



**FRUITA**  
COLORADO

## AGENDA ITEM COVER SHEET

**TO:** FRUITA CITY COUNCIL AND MAYOR

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

**DATE:** MAY 2, 2023

**AGENDA TEXT:** EXECUTIVE SESSION – To convene in Executive Session to discuss the **consideration of an offer to purchase and the process for** sale of real property owned by the City, specifically Enoch’s Lake real property and its water rights pursuant to C.R.S. 24-6-402(4)(a), to develop a strategy for negotiations and instruct negotiators pursuant to C.R.S. 24-6-402(4)(e) and to receive legal advice from the City Attorney pursuant to C.R.S. 24-6-402(4)(b) regarding the same and an to discuss **the consideration of a possible sale of real property owned by the City, specifically property to smaller parcels located near Enoch’s Lake, as a separate transaction pursuant to C.R.S. 24-6-402(4)(a),** to develop a strategy for negotiations and instruct negotiators pursuant to C.R.S. 24-6-402(4)(e) and to receive legal advice from the City Attorney pursuant to C.R.S. 24-6-402(4)(b) regarding the same

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### BACKGROUND

The City Council has reason to convene in Executive Session to discuss the **consideration of an offer to purchase and the process for** sale of real property owned by the City, specifically Enoch’s Lake real property and its water rights pursuant to C.R.S. 24-6-402(4)(a), to develop a strategy for negotiations and instruct negotiators pursuant to C.R.S. 24-6-402(4)(e) and to receive legal advice from the City Attorney pursuant to C.R.S. 24-6-402(4)(b) regarding the same and an to discuss **the consideration of a possible sale of real property owned by the City, specifically property to smaller parcels located near Enoch’s Lake, as a separate transaction pursuant to C.R.S. 24-6-402(4)(a),** to develop a strategy for negotiations and instruct negotiators pursuant to C.R.S. 24-6-402(4)(e) and to receive legal advice from the City Attorney pursuant to C.R.S. 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:

- **TO DISCUSS THE CONSIDERATION OF AN OFFER TO PURCHASE AND THE PROCESS FOR SALE OF REAL PROPERTY OWNED BY THE CITY, SPECIFICALLY ENOCH'S LAKE REAL PROPERTY AND ITS WATER RIGHTS PURSUANT TO C.R.S. 24-6-402(4)(A), TO DEVELOP A STRATEGY FOR NEGOTIATIONS AND INSTRUCT NEGOTIATORS PURSUANT TO C.R.S. 24-6-402(4)(E) AND TO RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY PURSUANT TO C.R.S. 24-6-402(4)(B) REGARDING THE SAME AND AN TO DISCUSS THE CONSIDERATION OF A POSSIBLE SALE OF REAL PROPERTY OWNED BY THE CITY, SPECIFICALLY PROPERTY TO SMALLER PARCELS LOCATED NEAR ENOCH'S LAKE, AS A SEPARATE TRANSACTION PURSUANT TO C.R.S. 24-6-402(4)(A), TO DEVELOP A STRATEGY FOR NEGOTIATIONS AND INSTRUCT NEGOTIATORS PURSUANT TO C.R.S. 24-6-402(4)(E) AND TO RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY PURSUANT TO C.R.S. 24-6-402(4)(B) REGARDING THE SAME.**