



**FRUITA**  
COLORADO

## AGENDA ITEM COVER SHEET

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**TO:** FRUITA CITY COUNCIL AND MAYOR

**FROM:** DEBRA WOODS, DEPUTY CITY CLERK

**DATE:** APRIL 18, 2023

**AGENDA TEXT:** EXECUTIVE SESSION – To convene in Executive Session for determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators pursuant to CRS Sec. 24-6-402(4)(e) with regard to quiet title action entitled Maple Acquisition LLC v. The Estate of Mrs. J.A. Waid, et al., Mesa County District Court Case No. 23CV30055 and receiving legal advice from the City attorney pursuant to CRS Sec. 24-6-402(4)(b) regarding the same

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### BACKGROUND

The City Council has reason to convene in Executive Session for determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators pursuant to CRS Sec. 24-6-402(4)(e) with regard to quiet title action entitled Maple Acquisition LLC v. The Estate of Mrs. J.A. Waid, et al., Mesa County District Court Case No. 23CV30055 and receiving legal advice from the City attorney pursuant to CRS Sec. 24-6-402(4)(b) regarding the same. To convene in executive session, state law requires that a motion with specific language requesting the executive session be passed with 2/3 of the governing body voting in the affirmative for said motion.

### FISCAL IMPACT

N/A

### APPLICABILITY TO CITY GOALS AND OBJECTIVES

N/A

### OPTIONS AVAILABLE TO THE COUNCIL

N/A

### RECOMMENDATION

It is the recommendation of the Fruita City Staff that the Council:

- **FOR DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS; DEVELOPING STRATEGY FOR NEGOTIATIONS; AND INSTRUCTING NEGOTIATORS PURSUANT TO CRS SEC. 24-6-402(4)(E) WITH REGARD TO QUIET TITLE ACTION ENTITLED MAPLE ACQUISITION LLC V. THE ESTATE OF MRS. J.A. WAID, ET AL., MESA COUNTY DISTRICT COURT CASE NO. 23CV30055 AND RECEIVING LEGAL ADVICE FROM THE CITY ATTORNEY PURSUANT TO CRS SEC. 24-6-402(4)(B) REGARDING THE SAME**