

**BEMIDJI CITY COUNCIL**  
**Special Work Session Agenda**  
Monday, August 3, 2015

City Hall  
Conference Room  
5:30 P.M.



1. CALL TO ORDER / ROLL CALL
2. CLOSE THE MEETING

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*For the purpose of discussing with the City's Attorney threatened litigation by the City with regards to issues at the Sanford Center.*

3. REOPEN THE MEETING
4. ADJOURN

**NOTE:** *All cellular telephones, pagers and BlackBerry devices to be switched to a non-audible function during Council and Committee meetings.*



City Attorney's Office

# MEMORANDUM

TO: Mayor Albrecht and Bemidji City Council  
FROM: Alan Felix, City Attorney  
DATE: August 3, 2015  
RE: Closed Meeting Procedure

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Minnesota Statute Section 13D.05, Subd.3(b) provides that:

A public body may close a meeting if the closure is expressly authorized by statute or permitted by the attorney-client privilege. In particular, the attorney-client privilege allows the public body to discuss with its legal counsel threatened or pending litigation.

Consequently, in order to close a meeting, a councilmember should make a motion such as:

*I move to close this meeting in accordance with Minnesota Statute Section 13D.05, Subd. 3(b) for the purpose of discussing with the City's Attorney threatened litigation by the City with regards to issues at the Sanford Center.*

The Mayor would then call for a second, discussion and a vote as with any other motion. A written record of those in attendance must be taken. The meeting must also be tape recorded and the tape maintained for two years.

AF/km