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KEY COLONY BEACH CLOSED SESSION MEETING

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DATE: December 14, 2023  
TIME: 12:17 p.m. - 12:41 p.m.  
LOCATION: Key Colony Beach City Hall  
REPORTER: Deborah Carmela Dew, FPR,  
(via Zoom videoconference)

ALL PERSONS PRESENT:

Dirk M. Smits, City Attorney  
Mayor Joey Raspe  
Commissioner Beth Ramsay-Vickrey  
Commissioner Tom Harding  
Commissioner Freddie Foster  
Commissioner Tom DiFrancisco

1 P R O C E E D I N G S

2 MR. SMITS: Dirk Smits, I'm here on the case of  
3 the Swanson versus Key Colony Beach. I'm the city  
4 attorney. This is a Closed Session to discuss  
5 settlement options and litigation expenditures. I am  
6 trying to get this done as soon as possible, so I'm  
7 going to jump right in.

8 The issues I'm facing with the settlement right  
9 now is I recognize all settlements be in writing.  
10 It's very unusual to settle a case without it being in  
11 writing. In this instance, there's more counts  
12 besides just the count about HOB.

13 There's count that be declaratory in nature  
14 regarding our code and these other counts and  
15 everything should be dismissed, so I'm just putting  
16 that out there. I have no idea what the costs to  
17 rebid or replace are. I haven't studied that, that's  
18 a Lenny question.

19 Just for your knowledge, that lawsuits pending  
20 like this kill our abilities to get financing. So  
21 there's -- there's a big reason to get rid of the  
22 lawsuit there.

23 I guess if I was to suggest, and I would hear  
24 advice on this, if you were to entertain the  
25 settlement when the item comes up, I would ask that it

1 be subject to a mutual -- mutually agreeable  
2 settlement document crafted between an assigned  
3 commissioner and Ms. Swanson directly because I don't  
4 believe Ms. Swanson would want to do that with me, nor  
5 would I, because she actually has an attorney.

6 So I would suggest that maybe that would be the  
7 way you approach it and then show it to me afterwards  
8 because I feel like there would be nothing  
9 communication-wise. I'm supposed to talk to her  
10 lawyer, okay. So those are the things, I want to put  
11 that out there.

12 I really prefer something in writing. The  
13 expenditures will end if we're going to settle this.  
14 I think everybody's ready to settle this, so those are  
15 my issues that I need advice upon. Who wants to go  
16 first? Who wants to start?

17 THE REPORTER: I'm having a problem with who's  
18 speaking.

19 MR. SMITS: Okay. Who wants to start? It's Tom  
20 DiFrancisco.

21 MR. DiFRANCISCO: My name is Tom DiFrancisco, and  
22 I have a, I guess, question, Dirk.

23 MR. SMITS: Yes, sir.

24 MR. DiFRANCISCO: Can we ask her to have her  
25 attorney draft a Settlement Agreement?

1 MR. SMITS: I did. This is Dirk, again, Dirk  
2 Smits. I did, I sent this very Settlement Agreement  
3 to him several times. I have provided a copy to City  
4 Hall, where she came and picked it up. I can't  
5 communicate with her as long as she's represented by  
6 counsel.

7 So I have tried many, many times to get her  
8 attorney to get with me. I'm sure there must be some  
9 breakdown between them, maybe -- I don't even want to  
10 speculate. But that's why I'm suggesting maybe she  
11 can sit with the commissioner and knock it together.

12 MAYOR RASPE: This is Joey Raspe. My only  
13 questions are I believe the problem here for her would  
14 be in paragraph two in the exchange for the rescission  
15 vote.

16 I think she feels like she is giving up things  
17 she does not want to give up. To me it seems like it  
18 says by signing this, you're giving away all these  
19 rights to do this.

20 MR. SMITS: You know what?

21 MAYOR RASPE: I'm speculating.

22 MR. SMITS: No, okay. From every -- okay. I can  
23 live without that as long as it says "anything  
24 regarding this lawsuit." So if it just cut that  
25 out to --

1           MAYOR RASPE: I think it's just the future that  
2 she's afraid of.

3           MR. SMITS: Correct. So I would just say --  
4 number two I would just put anything regarding this  
5 lawsuit. So you can just say anything regarding this  
6 lawsuit and not everything under the sun.

7           That's the only concern, I have no issue with it.  
8 But, again, I can't talk to her.

9           MAYOR RASPE: Again, I'm speculating.

10          MR. SMITS: Okay.

11          MAYOR RASPE: I haven't spoken to her.

12          MR. SMITS: That's fine. So is that all you  
13 have, Mayor Raspe?

14          MAYOR RASPE: I'm agreeing with Tom, I think that  
15 everybody wants to get this solved and get it over  
16 with. I wish there was a way we could just say what  
17 is it that you want.

18          MR. SMITS: That's why I'm suggesting when you --  
19 when you resolve it, say we are -- we are rescinding  
20 our July action and we -- subject to a mutually  
21 agreeable settlement document crafted between Ms.  
22 Swanson and a member of the commission. And that  
23 settlement document can be ratified -- can be approved  
24 by me and ratified --

25          MAYOR RASPE: When you say rescind, is it the

1 same as repeal?

2 MR. SMITS: Rescind, repeal, you can use both  
3 words.

4 MAYOR RASPE: Okay. I think that's -- that's the  
5 only hurdle that I saw.

6 MR. SMITS: Okay. Now we're on to Commissioner  
7 Foster, Freddie Foster.

8 COMMISSIONER FOSTER: Yeah, I've read it. So  
9 I've heard her and I understand her -- her desire not  
10 to sign anything. I understand some of the hurdles in  
11 city public forum and why she has a distaste for this.

12 The easy way out, and I know from the attorney's  
13 perspective it may not be liked, but we can repeal the  
14 July 20th vote and be done with it and then we have  
15 her word that she will drop it.

16 You got to remember, this is a small community  
17 and it ain't just Laurie. There's been 140 people  
18 involved in this. So I don't have an issue with it,  
19 but if she -- my concern is if she don't sign  
20 anything, we just continue to go with this. That's --  
21 that's my problem.

22 MR. SMITS: Okay. And this is Dirk Smits just  
23 responding to that. There's no lawyer anywhere that's  
24 going to say don't have a written document to some  
25 settlement.

1 COMMISSIONER FOSTER: I understand that.

2 MR. SMITS: So I can't really advise you to do  
3 that.

4 COMMISSIONER DiFRANCISCO: Let me ask a question.  
5 If she does -- if we rescind the vote and she does  
6 drop the lawsuit, will there not be a document that  
7 officially drops the lawsuit?

8 MR. SMITS: I would have to draft a rescind --

9 COMMISSIONER DiFRANCISCO: Her attorney would  
10 have to draft it.

11 MR. SMITS: Her attorney should draft it. I  
12 mean, that's the whole -- the whole issue.

13 MR. DiFRANCISCO: She's not been responsible. I  
14 mean, she has to drop the lawsuit.

15 MR. SMITS: I can't drop it for her.

16 COMMISSIONER DiFRANCISCO: To drop the lawsuit,  
17 she has to tell her attorney drop the lawsuit --

18 MR. SMITS: Correct.

19 COMMISSIONER DiFRANCISCO: -- and he has to draw  
20 up the document and file it.

21 MR. SMITS: Correct.

22 COMMISSIONER DiFRANCISCO: Is that --

23 MR. SMITS: Correct.

24 COMMISSIONER DiFRANCISCO: Will that be adequate?

25 MR. SMITS: I mean, it depends on how she drops

1 it. If she doesn't drop all the counts, if she  
2 doesn't drop all the claims, I mean, the one thing  
3 you're rescinding is not all the counts -- I'm sorry,  
4 this is Mr. Dirk Smits again.

5 The one thing that she is rescinding or is  
6 agreeing to drop she says "the lawsuit," but there's  
7 only one count for rescission. So if you take action  
8 rescinding, you haven't taken care of the entire suit  
9 because that's other cases and -- there's other claims  
10 being made for relief to declare our codes certain  
11 ways.

12 And that's, from what I hear, what she wants to  
13 do, is dismiss the whole thing, and I would hope that  
14 that's what she wants to do. And that's why I'm  
15 suggesting subject to a release that is acceptable to  
16 both parties to be executed and negotiated between any  
17 one of you, any one of you commissioners, maybe the  
18 mayor.

19 So do you have more to add, Commissioner Foster?

20 COMMISSIONER FOSTER: My concern again is she's  
21 thrown out what she would like to see. I understand  
22 from an attorney's perspective we don't want to see  
23 it.

24 MR. SMITS: But --

25 COMMISSIONER FOSTER: In reality, if she walked



1 away, we wouldn't be talking about this right now  
2 either.

3 MR. SMITS: Fair enough. I guess I'm just  
4 saying -- oh, and one other thing I want to add, HOB  
5 is willing to stick around for as long as this plays  
6 out. So when you cut him loose, you realize you  
7 didn't necessarily have to.

8 COMMISSIONER FOSTER: I understand that they will  
9 stick around. But, again, if they walk away, the  
10 suit's gone anyway.

11 MR. SMITS: Except for the additional counts.  
12 The additional counts are what concerns me and why --  
13 unless it's in writing. Commissioner Harding?

14 COMMISSIONER HARDING: Tom Harding. So first  
15 obvious question is from the document you gave her,  
16 she has not signed anything to date.

17 MR. SMITS: Correct.

18 COMMISSIONER HARDING: And I fully agree with you  
19 we need something in writing to protect the city.  
20 Beyond the "agreement" with HOB, so that's null and  
21 void at this point, right, technically, irregardless  
22 of the lawsuit.

23 MR. SMITS: He could walk, but he's willing to  
24 hang around till October 5th.

25 COMMISSIONER HARDING: All right. So -- so if we

1 propose a rescind vote and we approve that today with  
2 these follow-up activities and those don't happen,  
3 what happens to the rescind vote?

4 MR. SMITS: Well, it's a rescission that will be  
5 done in exchange for resolving the lawsuit. In other  
6 words, you're taking the rescission and making it to  
7 the lawsuit.

8 COMMISSIONER HARDING: That doesn't -- the  
9 lawsuit doesn't close, then what happens with our  
10 rescind vote?

11 MR. SMITS: It wouldn't be rescinded. It's  
12 contingent upon the parties settling, unless you vote  
13 some other way.

14 COMMISSIONER HARDING: And I agree with you, you  
15 want to close out of the rest of the items from the  
16 lawsuit so there isn't any other -- and your  
17 suggestion of having one of the commissioners --

18 (Interruption in proceedings.)

19 MR. SMITS: Tell them we got a little more time,  
20 maybe 15, 20 minutes.

21 COMMISSIONER HARDING: So your suggestion of  
22 having one of the commissioners is to avoid additional  
23 lawyer fees --

24 MR. SMITS: Correct.

25 COMMISSIONER HARDING: -- basically for her so we

1 can come up with a solution to bring back to you, that  
2 we would want to have you review whether this is an  
3 acceptable risk for us to take.

4 MAYOR RASPE: Yeah, we would need to get whatever  
5 document her attorney --

6 MR. SMITS: Her attorney's not --

7 MAYOR RASPE: -- by you.

8 MR. SMITS: So if you were sit down with her,  
9 because the attorney's not responsible -- so if Joey  
10 Raspe, Mayor, were to sit down with her, puts the  
11 document together, show it to me, I deem it okay, and  
12 I can live without some stuff.

13 But this has been around, she could have edited  
14 it for me a long time ago. So you just show it to me,  
15 I'll look it over. I'm sure it's going to be -- it's  
16 very easy to change, I hope.

17 So I could do that and I would just say we are  
18 going to -- it will be dismissed once the releases are  
19 signed -- once the document is signed to the mutual  
20 satisfaction of the city and the Swansons, the  
21 settlement document is signed.

22 So once that's done, the city attorney, you're  
23 directed to notice the contractor that his services  
24 will not be --

25 MAYOR RASPE: You present this to her. When they

1 come back in, she can meet with me.

2 MR. SMITS: Well, that's what I'm going to  
3 recommend for the motion. If that's the motion that's  
4 made, I'm going to say the motion should be subject to  
5 a mutually agreeable settlement document crafted  
6 between an assigned commissioner and Ms. Swanson.

7 Once executed, the city attorney is directed to  
8 notify that they are no longer going to be used.

9 COMMISSIONER HARDING: And the next step with  
10 that, so that would go back to you for review and you  
11 would bring that back to us and say --

12 MR. SMITS: I'll bring it back to you for --  
13 for -- no. You can make itself executing so it's over  
14 today, you can make it subject to this. If this  
15 doesn't happen, then we're coming back if the document  
16 doesn't happen.

17 COMMISSIONER HARDING: Yeah. What my concern is  
18 let's say Joey meets with her, goes to you and you  
19 think it's okay, all right. Now what's the step for  
20 us to see that and approve it? So I don't want it to  
21 be blind to us.

22 MR. SMITS: Right.

23 MAYOR RASPE: I see it before I present it to  
24 you, is there a way to do that?

25 MR. SMITS: We can call a special meeting.

1 MAYOR RASPE: I present it to you and you can  
2 give it to each one of us individually.

3 COMMISSIONER HARDING: I think what I would  
4 expect is that we would call another special meeting,  
5 this is what has been proposed, and I'd recommend  
6 either yes or no can, and then we -- can we vote at a  
7 special meeting or does --

8 MR. SMITS: Yeah.

9 COMMISSIONER HARDING: Yeah, okay. So we can  
10 vote at a special meeting, we take that and say we  
11 approve. I just -- I just don't want to leave it as  
12 "what if" and then we don't get a chance to see the  
13 document.

14 MR. SMITS: I'm okay with doing it that way, and  
15 I'm actually more comfortable that way.

16 MAYOR RASPE: I think if we need to have them  
17 know that we're like much closer than we were when we  
18 walked in this building. We're --

19 MR. SMITS: Okay. I think you can say --

20 MAYOR RASPE: -- not drawing it out.

21 MR. SMITS: -- "We're done, you and I, Ms.  
22 Swanson," you can make it you and her, are going to  
23 come up with a document to you sign and I will take to  
24 the commission based upon what I think they will  
25 accept on a special meeting as fast as possible once

1 we work it out. And then just say --

2 MAYOR RASPE: Can you announce the special  
3 meeting today?

4 MR. SMITS: I have to get with Sylvia. But, yes,  
5 it's got be a four-day thing. There's a P&Z on the  
6 20th, you can loop that together, yeah.

7 MAYOR RASPE: Okay, great.

8 COMMISSIONER RAMSAY-VICKREY: The 20th is better.

9 COMMISSIONER HARDING: You can't make a decision  
10 today, we have to coordinate that.

11 COMMISSIONER RAMSAY-VICKREY: We have to put that  
12 on our calendar. I'm not done.

13 COMMISSIONER HARDING: Are you done?

14 MAYOR RASPE: Yeah. I'm done.

15 MR. SMITS: Okay.

16 COMMISSIONER RAMSAY-VICKREY: Okay. I agree  
17 with what Tom said, this has to come back to all of us  
18 this. Yes, it's Beth.

19 THE REPORTER: Just speak up a little bit.

20 COMMISSIONER RAMSAY-VICKREY: Okay. Here's my  
21 concern. What does Laurie want? If we rebid it and  
22 she doesn't like that bid, then what? We do this all  
23 over again? What if HOB comes back and he's the only  
24 bidder again and Laurie doesn't like it, do we do this  
25 all over again? What does this woman want?

1 MAYOR RASPE: You're making it seem like that was  
2 a really easy thing for her to do, get all those  
3 signatures. It's not. Believe me --

4 COMMISSIONER RAMSAY-VICKREY: Joey.

5 MAYOR RASPE: -- there's a lot of work involved.

6 COMMISSIONER RAMSAY-VICKREY: Joey, I'm asking  
7 the question, what does she want? And if we rebid it  
8 and she doesn't like it, is she going to start this  
9 whole process again? This is my concern.

10 MAYOR RASPE: Any resident can do that. It's  
11 not -- you're making it a personal thing with Laurie.  
12 I could do it. I could say --

13 COMMISSIONER RAMSAY-VICKREY: Laurie is the one  
14 who did this. So I'm saying --

15 MAYOR RASPE: I could say I don't like that bid  
16 and I'm going to file a petition.

17 COMMISSIONER RAMSAY-VICKREY: Okay.

18 MAYOR RASPE: Anybody. You, you could do it.  
19 Anyone could.

20 COMMISSIONER RAMSAY-VICKREY: Joey, the question  
21 really becomes is not just settling this, but settling  
22 the complete issue. Is what Laurie asking for truly  
23 for us to just send this out to rebid, that she wasn't  
24 happy with the bidding process and the bidder who came  
25 back, and whatever happens from the next bid, she's

1 going to accept that? That she realizes --

2 MAYOR RASPE: Of course not.

3 COMMISSIONER RAMSAY-VICKREY: -- that we could  
4 do --

5 MR. SMITS: Let me -- let me comment on that.  
6 What's in front of you is how to end this.

7 COMMISSIONER RAMSAY-VICKREY: Right.

8 MR. SMITS: What we do next is no less of a  
9 challenge than what we just did. So it's -- it's  
10 really you're cutting your losses now because further  
11 litigation -- you guys are 30,000 into this case right  
12 now.

13 MAYOR RASPE: As long as we don't --

14 MR. SMITS: Well, you're 30,000 into it right now  
15 and it's still at the Motion to Dismiss stage, and  
16 that's without discovery. So you're cutting your  
17 losses right now and you're not being able to change  
18 anything because this is the code you're stuck with.

19 So the question is going to become how do we move  
20 forward effectively next time? That's something that  
21 I don't know if any of you have an idea of how to do.

22 MAYOR RASPE: That's when we vote.

23 MR. SMITS: But what I'm saying is I don't know  
24 what the answer is on how to move forward effectively,  
25 and I don't know how to incorporate that into



1 something in this lawsuit because it's only one  
2 person.

3 COMMISSIONER DiFRANCISCO: That was a separate  
4 discussion.

5 COMMISSIONER RAMSAY-VICKREY: Okay. That's what  
6 concerns me is that we are this far down the line, we  
7 have spent this much money. We're working on the  
8 settlement so to stop the lawsuit and to stop the  
9 money.

10 But if we then go, okay, we're going to stop this  
11 lawsuit and we rebid the project and somebody doesn't  
12 like it again, then we have to go through all this  
13 money, all this process again.

14 MR. SMITS: Or I -- I have a solution for that,  
15 and I don't know whether it's going to go anywhere,  
16 but this is in the realm of possible down the road to  
17 the theme of settling this thing today.

18 You have all this referendum stuff in there  
19 anyway. There's an election coming up, a couple of  
20 them anyway, and you could actually put it out to bid  
21 and you could put out the financing as part of it -- I  
22 mean not out to bid, I'm sorry -- put it out for  
23 referendum and include the financing.

24 That way you could get a bond without having to  
25 go through all the financial shenanigans that we were

1 just about to go through. So if it passes, there's no  
2 challenge to it.

3 MAYOR RASPE: We decided at the last special  
4 session were done fighting this, done spending the  
5 money. We drafted the resolution, it wasn't what she  
6 wanted to hear. I mean, I think we're this close to  
7 it. I don't want to spend any more city money.

8 MR. SMITS: I get it. So the motion that I would  
9 encourage you to make would be subject to Ms. Swanson  
10 and myself coming up with a written resolution that  
11 will be voted on forthwith, which I believe will be  
12 approved -- you can say that, I believe will be  
13 approved, but we technically have to bring it back.

14 We're going to have the meeting as soon as  
15 possible and hope that's acceptable that to Ms.  
16 Swanson.

17 COMMISSIONER FOSTER: So, Joey -- this is  
18 Freddie. I can see this going, kicking down the brick  
19 road again. I just -- I can see it right now. First  
20 of all, it's not just Laurie Swanson. It's probably  
21 200 people. I know because I talk to those people.  
22 So it ain't just Laurie Swanson, so we need to -- we  
23 need to understand that.

24 The second piece is if we're just going to keep  
25 batting this around, we're going to find ourselves

1 here in another month and the cost -- unless she signs  
2 something, the only thing I see, Joey, is we rescind  
3 the vote on the 20th and be done with it.

4 MR. SMITS: Okay. I have all the votes I need  
5 unless --

6 MR. DiFRANCISCO: Let me ask one more question.

7 MR. SMITS: Yes, sir.

8 MR. DiFRANCISCO: If we rescind the vote today  
9 and she "drops her lawsuit," can we follow that up  
10 with a document?

11 COMMISSIONER FOSTER: I don't think you have to,  
12 do you?

13 MR. SMITS: Well, yes you do, because she has  
14 other counts in her lawsuit that do not involve the --  
15 the dropping of HOB. Dropping HOB satisfies one  
16 count.

17 COMMISSIONER FOSTER: She said she'll drop the  
18 whole thing.

19 MR. SMITS: And I love -- I love words, words are  
20 great. But I'm a lawyer, I demand -- I can't  
21 demand -- but I cannot advise to do a settlement  
22 without a written document.

23 COMMISSIONER FOSTER: I understand that.

24 MR. SMITS: So you can do what you want.

25 COMMISSIONER FOSTER: This is our settlement.

1 MR. SMITS: This is absolutely your settlement,  
2 you guys can do whatever you want. I cannot advise  
3 you that this is the right way to do it because  
4 everything needs to be reduced to writing to give it  
5 lasting and permanent resolution and effect.

6 COMMISSIONER FOSTER: I understand.

7 MR. SMITS: This is not the way to settle a case.  
8 Never settle a case on a do something, never once. In  
9 my 31 years of practice, never did it without a  
10 written -- written document.

11 MR. DiFRANCISCO: My question again -- this is  
12 Tom DeFrancisco one more time -- is if we follow the  
13 path of saying we rescind the vote, look to her to  
14 drop the complete lawsuit and she does, can we then  
15 follow that up with a document that would be  
16 satisfactory?

17 MR. SMITS: So if you rescind the vote, she's  
18 under no obligation to give you anything.

19 MR. DiFRANCISCO: Other than what she said here.

20 MR. SMITS: Other than -- that doesn't count. It  
21 doesn't count, it's not in writing. That's a  
22 statement, she can change her mind. It wasn't under  
23 oath, that doesn't count.

24 So the promise to the crowd is worth the paper  
25 it's written on. And I'm not saying anything disp --

1 there's no dispersion to her. I just think she  
2 doesn't trust the paper because I wrote.

3 So that's why I'm suggesting if you boot it over  
4 to Joey, who she likely trusts more than a lawyer,  
5 particularly me. So, you know, that would be the way  
6 I would want to handle it because I do want you guys  
7 to be able to say today this is over, as long as Joey  
8 and I -- Joey and Ms. Swanson get a paper together for  
9 us to ratify at the next meeting.

10 COMMISSIONER FOSTER: Otherwise, we rescind the  
11 vote.

12 MR. SMITS: Well, okay, we're not going to be  
13 voting here, right? I can't -- can't get you guys to  
14 tell me what you want to do, but I'm encouraging you  
15 to make the motion that I will get with you to make  
16 just what I just told you, okay, subject to --

17 MAYOR RASPE: Okay. We'll word that together.

18 MR. SMITS: Okay. I can actually word it for you  
19 right now if you want.

20 COMMISSIONER FOSTER: Joey, you're going to have  
21 to do the talking.

22 MAYOR RASPE: I'm fine.

23 MR. SMITS: Okay. I move that we settle --

24 COMMISSIONER RAMSAY-VICKREY: You want a pen,  
25 right?

1 MR. SMITS: Let me write it down.

2 The motion that if we wanted to make this motion,  
3 I'm not saying it's anything you're voting on in this  
4 thing, to make it clear for the transcript, would be  
5 to settle Ms. Swanson's lawsuit as referenced in the  
6 agenda subject to a mutually agreement -- mutually  
7 agreeable written settlement document to be crafted  
8 by -- is that you?

9 MAYOR RASPE: Uh-huh.

10 MR. SMITS: I'm going to put myself, since you're  
11 reading this, to be ratified at the next available  
12 possible special meeting.

13 MAYOR RASPE: Uh-huh. I'm going to be able to  
14 read that?

15 MR. SMITS: Yeah, I hope so. I'm doing my best.  
16 I was born a lefty, I may become righty. See if you  
17 can read that.

18 THE REPORTER: I'm not hearing you.

19 MR. SMITS: He's just mumbling to himself.

20 THE REPORTER: Okay, thank you.

21 MAYOR RASPE: Do we need to call her up for this?

22 MR. SMITS: No. You just say you do that, you  
23 make a motion. I'm sorry. Mr. Raspe -- Mayor Raspe,  
24 what you will do is you'll call for a motion to do  
25 that and you can read the motion. You call for a

1 motion. Somebody can move that, somebody can second  
2 and it, and then you vote.

3 And then somebody can say, "Ms. Swanson, I will  
4 get with you after the meeting to craft the document,  
5 which I heartedly believe will be easy to do and  
6 resolve this completely," if you want to say something  
7 like that to encourage her.

8 Again, the hurdle is done. My authority is I  
9 gave the document, I prepared the document. I had  
10 no -- nobody edited it, nobody gave me any feedback,  
11 so that's where I'm stuck. Does anybody have anything  
12 else because the folks are --

13 MAYOR RASPE: Getting restless.

14 MR. SMITS: -- getting restless? Anyone? No.

15 MR. DiFRANCISCO: I will make a motion.

16 MR. SMITS: Okay. No, no, there's no motion in  
17 here. Oh, that motion, yeah.

18 MR. DiFRANCISCO: Out there.

19 MR. SMITS: Okay. Thank you, madam court  
20 reporter. We are ordering, of course. And that has  
21 to be sent to the attention -- I guess you can send it  
22 to my office. We would like it in paper if you can,  
23 please.

24 (The Closed Session Meeting concluded at 12:41  
25 p.m.)

CERTIFICATE OF REPORTER

STATE OF FLORIDA       )  
  )  
COUNTY OF ST. LUCIE )

I, Deborah Carmela Dew, FPR do hereby certify that I was authorized to and did remotely report the Key Colony Beach Closed Session Meeting held on December 14, 2023, and that the transcript, pages 1 through 23, is a true and correct record of my stenographic notes.

Dated this 27th day of December, 2023, at Port St. Lucie, St. Lucie County, Florida.

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Deborah Carmela Dew, FPR



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