

May 3, 2018

Via E-Mail

Ford & Harrison LLP
c/o Andrew Hament, Esq., B.C.S.
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* Editor's Note: FLORIDA TODAY
has removed the names and birthdates
of Lannon's children and wife' on Page 2.

Pre-Suit, Non-Negotiable Settlement Offer

Dear Mr. Hament:

I believe it reasonable to request the following recompense for my tireless devotion and service to Palm Bay for ten (10) years of my life, especially having initiated the pilot Risk Management Program at Palm Bay which saved Palm Bay taxpayers the following money in just six (6) years:

2012: \$ 218,777.00;
2013: \$1,252,729.78;
2014: \$ 506,526.81;
2015: \$1,909,545.00;
2016: \$2,108,942.60; and
2017: \$1,722,565.87.
TOTAL: \$7,719,084.06

ALL of the following terms of this Offer are NON-NEGOTIABLE.

Settlement Offer

1. One-time payment in a **NET** amount (after federal taxes and other required withholdings are withheld by the City of Palm Bay's Finance Department) of **\$7,719,084.06** to the victims of "Holton's House of Horrors" (hereinafter "HOLTON'S HOUSE OF HORRORS FUND"), particularly women, people of color and/or differing sexual orientation and the physically disabled. This money will be deposited into an account created by the Palm Bay Finance Department within seven hundred and seventy-seven (777) calendar days. Any and all potential claimants may submit their claim in writing to the Palm Bay City Attorney Patricia Denise Smith, Esq., B.C.S., to be paid from this

fund as a victim of Holton's House of Horrors within seventy-seven (77) working days. The Honorable John Dean Moxley, Jr., a highly distinguished, former Brevard Circuit Judge, will then be paid \$300 per hour to determine if there is "probable cause" of a cognizable claim, thereby entitling that person to be paid in equal share with the other "probable cause" claimants (as determined in writing by former Judge Moxley) from the HOLTON'S HOUSE OF HORRORS FUND on the seven hundredth and seventy-eighth (778) calendar day.

2. Patricia Denise Smith, Esq., B.C.S., Palm Bay City Attorney, be given a five-year (5-year) Employment Contract, to manage the Palm Bay City Attorney's Office as she deems fit (without any input or influence by any Palm Bay City Councilmember, whether through the Palm Bay City Charter or otherwise), at a salary of two hundred thousand dollars (\$200,000.00) per annum (or year) with maximum contributions (at the City's expense, not her personal expense) into the City of Palm Bay's 457 and 401 funds on her family's behalf;
3. One-time payment in a NET amount (after federal taxes and other required withholdings are withheld by the City of Palm Bay's Finance Department) of **\$7,719,084.06** which shall be direct deposited to my personal checking account on file with the City of Palm Bay's payroll department on or before Friday, June 8, 2018;
4. Medical, dental, vision, long-term care, short-term care and life insurance, at the same coverage(s) my family and I had previously enjoyed on April 2, 2018 while I was employed by Palm Bay, for the remainder of the natural born lives of all of the following people at no (\$0) cost to any of the people set forth below:

- a.
- b.
- c.
- d.
- e.



5. Payment of all of my accruals (i.e., sick, vacation and administrative leave) on or before June 8, 2018;
6. Permission to enter the Palm Bay City Attorney's Office at a pre-arranged time on or before June 8, 2018, under the supervision of only the Palm Bay City Attorney Patricia Denise Smith, Esq., B.C.S. and Palm Bay Police Chief Jim Rogers, to collect and take with me from my former office:
 - a. the honoraria and plaques I achieved which are proudly displayed on the walls,
 - b. the framed Florida Bar Journal article,

- c. the framed Brevard County Bar Association's article on the Palm Bay City Attorney's Office,
 - d. a copy of my former computer's hard drive(s),
 - e. my old, City-issued iPhone with the telephone number which had been assigned to me during my employ, and
 - f. my personal items;
7. The "public censure" be permanently and irrevocably lifted from The Honorable Guillermo "William" Capote, Mayor of Palm Bay.
 8. A written, public reprimand be permanently and irrevocably placed upon each and every single one of the following members of the Palm Bay City Council, with the written reprimand to be prepared (a) using the CITY SEAL, (b) authored by Councilman Jeff Bailey and (c) delivered on or before the May 17, 2018 Regular Council Meeting in a Resolution prepared by City Clerk Terese Jones (and edited by Mayor Capote as he deems fit) to be read aloud by Mayor Capote to each of the following members of Council individually for each of the following (merely suggested) reasons:
 - a. Deputy Mayor Holton – for creating "Holton's House of Horrors";
 - b. Councilman Harry Santiago, Jr. – for writing the "Letter of Support" of Florida Representative Randall A. "Randy" Fine's astoundingly absurd "operational audit" request filed with the Joint Legislative Auditing Committee in an effort to embarrass and humiliate in a permanent fashion Mayor Capote's and my excellent, professional reputations; and
 - c. Councilman Brian Anderson – for cowardly calling an "Emergency Meeting", knowing full well Mayor Capote was in Tallahassee at the time of the cowardly "Public Censure" and could not defend himself, in order to spitefully and viciously "public censure" him.
 9. Both Palm Bay (including its elected officials and staff) and I waive any rights in perpetuity to file suit against one another for any reason by executing a General Release of Claims to be prepared by you, Mr. Hament, on or before June 8, 2018;
 10. Palm Bay agrees to indemnify me in the event of any current or future litigation in which I am a named or even possible Defendant;
 11. My 457 and 401 savings plans be transferred and assigned to my custody and control on or before May 18, 2018;
 12. Palm Bay advocate for:
 - a. The creation and permanent funding of a fully independent "**Brevard County Auditor General**", a separate and independent, elected official like Brevard County Clerk of Court Scott Ellis, which position shall be created by a Brevard County Ordinance using its home rule powers by

September 30, 2018 and its initial budget shall be approved by a committee comprised of the following three (3) people: (1) Brevard County Clerk of Courts Scott Ellis, (2) current Brevard County Commissioner John Tobia and (3) former Brevard County Commissioner Trudie Infantini, fiscal conservatives who care about Brevard County and do not seek to appease former Brevard County Commissioner Robin Fisher. Thereafter, the Brevard County Auditor General shall be an elected individual, responsible to the taxpaying residents of Brevard County; and

- b. The removal, by the great Governor Rick Scott, of Florida Representative Randy Fine from office to be replaced, hopefully, by Mayor Capote.
13. An immediate and permanent end of the expenditure(s) of money/ies (\$) collected by the City of Palm Bay through its newly-imposed special assessments unless and until Gregg Lynk is terminated without cause and replaced by Susan "Sue" Hann, P.E.
14. Any reference from future employers be directed to the Palm Bay Human Resources Department Director, be neutral in nature and be limited to only dates of service.

I have no desire to file a lawsuit and hurt, in any way, the City I love and in which my wife and I proudly raised our three (3) children, I have not done so yet. Hence, a section 286.011(8), Florida Statutes (2017), attorney-client session cannot be held now to consider this settlement offer outside of Chapter 286, Florida Statutes (2017).

Consequently, I request that the instant, non-negotiable settlement demand be placed as an agenda item under New Business for the Palm Bay City Council's consideration at the first Regular Council Meeting ("RCM") on May 3, 2018.

Sincerely,
Andrew P. Lannon, Esq., B.C.S.

cc: Gregg Lynk, Palm Bay City Manager
Terese Jones, Palm Bay City Clerk