



*"LIFE IS BETTER HERE"*

*"A PREMIER FRIENDLY PLACE TO BE"*

## **PUBLIC NOTICE AND AGENDA CITY COUNCIL MEETING**

### **EXECUTIVE LITIGATION STRATEGY SESSION OF THE CITY COUNCIL OF THE CITY OF DAYTONA BEACH SHORES**

**Tuesday, February 27, 2018, 5:30 PM  
Executive Litigation Strategy Session  
City Council Chambers  
3048 S. Atlantic Avenue  
Daytona Beach Shores, Florida 32118**

**UNDER THE PROVISIONS OF SECTION 286.011(8), *FLORIDA STATUTES*, THE CITY COUNCIL WILL HOLD A CLOSED ATTORNEY-CLIENT SESSION TO DISCUSS FOUR CASES FILED IN THE SEVENTH JUDICIAL CIRCUIT COURT INVOLVING THE CITY AND VOLUSIA COUNTY GOVERNMENT. THE PENDING LITIGATION (CASES) ARE STYLED: (1) *COUNTY OF VOLUSIA VS CITY OF DAYTONA BEACH SHORES, FLORIDA* (CASE NO.: 2017 31553 CICI), (2) *COUNTY OF VOLUSIA VS CITY OF DAYTONA BEACH SHORES, FLORIDA* (CASE NO.: 2017 31554 CICI), (3) *COUNTY OF VOLUSIA VS CITY OF DAYTONA BEACH SHORES, FLORIDA* (CASE NO.: 2017-31597-CICI) AND (4) *CITY OF DAYTONA BEACH SHORES, FLORIDA VS. COUNTY OF VOLUSIA* (CASE NO.: 2017 11583 CIDL).**

**ANYONE NOT LISTED BELOW AS AN ATTENDEE WILL BE REQUIRED TO LEAVE THE MEETING ROOM AT THE COMMENCEMENT OF THE PROCEEDING.**

**Estimated Length of the Attorney-Client Session: 60 minutes**

**Names of Persons Attending:**

Mayor Harry Jennings  
Vice Mayor Peggy Rice  
Council Member Richard Bryan  
Council Member Lorraine Geiger  
Council Member Mel Lindauer  
City Manager Michael Booker

City Attorney Lonnie Groot  
Court Reporter (Volusia Reporting Company or another court  
reporter)

**CALL TO ORDER AND ROLL CALL:**

**ORDER OF BUSINESS**

- 1. Request of City Attorney.** The City Attorney, requested an attorney-client session with the City Council in accordance with the provisions of Section 286.011(8), *Florida Statutes*, to discuss pending litigation filed by the Government of Volusia County against the City and by the City against the County. The litigation (cases) are styled: (1) *County of Volusia vs. City of Daytona Beach Shores, Florida (Case No.: 2017 31553 CICI)*, (2) *County of Volusia vs. City of Daytona Beach Shores, Florida (Case No.: 2017 31554 CICI)*, (3) *County of Volusia vs City of Daytona Beach Shores, Florida (Case No.: 2017-31597-CICI)* and (4) *City of Daytona Beach Shores, Florida vs. County of Volusia (Case No.: 2017 11583 CIDL)*.
- 2. Attendees of the Attorney-Client Session Announced.** The Mayor and City Council; City Manager Michael Booker; City Attorney Lonnie Groot; and a duly authorized court reporter. The certified court reporter will be present to ensure that the attorney-client session is fully transcribed and that the transcript will be made.
- 3. Begin Attorney-Client Session.** Discussion of litigation.
- 4. End Attorney-Client Session.** Discussion by City Council, if desired.
- 5. Adjournment of Closed Attorney-Client Session.**
- 6. Opening of Public Meeting to announce termination of the Attorney-Client Session.**
- 7. Adjournment of the Public Meeting.**

The entire session shall be recorded by a certified court reporter. The court reporter shall record the times of commencement and termination of the session, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of the session shall be off the record. The court reporter's notes shall be fully transcribed and filed with the City Clerk within a reasonable time after the meeting. The transcript shall be made part of the public record upon conclusion of the litigation. Any person who decides to appeal any decision made with respect to any matter considered at the public portion of the meeting will need a record of the proceedings and may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be heard (Section 286.0105, *Florida Statutes*).

**IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA) ANY PERSON REQUIRING A SPECIAL ACCOMMODATION AT THIS MEETING BECAUSE OF DISABILITY OR PHYSICAL IMPAIRMENT SHOULD CONTACT THE CITY CLERK'S OFFICE AT 386-763-5353, EXTENSION 3, AT LEAST 48 HOURS IN ADVANCE OF THIS MEETING.**

Posted by City Clerk's office – 2/19/2018