

**SPECIAL CALL CITY COUNCIL MINUTES  
TUESDAY, NOVEMBER 27, 2018 5:00 P.M.  
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

**PRESENT:** Mayor Harry Howle, present; Vice Mayor Lange Sykes, present; Councilwoman Laura Moss, present; Cornel Tony Young, present and Dr. Val Zudans, present **Also Present:** James O'Connor, City Manager; Wayne Coment, City Attorney and Tammy Bursick, City Clerk

**1. CALL TO ORDER**

Mayor Howle called the meeting to order at 5:00 p.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:**

Mr. Wayne Coment, City Attorney, advised that pursuant to Section 286.011(8), Florida Statutes, he is requesting advice from the City Council regarding settlement negotiations and strategy relating to litigation expenditures with regard to the case of Hillman vs. COVB, et al, pending in the Circuit Court of the Nineteenth Judicial Circuit, Case No. 31 2018 CA 000696.

**A) Private Attorney-Client Session to discuss settlement negotiations and strategy relating to litigation expenditures with regard to the case of *Hillman vs. COVB, et al*, Circuit Court Case No. 31 2018 CA 000696**

Mayor Howle announced that this is the commencement of the attorney-client session. The estimated time of the closed attorney-client session is 30 to 45 minutes. Present at the attorney-client session will be Mayor Harry Howle III; Vice-Mayor Lange Sykes; Councilwoman Laura Moss; Councilmember Anthony Young; Councilmember Val Zudans; City Attorney Wayne Coment; Assistant City Attorney Kira Honse; Assistant City Attorney Stefanie Beskovoyne; City Manager James O'Connor; and a certified court reporter. At the conclusion of the closed attorney-client session this public meeting will be re-opened.

The closed meeting took place 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 City Council returned to the Council Chambers and the meeting was reopened at 6:15 p.m.

**Vice Mayor Sykes made a motion to authorize the Assistant City Attorney to negotiate and sign a settlement agreement with the following terms: 1) The City will hold a special election at its expense with only those individuals listed on the September 7<sup>th</sup> letter to the Supervisor of Election (attached) as candidates. 2) No party admits fault. 3) Parties are responsible for own attorney's fees and costs. 4) Requesting the Judge to enter an order incorporating the settlement agreement and declaring the election held on November 6, 2018, void and ordering the special election in 90 days.**

Mayor Howle opened and closed the meeting with no one wishing to be heard.

**Mayor Howle seconded the motion and it passed 3-2 with Dr. Zudans voting no, Colonel Young yes, Councilwoman Moss no, Vice Mayor Sykes yes, and Mayor Howle yes.**

## **6. ADJOURNMENT**

Today's meeting adjourned at 6:17 p.m.

/tb