

ORDINANCE NO. 2010-09-21 Confidentiality of Executive Sessions  
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AN ORDINANCE CONFIRMING THE CITY OF PAYNE SPRINGS' (CITY) COMMITMENT TO FULLY COMPLY WITH ALL ASPECTS OF THE TEXAS OPEN MEETINGS ACT AND SPECIFICALLY THE PROVISIONS OF THE CLOSED SESSIONS, HEREIN REFERRED TO AS EXECUTIVE SESSIONS, AND FOR THE CITY TO STRONGLY ENCOURAGE ALL COUNCIL MEMBERS TO MAINTAIN THE CONFIDENTIALITY OF ANY AND ALL EXECUTIVE SESSIONS HELD BY THE CITY'S CITY COUNCIL.

WHEREAS, the City Council of the City of PAYNE SPRINGS (City), is a type A General Law municipality under the laws of the State of Texas;

AND WHEREAS, the City Council hereby asserts its intention to fully comply with the Texas Open Meetings Act;

WHEREAS, the City Council hereby recognizes the significant impact that maintaining the confidentiality of Closed Sessions (Executive Sessions) has on the Public trust and confidence in the City Council's conduct;

WHEREAS, the City Council recognizes that the City Administratively has and will continue to conduct Executive Sessions and the associated recordings and minutes as prescribe by the Texas Open Meetings Act;

WHEREAS, the City Council acknowledges that while the City strongly discourages any Council Member, both current or previous, from disclosing any portion of the confidential proceedings to any person or entity not present in the Executive Session, unless authorized by the Texas Open Meetings Act to receive such information.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PAYNE SPRINGS, TEXAS:

SECTION 1. The City has and will continue to maintain all Executive Sessions in confidence and will not disclose said confidential information to anyone not present at the associated Executive Session, unless authorized to receive said confidential information, or unless directed by the Texas State Attorney General to release said confidential information.

SECTION 2. The City hereby directs all City Council Members to adhere to this policy of Confidentiality, and Council Members will not discuss, nor disclose, to any individual or entity the confidential Executive Sessions proceeding in any part or portion.

SECTION 3. If it is found that a City Council Member has violated the confidentiality of the Executive Sessions, then the City Council may decide to publicly rebuke the offending Council Member, as a means to communicate to the Public the City's commitment to the Public Trust and the maintenance of all Executive Session's confidentiality. Furthermore, the City will not support a Council Member in the event a party injured by the release of confidentiality sues the offending Council Member.

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SECTION 4. The public importance of this measure and the fact there is an urgent necessity to avoid further delay in settling the important public issues contained in the Ordinance for the preservation of the public's confidence in the conduct of the City with regard to its Executive Session proceedings, or providing for the usual daily operation of municipal government, and this ordinance is hereby declared to be an emergency measure and shall be in full force and effect from and after the date shown below following its passage and adoption and the Charter requirement of three readings is hereby suspended.

SECTION 5. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 7. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 8. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 9. It is officially, found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

PASSED AND ADOPTED, this the 21 day of September, 2010.

CITY OF PAYNE SPRINGS

ATTEST:

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Mayor, Rodney Renberg

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City Secretary, Karen Juica

SEAL