

MINUTES

REGULAR MEETING OF THE WELLINGTON VILLAGE COUNCIL

**Wellington Village Hall
12300 Forest Hill Blvd
Wellington, FL 33414**

**Tuesday, May 23, 2017
7:00 p.m.**

Pursuant to the foregoing notice, a Regular Meeting of the Wellington Council was held on Tuesday, May 23, 2017, commencing at 7:00 p.m. at Wellington Village Hall, 12300 Forest Hill Boulevard, Wellington, FL 33414.

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

Advisors to the Council: Paul Schofield, Manager; Laurie Cohen, Esq., Attorney; Jim Barnes, Assistant Manager; Tanya Quickel, Director of Administrative and Financial Services; and Rachel Callovi, Deputy Village Clerk.

1. **CALL TO ORDER** - Mayor Gerwig called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE** – Council led the Pledge of Allegiance.
3. **INVOCATION** - Felipe Moreno, Executive Secretary, Church of Jesus Christ of Latter-Day Saints, Wellington Ward, delivered the invocation.
4. **APPROVAL OF AGENDA**

Mr. Schofield indicated staff recommended approval of the Agenda with the following amendment: Move Consent item 6D, Resolution No. R2017-22 (Amendment to the Interlocal Agreement with the Pine Tree Water Control District), to the Regular Agenda as item 8A.

A motion was made by Vice Mayor McGovern, seconded by Councilman Drahos, and unanimously passed (5-0), to approve the Agenda as amended.

5. PRESENTATIONS AND PROCLAMATIONS

- A. 17-1186 REPRESENTATIVE MATT WILLHITE: LEGISLATIVE SESSION
WRAP-UP

Mr. Schofield introduced the item.

Representative Willhite thanked the Council for assisting him and working together in representing the residents of the Village. He said he will continue to offer his assistance throughout the legislative session.

Representative Willhite introduced one of his staff members, Tom Valeo. He stated Mr. Valeo assisted him in getting into office and is a long-time resident of the Village. He said it was a true benefit to have staff members who live in and have a vested interest in Wellington.

Representative Willhite stated the legislative session was extended by a couple of days, so the \$83 billion budget could be finalized. He said a lot of work went into the budget to help the State of Florida thrive and move forward.

Representative Willhite provided the Council with an update on the bills the legislators worked on during this past legislative session in Tallahassee. He also responded to Council's questions regarding the budget, home rule and charter schools.

**B. 17-1220 PRESENTATION BY THE AMERICAN CANCER SOCIETY
REGARDING WELLINGTON'S INVOLVEMENT IN THE RELAY FOR
LIFE EVENT**

Mr. Schofield introduced the item.

Lisa Noel, Community Manager for Relay for Life, introduced herself and Shane Bevilacqua, Senior Manager, American Cancer Society. She thanked the Village for supporting the Relay for Life of Western Palm Beach and helping them raise over \$130,000.

Ms. Noel explained the programs offered by the American Cancer Society including the Road to Recovery program, the items available at their office for cancer patients, and the \$12 million in grants that support cancer research throughout the state of Florida.

Mayor Gerwig indicated Cindy Drake was in attendance and noted that Ms. Drake worked on the event on behalf of the Village to organize and motivate their Relay for Life teams.

Mayor Gerwig thought it was a very nice event where everyone could come together. She said they all know cancer survivors and those who have lost their battles. She stated the Village appreciated the good work Relay for Life is doing.

**C. 17-1221 PRESENTATION ON MENTAL HEALTH SERVICES OFFERED IN
PALM BEACH COUNTY**

Mr. Schofield introduced the item.

Ms. Julie Swindler with Families First introduced herself as well as Dr. Seth Bernstein with the United Way of Palm Beach County. She thanked the Council for allowing them to be there during May, as it is Mental Health Awareness and Trauma Informed month.

Ms. Swindler and Dr. Bernstein provided statistics and information on mental health as well as discussed the programs and resources available to the children and youth of Palm Beach County. Ms. Swindler and Dr. Bernstein also responded to Council's questions.

6. CONSENT AGENDA

- A. 17-1203** MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF MAY 9, 2017
- B. 17-0947** AUTHORIZATION TO UTILIZE AN ORANGE COUNTY CONTRACT WITH XYLEM WATER SOLUTIONS USA, INC. FOR PURCHASE, DELIVERY AND SERVICE OF FLYGT PUMPS
- C. 17-1192** RESOLUTION NO. R2017-19 (FLORIDA DIVISION OF CULTURAL AFFAIRS CULTURAL FACILITIES PROGRAM GRANT):
A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE FLORIDA DIVISION OF CULTURAL AFFAIRS CULTURAL FACILITIES PROGRAM REQUESTING \$200,000 FOR THE WELLINGTON AMPHITHEATER AND FURTHER AUTHORIZING AN AMOUNT OF \$400,000 AS THE VILLAGE'S REQUIRED MATCHING FUNDS FOR THE WELLINGTON AMPHITHEATER; AND PROVIDING AN EFFECTIVE DATE.
- D. 17-1214** ~~RESOLUTION NO. R2017-22 (AMENDMENT TO THE INTERLOCAL AGREEMENT WITH THE PINE TREE WATER CONTROL DISTRICT):~~
~~A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE INTERLOCAL AGREEMENT DATED MAY 25, 2004 BETWEEN THE VILLAGE OF WELLINGTON AND PINE TREE WATER CONTROL DISTRICT (PALM BEACH COUNTY) AND PROVIDING FOR AN EFFECTIVE DATE. (MOVED TO THE REGULAR AGENDA AS ITEM 8A.)~~

Mr. Schofield indicated no comment cards were received from the public on the Consent Agenda. He stated staff recommended adoption of the Consent Agenda as amended.

A motion was made by Councilman Napoleone, seconded by Councilman Drahos, and unanimously passed (5-0), to approve the Consent Agenda as amended.

At this time, the public was given the opportunity to speak on non-agenda items. Mr. Schofield indicated one comment card was received from the public.

1. Shirley Siegel, 12324 Old Country Road, Wellington. Ms. Siegel voiced her opposition to the development of the Bellissimo equestrian property. She did not understand how it was moving forward, as it went against the Referendum that the voters passed the previous year.

Mayor Gerwig explained the Council does not generally engage and answer questions in this format. She asked Ms. Siegel to schedule a meeting with her, and she could answer her questions at that time.

Vice Mayor McGovern noted Council would be discussing this topic towards the end of this meeting.

7. PUBLIC HEARINGS

A. 17-1165 ORDINANCE NO. 2017-07 (CONGREGATE LIVING FACILITY TYPE 2B ZONING TEXT AMENDMENT)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL APPROVING A ZONING TEXT AMENDMENT (PETITION NUMBER 17-37 [2017-25 ZTA]) TO AMEND THE VILLAGE OF WELLINGTON LAND DEVELOPMENT REGULATIONS ARTICLE 6, CHAPTER 4, SECTION 6.4.4.30 CONGREGATE LIVING FACILITY (CLF) RELATED TO THE SEPARATION REQUIREMENT FOR TYPE 2(B) CLF TO ALLOW A MAXIMUM OF FOUR (4) TYPE 2(B) CLF WITHIN A HALF (1/2) MILE RADIUS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item. He recommended that Council provide their comments before hearing from the public. Ms. Callovi read the Ordinance by title.

Mr. Basehart stated this application is to make an amendment to the Wellington Land Development Regulations. He said the application was filed by Wellington Elder Care and the President of the company is Ricardo Gutierrez.

Mr. Basehart indicated the amendment is to change the regulations for Type 2B Congregate Living Facilities (CLF). He stated the code limits a given facility to twenty-one (21) residents. He explained a CLF is different from other types of assisted living facilities, as it only allows people 65 years of age or greater. He said the current Code was adopted in 2014 and explained what the provision for CLF's prior to that included.

Mr. Basehart stated the Code was amended in 2014 to create Type 2A, the original Type 2, and to create 2B, which is what they were discussing tonight. He said the current application requests that the Code be amended to eliminate the 1,000 foot separation requirement for all Type 2B CLF's and to allow up to four (4) within a half mile radius. He indicated staff believes this is a good amendment. He stated all CLF's, except for Type 2B, can be something other than assisted living facilities for the elderly. Mr. Basehart said they can be halfway houses, rehab centers, battered spouse facilities, etc. He explained the Type 2B's are limited to senior care, so staff believes allowing them to be clustered could benefit the neighborhood. He stated staff supported this ordinance.

Mayor Gerwig understood this was just for multifamily areas. Mr. Basehart indicated Type 1's are allowed anywhere and all of the other types require conditional use approval. He stated Type 2A's and 2B's have to be in multifamily neighborhoods and Type 3's can be in multifamily neighborhoods or commercial neighborhoods or areas, but they each require conditional use approvals.

Mr. Basehart stated the requirements for Type 2B facilities were not going to change. He said the facilities require conditional use approval by Village Council after review by the Planning, Zoning, and Adjustment Board (PZAB). He noted the facilities are specifically for seniors. He indicated the Village Code has minimum room sizes that are greater than the minimum requirements required by The Agency for Health Care Administration (AHCA). He explained when the Council adopted the regulations for Type 2B facilities, they increased the required

room sizes beyond the state limit and indicated they had to be in single family districts. He said the facilities have to be located within a half mile of a collector roadway, within 1½ miles of a full service fire station, and within three road miles of a full service medical facility. He stated they are allowed to utilize reduced parking, because Village code prohibits Type 2B facilities from permitting their residents to have vehicles. He said the only vehicles that require parking are that of staff and visitors. He noted the facilities must have a minimum lot size of 11,500 square feet.

Mr. Basehart presented a map showing the fourteen (14) Type 1 facilities and the one (1) Type 2B facility in the Village. He stated the yellow and blue circles indicated where Type 2B facilities could potentially be located under the current code. He said the Village has one (1) Type 3 facility, NuVista, which is located at the mall property. He explained NuVista is a combination rehab facility and Type 3 assisted living facility. He said adjacent to that property is the Devonshire project, a Type 3 facility, which is approved for an additional 460 units.

Mr. Basehart indicated the next map showed the locations of where Type 2B facilities could go using the proposed clustering approach recommended in this Ordinance. He said all of the criteria just reviewed and the Village code could be met by allowing the clustering.

Mr. Basehart stated the PZAB recommended approval of this Ordinance by unanimous vote. He said staff believes the Ordinance presented is entirely acceptable and could provide some benefit to the community. He explained this application was submitted by the applicant for the purpose of being able to submit a future application for an additional facility next door to their current one on Lily Court. He stated their current facility has never generated any issues for the Village and staff believes it is extremely well run. He said there have been no code enforcement issues and the facility has assisted in cleaning up the neighborhood.

Mayor Gerwig thought all of the Council members had visited this particular CLF. She said they have heard it is a huge benefit to the residents to have their loved ones close by and in a neighborhood setting. She stated the Village was not seeing any negative impacts and it was not an undue burden on Fire Rescue or parking. She said their only concern is that other providers would not be as excellent. However, in this case each provider would come for conditional use approval. Mr. Basehart stated Council would have the opportunity to evaluate the proposal, the type of facility being proposed, and the people proposed to operate it.

Vice Mayor McGovern asked if this was limited to elder and senior care providers. Mr. Basehart stated the facilities were limited to elder care. He believed staff would only support the clustering technique for facilities for the elderly.

Councilman Napoleone understood this would not apply to halfway houses, rehab centers and sober homes. Mr. Basehart stated that was correct. Ms. Cohen stated the facility would either be a sober home or an elder care facility. She said sober homes are not governed by The Agency for Health Care Administration (AHCA).

Councilwoman Siskind stated she visited Wellington Elder Care, which she thought was an extremely well run facility with a wonderful living environment. She stated everyone had wonderful things to say about how well their parent was being cared for. She believed there was a waiting list and the Village needed more places like this. She supported this because of its positive impact on the neighborhood; there is no negative impact on traffic or parking; the facility is regulated and inspected; other such facilities would have to go through the conditional use process; and all speakers had positive things to say.

Councilman Napoleone agreed with Councilwoman Siskind's comments. He said they have all toured the facility and the owners do a fantastic job. He stated Council has received many e-mails from people in support of the project and who have had family members and loved ones at the facility. He said it is lively, not institutional, and well run. Councilman Napoleone explained this was not a vote on this particular facility, but places like this should exist. He stated they needed to encourage more of them, as this presently is the only operator in town. He thought it would be wise to remove the restriction that would allow these facilities to cluster.

Councilman Drahos stated he also had an opportunity to see the property. He said he was quite impressed and excited, because he believed there would be a heavy demand for this now and into the future. He indicated he did not want to discourage anyone from speaking, because he watched the video from the PZAB Meeting and many people felt the need to passionately speak on behalf of their family member who had a very positive experience. He hoped they would still come up and speak, although the Council had made their position on this rather clear. Councilman Drahos thought this was an excellent transitional use of an aging community needing an uplift. He said a business like this is exactly what the Village is looking for. He hoped there would be more opportunities for businesses in this field, because he believes there is a growing demand for it in Wellington.

Vice Mayor McGovern stated he also visited Wellington Elder Care and thought there were many benefits to clustering these properties. He said he also supported this.

Public Hearing

A motion was made by Vice Mayor McGovern, seconded by Councilman Drahos, and unanimously passed (5-0), to open the Public Hearing.

At this point, Damian Brink with Schmidt Nichols stated he was representing the applicant. He said Ricardo and Rose Gutierrez were in attendance along with Geoff Sluggett. He was not sure if everyone who submitted cards wanted to speak, as they appreciated Council's kind words about the facility, so he asked for everyone in support of this text amendment to stand up. Mr. Brink said he was proud to work on a project that had this much community support.

Vice Mayor McGovern read the following comment cards into the record. All comments read supported the change:

1. Rodolfo Yanes, 1054 Hyacinth, Wellington.
2. Roberto Gonzalez, 1362 Riverside Circle, Wellington.
3. Belkis Cruz, 1362 Riverside Circle, Wellington.
4. Amada Jimenez Tamayo, 1054 Hyacinth, Wellington.
5. Diane Borges, 2384 Seaford Drive, Wellington.
6. Damarys Rodriguez, 2110 Polo Gardens Drive, Wellington.
7. Armando Diaz, 2110 Polo Gardens Drive, Wellington.
8. Roberto J. Gonzalez, 1364 Riverside Circle, Wellington.
9. Ester Lopez, 14117 Lily Court, Wellington.
10. Daylin Alvarez, 1329 Periwinkle Place, Wellington.
11. Frank Quintano, 14121 Lily Court, Wellington.
12. Richard Lee LeAndro, 1638 Oak Berry Circle, Wellington.

There being no further public comments, a motion was made by Councilman Napoleone, seconded by Councilman Drahos, and unanimously passed (5-0), to close the Public Hearing.

A motion was made by Councilman Drahos, seconded by Councilman Napoleone, and unanimously passed (5-0), to approve Ordinance No. 2017-07 (Congregate Living Facility Type 2B Zoning Text Amendment) as presented on first reading.

8. REGULAR AGENDA

A. 17-1214 RESOLUTION NO. R2017-22 (AMENDMENT TO THE INTERLOCAL AGREEMENT WITH THE PINE TREE WATER CONTROL DISTRICT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL
AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE
INTERLOCAL AGREEMENT DATED MAY 25, 2004 BETWEEN THE
VILLAGE OF WELLINGTON AND PINE TREE WATER CONTROL
DISTRICT (PALM BEACH COUNTY) AND PROVIDING FOR AN
EFFECTIVE DATE. *(FORMERLY CONSENT ITEM 6D.)*

Mr. Schofield introduced the item. Ms. Callovi read the Resolution by title.

Ms. Quickel stated before Council was an amendment to the Interlocal Agreement with the Pine Tree Water Control District. She said the purpose of the amendment is to provide continued road maintenance services from July 23rd through the end of the current fiscal year, September 30, 2017. She explained the road maintenance was budgeted using the gas tax revenues that Wellington accumulates on a fiscal year basis and that will end on September 30, 2017. She said staff will provide updated road maps for those gas taxes.

Mayor Gerwig asked when the other services provided to Pine Tree by the Village would end. Ms. Quickel stated the vendors for aquatic weed control and the swale and roadway mowing have agreed to enter into contracts with the Pine Tree Water Control District under the same terms and conditions the Village currently has for those services.

Mr. Schofield indicated one comment card was received on this item. Mayor Gerwig stated the Council had received a letter from the attorney for Pine Tree and that attorney would like to speak.

1. Jeff Kurtz stated he represented the Pine Tree Water Control District. He indicated the letter that Council received was from the Pine Tree Board. He said the Council considered this matter on October 25, 2016, and they only discussed it at their Agenda Workshop the day before. He stated at that time the Council was misinformed that the driving force behind this was a request by the Board of Supervisors of the Pine Tree Water Control District, which was an absolute falsehood. He indicated during the course of that meeting, Vice Mayor McGovern asked whether or not the Board was aware of this. Mr. Kurtz stated the Council was told that it had been discussed openly with the Board, but the Supervisors of the Pine Tree Water Control District never requested for this to happen. He said the Council was misled.

Mr. Kurtz stated the item is now on Council's agenda to extend a portion of the services provided. He said the only portion directly provided by Wellington, other than the

managerial services, is the road maintenance. He stated the suggestion is to have the road maintenance terminate on September 30, 2017. He indicated the road maintenance is funded through gas tax revenues and nothing should stop the continued receipt of those revenues. He said when he spoke to the Village Legal Department about one month ago, they had not yet reviewed the Gas Tax Interlocal Agreements. Mr. Kurtz stated they are actually administered through the League of Cities and adjustments are made on an annual basis. He said the League has to provide notice by June 1st of the year. He strongly suspected that there had been no alteration of the Village gas tax map or adjustment to the formula by which Wellington will receive revenues. He said if alterations had been made, Council should have been informed of that. Mr. Kurtz stated it is an arbitrary date, so there is no reason to discontinue the road maintenance. He said they should continue with the status quo.

Mr. Kurtz indicated the Board would like Council to have a joint meeting with them, so these issues could be openly discussed and the misinformation could be dealt with. He stated in yesterday's meeting, Village staff pointed out that the gas tax revenues currently cover the cost of the road maintenance. He said the road maintenance done in Pine Tree is the same road maintenance and is funded in the same way as is done in the rest of Wellington, including the Acme Improvement District. He stated Pine Tree would like the Council to continue this matter until they have had an opportunity to have a joint meeting with the Board of Supervisors, so they could potentially reach resolution on some of these issues. He said the Council will hear from the Board on a long term, ongoing basis that the Village continue to fund the road maintenance the same way it has been for the last twelve years or so.

Ms. Cohen stated she reviewed the statute and the interlocal agreements. She agreed if Council wanted the Village to continue maintaining the roads, and there was an agreement and a responsibility to do so, then they could continue to do that. She said the question the Council had to ask themselves was one of policy. She explained at the time the Interlocal Agreement was entered into between Pine Tree and the Village of Wellington, it was under the belief by both parties that Pine Tree would ultimately vote to become a dependent special district of the Village, just as Acme is a dependent special district. She stated when the referendum occurred, Pine Tree overwhelmingly voted against it. She did not know if it had not been for the anticipation of Pine Tree becoming a special district, if Wellington would have taken on those responsibilities. She stated other communities within Wellington have roadways that essentially only serve those neighborhoods and Wellington has previously taken the position of not being responsible for maintaining those roads. She said if Council decides to continue to reflect Pine Tree roads on the gas tax map, collect gas tax funds, and undertake the maintenance of those roads, then members of those other communities might look to the Village to provide that same kind of service.

Ms. Cohen stated while the gas tax funds cover the cost of the Pine Tree Roads that is not the case with other roads in the community. She said that is a policy decision the Council has to make. She stated it is not something that has been budgeted or even considered. She said it would increase the budget and ultimately the millage rate.

Ms. Cohen indicated the Village provided proper notice under the Interlocal Agreement to Pine Tree. She stated the subject of the misrepresentation came up two or three weeks ago at Agenda Review. She said Mr. Schofield clarified that a number of residents expressed dissatisfaction with Village services. Ms. Cohen thought everyone understood it was a

misstatement and at this point Council had to make a policy decision as to how to move forward.

Mayor Gerwig understood what was before Council now would be to continue the road service until September 30, 2017, which is past the expiration of their Interlocal Agreement. She said this did not say the Village would not do it the day after that date. Ms. Cohen stated that was correct.

Mr. Kurtz suspected the other communities Ms. Cohen was describing were private homeowner associations where the roads are not open to the public. He said the Pine Tree roads are open to the public, so it is public roads that are being maintained. He stated secondly, at Council's meeting yesterday, Mr. Schofield indicated the Board had been presented with an opportunity to contract with the Village to provide these services. Mr. Kurtz said that option has not been communicated to him or any of the Board members.

Mr. Kurtz thought a discussion about the policy with the other governmental entity, Pine Tree, should be had at this point. He asked Council to show Pine Tree some respect and have a joint meeting. He believed all of this could be resolved based on Mr. Schofield's statement yesterday about entering into a contract and potentially using the gas tax revenues to support that contract. He thought an accommodation could be reached that would make everyone happy.

Mr. Schofield stated if Council does not extend the Interlocal Agreement, roadway maintenance services will end July 23, 2017. He indicated the Annual Pine Tree Landowners Meeting is scheduled for June 19, 2017, at which time there will likely be a change in the Board. He suggested, if the Council wants to hold a joint meeting, they wait for the new Board to be seated. He did not think staff would rule out a discussion about maintaining roads.

Mr. Schofield clarified that Pine Tree was approved by an Affidavit of Exemption from Palm Beach County in the late 1970's. He said it was not platted and it was exempt from most regulations. He stated they were approved by identifying its operating entity as Pine Tree. He explained, in this case, Pine Tree does not own those roads, as they are owned by the residents to the center of the road and Pine Tree has easements over them. He believed under the gas tax rules, the contract would have to be with the entity obligated to do the maintenance. He said they could do that and collect the gas taxes.

Mr. Schofield stated he would not show the video clips that were prepared for the meeting, but he would provide them to the Board's attorney and to the Board as well as to each Council member. He believed the clips covered the sentiments of the residents, but he apologized if he misstated that information.

Mayor Gerwig stated she understood what Mr. Schofield was talking about, as she had spoken to the Pine Tree Board. She said what they were hearing from the residents was not necessarily the sentiment of the Board. Mr. Schofield guaranteed it was not the sentiment of the Board. He indicated there has only been one election since 2009 where the majority of the Board has not been constituted by the vote of a single landowner, the South Florida Water Management District (SFWMD).

Councilman Drahos stated Mr. Schofield just said if Council does not pass this resolution tonight, the contract will end at the end of July, but if they do pass it, the contract will be extended to September. He did not understand what prejudice would result to Pine Tree if Council passed this resolution tonight. In response, Mr. Kurtz stated the prejudice is the

continued delay of getting together and resolving the issues. He explained the way this agreement has been framed, it is a reassertion of the notice that was given and an acquiescence to that notice by the Board.

Mayor Gerwig thought that was true, because the Village was agreeing to continue it until September 30, 2017. She believed that was an acquiescence to the rest of the Interlocal Agreement stopping, as that will still happen at this point.

Mr. Kurtz asked what the prejudice was to the Village to abate this matter at this point and have a meeting, either before or after the new Board is in. He said only one seat is up for election on June 19, 2017, so the majority of the Board will remain the same.

Mr. Schofield understood that one member, if they continue to serve, will not vote. He thought the position taken was that the SFWMD could serve but not vote. Mr. Kurtz stated the SFWMD as this point, because they have not paid their assessments, will not be able to vote in the election, but they have a representative who is an employee of theirs, Mr. Joel Arrieta, who signed the letter or authorized his signature. Mr. Schofield asked for an original copy of that letter. Mr. Kurtz stated it was an authorized signature. He added that Mr. Arrieta works for the SFWMD and will remain on the Board, unless he resigns. He stated Mr. Arrieta will be able to vote as a Board member. Mr. Kurtz said they were not suggesting that Council meet with the entire community at the Landowners meeting but that they meet with the Board. Mr. Schofield indicated that meeting would be an open public meeting and all members of the public would be able to attend.

Mr. Kurtz said he strongly suspected that Wellington had not altered their gas tax maps. He stated that meant the same formulation that is in place right now to cover the expenses associated with doing the roads, the Village will collect as gas tax revenue for 2017-18. Ms. Cohen indicated that was a reason for the Council to move forward with the agreement tonight. Mr. Kurtz stated it was a reason to resolve everything and get good information before Council makes a decision.

Mayor Gerwig stated Council has made some decisions thus far, but that does not mean they cannot go back and rethink those decisions after the election. She said she was willing to meet with the Board and have any residents present, because it will be an open meeting. She hoped the rest of Council would be happy to do that as well.

Mayor Gerwig thought no matter what the policy discussion is with the attorney and Council, it is Council's duty to meet with the elected of the landowners group. Vice Mayor McGovern agreed, but he believed Council needed to reach a conclusion on the policy issue before having a full discussion with these folks, because the policy would drive the discussion.

Mayor Gerwig thought as Council interacted with the Board, it would clarify some of the policy questions. She wanted to make sure the Village was fair to the residents of Pine Tree, although she did not think Pine Tree had been fair to Village staff. She knew Mr. Kurtz felt like staff had misled Council, but she said she was not going to throw staff under the bus and she did not want that to be a part of the discussion. Mr. Kurtz stated he represented the Board and he did not think Village staff would suggest the Board had mistreated them in any manner.

Councilman Drahos thought passing this resolution would be a more responsible and conservative thing to do. He said they were left with the option of having uncertainty as of July or as of September. He stated he would much rather the Board be elected and get their

position from the residents, as to what they want to do with the situation, and then have a joint meeting. He said he was open to meeting with them, but not under some crazy timeline when they could buy themselves two more months. He stated he did not understand the prejudice argument at all.

Councilman Napoleone agreed. He stated there was no prejudice to executing the amendment. Otherwise, they would be terminating an Interlocal Agreement and the obligations of the Village would come to an end on July 23, 2017. He said they would be on a forced artificial timeline to resolve something when they are having an election. He thought it would be prejudice to Pine Tree if Council did not pass this tonight. He stated he was in support of the amendment.

A motion was made by Councilman Drahos, seconded by Councilwoman Siskind, and unanimously passed (5-0) to approve Resolution No. R2017-22 (Amendment to the Interlocal Agreement with the Pine Tree Water Control District) as presented.

Mayor Gerwig stated secondary to that motion, Council will meet with the Pine Tree Board post June 19, 2017. Mr. Schofield stated staff will schedule the policy discussion.

Mayor Gerwig thanked the Board members who have spoken to her, as they were very responsive. She did not want to imply that they were a part of this problem.

Mr. Kurtz thanked the Council. He asked that the Village notify his office of the date and time of the policy discussion, so that the members of the Pine Tree Board could attend.

9. PUBLIC FORUM

Mr. Schofield indicated no public comment cards were received.

10. ATTORNEY'S REPORT

MS. COHEN: Ms. Cohen indicated she had no comments.

11. MANAGER'S REPORT

MR. SCHOFIELD: Mr. Schofield presented the following report:

- The next regular Council Meeting will be held on Tuesday, June 13, 2017 at 7:00 PM in the Council Chambers.
- Project Graduation for Wellington High School will take place on May 25th at the Village Park Gymnasium.
- The American Legion Post will be having a Veterans celebration on Monday, May 29th. The parade begins at 8:15 AM at Village Hall.
- He stated Council has discussed preparing a response to the number of e-mails received on the equestrian applications. He said a draft was provided to Council and he has received some comments from them. He explained how the application process works in the Village, to help the concerned residents understand the current situation. Council provided their comments on responding to the e-mails, the application process, and how to keep the residents informed. Ms. Cohen also explained how the Village is required to process the application in question.

12. COUNCIL REPORTS

COUNCILWOMAN SISKIND: Councilwoman Siskind presented the following report:

- She congratulated all of the seniors who are graduating from high school.

VICE MAYOR MCGOVERN: Vice Mayor McGovern presented the following report:

- He congratulated the students from Palm Beach Central High School who graduated earlier today as well as the Wellington High School students who will be graduating Thursday.
- He hoped everyone was planning to attend the Memorial Day parade and ceremony at the Veteran's Memorial on Monday, May 29th.

COUNCILMAN DRAHOS: Councilman Drahos presented the following report:

- He mentioned he will be teaching Spanish for two hours this Thursday to kindergarteners at New Horizons Elementary, as a way to bring attention to their dual language program.

COUNCILMAN NAPOLEONE: Councilman Napoleone presented the following report:

- He congratulated all of the seniors on moving on to college, as it is an exciting time for everyone advancing to another level.
- He said he would see everyone on Memorial Day.

MAYOR GERWIG: Mayor Gerwig presented the following report:

- She stated it was a privilege to be on stage with Palm Beach Central today. She said she looked forward to the Wellington High School graduation.
- She announced that Mark Harris had passed away. She explained he was their speaker at the 9/11 Ceremony last year and a first responder in the World Trade Center on 9/11. She thanked him for his service. She also thanked staff and his family for allowing the Village to hold his memorial service at the Patriot Memorial.

13. ADJOURNMENT

There being no further business to come before the Village Council, the meeting was adjourned at 8:58 PM.

Approved:

Anne Gerwig, Mayor

Chevelle D. Nubin, Village Clerk