AGENDA

The link to join the meeting electronically will be posted prior to the meeting at https://www.fruita.org/citycouncil/page/council-meeting-information. You may also contact the City of Fruita at (970) 858-3663 for information to connect to the meeting. This agenda is for informational purposes only and items may be added or deleted at the discretion of the City Council. An executive session may be requested for any item appearing on the agenda.

1. CALL TO ORDER AND ROLL CALL

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

3. AGENDA - ADOPT/AMEND

4. PROCLAMATIONS AND PRESENTATIONS
   A. PRESENTATION – Fruita Teachers/Students of the Month for May 2023: Fruita Monument High School
   B. PROCLAMATION - Proclaiming May 6 - 12, 2023 as "Teacher Appreciation Week" in the City of Fruita to be accepted by School District #51 Executive Director Angela Christensen, PhD
   C. PROCLAMATION - Proclaiming May 15, 2023 as "Peace Officers Memorial Day" and the week of May 15 through May 21, 2023 as "National Police Week" in the City of Fruita to be accepted by Fruita Chief of Police David Krouse
   D. PRESENTATION - United Way of Mesa County Award to the City of Fruita
   E. PROCLAMATION - Proclaiming May 2023 as "Grand Valley Bike Month" and May 3, 2023 as "Bike to Work Day" in the City of Fruita to be accepted by Parks and Recreation Director Marc Mancuso
   F. PRESENTATION – Fruita Tourism Advisory Council

5. PUBLIC PARTICIPATION

   This section is set aside for the City Council to LISTEN to comments by the public regarding items that do not otherwise appear on this agenda. Generally, the City Council will not discuss the issue and will not take an official action under this section of the agenda. Please limit comments to a three-minute period.

6. CONSENT AGENDA
These are items where all conditions or requirements have been agreed to or met prior to the time they come before the Council for final action. These items will be approved by a single motion of the Council. Members of the Council may ask that an item be removed from the consent section and fully discussed. All items not removed from the consent section will then be approved. A member of the Council may vote no on specific items without asking that they be removed from the consent section for full discussion. Any item that is removed from the consent agenda will be placed at the end of the regular agenda.

A. MINUTES - A request to approve the minutes of the Joint Fruita Housing Authority and Fruita City Council meeting of April 4, 2023

B. LIQUOR LICENSE RENEWAL – A request to approve the renewal of a Hotel and Restaurant Liquor License – Malt, Vinous and Spirituous for Fiesta Guadalajara located at 103 Highway 6 & 50

C. LIQUOR LICENSE RENEWAL – A request to approve the renewal of a Beer and Wine Liquor License for Camilla’s Kaffé located at 206 E. Aspen Ave.

D. RESOLUTION 2023–12 - A Request to Approve a Resolution Amending the 2023 Budget and Transferring Funds from the General Fund Contingency Account for Building Department Expenses and Mountain Water Expenses.

E. BOARDS AND COMMISSIONS APPOINTMENT – A request to approve the appointment of Mark Hamlin to the Fruita Tourism Advisory Council (FTAC) for a three-year term to expire in May of 2026

7. ACKNOWLEDGEMENTS OF APPOINTMENTS OF BOARDS AND COMMISSIONS MEMBERS

8. PUBLIC HEARINGS

Public hearings are held to obtain input from the public on various items. Public hearings are either Legislative in nature or Quasi-Judicial in nature. Public Input is limited to 3 minutes per person. People speaking should step up to the microphone and state their name and address. Speakers should be to the point and try not to repeat the points others have made. Each is described as follows:

LEGISLATIVE – Legislative public hearings are held when the City Council is considering an item that establishes legislation such as an ordinance amending or establishing laws of the city. Interactions by members of the public with the City Council or individual members is permissible on items of a legislative nature.

ORDINANCES - After introduction of an Ordinance (First Reading), a public hearing date is set and notice of the hearing is published in the newspaper. Staff presents the ordinance on Second Reading and the hearing is opened to the public for public input. After comments from the public, the Mayor will close the hearing and bring the Ordinance back to the City Council for discussion and potential action. The Council will make a motion to approve the Ordinance or take no action. In the event the ordinance is approved, it will become effective 30 days after adoption.

QUASI-JUDICIAL – Quasi-judicial public hearings are held when the City Council is acting in a judicial or judge like manner and a person with a legitimate interest is entitled to an impartial decision made on the basis of information presented and laws in effect. Quasi-judicial hearings are commonly held for land use hearings and liquor license hearings. Since the City Council is acting in a fair and impartial manner, it is NOT permissible for City Council members to have any ex-parte communication (contact between the applicant, members of the public, or among other members of the City Council) outside of the Public Hearings and meetings on the subject application. The City Council must limit its
consideration to matters which are placed into evidence and are part of the public record. Quasi-judicial hearings are held in the following manner:

1. Staff presentation - Staff will present the comments and reports received from review agencies and offer a recommendation.
2. Applicant Presentation - The petitioner is asked to present the proposal. Presentations should be brief and to the point and cover all of the main points of the project.
3. Public Input (limit of 3 minutes per person) Speakers must step up to the microphone and state their name and address. Speakers should be to the point and try not to repeat the points others have made.
4. The public hearing is closed to public comments.
5. Questions from the Council. After a Council member is recognized by the Mayor, they may ask questions of the staff, the applicant, or the public.
6. Make a motion. A member of the City Council will make a motion on the issue.
7. Discussion on the motion. The City Council may discuss the motion.
8. Vote. The City Council will then vote on the motion.

A. QUASI-JUDICIAL HEARINGS

1) SPECIAL EVENT LIQUOR PERMIT APPLICATION - A request to approve a Special Event Liquor Permit application for the Colorado Riverfront Foundation, Inc. to sell alcohol beverages at the James M. Robb - Colorado River State Park 2023 Summer Concert Series on Friday, June 2, 2023 and Saturday, August 12, 2023 from 5:00 to 10:00 pm on both nights - Deputy City Clerk Deb Woods

2) SPECIAL EVENT LIQUOR PERMITS APPLICATION – A request to approve an application from the Colorado Plateau Mountain Bike Trail Association (COPMOBA) to provide a beer garden at the combined 2023 events of Fruita Tire Festival and CO2UT Gravel Bike Race at Civic Center Memorial Park located at 325 E. Aspen Ave – Deputy City Clerk Deb Woods

B. LEGISLATIVE HEARINGS

1) RESOLUTION 2023-11 - Public Hearing – Amending the 2023 Budget with Supplemental Appropriations of Funds for Capital Projects, Repairs at the Fruita Community Center, Parks Repair and Maintenance, Youth Activities, and Special Events and Projects; and a Supplemental Appropriation of Funds for Completion of a Capital Project Initially Included in the 2022 Annual Budget - Assistant City Manager Shannon Vassen

8. ADMINISTRATIVE AGENDA

9. CITY MANAGER’S REPORT

10. COUNCIL REPORTS AND ACTIONS

A. Council Reports and Actions

B. 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

C. EXECUTIVE SESSION – To convene in Executive Session to receive legal advice from the City Attorney regarding specific legal questions concerning City Boards and Commissions pursuant to C.R.S. Section 24-6-402(4)(b)

11. ADJOURN

An executive session may be called for any item on the agenda.

In accordance with the Americans with Disabilities Act, persons who need accommodation in order to attend or participate in this meeting should contact the City Clerk’s Office at 970-858-3663 within 48 hours prior to the meeting in order to request such assistance.