



# 5.b

## MINUTES

### City of Holmes Beach City Commission Special Meeting

February 20, 2024, 2:00 p.m.  
Patricia A. Geyer Commission Chambers  
5801 Marina Drive, Holmes Beach FL 34217

**Present:** Commissioner Diggins, Commissioner Kerchner, Commissioner Soustek, Chair Schaefer

**Absent:** Commissioner Morton

**Staff Present:** Mayor Titsworth, Deputy City Clerk Lowe

**Also Present:** Litigation Counsel Attorney Jay Daigneault and Randy Mora, Trask Daigneault.

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**1. Call to Order; Pledge of Allegiance; Moment of Silence**

Chair Schaefer called the meeting to order at 2:00 p.m.

**2. Roll Call**

**3. Public Comment**

None.

**4. Attorney Request and Announcement for Holding a Closed Executive Session**

Concerning pending litigation to which the City is presently a party before a court to discuss settlement negotiations and strategy related to litigation expenditures, as authorized by Section 286.011 (8), Florida Statutes.

The Closed Executive Session May be Attended by:

Mayor Judy Titsworth  
Commissioner Carol Soustek  
Commissioner Terry W. Schaefer  
Commissioner Pat Morton  
Commissioner Dan Diggins  
Commissioner Greg Kerchner  
Litigation Counsel Attorney Jay Daigneault  
Litigation Counsel Randy Mora  
Court Reporter

*Chair Schaefer* read the Attorney request and announcement for holding a closed Executive Session.

**5. Commission Consideration of Attorney's Request for Adjourning into Executive Session**

*Attorney Jay Daigneault* requested the City Commission adjourn to hold a Shade/Executive Session to discuss the Settlement Negotiation and Strategy related to litigation expenditures, as authorized by Section 286.011 (8), Florida Statutes, for the pending litigation: *SHAWN THOMAS KALETA et al. v. CITY OF HOLMES BEACH*, United States District Court Middle District of Florida Case No. 8:22-cv-2472-CEH-JSS. He requested an estimated 90 minutes for discussion.

**Action: There was a unanimous consensus to adjourn into the Executive Session for 90 minutes.**

**6. Hold Closed Executive Session**

*Chair Schaefer* recessed the meeting into the Executive Session held in the City Hall Conference Room at 2:05 p.m. A Court Reporter was present only during the Executive Session.

**7. Meeting to Reopen to Public at End of Executive Session**

The Executive Session ended, and the meeting was reopened to the public at 3:10 p.m.

**8. Adjournment**

The meeting was adjourned by Chair Schaefer at 3:10 p.m.

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Michelle Lowe, CMC, Deputy City Clerk

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Minutes Approved