

MINUTES

**CITY OF INDIAN ROCKS BEACH
SPECIAL CITY COMMISSION MEETING**

Civic Auditorium

1507 Bay Palm Blvd. Indian Rocks Beach, FL. 33785

Monday, March 2, 2026 at 6:00 p.m.

CALL TO ORDER

Mayor-Commissioner Houseberg called the meeting to order at 6:04 p.m., followed by the Pledge of Allegiance and a moment of silence.

ROLL CALL

Attendance:

- Commissioner Jude Bond - Present
- Commissioner John Bigelow - Present
- Commissioner Hillary King - Present
- Vice Mayor-Commissioner Janet Wilson - Present
- Mayor- Commissioner Denise Houseberg - Present

1. ACTION: Consideration of Settlement Agreement if a proposed settlement is reached in Mediation of AP 6, LLC v. City of Indian Rocks Beach, M.D. Fla. Case No. 8:2023cv01986

City Attorney Maggard presented the proposed settlement agreement reached during mediation and thanked the Commission for their time during the lengthy process, which began at 9:30 a.m. He acknowledged mediator Joe Varner from Holland and Knight. City Attorney Maggard explained that there are two cases with AP6 — a federal case with inverse condemnation, First Amendment violation, and equal protection claims, and a state court Bert Harris Private Property Rights Protection Act claim. He noted that not all case details could be discussed publicly in order to protect the city's position if litigation continues.

The proposed settlement includes:

- Within 7 days of execution, plaintiff will file voluntary dismissals of the federal and Bert Harris claims.

- Plaintiff will comply with the current short-term rental ordinance, including registration, inspection, and licensing.
- For this property only, occupancy is set at 12 adults plus 2 minors under age 12 (total 14); advertising must specify the 2 additional occupants must be age 12 or under.
- The city retains the ability to suspend the vacation rental registration through the special magistrate but relinquishes the right to permanently revoke it. Suspensions may be imposed consecutively in perpetuity.
- The revocation restriction applies only while current AP6 members own the property and entity; it terminates upon sale or transfer of ownership.
- The city retains the right to modify the short-term rental ordinance for any other property citywide.
- Occupancy rights transfer with the land; the revocation restriction does not.
- Each party pays its own attorney's fees.
- A prevailing party provision applies to enforcement actions.

NEIGHBOR COMMENTS

Beth McMullen, 481 Harbor Dr. S. requested that any settlement including occupancy above 10 incorporate a Flagler County-style provision establishing a structured, time-limited grandfather period for economic recoupment, with a required administrative process before any lawsuit can be filed.

Ron Hubbard, 406 12th Ave. stated that there is not a meaningful difference from the previously rejected settlement and wants a clear explanation of what makes this case unique, what prevents future similar cases, and why the vote is being rushed before an election.

Dave Watt, 431 Harbor Dr. S. stated that a bad settlement could invite copycat lawsuits and urged the Commission to ensure any agreement is contingent on reopening the STR ordinance to add Flagler County language addressing Bert Harris claims.

Diane Daniel, 309 10th Ave. asked for a side-by-side comparison clearly showing what changed from the prior settlement proposal.

Bob Coplen, 447 20th Ave. thanked the Commission for its work and expressed hope the city returns to being a residential beach community rather than an investor's paradise.

Kellee Watt, 431 Harbor Dr. S. stated there is no substantive difference from the prior rejected settlement and urged the Commission to reject the deal unless the Flagler County language contingency is included.

Patty Katz, 421 13th Ave. supports settling the matter and trusts that the commissioners who participated in negotiations carefully considered residents' concerns.

Kelly Ciserick, 448 Harbor Dr. S. echoed support for the Commission, expressing confidence that commissioners acted in good faith with the benefit of legal counsel.

Jeb Graham, 1900 Beach Trail, noted that in his experience, a deal where no party is fully satisfied is typically a sign of a reasonable compromise.

Motion by: Vice-Mayor Commissioner Wilson , to accept the settlement agreement.

Seconded by: Commissioner King

Roll Call

- Commissioner Bond: Yes
- Commissioner Bigelow: No
- Commissioner King: Yes
- Vice-Mayor Commissioner Wilson: Yes
- Mayor Commissioner Houseberg: Yes

Motion passed (4-1) with Commissioner Bigelow dissenting.

3. ADJOURNMENT

Motion by: Vice-Mayor Commissioner Wilson

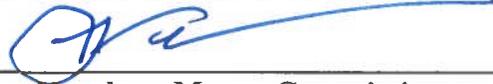
Seconded by: Commissioner King

Vote: Carried Unanimously

Meeting adjourned at 6:36 P.M.

3/25/2026

Date Approved



Lan Vaughan, Mayor-Commissioner

Attest: Lorin A. Kornijtschuk
Lorin A. Kornijtschuk, City Clerk