

TOWN OF PALM BEACH

Office of The Town Clerk

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

I. CALL TO ORDER AND ROLL CALL

The Special Town Council Meeting was called to order at 5:13 p.m. on Tuesday, April 14, 2009 in the Town Council Chambers. On roll call, all elected officials were found to be present.

II. APPROVAL OF AGENDA

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

III. TOWN OF PALM BEACH VS THE UNITED STATES OF AMERICA, CIVIL ACTION NO. 09-64 L, IN THE UNITED STATES COURT OF FEDERAL CLAIMS

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.

Council President Rosow Announced:

a.) The Attorney/Client Closed-Door Session

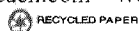
b.) The estimated time is thirty minutes

c.) The names of the persons attending: Jack McDonald, Mayor David A. Rosow, Town Council Member Gail Coniglio, Town Council Member William J. Diamond, Town Council Member Richard M. Kleid, Town Council Member Robert N. Wildrick, Town

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

- d.) Persons attending the meeting (listed above) relocate from Town Hall Council Chambers to the immediately adjacent conference room.

The meeting attendees relocated into the adjacent conference room at 5:15 p.m.

IV. RECONVENE SPECIAL TOWN COUNCIL MEETING IN THE TOWN COUNCIL CHAMBERS

A.) Call to Order

Council President Rosow called the meeting back to order at 6:25 p.m.

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

Council President Rosow announced the termination of the Attorney Client Session. He further announced that in the Closed Door Session, the Council had decided to reaffirm their commitment against the USACOE and would continue with the lawsuit.

The Town Council had received have received a draft of 215 Agreement and it was onerous. President Rosow commented that the Council was unsure if this was a standard agreement or reflects the litigation.

The Town Council also reaffirmed that since they have appropriated the funds for the Sand Transfer Plant; they intend to remain on schedule to construct the Sand Transfer Plant and will review the bids at the May Town Council meeting.

V. ANY OTHER MATTERS

There were none.

VI. ADJOURNMENT

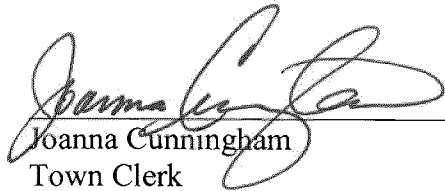
There being no further business, the April 14, 2009, Special Town Council Meeting was adjourned at 6:27 p.m.

APPROVED:



David A. Rosow
Town Council President

ATTEST:



Joanna Cunningham
Town Clerk