



**FRUITA**  
COLORADO

## AGENDA ITEM COVER SHEET

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**TO:** FRUITA CITY COUNCIL AND MAYOR

**FROM:** MARGARET SELL, FINANCE DIRECTOR/CITY CLERK

**DATE:** JANUARY 17, 2023

**AGENDA TEXT:** EXECUTIVE SESSION: Discussion and possible action to consider a motion to convene in Executive Session regarding personnel issues under CRS 24-6-402(4)(f) for review of the restatement of the City Manager's contract and receive legal advice regarding the same pursuant to CRS Section 24-6-402(4)(b)

### BACKGROUND

The City Council met in executive session to present their formal review of the City Manager. Upon reconvening from executive session, the City Council requested that the City Manager Agreement be restated to incorporate the original agreement dated February 2, 2016 and subsequent amendments (July 19, 2016, July 31, 2018, July 21, 2020, and January 3, 2022 revisions) into one Agreement. The purpose of this executive session is to review the restated agreement and receive legal from the City Attorney 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

- **MOVE TO MEET IN EXECUTIVE SESSION TO DISCUSS PERSONNEL ISSUES UNDERSTANDING THAT DISCUSSIONS OF SUCH ISSUES IN EXECUTIVE SESSION ARE SPECIFICALLY PERMITTED BY THE STATE'S OPEN MEETING LAW CRS 24-6-402(4)(F) FOR THE PURPOSE OF REVIEWING THE RESTATED CITY MANAGER AGREEMENT AND TO RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY**