

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: October 17, 2006

☐ Consent ☒ Regular
☐ Public Hearing

Department

Submitted By: COUNTY ATTORNEY

Submitted For: COUNTY ATTORNEY

I. EXECUTIVE BRIEF

A. Motion and Title: Staff recommends motion to commence a private attorney-client session in the cases of Westgate Tabernacle, Inc. v. Palm Beach County, Case No. 2002CA003598XXXXMB AO, and Westgate Tabernacle, Inc. v. Palm Beach County, Case No. 2004CA011943XXXXMB AO, during the Board of County Commission meeting on Tuesday, October 17, 2006 at 11:30 a.m., in the Thomas McEaddy Conference Room, 301 North Olive Avenue, 12th Floor, West Palm Beach, Florida. The following persons will attend the meeting with the members of the Board of County Commissioners who are present at that time: Robert Weisman, County Administrator; Denise M. Nieman, County Attorney; Andrew McMahon, Chief Assistant County Attorney; Amy Taylor Petrick, Assistant County Attorney.

Pursuant to Florida Statute 286.011(8), the entire attorney-client session shall be recorded by a certified court reporter who shall record the discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of the session shall be off the record. The court reporter's notes shall be fully transcribed and filed with the clerk and shall be made part of the public record upon conclusion of the pending litigation.

B. Summary: The Board will discuss pending litigation in which Palm Beach County is presently a party. (District 2) (AJM)

C. Background and Justification: The two cases are set for Calendar Call on October 20, 2006. Mediation has occurred in Westgate Tabernacle, Inc. v. Palm Beach County, Case No. 2002CA003598XXXXMB AO, but not in Westgate Tabernacle, Inc. v. Palm Beach County, Case No. 2004CA011943XXXXMB AO. Attorneys for the County need to discuss mediation and possible settlement negotiations with the Board.

D. Attachments: None

Recommended By: _____

Department Director

Date

Approved By: _____

Assistant County Administrator

Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2006	2007	2008	2009	2010
Capital Expenditures	—	—	—	—	—
Operating Costs	—	—	—	—	—
External Revenues	—	—	—	—	—
Program Income (County)	—	—	—	—	—
In-Kind Match (County)	—	—	—	—	—
NET FISCAL IMPACT	—	—	—	—	—
# ADDITIONAL FTE POSITIONS (Cumulative)	—	—	—	—	—

Is Item Included in Current Budget? Yes___ No___

Budget Account No.: Fund___ Department___ Unit___ Object___

Reporting Category___

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

John Smith 10-6-06
John Smith 10-6-06
OFMB Ce
10/6/2006

N/A
Contract Dev. and Control

B. Legal Sufficiency:

Richard M. Carter
Assistant County Attorney

C. Other Department Review:

Department Director

THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.