REPORT OF THE GOVERNMENTAL IMPACT REVIEW PANEL MEETING HELD ON MARCH 20, 2006

I. CALL TO ORDER AND ROLL CALL

The meeting of the Governmental Impact Review Panel was called to order by Chairman Diamond at 2:05 p.m. on Monday, March 20, 2006, in the Town Council Chambers. On roll call, the following appointed members were found to be present:

Chairman William J. Diamond
Panel Member Brian McIver
Panel Member Samuel McLendon

Also present:

Assistant Town Manager Sarah Hannah
Deputy Town Clerk Diane Kassover

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Diamond.

III. APPROVAL OF PANEL REPORT FOR FEBRUARY 17, 2006

The Panel Report for the meeting held on February 17, 2006, was approved unanimously.

V. PRESENTATION BY PORT OF PALM BEACH BOARD CHAIRMAN, GEORGE MASTICS ON THE ACTIVITIES OF THE PORT IMPACTING PALM BEACH.

Mr. George Mastics, Port of Palm Beach Board Chairman, discussed the interconnection and relationship between the Town of Palm Beach and the Port of Palm Beach. He advised that in 1996, a tri-party coalition was formed between Palm Beach County, the Town of Palm Beach, and the Port of Palm Beach. The coalition was not very active until 2004, after the hurricanes, when it was re-

energized. He reviewed the subjects discussed during the various coalition meetings, which had been attended by Town Manager Peter Elwell.

- Port of Palm Beach as source of sand
  - Transfer of sand onto beaches
- Maintenance dredging on an annual basis to clean out sand deposited in the channel
  - Coordinated with the Corps of Engineer

Mr. Mastics discussed issues facing the Port of Palm Beach and responded to questions regarding these issues.

- Sand Transfer Plant
  - In 1996, approved design and update of stand transfer plant at cost of $4.9 million;
  - Six years of inactivity of Corps of Engineers led to loss of appropriations for sand transfer plant;
  - Actions of Town, Town Manager and other individuals led to the Corps of Engineers new design and update of plans for plant;
  - Sand transfer plant would be ready to begin construction in 2006 - 2007.
- Extended Sand Settling Basin
  - Large basin for sand to settle into along the shores of Singer Island/Palm Beach Shores instead of settling into the channel and clogging it up.

In response to Chairman Diamond, Town Engineer Jim Bowser advised that Palm Beach County currently operates the sand transfer plant under contract with the town who pays for the operation and maintenance of the plant. He stated that depending on the year, he believed that the amount of sand transferred was between 175,000 to 225,000 cubic yards.

Town Engineer James Bowser responded to the following issues that were discussed:

- Net results of the Sand transfer plant on the beaches;
- Pros and cons of the sand transfer plant;
- Abandonment of sand transfer plant;
- Continued dredging by the Corps of Engineers;
- Expanded Settling Basin Project

Mr. Bowser discussed the change in the agreement between the Corps of Engineers and the Town of Palm Beach that was approved several months ago. He noted that the original plan was for the Corps of Engineers to design and operate the plant but it has now fallen upon the town to move ahead with the improvements. The plant has been in a state of deterioration needing a general upgrade.

Mr. Bowser explained that the Expanded Settling Basin Project could not be tied into the upgrade of the sand transfer plant as it was a totally separate process. The Corps has been authorized to work on that the Expanded Settling Basin Project in the future.

Mr. Bowser advised that there were some elements of the sand transfer plant that were controversial, such as the expansion of the discharge pipe further down the beach using a booster station at the south jetty. He noted that was in the plan presently in place, and the town planned to move forward with that project. He explained that there were some pros and cons and there were people for and against that option.

In response to Chairman Diamond, Mr. Bowser stated that the town does have a say in the decisions to be made for the sand transfer plant, and that issue would go before the Town Council. The recommended plan was to extend the sand transfer plant discharge.

Mr. Bowser stated that there were two options: abandon the sand transfer plant and let the sand come into the inlet and have the Corps dredge it; or continue operation and maintenance of the sand transfer plant. He advised that he believed in extending the discharge down the beach so that it falls into an active zone much quicker and moves down the beach. The goal was that it mimics the littoral drift, as nature has it. The key was to get the littoral drift to continue down from north to south and not have any of the sand move offshore. The Corps in the past has moved some of the sand offshore. He explained that if it was moved too far offshore, it does not come back into the beach. He noted that the town was working with the Corps on the beach placement as well as moving the sand transfer plant. He advised that it does not move as quickly down the beach if it was put right next to the jetty and that was the idea of putting the extended discharge in, so that sand would move into the littoral drift quicker.

Mr. Mastics used a power point presentation to discuss developmental plans, security measures and other Port of Palm Beach activities.

- The Port was established under the provisions of the Laws of Florida, and was built in 1915.
- The Port of Palm Beach District was an independent special taxing district, a subdivision of the State of Florida.
- The Port has the authority to levy ad valorem millage tax but has not done so for thirty years.
- Operating under Florida Sunshine Laws, all monthly Board meetings are open to the public.
- The Port covers 971 square miles or approximately fifty percent of the Palm Beach County area; 225 acres.
- Cost of operating, maintaining and improving Port covered by $13.8 million in user fees and revenue bonds from state and federal grants.

In response to Chairman Diamond, Mr. Mastics stated the Port was a landlord port, and at one time, employed less than fifty people. He advised that due to the security that was required at

the Port due to 9/11, there were more than one hundred part and full time security people. The Port has two full-time police officers with police dogs to sniff out drugs, etc. He stated that security has been a horrendous problem for every port.

Mr. Mastics presented an aerial view of the Port, which showed the channel and Peanut Island. He noted that a problem with Peanut Island was that it restricted access for larger vessels because of the dog leg into the Port.

In response to Chairman Diamond, Mr. Mastics explained that Peanut Island was created as a consequence of the formation of the Port. He stated that it was 87 acres, and Palm Beach County has leased from the Port of Palm Beach the perimeter of Peanut Island. The north end has been leased by the Florida Inland Navigational District (FIND). The County has spent millions of dollars to create a beautiful park for children and for boaters. He noted that Peanut Island would forever remain a part of Palm Beach County.

Mr. Mastics stated that the Port's five year master plan was approved and several projects were proposed. The Port has three main slips: a cruise ship terminal and two terminals primarily used for commerce. He advised that the Port plans to expand two of their terminals. He explained one of those slips was a cruise terminal and the other two were primarily used by commercial vessels.

Mr. Mastics continued with his presentation providing the following information:

- 4th Busiest Container Port in Florida
  - 248,000 containers
  - 3 million tons of cargo
  - $7 billion of cargo move through the Port
  - 2,500 direct or indirect jobs created by Port tenants
  - $300 Million impact to state and local economy
- 18th Busiest Container Port in the United States
- 2,441 Ship Arrivals per Year
- Cargo Moving through Port Originates or is Destined to Entire Country
- Real Estate
  - Cruise Terminal/Office Complex
  - Maritime Office Building
  - Warehouses
  - Ground Leases
- Cruise Operations
  - 553,692 Passengers in FY '05
- Cargo - Port primarily an export port
  - 248,206 TEU's in FY '05
  - Top Export Commodities
    - 38% food
    - 15% building materials

- 6.8% general cargo
- 4.4% fabrics and cloth

- Top Caribbean Import Commodities
  - 24.7% Synthetic Resins
  - 15.5% Clothing
  - 15.2% Fruit
  - 5.5% Crotonyl, Ethyl Alcohol
  - 4.1% Whiskey & Rum
- Majority of imports and exports go to and come from destinations in the Caribbean.
- Cargo Tonnage FY'05
  - Container 1,322,408
  - Fuel Oil 1,530,447
  - Molasses 185,912
  - Sugar 877,936
  - Cement 202,336
- Economic Impact
  - Business Revenue $261.3 million
  - Indirect Purchases $ 26.0 million
  - State/Local Taxes $ 12.3 million
- Port Security
  - Badge ID required
  - Closed-circuit television surveillance since 9-11
  - X-ray and radiation scanners
  - Florida Department of Law Enforcement (FDLE) regulates Florida Statute 311.12
  - Maritime Transportation Security Act (MTSA) regulated by the US Coast Guard
  - International Ship and Port Security Code (ISPS) regulated by International Convention

In response to Chairman Diamond, Mr. Mastics advised that the Port had not received any threats since 9/11. He stated that only 5% of the cargo entering the port was inspected. He noted that it was incredible that there have been no incidents of any significance at the Port. He stated that if the Port inspected every container, they would go bankrupt. The costs would be horrendous, it would be totally impractical, and the Port could not afford to inspect each container.

Mr. Mastics advised that the Florida Department of Law Enforcement (FDLE) had found the Port to be in substantial compliance with all requirements. He stated that the police, Coast Guard and U.S. Customs inspect for suspicious loads.

Mr. Mastics stated that the cost for security was about 25% of their budget, which before 9/11 Port security was not an issue. The costs have increased to $5 million for security operational costs compared to $638,000.

In response to Chairman Diamond, Mr. Mastics stated that they have not levied taxes in over 30 years and hoped that the Port would not have to do that.

Mr. McIver asked why the Port could not have procedure in place sanctioned by national legislation that screens containers through a process, such as those used at airports, when they come ashore. The cost could be passed on to the shippers and it could become part of doing business?

Mr. Mastics responded that this was not done because of the expense and that 25% of their revenues currently go to security. He reported that the National Port Security Costs estimated by the U.S. Coast Guard for the necessary security improvements for FY'06 would be over $800 million. He advised that federal grants available for port security for FY'06 was $175 million, and the ports picked up the balance. He noted a lack of financial support for the ports from the federal government who had spent $18 billion for airport security. He commented that there was a question of fairness relative to the other significant ports in this area. The Port of Palm Beach received very little from the federal government compared to what the Port of Miami received.

Mr. McIver stated that airplane passengers began to be screened after an incident occurred, and the cost for that was added onto ticket costs. He advised that he believed once there was a port incident, the country would react pretty quickly to have radioactive screening at all ports put into place. The costs would then be passed on to the shippers, and not be a part of the P&L statement of an individual port.

Mr. Mastics suggested passing those costs on to the countries that were shipping into the ports.

In response to Mr. McIver, Mr. Mastics stated that no one had a contract to manage the Port. The Port was managed by an Executive Director, Lori Baer, Special Assistant to the Port Director Carl Baker, Director of Security Ken Hern and a professional staff. The Port was governed by a board of five Commissioners elected at large by the voters within the District. The Commissioners set policy.

Ms. Elaine Nicastro, 1494 North Lake Way, questioned what Palm Beach financially reaped from all the efforts of the Port and what benefits did Palm Beach receive from the Port?

Mr. Mastics stated that he could not tell her all that Palm Beach reaped from the activities of the Port. He reported that all he could tell her was that all the municipalities in the area of the Port benefitted from it through trade, commerce, economic development, jobs.

Chairman Diamond stated that all the great American cities were formed around ports.

Ms. Nicastro read into the record a letter she wrote to the Town Council members and addressed to Town Manager Peter Elwell. She advised that it was a notice on the severe noise pollution and ecological, carcinogenic hazard situation. She stated that it was her urgent request to immediately relocate the three barges from the intracoastal on the north end of Palm Beach.

In response to Chairman Diamond, Mr. Bowser stated that typically companies that dredge on behalf of the town would have support/work barges to maintain their equipment. He advised that they occupy an area immediately south of the channel and east of the intracoastal waterway. He stated that the dredging companies work for the town on the beach restoration projects.

Mr. Mastics noted that some companies also work for the Corps of Engineers.

Chairman Diamond advised Ms. Nicastro that perhaps she should go before the Town Council to be heard as there was an obvious problem. He suggested that she should keep coming to meetings, and hopefully, would get some relief.

In response to Mr. McIver, Mr. Mastics stated that, at the moment, the Liquified Natural Gas (LNP) Project was no longer a consideration. He explained that it had been contemplated to pipe liquid natural gas into the United States from three different locations and a major concern was that it would come through the inlet.

Mr. Royall Victor, 208 Via Tortuga, stated that he would be interested in hearing Mr. Mastics views on the linking of the Port with the airport and I 95, as well as, other means of transportation. He, declared his position, stating that he was very concerned over any expansion of the Port. He noted that the purpose of the Governmental Impact Review Panel was to stay on top of discussions taking place on various governmental levels, in order for the Town to have a voice on those issues that impact the town before it was too late.

Mr. Mastics advised that last week he, along with Port staff, met with the Florida Department of Transportation (FDOT)in Tallahassee. The Port presented a concept of an inland marine industrial complex which, through intermodal connections and rail traffic, would move many trucks and trains out west, away from the Port. He stated that the plan talks about the possible development of 55 miles of railroad system that would be used to move cargo west eliminating the need to travel along U.S. 1 or Blue Heron Boulevard, etc. He advised that the plan was conceptual, but FDOT liked the idea and would work with them to set up a PD&E to see how they could make this happen. He noted that if there could be an intermodal, inland marine port where there would be structure right next to Lake Okeechobee, jobs could be provided to residents of Pahokee, Belle Glade, South Bay, etc.

In response to Mr. McIver, Mr. Mastics stated that there was a five-year master plan for the Port, which was approved several months ago. He advised that there would not be much growth of the Port because it was developed out, and they could expand two of the three slips to accommodate more boats.

Mr. McLendon stated that during one of the storms, too much sand had been put back into the inlet. The Corps of Engineers ran out of money and was not able to place the sand on the beach, dumping it in the Ocean. He noted that he was disturbed that the Port of Palm Beach did not contact the town to see if they would be willing to pay the small cost differential to have the sand placed on the Town's beach.

Mr. Mastics advised that he could not comment on that as he was not aware of the specific situation.

After discussion of Mr. McLendon's suggestion that the Port of Palm Beach institute a tax rate, Mr. Mastics advised that to levy a tax on all the homes and real estate within the district would cost more than they could collect.

Ms. Susan Markin, 1450 North Lake Way, stated that she had three areas of concern regarding the Port of Palm Beach.

- Growth
- Security
- Environmental Issues

In response to Ms. Markin, Mr. Carl Baker, Senior Staff of the Port of Palm Beach, stated that the Port has considered extending two of its three slips by a total of 75 feet to bring it on line with what was already there.

Ms. Markin advised that she had heard, in other presentations, that the growth had almost doubled in terms of port activity over the last five or three years and that the goal of the Port was to continue to increase it. She noted that the Port might be limited as far as the size of the vessels going in there, but the goal was to try to increase the revenue out of that Port.

In response to Ms. Markin, Mr. Mastics stated that she had to make a decision as to whether she wanted the Port or did not want the Port. He asked if she wanted a sound economy, goods and materials that come into the Port?

Ms. Markin stated that she thought having the Port was great and did not believe anyone did not want the Port but how big the Port would get was subject to question.

Mr. Mastics stated that the Port was essentially developed out and that was the reason he spoke about an inland marine industrial complex.

Ms. Markin noted that she lived across the way from the Port and enjoyed watching the activity from the Port and was not an adversary of the Port. She believed that the Port provides a great service, but was very concerned about the increase of activity. She stated that the Port functions twenty-four hours a day, seven days a week and to extend the slips further eastward would only allow for larger boats, which she believed would be a detriment.

Ms. Markin stated that she shared the Ports concern with security and has brought it up in prior meetings. She noted there were a lot of unattended moorings just opposite the Port, which she believed the Port would have to see as a risk to security. She noted that most of them were abandoned creating areas where anyone could board ships causing damage to the Port. She stated that, in addition, during hurricane season, they sit out there cluttering the waterway, as well as after

a hurricane. She encouraged the Port to work with the County, the Town of Palm Beach or any other entity to try to get whoever was responsible for removing those boats prior to hurricane season.

Ms. Markin stated that she had noticed there had been a significant increase in fuel and oil on the top of the water, as well as garbage coming from the Port over to Palm Beach. She asked if the Port had a system to monitor spillage from the vessels that come in and out of the Port.

Mr. Mastic responded that they do have a screening system. He noted that he was surprised that she has seen garbage and fuel oil floating around.

Ms. Markin responded that she has a crew that comes in every week to remove garbage that comes in from the Port. She advised that there were certain types of materials that look like they come from ships rather than recreational vehicles. She noted that she has a combination of both.

Mr. Mastics advised that he could not really speak to that because the Port has a system in place for spills. The Port immediately tends to it and checks the vessels that might be involved, He stated that they notify municipalities if the spills presented any danger to them.

Ms. Markin suggested that the Port notify the town when there was spillage whether the Port believes there was danger or not.

Mr. Mastics stated that with the tri-party arrangement, there has been instant communication and the Port takes pride in having close relationships with their neighbors.

Chairman Diamond asked if there was a way in which the town could monitor meetings or meet with the Port relative to issues that impact the town?

Mr. Mastics responded that all of their meetings were public, open meetings. The Port holds staff meetings that include Town of Palm Beach staff and Palm Beach County staff. He noted that they all work closely.

In response to Mr. McIver, Mr. Mastics advised that there was no reason why the town could not be notified that there was spillage whether it was a danger or not.

Chairman Diamond thanked Mr. Mastic for his presentation.

Mayor McDonald confirmed that the town was at the apex of their relationship with the Port. He noted that the town appreciated the Port's support in going to Washington with them a few weeks ago to beg for money for the sand transfer plant and the settlement basin.

Mayor McDonald asked what the Port's position would be to pay for the maintenance and the operation of a marine vessel, which would be used to put out fires and other things on the intracoastal waterway? He noted that, in the past, the town has contacted the Port, as well as the

County, with that request.

Mr. Mastics advised that this was not a new issue and after the fire at the Sailfish Club, the Port had investigated that option. He advised that the Port could not fund it, but the residents of the town could fund such a vessel. The problem was one of storage, and advised that he did not know what maintenance entailed.

In response to Mayor McDonald, Mr. Mastics stated that idealistically it was a good idea but practically, he did not know if it would be worth the financing, and the cost to have a vessel sit there. He questioned how often a marine vessel would be needed as there has only been one incident. He stated he could not say it should not be done, but if the town was willing to invest in it, he would be willing to support them.

Mayor McDonald stated that the investment to the vessel would have been the initial cost but none of the ongoing maintenance.

In response to Mayor McDonald, Mr. Mastics stated that he was not aware of any other incident other than the one at the Sailfish Club.

Mr. McIver stated that an issue that concerns him, which has been publicized recently, was the vulnerability of the Ports, in particular anything that was radioactive because of the very low percentage of cargo being inspected. He wanted to know if there was an attack on this Port, did the town through the Police Department or Fire-Rescue Department have a contingency plan on how the town would deal with such a situation? Has there been a coordinated plan with the Port and the town?

In response to Mr. McIver, Mr. Mastics advised that the Port has a coordinated plan that entails every security office, in this county, in the event of a security emergency. He advised that the Port's security was tested when they conducted a mock emergency situation.

Mayor McDonald suggested that at the Panel's next meeting Police Chief Reiter should be invited to address that issue in detail.

VI. PRESENTATION BY FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) REPRESENTATIVE JOSE VELARDE ON FDOT ACTIVITIES IMPACTING PALM BEACH.

Mr. Jose Velarde, Florida Department of Transportation, (FDOT) presented FDOT's Five Year Work Program. He noted that the two most important projects for the town were the Project Development and Environment (PD&E) studies, relative to the two bridges in town, the Flagler Memorial bridge and the South Boulevard bridge. He discussed each of the following projects

providing a synopsis of each.

- FM#: 412289-2, Flagler Memorial Bridge, Bridge No. 93157
  - Project Manager: William Leidy/Steve Braun/Leslie Wetherall
  - PD&E Study has begun
  - PE phase to start in 2008 (upon completion of the PD&E phase)
  - Letting: 1/26/2001. Construction start in 2011.
  - PD&E Study to include rehabilitation options in addition to full replacement of the bridge. Bridge deemed structurally deficient and eligible for replacement through the State Bridge Replacement Program.
  - Bridge does not pose a safety concern at this time. Constructed in 1938.
  - Last inspection done in 10-3-2005. Deficient bridges were noted if bridge sufficiency rating was below 50 for overall structural, and below 5 for substructure, piles and foundations. Last rating for this bridge was 53.5 for overall and 4 for substructure.
  - Scheduled project kick-off meetings for agencies, local officials, and the public on March 30, 2006 at the Palm Beach Convention Center.

- FM #: 419013-1, SR-80 Southern Boulevard Bridges, No. 930097 and No. 930098
  - Bridge Replacement, PD&E Study to start September 2006.
  - Project Manager: Miguel Vargas
  - PE Phase to start in 2008
  - Letting on 3/30/2011. Construction to start in 2011.
  - Study to include rehabilitation options in addition to full replacement of the existing bascule bridge as well as the tidal relief bridge.
  - Bridge was deemed structurally deficient and was eligible for replacement through the State Bridge Replacement Program.

Chairman Diamond stated that he had noticed that construction for both bridges was to start in 2011.

Mr. Velarde advised that the schedule had not been defined relative to the timetable of the bridges. The projects would be phased in order to reduce any major impacts to the town. He stated that clarification of the project as well as additional information would likely be made at the March 30th presentation.

In response to Chairman Diamond, Mr. Velarde stated he would have to find out and respond to the Panel at a later time if one bridge was more of a priority from a structural standpoint.

Mr. McLendon stated that he assumed that the Southern Boulevard Bridge was a lot shorter and would take a lot less time to construct. He advised that he would tend to vote for that to start first as opposed to the Flagler Memorial Bridge.

Mr. Velarde advised that he spoke with the project manager, and it was indicated that as the PD&E Study was started in October, they would be evaluating the possible situations that would be used to address the construction of these bridges. He noted that as the FDOT goes through the PD&E there would be more clarification as to how the phasing, and how the bridges would be constructed, and what would be the sequence of construction.

In response to Chairman Diamond, Mr. Velarde advised that the impact on the round-about, and the causeway would be evaluated during the PD&E study, and at this time, he did not have an answer because he did not have that information. He stated that he could get that answer to the Panel and clarify it for the Panel.

Chairman Diamond advised that the Panel would like as much information as possible.

Assistant Town Manager Sarah Hannah advised that the process for the bridges was just beginning and reiterated that there was a public meeting on March 30th. She stated that this topic was very important, and the town has been in contact with FDOT regarding this project. She commented that the town would never allow work on the two bridges to occur at the same time. She advised that the Panel expressed that vehemently at the last GIRP meeting, and will continue to do so.

In response to Chairman Diamond, Mr. Velarde advised that he would suggest to the project manager, that a public information meeting be set up in town regarding concerns of the residents.

In response to Ms. Hannah, Mr. Velarde stated that he would not be the contact person, but the project managers, Steve Braun or William Leidy, would be available for direct contact with the town.

Mr. Bowser stated that at the last GIRP meeting, the town had been advised that there was going to be a two-session meeting: one in the morning and one in the afternoon. The meeting in the morning would have been for elected officials and local officials. The meeting in the afternoon would have been for the public. He advised since the last GIRP meeting, a notice was received that there was to be one meeting on March 30th at the Convention Center at 6:00 p.m. He noted that he questioned the original plan and was told that nothing had changed and they would still have that type of meeting.

Ms. Hannah advised that the town was working to have a meeting as originally planned and staff was in contact with FDOT.

Chairman Diamond stated that there has to be one, well publicized, meeting held in town for the residents, as soon as possible. He advised that this meeting should be held before decisions

were made elsewhere. He advised that there was opposition and there was fear in town. He commented that nothing the Panel had heard thus far has ameliorated that. He stated that the town needs to know more, needs to know it soon, and it has to be known locally.

In response to Mr. McIver, Mr. Velarde stated that the PD&E process was just started this month and that the proposed projects were in the very early planning stages. He reiterated that the meeting of March 30th would clarify a lot to those persons attending that meeting.

In response to Mr. McIver, Mr. Bowser advised that the March 30th meeting notice the town received was more of a letting the town know FDOT was starting the project. The FDOT had expressed the opinion, at the last GIRP meeting, that they wanted to have a meeting with the elected officials and staff officials. He advised that staff would work with FDOT to get these meetings and was aware that the people would have liked these meetings to have happened yesterday. He noted that the ink was probably still wet on the contract with the consultants, and he did not believe anything had been done other than some preliminary work by the consultants.

Mr. Bowser explained that FDOT puts a schedule together in the same way that town staff would put a schedule together. He advised that it was a five -year process they had to go through, from when the PD&E starts to when FDOT wants to start work.

Discussion ensued regarding the proposed construction schedule. Mr. Bowser advised that construction for both bridge projects in the year 2011 was not going to occur and that it was not realistic. He stated that one has to look at what has occurred in the past with FDOT. He explained that FDOT wanted to work year round on many projects, but staff had been able to have FDOT do the work in phases, working only in the off-season.

Mr. Bowser commented that Mr. McLendon made a good point that the Southern Boulevard Bridge would be a better choice to start with because of the traffic capacity off the island. He noted that there was a lot of merit to that suggestion.

In response to Mr. McIver, Mr. Bowser stated that the capacity of the Southern Boulevard Bridge has to be improved, and staff has spoken to the state about the need to improve the traffic flow.

Discussion ensued regarding the traffic capacity of the Southern Boulevard Bridge. Mr. Bowser stated that it was his opinion that perhaps there should be two lanes off the island and one coming on. He advised that the town would come up with options, alternatives, the impacts of this project and educated informed decisions would be made.

Mr. Bowser advised that FDOT had been very flexible with staff, with comments made by the public that come through staff to FDOT. He noted that there were no bicycle lanes on Royal Poinciana Way but you do see them everywhere else in the state system on similar roadways. The town asked that the FDOT did not put them in and they were not in. The state has worked very well with the town.

Mr. Bowser advised that it would be up to the Town Council to determine what the majority of the town wants, as it has in the past. He used the example of a request by the town, many years ago, for a three-lane highway at the south end of town. The state designed it and was ready to build it when the Council told them they did not want it. The state did not build it.

Mrs. Wendy Victor, Landmarks Commission, stated that an issue had been raised at the Landmarks Commission meeting on Wednesday, March 15th regarding the landmarking of both the Flagler Memorial Bridge and the Southern Boulevard Bridge. She advised that this was a decision that should be fully made from a historical and residential perspective, and not led by engineering decisions or FDOT.

Ms. Victor discussed the history of the Flagler Memorial Bridge and that it was a railroad bridge. She noted that the Landmarks Commission had addressed the building of the north bridge as it related to the history of the Town of Palm Beach. She stated that the town should think very carefully before steps were taken to reconstruct this bridge, taking out what was and what looks like a railroad bridge to create an arched new bridge with a 21-foot span.

Mrs. Victor advised that she spoke with Town Manager Peter Elwell on Wednesday, and he had a strong preference for starting with the Southern Boulevard Bridge. The Southern Boulevard Bridge rotary was under the Landmarks Commission's control, and on the north side of the rotary was Mar-A-Lago, which not only was landmarked but a historical national site. She stated that anything that affects the appearance of Mar-A-Lago, should be thought through very carefully by the town. She noted the Bath and Tennis Club, on the other side, was also landmarked. She noted that input regarding the historical nature of the bridges was very important.

Chairman Diamond stated that the Landmarks Commission should make a formal appearance at the hearings that were going to be scheduled.

Mayor McDonald stated that in his Mayor's comments, at the last Town Council meeting, he specifically requested the five Town Council members start immediate negotiations with FDOT to switch the priority of the north bridge to the south bridge. He advised that advanced replacement of the Southern Boulevard Bridge would also result in an improved traffic circle, improved traffic flow and beautification of the southern entrance to Palm Beach. He explained that there were compelling reasons to make the switch. He stated that, along with that request, there must be an unequivocal rejection of any simultaneous replacement of both bridges.

Mayor McDonald advised that Mr. Stanley Rumbough, Chairman of the Civic Association, requested that FDOT be made aware that a temporary bridge,such as was used for the middle bridge, would be of great importance to the town, during the replacement of either the north or south bridge.

In response to Chairman Diamond, Mr. Velarde explained that there was a preliminary planning process, and during this process, which FDOT was now in, alternatives would be established: how to go about doing maintenance of traffic for this corridor; whether it would require a replacement bridge, or a temporary bridge, etc. He advised that the PD&E Study takes into

account a lot of information from municipalities and their residents. He stated that it took two years for the study in order to obtain all the input that was needed from the locals, from the residents, who drive those corridors, and that was where FDOT develops an alternative. The bridge would be jointly looked at by the residents, the community and the FDOT.

Mr. Velarde continued to review the various projects of the FDOT.

- FM#: 412489-1, SR. AIA, Flagler Memorial Bridge, Bridge Repair, Bridge No. 930157
  - Currently under construction, 60 days construction estimate
  - Fender repair and flat track repair
  - Let on 2/3/2006
  - Project Manager: Jose Quintana

Chairman Diamond advised that the town has to be made aware of any interruption in the bridges, in advance, no matter how small.

- FM#: 229899-5, SR-704 Royal Park Bridge, Landscaping @ each bridge
  - This work has been deleted. Provided funds for this work to Town of Palm Beach through JPA in the amount of $140,000.00
  - Project Manager: Betsy Jeffers

- FM#: 233752-1, Miscellaneous construction, Maintenance on going
  - Various maintenance activities under Phase 71. In-house maintenance
  - Betterment jobs
  - Project Manager: Peter Nissen

- FM#: 229849-1, SR-AIA/County Road, from N. of Southern Boulevard to Royal Palm Way (SR-704)
  - 3R Project, letting 10/25/06
  - Project Manager: Nadir Rodrigues
  - Construction start, 5/2007 - 11/2007 and similarly in 2008.
  - Two-phase construction. Construction only during off season.

Mr. Velarde explained that this project was a milling and resurfacing project, an upgrading of the roadway. He noted that it was approximately 2.2 miles and there would be no changes with minor drainage work.

In response to Mr. McIver, Mr. Bowser explained that the town requested that this project be broken into two phases as it was anticipated it would take more than one season. He reviewed the various aspects of the project:

- Hammon Avenue to Southern and Hammon Avenue north to Royal

Palm

- The southerly segment has street lighting, which the town has now decided to do on their own. The town would be signing a JPA with the state to upgrade the street lighting with decorative lighting.
- The state was going to also put in a traffic signal interconnect cable for the town's traffic system.
- Place a block of drainage between Worth Avenue and the Golf view-Hammon intersection.

Mr. Bowser stated that there would be no alterations to the sidewalks throughout the entire project. The sidewalks would remain as they were.

In response to Chairman Diamond, Mr. Bowser stated that he anticipated that when the drainage work between Hammon and Worth Avenue would block the roadway, closing it to traffic, it would be routed and detoured to Ocean Boulevard. He noted that Worth Avenue would be impacted from the standpoint that they would need to get into that intersection and work south. He noted that they would likely be able to keep one lane open through that intersection going east to west.

Chairman Diamond recommended that a map be placed in the newspaper showing which lanes would be open and which streets would be closed. He stated that a better form of communication was needed.

Mr. Bowser advised that project was to start in 2007. It was over a year away from starting.

Mr. Velarde advised that there would also be an informational meeting to the residents advising what would be occurring at that time.

Mr. Bowser advised that there had been a public meeting on the North Lake Way Project and only two residents showed up for that meeting. He noted that, during the design phase, there was a meeting, and it was not well attended.

Ms. Hannah explained that, during construction season, the town posts every week, on their website, a list of projects that affect traffic for the following week. She noted that the town has been doing that for two years. She advised that FDOT has their weekly press release, and the town distributes that to everyone on the town's distribution list.

Chairman Diamond stressed the importance of a map to indicate projects that were occurring in town.

Ms. Hannah advised that staff was currently working out the details of the GIS map that would be posted on the website.

Mr. McLendon stated that the overhead wiring on South County Road, south of Worth

Avenue was unsightly, he asked if it was feasible to get that the electric underground when that work was going to be done?

Mr. Bowser advised that the Town Council and residents were on the verge of making the decision to underground or not. He explained that until it was definitively stated that the town was going to underground, the town would not coordinate undergrounding efforts with FDOT. He noted that staff was thinking about those situations and would try their best not to have streets torn up more than once.

Mr. Velarde continued reviewing the projects.

- FM# 229858-2, SR-AIA/Ocean Boulevard from Sloan's Curve to N. of SR-80/Southern Boulevard
  - Let on 3/29/06
  - Resurfacing Project
  - Construction from 5/2006 to 12/2006
  - Project Manager: Donovan Pessoa
  - Construction to start immediately after Easter 2006.
  - Project to be constructed with other projects, FM#: 413680-1 and 406536-1

- FM #: 403610-1, SR-AIA, from Boynton Beach Inlet to SR-802/Lake Worth Road
  - Letting on 1/2007
  - 3R, Resurfacing Project
  - Project Manager: Bing Wang
  - Project was also within other jurisdictions
  - Two JPA's have been prepared with the Town of Palm Beach, mitigation at Phipps Park, and Decorative Lighting. Lighting funds to town for them to install.
  - Construction 4/07 to 12/07 at town limits. Two seasons similar on 2008 outside town limits.

- FM#: 413680-1, SR-80/Southern Boulevard from ICWW to SR-AIA
  - 3R, Resurfacing Project
  - Project Manager: Donovan Pessoa
  - Letting, 3/29/06
  - Start Construction after East 2006.

- FM#: 406536-1, SR-AIA Revetment, from Sloan's Curve to Widener's Curve
- Drainage improvements
- Letting, 12/15/06. Re-scheduled in order to procure granite rock from Georgia

- Project Manager: Donovan Pessoa
- Construction expected to start after Easter 2007.

In response to Mr. McIver, Mr. Velarde advised that there might be a need at certain locations to have flag men to close down a lane. The areas near Manalapan that would have reconstruction work, would require closures of this nature, closing one lane in order to do the implementation.

VI. PUBLIC COMMENT

Mr. Jerry Frank, 2784 South Ocean Boulevard, stated that he had two questions. He asked what the Phipps Ocean Park Mitigation was.

Mr. Velarde explained that the town had established a location where the FDOT could acquire credit for mitigating the impacts in environmentally sensitive areas. He noted that, in order for the FDOT to do their work on a particular project, a location needed to be provided where the FDOT purchased a credit at the mitigation site. The FDOT would pay for that and would enhance the park area with some type of vegetation.

Mr. Frank stated that his second question was related to the north bridge, and he asked about the replacement of the lights damaged by Hurricane Wilma.

Mr. Velarde advised that he would take that information back, and stated that he assumed that the bridge and maintenance people were working on that issue, at this time. He noted that he did not know what exactly was being done at those locations, but there had been many problems in procuring material.

Chairman Diamond thanked Mr. Velarde for his presentation.

VII. DISCUSSION AND POSSIBLE ACTION REGARDING FUTURE PANEL ACTIVITY

Chairman Diamond suggested that the Panel invite, as Mayor McDonald requested, Police Chief Reiter to discuss the emergency plan for the Town of Palm Beach.

Ms. Hannah suggested that instead of having Chief Reiter come before the Panel, she include a memo from him in the back-up for the next Panel meeting.

Mr. McIver stated that he, as the person who raised the question of an emergency plan, he would be amenable to a memo as had just wanted to know if there was an emergency plan in the case of a catastrophe. He noted that it may not be appropriate for the entire public to be known what the content of that entire plan was but just to be assured that there was one.

Ms. Hannah stated that the reason she made that suggestion was due to the issue of security. She noted that they would not be able to declare, in public, many of the details of the emergency plan.

Chairman Diamond stated that there was a balance between what the public should or should not know. He advised that perhaps the best people to decide that was the Police Department and not the Panel. He suggested that the Police Department might want to fill in the Panel and citizens with some information.

Ms. Hannah stated that once she reviews the memo and confers with Chairman Diamond, it would then be determined to see if there was a need for the Chief to come before the Panel or not.

Chairman Diamond explained that the Panel had determined to come to the end of their initial charge, which was to ascertain where future efforts would have to be devoted. He stated that at the next GIRP meeting, the Panel should be able to get on with their recommendations.

Ms. Hannah advised that Mr. McIver had put together a spreadsheet, that she would put together for the next meeting, of a brief synopsis of the issues that the Panel had identified with agencies that had come before them, and any agreed actions that had been discussed at those meetings. The Panel Members would have that information to review before the next meeting.

Mr. McIver explained that the ideal would be that they would each have the same work sheet to work off of over the next couple of weeks, and each Panel Member could come with their thoughts as to what they want to do, and then there would be a basis for discussion.

VIII. NEXT MEETING IS SCHEDULED FOR APRIL 6, 2006 AT 9:30 A.M.

There being no further business, the Governmental Impact Review meeting of March 20, 2006, was adjourned at 4:18 p.m.

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William J. Diamond
Chairman