



TRANSMITTAL MEMORANDUM

TO: The Honorable Mayor and City Council

FROM: Lacey G. Simpson, Acting City Manager

DATE: August 8, 2022

RE: **Request for Executive Session – City Attorney Contract Evaluation**

The below motion was prepared at the request of City Attorney Mitch Seaver, who asked that it be placed before the City Council for consideration at the August 18, 2022 meeting. If adopted, the motion provides for the City Council to convene in executive session following the course of regular business for the purposes of reviewing the City Attorney Services contract between the City of Ketchikan and Ziegler Law Firm. As this may involve discussion of subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion, Mr. Seaver has requested the evaluation be held in executive session.

A motion has been prepared for City Council consideration

RECOMMENDATION

It is recommended the City Council adopt the motion declaring that the City Council recess into executive session in accordance with Ketchikan Municipal Code 2.04.025(a)(2) for the purpose of conducting an evaluation of the contract performance of Ziegler Law Firm under its City Attorney Services Contract, which involve discussion of subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion.

Recommended Motion: I move the City Council recess into executive session in accordance with Ketchikan Municipal Code 2.04.025(a)(2) for the purpose of conducting an evaluation of the contract performance of Ziegler Law Firm under its City Attorney Services Contract, which involve discussion of subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion.

Mitch Seaver

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MEMORANDUM

TO: Mayor Kiffer
Members of the City Council

FROM:  Mitch Seaver
City Attorney

DATE: August 5, 2022

SUBJECT: City Attorney Contract Evaluation - Request for Executive Session

Section 4 of the Agreement for City Attorney Services between the City of Ketchikan, Alaska and Ziegler Law Firm, provides in relevant part that the "City agrees to review ZLF's contract performance at least annually prior to adoption of the fiscal year budget." KMC 2.04.025(a)(2) provides that "subjects that tend to prejudice the reputation and character of a person, may be discussed in executive session, provided that the person may request the discussion be in public."

I request that the evaluation be held in executive session.

RECOMMENDED MOTION:

I move the City Council go into executive session in accordance with KMC 2.04.025(a)(2) for the purpose of conducting an evaluation of the contract performance of Ziegler Law Firm under its City Attorney Services Contract, which may involve discussion of "subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion."