

Date: Nov. 12, 2008

Item No. 2
File No. 08047

SUNSHINE ORDINANCE TASK FORCE

Compliance and Amendments Committee

AGENDA PACKET CONTENTS LIST*

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|-------------------------------------|--|
| <input checked="" type="checkbox"/> | Discussion on steps taken by the Taxi Commission to ensure |
| <input type="checkbox"/> | that 150-word summaries provided by a person speaking |
| <input type="checkbox"/> | during a public comment period be included in the minutes |
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Completed by: Chris Rustom

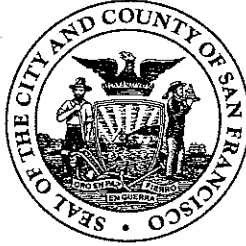
Date: Nov. 6, 2008

***This list reflects the explanatory documents provided**

~ Late Agenda Items (documents received too late for distribution to the Task Force Members)

** The document this form replaces exceeds 25 pages and will therefore not be copied for the packet. The original document is in the file kept by the Administrator, and may be viewed in its entirety by the Task Force, or any member of the public upon request at City Hall, Room 244.

SUNSHINE ORDINANCE
TASK FORCE



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ORDER OF DETERMINATION
November 6, 2008

DATE THE DECISION ISSUED
October 28, 2008

PETER WITT v. TAXI COMMISSION (08047)

FACTS OF THE CASE

Complainant Peter Witt, who regularly attends the Taxi Commission meetings, claims that the minutes of the August 12, 2008, meeting did not include the 150-word statements that were submitted during the public comment session of the meeting.

COMPLAINT FILED

On August 26, 2008, Peter Witt filed a complaint describing the violation as listed above.

HEARING ON THE COMPLAINT

On October 28, 2008, Complainant Peter Witt appeared before the Task Force and presented his complaint. A representative of the Taxi Commission was not present, but Jordanna Thigpen, the commission's executive director, provided a written response to the complaint admitting that the Commission does not include any 150-word statements in their minutes in order to conserve resources.

The issue in the case is whether the commission violated Sunshine Ordinance section 67.16 which provides that: "Any person speaking during a public comment period may supply a brief written summary of their comments which shall, if no more than 150 words, be included in the minutes."

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Peter Witt's allegations that the Taxi Commission did not include his 150-word statement in the minutes of the meeting was confirmed by the letter of Commission Executive Director Jordanna Thigpen. Ms. Thigpen stated that due to budget problems, the Commission does not include the 150-word statements submitted by public comment speakers in their minutes. This policy violates section 67.16 of the Sunshine Ordinance because the Ordinance requires that the 150-word statement be included in the minutes.

ORDER OF DETERMINATION

DECISION AND ORDER OF DETERMINATION

The Task Force finds that the agency violated Section 67.16 of the Sunshine Ordinance. The Commission must include any 150-word written summaries submitted by persons speaking during a public comment period in their meeting minutes. A representative of the Commission is to appear before the Compliance and Amendments Committee on November 12, 2008.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on October 28, 2008, by the following vote: (Craven / Cauthen)

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



Kristin Murphy Chu, Chair
Sunshine Ordinance Task Force

c: Ernie Llorente, Deputy City Attorney
Peter Witt, Complainant
Jordanna Thigpen, Respondent