

TOWN OF PALM BEACH

Office of the Town Clerk

MINUTES OF THE REGULAR TOWN COUNCIL MEETING HELD ON TUESDAY, JANUARY 14, 2014

I. CALL TO ORDER AND ROLL CALL

The Regular Town Council meeting was called to order on Tuesday, January 14, 2014, at 9:35 a.m., in the Town Council Chambers. On roll call, all of the elected officials were found to be present, with the exception of Council President Rosow. Council President Pro Tem Wildrick assumed the position of Council President for these proceedings. A quorum was present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Town Clerk Owens gave the invocation. Council President Pro Tem Wildrick led the Pledge of Allegiance.

III. PRESENTATIONS

A. Presentations by Applicants for the Planning and Zoning Commission.

The following individual made a presentation before the Town Council:

- Danielle H. Moore

IV. COMMENTS OF MAYOR GAIL L. CONIGLIO

Mayor Coniglio spoke regarding beach renourishment efforts and pursuing federal funding for them, and regarding Staff's great response to the recent rain and flooding.

V. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

Town Manager Elwell reported that there are only four remaining vacancies in the Fire Rescue Department and four remaining vacancies in the Police Department, and that full staffing is expected by the end of the month. He thanked the public safety personnel for their service during this tumultuous time.

VI. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

Fred Hess, Fraternal Order of Police (FOP) President, spoke regarding the FOP's lease of Town-owned property in West Palm Beach.

Bill Metzger, 277 Esplanade Way, spoke regarding the traffic impacts from the Accelerated Capital Improvements Program, and the Town Hall Square restoration project.

William Cooley, 236 Fairview Rd., spoke regarding the certification of the PUD-5 petitions.

David Herwitz, 2275 S. Ocean Blvd., spoke regarding coastal protection.

Jere Zenko, 232 Tangier Ave., spoke regarding the Pepe Survey and an e-mail between Marty Klein and Council Member Pucillo.

Council President Pro Tem Wildrick thanked Wendy Victor for serving as Caucus Secretary, and Stephan Hall as Caucus Chair.

VII. APPROVAL OF AGENDA

The following changes were made to the Agenda:

MOVED: Item No. X.B.3, Certification of PUD-5 Referendum Petition, was moved to the last item on the agenda.

WITHDRAWN: Item No. X.B.6., Appeal of Dangerous Dog Determination, was withdrawn.

ADDITION: Request to add to the end of the January 15, 2014, Town Council meeting a discussion on the request by the Chamber Music Society of Palm Beach to use the Mar-A-Lago Club for a Concert Series was added under Any Other Matters.

Motion was made by Council Member Diamond, and seconded by Council Member Kleid, to approve the Agenda, as amended above. On roll call, the motion carried 4-0, with Council President Rosow absent.

VIII. CONSENT AGENDA

Motion was made by Council Member Diamond, and seconded by Council Member Kleid, to approve the Consent Agenda. On roll call, the motion carried 4-0, with Council President Rosow absent.

A. MINUTES

1. MINUTES: DECEMBER 2, 2013

Approval of the Minutes of the Special Town Council Meeting **Request for Deferral to the February 11, 2014, Town Council Meeting per Email Dated January 8, 2014, from Susan A. Owens, Town Clerk.**

Susan A. Owens, Town Clerk – Deferred to the February 11, 2014, Council meeting.

2. MINUTES: DECEMBER 10, 2013

Approval of the Minutes of the Regular Town Council Meeting **Request for Deferral to the February 11, 2014, Town Council Meeting per Email Dated January 8, 2014, from Susan A. Owens, Town Clerk.**

Susan A. Owens, Town Clerk – Deferred to the February 11, 2014, Council meeting.

3. MINUTES: DECEMBER 11, 2013

Approval of the Minutes of the Regular Town Council Meeting **Request for Deferral to the February 11, 2014, Town Council Meeting per Email Dated January 8, 2014, from Susan A. Owens, Town Clerk.**

Susan A. Owens, Town Clerk – Deferred to the February 11, 2014, Council meeting.

4. MINUTES: DECEMBER 12, 2013

Approval of the Minutes of the Special Town Council Meeting-Closed Door Session

Request for Deferral to the February 11, 2014, Town Council Meeting per Email Dated January 8, 2014, from Susan A. Owens, Town Clerk.

Susan A. Owens, Town Clerk – Deferred to the February 11, 2014, Council meeting.

5. Approval of Major Matters Considered by the Architectural Commission at its Meeting of December 12, 2013.

John S. Page, Director of Planning, Zoning, and Building

B. RESOLUTIONS

1. RESOLUTION NO. 1-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract Extension to Lopez Group, Inc., in the Amount of \$146,862 for Worth Avenue Maintenance Services and Establishing a Budget of \$151,268.

H. Paul Brazil, P.E., Director of Public Works

2. RESOLUTION NO. 2-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to Mock, Roos & Associates, Inc., in the Amount of \$158,895 for E-3 and E-2 (El Pueblo Way to Tangier Avenue) Force Main Replacement Easement Research and Surveying Services Including Verification of Pipe Location.

H. Paul Brazil, P.E., Director of Public Works

3. RESOLUTION NO. 3-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order Increase to Mock Roos and Associates, Inc., for Additional Construction Phase Engineering Services for the E-6 Bradley Park to Tangier Avenue Force Main Replacement, and Establishing a New Total Authorization Not-to-Exceed \$53,262 and a New Total Construction Phase Engineering Services Budget of \$56,000.

H. Paul Brazil, P.E., Director of Public Works

4. RESOLUTION NO. 4-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Increasing Existing Purchase Order No. 131356 for Construction Phase Engineering Services for the A-7 to Hammon Avenue Force Main Replacement Project, in the Amount of \$6,468 and Increasing the Construction Phase Engineering Budget by \$7,000 for this Project, for a Revised Total Budget of \$82,000.

H. Paul Brazil, P.E., Director of Public Works

5. RESOLUTION NO. 5-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to Batallan Enterprises, Inc., DBA Propertyworks for Turf Maintenance, in the Amount of \$35,174 and Establishing a Project Budget of \$36,932.

H. Paul Brazil, P.E., Director of Public Works

6. RESOLUTION NO. 6-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order in the Amount of \$123,163 to Navistar Inc., for the Purchase of One International Workstar Cab and Chassis on FSA Contract No. 13-11-0904, and Establishing an Overall Budget of \$126,000.

H. Paul Brazil, P.E., Director of Public Works

C. OTHER

1. Report of the Ordinances, Rules, & Standards Committee Meeting of December 3, 2013.

William J. Diamond, Chair

IX. BOARD/COMMISSION ANNUAL REPORT

- A. Recreation Advisory Commission Annual Report.
Pamela McIver, Recreation Advisory Commission Chairperson

Chairwoman McIver provided an overview of the Recreation Advisory Commission Annual Report.

1 **By consensus of the Town Council, the Report was accepted.**

2
3 **X. REGULAR AGENDA**

4
5 A. Old Business

6
7 1. COASTAL PROTECTION MATTERS

8 Reach 3 Roadway Protective Seawall Condition Assessment Discussion.
9 *H. Paul Brazil, P.E., Director of Public Works*

10
11 Kevin Shannon, Kimley-Horn & Associates, presented their findings.

12
13 Discussion ensued regarding the costs to replace versus repair the seawall,
14 whether it could withstand a hurricane, the different types of bulkheads
15 and repairs needed, areas of priority, interim sand placement, working
16 around sea turtle nesting season, funding options, working with the owners
17 of private seawalls, and the Town taking the lead on the project.

18
19 Harvey Kinzelberg, 260 N. Ocean Blvd., expressed his support of Staff's
20 recommendations and suggested that the Town do the repairs and assess
21 the owners.

22
23 George Cloutier, 240 N. Ocean Blvd., stated that the work should be done
24 in conjunction with the sand replacement, and spoke regarding the costs
25 and other options.

26
27 **By consensus of the Town Council, this item was conceptually approved, with work**
28 **on the Type I Bulkhead to be expedited. Staff was further directed to get repair**
29 **estimates for each segment of the seawall, clarify ownership of the segments, and**
30 **report back to the Town Council at the February 11, 2014, Town Council meeting.**

31
32 2. COASTAL PROTECTION MATTERS

33 FY2014 Potential Interim Sand Replacement Project

34
35 Discussion ensued regarding costs versus benefits, how to pay for the
36 project, keeping the bids open in the event the Town decides to proceed
37 with the project at a later date, and state credits given for areas adjacent to
38 public beaches.

39
40 RESOLUTION NO. 7-2014 A Resolution of the Town Council of the
41 Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract
42 to Rio-Bak Corporation in the Amount of \$3,386,117.04 for the
43 Construction of the FY 2014 Interim Sand Replacement Project in
44 Reaches 3 and 7, Establishing a Project Budget of \$3,725,000.

45
46 **No action was taken.**

RESOLUTION NO. 8-2014 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to Applied Technology & Management, Inc., in the Amount of \$63,631.68 for Construction Management Services Associated with the FY 2014 Interim Sand Replacement Project in Reaches 3 and 7, Establishing a Project Budget of \$73,000.
H. Paul Brazil, P.E., Director of Public Works

No action was taken.

By consensus of the Town Council, Staff was directed to request that the respondents for the two above referenced proposals extend their bid pricing through at least the April 2014 Town Council meetings in the event the Town wishes to proceed with the project at a later date.

B. New Business

1. Consideration of Scheduling an Attorney/Client Session Regarding Jason Weeks v. Town of Palm Beach, Case No. 502012CA006664XXXX MBAE, pending in the Circuit Court of the Fifteenth Judicial Circuit in and for Palm Beach County, Florida. Discussion of this Matter to Begin Immediately Following the January 15, 2014, Town Council Meeting in the Town Council Chambers, 360 South County Road, Palm Beach, Florida. Attorney/Client Session Attendees: Mayor Gail L. Coniglio; Town Council Members David A. Rosow, Robert N. Wildrick, William J. Diamond, Richard M. Kleid, Michael J. Pucillo; Town Manager Peter B. Elwell; Attorney John C. Randolph; and Court Reporter from Pleasanton, Greenhill Meek & Marsaa Court Reporters, Inc.

Motion was made by Council Member Diamond, and seconded by Council Member Pucillo, to approve the scheduling of the Attorney/Client Session regarding Jason Weeks v. Town of Palm Beach, Case No. 502012CA006664XXXX MBAE, in the United States Court of Federal Claims. On roll call, the motion carried 4-0, with Council President Rosow absent.

2. Actions Being Taken to Improve Reliability of the Electric Power Supply on Palm Beach.

TIME CERTAIN: 11:00 AM

FPL Representative

Ethel Isaacs Williams, FP&L Regional Manager, spoke regarding the recent service disruptions and ensured the Council that they are working diligently to solve the problem.

Eli Perez, FP&L West Palm Beach Engineer Leader, provided additional information regarding the disruptions, and went over the actions taken to

1 address them. He stated that one problem is that these disruptions have
2 been occurring during times when work is not allowed on the island, and
3 he requested that FP&L be allowed to assess the system and make the
4 necessary repairs during season.

5
6 Discussion ensued regarding the time and equipment needed for this work.

7
8 **By consensus of the Town Council, Staff was directed to put together a plan to allow**
9 **FP&L the ability to do repair work during season and to report back to the Town**
10 **Council. In the interim, Staff was authorized to use their discretion in allowing such**
11 **work.**

12
13 *(Clerk's Note: The following item was heard as the last item on the agenda.)*

- 14
15 3. Certification of Petitions Requesting a Referendum re: PUD-5.
16 *Susan A. Owens, Town Clerk*

17
18 *(Clerk's Note: Council President Pro Tem Wildrick passed the gavel to Council Member Kleid in*
19 *order to recuse himself.)*

20
21 Mayor Coniglio and Council President Pro Tem Wildrick recused
22 themselves, left the dais, and provided a Memorandum of Voting Conflict
23 Form 8b to Town Clerk Owens.

24
25 William Cooley, 236 Fairview Rd., requested that the Council defer this
26 item to allow for a hearing on what he felt were improprieties in making
27 the final decision on this matter.

28
29 **Motion was made by Council Member Diamond to repeal Ordinance No. 6-2013.**
30 **Motion died for lack of a second.**

31
32 **Motion was made by Council Member Diamond, and seconded by Council Member**
33 **Pucillo, to schedule the referendum regarding the PUD-5 for March 25, 2014. On**
34 **roll call, the motion carried 3-0, with Council President Pro Tem Wildrick recused**
35 **and Council President Rosow absent.**

36
37 **Motion was made by Council Member Diamond, and seconded by Council Member**
38 **Kleid, to approve a transfer of \$25,000 from the General Fund Contingency to cover**
39 **the cost of the special election. On roll call, the motion carried 3-0, with Council**
40 **President Pro Tem Wildrick recused and Council President Rosow absent.**

- 41
42 4. Review of Potential Traffic Impacts for the Accelerated Capital
43 Improvement Program (Phase II) and Other Capital Improvement
44 Projects.
45 *H. Paul Brazil, P.E., Director of Public Works*
46

Discussion ensued regarding the extent of the traffic disruptions should the Flagler Memorial Bridge close, options for mitigating them, and being able to respond during emergency situations.

Representatives of the Palm Beach Country Club spoke regarding the condition of the Club's seawall.

Discussion ensued regarding the cost of remobilization, should it become necessary, changing plans and schedules from FDOT, and the condition of the Country Club's seawall.

Motion was made by Council Member Pucillo, and seconded by Council Member Diamond, to approve the Staff recommended delays, and direct Staff to report back to the Town Council in February on those projects listed under "Tentative Delay of Construction – Special Consideration". On roll call, the motion carried 4-0, with Council President Rosow absent.

5. RFP No. 2014-09 re: Lease of Town-Owned Properties.
Jay Boodheshwar, Director of Recreation and Special Projects

Discussion ensued regarding the need for a long-term plan to more fully utilize these facilities.

Neil Kozokoff, President of Parkland Management Company of South Florida, the sole respondent to the RFP, suggested that the Town include him in creating a Master Plan and a public-private partnership.

Motion was made by Council Member Pucillo, and seconded by Council Member Diamond, to reject all bids related to RFP No. 2014-09 regarding leasing of Town-owned properties. On roll call, the motion carried 4-0, with Council President Rosow absent.

By consensus of the Town Council, Staff was also directed to develop a plan for use or disposition of these properties and report back to the Town Council.

6. Appeal of Dangerous Dog Determination
Kirk W. Blouin, Director of Public Safety

Item was withdrawn.

7. Appointment to Planning and Zoning Commission.
John S. Page, Director of Planning, Zoning, and Building

By consensus of the Town Council, the appointment of Danielle H. Moore to the Planning and Zoning Commission was ratified.

XI. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 21-2013 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 118 Relating to Traffic and Vehicles at Article III, Parking, Stopping and Standing; Section 118-92, Penalty for Violating Parking Regulations Generally; by Amending Paragraph (a), Subparagraph (12) Relating to Parking in Loading Zone; and by Creating a New Subparagraph (22) Establishing a Parking Regulation for Illegal Parking in Residential Loading Zones; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.
Thomas G. Bradford, Deputy Town Manager

Motion was made by Council Member Diamond, and seconded by Council Member Pucillo, to defer Ordinance No. 21-2013. On roll call, the motion carried 4-0, with Council President Rosow absent.

(Clerk's Note: The above ordinance was not deferred to a time certain as it will be going back to first reading due to the need for substantial changes.)

B. First Reading

1. ORDINANCE NO. 4-2014 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 106, Streets, Sidewalks and Other Public Places, Article I, in General, at Section 106-1, Making it Unlawful to Allow Vegetation or Any Other Item, Substance, Material or Thing to Obstruct Street Signs, Regulatory Signage, Street Lighting or Traffic Signals; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.
Thomas G. Bradford, Deputy Town Manager

Motion was made by Council Member Diamond, and seconded by Council Member Pucillo, to approve Ordinance No. 4-2014, on first reading. On roll call, the motion carried 4-0, with Council President Rosow absent.

2. ORDINANCE NO. 5-2014 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 38, Emergency Services; at Article II, Alarm Systems; Section 38-35 Relating to Service Charge for Excessive False Alarms and Non Payment of Fines; at Section 38-62 Relating to Applications; Fees; and at Section 38-93 Relating to General

Alarm User Requirements; So as to Provide That Direct Connect Alarm Systems Are Available to Businesses and Residential Customers Within the Town; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Thomas G. Bradford, Deputy Town Manager

Motion was made by Council Member Diamond, and seconded by Council Member Pucillo, to approve Ordinance No. 5-2014, on first reading. On roll call, the motion carried 4-0, with Council President Rosow absent.

3. ORDINANCE NO. 6-2014 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for an Amendment to the Town's Budgets Adopted for the Fiscal Year Commencing October 1, 2013, Providing an Effective Date.

Jane Struder, Director of Finance

Motion was made by Council Member Diamond, and seconded by Council Member Kleid, to approve Ordinance No. 6-2014, on first reading. On roll call, the motion carried 4-0, with Council President Rosow absent.

XII. ANY OTHER MATTERS

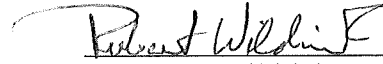
- A. Request to Add to the End of the January 15, 2014, Town Council Meeting a Discussion of the Request by the Chamber Music Society of Palm Beach to Use the Mar-A-Lago Club for a Concert Series.

By consensus of the Town Council, this item will be added to the end of tomorrow's Town Council meeting agenda.

1 **XIII. ADJOURNMENT**

2
3 There being no further business, the January 14, 2014, regular Town Council meeting
4 was adjourned at 1:03 p.m.
5

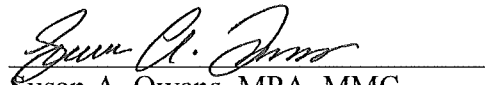
6
7 APPROVED:

8
9
10 

11 Robert N. Wildrick

12 Town Council President Pro Tem

13 ATTEST:

14
15 

16 Susan A. Owens, MPA, MMC

17 Town Clerk

18
19
20 3/21/14
21 Date



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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Coniglio gail Lynn</i>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Town of Palm Beach Town Council	
MAILING ADDRESS <i>1139 N Ocean Blvd.</i>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <i>Palm Beach</i>		COUNTY <i>Palm Beach</i>	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED <i>1/14/14</i>		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
		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, Gail L. Coniglio, hereby disclose that on January 14, 20 14:

(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 _____, 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:

The issue discussed pertained to property owned by my family.

Date Filed

1/14/14

Signature

Gail L. Coniglio

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 Wildrick Robert N		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Town of Palm Beach Town Council	
MAILING ADDRESS 220 Nightingale Trm. 1		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach P		☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
COUNTY Palm Beach		NAME OF POLITICAL SUBDIVISION: Town of Palm Beach	
DATE ON WHICH VOTE OCCURRED 1/13/11		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, Robert Wildrick, hereby disclose that on Jan 14, 2014:

(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 _____, 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.

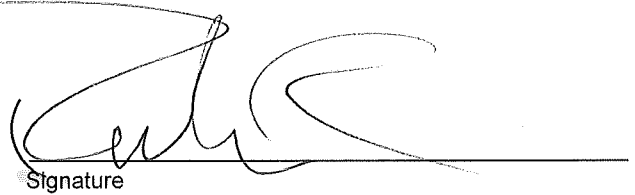
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Note on P.U.D. Issues

Date Filed

1/14/14

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.