

**ADD ON**

AGENDA	
Section	Unfinished Business
Item No.	<b>V C</b>

Meeting Date
<b>May 3, 2016</b>



**AGENDA REPORT**  
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Request Executive Session: <i>Brevard County Solid Waste Management Department v. Florida Department of Environmental Protection, OGC Case Nos. 16-0038, 16-0039</i>		
DEPT/OFFICE:	County Attorney's Office Scott Knox, County Attorney; Christine Lepore, Assistant County Attorney Scott.Knox@brevardcounty.us; Christine.Lepore@brevardcounty.us		
Requested Action:	<p>It is requested that the Board approve the cost of advertising for, and the scheduling of, a private session on May 17, 2016, at 9:00 a.m. or at the conclusion of the regular meeting of the Board of County Commissioners, whichever occurs earlier, pursuant to section 286.011(8), Florida Statute, in the case of <i>Brevard County Solid Waste Management Department v. Florida Department of Environmental Protection, OGC Case Nos. 16-0038, 16-0039</i> for the purpose of discussing strategy and granting authorization.</p>		
Summary Explanation & Background:	<p>The County Attorney is advising that he is requesting a private session meeting with the Board of County Commissioners to discuss pending litigation styled <i>Brevard County Solid Waste Management Department v. Florida Department of Environmental Protection, OGC Case Nos. 16-0038, 16-0039</i>, because he desires advice concerning the litigation. The subject matter of the meeting shall be confined to settlement negotiations or strategy sessions.</p> <p>Present at the attorney-client private session will be as follows:</p> <p>Robin Fisher, County Commissioner District 1          Jim Barfield, County Commissioner, District 2          Trudie Infantini, County Commissioner, District 3          Curt Smith, County Commissioner, District 4          Andy Anderson, County Commissioner, District 5          Stockton Whitten, County Manager          Scott L. Knox, County Attorney          Christine Lepore, Assistant County Attorney          David S. Dee, Esq., Gardner, Bist, Bowden, Bush, Dee, LaVia &amp; Wright, P.A. (outside counsel)</p> <p>TBD, King Reporting Services, Inc.</p> <p>Fiscal Impact: Cost of advertisement          Commission District:          Fund/Account/Cost Code:</p>		
Clerk to the Board Instructions:			
Exhibits Attached:			
Contract /Agreement (If attached):	Reviewed by County Attorney	Yes <input type="checkbox"/>	No <input type="checkbox"/> PR <input type="checkbox"/>
County Manager	Assistant County Manager, Frank Abbate	Department Director / Extension County Attorney/52090	
Stockton Whitten	Assistant County Manager, Venetta Valdengo		



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

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May 4, 2016

MEMORANDUM

TO: Scott Knox, County Attorney

RE: Item V.C., Request to Schedule Executive Session on May 17, 2016, for Brevard County Solid Waste Management Department v. Florida Department of Environmental Protection, OGC Case Nos. 16-0038 and 16-0039

The Board of Commissioners, in regular session on May 3, 2016, approved the cost of advertising for, the scheduling of, a private session on May 17, 2016, at 9:00 a.m. or at the conclusion of the regular meeting of the Board of County Commissioners, whichever comes earlier, pursuant to section 286.011(8), Florida Statute, in the case of Brevard County Solid Waste Management Department v Florida Department of Environmental Protection, OGC Case Nos. 16-0038 and 16-0039, for the purpose of discussing strategy and granting authorization.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS  
SCOTT ELLIS, CLERK

*Tammy Rowe*

✓ Tammy Rowe, Deputy Clerk

/cm

cc: Each Commissioner  
County Manager  
SCGTV Director