

**SUNSHINE ORDINANCE  
TASK FORCE**



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**ORDER OF DETERMINATION  
November 10, 2017**

**DATE ISSUED**  
September 6, 2017

**CASE TITLE – Denta Tadesse v. Mayor’s Office on Disability (File No. 17055)**

**FACTS OF THE CASE**

On May 25, 2017, the following petition/complaint was filed with the Sunshine Ordinance Task Force (SOTF):

File No. 17055: Complaint filed by Denta Tadesse against Donna Adkins and the Mayor’s Office on Disability for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.5, by restricting access to public meetings.

**HEARING ON THE COMPLAINT**

On July 25, 2017, the Complaint Committee (Committee) acting in its capacity to hear petitions/complaints heard the matter and referred it to the SOTF for hearing.

The Petitioner was not present during the hearing. Director Nicole Bohn, Mayor’s Office on Disability (Respondent), provided a summary of the complaint. Ms. Bohn indicated that she responded to questions from City Hall building management regarding ADA policy regarding service animals and that she was not aware of the detail of the situation that occurred on April 4, 2017. Ms. Bohn provided a summary of ADA policy on service animals, definition of maintain control of a service animal and that the Petitioner could have attended the meeting if they left their service animal outside of the building. Ms. Bohn stated that they only provided a summary of ADA policy and did not provide any specific advice to bar entrance to a specific meeting.

On September 6, 2017, the SOTF held a hearing to review the recommendation from Committee and/or to review the merits of the petition/complaint.

Denta Tadesse (Petitioner) provided a summary of the complaint and requested the Task Force to find violations. Mr. Tadesse stated that his service animal was under verbal control and that the advice provided by the Mayor's Office on Disability (MOD) was used by Building Management to deny access to meetings held in City Hall. Mr. Tadesse stated that his situation is well known to MOD and that there is no evidence that his service animal was not in his control. There were no speakers in support of the Petitioner. Donna Adkins and Director Nicole Bohn, Mayor's Office on Disability (Respondent), provided a summary of the department's position. Ms. Adkins stated that their office answered questions from City Hall Building Management, they did not know of any specific individuals involved and did not address any specific situations. Ms. Adkins stated that MOD only provides advice/interpretations regarding ADA law in relation to service animals. Ms. Adkins stated that MOD did not and would not advise that a person be barred from attending a public meeting. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent and Petitioner were provided the opportunity for rebuttals.

The Task Force opined that the complaint may have been filed against the wrong party as MOD did not actively deny access to a public meeting. A complaint against the City Hall Building Management might be considered as they are the parties who actively denied access to public meetings in City Hall. In addition, it was suggested that Mr. Tadesse contact the Disability Council or an ADA enforcement body to request a review of the advice being provided by MOD and determine if the advised being provided by MOD is valid as the Task Force is not the correct body to review compliance with ADA requirements.

#### FINDINGS OF FACT AND CONCLUSION OF LAW

Based on the testimony and evidence presented the SOTF found that the Mayor's Office on Disability did not violate Administrative Code (Sunshine Ordinance), Section 67.13.

## ORDER OF DETERMINATION

Member Hyland, seconded by Member Cannata, moved to find the Mayor's Office on Disability violated Administrative Code (Sunshine Ordinance), Section 67.13, by creating barriers to attendance at a public hearing.

The motion FAILED by the following vote:

Ayes: 2 – Cannata, Hyland

Noes: 4 – J. Wolf, Tesfai, Maass, Hinze

Absent: 4 – Chopra, B. Wolfe, Eldon, Fischer

*(As the motion failed no violations were found by the Task Force.)*



Chris Hyland, Vice-Chair  
Sunshine Ordinance Task Force



Bruce Wolfe, Chair  
Sunshine Ordinance Task Force

- c. Denta Tadesse (Petitioner/Complainant)  
Mayor's Office on Disability (Respondent)