

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 14, 2022

To: Mayor and Town Council

From: Wayne Bergman, Director of PZB

Via: Kirk Blouin, Town Manager

Re: Arcom Member Conflicts of Interest

Date: August 30, 2022

BACKGROUND:

Last year the Town Council amended the code to allow Architectural Commission members to appear before the Town Council if they declare five or more conflicts of interest in a calendar year. The Council has the choice to remove the member, or "forgive" the conflicts, which are limited to five (5) conflicts in a calendar year. Prior to the code amendment, removal from the Commission was automatic.

Architectural Commissioner Richard Sammons, Vice Chairman, has just reached the level of five declared conflicts of interest. Mr. Sammons has properly completed the Form 8B for each declared conflicts. Please see the attached August 25, 2022 email from Deputy Town Clerk Kelly Churney.

The amended code section is listed here:

"Sec. 18-170. - Conflicts of interest.

(a) If excessive conflicts of interest arise during any one calendar year, the architectural commission member shall be subject to being removed by the town council upon the Council's review and consideration of the matter. The town council shall have the sole discretion as to whether removal shall be required. Excessive conflicts of interest are defined as five or more conflicts of interest in any one calendar year. Continuing conflicts of interest on a single application, once declared, shall not be counted as additional conflicts of interest. This rule shall apply from the date of adoption to the end of the 2013 calendar year and shall be applicable, thereafter, on a calendar year basis. Conflicts declared in regard to "minor projects" shall not be considered in the definition of "excessive conflicts" referenced above for those members of the Commission (architects and master gardeners, or their equivalent) who meet the requirements of section 18-166 of this chapter."

Attached: Email from Kelly Churney

Wayne Bergman

From: Kelly Churney
Sent: Thursday, August 25, 2022 11:01 AM
To: Wayne Bergman; James Murphy
Cc: Sarah Pardue; Jordan Hodges
Subject: Conflict of Interests - Richard Sammons
Attachments: SAMMONS CONFLICT OF INTEREST 20220127.pdf; SAMMONS CONTINUING CONFLICT OF INTEREST 20220223.pdf; SAMMONS CONFLICT OF INTEREST 20220323 - 2.pdf; SAMMONS CONFLICT OF INTEREST 20220323.pdf; SAMMONS CONTINUING CONFLICT OF INTEREST 20220323.pdf; SAMMONS CONFLICT OF INTEREST 20220525.pdf; SAMMONS CONFLICT OF INTEREST 20220525 - 2.pdf; SAMMONS CONTINUING CONFLICT OF INTEREST 20220629.pdf; SAMMONS CONFLICT OF INTEREST 20220727.pdf; SAMMONS CONFLICT OF INTEREST 20220727 MINOR.pdf; SAMMONS CONFLICT OF INTEREST 20220824 MINOR.pdf; SAMMONS CONFLICT OF INTEREST 20220824.pdf; SAMMONS CONFLICT OF INTEREST 20220824 - 2.pdf

Good morning Wayne/James,

At yesterday's meeting, Richard Sammons had three (3) conflicts of interests, which I suspected could put him over the five (5) allowable conflicts for major projects. I went back to look at his history and here is what I discovered:

Prior to becoming a voting member (alternate), he had two (2) conflicts, however, one was a continuing conflict:

January 26, 2022	ARC-22-016, 625 Crest Road (Major Project)
February 23, 2022	ARC-22-016, 625 Crest Road (continuing conflict)

After becoming a regular member, he has had the following:

March 23, 2022	ARC-22-058, 220 Brazilian Avenue (Major Project)	1
	ARC-21-080, 757 Island Drive (Major Project)	2
	ARC-22-035, 726 Hi-Mount Road (continuing conflict)	
May 25, 2022	ARC-21-080, 757 Island Drive (continuing conflict)	
	ARC-22-101, 249 Worth Avenue (Minor Project)	
June 29, 2022	ARC-22-101, 249 Worth Avenue (continuing conflict)	
July 27, 2022	ARC-22-129, 515 N. Lake Way (Major Project)	3
	ARC-22-119, 150 Worth Avenue (Minor Project)	
August 24, 2022	ARC-22-119, 150 Worth Avenue (continuing conflict)	
	ARC-22-169, 625 Crest Road (Major Project)	4
	ARC-22-136, 980 S. Ocean Blvd. (Major Project)	5