



120 Malabar Road, SE - Palm Bay, FL 32907 (321-952-3400)

**Mayor**  
JOHN J. MAZZIOTTI

**Deputy Mayor**  
ED GEIER

**Councilmembers**  
PAT WOODARD  
MILO ZONKA  
KRISTINE ISNARDI

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# AGENDA

## SPECIAL COUNCIL MEETING NO. 2008-19

### THURSDAY

**July 10, 2008 - 6:00 P.M.**  
**City Hall Council Chambers**

#### **CALL TO ORDER:**

#### **ROLL CALL:**

#### **BUSINESS:**

1. Request by the Acting City Attorney to schedule an attorney-client session to discuss the lawsuit *State ex rel City of Palm Bay versus Brevard County*.
2. Attorney-client session scheduled to discuss and provide the City's counsel advice concerning negotiations or strategy related to expenses for the following litigation:
  - a) *Palm Bay Greens LLC versus City of Palm Bay and City of Palm Bay Code Enforcement Board*, Case No. 2006-AP-035163 (18<sup>th</sup> Circuit);
  - b) *Palm Bay Greens LLC versus City of Palm Bay*, Case No. 05-2006-CA-12091;
  - c) *City of Palm Bay and City of Palm Bay Code Enforcement Board versus Palm Bay Greens LLC*, Case No. 5D07-1910 (5<sup>th</sup> DCA).

Attendees: John Mazziotti, Mayor; Ed Geier, Deputy Mayor; Pat Woodard, Councilmember; Milo Zonka, Councilmember; Kristine Isnardi, Councilmember; Lee Feldman, City Manager; Jim Stokes, Acting City Attorney; John K. Shubin, Special Counsel; Juan J. Farach, Special Counsel; court reporter.

3. Attorney-client session scheduled to discuss the pending litigation of *State ex rel City of Palm Bay versus Brevard County, et al*, consolidated cases: 05-2008-CA-013607 and 05-2005-CA-024646, to provide the City's Counsel advice concerning settlement negotiations or strategy related to litigation expenses.

Attendees: John Mazziotti, Mayor; Ed Geier, Deputy Mayor; Pat Woodard, Councilmember; Milo Zonka, Councilmember; Kristine Isnardi, Councilmember; Lee Feldman, City Manager; Jim Stokes, Acting City Attorney; Nicholas Tsamoutales, City Attorney Emeritus; Terri Walcott, Special Counsel; court reporter.

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**ADJOURNMENT:**

If an individual decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim.

In accordance with the Americans with Disabilities Act, persons needing special accommodations for this meeting shall, at least 48 hours prior to the meeting, contact the Office of the City Clerk at (321) 952-3414 or Florida Relay System at 711.