

TOWN OF PALM BEACH

Office of the Town Clerk

MINUTES OF THE SEAVIEW PARK COMMISSION MEETING HELD

FEBRUARY 24, 1993

I. CALL TO ORDER A meeting of the Seaview Park Commission was called to order by the Chairman, Mr. Broberg at 1:20 PM on February 24, 1993, in the Recreation Center. Commission members in attendance were Chairman Broberg, Mr. Ochstein, Mr. Lubow and Mrs. Leidy. Staff members in attendance were; Mr. Bitzer, Tennis Pro Hay, Mrs. Walkowich, Miss Flynn and Ms. Reedy. Absent from the meeting were; Mr Myers, Mrs. McIntyre and Mrs. Clark Royal.

II. APPROVAL OF AGENDA Mr. Broberg asked if there were any changes anyone wished to make in the agenda. Mr. Bitzer said he would like to request a revision under old business that Tennis Shop Construction Loan Extension Deadline be considered under item number one, that item number two remain the same, and that item number one, the Review of Staff Proposed Tennis Court Scheduling Procedures be moved to item number three. Mrs. Hicks said as a Town resident she objected to the proposed change in the agenda. She said she had attended this meeting specifically for the Proposed Tennis Court Scheduling Procedures, and at the last meeting when this was discussed it lasted for three hours and she felt the change would be unconscionable. Mr. Bitzer said the reason he had suggested the change was because the Women's Tennis Teams were preparing for tryouts and the tryout priority procedure needed to be finalized by the end of this meeting. He said he was concerned that if item number one continues for an extended period of time, then they probably would not have time to resolve the tryout procedures today. He felt that the tryout procedures and the Tennis shop loan extension could be handled quickly.

Motion was made by Mrs. Leidy to proceed with the agenda as printed, and add the loan extension as item number three. Seconded by Mr. Ochstein, motion carried.

III. APPROVAL OF JANUARY 27, 1993 MINUTES Motion was made by Mr. Lubow to approve the minutes of January 27, 1993. Seconded by Mr. Ochstein, motion carried.

IV. OLD BUSINESS:

1. Review of Staff Proposed Tennis Court Scheduling Procedures.

a. General Procedures

Mr. Bitzer said at the January 27th meeting he had verbalized some of the Staff recommended options with regard to tennis court scheduling procedures. He said he was asked by the Commission to reduce those recommendations into writing and that has been done.

Mr. Bitzer said he would like to go through the recommendations sequentially in the order they are listed.

General Procedures

A. New Rule

If some courts become unplayable due to unforeseen circumstances, then advance doubles bookings will take priority over advance singles bookings. The tennis staff will attempt to arrange doubles play on any remaining open courts. At any time there are more bookings than courts, not precluding the above, court cancellations will be by lot.

B. Modified Rule

Rule #11 - Town approved group programs requiring formalized scheduling shall take precedence over all other bookings. All formalized programs shall receive prior approval by the Town's Recreation Department and shall comply with established program policies and procedures.

C. Modified Procedure

To revise the daily booking starting time for reserving tennis courts from 12:00 noon to 2:00 PM.

D. Modified Procedure

Rather than the existing procedure, whereby the reservation priority alternates between phone and in person reservations, that phone reservations take priority over in person reservations.

Mr. Bitzer said this is not a recommended change, but in the future, with regard to open booking, should the same individuals tend to get courts on a regular basis while other players are unable to book a court, that a two (2) day booking procedure for open play bookings should be considered. However, this would not be recommended if a group has courts pre-reserved for them five (5) days a week.

E. New Procedure

To allow residents who are not permit holders the opportunity to book courts one day in advance, provided they have shown proper identification and are listed on the existing daily play residency

list which is kept in the Tennis Pro Shop office. As with annual permits, this list is updated annually.

Mrs. Leidy asked what is meant by open play bookings? Mr. Bitzer said that current permit holders may call one day in advance and reserve a court for the next day. Mrs. Leidy asked what if they're not a permit holder? Mr. Bitzer said if they are not permit holders, they may only book on a same day basis.

Mr. Ochstein said he had a question on the first rule. He said he didn't see any thing in the rule about what happens if some courts are not playable because of water or whatever reason, will the Pro's still take their two courts?

Mr. Hay said they had internal guidelines for handling that situation. He said that if two clay courts become unavailable the Pro's will automatically move and take a hard court.

Mr. Bitzer said there was a perception that the Pro's are unrestricted in their lessons. This simply is not factual. He said the Pro's have written procedures for using the courts and that basically the Pro's are allowed to use one clay and one hard court. Mr. Bitzer said that if a court has not been booked and a resident wishes to take a lesson, then the Pro will book a second clay court.

Mr. Ochstein said he had observed two courts being down and three courts were taken up with Pro's giving lessons. Mr. Hay said the only way that would happen would be if the courts had not been booked. If the courts had been booked the Pro's would move off, and that's the way it should be.

Mr. Lubow said the instance of which Mr. Ochstein spoke was approximately 10 days ago and all the courts were booked. Mr. Hay said he would have to check that. Mr. Ochstein said he did remember people being turned away that day. Mr. Hay said that was a possibility because the rule right now states the courts must be booked three hours ahead of time. Mr. Bitzer said maybe his suggestion that all residents should have the opportunity to call for reservations a full day in advance would help to alleviate that situation.

Mr. Ochstein said if for some reason two courts are down and three of the remaining courts are taken up by Pro's, then there are people waiting who are unable to get courts. Mr. Bitzer asked if those people had already booked a court? Mr. Ochstein said he had no idea if they had booked a court or not. Mr. Lubow said the people had booked courts. Mr. Bitzer said he realized there was a problem, but the person who is taking a lesson is also a Town resident, and if the person who wasn't able to get a court had not made a prior reservation, this would have some bearing on the situation.

Mr. Ochstein said he felt doubles play should take priority over singles because then four people would be playing. Mr. Bitzer

said he would be concerned with this type of blanket priority because the individuals in a doubles group may have played three or four times that week and a group of singles players who had not played at all that week could be bumped. Mr. Ochstein said he understands that the Pro has a right to make a living and also the resident has a right to take a tennis lesson, but things have changed.

Mr. Hay said one problem right now is that the courts are so busy. He said the last few mornings have been very busy. There haven't been any courts down but sometimes there are two coaches giving lessons on unbooked clay courts between 8:00 and 9:00 AM, and there are people who would like to play prior to their 9:00 AM reservation. However, Mr. Hay said any time there are two courts down, and there are bookings, the Pro's are required to move off the courts, and if they didn't they should have.

Mr. Ochstein asked what is meant by the statement "all formalized programs shall receive prior approval by the Town's Recreation Department?" Does this mean Russ, or Jim Hay or the Seaview Park Commission or what? Mr. Bitzer said that in accordance with the Pro's management agreement, program approval is made by the Director of Recreation.

Mr. Ochstein said he had not been aware of the proposed time change in the booking of tennis courts from 12:00 noon to 2:00 PM. Mrs. Leidy asked if they took no bookings at all before 12:00 noon now? Mr. Bitzer said that was correct, but this was for advance bookings for the next day. Same day bookings can be made between 8:00 AM and 12:30 PM and between 2 PM and the evening closing time.

Mr. Ochstein said he didn't understand the reason for not booking courts before noon. Mr. Hay said that they had found it easier to do it this way. Mr. Ochstein asked if residents who are not permit holders may book courts in advance? Mr. Bitzer said that they may book courts in advance on a same day basis. Mr. Broberg asked if they would be put on a daily play list first? Mr. Bitzer said that quite a few residents were already on a daily play resident list. This list qualifies them for resident rates without having to show identification each time they play. However, residents who are not on this list and do not hold a permit will first have to show identification in order to be added to this list if this procedure is implemented for advance reservations. Mr. Bitzer said that currently, a nonresident permit holder may also make advance reservations.

Mr. Ochstein said he felt the rule should be changed so that a resident nonpermit holder would be on par with a nonresident permit holder. Mr. Bitzer said that this was included as part of the Staff proposed revisions to the rules. Mr. Ochstein said he would prefer that nonresidents not be allowed to make advance court bookings. Mr. Bitzer said the trouble with changing that procedure in mid year is that the permits have been sold with the understanding that they would be allowed to make prior day bookings. Mr. Ochstein suggested

that it become effective on October 1st, or whenever it is time to renew permits.

Mrs. Hicks referred to Rule #11, and asked Mr. Bitzer how do you qualify as a Town approved group? Mr. Bitzer said that in order to run organized programs involving large groups of people you have to have prior scheduling, and that it is his responsibility to review and approve or disapprove group requests. Mrs. Hicks said it seemed to her that if another tennis group is approved, it would take up more courts. Mr. Bitzer said that was true, and he does take this into account prior to giving his approval to new groups in order to maintain a balance between open play and organized group activities.

Mr. Fisher asked if the morning adult group is a Town approved group program? Mr. Bitzer said currently they were a Town approved group. He said that originally he had some concerns as to whether or not this group should be an approved program because basically what they were doing was organized prescheduling of open play. He said that the previous pro had strongly recommended that they should be approved as an organized program. Mr. Bitzer said that based on the Pro's recommendations, he did approve this group, provided that they did not conflict with other tennis programs and open play.

Mrs. Sirus asked just how policy is established as to how many days per week a group is allowed to play? Mr. Bitzer said that we have a limited number of courts, so this is a problem. He felt they needed to review the schedule of the courts for open play as opposed to organized groups. He said there were a few complaints from individuals who said they were unable to reserve a court because the organized groups monopolize the courts.

Mr. Broberg said he had received a note from Mrs. McIntyre which impacts, to a degree on the morning group. The note reads:

Pete:

I'm sorry I have to be absent today. However, I received the proposal last night leaving me no time to digest the contents. Can this MAG (morning adult group) subject be postponed to a special meeting? Minutes and agenda should be provided well ahead of meeting time.

If the above is impossible, I would suggest:

1. The Board already decided to keep court time to one hour. No discussion.
2. The Pro-manager should not have to schedule courts and settle disputes. He is the pro!
3. The MAG program is non-discriminatory and highly successful. Why change it? Only those players who cannot compete at the C level are excluded. If court

time is the problem, can we have two groups - M, W, F and T, TH & Sat.?

If this program is not prereserved in court time, the members will form their own phone Committees. In Rodney King's words "cant we all get along?"

P.S. Team competition is fine. They represent Seaview in the area. What they should not insist on is still more of others court time. 10:00 AM has been given to them at the price of denying MAG of games.

Mr. Broberg said the Commission may want to postpone discussion on this matter for a special meeting.

Mr. Lubow said the previous day the morning adult group had four courts booked for 9 AM. The team arrived at Seaview at 8 AM, one court was available, so 12 people waited until 9 AM. He said they book courts at 9:00 AM, come out at 8 AM, and if the courts are available they play, and if they aren't available they wait till 9 AM. He said the morning adult group is open to anyone who wants to play, and they average approximately three to four hours of play per week.

Mrs. Sirus said she was not implying that they knock anybody off the courts and she thought the morning adult group is wonderful. Although, she did feel that at this point they were monopolizing the courts. Mr. Lubow said they only go on the courts if they aren't booked at 8 AM. Mrs. Sirus said they are always there early and they are on the courts so people think the courts are booked. Mr. Lubow said people don't come at 10:00 AM anymore because they know the ladies teams monopolize the courts at 10:00 AM. Mrs. Sirus said the ladies teams only use two courts. She said the only time the ladies teams take all the courts is when they play matches.

Mr. Broberg said there was obviously a disagreement here. He said Mrs. Sirus is saying there is a perception that the courts are full and people don't come. Mr. Lubow says there is a perception that the courts are full at 10 AM and people don't come. He said the women's team group is a Town approved group with procedures and rules. He said he sees the morning adult group as a Town approved group which does not have rules, and he thought they both serve a good purpose for the Town.

Mr. Broberg said what they have is two groups which each feels the other group is monopolizing the tennis courts. Mr. Bitzer said the proposed modified rule had gotten them into a discussion about the mixed doubles program. He said if they are going to discuss morning mixed doubles, he would like to request that they follow the Staff review of this program as outlined in his memo.

Mr. Broberg said they should proceed and make a decision regarding a special meeting of the Commission. He said there are two members absent today, and a third member because Mrs. Royal will no

longer be on the Commission. Mr. Broberg asked the members of the Commission if they wished to postpone this issue and revisit it another day?

Mrs. Leidy said that was a good idea. She felt this issue would take a very long time to resolve. Mr. Bitzer said if they are going to postpone this item, he would like to advise the other residents who utilize the tennis courts, but do not participate in an organized group. He said they probably have no idea of these meetings and discussions, and whatever decisions are made, they may have some impact on these people. He said if the Commission is going to postpone this issue, it would give him an opportunity to notify the other residents who utilize the facility. They may want to attend the meeting or submit written recommendations to the Commission.

Mr. Broberg asked who those people were? Mr. Bitzer said they are approximately 35 residents who book courts in the morning, and do not play with the morning mixed doubles or the ladies teams.

Mrs. McDonald said she objected to the time problem. She said she could not understand why the morning adults are allowed prime time every morning. Mr. Lubow said they couldn't get 10:00 AM because the ladies teams play then. Mrs. Sirus said the ladies were not on the courts every day. She commented that Mr. Lubow and Mr. Ochstein played in the morning mixed doubles group and were also on the Seaview Park Commission, which might cause a conflict of interest. Mr. Ochstein said he played on weekends. Mr. Lubow said they don't have the same people playing every day. Mrs. McDonald said the reason they don't play every day is because they can't get courts at Seaview in the morning.

Mr. Bitzer said they reserve three courts for the mixed doubles group. He said the members of this group also book other courts on their own and at 9:00 AM the courts are almost always booked, and at least four to five courts are taken by the mixed double people either playing within the group or having booked courts on their own. Mr. Bitzer said that is one example of why they need policies and procedures. He said the mixed doubles group have three courts with no names listed on the Town's booking sheet. Recently one of the mixed doubles players reserved a court on their own for the following day. The next day, just prior to playing, they moved over to one of the courts reserved for the mixed doubles group. He said as a result, that court was taken out of the pool of courts available to other people.

Mr. Bitzer said there is a perception with some residents that the morning adult group is monopolizing the courts in the morning. Mr. Ochstein said that when other people reserve the courts, they do so under the same basis as anyone else does. Mr. Bitzer said that open players don't have the opportunity to pre-reserve three courts. Mr. Lubow said they have three courts only on the days when the ladies start at 10:00 AM, other days they have two courts. Mr. Bitzer said that for quite some time they basically had three

courts. He said his concern is that soon the morning adult group is going to be asking for four courts because the group keeps growing. Mr. Bitzer said they have a limited number of courts and possibly they may have to limit the number of people who participate in the morning adult group, like every other program.

Mr. Bitzer said if there is no objection by other residents to the mixed doubles group having this scheduling advantage, and convenience, then the Staff would probably not have a problem with this arrangement. He said that whatever happens, there has to be policies and procedures, and that it's the Recreation Departments' responsibility to make sure that the schedule for this facility is fair and equitable for all Town residents.

Mr. Broberg asked when was the next regularly scheduled meeting. Mr. Bitzer said it was March 24th. Mr. Broberg suggested that they schedule a special meeting to deal with the tennis scheduling for the first week in April. After discussion it was decided that the next regularly scheduled meeting would be cancelled, and the special meeting be held on March 24, 1993.

2. Review of Women's Team Tennis Program Procedure.

a. Priority Procedure for Tryouts.

Mr. Bitzer said that in formalizing the Women's Team Tennis policies and procedure's last year, it was suggested that we revisit the policy regarding resident vs. nonresident eligibility priorities for tryouts prior to the Spring tryouts for the 1993-94 season. The procedure recommended by the Commission last year and which was implemented, lists qualified residents and nonresident permit holders having first priority, and second priority is nonresidents who do not have permits. Mr. Ochstein said it was his understanding that residents had priority over nonresident permit holders. Mr. Bitzer said that was not the case. He said the Commission had recommended the existing procedure since there had not been a problem with this and if one should arise, the Commission felt this issue could be revisited.

Mr. Bitzer said he had reviewed the existing procedure with the team captains and they basically indicated that they had no problem with the existing procedures as they currently stand. Mr. Bitzer said he had some concerns because he felt qualified Town residents should have priority over non-residents. The representatives of the ladies teams said they have had no complaints and no residents have been turned down.

Mr. Lubow said he was in the tennis pro shop today, and was informed that one of the ladies from the A-2 team had received a letter soliciting ladies for tryouts, but notice of tryouts had not been posted anywhere, and he was concerned that the tryouts were not open to everyone. Mr. Bitzer said the reason the tryouts have not been advertised yet is that the dates had just been finalized. Mr. Lubow said there was a schedule in the letter with a list of tryout

dates. Jane Scott who is co-captain of the A-2 tennis team said that was a personal memo from her.

Mr. Lubow asked Mrs. Scott if she had sent out the memo? Mrs. Scott said when they had a meeting the previous week they scheduled dates for tryouts. She said she was only informing her teammates of the tryout dates.

Mr. Bitzer said there was no secrecy involved in this. He said now that the dates have been set, notices will be posted in the pro shop.

Mr. Broberg said the more this is pushed the more resentment will build up and it's going to rebound. Mr. Lubow said all he is saying is, if they know the schedule, why don't they post it. Mr. Bitzer said it will be posted, but the schedule has just been set.

Mrs. Scott said she gave her team members the memo when they held their meeting.

Mr. Bitzer said the tryouts will run for several months. They are advertised and open to everyone.

Mrs. Leidy asked what else is to be discussed on this issue.

Mr. Bitzer said the priority procedures are the only thing. He said the question is; should the policy remain that residents and nonresident permit holders have first priority, and other nonresidents have second priority, or should it be changed to give residents first priority and nonresidents second priority.

Mr. Bitzer said the ladies teams have a concern in that, if someone is qualified to play on a team, and there is a resident and a nonresident, and this hasn't happened but it could happen, and the nonresident is a better player than the resident, then the team would probably prefer the better player. He said that could result in a nonresident permit holder being chosen over a Town resident. The ladies teams have said they will go along with whatever the Town decides. Mr. Bitzer asked the members of the Commission for comments or recommendations on this matter.

Mrs. Leidy said she felt that in order to avoid a problem, a Town resident should always have first priority over a nonresident. She said this issue is very confusing for someone like herself who does not play tennis. She said she came on the Seaview Park Commission thinking she was going to be working with children's programs, but there has been nothing but talk about tennis. She said she felt that residents should have priority, then nonresident permit holders second and nonresidents last. She felt as the programs get bigger and bigger that the Town residents should come first. Mr. Ochstein said he felt the same way. Mr. Bitzer said he agreed that Town residents should come first.

Mr. Lubow made a motion that Town residents should have first priority for positions on tennis teams. Seconded by Mr. Ochstein. Mr. Broberg said they were proposing to change the order of things, but as things stand now, will it actually change who is on the teams right now? Mr. Hay said he wasn't sure exactly how many nonresidents there are on the teams right now, but he thought most of the members on the teams are residents.

Mr. Ochstein asked exactly what was the motion?

Mrs. Leidy said it was to have residents take priority over anyone else.

Mr. Broberg said residents would have first priority, and nonresident permit holders would come second. Mr. Ochstein asked if those rules applied only to the ladies tennis teams, and not the entire Recreation Center. Mr. Bitzer said that this procedure already exists with the other Recreation Department programs. Mr. Bitzer said the third priority would be nonresidents who do not have permits. He asked if for some legal reason there should be a problem with that order of priorities, would the Commission agree with a two tier policy placing a Town resident first and the nonresident second?

Mrs. Scott said there was a problem because if you have a player who is real good who lives in West Palm Beach and a not so good player who lives in Palm Beach, then they would have to take the not so good player.

Mr. Broberg asked what if the Town Council grandfathered in the nonresident permit holders who are already on the teams? Mr. Bitzer said they grandfathered the nonresidents last year because they didn't have time to get into the trials in their community, but that isn't the case any more. They have plenty of time now.

Mr. Lubow asked if the ladies teams have a sufficient number of players to choose from now? Mrs. Smith said they do, but right now the entire spirit of the women's team tennis is sort of dampened. She said there are 16 players on the A-3 team and they were looking at eight positions being up for grabs. She said she would guess there are probably 12 or 13 on the B-1 team who want to try out for the A-3 team.

Mrs. Leidy said she didn't understand why there were eight positions open on the A team. Mrs. Scott said that was because they could only retain eight people.

Mr. Leidy commented that to date we haven't had the problem of a nonresident player being on a team and a resident not being able to get on a team. Mr. Broberg said he felt that was going to happen sooner or later. Mrs. Leidy said that is why the Commission needs to address this now, and she felt there should be no question about a resident having first priority over a nonresident.

On roll call motion carried.

Mr. Bitzer said he just wanted to be clear on the motion. He said as he understands the motion, this is a three tier system with residents first, nonresident permit holders second, and then nonresidents who do not have permits. Mrs. Leidy said that was correct.

3. Tennis Pro Shop Loan Extension.

Mr. Broberg said that last year there was an extension of the repayment of the balance of the loan to construct the Tennis Pro Shop until April 1993. He said they have the funds to repay the balance, but have not repaid the loan as yet because they are hoping for additional donations. Mr. Broberg felt they should go ahead with the plaque. Mrs. Leidy asked if the deadline had passed for someone to get their name on the plaque? Mr. Broberg said there was still time if someone wanted to make a donation and have their name put on the plaque.

Mr. Lubow made a motion that the deadline for donations to have a name added to the plaque be set for 5:00 PM Monday, March 1, 1993. Seconded by Mr. Ochstein, motion carried.

V. NEW BUSINESS

1. Seaview Park Entryway Landscaping Project - Mr. Broberg.

Mr. Broberg said that Mrs. Royal had first suggested the landscaping some months ago. He said he had written to Mrs. Smith of the Garden Club, and after corresponding with Mary Webster, they requested written proposals stating specifically what the Seaview Park Commission wants them to do. Mr. Broberg said the Commission needs to discuss what they want to do.

Mr. Bitzer said there probably wasn't enough time to thoroughly review this today and suggested that this item be brought back at a later meeting. He said there were some items such as large shade trees proposed in a future years Capital Improvement program. Mr. Bitzer said it would be wonderful if they could get a landscape architect in Town to help with some ideas. Mrs. Leidy asked if they could ask the Garden Club to propose landscaping.

Mr. Lubow made a motion that Mr. Bitzer should have plans drawn for landscaping at Seaview park. Mr. Bitzer said he didn't have the funds in his budget for landscape drawings. Mr. Lubow asked if the people who were going to donate plants would provide some sort of plan? Mr. Broberg said they need some guidelines from the Commission as to what we have in mind.

Mr. Ochstein suggested that possibly between the Garden Club and members of the Commission they could raise enough funds to do the landscaping. Mrs. Leidy agreed. Mr. Ochstein said they could

make a project out of this and get it done. Mrs. Leidy felt there were a lot of people who aren't interested in tennis but would be happy to donate for landscaping. Mr. Bitzer said one particular area which needs landscaping is the tennis canopy area. He said he has had a lot of complaints about this area, and that in addition to shade trees next to seating areas, a hedge would help to screen out some of the noise and balls from the adjacent playground area.

Mr. Broberg said he didn't want to make this such a large project that it will scare people away. He said he was just talking about a hedge and a couple of bushes. Mr. Bitzer said for informational purposes he did have some preliminary estimates regarding the number of trees, the height, type of trees and the cost. Mr. Broberg said he had in mind a hedge along the sidewalk. Mr. Broberg asked Mr. Bitzer to prepare a memo outlining what is needed for the landscaping. Mrs. Leidy asked Mr. Broberg if he would approach the Garden Club? Mr. Broberg answered affirmatively.

Mr. Lubow said he would like to make a motion that Mr. Broberg send a letter to the Town Council requesting that the Seaview Park Commission be changed from an Advisory Commission to a Regulatory Commission. Mr. Lubow said that right now whatever the Commission suggests Mr. Bitzer makes the final decision, and the only recourse they have is to go to the Town Council. He said the idea was to change the Seaview Park Commission so as to be on par with the Golf Commission.

Mr. Bitzer said the Golf Commission is exactly the same as the Seaview Park Commission, and that both Commissions are advisory to the Mayor and Town Council. He said the minutes of the Seaview Park Commission meetings go to the Town Council, therefore, the Mayor and Town Council are aware of Commission recommendations. Mr. Bitzer said that at the Finance and Taxation Committee meetings he presents both sides of any disagreements. However, ultimately the Town Council makes policy.

Mr. Bitzer said his concern is, that Mr. Lubow, Mrs. McIntyre, and Mr. Ochstein all belong to one special interest tennis group. He said there is already a perception by quite a few residents that this group has a conflict of interest, and he felt that if the Commission were making policy, this would even further enforce this perception. With the Commission being advisory there is no real conflict of interest because the Town Council would resolve policy matters. However, this has never been necessary with either the Golf or Seaview Park Commission.

Mr. Lubow asked what will Mrs. Royal do when she is on the Town Council and plays tennis, and what did Mr. Heeke do when he was on the Council because he also plays tennis? Mr. Broberg said if something concerning the tennis teams or the morning adult group is to be voted on, Mrs. Royal would have to sign a conflict of interest form and not vote on that issue, and the same thing with Mr. Heeke.

Mr. Bitzer said any decision he makes on the department level can be overruled by the Town Council who has been elected to make policy. Mr. Broberg said it was his recollection that the purpose of making the Seaview Park a Regulatory Commission was to give it more teeth such as the ARCOM. Mr. Bitzer said in his seventeen years with the Town there has only been two occasions where the Commission and the Staff could not come to an agreement and both times it was concerning fees. The Town Council ended up approving one of the fees recommended by Staff and one recommended by the Commission.

Mrs. Leidy asked Mr. Broberg if they voted today to change the Commission, could they legally do that? Mr. Broberg said the Ordinance says the Commission is advisory to the Town Council. He said the Commission gives its input to Russ and he should listen to suggestions and recommendations from them. Mr. Bitzer said he has always taken into account the recommendations of the Commission as well as those from other Town residents and Staff.

Mrs. Leidy asked who could change the Ordinance? Mr. Broberg said the Town Council, and he thought that would need to be done during the zoning season. He said the members of the Commission aren't elected officials, and he didn't know where they could go with it. Mr. Lubow said he didn't see anything wrong with trying to make them a Regulatory Commission.

Mr. Broberg said he would retrieve the correspondence and review it, and if the Commission wished, he would circulate the information. He said he would call the Town attorney and speak with him and try to determine what if anything they can do.

Mr. Bitzer asked Mr. Lubow what makes him feel the necessity for a change in the Ordinance? Mr. Lubow said Mr. Bitzer has the final say regarding policy and he didn't think that was right.

Mr. Bitzer said he was sure that the members of the Commission would recall that last year there were changes in policies and procedures for the ladies teams. He said those changes probably would not have happened if four of the seven members on the Commission had been members of the ladies teams, and the Commission was policy making. Mr. Ochstein said the changes in the tryout procedures were made because of perceived and real discrimination. Mr. Bitzer said he couldn't agree with the word real, but the changes were made because of complaints he had received, and the perception that these teams were not accessible to all Town residents, as the same players remained on these teams for many years and that tryouts were not conducted, so that other residents did not have an opportunity to participate in this program.

Mr. Bitzer said that theoretically, a special interest group who wanted to establish policy that is favorable to them, could get several members from their group on the Commission and be able to establish policy that benefits their group, but is not necessarily fair or in the best interest of all the residents who use a

particular Town recreation facility. Mr. Bitzer said he did not feel that this kind of politics would be in the best interest of the Town or the Town residents who utilize Town recreation programs and facilities.

Mr. Lubow said there was always a certain amount of politics involved in any municipality. Mr. Bitzer said he would not get involved in any type of politics, and in fact, was not allowed to do so.

Mr. Lubow said he felt that Mr. Bitzer was taking the morning adult group to be a clique or PAC or some sort of organization. Mr. Bitzer said that when they reviewed the ladies teams last year, the ladies said if they were to be reviewed, then the morning adult group should be reviewed also. Mr. Bitzer said he is concerned that the Town is not in control of the Morning Mixed Doubles group. Mr. Bitzer said that basically, Mr. Lubow decides who is going to play on the tennis courts. Mr. Lubow said that was not true. Mr. Bitzer said the perception is, if you want to get a court, you need to contact Mr. Lubow. He said the Tennis Staff has no idea who is on what court or if they have double booked or not. Mr. Bitzer said they have no control over the booking of those courts but are responsible for them.

Mr. Broberg said this should all be brought up at the special meeting and the meeting should move forward.

VI. ANY OTHER MATTERS

Mr. Ochstein said he would like to have something put on a future agenda. He said it has come to his attention that one or more of the ladies tennis teams practices at discriminatory clubs. He said he doesn't know if that is true or not, but if it is true, that would lead to a perception that someone who is not permitted at the discriminatory clubs has no chance to get on the team at Seaview, therefore, would not even tryout for such a team. He said if that is the case, the Commission should address the issue.

Mrs. Leidy said she wasn't sure what Mr. Ochstein was saying. She asked if he was saying that if someone belongs to the Palm Beach Tennis Club, The Everglades or the B & T and if those people are members of one of those clubs, then you're saying that....Mr. Broberg said what Mr. Ochstein is saying is that some members, or all members of some teams are practicing at the Everglades or the Bath & Tennis Club. Mrs. Leidy asked if the whole team is practicing at those clubs? Mr. Ochstein said that was his understanding. Mr. Ochstein said if that was the case, then someone who is Jewish would not be able to go to those clubs, therefore, how could that person be on that team so why even tryout?

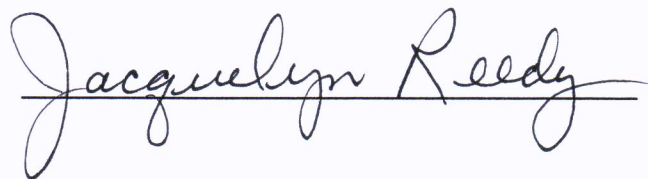
Mr. Bitzer said he had received a letter of concern that some teams were practicing at one of the private clubs in Town, and the person who wrote the letter was of that perception because they had a Christmas party and presented one of the coaches from one of the

Clubs a thank you for teaching they had received. Mr. Bitzer said he has checked into whether or not teams were practicing at private clubs and he found that some of the people did play together but it was not a team practice according to the team captain and others that Mr. Bitzer spoke with. However, Mr. Bitzer said he has already initiated a formal policy that all team practices must be held at a neutral site where all players are able to participate, and that is now a required rule in the Women's Team Tennis policy and procedures manual. He said he had sent a copy of his cover memo and this rule to all Seaview Park Commission members several weeks ago.

Mr. Broberg asked if the Town of Palm Beach paid to resurface the basketball court? Mr. Bitzer answered affirmatively. Mr. Broberg asked if the Public School used the court, and if so, could they be restricted to using soft shoes so the court doesn't need to be resurfaced again so soon? Mr. Bitzer said that was a possibility. Mr. Ochstein asked if it mattered since the court wasn't a hard wood floor. Mrs. Leidy said she thought that would be opening up a whole new problem. Mr. Bitzer said the court is only resurfaced about every four to five years, but he could speak to the principal if the Commission thought this would be worthwhile. However, he thought that most of the kids already wear gym shoes.

VII. ADJOURNMENT

There being no further business, meeting was adjourned with a special meeting scheduled for March 24, 1993 at 1:00 PM.

A handwritten signature in cursive script, reading "Jacquelyn Reedy", written over a horizontal line.