

PRESERVE and Produce records - Immediate Disclosure Request - Emergency records

From: Ruski Augusto Sa, Mayara <MRuskiAugustoSa@sfwater.org>

To: team@hvsafe.com <team@hvsafe.com>

Date: Monday, January 10th, 2022 at 4:22 PM

Dear Requester,

We are writing in response to the following request:

1) All departments, employees, and Supervisors: Preserve AND PRODUCE on a rolling basis all of your texts, chats of any kind, DMs, PMs, group messages, or Microsoft Teams messages sent or received where any party is London Breed, Sean Elsbernd, Andrea Bruss, Andres Power, Mary Ellen Carroll, Chief Scott, Tom Paulino, Andy Lynch, Jeff Cretan, Matt Dorsey, or any BoS Supervisor or their staff:

(a) on December 23, 2021 on any topic, and

(b) from Dec 1, 2021 to present on the topic of the Tenderloin emergency.

2) Further produce on a rolling basis: any contracts (including any form of agreements, agreements to agree, MoUs, amendments, exhibits, offers, counteroffers, attachments, appendices) between the City or any part of the City and Urban Alchemy that:

(c) are in effect at present, or

(d) for which any payments were sent or received by the City from Oct 1, 2021 to present, or

(e) where the record was sent, received, created, or modified from Oct 1, 2021 to present.

3) Further produce: communications of any form (email, text, chat, DM, GM, PMs, etc.) between your agency's employees/officials and Urban Alchemy (incl. its employees, officers, or attorneys/representatives) from Oct 1, 2021 to present.

4) Further produce: calendar or meeting entries for any agency employee/official where any invitee, attendee, or organizer is Urban Alchemy (incl. its employees, officers, or attorneys/representatives) from Oct 1, 2021 to present.

The SFPUC has located records responsive to your request (items 1(a) and 4). Please see the attached. We requested the Executive Management team, the Commissioners, the Director of Communications, the Director of

Strategic Initiatives, the Policy and Government Affairs team, the Contract Administration Bureau, and the Emergency Planning and Security team to search for responsive records. In order for us to continue our search, please specify which other employees, if any, you would like to search for further responsive records. Please keep in mind that the SFPUC has over 2,300 employees and the search will likely take a substantial amount of time without a narrower scope.

Please be advised that we have redacted from the records titled "Daily TL Ops Mtg_Redacted" and "FW_ Daily TL Ops Mtg_Redacted" a meeting hyperlink and meeting ID in order to prevent access to private or otherwise confidential communications that are protected from disclosure under the Public Records Act; for example, personal private information (Cal. Govt. Code §§ 6250, 6254(c); Cal. Const., Art. I, §1; Admin. Code §67.1(g)), trade secrets (Cal. Govt. Code § 6276.44; Cal. Civil Code §§ 3426, 3426.7(c); Cal. Evid. Code § 1060).

We have further redacted the record titled "John Scarpulla BoS Staff_Redacted for Privacy" to remove information not related to City business and on privacy grounds. Communications that do not relate to the conduct of public business are not public records subject to disclosure. (See Cal. Gov. Code § 6252(e); *San Jose v. Superior Court* (2017) 2 Cal. 5th 608.) Redactions are further based on California Constitution, Article I, section 1, California Government Code Section 6254(k), and California Government Code Section 6254(c). These provisions guard against disclosure of information that would invade personal privacy. Further, both the California Public Records Act (California Government Code Section 6250) and the San Francisco Sunshine Ordinance (San Francisco Administrative Code Section 67.1(g)) acknowledge the importance of protecting personal privacy where disclosing records in response to a public records request.

Best Regards,

Mayara Ruski Augusto Sa

SFPUC Public Records Senior Analyst, External Affairs

Cell: 415-680-6683

Pronouns: she, her, hers



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