



**FRUITA**  
COLORADO

## AGENDA ITEM COVER SHEET

---

**TO:** FRUITA CITY COUNCIL AND MAYOR

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

**DATE:** MARCH 21, 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 a request from IndiBuild, LLC/Fruita Mews and receiving legal advice from the City attorney and special counsel pursuant to CRS Sec. 24-6-402(4)(b) regarding the same

---

### 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 a request from IndiBuild, LLC/Fruita Mews and receiving legal advice from the City attorney and special counsel 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 A REQUEST FROM INDIBUILD, LLC/FRUITA MEWS AND RECEIVING LEGAL ADVICE FROM THE CITY ATTORNEY AND SPECIAL COUNSEL PURSUANT TO CRS SEC. 24-6-402(4)(B) REGARDING THE SAME**