

TOWN OF PALM BEACH

Planning, Zoning & Building Department

MINUTES

LANDMARKS PRESERVATION COMMISSION

WEDNESDAY, JANUARY 16, 2002 AT 9:00 A.M.

AT THE TOWN COUNCIL CHAMBERS, 360 SOUTH COUNTY ROAD, PALM BEACH

I **Call to Order:** The meeting was called to order by Chairman Eugene Pandula.

II **Roll Call:**

PRESENT: Eugene Pandula, Chairman
Elizabeth Dowdle, Vice Chairman
Ann Blades, Secretary
Sari M. Wilkey, Member
Jacqueline Albarran de Mendoza, Member
Ann Vanneck, Member
Jack Pyms, Member
Judy Hoffman, Alternate Member
Laurel Baker, Alternate Member
Wendy Victor, Alternate Member
John C. Randolph, Town Attorney (arrived at 9:12 a.m.)
Robert L. Moore, Director of Planning, Zoning & Building
Timothy M. Frank, Planner/Projects Coordinator
Jane S. Day, Staff Preservation Consultant

ABSENT: None

RECORDING SECRETARY: Cynthia M. Delp

III **Approval of the Minutes of the December 19, 2001 meeting:**
MOTION BY MRS. VANNECK FOR APPROVAL OF THE MINUTES.
MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.

IV **Administration of the Oath to all persons who wish to testify:**
Mrs. Delp administered the oath to all those present who wished to testify today.

V

Public Hearings:

A. Application for Certificate of Appropriateness #32-2001 (deferred from Dec. 2001)

Miscellaneous changes

Owner/Applicant: Brazilian Court, Inc.

DEFERRAL REQUESTED

Address: 301 Australian Avenue

Architect: The Lawrence Group

Project Description: Request approval of the following...

1. Re-pave surfaces of the north and south courtyards with a combination of keystone and brick
2. Replace glazing of bay windows with fixed french doors in the center panel and full height single hung windows in the two sides
3. Cover the ceiling of the connecting walk between the two courtyards with pecky cypress
4. Remove all handrails not required by code
5. Other associated changes as presented

Please note that at the December meeting, the handrails, pecky cypress, and re-paving in cast stone only was approved. The re-glazing of the bays was deferred for more research.

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION

PLEASE NOTE THAT THE APPLICANT REQUESTS DEFERRAL TO THE FEBRUARY MEETING.

MOTION BY MRS. VANNECK FOR DEFERRAL TO THE FEBRUARY MEETING.

MOTION SECONDED BY MRS. DOWDLE.

MOTION CARRIED UNANIMOUSLY.

B. Application for Certificate of Appropriateness #34-2001 (deferred from Dec. 2001)

Maintenance replacement of crossbox

Owner: Town of Palm Beach

Applicant: Town of Palm Beach/Bell South

Address: Wells Road Scenic Vista

Project Description: Bell South must replace the old crossbox on the northeast corner of Bradley Place & Wells Road due to maintenance failure. This box provides access to phone lines to the surrounding area. The old box will be removed and replaced with a new, larger one. This is necessary to provide more phone lines and to repair damage from the old, dilapidated crossbox. The old box can no longer be used. Project includes burying conduit and cable. The new box is 4'x4'x2'. The new box will be screened with hedges.

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: None declared

Mr. Brian Lackovic, Engineer with Bell South, presented this request. He distributed a handout to the members and explained that the existing crossbox (pre-1960) is quite dilapidated. The existing service from this location can no longer be maintained and no additional phone lines can be provided using the existing equipment. A new, larger crossbox is needed. An application for

a Public Works permit has been filed, but that application is being held until the project is approved by the LPC. The new crossbox is beige in color; it will rest on a concrete pad; and it will be screened with hedges if the LPC desires. There was some discussion as to whether to screen the equipment or not. The general consensus was that these equipment boxes are necessary, and are not very noticeable around town.

MOTION BY MRS. WILKEY FOR APPROVAL OF THE PROJECT, AS PRESENTED, WITH SOME LANDSCAPE SCREENING OF THE EQUIPMENT.

**MOTION SECONDED BY MRS. BLADES AND MR. PYMS.
MOTION CARRIED UNANIMOUSLY.**

- C. Application for Certificate of Appropriateness # 1-2002
Restoration, Addition, Pool, Pergola, Landscaping & Misc. Changes
Owner/Applicant: Kathleen Hammer
Address: 222 El Brillo Way
Architect: Giacomelli Architecture Inc.
Project Description: Request approval of the following...
1. Restoration of all original existing architectural elements
 2. Restore original existing porch on the second floor east facade to its original design, with the exception of larger support wood (cypress) columns to meet code. This includes removal of all later enclosures and windows on the original porch.
 3. Restore all windows and doors of main house, or replace with a matching profile.
 4. Add new French doors to the east, west and north facades of the house to match existing French doors on the front facade.
 5. Enclose loggia room on the back of the main house with a new facade and French doors to match. Includes removal of current aluminum sliding glass doors.
 6. Construct a new architectural bridge between the main house and the garage and guest house to provide covered access on two levels.
 7. Restore west garage facade.
 8. Install all new windows on garage to match profile of rest of property.
 9. Restore gardener's shed and re-design as pool house.
 10. Replace barrel tile roof on each of the three buildings with hand made clay barrel tiles.
 11. Construct new pool on the north side of the property.
 12. New pergola over existing patio.
 13. Landscaping - ficus hedges of varying heights and additional palms.

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: Mrs. Victor visited the site.

Conflict of Interest: Declared by Mrs. Albarran de Mendoza as she was previously the

architect for this owner and has some issues pending with the owner. (Voting conflict form on file.)

Mrs. Jane Day, Staff Preservation Consultant, stated that this is a tax abatement project.

The owner had asked that this property be placed under consideration for landmark designation. She described this as a 1928 E.B. Walton design with E.B. Walton construction, and distributed some copies of the original elevations of the house. In reviewing this project with the Chairman, Mrs. Day determined that it does meet the Secretary of the Interior's Standards, with the exception of the front southeast corner where the sleeping porch is being opened and a different balustrade is being used. She noted that Maurice Fatio had approved the original design of the house in 1928 when he sat on the Art Jury.

Architect Dario Giacomelli presented this request for restoration, additions, and miscellaneous changes to the main house, detached garage/guest house, and the landscape/hardscape. He presented photos of the existing residence. The major emphasis of the project is restoration of the house to its original spirit, the construction of a two story bridge connecting the main house with the garage/guest house, and landscape/hardscape.

He proceeded to review the elevation changes:

South elevation - - The existing set of 5 doors on the first floor level will be replaced with 5 pairs of 5 lite doors. (Please note that the original plans showed 5 lites. The proposed drawings showed 4 lites. Mrs. Vanneck brought this to the architect's attention, and he will restore them to 5 lites to match the original.) The existing front door will be replaced with a new front door of the same dimension and design. The open porch at the master suite will be restored with cypress posts. The chimney will be re-opened to make the fireplace functional. Several fenestration changes included.

West elevation - Shows the two story bridge between the main and guest house/garage. Double hung windows will be replaced with casements on the garage. Fenestration changes included.

East elevation - Again, shows the two story bridge, and a new exterior stair leading from the 2nd floor of the guest house/garage to the ground level. Fenestration changes included.

North elevation - Shows many fenestration changes and a new cypress pergola using the existing columns. The pergola leads to a courtyard.

General: All windows will be replaced, but NOT with impact resistant windows. Removable shutters will be used.

Ms. Jane Day stated that the chimney shown on the plans is an identifying trademark of E.B. Walton's work, and this particular chimney is the only one left in the Town of Palm Beach. She noted that the Secretary of the Interior's Standards (SIS) would not permit changing double hung windows to casements, or adding a non-original balustrade where the sleeping porch is being opened. Interiorly, the main public rooms will remain the same, which is in keeping with the SIS.

MOTION BY MRS. WILKEY FOR APPROVAL AS PRESENTED, WITH MORE STUDY OF THE DOOR LEADING FROM THE DINING ROOM TO THE OUTSIDE, RE-THINKING THE DETAILS OF THE TWO STORY LINK TO PERHAPS INCORPORATE A WROUGHT IRON BANNISTER, RE-THINKING THE DETAILING OF THE BALUSTRADE, THE SIZE OF THE FRENCH DOORS (SHOWN WITH FOUR LITES ON THE PLANS), AND THE DOOR FROM THE LIBRARY ON THE NORTH ELEVATION RELATIVE TO NUMBER OF LITES.

MOTION RE-STATED BY MRS. WILKEY FOR APPROVAL OF THE PROJECT, AS PRESENTED, WITH A DEFERRAL OF CERTAIN DETAILS ON THE OPEN PORCH, THE NUMBER OF LITES ON THE TWO LARGER NEW FRENCH DOORS, BALUSTRADE DETAILING, RAILING DETAILS, AND RE-CONSIDERATION OF THE DOUBLE HUNG WINDOWS ON THE GARAGE.

**MOTION SECONDED BY MRS. BLADES.
MOTION CARRIED UNANIMOUSLY.**

Mario Nievera presented the landscape/hardscape changes per the presented plans. The existing pool will be removed and a new 40' long pool will be constructed on the north side of the property. Due to previous flooding issues on the site, the pool has been built up. Persons will have to step up to the pool level. In the front of the house, the gravel driveway with brick curbing will be reduced in size. The front facade will be landscaped for privacy, and a European garden will face the living room. A brick walkway leads to the front door. At the new pergola, a small walkway leads to a terrace with a large ficus as a focal point. There are small terraces/courtyards at various locations on the site. Large expanses of lawn surround the house. Old citrus trees on the property will be retained. An area of the site will be gently swaled for water retention. The former pool will most likely be filled with gravel for another retention area.

MOTION BY MRS. DOWDLE FOR APPROVAL OF THE LANDSCAPE/HARDSCAPE AS PRESENTED.

**MOTION SECONDED BY MRS. VANNECK.
MOTION CARRIED UNANIMOUSLY.**

At this point, Mrs. Day stated that she was informed by Mr. Arthur Seelbinder, the owner's representative present today, that they wish to withdraw the application for tax abatement in exchange for the casement windows being permitted on the main house and on the garage/guest house, as shown on the plans.

MOTION BY MRS. WILKEY TO RE-CONSIDER THE ARCHITECTURAL ASPECTS OF THIS APPLICATION.

**MOTION SECONDED BY MRS. DOWDLE.
MOTION CARRIED UNANIMOUSLY.**

MOTION BY MRS. WILKEY TO APPROVE THE WINDOWS AS SHOWN ON THE PLANS, WITH THE APPLICANT RETURNING NEXT MONTH FOR THE OTHER DETAILS MENTIONED IN THE PREVIOUS MOTION FOR APPROVAL OF THE ARCHITECTURAL ELEMENTS.

**MOTION SECONDED BY MRS. VANNECK.
MOTION CARRIED UNANIMOUSLY.**

- D. Application for Certificate of Appropriateness #2-2002
 Miscellaneous changes
 Owner/Applicant: Stephen & Christine Schwarzman
 Address: 110 Clarke Avenue
 Architect: Mario Nievera Design Inc.
 Project Description: Request approval of the following
1. Landscape changes
 2. Construct columns and arches
 3. Reduce size of existing balcony

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: Mrs. Victor visited the site.

Conflict of Interest: Mrs. Albarran de Mendoza declared a Conflict of Interest with this project as she is the architect of record for the project. (Voting Conflict form on file.)

Mario Nievera presented the landscape/hardscape issues today. He presented a colored rendering of the interior of the east facade showing jasmine vine growing in a diagonal pattern on the facade. There are two built-in benches and four planted islands, with palms and low level plantings, around the pool. The proposal includes free standing columns and arches positioned approximately 1 foot from the facade. Bougainvillea will be trained to grow over this new feature. Due to introduction of the free standing columns and arches, the adjacent balcony needed to be shortened. A new, more intricate, metal railing will replace the existing balcony railing.

Mr. Frank noted for the record that Mrs. Albarran de Mendoza is the architect for the structural changes.

**MOTION BY MRS. VANNECK FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MRS. DOWDLE.
MOTION CARRIED UNANIMOUSLY.**

E. Application for Certificate of Appropriateness #3-2002
Landscape/hardscape

Owner/Applicant: Robert and Annalise Denenberg

Address: 234 Phipps Plaza

Architect: Mario Nievera Design Inc.

Project Description: Request approval of the following:

1. Remove existing hardscape including sidewalk along Phipps Plaza roadway
2. New hardscape including paving, fountain, and landscape lighting (Existing site wall & gate to remain)

CALL FOR DISCLOSURE OF EXPARTE COMMUNICATION: Mrs. Victor visited the site.

Mario Nievera presented this request. The existing front wall, piers and gate will remain. The proposal includes removal of the public sidewalk in front of the property. The sidewalk is in a state of disrepair. Five trees will be planted in the location of the existing public sidewalk. Mr. Frank stated that removing that sidewalk will require the approval of the Public Works Department. The new walkway to the gate will be done in antique limestone. Inside the gate, the paving is in limestone and antique terracotta done in a diagonal pattern. Landscaping will be increased around the structure. The existing fountain will be removed, and a limestone trough and fountain will be placed on the east side of the garden.

There was some discussion relative to the removal of the public sidewalk. Mrs. Albarran de Mendoza, whose office is located in Phipps Plaza, commented that the residential properties in the Plaza are landscaped to the street, with no public sidewalk. The commercial properties do have public sidewalk fronting them.

Mrs. Vanneck felt that if single Alexander palms will be used in the project, the more sturdy variety of Alexander palms should be used.

It should be noted that although landscape lighting was not discussed, it was part of the advertised project, and it is shown on the plans as 2 different varieties of 50 watt fixtures.

MOTION BY MRS. BLADES FOR APPROVAL AS PRESENTED.
MOTION SECONDED BY MRS. VANNECK.
MOTION CARRIED UNANIMOUSLY.

VI Other Business:

400 South Ocean Boulevard

Mr. Frank read a letter into the record from Mr. Dennis Gallo, President of the 400 Association Inc. wherein the condominium association requests that the LPC authorize a preliminary study of the property for the purpose of designating 400 South Ocean Boulevard as a landmark of the

Town of Palm Beach.

Mrs. Vanneck stated that it was her understanding that this building is in "quite a bit of disrepair on its balconies." Mr. Frank responded that such repairs are not unusual on oceanfront condominiums.

Ms. Susan Curry, unit owner at 400 South Ocean Boulevard, stated that she represents the faction of owners at the condo who are adamantly opposed to landmarking. When asked why they were so opposed, Ms. Curry responded that landmarking "is just another layer we don't need." Ms. Curry was of the opinion that unanimous approval of all unit owners was required for this designation to go forward.

Mr. Frank responded that the current Town Council has made statements that they will not ratify a designation if there is opposition to the landmarking. He could not, however, pre-determine how the Town Council would view this situation. The letter clearly asks the LPC to study the building, and expresses with the Condo Association's approval.

Mr. Randolph noted that the Condo Association is not the property owner. The Condo Association is a corporate entity which cannot act on behalf of all of the owners. The study could be initiated pursuant to the request of all of the unit owners and a subsequent motion to do so by the LPC, or as a result of a motion to place the property "under consideration" sponsored by an LPC member which is independent of owner support.

It was noted that this building is less than 50 years old.

Mrs. Nancy Gardiner, who identified herself as a Director at 400 South Ocean Boulevard Condo stated that the building was begun in 1962 and finished in 1963/64, a work of Edward Durell Stone. She stated there are 64 votes at 400 South Ocean, and of the 64, 49 have already signed their consent to the landmarking, with more to come in. There is also a bi-law that says they can change the bi-laws with 2/3 approval. So, approximately 80% of the owners are in favor of the landmarking.

Mr. Moore commented that although this building has a very famous architect, the building needs a great deal of work. As such, there will probably be an application for tax abatement should this building be landmarked. He questioned if this was an issue of saving the building from demolition, as a building re-constructed on this property could not have as much density as the existing building. Mr. Moore felt there was no immediate danger of demolition. He asked the members to think about the reason that the Condo Association is requesting the study. There are legal issues as well, as stated by Mr. Randolph. The Town Council would want all unit owners to be in concert relative to a proposed designation.

Mrs. Victor responded that while the current Town Council demands owner support, on a nationwide basis, other Landmark commissions act over owner objection to save buildings. She urged the members to not be afraid to bring properties with owner opposition to the Town Council for action.

Mr. Randolph reminded the LPC that the issue before them is to decide whether it is appropriate to study this building for possible landmark designation. Mr. Randolph took exception with the sentence in the letter - "It is the Association's understanding that the authorization of a study of 400 for possible Landmark designation does not obligate the Association or the Town of Palm Beach to commit to the landmarking of 400 under the Building Code." Indeed, once studied, the process will move forward according to the ordinance.

MOTION BY MR. PYMS TO DEFER THIS MATTER TO THE FEBRUARY MEETING TO GIVE THE CONDO ASSOCIATION THE OPPORTUNITY TO CONSULT WITH STAFF SO THEY UNDERSTAND THAT IF WE DO TAKE ON THE STUDY, THEY WOULD BE OBLIGATED.

MOTION SECONDED BY MRS. DOWDLE.

Mr. Frank noted that with a condo, there are common elements that must be taken care of collectively. The balconies are just such an example. Mrs. Day stated that she and Mr. Frank had met with the Condo Association. They discussed interior changes and told the association that if they would be a tax abatement project, the LPC would look at changes to the public spaces, not kitchens and baths. They are aware that interiors are subject to review. She likewise believed that the Condo Association, despite the letter wording, is aware that the process will move forward if the study is undertaken.

MOTION CARRIED UNANIMOUSLY.

Comments relative to 1/15/02 Town Council meeting: Town Hall Square Study

Mrs. Vanneck commented that narrowing the traffic to one lane in each direction will have a major impact to the historic district. The parking is also an issue. She felt the Town Council should be urged to study this much more carefully before something is built that we can't change. She felt the process was moving too fast, and that an alternate site might be better for the Fire Station, such as Gray's Mobil. The Gray's location would enable fire trucks to go immediately north or immediately south versus having to go around to go the other direction.

Mrs. Victor commented that the Gray's Mobil property owner is still willing to negotiate with the Town relative to this matter. She stated that the Gray's property appears to be 25% to 30% larger than the Beaumont lot.

Mr. Randolph stated that yesterday's meeting was the first opportunity the Town Council had to look at the proposal. They will study it thoroughly, but it is appropriate for the LPC to pass on comments and concerns.

Mrs. Victor commented that the Mayor stated she wanted a decision at the February meeting about the Fire Station. She urged the Town Council to re-think the project.

Mrs. Dowdle commented that the district study is a wonderful thing. She liked taming the street

down to one lane of traffic, if it is workable. She wondered if the LPC could have a workshop with the designers at the next meeting or a special workshop on a separate day.

Mr. Randolph stated that two proposals have been mentioned thus far...per Mrs. Vanneck, to make a recommendation to the Town Council that they give careful consideration to the current design and location of the new Fire Station, and other associated matters relating to it. This proposal should be acted upon with a motion, and then the LPC should make a determination relative to the workshop. It was suggested that the Town Council and the traffic engineers be invited to the workshop as well.

MOTION BY MRS. VANNECK THAT THE LANDMARKS PRESERVATION COMMISSION RECOMMEND TO THE TOWN COUNCIL THAT THEY GIVE CAREFUL AND FURTHER STUDY TO THE PROPOSED LOCATION OF THE FIRE STATION AND THE IMPACT IT WILL HAVE ON THE TRAFFIC AND PARKING SITUATION AND THAT THEY DO NOT RUSH INTO ANY FINAL DECISION WITHOUT DUE CONSIDERATION.

**MOTION SECONDED BY MRS. WILKEY.
MOTION CARRIED UNANIMOUSLY.**

Mr. Moore stated that at yesterday's meeting, this matter was discussed as to traffic, structure, aesthetic concerns and landscaping, with all of the various professionals there. At the February Town Council meeting, there will be a discussion relative to the plan for the Fire Station and addressing parking concerns with the possibility of creating a structure behind Gray's Mobil for additional parking. He referred to the model of the Historic District still present on the dias today. Mr. Moore felt the Town Council is not rushed to judgement. Whether or not to build the new Fire Station will most likely be determined at the February meeting. The matter of the location for the Fire Station is not totally closed.

Mr. Pandula commented relative to yesterday's presentation: "I couldn't stay for the whole meeting yesterday, but I had this observation, and I think out of all the studies the town has had done recently for zoning, this is probably the best start, in my opinion, that we've been off to. I mean, I think Digby and Marsh did a pretty good job. But it seemed to me when they started, it seemed like they jumped into the middle of something instead of starting at the beginning. And I mean this in a positive way, not as a criticism, but it almost seems like, and I'm sure they did this, knowing Mark and Digby for as long as I have, that I'm sure they've considered this, but there should have been a presentation of the historic district and its fabric. And maybe a rating of buildings there from the most contributing to the least contributing to part of the scene where they could capture the spirit of the space. What is it that we're trying to keep? And it seemed like it turned into really quickly an urban design project. And this is all cool stuff and it works and it's nice, but I'm not sure that it gets to what we're all looking to get to ultimately. So, maybe the fire house, where it is, is a square peg in a round hole, but maybe it's the best we can do, and it needs to be there, and we live with that. And maybe it's not even much better if it moves to Gray, but I sense that that's not the whole thing. I was just surprised that it started out with a traffic study, and I was about ready to say...well, big deal. It's kind of like there should

have been this whole almost intuitive thing of what it is, an intuitive feel about what we love about this district that then gets quantified, that then forms the basis for all of this stuff. And maybe they didn't have enough time for it, or whatever the deal was, they made a conscious decision. But it almost seems like they need to backtrack or we need to backtrack a little bit and define the problem a little bit better because it's not only fire truck access. It's kind of like a bigger picture. And there's nothing wrong with... my understanding of let's say the fountain, when the fountain was built, the competition was held for it. It was because the north facing Fire Dept. bays were ugly to people who lived in town back then. So, it was a major change to a plaza that was born out of necessity. And there's nothing to say that we can't make a decision like that again today. It may be adding arcades. It may be doing other things. I don't think we need to be afraid of change. I just think we need to figure out what we want to change and why before we do it." (*Transcribed verbatim at Mr. Randolph's request.*)

Mrs. Vanneck stated that the study was difficult to read due to the word choices used in the title and text. Mrs. Victor objected to the study's suggestion that the Historic Town Hall Square follow the model of Worth Avenue.

Royal Poinciana Theatre - Discussion

Mrs. Dowdle explained that it was her intention to place the entire 12 acre Royal Poinciana Plaza, including the Royal Poinciana Playhouse, "under consideration" when she made the motion last month. Mr. Randolph questioned how staff was proceeding. He thought staff was only proceeding with the playhouse, itself. Mrs. Day stated that subject to staff discussions, she has proceeded with the theatre building only. Mr. Randolph stated that the letter written to the property owner was for the playhouse only, and to consider any more property would require a new motion, i.e., starting at the beginning. Some members felt it would be too difficult to proceed with the entire 12 acre site due to owner objection. No motion was made today relative to this matter.

Mr. Randolph reminded the members that the LPC designates buildings, not uses. Mrs. Dowdle stated that when the LPC designates, all facets of a building are taken into consideration, i.e., history, cultural aspects, its contribution to the town, etc. Mrs. Victor contacted the National Trust relative to this issue. Julia Miller of the National Trust wrote "If the building merits designation, then the Landmarks Commission is right to seek preservation, even if it ultimately comes down to a use issue. If the building does not meet criteria for landmarking, then the proper venue for considering the appropriate use of the waterfront site is with the zoning board." Mrs. Day responded that the designation criteria will be used to evaluate the building.

For the record, the LPC expressed their displeasure with the color change resulting from an ongoing re-painting at the Royal Poinciana Plaza. Mr. Frank stated that the building is not landmarked, and ARCOM does not review color changes to existing buildings.

Discussion relative to Landmarks Membership and Ordinance

As she had become aware that Mr. Pandula will be moving out of town, and supported his

remaining the Chairman of the LPC, Mrs. Blades made the following motion:

MOTION BY MRS. BLADES TO RECOMMEND TO THE TOWN COUNCIL THAT THE LPC ORDINANCE BE RE-VISITED TO ALLOW FOR (2) NON-RESIDENTS, ARCHITECTS PERHAPS, WITH OFFICES IN THE TOWN OF PALM BEACH, AND WITH A HISTORY IN THE TOWN, OR THE POTENTIAL FOR A HISTORY HERE.

MOTION RE-STATED BY MRS. BLADES TO RECOMMEND TO THE TOWN COUNCIL THAT THEY RE-VISIT THE LPC ORDINANCE TO THE POSSIBILITY OF HAVING (2) NON-RESIDENT ARCHITECTURAL MEMBERS OF THIS COMMISSION AS LONG AS THEY HAVE ARCHITECTURAL OFFICES IN THE TOWN.

MOTION SECONDED BY MRS. VANNECK.

Mr. Pandula commented that the Town Council should think carefully about "getting outside people in." "I think they should have a lot of latitude in determining who because some of it is technical knowledge, and probably more so on this commission, except for Zoning. But a lot of it is learning the character and feel of town that you only have if you're here constantly. So, the address is less important than really if somebody can't relate. Then their technical expertise isn't going to do you a whole lot of good either."

Mr. Moore offered some history. The outside expert seat was originally held by Judge Knott, then Dr. Donald Curl, then Leslie Divoll. The out of town expert seat was then eliminated, only to be later re-instituted with Mrs. Albarran de Mendoza as the out of town expert.

There will be discussion at the Ordinance, Rules and Standards Committee relative to any such matters.

MOTION CARRIED UNANIMOUSLY.

VII Adjournment:

The meeting adjourned at 11:20 a.m. without benefit of a motion.

The next meeting of the Landmarks Preservation Commission will be held on **WEDNESDAY, February 20, 2002** in the Town Council Chambers, 2nd floor, Town Hall, 360 South County Road, Palm Beach at 9:00 a.m.

Respectfully submitted,



Ann Blades, Secretary

LANDMARKS PRESERVATION COMMISSION

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**TOWN OF PALM BEACH
LANDMARKS PRESERVATION COMMISSION**

ATTENDANCE RECORD 2002

MEMBERS	1/02	2/02	3/02	4/02	5/02	6/02	7/02	8/02	9/02	10/02	11/02	12/02
Eugene Pandula	<u> P </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Elizabeth Dowdle	<u> P </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Sari M. Wilkey	<u> P </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Jacqueline Albarran de Mendoza	<u> P </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Ann Vanneck	<u> P </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Ann Blades	<u> P </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Jack Pyms	<u> P </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

ALTERNATE MEMBERS	1/02	2/02	3/02	4/02	5/02	6/02	7/02	8/02	9/02	10/02	11/02	12/02
Judy Hoffman	<u> P </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Laurel Baker	<u> P </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Wendy Victor	<u> P </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

LEGEND: P = Present
 E = Excused
 U = Unexcused
 A = Absence Pending Classification as "excused" or "unexcused"

**TOWN OF PALM BEACH
LANDMARKS PRESERVATION COMMISSION**

RECORD OF VOTING CONFLICTS 2002

MEMBERS	1/02	2/02	3/02	4/02	5/02	6/02	7/02	8/02	9/02	10/02	11//02	12/02
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Eugene Pandula	___	___	___	___	___	___	___	___	___	___	___	___
Elizabeth Dowdle	___	___	___	___	___	___	___	___	___	___	___	___
Sari M. Wilkey	___	___	___	___	___	___	___	___	___	___	___	___
Jacqueline Albarran de Mendoza	<u>V2</u>	___	___	___	___	___	___	___	___	___	___	___
Ann Vanneck	___	___	___	___	___	___	___	___	___	___	___	___
Ann Blades	___	___	___	___	___	___	___	___	___	___	___	___
Jack Pyms	___	___	___	___	___	___	___	___	___	___	___	___

ALTERNATE MEMBERS	1/02	2/02	3/02	4/02	5/02	6/02	7/02	8/02	9/02	10/02	11/02	12/02
-------------------	------	------	------	------	------	------	------	------	------	-------	-------	-------

Judy Hoffman	___	___	___	___	___	___	___	___	___	___	___	___
Laurel Baker	___	___	___	___	___	___	___	___	___	___	___	___
Wendy Victor			___	___	___	___	___	___	___	___	___	___

LEGEND: V = One Voting Conflict during a meeting
 V2 = Two Voting Conflicts during a meeting
 V3 = Three Voting Conflicts during a meeting

VPD = Voting Conflict Previously Declared
 (This category to be used when a conflict has
 Been declared at a previous meeting, and the
 Changes being reviewed are part of an ongoing
 project. ONLY COUNT ORIGINAL DECLARED
 CONFLICT PER JCR, TOWN ATTORNEY)



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

LAST NAME—FIRST NAME—MIDDLE NAME ALBARRAN de MENDOZA, JACQUELINE		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE LPC	
MAILING ADDRESS 204 PHIPPS PLAZA		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: :: CITY :: COUNTY :: OTHER LOCAL AGENCY	
CITY PALM BEACH, FL. COUNTY 33480		NAME OF POLITICAL SUBDIVISION:	
DATE ON WHICH VOTE OCCURRED 1/16/02		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. The requirements of this law are mandatory; although the use of this particular form is not required by law, you are encouraged to use it in making the disclosure required by law.

Your responsibilities under the law when faced with 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

ELECTED OFFICERS:

A person holding elective county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

In either case, you should 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:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

A person holding an appointive local office otherwise may participate in a matter in which he has a conflict of interest, but must disclose the nature of the conflict before making any attempt to influence the decision by oral or written communication, whether made by the officer or at his direction.

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

You should 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.

- A copy of the form should be provided immediately to the other members of the agency.
- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

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

- You should disclose orally the nature of your conflict in the measure before participating.
- You should 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 should incorporate the form in the minutes.

DISCLOSURE OF STATE OFFICER'S INTEREST

I, JACQUELINE ALBARRAN, hereby disclose that on 1/16/02, 1902
de MENDOZA

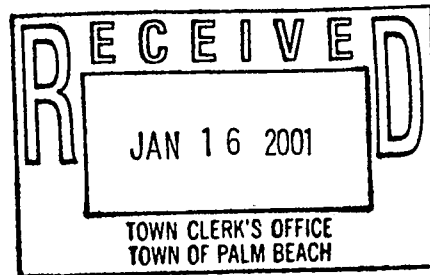
(a) A measure came or will come before my agency which (check one)

☐ inured to my special private gain; or

☐ inured to the special gain of _____, by whom I am retained.

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

I HAVE PREVIOUSLY BEEN THE ARCHITECT
FOR VARIOUS PROJECTS FOR THE APPLICANT
SEEKING CERTIFICATE OF APPROPRIATENESS #1-2002,
AND WE STILL HAVE SOME ISSUES PENDING.



Date Filed

1/16/02

Signature

[Handwritten Signature]

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), 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 \$5,000.

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

LAST NAME—FIRST NAME—MIDDLE NAME ALBARRAN de MENDOZA, JACQUELINE		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE LPC
MAILING ADDRESS 204 PHIPPS PLAZA		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: :: CITY :: COUNTY :: OTHER LOCAL AGENCY
CITY PALM BEACH, FL. 33480	COUNTY	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED 1/16/02		MY POSITION IS: :: ELECTIVE :: APPOINTIVE

WHO MUST FILE FORM 8B

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INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

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In either case, you should 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:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

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- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

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- You should disclose orally the nature of your conflict in the measure before participating.
- You should 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 should incorporate the form in the minutes.

DISCLOSURE OF STATE OFFICER'S INTEREST

I, JACQUELINE ALBARRAN, hereby disclose that on 1/16/02
de MENDOZA

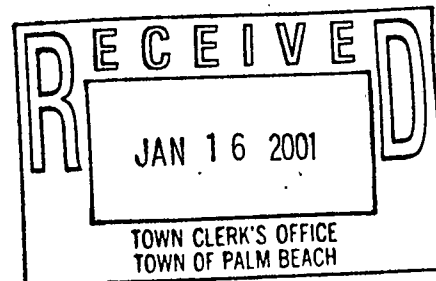
(a) A measure came or will come before my agency which (check one)

☐ inured to my special private gain; or

☐ inured to the special gain of _____, by whom I am retained

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

I AM THE ARCHITECT OF RECORD
FOR THE PROJECT SEEKING
CERTIFICATE OF APPROPRIATENESS # 2-2002



Date Filed

1/16/02

Signature

A handwritten signature in dark ink, appearing to be "J. Albarran", written over a horizontal line.

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), 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 \$5,000.

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

LAST NAME—FIRST NAME—MIDDLE NAME ALBARRAN de MENDOZA, JACQUELINE		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE	
WORKING ADDRESS 204 PHIPPS PLAZA		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: :: CITY :: COUNTY :: OTHER LOCAL AGENCY	
CITY PALM BEACH, FL. 33480	COUNTY	NAME OF POLITICAL SUBDIVISION:	
DATE ON WHICH VOTE OCCURRED 1/16/02		MY POSITION IS: :: ELECTIVE :: APPOINTIVE	

Minute

WHO MUST FILE FORM 8B

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INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

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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:

A person holding appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained.

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- You should disclose orally the nature of your conflict in the measure before participating.
- You should 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 should incorporate the form in the minutes.

DISCLOSURE OF STATE OFFICER'S INTEREST

I, JACQUELINE ALBARRAN, hereby disclose that on 1/16/02
de MENDOZA

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

☐ inured to my special private gain; or

☐ inured to the special gain of _____, by whom I am retained.

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

I AM THE ARCHITECT OF RECORD
FOR THE PROJECT SEEKING
CERTIFICATE OF APPROPRIATENESS # 2-2002

Date Filed

1/16/02

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1985), 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 \$5,000.

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

LAST NAME—FIRST NAME—MIDDLE NAME ALBARRAN de MENDOZA, JACQUELINE		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE	
WORKING ADDRESS 204 PHIPPS PLAZA		THE BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: :: CITY :: COUNTY :: OTHER LOCAL AGENCY	
CITY PALM BEACH, FL. 33480	COUNTY	NAME OF POLITICAL SUBDIVISION:	
DATE ON WHICH VOTE OCCURRED 1/16/02		MY POSITION IS: :: ELECTIVE :: APPOINTIVE	

minutes

WHO MUST FILE FORM 8B

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INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

RETAINED OFFICERS:

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In either case, you should 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:

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- The form should be read publicly at the meeting prior to consideration of the matter in which you have a conflict of interest.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION OR VOTE AT THE MEETING.

- You should disclose orally the nature of your conflict in the measure before participating.
- You should 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 should incorporate the form in the minutes.

DISCLOSURE OF STATE OFFICER'S INTEREST

I, JACQUELINE ALBARAN, hereby disclose that on 1/16/02
de MENDOZA

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

☐ inured to my special private gain; or

☐ inured to the special gain of _____, by whom I am retained.

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