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RESOLUTION NO. 2022-19

**A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL
AUTHORIZING THE MAYOR TO EXECUTE A
COMPREHENSIVE AGREEMENT WITH WELLINGTON
ATHLETICS, LLC FOR THE DEVELOPMENT,
CONSTRUCTION, OPERATION AND MAINTENANCE OF A
RECREATIONAL FACILITY AT THE WELLINGTON
COMMUNITY PARK SITE; AND PROVIDING AN
EFFECTIVE DATE.**

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

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

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

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

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

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

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

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

WHEREAS, the comprehensive agreement includes adequate safeguards to ensure that additional costs or service disruptions are not imposed on the public in the event of a default or cancellation of the comprehensive agreement by Wellington; and

1 **WHEREAS**, the comprehensive agreement has adequate safeguards in place to
2 ensure that Wellington or Wellington Athletics, LLC has the opportunity to add capacity
3 or facilities to the Project to serve predominantly public purposes; and
4

5 **WHEREAS**, development, construction, operation and maintenance of the
6 Project is subject to Council's approval of the debt issuance schedule and final approval
7 of the debt in accordance with the Village of Wellington's Debt Management Policy.
8

9 **NOW, THEREFORE, BE IT RESOLVED BY WELLINGTON, FLORIDA'S**
10 **COUNCIL** that:
11

12 **SECTION 1.** The Wellington Mayor is authorized to execute the comprehensive
13 agreement with Wellington Athletics, LLC.
14

15 **SECTION 2.** This Resolution shall become effective immediately upon adoption.
16

17 **PASSED AND ADOPTED** this _____ day of June, 2022.
18

19 **ATTEST:**

WELLINGTON

20
21
22 By: _____
23 Chevelle D. Addie, Village Clerk
24

By: _____
Anne Gerwig, Mayor

25 **APPROVED AS TO FORM**
26 **AND LEGAL SUFFICIENCY**
27

28
29 By: _____
30 Laurie S. Cohen, Village Attorney
31
32