

# Executive Sessions

August 5, 2014

# Current Charter

City of Boulder



Section 9 Provides:

All meetings of the council or committees thereof shall be public.

# What is the Problem?

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- Council members are limited in their ability to provide guidance to staff on confidential matters.
- This empowers staff to make decisions, which should be based on council direction.

# Current System

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- The City Attorney provides confidential information in writing to council members.
- Staff meets with council members in groups of one or two.
- There is no discussion among the council as a body.

# Important!

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- There is some information which will never be made public:
  - The price that the city is willing to pay for something
  - Legal risks
  - Litigation strategy
- The lack of executive sessions does not make these matters public. It just limits council's ability to influence them.

# Staff Proposal

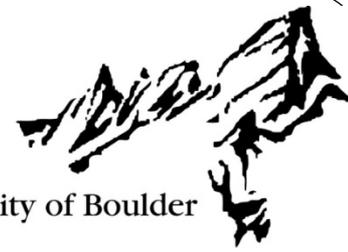
City of Boulder



- Allow Executive Sessions for matters relating to the creation of a municipal electrical utility:
  - Discussion of legal advice
  - Discussion of negotiation strategy

# Limitations in the Staff Proposal

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- All executive sessions would be conducted according to state law.
- No final action would be taken in an executive session.
- An executive session would be initiated only by a 2/3 vote of council members present.
- All executive sessions would be recorded.
- Any recording of an executive session would be released to the public only upon a *unanimous* vote of the city council or as otherwise provided by state law.
- The authority to hold executive sessions would expire on December 31, 2017.



# Questions?