

**SPECIAL MEETING AND ATTORNEY-CLIENT SESSION  
OF THE STUART CITY COMMISSION  
HELD ON MARCH 7, 2011  
AT 4:00 P.M. IN THE CITY COMMISSION CHAMBERS  
121 SW FLAGLER AVE  
STUART, FLORIDA 34994**

**Mayor Jeffrey Krauskopf  
Vice Mayor James Christie Jr.  
Commissioner Michael Mortell  
Commissioner Elect Eula R. Clarke  
Commissioner Elect Troy A. McDonald**

**Also in attendance were:  
City Manager Dan Hudson  
City Attorney Paul J. Nicoletti  
City Clerk Cheryl White**

**Mayor Krauskopf delivered the Invocation, followed by the Pledge of Allegiance led by the Commission.**

**STATUTORY ADVISORY (Public)**

- A. The City Attorney asks all persons attending the Attorney-Client Session to reconvene in the office of the City Manager.

City Attorney Nicoletti explained the need for the Attorney Client Session. He anticipates the meeting to be ½ hour in length.

Commissioner Clarke arrived at this time.

- B. *Court Reporter notes time and starts recording.*

- C. Mayor convenes the Attorney-Client Session, acknowledging the request of the City Attorney to discuss : 4:01 P.M.

The City Commission reconvened at 4:46 p.m.

City Attorney Nicoletti stated there are no actions at this time by the Commission.

**Excerpts from Section 286.011, Florida Statutes**

Sec. 286.011(1) All meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the Constitution, at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting. The board or commission must provide reasonable notice of all such meetings.

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(8) Notwithstanding the provisions of subsection (1), any board or commission of any state agency or authority or any agency or authority of any county, municipal corporation, or political subdivision, and the chief administrative or executive officer of the governmental entity, may meet in private with the entity's attorney to discuss pending litigation to which the entity is presently a party before a court or administrative agency, provided that the following conditions are met:

(a) The entity's attorney shall advise the entity at a public meeting that he or she desires advice concerning the litigation.

(b) The subject matter of the meeting shall be confined to settlement negotiations or strategy sessions related to litigation expenditures.

(c) The entire session shall be recorded by a certified court reporter. The 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 entity's clerk within a reasonable time after the meeting.

(d) The entity shall give reasonable public notice of the time and date of the attorney-client session and the names of persons who will be attending the session. The session shall commence at an open meeting at which the persons chairing the meeting shall announce the commencement and estimated length of the attorney-client session and the names of the persons attending. At the conclusion of the attorney-client session, the meeting shall be reopened, and the person chairing the meeting shall announce the termination of the session.

(e) The transcript shall be made part of the public record upon conclusion of the litigation.

**ADJOURNMENT 4:48 p.m.**

**ATTEST:**

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Cheryl White, CMC, City Clerk

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Jeffrey A. Krauskopf, Mayor

**Minutes to be approved at the Regular Commission  
Meeting This 28th Day March 2011.**