



TOWN OF PALM BEACH

Office of The Town Clerk

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON TUESDAY, JULY 14, 2009, 2:00 P.M.

I. CALL TO ORDER AND ROLL CALL

The Special Town Council meeting was called to order at 2:00 p.m. on Tuesday, July 14, 2009, in the City of West Palm Beach City Center, Commission Chambers. On roll call, all of the elected officials were found to be present.

II. APPROVAL OF AGENDA

Motion made by Council Member Wildrick, seconded by Council President Pro Tem Coniglio, to approve the Agenda as printed. On roll call, the motion carried unanimously.

III. PETITION OF APPROVAL OF UNDERGROUND CONVERSION TARIFF REVISION, FLORIDA PSC DOCKET NO. 080244-EI

PETITION FOR APPROVAL OF 2007 REVISIONS TO UNDERGROUND RESIDENTIAL AND COMMERCIAL DISTRIBUTION TARIFF, BY FLORIDA POWER AND LIGHT COMPANY, FLORIDA PSC DOCKET NO. 070231-EI

PETITION AND COMPLAINT OF THE MUNICIPAL UNDERGROUND UTILITIES CONSORTIUM FOR RELIEF FROM UNFAIR CHARGES AND PRACTICES OF FLORIDA POWER AND LIGHT COMPANY, FLORIDA PSC DOCKET NO. 080522-EI

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.

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON JULY 14, 2009

1 Town Council President Rosow announced:

2 a.) The Attorney/Client Closed-Door Session

3 b.) The estimated time is thirty minutes

4 c.) The names of the persons attending:

5 Jack McDonald, Mayor

6 David A. Rosow, Town Council President

7 Gail Coniglio, Town Council President Pro Tem

8 William J. Diamond, Town Council Member

9 Richard M. Kleid, Town Council Member

10 Robert N. Wildrick, Town Council Member

11 John C. Randolph, Town Attorney

12 Robert S. Wright, Attorney

13 Peter B. Elwell, Town Manager

14 Ley and Marsaa, Court Reporters

15
16 d.) Persons attending the meeting (listed above) relocate from the City of West Palm
17 Beach Commission Chambers to the Administration Board Room.

18
19 At 2:02 p.m., the attendees relocated into the Administrative Board Room.

20
21 IV. RECONVENE SPECIAL TOWN COUNCIL MEETING IN THE CITY OF WEST
22 PALM BEACH COMMISSION CHAMBERS.

23
24 A.) Call to Order

25
26 The Special Town Council meeting was reconvened at 2:25 p.m., in the Town Council
27 Chambers.

28
29 B.) Town Council President to Announce the Termination of the Attorney/Client
30 Session.

31
32 Council President Rosow announced the termination of the Attorney/Client Session.
33 Council President Rosow stated that the Town Council agreed to accept the Settlement Offer that
34 was presented to them on behalf of the MUUC (Municipal Underground Utilities Consortium)
35 before the Florida Public Service Commission.

36
37 Town Attorney Randolph indicated that the Resolution was prepared by Sheff Wright and he
38 also has reviewed it.

RESOLUTION 77-09

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A STIPULATION AND SETTLEMENT AGREEMENT RESOLVING PROCEEDINGS BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION RELATING TO UNDERGROUNDING UTILITY FACILITIES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Town Attorney Randolph read Resolution No. 77-09 by title as printed above.

Council President Rosow stated that they Council firmly believed this was in the best interest of the Town.

Motion made by Council Member Diamond, Seconded by Council President Pro Tem Coniglio to adopt Resolution No. 77-09. On roll call, the motion carried unanimously.

V. ANY OTHER MATTERS

VI. ADJOURNMENT

There being no further Business, the Special Town Council meeting of July 14, 2009, was adjourned at 2:30 p.m.

APPROVED:


David A. Rosow
Town Council President

ATTEST:


Joanna Cunningham
Town Clerk