REPORT OF THE GOVERNMENTAL IMPACT REVIEW PANEL MEETING
HELD ON MAY 17, 2005

CALL TO ORDER AND ROLL CALL

The first meeting of the Governmental Impact Review Panel was called to order by Town Manager Peter Elwell at 11:00 a.m. on Tuesday, May 17, 2005, in the Town Council Chambers. On roll call, the following appointed members were found to be present:

William J. Diamond
Brian McIver
Samuel McLendon

Others present for all or a portion of the meeting were:

Mayor Jack McDonald
Councilman Richard M. Kleid
Town Manager Peter Elwell
Assistant Town Manager Sarah Hannah
Town Clerk Susan A. Eichhorn
Deputy Town Clerk Diane Kassover

INVOCATION AND PLEDGE OF ALLEGIANCE

Deputy Town Clerk Kassover gave the invocation, and Town Manager Peter Elwell led the Pledge of Allegiance.

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MAYOR MCDONALD ADDRESSES COMMITTEE REGARDING ITS PURPOSE AND TIMETABLE

Mayor McDonald made the following remarks:

Thank you, Peter. Good morning. I want to thank each of you for serving on this Panel. You have the interest and support of the community. This Panel is the first appointed to deal with issues
outside of the Town. I feel the work of the Panel is as important as any we've ever appointed, in this Town, and your work is very important to the community. You are aware that the Town is an island, geographically, but not governmentally, and certainly not tax or growth issue wise.

I am going to distribute, now, just a little chart for you that you haven't seen. We're not going to discuss it. I just want, since it's in color, I knew that you'd appreciate it, and be able to relate to it immediately. But, I'll just point out one of the things that you're going to be looking at on this Panel. And, if you just take a quick glance at the top page, you'll be surprised that out of all of the millions and millions of dollars that we collect in ad valorem taxes, only 20% of it stays in the Town. So, you can see that there is a lot of tax dollars that go outside of Town, and there's a lot of people and Panels that tax us. So, if you put that down for the moment, I'm just going to move onto what I see your purpose as being, and I have four things.

1. Identify the numerous boards, committees, and commissions in Palm Beach County, the City of West Palm Beach, and the Region that make decisions or take actions that impact the Town.

2. Review and evaluate their authority and responsibility.

3. Prioritize in terms of their importance to our community.

4. Make/draw conclusions and make recommendations - examples given as follow:

   Should we try and have membership on this particular commission?
   Should we just try and influence it?
   Should we just monitor it?
   What kind of actions would be best, depending on the importance of that particular board or Panel?

I'm going to give you an example, from last week's Town Council Meeting, on how you become aware of these things, and how important they are. We were discussing the airport noise commission, which we have membership on. In fact, we're well represented on that commission not just from the Council standpoint, but also, there are private citizens, in Town, that are also on

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that commission. But during that presentation, we discovered that there's an Airport Advisory Commission that actually advises the airport on growth issues, on expansion, and what they're going to be doing in the future, and so forth. And, that obviously, dramatically, impacts this Town; and should we try and have representation on that? Should we monitor them? Should we try and persuade them to do things, or not do things? That's really what this Panel needs to look at and make decisions regarding.

So, to summarize, you need to identify, evaluate, prioritize, draw your conclusions and make recommendations. You're going to have a lot to do. This is meant to be a working Panel, and we hope, and obviously, the people I have chosen are going to throw themselves into this assignment. That's what we need you to do, and certainly, from my standpoint, I think it can make a great contribution to the Town and our quality of life.

I'd like you to complete your work by the end of next season. And, at the end of that work, I'd like you to make a recommendation regarding whether this Panel should be ongoing or whether it should terminate at that time. In other words, should it have any role past your report and your involvement, initially?

During the summer, the staff is going to be providing a great deal of information to you; and you'll have plenty of time, during the summer, to put together your thoughts and the kinds of things that you'll want to do. I would think that one of the things that you'll do when you return next season, is you will think some of these commissions and committees are most important; hopefully, they will come here and give you a presentation as to what they do; and you can question them directly as to how they make decisions and how they're appointed and so forth. So, I would certainly avail myself of that opportunity. I think most people will be glad to come speak to you. And, as Peter will cover with the Sunshine Law in a few moments, he'll tell you that although it may hamper you in some ways; it also helps you in some ways.

So, come back in the Fall and be ready to work. I'll take any questions, if you may have any now, if not, I'll be here for the meeting and you can ask me later.

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In response to Mr. McIver, Mayor McDonald advised that he was not excluding governmental agencies such as the FDOT or the Corps of Engineer. He said that he had not included these agencies explaining that he did not want to initially overwhelm the Panel, by having them look at those organizations. He commented that he wanted the Panel to zero in, at the present, on Palm Beach County, the City of West Palm Beach and perhaps, even the City of Lake Worth.

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In response to Mr. Diamond, Mayor McDonald replied that Councilman Coleman did sit on the Citizens Committee on Airport Noise (CCAN). He stated that several representatives made a presentation to the Town Council at their May 10, 2005 meeting at the request of Councilman Coleman.

Mayor McDonald mentioned that he had heard about the Airport Advisory Committee through a resident of the Town who had been appointed to that Committee while living in another municipality. He stated that there was no input from this resident to the Town or from the Town to this resident; and from the Town's standpoint, they did not have any real representation on the Airport Advisory Committee.

Town Manager Elwell stated that during this review, there would be a number of boards and commissions the Panel would consider; that the Town has representation on or historically had representation on. He advised that staff would make that information available to the Panel in order to assist them in their review.

In response to Mr. McLendon, Mr. Elwell advised that the Palm Beach County Beaches and Shores Council was renamed the Coastal Council. He stated that the Town had participated on this Council from the very beginning - twenty years ago. He noted that the Town was presently represented by Sandy Tate, Coastal Management Coordinator.

IV. COMMITTEE MEMBERS SELECT A CHAIRMAN

Mr. McIver made a motion to elect Mr. Diamond as Chairman. The motion was seconded by Mr. McLendon and was approved unanimously 3/0.

Mr. Diamond stated that the Governmental Impact Review Panel would do their best to discharge the mandate given them by Mayor Jack McDonald, and the Panel would make the Town of Palm Beach proud of them. He thanked his fellow members.

V. INTRODUCTION OF STAFF

Town Manager Elwell introduced members of the staff that would be assisting the Panel. He introduced the members of the Town Clerk's Office, Town Clerk Sue Eichhorn and Deputy Town Clerk Diane Kassover. He introduced Sarah Hannah, Assistant Town Manager explaining that she would be the Panel's primary resource and staff contact.

In response to Mr. Diamond, Mayor McDonald said that from time to time, he would keep the Panel informed on how they were progressing.

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VI. REVIEW OF FLORIDA'S GOVERNMENT IN THE SUNSHINE LAW AND LOGISTICAL ISSUES

Town Manager Elwell provided information on the Sunshine Law and informed the Panel that there was a manual on the Sunshine Law published by the State of Florida which would be provided to each Panel member. He stated that the boundary of the Sunshine Law was absolute, and discussion by the Panel on business matters could only occur at these meetings, not privately with each other at anytime.

In response to Mr. Diamond, Mr. Elwell noted that the Sunshine Law allowed members to speak individually to staff or directly to others not on the Panel.

Mr. Elwell explained that the Town Clerk's Office would play a critical role in maintaining the records, which would include an audio tape and a written record of each meeting. The minutes would be reviewed at subsequent meetings by either modifying or approving them. He stated that those records become public record and are the official trail of information showing how the Panel conducted their business and how they have arrived at their recommendations.

Mr. Elwell reviewed the important benefits and the positive side of the Sunshine Law particularly as to how it related to the work of the Panel. He stated that the Sunshine Law would make it easy for the Panel to review the impact that various boards and commissions had upon the Town of Palm Beach due to the open meetings and record laws in Florida.

Assistant Town Manager Sarah Hannah informed the Panel that any documentation such as e-mails or letters would become public record as soon as they are received by staff.

Mr. Elwell added that the Public Records Law would also apply to the Panel, and any documents produced would be considered public record.

VII. DISCUSSION AND DIRECTION REGARDING STAFF RESEARCH DURING THE SUMMER TO PREPARE FOR COMMITTEE WORK IN THE FALL

Town Manager Elwell explained that the following information would be presented by staff to the Panel towards the end of the summer in preparation for the Panel's first meeting in the Fall. The Panel would then be able to assess how they want to move forward, and how the staff could assist with that process.

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Create an overall list of boards and commissions that impact the Town of Palm Beach - Summary of what each board and commission consisted of:

Who created each body?
What was its official authority?
What actions can it take to impose burdens upon others versus it being advisory?
What the composition of it was and whether there was any Town representation or opportunity for Town representation?
How frequently and where does it meet?
How the activities of those boards and commissions impact the town and how it might affect the Town in the future?

Chairman Diamond stated that he believed it was important, early on, to inform the various entities in writing of the following:

Make them aware of the existence of the Governmental Impact Review Panel;
Inform them how the Panel was charged;
Ask them to make available to the Panel any agenda items that may deal, in the future with the Town of Palm Beach;
Afford them the opportunity to appear before the Panel or have the Panel appear before them on items that affect the Town of Palm Beach.

Discussion ensued on this matter with Mr. Diamond requesting that a letter be sent to the various boards and commissions as soon as possible. Mr. Elwell agreed that it was important for an initial letter to go out to these agencies making them aware of the existence of this Panel and that the Panel would be requesting information from them.

Mr. Diamond thanked everyone, again, that was present today. He also thanked the Panel members; he thanked the Mayor, who was instrumental in giving them this important responsibility; and he thanked the staff, most of all, because without them this could not be done.

VIII. SET NEXT MEETING DATE

Discussion ensued and it was decided that the next meeting of the Panel would be set sometime in November. The staff would inform the Panel members, the media and the public of the exact date.

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IX. ANY OTHER MATTERS

There were none.

X. ADJOURNMENT

There being no further business, the Governmental Impact Review Panel adjourned its meeting at 11:30 a.m.

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William J. Diamond
Chairman

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