

**SPECIAL MEETING
DESTIN CITY COUNCIL
OCTOBER 19, 2020
ANNEX COUNCIL CHAMBERS
5:30 PM**

*****Core Value of the Month - Transparency*****

CALL TO ORDER

PLEDGE OF ALLEGIANCE

NEW BUSINESS

A. EXECUTIVE SESSION

1. EXECUTIVE ATTORNEY-CLIENT SESSION: Pursuant To Section 286.011(8), Florida Statutes, the City's Special Counsel will be seeking the advice of the City Council regarding settlement negotiations and/or strategy related to litigation expenditures concerning the pending litigation:

William C. Carter v. City of Destin, Florida, et al., Case Number 2016-CA-3085, in the Circuit Court of the First Judicial Circuit, in and for Okaloosa County Florida.

City Manager Lance Johnson, City Attorney Kyle Bauman, City Land Use Attorney Kimberly Kopp, Special Counsel Eric Krebs, Mayor Gary Jarvis, Council members Chatham Morgan, Parker Destin, Cyron Marler, Skip Overdier, Steven Menchel, Prebble Ramswell, and Rodney Braden will be attending the Executive Session.

ADJOURNMENT

****** Any invocation that is offered before the official start of the City Council meeting shall be the voluntary offering of a private person, to and for the benefit of the City Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council, or the City staff, and the City is not allowed by law to endorse the religious beliefs or views of this, or any other speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered. A person may exit the City Council Chambers and return upon completion of the opening invocation if a person does not wish to participate in or witness the opening invocation.***

Persons with disabilities who require assistance to participate in City meetings are requested to notify the City Clerk's Office at (850) 837-4242 in advance. Hearing Impaired: TTY: 711. Assistance also available through Human Resources, Title VI Coordinator, at (850) 837-4242.

Personas con discapacidades que necesitan asistencia o personas que necesiten ayuda con un idioma para participar en las reuniones de la ciudad, deberán notificar la oficina de la Secretaria Municipal al (850) 837-4242 antes de la reunión. Discapacidad auditiva: TTY: 711 (Solicitar Espanol CA). La ayuda tambien está disponible por Recursos Humanos, Coordinador del Título VI, al (850) 837-4242.

CITY OF DESTIN



AGENDA ITEM

COUNCIL MEETING DATE: October 19, 2020

TYPE OF AGENDA ITEM: Action Item

TO: City Council

THRU: Lance Johnson, City Manager

FROM: Kyle Bauman, City Attorney

DATE: October 9, 2020

SUBJECT: EXECUTIVE SESSION

1. EXECUTIVE ATTORNEY-CLIENT SESSION: Pursuant To Section 286.011(8), Florida Statutes, the City's Special Counsel will be seeking the advice of the City Council regarding settlement negotiations and/or strategy related to litigation expenditures concerning the pending litigation:

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I. BACKGROUND: A mediation in the above-referenced case was held on September 29, 2020. The mediation was attended by the City Attorney, the City Manager, and the City's litigation counsel, Eric Krebs. This executive session is being held pursuant to section 286.011(8), *Florida Statutes*.

II. DISCUSSION: The settlement is fully funded by the City's insurance carrier. By execution of this settlement agreement, the Plaintiff will be required to

dismiss the lawsuit against the City and fully release and discharge the City of any liabilities, claims, actions, or causes of action he may have against the City. There is no admission of wrongdoing or liability.

A. Link to Strategic Goals / Objectives:

B. Effect on Budget (EOB): None

C. Level of Service (LOS):

III. CONCLUSION:

IV. RECOMMENDED MOTION: I move to approve the Settlement Agreement and direct the City Manager to execute the document.

Attachments:

1. Carter v City of Destin, et al -
Settlement Agreement - PL executed