

**SUNSHINE ORDINANCE
TASK FORCE**



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ORDER OF DETERMINATION

DATE DECISION ISSUED
July 6, 2022

CASE TITLE - File No. 22027

File No. 22027: Compliant filed by John Templeton against the Planning Department for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.7; 67.21, and 67.29-7, by failing to post an agenda containing a meaningful description of each item of business to be transacted or discussed at the meeting; failing to responded to a request for public records in a timely and/or complete manner; and failing to maintain and preserve all documents in a professional manner.

HEARING AND ACTION ON THE COMPLAINT

On May 17, 2022, Complaint Committee acting in its capacity to hear petitions/complaints heard the matter.

Action: Moved by Member Stein, seconded by Member Wolfe, to find that the SOTF has jurisdiction, find that the requested records are public and to refer the matter to the SOTF for consideration of Administrative Code, Sunshine Ordinance Sections 67.21 by failing to provide records in a complete and/or timely manner; 67.15 by failing to allow public commentors to speak at a public meeting and 67.29-7 by failing to maintain records in a professional and businesslike manner.

The motion PASSED by the following vote:

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

On July 6, 2022, the SOTF held a hearing to review the recommendation form committee and/or to review the merits of the petition/complaint.

Action: Moved by Vice Chair Wong, seconded by Member Schmidt to find that the Planning Department and Planning Department Head Rich Hillis are in violation of Administrative Code, Sunshine Ordinance, Sections 67.21(b) for failing to provide records in a timely manner; 67.29-7 for the department head

failing to maintain records in a professional and businesslike manner including all documents, agendas and correspondence from 2006-2009; and orders the Department to supply the responsive records within five business days to the complainant.

The motion PASSED by the following vote:

Ayes: 10 - Wong, Schmidt, Hyland, Hill, Stein, Wolfe, LaHood, Yankee,
Neighbors, Padmanabhan

Noes: 0 - None

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

cc. Petitioner
Respondent