



DATE: October 14, 2021
TO: Tom Strand, City Council President
FROM: Wynetta Massey, City Attorney
RE: October 25, 2021, City Council Closed 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 and City staff for the purpose of receiving legal advice on specific legal questions related to litigation arising out of a planning and land use matter; and (2) consultation with the City Attorney and City staff, determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators regarding the acquisition of real property.

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 If consent to the electronic Closed Executive Session is not given, the item may be discussed in Open Session or withdrawn from consideration.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

C: Jeff H. Greene, Chief of Staff