

# **Village of Wellington**

*12300 Forest Hill Blvd  
Wellington, FL 33414*



## **Action Summary - Final**

**Monday, December 4, 2023**

**4:00 PM**

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

## **Village Council Workshop**

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

*While this is a public meeting, there will be no opportunity for public comment at this workshop. This workshop will be live streamed, recorded and posted to the Village website for viewing.*

**1. CALL TO ORDER**

Mayor Gerwig called the meeting to order at 4:03 p.m.

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

**2. PLEDGE OF ALLEGIANCE**

Mayor Gerwig led the Pledge of Allegiance.

**3. REVIEW OF COUNCIL AGENDA**

Mr. Barnes introduced the agenda for the December 5, 2023 Regular Council Meeting for review.

**A. [23-6200](#) RECOGNITION OF WELLINGTON RESIDENT AUSTEN MACMILLAN**

Mr. Barnes introduced the item. He stated that this was the Recognition of Wellington Resident Austen MacMillan. He said that Austen provided life-saving services to a mentor. He mentioned that Ms. Coates, Palm Beach County Fire Rescue (PBCFR) and the Palm Beach Sheriff's Office (PBSO) will be present at the meeting. He noted that PBCFR and PBSO would bring equipment as there would be an opportunity to take a photo with Austen MacMillan and his family at 6:40 p.m. before the meeting.

Mayor Gerwig asked if this will take place in front of Village Hall.

Mr. Barnes answered a question from Mayor Gerwig.

**B. [23-6199](#) PRESENTATION AND RECOGNITION OF FOOD COLLECTION CHALLENGE WINNER**

Mr. Barnes introduced the item. He stated that this was the Presentation and Recognition of the Food Collection Challenge Winner. He said that Community Services will present this item. He mentioned the competition between Palm Beach Central High School and Wellington High School to compete in aiding to get the food drive collections up for the holiday food drive. He noted that this would be a re-occurrence each year and the winner would receive a trophy.

Mayor Gerwig asked about the trophy.

Mr. Barnes answered a question from Mayor Gerwig.

- C. [23-6239](#) PRESENTATION OF THE FLORIDA PLANNING ASSOCIATION 10TH ANNUAL GREAT PLACES IN FLORIDA PEOPLE'S CHOICE AWARD
- Mr. Barnes introduced the item. He stated that this was the Presentation of the Florida Planning Association 10th Annual Great Places in Florida People's Choice Award. He noted that the President and one of the committee members would be present to present the award for Section 24.
- D. [23-6237](#) MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF NOVEMBER 7, 2023
- Mr. Barnes introduced the item. He stated that this was the Council approval of the Minutes of the Regular Wellington Council Meeting of November 7, 2023. He asked Council to provide comments, if any, to the Clerk's Office.
- E. [23-6168](#) AUTHORIZATION TO 1) EXECUTE A GMP AMENDMENT FOR THE WATER TREATMENT PLANT (WTP) RAW WATER MAIN INTERCONNECT AND REPLACEMENT PROJECT AND 2) EXECUTE A TASK ORDER FOR CONSTRUCTION PHASE SERVICES FOR THE WATER TREATMENT PLANT (WTP) RAW WATER MAIN INTERCONNECT AND REPLACEMENT PROJECT
- Mr. Barnes introduced the item. He stated that this was the Authorization to 1) Execute A GMP Amendment for the Water Treatment Plant (WTP) Raw Water Main Interconnect and Replacement Project and 2) Execute A Task Order for Construction Phase Services for the Water Treatment Plant (WTP) Raw Water Main Interconnect and Replacement Project.
- Ms. Panse explained the item.
- Mayor Gerwig asked if there were any cost that staff did not see in the proposal.
- Ms. Panse answered a question from Mayor Gerwig.
- F. [23-6175](#) AUTHORIZATION TO CONTINUE UTILIZING A CITY OF PLANTATION CONTRACT, AS A BASIS FOR PRICING, WITH ALLIED UNIVERSAL CORPORATION, FOR THE PURCHASE AND DELIVERY OF SODIUM HYPOCHLORITE
- Mr. Barnes introduced the item. He stated that this was Authorization to Continue Utilizing a City of Plantation Contract, As a Basis for Pricing, with Allied Universal Corporation, for the Purchase and Delivery of Sodium Hypochlorite.
- Ms. Panse explained the item. She noted that this is \$70,000 more than

last year's budget due to price increases.

Vice Mayor Napoleone asked if this was the best price the Village could get.

Ms. Panse answered a question from Vice Mayor Napoleone.

Mayor Gerwig asked about the twelve percent increase.

Ms. Panse responded to Mayor Gerwig's inquiry.

Mayor Gerwig asked if the Utilities Department worked with the Purchasing Department to determine if this was the best price.

Ms. Panse answered a question from Mayor Gerwig.

**G. [23-6179](#)**

**AUTHORIZATION TO RENEW EXISTING CONTRACTS FOR PLANNING, ZONING AND BUILDING INSPECTION SERVICES**

Mr. Barnes introduced the item. He stated that this was the Authorization to Renew Existing Contracts for Planning, Zoning and Building Inspection Services.

Mr. De La Vega explained the item. He noted that the Council awarded this contract to the primary, secondary, and tertiary vendors back in January 2021. He said that the primary and secondary vendors have agreed to renew with no hourly or price increase. He noted that the tertiary had requested an increase in which staff is recommending not to present for approval.

Mr. Tomasik said that the tertiary was not used in the original award.

Mayor Gerwig asked how the Village ensures that the quality of work is the same when using outside vendors.

Mr. Tomasik answered a question from Mayor Gerwig.

Mayor Gerwig asked if satisfaction surveys were done.

There were comments and discussion regarding the level of service.

**H. [23-6171](#)**

**AUTHORIZATION TO AWARD A CONTRACT FOR TRAFFIC ENGINEERING SERVICE FOR A VISION ZERO ACTION PLAN**

Mr. Barnes introduced the item. He stated that this was the Authorization to Award a Contract for Traffic Engineering Service for A Vision Zero Action Plan.

Mr. Reinsvold explained the item. He mentioned that Gary Schatz, Project Manager from TJKM, Inc. is present. He noted that the Vision Zero Action Plan was visited back in June 2022. He said that the FHWA grant is for \$200,000 and the Village would need to match \$47,000. He presented the Vision Zero Action Plan.

Councilman Drahos asked if the Village received the \$200,000 or would the Village be reimbursed.

Mr. Reinsvold answered a question from Councilman Drahos. He continued and discussed the Project Timeline.

Councilman McGovern asked about the length of the contract.

Mr. Reinsvold answered a question from Councilman McGovern.

Councilman Drahos asked what would TJKM, Inc. do.

There was discussion regarding the project, next steps and data points in the Village.

Mr. Schatz discussed the data points in the Village.

Councilman Drahos asked where the information would come from.

Mr. Schatz answered a question from Councilman Drahos.

There were comments and questions regarding the primary stakeholders, Mr. Schatz knowledge of the Village and his professional background.

Councilman McGovern asked Ms. Quickel if she would be handling the grant and what the grant covers.

Ms. Quickel answered questions from Councilman McGovern.

There were comments and discussion regarding the project, problem areas and requirements.

Mayor Gerwig asked Mr. Schatz to breakdown his methodology for the project.

Mr. Schatz answered a question from Mayor Gerwig.

Mayor Gerwig made comments regarding U.S. Highway 441 and State Road 7 and kids walking to school.

Mr. Schatz and Mr. Reinsvold responded to comments made by Mayor Gerwig.

Mayor Gerwig asked Mr. Schatz if he had worked with other municipalities that the Village would be familiar with.

Mr. Schatz answered a question from Mayor Gerwig.

Mr. De La Vega noted the references received and projects handled by TJKM, Inc. He mentioned that this is an hourly contract project and the vendor will only get paid for the hours used.

Mr. Schatz commented that he is excited about the project. He said that these types of projects are successful when we have people at the table who are willing to help us through it. He mentioned that we cannot do this on our own.

Vice Mayor Napoleone asked when the project would start.

Mr. Schatz and Mr. Reinsvold answered a question from Vice Mayor Napoleone.

Mayor Gerwig commented on the flashing yellow light at Pierson Road.

Mr. Reinsvold and Mr. Schatz responded to a comment made by Mayor Gerwig.

I. [23-6255](#)

RESOLUTION NO. R2023-64 FOR FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S FLORIDA RECREATIONAL DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) GRANT FOR THE TOWN CENTER PHASE II PROJECT AND RESOLUTION NO. R2023- FOR A BUDGET AMENDMENT TO ALLOCATE THE GRANT

RESOLUTION NO. 2023-64 FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) GRANT

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL TO ENTER INTO AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PURPOSE OF RECEIVING A GRANT UNDER PROVISIONS OF THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) FOR THE TOWN CENTER PHASE II PROJECT; AND PROVIDING AN

EFFECTIVE DATE.

RESOLUTION NO. 2023-65 (FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT FUNDS)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE FISCAL YEAR 2023-2024 CAPITAL FUND BUDGET FOR FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT FUNDS AWARDED FOR THE TOWN CENTER PHASE II PROJECT; AND PROVIDING AN EFFECTIVE DATE.

This item was added to the Agenda as Item 6F.

Mr. Barnes introduced the item. He stated that this was Resolution No. R2023-64 Florida Department of Environmental Protection Florida Recreation Development Assistance Program (FRDAP) Grant and Resolution No. R2023-65 (Florida Department of Environmental Protection Grant Funds).

Ms. Quickel explained the item and noted that this grant has an equal match of \$200,000.

Mayor Gerwig asked about the nature of the grant.

Ms. Quickel answered a question from Mayor Gerwig.

Councilman McGovern asked if this would be used for Scott's Place as well.

Ms. Quickel answered a question from Councilman McGovern.

J. [23-6252](#)

RESOLUTION NO. R2023-66 (VOTE PROCESSING EQUIPMENT USE AND ELECTION SERVICES AGREEMENT WITH THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN AGREEMENT FOR VOTE PROCESSING EQUIPMENT USE AND ELECTION SERVICES WITH THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS FOR THE 2024 MUNICIPAL ELECTION; AND PROVIDING AN EFFECTIVE DATE.

This item was added to the Agenda as Item 6G.

Mr. Barnes introduced the item. He stated that this was Resolution No. R2023-66 (Vote Processing Equipment Use and Election Services with The Palm Beach County Supervisor of Elections).

Ms. Addie explained the item. She noted that the agreement was received on Friday.

Councilman McGovern asked if the agreement includes early voting through election day.

Ms. Addie answered a question from Councilman McGovern.

Vice Mayor Napoleone asked if the agreement covers a Run-Off Election.

Ms. Addie answered a question from Vice Mayor Napoleone. She said that if there is an Run-Off Election, it would be held on Tuesday, April 2, 2024. She noted that the Village would bare the full cost of the Run-Off Election.

Mayor Gerwig asked if the entire \$200,000 would be used for the Election.

Ms. Addie answered a question from Mayor Gerwig.

Mayor Gerwig asked for the breakdown cost for the 2022 Election.

Ms. Addie said that she would send the information.

**K.**     [23-6211](#)

ORDINANCE NO. 2023-13 (VACATION RENTALS ZONING TEXT AMENDMENT)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, MODIFYING ARTICLE 6 OF THE LAND DEVELOPMENT REGULATIONS RELATED TO VACATION RENTALS BY AMENDING VACATION RENTALS IN TABLE 6.2-1: USE REGULATIONS SCHEDULE AS A SPECIAL USE; AMENDING SEC.6.2.2.A BY AMENDING SUPPLEMENTARY REGULATIONS FOR VACATION RENTALS; CREATING SUSPENSION AND REVOCATION PROVISIONS, AND ESTABLISHING A SPECIAL USE PERMIT REQUIREMENT; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. He stated that this was Ordinance No. 2023-13 (Vacation Rental Zoning Text Amendment). He noted that he and Mr. Stillings had been working with Ms. Cohen on this item. He said that there have been no changes since the First Reading, however, comments were received afterwards from the representatives of AirBnB. He said that staff would like to postpone this item to a date certain of January 16, 2024 in order to have an opportunity to review the comments with Ms. Cohen.



Ms. Cohen advised that it would be good to get consensus with AirBnB. She noted the overreaction by AirBnB regarding the initial adoption of the Vacation Rental Ordinance due to complaints. She said that it would be in the best interest to have AirBnB onboard with the Village.

Vice Mayor Napoleone asked when would the ordinance take effect.

Mr. Stillings and Mr. Barnes answered a question from Vice Mayor Napoleone.

Councilman McGovern asked if the effective date would be February 1, 2024.

Mr. Stillings answered a question from Councilman McGovern.

L. [23-6210](#)

ORDINANCE NO. 2023-15 (CHANGES TO CHAPTER 5 BUILDINGS AND BUILDING REGULATIONS OF WELLINGTON CODE OF ORDINANCES)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL RELATING TO BUILDING CODES AND THE ADOPTION OF THE FLORIDA BUILDING CODE 8th EDITION (2023) AS REQUIRED BY STATE STATUTE; ADOPTING A LOCAL ADMINISTRATION SECTION AS PROVIDED FOR IN THE STATE BUILDING CODE BASED UPON THE BUILDING CODE ADVISORY BOARD OF PALM BEACH COUNTY MODEL AND BUILDING OFFICIALS ASSOCIATION OF FLORIDA MODEL; AMENDING SEC. 5-1 REGARDING THE ADOPTION OF THE GROUP OF CODES KNOWN AS FLORIDA BUILDING CODE 8th EDITION (2023), INCLUDING THE: BUILDING, RESIDENTIAL, EXISTING BUILDING, ACCESSIBILITY, MECHANICAL, PLUMBING, FUEL GAS, ENERGY, NATIONAL ELECTRICAL CODE, THE FLORIDA FIRE PREVENTION CODE AS AMENDED BY PALM BEACH COUNTY, INTERNATIONAL PROPERTY MAINTENANCE CODE; REPEALING AND READOPTING SEC. 5-2, WELLINGTON BUILDING CODE ADMINISTRATIVE CODE, IN ITS ENTIRETY; AMENDING SEC. 5-3 AMENDMENTS TO THE FLORIDA BUILDING CODE TO REFERENCE THE CHANGED SECTION REFERENCES OF THE STATE BUILDING CODE AND ADOPTING WINDSPEED MAPS; PROVIDING FOR CODIFICATION; PROVIDING AN ADOPTION DATE; PROVIDING A CONFLICTS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. He stated that this was Ordinance No. 2023-15 (Changes to Chapter 5 Buildings and Building Regulations of Wellington Code of Ordinances). He said that this is Second Reading and there will be a full presentation at tomorrow night's meeting.

**M.**     [23-6219](#)     ORDINANCE     NO.     2023-14 (MULTIPLE     USE     PLANNED  
DEVELOPMENT ZONING TEXT AMENDMENT)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, AMENDING WELLINGTON'S LAND DEVELOPMENT REGULATIONS, MORE SPECIFICALLY, A ZONING TEXT AMENDMENT (PETITION 2023-0002-ZTA) TO MODIFY THE STANDARDS FOR MULTIPLE USE PLANNED DEVELOPMENT (MUPD) ZONING DISTRICT IN ARTICLE 6, SECTION 6.5.6, TO INCLUDE CONSERVATION AS A PERMITTED USE TYPE, AND TO AMEND THE MAXIMUM PERCENTAGE ALLOWED FOR A SINGLE USE WITHIN A MUPD, AS MORE SPECIFICALLY CONTAINED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. He stated that this was Ordinance No. 2023-14 (Multiple Use Planned Development Zoning Text Amendment).

Mr. Stillings explained the item. He noted that this is Second Reading and there are no changes since the First Reading. He asked if the agenda could be reordered to move Item 7D, Ordinance No. 2023-16 (FY 2023/2024 Annual Capital Improvements Element Update of Wellington's Comprehensive Plan), to Public Hearings as Item 7C.

Mr. Barnes said that staff will make that recommendation to reorder the agenda at tomorrow night's meeting.

**N.**     [23-6220](#)     RESOLUTION NO. R2023-63 (LOTIS 1 MASTER PLAN AMENDMENT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A MASTER PLAN AMENDMENT [PETITION NUMBER 2023-0002-MPA] FOR CERTAIN PROPERTY, KNOWN AS LOTIS WELLINGTON 1, A MIXED-USE PROJECT, TOTALING 64.02 ACRES, MORE OR LESS, LOCATED ON THE WEST SIDE OF STATE ROAD 7, APPROXIMATELY HALF A MILE NORTH OF FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; REMOVING THE CONDITIONAL USES FOR A CONGREGATE LIVING FACILITY (TYPE 3) AND GENERAL DAYCARE FACILITY, AS APPROVED BY RESOLUTION NUMBER R2020-48; APPROVING AN INCREASE OF MULTI-FAMILY RESIDENTIAL DWELLING UNITS FROM 191 TO 378, AN INCREASE IN THE MEDICAL OFFICE FROM 40,000 TO 50,000 SQUARE FEET, TO DEDICATE A 0.84-ACRE CYPRESS PRESERVE AND RECREATION AREA AS CONSERVATION, TO ADD A PUBLIC DOG PARK, TO MODIFY THE LAKE AND PUBLIC GREENWAY TRACTS, AND TO AMEND CONDITIONS OF APPROVAL; PROVIDING A CONFLICTS CLAUSE;

PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced this item. He stated that this was Resolution No. R2023-63 (Lotis 1 Master Plan Amendment).

Mr. Stillings explained the item.

Mayor Gerwig asked what would make something a conditional use.

Mr. Stillings answered a question from Mayor Gerwig.

Mayor Gerwig commented on the conditional use. She asked if there is a benefit to remove a conditional use.

Mr. Stillings responded to Mayor Gerwig's comment and question.

There were comments and discussion regarding the conditional use.

Councilman McGovern stated it is critically important for the applicant to know that there are to be no further delays.

Mr. Stillings responded to Councilman McGovern's comment.

Councilman McGovern asked Mr. Stillings if there had been discussions regarding the language of additional conditional uses.

Mr. Stillings answered a question from Councilman McGovern.

There were comments and discussion regarding the language of the voluntary conditional use, permitting and timeline.

O. [23-6241](#)

ORDINANCE NO. 2023-16 (FY 2023/2024 ANNUAL CAPITAL IMPROVEMENTS ELEMENT UPDATE OF WELLINGTON'S COMPREHENSIVE PLAN)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, UPDATING THE WELLINGTON COMPREHENSIVE PLAN BY INCORPORATING THE ANNUAL REVIEW AND REVISIONS TO THE CAPITAL IMPROVEMENTS ELEMENT TO REFLECT THE 2023/2024 THROUGH 2028/2029 FIVE YEAR CAPITAL IMPROVEMENT PLAN FOR LEVEL OF SERVICE PROJECTS; UPDATING POLICY CI 1.2.5 TO ADOPT THE SCHOOL DISTRICT OF PALM BEACH COUNTY'S FISCAL YEAR 2023/2024 10-YEAR CAPITAL IMPROVEMENTS SCHEDULE BY REFERENCE; PROVIDING FOR CONFLICT AND SEVERABILITY; AUTHORIZING THE MANAGER TO UPDATE THE COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE

DATE.

Mr. Barnes introduced the item. He stated that this was Ordinance No. 2023-16 (FY 2023/2024 Annual Capital Improvements Element Update of Wellington's Comprehensive Plan).

Mr. Stillings explained the item. He said that this is done annually after the adoption of the Capital Improvement Budget.

Vice Mayor Napoleone asked about the redline changes in the Ordinance.

Mr. Stillings answered a question from Vice Mayor Napoleone.

**P.**     [23-6221](#)

RESOLUTION   NO.   R2023-62 (LOTIS   2 MASTER   PLAN   AND  
CONDITIONAL USE)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, FOR A MASTER PLAN [PETITION NUMBER 2022-0001-MP] AND CONDITIONAL USE [PETITION NUMBER 2022-0002-CU] FOR CERTAIN PROPERTY, KNOWN AS LOTIS WELLINGTON 2, TOTALING 52.44 ACRES, MORE OR LESS, LOCATED ON THE WEST SIDE OF STATE ROAD 7, APPROXIMATELY HALF A MILE NORTH OF FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; APPROVING A MASTER PLAN TO ALLOW A MIXED-USE PROJECT CONSISTING OF INDOOR/OUTDOOR ENTERTAINMENT WITH 36-HOLE MINIATURE GOLF AND 8,000 SQUARE FEET OF RESTAURANT, EVENT SPACE AND RETAIL, 1,030 SQUARE FEET GENERAL OFFICE, A 18,000 SQUARE FEET DAYCARE FACILITY FOR UP TO 210 CHILDREN, 72 MULTI-FAMILY RESIDENTIAL DWELLING UNITS, 100 SINGLE-FAMILY RESIDENTIAL DWELLING UNITS, 4.24-ACRE DEDICATED CONSERVATION AREA WITH RECREATION AREA, AND 13.21-ACRE OPEN SPACE AND RECREATION AREAS INCLUSIVE OF A LAKE AND GREENWAY WITH A MULTI-USE PATHWAY OPEN TO THE PUBLIC FOR PUBLIC RECREATION LAND DEDICATION; APPROVING A CONDITIONAL USE FOR INDOOR/OUTDOOR ENTERTAINMENT MINIATURE GOLF, AND GENERAL DAYCARE FACILITY; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. He stated that this was Resolution No. R2023-62 (Lotis 2 Master Pan and Conditional Use).

Mr. Stillings explained the item.

Mr. Barnes said that there would be a full presentation at tomorrow

night's meeting and the applicant will be present.

Mayor Gerwig asked if this is the First Reading.

Mr. Stillings answered a question from Mayor Gerwig.

Mayor Gerwig asked if this is a Quasi-Judicial item.

Ms. Cohen answered a question from Mayor Gerwig.

Vice Mayor Napoleone inquired if there is anything that shows Lotis I and Lotis II on one map.

Mr. Stillings answered a question from Vice Mayor Napoleone.

**Q.**     [23-6178](#)

**DIRECTION ON PURCHASE AND SALE AGREEMENT FOR K-PARK**

Mr. Barnes introduced the item. He stated that this was the Direction on Purchase and Sale Agreement for K-Park. He said that James Ward and Tricia Ward would be available to answer any questions at the meeting. He noted the most recent version of the purchase and sale agreement provided to Council.

Ms. Cohen said that this is the final draft. She advised that if there are any final changes that would need to be made, the changes will need to be made today and tomorrow. She mentioned that Council may receive a supplement tomorrow with any changes that occurred.

Mr. Barnes commented that this is a fairly standard purchase and sale agreement.

**R.**     [23-6218](#)

**SOUTHERN BOULEVARD ANNEXATION**

Mr. Barnes introduced the item. He stated that this was the Southern Boulevard Annexation. He explained the item. He said that staff is looking for approval of the ballot language that would be forwarded to the Supervisor of Elections. He said that the language is required before December 15, 2023 for inclusion in the March 19, 2024 Election. He mentioned that First Reading would be held in January and Second Reading in February on the proposed annexation ordinance. He discussed the acreage, land use and location of the property. He said that he would be attending the Palm Beach County (PBC) hearing for the annexation proposal tomorrow at the Palm Beach County Commission meeting. He mentioned his meetings with PBC staff on a number of occasions, the letter from the Town of Loxahatchee Groves transmitted to PBC indicating their objection and the Village's response to the objection.

Mayor Gerwig commented on the letter sent by the Village.

Mr. Barnes responded to Mayor Gerwig's comment. He noted that a subsequent letter would be submitted to PBC today. He said that PBC does not believe that the Village meets the requirement as a matter of review of Chapter 171 of the Florida State Statutes. He discussed the purpose for the annexation.

Councilman McGovern asked what would be discussed at the PBC meeting.

Mr. Barnes answered a question from Councilman McGovern.

Councilman McGovern asked if there is any legal significance to the disagreement as to what Chapter 171 means.

Ms. Cohen responded no. She said unless legal action is filed against the Village, she does not anticipate it.

There were comments and questions about the process.

Ms. Cohen said that there are thirty-one electors.

Mayor Gerwig asked how many are required of the thirty-one.

Mr. Barnes and Ms. Cohen answered a question from Mayor Gerwig.

Mayor Gerwig asked if pastors of the churches in the area are able to vote.

Mr. Barnes answered a question from Mayor Gerwig.

Ms. Cohen reiterated that it is important to note that the deadline for the ballot language to the Supervisor of Elections is December 15, 2023. She said that the language cannot be changed when approved. She noted that the statute is very descriptive as to how it is to be read. If there are any changes, tomorrow is the time to make them.

Vice Mayor Napoleone requested staff that include the rationalization, the benefits of annexation and the Florida Department of Transportation (FDOT) plans for Southern Boulevard in the presentation.

Mayor Gerwig requested that the history of annexation be included.

Mr. Barnes said that it would be addressed in the presentation. He said that he will provide an update on the PBC meeting. He reminded Council that he would be attending the Indian Trail Improvement District Board of Supervisors meeting to provide an update regarding the annexation on December 6, 2023.

Vice Mayor Napoleone asked Mr. Barnes to provide a copy of the letters sent to PBC.

Mr. Barnes answered a question from Vice Mayor Napoleone.

**4. WORKSHOP**

None.

**5. ATTORNEY'S COMMENTS**

None.

**6. MANAGER COMMENTS**

None.

**7. COUNCIL COMMENTS**

None.

**8. ADJOURN**

There being no further business to discuss with Council, the meeting was adjourned at 5:17 p.m