MINUTES
LANDMARKS PRESERVATION COMMISSION
IN THE
TOWN COUNCIL CHAMBERS
2ND FLOOR, TOWN HALL
360 S. COUNTY ROAD, PALM BEACH, FLORIDA

WEDNESDAY, DECEMBER 19, 2012, 9:30 a.m.

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be "abbreviated" in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town's website at www.townofpalmbeach.com or may obtain an audio recording (CD) of the meeting by contacting Cynthia M. Delp, Secretary to the Landmarks Preservation Commission at (561) 227-6408. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

I. CALL TO ORDER: (9:37:28 a.m.)

Chairman Cooney called the meeting to order at 9:37 a.m., after some technical problems were resolved.

II. ROLL CALL: (9:37:28 a.m.)

Edward Austin Cooney, Chairman	PRESENT
William P. Feldkamp, Vice Chairman	PRESENT
Dudley L. Moore, Jr., Member	ABSENT (excused)
Jacqueline Albarran, Member	PRESENT
William J. Strawbridge Jr., Member	PRESENT
Leslie Diver, Member	ABSENT (excused)
Elizabeth S. Murphy, Member	PRESENT
Jorge Sanchez, Alternate Member	PRESENT
Elizabeth Marshall, Alternate Member	PRESENT
Anne Fairfax, Alternate Member	PRESENT

Staff members present: John C. Randolph, Town Attorney (for part of meeting), John S. Page, Director of Planning, Zoning and Building, John Lindgren, Planning Administrator, Jane S. Day, Ph.D., Janet Murphy and Emily Stillings, Staff Historic Preservation Consultants, and Cynthia Delp, Secretary to the Landmarks Preservation Commission.

Mr. Sanchez and Ms. Marshall will be voting members for today's meeting.

III. **APPROVAL OF THE MINUTES OF THE OCTOBER 17, 2012 MEETING AND THE NOVEMBER 14, 2012 MEETING: (9:37:58 a.m.)**
MOTION BY MR. FELDKAMP FOR APPROVAL OF BOTH SETS OF MINUTES.
MOTION SECONDED BY MR. STRAWBRIDGE.
MOTION CARRIED UNANIMOUSLY.

IV. **APPROVAL OF THE AGENDA: (9:38:15 a.m.)**
Chairman Cooney revised the order of the agenda to allow the Informal Review item for 280 North Ocean Boulevard to be heard because Mrs. Albarran, the project architect, was not feeling well.

Mr. Page, in accordance with State of Florida law, referenced the Voting Conflict form filed by Mrs. Albarran at the November meeting.

MOTION BY MR. FELDKAMP FOR APPROVAL OF THE AGENDA AS MODIFIED.
MOTION SECONDED BY MR. SANCHEZ.
MOTION CARRIED UNANIMOUSLY.

V. **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY: (9:39:21 a.m.)**
Mrs. Delp administered the oath at this time to all those who wished to testify today.

VI. **COMMENTS FROM THE PUBLIC AND COMMISSION MEMBERS: (Please limit comments to 3 minutes): (9:39:35 a.m.)**
Lory Volk, 206 Phipps Plaza, for the John L. Volk Foundation, referenced comments made at the November meeting during discussion of a project at the Royal Poinciana Plaza. She maintained that the commission asked the right questions of the applicant, especially with regard to requesting original plans. She alleged that the applicant's architect had not "done his homework" in seeking original plans, and entered an e-mail string into the record relative to this subject. She encouraged owners and applicants to use the Town's Records as a primary source of information.

Mr. Feldkamp announced a lecture to be held tomorrow at 7 p.m. at the Paramount Theatre dealing with Palm Beach Ancient Cultural Sites and Unmarked Prehistoric Indian Cemeteries.

IX. **OTHER BUSINESS: (9:46:04 a.m.)**

A. Informal Review: 280 North Ocean Boulevard
LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)

Extension of existing courtyard loggia and addition of a new pool loggia. All columns, roof, and detailing to match existing loggia. New beach cabana and pool in beach parcel. Cabana to have windows, doors, roofing, stucco, and detailing to match existing main house. Lower south 50% of existing beach wall to 30" in height as required by code. ***(Voting Conflict for Mrs. Albarran)***

Call for disclosure of ex parte communication: Disclosure by several members

Mr. Sanchez declared a voting conflict relative to this project as well. Ms. Fairfax will vote on this project.

ARCHITECTURAL PRESENTATION BY: Jacqueline Albarran, SKA Architect + Planner
ATTORNEY PRESENT: Maura Ziska for the applicant

Ms. Ziska stated that four variances for setback and CCR are required for this project, and described same. Mrs. Albarran presented the project in accordance with the submitted plans and as described above. She noted that the landscape/hardscape will be submitted and reviewed in the future.

MOTION BY MR FELDKAMP THAT IMPLEMENTATION OF THE PROPOSED VARIANCES WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACTS TO THE SUBJECT LANDMARKED PROPERTY.
MOTION SECONDED BY MS. MURPHY.
MOTION CARRIED UNANIMOUSLY.

VII. PUBLIC HEARINGS: (10:06:43 a.m.)

A. Application for Certificate of Appropriateness #023-2012
Restoration/Rehabilitation
Owner/Applicant: Sterling Palm Beach LLC
Address: 340 Royal Poinciana Way, Suites 300-308
Architect: Glidden Spina & Partners
Project Description: Request approval for restoration, rehabilitation, interior demolition, sign and awning which is further described as: New restaurant of approximately 8,400 square footage going into the northeast end of Royal Poinciana Plaza. The majority of the existing windows and doors will remain as they are now, except for the curved wall at the southeast end of the building. We would like to remove the existing windows and wall and replace with a new operable Nana Wall system. New awnings and signage will be put in as allowed by Code. On the interior, some portions of the 2nd floor space will be converted to one story space to restore the high ceilings that existed previously. The 2nd floor space will remain as existing at the east end. Other associated changes as presented.

REVISED PROJECT DESCRIPTION: Request approval for restoration, rehabilitation, interior demolition, sign and awning which is further described as: New restaurant of approximately 7,700 square footage going into the northeast end of Royal Poinciana Plaza. The majority of the existing windows and doors will remain as they are now, except for the curved wall at the southeast end of the building. We would like to remove the existing windows and replace with new French doors. New awnings and signage will be put in as allowed by Code. A door has been added on the north wall to replace an existing window. The second story space will be restored back to a single story space in order to maintain the high ceiling which existed previously. The second floor space at the east end will remain unchanged as existing (space not included in this proposed submittal.)

Please be advised that this project was heard only informally at the August meeting though it had been advertised as a Certificate of Appropriateness at that time. After review, the matter was deferred to the October meeting. At the October meeting, since the matter was deferred by the Town Council to the November Town Council meeting, the matter was deferred to the December LPC meeting.

Call for disclosure of ex parte communication: Disclosures by several members

ARCHITECTURAL PRESENTATION BY: Keith Spina, Glidden Spina & Partners
OTHERS WHO TESTIFIED: Timothy M. Frank, Pro Technik Management Services, Lory Volk, John L. Volk Foundation, Anita Seltzer, and John Groskopf, Manager, Palm Beach Towers

Prior to the presentation, Mr. Page provided an update to the commission relative to this project. He explained that there was a Special Town Council meeting on November 16, 2012, at which time a special exception was approved to allow a restaurant in this space, but a variance was denied relative to number of seats and parking. The applicant is able to move forward, if the LPC approves the project, and if they can adjust the seating plan so that a parking variance is not needed.

Timothy Frank, on behalf of Palm Beach Towers, presented his curriculum vitae into the record. He maintained that the LPC should not make a ruling on this application because the application materials, in his opinion, are not correct as submitted.

Lory Volk, John L. Volk Foundation, stressed that zoning would prohibit outside seating at this location. She anticipated that the applicant would ask for a variance to allow outdoor seating and also ask the LPC for changes to the building to accommodate that function.

Attorney Randolph was asked to comment. He stated that Mr. Page outlined the current status of the project accurately; that the LPC does not consider interior changes unless it is a tax abatement project; that the LPC is to review the exterior of the building, and not the variance issues; and, that no outdoor seating has been proposed by the applicant.

Anita Seltzer, Cocoanut Row, noted that the site plan included in the submission materials is a site plan which is pre-November 2010, and does not reflect the conditions on the ground now, and is totally inaccurate. She advocated for a deferral of this project for an incomplete application, and submitted several documents into the record.

Keith Spina, Architect, stated his intention to focus on the architecture for the project. He attempted to assure the commission that he did "do his homework" in researching as many original plans as were available. He presented the project in accordance with the submitted plans and as described above, discussing re-establishing one-story areas of the building, fenestration changes, new signage (black letters in transom) and awnings for the east and north facades, and measures to screen windows (from the interior) using black film, white material and/or shutters. The canopy at the main entrance on the east facade is planned in black, while other awnings are proposed in bright yellow.

The commission discussed this project at length. The general consensus was that the awnings were acceptable; the columns at the entrance canopy should be changed to simple metal supports; that the applicant should look for alternatives to screen the windows; some concern regarding the number of windows anticipated for "black out"; and, that a fabulous landscape plan is needed. A more serious concern was expressed because the submitted plans do not accurately represent the project. The architect was cautioned that the plans must reflect the project that is being presented.

MOTION BY MR. FELDKAMP FOR APPROVAL OF CERTIFICATE OF APPROPRIATENESS #023-2012, AS PRESENTED, WITH THE FOLLOWING 3 PROVISOS:

1) **THAT THE COLUMNS AT THE ENTRANCE AWNING BE CHANGED FROM STONE TO METAL;**
2) **THAT DRAWING A.1.1 BE REVISED TO SHOW THE FOUR EXISTING FIRST FLOOR OPENINGS TO REMAIN AS IS, AND A FIFTH ONE BE ADDED IN THE MIDDLE, WITH ALL OPENINGS TO BE DIRECTLY BELOW THE EXISTING SECOND FLOOR OPENINGS, AND THAT THE ELEVATIONS BE CORRECT AS WELL;**
3) **THE ARCHITECT IS TO STUDY, AND RETURN NEXT MONTH, WITH SPECIFICS FOR THE FILM AND/OR SHUTTERS, AND FOR THE POSSIBILITY OF LANDSCAPING.**

MOTION SECONDED BY MR. STRAWBRIDGE, AND THEN BY MR. SANCHEZ.

The commission asked Dr. Day for her comments. She recommended deferral of the project because of too many inaccuracies in the submitted plans. She saw this project as an opportunity to set precedence for future projects at the Plaza, and suggested that more research be done by the applicant to attempt to find original plans. She noted, for the record, that Lory Volk of the John L. Volk Foundation, has offered access to whatever plans the foundation has on file. Mr. Spina responded that his staff has visited the Town's Records Department several times, but the information there is very limited. He also voiced his opinion that this application is being treated differently than other projects.

Lory Volk offered additional comments prior to the vote: Comments relative to plans present in the Town's records; that the "vergernia" (display case) should not be removed; a strong encouragement that the design should respect the rhythm and symmetry of the original structure; that the commission should not allow the "butchering" of the building, and not allow the curved portion of the building to be negatively altered; and that the project should be deferred. John Groskopf, Palm Beach Towers General Manager, commented regarding parking issues and recommended for deferral.

UPON ROLL CALL, THE MOTION FAILED 3-4, WITH MRS. ALBARRAN, MS. MURPHY, MS. MARSHALL, AND MR. COONEY OPPOSED.

MOTION BY MS. MURPHY FOR DEFERRAL TO THE JANUARY MEETING.
MOTION SECONDED BY MRS. ALBARRAN.
MOTION CARRIED 5-2, WITH MESSRS. FELDKAMP AND STRAWBRIDGE OPPOSED.

Let the record show that at 11:38 a.m. there was a short recess. Let the record show that Mrs. Albarran left the meeting during the break. The meeting reconvened at 11:47 a.m.

B. Application for Certificate of Appropriateness #034-2012
Landscape/Hardscape
Owner/Applicant: Thomas A. N. Miller and Catherine Marie Desser Miller
Address: 270 Queens Lane
Architect: Dustin Mizell Landscape Architecture
Project Description: Request approval for landscape/hardscape which is further described as: Applicant proposes to remove a portion of existing brick drive on southwest corner of property and to add (1) new brick drive on southeast corner of property, and (2) additional landscaping to

screen and beautify new driveway. All work to be landscape/hardscape along Colonial Lane, and no changes to the existing residence are proposed, and other associated changes as presented

Please note that at the October meeting, staff reported that the project would need a variance, as designed. As such, the project was deferred to November at the request of the applicant. At the November meeting, the project was deferred to the December meeting at the request of the applicant, to allow for additional modifications in consideration of the needs of the owners and wishes of the neighbors.

Call for disclosure of ex parte communication: Disclosure by Mr. Cooney

LANDSCAPE PRESENTATION BY: Dustin Mizell

Mr. Lindgren reported that the plans have been revised eliminating the need for a variance. Mr. Mizell reviewed the revised plans indicating the creation of more garden space rather than paved area; a change to the driveway approach configuration; and, the addition of a brick and cast stone fountain in the courtyard.

MOTION BY MS. MARSHALL FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MR. FELDKAMP.
MOTION CARRIED UNANIMOUSLY.

C. Application for Certificate of Appropriateness #043-2012
Rehabilitation
Owner/Applicant: Palm Beach Hotel Condominium Association Inc.
Address: 235 Sunrise Avenue
Architect: Summit Engineering Inc.
Project Description: Request approval for rehabilitation which is further described as: Rebuilding southeast balcony structure to same appearance as the original design. Repairing or replacing any defective structural steel or concrete. Other associated changes as presented.
Please be advised that this is a tax abatement project.

Call for disclosure of ex parte communication: Disclosure by Mr. Cooney

ARCHITECTURAL PRESENTATION BY: Brian Maskol, Summit Engineering Inc.

Mr. Maskol presented photographic documentation of the structural problems at the balcony structure. He assured the commission that the necessary structural repairs will be performed, but the building's appearance will remain unchanged. It was noted that some of the historic photos show brilliant American flags hanging from the building, and beautiful landscaping. Members recommended that both of these features ultimately be restored to the building. Chairman Cooney remarked that such repairs may have been handled as a staff approval, but this is a tax abatement project so the applicant was required to file for a Certificate of Appropriateness to keep the tax abatement intact.

MOTION BY MR. FELDKAMP FOR APPROVAL OF CERTIFICATE OF APPROPRIATENESS #043-2012 AS PRESENTED.
MOTION SECONDED BY MR. STRAWBRIDGE.
MOTION CARRIED UNANIMOUSLY.

VIII. DESIGNATION HEARINGS:

Item 1: 159 Australian Avenue
Owner: Allan & Susan Kauffman TR Titl Hldrs
Kauffman Susan M & Kauffman Susan M TR
Kauffman Allan W & Kauffman Allan W TR

Call for disclosure of ex parte communication: Disclosure by Mr. Cooney

DESIGNATION REPORT PRESENTATION BY: Janet Murphy, Murphy Stillings, LLC

Ms. Murphy testified to the architecture, architectural history, and architect for this 1920 Bungalow style residence pursuant to the information in the Designation Report for 159 Australian Avenue. She testified that this property meets the following criteria for landmark designation:

Section 54-161 (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town; and,

Section 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable for the study of a period, style, method of construction or use of indigenous materials or craftsmanship.

Mrs. Delp verified that proof of publication and proper legal service were achieved relative to this designation hearing.

MOTION BY MR. FELDKAMP THAT THE DESIGNATION REPORT BE MADE A PART OF THE RECORD.
MOTION SECONDED BY MR. SANCHEZ.
MOTION CARRIED UNANIMOUSLY.

Commission members offered their thanks and appreciation to the property owners, who were present in the audience, for their support of the landmark designation.

MOTION BY MR. FELDKAMP THAT 159 AUSTRALIAN AVENUE BE RECOMMENDED TO THE TOWN COUNCIL FOR DESIGNATION AS A LANDMARK OF THE TOWN OF PALM BEACH, AND THAT THE CRITERIA, AS PRESENTED, BE MADE A PART OF THE RECORD.
MOTION SECONDED BY MS. MARSHALL.
MOTION CARRIED UNANIMOUSLY.

IX. OTHER BUSINESS: (9:46:04 a.m.) (CONTINUED)

B. Informal Review: 159 Australian Avenue
LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)

The property includes an existing 2-story bungalow style residence, a 2-story garage/guesthouse, and a porte-cochere. The owner proposes to demolish the existing garage guesthouse and replace it with a new garage/guesthouse. The owner also proposes to demolish the existing porte-cochere

and replace it with a new porte-cochere more consistent with the bungalow style. Please refer to the demolition report attached. The main house is to have additions to the first and second floors, and interior renovations. The addition to the first floor includes a new loggia connecting the main house to the garage/guesthouse. The master bedroom suite will be enlarged on the first floor and the second floor will be increased to allow for a larger office on the second floor. Most importantly, the street view of the house will not reflect any increase in size. All doors and windows will be replaced with impact rated windows and doors. New landscape and hardscape for final approval. ***Please be advised that this is a tax abatement project.***

Call for disclosure of ex parte communication: Disclosure by Mr. Cooney

ARCHITECTURAL PRESENTATION BY: Tom Kirchhoff, Thomas M. Kirchhoff, AIA, P.A.
ATTORNEY PRESENT: Maura Ziska for the applicant

Mr. Kirchhoff reviewed the project pursuant to the submitted plans and as described above, and mentioned the requested variances (several for setback, CCR, and number of a/c units in rear yard.) Commission members were very pleased with the proposed plans for this Bungalow styled residence, and again thanked the property owners for undertaking the project. The Certificate of Appropriateness will be heard formally at the January meeting.

MOTION BY MR. FELDKAMP THAT IMPLEMENTATION OF THE PROPOSED VARIANCES WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACTS TO THE SUBJECT LANDMARKED PROPERTY.
MOTION SECONDED BY MR. SANCHEZ.
MOTION CARRIED UNANIMOUSLY.

X. **COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND PLANNING ZONING & BUILDING DEPARTMENT DIRECTOR: (11:58:52 a.m.)**

Mr. Page stated that this is Dr. Day's last LPC meeting as she is retiring from service as the Town's Historic Preservation Consultant. She received a well-deserved round of applause. Meeting attendees were invited to share in some refreshments with Dr. Day.

XI. **ADJOURNMENT: (11:59:35 a.m.)**

MOTION BY MR. FELDKAMP TO ADJOURN THE MEETING AT 12:40 P.M.
MOTION SECONDED BY MR. SANCHEZ.
MOTION CARRIED UNANIMOUSLY.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, January 16, 2013 at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 South County Road, Palm Beach, Florida.

Respectfully submitted,

Edward Austin Cooney

Edward Austin Cooney, Chairman,
LANDMARKS PRESERVATION COMMISSION

cmd

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME ALBARRAN JACQUELINE	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE LANDMARKS PRESERVATION COMMISSION
MAILING ADDRESS 324 ROYAL PALM WAY # 227	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☑ OTHER LOCAL AGENCY TOWN
CITY PALM BEACH COUNTY PALM BEACH	NAME OF POLITICAL SUBDIVISION: TOWN OF PALM BEACH
DATE ON WHICH VOTE OCCURRED 12/19/12	MY POSITION IS: ☐ ELECTIVE ☑ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * * * * * * * * * * * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * * * * * * * * * * * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, JACQUELINE ALBARRAN, hereby disclose that on 12/19, 2012.

(a) A measure came or will come before my agency which (check one)

[1] inured to my special private gain or loss;

___ inured to the special gain or loss of my business associate, _____;

___ inured to the special gain or loss of my relative, _____;

___ inured to the special gain or loss of _____, by whom I am retained; or

___ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

RE: INFORMAL REVIEW ON 12/19/12
280 N. OCEAN BLVD.

ARCHITECT FOR PROJECT

This is a Continuing Conflict - per agreement of JP, JL + CAO.

12/19/12
Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
SANCHEZ JORGE	LAND MARKS PRESERVATION COMMISSION
MAILING ADDRESS 239 SOUTHLAND RD	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☑ OTHER LOCAL AGENCY TOWN
CITY: PALM BEACH COUNTY: PALM BEACH	NAME OF POLITICAL SUBDIVISION: TOWN OF PALM BEACH
DATE ON WHICH VOTE OCCURRED 12/19/12	MY POSITION IS: ☐ ELECTIVE ☑ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

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A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * * * * * * * * * * * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * * * * * * * * * * * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO influence THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, JORGE SANCHEZ, hereby disclose that on 12/19, 2012

(a) A measure came or will come before my agency which (check one)

☐ inured to my special private gain or loss;

___ inured to the special gain or loss of my business associate, _____;

___ inured to the special gain or loss of my relative, _____;

✓ inured to the special gain or loss of M/M WEISFISCH, by whom I am retained (my firm is); or

___ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

RE: INFORMAL REVIEW ON 12/19/12
280 N. OCEAN BLVD.

12/19/12
Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.