

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

* TIME CERTAIN 2:30 P.M. *

Meeting Date: 1/16/08 - KW

Division: County Attorney

Bulk Item: Yes No

Staff Contact Person: Bob Shillinger

AGENDA ITEM WORDING: An Attorney-Client Closed Session of the Board of County Commissioners in the matter of *Tropex Construction Service, Inc. vs. Monroe County, CA P 06-44*.

ITEM BACKGROUND: This suit was filed by the former general contractor for the Tavernier Fire Station which walked off the job prior to the commencement of construction. The County has filed a counterclaim alleging breach of contract and included the GC's surety as an additional defendant. The case is ripe for mediation and legal staff is seeking the Board's input prior to scheduling mediation.

Legal staff desires direction from the Board. Per F. S. 286.011(8), the subject matter of the meeting shall be confined to settlement negotiations or strategy sessions related to litigation expenditures.

Present at the meeting will be the Commissioners, Acting County Administrator Debbie Frederick, County Attorney Suzanne Hutton, Chief Assistant Bob Shillinger, special litigation counsel Ira Libanoff, Esq. and a certified Court Reporter.

PREVIOUS RELEVANT BOCC ACTION: 12/19/07 BOCC approved Closed Session for 1/16/08 in Key West at 2:30 p.m.

CONTRACT/AGREEMENT CHANGES: N/A

STAFF RECOMMENDATIONS: N/A

TOTAL COST: _____

BUDGETED: Yes No

COST TO COUNTY: _____

SOURCE OF FUNDS: _____

REVENUE PRODUCING: Yes No

AMOUNT PER MONTH _____ **Year** _____

APPROVED BY: County Atty OMB/Purchasing Risk Management

DOCUMENTATION: Included Not Required

DISPOSITION: _____

AGENDA ITEM # _____