# TOWN OF PALM BEACH

## PLANNING, ZONING AND BUILDING DEPARTMENT

## MINUTES OF THE REGULAR LANDMARKS PRESERVATION COMMISSION MEETING HELD ON WEDNESDAY, JANUARY 17, 2018.

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

Vice Chairman Silvin called the meeting to order at 9:29 a.m.

II. ROLL CALL

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| Edward Austin Cooney, Chairman | ABSENT (unexcused) |
| Richard Rene Silvin, Vice Chairman | PRESENT |
| Jacqueline Albarran, Member | PRESENT |
| Page Lee Hufty, Member | PRESENT |
| Anne Fairfax, Member | PRESENT (arrived at 9:35 a.m) |
| Patrick Segraves, Member | PRESENT |
| John T. Gannon, Member | PRESENT |
| Jacqueline Weld Drake, Alternate Member | PRESENT |
| Kim Coleman, Alternate Member | PRESENT |
| Sue Patterson, Alternate Member | PRESENT |

Staff Members present were:
John Lindgren, Planning Administrator
Paul Castro, Zoning Administrator
Kelly Churney, Secretary to the Landmarks Preservation Commission
Tom Bradford, Town Manager
John Randolph, Attorney for the Town
Emily Stillings, Preservation Consultant for the Town of Palm Beach
Janet Murphy, Preservation Consultant for the Town of Palm Beach

*Mr. Silvin noted that Ms. Drake would be voting in the absence of Mr. Cooney.*

III. PLEDGE OF ALLEGIANCE

Vice Chairman Silvin led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES OF THE DECEMBER 20, 2017 MEETING

**Motion made by Ms. Albarran and seconded Mr. Segraves to approve the minutes of the December 20, 2017 meeting. Motion carried with all in favor.**

## V. APPROVAL OF THE AGENDA

**Motion made by Ms. Albarran and seconded by Mr. Gannon to approve the agenda as presented. Motion carried with all in favor.**

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

Ms. Churney administered the oath at this time and throughout the meeting as necessary.

## VII. COMMENTS FROM THE PUBLIC AND COMMISSION MEMBERS: (Please limit comments to 3 minutes):

Joan Goodman, 911 N. Ocean Blvd, requested the entire wall at her property and the property at the south to be put under consideration for landmark status with the new information gleaned by Tom Bradford.

Tom Bradford, Town Manager, provided his opinion on the lot split and the conditions placed on the lot split.

Mr. Segraves suggested that staff to look at the possibility of re-striping the road or moving the road more west to aid in making the curve safer.

Greg Kino, attorney representing Murray and Joan Goodman, provided history of the wall on the front of the property. He requested that the Commission consider landmarking the entire wall on both the Goodman's property and 901 N. Ocean Blvd.

Ms. Hufty asked if the staircase on the ocean side was being offered for consideration. Mr. Kino responded.

Mr. Silvin recounted the discussion regarding the wall that occurred on the December 20, 2017 meeting.

Ms. Coleman stated that the existing wall height was grandfathered. She also indicated that she was in favor of keeping the wall in its current state.

Ms. Drake stated she thought the existing wall around the curve was dangerous and thought a new sight line would be a good change.

Mr. Silvin stated he met with the Beattys and revealed the details of those discussions.

Ms. Hufty asked about the staircase on the ocean. Mr. Silvin responded and provided a history of the stairs.

Mr. Randolph offered caution that the discussion was becoming too much like an agenda item without advertising and noticing the public.

Mr. Kino stated that his clients would continue to have discussions with staff.

Ms. Goodman asked if the Commission would consider putting the entire all, including the wall at 901 N. Ocean Blvd. under consideration. Mr. Lindgren responded.

A short discussion ensued about the motion made at the previous meeting regarding placing the wall and seawall at 911 N. Ocean Blvd. under consideration for landmark status.

Mr. Castro explained the administrative approval process for the 901 N Ocean Blvd. lot split.

Mr. Lindgren stated that Ms. Albarran declared a conflict for her project at 17 Golfview Rd. at the November 13, 2017 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Lindgren stated that Ms. Albarran declared a conflict for her project at 17 Golfview Rd. at the December 20, 2017 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Lindgren stated that Ms. Albarran declared a conflict for her project at 245 Dunbar Rd. at the December 20, 2017 meeting and had correctly completed the 8B form in accordance with State Law.

Ms. Albarran stated that the owners at 245 Dunbar Rd. were pleased to hear about the landmark designation.

Ms. Hufty thanked John Page for his service in the Town.

## VIII. PUBLIC HEARINGS

A. Application for Certificate of Appropriateness #041-2017
Address: 301 Australian Ave.
Owner/Applicant: CSC Brazilian LP/Adam Schlesinger
Architect: None
Project Description: At the June 21, 2017 meeting of the Landmark Commission, the Commission approved the installation of a composite insulated impact glass window to replace the existing decorative wood windows. The Applicant is requesting that the Commission reconsider only that portion of its approval that required the installation of an "insulated impact glass" as part of the replacement window in light of the extraordinary difficulty of installing impact windows on the existing structure and the possibility that such installation will (a) damage the existing structure; (b) the aesthetic similarity of the standard window proposed by the applicant; and (c) the existence of approved hurricane protection at the property. The building structure is made of hollow terracotta block. In order to obtain the required strength to make the impact glass windows meet building codes, openings of at least 18"-24" would have to be made surrounding every window, interior and

exterior, would have to be opened and filled with concrete. Then the windows would need to be installed, anchored and the openings closed. This construction is not only extremely expensive, but the extensive nature of it has the potential for damage to the existing structure and may result in unsightly changes to appearance of the exterior of the building. This has the potential to defeat the goals of the Commission of preserving the aesthetic look of the property. The Brazilian Court Hotel has approved hurricane protection which has protected, and will continue to protect the property if the Commission approves the installation of traditional insulated glass windows in the approved frames. The Commission should not impose a requirement on a property owner that deals with structural issues already approved by the Building Department and that will impose undue costs and increase the potential for adversely impacting the historic look of the property. Approving the proposed insulated glass will fulfill the mission of the Commission and is consistent with its authority under the Town Code of Ordinances. Insulated and impact glass in the approved window frames are almost identical in appearance. The Commission saw and approved an insulated glass window only. Adding the requirement that the window be "impact glass" goes beyond the authority of The Landmark Commission, but also impose an unnecessary risk to the property and an undue burden on the property owner. We respectfully request that the Commission reconsider its decision and permit installation of the approved composite window with insulated glass in the approved frame.

A motion carried at the October meeting to defer the application for one month to allow the applicant to install a single test window, preferably impact that would be approved by the Building Official to determine the cost, and possible savings if a non-impact window was used. Motions carried at the November and December meeting to defer the project to the January 17, 2018 meeting at the request of the applicant.

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

Richard Schlesinger, The Brazilian Court, asked for the approval for the test window to be used for all window replacements, subject to the final approval by the Town's Building Department.

Mr. Segraves thought the window was an improvement and asked if the test window was an impact or non-impact window. Mr. Schlesinger stated it was a non-impact window.

Ms. Albarran agreed with Mr. Segraves and stated she was in favor of the new window.

Mr. Lindgren asked the Commission to place certain conditions on the approval.

Mr. Segraves asked if they would be replacing the recently installed windows with the new proposed window. Mr. Schlesinger responded.

Nick Spinelli, Copperline Partners, stated that the windows would need to be re-inspected and approved by the Town since they were installed without a permit. A discussion ensued about the newly, proposed window compared to the previously installed windows.

**Motion made by Ms. Albarran and seconded by Mr. Gannon to approve the installed test window with the caveat that all other windows installed will match the test window in every aspect, especially in size, that all windows are re-inspected, all necessary building permits are obtained and that the Town properly inspects all new windows. Motion carried with all in favor.**

## IX. OTHER BUSINESS

A. Informal Review - Application for Certificate of Appropriateness #001-2018
*LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)*
Address: 240 Worth Ave.
Owner/Applicant: Palm V Assoc Ltd./Lilly Pulitzer
Architect: Robert Sargenti Jr./Sargenti Architects
Project Description: Removing existing Hermes branded storefront and glazing and replace with new storefront design. Removing awnings and replacing with new awnings (compliant with max 4'-0" projection). Installing signage. Modification of courtyard as extension of current design incorporating more landscape open space. Enclosure of rear/stock exit to cover misc. back of house transport of goods to match existing adjacent stucco finish. No exterior modifications at second floor. Leased area decreased from Hermes under separate permit.

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

Richard Leja, ACI Architects, stated he had assisted Sargenti Architects with their application. He explained the zoning requests in which they were seeking a favorable recommendation to the Town Council.

Benjamin Tengwall, Vice President of Retail Stores for Lilly Pulitzer, discussed the proposed store on Worth Avenue.

Mr. Sargenti presented the proposed architectural modifications for the project.

Ms. Albarran asked for more details on the newly, proposed door on the via elevation.

Mr. Segraves thought the changes were an improvement but suggested using one awning over the portico rather than two proposed windows. He also had some concerns regarding the proposed landscaping.

Ms. Hufty was in favor of the changes.

Ms. Fairfax asked if the architect had a streetscape to determine awning heights of surrounding neighbors. Mr. Sargenti responded.

Ms. Patterson was in favor of most of the project but questioned the symmetry in the design and front awnings.

Ms. Coleman asked for clarification on the proposed planter in front of the sliding door and expressed concern about the proposed pink color of the awning. Mr. Sargenti responded.

Mses. Drake, Albarran and Mr. Gannon were in favor of the project.

Ms. Fairfax was supportive of the structural changes as long as the building could withstand the change.

Mario Nievera, Nievera Williams Design, presented the proposed landscape modification for the project. Mr. Nievera also addressed concerns raised by Mr. Segraves.

Ms. Hufty asked about proposed pathways in the rear of the building. Mr. Nievera responded. She also asked the amount of landscaping proposed. Mr. Nievera responded.

Mr. Segraves was in favor of the project.

**Motion made by Mr. Gannon and seconded by Mr. Segraves that the implementation of the proposed special exception, site plan review and variances will not cause negative architectural impact to the subject landmarked property. Motion carried with all in favor.**

B. Informal Review - Application for Certificate of Appropriateness #002-2018
*LPC TO MAKE RECOMMENDATION RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)*
Address: 323 Chilean Ave.
Owner/Applicant: Ambassador Mark Gilbert
Architect: Jacqueline Albarran/SKA Architect + Planner, Inc.
Project Description: Demolition of existing deteriorated main house structure, patio and driveway (existing two story guest house to remain). Existing perimeter landscaping remains. New irrigated lawn as per code. New two story house to match previously approved but places at 8' NGVD finish floor elevation reworking some arches and roof slope as per original historic photo.

Raise existing guest house to achieve an 8' NGVD finish floor elevation. Leave in existing footprint with new one story addition, trellis, pool, spa, fountain and patios as previously approved.

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

*Please note: Ms. Albarran declared a conflict of interest for the project. Mr. Silvin stated that Ms. Coleman would be voting in her absence.*

Ms. Albarran explained the zoning requests in which she was seeking a favorable recommendation to the Town Council. She presented the demolition report for the property. She reviewed a conversation she had with Jane Day, previous Preservation Consultant for the Town, about the landmarking of the property. Ms. Albarran discussed the current structural issues with the home and presented photos. She presented the proposed architectural plans for the reconstructed home.

Ms. Stillings stated that she felt that the home could be restored if it was not moved. She also added that she found the demolition request troublesome. She stated that she believed the proposed plans were new construction rather than reconstruction. She read some of the criteria for reconstruction.

Ms. Albarran reviewed information provided to her by a structural engineer that indicated that the move was not the cause of the structural issues.

Mr. Segraves asked for clarification on the application. Ms. Albarran responded. Mr. Segraves asked about the newly proposed roof. Ms. Albarran responded. Mr. Segraves indicated that preservation during the detailing and the construction were critical to the reconstruction.

Ms. Hufty supported Ms. Stillings position and thought the proposal was a recreation rather than a reconstruction and was not in favor of the proposal.

Ms. Patterson agreed with Mr. Segraves and asked that Ms. Albarran preserve what she can during the reconstruction.

Ms. Drake reminded the Commission that they approved the previously proposed changes, which included moving the home. She also believes that the home had been significantly changed over the years.

Ms. Stillings read a portion of the designation report for 323 Chilean Avenue.

Ms. Fairfax indicated that this was a philosophical decision. She expressed concern about the proposed front facing garage. Ms. Albarran responded and showed how the garage was stepped back from the front façade.

Mr. Gannon thought it was important to listen to the architects and owners during the philosophical decisions.

Ms. Coleman thought the integrity of the house had been lost and thought the Commission needed to be flexible.

Ms. Hufty asked for direction from Town Attorney Randolph on the reconstruction of a landmarked property. Mr. Lindgren discussed the language in the Code relating to a reconstruction of a landmarked property. Ms. Hufty stated she did not think that a reconstructed house was in line with the Landmark Preservation Commission's mission.

Ms. Segraves agreed with Ms. Fairfax about the proposed garage facing the front of the home.

Ms. Drake agreed with Mr. Gannon and restated the reasons she supported the proposed reconstruction of the home.

**Motion made by Mr. Gannon and seconded by Ms. Drake that the implementation of the proposed special exception, site plan review and variances will not cause negative architectural impact to the subject landmarked property. Motion carried 4-3 with Mses. Fairfax, Hufty and Mr. Silvin opposed.**

*Please note: Ms. Fairfax left at 11:31 a.m. Mr. Silvin stated that Ms. Coleman would be voting in her absence.*

C. Informal Review - Application for Certificate of Appropriateness #003-2018
*LPC TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)*
Address: 780 S. Ocean Blvd.
Owner/Applicant: Terry Taylor
Architect: Jason Drobot/Brasseur & Drobot Architects, P.A.
Project Description: The project consists of a proposed 748 square foot two story addition at the southwest corner of the existing landmarked structure. The first floor of the addition shall be an open loggia which will define an edge of an existing interior courtyard. An existing exterior stair at the west side of the new loggia shall be removed and a new stair will be added on center with the new loggia. The second floor of the addition shall be a new master bath and walk-in closet. Existing landscape and hardscape shall be removed in order to accommodate the new addition.

Call for disclosure of ex parte communication: None.

Peter Broberg, Attorney for the owner, explained the zoning requests in which they were seeking a favorable recommendation to the Town Council.

Mr. Drobot presented the proposed architectural modification to the residence.

Mr. Segraves was supportive of the higher elevation and was in favor of the changes.

Ms. Albarran was in support of the project.

**Motion made by Ms. Albarran and seconded by Mr. Gannon that the implementation of the proposed variance will not cause negative architectural impact to the subject landmarked property. Motion carried with all in favor.**

*Please note: A short break was taken at 11:45 a.m. The meeting resumed at 11:55 a.m.*

## X. DESIGNATION HEARINGS

Item 2: 455 Australian Avenue
Owner: Lake Drive Co-op Apartments, Inc.; 455 Australian Avenue Corp; and each of the individual 455 Australian Avenue Condominium unit owners

Call for disclosure of ex parte communication: None.

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history for this 1948-1949 Howard Chilton building. Ms. Murphy pointed out the design features of this building. Ms. Murphy testified that the building met the following criteria for designation as a landmark:
Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town; and,
Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction of use of indigenous materials or craftsmanship; and
Sec. 54-161 (4) Is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized or who influenced his age.

Mr. Silvin asked for confirmation that the Town had proof of publication and notice with regard to the landmark designation hearing. Ms. Churney provided confirmation.

Ms. Drake stated she did not believe that the building was significant.

Ms. Hufty expressed her belief that the building did have architectural integrity.

Mr. Segraves stated he thought the building was Howard Chilton's best work and was supportive of the designation.

Ms. Albarran spoke favorably of the architectural details and was supportive of the designation.

Ms. Coleman thought the building was charming and was supportive of the designation.

Dennis Keefe, Board President of 455 Australian Avenue, spoke in support of the landmark recommendation.

Lynn Allegaert, 455 Australian Avenue, spoke in support of the landmark recommendation.

**Motion made by Ms. Albarran and second by Mr. Gannon that the designation report is made part of the record. Motion carried with all in favor.**

**Motion made by Mr. Gannon and second by Ms. Hufty to recommend 455 Australian Ave. to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1, 3 and 4 in Section 54-161. Motion carried with all in favor.**

Item 3: 980 N. Ocean Blvd.
Owner: Mary Hulitar Trust, Edward T. Holt, Trustee

Call for disclosure of ex parte communication: Disclosure by Messrs. Gannon and Silvin and Ms. Albarran.

Mr. Silvin asked for confirmation that the Town had proof of publication and notice with regard to the landmark designation hearing. Ms. Churney provided confirmation.

Janet Murphy, MurphyStillings, LLC, testified to the architecture and history for this 1948 Wyeth, King & Johnson home. Ms. Murphy pointed out the design features of this home. Ms. Murphy testified that the building met the following criteria for designation as a landmark:
Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town.

**Motion made by Ms. Hufty and second by Mr. Segraves that the designation report is made part of the record. Motion carried with all in favor.**

Greg Kino, attorney for The Mary Hulitar Trust, spoke about The Hulitar Family Foundation's purpose and expressed concern that landmarking the home would significantly reduce the proceeds for the Foundation.

Rick Gonzales, REG Architects and testifying on behalf on The Mary Hulitar Trust, expressed concern about the lack of criteria offered to landmark the home and spoke about the amount of architectural changes to the home that have occurred.

Mr. Kino stated that this was not one of the original homes that the Commission considered for landmarking in June 2017 and was placed under consideration for fear of demolition.

Ms. Coleman asked if the family was a part of the Foundation. Mr. Kino responded and added that Ms. Hulitar did not want the home landmarked.

Ms. Drake expressed concern of landmarking a house that meets only one criterion for Landmark Designation.

Mr. Segraves thought the architectural changes were not significant and did not think the designation would reduce the worth of the home.

Ms. Patterson agreed with Mr. Segraves and asked if the front façade could be landmarked.

Ms. Drake asked Ms. Murphy why she felt that the home did not meet more of the criteria. Ms. Murphy responded.

Mr. Gannon expressed concern of landmarking a house that meets only one criterion for Landmark Designation. He also was concerned about the alterations needed to make the home modern and current.

Ms. Hufty expressed concern about landmarking the house for the future.

Ms. Coleman expressed concern about not landmarking the home.

Ms. Albarran expressed concern about landmarking the house without enough information or photographs of the home.

Mr. Gannon asked if the decision could be deferred for a short time to allow the Commissioners to see the home.

Mr. Kino stated he had photographs of all façades and stated that Ms. Hulitar did not want the home designated. He spoke about the possible sale of the home.

Ms. Hufty thought it was premature to landmark the home so shortly after the passing of Ms. Hulitar.

Ms. Drake recommending not deferring the decision.

Mr. Silvin asked Mr. Kino about the possible sale of the home. Mr. Kino responded.

**Motion made by Mr. Segraves and second by Mr. Gannon recommended not to offer the home at 980 N. Ocean Blvd for Landmark Status. Motion carried 6-1 with Mr. Silvin opposed.**

*Please note: Ms. Albarran left at 12:55 p.m. Mr. Silvin stated that Ms. Patterson would be voting in her absence.*

Item 1: 138 Root Trail
Owner: Sadeca Realty LLC

Emily Stillings, MurphyStillings, LLC, testified to the architecture and history for this early 1900's home. Ms. Stillings pointed out the design features of this home. Ms. Stillings testified that the building met the following criteria for designation as a landmark:
Sec. 54-161 (1) Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state, county or town; and,
Sec. 54-161 (3) Embodies distinguishing characteristics of an architectural type or is a specimen inherently valuable of the study of a period, style, method of construction of use of indigenous materials or craftsmanship; and

Call for disclosure of ex parte communication: None.

**Motion made by Mr. Gannon and second by Mr. Segraves that the designation report is made part of the record. Motion carried with all in favor.**

Ms. Drake asked to see a view of the street. Ms. Stillings responded. Ms. Drake asked how the owner felt about the designation. Ms. Stillings responded.

Mr. Lindgren showed the Commission views of the street.

Mr. Gannon thought the street was very charming and added he would like to see it preserved.

Ms. Hufty expressed concern about landmarking the home.

Mr. Segraves agreed with Mr. Gannon and stated he would like to see the home landmarked.

A discussion ensued about the homes that are currently landmarked on the street.

**Motion made by Mr. Gannon and second by Mr. Segraves to recommend 138 Root Trail to the Town Council for designation as a Landmark of the Town of Palm Beach based on criteria 1 and 3 in Section 54-161. Motion carried with all in favor.**

## XI. COMMENTS OF THE LANDMARKS PRESERVATION COMMISSION AND PLANNING, ZONING & BUILDING DEPARTMENT DIRECTOR.

Mr. Bradford explained that he would be working part-time in the Planning, Zoning & Building Department in the interim while the Town searches to fill the Director position.

Mr. Gannon suggested the possibility of un-designating properties if they are presented for reconstruction. A discussion ensued on this topic.

Mr. Silvin offered his thanks to the Commission and staff for their assistance.

## XII. ADJOURNMENT

**The meeting adjourned at 1:22 p.m. without benefit of a motion.**

The next meeting of the Landmarks Preservation Commission will be held on Wednesday, February 21, 2018 at 9:30 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 South County Rd. Palm Beach.

Respectfully submitted,

Richard Rene Silvin

Richard Rene Silvin, Vice Chairman
LANDMARKS PRESERVATION COMMISSION

kmc

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

| | |
|---|---|
| LAST NAME—FIRST NAME—MIDDLE NAME<br>Albarran, Jacqueline | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE<br>Landmarks Preservation Commission |
| MAILING ADDRESS<br>324 Royal Palm Way #227 | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:<br>☐ CITY ☐ COUNTY ☒ OTHER LOCAL AGENCY Town |
| CITY Palm Beach COUNTY Palm Beach | NAME OF POLITICAL SUBDIVISION:<br>Town of Palm Beach |
| DATE ON WHICH VOTE OCCURRED<br>January 17, 2018 | 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).

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### 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, Jacqueline albarran hereby disclose that on January 17, 20 18:

(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 - 002 - 2018
Informal Review
323 Chilean ave.
Continuing conflict

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.

1-17-18
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.