

MINUTES

REGULAR MEETING OF THE WELLINGTON VILLAGE COUNCIL

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

**Tuesday, September 12, 2017
7:00 p.m.**

Pursuant to the foregoing notice, a Regular Meeting of the Wellington Council was held on Tuesday, September 12, 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, Attorney; Jim Barnes, Assistant Manager; Tanya Quickel, Director of Administrative and Financial Services; and Chevelle D. Nubin, Village Clerk.

1. **CALL TO ORDER** - Mayor Gerwig called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE** – Vice Mayor McGovern led the Pledge of Allegiance.
3. **INVOCATION** - Deacon Al Payne, St. Therese de Lisieux Catholic Church, delivered the invocation.
4. **APPROVAL OF AGENDA**

Mr. Schofield indicated staff recommended approval of the Agenda as amended:

1) Postpone Presentations and Proclamations Item 5A, Presentation of 2017 Wellington Top Cop and Top Firefighter Awards, as the firefighters and police officers have been working twelve hour shifts due to hurricane Irma and the Top Cop and Top Firefighter were not able to attend tonight's Council Meeting.

2) Add Ordinance No. 2017-19 (An Emergency Ordinance of the Village of Wellington, Florida, Relating to Post-Hurricane Irma Disaster Debris Collection; Providing for Declaration of Findings and Intent; Providing for Removal of Disaster Debris; Providing for Conflict; Providing for Codification; Providing for Severability; Providing an Effective Date) to Public Hearings to allow the Village to collect and remove debris, from hurricane Irma only, from the roadways in private communities. He indicated this ordinance was required in order for the Village to receive reimbursement from FEMA.

3) Mayor Gerwig indicated she needed to pull Item 6G from the Consent Agenda, as she needed to recuse herself.

Mayor Gerwig recommended discussing each item on the Consent Agenda, since Council did not have an Agenda Review meeting due to hurricane Irma.

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. 17-1367 ~~PRESENTATION OF 2017 WELLINGTON TOP COP AND TOP FIREFIGHTER AWARDS~~

This item was postponed.

6. CONSENT AGENDA

A. 17-1460 MINUTES OF THE REGULAR WELLINGTON VILLAGE COUNCIL MEETING OF AUGUST 8, 2017

Mr. Schofield introduced the item. Council did not request any changes to the minutes.

A motion was made by Councilman Drahos, seconded by Councilman Napoleone, and unanimously passed (5-0), to approve the Minutes of the Regular Wellington Village Council Meeting of August 8, 2017.

B. 17-1018 AUTHORIZATION TO AWARD A CONTRACT FOR THE DORCHESTER PARK OBSERVATION PLATFORM AND LIGHTING IMPROVEMENTS

Mr. Schofield introduced the item.

Mr. Barnes stated the Village applied for a grant with the Florida Department of Environmental Protection for this project and was awarded a matching grant. He explained Dorchester Park is a Wellington neighborhood park where the Village is attempting to put in an observation platform, so people can observe the lake, hang out, and fish. He said the Village has had issues with vandalism over the years and maintenance became more of a problem due to the vandalism, so the Village eliminated all of the observation decks from its parks. He stated staff is trying to reintroduce the observation platforms back into the parks due to the matching funds and finding an alternative material that is vandal resistant. He indicated the grant funding has incentivized staff to also propose some related site amenity improvements, but the main improvement of this project is the observation platform.

Ms. Quickel indicated the grant matches up to \$200,000 if the Village spends \$400,000. She said if the Village only spends \$300,000, they will get up to \$150,000 back.

Mayor Gerwig asked about the type of material that will be used to construct the dock. Mr. Barnes stated the material is a combination of synthetic and aluminum, which will not be as susceptible to vandalism like the wood product in the past. He said if it is successful, the Village will continue reintroducing the observation decks to the rest of the waterfront parks.

A motion was made by Councilman Napoleone, seconded by Vice Mayor McGovern, and unanimously passed (5-0), to authorize Awarding a Contract for the Dorchester Park Observation Platform and Lighting Improvements.

C. 17-1029 AUTHORIZATION TO RENEW EXISTING CONTRACTS TO PROVIDE LANDSCAPE MAINTENANCE SERVICES FOR: 1) PRIMARY ROADWAYS, EQUESTRIAN TRAILS, CANAL BANKS, SLOPES AND FINGERS; AND 2) VILLAGE-OWNED FACILITIES

Mr. Schofield introduced the item.

Mr. De La Vega indicated the first request is to renew a contract with Wellington Professional Lawn Care in the amount of \$472,107.30 for landscape maintenance services for primary roadways, equestrian trails, canal banks, slopes and fingers throughout the Village. He said this contract is set to expire September 30, 2017 and staff is seeking one final renewal option through September 30, 2018.

Mr. De La Vega stated the second contract is with Black Forest Enterprises, DBA Gardenscapes of the Palm Beaches, to provide landscape maintenance for facilities Village-wide at a cost of \$180,900.77. He indicated Black Forest Enterprises has requested a 3% or \$6,000 annual price increase, which is their first price increase in four years and their last renewal.

Mr. De La Vega stated the Village is very happy with both of these contractors and they are both Western Communities local vendors. He said staff was seeking renewal of both contracts.

Mayor Gerwig asked about the different services provided by each contractor. Mr. Barnes stated one services the common areas around Village structures and the other services the infrastructure related areas: rights-of-way, roadways, canal banks, fingers, etc.

Mayor Gerwig stated Council gets rave reviews on how the Village looks. Mr. Barnes agreed stating these two vendors have done a lot of work for the Village.

A motion was made by Vice Mayor McGovern, seconded by Councilman Napoleone, and unanimously passed (5-0), to approve contract 030-13/DZ, both parts, to G&C Car Care, Inc., DBA Wellington Professional Lawn Care, and Black Forest Enterprises, DBA Gardenscapes of the Palm Beaches.

D. 17-1239 AUTHORIZATION OF DISPOSITION OF SURPLUS TANGIBLE PERSONAL PROPERTY

Mr. Schofield introduced the agenda item. He stated the property included here has reached the end of its service life and staff is seeking permission to dispose of it.

Mr. De La Vega explained staff has been using GovDeals.com to auction off some items and they have been doing great on the site. He indicated the Village just sold a used truck for \$51,000.

Mayor Gerwig stated GovDeals.com has been talked about at the League of Cities and everyone has been satisfied with it.

A motion was made by Councilman Drahos, seconded by Councilman Napoleone, and unanimously passed (5-0), to authorize the Disposition of Surplus Tangible Personal Property.

E. 17-1240 AUTHORIZATION TO CONTINUE UTILIZING A CITY OF PLANTATION CONTRACT WITH ALLIED UNIVERSAL CORPORATION FOR THE PURCHASE AND DELIVERY OF SODIUM HYPOCHLORITE

Mr. Schofield introduced the item. He stated this contract is for sodium hypochlorite, which is used as a disinfectant in both the water and wastewater plants.

Mr. De La Vega indicated this contract was with Allied Universal for approximately \$362,600 or 0.518 cents per gallon, which is not an increase from their existing contract. He stated staff compared this pricing to the contracts held by Palm Beach County and the City of Stuart and found that this contract provided better pricing. He said Allied Universal is the current vendor and the Village has had no issues with them. He stated staff is seeking authorization to continue using this vendor for the purchase and delivery of sodium hypochlorite.

A motion was made by Vice Mayor McGovern, seconded by Councilman Napoleone, and unanimously passed (5-0), to approve agenda item 17-1240, Authorization to Continue Utilizing a City of Plantation Contract with Allied Universal Corporation for the Purchase and Delivery of Sodium Hypochlorite.

F. 17-1459 AUTHORIZATION TO AWARD A TASK ORDER TO PROVIDE ENGINEERING CONSULTING SERVICES FOR THE TELEMTRY SYSTEM REPLACEMENT – PHASE 2

Mr. Schofield introduced the item. He stated this task order will be awarded to Hillers Electrical Engineering in the amount of \$55,368.

Mr. Barnes indicated this project is to upgrade the telemetry system, as it is no longer supported by the manufacturer. He explained the telemetry system enables the Utility and Public Works departments to control Village lift stations and other remote facilities. He said it also allows them to get status updates and remotely control the activity at those locations.

Mr. Barnes stated he thought it would be helpful to combine a consultant with this expertise with their in-house expertise, as they could look at the bigger picture, make sure all of their needs are served, and learn from the lessons between Isaac, Matthew and Irma to improve the system even further. He said staff's intent is to bring their selected instrumentation and electrical consultant, Hillers Electrical Engineering, on board to look at the entire system rather than just upgrading with the latest vendor. Mr. Barnes stated Hillers Electric will review the whole system and come up with a design, which will then be bid out. He indicated the Village will get the best bid, because it will be competitively solicited. He noted that this agenda item is for the design portion of that work.

Vice Mayor McGovern asked about the difference between Phase 1 and Phase 2. Mr. Barnes stated it was different components of the system. He said Phase 2 is for the 294 individual remote routers that transfer information back and forth, and Phase 1 was for the rest of the infrastructure. He indicated Phase 1 is not in place yet, as it was designed and is out to bid right now.

Councilman Drahos asked how the current system performed during hurricane Irma. Mr. Barnes stated the system performed okay. He said the biggest issue that leads to performance issues is the fact that the manufacturer no longer supports the current system. He indicated this was in the Utility capital budget when Council approved it, as it is the backbone infrastructure improvements for the SCADA telemetry system.

Vice Mayor McGovern understood this task order was for consultants to review the system, tell the Village how it is performing, and then tell the Village what needs to be done. Mr. Barnes stated the consultants are going to design the new system that the Village will then put out to bid and implement.

Vice Mayor McGovern asked if the new system with all of the routers will be replaced. Mr. Barnes stated it will be a completely new system. He said this task order is soft costs for the consultant to both address the design and provide oversight from the Village's end during construction administration, so the Village will have another set of eyes watching the vendor do the installation.

Mr. Schofield stated the current system was approaching ten years old.

Mayor Gerwig understood the Village was not complaining about the SCADA system, as they just needed to get current. Mr. Barnes explained the system the Village has now is light years ahead of the system they had before. Mr. Schofield stated it was a DOS based system that required physical bodies in the pump stations to operate them. Mayor Gerwig said staff had to drive around to do the work they are now doing remotely. She said they wanted it to stay that way.

A motion was made by Councilman Drahos, seconded by Councilwoman Siskind, and unanimously passed (5-0), to authorize Awarding a Task Order to Provide Engineering Consulting Services for the Telemetry System Replacement – Phase 2.

Mayor Gerwig indicated she needed to recuse herself from the next item, because she serves on the board for the Florida Municipal Insurance Trust. She left the Chambers at this time.

G. 17-1234 AUTHORIZATION TO RENEW AN EXISTING AGREEMENT TO PROVIDE GENERAL LIABILITY, PROPERTY, CASUALTY AND WORKERS' COMPENSATION INSURANCE

Mr. Schofield introduced the item. He stated it is an agreement with the Florida Municipal Insurance Trust in the amount of \$774,278.

Councilman Napoleone asked about the price, as it is a big number. Mr. Schofield stated this covers workers' compensation as well as property and casualty insurance for the Village. He said the Utility is worth \$700 million, the infrastructure is worth more than \$2 billion, and the workers' compensation and casualty insurance is based on 300 Village employees, some who work with dangerous technologies, the electrical systems that operate the water and wastewater plants, and the heavy equipment in Public Works. He said, given the cost of their infrastructure and number of employees, it is a good price.

Vice Mayor McGovern understood the price went up. Mr. De La Vega indicated a summary was provided on the bottom of page 108. He stated the premium last year was \$784,000 with a return on premium credit of \$51,000, which gave them a net of \$732,000. He said this year the

premium was \$836,000 with a return on premium credit of \$62,000, which gave them a net of \$774,000 - a net increase of \$41,644 or approximately 5%. He indicated the Village uses this insurance company for general liability and all of the claims from Irma. Mr. Schofield noted the Village had a couple of catastrophic events this year.

A motion was made by Councilman Napoleone, seconded by Councilman Drahos, and unanimously passed (4-0), with Mayor Gerwig recused, to authorize the Renewal of an Existing Agreement to Provide General Liability, Property, Casualty and Workers' Compensation Insurance.

Mayor Gerwig returned to the Chambers at this time.

Mr. Schofield indicated one comment card was received from the public.

1. Mark Hilton, 13904 Folkstone Circle, Wellington. Mr. Hilton spoke about how well the Village prepared for and responded to hurricane Irma. He stated he was very impressed and would recommend Wellington to anyone. He thanked everyone for their hard work.

Mayor Gerwig stated the Village appreciated the neighbors working together. She said Mr. Hilton is a volunteer coordinator in his neighborhood and that has been a big help.

At this point, Mr. Schofield provided an update on Hurricane Irma. He indicated the Village was in really good condition at the moment. He stated Hurricane Irma did not hit Wellington as hard as they had thought. He said the Village received between 10.5 and 11 inches of rainfall. He stated the Village did not have any flooding, because the Surface Water Management group managed the system very well and got the canals down lower than they have ever been. He said the canal levels are now back up to the point where staff wants them to be.

Mr. Schofield stated there was a great deal of damage to vegetation and a significant number of roads were blocked. He said the maintenance crews were working on the roadways and the major roadway obstructions were cleared Sunday evening. He wanted residents to understand that even though the Village has cleared the roads, they have not taken away the debris. He explained that staff has to document all of the debris before it is removed or they will not get reimbursed from the Federal Emergency Management Agency (FEMA).

Mr. Schofield indicated staff would be asking Council later this evening to look at an emergency Ordinance declaring that debris on private roadways is a public health and safety hazard. He said the Ordinance will give the Village the authority to clean-up debris in private communities. He stated the maintenance people will not be cleaning every lot, but they will get the roadways open and the debris off the roadways, which is in the public's best interest.

Mr. Schofield stated structural damage was sustained to some homes in Wellington, but only two had major damage. He said every residential and commercial building in Wellington had an inspection team by it or in it, depending on the level of damage.

Mr. Schofield stated the Village was well into recovery operations now. He said it would take two to three weeks to clean-up and remove most of the debris. He stated residents should put their debris/vegetation at the curb and not stack it in the road. He said they should not mix bulk trash and white goods (refrigerators, stoves, etc.) with their vegetation. He stated the vegetation will be removed first, but they will be in the neighborhoods more than once to pick-up the debris.

Mr. Schofield stated Waste Management is only picking up regular trash, because that is all the Solid Waste Authority is accepting. He said as soon as they start to pick up recycling and bulk, Village staff will let everyone know.

Mr. Schofield stated the Utility maintenance crews also did a phenomenal job. He said the Village has 109 lift stations and 35 of them did not have power at one point. He stated they took generators to each one and never lost a lift station, so the waste was able to keep pumping. He said the plant never lost power and there were no boil water notices in Wellington.

Mr. Schofield stated the Village has an amazing staff. He said sometimes they are more concerned about getting things done than they are about themselves.

Mr. Schofield stated the Call Center also did a marvelous job. He said those folks came to work Saturday morning, worked 24 hours a day, and did not leave until they were sent home on Monday at 6:00 p.m.

Mr. Schofield stated the Village came through the storm in very good condition, but staff learned some lessons. He said 50% of the lift stations and 40% of the drainage pump stations were not reporting through SCADA at one point during the storm. He stated that was fixed and the Village was still able to operate them, but it is time to get them replaced. He said the SCADA system updates have been in the capital budget for a year.

Mr. Schofield indicated the Village has power back at some facilities. He stated the pool will open tomorrow at 10:00 AM and admission will be free for Wellington residents with proof of residency. He said they are trying to open Village Park as quickly as possible, as the power just came back there. He stated the park has a lot of trees down and it is not safe at the moment. He explained it was more important for the Village to clear the roads and canals than to open the parks. He believed the parks would be opened by Friday, but they will let people know on social media if that changes. Mr. Schofield noted that FPL is saying the Village should have all power restored by Sunday.

Mr. Schofield indicated the piles of debris will be with them for a while. He said the schools are closed for the rest of the week and will not open until Monday. He stated they were trying to get the facilities opened for the kids, but it is safety first.

Mr. Schofield said the structural things mostly have to do with water leaks. He stated, generally speaking, something had to fall on the roof to break it. He said some screen enclosures were lost and there was pretty severe water damage in some places. He thought given the full day of tropical storm force and hurricane force winds, the Village came out of it pretty well. He stated they lost a lot of vegetation and it will take a while to get it all back. He said once the trees fall and the roots come out, it is nearly impossible to save them. He noted that all of the roads are open.

Mr. Schofield thanked the residents for getting through the hurricane.

Mr. Schofield indicated some traffic lights are out and they are being restored as quickly as possible. He explained an intersection with a traffic light that is not working should be treated as a four-way stop, as that is the state law. He said there have been a couple of major accidents,

because people decided to go through the intersections without stopping. He stated if the lights are flashing, yellow means proceed with caution and red means stop.

He said a watering point has been setup at the intersection of Ousley Farms and Greenbriar near the big water tank, so the equestrians can get water to their horses. He stated people are also using this water to fill water containers. He said if residents need water, they can get it at any Village facility.

Mr. Schofield stated all gas stations in Wellington have power, either via FPL or a generator, but they do not have fuel. He said they expected the fuel situation to resolve itself in the next couple of days. He stated the grocery stores were still waiting to be restocked.

Mr. Schofield stated the curfew is from 10:00 PM to 6:00 AM. He said anyone on the street after that will be stopped and will need to have a good reason to be out there. He stated PBSO is worried because there are traffic lights out in the Village. He said about three times the number of deputies are on the streets during the day and night.

Councilman Drahos stated he has expressed his gratitude to staff for their hard work due to Hurricane Irma. He said Mr. Schofield is the first to take responsibility when something does not go right, but is the last to take credit when something goes well. Councilman Drahos mentioned he received a text from a resident who said Mr. Schofield does an excellent job on the hurricane videos. Councilman Drahos stated he replied saying that "Mr. Schofield does an excellent job period."

Councilman Drahos said he could not thank Mr. Schofield enough for how well he handled the hurricane situation. He stated Village roads were not flooded because Mr. Schofield preemptively took steps to prevent that from happening. Councilman Drahos said he was a firm believer that a sports team takes on the personality of their coach and likewise Village staff takes on the personality of their Village Manager. He thanked Mr. Schofield on behalf of the 60,000 plus residents in Wellington, as he rose to the occasion and did a great job.

Mayor Gerwig stated early on in the storm some residents were concerned about the garbage that did not get picked up. She stated she told them if that is the worst thing that happens in this storm, they are in very good shape. She said she apologized to them for it not happening exactly the way they wanted it to. She stated the 4,000 people without power are still very frustrated and she did not want to downplay any misery they are going through.

Mayor Gerwig agreed staff is a very well-oiled machine. She stated the entire Council was there to observe most of the Emergency Operations Center (EOC) updates and it was very impressive to watch.

Vice Mayor McGovern echoed the comments of Councilman Drahos and Mayor Gerwig. He said that goes for the entire team of Village employees from the highest level all the way down to road maintenance, Public Works, Utilities, etc. He stated the administrative team camped out in Village Hall for several days and the Utilities, road maintenance, Surface Water Management, and Public Works folks were working the moment things were clear. He said Council saw the employees at lunch yesterday and most of them had left their families, their homes, and their own concerns to come help make this Village work. He stated the employees told him they were proud to work in the Village and it meant so much to be a part of this team. He said he heard that from the people who had to leave their families at a moment's notice when they too did not have power or food and had children out of school or family members staying with them.

He stated the entire team truly protects and cares for them every day and sometimes they take that for granted. He said it is moments like this that make them realize how much goes into keeping Wellington the Great Hometown that it is.

Vice Mayor McGovern stated, in addition to Mr. Schofield and Nicole Coates, the team at the EOC was spectacular. He thanked, in particular, Shannon LaRocque at Utilities, Bruce Wagner at Public Works, and Liz Nunez for all of their work. He said Liz Nunez kept everyone updated with Facebook posts. He also thanked Captain Silva, Lieutenant Shaivitz, and Deputy Poritz and all the folks at the Sheriff's Office for keeping them safe.

Vice Mayor McGovern also thanked their colleagues of elected officials. He knows Mayor Gerwig and others have received constant calls from Congresswoman Frankel, Commissioner McKinlay, and many others reaching out to see what the Village needed. He said Palm Beach County functions very much as a team and that was something they were very thankful for. He thanked everyone for doing a great job.

Councilman Napoleone agreed the team was excellent. He said being able to observe the EOC meetings was beyond impressive, as it showed how well prepared and organized the Village was for Hurricane Irma. He stated they were prepared to respond globally and to individual concerns. He said when the Council members reported concerns received from residents, they were taken care of instantly. He stated it was great to watch Mr. Schofield, Ms. Coates, Ms. LaRocque and basically everyone, as the entire Village staff moved heaven and earth to get it done and they did a fantastic job.

Councilwoman Siskind stated this was one of those times when they all had the same message and feel the same way. She said they are so thankful that Hurricane Irma did not turn out to be the event it could have been. She stated if it had been worse, the Village would still be in great hands. She agreed it was incredible to see the team work through the storm and all of the emergencies. She said everybody, the Call Center, Utilities, Public Works, Fire Rescue, Palm Beach Sheriff's Office, came together and kept each other informed. She thought it was fun working with Council through the storm, as they were able to get out the messages as quickly as possible and share them on social media posts to keep everyone informed and updated. She said they always work well together.

Councilwoman Siskind also commented on the many random acts of kindness being done to help each other through the storm. She said it was great to see Wellington residents work together. She stated FPL is doing an amazing job and those without power will have to be patient just a little longer. She said everything is getting back to normal.

Councilwoman Siskind stated it was amazing to see everyone working together. She thanked Mr. Schofield for everything and for being an amazing leader.

Ms. Cohen stated Council would be adopting an Emergency Ordinance this evening related to debris removal for Hurricane Irma. She suggested that Council adopt that Ordinance while members of the public are here, because they need to have a Public Hearing. She indicated a procedure under Florida law allows Council to adopt this kind of an Emergency Ordinance without going through their normal formalities.

Vice Mayor McGovern asked if Village parks were open. Mr. Schofield stated if the park is cleared and not locked, the residents can use it. He said staff has not been able to get to the

bigger parks that have structures down. He indicated Scott's Place and many of the neighborhood parks are open.

Mayor Gerwig asked if any activities were being planned for the kids. Mr. Schofield stated the pool will be open beginning tomorrow and some activities are being planned for the amphitheater over the next several days.

Mr. Schofield stated their next priority is to open Village Park because of the gymnasiums, but they have to fix a couple of leaks. He said after that staff will focus on the park on Stribling across from Olympia and then the park on South Shore. He thought the play facilities at Tiger Shark Cove could be open very quickly, but the baseball fields may not.

Councilman Napoleone asked if the park information was posted somewhere, so that people could check to see what is open. Mr. Schofield stated this information was being posted on the Village website.

Vice Mayor McGovern asked about garbage collection, as it seems to be a moving target. He said it looks like it was announced on social media about two hours ago that recycling will resume tomorrow at the curb. Mr. Schofield stated residents should not put any trash or recycling at the curb until their regularly scheduled day for pick-up.

Mayor Gerwig stated bulk and vegetative should be put out. Mr. Schofield said residents should put out their vegetation now even though it may be there for a couple of weeks.

At this point, Ms. Nubin read Ordinance No. 2017-19 by title:

AN EMERGENCY ORDINANCE OF THE VILLAGE OF WELLINGTON, FLORIDA, RELATING TO POST-HURRICANE IRMA DISASTER DEBRIS COLLECTION; PROVIDING FOR DECLARATION OF FINDINGS AND INTENT; PROVIDING FOR REMOVAL OF DISASTER DEBRIS; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Mr. Schofield stated this Ordinance declares there is a public health and safety risk, which allows the Village to enter gated communities and clear the roads of obstructions and debris. He said they will not be clearing lots or common spaces, but will clear the roads and any debris stacked next to the roads. He stated they will be treated the same way as any other resident in Wellington is treated.

Councilman Drahos asked if this Ordinance only applied to Hurricane Irma. Ms. Cohen stated this Ordinance was drafted late this afternoon, so it is specific to Hurricane Irma. She recommended in the future that Council adopt a general ordinance for these types of situations.

Councilman Napoleone thought the Ordinance was well done. He asked if it needed to say "... and public at large" after the language stating "Whereas Hurricane Irma has created widespread disaster debris throughout Wellington which poses a significant threat to the health, safety and welfare of Wellington residents". He thought he saw some correspondence earlier indicating that language was required. Ms. Cohen indicated that "the public at large" was stated later in the Ordinance, but adding it as suggested would be fine.

Mr. Schofield stated the language Councilman Napoleone saw was from the FEMA recommendations. Councilman Napoleone said he would also add the language “public at large” to Section 2, Paragraphs 1 and 3, as well as Section 3 where it says “residents of Wellington”.

Councilman Drahos asked what activates the Ordinance and if there are consent issues. Mr. Schofield stated once Council adopts the Ordinance, the Village will just start collecting the debris. He reiterated they were not going into people’s backyards or cutting things down that are not in the right of way. He said the Village will be collecting debris that is actually on the roadways and roadway easements or rights-of-way. He stated they were not going behind the sidewalk to get anything.

Vice Mayor McGovern stated the Village was collecting the debris so that people can move safely in and about their neighborhood and the Village itself. Mr. Schofield indicated that was correct.

Mayor Gerwig stated, in the future, if they need to codify something, it should be triggered by something in the process. Ms. Cohen explained that when this type of disaster declaration is issued, it will trigger this type of response, and the Village will have a plan in place for such disaster declaration, to automatically permit the Village to do this type of debris removal.

Vice Mayor McGovern indicated Mayor Gerwig signed an Emergency Declaration last Thursday, so upon that kind of signing, this would then be triggered. Ms. Cohen said that was correct.

Mayor Gerwig asked if there were State requirements, as this Ordinance is a Federal requirement. Ms. Cohen indicated that Palm Beach County adopted an Ordinance in 2006 after Hurricane Wilma and she feels it is a good idea for the Village to do that as well. She said whenever the Village has one of these events, they will be able to get all of the residents and their community back in order by removing the hazards and debris from the roadways. She noted that the debris is also a fire hazard and conducive to vermin and disease as well.

Mayor Gerwig stated she shared with FPL earlier that if there is anything blocking them from restoring service to their residents, the Village will get it out of their way.

Public Hearing

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

There being no 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 Vice Mayor McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve Ordinance No. 2017-19 (An Emergency Ordinance of the Village of Wellington, Florida, Relating to Post-Hurricane Irma Disaster Debris Collection; Providing for Declaration of Findings and Intent; Providing for Removal of Disaster Debris; Providing for Conflict; Providing for Codification; Providing for Severability; Providing an Effective Date) as amended.

7. PUBLIC HEARINGS

A. 17-1463 FIRST PUBLIC HEARING FOR PROPOSED FISCAL YEAR 2017/2018 MILLAGE RATE, BUDGET AND ADOPTION OF THE FY 2017/2018 CAPITAL IMPROVEMENT PLAN

Mr. Schofield introduced the item.

Ms. Quickel stated this was the first public hearing of the tentative millage rate and budget adoption for the Fiscal Year 2017/2018. She said the total budget being proposed is \$110.5 million, including transfers, which is an overall increase of approximately \$21 million from the current year budget of \$89.5 million. She reminded Council that Acme, Water and Wastewater, Solid Waste and Lake Wellington Professional Centre budgets were adopted on August 8, 2017.

Ms. Quickel stated the operating budget includes the preliminary millage rate of 2.43 mills, which is a decrease of 0.01 of a mill from the current millage of 2.44 mills. She said Council adopted the Acme rate of \$230, which did not change, and the Non-Ad Valorem Solid Waste Assessment Rates at \$135 and \$100, which did not change. She stated the Water and Wastewater user rates include the 2.5% annual increase, which is an increase of approximately \$1.48 on a monthly bill. She said the Saddle Trail Park South assessment was approved for the second year and only goes to the Saddle Trail residents who participated in that program.

Ms. Quickel indicated the Village's total revenues are at \$91.6 million and total expenditures are at \$110.5 million. She said approximately \$19 million in reserves was being used to balance the budget, primarily to fund capital projects.

Ms. Quickel stated the proposed governmental budget, excluding Acme, is at \$65 million, which is an increase of \$6 million and includes the transfers. She said the primary increases are in the General Fund and that includes the 3.5% wage increase, which is 2.5% across the board, plus 1% for merit; the 5% for medical insurance increases; an increase of \$400,000 for the PBSO contract, plus two new deputies; the full Saddle Trail assessment for one year; and \$3.5 million in increased revenues from the one-cent sales surtax that was approved last November by the voters. She indicated their revenues for the governmental budget, excluding Acme, are \$61.1 million and expenditures are \$65.2 million. She said they were using approximately \$4 million in reserves to balance the budget.

Ms. Quickel stated the Village's taxable value is \$8 billion and a millage rate of 2.43 mills generates a tax revenue of \$18.5 million. She indicated other significant revenues include almost \$20 million in utility charges; approximately \$6 million in Acme assessments; approximately \$12 million in intergovernmental, use and fuel taxes; approximately \$8 million in utility and service taxes for communication service tax, utility service tax and business tax receipts; another \$7.6 million in permits, fees and special assessments, franchise fees, engineering and planning & zoning fees, building permits and the saddle trail assessment. She said the increased budget shows the Village is using its reserves for projects instead of increasing the millage.

Ms. Quickel stated the largest governmental budget increase is for the sales surtax projects and \$3.5 million has been budgeted for that anticipated revenue. She said wages and benefits increased approximately \$1.1 million and include a total of 3.5% (2.5% across the board and 1%

merit) and FRS for retirement as well as an estimated 5% increase in health insurance, longevity, and leave buy back. She said Operating Costs show an increase of \$601,000, which includes expenditures for the upcoming new computer system for the Village; election expense for next year of approximately \$50,000; engineering and surface water testing; and supplemental position and supplies for additional Zika services. For the Roadway & Facility Maintenance, there is an increase of approximately \$553,000 for increased projects in roadway overlay and maintenance as well as facility major maintenance, which includes concession stand renovations, the community center dock and gazebo. She stated recreation programs include an increase of \$402,000 primarily for increased amphitheater events, community center programs, and additional tennis programs. She said the law enforcement contract is at \$400,000 for the 2% contract increase and two new deputies, the Saddle Trail debt service is for a full year, and the Great Neighborhood Grants increased by \$140,000.

Ms. Quickel indicated, since the last presentation on the budget, an additional \$123,000 has been added to increase the Keely Spinelli grant program by \$100,000, bringing it to a total of \$400,000, and senior transportation has been increased by \$20,000 based on usage. She said the recommendation to increase the Keely Spinelli grant program came from the Education Committee.

Mayor Gerwig asked when these increases were presented to the Council. Mr. Schofield indicated they had discussed increasing it, but Council needed to decide if they were going to do all, some or none of it. He stated the money is there at this point. He indicated this is the first hearing, so Council can change it. He said only the assessment rates for Acme, Solid Waste, Saddle Trail and Utilities are fixed, as Council set them in August. He stated every other part requires two public hearings and all of it is changeable.

Vice Mayor McGovern understood this process puts it into the budget and then Council has to figure it out. Mr. Schofield stated that was correct.

Mr. Schofield stated they have talked a lot about how much revenue the Village has and how the reserves are being spent and used. He said they will maintain an operating reserve of 30% in order to maintain the Village credit ratings, but the bulk of the funds are being spent in the Utility Department. He said the Utility has the money to do the improvements, as they set the rate structure so they could pay-as-they-go. He stated the Village was not spending \$19 million it does not have. He indicated \$14 million or so is coming out of the Utility Fund for funded projects.

Mr. Schofield indicated they were getting ready to do a new rate structure. He stated they put the money in place up front rather than borrow it, so they can pay the actual costs of the project as they go. He explained the cost to borrow money is roughly \$100,000 a year for every \$1 million they borrow. He stated if they borrow \$20 million for a project, they will pay back \$40 million over the life of a twenty-year loan. He said many years ago, the Village Councils made the decision to pay for as much as they can using pays-as-you-go. He stated these monies are coming out of Utilities, Building, Acme, etc., places where the reserves were built intentionally to pay for construction projects. He said the actual increase from these capital projects is from about \$89 million to \$91 million, which basically accounts for the cost of inflation over the last year. He stated he wanted to be very clear about that, so residents did not think the Village is recklessly spending down reserves.

Mayor Gerwig stated the Village is now spending the money that has already been paid by the residents. She said the Village still has a small amount of bonds, and the idea there is that the

current residents pay for the project. Whereas, with pay-as-you-go, past residents are paying for the project. She stated the two philosophies are different, but neither one is right or wrong.

Ms. Quickel indicated the Village will still have a fund balance of 35% after paying for these projects. She explained the Village has been building up for projects, especially in the Utility Fund. She stated the biggest change in the Governmental Fund is the surtax, which adds \$3.5 million. She said that revenue will be budgeted for capital projects and Council will determine such projects, as it is a new revenue and expenditure. Mayor Gerwig noted the surtax revenue has to be spent on capital improvement projects.

Ms. Quickel reviewed the Governmental and Utilities capital projects. She stated the governmental projects total \$8.2 million, which is divided between the parks, Safe Neighborhoods, streetscape, and Acme for ongoing programs. She indicated the one-time projects include the tennis center parking, new computer system, and South Shore/Pierson intersection. She stated the sales surtax projects include the Community Park renovation and Village Park upgrades.

Ms. Quickel indicated the Utilities capital projects total a little over \$18 million. She said when adding this amount to what is budgeted for Utilities this year, there will be approximately \$45 million in capital projects in the Utility Department itself.

Ms. Quickel stated the proposed millage rate is 2.43 mills. She said this millage rate will increase the tax bill for a homesteaded property by approximately \$15.00, because the average property values have increased. She stated the non-homesteaded properties would see an estimated \$53.00 increase on an average home value of \$307,500. Ms. Quickel explained the proposed additional homestead exemption, which may be on the ballot for consideration by voters next year, is an additional \$25,000 on the first \$25,000 over \$100,000. She indicated the potential impact if that goes forward in 2019 is an approximate 0.02 of a mill difference between 3.00 and 3.02 mills, which will gradually increase and change over time.

Ms. Quickel stated the Operating Fund balances show that the General Fund will still have, after all of the reserves and expenditures, \$16.8 million in unassigned General Fund reserves. She said that is the equivalent of 35% of the General Fund expenditures. She indicated Village policy is to stay between 25% and 30%, so they are exceeding that slightly. She said the remainder of the fund balances are restricted for Acme, Building and Gas Tax Maintenance.

Ms. Quickel showed Council the historical Wellington and Acme rates for a variety of areas. She stated that since 2012, the millage rates have decreased from 2.5 mills to the current proposed rate of 2.43 mills.

Ms. Quickel showed Council a sample tax bill indicating the 2016 tax amount for the Village of Wellington and the proposed 2017 amount. She noted the \$15.00 increase from the millage as well as the rates for solid waste collection and Acme, which have not changed and were previously approved.

Ms. Quickel reviewed the budget calendar. She stated the next public hearing on the budget is scheduled for September 26, 2017.

Mr. Schofield stated the Village has always had trouble getting people to come to the budget hearings, so Ms. Quickel and her staff held a virtual Town Hall on the budget this year. Ms. Quickel said they had 3,800 views and approximately 250 live viewers. Mr. Schofield indicated

they had more people view the Town Hall than they have had attend the budget hearings and Council Meetings since he has been with the Village. He said a lot of outreach was done with this budget and staff did a lot of different things with it. He congratulated Ms. Quickel and her staff on the outreach. Ms. Quickel stated it worked out really well.

Councilman Napoleone stated the governmental budget shows they are using just over \$4 million from reserves to balance the budget, which means they are exceeding their revenues by \$4 million. He asked if that was a concern going forward and if they are taking care of it, so they do not continue using reserves. Ms. Quickel stated that would be controlled by their projects and the other revenues they have. She said the \$18 million in millage revenue is just a portion of the total revenues the Village receives. She indicated that is one reason they have the chart that shows the concern with the additional potential homestead exemption going forward. She said they will look at all of this going forward, so they do not create a problem.

Mr. Schofield indicated, as they look into the future, some staffing changes will roll forward into the capital projects. He stated the Village still does not have funding for some capital projects, so Council will be seeing those in the next several months.

Councilman Napoleone asked what the anticipated fiscal impact is if the homestead exemption passes. Ms. Quickel stated the Village was looking at an estimated loss of \$800,000. Mr. Schofield indicated that amount would be lost in the first year and it would increase each year thereafter.

Mayor Gerwig stated Senator Jack Latvala mentioned the additional homestead exemption at the Florida League of Cities Meeting. She said he asked the cities to break it down and show the residents who would actually receive the exemption, as not many would. She stated Wellington has higher property values, so maybe more people might receive it. She asked staff to look at the additional homestead exemption, so it can be presented to their residents when they are faced with that decision. She said all of the money comes from their taxpayers, which is how the Village provides them services. Ms. Quickel stated she would work on that.

Vice Mayor McGovern noted that the proposed millage rate is the lowest going back to 2010. He stated the budget has been between \$75 million and \$90 million over the last eight years, and now it is increasing by roughly \$20 million to \$110 million. Ms. Quickel said \$18 million is in the Utility Fund for capital projects and \$3.5 million is from the sales surtax, and that basically equals the increase of \$21 million.

Councilman Napoleone asked if this was a one-time expenditure and if they could anticipate the budget dropping to a more consistent level. Ms. Quickel stated the Utility funds do not need to be re-budgeted unless something changes, so the budget should decrease.

Mr. Schofield stated they will see that \$3.5 million for the surtax for ten years. He said it goes into capital and not into normal operating, so the Village is not dependent on it. He explained the Utilities will drop for a long time until there is funding for the next major project. He stated at some point they will see \$15 million to \$25 million in the Utility, but that money will be in savings to pay for the next major plant expansion or the like. He said the Utility expenditure is funded one time and is not included in the budget the following year. He stated the budget will drop by \$14 million or \$15 million and could even drop by as much as \$18 million.

Vice Mayor McGovern asked how long the Village has been planning for this expenditure in Utilities. Ms. Quickel stated it has been at least since 2008 when the rate study was done, as it included the plans for accumulating funds for the renovation of their existing Utilities facility.

Vice Mayor McGovern stated this Council and the two prior Councils each planned for this Utility expenditure to happen when the Village reached this point in time. Ms. Quickel indicated the Utility Fund was discussed in the audit presentations, as approximately \$55 million in reserves was being accumulated for these projects.

Vice Mayor McGovern understood this was an expenditure of dedicated funds that have been accumulated to ensure the Village has the quality utility services the residents have to come to expect. Mr. Schofield stated, beyond that, they were accumulating funds for these exact projects. He said the Village is getting ready to do a new utility rate structure to prepare them for the next ten years and it will identify every major expenditure. He noted a cost estimate will be done in 2017, but by the time it is built in 2022 or 2023 the costs may be a bit different. He said it will be as close as it can be and every major improvement for which they are saving money will be identified.

Vice Mayor McGovern indicated this budget called for taking on zero dollars of new debt of any kind. Ms. Quickel stated that was correct.

Vice Mayor McGovern asked how long it has been since the Village has taken on any debt or issued any bonds. Mr. Schofield stated the Village has not taken on any new debt since he has been the Village Manager, other than Saddle Trail, which the residents themselves asked for. He indicated the Village has done some refinancing to lower its interest rates.

Vice Mayor McGovern thought staff should be commended in that regard, because that is not something many municipalities can say. Ms. Quickel agreed that was a huge statement, as a big capital program in Utilities is being funded.

Councilman Drahos noted the second largest governmental budget increase is Wages and Benefits, but they are actually reducing the number of employees by one. He understands the increase was for merit increases, cost of living, and the additional increase for insurance, etc. Ms. Quickel stated that was correct.

Mr. Schofield stated all employees know the Village is looking at further staff reductions over the next several years. He said the ERP system will provide some efficiencies and those positions have been identified. He stated enough people are in drop and are ready to retire, so they will be able to hit their reduction targets. He said no one was being laid off, but they were planning for the future. He stated he committed to Council in the last budget that they would be looking at efficiencies and staff. He said this is the first time Council is seeing it, and they will continue seeing it over the next three years.

Councilman Napoleone understood they were not laying people off, because they were not replacing employees who are retiring. Mr. Schofield stated enough people are in the Deferred Retirement Plan (DROP) to meet their goals, so those positions will not be replaced. He indicated the employees who have been here long enough to get into DROP are really expensive and 35% of their people are millennials. He stated they are paying significantly more to hire people today than they did three or four years ago. He said the good people are commanding premiums and getting them. Councilman Drahos thought good people are well worth the expense, as they get what they pay for.

Public Hearing

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

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

After Council closed the Public Hearing, one member of the public indicated they wanted to speak:

1. Vince Weber, 2146 Wingate Bend, Wellington. Mr. Weber asked about the total income and expenses to the citizens when all budgets are consolidated.

Mayor Gerwig indicated the Budget-in-Brief booklet would answer Mr. Weber's questions. He was provided with a copy of the booklet.

Mr. Schofield explained the Village's normal spending is at about \$91 million, which is a little over 2% of what was spent last year and right at the cost of inflation. He said the rest of the budget, \$18 million, is for long planned utility projects for which the Village has saved money. He stated the Village is essentially providing all of the same services it has always provided, and they hope to provide them a little better. He indicated a major expansion is being done in the Utility, which is needed in order to keep their water and wastewater working. He said they will also be doing some value-added projects with the \$3.5 million in surtax.

Mr. Weber asked if they were carrying that project forward and only expensing a portion in the year it actually occurs. Mr. Schofield stated the Village used to budget their capital projects that way. He said if \$3 million was spent on a \$20 million utility expenditure, the next year they would add \$17 million to the budget. He said in this case, if \$18 million is going to be spent, it is put in the budget that year, as the money is there.

Mr. Weber asked if it was shown as a deferred liability. Mr. Schofield stated the Village cannot do a project if it does not have the money in the bank, so there is no liability to it. He said the project, the contract, and the money is there, which is why they are showing the full amount in this year's budget. He stated the project will take three years to build and they could show \$7 or \$8 million a year. But they would rather show it to the residents all at once, so they can see exactly what the Village is doing.

Mr. Schofield asked Mr. Weber to sit down with him and Ms. Quickel to discuss this in a day or so. He stated his office will contact Mr. Weber.

Mayor Gerwig thanked Mr. Weber for his comments on the budget. She stated the Budget-in-Brief is her favorite document, as it provides a nutshell look at a budget that is quite complex.

Ms. Quickel read the following mandatory statement: The 2.43 millage rate is 5.81% higher than the rollback rate of 2.966 mills. The rollback rate is the rate which if applied to this year's total assessed valuation of \$8.03 billion, yields the same ad valorem tax revenues as the previous year or \$17.53 million adjusted for discounts. Adopting the proposed rate of 2.43 mills generates \$18.55 million adjusted for discounts or an increase of approximately \$1.17 million from last year. The proposed millage rate of 2.43 mills for the Village of Wellington

governmental budget, including Acme Improvement District, funds a 9.2% operating increase over the prior year. The proposed millage rate of 2.43 mills for the Village of Wellington governmental budget, excluding Acme Improvement District, funds a 10.4% operating increase over the prior year.

A motion was made by Councilman Napoleone, seconded by Councilman Drahos, and unanimously passed (5-0), to approve the Proposed Fiscal Year 2017/2018 Millage Rate, Budget and Adoption of the FY 2017/2018 Capital Improvement Plan on first reading.

At this point, Ms. Quickel showed Council a video based on the last few days of staff working on Hurricane Irma. She indicated they will have another video at the second reading.

Councilwoman Siskind stated that Ms. Quickel and her team do an amazing job. She said the budget is very comprehensive, easy to understand, and concise. Ms. Quickel stated her team is great to work with.

B. 17-1458 ORDINANCE NO. 2017-14 (FLOOD DAMAGE PREVENTION): AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON CODE OF ORDINANCES BY REPEALING CHAPTER 18 "BUILDINGS AND BUILDING REGULATIONS", ARTICLE III "FLOOD DAMAGE PREVENTION", SECTIONS 18-40 THROUGH 18-55; TO ADOPT A NEW ARTICLE III; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; TO ADOPT TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

Mr. Schofield introduced the item and indicated this was the second reading. Ms. Nubin read the ordinance by title.

Mr. Tomasik stated this ordinance adopts the new maps that establish the flood hazard areas in Wellington. He indicated the new maps reduce the number of properties in special flood hazard areas from over 2,500 to 125. He said this ordinance also establishes requirements for the base flood elevation. He stated it mandates that one foot of freeboard be added to the base flood elevation in the special flood hazard areas and limits placement of fuel on land parcels smaller than one acre.

Mr. Tomasik indicated there have been no changes to this ordinance since first reading. He mentioned that Mayor Gerwig received an additional reminder from FEMA stating that if the Village does not adopt this ordinance, it might be suspended from the National Flood Insurance Program (NFIP). He said suspension would cause the Village to become ineligible for flood insurance through the NFIP and new insurance policies would not be sold and existing policies would not be renewed.

Mayor Gerwig stated Mr. Tomasik went through a lot of this discussion on first reading. She said she has shared the link to find the flood zones and it works great. She thought that was very responsive government.

Mr. Tomasik stated the Village has been preparing for this for a long time. He indicated the changes to the maps were discussed throughout the county, the state of Florida, and the nation.

Public Hearing

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

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

A motion was made by Councilwoman Siskind, seconded by Councilman Napoleone, and unanimously passed (5-0), to approve Ordinance No. 2017-14 (Flood Damage Prevention) as presented on second reading.

C. 17-1485 ORDINANCE NO. 2017-11 (ARTICLE 5 – DEVELOPMENT REVIEW PROCEDURES): AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON LAND DEVELOPMENT REGULATIONS, MORE SPECIFICALLY, A ZONING TEXT AMENDMENT TO REPEAL AND REPLACE ARTICLE 5, IN ITS ENTIRETY, AS CONTAINED HEREIN; TO ESTABLISH SPECIFIC STANDARDS RELATED TO THE DEVELOPMENT REVIEW PROCEDURES FOR DEVELOPMENT APPLICATIONS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item. Ms. Nubin read the ordinance by title.

Mr. Basehart stated Article 5 of the Land Development Regulations is basically for the application process. He said staff rewrote it to streamline the process, reduce the time of getting applications to the review bodies, clarify and simplify the code, and make the process more transparent. He indicated there was a public hearing with the Planning, Zoning and Adjustment Board (PZAB) last month and they unanimously recommended approval. He stated the first reading with Council was two weeks ago and they unanimously approved the ordinance, subject to a couple of changes related to equestrian permitting. He said those changes have been included in Council's books.

Mr. Basehart explained the original draft made all equestrian permits administrative. He stated Council expressed an interest in seeing all applications with more than 30 event days. He said any special use permit request for more than 30 dates in a season would require review and approval by Council.

Councilman Drahos thought the rationale was that something of this size would have an impact on the whole community, so the Village needed to handle it carefully. He indicated they have not had issues with any of the entities who have applied for these types of permits in the past. But if the Villages does begin to have issues, he asked how staff planned to address them. He asked if the applicants would lose the right to an expedited administrative review and then be subject to Council.

Mr. Basehart stated that is exactly how it would be handled. He said if an applicant violates the conditions of their special use permit, i.e., noise levels, hours of operation, the code provides

the Village the ability to suspend or rescind the permit. He stated if that does not happen, it is likely that next year staff will not approve the administrative permit, and the applicant could appeal that decision to Council. Mr. Basehart indicated that action would be triggered by the creation of unforeseen impacts that cannot be mitigated or not following the limitations of the conditions placed on the permit.

Referring to the Staff Report, Ms. Cramer indicated the language in red in Section E would be added to the Land Development Regulations as well as to the special use permit when it was issued. She stated staff made three minor changes throughout Article 5 and put them together in the Staff Report in red, so Council could see them.

Councilman Drahos asked if staff could immediately revoke a permit that has been issued by the Village if they find a giant concert going on and there is a huge problem with noise. Mr. Basehart stated they could.

Councilman Napoleone asked if that process was different than what staff does now. He asked if staff was currently able to revoke a permit that violates what the permit was issued for. Ms. Cramer indicated if the entity does not comply with the conditions of their approval or with any of the Code of Ordinances, it would be treated as a code violation and staff would have the ability to revoke the permit.

Councilman Drahos stated he wanted staff to be able to revoke a permit immediately without having to go through an extended magistrate process. Ms. Cramer explained if staff revokes the permit and the entity appeals it, the appeal would come to Council because they were the original issuing body. Mayor Gerwig noted that was for the 30-day equestrian events.

Councilman Drahos stated he understood that staff could revoke all permits. Mr. Basehart explained if a special use permit was issued administratively under the new code, with less than 30 days of events, and they violate the conditions of approval or create negative impacts, staff could revoke the permit and the appeal would be to the PZAB. He said a special use permit with more than 30 days has to come to Council for original approval. Therefore, the appeal would come to them, since Council is the original approving body.

Ms. Cramer stated currently the appeal would go to the PZAB, should staff revoke a permit issued by Council. She said staff made that correction, so the decision making body would hear the appeal.

Councilman Napoleone stated he did not want Council micromanaging special use permits, but he also did not want everything getting approved at the staff level. He said at first reading they discussed the arbitrary 30 day criteria. He stated he requested that staff get more information on what other municipalities use as far as criteria or matrices to decide what should get a Council level approval. He thought an arbitrary number of days should not determine or trigger Council approval, as it should be the type of event. He asked if that would be something the people would expect Council to approve as opposed to the staff level. He stated, at this point, very few events fall within the 30 day criteria that would go to Council. He said he would like more research done on the information he requested, so they could find a proper matrix to use to help decide when something should go to Council and when it should not. He stated he did not want everything to come to Council, but certain things should have criteria besides just the number of event days to trigger a Council level approval. He said he did not have a handle on that tonight.

Mr. Basehart believed they were predominantly talking about equestrian type permits, as those are more than just a few days. He stated everything else, firework permits, pumpkin sales, Christmas tree sales, are for a shorter period of time. He said there is no equivalent municipality with respect to permitting events with 30 event days. He stated Wellington stands on their own with respect to this type of an issue. He thought it boiled down to Council's comfort level, as it could be 20 days.

Councilman Drahos thought Councilman Napoleone was saying there could be a non-equestrian event scheduled in Wellington that the public would expect Council to sign-off on. Councilman Napoleone indicated that was his question. He said it is not the number of days, but the nature of the event. He stated he was trying to take the number of days off the table as the sole criteria that triggers Council approval, because that only qualifies one event.

Mayor Gerwig stated the regulations evaluate the nature of the event, so the impacts are rendered usable for the public as well as the applicant. She said this is all about ensuring parking, etc., is provided and there are no negative impacts to the residents. She did not know what criteria they could use, except to say it is a long running event.

Ms. Cramer stated in speaking with the other municipalities, staff found that many had a board or their Council do some type of approval. However, the majority were approving them administratively. She said the long term time limitation was not necessarily something they had in their code and some of the administrative permits, like renewals for Christmas tree permits, pumpkin patches, etc., were issued through staff without any other further reviews.

Mayor Gerwig indicated Council was looking for a way to capture those events that may not be staying in the lines.

Councilman Drahos stated an event with good intentions may want to come to Wellington, but perhaps its tone or theme does not meet Village values. He asked how staff would handle that from an administrative point of view. Mr. Schofield stated staff will not under any circumstances issue permits based on content. He said content was not something the staff or the Council could consider.

Ms. Cohen stated she thought Mr. Schofield was talking about making judgements about various expressions of speech or other expressions. She said if Council strays into regulating content, they could run afoul of first amendment protections. She suggested, even though Council has a broad discretion when crafting legislation, they consider objective criteria for the provision they are adopting. She said if Council is unhappy with the 30 days, they should look at objective criteria that can be applied equally, so it is not based on who is putting on the event or singling out equestrians versus non-equestrians.

Mr. Schofield proposed looking at the number of people who are attending the event either on a daily basis or an accumulative basis. He stated if the event is going to draw more than 1,000 participants a day or draw more than 5,000 participants over its life time, it would come to Council.

Mayor Gerwig thought Mr. Schofield's suggestion might be subjective, as the event might set out to draw all these people and no one shows up. She said the intent is to always have a successful event. She did not think there was a good way to do it, other than to look at what causes the negative impacts to the neighborhood and not issue the permit the following year. She said this came to Council originally, because it is a bit problematic. She stated if someone

is doing a small horseshow or event, or a fundraiser for their favorite charity, the Village wants them to be able to do that in Wellington without it being problematic for them. She thought, if that is what they are looking for here, they are kind of going against the grain and complicating it further by looking at how many people are going to attend. She said that Council wants staff to mitigate these circumstances, so the event can be held again next year.

Mayor Gerwig stated she was looking for a mechanism for when it does not go right or when someone abuses it, to make sure that it stops. However, she understood the Village already has that in place. She thought 30 days was a good place to start. She said if Council needs more time to consider this, they could postpone it to their next meeting.

Councilman Napoleone asked if there was an urgency to getting this done now. Mr. Basehart stated staff was trying to bring the code into alignment with the practices they have established over the last year in streamlining the process. He said this was just a small part of that.

Councilman Napoleone asked would there would be a problem if Council postponed this item to their next meeting. Mr. Basehart stated he did not understand what Council would like staff to come up with.

Ms. Cramer stated staff was asked to research four municipalities. She said the only one that does Village Council approval is Royal Palm Beach. Mr. Schofield stated the Village Council of Royal Palm Beach considers everything, as it does not matter what it is.

Ms. Cramer stated the City of West Palm Beach has a community events division in which other city departments also review permits. She said they are a strong mayor form of government, so they have provided the Mayor with the authority to approve or deny special event permits. She stated they are typically processed through the community events division.

Councilman Napoleone thought Vice Mayor McGovern suggested on first reading that new events coming to the Village should get Council level approval and, if all goes well and the same application is submitted the following year, it should drop to a staff level approval. Vice Mayor McGovern indicated page 164, Section 5.3.9-D, now says that. Councilman Napoleone stated it does provide for that, but it limits Council level approval to only those events that are more than 30 event days in a period of time, of which there is only one event.

Vice Mayor McGovern asked what would happen if Council adopted the ordinance as it is written now. He asked if the 12 or 13 special use permits that Council approved in calendar year 2016 would come back to Council one more time under this ordinance and then be renewed thereafter if there are no changes.

Ms. Cramer thought the question was if the permits that have already been issued by the Village would now be treated as a renewal. Vice Mayor McGovern stated this whole rewrite does not currently exist and would not have existed when any of the previous special use, equestrian, or seasonal permits were issued. He asked if everything would come back to Council one time and then going forward it would get staff level approval if it remains the same. He asked if that is what staff intended this to say. Ms. Cramer thought that was up to Council.

Councilman Napoleone asked Vice Mayor McGovern if he was talking about events currently drafted and exceeding 30 days, as only those specific events would come for Council level approval. He also asked if the events that have already happened will come back to Council again if they are the same application.

Mr. Schofield indicated a provision in the current code allows for annual renewal that most people do not take advantage of, because the applications generally change from year to year. He said the recurring events always have some changes, so they do not meet the code as it is written.

Mayor Gerwig thought what they really wanted is a renewal option. Mr. Schofield stated they want a renewal option if the application is the same, as they all change a bit. He said there would have to be a provision for a variance of 5% of something, but he did not know what that would be.

Ms. Cohen thought the following language could be included in Section 4 of the ordinance where it talks about the effective date of the ordinance: "For the purposes of this ordinance, all events exceeding 30 days shall be treated as new events requiring Council approval." She indicated that any event would come to Council for its first initial review, even if it occurred last year, post the ordinance passing.

Vice Mayor McGovern asked Mr. Schofield about his comment regarding a 5% variance. Mr. Schofield stated the provision in the existing code states that permits from the prior year can be renewed. However, most events change somewhat, especially the larger ones. He indicated minor changes, like changing the location of where the horses are stabled, would not have to come back to Council. But major changes, such as going from stabling 300 horses to 400 horses or the number of vendors goes from 10 to 20, would not be eligible for an automatic renewal. He said language could be included in the provision that says staff could approve a 5% change one way or the other, but beyond that it would have to come back to Council.

Councilman Drahos stated the language Mr. Schofield just proposed was not currently included. Mr. Basehart stated the way it is now; it would come back to Council if there is any increase in intensity.

Mayor Gerwig thought if their goal is to streamline the process and make it easier, especially since the Council has approved everyone that staff has recommended, they are making it more complex instead of solving the problem. She did not think this was the way they wanted to handle it.

Vice Mayor McGovern thought Council would have discussed this more at Agenda Review, but they did not have that meeting due to Hurricane Irma. He said it seemed to him that they could postpone this item to their next meeting.

A motion was made by Councilman Napoleone, seconded by Councilman Drahos, and unanimously passed (5-0) to postpone this item date certain to their next Council Meeting.

D. 17-1486 RESOLUTION NO. R2017-40 (DEVELOPMENT REVIEW MANUAL): A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, ADOPTING THE DEVELOPMENT REVIEW MANUAL, AS MORE SPECIFICALLY DESCRIBED HEREIN, TO PROVIDE FORMS FOR PLANNING AND ZONING APPLICATION TYPES, SUBMITTAL REQUIREMENTS, REVIEW CRITERIA AND DETAIL THE PROCESS FOR DEVELOPMENT APPLICATIONS AS REQUIRED IN ARTICLE 5 OF WELLINGTON'S LAND DEVELOPMENT REGULATIONS AND TO

COMPLY WITH FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield indicated this item was related to the previous item and should also be postponed.

A motion was made by Councilman Napoleone, seconded by Vice Mayor McGovern, and unanimously passed (5-0) to postpone this item date certain to their next Council Meeting.

E. 17-1482 ORDINANCE NO. 2017-12 (DEVELOPMENT APPLICATION FEES): AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, AMENDING WELLINGTON'S CODE OF ORDINANCES BY REPEALING CHAPTER 2 "ADMINISTRATION", ARTICLE VIII "RECOVERY OF COSTS OF ADMINISTRATIVE REVIEW AND PROCESSING", SECTION 2-361 "COST RECOVERY; AND CREATING SECTION 2-361 "DEVELOPMENT APPLICATION FEE"; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item. Ms. Nubin read the ordinance by title.

Mr. Basehart stated, as was discussed at first reading and in workshop, this is an amendment to Chapter 2 of the Code of Ordinances. He said it eliminates the cost recovery program for fee schedules and application fees, and replaces them with a straight development application fee system with an escrow for costs that accrue, such as legal ads and outside consultants. He indicated those were the only changes to Chapter 2 right now.

Councilman Napoleone asked if staff had received any public comments or feedback since the last time this was discussed. Mr. Basehart stated a lot of input was received from the people who frequently submit applications to the Village. He said many communities no longer use the old cost recovery system, because the applicants and their representatives cannot predict what it will cost to go through the application process. He stated, with a straight fee system, they will basically know how much it will cost for the legal ads, outside consultant services, etc., in addition to the straight fee. He said the straight fee system provides more certainty and it is more open/transparent. Mr. Basehart indicated no negative feedback was received.

Ms. Cohen noted that the letters of support were included in the agenda item.

Vice Mayor McGovern thought this Council for some time has been wanting to see this process become more defined, straight forward, and predictable. He said he believed this was a good thing when Council passed it on first reading and he still believes it is important as they finally bring it to fruition this evening.

Ms. Cramer indicated that the Planning, Zoning and Adjustment Board (PZAB) also voted unanimously to approve this.

Mr. Basehart stated that staff would like to have their file on this made part of the record of the hearing.

Public Hearing

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

Vice Mayor McGovern thought this was important and difficult, as they are discussing this in the middle of a hurricane situation in their community and state. He stated this was discussed at their last Council Meeting and no members of the public or community came to speak. He believed, looking at the support letters, this was a good thing. He said this is something the Council has wanted to do and should do.

Councilman Napoleone indicated the Village has not received any negative input.

There being no further 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 Vice Mayor McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve Ordinance No. 2017-12 (Development Application Fees) as presented on second reading.

F. 17-1483 RESOLUTION NO. R2017-28 (DEVELOPMENT REVIEW APPLICATION FEE SCHEDULE): A RESOLUTION OF WELLINGTON, FLORIDA'S VILLAGE COUNCIL ADOPTING A REVISED FEE SCHEDULE FOR PLANNING AND ZONING DEVELOPMENT APPLICATIONS; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced this item. Ms. Nubin read the resolution by title.

Mr. Basehart stated this resolution is for a new fee schedule, as the cost recovery fee schedules have been in place since 2008. He explained staff analyzed the last four or five years of what it cost the Village to process, review, make staff reports, and complete the review process for each and every type of application in the fee schedule. He said they set the fees at a level that is basically equivalent to their costs. He indicated this does not represent an increase in the fees, as it represents doing it a different way.

Mayor Gerwig stated they took out the highs and lows, and came out with a number. Ms. Cramer indicated staff took out the really high numbers, because they wanted to get the best average possible.

Mr. Basehart stated staff looked at the fee schedules for Palm Beach County and other equivalent communities, such as Jupiter, Palm Beach Gardens, Boca Raton, Delray Beach, Boynton Beach, Royal Palm Beach, and a number of others. He said they found that with the fee schedule being proposed, Village fees are still on the low end compared to other municipalities.

Ms. Cohen indicated this item was advertised with the ordinance for a public hearing and recommended that Council open and close the public hearing.

Public Hearing

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

There being no 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 Councilwoman Siskind, and unanimously passed (5-0), to approve Resolution No. R2017-28 (Development Review Application Fee Schedule) as presented.

G. 17-1484 RESOLUTION NO. R2017-29 (BUILDING DEPARTMENT FEE SCHEDULE): A RESOLUTION OF WELLINGTON, FLORIDA'S VILLAGE COUNCIL ADOPTING A REVISED FEE SCHEDULE FOR BUILDING PERMITTING; AND PROVIDING AN EFFECTIVE DATE

Mr. Schofield introduced the item. Ms. Nubin read the resolution by title.

Mr. Basehart explained the Building Division of the Village operates as an enterprise fund and operates off the revenue created by the fees paid to process applications. He stated those fees cover the review of plans, issuance of permit, and all inspections in the issuance of final certificates of completion or certificates of occupancy. He indicated the fee schedule for the Building Division was last amended in 2009. He said, as Ms. Quickel stated earlier, it is anticipated that the building permit fees will come out to less than the cost of operating the program, based on the current fee schedules. He stated this was part of the reason for this amendment. He indicated, even with the fee changes being proposed, Wellington is still far below the average of equivalent communities.

Mr. Tomasik stated staff compared eleven municipalities. He said the new fee schedule will help cover the operating costs and services they provide. He stated staff is focused on promptly issuing building permits and performing inspections the next day. He said staff is trained to deliver those services and to not become an obstacle in the construction process.

Mayor Gerwig asked about the impact of the new fee schedule. She said the Village does not have much undeveloped land and this would apply to new construction. Mr. Tomasik stated the fee changes would affect smaller repairs as well. He indicated there would be no change for anything related to remodeling that is \$50,000 or less. He stated there would be no cost increase for permitting for any repairs related to hurricanes, unless the damage is over \$100,000. Mr. Tomasik stated the new fee schedule will help with the new and larger projects, where the Village spends a lot of time inspecting, as well as with the plan review and certificate of occupancy. He indicated approximately 80% of the projects end up with a temporary certificate of occupancy, because there are always outstanding items. He stated staff allows full occupancy with a temporary certificate of occupancy, but they have to follow-up towards the very end to ensure all items have been completed.

Mr. Tomasik indicated if applicants renew their permit within 30 days of expiration there is no fee. He hoped this would encourage the applicants to keep their permits active and to close them before they expire. He said if a permit expires, staff has hard time getting it closed.

Mayor Gerwig asked how staff was notifying the homeowner when permits do not get closed, as they are responsible even though the contractor is pulling the permit. She said that has been an ongoing problem. Mr. Tomasik stated staff has improved quite a bit on communicating with the homeowner. He said they advise them that ultimately it is the contractor's responsibility to close the permit. He explained that staff focuses on contacting the contractors to close their permits, because they know the homeowner is not always aware of the requirements. He said the system automatically calls the applicants before their permits expires. He stated if a permit does expire, staff contacts the homeowner via phone. Mr. Tomasik indicated if properties are closing and the ownership needs to be changed, staff expedites the renewals and re-inspections so the permits on the property can be closed and the property can be sold.

Mayor Gerwig stated the contractors do not seem to be the ones closing the permits. She understood the Village was getting better at notifying them, but she thought the contractors needed to know this throughout the process and not be surprised at the end. She asked if the contractors knew they needed to close their permits. Councilman Drahos noted that repeat offenders are posted on the Village website.

Mr. Tomasik indicated a solution was coming on December 30, 2017, with the adoption of the new Florida Building Code. He stated there are six additional Florida Building Codes and Chapter 1 will allow the Village to deny permits to contractors with a certain number of expired permits. He said staff will also post these contractors on the Village website to make sure they do not get any jobs. He stated the homeowner will be able to select a contractor based on this information.

Councilman Napoleone asked if the system calls the homeowner or the contractor when the permits are about to expire. Mr. Tomasik indicated the system calls whoever is listed on the permit application. He explained when a contractor applies for a permit, they are a bit resistant to provide the homeowner's information. He said staff tells the contractors they cannot get a building permit until they provide the homeowner's information, so the homeowner can be notified as to why the contractor is not getting the permit.

Councilman Napoleone thought a homeowner may care more about a permit expiring than the contractor. Mr. Tomasik stated it is a great idea, but not all contractors are willing to disclose this information.

Mayor Gerwig asked if the contractors were obligated to pull and close permits as a part of their license. She said that is what she is not getting about this process.

Mr. Tomasik stated staff took this action in their own hands and the Construction Board addressed it as well. He said staff notifies the contractors of expired permits and of the Construction Board hearings. He indicated three contractors had been violating their expired permits, but staff notified them and the permits were closed. He said as it gets closer to the hearings, the permits get closed. He noted, if staff files a complaint with the State of Florida, the Department of Business & Professional Regulation will not penalize the contractor for expired permits.

Mayor Gerwig said she did not feel the Village was getting the life safety inspections if the permits are not closed. Mr. Tomasik agreed.

Councilman Drahos thought if the Village was recognizing these contractors and not granting

them new work, the contractors would be motivated to get these permits closed. He said he knows contractors who intentionally charge \$500 for the final inspection and then the homeowners find out the permit was never closed.

Mr. Tomasik indicated it is the contractor's responsibility to close the permit. He stated he will be happy to see the new code, as the Village will be able to deny permits to those contractors who are violating it.

Mayor Gerwig indicated some permits are seven and eight years old, and homeowners are just finding out or finding out at closing. She said it is difficult.

Public Hearing

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

There being no 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 Napoleone, seconded by Vice Mayor McGovern, and unanimously passed (5-0), to approve Resolution No. R2017-29 (Building Department Fee Schedule) as presented.

8. REGULAR AGENDA

There were no agenda items for the Regular Agenda.

9. PUBLIC FORUM

No comment cards were received from the public.

10. ATTORNEY'S REPORT

MS. COHEN: Ms. Cohen presented the following report:

- She stated she was glad everyone made it through Hurricane Irma. She said, as a resident of Wellington, she was very pleased with the work done by Mr. Schofield and all of the employees.

At this point, Mayor Gerwig thanked Mr. Tomasik, as many residents came through the hurricane very well from all of the inspections done by staff. Mr. Tomasik thanked Mayor Gerwig for her comments.

- Ms. Cohen stated they were still waiting on the settlement documents for the Florida Municipal Insurance Trust (FMIT) lawsuit. She thought that with the hurricane and the opposing counsel on vacation, the Village should be receiving those documents next week.
- Ms. Cohen indicated she sent a memo to Council telling them that the Court had issued an Order to Show Cause in both the Lapi West, LLC and the 14269 BT, LLC cases. She stated staff filed the responses for the Village before the hurricane, so they are waiting for the court to rule.

- Ms. Cohen stated staff is still waiting for a decision in the permit case the Village obtained summary judgement in. She said it was appealed, and the case is fully briefed and pending.
- Ms. Cohen said they also had the summary judgement hearing in the enforcement case. She stated the proposed orders have been submitted, but they have not received them due to the hurricane. She indicated they are currently scheduled as a second backup on the Court's docket for September 17th in front of Judge Rowe. She stated it would be nice to get a ruling on the motions before that time.

11. MANAGER'S REPORT

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

- The next Regular Council Meeting will be held on Tuesday, September 26, 2017, at 7:00 p.m. in the Council Chambers.

12. COUNCIL REPORTS

COUNCILMAN NAPOLEONE: Councilman Napoleone presented the following report:

- He asked that everyone be safe and stay off the roads until they are all cleaned up.

COUNCILMAN DRAHOS: Councilman Drahos presented the following report:

- He asked if the Planning, Zoning and Adjustment Board (PZAB) will be hearing the Palm Beach Polo and Polo West applications. Ms. Cohen indicated staff was recommending postponement, because of a couple of issues raised regarding right of access. She said she is waiting for the homeowners' associations to provide her with what they want her to review. She stated she has spoken with the applicant's representative and they do not object to the postponement. She said staff was asking that these matters be postponed to the next agenda.

Mayor Gerwig thought the timing might be better for the people who evacuated for Hurricane Irma. Mr. Schofield stated they have a quorum, but the issues regarding access and intersection separations need to be answered. Ms. Cohen stated the PZAB meeting was still being held and the elder care matter was the only item being heard.

Referring to the polo matters, Ms. Cohen indicated she has not formed a decision regarding their access arguments or as to why they feel their consent is needed, because she is still waiting for the basis of that position from the attorney for Palm Beach Polo.

Councilman Napoleone stated he was glad to hear it was being postponed, because a lot of residents have commented on it. He wanted to make sure everyone was in town to discuss it. He did not want to have a PZAB meeting when everyone is evacuated.

Ms. Cohen stated she will remind the PZAB about what actually constitutes competent substantial evidence for these hearings. She said when this matter goes before them, even though they have received public comment objecting to it, if it is not fact based comment, it is not really competent substantial evidence. She stated if residents come

forward with fact based evidence, then PZAB and ultimately Council can consider those matters.

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

- He said patience and safety are something that go hand-in-hand. He stated the next couple of days will still be trying, but they will get through them. He thanked all of the residents and neighbors who have reached out to help one another. He hoped they would continue doing that in the coming days.
- He stated many of the HOA Boards have been working around the clock to get their neighborhoods back in shape. He thought those folks deserved some credit for the work they are doing on behalf of the residents.
- He explained when the Village runs evacuation shelters at the local high schools, the school police and school administrators leave their families to run those shelters, get those schools back to opening, and then come back to work. He thanked the teachers and the administrative teams for running the shelters throughout the storm, including those at Palm Beach Central.

Ms. Cohen stated it was a shame to miss the 9/11 Remembrance Ceremony. She was sorry the Village could not do that event. Mayor Gerwig thanked Ms. Cohen for mentioning that. She said there was nothing staff could do about it, but she believes they all remembered.

COUNCILWOMAN SISKIND: Councilwoman Siskind presented the following report:

- She asked that everyone be safe as they make it through the next couple of days.

MAYOR GERWIG: Mayor Gerwig presented the following report:

- Mayor Gerwig asked if the Village had any conveyance issues with the canals, as they had a significant amount of rainfall. Mr. Schofield stated they did not have any issues, as everything worked well. He indicated Wellington received 10.5" of rainfall, which is a 10% storm event. He stated all of the rainfall came in about twenty hours, which is a 1% return for the Village.

Mr. Schofield indicated there was some concern on Friday when the water elevations in Sugar Pond were a bit higher, but that was not due to the rainfall. He explained the lowest elevations in the Village are in the southwest corner. He stated as the Village was pumping out of the Equestrian Preserve, it raised those water levels. He said those levels are now down to 11.5 feet, which is a good half foot below their minimum control elevation. He stated they ended up at about 12.5 feet at the West Palm Beach canal structures and at about 13.5 feet in the Equestrian Preserve. He said they should level out at around 12.5 feet going into the first of October, which is where they try to be at the beginning of the dry season. He stated after they are far enough away, they will let some water out of Section 24. He said there is a lot of water in there and they are above their regulation schedules. He indicated residents along the C8 canal will see some water levels going up there, but only until they get that drawn down. He said if they get any rainfall, they will stop pumping out of it.

- Mayor Gerwig thanked everyone as well. She knows staff has been incredibly responsive. She said every time she has asked for something on behalf of a resident, staff has been phenomenal.

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13. ADJOURNMENT

There being no further business to come before the Village Council, the meeting was adjourned at approximately 9:36 PM.

Approved:

Anne Gerwig, Mayor

Chevelle D. Nubin, Village Clerk