



**TO:** FRUITA CITY COUNCIL AND MAYOR

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

**DATE:** JUNE 6, 2023

**AGENDA TEXT:** EXECUTIVE SESSION – To convene in Executive Session for:

1. 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 proposal for the City's lagoon property redevelopment; and
2. For the purpose of discussing the possible sale of a two acre parcel (Mesa County Parcel ID: 3223-053-00-002) and a four acre parcel (Mesa County Parcel ID: 3223-053-00-001), both owned by the City, pursuant to C.R.S. Sec. 24-6-402(4)(a), instructing negotiators regarding the same pursuant to C.R.S. Sec. 24-6-402(4)(e), and a conference with the City attorney regarding the same pursuant to C.R.S. Sec. 24-6-402(4)(b); and
3. For the purpose of instructing negotiators regarding a request by IndiBuild LLC for an Impact Fee waiver or possible loan for the affordable housing Fruita Mews Project pursuant to C.R.S. Sec. 24-6-402(4)(e), and a conference with the City Attorney regarding the same pursuant to C.R.S. Sec. 24-6-402(4)(b).

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### BACKGROUND

The City Council has reason to convene in Executive Session for all three purposes above. 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:

- **MOVE TO CONVENE IN EXECUTIVE SESSION FOR:**
  1. **DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS; DEVELOPING STRATEGY FOR NEGOTIATIONS; AND INSTRUCTING NEGOTIATORS PURSUANT TO C.R.S. SEC. 24-6-402(4)(E) WITH REGARD TO A PROPOSAL FOR THE CITY'S LAGOON PROPERTY REDEVELOPMENT; AND**
  2. **FOR THE PURPOSE OF DISCUSSING THE POSSIBLE SALE OF A TWO ACRE PARCEL (MESA COUNTY PARCEL ID: 3223-053-00-002) AND A FOUR ACRE PARCEL (MESA COUNTY PARCEL ID: 3223-053-00-001), BOTH OWNED BY THE CITY, PURSUANT TO C.R.S. SEC. 24-6-402(4)(A), INSTRUCTING NEGOTIATORS REGARDING THE SAME PURSUANT TO C.R.S. SEC. 24-6-402(4)(E), AND A CONFERENCE WITH THE CITY ATTORNEY REGARDING THE SAME PURSUANT TO C.R.S. SEC. 24-6-402(4)(B); AND**
  3. **FOR THE PURPOSE OF INSTRUCTING NEGOTIATORS REGARDING A REQUEST BY INDIBUILD LLC FOR AN IMPACT FEE WAIVER OR POSSIBLE LOAN FOR THE AFFORDABLE HOUSING FRUITA MEWS PROJECT PURSUANT TO C.R.S. SEC. 24-6-402(4)(E), AND A CONFERENCE WITH THE CITY ATTORNEY REGARDING THE SAME PURSUANT TO C.R.S. SEC. 24-6-402(4)(B).**