



TOWN OF PALM BEACH

Office of The Town Clerk

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON TUESDAY, APRIL 12, 2011

I. CALL TO ORDER AND ROLL CALL

The Special Town Council meeting was called to order at 2:13 p.m. on Tuesday, April 12, 2011, in the Town Council Chambers. On roll call, all of the elected officials were found to be present.

II. APPROVAL OF AGENDA

Motion was made by Council Member Diamond and seconded by Council President Rosow to approve the Agenda as printed. On roll call, the motion carried unanimously.

III. PRESERVE PALM BEACH POLITICAL ACTION COMMITTEE AND PATRICK HENRY FLYNN VS TOWN OF PALM BEACH AND CASE NO. 4D10-4751, IN THE DISTRICT COURT OF APPEAL, STATE OF FLORIDA, FOURTH DISTRICT.

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 the following:

- a.) The Attorney/Client Closed-Door Session
- b.) The estimated time is thirty minutes
- c.) The names of the persons attending:

Gail L. Coniglio, Mayor
David A. Rosow, Town Council President
Robert N. Wildrick, Town Council President Pro Tem
William J. Diamond, Town Council Member
Richard M. Kleid, Town Council Member
Michael J. Pucillo, Town Council Member
John C. Randolph, Town Attorney
Peter B. Elwell, Town Manager
Ley and Marsaa, Court Reporters

At 2:16 p.m., the persons attending the meeting (listed above) relocated from the Town Hall Council Chambers to the immediately adjacent conference room.

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

A.) Call to Order

The Special Town Council meeting was reconvened at 3:22 p.m., in the Town Council Chambers.

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 stated that the Town Council listened to a report from its Attorney, John Randolph, regarding its litigation against the Preserve Palm Beach Political Action Committee and Patrick Flynn.

Motion was made by Council Member Kleid and seconded by Council Member Pucillo to reject the settlement offer by the Preserve Palm Beach Political Action Committee and the Palm Beach Theatre Guild. On roll call, the motion carried 4-1, with Council Member Diamond dissenting.

Motion was made by Council Member Diamond and seconded by Council Member Pucillo to direct Town Attorney Randolph to make an offer to the Preserve Palm Beach Political Action Committee and the Palm Beach Theatre Guild that they drop both of their appeals, one to the Supreme Court and one to the District Court of Appeals, in return the Town Council will instruct its Attorney to drop the Town's motion for sanctions in the second case, and to remind the Preserve Palm Beach Political Action Committee and the Palm Beach Theatre Guild that they have remedy through the Town's Code of Ordinances to seek redress in the form of a petition in the event that any development occurs which changes the Town of Palm Beach's Comprehensive Plan or its Zoning Code. On roll call, the motion carried unanimously.

V. ANY OTHER MATTERS

There were none.

VI. ADJOURNMENT

There being no further business, the Special Town Council Meeting of Tuesday, April 12, 2011 was adjourned at 3:24 p.m.

APPROVED:



David A. Rosow
Town Council President

ATTEST:



Susan A. Owens, MMC
Town Clerk

