

**SUNSHINE ORDINANCE
TASK FORCE**



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ORDER OF DETERMINATION

October 6, 2009

DATE THE DECISION ISSUED

September 22, 2009

CHARLES PITTS v. SHELTER MONITORING COMMITTEE (09052)

FACTS OF THE CASE

Complainant Charles Pitts alleges that, on September 2, 2009, the Shelter Monitoring Committee ("Committee") did not allow for public comment on an item on its public meeting agenda. It appears from the supporting material of the complaint that the item in question was Agenda item IV. A. The Runaround Report.

COMPLAINT FILED

On 9/2/2009, Charles Pitts filed a Public Meeting Complaint against the Committee for its alleged violations, without specifying the sections of law that had been violated.

HEARING ON THE COMPLAINT

On September 22, 2009, Complainant Charles Pitts appeared before the Task Force and presented his case. Respondent Agency was represented by Bernice Casey of the Shelter Monitoring Committee.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Bernice Casey told the Task Force that she was not present at the meeting but had spoken to two committee members and two staff members who were present. She acknowledged that Mr. Charles Pitts was denied the right to give public comment. She also said she had written to Mr. Charles Pitts and had apologized to him. The Task Force found that the Committee did indeed fail to allow Mr. Pitts to make public comment.

To prevent a reoccurrence, Ms. Casey has instructed all committee members to revisit the Sunshine and Ethics training videos and to go over their test papers with the department's deputy city attorney. She also said that she has reviewed the Good Government Guide with the incoming chair and vice chair.

ORDER OF DETERMINATION

DECISION AND ORDER OF DETERMINATION

The Task Force finds that the Shelter Monitoring Committee violated Section 67.15(d) of the Sunshine Ordinance. The agency was ordered to appear before the Education, Outreach and Training Committee on October 8, 2009.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on September 22, 2009, by the following vote: (Knee / Goldman)

Ayes: Craven-Green, Cauthen, Knoebber, Chu, Chan, Goldman, Williams, Knee

Excused: Washburn, Johnson



Richard A. Knee, Chair
Sunshine Ordinance Task Force

c: Jerry Threet, Deputy City Attorney
Charles Pitts, complainant
Bernice Casey, respondent