

**SPECIAL CALL CITY COUNCIL MINUTES
TUESDAY, JANUARY 21, 2020 8:00 A.M.
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

ROLL CALL: Mayor Tony Young, present; Vice Mayor Laura Moss, present; Councilmember Robbie Brackett, present; Councilmember Joe Graves, present and Councilmember Rey Neville, present **Also Present:** Monte Falls, City Manager; John Turner, City Attorney and Tammy Bursick, City Clerk

1. CALL TO ORDER

Mayor Young called the meeting to order at 8:00 a.m.

2. ROLL CALL OF COUNCIL

The City Clerk performed the roll call.

3. CITY ATTORNEY REQUEST FOR CITY COUNCIL ADVICE ON ONE MATTER IN LITIGATION:

- A) Private Attorney-Client Session to discuss settlement negotiations and strategy relating to litigation with regard to the case of 725 Azalea LLC et al v. City of Vero Beach - Case #19-5531**

MAYOR SHALL ANNOUNCE PURPOSE OF THE PRIVATE MEETING, ESTIMATED LENGTH OF THE SESSION AND NAMES AND PERSONS ATTENDING: The estimated time of the closed attorney-client session is 30 minutes. Present at the attorney-client session will be Mayor Tony Young, Vice Mayor Laura Moss, Councilman Robbie Brackett; Councilman Joe Graves and Councilman Rey Neville ALSO PRESENT: City Manager, Monte Falls; City Attorney, John Turner and a Court Reporter from the Firm of Indian River County Court Reporting, LLC

Mayor Young announced that the meeting will be held in the City Manager's Conference Room on the Second Floor at City Hall. The meeting is to discuss with their City Attorney the strategy discussions relating to litigation with regard to the Case of 725 Azalea LLC et al v. City of Vero Beach, DOAH Case #19-5531. The estimated time of the meeting will be 30 minutes and those in attendance will be Mayor Tony Young, Vice Mayor Laura Moss, Councilman Robbie Brackett, Councilman Joe Graves, Councilman Rey Neville, City Manager, Monte Falls, City Attorney, John Turner and a Court Reporter from the firm of Indian River County Court Reporting. They will adjourn this portion of the meeting and then will come back and reconvene.

Mr. Brain Heady asked if there will be any action taken during the shade meeting.

Mayor Young explained that if there is any action taken it will be in public when they reconvene this meeting.

Mr. Heady asked if there will be notice given of that public action. He asked if they are going to take public action after the shade meeting, is the public going to get some notice.

Mayor Young stated that the notice of this meeting has been provided.

Mr. Heady explained that the notice for the meeting has been provided, but not for any public action.

Mr. John Turner, City Attorney, stated that the City Council will be discussing the issues for settlement in the Executive Session. Then in a following public meeting there will be discussion of what action, if any, to direct staff and Council to take.

Mr. Heady asked if they would notify the public at that point of some action, they are not going to take action immediately.

Mr. Turner said that action might be taken immediately. He said there has been public notice concerning what has been filed concerning this case and the issue.

Mr. Heady understood that, but said no public notice of any action that is going to be considered.

Mr. Turner said that was correct.

Mr. Heady continued saying so the public has no opportunity if they are not here at the moment to know when to weigh in.

Mr. Turner stated that the public is here and the meeting will be open. He asked Mr. Heady if he was concerned that there was no separate public notice given that the Council may vote or consider some action taken following the Executive Session. Is that his objection.

Mr. Heady said it is his question, not necessarily an objection.

Mr. Turner said that there is not a requirement for notice of any separate action that may be taken.

Mayor Young adjourned today's meeting at 8:04 a.m. and the shade meeting was held in the City Manager's Conference Room.

4. PRIVATE ATTORNEY-CLIENT SESSION COMMENCES

5. MAYOR REOPENS PUBLIC MEETING AND ANNOUNCES TERMINATION OF ATTORNEY-CLIENT SESSION

The meeting reconvened at 8:50 a.m.

Mayor Young announced that they will not be taking any action. At their February 4th City Council meeting they will consider the possibilities for the concerns that they have met on.

6. ADJOURNMENT

Today's meeting adjourned at 8:52 a.m.

/tb