



TOWN OF PALM BEACH

Office of The Town Clerk

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON JULY 10, 2001 @ 2:35 P.M

**(This meeting was a continuation of the regular Town Council Meeting
held on July 10, 2001)**

I. CALL TO ORDER AND ROLL CALL

President McDonald called the Special Town Council Meeting to order at 2:35 p.m., and announced the Closed Door Attorney/Client session would take place. The following elected officials were in attendance: Mayor Lesly Smith, Town Council President Jack McDonald, Councilman William Brooks, Councilman Norman Goldblum, Councilman Allen Wyett, Town Attorney John Randolph, Town Manager Peter Elwell, and Ley and Marsaa, Court Reporters.

II. APPROVAL OF AGENDA

The Agenda was approved as printed.

III. Phipps Ocean Park, DOAH Case No. 01-1854, Beach Alert, Inc. and Nancy Douthit vs Department of Environmental Protection; DOAH Case NO. 01-1855, Beach Alert, Inc. and Nancy Douthit vs Department of Environmental Protection; DOAH Case No. 01-1953 Constance Gasque vs Town of Palm Beach and State of Florida Department of Environmental Protection. Consideration of Mid-Town Beach, DOAH Case No. 01-1853, Beach Alert, Inc. and Nancy Douthit vs Department of Environmental Protection; DOAH Case No. 01-1951, Sten A. Lilja vs Town of Palm Beach and Department of Environmental Protection; DOAH Case No. 01-1952, Constance Gasque vs Town of Palm Beach and Department of Environmental Protection.

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 10, 2001 @ 2:35 P.M.

The Town Council President Shall Announce:

- a) The Closed-Door Attorney/Client Session

President Jack McDonald announced that the Closed-Door Attorney/Client Session would commence regarding:

Phipps Ocean Park, DOAH Case No. 01-1854, Beach Alert, Inc. and Nancy Douthit vs Department of Environmental Protection; DOAH Case NO. 01-1855, Beach Alert, Inc. and Nancy Douthit vs Department of Environmental Protection; DOAH Case No. 01-1953 Constance Gasque vs Town of Palm Beach and State of Florida Department of Environmental Protection. Consideration of Mid-Town Beach, DOAH Case No. 01-1853, Beach Alert, Inc. and Nancy Douthit vs Department of Environmental Protection; DOAH Case No. 01-1951, Sten A. Lilja vs Town of Palm Beach and Department of Environmental Protection; DOAH Case No. 01-1952, Constance Gasque vs Town of Palm Beach and Department of Environmental Protection.

- b) The estimated time is forty-five minutes.

- c) The names of the persons attending:

Mayor Lesly S. Smith, Town Council President Jack McDonald, Town Councilman William J. Brooks, Town Councilman Norman P. Goldblum, Town Councilman Allen S. Wyett, Town Attorney John C. Randolph, Town Manager Peter B. Elwell, and Ley and Marsaa, Court Reporters. *(Town Council President Pro-Tem Samuel McLendon was not in attendance)*

- d) Members of Public in Attendance to Vacate Town Hall Council Chambers

The Closed-Door Attorney Client Session was held in the Town Council Chambers Conference Room.

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IV. RECONVENE SPECIAL TOWN COUNCIL MEETING

a) Call to Order

The Special Town Council Meeting was reconvened at 3:10 p.m., with President McDonald calling the meeting to order.

b) Town Council President to Announce the Termination of the Closed-Door Attorney/Client Session

President Jack McDonald announced that the Closed-Door Attorney/Client Session was terminated at 3:05 p.m. regarding:

Phipps Ocean Park, DOAH Case No. 01-1854, Beach Alert, Inc. and Nancy Douthit vs Department of Environmental Protection; DOAH Case NO. 01-1855, Beach Alert, Inc. and Nancy Douthit vs Department of Environmental Protection; DOAH Case No. 01-1953 Constance Gasque vs Town of Palm Beach and State of Florida Department of Environmental Protection. Consideration of Mid-Town Beach, DOAH Case No. 01-1853, Beach Alert, Inc. and Nancy Douthit vs Department of Environmental Protection; DOAH Case No. 01-1951, Sten A. Lilja vs Town of Palm Beach and Department of Environmental Protection; DOAH Case No. 01-1952, Constance Gasque vs Town of Palm Beach and Department of Environmental Protection.

President Jack McDonald requested any recommendations from the members of the Town Council regarding the Closed-Door Attorney/Client Session:

Councilman Brooks moved approval of acceptance of the negotiated settlement as outlined in the Closed-Door Attorney/Client Session, as explained by Town Manager Elwell, based on the documents that were submitted to the Town Council, and the details of the final negotiated settlement, subject to finalization by the Town Attorney and the Town Manager. The motion was seconded by Councilman Goldblum. On roll call the motion carried 4/0, as President Pro-Tem McLendon was not in attendance.

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V. ANY OTHER MATTERS

There were none.

VI. ADJOURNMENT

The Special Town Council Meeting of July 10, 2001 at 2:35 p.m. was adjourned at 3:12 p.m.



Jack McDonald
Town Council President



Mary A. Pollitt
Town Clerk

