



ORDER OF DETERMINATION

May 23, 2013

DATE THE DECISION ISSUED

April 3, 2013

RAY HARTZ, JR. vs. JOHN ST. CROIX (CASE NO. 12049)

FACTS OF THE CASE

Complainant Ray Hartz Jr., ("Complainant") alleges that John St. Croix, Executive Director of the Ethics Commission (the "Commission") violated sections 67.16 of the Ordinance by failing to include his 150-word written statements, summarizing his public comments, in the body of the minutes of the Commission's July 23, 2012 meeting.

COMPLAINT FILED

On October 23, 2012, Mr. Hartz filed a complaint with the Task Force.

HEARING ON THE COMPLAINT

On April 3, 2013, Complainant, Mr. Hartz appeared before the Task Force and presented his claim. Respondent, John St. Croix, Executive Director, Ethics Commission presented the Commission's defense and stated since receiving Mr. Hartz's complaint, 150-word statements submitted by Mr. Hartz, have been placed within minutes following the item Mr. Hartz addressed in public comment as a courtesy to Mr. Hartz.

The issue in the case is whether Mr. St Croix violated Sections 67.16, 67.21, 37.30(c), 67.34 of the Ordinance.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Based on the testimony and evidence presented the Task Force finds the testimony of Mr. Hartz to be persuasive and finds that Sections 67.16 of the Ordinance to be applicable in this case. The Task Force does not find the testimony provided by Mr. St. Croix persuasive to this case.

DECISION AND ORDER OF DETERMINATION

The Task Force finds that Mr. St. Croix, Ethics Commission violated Section 67.16 of the Sunshine Ordinance for failure to include Mr. Hartz's 150-word statement within the body of minutes at the point in minutes where the speaker made his comments. The Ethics Commission shall continue to place 150-word statements submitted not only by Mr. Hartz, but by any member of the public within the minutes directly following the item addressed in public comment. Mr. St. Croix shall appear before the Compliance and Amendments Committee on June 18, 2013.



This Order of Determination was adopted by the Sunshine Ordinance Task Force on April 3, 2013 by the following vote: (Washburn/Oka)

Ayes: Knee, Manneh, Washburn, Sims, Hyland, Oka, Fischer

Noes: Pilpel, Grant

Absent: David

A handwritten signature in cursive script that reads "Kitt Grant".

Kitt Grant, Chair
Sunshine Ordinance Task Force

- c: Jerry Threet, Deputy City Attorney
- Ray Hartz, Jr., Complainant
- John St. Croix, Ethics Commission, Respondent