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STRATEGIC PLANNING BOARD REPORT 7-10-02

REPORT OF THE STRATEGIC PLANNING BOARD MEETING HELD ON JULY 10, 2002

I. CALL TO ORDER AND ROLL CALL

The Strategic Planning Board Meeting of July 10, 2002, was called to order by Chair Lesly Smith at 10:03 a.m., in the Town Council Chambers Conference Room. On roll call the following Board Members were found to be present: Chair Lesly Smith, Board Members William Cooley and Alec Flamm; Board Member William Watchman, Jr. was present via conference call; Vice-Chair Bruce McAllister was not present. Also present for all or a portion of the meeting were: Councilman Samuel McLendon, Town Manager Peter Elwell, Town Attorney John Randolph, Police Chief Michael Reiter, Fire-Rescue Chief Kent Koelz, Director of Planning, Zoning & Building Robert Moore, Town Engineer James Bowser, John Fernsler of Wallace, Roberts & Todd, LLC, and Deputy Town Clerk Susan Eichhorn.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Smith.

III. APPROVAL OF AGENDA

The Agenda was approved through motion of Board Member Cooley, seconded by Board Member Flamm, and carrying unanimously on roll call.

IV. APPROVAL OF REPORT OF THE STRATEGIC PLANNING BOARD MEETING ON JUNE 12, 2002

report of the strategic planning board meeting held on July 10, 2002

The report of the Strategic Planning Board Meeting of June 12, 2002, was approved through motion of Board Member Flamm, seconded by board Member Cooley, and carrying unanimously on roll call.

V. REVIEW OF PUBLIC SAFETY PLANNING AND OPERATIONS

A. SECURITY AND LAW ENFORCEMENT

Police Chief Michael Reiter reported that he had provided an overview of the Police services in the Town of Palm Beach, including domestic security, parking and traffic. He noted that property crimes were of significant concern in the target-rich environment of Palm Beach. The Police Department was proactive, with various programs in place to protect the community; all calls to the Police Department were responded to, on average, in less than four minutes.

Chief Reiter estimated that the traffic problem surpassed the parking problem, because when traffic was at its worst, it affected everything else. Recent coordination efforts with the City of West Palm Beach Police Department improved traffic congestion during special events, such as fireworks displays and Sunfest.

Chief Reiter explained that the current budget contained an allotment for installing cameras on the bridges for traffic monitoring purposes, not for surveillance purposes and not with the ability to discern who may be sitting in the front seat of a car or to read a license plate. The intention was to install the cameras to alert the Police to any traffic problems on the bridges, and to allow efficient traffic movement in the ingress/egress routes to the community. The cameras would also allow the Police Department to confirm if the bridges were opening and closing on schedule.

Chief Reiter explained a "smash and grab" burglary, noting that the Town Council had approved and funded a direct connect alarm system, which would allow simultaneous reporting of an alarm activation to both the Police Department and the central station of the alarm company. He estimated that would save at least three minutes on the response time of the Police Department when responding to alarm activations.

Chief Reiter discussed how downturns in the economy often related to an increase in crime.

Discussion took place regarding mass transportation and the associated traffic; Chief Reiter noted that there were approximately 1,100 permits issued annually for vehicles transporting groups of people to Palm Beach, such as mini-buses – tour groups for shopping, and a variety of other purposes. He also noted that there were times when permits were not granted, such as when requests were made for leaving the State roads with a large commercial vehicle in a residential area in the evening hours; if there was no final destination in Palm Beach; if there were too many people requesting permits for any one area at one time; or if a full sized bus requested permission to go down Worth Avenue.

Town Attorney Randolph advised that he did not believe that the Police Chief should be put in the position of having to exercise discretion to any great deal regarding bus permits; any regulations ought to be codified by virtue of some sort of sustainable ordinance, as it could be argued that the Chief may have too much discretion. The Town Council was the determinative body regarding how streets would be controlled and regulated. He noted that he had discussed the issue with Chief Reiter, and both of them had recognized the potential of problems in exercising discretion with the permits; it would be more ideal to have regulations in place that the Police Chief could enforce, as opposed to him making the determination.

Mr. Fernsler responded that the magnitude of the demand for bus permits would most likely multiply five to ten years in the future; there would come a point where the Town would need to have a codified regulation in place. He considered that it was a key strategic issue in determining the quality of life tolerance and putting it in a codified form that was enforceable.

Police Chief Reiter commented that he would prefer to have some structure in the current regulations, however, ambiguities were presented by the ordinance – it simply stated that when a large commercial vehicle leaves the State road they must have a permit issued by the Chief of Police. He was then required to interpret what he believed was appropriate, based on the health, welfare, and safety of the public.

Town Attorney Randolph advised that any ordinance, in order to be sustainable, must be founded on studies, and factual information. An ordinance could not just be drafted saying that tour buses could not use the public rights-of-way; those public rights-of-way were dedicated to the public, the general public, not just the public in the Town of Palm Beach. Whatever regulations were imposed would have to be very carefully drafted, and based upon studies which would not impede people from using the streets, but which would regulate the use of the streets. Until this time, those types of regulations have not been codified, and the provision within the code that gave the Police Chief discretion had been relied upon. He noted that it was not a good situation for the Police Chief to have that discretion, from a practical standpoint and from a legal standpoint.

In response to the question of having a toll for people using the bridges to enter Palm Beach, Town Attorney Randolph advised that it was not conceivable to have a toll for the privilege of entering Palm Beach; it would be a violation of interstate commerce. Where tolls were in use in other places, such as Sanibel Island, Mackinac Island, they were user fees, perhaps for retiring revenue bonds for the construction of those bridges; it was appropriate to charge a fee for a user fee, but not to charge a fee for the privilege of accessing the Town of Palm Beach.

In response to the question of having cameras on the bridges, Town Attorney Randolph advised that it would be valid to use cameras for purpose of surveillance for traffic safety and traffic congestion, as well as for surveillance for crime prevention and detention. The Police Department would not be able to stop a car unless the stop was made based upon some reasonable suspicion. Many communities were now using high resolution television cameras in order to focus in on license plates, however, that would only be for purposes of using in the event that there was a crime, or that someone was recognized with a license plate that had been involved in a crime; it could not be used to stop people, unless there was a reasonable suspicion.

In response to Board Member Cooley, Chief Reiter stated that he did not believe there was the capacity within the communication center to handle homes as well as businesses with the direct connect system at this time. If the commercial interests in Town were successful with the direct connect, and there was the desire to extend that to residential alarm systems, an evaluation in staffing and equipment would be necessary.

Chair Smith commented that some traffic problems were caused by residents – if a parking garage was not situated exactly in the block where they want to park they would not use it, and would circle the block looking for a parking place.

Chief Reiter explained that a Burglary Strike Force was a full time operation dedicated to discouraging criminals, and since it had been created there had been no world class professional burglaries in Town.

Chief Reiter recommended that traffic be looked at from the big picture, to include ingress and egress points, specific locations in Town that may be worthy of having a cost benefit analysis, etc. Traffic patterns were changing; many people living south of Lake Worth now chose to use A-1-A in order to avoid I-95.

Town Manager Elwell mentioned a study that had been done in the mid ‘70's, called

TOPICS; many communities had completed studies at that time with the purpose of reviewing the broad array of transportation issues. In many areas the TOPICS reports turned into shelf documents, because they had recommended things that were so dramatic that the communities were not able to embrace them. Over time, however, many such recommendations have been implemented. In order to look at traffic and parking in the broadest way, the TOPICS study would be a good model to follow.

Chief Reiter noted that the area of domestic security was always a concern, and that he hoped the Strategic Plan would include projections in that regard as well.

B. FIRE AND EMERGENCY MEDICAL SERVICES

Fire-Rescue Chief Kent Koelz summarized the Fire-Rescue Department Evaluation performed by Emergency Services Education & Consulting Group (ESECG): two management recommendations had been made – to establish a shift commander, and to acquire a third mobile intensive care unit (MICU). The Town Council had requested that the shift commander be postponed until the next budget year; the third MICU would be discussed at a Special Town Council Meeting on August 12, 2002. He noted that three options had been brought forward by ESECG, and that he believed there were more than three options available. He would provide thorough explanations of all options at the August 12th meeting. He reviewed the management recommendations made by ESECG, and the methods being used to address them.

Chief Koelz explained when a response was made to an emergency call, it was always the patient's choice to determine which hospital to be brought to when emergency services were rendered – the paramedics suggest the appropriate hospital to each patient, depending on the problem being experienced.

Chief Koelz continued with his summary of the ESECG recommendations.

VI. CONTINUED CONSIDERATION OF TRAFFIC AND PARKING ISSUES

Discussion took place regarding looking at traffic and parking issues in terms of quality of life terms – focusing on the big picture and management of day visitors.

Discussion took place regarding people driving through Palm Beach, using the coastal route, in order to reach West Palm Beach faster.

Town Engineer Bowser remarked that the scope of work for a consultant to take a look at creation of additional traffic lanes on the bridge and on South County Road would need to be identified. He noted that the traffic study costs would vary according to how many items were in the scope of work. He suggested that the Board create a list of possibilities, and choose which items would be studied.

Town Manager Elwell clarified that the Board had expressed a desire for a traffic study and that request had been taken to the Town Council. The Town Council had then authorized the hiring of a traffic engineer on a continuing contract relationship, which had been done. There was now someone available to do a little study, a series of little studies, or a very big study, at some determined point. He explained that as the strategic planning process continued, it would be important to identify goals – whether it was a list of specific ideas, or something that was a bit more broad; something that could be shaped into a scope of work for the Town Council to determine what could be funded.

Mr. Fernsler remarked that it would have to be determined if there was enough information to focus traffic conditions five to ten years from now as opposed to quick fixes that would solve traffic problems of today. A measure of success would also need to be defined to determine the desired thresholds for level of service. He explained that in the face of the exponential growth of day visitation over the next 10-20 years, achieving greater levels of service with more free flowing traffic may not be what the Town desires.

Chair Smith commented that eliminating parking to increase the flow of traffic was not suitable; parking was a major concern, as some residents would drive around and around until they could find a parking place where they did not have to walk far; they would probably not use a parking garage if one was available. She noted that it was a totally different category than buses; if buses were allowed to transport people, where would they stop and park so that people could get out and shop? She commented that there were so many issues involved with traffic and parking that a decision would not be made today that would solve the parking problems.

Board Member Flamm suggested that a definition of the parking problem in mid-town be provided.

Town Manager Elwell replied that there was a reasonable question as to whether or not there was a parking problem – there was seasonal parking congestion, and residents were not willing to park in lots where they had to walk – that was different from saying that there was insufficient parking capacity.

Chair Smith commented that the strategic plan would really be for the residents of the Town – it was not for the tourists, the concern was how the residents would be able to cope with the tourists that were coming to Town. She suggested that the Board come up with thoughts that would be palatable to the residents *and* the business community of the Town.

Director of Planning, Zoning & Building Robert Moore commented that other than the phenomena that everyone wants to park directly in front of the store they are going in, an overview of the parking in mid-Town was as follows: there was a tremendous amount of parking that was allocated to residents only (Arlington or Gainesville plan); there was success with the renting of Town spaces at the Marina; there was underutilization of resident parking, even in the winter. He suggested that those underutilized residential parking spaces be allocated to the business community, which would free spaces on Worth Avenue for use by residents. He noted that the Apollo parking lot was totally full perhaps five days of the year. He noted that the last complete traffic study had been done approximately 15 years ago.

Police Chief Reiter observed that there had been a time period when there were more renters in mid-Town, and more permits were issued than there were parking spaces. Most of the time there was a parking space available for a permit holder, however, when there was not, the permit holder was understandably upset. He noted that recently many of the rental units had been replaced by the construction of town homes. He also noted that there were continual complaints from employees of private employers in Town that there was no parking available. He suggested that taking away from the Gainesville and Arlington plan would require another study to be done.

Mrs. Amy Shaugnessy, on behalf of the Royal Poinciana Association, commented that the parking problem in the Royal Poinciana area was almost entirely seasonal, and much of the commercial area was probably used more by Town residents than tourists. The Royal Poinciana Association was most concerned about the upcoming road construction and parking/traffic.

Mr. Fernsler observed that there had been a lot of anecdotal evidence and perceptions about the nature of the parking problem, and most of that evidence suggested that the parking problem was not a supply and demand problem, but a utilization problem. That may be a sufficient basis to try certain strategies, such as those that had been discussed regarding mandating employees to park in neighborhoods, etc. He questioned if there was a comfort level that there was a grasp of the facts, and suggested that perhaps a thorough utilization study would identify the facts more succinctly. He noted that the Strategic Plan could then identify a menu of possible tactics, taking the behavior patterns of people into account.

In response to Chair Smith, Town Manager Elwell suggested that the Strategic Planning Board would recommend the traffic/parking study and the objectives of the study, and the actual conduct of the study would be implemented a year or so from now.

Discussion took place regarding the definition of a neighborhood, as had been discussed at the last meeting. Chair Smith commented that the Kansas City Neighborhood Alliance had defined a neighborhood as a place where people live near each other, have interaction with each other's lives; activities beyond family; recognize each other and do things for each other. She also included common bonds, a quality of life, a shared identity, history, a sense of community, geographical boundaries, inhabitants sharing distinctive characteristics or interests; intentional cooperation regarding values, and intent to collaborate on issues.

Mr. Fernsler commented that the Strategic Plan should be written in a manner that articulates a posture for the Town that would be consistent with the Vision Statement; for example, the traffic problem solution would work towards prioritizing the quality of life for residents. Each issue would have to be taken one at a time and the strategic posture decided on each one; tactical conclusions should be avoided. It would be appropriate to suggest a menu of tactical approaches, while avoiding mandating specific solutions to specific issues. He suggested that an outline of the topics may initially be presented to the Board Members, with each issue reviewed by the Board to determine how far strategies can be taken to deal with each particular challenge.

Town Manager Elwell commented that the Board members could submit a list of items that were to be included on the final environmental scan that would be used to determine issues that would be addressed in the strategic plan. He suggested that any Board member wishing to submit such a list prepare and submit it before the end of August so that it could be incorporated into the list that would be prepared for the September Strategic Planning Board Meeting.

After the luncheon recess, Town Manager Elwell explained that staff had met during lunch and created a very preliminary list of issues; it had been considered that the ultimate approach to studying traffic and parking ought to have two distinct phases – when relatively little money was spent to have the Town consultant devise the scope of work, and after obtaining approval of the scope of work the complete project would be accomplished. In addition to that, there was some hard work ahead for the Board to identify the objectives or values associated with the issue. He explained that considerations had been explored from one extreme to the other – trying to make traffic flow more evenly during congested parts of the day, trying to make more parking available – to the other end of the spectrum, where the idea of free flowing traffic and more parking would bring in more people.

Mr. Moore discussed the topics that had been included in the list for possible inclusion in the preliminary assessment to determine what would be studied in the full/complete traffic study:

- Peak hour ingress and egress from the Town.
- Commercial area of the Town and the parking in that area, with a behavioral study to accompany (more traffic related than parking related).

- Projections of future problem traffic areas, and the sources of the problem.
- Parking utilization assessment (public and private) with behavioral component.

Mr. Fernsler commented that the vision statement generally said that the desire was to avoid mitigating the quality of life. The next step in the Environmental Scan had to be to look at the future and ask the question of what would likely be in the future 5-10 years from now, with the present policies in place. After that, a comparison with the vision statement would identify the areas where course corrections could be made to avoid an unpleasant scenario from happening. He suggested that the Board must be very careful to avoid an expectation that the data would suggest the strategic response.

Town Manager Elwell clarified that staff could not set the objectives, but could help refine the scope that would help to achieve any objective set forth by the Board. He noted that there had been differing opinions from the Board regarding the objectives.

Board Member Watchman commented that he believed the Board needed some time to sit down as a group and discuss the objectives of a traffic study.

Discussion took place regarding balancing the needs of residents and the business community in the management of traffic and parking.

Town Manager Elwell commented that actions taken to manage traffic/parking would either discourage people from coming to Town, or encourage them to come – it was not something that could be completely controlled. He considered that the objectives could be further discussed at the September meetings.

VII. STAFF OVERVIEW REGARDING INTERGOVERNMENTAL RELATIONS

Town Manager Elwell referred to his memorandum to the Strategic Planning Board, dated July 3, 2002, regarding intergovernmental relations, which provided information regarding the interaction of the Town with other governmental agencies, with a table attached entitled "Governmental Assemblies Representatives," which identified the designated Town representative and/or alternate for fifteen specifically identified intergovernmental organizations. He explained that the Town interacted with other governmental organizations regarding a variety of issues, some specific with direct relevance to the Town, other associations were more general, such as the City Managers group, and the Building Officials Association. There were also government to government groups, such as the Florida League of Cities, which were more fraternal and facilitated networking and problem solving among peers.

In response to Board Member Cooley, Town Manager Elwell explained that counsel in Tallahassee had traditionally represented the Town regarding specific State issues; at the Federal level, reliance had been almost exclusively on Congressmen and U.S. Senators, primarily congressional representatives. He noted that he could not think of an instance where a lobbyist had been hired to represent the Town at the Federal level.

Chair Smith commented that every year she held a Mayor and Manager luncheon for all coastal communities, which had been very successful; a tremendous exchange of information took place at the meetings.

VIII. DISCUSSION WITH TOWN ATTORNEY REGARDING CONFLICTS OF INTEREST

In regard to the memorandum from Board Member Cooley, dated June 3, 2002, regarding "Action of Conflicts of Interest," Town Attorney Randolph advised that there was not a legal conflict of interest in regard to someone that was a member or an officer in a non-profit organization who was serving on boards of the Town. The ethics opinions that he had reviewed indicated that as long as that officer was not retained by or paid by the non-profit organization, there was no conflict of interest as a result of that officer, of a civic association, for example, also serving on a board of the Town, even though the civic association may come before the board and the individual officer on that board may have an opportunity to vote on the issue. The conflict of interest statute discusses conflicts existing when something inures to the private gain or loss of that individual or a member of that individual's family, or a business association. There would be no private gain or loss to an individual when an individual simply served as an officer or as a member of a non-profit organization. Going beyond the legalities of the situation, consideration of the appropriateness, from a perception standpoint, of the situation was something that was for discussion by the Board. He observed that the Town was in good shape legally from the standpoint of the ordinances in place, and the law as it applied to conflicts of interest. It would be a procedural matter for the Board to discuss whether there was a need to go beyond what was covered by the State Statutes in regard to conflicts of interest, and to go beyond the ordinances in place.

Board Member Cooley responded that it was his personal opinion that it was not proper for a member of the Board of Directors of a civic association, or any other association that presents something to a board/committee, to also be sitting on that committee making decisions.

Board Member Flamm observed that one of the strengths of the community was the very active civic participation; the Civic Association consisted of approximately 2,000 members. He commented that it naturally followed that those people that were most involved in civic activities were those that also joined the civic organizations. He suggested that there were very few people in Town that would perceive that people had a conflict of interest because they happened to serve on a civic organization board and a Town board/commission.

IX. PLANNING FOR FUTURE MEETINGS:

September meeting topics will include:

A. Financial Planning
B. Conclusion of Environmental Scan
C. Review of "Radar Screen" list
D. Begin Analysis and Decision Making Regarding the Substance of the Strategic Plan

X. ANY OTHER MATTERS

There were none.

XI. NEXT MEETINGS:

Thursday, September 12, 2002 @ 10:00 a.m. - Town Council Chambers
Friday, September 13, 2002 @ 10:00 a.m. - Town Council Chambers

Town Manager Elwell noted that one additional topic would be addressed at the Thursday meeting – the long range financial planning. Any concluding issues that remained to be addressed as part of the environmental scan would be identified as well. The analysis and decision making process would then begin – taking the items that were on the radar screen and developing them into goals and objectives.

Mr. Fernsler commented that, at some point, the vocabulary that was intended for use in the Strategic Plan would need to be reviewed. He explained that some plans use the traditional goals, objectives, and policies; others used language like strategic direction, and more specific mandates for actions. He suggested that consensus be reached concerning the vocabulary and style of the ultimate document. He also noted that the Board would not have the necessary information available to identify specific strategic directions relating to traffic, therefore, it could only identify the goals, objectives and policies that would mitigate the impact of traffic on the quality of life. Other issues may be much more specific.

Chair Smith commented that it had been her thought that a draft Strategic Plan would be taken out to the community at forums similar to the ones held last November.

Board Member Watchman maintained that the eventual Strategic Plan could be kept concise, by stating the issues crisply and clearly and explain a strategic activity that would coincide with the vision statement.

Board Member Cooley commented that he foresaw a document that would be progressive in form, with a table of contents with headlines; second section - headlines and a summary paragraph for each – third section – the headline, summary section, and back up material. The party reading the plan could then choose how far in depth they wanted to go into the plan.

Mr. Fernsler commented that the form that would be most useful to the Town Council was a consideration. In terms of the long range usefulness, he considered that it was very important to provide a framework and a way of looking at the implications of day to day decisions on long range issues; writing the plan in a style that had a certain timelessness.

Chair Smith commented that she believed it was important to have a format that would appeal to everyone; the appendix would contain all of the back up.

Mr. Fernsler commented that the appendix could consist of a compilation of all of the memorandums that had been generated for the environmental scan; each subject could be crystallized down to the bare minimum conclusions – one or two pages on traffic, one or two pages on infrastructure, etc.

Town Manager Elwell commented that the Town Council members had each received each monthly package of back up for the Strategic Planning Board, and as the scope of the Strategic Plan was refined, the more concise summary description of each issue would be appropriate. A reference could be made that all back up material was available in the Town Manager's office.

Mr. Fernsler commented that the strategic document should contain a thread, stating the vision, the expectations, the threats to the quality of life, and strategically what would be done.

Board Member Flamm commented that he was in favor of the type of document described by Board Member Cooley.

XII. ADJOURNMENT

There being no further business, the Strategic Planning Board Meeting of July 10, 2002, was adjourned at 4:00 p.m.

Lesly Smith
Chair

Prepared by:
Susan Eichhorn
Deputy Town Clerk
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Future Scheduled Meetings:
August - No Meeting
September 12, 2002 @10:00 a.m. - Town Council Chambers
September 13, 2002 @10:00 a.m. - Town Council Chambers
October 10, 2002 @10:00 a.m. - Town Council Chambers
October 11, 2002@10:00 a.m. - Town Council Chambers
November 14, 2002 @10:00 a.m. - Town Council Chambers