TOWN OF PALM BEACH

Office of The Town Clerk

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON JUNE 12, 2001 @ 4:05 P.M.

(This meeting was a continuation of the regular Town Council Meeting held on June 12, 2001)

I. CALL TO ORDER AND ROLL CALL

President McDonald called the Special Town Council meeting to order at 4:05 p.m., in order for the announced Closed Door Attorney/Client Session to take place regarding Town of Palm Beach v. Westmark Ad Group, LLC, a Florida Limited Liability Company; and Carnegie Capital LLC, a New York Limited Liability Company. The following elected officials were in attendance: Mayor Lesly Smith, President Jack McDonald, President Pro-Tem McLendon, Councilmen Brooks, Goldblum, and Wyett. Also in attendance were: Town Manager Peter Elwell, Town Attorney John Randolph, and Ley and Marsaa Court Reporters.

II. APPROVAL OF AGENDA

III. TOWN OF PALM BEACH v. WESTMARK AD GROUP, LLC A FLORIDA LIMITED LIABILITY COMPANY; AND CARNEGIE CAPITAL LLC., A NEW YORK LIMITED LIABILITY COMPANY CLOSED-DOOR ATTORNEY/CLIENT SESSION:

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.

The Town Council President Shall Announce:

a) The Attorney/Client Closed-Door Session

President Jack McDonald announced that the Attorney/Client Closed-Door Session would commence regarding Town of Palm Beach v. Westmark Ad Group, LLC, a Florida Limited Liability Company; and Carnegie Capital LLC, a New York Limited Liability Company.

b) The estimated time is thirty minutes

c) The names of the persons attending:

Mayor Lesly S. Smith, Town Council President Jack McDonald, Town Council President Pro-Tem Samuel C. McLendon, 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.

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

IV. RECONVENE SPECIAL TOWN COUNCIL MEETING

a) Call to Order

The Special Town Council Meeting commencing at 4:05 p.m. was reconvened at 4:30 p.m., with President Jack McDonald calling the meeting to order.

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

President Jack McDonald announced that the Attorney/Client Session regarding Town of Palm Beach v. Westmark Ad Group, LLC, a Florida Limited Liability Company; and Carnegie Capital LLC, a New York Limited Liability Company was terminated at 4:29 p.m.

President McDonald requested that any action that would be taken by the Town Council be discussed at this time.

Councilman Goldblum moved approval of acceptance of $17,000 in settlement of the claim, contingent upon it being accepted today. The motion was seconded by President Pro-Tem McLendon. On roll call the motion carried unanimously.

Attorney Joel Koeppel, on behalf of Westmark LLC, advised that he was authorized to offer the total amount of $11,300 (the $5,000 offer originally made to the Town of Palm Beach, and the additional $6,300 offer to the Town of Palm Beach for a tennis court plan). He advised that he would return to his client for further advice.

V. ANY OTHER MATTERS

There were none.

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING
HELD ON JUNE 12, 2001 @ 4:05 P.M.

VI. ADJOURNMENT

The Special Town Council Meeting of June 12, 2001, @ 4:05 p.m.was adjourned at 4:35 p.m.

President Jack McDonald

Town Clerk Mary Pollitt