

**SUNSHINE ORDINANCE
TASK FORCE**



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ORDER OF DETERMINATION

DATE DECISION ISSUED
May 1, 2024

CASE TITLE

File No. 23007: Complaint filed by Pic Van Cleef against Planning Department for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.7-1(c) for failing to properly notice a public notice; for failure to inform the residents of the proposal, the length of time planned for the activity and the effect of the proposal or activity and by failing to state that persons who are unable to attend the public meeting or hearing may submit to the City, by the time the proceeding begins, written comments regarding the subject of the meeting or hearing, that these comments will be made a part of the official public record.

HEARING AND ACTION ON THE COMPLAINT

On April 18, 2023, the Complaint Committee, acting in its capacity to hear petitions/complaints, heard the matter.

Action: Moved by Chair Schmidt, seconded by Member Stein, find that the SOTF has jurisdiction, find that the requested records are public and to refer the matter to the SOTF because the parties produced evidence regarding what might indicate the actual size of the document on the door and produce any and all affidavits of posting and mailing the notice, reference made to Planning Code 333 and Administrative Code 91.7 for hearing.

The motion PASSED by the following vote:

Ayes: 3 - Schmidt, Stein, Wolfe
Noes: 0 - None

On May 1, 2024, the Task Force held a hearing to review the recommendation from the Committee and/or review the merits of the petition/complaint.

Action: Moved by Chair Yankee, seconded by Member Hyland, to find that the Planning Department violated Administrative Code (Sunshine Ordinance), Section(s) 67.7-1(C) by failing to post the back side of the Notice which contained information required by subsection (C).

The motion PASSED by the following vote:

Ayes: 7 - Yankee, Hyland, Schmidt, Anderson, LaHood, Wolfe, Kumar

Noes: 0 - None

Absent: 3 - Pilpel, Sugarman, Stein

This Order of Determination was approved
by the Sunshine Ordinance Task Force
on: June 5, 2024.

cc. Pic Van Cleef (Petitioner)
Jonas Ionin, Planning Department (Respondent)