



DATE: December 3, 2018
TO: Richard Skorman, City Council President
FROM: Wynetta Massey, City Attorney
RE: December 10, 2018, Executive Session Agenda

Please schedule the following legal matter for Closed Executive Session:

In accord with City Charter art. III, § 3-60(d) and its incorporated Colorado Open Meetings Act, C.R.S. § 24-6-402(4)(b) and (e), the City Council, in Open Session, is to determine whether it will hold a Closed Executive Session. The issues to be discussed involve: (1) legal advice and negotiation consultation with the City Attorney regarding pending litigation pertaining to the City's MS4 permit; and (2) determining positions relative to an economic development matter that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators.

The President of Council shall poll the City Councilmembers, and, upon consent of two-thirds of the members present, may hold a Closed Executive Session. If consent to the Closed Executive Session is not given, the item may be discussed in Open Session or withdrawn from consideration.

Wynetta Massey
City Attorney

C: John W. Suthers, Mayor
Jeff H. Greene, Chief of Staff
Denny Nester, City Auditor
Sarah B. Johnson, City Clerk