

ORDINANCE NO. 86-38

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF RIDGECREST AMENDING THE
RIDGECREST MUNICIPAL CODE AS IT RELATES
TO CITY COUNCIL MEETINGS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIDGECREST as follows:

Section 1. Section 2-1.4 of the Ridgecrest Municipal Code is hereby amended and re-enacted to read as follows:

"2-1.4 Agenda

(a) The agenda for a regular meeting shall be posted at least 72 hours prior to the meeting. The agenda for an adjourned meeting shall be the same as the agenda for the meeting which was adjourned not more than 5 calendar days earlier. If matters are added to the agenda for an adjourned meeting or if the adjourned meeting is held more than 5 days after the adjournment, a new agenda shall be posted at least 72 hours prior to the adjourned meeting. The agenda for a special meeting shall be posted at least 24 hours prior to the meeting.

(b) The City Council shall act only on matters appearing on the agenda, unless a majority of the City Council finds that an emergency situation exists or unless four of five Councilmembers are present; or, if less than five are present, a unanimous number authorizes an amendment to the agenda because the need to take action arose subsequent to the agenda being posted. The City Council shall receive public comments on matters not appearing on the agenda but shall not act on such matters unless the City Council finds an emergency situation exists or the need to take action arose subsequent to the agenda being posted as set forth above."

Section 2. Section 2-1.3 is hereby added to the Ridgecrest Municipal Code to read as follows:

"2-1.3 Closed Session

(a) Except for closed session, all meetings of the City Council shall be open and public. The City Council may conduct a closed session to:

- (1) Consider the appointment, promotion or job performance of employees;
- (2) Consider charges levied against an employee as a part of disciplinary proceedings or otherwise, unless the employee requests a public hearing;
- (3) Establish the City's position concerning employee negotiations;
- (4) Consider pending or potential claims or litigation;
- (5) Consider property acquisition by eminent domain or otherwise; or
- (6) Conduct any City business when public session is not possible due to riot or other interruption, provided members of the press shall be allowed to attend the closed session.

(b) The agenda shall state the purpose of the closed session unless the purpose of the closed session is to:

- (1) Consider charges levied against an employee in which case, the identity of the employee shall not be disclosed unless already publicly known or requested by the employee;
- (2) Discuss pending or potential claims or litigation and counsel announces that disclosure of the identity of the claimant or litigant would prejudice the City; or
- (3) Consider property acquisition, and counsel announces that disclosure of the identity of specific property would prejudice the City.

(c) If possible, the City Council shall avoid taking action in closed session. Action may be taken in closed session when necessary to avoid prejudice to the City, e.g. counsel may be given authority to negotiate settlement to a lawsuit. If, or when, the potential for prejudice to the City does not exist, action taken in closed session or at the next public meeting if such action was to appoint, employ or dismiss an employ. If the action was taken by roll call vote, the vote shall be announced.

(d) After completing a closed session, Counsel shall prepare a confidential memorandum stating the purpose of the closed session and action taken, if any. This memorandum shall be filed with the City Administrator."

Section 3. Except as provided herein, the Ridgecrest Municipal Code is hereby reaffirmed and readopted.

APPROVED AND ADOPTED this 17th day of December, 1986, by the following vote:

AYES: Mayor Mower, Councilmembers Pearson, Bergens, Corlett, and Wiknich.

NOES: None.

ABSTAIN: None.

ABSENT: None.

Michael R. Mower
Michael R. Mower, Mayor

ATTEST:

Joyce M. Taft
Joyce M. Taft, City Clerk