

CITY ATTORNEY

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Suggested Procedure for Convening an Executive Session City Council Study Session Room December 12, 2017 at 5:30 p.m.

Mayor: The City Manager and City Attorney have requested an Executive Session to discuss: (1) the Top Operating Co. master contract and associated operational and regulatory issues, and (2) City mineral and other property interests related to oil and gas development; receive legal advice, determine negotiation positions and strategies, instruct negotiators, and consider confidential documents re same. The following provisions of the Colorado Open Meetings Act and City Council Rules of Procedure authorize an Executive Session to discuss this matter:

[Mayor reads the following]:

- The purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest (CRS § 24-6-402(4)(a) and City Council Rule of Procedure 25.5 A.1.) (oil and gas only);
- Conferences with an attorney for the City for the purposes of receiving legal advice on specific legal questions (CRS § 24-6-402(4)(b) & City Council Rule of Procedure 25.5 A.2);
- Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators (CRS § 24-6-402(4)(e) & City Council Rule of Procedure 25.5 A.5.); and
- Consideration of documents protected by the mandatory nondisclosure provisions of the Colorado "Open Records Act" (CRS § 24-6-402(4)(g) & City Council Rule of Procedure 25.5 A.7)

The chair will entertain a motion to convene an Executive Session to discuss this matter for the stated purposes.

Council Member: I so move.

Second Council Member: I second the motion.

Mayor: [announces the votes on the motion] The motion has passed. The Council will now recess and reconvene immediately in an Executive Session in the City Council Study Session Room to discuss the matter previously stated for the purposes previously stated. [Mayor strikes gavel, to signify beginning of the recess]



CERTIFICATE OF RECEIPT

I hereby certify that, at least twenty-four hours before the above-referenced executive session, I received acknowledgment by each Council Members of receiving the Notice of the request for an Executive Session as follows:

Council Member	Accepted Calendar Invitation	Email Read Receipt	Telephone Call
Brian Bagley, Mayor			
Polly Christensen, City Council Member At Large			
Bonnie Finley, City Council Member, Ward III			
Marcia Martin, City Council Member, Ward II			
Joan Peck, City Council Member At Large			
Aren Rodriguez, City Council Member At Large			
Vacant, City Council Member, Ward I			

Dated December ____, 2017

(signature of person confirming Council Members' receipt of Notice)

bc: File: 7480