



FOR IMMEDIATE RELEASE

October 30, 2008

District Attorney Nola Tedesco Foulston announces the completion of an investigation into an allegation that the City of Valley Center violated a provision of the Kansas Open Meetings Act (KOMA) by not properly notifying certain individuals of a special City Council meeting that was held on July 24, 2008. The investigation has culminated in the filing of a consent judgment in the Eighteenth Judicial District Court. The judgment determined that the City of Valley Center violated KOMA by intentionally failing to provide notification of the special meeting as required by law.

Specifically, the Court found that the City violated K.S.A. 2007 Supp. 75-4318(b) by failing to notify twenty-one individuals of the special meeting, all of whom had properly requested notification of all regular and special meetings of the City Council pursuant to the provisions of KOMA. Notice was intentionally not given as required because the City Administrator mistakenly believed that sufficient notice had been given by announcing the special meeting at a meeting held on July 15, 2008 and by virtue of publication of a notice of the meeting appearing in the July 24 edition of the Ark Valley newspaper.

The City has agreed to undertake remedial measures to attempt to ensure that future violations of the law will not occur, including training for City staff members on the notification requirements of KOMA.

Under the terms of the judgment, the City is required to pay a \$100 fine and the costs of the action.

District Attorney Nola Tedesco Foulston
Eighteenth Judicial District of Kansas