



CITY OF THORNE BAY
ORDINANCE 21-07-20-02

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA, AMENDING TITLE 2 – ADMINISTRATION AND PERSONNEL, CHAPTER 2.04-CITY COUNCIL, SECTION 2.04.160- EXECUTIVE SESSION, ADDING SUBSECTION D, REQUIRING THAT ALL COUNCILMEMBERS BE PRESENT IN ORDER TO PARTICIPATE IN EXECUTIVE SESSIONS.

BE IT ENACTED BY THE CITY COUNCIL FOR THE CITY OF THORNE BAY ALASKA

- Section 1. Classification.** This ordinance is of a general and permanent nature, the chapter and section hereby amended shall be added to the Thorne Bay Municipal Code.
- Section 2. Severability.** If any provisions of this ordinance or any application thereof to any person or circumstances is held invalid, the circumstances shall not be affected thereby.
- Section 3. Amendment to Code.** Title 2 – Administration and Personnel, is hereby amended by adding Chapter 2. 04-City Council, Section 2.04.160-Executive Session, adding Subsection D- Requiring that all councilmembers be present in order to participate in executive sessions, unless otherwise authorized by a majority vote of the city council.
- Section 4. Adoption.** The Chapter and Section of TBMC 2.04.160 (d)-Executive Session, is hereby adopted as amended and added to the Thorne Bay Municipal Code.
- Section 5. Effective Date.** This ordinance shall become effective upon adoption.

PASSED AND APPROVED this 20th day of July 2021, by a duly constituted quorum of the City Council with a vote of ____ Yeas and ____ Nays.

ATTEST:

Cindy Edenfield, Mayor

Teri Feibel, CMC

[Sponsor: Thom Cunningham]
[Introduction Hearing: June 15, 2021]
[2nd Introduction Hearing: July 6, 2021]
[Public Hearing: July 20, 2021]

**TITLE 2 – ADMINISTRATION AND PERSONNEL
CHAPTER 2.04-CITY COUNCIL**

SECTION:

2.04.160 EXECUTIVE SESSIONS.

- A. The following subjects may be considered in an executive session:
1. Matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the city;
 2. Subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;
 3. Matters that by law, municipal charter, or ordinance are required to be confidential;
 4. Matters involving consideration of city records that by law are not subject to public disclosure.
- B. The following shall be discussed in executive session when the best interests of the city so require:
- a) Negotiations with labor organizations representing city employees;
 - b) Discussions of pending or threatened lawsuits in which the city has an interest.
- B. If permitted subjects are to be discussed at a meeting in executive session, the meeting must first be convened as a public meeting and the question of holding an executive session to discuss matters listed in subsections A and B of this section shall be determined by majority vote of the municipal body. The motion to convene in executive session must clearly and with specificity describe the subject of the proposed executive session without defeating the purpose of addressing the subject in private. Subjects may not be considered at the executive session except those mentioned in the motion calling for the executive session unless auxiliary to the main question. Action may not be taken at an executive session, except to give direction to an attorney or labor negotiator regarding the handling of a specific legal matter or pending labor negotiations.
- C. Persons who are to be the subject of discussions set forth in subsection (A)(2) of this section shall be given a minimum of five days' written notice of the circumstance that they will be the subject of such a discussion, the time and place of the meeting and an advisement that they have the right to request that the discussion occur in public.
- D. COUNCILMEMBERS MUST BE PRESENT IN ORDER TO PARTICIPATE IN EXECUTIVE SESSION, UNLESS OTHERWISE AUTHORIZED BY A MAJORITY VOTE OF THE CITY COUNCIL.**