

**SUNSHINE ORDINANCE
TASK FORCE**



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**ORDER OF DETERMINATION
February 20, 2023**

DATE DECISION ISSUED
December 1, 2021

CASE TITLE - File No. 21052

Complaint filed by Bob Planthold against the Planning Commission for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.15 by failing to allow participation in public comment during a remote April 27, 2021, Planning Commission meeting.

HEARING AND ACTION ON THE COMPLAINT

On August 10, 2021, the Education, Outreach and Training Committee acting in its capacity to hear petitions/complaints heard the matter.

Moved by Member Wolfe, seconded by Member Padmanabhan, to find that the SOTF has jurisdiction and to refer the matter to the SOTF for hearing.

The motion PASSED by the following vote:

Ayes: 3 - Wolfe, Padmanabhan, Yankee
Noes: 0 - None

On December 1, 2021, the SOTF held a hearing to review the recommendation form committee and/or to review the merits of the petition/complaint.

Moved by Vice-Chair Yankee, seconded by Member Schmidt, to find that the Planning Commission violated Administrative Code, Sunshine Ordinance Section 67.7(c) by failing to state the proper location of the meeting on the agenda; 67.13(a) for creating barriers to access to a public meeting, and 67.15 by failing to provide public comment on the agenda.

Further Moved by Vice-Chair Yankee, second by Member Schmidt, to add findings to include 67.7(a) for failing to post 72-hour notice prior to the meeting and 67.7(c) for failing to specify a timely location that was accessible; 6.13(a) for creating barriers to access to a public meeting; and 67.15(a) for failing to provide an opportunity for members of the public to address a policy body.

The motions PASSED by the following vote:

Ayes: 9 - Yankee, Schmidt, LaHood, Padmanabhan, Neighbors, Wong,
Stein, Hyland, B. Wolfe

Noes: 0 - None

The Order of Determinations was approved
by the Sunshine Ordinance Task Force
on: February 1, 2023

cc. Bob Planthold, Deceased (Petitioner)
Jonas Ionin, Planning Commission (Respondent)