

1 AMENDED RESOLUTION NO. 2022-19

2
3 AN AMENDED RESOLUTION OF WELLINGTON,
4 FLORIDA'S COUNCIL AUTHORIZING THE MAYOR TO
5 EXECUTE A COMPREHENSIVE AGREEMENT WITH
6 WELLINGTON ATHLETICS, LLC FOR THE
7 DEVELOPMENT, CONSTRUCTION, OPERATION AND
8 MAINTENANCE OF A RECREATIONAL FACILITY AT THE
9 WELLINGTON VILLAGE PARK SITE; AND PROVIDING AN
10 EFFECTIVE DATE.

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12 **WHEREAS**, Wellington received an unsolicited proposal from Wellington
13 Athletics, LLC for the development, construction, operation and maintenance of a
14 recreational facility to be owned by the Village of Wellington and leased to and operated
15 by Wellington Athletics at the Wellington Community Park site (the "Project"); and

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17 **WHEREAS**, at its May 10, 2022 Council Meeting, after reviewing the proposal,
18 Wellington's Council expressed its intent to enter into a comprehensive agreement with
19 Wellington Athletics, LLC and directed staff to publish a 21-day notice of intent in the
20 Palm Beach Post and the Florida Administrative Register; and

21
22 **WHEREAS**, the 21-day notice period has now ended; and

23
24 **WHEREAS**, Wellington has the authority, pursuant to section 255.065, Florida
25 Statutes, to establish a public private partnership with Wellington Athletics, LLC by
26 entering into a comprehensive agreement; and

27
28 **WHEREAS**, Wellington retained DSA Sports, LLC ("DSA") to evaluate, among
29 other things, the financial feasibility of the proposal; and

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31 **WHEREAS**, DSA has evaluated the proposed finance plan, the Project costs,
32 revenues by source, available financing, major assumptions, internal rate of return on
33 private investments, and total cash flow throughout the term of the agreement, and has
34 advised Wellington's Council concerning same; and

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36 **WHEREAS**, based upon DSA's advice, Wellington's Council finds that the
37 Project is financially feasible and is in the best interest of the public; and

38
39 **WHEREAS**, the comprehensive agreement is for a facility that will be owned by
40 Wellington throughout the term and at the completion, expiration or termination of the
41 comprehensive agreement; and

42
43 WHEREAS, the unsolicited proposal contemplated that the facility would be
44 located at Wellington Community Park, but Wellington and Wellington Athletics have
45 agreed that relocating the facility to a portion of Wellington's Village Park, located at
46 11700 Pierson Road, Wellington, FL would be in the best interest of Wellington and

1 would serve a purpose because it will reduce the traffic concerns raised by communities
2 neighboring Wellington Community Park and the public will benefit from the colocation
3 of the proposed recreational facility with other Wellington sports and athletic facilities
4 already located at Village Park; and

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6 **WHEREAS, the comprehensive agreement has been amended to reflect the**
7 **relocation of the facility as directed by Council in Resolution 2024-05; and**

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9 **WHEREAS,** the comprehensive agreement includes adequate safeguards to
10 ensure that additional costs or service disruptions are not imposed on the public in the
11 event of a default or cancellation of the comprehensive agreement by Wellington; and
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13 **WHEREAS,** the comprehensive agreement has adequate safeguards in place to
14 ensure that Wellington or Wellington Athletics, LLC has the opportunity to add capacity
15 or facilities to the Project to serve predominantly public purposes; and
16

17 **WHEREAS,** development, construction, operation and maintenance of the
18 Project is subject to Council's approval of the debt issuance schedule and final approval
19 of the debt in accordance with the Village of Wellington's Debt Management Policy.
20

21 **NOW, THEREFORE, BE IT RESOLVED BY WELLINGTON, FLORIDA'S**
22 **COUNCIL** that:

23
24 **SECTION 1.** The Wellington Mayor is authorized to execute the comprehensive
25 agreement with Wellington Athletics, LLC.
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27 **SECTION 2.** This Resolution shall become effective immediately upon adoption.
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29 **PASSED AND ADOPTED** this ____ day of _____, 2024.

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31 **ATTEST:** **WELLINGTON**

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33
34 By: _____
35 Chevelle D. Hall, Village Clerk

By: _____
Michael Napoleone, Mayor

Deleted: Addie

Deleted: Anne Gerwig

36
37 **APPROVED AS TO FORM**
38 **AND LEGAL SUFFICIENCY**
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41 By: _____
42 Laurie S. Cohen, Village Attorney
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