



DATE: January 3, 2022
TO: Tom Strand, City Council President
FROM: Wynetta Massey, City Attorney
RE: January 10, 2022, 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)(a), (b) and (e), the City Council, in Open Session, is to determine whether it will hold an electronic Closed Executive Session. The issues to be discussed involve: (1) consultation with the City Attorney regarding a Litigation Settlement over \$100,000; (2) consultation with the City Attorney for the purpose of receiving legal advice regarding a contract amendment; and (3) consultation with the City Attorney and City staff for the purpose of receiving legal advice, determining matters that may be subject to negotiations; developing strategy for negotiations, and instructing negotiators regarding a land exchange.

The President of Council shall poll the City Councilmembers, and, upon consent of two-thirds of the members present, may conduct an electronic Closed Executive Session. Each City Councilmember participating in the electronic Closed Executive Session shall affirmatively state for the record that no other member of the public not authorized to participate in the electronic Closed Executive Session is present or able to hear the matters discussed as part of the electronic Closed Executive Session. If consent to the electronic Closed Executive Session is not given, the item may be discussed in Open Session or withdrawn from consideration.

Wynetta Massey
City Attorney/Chief Legal Advisory

C: John W. Suthers, Mayor
Jeff H. Greene, Chief of Staff
Aram Benyamin, CEO, Colorado Springs Utilities
Jacqueline Rowland, City Auditor

Sarah B. Johnson, City Clerk
Emily Evans, City Council Administrator
Marc Smith, Deputy City Attorney