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TOWN OF PALM BEACH STRATEGIC PLANNING BOARD REPORT MEETING HELD ON APRIL 11, 2001

I. CALL TO ORDER AND ROLL CALL

Mayor Smith called the first meeting of the Strategic Planning Board to order at 1:30 p.m., on Wednesday, April 11, 2001, in the Town Council Chambers. The following board members were present:

Mayor Lesly Smith
William Cooley
Alec Flamm
William E. Hutton III
Bruce McAllister
William Watchman, Jr.
Town Manager Peter Elwell

II. PLEDGE OF ALLEGIANCE

Mayor Smith led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

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

IV. SELECTION OF OFFICERS

REPORT OF THE STRATEGIC PLANNING BOARD - MEETING OF APRIL 11, 2001

A. Chair

Through motion of Board Member Cooley, seconded by Board Member Flamm, Mayor Smith was nominated and accepted as Chair of the Strategic Planning Board.

B. Vice-Chair

Through motion of Board Member Flamm, seconded by Board Member Watchman, it was recommended that the Chair appoint/nominate the Vice-Chair. Mayor Smith recommended Bruce McAllister as Vice-Chair of the Strategic Planning Board.

Board Member Cooley moved approval of the recommendation of the Chair, Mayor Smith, to appoint Bruce McAllister as Vice-Chair of the Strategic Planning Board. The motion was seconded by Board Member Hutton. On roll call the motion carried unanimously.

V. REVIEW OF FLORIDA'S "GOVERNMENT IN THE SUNSHINE LAW" BY TOWN ATTORNEY JOHN C. RANDOLPH, AND DISCUSSION OF PROCEDURES FOR COMMUNICATION AND OTHER ADMINISTRATIVE/LOGISTICAL MATTERS

Town Attorney Randolph reviewed the "Government in the Sunshine Law" of the State of Florida, and responded to questions from the board members. He emphasized that a violation of the Sunshine Law may make any action taken by the Board null and void.

Town Manager Elwell indicated that communication/correspondence from the Strategic Planning Board could be directed to the executive secretary, Tammy Lefler, in the office of the Town Manager.

VI. DISCUSSION OF GENERAL SCHEDULE AND PROCEDURES FOR THE EFFECTIVE OPERATION OF THE BOARD

Town Manager Elwell commented that, in order to function effectively, each member of the Board would receive back-up packets for each meeting. He requested that individual board members submit any material that would be shared with the board at least one week prior to any meeting.

Discussion took place regarding the general procedures that would be followed by the Board. It was determined that consultants familiar with the public sector planning process would be contacted to address the Strategic Planning Board to offer advice on the process of strategic planning and data that would be needed by the Board to operate effectively. Town Manager Elwell indicated that there were several organizations that could provide input on consultants that could be contacted, and also suggested that the individual Board members contact Ms. Lefler, in the office of the Town Manager, with any names of consultants that they may wish to have considered.

Town Council President Jack McDonald commented that a report called "Imaging the Region," would be of value to the board members, and requested that a copy be provided to each board member. He explained that the report clarified challenges that would be faced by the Town of Palm Beach and Palm Beach County within the next 20 years.

Board Member Watchman indicated that he would contact experts at the University of North Carolina for consultant recommendations to pass on to the office of the Town Manager.

Town Manager Elwell noted that there would be a broad description of the scope of services being requested from a consultant; a standard statement would be sent to each consultant that would be addressing the Board.

Mr. William Guttman suggested that a uniform reading list of pertinent materials be provided to the Board members. Ms. Wendy Victor commented that she agreed with that recommendation, and suggested that "Suburban Nation" be included on the reading list.

Board Member Flamm suggested that the consultant should have a clear understanding of the steps involved in the process of strategic planning; a mission statement that would embody the goals of the Board would be a part of the process.

Board Member Cooley noted that Resolution No. 16-01, passed by the Town Council on February 13, 2001, would be helpful in setting the scope of duties of the Strategic Planning Board.

Board Member McAllister commented that both internal and external threats to the continuing existence of the Town of Palm Beach would need to be considered and developed by a consultant in

working with the Board.

Board Member Watchman commented that an expert would be able to suggest the processes by which the Board could gather knowledge and information that would be most effective.

Town Manager Elwell concurred that a consultant would assist with the process, without determining what the final product would be. He stated that it was important that the consultants would have the opportunity to present their qualifications and define the proper process for the Board to follow. He suggested that the letter contacting them should not be too specific, allowing them to “put their best foot forward” in describing how they could help the Board.

Mr. Guttman offered that the Palm Beach Civic Association would be willing to advance funds towards the travel expenses of consultants to be interviewed by the Strategic Planning Board; he suggested that a request for reimbursement by the Town Council could be made by the Mayor and Town Manager.

Mayor Smith regretfully declined the offer of Mr. Guttman, noting that an agreement on behalf of the Town could not be made at this meeting; nor was there an idea of the amount of expenses at this time; she expressed her deep appreciation.

After further discussion, Mayor Smith recalled that she believed there was an unrestricted gift to the Town that possibly could be used for the expenses of a consultant.

Town Manager Elwell summarized that the consultant would be advised that the Board was seeking someone to provide guidance concerning the process, and that the Board may eventually decide to retain the consultant to continue to facilitate the Board on an ongoing basis.

Town Attorney Randolph pointed out that it would be important for a consultant to have knowledge concerning Florida government and Florida planning.

VII. DISCUSSION OF THE SPECIFIC SCHEDULE AND AGENDA FOR THE NEXT MEETING OF THE BOARD

A meeting was scheduled for **May 4, 2001, at 9:30 a.m.**, in the Town Council Chambers, to include presentations by public sector strategic planning consultants. The Strategic Planning Board would review candidates and qualifications at the May 4th meeting, and form a priority list to choose a consultant at the conclusion of the meeting. The Board could then determine the selection and/or recommendation of a qualified consultant.

A meeting was scheduled for **May 16, 2001, at 1:30 p.m.**, in the Town Council Chambers, to hear a presentation by the selected consultant, to discuss the planning process to be employed by the

Board, and to formulate the reading list.

Town Manager Elwell indicated that he would provide copies of the Town Comprehensive Plan, as well as the Town Budget, for the Board members prior to the May 4th meeting.

VIII. ANY OTHER MATTERS

There were none.

IX. ADJOURNMENT

The meeting was adjourned at 3:10 p.m.

Mayor Lesly Smith
Chair
Strategic Planning Board

Meeting Schedule:
May 4, 2001 at 9:30 a.m.
May 16, 2001 at 1:30 p.m.

Prepared by:
Susan Eichhorn
Deputy Town Clerk

Addendum to April 11, 2001 Report of the Strategic Planning Board:

The following verbatim transcript is a portion of the discussion that took place under Item:

V. REVIEW OF FLORIDA'S "GOVERNMENT IN THE SUNSHINE LAW" BY TOWN ATTORNEY JOHN C. RANDOLPH, AND DISCUSSION OF PROCEDURES FOR COMMUNICATION AND OTHER ADMINISTRATIVE/LOGISTICAL MATTERS

McAllister:

I like your thoughts on the issue and to what extent fact finding or investigative functions of a board such as ours might be limited, and to the extent so limited, exempt from the application of the Sunshine Law. For instance, if two or more of us were, (subject to an agreement at a publically noticed meeting), – asked to interview a public planning expert or to review a group of public documents and synthesize them and come up with an analysis of some particular subject, and then report back to the board on what we had discovered by way of fact investigation – whether that might be free of the Sunshine.

Randolph:

It may be, fact finding is singled out as an exception from time to time. Normally I think that the way it's been singled out is if a particular individual has been requested on behalf of the committee to do some fact finding and reporting back. I will look at two or more of you doing that, but quite frankly, I would caution against that. I wouldn't see the need for two persons to have to do fact finding of the same kind. I think that would cause a great opportunity for people to at least allege that there may have been a violation of the Sunshine Law if two or more of you are to meet under those circumstances, but there may be an opportunity if this Board finds it beneficial to them to designate a particular individual to do some fact finding and reporting back, as long as that particular individual couldn't make any decisions on behalf of the committee. There are occasions where particular individuals have been designated a duty on behalf of a committee and it was found that even though it was a single individual involved that was a violation of the Sunshine Law because the committee had transferred its function to that particular individual and that individual has met outside of a public meeting. Those are cases for instance, where a town manager may have been designated to interview candidates for a particular job – a commission may have done that – in those cases it said that would be a violation to conduct those interviews outside of a public meeting. Now, certainly there is nothing that would preclude a member of staff from doing that kind of thing, but once the commission or committee delegates that authority to that particular

individual, they're transferring their function to that individual, and therefore, one person may be violating the Sunshine Law under those circumstances.