

**MINUTES OF THE SPECIAL TOWN COUNCIL MEETING PURSUANT TO SECTION 286.011(8),
FLORIDA STATUTES HELD ON JUNE 17, 1997**

- I. CALL TO ORDER AND ROLL CALL(IN TOWN COUNCIL CHAMBERS)**
by President Lesly S. Smith at 10:30 a.m. The following Elected Officials were found to be in attendance: Mayor Paul R. Ilyinsky, President Lesly S. Smith, President Pro-Tem Leslie A. Shaw, Councilman Samuel C. McLendon, and Councilman Allen S. Wyett. Councilman Jack McDonald was absent. Also attending the meeting were: Town Manager Robert J. Doney, Town Attorney John C. Randolph, Attorney Scott G. Hawkins, and Town Clerk Mary A. Pollitt.
- II INVOCATION AND PLEDGE OF ALLEGIANCE:** The invocation was given by the Town Clerk, and the Pledge of Allegiance was led by President Smith.
- II APPROVAL OF AGENDA:** The agenda was approved on a motion by Councilman Wyett that was seconded by Councilman McLendon.
- IV. COUNCIL PRESIDENT SMITH ANNOUNCES:** *(Mrs. Smith announced the following)*
- A. PURSUANT TO SECTION 286.011(8), FLORIDA STATUTES, THE TOWN COUNCIL IS ADJOURNING AND COMMENCING A CLOSED DOOR ATTORNEY CLIENT SESSION FOR THE PURPOSE OF DISCUSSING SETTLEMENT NEGOTIATIONS AND/OR STRATEGY RELATING TO LITIGATION EXPENSES IN THE CASE OF TOWN OF PALM BEACH VS. CITY OF WEST PALM BEACH AND STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, STATE OF FLORIDA DIVISION OF ADMINISTRATIVE HEARINGS, DOAH CASE NOS. 96-0873GM AND 97-002457GM.
- B. THE ESTIMATED LENGTH OF THE SESSION IS APPROXIMATELY ONE (1) TO ONE AND HALF (1 ½) HOURS
- C. THOSE PERSONS ATTENDING THE SESSION ARE: MAYOR PAUL R. ILYINSKY, PRESIDENT LESLY S. SMITH, PRESIDENT PRO-TEM LESLIE A. SHAW, COUNCILMAN SAMUEL C. MC LENDON, COUNCILMAN ALLEN S. WYETT, TOWN MANAGER ROBERT J. DONEY, TOWN ATTORNEY JOHN C. RANDOLPH, ATTORNEY SCOTT G. HAWKINS, AND COURT REPORTER TRACY BARRETT FROM LEY & MARSAA COURT REPORTERS, INC.
- D. ATTENDEES RETIRE TO CONFERENCE ROOM
- The attendees retired to the Conference Room at 10:40 a.m.
- V. RECONVENE COUNCIL MEETING:** President Smith reconvened the Special Town Council meeting at 12:12 p.m. at which time Town Attorney Randolph announced the Attorney/Client Session was concluded.
- VI. ANY OTHER MATTERS:** There were none.
- VII. ADJOURNMENT:** The meeting was adjourned at 12:15 p.m.

Mary A. Pollitt
Town Clerk

Variance No 16-97

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

LAST NAME—FIRST NAME—MIDDLE NAME ILYINSKY PAUL		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Town Council	
MAILING ADDRESS ALGOMA		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PAUM BEACH	COUNTY P.B.	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY NAME OF POLITICAL SUBDIVISION:	
DATE ON WHICH VOTE OCCURRED		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:

You must abstain from voting and disclose the conflict in the situations described above and in the manner described for elected officers. In order to participate in these matters, 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.
- 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.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- 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.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, PAUL R. ILYNSKY, hereby disclose that on 6/10, 19 97.

(a) A measure came or will come before my agency which (check one)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

a member of THE BATH & TENNIS CLUB -
Shareholder

Date Filed June 10, 1997

Signature [Signature]

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.