

# **Village of Wellington**

*12300 Forest Hill Blvd  
Wellington, FL 33414*



## **Action Summary - Final**

**Monday, April 12, 2021**

**4:00 PM**

**Village Hall - Conference Rooms 1E & 1F**

## **Village Council Workshop**

*Anne Gerwig, Mayor  
John T. McGovern, Vice Mayor  
Michael Drahos, Councilman  
Michael Napoleone, Councilman  
Tanya Siskind, Councilwoman*

**1. CALL TO ORDER**

Mayor Gerwig called the meeting to order at 4:00 p.m.

Council Members in Attendance: Anne Gerwig, Mayor; Tanya Siskind, Vice Mayor; John McGovern, Councilman; and Michael Napoleone, Councilman. Absent: Michael Drahos, Councilman.

**2. PLEDGE OF ALLEGIANCE**

Mayor Gerwig led the Pledge of Allegiance.

**3. REVIEW OF COUNCIL AGENDA**

Mr. Barnes introduced the agenda for the April 13, 2021, Regular Council Meeting for review.

**A. [20-4326](#) APPOINTMENT OF VICE MAYOR**

Mr. Barnes stated that before they get into the agenda at the next meeting they will be appointing the next Vice Mayor pursuant to the Charter.

**B. [20-4325](#) A PROCLAMATION OF THE VILLAGE COUNCIL OF WELLINGTON, FLORIDA RECOGNIZING AND CONGRATULATING THE LOCAL WINNERS OF THE AMERICAN WATERWORKS ASSOCIATION'S 2021 "DROP SAVERS" WATER CONSERVATION POSTER CONTEST**

Mr. Barnes introduced the item. He said that this is the presentation of Proclamations to the Local Winners of the American Waterworks Association's "Drop Savers" Water Conservation Poster Contest. He explained that they have done this contest for the last few years. He said that they will have representatives from the different schools that participated.

**C. [20-4358](#) PACK 125 PRESENTATION OF PLAQUE TO VILLAGE COUNCIL**

Mr. Barnes introduced the item. He said that this is a request from Pack 125 to address the Mayor and Council to present them with a Plaque and thank them for their assistance in their Annual Pinewood Derby.

**D. [21-4375](#) PRESENTATION BY FLORIDA POWER AND LIGHT**

Mr. Barnes introduced the item. He said that the Representatives from

Florida Power and Light will make a Presentation to the Village Council. He explained that they will be joining via Zoom. He said that he requested that they give the Council an update on different ongoing projects that FPL is doing in Wellington as well as legislative updates and the suggested rates that they have submitted.

E. [21-4362](#)

MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF MARCH 23, 2021

Mr. Barnes introduced the item. He stated that this is the Council Approval of the Minutes of the Regular Wellington Council Meeting of March 23, 2021. He said that if they have any comments to provide those to us and we will make those changes, if there are any.

F. [20-4166](#)

AUTHORIZATION TO AWARD AN ANNUAL SOD CONTRACT TO MULTIPLE VENDORS

Mr. Barnes introduced the item. He said that this is the Authorization to Award an Annual Sod Contract to Odums Sod, Inc. and Agricultural Land Services, Inc. in the amount of approximately \$480,000.00 annually.

Mr. De La Vega explained that this is an annual sod contract. He said that they did not have anymore renewals, so they went out to bid. In February, they received two proposals requesting that we award contracts to both companies. This is a unit price contract and they will be using whoever has the best unit price. Whichever is the best price (per the provided pricing sheet), that is who they will use. He said that this is a contract for two years, with two additional one-year renewal periods. He said that they will only spend what they need, but are expected to spend \$480,000 annually.

Councilman McGovern asked when the last time this item went out to bid.

Mr. De La Vega stated that it was about five years ago.

Mayor Gerwig stated that this probably came at a good time because the sod farmers are back to work and we will probably get a good price.

Mr. Wagner said that he expects we will probably pay about the same as in the previous year. He said that they have worked with Odums Sod Farms for over 15 years and they have done really well with us. He said that Agricultural Land Services we have had a contract with them for the past 9 years and they have been great. They have had no problems with either sod company.

Councilman McGovern asked with the amount of projects that we have done recently, do they expect to continue with that level of projects.

Mr. Wagner stated that they will be doing some field work and they will always be doing the swale work.

Councilman McGovern stated that is why it should stay about the same.

Mr. Wagner stated that it should not come down, it should stay about the same.

**G.**     [20-4244](#)

**AUTHORIZATION TO RENEW AN EXISTING CONTRACT FOR PURCHASE OF MULCH, PINE STRAW, AND GROUND PREPARATION, VILLAGE-WIDE**

Mr. Barnes introduced the item. He said that this is the Authorization to Renew an Existing Contract with East Coast Mulch Corporation, a Sole Provider, for the Purchase of Mulch, Pine Straw, and Ground Preparation, Village-wide, in the Amount of Approximately \$115,520 for Fiscal Year 2021.

Mr. De La Vega explained that this is an annual contract for mulch, pine straw and ground preparation. He said that this is a renewal, not a new bid. He said that they had two awardees, Amerigrow Recycling Delray, L.P was the primary and East Coast Mulch was the secondary. Amerigrow declined to renew the agreement. They are only going to award the contract to East Coast Mulch and they expect they will be paying about \$15,000 more a year because the primary vendor declined to renew the contract. He said that there was a lot of communications with questions during the renewal process regarding the E-Services requirement. Effective January 1, 2021, all every public employer, contractor and subcontractor shall register with and use the E-Verify system to verify the work authorizations status of all newly hired employees. There were discussions back and forth whether or not they met that requirement. He said that we felt they did meet that requirement and subsequently they decided not to renew. He mentioned that they did not say that was the reason why, but there was discussion back and forth.

Mayor Gerwig asked if they deemed it too cumbersome to attempt.

Ms. Cohen stated that she did not deal with them directly. She explained that the statute is a little bit confusing and poorly written. It does place quite a burden on those who are seeking to do business with public entities. She said that she thought it may not be a problem for some companies, but for the smaller companies it does create an issue for them. It is something that we cannot waive as we are not permitted to waive it. She said that they made the choice that was appropriate for them.

Mayor Gerwig asked if we just did not know in time for us to go out and re-bid this.

Mr. De La Vega stated that we could have re-bid this. He said that we thought we were going to be able to keep the same prices with both and then when they got final word that they were not going to re-new, they just decided to just go with the secondary at this point.

Mr. Barnes explained that in the years past, it is not like they received several other bidders and these were the lowest two. He said that these were generally the only players. He said that for many years, our primary was with East Coast Mulch. These are not two of several. He said that is why they are also proceeding with the renewal and then at some point when they are out of renewals, they will look at the re-bidding process for that to see if anyone else is out there. He said that the issue of the requirements with things such as E-Verify and certifications of a Drug Free Workplace, many operators will opt not to participate. He said that this is not that they do not subscribe to those beliefs or requirements, but often compliance requirements with them are far too cumbersome and not worth their while to pursue government work.

Mayor Gerwig asked if it should only cost us \$15,000 more.

Mr. Wagner said that it would be that if they do the same amount of mulch.

Councilman McGovern asked if we are just going to monitor this and then go out for bid next year.

Mr. Wagner stated that was correct.

H. [20-4253](#)

AUTHORIZATION TO UTILIZE A SCHOOL DISTRICT OF PALM BEACH COUNTY CONTRACT WITH PRECISION AIR SYSTEMS, INC., AS A BASIS FOR PRICING FOR VILLAGE PARK GYM HVAC UPGRADES

Mr. Barnes introduced the item. He said that this is the Authorization to Utilize a School District of Palm Beach County Contract with Precision Air Systems, Inc., as a basis for pricing, for Village Park Gym HVAC Upgrades, in the amount of \$78,812.00. He reminded the Council that earlier in the year, they had replaced air handler units at Village Park Gym for the actual cooling of the main old gym area. He informed them that this item is the actual fan coil units that cool the ancillary spaces within the old gym, such as the administrative offices, Rooms 1A and 1B, Rooms 2A and 2B, caged storage area, and the game room. He said that the seven fan coil units need to be replaced as they are the original

units and are over 25 years old. He said that the fan coil units are variable speed, get better energy efficiency and longer life than the current units. He said that these units will allow better climate control issues that they have inside the gym as far as humidity control and cooling. He said that they are recommending that they move forward with this as the units are at the end of their life.

Mayor Gerwig asked when the work will take place and will it interfere with any uses that are there.

Mr. Wagner stated that Precision Air will work with us and can modify any schedule that we need.

I. [20-4315](#)

AUTHORIZATION TO UTILIZE A CITY OF BOCA RATON CONTRACT, AS A BASIS FOR PRICING, FOR THE PURCHASE AND DELIVERY OF A CUSTOM POWER WASHER UNIT

Mr. Barnes introduced the item. He said that this is the Authorization to Utilize a City of Boca Raton Contract with Power Washers Plus, as a Basis for Pricing, for the Purchase and Delivery of a Custom Power Washer Unit in the amount of \$67,500.

Mr. De La Vega presented the Council with a small video that exhibited the power washer unit.

Mr. Barnes explained that we originally had a large water truck size piece of equipment that would actually take up a lane of traffic as they were power washing. He said that they then transitioned to a truck-pulled trailer, which required multiple passes to get an area completed. He said that they have now migrated to this piece of equipment. They are always trying to find an easier, more efficient and faster way to get this work done.

Mayor Gerwig asked how fast it goes.

Mr. Wagner said he was not aware of the speed.

Mayor Gerwig stated that she knows there are complaints about the curbs and knows that in the past we have been able to brush them. She said that this will be nice to actually power wash them. She knows that they will still have to block a lane when needed, but it is more efficient.

J. [20-4359](#)

UTILITY SERVICES AGREEMENT WITH MSH PROPERTY HOLDINGS FOR PROPERTY LOCATED IN PALM BEACH COUNTY, FLORIDA

Mr. Barnes introduced the item. He said that this is the Approval of a Utility Services Agreement Reserving Potable Water Capacity for the

Property Owned/Controlled by MSH Property Holdings in Palm Beach County, Florida. He explained that capacity fees are fees the reservation of water, sewer and other utility capacities that are reserved for a project that is going through the process. He said that they started this process a few months back where they would be bringing these agreements to the Council as they came in. He explained that these projects do pay for themselves. This particular capacity fee is reserving their requirement for utility services for some point in the future. He said that once they finish their project, based on the final design, if their capacity calls for less than initially identified, then they will be issued a refund of the difference. The capacity rates were established by the utility rate study that was completed a couple years ago.

Councilman McGovern asked where this was located.

Mr. Barnes stated that it was in Industrial Park of Fairlane Farms Road.

Ms. Cohen stated that the agreement states that if the development is lessened, they will not be entitled to a refund.

Mayor Gerwig asked if it was based on use or the size of the property.

Mr. Barnes stated that it is ultimately based on what they project their design will require and the capacity is determined by meter size. Everything else comes off that meter size based on how much water they would be able to potentially use.

Mayor Gerwig stated that it was good to know that the utility is paying for itself.

Mr. Barnes said that it is set up as an enterprise fund that the rate payers pay the cost day to day, based on normal utility costs. New construction pays for its impact to the system by paying those capacity fees.

Mayor Gerwig mentioned that it was going to be a pet resort, so she imagined that there would be some significant water usage.

**K.**     [21-4370](#)

RESOLUTION NO. R2021-20 (INTERLOCAL AGREEMENT BETWEEN THE VILLAGE OF WELLINGTON AND THE SCHOOL BOARD OF PALM BEACH COUNTY FOR THE MUTUAL USE OF RECREATIONAL FACILITIES)

A RESOLUTION OF WELLINGTON FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE SCHOL

BOARD OF PALM BEACH COUNTY FOR MUTUAL USE OF RECREATIONAL FACILITIES; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. He said that this is the Approval of Interlocal Agreement between the Village of Wellington and the School Board of Palm Beach County, for Mutual Use of Recreational Facilities.

Mr. De La Vega explained that this is an interlocal agreement between the Village and the School District in order to utilize each other's recreational facilities. He said that the previous contract is set to expire and we are looking enter into a new agreement for one year and automatically renew for four additional years, so it would be a total of five years. The minor changes in the agreement include the listing of dates that they had made previous amendments in the contract and added Panther Run Elementary as one of the schools. With having Panther Run on the list, the Palm Beach County sports providers have priority over the Village in case of conflicts. This is because Panther Run is technically not in the Village limits. He said that they also added some language about drones being prohibited, listed our recognized sports providers and some language about usage of the Wellington Community Center. With the Community Center, we are requesting that if they want to use that facility on a Monday through Thursday, then they have to give us a minimum 30 days written notice and if they want to use for the weekends, they have to give us a written notice within 30-60 days. He said that the reason they put that in there was because they found that the School District was reserving space at the Community Center for five months in advance, which hurts us as far as the ability to rent that space out. We are asking them not to reserve so far in advance.

Mayor Gerwig commented that we want to have that flexibility for the residents.

L. [20-4350](#)

RESOLUTION NO. R2021-14 (LOTIS WELLINGTON VACATION)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, TO ABANDON THE ROAD RESERVATION AND ALL RIGHTS OF THE VILLAGE OF WELLINGTON FOR THE 25-FOOT WIDE ROAD RESERVATION EASEMENT LYING NORTH OF TRACTS 13, 14, 15 AND 16, AND LYING WEST OF TRACT 10 OF BLOCK 18, AS DEDICATED ON PALM BEACH FARMS COMPANY PLAT NO. 3, RECORDED IN PLAT BOOK 2, PAGE 45; PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. He said that this is the Approval of Resolution No. R2021-14 Abandoning the 25-Foot Wide Road Reservation Easement as dedicated on the Palm Beach Farms



Company Plat No. 3, Recorded in Plat Book 2, Page 45, Public Records, Palm Beach County.

Mr. Stillings explained that this is a 25 foot wide road reservation easement abandonment request. He presented a powerpoint to the Council. He mentioned the applicant/owners were Lotis Wellington, LLC and Lake Worth Drainage District. He presented the location of the easement that runs north of the Wellington Regional Medical Center. He explained that the abandonment is needed in the interested use of the applicant for that property and we will be abandoning our interest in that property as well. He said that there is a portion that is still owned by the Lake Worth Drainage District, which they will be selling to the Lotis Group.

Councilman Napoleone asked if it was correct that Lake Worth Drainage District is selling their easement to them and why are we just giving ours to them.

Mr. Stillings stated that we have the right to use it, we do not own it. Lake Worth owns theirs.

Mayor Gerwig mentioned that there was also some confusion on the identification of the easement on the plats. She said she thought it was something to do with "right of way" and "easement" being the issue.

Mr. Stillings stated that for this particular site, it was strictly identified as a reservation easement. He said that there are areas that do flip those terms around on the plats.

Mr. Barnes said that basically the Palm Beach Farms plats were the subject of a Chancery case related to who actually who owned them because people started building over the easement lines without getting any abandonments. The successor entity of Palm Beach Farms had actually started to pursue payment from the different property owners. It was eventually settled later on and Lake Worth Drainage District owned some of these in fee simple and some just sat there. Whether it be easement or right of way, they ended up going with an entity like Lake Worth Drainage District based on what they had claimed previously, how it affected their system and they were part of that case with Palm Beach County or the underlined actual property owner. Those were all resolved several years ago. He said that all that was left was the easement interest that we have and we do not have any ownership.

**M.**     [20-4345](#)

RESOLUTION NO. R2021-17 (PALM BEACH TRANSPORTATION PLANNING AGENCY – TRANSPORTATION ALTERNATIVES GRANT APPLICATION)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FINANCIAL ASSISTANCE PURSUANT TO THE PALM BEACH TRANSPORTATION PLANNING AGENCY (TPA) TRANSPORTATION ALTERNATIVES PROGRAM FOR FUNDING IN THE AMOUNT OF \$552,039.68 FOR A PROPOSED MULTI-PURPOSE PATHWAY ADJACENT TO THE C-8 CANAL; AGREEING TO FUND THE LOCAL SHARE OF THE PROJECT AND THE ONGOING MAINTENANCE AND OPERATIONS EXPENSES ASSOCIATED WITH THE PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Barnes introduced the item. He said that this is the Approval of Resolution No. R2021-17, Authorizing the Village Manager or His Designee to submit a Grant Application to the Palm Beach Transportation Planning Agency (TPA) Requesting Funds in the amount of \$552,039.68 to construct a Multi-Purpose Pathway on the east side of the C-8 Canal from Forest Hill Boulevard to Stribling Way.

Mr. O'Dell explained that the TPA Grant is part of a widening project. He presented the location in a powerpoint for the Council. He said this will be the first endeavor moving along the eastern side and the identified area is located near the C-8 Canal between Forest Hill and Stribling. He showed them a closer view that the area was right up against the lake on the mall property. If they add to the pathway, it will be about two miles in length.

Mayor Gerwig asked why we are putting this one in if we already have a pathway on Stribling.

Mr. O'Dell said that the one on Stribling is part of the pathways for the overall Village. He said this one is part of the overall plan where we use the FPL's Right of Way on this side and on the northern side of the Village and there are some areas on Flying Cow Road. The southern portion would be around 50th Street.

Mayor Gerwig asked if this would be a connector to a different set of pathways.

Mr. O'Dell replied that was correct.

Mayor Gerwig asked if this will be paved.

Mr. O'Dell stated that portions of this do not have to be paved. He said that they can leave portions of it as shell rock or as gravel. He said the southern portions of it along 50th Street may remain as gravel. He said

that this portion is a part that they thought they could pave. It does provide a good connection to the mall property and good access points for the people who live in the mall area. It would make a good exercise area as it is a two mile loop.

Mayor Gerwig mentioned that we do not qualify for many TPA Grants, so this is one way we can access those grants.

Mr. O'Dell discussed the "Orange Pathway" in that it is a 10' shared multi-modal path, this project continues the development of the Orange Pathway, and the multi-use path provides a connection to a shopping center (Wellington Green Mall) and a park. It is also within two miles of five schools and their attendance boundaries, has been endorsed locally by two organizations, and it is identified in Wellington's adopted bike and pedestrian plan and connects to existing and proposed non-motorized facilities. He discussed the cost of the project.

Councilman McGovern asked out of the \$192,408, how much of that is the contingency and has that gone up.

Mr. O'Dell stated that it had gone up.

Mayor Gerwig asked when will they know they have gotten the grant.

Mr. O'Dell stated that there had been scoring done by the TPA and the committee that past week and Wellington came in second on the TPA portion of it and fourth on the committee ranking. He said that there was \$3.3 million requested and there is \$3.1 million in projects, so it looks like we are going to get the project.

Councilman Napoleone mentioned that he may have to have this taken off the Consent Agenda due to a possible conflict, but he would let them know before the next meeting.

Ms. Cohen stated that there may be a conflict because Councilman Napoleone is on the TPA. She said that she would look at it and let them know before the next meeting.

Councilman McGovern asked if we get the grant, is our portion the \$192,000.

Mr. O'Dell stated that was correct.

Mayor Gerwig stated that she thought it was a good opportunity to have a new pathway that will provide recreation and access for the residents.

N. [20-4356](#) RESOLUTION NO. R2021-19 (FLORIDA DIVISION OF CULTURAL AFFAIRS GRANT)

RESOLUTION OF THE VILLAGE OF WELLINGTON AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE FLORIDA DIVISION OF CULTURAL AFFAIRS CULTURAL FACILITIES PROGRAM REQUESTING \$500,000 FOR WELLINGTON AMPHITHEATER, AND FURTHER AUTHORIZING AN AMOUNT OF \$1,000,000 AS THE VILLAGE'S REQUIRED MATCHING FUNDS.

Mr. Barnes introduced the item. He said that this is the Approval of Resolution No. R2021-19 Authorizing the Village of Wellington to apply for funding in the amount of \$500,000 through the Cultural Facilities Program for Amphitheater Improvements, with the stipulation of a 2 to 1 Matching Funds.

Ms. Quickel explained that they put in for this grant for Town Center, Phase II. She said that this is considered by the legislature and it gets scored by the Cultural Affairs Committee. She stated that this would be part of the Fiscal Year 2022 Legislative Session, so it is an upcoming session. She said that they are putting it in for the maximum amount and they believe they have plenty of elements to qualify. She mentioned that it is a 2 for 1 match, meaning that in order to get \$500,000 reimbursement, they have to spend \$1.5 million, which is part of that project. She said that they will submit it and see how they do in the upcoming legislative session. She said that they have had success with this in the past.

Mayor Gerwig asked if they had success on that site. She mentioned that the original amphitheater was from the County grant.

Ms. Quickel stated that the previous one was for the Community Center.

O. [20-4351](#) RESOLUTION NO. AC2021-07 (13922 COLUMBINE AVENUE – ABANDONMENT OF MAINTENANCE EASEMENT) AND RESOLUTION NO. R2021-15 (13922 COLUMBINE AVENUE – ABANDONMENT OF UTILITY EASEMENT)

RESOLUTION NO. AC2021-07

A RESOLUTION OF THE BOARD OF SUPERVISORS OF ACME IMPROVEMENT DISTRICT ABANDONING A 15 FOOT PORTION OF A 25 FOOT WIDE MAINTENANCE EASEMENT, TOTALING APPROXIMATELY 1,134 SQUARE FEET, LOCATED WITHIN LOT 18, BLOCK 25, SUGAR POND MANOR OF WELLINGTON (13922 COLUMBINE AVENUE), MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE.

## RESOLUTION NO. R2021-15

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ABANDONING A 6 FOOT BY 41.16 FOOT PORTION OF A 12 FOOT WIDE UTILITY EASEMENT, TOTALING APPROXIMATELY 247.1 SQUARE FEET, LOCATED WITHIN LOT 18, BLOCK 25, SUGAR POND MANOR OF WELLINGTON (13922 COLUMBINE AVENUE), MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. He stated that this is the 1. Approval of Resolution No. AC2021-07 to vacate a 15 foot portion of a 25 foot wide Maintenance Easement, totaling approximately 1,134 square feet, located at 13922 Columbine Avenue and the Approval of Resolution No. R2021-15 to vacate a six (6) foot by 41.16 foot portion of a 12 foot wide Utility Easement, totaling approximately 247.1 square feet, located at 13922 Columbine Avenue.

Mr. Stillings explained that this is for a couple abandonment requests for a maintenance easement and for a utility easement. The request is by the Vitola's at 13922 Columbine Avenue. He explained that one resolution is an Acme resolution because it is a 25 foot wide maintenance easement held by Acme and the other is a utility easement for the Village of Wellington. He demonstrated the location of the easements on a powerpoint that he presented to Council. He displayed the information of the maintenance and utility easements that were indicated on the surveys.

Councilman McGovern asked why they want us to abandon these easements.

Mr. Stillings stated that they want to build a pool. He said that both engineering utilities and planning have reviewed the request and feel that it is in the interest of the public to support the abandonment.

Mayor Gerwig mentioned that it would get the fence moved to the proper line on the lot.

Councilman McGovern asked if we have abandoned these at any of the other adjacent properties.

Mr. Stillings stated that we have not in the adjacent properties, but we have in other similar situations throughout the Village. Usually this will be where we have determined there is still enough maintenance room to access the water to still maintain the canal. He said that this particular

utility easement has not been used in the past, therefore, they have determined there is no need for future use. He said that they take each one of these as a piecemeal, at the property owner's request.

Mayor Gerwig stated that what she notices is that the fence is 10 feet into our property and this will resolve that. It will put it right where the person's property ends.

P. [20-4352](#)

ORDINANCE NO. 2021-02 (REPEALING THE EDUCATION AND PUBLIC SCHOOL FACILITIES ELEMENTS AND REPLACING WITH THE EDUCATION ELEMENT)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON COMPREHENSIVE PLAN, MORE SPECIFICALLY, TO REPEAL THE EDUCATION AND PUBLIC SCHOOL FACILITIES ELEMENTS AND REPLACING WITH THE EDUCATION ELEMENT, IN ITS ENTIRETY, AS CONTAINED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. He said that this is the Approval of Ordinance No. 2021-02, a Comprehensive Plan Text Amendment (CPTA) to Repeal the Education and Public School Facilities Elements and Replace with the Education Element of Wellington's Comprehensive Plan.

Mr. Stillings explained that this is to repeal the Education and Public School Facilities Element and replace with just Education Element. He mentioned that in 2011, public schools were removed from the list of public facilities and services subject to concurrency requirements. We do have an interlocal agreement with the County that we use to ensure that development address school capacity as well as any school facility needs. The two elements are merging to achieve the same function with the exception of the concurrency language that was in current Public Schools Facilities element. He said that there are three goals with this element. Those are Educational Opportunities and Facilities, Extracurricular and Lifelong Learning Initiatives, and Public School Coordinated Planning. He said that this was brought to the Education Committee in January with no recommended changes. He mentioned that the Planning Board also heard this at their March meeting and recommended approval.

Mayor Gerwig asked if there would be a presentation at the next meeting.

Mr. Stillings stated there would be.

#### 4. WORKSHOP

##### A. [21-4374](#) WELLINGTON AQUATICS COMPLEX STUDY REVIEW

Mr. Barnes introduced the workshop item. He said that this is the Discussion of the Wellington Aquatics Complex Study. He said that they had Mr. George Dinas from Counsilman Hunsaker and Associates that they have been using as consultants for the aquatics facility. He said that they have discussed the need for new filters, chillers, and when the next slated maintenance performance would need to be performed to affect the extension of its' life cycle. He said that Counsilman Hunsaker's firm not only handles aquatic facility design, but also audits aquatic facilities designing and planning of all kinds, as well as providing operational assistance to their clients. He said that Mr. Dinas would provide a summary of his results of his review of the facility and then open it up for questions. He said that Mr. Juckett, Mr. Etter and Mr. De La Vega could also answer any questions.

Mr. Dinas mentioned for the past several months that they have been looking at the current conditions of the aquatic facility, it had been a pleasure working with Mr. Juckett, Mr. Etter, Mr. Barnes and Mr. De La Vega. He presented a powerpoint for the Council to view. He mentioned that his presentation was going to express their initial impression of the existing condition, both physically and functionally for the aquatic center. He stated that he would address some of their options that were being proposed and answer any questions. He explained that their process was to initially review the existing information, conduct an on-site audit of the facility, review the findings and develop implementation scenarios. He said that with the aquatics complex, we have four separate bodies of water. They are the competition pool, the slide catch pool, spray pad and the children's top pool. He discussed the competition pool and its' pool surface. He mentioned the cracks in the pool surface, the shifting and cracks in the pool decking. With the pool deck, there was uneven pavement against the pool gutter line. He said that when the competition swim team gets in, there is not enough surge capacity in the surge pit to absorb the amount of bathers and pushes the water up in the surge pit.

He discussed the slide catch pool. He mentioned that the slides have been recently renovated and refurbished. He said that they feel that the fate of the slide catch pool, the spray pad and the tot pool lie in the balance of what the decision is made with the larger competition pool. He discussed the spray pad and its functionality. He mentioned that the tot pool had limited functionality and do better with a larger leisure pool. He said that if they were to design this area today, they would combine the tot pool, leisure pool, slides and spray pads basically utilizing the

same water area.

He discussed the market overview. He said that they reviewed the Village's population, the age distribution and the type of water that is functional for the Village. He said that Wellington is serving that niche.

Mayor Gerwig asked why he did not include the County park in Royal Palm in his listing of parks as that has a pool there.

Mr. Dinas mentioned that it was probably just overlooked.

Mr. Barnes explained that particular park is seasonal and their pool is not a competition pool.

Mr. Dinas mentioned that after reviewing the data, they came up with four different scenarios each with different options. One option would be just a renovation of the 50 meter pool with a new component or combine the tot pool, slide catch pool and the spray pad into one area, or even add a smaller six lane pool for smaller water lessons. Another option would be all new 50 meter pool or 6 lane/leisure pool. Another option would be a renovation of existing and a relocation of some of the leisure activities somewhere else in the Village. The fourth option would be a complete relocation of the facility where the competitive and leisure pools either in same locations or in separate locations. He presented pictures of what each of the scenarios with the options could look like.

He discussed the projected expense budgets for each of the scenarios and their options. He discussed the revenue and expense analysis.

Councilman McGovern asked if these were annual estimates.

Mr. Dinas stated that they were. He then discussed the summary observations with this study. He displayed a chart that overviewed the options summary of seven different options. He asked the Council if they had any questions, comments or concerns regarding the information he presented.

Mayor Gerwig asked if he was aware that the deck and the pool structure was redone in 2009.

Mr. Dinas stated that he was aware of it.

Mayor Gerwig asked if he did an audit of the users of the recreation. She asked if we had the zip codes of where the over 300 kids were coming from that used the pool.



Mr. Barnes explained that there was no user contact involved in Counsilman Hunsaker's study.

Mayor Gerwig asked if we still had that data.

Mr. Barnes stated that we did, but it was not part of this study.

Mayor Gerwig said that on the page that is titled "Competitive Pool Surface" (Page 13), it said that there is a possibility that hollow spots have developed under the pool shell due to shifting soil conditions. She asked if he had any data or geo-technical work that has evaluated that shifting soil system that may be in the report.

Mr. Dinas stated that it was not. He said that they do not actually do that part as that would come as a recommendation. He said that if the Village continues to see anymore cracking in the pool structure, then the Village may want to do some ground penetrating radar or core drilling around the deck to see if there has been shifting.

Mayor Gerwig asked if that was just a "worse case scenario" that is in the report. We do not know that is true at this point.

Mr. Dinas stated that was correct.

Mayor Gerwig asked if there were any crackometer studies done on the crack that is determined to be there between the diving pool and the main pool body and is that on the report.

Mr. Dinas stated that they mainly used a visual analysis and they also used a comparison to what they have seen at other facilities.

Mayor Gerwig asked Mr. Juckett if we have been monitoring the crack.

Mr. Juckett said if she was referring to the crack along the perimeter, they have been.

Mayor Gerwig stated that it was not that one, it is the crack near the diving well. She said she was told previously that the diving well would eventually just pull away and they are fixing it with caulking.

Mr. Juckett said that when the pool was first renovated in 2010, there was a significant leak on the return lines going back to the pump room. He said that was corrected with two parts epoxy and some other plaster that stopped the leak.

Mayor Gerwig stated that was the return line, not this crack.

Mr. Juckett stated that was correct. The crack in the perimeter corner, inside the pool, they used two parts epoxy a few times - not all the time, but it is yearly that they have to patch it.

Mayor Gerwig asked if we have done any monitoring to see if the crack is furthering.

Mr. Juckett stated that we have not done that with a company.

Mayor Gerwig asked who did the epoxy work on it.

Mr. Juckett stated that internal staff did that.

Mayor Gerwig asked if we did not hire a consultant that works with bonding agents or that kinds of things.

Mr. Juckett stated that we had a leak detection company come out in 2010 that noted that and we plastered it at that time. Slowly over time, it has gotten worse.

Mayor Gerwig asked if we performed that service.

Mr Juckett stated we did the re-plaster.

Mayor Gerwig asked when Mr. Dinas mentioned that when everyone jumps in at once, the water rolls out the back, is he saying the gutter is just too shallow.

Mr. Dinas stated that is not correct. He said that it is actually related to the surge pit that is back by the mechanical room. He said that the piping and gutters can actually handle the amount of water, but it is more of a balance issue with the surge pit.

Mayor Gerwig asked if that can be corrected any other way besides rebuilding the whole pool.

Mr. Dinas stated that in the report, they recommended staff manipulate the level of the surge pit to see if that is the primary issue. If that does not work, then ultimately that means the surge pit is ultimately undersized for the size of the pool and the number of users.

Mayor Gerwig asked about the outside lanes being unusable. She

asked if that was because of the curve at the bottom. She said that when they redesigned it, they redesigned it for that depth.

Mr. Dinas stated that it is unusable because of the starting blocks.

Mr. Juckett stated that the width of the lanes are also slightly smaller. He said that there are 18 lanes and those two outer lanes are not the same exact size as the other ones.

Mayor Gerwig asked about the spray pad. She said that it appears to not have been maintained very well. She said that the spray guns do not work and asked if there is any way to fix them. She asked if we have attempted to fix that equipment.

Mr. Juckett stated that we have quite a few times. He said that we have replaced parts that get the water to the equipment. He said that the equipment is not bad, it is the system itself that is not working to get the water to the equipment.

Councilman McGovern mentioned that they would work if the water was being pumped to the equipment.

Mr. Juckett stated that they paint and maintain it annually. He said that they have replaced the guns before, but it is just not going to work.

Mr. Barnes stated that this is similar to the skate park. At some point, the companies stop making replacement parts then you have to eventually replace the entire system.

Mayor Gerwig asked if it is a surfacing issue where the rubberized mat causes feet to get dirty. She asked if we did this properly or did we use the wrong product.

Mr. Juckett stated that if she was referring to the baby pool area, they replaced that rubberized safety surface about five to seven years ago and they seal it annually. He said that dirt travels to it, so they blow it off by using chemicals. What is happening is the material breaking down.

Mayor Gerwig stated that the tot pool does look a little dated, but her granddaughter loved it. She said that she does see some need for updates. She said that she likes the synergy of the site having all the elements together. She mentioned that the compromise on temperature is something that should be considered before considering the kind of investment they are talking about, based on the usage.

Councilman McGovern asked what is the ideal temperature for the recreational swimmer, the water aerobics people and the swimming lesson people.

Mr. Dinas stated that they typically recommend 85-87 degrees for those uses. He said that there are some facilities that have to do dual use may keep it around 83-84 degrees.

Councilman McGovern asked if Mr. Dinas could explain about the crack with no surfacing (page 13) and asked if could grow. He asked what the prognosis is.

Mr. Dinas said that it could. It could be where the surfacing is not adhering to the bonding or prepped properly.

Councilman McGovern asked if this would be a one time repair or would it be an on-going situation.

Mr. Dinas said that he could see it being an on-going situation if kids find that spot by touching it or pulling on it.

Mayor Gerwig asked if that was more a maintenance issue and asked how often that should be replaced.

Mr. Dinas stated it should be replaced every 7-10 years under normal water conditions.

Councilman McGovern asked if his recommendation is that there is work here, no matter what.

Mr. Dinas stated that was correct.

Councilman McGovern asked about the small circles of rust that could be caused by a small leak that was mentioned in the study. He asked other than a leak, what else could it be caused by.

Mayor Gerwig mentioned that it could be because the rebar was too close to the edge.

Councilman McGovern asked what is the likelihood of the rebar failure.

Mr. Dinas stated that would be dependant on the amount of water that gets to that. It is something that happens over time and is not instantaneous. If it continually corrodes the rebar, they have seen at other facilities that the rebar is not completely covered by concrete, it becomes

a safety issue. It becomes a weakened pool structure. It is something to keep an eye on.

Councilman McGovern asked about the option summaries on page 43 where he suggests 15 - 20 years. He said that if some of these problems develop, we could be looking at 10 years or even less.

Mr. Dinas stated that was correct. He said that even with a renovation, you will still have on-going repairs that will be necessitated on an annual basis.

Councilman Napoleone stated he appreciated the depth of the analysis. He mentioned that there is quite a menu of options and dollars that are attached to them. He said that they really need to think about what they want to do. He mentioned that fundamentally this is a competition pool with three other very disconnected elements. He said that he preferred to have them pools integrated on the same footprint. He said that he believes that we still want a competition pool in Wellington, even though it is expensive.

Vice Mayor Siskind stated that she agreed. She said that she has even had a parent call her and ask why we do not have a high dive because competition uses it. She said that she agrees with having the competition pool, but believes they should be separate. She said that possibly having the competition pool near the high school and the leisure pools at the current site. She said that with costs, you do have to look at every scenario.

Mayor Gerwig asked when the last time was that we had drained the pool.

Mr. Juckett stated that it had not been drained since the renovation in 2010. He said that it is usually recommended that you do not, unless you really have to. They have tried very hard not to drain it.

Mr. Barnes stated that Mr. Dinas pointed out that some of the areas we are discussing will not require that for this scope of work. It may be a logical next step to determine some of those issues where Mr. Dinas had to "couch" the recommendations because we had not done any sub-surface testing, ground penetrating or any other additional testing beyond what we can visually obtain.

Mayor Gerwig asked when he was analyzing the draw for how far one would travel to use this pool, did they analyze the new competition pool that is in the design stage at Lake Lytal.

Mr. Dinas stated that they did not as they did not have the data on that.

Mayor Gerwig asked Mr. Barnes if we had that data on the pool at Lake Lytal.

Mr. Barnes stated that they are in the conceptual phase, so we have not moved any further. He said that he thinks they have secured the architects, but we have not considered that since they do not have a construction time yet. He said that whatever project is at Lake Lytal, he does not believe will affect demand radius. He said that does not change because they currently have a competition pool there and the data will still remain the same.

Mayor Gerwig mentioned that she would like this analyzed correctly before they make a decision to spend taxpayer's money.

Mr. Barnes mentioned the high dive issue and said it was not his decision to remove it and at this point, does not see a reason that would prohibit Wellington from having another high dive installed.

Mr. Etter explained that when they are referring to the travel time from 30 minutes to the leisure part, they are saying that the competition swimmers are coming to the coach. It is more of the coach and coach's reputation of the what they are traveling to.

Mayor Gerwig stated that they do an excellent job at that facility and does not mean for her questions to seem as if it is being critiqued inappropriately, but it is the Council's job to plan to move forward and do what is best for the community.

Mr. Barnes stated that the basis for bringing Mr. Dinas on was because they needed a base of information to have a current assessment of the pool as well as all of the old information. He said that is what staff will utilize in their recommendation to Council on their future planning for capital maintenance items up to and including renewal or replacement at either facility location. He said to keep in mind that they can do this at any location, but if they remain at same location, the pool will be out of service while work is going on. Whereas, if they move it to another location, they can continue services and maintain the pool while other site is being constructed.

Mayor Gerwig asked how long the pool was out of service during the last renovation.

Mr. Barnes stated it ended up being eight months.

Councilman McGovern stated then these life expectancies become an issue. He said he was comparing the cost and life expectancy to renovate versus a brand new one with longer life expectancy and a similar price line.

Mr. Barnes stated that is when we bring in the engineers and accountants to figure out the best value based on recommendations and possible costs of additional maintenance and supply costs.

Mayor Gerwig stated that we really need to focus on what is best for the residents. She said she loves that people come from all over the State to use our pool, but we need to think about the use of the residents.

## **5. ATTORNEY'S COMMENTS**

None.

## **6. MANAGER COMMENTS**

Mr. Barnes stated he had no further comments.

Councilman McGovern asked him to discuss the line up for the Feeding South Florida event.

Mr. Barnes said that the event the next day was to have their food distribution as well as have 400 doses of the Johnson & Johnson vaccine available. He said that they feel they will be able to stack two areas to accommodate the Feeding South Florida participants for the vaccine distribution as well as non-Feeding South Florida participants that just want the dosage. They will still give priority to the Feeding South Florida participants. He said that they are prepared and will start food distribution around the normal time around 8:00 a.m., assuming they do not have any outlying issues. They are not altering the start time of the food distribution.

Councilman McGovern said that Feeding South Florida starts at 8:00 a.m., per usual. Vaccines will start at 9:00 a.m. at a separate area. This will not be set up and handled like the previous week.

Mayor Gerwig stated that she was very proud of staff from last week. She said it was tough with all those people waiting, some since 5:00 a.m., and the truck had difficulty coming in and did not make it. They had to get a backup truck. She said that she appreciated how we got the information out to the people who were waiting.

Councilman McGovern stated it was handled very well.

Mayor Gerwig stated that she appreciates the planning that has gone into the one for the next day.

Councilman McGovern stated that ensuring this gets done as quickly and carefully as can be is the only way back to normalcy.

Mr. Barnes stated that they were possibly looking at doing a third week of the vaccines as long as there are no issues or vaccine shortages. He said there is a possibility that there may be an involvement with Feeding South Florida as well for that. He mentioned that Nordstroms, which is empty, will be open for restroom use.

Mr. De La Vega mentioned that there would be one port-a-let available.

Mr. Barnes stated that staff did an outstanding job.

**7. COUNCIL COMMENTS**

None.

**8. ADJOURN**

There being no further business to discuss with Council, the meeting adjourned at 5:51 pm.