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Memorandum

To: Mayor & Council
From: Dave Reynolds
Re: Agenda Item: Review of Executive Session Protocol and Procedures
Date: 1/02/24

Purpose:

The purpose of this Agenda Item is to allow time for Town Attorney David McConaughy to review the procedures and protocols associated with Executive Sessions.

According to an article written for the Colorado Municipal League, certain matters may be discussed by the local public body in executive session but must consider the following:

- No “adoption of any proposed policy, position, resolution, rule, regulation, or formal action shall occur at any executive session which is not open to the public.”
- Public notice of the meeting should include notice of the proposed executive session.
- Prior to the beginning of the closed executive session, the general topic should be announced.
- The body must vote to go into executive session. EXECUTIVE SESSION
- Discussions in executive session must be electronically recorded.
- Recording must reflect authority under which the Council met in executive session.
- Recording may be stopped for a portion of the discussion involving privileged attorney-client communications.
- No part of the executive session recording shall be open for public inspection, except with consent of the Council or in a legal challenge to Open Meetings Law compliance.

This agenda item will provide time to review Executive Session rules and allow for questions and answers as needed.