

**TOWN OF PALM BEACH
PLANNING, ZONING AND BUILDING
DEPARTMENT**

**MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION
MEETING HELD ON WEDNESDAY, AUGUST 17, 2022.**

Please be advised that in keeping with a 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.

I. CALL TO ORDER

Chair Patterson called the meeting to order at 9:30 a.m.

II. ROLL CALL

Sue Patterson, Chair	PRESENT
Kim Coleman, Vice Chair	ABSENT (Unexcused)
Jacqueline Albarran, Member	PRESENT
Patrick Segraves, Member	PRESENT
Anne Fairfax, Member	ABSENT (Unexcused)
Brittain Damgard, Member	PRESENT
Bridget Moran, Member	PRESENT
Anne Metzger, Alternate Member	PRESENT
Fernando Wong, Alternate Member	PRESENT
Julie Herzig Desnick, Alternate Member	PRESENT

Please note: Ms. Metzger and Mr. Wong voted in the absence of Mses. Fairfax and Coleman.

Staff Members present were:

Sarah C. Pardue, Design & Preservation Planner
Jordan Hodges, Design & Preservation Planner
Kelly Churney, Deputy Town Clerk
Janet Murphy, Preservation Consultant
Emily Stillings, Preservation Consultant

III. PLEDGE OF ALLEGIANCE

Chair Patterson led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES OF THE JULY 20, 2022 MEETING

Motion made by Ms. Metzger and seconded by Ms. Albarran to approve the minutes of the July 20, 2022 meeting. Motion carried unanimously, 7-0.

V. APPROVAL OF THE AGENDA

Motion made by Ms. Metzger and seconded by Ms. Albarran to approve the agenda as presented. Motion carried unanimously, 7-0.

VI. ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY

Ms. Churney swore in all those intending to speak and continued to do so throughout the meeting as necessary.

VII. COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3 MINUTE LIMIT PLEASE)

No one indicated a desire to speak.

VIII. STAFF TO PROVIDE UPDATE ON HOUSE BILL 423

Mr. Bergman stated that Ms. Churney passed out handouts on the new House Bill 423, as well as talking points that he put together for the Commissioners. He reviewed the intricacies of House Bill 423, particularly Section 3, subsection (25)(a). He discussed staffs' efforts in making the change to shift the review of demolitions from the Architectural Review Commission (ARCOM) over to staff. He reviewed all the big changes that were the result of the bill. He spoke about a well-written article regarding the House Bill published the previous weekend in the Palm Beach Daily News.

Mr. Segraves inquired how the bill would affect a landmarked home that was not in a flood zone. Mr. Bergman responded. Mr. Segraves asked about the demolition process of a home. Mr. Bergman responded.

Ms. Albarran asked about future changes when FEMA elevations were increased. Mr. Bergman responded.

Ms. Moran inquired how the law would apply if a homeowner did not approve (objected) to the designation. Mr. Bergman responded. Ms. Moran wondered how the law could be changed to be retroactively in effect. Ms. Moran inquired about a situation if a home was landmarked, sold and a new owner requested a demolition of the home. Mr. Randolph responded to Ms. Moran's questions.

Ms. Herzig inquired about the flood zones for all the different areas in the Town. Mr. Bergman spoke about the different flood zones. Ms. Herzig asked how the Commission would know which properties would be best suited to landmark in the future. Mr. Bergman responded.

Ms. Metzger discussed the properties under consideration, which would be coming in the fall, that objected to the landmark designation; she expressed her concerns. Mr. Bergman responded. Town Attorney Randolph stated there was nothing in the statute that prevented the Commission from landmarking a home on the island.

Ms. Moran thought that maybe additional incentives should be added to entice people to landmark. She also asked about the tax abatement program, to which Ms. Stillings responded.

Amanda Skier, Preservation Foundation of Palm Beach, provided public comment on this topic.

Mr. Segraves asked about the nuances of the law regarding demolition, specifically relating to commercial buildings and homes above the base flood elevation. Mr. Bergman responded.

Ms. Albarran inquired about the definition of base flood elevation. Mr. Bergman responded.

Ms. Damgard wondered if the law would be reversed. Mr. Bergman stated they were working on a response to the State. Ms. Skier also discussed the Preservation Foundation's efforts, as well as other preservation groups in Florida, that were crafting a response to the legislation. A discussion ensued about how citizens could respond.

Ms. Moran suggested that staff working on finding commercial properties and homes above the base flood elevation to landmark.

Ms. Herzig wondered if there were programs to assist in raising landmarked homes. Mr. Bergman responded.

Mr. Wong wondered if the bill was passed as a result of actions taken by the Commission.

Ms. Metzger wondered if something could be written in the newspaper about the values of landmarking. Ms. Patterson suggested waiting until November when more residents were in Town.

IX. COMMENTS FROM THE LANDMARKS PRESERVATION COMMISSION MEMBERS

No one indicated a desire to speak at this time.

X. PROJECT REVIEW

A. CERTIFICATES OF APPROPRIATENESS – OLD BUSINESS

None

B. CERTIFICATES OF APPROPRIATENESS – NEW BUSINESS

1. **COA-22-027 312 WORTH AVE** The applicant, 312 Worth LLC, has filed an application requesting a Certificate of Appropriateness for exterior window and door replacement on an existing two-story Landmarked property.

Ms. Pardue provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by Ms. Metzger.

Jonathan Uzcategui, Stephen Boruff Architects, presented the architectural modifications proposed for the existing landmarked residence.

Ms. Damgard inquired about the second floor sliding doors and whether they had railings. Mr. Uzcategui responded. She inquired about the material for the windows and the reason a wood material was not being used.

Mr. Segraves inquired about the color of the windows. Mr. Uzcategui responded. Mr. Segraves inquired about the replacement of the awning windows on the second floor and confirmed that they were changing to casement windows. Mr. Uzcategui responded.

Marty List, 2425 Embassy Dr., WPB, discussed the replacement of the windows and indicated that the windows were behind cast stone columns.

Ms. Albarran inquired about the muntins in the smaller windows on the west elevation. She stated that the architect proposed an additional vertical muntin on the three windows.

Ms. Herzig inquired about the windows on the north elevation; she suggested using bronze windows above the other bronze windows.

Ma. Albarran suggested removing the vertical muntin on the three windows as discussed.

Mr. Segraves thought the project should be approved, with the architect changing the plans to reflect the existing windows and to remove the vertical muntin in the three small windows, as suggested by Ms. Albarran. He also liked the idea of changing all the windows to a bronze color. Mr. Uzcategui stated some of the windows were new and in a white color.

Ms. Patterson called for public comment.

Amanda Skier, Preservation Foundation of Palm Beach, provided public comment on the project.

Ms. Albarran agreed that changing all the windows to a bronze color would be preferable.

A contractor for the owner presented a window sample, discussed the material to be used as well as the muntin proposed for the windows.

Ms. Albarran inquired about the color for the window. The contractor and Mr. List responded.

A discussion ensued about the current windows, which windows were to be replaced, and the material used to replace the windows.

Ms. Herzig suggested moving the muntins on the semi-circular windows on the east elevation. She believed they would match the other semi-circular windows. Mr. Uzcategui stated the second set identified were not windows.

Mr. Segraves provided suggestions on the replacement of the windows, which included using bronze windows with clear glass on the front elevation and continuing around the corner. Where the building was segmented on the north side, Mr. Segraves suggested a white window with tinted glass would be acceptable. Mr. List thought that suggestion was a good compromise.

Ms. Stillings agreed with Ms. Skier's comments regarding the muntins. Ms. Stillings also inquired about the change in the window to casement windows on the west elevation. The window contractor responded and explained the reason for the proposal.

Motion made by Mr. Segraves and seconded by Ms. Damgard to approve the project with the following conditions: the window glass on the north side shall be clear with bronze frames, and the window glass on the west side shall be clear with bronze frames until the building is segmented; after the segment in the building, the windows shall be changed to white frames with tinted glass, the window glass on the east side shall be clear with bronze frames; the vertical muntin shall be removed on the three smaller windows. Motion carried unanimously.

2. **COA-22-036 212 AUSTRALIAN AVE** The applicant, Sybille Watel Living Trust, has filed an application requesting a Certificate of Appropriateness for alterations to an existing porte cochere.

Ms. Pardue provided staff comments for this project. Ms. Stillings thanked the professional for trying to come up with a different solution.

At the time, there was no one to present for the project. The project was moved to the end of new business and heard at that time.

Call for disclosure of ex parte communication: Disclosure by Ms. Metzger.

Michael Perry, MP Design & Architecture, presented the architectural modifications proposed for the existing, landmarked residence.

Ms. Patterson called for public comment.

Amanda Skier, Preservation Foundation of Palm Beach, provided public comment on the project.

Ms. Albarran thought the nine-foot arch would be preferred, but without the extra arch. Mr. Perry responded.

Mr. Segraves suggested making a slightly smaller arch (less than ten feet), to reduce the wall segment.

Ms. Herzig was in favor of one arch. She inquired if the driveway would be altered to accommodate the Porte cochere. Mr. Perry responded. Ms. Herzig wondered if the A/C units would be more exposed with the change. Mr. Perry responded.

Motion made by Mr. Segraves and seconded by Ms. Albarran to approve the project with the condition that both arches on the north and south sides shall be 9'6" wide. Motion carried unanimously, 7-0.

3. **COA-22-038 8 S LAKE TRL** The applicant, The Lakeside Trust dated November 19, 2020 (Patrick C. Emans, Trustee), has filed an application requesting a Certificate of Appropriateness for the installation of a 12'-0" tall bronze sculpture in the rear yard.

Ms. Pardue provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by Ms. Metzger.
Please note: Fernando Wong declared a conflict of interest for this project and left the dais during the discussion.

Jason Bibbens, Ferguson & Shamamian Architects, presented the sculpture proposed for the existing landmarked residence.

Ms. Moran inquired if the sculpture would be illuminated, to which Mr. Bibbens responded no. Ms. Moran inquired if the tree was currently illuminated. Mr. Bibbens stated that there was illumination for the tree.

Ms. Metzger inquired about the height of the hedge. Mr. Bibbens responded. Ms. Metzger wondered if the hedge could be raised to 8 feet. Mr. Bibbens responded. Ms. Metzger wondered if the sculpture should be screened.

Mr. Bibbens stated he would have to speak with his client if the Commission requested an increase in the hedge height.

Mr. Segraves thought the color and organic nature of the statue fit in nicely with the home.

Ms. Patterson called for public comment. No one indicated a desire to speak.

Motion made by Ms. Moran and seconded by Ms. Albarran to approve the project as presented. Motion carried unanimously, 7-0.

4. **COA-22-041 (ZON-22-119) 209 PHIPPS PLZ (COMBO)** The applicant, 209 Phipps Plaza LLC (Greg and Francine Purcell), has filed an application requesting a Certificate of Appropriateness for a new second floor awning on the front of the existing two-story landmarked residence including a front yard setback variance. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Mr. Hodges provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by Mses. Albarran, Metzger and Herzig. *Please note: Patrick Segraves declared a conflict of interest for this project and left the dais during the discussion.*

Daniel Clavijo, SKA Architect + Planner, presented the architectural modification proposed for the existing landmarked residence.

Ms. Albarran inquired about the transition from the hip roof to the flat roof when installing the awning. Mr. Clavijo responded and relayed the information from the contractor about installation.

Ms. Damgard was in favor of the project.

Ms. Herzig inquired about the placement of the leaders and gutters. Mr. Clavijo responded.

Motion made by Ms. Damgard and seconded by Ms. Albarran to approve the project as presented.

Mr. Wong asked if an underside would be added to the awning. Mr. Clavijo responded.

Ms. Patterson called for public comment. No one indicated a desire to speak.

Motion carried unanimously, 7-0.

Motion made by Ms. Albarran and seconded by Ms. Damgard that implementation of the proposed variance will not cause negative architectural impact to the subject, landmarked property. Motion carried unanimously, 7-0.

Please note: A short break was taken at 11:05 a.m. The meeting resumed at 11:15 a.m.

5. **COA-22-042 (ZON-22-123) 218 PHIPPS PLZ (COMBO)** The applicant, Bruce Leeds, Trustee of the Bruce Leeds Declaration of Trust, dated May 30, 2007, has

filed an application requesting a Certificate of Appropriateness for renovation to an existing landmarked property including a small addition, modifications to fenestration, demolition of an accessory structure, and construction of a new garage with 2nd floor habitable space requiring a rear yard setback variance, and a new pergola. This is a combination project that shall also be reviewed by Town Council as it pertains to zoning relief/approval.

Ms. Pardue provided staff comments for this project.

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

Bruce Leeds, Owner, introduced himself and his wife and spoke about the intentions of the modifications.

Patrick O'Connell, Patrick Ryan O'Connell Architects, presented the architectural modifications proposed for the existing, landmarked residence.

Mr. Segraves asked to see a contextual site plan. Mr. O'Connell responded.

Ms. Damgard inquired if the school would have any issues with the entrance from Seaview Avenue. Mr. O'Connell responded.

Ms. Albarran asked to see the heights of the existing and new buildings in plan. Mr. O'Connell responded.

Andres Paradelo, Landscape Architect, presented the landscape and hardscape plans for the site.

Ms. Metzger asked about a tree on site and whether it would remain. Mr. Paradelo responded.

Ms. Stillings supported the additions to the main home. She expressed concern for the demolition of the accessory building, due to its possible historic nature and wondered if it could be relocated on site.

Ms. Patterson called for public comment.

Amanda Skier, Preservation Foundation of Palm Beach, inquired about the removal of the accessory structure. Mr. O'Connell responded. Ms. Skier was supportive of the project but expressed concern for the demolition of the accessory structure. She did not believe that this portion of the project should be approved.

Mr. Segraves inquired about the history of the pavilion; he also wondered about the precedent of moving a landmarked structure to another site. Ms. Skier spoke about some of the reconstruction done to the building when it was initially moved. She did not believe the reconstruction diminished the integrity of structure and

reminded the Commission that the structure had been in its current place for over 50 years.

Ms. Herzig inquired about the height of the new accessory structure and whether it met the requirements in the Code. Mr. O'Connell responded.

Ms. Moran thought the additions were acceptable but expressed concern for the removal of the accessory structure. She did not believe there was a hardship for the request and believed there was adequate use of the property.

Ms. Albarran asked to see the west elevation of the addition. She was in favor of the fenestration on the first floor but thought the second-floor fenestration should include a pair of French doors with the balcony. Ms. Albarran expressed concern for the floor heights of the accessory structure, especially compared to the main home. She recommended relocating the accessory structure near the pergola.

Ms. Herzig expressed additional concern for the heights of the two buildings and the narrow corridor created between them.

Mr. Segraves thought the historic accessory structure should be incorporated into the design. Mr. Segraves also thought the second floor should be reduced, especially in the garage portion. Mr. Segraves recommended enclosing the property, especially the accessory structure, more with landscaping.

Motion made by Mr. Segraves and seconded by Ms. Metzger to defer the project to the September 21, 2022 meeting for a restudy of the items outlined by the Commissioners. Motion carried unanimously, 7-0.

C. HISTORICALLY SIGNIFICANT BUILDINGS – OLD BUSINESS

None

D. HISTORICALLY SIGNIFICANT BUILDINGS – NEW BUSINESS

1. **HSB-22-010 235 DUNBAR RD** The applicant has filed an application requesting Landmarks Preservation Commission review and approval of vehicular and pedestrian gates to an existing Historically Significant Building.

Ms. Pardue provided staff comments for this project.

Call for disclosure of ex parte communication: Disclosure by Mses. Albarran and Metzger. *Please note: Fernando Wong declared a conflict of interest for this project and left the dais during the discussion.*

Fernando Wong, Fernando Wong Outdoor Living Design, presented the new gates proposed for the existing, historically significant residence.

Ms. Metzger inquired about the number of homes on the street that also had gates.

Mr. Wong responded.

Mr. Wong showed the Commissioners a material sample.

Ms. Herzig was in favor of one entrance and curb cut proposed.

Ms. Patterson was in favor of the proposal.

Motion made by Ms. Moran and seconded by Ms. Metzger to approve the project as presented.

Ms. Patterson called for public comment. No one indicated a desire to speak.

Motion carried unanimously, 7-0.

XI. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)

1. Public

There was no one that indicated a desire to speak.

2. Staff

Ms. Churney stated that Jacqueline Albarran declared a continuing conflict for a project at 800 S. County Road the July 20, 2022 meeting and had correctly completed the 8B form in accordance with State Law.

Ms. Churney stated that Fernando Wong declared a continuing conflict for a project at 800 S. County Road the July 20, 2022 meeting and had correctly completed the 8B form in accordance with State Law.

3. Commission

Ms. Patterson thanked the Commission for making the efforts to attend the meeting.

Ms. Metzger asked if any steps needed to be taken prior to the November meeting, where a list of landmarked homes would be presented. Ms. Patterson reminded the Commission that they had a top ten list of reasons to landmark to use in discussions with residents. Ms. Patterson also advocated for landmarking the homes in November.

Ms. Stillings stated that 10 properties in November were single family homes; one additional was a multi-family home, which was not affected by the new law. Ms. Stillings highly encouraged Commissioners to notify MurphyStillings if they knew of any properties worthy of designation.

Town Attorney Randolph thought new change could be positive and entice residents to landmark their homes since the question of demolition was no longer be an issue. He reminded the Commission that homeowners liked moving through the process at the LPC meetings, rather than ARCOM.

Mr. Segraves also wondered if more latitude for variances would be given by the Town Council if the home was landmarked, which could be seen as a benefit by homeowners.

Ms. Moran informed the Commission that the Town Council deferred the project at 800 S. County Road, to allow both neighbors to work on a compromise for a common wall.

XII. NEXT MEETING DATE: Wednesday, September 21, 2022

XIII. ADJOURNMENT

Motion made by Ms. Albarran and seconded by Mr. Segraves to adjourn the meeting at 12:35 p.m. Motion carried unanimously, 7-0.

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, September 21, 2022, at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sue Patterson", with a stylized flourish at the end.

Sue Patterson, Chair
LANDMARKS PRESERVATION COMMISSION

kmc

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

LAST NAME—FIRST NAME—MIDDLE NAME Wong, Fernando		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE Landmarks Preservation Commission	
MAILING ADDRESS 2774 SOUTH OCEAN BLVD. 33490		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED August 17, 2022		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 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 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 would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a 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 (CRAs) 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 are not prohibited by Section 112.3143 from otherwise participating 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 page 2)

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, Fernando Wong, hereby disclose that on August 17, 20 22.

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

- ☒ 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 subsidiary, or sibling 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:

COA-22-038 Continuing Conflict
8 S. Lake Trail
Previous Landscape Architect for
this residence

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

8/17/22

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 Segraves Patrick		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Landmarks Preservation Commission	
MAILING ADDRESS 2500 S. Ocean Blvd. #2A1		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 8/17/22		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 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 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 would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a 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 (CRAs) 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 are not prohibited by Section 112.3143 from otherwise participating 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 page 2)

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, Patrick Segraus, hereby disclose that on August 17, 20 22.

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

- ☐ 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 Greg and Francine Purcell, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling 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:

COA - 22 - 041

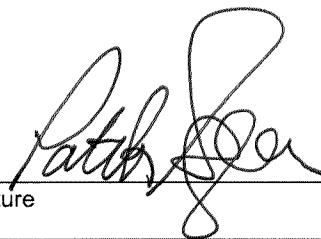
209 Phupps Plaza

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

8-17-22

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 Wong, Fernando		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Landmarks Preservation Commission	
MAILING ADDRESS 2774 S. Ocean Blvd		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Beach	COUNTY Palm Beach	☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 8/17/22		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 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 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 would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a 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 (CRAs) 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 are not prohibited by Section 112.3143 from otherwise participating 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 page 2)

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, Fernando Wong, hereby disclose that on August 17, 20 22.

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

- ☐ 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 MR. & MRS. LEVINSON, which is the parent subsidiary, or sibling 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:

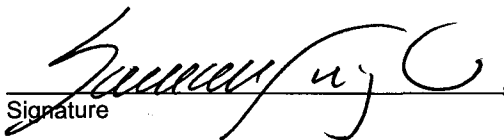
HSB-22-010
235 Dunbar Rd

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

8/17/22

Signature



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