



City of Stuart

AGENDA

SPECIAL MEETING OF THE STUART CITY COMMISSION

ATTORNEY - CLIENT

FEBRUARY 24, 2025

AT 3:30 PM

COMMISSION CHAMBERS

121 SW FLAGLER AVE.

STUART, FLORIDA 34994

CITY COMMISSION

Mayor Campbell Rich

Vice Mayor Christopher Collins

Commissioner Eula R. Clarke

Commissioner Laura Giobbi

Commissioner Sean Reed

ADMINISTRATIVE

City Manager, Michael J. Mortell

City Attorney, Lee J. Baggett

City Clerk, Mary R. Kindel

Agenda items are available on our website at <http://www.cityofstuart.us>
Phone: (772) 288-5306. Fax: (772) 288-5305. E-mail: mkindel@ci.stuart.fl.us

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation to attend this meeting should contact the City's ADA coordinator at 772-288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he 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 based.

(RC) next to an item denotes there is a City Code requirement for a Roll Call vote.

(QJ) next to an item denotes that it is a quasi-judicial matter or public hearing.

ROLL CALL

PLEDGE OF ALLEGIANCE

COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (Non-Agenda Related) (3 Minutes Max.)

COMMISSION ACTION

DISCUSSION AND DELIBERATION

1. ATTORNEY - CLIENT MEETING

ADJOURNMENT

WHAT IS CIVILITY? Civility is caring about one's identity, needs and beliefs without degrading someone else's in the process. Civility is more than merely being polite. Civility requires staying "present" even with those persons with whom we have deep-rooted and perhaps strong disagreements. It is about constantly being open to hear, learn, teach and change. It seeks common ground as a beginning point for dialogue. It is patience, grace, and strength of character. Civility is practiced in our City Hall.

PUBLIC COMMENT: If a member of the public wishes to comment upon ANY subject matter, including quasi-judicial matters, please submit a Request to Speak form. These forms are available in the back of the Commission Chambers, and should be given to the City Clerk prior to introduction of the item number you would like to address.

CONSENT CALENDAR: Those matters included under the Consent Calendar are self-explanatory, non-controversial, and are not expected to require review or discussion. All items will be enacted by one motion. If discussion on an item is desired by any City Commissioner that item may be removed by a City Commissioner from the Consent Calendar and considered separately. If an item is quasi-judicial it may be removed by a Commissioner or any member of the public from the Consent Calendar and considered separately.

QUASI-JUDICIAL HEARINGS: Some of the matters on the Agenda may be "quasi-judicial" in nature. City Commissioners will disclose all ex-parte communications, and may be subject to voir dire by any interested party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment without being sworn. Unsworn testimony will be given appropriate weight and credibility by the City Commission.

INVOCATION: Any invocation that may be offered at the opening of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.

CITY OF STUART, FLORIDA

AGENDA ITEM REQUEST

City Commission

Meeting Date: 2/24/2025

Prepared by: Lee Baggett

Title of Item:

ATTORNEY - CLIENT MEETING

Summary Explanation/Background Information on Agenda Request:

Pursuant to Florida Statutes s. 286.011(8), the City Commission and the City Manager may meet in private (aka a "Shade Meeting") with the City's attorney(s) to discuss pending litigation to which the City is presently a party before a court.

At the City Commission meeting held on January 27, 2025, the City Commission approved Resolution No. 18-2025, which authorized the City Attorney to schedule an Attorney-Client session with the City Commission, City Manager, City Attorney, and outside legal counsel regarding pending litigation matters pursuant to Florida Statutes, Section 286.011(8).

Pursuant to the Statute, the City Commission shall meet with the City Attorney in private to discuss strategy sessions or settlement negotiations related to litigation expenditures. The entire session shall be recorded by a certified court reporter and maintained as a public record by the City Clerk upon the conclusion of the litigation. **The meeting will be called to order in the City Commission Chambers and then the Commission will move to the Antechamber** for the private session which will be transcribed by the court reporter. Following the private session the City Commission will return to the City Commission Chambers and consider any Motions raised by the board. If any motions are heard, the Commission will hear public comment prior to voting. At the conclusion of any motions, the Commission will adjourn the meeting prior to calling the regularly scheduled City Commission meeting to Order.

The Attorney-Client session will be limited to the following pending litigation:

1. Behavioral Health Centers, LLC v. City of Stuart; U.S. District Court for the Southern District of Florida, Case No. 24-CV-14316-DMM
2. Giant Oil, Inc. v. City of Stuart; Martin County Circuit Court, Case No. 2023CA000949
3. City of Stuart v. Northpoint Ventures, LLC; Fourth District Court of Appeal, Case No. 4D24-0011

Funding Source:

N/A

Recommended Action:

Reach consensus regarding the cases specifically listed above.

ATTACHMENTS: