



TOWN OF PALM BEACH

Office of the Town Clerk

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON THURSDAY, DECEMBER 12, 2013

I. CALL TO ORDER AND ROLL CALL

The Special Town Council meeting was called to order at 8:32 a.m. on Thursday, December 12, 2013, in the Town Council Chambers. On roll call, all of the elected officials were found to be present.

II. APPROVAL OF AGENDA

ADDITION: Discussion on Potential Sales Tax Increase Proposed by Palm Beach County

Motion was made by Council Member Diamond, and seconded by Council Member Kleid, to approve the Agenda, as amended above. On roll call, the motion carried unanimously.

III. TOWN OF PALM BEACH; AND DAVID ROSOW VS STERLING PALM BEACH, LLC; AND PALM BEACH NEWSPAPERS, LLC D/B/A THE PALM BEACH DAILY NEWS A/K/A THE SHINY SHEET, CASE NO. 502013CA013672XXXXMB AF, IN THE FIFTEENTH JUDICIAL CIRCUIT OF FLORIDA IN AND FOR PALM BEACH COUNTY

F.S. 286.011(8) Allows the Mayor, Town Council, and the Town Manager to Meet in a Closed-Door Attorney/Client Session for the Purpose of Discussing Strategy Related to Litigation.

Town Council President Rosow announced the following:

- a.) The Attorney/Client Closed-Door Session
- b.) The estimated time is thirty minutes
- c.) The names of the persons attending:
 - Gail L. Coniglio, Mayor
 - Robert N. Wildrick, Town Council President Pro Tem
 - William J. Diamond, Town Council Member
 - Richard M. Kleid, Town Council Member
 - Michael J. Pucillo, Town Council Member

Peter B. Elwell, Town Manager
John C. Randolph, Town Attorney
Ley and Marsaa, Court Reporters

Council President Rosow announced that he was recusing himself, left the dais, and provided a Memorandum of Voting Conflict Form 8b to Town Clerk Owens.

(Clerk's Note: Council President Rosow passed the gavel and turned the meeting over to Council President Pro Tem Wildrick.)

At 8:35 a.m., the persons attending the meeting (listed above) relocated from the Town Hall Council Chambers to the immediately adjacent conference room.

III. RECONVENE SPECIAL TOWN COUNCIL MEETING IN THE TOWN HALL COUNCIL CHAMBERS

A.) Call to Order

The Special Town Council meeting was reconvened at 9:11 a.m., in the Town Council Chambers.

(Clerk's Note: Council President Pro Tem Wildrick passed the gavel back to Council President Rosow.)

B.) Town Council President to Announce the Termination of the Attorney/Client Session

Town Council President Rosow announced the termination of the Attorney/Client Session. He requested that Town Attorney Randolph provide a report on the meeting.

Town Attorney Randolph reported that settlement negotiations were discussed; however, there has been no resolution to this matter. The Town will be proceeding to court tomorrow.

IV. ANY OTHER MATTERS

The following item was added to the agenda:

A. Discussion on Potential Sales Tax Increase Proposed by Palm Beach County

Mayor Coniglio advised the Town Council that the County was proposing a 0.5% increase in the sales tax. The increase would be shared by the School Board, the County, and a certain amount of the leftovers would go the municipalities. She asked whether the Council wanted to take position or just have her gather more information.

It was the consensus of the Town Council to have Mayor Coniglio use her discretion in representing the Town on this matter.

VI. ADJOURNMENT

There being no further business, the Special Town Council Meeting of Thursday, December 12, 2013, was adjourned at 9:15 a.m.

APPROVED:


David A. Rosow
Town Council President

ATTEST:


Susan A. Owens, MPA, MMC
Town Clerk

3/21/14
Date



FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME DAVID A ROSOW	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Town of Palm Beach Town Council
MAILING ADDRESS 1460 N LAKE WAY	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY Palm Beach, FL	COUNTY Palm Beach
DATE ON WHICH VOTE OCCURRED 12/12/13	NAME OF POLITICAL SUBDIVISION: Town of Palm Beach
	MY POSITION IS: ☒ ELECTIVE ☐ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

I, DAVID A ROSON, hereby disclose that on 12/12/13, 20 :

☒ MAY ^{MAY} insured to my special private gain or loss;

_____ insured to the special gain or loss of my business associate, _____;

_____ insured to the special gain or loss of my relative, _____;

_____ insured to the special gain or loss of _____, by
whom I am retained; or

_____ insured to the special gain or loss of _____, which
is the parent organization or subsidiary of a principal which has retained me.

A lawsuit which includes me and the Town.

12/12/13

And Row

PAGE 2