

**SUNSHINE ORDINANCE  
TASK FORCE**



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**ORDER OF DETERMINATION**

October 2, 2008

**DATE THE DECISION ISSUED**

September 23, 2008

*CHARLES PITTS v. THE DEPARTMENT OF HUMAN SERVICES (08033)*

**FACTS OF THE CASE**

On June 10, 2008, Complainant Charles Pitts made an Immediate Disclosure Request to Dariush Kayhan of the Human Services Department. In that request, Charles Pitts requested all documents regarding the closing of Ella Hill Hutch Center, the copy of the contract of Ella Hill Hutch and the Next Door Center at 1001 Polk Street. On that same day, Pamela Tebo from the office of the Executive Director of Human Services sent a letter stating that under the provisions of section 67.28(c) of the Sunshine Ordinance the cost of copying the documents is 10 cents a page and the contract pages for both contracts are 50 pages each, so the total cost for copying the documents was at least \$10.00. Ms. Tebo also suggested a viewing of the original documents and that Charles Pitts contact her to make arrangements.

**COMPLAINT FILED**

On June 19, 2008, Charles Pitts filed a complaint against the Department of Human Services alleging that the response to the IDR was not timely, that the Department "set up a wall" to impede release of information, and did not provide information on how and where to pay for copies of the records, violating sections 67.21 and 67.25 of the Ordinance.

**HEARING ON THE COMPLAINT**

On September 23, 2008, Complainant Charles Pitts appeared before the Task Force and presented his claim. The Department of Human Services was represented by Pamela Tebo, who presented the Department's defense.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Based on the testimony and evidence presented the Task Force finds that the Department and Mr. Pitts are working toward obtaining the records. Specifically, the Department will let Mr. Pitts know how many pages of documents have been gathered and then give Mr. Pitts the option of either having all of the documents copied or setting up a time for Mr. Pitts to review the documents

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**DECISION AND ORDER OF DETERMINATION**

The Complainant Charles Pitts was advised to work with the Department in identifying the specific records he wanted and the Department agreed to let Mr. Pitts know how many pages of documents had been gathered and then give Mr. Pitts the option of either having all of the documents copied or setting up a time for Mr. Pitts to review the documents. The Department was also asked to copy the Task Force administrator with the correspondence regarding this matter, including a list of the documents provided to Mr. Pitts

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

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

Noes: Washburn, Williams



Kristin Murphy Chu, Chair  
Sunshine Ordinance Task Force

c: Ernie Llorente, Deputy City Attorney  
Complaint Charles Pitts  
Respondent Pamela Tebo