

**SUNSHINE ORDINANCE  
TASK FORCE**



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**ORDER OF DETERMINATION**

**DATE DECISION ISSUED**  
January 5, 2022

**CASE TITLE - File No. 22028**

**File No. 22028:** Compliant filed by John Templeton against the Historic Preservation Commission 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, that the requested records are public and to refer the matter to the SOTF for consideration of Administrative Code, Sunshine Ordinance, Section 67.21 by failing to provide records in a timely manner; 67.15 by failing to allow public commentors 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 Member Hill, seconded by Member Padmanabhan to find that the Historic Preservation Commission violated Administrative Code, Sunshine Ordinance Section 67.15(a) for failing to provide members of the public an opportunity to speak during Public Comment.

The motion FAILED by the following vote:

Ayes: 4 - Hill, Padmanabhan, Wolfe, Schmidt

Noes: 6 - LaHood, Wong, Stein, Yankee, Hyland, Neighbors

Action: Moved by Member Schmidt, seconded by Member Wolfe to find a violation of 67.21(b) for failure to timely respond to the document request and order that the Historic Preservation Commission go back and produce those documents that would respond to the initial request and that the records disclosure shall include all items that were submitted with the intake of the complaint.

The motion PASSED by the following vote:

Ayes: 10 - Schmidt, Wolfe, Wong, Hyland, Hill, Stein, 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