (CON) <controller.con@sfgov.org>
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

San Francisco Controller's Office
PRA Office
Room 316
1 Doctor Carlton B Goodlett Place
SF, CA 94102

October 4, 2019

This is a follow up to a previous request:

Thank you, however I do not believe you have completed these 2 requests:

5. all correspondence* (asterisk means including all attachments, exhibits, memos, metadata, headers, emails, invoices, payments, checks, physical mail/notes, text, SMS, MMS, or any chat app messages, and in their original electronic format or scan of physical documents) between City and COFAM between Jan. 1, 2018 and present
6. all correspondence* between City and FAMF between Jan. 1, 2018 and Sept. 12 2019 (inclusive)

Contrary to your prior concern, I do not need you to search all CCSF employees' records - I only need you to search those in your department. But remember, if your department or its employees "prepared, used, owned, or retained" a communication between some *other* City employee and COFAM or FAMF, you must still turn it over. For example if your employee has a forwarded email between a FAMSF employee and COFAM, you must disclose it.

I will also proceed against FAMSF and the City Attorney directly - however: that does not absolve your agency of its own responsibilities under the CPRA and Sunshine Ordinance.

Thanks,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): requests@muckrock.com<<mailto:requests@muckrock.com>>

Upload documents directly: [https://accounts.muckrock.com/accounts/login/?](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAFU-Xq1NDoOv1c%3A1iGYZ7%3A43IKSDYp0FNqg5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckro)

[url_auth_token=AABkCAyh6oIMQAFU-](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAFU-Xq1NDoOv1c%3A1iGYZ7%3A43IKSDYp0FNqg5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckro)

[Xq1NDoOv1c%3A1iGYZ7%3A43IKSDYp0FNqg5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckro](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAFU-Xq1NDoOv1c%3A1iGYZ7%3A43IKSDYp0FNqg5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckro)

ck.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 80368
411A Highland Ave
Somerville, MA 02144-2516

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On Oct. 4, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

To Whom it May Concern:

Thank you for your public records request. The Controller's Office has conducted a diligent search for any records responsive to your request that it possesses. Please see this [link<http://sfcontroller.org/sites/default/files/Documents/Auditing/Fine%20Arts%20Museums%20Audit%20Report%20%2810.27.16%29_0.pdf>](http://sfcontroller.org/sites/default/files/Documents/Auditing/Fine%20Arts%20Museums%20Audit%20Report%20%2810.27.16%29_0.pdf) for an audit report from October 2016. The Controller's Office has previously provided the payment transaction records for both COFAM and FAMF and does not have any additional contractual/legal/MOU records re COFAM and/or FAMF. If such information exists, it would be at the departmental level or with the City Attorney. To submit a public records request with the Fine Arts Museum of San Francisco, please find the contact information here<<https://www.famsf.org/about/board-of-trustees/meetings-and-agendas>>; for the City Attorney, please email cityattorney@sfcityatty.org<<mailto:cityattorney@sfcityatty.org><<mailto:cityattorney@sfcityatty.org>%3cmailto:cityattorney@sfcityatty.org>>.

This concludes your public records request.

Best,

The Office of the Controller
[cid:image002.png@01D57AD5.71B29790]

From: requests@muckrock.com<<mailto:requests@muckrock.com>>
<requests@muckrock.com<<mailto:requests@muckrock.com>>>
Sent: Thursday, September 26, 2019 5:33 PM
To: CON, Controller (CON) <controller.con@sfgov.org<<mailto:controller.con@sfgov.org>>>
Cc: CON, Controller (CON) <controller.con@sfgov.org<<mailto:controller.con@sfgov.org>>>
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco Controller's Office
PRA Office
Room 316
1 Doctor Carlton B Goodlett Place
SF, CA 94102

September 26, 2019

This is a follow up to a previous request:

Thank you for the documents. However, certain of your responses are improper, so I will give you a chance to correct them, but please do so immediately and not in 10 days, otherwise I will have to file a complaint.

Please read carefully the definition of a public record in the CPRA. You are required to disclose non-exempt records if your agency retains, uses, prepares, or owns the record; it does not matter whether your office is a party to the document. Therefore the following responses are insufficient:

- > 1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
 - * There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and COFAM.
- > 2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed
 - * There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and FAMF.
- > 9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM
 - * The Controller's Office has no agency policy or memorandum between the Controller's Office and FAMF or COFAM.

You were not asked for agreements or policies between your office and FAMF/COFAM, you were asked for those between the *City* and FAMF/COFAM. If your office retained, owned, used, or prepared any such agreement or other document, you must turn it over, even if for example a different city agency is named in the document. For example, its quite possible your office has a copy of agreements or policies between FAMSF and FAMF/COFAM, and if so, you must disclose them.

Thanks,
Anonymous

Filed via [MuckRock.com](https://muckrock.com)

E-mail (Preferred): requests@muckrock.com<mailto:requests@muckrock.com>

Upload documents directly: [https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAfU-](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAfU-Xq1NDoOv1c%3A1iDeBh%3AoTvaM6_GbMEvAZo1mYW29uTsKn4&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org)

[Xq1NDoOv1c%3A1iDeBh%3AoTvaM6_GbMEvAZo1mYW29uTsKn4&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAfU-Xq1NDoOv1c%3A1iDeBh%3AoTvaM6_GbMEvAZo1mYW29uTsKn4&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org)

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For mailed responses, please address (see note):

MuckRock News
DEPT MR 80368
411A Highland Ave
Somerville, MA 02144-2516

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On Sept. 26, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

Hello and thank you for your request to the City and County of San Francisco Controller's Office. Please see below for responses to your nine questions.

1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
* There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and COFAM.
2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed
* There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and FAMF.
3. all accounting records/line items reflecting a transaction to, from, or involving COFAM, from Jan 1 2018 to present
* See Attachment A for the last 5 years of payments. There is no record of transactions involving COFAM between your requested dates. We have provided the last five years of payments for your reference.
4. all accounting records/line items reflecting a transaction to, from, or involving FAMF, from Jan 1 2018 to present
* See Attachment B for the last 5 years of payments. There is no record of transactions involving FAMF between your requested dates. We have provided the last five years of payments for your reference.
5. all correspondence* (asterisk means including all attachments, exhibits, memos, metadata, headers, emails, invoices, payments, checks, physical mail/notes, text, SMS, MMS, or any chat app messages, and in their original electronic format or scan of physical documents) between City and COFAM between Jan. 1, 2018 and present
* This request is extremely broad given that some 30k employees work for CCSF. To expeditiously handle this request, would it be possible to narrow this request to specific departments or individuals?
6. all correspondence* between City and FAMF between Jan. 1, 2018 and Sept. 12 2019 (inclusive)
* This request is extremely broad given that some 30k employees work for CCSF. To expeditiously handle this request, would it be possible to narrow this request to specific departments or individuals?
7. every invoice, payment, or check between the City and COFAM, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present
* See Attachment A for the last 5 years of payments. There is no record of transactions involving COFAM between your requested dates. We have provided the last five years of payments for your reference.
8. every invoice, payment, or check between the City and FAMF, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present
* See Attachment B for the last 5 years of payments. There is no record of transactions involving FAMF between your requested dates. We have provided the last five years of payments for your reference.
9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM
* The Controller's Office has no agency policy or memorandum between the Controller's Office and FAMF or COFAM.

Best,

The Office of the Controller

[cid:image002.png@01D5748D.6EB9AA90]

On Sept. 17, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

Hello:

This confirms receipt of your public records request. We are currently researching the matter and we will be in touch.

Best,

The Office of the Controller

[cid:image002.png@01D56D3C.73311700]

On Sept. 13, 2019:

Subject: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

RE: Immediate Disclosure Request - City/COFAM/FAMF Relationship

To Whom It May Concern:

** Please redact your responses correctly! This is a public mailbox, and all of your responses (including emails, attachments, file shares, and the disclosed records) may be automatically and instantly available to the general public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). Once you send them to us, there's no going back. **

I would like to get to the bottom of the intriguing relationship between the City, COFAM and FAMF.

Pursuant to the Sunshine Ordinance and CPRA, I hereby request the following records as 9 distinct Immediate Disclosure Request(s) from the San Francisco Controller's Office - note that you must turn over any records that your agency prepares, owns, uses or retains, even if they are about a different city agency or not from the city at all. Note also that you may argue some of them are not immediately answerable but must still immediately answer the ones that are. Many of these records involve the city agency Fine Arts Museums of San Francisco (FAMSF) - but I want all records, whether for FAMSF or otherwise. Where "City" is used below it means: the City as a legal entity, and any of its boards, departments, trusts, commissions, and so forth, and its commissioners, trustees, other officers and employees. Where "COFAM" and "FAMF" are used, it includes each legal entity and its boards, trustees, subsidiaries, other officers, and employees.

1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed
3. all accounting records/line items reflecting a transaction to, from, or involving COFAM, from Jan 1 2018 to present
4. all accounting records/line items reflecting a transaction to, from, or involving FAMF, from Jan 1 2018 to present
5. all correspondence* (asterisk means including all attachments, exhibits, memos, metadata, headers, emails, invoices, payments, checks, physical mail/notes, text, SMS, MMS, or any chat app messages, and in their original electronic format or scan of physical documents) between City and COFAM between Jan. 1, 2018 and present
6. all correspondence* between City and FAMF between Jan. 1, 2018 and Sept. 12 2019 (inclusive)
7. every invoice, payment, or check between the City and COFAM, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present
8. every invoice, payment, or check between the City and FAMF, including any drafts in your possession that

were not executed, between Jan. 1, 2018 and present

9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM

I would like to remind you that you need to indicate for each request above, whether you did or did not have responsive records (separate from whether or not you withheld them).

I request under SFAC 67.21(c) a statement regarding the existence/non-existence, form, quantity, and nature of records responsive to each of the 9 requests, regardless of whether they are exempt from disclosure. This statement must be provided within 7 days and there are no extensions.

Remember any record retained, owned, used, or prepared by your office must be included. If a city employee possesses a COFAM or FAMF document, you must disclose it. If COFAM or FAMF are holding records that were prepared or used by your office, you must disclose it.

We remind you of your obligations to provide electronic records in any format we request them in, as long that format is available to you OR easy to generate (SFAC 67.21(1)). Therefore, emails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best. All other documents may be provided as text .PDFs.

If you choose to convert documents, for example, to PDF or printed format (even though we have specifically emails in .eml or .msg formats), to easily redact them, you must still ensure that you have preserved a full copy of the original conversation record, which contains formatting, images, colors, attachments, and many detailed headers beyond the generally used From/To/Subject/Sent/etc.

If you send PDFs, please use only text/search PDFs, not image/scanned PDFs. You must make exact copies of records under the CPRA - do not exclude color, formatting, images, or any other content that may be lost by printing and scanning records incorrectly.

You also must justify each and every withholding or redaction with particularity. Use footnotes or inline markings for example, and justify each such redaction with a legal citation (statute, ordinance, or case law). If you withhold metadata/headers, even if you don't visually redact them, you are still withholding and must justify it.

If you provide the wrong format or withhold non-exempt parts of records, you may be in violation of SF Admin Code 67.21, 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision in court, before the Supervisor of Records, and/or the Sunshine Ordinance Task Force.

In all cases, please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required (free) notice of which of those records are available and non-exempt for inspection in-person if we so choose.

Thanks,
Anonymous

Filed via [MuckRock.com](https://muckrock.com)

E-mail (Preferred): requests@muckrock.com<mailto:requests@muckrock.com>

Upload documents directly: [https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAfU-](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAfU-Xq1NDoOv1c%3A1iDeBh%3AoTvaM6_GbMEvAZo1mYW29uTsKn4&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org)

[Xq1NDoOv1c%3A1iDeBh%3AoTvaM6_GbMEvAZo1mYW29uTsKn4&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAfU-Xq1NDoOv1c%3A1iDeBh%3AoTvaM6_GbMEvAZo1mYW29uTsKn4&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org)

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For mailed responses, please address (see note):

MuckRock News
DEPT MR 80368
411A Highland Ave
Somerville, MA 02144-2516

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[Image removed by sender.]

On Sept. 26, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

Thank you for the documents. However, certain of your responses are improper, so I will give you a chance to correct them, but please do so immediately and not in 10 days, otherwise I will have to file a complaint.

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 - * There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and COFAM.
- > 2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed
 - * There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and FAMF.
- > 9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM
 - * The Controller's Office has no agency policy or memorandum between the Controller's Office and FAMF or COFAM.

You were not asked for agreements or policies between your office and FAMF/COFAM, you were asked for those between the *City* and FAMF/COFAM. If your office retained, owned, used, or prepared any such agreement or other document, you must turn it over, even if for example a different city agency is named in the document. For example, its quite possible your office has a copy of agreements or policies between FAMSF and FAMF/COFAM, and if so, you must disclose them.

Thanks,
Anonymous

On Sept. 26, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

Hello and thank you for your request to the City and County of San Francisco Controller's Office. Please see below for responses to your nine questions.

1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
* There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and COFAM.
2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed
* There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and FAMF.
3. all accounting records/line items reflecting a transaction to, from, or involving COFAM, from Jan 1 2018 to present
* See Attachment A for the last 5 years of payments. There is no record of transactions involving COFAM between your requested dates. We have provided the last five years of payments for your reference.
4. all accounting records/line items reflecting a transaction to, from, or involving FAMF, from Jan 1 2018 to present
* See Attachment B for the last 5 years of payments. There is no record of transactions involving FAMF between your requested dates. We have provided the last five years of payments for your reference.
5. all correspondence* (asterisk means including all attachments, exhibits, memos, metadata, headers, emails, invoices, payments, checks, physical mail/notes, text, SMS, MMS, or any chat app messages, and in their original electronic format or scan of physical documents) between City and COFAM between Jan. 1, 2018 and present
* This request is extremely broad given that some 30k employees work for CCSF. To expeditiously handle this request, would it be possible to narrow this request to specific departments or individuals?
6. all correspondence* between City and FAMF between Jan. 1, 2018 and Sept. 12 2019 (inclusive)
* This request is extremely broad given that some 30k employees work for CCSF. To expeditiously handle this request, would it be possible to narrow this request to specific departments or individuals?
7. every invoice, payment, or check between the City and COFAM, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present
* See Attachment A for the last 5 years of payments. There is no record of transactions involving COFAM between your requested dates. We have provided the last five years of payments for your reference.
8. every invoice, payment, or check between the City and FAMF, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present
* See Attachment B for the last 5 years of payments. There is no record of transactions involving FAMF between your requested dates. We have provided the last five years of payments for your reference.
9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM
* The Controller's Office has no agency policy or memorandum between the Controller's Office and FAMF or COFAM.

Best,

The Office of the Controller
[cid:image002.png@01D5748D.6EB9AA90]

On Sept. 17, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

Hello:

This confirms receipt of your public records request. We are currently researching the matter and we will be in touch.

Best,

The Office of the Controller
[cid:image002.png@01D56D3C.73311700]

On Sept. 13, 2019:

Subject: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

RE: Immediate Disclosure Request - City/COFAM/FAMF Relationship

To Whom It May Concern:

** Please redact your responses correctly! This is a public mailbox, and all of your responses (including emails, attachments, file shares, and the disclosed records) may be automatically and instantly available to the general public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). Once you send them to us, there's no going back. **

I would like to get to the bottom of the intriguing relationship between the City, COFAM and FAMF.

Pursuant to the Sunshine Ordinance and CPRA, I hereby request the following records as 9 distinct Immediate Disclosure Request(s) from the San Francisco Controller's Office - note that you must turn over any records that your agency prepares, owns, uses or retains, even if they are about a different city agency or not from the city at all. Note also that you may argue some of them are not immediately answerable but must still immediately answer the ones that are. Many of these records involve the city agency Fine Arts Museums of San Francisco (FAMSF) - but I want all records, whether for FAMSF or otherwise. Where "City" is used below it means: the City as a legal entity, and any of its boards, departments, trusts, commissions, and so forth, and its commissioners, trustees, other officers and employees. Where "COFAM" and "FAMF" are used, it includes each legal entity and its boards, trustees, subsidiaries, other officers, and employees.

1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed
3. all accounting records/line items reflecting a transaction to, from, or involving COFAM, from Jan 1 2018 to present
4. all accounting records/line items reflecting a transaction to, from, or involving FAMF, from Jan 1 2018 to present
5. all correspondence* (asterisk means including all attachments, exhibits, memos, metadata, headers, emails, invoices, payments, checks, physical mail/notes, text, SMS, MMS, or any chat app messages, and in their original electronic format or scan of physical documents) between City and COFAM between Jan. 1, 2018 and present
6. all correspondence* between City and FAMF between Jan. 1, 2018 and Sept. 12 2019 (inclusive)
7. every invoice, payment, or check between the City and COFAM, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present
8. every invoice, payment, or check between the City and FAMF, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present
9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM

I would like to remind you that you need to indicate for each request above, whether you did or did not have responsive records (separate from whether or not you withheld them).

I request under SFAC 67.21(c) a statement regarding the existence/non-existence, form, quantity, and nature of records responsive to each of the 9 requests, regardless of whether they are exempt from disclosure. This statement must be provided within 7 days and there are no extensions.

Remember any record retained, owned, used, or prepared by your office must be included. If a city employee possesses a COFAM or FAMF document, you must disclose it. If COFAM or FAMF are holding records that were prepared or used by your office, you must disclose it.

We remind you of your obligations to provide electronic records in any format we request them in, as long that format is available to you OR easy to generate (SFAC 67.21(1)). Therefore, emails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best. All other documents may be provided as text .PDFs.

If you choose to convert documents, for example, to PDF or printed format (even though we have specifically emails in .eml or .msg formats), to easily redact them, you must still ensure that you have preserved a full copy of the original conversation record, which contains formatting, images, colors, attachments, and many detailed headers beyond the generally used From/To/Subject/Sent/etc.

If you send PDFs, please use only text/search PDFs, not image/scanned PDFs. You must make exact copies of records under the CPRA - do not exclude color, formatting, images, or any other content that may be lost by printing and scanning records incorrectly.

You also must justify each and every withholding or redaction with particularity. Use footnotes or inline markings for example, and justify each such redaction with a legal citation (statute, ordinance, or case law). If you withhold metadata/headers, even if you don't visually redact them, you are still withholding and must justify it.

If you provide the wrong format or withhold non-exempt parts of records, you may be in violation of SF Admin Code 67.21, 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision in court, before the Supervisor of Records, and/or the Sunshine Ordinance Task Force.

In all cases, please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required (free) notice of which of those records are available and non-exempt for inspection in-person if we so choose.

Thanks,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): requests@muckrock.com<mailto:requests@muckrock.com>

Upload documents directly: [https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAFU-](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAFU-Xq1NDoOv1c%3A1iGYZ7%3A43IKSDYp0FNngq5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org)

[Xq1NDoOv1c%3A1iGYZ7%3A43IKSDYp0FNngq5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAFU-Xq1NDoOv1c%3A1iGYZ7%3A43IKSDYp0FNngq5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org)

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 80368
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

[<http://email.requests.muckrock.com/o/eJwNyksOgyAQANDTICWZQUbHBZtqz9Hw0xpBUtCev25fXjBEvYjZbum9BYOgBs1KflxzXXCEjiyMo-2QA5HXaHHwC4ElsRkFOCIAAQITS5QzMahnT0PPr27m6aGhxu8V29lkvvxei9-IL1IU48tx1pJSrDccd2zLWn6y1PUPLYUrUA>]



image001

 [Download](#)

From: San Francisco Controller's Office

10/24/2019 

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (...)

[Email](#)

Hi,

Our team is still processing your request. We appreciate your patience and we hope to complete your request shortly. We will circle back again soon to give an update / complete.

Best,

The Office of the Controller
[cid:image001.png@01D58A80.23058930]

From: CON, Controller (CON) <controller.con@sfgov.org>
Sent: Friday, October 18, 2019 2:05 PM
To: requests@muckrock.com; CON, Controller (CON) <controller.con@sfgov.org>
Cc: CON, Controller (CON) <controller.con@sfgov.org>
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

Hi,

We are following up on your request for items 5 and 6. We are processing this item and we will have a response to you next week.

Best,

The Office of the Controller
[cid:image003.png@01D58A80.22F69510]

From: requests@muckrock.com<<mailto:requests@muckrock.com>>
<requests@muckrock.com<<mailto:requests@muckrock.com>>>
Sent: Friday, October 4, 2019 6:09 PM
To: CON, Controller (CON) <controller.con@sfgov.org<<mailto:controller.con@sfgov.org>>>
Cc: CON, Controller (CON) <controller.con@sfgov.org<<mailto:controller.con@sfgov.org>>>
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

San Francisco Controller's Office
PRA Office
Room 316
1 Doctor Carlton B Goodlett Place
SF, CA 94102

October 4, 2019

This is a follow up to a previous request:

Thank you, however I do not believe you have completed these 2 requests:

5. all correspondence* (asterisk means including all attachments, exhibits, memos, metadata, headers, emails, invoices, payments, checks, physical mail/notes, text, SMS, MMS, or any chat app messages, and in their original electronic format or scan of physical documents) between City and COFAM between Jan. 1, 2018 and present
6. all correspondence* between City and FAMF between Jan. 1, 2018 and Sept. 12 2019 (inclusive)

Contrary to your prior concern, I do not need you to search all CCSF employees' records - I only need you to search those in your department. But remember, if your department or its employees "prepared, used, owned, or retained" a communication between some *other* City employee and COFAM or FAMF, you must still turn it over. For example if your employee has a forwarded email between a FAMSF employee and COFAM, you must disclose it.

I will also proceed against FAMSF and the City Attorney directly - however: that does not absolve your agency of its own responsibilities under the CPRA and Sunshine Ordinance.

Thanks,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): requests@muckrock.com<<mailto:requests@muckrock.com>>

Upload documents directly: https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAFU-Xq1NDoOv1c%3A1iGYZ7%3A43IKSDYp0FNgg5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org

[url_auth_token=AABkCAyh6oIMQAFU-Xq1NDoOv1c%3A1iGYZ7%3A43IKSDYp0FNgg5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAFU-Xq1NDoOv1c%3A1iGYZ7%3A43IKSDYp0FNgg5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org)

[Xq1NDoOv1c%3A1iGYZ7%3A43IKSDYp0FNgg5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAFU-Xq1NDoOv1c%3A1iGYZ7%3A43IKSDYp0FNgg5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org)

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 80368
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

On Oct. 4, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

To Whom it May Concern:

Thank you for your public records request. The Controller's Office has conducted a diligent search for any records responsive to your request that it possesses. Please see this [link](http://sfcontroller.org/sites/default/files/Documents/Auditing/Fine%20Arts%20Museums%20Audit%20Report%20%2810.27.16%29_0.pdf)<http://sfcontroller.org/sites/default/files/Documents/Auditing/Fine%20Arts%20Museums%20Audit%20Report%20%2810.27.16%29_0.pdf> for an audit report from October 2016. The Controller's Office has previously provided the payment transaction records for both COFAM and FAMF and does not have any additional contractual/legal/MOU records re COFAM and/or FAMF. If such information exists, it would be at

the departmental level or with the City Attorney. To submit a public records request with the Fine Arts Museum of San Francisco, please find the contact information here<<https://www.famsf.org/about/board-of-trustees/meetings-and-agendas>>; for the City Attorney, please email cityattorney@sfcityatty.org<mailto:cityattorney@sfcityatty.org<mailto:cityattorney@sfcityatty.org%3cmailto:cityattorney@sfcityatty.org>>>.

This concludes your public records request.

Best,

The Office of the Controller
[cid:image002.png@01D57AD5.71B29790]

From: requests@muckrock.com<mailto:requests@muckrock.com>
<requests@muckrock.com<mailto:requests@muckrock.com>>
Sent: Thursday, September 26, 2019 5:33 PM
To: CON, Controller (CON) <controller.con@sfgov.org<mailto:controller.con@sfgov.org>>
Cc: CON, Controller (CON) <controller.con@sfgov.org<mailto:controller.con@sfgov.org>>
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco Controller's Office
PRA Office
Room 316
1 Doctor Carlton B Goodlett Place
SF, CA 94102

September 26, 2019

This is a follow up to a previous request:

Thank you for the documents. However, certain of your responses are improper, so I will give you a chance to correct them, but please do so immediately and not in 10 days, otherwise I will have to file a complaint.

Please read carefully the definition of a public record in the CPRA. You are required to disclose non-exempt records if your agency retains, uses, prepares, or owns the record; it does not matter whether your office is a party to the document. Therefore the following responses are insufficient:

- > 1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
 - * There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and COFAM.
- > 2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed
 - * There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and FAMF.
- > 9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM
 - * The Controller's Office has no agency policy or memorandum between the Controller's Office and FAMF or COFAM.

You were not asked for agreements or policies between your office and FAMF/COFAM, you were asked for those between the *City* and FAMF/COFAM. If your office retained, owned, used, or prepared any such agreement or other document, you must turn it over, even if for example a different city agency is named in the document. For example, its quite possible your office has a copy of agreements or policies between FAMSF and FAMF/COFAM, and if so, you must disclose them.

Thanks,
Anonymous

Filed via [MuckRock.com](https://muckrock.com)

E-mail (Preferred): requests@muckrock.com<mailto:requests@muckrock.com>

Upload documents directly: https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAfU-Xq1NDoOv1c%3A1iDeBh%3AoTvAM6_GbMEvAZo1mYW29uTsKn4&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org

[url_auth_token=AABkCAyh6oIMQAfU-Xq1NDoOv1c%3A1iDeBh%3AoTvAM6_GbMEvAZo1mYW29uTsKn4&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAfU-Xq1NDoOv1c%3A1iDeBh%3AoTvAM6_GbMEvAZo1mYW29uTsKn4&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org)

[Xq1NDoOv1c%3A1iDeBh%3AoTvAM6_GbMEvAZo1mYW29uTsKn4&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAfU-Xq1NDoOv1c%3A1iDeBh%3AoTvAM6_GbMEvAZo1mYW29uTsKn4&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org)

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 80368
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

On Sept. 26, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

Hello and thank you for your request to the City and County of San Francisco Controller's Office. Please see below for responses to your nine questions.

1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
* There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and COFAM.
2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed
* There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and FAMF.
3. all accounting records/line items reflecting a transaction to, from, or involving COFAM, from Jan 1 2018 to present
* See Attachment A for the last 5 years of payments. There is no record of transactions involving COFAM between your requested dates. We have provided the last five years of payments for your reference.
4. all accounting records/line items reflecting a transaction to, from, or involving FAMF, from Jan 1 2018 to present
* See Attachment B for the last 5 years of payments. There is no record of transactions involving FAMF between your requested dates. We have provided the last five years of payments for your reference.
5. all correspondence* (asterisk means including all attachments, exhibits, memos, metadata, headers, emails, invoices, payments, checks, physical mail/notes, text, SMS, MMS, or any chat app messages, and in their

original electronic format or scan of physical documents) between City and COFAM between Jan. 1, 2018 and present

* This request is extremely broad given that some 30k employees work for CCSF. To expeditiously handle this request, would it be possible to narrow this request to specific departments or individuals?

6. all correspondence* between City and FAMF between Jan. 1, 2018 and Sept. 12 2019 (inclusive)

* This request is extremely broad given that some 30k employees work for CCSF. To expeditiously handle this request, would it be possible to narrow this request to specific departments or individuals?

7. every invoice, payment, or check between the City and COFAM, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present

* See Attachment A for the last 5 years of payments. There is no record of transactions involving COFAM between your requested dates. We have provided the last five years of payments for your reference.

8. every invoice, payment, or check between the City and FAMF, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present

* See Attachment B for the last 5 years of payments. There is no record of transactions involving FAMF between your requested dates. We have provided the last five years of payments for your reference.

9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM

* The Controller's Office has no agency policy or memorandum between the Controller's Office and FAMF or COFAM.

Best,

The Office of the Controller

[cid:image002.png@01D5748D.6EB9AA90]

On Sept. 17, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

Hello:

This confirms receipt of your public records request. We are currently researching the matter and we will be in touch.

Best,

The Office of the Controller

[cid:image002.png@01D56D3C.73311700]

On Sept. 13, 2019:

Subject: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

RE: Immediate Disclosure Request - City/COFAM/FAMF Relationship

To Whom It May Concern:

** Please redact your responses correctly! This is a public mailbox, and all of your responses (including emails, attachments, file shares, and the disclosed records) may be automatically and instantly available to the general public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). Once you send them to us, there's no going back. **

I would like to get to the bottom of the intriguing relationship between the City, COFAM and FAMF.

Pursuant to the Sunshine Ordinance and CPRA, I hereby request the following records as 9 distinct Immediate Disclosure Request(s) from the San Francisco Controller's Office - note that you must turn over

any records that your agency prepares, owns, uses or retains, even if they are about a different city agency or not from the city at all. Note also that you may argue some of them are not immediately answerable but must still immediately answer the ones that are. Many of these records involve the city agency Fine Arts Museums of San Francisco (FAMSF) - but I want all records, whether for FAMSF or otherwise. Where "City" is used below it means: the City as a legal entity, and any of its boards, departments, trusts, commissions, and so forth, and its commissioners, trustees, other officers and employees. Where "COFAM" and "FAMF" are used, it includes each legal entity and its boards, trustees, subsidiaries, other officers, and employees.

1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed
3. all accounting records/line items reflecting a transaction to, from, or involving COFAM, from Jan 1 2018 to present
4. all accounting records/line items reflecting a transaction to, from, or involving FAMF, from Jan 1 2018 to present
5. all correspondence* (asterisk means including all attachments, exhibits, memos, metadata, headers, emails, invoices, payments, checks, physical mail/notes, text, SMS, MMS, or any chat app messages, and in their original electronic format or scan of physical documents) between City and COFAM between Jan. 1, 2018 and present
6. all correspondence* between City and FAMF between Jan. 1, 2018 and Sept. 12 2019 (inclusive)
7. every invoice, payment, or check between the City and COFAM, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present
8. every invoice, payment, or check between the City and FAMF, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present
9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM

I would like to remind you that you need to indicate for each request above, whether you did or did not have responsive records (separate from whether or not you withheld them).

I request under SFAC 67.21(c) a statement regarding the existence/non-existence, form, quantity, and nature of records responsive to each of the 9 requests, regardless of whether they are exempt from disclosure. This statement must be provided within 7 days and there are no extensions.

Remember any record retained, owned, used, or prepared by your office must be included. If a city employee possesses a COFAM or FAMF document, you must disclose it. If COFAM or FAMF are holding records that were prepared or used by your office, you must disclose it.

We remind you of your obligations to provide electronic records in any format we request them in, as long that format is available to you OR easy to generate (SFAC 67.21(1)). Therefore, emails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best. All other documents may be provided as text .PDFs.

If you choose to convert documents, for example, to PDF or printed format (even though we have specifically emails in .eml or .msg formats), to easily redact them, you must still ensure that you have preserved a full copy of the original conversation record, which contains formatting, images, colors, attachments, and many detailed headers beyond the generally used From/To/Subject/Sent/etc.

If you send PDFs, please use only text/search PDFs, not image/scanned PDFs. You must make exact copies of records under the CPRA - do not exclude color, formatting, images, or any other content that may be lost by printing and scanning records incorrectly.

You also must justify each and every withholding or redaction with particularity. Use footnotes or inline markings for example, and justify each such redaction with a legal citation (statute, ordinance, or case law). If

you withhold metadata/headers, even if you don't visually redact them, you are still withholding and must justify it.

If you provide the wrong format or withhold non-exempt parts of records, you may be in violation of SF Admin Code 67.21, 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision in court, before the Supervisor of Records, and/or the Sunshine Ordinance Task Force.

In all cases, please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required (free) notice of which of those records are available and non-exempt for inspection in-person if we so choose.

Thanks,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): requests@muckrock.com<mailto:requests@muckrock.com>

Upload documents directly: [https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAFU-](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAFU-Xq1NDoOv1c%3A1iDeBh%3AoTvaM6_GbMEvAZo1mYW29uTsKn4&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org)

[Xq1NDoOv1c%3A1iDeBh%3AoTvaM6_GbMEvAZo1mYW29uTsKn4&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAFU-Xq1NDoOv1c%3A1iDeBh%3AoTvaM6_GbMEvAZo1mYW29uTsKn4&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org)

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 80368
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

[Image removed by sender.]

On Sept. 26, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

Thank you for the documents. However, certain of your responses are improper, so I will give you a chance to correct them, but please do so immediately and not in 10 days, otherwise I will have to file a complaint.

Please read carefully the definition of a public record in the CPRA. You are required to disclose non-exempt records if your agency retains, uses, prepares, or owns the record; it does not matter whether your office is a party to the document. Therefore the following responses are insufficient:

- > 1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
- * There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and COFAM.
- > 2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed

- * There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and FAMF.
- > 9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM
- * The Controller's Office has no agency policy or memorandum between the Controller's Office and FAMF or COFAM.

You were not asked for agreements or policies between your office and FAMF/COFAM, you were asked for those between the *City* and FAMF/COFAM. If your office retained, owned, used, or prepared any such agreement or other document, you must turn it over, even if for example a different city agency is named in the document. For example, its quite possible your office has a copy of agreements or policies between FAMSF and FAMF/COFAM, and if so, you must disclose them.

Thanks,
Anonymous

On Sept. 26, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

Hello and thank you for your request to the City and County of San Francisco Controller's Office. Please see below for responses to your nine questions.

1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
 - * There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and COFAM.
2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed
 - * There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and FAMF.
3. all accounting records/line items reflecting a transaction to, from, or involving COFAM, from Jan 1 2018 to present
 - * See Attachment A for the last 5 years of payments. There is no record of transactions involving COFAM between your requested dates. We have provided the last five years of payments for your reference.
4. all accounting records/line items reflecting a transaction to, from, or involving FAMF, from Jan 1 2018 to present
 - * See Attachment B for the last 5 years of payments. There is no record of transactions involving FAMF between your requested dates. We have provided the last five years of payments for your reference.
5. all correspondence* (asterisk means including all attachments, exhibits, memos, metadata, headers, emails, invoices, payments, checks, physical mail/notes, text, SMS, MMS, or any chat app messages, and in their original electronic format or scan of physical documents) between City and COFAM between Jan. 1, 2018 and present
 - * This request is extremely broad given that some 30k employees work for CCSF. To expeditiously handle this request, would it be possible to narrow this request to specific departments or individuals?
6. all correspondence* between City and FAMF between Jan. 1, 2018 and Sept. 12 2019 (inclusive)
 - * This request is extremely broad given that some 30k employees work for CCSF. To expeditiously handle this request, would it be possible to narrow this request to specific departments or individuals?
7. every invoice, payment, or check between the City and COFAM, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present
 - * See Attachment A for the last 5 years of payments. There is no record of transactions involving COFAM between your requested dates. We have provided the last five years of payments for your reference.
8. every invoice, payment, or check between the City and FAMF, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present
 - * See Attachment B for the last 5 years of payments. There is no record of transactions involving FAMF between your requested dates. We have provided the last five years of payments for your reference.

9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM
* The Controller's Office has no agency policy or memorandum between the Controller's Office and FAMF or COFAM.

Best,

The Office of the Controller
[cid:image002.png@01D5748D.6EB9AA90]

On Sept. 17, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

Hello:

This confirms receipt of your public records request. We are currently researching the matter and we will be in touch.

Best,

The Office of the Controller
[cid:image002.png@01D56D3C.73311700]

On Sept. 13, 2019:

Subject: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

RE: Immediate Disclosure Request - City/COFAM/FAMF Relationship

To Whom It May Concern:

** Please redact your responses correctly! This is a public mailbox, and all of your responses (including emails, attachments, file shares, and the disclosed records) may be automatically and instantly available to the general public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). Once you send them to us, there's no going back. **

I would like to get to the bottom of the intriguing relationship between the City, COFAM and FAMF.

Pursuant to the Sunshine Ordinance and CPRA, I hereby request the following records as 9 distinct Immediate Disclosure Request(s) from the San Francisco Controller's Office - note that you must turn over any records that your agency prepares, owns, uses or retains, even if they are about a different city agency or not from the city at all. Note also that you may argue some of them are not immediately answerable but must still immediately answer the ones that are. Many of these records involve the city agency Fine Arts Museums of San Francisco (FAMSF) - but I want all records, whether for FAMSF or otherwise. Where "City" is used below it means: the City as a legal entity, and any of its boards, departments, trusts, commissions, and so forth, and its commissioners, trustees, other officers and employees. Where "COFAM" and "FAMF" are used, it includes each legal entity and its boards, trustees, subsidiaries, other officers, and employees.

1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
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3. all accounting records/line items reflecting a transaction to, from, or involving COFAM, from Jan 1 2018 to present
4. all accounting records/line items reflecting a transaction to, from, or involving FAMF, from Jan 1 2018 to

present

5. all correspondence* (asterisk means including all attachments, exhibits, memos, metadata, headers, emails, invoices, payments, checks, physical mail/notes, text, SMS, MMS, or any chat app messages, and in their original electronic format or scan of physical documents) between City and COFAM between Jan. 1, 2018 and present

6. all correspondence* between City and FAMF between Jan. 1, 2018 and Sept. 12 2019 (inclusive)

7. every invoice, payment, or check between the City and COFAM, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present

8. every invoice, payment, or check between the City and FAMF, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present

9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM

I would like to remind you that you need to indicate for each request above, whether you did or did not have responsive records (separate from whether or not you withheld them).

I request under SFAC 67.21(c) a statement regarding the existence/non-existence, form, quantity, and nature of records responsive to each of the 9 requests, regardless of whether they are exempt from disclosure. This statement must be provided within 7 days and there are no extensions.

Remember any record retained, owned, used, or prepared by your office must be included. If a city employee possesses a COFAM or FAMF document, you must disclose it. If COFAM or FAMF are holding records that were prepared or used by your office, you must disclose it.

We remind you of your obligations to provide electronic records in any format we request them in, as long that format is available to you OR easy to generate (SFAC 67.21(l)). Therefore, emails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best. All other documents may be provided as text .PDFs.

If you choose to convert documents, for example, to PDF or printed format (even though we have specifically emails in .eml or .msg formats), to easily redact them, you must still ensure that you have preserved a full copy of the original conversation record, which contains formatting, images, colors, attachments, and many detailed headers beyond the generally used From/To/Subject/Sent/etc.

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If you provide the wrong format or withhold non-exempt parts of records, you may be in violation of SF Admin Code 67.21, 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision in court, before the Supervisor of Records, and/or the Sunshine Ordinance Task Force.

In all cases, please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required (free) notice of which of those records are available and non-exempt for inspection in-person if we so choose.

Thanks,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): requests@muckrock.com<mailto:requests@muckrock.com>

Upload documents directly: https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAFU-Xq1NDoOv1c%3A1iGYZ7%3A43IKSDYp0FNngq5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org

[url_auth_token=AABkCAyh6oIMQAFU-Xq1NDoOv1c%3A1iGYZ7%3A43IKSDYp0FNngq5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAFU-Xq1NDoOv1c%3A1iGYZ7%3A43IKSDYp0FNngq5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org)

[Xq1NDoOv1c%3A1iGYZ7%3A43IKSDYp0FNngq5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAFU-Xq1NDoOv1c%3A1iGYZ7%3A43IKSDYp0FNngq5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org)

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 80368

411A Highland Ave

Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

[<http://email.requests.muckrock.com/o/eJwNyksOgyAQANDTICWZQUbHBZtzq9Hw0xpBUtCev25fXjBEvYjZbum9BYOgBs1KflxzXXCEjiyMo-2QA5HXaHHwC4ElsRkFOCIAAQITS5QzMahnT0PPr27m6aGhxu8V29lkvvxei9-IL1IU48tx1pJSrDccd2zLWn6y1PUPLYUrUA>]



image001

[Download](#)



image003

[Download](#)

From: San Francisco Controller's Office

11/20/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (...)

[Email](#)

Hi,

We have completed items 5 & 6. We apologize for the delay. Please find the attachments. If you have any questions, please let us know.

This concludes your public records request. To expedite your future requests, please submit your request through our public records portal<<https://sfcontroller.org/contact-us-3>>.

Best,

The Office of the Controller

[cid:image003.png@01D59FB5.0476A900]

From: CON, Controller (CON) <controller.con@sfgov.org>

Sent: Friday, October 18, 2019 2:05 PM

To: requests@muckrock.com; CON, Controller (CON) <controller.con@sfgov.org>

Cc: CON, Controller (CON) <controller.con@sfgov.org>

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

Hi,

We are following up on your request for items 5 and 6. We are processing this item and we will have a response to you next week.

Best,

The Office of the Controller
[cid:image004.png@01D59FA2.F5C0A8A0]

From: requests@muckrock.com<mailto:requests@muckrock.com>
<requests@muckrock.com<mailto:requests@muckrock.com>>
Sent: Friday, October 4, 2019 6:09 PM
To: CON, Controller (CON) <controller.con@sfgov.org<mailto:controller.con@sfgov.org>>
Cc: CON, Controller (CON) <controller.con@sfgov.org<mailto:controller.con@sfgov.org>>
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

San Francisco Controller's Office
PRA Office
Room 316
1 Doctor Carlton B Goodlett Place
SF, CA 94102

October 4, 2019

This is a follow up to a previous request:

Thank you, however I do not believe you have completed these 2 requests:

5. all correspondence* (asterisk means including all attachments, exhibits, memos, metadata, headers, emails, invoices, payments, checks, physical mail/notes, text, SMS, MMS, or any chat app messages, and in their original electronic format or scan of physical documents) between City and COFAM between Jan. 1, 2018 and present
6. all correspondence* between City and FAMF between Jan. 1, 2018 and Sept. 12 2019 (inclusive)

Contrary to your prior concern, I do not need you to search all CCSF employees' records - I only need you to search those in your department. But remember, if your department or its employees "prepared, used, owned, or retained" a communication between some *other* City employee and COFAM or FAMF, you must still turn it over. For example if your employee has a forwarded email between a FAMSF employee and COFAM, you must disclose it.

I will also proceed against FAMSF and the City Attorney directly - however: that does not absolve your agency of its own responsibilities under the CPRA and Sunshine Ordinance.

Thanks,
Anonymous

Filed via [MuckRock.com](https://muckrock.com)

E-mail (Preferred): requests@muckrock.com<mailto:requests@muckrock.com>

Upload documents directly: <https://accounts.muckrock.com/accounts/login/>

url_auth_token=AABkCAyh6oIMQAFU-Xq1ND0Ov1c%3A1iGYZ7%3A43IKSDYp0FNgg5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-cityofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 80368
411A Highland Ave
Somerville, MA 02144-2516

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On Oct. 4, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

To Whom it May Concern:

Thank you for your public records request. The Controller's Office has conducted a diligent search for any records responsive to your request that it possesses. Please see this link<http://sfcontroller.org/sites/default/files/Documents/Auditing/Fine%20Arts%20Museums%20Audit%20Report%20%2810.27.16%29_0.pdf> for an audit report from October 2016. The Controller's Office has previously provided the payment transaction records for both COFAM and FAMF and does not have any additional contractual/legal/MOU records re COFAM and/or FAMF. If such information exists, it would be at the departmental level or with the City Attorney. To submit a public records request with the Fine Arts Museum of San Francisco, please find the contact information here<<https://www.famsf.org/about/board-of-trustees/meetings-and-agendas>>; for the City Attorney, please email cityattorney@sfcityatty.org<mailto:cityattorney@sfcityatty.org><mailto:cityattorney@sfcityatty.org%3cmailto:cityattorney@sfcityatty.org>>.

This concludes your public records request.

Best,

The Office of the Controller
[cid:image002.png@01D57AD5.71B29790]

From: requests@muckrock.com<mailto:requests@muckrock.com>
<requests@muckrock.com<mailto:requests@muckrock.com>>

Sent: Thursday, September 26, 2019 5:33 PM

To: CON, Controller (CON) <controller.con@sfgov.org<mailto:controller.con@sfgov.org>>

Cc: CON, Controller (CON) <controller.con@sfgov.org<mailto:controller.con@sfgov.org>>

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco Controller's Office
PRA Office
Room 316
1 Doctor Carlton B Goodlett Place
SF, CA 94102

September 26, 2019

This is a follow up to a previous request:

Thank you for the documents. However, certain of your responses are improper, so I will give you a chance to correct them, but please do so immediately and not in 10 days, otherwise I will have to file a complaint.

Please read carefully the definition of a public record in the CPRA. You are required to disclose non-exempt records if your agency retains, uses, prepares, or owns the record; it does not matter whether your office is a party to the document. Therefore the following responses are insufficient:

- > 1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
 - * There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and COFAM.
- > 2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed
 - * There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and FAMF.
- > 9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM
 - * The Controller's Office has no agency policy or memorandum between the Controller's Office and FAMF or COFAM.

You were not asked for agreements or policies between your office and FAMF/COFAM, you were asked for those between the *City* and FAMF/COFAM. If your office retained, owned, used, or prepared any such agreement or other document, you must turn it over, even if for example a different city agency is named in the document. For example, its quite possible your office has a copy of agreements or policies between FAMSF and FAMF/COFAM, and if so, you must disclose them.

Thanks,
Anonymous

Filed via [MuckRock.com](https://muckrock.com)

E-mail (Preferred): requests@muckrock.com<mailto:requests@muckrock.com>

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Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 80368

411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

On Sept. 26, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

Hello and thank you for your request to the City and County of San Francisco Controller's Office. Please see below for responses to your nine questions.

1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
* There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and COFAM.
2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed
* There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and FAMF.
3. all accounting records/line items reflecting a transaction to, from, or involving COFAM, from Jan 1 2018 to present
* See Attachment A for the last 5 years of payments. There is no record of transactions involving COFAM between your requested dates. We have provided the last five years of payments for your reference.
4. all accounting records/line items reflecting a transaction to, from, or involving FAMF, from Jan 1 2018 to present
* See Attachment B for the last 5 years of payments. There is no record of transactions involving FAMF between your requested dates. We have provided the last five years of payments for your reference.
5. all correspondence* (asterisk means including all attachments, exhibits, memos, metadata, headers, emails, invoices, payments, checks, physical mail/notes, text, SMS, MMS, or any chat app messages, and in their original electronic format or scan of physical documents) between City and COFAM between Jan. 1, 2018 and present
* This request is extremely broad given that some 30k employees work for CCSF. To expeditiously handle this request, would it be possible to narrow this request to specific departments or individuals?
6. all correspondence* between City and FAMF between Jan. 1, 2018 and Sept. 12 2019 (inclusive)
* This request is extremely broad given that some 30k employees work for CCSF. To expeditiously handle this request, would it be possible to narrow this request to specific departments or individuals?
7. every invoice, payment, or check between the City and COFAM, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present
* See Attachment A for the last 5 years of payments. There is no record of transactions involving COFAM between your requested dates. We have provided the last five years of payments for your reference.
8. every invoice, payment, or check between the City and FAMF, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present
* See Attachment B for the last 5 years of payments. There is no record of transactions involving FAMF between your requested dates. We have provided the last five years of payments for your reference.
9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM
* The Controller's Office has no agency policy or memorandum between the Controller's Office and FAMF or COFAM.

Best,

The Office of the Controller
[cid:image002.png@01D5748D.6EB9AA90]

On Sept. 17, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

Hello:

This confirms receipt of your public records request. We are currently researching the matter and we will be in touch.

Best,

The Office of the Controller

[cid:image002.png@01D56D3C.73311700]

On Sept. 13, 2019:

Subject: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

RE: Immediate Disclosure Request - City/COFAM/FAMF Relationship

To Whom It May Concern:

** Please redact your responses correctly! This is a public mailbox, and all of your responses (including emails, attachments, file shares, and the disclosed records) may be automatically and instantly available to the general public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). Once you send them to us, there's no going back. **

I would like to get to the bottom of the intriguing relationship between the City, COFAM and FAMF.

Pursuant to the Sunshine Ordinance and CPRA, I hereby request the following records as 9 distinct Immediate Disclosure Request(s) from the San Francisco Controller's Office - note that you must turn over any records that your agency prepares, owns, uses or retains, even if they are about a different city agency or not from the city at all. Note also that you may argue some of them are not immediately answerable but must still immediately answer the ones that are. Many of these records involve the city agency Fine Arts Museums of San Francisco (FAMSF) - but I want all records, whether for FAMSF or otherwise. Where "City" is used below it means: the City as a legal entity, and any of its boards, departments, trusts, commissions, and so forth, and its commissioners, trustees, other officers and employees. Where "COFAM" and "FAMF" are used, it includes each legal entity and its boards, trustees, subsidiaries, other officers, and employees.

1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed
3. all accounting records/line items reflecting a transaction to, from, or involving COFAM, from Jan 1 2018 to present
4. all accounting records/line items reflecting a transaction to, from, or involving FAMF, from Jan 1 2018 to present
5. all correspondence* (asterisk means including all attachments, exhibits, memos, metadata, headers, emails, invoices, payments, checks, physical mail/notes, text, SMS, MMS, or any chat app messages, and in their original electronic format or scan of physical documents) between City and COFAM between Jan. 1, 2018 and present
6. all correspondence* between City and FAMF between Jan. 1, 2018 and Sept. 12 2019 (inclusive)
7. every invoice, payment, or check between the City and COFAM, including any drafts in your possession

that were not executed, between Jan. 1, 2018 and present

8. every invoice, payment, or check between the City and FAMF, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present

9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM

I would like to remind you that you need to indicate for each request above, whether you did or did not have responsive records (separate from whether or not you withheld them).

I request under SFAC 67.21(c) a statement regarding the existence/non-existence, form, quantity, and nature of records responsive to each of the 9 requests, regardless of whether they are exempt from disclosure. This statement must be provided within 7 days and there are no extensions.

Remember any record retained, owned, used, or prepared by your office must be included. If a city employee possesses a COFAM or FAMF document, you must disclose it. If COFAM or FAMF are holding records that were prepared or used by your office, you must disclose it.

We remind you of your obligations to provide electronic records in any format we request them in, as long that format is available to you OR easy to generate (SFAC 67.21(l)). Therefore, emails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best. All other documents may be provided as text .PDFs.

If you choose to convert documents, for example, to PDF or printed format (even though we have specifically emails in .eml or .msg formats), to easily redact them, you must still ensure that you have preserved a full copy of the original conversation record, which contains formatting, images, colors, attachments, and many detailed headers beyond the generally used From/To/Subject/Sent/etc.

If you send PDFs, please use only text/search PDFs, not image/scanned PDFs. You must make exact copies of records under the CPRA - do not exclude color, formatting, images, or any other content that may be lost by printing and scanning records incorrectly.

You also must justify each and every withholding or redaction with particularity. Use footnotes or inline markings for example, and justify each such redaction with a legal citation (statute, ordinance, or case law). If you withhold metadata/headers, even if you don't visually redact them, you are still withholding and must justify it.

If you provide the wrong format or withhold non-exempt parts of records, you may be in violation of SF Admin Code 67.21, 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision in court, before the Supervisor of Records, and/or the Sunshine Ordinance Task Force.

In all cases, please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required (free) notice of which of those records are available and non-exempt for inspection in-person if we so choose.

Thanks,
Anonymous

Filed via [MuckRock.com](https://muckrock.com)

E-mail (Preferred): requests@muckrock.com<mailto:requests@muckrock.com>

Upload documents directly: [https://accounts.muckrock.com/accounts/login/?](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAfU-Xq1ND0Ov1c%3A1iDeBh%3AoTvaM6_GbMEvAZo1mYW29uTsKn4&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-)

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Somerville, MA 02144-2516

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[Image removed by sender.]

On Sept. 26, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

Thank you for the documents. However, certain of your responses are improper, so I will give you a chance to correct them, but please do so immediately and not in 10 days, otherwise I will have to file a complaint.

Please read carefully the definition of a public record in the CPRA. You are required to disclose non-exempt records if your agency retains, uses, prepares, or owns the record; it does not matter whether your office is a party to the document. Therefore the following responses are insufficient:

- > 1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
 - * There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and COFAM.
- > 2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed
 - * There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and FAMF.
- > 9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM
 - * The Controller's Office has no agency policy or memorandum between the Controller's Office and FAMF or COFAM.

You were not asked for agreements or policies between your office and FAMF/COFAM, you were asked for those between the *City* and FAMF/COFAM. If your office retained, owned, used, or prepared any such agreement or other document, you must turn it over, even if for example a different city agency is named in the document. For example, its quite possible your office has a copy of agreements or policies between FAMSF and FAMF/COFAM, and if so, you must disclose them.

Thanks,
Anonymous

On Sept. 26, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

Hello and thank you for your request to the City and County of San Francisco Controller's Office. Please see below for responses to your nine questions.

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* There are no contracts/MOUs/legal agreements between the San Francisco Controller's Office and FAMF.
3. all accounting records/line items reflecting a transaction to, from, or involving COFAM, from Jan 1 2018 to present
* See Attachment A for the last 5 years of payments. There is no record of transactions involving COFAM between your requested dates. We have provided the last five years of payments for your reference.
4. all accounting records/line items reflecting a transaction to, from, or involving FAMF, from Jan 1 2018 to present
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5. all correspondence* (asterisk means including all attachments, exhibits, memos, metadata, headers, emails, invoices, payments, checks, physical mail/notes, text, SMS, MMS, or any chat app messages, and in their original electronic format or scan of physical documents) between City and COFAM between Jan. 1, 2018 and present
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Best,

The Office of the Controller
[cid:image002.png@01D5748D.6EB9AA90]

On Sept. 17, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

Hello:

This confirms receipt of your public records request. We are currently researching the matter and we will be in touch.

Best,

The Office of the Controller
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On Sept. 13, 2019:

Subject: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

RE: Immediate Disclosure Request - City/COFAM/FAMF Relationship

To Whom It May Concern:

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I would like to get to the bottom of the intriguing relationship between the City, COFAM and FAMF.

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3. all accounting records/line items reflecting a transaction to, from, or involving COFAM, from Jan 1 2018 to present
4. all accounting records/line items reflecting a transaction to, from, or involving FAMF, from Jan 1 2018 to present
5. all correspondence* (asterisk means including all attachments, exhibits, memos, metadata, headers, emails, invoices, payments, checks, physical mail/notes, text, SMS, MMS, or any chat app messages, and in their original electronic format or scan of physical documents) between City and COFAM between Jan. 1, 2018 and present
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8. every invoice, payment, or check between the City and FAMF, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present
9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM

I would like to remind you that you need to indicate for each request above, whether you did or did not have responsive records (separate from whether or not you withheld them).

I request under SFAC 67.21(c) a statement regarding the existence/non-existence, form, quantity, and nature of records responsive to each of the 9 requests, regardless of whether they are exempt from disclosure. This statement must be provided within 7 days and there are no extensions.

Remember any record retained, owned, used, or prepared by your office must be included. If a city employee possesses a COFAM or FAMF document, you must disclose it. If COFAM or FAMF are holding records that were prepared or used by your office, you must disclose it.

We remind you of your obligations to provide electronic records in any format we request them in, as long that format is available to you OR easy to generate (SFAC 67.21(1)). Therefore, emails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best. All other documents may be provided as text .PDFs.

If you choose to convert documents, for example, to PDF or printed format (even though we have specifically emails in .eml or .msg formats), to easily redact them, you must still ensure that you have preserved a full copy of the original conversation record, which contains formatting, images, colors, attachments, and many detailed headers beyond the generally used From/To/Subject/Sent/etc.

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If you provide the wrong format or withhold non-exempt parts of records, you may be in violation of SF Admin Code 67.21, 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision in court, before the Supervisor of Records, and/or the Sunshine Ordinance Task Force.

In all cases, please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required (free) notice of which of those records are available and non-exempt for inspection in-person if we so choose.

Thanks,
Anonymous

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[url_auth_token=AABkCAyh6oIMQAfU-](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAfU-Xq1NDoOv1c%3A1iGYZ7%3A43IKSDYp0FNgg5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org)

[Xq1NDoOv1c%3A1iGYZ7%3A43IKSDYp0FNgg5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org](https://accounts.muckrock.com/accounts/login/?url_auth_token=AABkCAyh6oIMQAfU-Xq1NDoOv1c%3A1iGYZ7%3A43IKSDYp0FNgg5uKE5fysjo3kKA&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-controllers-office-558%252Fimmediate-disclosure-request-citycofamfamf-relationship-controller-80368%252F%253Femail%253Dcontroller.con%252540sfgov.org)

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[http://email.requests.muckrock.com/o/eJwNyksOgyAQANDTICWZQUbHBZtqz9Hw0xpBUtCev25fXjBEvYjZbum9BYOgBs1KflxzXXCEjyMo-2QA5HXaHHwC4ElsRkFOCIAAQITS5QzMahnT0PPr27m6aGhxu8V29lkvvxei9-IL1IU48tx1pJSrDccd2zLWn6y1PUPLYUrUA]



image003

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image004

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From: Anonymous Person

11/20/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (...

** Please redact your responses correctly! This is a public mailbox, and all of your responses (including emails, attachments, file shares, and the disclosed records) may be automatically and instantly available to the general public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). Once you send them to us, there's no going back. **

Thank you for your Nov 20 response to #5 and #6 of our Sept 13 records request.

A few issues:

- Which attachments did you provide or withhold? For example: 3 listed on pg 1, 7 on pg 2, 1 on pg 4, 1 on pg 5, 7 on pg 8, 1 on pg 10. The request specifically requested all attachments.
- There are dozens of redactions throughout your responses. You are required by law (SFAC 67.26) to provide a clear reference to a justification for each and every redaction or full document withheld, and (SFAC 67.27) you must use a statute or case law dictating exemption.
- You were requested to provide documents in specified electronic format. Why have you printed and scanned these documents, thus failing to provide an exact copy of the records? No legal justification has been provided.

I intend to appeal these issues and the timeliness of your response to SOTF, the Supervisor of Records and/or Superior Court.

Sincerely,
Anonymous

From: Anonymous Person

11/20/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (...

Supervisor of Records,

This is a new 67.21(d) petition regarding the Controller's Nov 20 response to (solely) parts #5 and #6 of our Sept 13 records request. Please determine in writing that some or all of the following records or some parts thereof are public (references are to Controller's responsive record collection "MuckRock_80368-97597279" which you may get from the Controller):

1. All attachments for the provided emails. For example: 3 listed on pg 1, 7 on pg 2, 1 on pg 4, 1 on pg 5, 7 on pg 8, 1 on pg 10. The request specifically requested all attachments.
2. Dozens of redactions throughout the responses. Since no clear reference (or any reference at all) to statutory or case law justifications were provided, I challenge all the redactions as unlawful, and all should be public parts of records.
3. Exact copies of the emails and their attachments. The Controller was requested to provide documents in specified electronic formats. They printed and scanned these documents, thus failing to provide an exact copy of the records, which are public records. No legal justification has been provided.
4. Any documents thus far fully withheld. We do not know if any documents were withheld or not, and no justifications were provided.

The original request is copied below. Parts 1-4 and 7-9 of the request are not being appealed in this petition, but we reserve the right to appeal them at another time.

Sincerely,
Anonymous

On Sept. 13, 2019:

Subject: California Public Records Act Request: Immediate Disclosure Request - City/COFAM/FAMF Relationship (Controller)

RE: Immediate Disclosure Request - City/COFAM/FAMF Relationship

To Whom It May Concern:

** Please redact your responses correctly! This is a public mailbox, and all of your responses (including emails, attachments, file shares, and the disclosed records) may be automatically and instantly available to the general public on the [MuckRock.com](https://muckrock.com) service used to issue this request (though I am not a MuckRock representative). Once you send them to us, there's no going back. **

I would like to get to the bottom of the intriguing relationship between the City, COFAM and FAMF.

Pursuant to the Sunshine Ordinance and CPRA, I hereby request the following records as 9 distinct Immediate Disclosure Request(s) from the San Francisco Controller's Office - note that you must turn over any records that your agency prepares, owns, uses or retains, even if they are about a different city agency or not from the city at all. Note also that you may argue some of them are not immediately answerable but must still immediately answer the ones that are. Many of these records involve the city agency Fine Arts Museums of San Francisco (FAMSF) - but I want all records, whether for FAMSF or otherwise. Where "City" is used below it means: the City as a legal entity, and any of its boards, departments, trusts, commissions, and so forth, and its commissioners, trustees, other officers and employees. Where "COFAM" and "FAMF" are used, it includes each legal entity and its boards, trustees, subsidiaries, other officers, and employees.

1. all past/present legal/contractual/MOU relationships between the City and Corporation of the Fine Arts Museums of San Francisco (COFAM), including any drafts in your possession that were not executed
2. all past/present legal/contractual/MOU relationships between the City and Fine Arts Museums Foundation (FAMF), including any drafts in your possession that were not executed
3. all accounting records/line items reflecting a transaction to, from, or involving COFAM, from Jan 1 2018 to present
4. all accounting records/line items reflecting a transaction to, from, or involving FAMF, from Jan 1 2018 to present
5. all correspondence* (asterisk means including all attachments, exhibits, memos, metadata, headers, emails, invoices, payments, checks, physical mail/notes, text, SMS, MMS, or any chat app messages, and in their original electronic format or scan of physical documents) between City and COFAM between Jan. 1, 2018 and present
6. all correspondence* between City and FAMF between Jan. 1, 2018 and Sept. 12 2019 (inclusive)

7. every invoice, payment, or check between the City and COFAM, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present
8. every invoice, payment, or check between the City and FAMF, including any drafts in your possession that were not executed, between Jan. 1, 2018 and present
9. every agency policy or memorandum discussing the relationship between the City, and FAMF or COFAM

I would like to remind you that you need to indicate for each request above, whether you did or did not have responsive records (separate from whether or not you withheld them).

I request under SFAC 67.21(c) a statement regarding the existence/non-existence, form, quantity, and nature of records responsive to each of the 9 requests, regardless of whether they are exempt from disclosure. This statement must be provided within 7 days and there are no extensions.

Remember any record retained, owned, used, or prepared by your office must be included. If a city employee possesses a COFAM or FAMF document, you must disclose it. If COFAM or FAMF are holding records that were prepared or used by your office, you must disclose it.

We remind you of your obligations to provide electronic records in any format we request them in, as long that format is available to you OR easy to generate (SFAC 67.21(1)). Therefore, emails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best. All other documents may be provided as text .PDFs.

If you choose to convert documents, for example, to PDF or printed format (even though we have specifically emails in .eml or .msg formats), to easily redact them, you must still ensure that you have preserved a full copy of the original conversation record, which contains formatting, images, colors, attachments, and many detailed headers beyond the generally used From/To/Subject/Sent/etc.

If you send PDFs, please use only text/search PDFs, not image/scanned PDFs. You must make exact copies of records under the CPRA - do not exclude color, formatting, images, or any other content that may be lost by printing and scanning records incorrectly.

You also must justify each and every withholding or redaction with particularity. Use footnotes or inline markings for example, and justify each such redaction with a legal citation (statute, ordinance, or case law). If you withhold metadata/headers, even if you don't visually redact them, you are still withholding and must justify it.

If you provide the wrong format or withhold non-exempt parts of records, you may be in violation of SF Admin Code 67.21, 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision in court, before the Supervisor of Records, and/or the Sunshine Ordinance Task Force.

In all cases, please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required (free) notice of which of those records are available and non-exempt for inspection in-person if we so choose.

Thanks,
Anonymous

APPENDIX B

Responsive records

(Please get records from the Respondent)

APPENDIX C

Sup. of Records Petition Responses

(Herrera has not responded to associated petitions at time of SOTF complaint).