ITEM 14A

REQUEST FOR PREPARATION OF POLICY, LEGISLATION OR ACTION

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| To: | Village Manager and Village Attorney | Date: | August 22, 2013 |
| From: | Vice Mayor John DuBois | Re: | Inclusion under "Other Business" Regular Council Meeting of 9/9/2013 |

PURPOSE:

To vote on the most recent settlement agreement concerning the litigation with Palmer Trinity School.

MAJOR POINTS TO BE COVERED:

The Council has conducted an extensive shade session to review the original settlement offer Palmer Trinity School made to the Village of Palmetto Bay in July 2013. The Council achieved consensus for the response and provided a counter offer to the school subject, of course, to approval by the Council in a publically held Council Meeting (under Sunshine, not in Shade). The school then provided a final "take it or leave it" settlement agreement in August 2013. This item will be a vote to approve, reject, or otherwise respond to the August Settlement offer.

REASON:

As the parties have been seeking to come to an agreement in order to conclude this litigation, a vote by the Village Council in a public meeting is appropriate and necessary.

DESIRED ACTION:

1. The Village Attorney shall provide a brief legal opinion on:
    a. The village's exposure if this settlement is not reached and the litigation avenue is pursued.
    b. The time line of events that lie ahead if it is approved in terms of:
        i. Closure of legal case.
        ii. Administrative Process the School must go through.
        iii. Quasi-Judicial Process the School may be subjected to.
        iv. The effect on closure of the legal case if either ii or iii above do not result in favorable outcomes for the school.
2. Council shall vote on the proposed settlement of litigation with Palmer Trinity School.

**ITEM 14B**

REQUEST FOR PREPARATION OF POLICY, LEGISLATION OR ACTION

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| To: | Village Manager and Village Attorney | Date: | August 29, 2013 |
| From: | Vice Mayor John DuBois | Re: | Inclusion under "Other Business" Council Meeting of 9/9/2013 |

PURPOSE:

To discuss the annual evaluation of the Charter Officers.

MAJOR POINTS TO BE COVERED:

At the June 3rd Council Meeting, the Village Council decided that it was appropriate to begin the process of formally evaluating the Charter Officers. Following an unanimous vote, the Council had agreed to evaluate the Charter Officers in the month of July.

REASON:

The employment agreements of the Village Manager and Village Clerk each contain a provision wherein an annual evaluation is performed, using criteria developed jointly by the Council and the employees. This is common practice in governmental agencies and most businesses; and, should be performed annually in Palmetto Bay. As mentioned previously, July is an appropriate month in which to perform evaluations, which is also in conjunction with the budget process, as an evaluation may be used by Council, in its discretion, to provide for any appropriate salary adjustment.

DESIRED ACTION:

Status of the evaluations.

REQUEST FOR PREPARATION OF POLICY, LEGISLATION OR ACTION

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|---|---|---|---|
| To: | Village Manager and Village Attorney | Date: | August 12, 2013 |
| From: | Councilman Patrick Fiore | Re: | Inclusion under "Other Business" Regular Council Meeting of 9/9/2013 |

PURPOSE:

The release of all shade sessions relating to the Palmer Trinity litigation upon the occurrence of the following: an affirmative vote taken at a public meeting on a settlement between the Village and Palmer Trinity; and, if a site plan modification hearing is required, upon an affirmative vote on the site plan modification, as proposed in the settlement agreement at a public hearing.

MAJOR POINTS TO BE COVERED:

Release all shade session transcripts for the Palmer Trinity litigation when the two conditions above have been met.

REASON:

Should the two conditions be met, the Shade Session transcripts of the Palmer Trinity Case should be released.

DESIRED ACTION:

Direct the Village Clerk to provide the shade session transcripts following conclusion of the above-referenced actions.