

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")
UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)**

This form has two sides. *Complete items 1 – 4 before closing the meeting.*

1. Recorded vote to close the meeting:

Date: November 1, 2023

Time: 6:30 PM;

Location: Takoma Park Community Center Auditorium.

Name	Motion by	Second	In Favor	Opposed	Abstain	Absent
Searcy			✓			
Fulcher		✓	✓			
Dyballa			✓			
Gibson			✓			
Seamens	✓		✓			
Honzak			✓			
Small			✓			

Motion to close meeting made by: Seamens

Seconded by Fulcher;

Members in favor: Searcy, Fulcher, Dyballa, Gibson, Seamens, Honzak, Small

Opposed: _____;

Abstaining: _____;

Absent: _____.

2. Statutory authority to close session (check all provisions that apply).

This meeting will be closed under General Provisions Art. § 3-305(b) only:

- (1) ___ "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals"; (2) ___ "To protect the privacy or reputation of individuals concerning a matter not related to public business"; (3) ___ "To consider the acquisition of real property for a public purpose and matters directly related thereto"; (4) ___ "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; (5) ___ "To consider the investment of public funds"; (6) ___ "To consider the marketing of public securities"; (7) **XX** "To consult with counsel to obtain legal advice"; (8) **XX** "To consult with staff, consultants, or other individuals about pending or potential litigation"; (9) ___ "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; (10) ___ "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; (11) ___ "To prepare, administer, or grade a scholastic, licensing, or qualifying examination"; (12) ___ "To conduct or discuss an

investigative proceeding on actual or possible criminal conduct”; **(13)** ___ “To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter”; **(14)** ___ “Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.” **(15)** ___ “To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information . . . or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices.”

3. For each provision checked above, disclosure of the topic to be discussed and the public body’s reason for discussing that topic in closed session.

Citation (insert # from above)	Topic	Reason for closed-session discussion of topic
§3-305 (b)(7)	NDC/Takoma Junction Project	To permit Council to consult with the City Attorney and receive legal advice regarding NDC and the Takoma Junction project while protecting the attorney-client privilege.
§3-305 (b)(8)	NDC/Takoma Junction Project	To permit Council to consult with the City Attorney and City staff regarding pending or potential litigation related to NDC and the Takoma Junction Project.

4. This statement is made by  **, Presiding Officer.**
Talisha Searcy, Mayor