



FRUITA
COLORADO

AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: SHANNON VASSEN, INTERIM CITY MANAGER

DATE: JANUARY 21, 2025

AGENDA TEXT: RESOLUTION 2025-03 – A Request to Authorize the Mayor to Execute an Updated Engagement Letter with Timothy Graves and the Law Firm of Stuver & LeMoine, P.C. for Municipal Prosecutor Legal Services.

BACKGROUND

The City of Fruita requires legal representation for the role of Municipal Prosecutor for cases before the Fruita Municipal Court and any appeals that may arise from those cases. The City previously engaged Timothy L. Graves of the law firm Stuver & LeMoine, P.C. for prosecutorial services under a contract in 2019. The agreement has not been updated since it was initially approved, and Mr. Graves has requested a few changes to the agreement. Mr. Graves will be in person at this meeting if Council has any questions.

In light of the successful and professional relationship between the City and Mr. Graves for municipal prosecution services, the staff recommends extending this engagement agreement. The updated agreement includes a revised hourly rate and adjusted mileage reimbursement to reflect current federal standards, as well as other minor revisions for clarity and compliance with municipal requirements. The revised hourly rate for attorney work is \$215 per hour, an increase from the previous rate of \$185 per hour. Mileage for travel from Rifle, Colorado to Fruita, Colorado for court appearances will be reimbursed at the current federal mileage rate. Monthly invoices will be submitted to the City, including itemized details of work performed, time spent, and expenses incurred. The City agrees to pay invoices within 30 days of receipt.

The proposed engagement letter confirms Stuver & LeMoine, P.C. will continue to serve as the City's Municipal Prosecutor, with Timothy L. Graves acting as the primary attorney. The scope of services remains the same, encompassing the prosecution of cases in the Fruita Municipal Court and handling any appeals arising from these cases. The firm's legal services will be provided on an as-needed basis, per the City's requests.

FISCAL IMPACT

The City has budgeted funds for municipal prosecution services, and the updated agreement is not expected to result in any significant changes to the legal services budget. The revised hourly rate and federal mileage reimbursement rate will be accounted for in the existing budget allocations.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The engagement of a Municipal Prosecutor is essential for ensuring the effective prosecution of cases in the Fruita Municipal Court in accordance with the City's legal requirements.

OPTIONS AVAILABLE TO THE COUNCIL

- Approve the engagement letter with Stuver & LeMoine, P.C.
- Instruct staff to revise the engagement letter.

RECOMMENDATION

APPROVE RESOLUTION 2025-03 – A REQUEST TO AUTHORIZE THE MAYOR TO EXECUTE AN UPDATED ENGAGEMENT LETTER WITH TIMOTHY GRAVES AND THE LAW FIRM STUVER & LEMOINE, P.C. FOR MUNICIPAL PROSECUTION SERVICES IN ACCORDANCE WITH THE TERMS DESCRIBED IN THE ATTACHED AGREEMENT.