



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 potential sale of Enoch’s Lake; and with regard to amending the agreement between the City of Fruita and Ute Water Conservancy District and receiving legal advice from the City attorney 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 potential sale of Enoch’s Lake; and with regard to amending the agreement between the City of Fruita and Ute Water Conservancy District 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 POTENTIAL SALE OF ENOCH’S LAKE; AND WITH REGARD TO AMENDING THE AGREEMENT BETWEEN THE CITY OF FRUITA AND UTE WATER CONSERVANCY DISTRICT AND RECEIVING LEGAL ADVICE FROM THE CITY ATTORNEY PURSUANT TO CRS SEC. 24-6-402(4)(B) REGARDING THE SAME**