

**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