COMMONWEALTH OF KENTUCKY
SUPREME COURT OF KENTUCKY
SUPREME COURT CASE NO. 2016-SC-000280
COURT OF APPEALS CASE NOs.
2014-CA-1300-MR & 2014-CA-1301

BOARD OF COMMISSIONERS OF
THE CITY OF DANVILLE, KENTUCKY **APPELLANT**

v. ON APPEAL AND CROSS-APPEAL FROM
BOYLE CIRCUIT COURT
CASE NO. 12-CI-00482

ADVOCATE COMMUNICATIONS, INC. d/b/a
THE ADVOCATE-MESSENGER **APPELLEE**

BRIEF FOR THE KENTUCKY LEAGUE OF CITIES AS *AMICUS CURIAE*

I hereby certify that I have served the within Brief of the Kentucky League of Cities, as *Amicus Curiae*, on the following named individuals by U.S. Postal Service First Class Mail on February 21, 2017: Stephen A. Dexter, Sheehan, Barnett, Dean, Pennington, Little & Dexter, 114 South 4th St., P.O. Box 1517, Danville, KY 40423; Jon L. Fleischaker and Michael Abate, Dinsmore & Shohl LLP, National City Tower, 101 South 5th St., Suite 2500, Louisville, KY 40202; Samuel P. Givens, Jr., Clerk of Kentucky Court of Appeals, 360 Democrat Drive, Frankfort, KY 40601; Hon. Darren Peckler, Boyle Circuit Judge, 321 W. Main St., Danville, KY 40422.

Respectfully submitted,

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TABLE OF CONTENTS

TABLE OF CONTENTS.....i

TABLE OF POINTS AND AUTHORITIES.....ii

STATEMENT OF PURPOSE.....1

ARGUMENT.....2

I. KRS 61.810 AND KRS 61.815 ALLOW ACTION TO BE TAKEN IN A CLOSED SESSION UNDER 61.810(1)(b) AS LONG AS IT IS NOT FINAL ACTION. 2

II. TO DETERMINE WHETHER AN OPEN MEETINGS ACT VIOLATION OCCURRED, THE ACT'S PROCEDURAL REQUIREMENTS MUST BE EXAMINED IN CONJUNCTION WITH THE LAWS GOVERNING THE SPECIFIC PUBLIC AGENCY INVOLVED. 5

A. The unique nature of the city manager form of government requires actions taken to be evaluated in light of the city manager's broad authority. 6

B. Under a correct application of the laws governing closed sessions and the City's budget process, the discussion of bid amounts in closed session constituted legal deliberations, not illegal final action. 8

C. Under the correct interpretation of KRS 61.810(1)(b) as applied to the city manager form of government, the Board's support of use of a bidding agent constituted legal deliberations, not illegal final action. 12

CONCLUSION.....2

TABLE OF POINTS AND AUTHORITIES

TABLE OF CONTENTS.....i

TABLE OF POINTS AND AUTHORITIES.....ii

STATEMENT OF PURPOSE.....1

KRS 61.810(1)(b).....1

ARGUMENT.....2

Court of Appeals Opinion, p. 4.....2

I. KRS 61.810 AND KRS 61.815 ALLOW ACTION TO BE TAKEN IN A CLOSED SESSION UNDER 61.810(1)(b) AS LONG AS IT IS NOT FINAL ACTION. 2

KRS 61.810.....2, 3

KRS 61.815.....2, 3, 4

KRS 61.810(1)(b).....2, 3, 4

Blacks Law Dictionary, p. 438 – 439 (7th Ed.1999).....2

Court of Appeals Opinion, p. 3.....3

KRS 61.810(1)(a) to (m).....3

12-OMD-143.....3, 4

OAG 82-341.....3

KRS 61.810(1)(f).....3

KRS 61.810(1).....4

KRS 61.815(1)(c).....4, 5

Court of Appeals Opinion, p. 2.....4

KRS 61.805(3).....4

KRS 61.805.....5

KRS 61.805(1).....5

Yeoman v. Com., Health Policy Bd., 983 S.W.2d 459, 474 (Ky. 1998).....5

05-OMD-096.....5

00-OMD-147.....5

14-OMD-015.....5

II. TO DETERMINE WHETHER AN OPEN MEETINGS ACT VIOLATION OCCURRED, THE ACT'S PROCEDURAL REQUIREMENTS MUST BE EXAMINED IN CONJUNCTION WITH THE LAWS GOVERNING THE SPECIFIC PUBLIC AGENCY INVOLVED. 5

KRS 61.805(2).....6

A. The unique nature of the city manager form of government requires actions taken to be evaluated in light of the city manager's broad authority. 6

KRS 83A.130.....6

KRS 83A.140.....6

KRS 83A.150.....6, 7

KRS 83A.150(9).....7

KRS 83A.150(7)(a) to (h).....7

City of Frankfort v. Triplett, 365 S.W.2d 328 (Ky. 1963).....7

B. Under a correct application of the laws governing closed sessions and the City's budget process, the discussion of bid amounts in closed session constituted legal deliberations, not illegal final action. 8

Court of Appeals Opinion, p. 1.....8

KRS 83A.150(7)(c).....8

KRS 61.810(1)(b).....9

KRS 91A.030.....9

92-OMD-1688.....9

KRS 91A.030(11).....9

KRS 424.260.....10

KRS 45A.345 to 45A.360.....10

12-OMD-143.....10

Elery v. Commonwealth, 368 S.W.3d 78, 90 (Ky. 2012).....10

Blueford v. Arkansas, 132 S.Ct. 2044, 2050-53 (2012).....10

Court of Appeals Opinion, p. 3.....10

Mot. For Discretionary Review, p. 2.....10

00-OMD-171.....11

Yeoman v. Com., Health Policy Bd., 983 S.W.2d 459 (Ky. 1998).....11

KRS 83A.150.....11

KRS 83A.150(7)(b), (9).....11

KRS 83A.150(7)(h).....11, 12

Carter v. Smith, 366 S.W.3d 414, 423 (Ky. 2012).....12

Shepherd v. McElwee, 304 Ky. 695, 202 S.W.2d 166 (Ky. Ct. App. 1947).....12

C. Under the correct interpretation of KRS 61.810(1)(b) as applied to the city manager form of government, the Board's support of use of a bidding agent constituted legal deliberations, not illegal final action. 12

KRS 61.810(1)(b).....12, 14

Court of Appeals Opinion, p. 1.....13

Carter v. Smith, 366 S.W.3d 414, 422 (Ky. 2012).....13

Court of Appeals Opinion, p. 3.....13, 14

KRS 61.810(1)(f).....13

KRS 83A.150(7)(b).....13

Jefferson Ct. Bd. of Ed. V. Courier-Journal, 551 S.W.2d 25, 28 (Ky. Ct. App. 1977).....14

Mot. For Discretionary Review, p. 8.....15

CONCLUSION.....15

STATEMENT OF PURPOSE

Amicus Curiae Kentucky League of Cities ("KLC") is a membership organization representing 371 city governments throughout the Commonwealth of Kentucky. Each of KLC's member cities is similarly situated to Appellant, City of Danville ("City"), having a vested interest in preserving the purpose of the Kentucky Open Meetings Act's exemptions as they relate to city government authority. The issue in this case is whether the City Board of Commissioners ("Board") complied with the Open Meetings Act ("Act") when it entered closed session under KRS 61.810(1)(b) regarding deliberations for acquisition of property. KLC believes it is uniquely positioned to represent the collective interest of its member cities with respect to common questions of law and fact related to the proper application of the procedural requirements for closed sessions as they relate to cities as public agencies.

KLC's purpose in filing this brief is to assist the Court in reaching a ruling that accurately interprets the Act's requirements for conducting closed session, and that considers the specific laws governing cities, particularly the city manager form of government, in its analysis of whether the Open Meetings Act was violated. KLC urges the Court to adopt a balanced approach in its analysis to both preserve the transparency objectives of the Act and to give full effect to the statutory ability of cities to operate under their government plan to most effectively serve their citizens.

ARGUMENT

Determining whether a violation of the Open Meetings Act occurs is a matter of statutory interpretation. (Court of Appeals Opinion, p. 4). However, interpretation performed in isolation leads to inaccuracy. The Court erred when it began with a myopic assessment of the procedural requirements for closed session without considering the full purpose and context of the Act. Further, while the analysis might begin with the Act itself, it must not end there. Courts must evaluate the nature of the action taken in light of not only the Act's provisions, but also the legal structure and powers of the particular agency involved. Otherwise, courts risk creating law that allows procedural rules meant to ensure business is conducted in public to strangle the very public business an agency exists to conduct. If this Court adopts the Court of Appeals' sweeping procedural conclusions without an accurate examination of both the law concerning closed sessions and the legal parameters specific to this particular public agency, this risk becomes reality.

I. KRS 61.810 AND KRS 61.815 ALLOW ACTION TO BE TAKEN IN A CLOSED SESSION UNDER 61.810(1)(b) AS LONG AS IT IS NOT FINAL ACTION.

KRS 61.810 and KRS 61.815 are at the heart of this procedural analysis. The Court of Appeals began with an incomplete, and thus inaccurate, examination of what is permitted in closed session under KRS 61.810(1)(b), bolstered by incomplete, and thus inaccurate, definitions of key terms. KRS 61.810(1) contains the following open meetings exemption:

> (b) Deliberations on the future acquisition or sale of real property by a public agency, but only when publicity would be likely to affect the value of a specific piece of property to be acquired for public use or sold by a public agency...

In interpreting this provision, the Court of Appeals held that the exception allows:

> ...***deliberations*** on acquisition of property. Deliberation is 'the act of carefully considering issues and options before making a decision or taking some action...' *Blacks Law Dictionary*, 438-39 (7th Ed.1999). Thus, it allows closed session

> ***discussions*** which lead to the final action. However, KRS 61.815(c) prohibits performance of the actual final action which results from the deliberations –in this case, voting on the approval of bidding on the property. The final action must be carried out in a public meeting. (Court of Appeals Opinion, p. 3).

The holding that "deliberations" under the Act means discussions only is inconsistent with previous interpretations of the Act's exceptions. KRS 61.810 uses the terms "discussions" or "deliberations" in seven of the thirteen listed exceptions. KRS 61.810(1)(a) to (m). Yet clearly more than mere consideration is permitted despite use of these specific words. For example, in 12-OMD-143, quoting from OAG 82-341, the Attorney General held:

> As to the question of whether an agency holding a properly conducted closed session may take a straw vote by secret ballot for the purpose of reaching a general consensus among the members, we see no statutory violation in such a procedure. The purpose of a closed session is to allow free discussion by the members and there are no statutory restrictions on how the discussion may be conducted. A straw vote may be taken whereby each member signifies, either openly or secretly, how he is inclined to vote on the subject. This may be followed by more discussion. But if final action is finally taken, it must be taken in open session...

12-OMD-143 involved a closed session entered into under KRS 61.810(1)(f) for "*discussions*" which might lead to the appointment of an employee. Yet the Attorney General held that this consensus as to which candidate they would likely support was a mere straw vote with no legal effect until final action occurred, and thus permitted in closed session. The same logic applies to deliberations on the future acquisition of real property. If the agency reaches a consensus in closed session on what final action it might support, this should be permitted as long as final action is appropriately taken in the manner provided by law.

The second part of the Court's paragraph addressing KRS 61.810(1)(b), quoted above, accurately states that no final action must be taken in closed session. Unfortunately, the Court misapplies it to the City's actions (see Part II of this brief), likely due to its confusion of "action taken," as defined by the Act, with "final action," which is not defined.

To understand this, it is necessary to look at the first part of KRS 61.810(1) which, before listing specific exemptions, states the guiding rule of the Open Meetings Act:

> All meetings of a quorum of the members of any public agency at which any public business is discussed or at which any action is taken by the agency, shall be public meetings, open to the public at all times, except for the following...

When a quorum gathers to conduct or discuss public business, even without voting, a public meeting is required. However, the thirteen subparagraphs of KRS 61.810(1) carve out vital exceptions to preserve an agency's ability to carry out its legal responsibilities.

Once an exception is identified, specific instructions in KRS 61.815 dictate how to enter closed session and what may and may not occur there. KRS 61.815(1)(c) sets forth the disputed instruction in this case, which is that "[n]o final action may be taken at a closed session." Thus, two questions must be answered: first, whether the closed session concerned the deliberations allowed by KRS 61.810(1)(b); and second, whether the Board refrained from taking final action in the closed session. If the exception was properly applied, by the express language of KRS 61.810(1), what occurs in closed session is *excepted* from the requirement that discussion and action taken must occur in an open meeting. Per KRS 61.815, a new set of rules now applies, one of which is that no ***final action*** can occur in the closed session.

In its brief analysis of the Act's language and terminology, the Court of Appeals references the statutory definition of "action taken," which is broadly defined as "a collective decision, a commitment or promise to make a positive or negative decision, or an actual vote by a majority of the members of the governmental body."[1] KRS 61.805(3). However, this definition must not guide the analysis. *Action* may be taken in closed session. *Final action* may not. The Attorney General in 12-OMD-143 clearly recognized this distinction by holding

[1] The Court of Appeals identifies the defined term as "any action," however, the actual defined term is "action taken." (Court of Appeals Opinion, p. 2).

that a consensus or informal vote – both terms used in the Act's definition of "action taken" – might take place in closed session, but a final action might not. The Attorney General held:

> the 'vote' conducted at the May 3 special meeting did not bind the board members, or commit the board to a course of action, suggesting at most how each member was '*inclined* to vote' and a final vote was conducted in public session on June 28 indicating how each member *actually* voted.

Courts must not be fooled into equating a broad term defined in the Act with a category of that term specifically addressed by the Act. To illustrate the distinction, KRS 61.805 only defines five terms, one of which is "meeting." A "meeting," for purposes of the Act, "means all gatherings of every kind." KRS 61.805(1). Yet courts have consistently recognized that *public* meetings are not *all* meetings, but rather those at which a quorum is present, public business is discussed or action taken, and no exception applies. See, for example, Yeoman v. Com., Health Policy Bd., 983 S.W.2d 459, 474 (Ky. 1998), holding "[f]or a meeting to take place within the meaning of the act, public business must be discussed or action must be taken by the agency."[2] Thus all "meetings" do not trigger the requirements for open meetings. Similarly, all "action taken" does not constitute final action. The distinction is critical to the present case, as well as any evaluation of whether KRS 61.815(1)(c) has been violated.

II. TO DETERMINE WHETHER AN OPEN MEETINGS ACT VIOLATION OCCURRED, THE ACT'S PROCEDURAL REQUIREMENTS MUST BE EXAMINED IN CONJUNCTION WITH THE LAWS GOVERNING THE SPECIFIC PUBLIC AGENCY INVOLVED.

Perhaps the sparse definitions section of the Act was intentional. What constitutes deliberations, or final action, is not a determination that can be generalized for every scenario

[2] See also 05-OMD-096 (mere fact that a quorum are in the same place at the same time, without more, is not sufficient to sustain a violation of the Act); 00-OMD-147 (social gathering of a quorum at a restaurant did not constitute a violation where no city business was discussed); 14-OMD-015 (discussion of scheduling matters by a quorum does not violate the Act).

in which an exception is implicated. Determining whether an exception is properly applied depends on the laws governing the public agency invoking it and the details of what occurred.

In its forty-plus years of existence, the Act has served a clear purpose: transparent government serves the public interest. Designation as a "public agency" carries a duty to ensure discussions and actions required to be taken in public truly occur in public. The Act is a set of instructions designed to safeguard the policy of open government and strict compliance is required. However, though the Act's purpose and procedures apply universally to all public agencies, the analysis to determine compliance is hardly one-size-fits-all.

KRS 61.805(2) provides eight expansive methods by which an entity might be defined as a public agency. They can be created by state or local law, order, resolution, or any other executive or legislative act. Public agencies can conceive others, by creating them, controlling them, appointing their members, or joining them together. City-related public agencies range from legislative bodies to public utilities to ad hoc budget committees to advisory parade boards. The purposes they serve and the rules governing them are as vast as the number of agencies themselves. In this case, the Court must consider not only that the public agency is a city governing body, but also the *type* of city government involved.

A. The unique nature of the city manager form of government requires actions taken to be evaluated in light of the city manager's broad authority.

Home rule class cities in Kentucky operate under one of three government plans: mayor-council, commission or city manager.[3] Of over 400 cities in this state, only nineteen are organized under the city manager plan. Danville is one of these nineteen cities.

[3] For details of these government plans, see KRS 83A.130 (mayor-council); KRS 83A.140 (commission); KRS 83A.150 (city manager).

It is quite common for those not familiar with municipal law to assume all cities function like mayor-council cities: i.e., governed by a chief executive and administrative officer (mayor) and legislative body (council) whose respective powers are well-defined and strictly separated. This is an easy error, because the mayor-council plan is the most popular in Kentucky and nationwide, and the most similar to our national government structure. This mistake can have far-reaching and damaging consequences when made by judges.

KRS 83A.150 establishes the basic structure of the city manager plan. Unlike the mayor-council plan, ultimate executive and legislative authority is vested in the board of commissioners as a whole, of which the mayor is a single member. However, what makes the city manager form of government unique among the three organizational plans is that it is the only one in which significant executive and administrative authority is statutorily assigned to someone other than an elected official: the city manager.

KRS 83A.150(9) mandates that the city manager "shall be the chief administrative officer and exercise those executive powers and duties delegated to him by ordinance and statute" and "shall enforce the city manager plan, city ordinances and all applicable statutes." The wide-ranging list of duties the city manager is statutorily required to perform centers on personnel and financial management. See KRS 83A.150(7)(a) to (h). These duties are largely the responsibility of the elected executive authority in other cities. The city manager plan, however, is designed very differently, with the goal "to achieve greater efficiency in operation of the city's executive and legislative departments." City of Frankfort v. Triplett, 365 S.W.2d 328 (Ky. 1963). Thus functions necessary to carry out the very purpose of city government belong to this nonelected officer.

The extensive powers granted to the city manager may seem counterintuitive, and distract from an accurate analysis of an Open Meetings Act complaint. Cities that operate under this structure must understand that the manager is no ordinary employee or nonelected officer, but instead is the chief administrative officer with significant executive and enforcement powers. Reciprocally, the board of commissioners cannot exercise these powers unless it properly uses its ultimate executive and legislative authority to limit or override the manager's actions. For the city manager plan to be effective, it is imperative that courts understand this unique power structure and also how it relates to fundamental legal responsibilities applicable to all city governments. Unfortunately, this understanding is not demonstrated by the Court of Appeals' generalized holding that the City violated the Open Meetings Act by taking final action in closed session. Applying the legal requirements for the city manager form of government to the facts at hand dictates a much different conclusion.

B. Under a correct application of the laws governing closed sessions and the City's budget process, the discussion of bid amounts in closed session constituted legal deliberations, not illegal final action.

The Court of Appeals held that the City took impermissible "final action" in closed session because it "made the decision to bid on the property at the auction and set a maximum bid of $1.5 million." (Court of Appeals Opinion, p. 1). Examination of how the purchase transpired shows this holding is in error.

The Board had appropriated two million dollars for the purchase of property for its public works department, a policy decision long in the making that was carried out through placement of the maximum purchase amount in the budget ordinance. At that point, the city manager, as budget administrator, had the authority to proceed with the purchase under KRS 83A.150(7)(c), which states that the city manager's duties *shall* include "[p]reparing the

budget and submitting it to the board and being responsible for its administration after adoption." When an ideal property came up for auction, the Board invoked KRS 61.810(1)(b) to go into closed session to deliberate the possible purchase with the city manager. Within the boundaries of "deliberation" as contemplated by Kentucky law, the Board could rightfully discuss and voice support for a purchase of real property for less than appraised value. If the money is appropriated in a budget ordinance, and there are no other policies regarding the purchase with which the city manager must comply, no final action has been taken in the closed session.

To understand why this is true requires examination of KRS 91A.030 and how its requirements dictate the propriety of closed session actions. The Attorney General explained it well in 92-OMD-1688, which addressed whether a telephone polling of council members to ask if they supported purchasing recycling equipment was a violation of the Open Meetings Act. The Attorney General found that it was not, for many reasons similar to the case at hand:

> KRS 91A.030 deals with the required annual municipal budget. No city shall expend any moneys from any fund except in accordance with the budget ordinance. KRS 91A.030(11) provides in part that the administration and implementation of an adopted budget ordinance shall be the responsibility of the mayor.
>
> At the point in the purchase of the recycling equipment with which this appeal is concerned the mayor and the executive department of the city were proceeding pursuant to authority conferred upon them by the budget ordinance in the form of an appropriation by the city council. No meeting was held as none was required at this time and thus the provisions of the Open Meetings Act are not applicable. The mayor, as the head of the executive branch of government, was merely advising and updating the legislative branch on the proceedings undertaken pursuant to the budget appropriation.

KRS 91A.030 governing city budgets of course applies to the city manager plan as well, except that preparation, administration and implementation of the budget are duties delegated to the city manager, rather than the mayor. As the Attorney General recognizes

above, within city governments, purchase authority occurs with adoption of a budget ordinance that includes the expenditure. The budget administrator then may proceed to expend funds in accordance with this budget.[4] Consultations with the legislative body, whether they voice support or doubts, do not affect that authority granted by state law. Recall 12-OMD-143, analyzed in Part I, where the consensus reached in closed session was not final action because the "board members were not bound by the preferences they expressed on May 3 and their 'informal' or 'straw' vote had no legal effect." [5]

Note how differently the Court of Appeals and the City described the actions taken in closed session. The Court stated that by its very nature, the action taken regarding the bid amount "exceeded the boundaries of permissible 'deliberations.'" (Court of Appeals Opinion, p. 3). Yet the City's description fit exactly within the concept of deliberations Kentucky law intended: "[I]t was the *consensus* of the commissioners that they *might support* a purchase of the property if it could be acquired for less than the appraised value." (Mot. For Discretionary Review, p. 2). (Emphasis added).

Where the city manager has authority to take action on his own, with or without consulting the board of commissioners in closed session, an informal consensus of board support would not constitute illegal final action, although the city manager could (and should) consider this consultation when he proceeds with attempting to purchase property in accordance with the budget ordinance. He is then armed with not only state authority to

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[4] Granted, the expense of purchasing real property is much larger than purchasing recycling equipment. However, the laws governing city spending powers do not restrict authority to purchase based on price, other than through the bidding statutes, none of which are implicated in the purchase of real property. See KRS 424.260; KRS 45A.345 to 45A.360.

[5] To reach this conclusion, the Attorney General thoughtfully cites to "*Elery v. Commonwealth*, 368 S.W.3d 78, 90 (Ky. 2012) (recognizing, in a different factual context, that a jury's straw vote 'is not legally significant,' and citing *Blueford v. Arkansas*, 132 S.Ct. 2044, 2050-53 (2012) for the proposition that 'a jury's tentative vote during deliberations ... was not binding')."

take action, but local authority via the budget ordinance, and the support of his elected governing body. This is simply good governance.

It must be noted that despite the lack of case law on the interplay between the city manager form of government and how it affects open meetings law analysis, the Attorney General has very specifically spoken to the issue, and in fact with regard to acquisition of property. In 00-OMD-171, the Attorney General held that consultations with the board regarding acquisition did not even constitute public business:

> Inasmuch as discretion rested with the *city manager* to make the decision regarding the acquisition of the barge, his communications with the commissioners concerning whether to pursue the offer did not involve the discussion of public business. The *board* did not have the option to take action on the offer, and merely confirmed his rejection of the gift and decision not to place it on the agenda for an upcoming meeting. Because the subject discussed was not "public business," as defined by the Court in *Yeoman*, the discussions could not have been "held for the purpose of avoiding the requirements" of the Open Meetings Act.

The opinion then illustrates how the type of city can influence legality under the Act:

> By virtue of his office, and the plan of municipal government under which Paducah operates, [the city manager] has the option to take action on matters traditionally entrusted to the legislative body. Our decision therefore turns, in large part, on the fact that Paducah operates under a city manager plan of government which vests [the city manager] with broad powers.

This is not to say a board of commissioners cannot place restrictions on a city manager. KRS 83A.150 ultimately vests all executive and legislative authority in the board as a whole, and identifies instances in which a board can alter the powers or actions of its manager. For example, procedures he promulgates are subject to board approval, and temporary employment appointments are subject to "such conditions as may be imposed by the board." KRS 83A.150(7)(b), (9). Additionally, the city manager must perform "other duties required of city executive authorities by statute or required of him by the board not inconsistent with this section." KRS 83A.150(7)(h). However, as KRS

83A.150(7)(h) states, requirements or conditions placed on the manager cannot be inconsistent with the duties assigned by statute, one of which is budget administration. The appropriate way to limit his expenditures would be through specific revocation of the expenditure amount previously authorized.

Indeed, if the Board had wanted to take final action following the closed session, it could have done so by reversing course on the authority granted the manager through a public vote to amend the budget ordinance to change the amount appropriated for the property. The important distinction is that if they were still in favor of the budgetary appropriation, the Board *did not have to take final action, because the city manager had legal authority to proceed with the purchase without any additional action by the Board.*

It is clear, however, that the Board *did* take appropriate public final action in this matter, in addition to its initial approval of the budget ordinance, when it voted to endorse or ratify the purchase at its August 13th meeting. The term "ratify" does not carry an inherently illegal connotation. "Ratification" of action taken is problematic if it is ratification of final action illegally taken in a closed session.[6] In other contexts, a vote confirming or ratifying a purchase after-the-fact is permissible under Kentucky law. See, for example, Shepherd v. McElwee, 304 Ky. 695, 202 S.W.2d 166, (Ky. Ct. App. 1947),[7] holding the general rule applicable to a city governing body is that it "may ratify any contract which it could have made in the first instance."

C. Under the correct interpretation of KRS 61.810(1)(b) as applied to the city manager form of government, the Board's support of use of a bidding agent constituted legal deliberations, not illegal final action.

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[6] "The actions decided upon in the improper closed session could not be ratified by this quick up-and-down vote in open session." Carter v. Smith, 366 S.W.3d 414, 423 (Ky. 2012).

[7] Because appointment of special police was within both the city's and the city manager's authority, "ratification of the employment was as much an act of the city as if the employment had been authorized by an ordinance previously enacted." Id. At 699, 168.

The Court of Appeals also held that the Board took final action in closed session when it "agreed to authorize the city manager... to engage a bidding agent." (Court of Appeals Opinion, p. 1). The Court then cites to Carter v. Smith, 366 S.W.3d 414 (Ky. 2012), to hold that "our Supreme Court has unequivocally held that the hiring of a contractor must be discussed in public." (Court of Appeals Opinion, p. 3). However, the Court of Appeals misconstrued the holding of Carter, and misapplied it to the present case.

The Carter Court was specifically addressing KRS 61.810(1)(f), which allows public agencies to go into closed session for "discussions or hearings which might lead to the appointment, discipline or dismissal of an individual employee, member or student." In Carter, the Board of Education had used this exception to discuss hiring a consultant as an independent contractor. The Court held that "Carter's consulting contract could not be discussed in closed session because it concerned hiring Carter as an independent contractor, not as an employee." Id. at 422. Thus Carter stands for the principle that the personnel exception cannot be utilized to discuss hiring an independent contractor; it does *not* create a blanket rule that hiring a contractor must be discussed in public.

To do so would run afoul of the many laws that allow a public officer to unilaterally contract with individuals for certain services, whether it is discussed with the legislative body or not. Under the city manager plan, while the board retains most authority over hiring, the manager is specifically permitted to unilaterally "employ personnel for temporary positions subject to such conditions as may be imposed by the board." KRS 83A.150(7)(b). The laws do not require public discussion by the legislative body or in fact provide for any further legislative action before the employment may occur.

Regardless, the personnel exception is not at issue here, but rather KRS 61.810(1)(b). It is now necessary to look at how discussion of a bidding agent corresponds to deliberations on real property acquisition when publicity would likely affect value.

Despite numerous arguments from the City regarding how publicity of what occurred in closed session would affect value, the Court of Appeals held that the City "does not explain how bidding an amount up to but no more than the appraised value would affect the value of the property with respect to other bidders." (Court of Appeals Opinion, p. 3).

Kentucky case law provides little guidance regarding what types of deliberations would solicit publicity likely to affect value, whether the purchase involves private sale or public auction. Perhaps the Kentucky Supreme Court's simple statement, made when the Act was still new, expresses the intent so well that there has been little need to dissect it:

> ...we observe that the drafters of KRS 61.810 provided that this type of deliberation could be held only when publicity would be likely to affect the value of a specific piece of property and we know of no instance where publicity would not have a possible effect upon realty values... Jefferson Cty. Bd. of Ed. v. Courier-Journal, 551 S.W.2d 25, 28 (Ky. Ct. App. 1977).

Certainly a city manager, preparing for a purchase where he is authorized to spend up to two million dollars, would want to discuss with his legislative body appraisal value and bidding strategies to help the city obtain the property at auction. Engaging the temporary services of a bidding agent to assist in the execution of the purchase would be in the city manager's authority as chief administrative officer. As publicity of the strategy to use a bidding agent would defeat the entire purpose, clearly it would affect property value and be a protected subject of discussion. If the legislative body were not happy with his proposed strategy, as with the budget appropriation, they could openly vote to revoke the manager's discretion regarding this aspect of the purchase strategy.

Yet there was no need to do so, because "[w]hether to use an agent, and whom to use was left to the discretion of the City Manager." Mot. For Discretionary Review, p. 8. The discussion of the subject in closed session, even if the Board reached a consensus that use of an agent would be smart, is nothing more than mere deliberations about property acquisition strategy where publicity would likely affect property value.

CONCLUSION

The procedural requirements of the Open Meetings Act are meant to be the key to open government, not its jailor. KLC urges this Court to reject the Court of Appeals' incomplete and inaccurate analysis of this case, and instead to recognize that correct resolution requires (1) clear understanding of what the Act does and does not permit in closed session, founded on key terms such as "deliberations" and "final action;" and (2) accurate application of the Act's provisions to the City's actions in this case, as prescribed by the specific laws governing this city manager form of government. This blueprint for analysis preserves both the true purpose of the Act – promotion of transparent government – and the true purpose of cities – promotion of their citizens' best interests.

Respectfully submitted,

KENTUCKY LEAGUE OF CITIES

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