

Dear Mr. Lambert/SFPL ,

I wanted to thank you for your thorough and timely response in this case. Your agency has performed better than most in this public records compliance audit I am performing. However, I believe your agency is currently in violation of the following allegations listed:

A17. SFAC 67.26 - A limited portion of future calendars (R3) were withheld in a limited fashion, with justification, such as with the Mayor's Office. See SOTF Order 18075 and current proceeding SOTF 19103 and SOTF 19112.

A21. SFAC 67.26 - One or more non-metadata parts of a record were withheld incorrectly (aka, something that should not have been redacted, was redacted). *in "11.26.19\_personal\_email\_sent\_Redacted" portions of an email are getting cut off the side of the page (and thus withheld) - can your PDF tool be fixed to disclose this?*

A30. SFAC 67.21(k), GC 6254.3(b)(1) - "Unless used by the employee to conduct public business, or necessary to identify a person in an otherwise disclosable communication, the personal email addresses of all employees of a public agency shall not be deemed to be public records and shall not be open to public inspection, except that disclosure of that information may be made as specified in paragraphs (1) to (4), inclusive, of subdivision(a)."

A33. SFAC 67.26 - The non-exempt metadata portion of one or records was withheld, with justification, but some of the metadata withheld is not in fact exempt and must be provided.

A35. SFAC 67.21(l), GC 6253.9 - The original electronic format or the requested "easily generated" format were withheld, with justification.

Some allegations may be the subject of pending SOTF complaints and/or Supervisor of Records petitions regarding other agencies. At this time, I intend to hold in abeyance the filing of a complaint regarding those A17, A27, A32-35 issues to save resources for myself, the City, and SOTF.

However, if you would like to negotiate on any other allegation listed above (other than A17, A27, A32-35), please let me know. I aim to achieve the following purposes:

- receive timely copies of all non-exempt public records and non-exempt portions thereof,
- if a particular requirement of the Sunshine Ordinance was not met in the processing of my request, that I and the public benefit in the future by having a firm commitment that your agency's policies and procedures are updated to ensure full compliance with the Sunshine Ordinance.

It is not necessary for me to receive an SOTF Order of Determination to achieve these purposes. An alternative solution is that I receive a letter signed by your Department Head (addressed to myself, and published online as a public communication) indicating that they agree that the agency did violate certain provisions as described in the listed allegations, and that as of the time the letter is executed, that the agency's public records policies procedures have been corrected.

I can wait to file complaints until other pending issues are resolved before the appropriate bodies and/or we are unable to come to a negotiated agreement, if you please agree in writing to preserve, and not destroy (including through any automated retention policies) the original responsive records (as they may need to be re-produced in a different form after complaints),

**Note:** *We do not waive any right to appeal before any administrative or judicial entity. No agreement, offer, or agreement to agree is made by this letter. Nothing herein is legal, IT, or professional advice of any kind. The author disclaims all warranties, express or implied, including but not limited to all warranties of merchantability or fitness. In no event shall the author be liable for any special, direct, indirect, consequential, or any other damages whatsoever. The digital signature, if any, in this email is not an indication of a binding agreement or offer; it merely authenticates the sender. Please do not include any confidential information, as I intend that these communications with the City all be disclosable public records.*

Sincerely,

Anonymous (not affiliated with MuckRock, just an anonymous user of their FOIA service)