

**SUNSHINE ORDINANCE
TASK FORCE**



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**ORDER OF DETERMINATION
September 30, 2008**

DATE THE DECISION ISSUED
September 23, 2008

EULA M. WALTERS v. RECREATION AND PARKS COMMISSION (08040)

FACTS OF THE CASE

Complainant Eula M. Walters regularly attends the Recreation and Parks Commission ("Commission") and is on the Commission's mailing list. Eula Walters states that she received the agenda for May and June meetings the afternoon before the Commission's meeting the following day. Eula Walters noticed that the May agenda had a section for discussion about a plaque for Ferry Park.

Eula Walters went to the meeting and the Commission voted down the proposal. When Eula Walters reviewed the June agenda she noticed that the plaque for Ferry Park was again on for discussion. At the June meeting, Ms. Walters spoke in opposition to the plaque. Following public comment, the item was tabled. When Eula Walters reviewed the July agenda, she noticed that the plaque for Ferry Park was again on for discussion. At the July meeting, Ms. Walters spoke in opposition to the plaque. After Ms. Walters spoke, the Commission heard from the woman who was being considered for the plaque. After discussions during the July meeting, the Commission voted to approve specific language and placement for the plaque.

COMPLAINT FILED

On July 29, 2008, Eula Walters filed a complaint alleging that the Commission violated Section 67.7 of the Ordinance for its failure to provide timely notice of the meetings, Section 67.15 regarding order of testimony, and Section 67.24 for its failure to provide information at the Commission hearing.

HEARING ON THE COMPLAINT

On September 23, 2008, Complainant Eula Walters appeared before the Task Force and presented her claim. Respondent Agency was represented by Recreation and Parks Commission Secretary Margaret McArthur who presented the Commission's defense.

ORDER OF DETERMINATION

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Based on the testimony and evidence presented the Task Force finds that that Ms Walters did not present facts that would support a violation of Sections 67.7 and 67.9, as the Commission timely posted and mailed the notice and agenda for the meetings; Section 67.15 as the Commission was not obligated to hear from the proponent of the item before the opponent; or Section 67.24 as the Commission provided the information Ms. Walters' requested.

DECISION AND ORDER OF DETERMINATION

The Task Force finds that the agency did not violate the Sunshine Ordinance.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on September 23, 2008, by the following vote: (Pilpel / Cauthen)

Ayes: Craven, Knee, Cauthen, Washburn, Knoebber, Chu, Pilpel, Chan, Goldman, Williams



Kristin Murphy Chu, Chair
Sunshine Ordinance Task Force

c: Ernie Llorente, Deputy City Attorney
Complaint Eula Walters
Respondent Margaret McArthur