

Date: April 14, 2011

Item No. 4
File No. 10067

SUNSHINE ORDINANCE TASK FORCE

Education, Outreach and Training Committee

AGENDA PACKET CONTENTS LIST*

- Charles Pitts against the Local Homeless Coordinating Board**
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Completed by: Chris Rustom

Date: April 12, 2011

***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
March 14, 2011**

DATE THE DECISION ISSUED
February 22, 2011

CHARLES PITTS V LOCAL HOMELESS COORDINATING BOARD (CASE NO. 10067)

FACTS OF THE CASE

Complainant Charles Pitts ("Complainant") alleges that on November 18, 2010, he requested a copy of the minutes of the October 4, 2010, meeting of the Local Homeless Coordinating Board ("LHCB" or "Respondent"), but that the LHCB has not provided them, in violation of Ordinance section 67.25(a).

COMPLAINT FILED

On November 22, 2010, Complainant filed a Public Meeting Complaint against the LHCB for its alleged violations, without specifying the section(s) of law that had been violated.

HEARING ON THE COMPLAINT

On February 22, 2011, Complainant presented his case to the Task Force. The Respondent was not represented and no one in the audience spoke or presented facts and evidence in support of the Respondent.

Mr. Pitts told the Task Force that he went to the last LHCB meeting to get a copy of the previous meeting minutes and discovered that the document was not available and the item was not on the agenda for discussion and approval. He said he then made an Immediate Disclosure Request to Ali Schlageter, a policy analyst with the LHCB. He said Ms. Schlageter did not respond to his IDR by the end of the next business day as required by the Ordinance. He said he only received the document hours after he filed a complaint with the Sunshine Ordinance Task Force.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

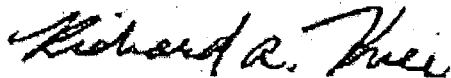
Judging from the evidence presented, the Task Force also found that the draft minutes were not available within 10 days after the meeting as required by the Ordinance.

DECISION AND ORDER OF DETERMINATION

The Task Force finds that the LHCB, through Ms. Schlageter, violated Sunshine Ordinance Sections 67.25(a) by not responding to the Immediate Disclosure Request before the end of the next business day, 67.21(e) by not sending a knowledgeable person the hearing, and 67.16 by not making the draft minutes available within 10 days after the meeting date.

Ms. Schlageter is to appear before the Education, Outreach and Training Committee on April 14, 2011.

This Order of Determination was adopted by the Sunshine Ordinance Task Force on February 22, 2011, by the following vote: (Cauthen/Knoebber)
Ayes: Washburn, Knoebber, Wolfe, Chan, Johnson, Cauthen, Knee
Excused: Snyder, Manneh



Richard A. Knee, Chair
Sunshine Ordinance Task Force

c: Charles Pitts, Complainant
Ali Schlageter, Respondent
Jerry Threet, Deputy City Attorney