

MINUTES

REGULAR MEETING OF THE WELLINGTON VILLAGE COUNCIL

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

**Tuesday, July 10, 2018
7:00 p.m.**

Pursuant to the foregoing notice, a Regular Meeting of the Wellington Council was held on Tuesday, July 10, 2018, commencing at 7:00 p.m. at Wellington Village Hall, 12300 Forest Hill Boulevard, Wellington, FL 33414.

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

Council Members absent: Michael Napoleone, Councilman.

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** – Chase, a boy scout from the audience, led the Pledge of Allegiance.
3. **INVOCATION** - Minister Geraldo Vieira, The Pentecostals of the Palm Beaches (Wellington Branch), delivered the invocation.
4. **APPROVAL OF AGENDA**

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

1. Move Consent item 6D, Authorization to Award a Contract for the K-Park Landscape Buffer, to the Regular Agenda as item 8E.

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (4-0), to approve the Agenda as amended.

5. PRESENTATIONS AND PROCLAMATIONS

There were no presentations or proclamations.

6. CONSENT AGENDA

- A. 18-2162** MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETINGS OF APRIL 24, 2018, MAY 8, 2018 AND MAY 22, 2018
- B. 17-1616** AUTHORIZATION TO AWARD A TASK ORDER, TO PROVIDE ENGINEERING CONSULTING SERVICES, FOR PEACEFUL WATERS SANCTUARY MASTER PLAN
- C. 18-1916** AUTHORIZATION TO AWARD CONTRACTS FOR THE PURCHASE AND DELIVERY OF FILL MATERIALS
- D. ~~18-1929~~** ~~AUTHORIZATION TO AWARD A CONTRACT FOR THE K PARK LANDSCAPE BUFFER~~ (MOVED TO REGULAR AGENDA AS ITEM 8E.)
- E. 18-1993** AUTHORIZATION TO UTILIZE A TERM CONTRACT WITH SEMINOLE COUNTY, FLORIDA, AS A BASIS FOR PRICING, FOR WATER DISTRIBUTION VALVE MAINTENANCE PROGRAM
- F. 18-2069** AUTHORIZATION OF DISPOSITION OF SURPLUS TANGIBLE PERSONAL PROPERTY AND DISPOSITION OF SURPLUS REAL PROPERTY
- G. 18-2119** AUTHORIZATION TO AWARD A TASK ORDER, TO PROVIDE ENGINEERING CONSULTING SERVICES, FOR A WATER AND SANITARY SEWER CONDITION ASSESSMENT AND INFRASTRUCTURE EVALUATION FOR THE EASTWOOD SUBDIVISION
- H. 18-2167** AUTHORIZATION TO AMEND THE VILLAGE'S SOLID WASTE AND RECYCLING CONTRACT WITH WASTE MANAGEMENT, INC. OF FLORIDA
- I. 18-2178** AUTHORIZATION TO AWARD A CONTRACT FOR THE PURCHASE AND DELIVERY OF A HYPOWER GEARBOX
- J. 18-2139** RESOLUTION NO. R2018-27 (15740 46TH LANE SOUTH AND 15680 46TH LANE SOUTH VACATION)
- A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, VACATING A 20-FOOT WIDE DRAINAGE AND UTILITY EASEMENT, TOTALING APPROXIMATELY 0.318 ACRES, LOCATED ON TRACTS 4 AND 5, OF THE UNPLATTED SUNGLADE POINT SUBDIVISION (15740 46TH LANE SOUTH AND 15680 46TH LANE SOUTH), MORE SPECIFICALLY DESCRIBED HEREIN; AND PROVIDING AN EFFECTIVE DATE.
- K. 18-2193** RESOLUTION NO. R2018-32 (FLORIDA POWER AND LIGHT EASEMENT AGREEMENT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MANAGER OR DESIGNEE TO EXECUTE THE EASEMENT AGREEMENT BETWEEN WELLINGTON AND FLORIDA POWER & LIGHT COMPANY (FP&L) TO PROVIDE AN EASEMENT FOR RIGHT-OF-WAY FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF ONE OR MORE OVERHEAD AND UNDERGROUND ELECTRIC TRANSMISSION AND DISTRIBUTION LINES; AND PROVIDING AN EFFECTIVE DATE.

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

A motion was made by Councilwoman Siskind, seconded by Vice Mayor Drahos, and unanimously passed (4-0), to approve the Consent Agenda as amended.

Mr. Schofield indicated no comment cards were received from the public.

7. PUBLIC HEARINGS

There were no Public Hearings.

8. REGULAR AGENDA

A. 18-2189 RESOLUTIONS ADOPTING PRELIMINARY TRIM RATES FOR WELLINGTON, THE ACME IMPROVEMENT DISTRICT AND THE SADDLE TRAIL PARK NEIGHBORHOOD IMPROVEMENT DISTRICT AS FOLLOWS:

A. RESOLUTION NO. R2018-28 (ADOPTING THE PRELIMINARY AD VALOREM MILLAGE RATE FOR WELLINGTON FOR TRUTH-IN-MILLAGE ("TRIM") PURPOSES WITHIN THE JURISDICTIONAL BOUNDARIES OF WELLINGTON)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING THE PRELIMINARY AD VALOREM MILLAGE RATE FOR WELLINGTON FOR TRUTH-IN-MILLAGE ("TRIM") PURPOSES FOR THE MUNICIPALITY'S FISCAL YEAR 2018-2019 BUDGET WITHIN THE JURISDICTIONAL BOUNDARIES OF WELLINGTON; AND PROVIDING AN EFFECTIVE DATE.

B. RESOLUTION NO. AC2018-01 (ADOPTING THE PRELIMINARY NON-AD VALOREM ASSESSMENT RATE FOR ACME IMPROVEMENT DISTRICT FOR TRIM PURPOSES)

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ACME IMPROVEMENT DISTRICT ADOPTING THE DISTRICT'S PRELIMINARY NON-AD VALOREM ASSESSMENT RATE FOR TRUTH- IN-MILLAGE ("TRIM") PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

C. RESOLUTION NO. R2018-29 (ADOPTING THE PRELIMINARY NON-AD VALOREM ASSESSMENT RATES FOR SOLID WASTE COLLECTION AND RECYCLING SERVICES FOR TRIM PURPOSES)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING THE PRELIMINARY NON-AD VALOREM ASSESSMENT RATES FOR SOLID WASTE COLLECTION AND RECYCLING SERVICE FOR TRUTH-IN-MILLAGE ("TRIM") PURPOSES WITHIN THE JURISDICTIONAL BOUNDARIES OF WELLINGTON; AND PROVIDING AN EFFECTIVE DATE.

D. RESOLUTION NO. R2018-30 (ADOPTING THE PRELIMINARY NON-AD VALOREM ASSESSMENT RATES FOR THE SADDLE TRAIL PARK NEIGHBORHOOD IMPROVEMENT DISTRICT FOR TRIM PURPOSES)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING THE PRELIMINARY NON-AD VALOREM ASSESSMENT RATES FOR THE SADDLE TRAIL PARK NEIGHBORHOOD IMPROVEMENT DISTRICT FOR TRUTH-IN-MILLAGE ("TRIM") PURPOSES WITHIN THE JURISDICTIONAL BOUNDARIES OF WELLINGTON; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item. He stated he wanted the residents to understand that tonight no rates were being set, no budget was being adopted and no capital programs were being adopted. He explained adopting the TRIM rate only sets the maximum rate. He said the Council cannot go above that rate, but they can below it. He stated he typically recommends that Council set it slightly higher than what they believe they will ultimately adopt. He indicated there is no proposed change in the ACME rate and no proposed change in the Solid Waste rate, but there is a slight change in the Utility rate.

Ms. Nubin read the resolutions by title.

Ms. Quickel presented the preliminary proposed fiscal year 2018-2019 budget and TRIM overview for the Village of Wellington. She stated staff started the budget process with the five fundamentals: 1) Neighborhood Renaissance; 2) Economic Development; 3) Protecting Our Investment; 4) Responsive Government; 5) Respecting the Environment. She indicated they also considered the goals for the Village, which focus on Alternative Transportation, Business Focus, Financial Planning and Stability, Inclusionary Government, Infrastructure & Facility Maintenance, Planning for Sustainability, Quality of Life, and Staff Retention & Training.

Ms. Quickel stated the proposed fiscal year 2019 preliminary rates are:

- Ad Valorem Millage – 2.55 mills: An increase of 0.12 mills higher than the current 2.43 mills.
- Non-Ad Valorem ACME Improvement District Assessment: No change, as it remains at \$230.
- Non-Ad Valorem Solid Waste Assessments: No change, as they remain at \$135 for curbside per unit and \$100 for container per unit.

- Water & Wastewater User Rates: Include the 3.5% annual indexing for the Water Base Rate, Water per 1,000-gallon usage, Wastewater Base Rate, and Wastewater per 1,000-gallon usage, which is an increase of approximately \$2.18 per month on an average bill.
- Saddle Trail Park South Improvement District: This is the third year of this debt assessment for the Saddle Trail area, which is \$1,720.54 per acre. The properties are assessed over a 15-year term.

Ms. Quickel indicated the FY 2019 proposed budget is \$97.3 million, which is \$13 million lower than the current year budget of \$110.5 million. She said this \$13 million decrease is primarily due to reduced utility capital projects and early pay off of debt. She stated Wellington has three special revenue funds, the Acme, Building and Gas Tax Road Operation funds. She said the enterprise or proprietary funds include Water & Wastewater, Solid Waste, Lake Wellington Professional Centre, and Debt Service.

Ms. Quickel stated the property tax and tax revenue information shows that out of this budget tax revenue provides \$20.2 million using the 2.55 millage rate. She said Wellington's taxable value stands at \$8.3 billion, which is a 5.2% increase this year. She indicated that the proposed rate of 2.55 mills is not the highest rate, as the millage rate was 2.7 mills in 2004, 2005, 2006 and 2007.

Ms. Quickel indicated the FY 2019 revenues are projected to be \$94 million and the expenditures are projected to be \$97.3 million in total. Therefore, the Village is using reserves to balance the difference between the revenues and the expenditures. She explained the Village is using budgeted reserves from the General Fund Balance of \$669,000, Acme Fund of \$525,000, Utility Capital Reserves of \$2.6 million, and Solid Waste Fund of \$770,000.

Ms. Quickel stated the primary governmental budget changes include:

- The payoff of the public service tax debt that was refunded in 2014, which will reduce the budget by \$1,126,000.
- Capital projects in the governmental funds decreasing by \$632,000.
- Personnel costs decreasing by \$594,000, which is the combination of eliminating seven fulltime positions, two supplemental positions, and 2,410 part-time hours. This also includes a 3% CPI wage adjustment and up to a 1% merit for a total maximum adjustment of 4%.
- The Law Enforcement Contract with PBSO increasing by 3%, which is equivalent to approximately \$278,000 and no new deputies are included.
- Departmental expenditures increasing by approximately \$251,000, primarily from changes in service, water quality monitoring, pump station roof assessments, increases for chemicals and aquatic weed control.

Ms. Quickel stated the enterprise budget changes for the:

- Utility Capital Projects are decreasing by \$10,124,000. She said the budget increased substantially last year because of the Capital Projects, which primarily was attributed to the Utility Capital Projects. She stated staff advised last year that Council would see a reduction this year. She indicated there is still a ten-year plan for the capital projects that has been reviewed with Council previously. She said it is changing primarily because the two projects for Water & Wastewater were budgeted in the current year's budget.

- Enterprise Assets have a small decrease of \$68,000. She said that was the net from changing vehicles and equipment, which included multiple items.
- Utility Operations & Technology have an increase of \$198,000, which includes increases for radio tower operating expenses and electrical repairs.
- Solid Waste contract has an increase of \$95,000, primarily from a built-in contract increase of 2%.

Ms. Quickel stated the Village has ongoing programs of \$2.7 million, one-time projects of \$4.9 million and utility capital projects of \$8.2 million, for a total preliminary capital projects of \$15.8 million.

She indicated the one-time, large, signature projects include:

- Forest Hill Blvd and the C-8. She said that project is shown at \$567,000, which is the final budgeting, as it is actually an approximate \$2.8 million budget. She stated the funds are being carried forward from this year for that project to be completed next year.
- Greenbriar Park, for which an additional \$3,086,000 is budgeted. She said its current budget is a little over \$5 million and it will increase to a little over \$8 million. She stated they have carried forward funds for that, as the total park budget is \$10-\$11 million.
- Lake Wellington Waterfront with its first funding of \$1.2 million. She said that will handle some soft costs, as the total project is estimated to be \$25 million.

Ms. Quickel stated Council reviewed Wellington's long term financial plan in May 2018 at the Directions Workshop. She said staff recommended increasing the millage to 2.55 mills for the next four to five years based on the current levels of service and revenue and expense projections. She indicated that the chart showed the impact of various millage rates to maintain reserves.

Ms. Quickel stated the Fund Balance Forecast shows the impact of the various millage rates on the fund balance. She said Wellington has a policy of maintaining an unassigned fund balance of 25%-30% of the next year's operating expenses. She stated at 2.55 mills, the chart shows the fund balance amounts for each year. She indicated for 2019, the Village will have an approximate 37% unassigned fund balance available for this proposed budget. She stated for 2020, that fund balance is projected to be 32%; for 2021, it will be approximately 24%; and in 2022, it falls to 16%, which is below their required 25%.

Ms. Quickel indicated that these are very difficult decisions and staff is aware of the responsibility regarding same. She stated staff believes in not kicking the can down the road, as they see this coming as the revenues and expenditures and current levels of service stand. She said this is based on their best estimates. She stated for the revenues, staff has included the expected additional \$25,000 homestead exemption that would impact the budget in 2020. She said that would be a loss of about \$800,000 in revenue. She explained the expenditure projections are based on changes they see now, including the elimination of the seven positions previously outlined. She said going forward, it is all based on estimates, as this is a living, breathing process. She stated it will change to some extent, but staff believes it is clear that some decisions should be considered and they have tried to provide that information to Council.

Ms. Quickel stated the TRIM rate currently proposed for 2019 is 2.55 mills and the prior year it was 2.43 mills. She showed Council the majority rate and maximum rate available. She indicated each 1/10 of a mill generates almost \$800,000 in tax revenue.

Ms. Quickel stated staff provided some information on comparable millage rates of other municipalities. She said Wellington is in the middle with 2.55 mills. She stated very direct comparisons include Lantana and Royal Palm Beach, as some of the cities include Fire Rescue and/or Debt Service.

Ms. Quickel indicated staff prepared a sample tax bill and utility bill that show the increase from 2.43 mills to 2.55 mills is an approximate increase of \$37.00 per year for a \$307,000 home and the increase in the utilities with the 3.5% annual indexing is an increase of approximately \$2.18 per month. She reiterated that staff is aware of the difficulties with this and what the headlines can be with this proposed increase in millage.

Ms. Quickel indicated the budget calendar has been included and staff has begun their public outreach with the budget challenge, as it went live on July 2, 2018. She stated budget outreach special events include participating in the Senior Symposium, asking people in the lobby to complete the survey, and holding the Facebook Live Virtual Town Hall Meeting at the end of July. She said the CIP and Budget workshop is scheduled for August 13, 2018.

Mayor Gerwig asked when the Village will know about the FEMA reimbursements for Hurricane Irma last year and the other impacts. Mr. Schofield indicated they are looking at three to five years for federal reimbursement for disasters and at about 90% reimbursement.

Ms. Quickel stated those funds came out of the Solid Waste fund, which is one of the enterprise or proprietary funds. She said staff will post an accounts receivable entry once they have completed the project worksheets. She stated the fund is fully funded, so Wellington is in a very good position to withstand that.

Mayor Gerwig thought the Village was carrying reserves that could be used for things like that. She said people have asked her why the Village has so much in reserves. She stated the homestead exemption is another issue. Ms. Quickel explained it will not impact the budget until 2020 and staff has not included it in the 2019 budget.

Mr. Schofield stated staff is anticipating that the homestead exemption will pass, because historically those types of measures do. He said if it does not pass, staff will amend the 2020 budget to account for it. Ms. Quickel stated these are the most conservative estimates. She said if they do not take it out, it is certainly another avenue to look at.

Mayor Gerwig stated the Village could not do much about that other than let the residents know what the homestead exemption means. She said it is really not a tax break as much as it is a tax shift from the Village's perspective, because they have to extract taxes to provide services. She stated they are either going to have to cut services or raise the millage rate if it passes. She said they could let people know that an additional \$25,000 homestead exemption will only affect certain people. Ms. Quickel stated that was correct.

Vice Mayor Drahos clarified, particularly for the employees, the reduction in personnel costs. He understood the Village was anticipating eliminating seven positions through normal attrition, as they were not going to be firing anyone. Ms. Quickel stated that was correct.

Vice Mayor Drahos asked if the increase for law enforcement was consistent with inflationary rates. Ms. Quickel stated it was. She said the inflation rate for South Florida is 3.5%.

Councilman McGovern asked if that increase was being requested from other municipalities for their contracts with the Sheriff's Office for law enforcement services. Mr. Schofield stated it is a standard rate that the Sheriff's Office is asking of all contract municipalities.

Mayor Gerwig stated Council has asked Mr. Schofield to work on that negotiation. Ms. Quickel indicated the Sheriff's Office provided a letter stating 3%. Mr. Schofield stated he has had multiple meetings with the Sheriff's Office. He explained when he originally had the discussion, he thought the government inflation rate was at 2.5% and that has since been corrected to 3.15%. He said the Sheriff's Office is within the rate and he did not anticipate them coming off that number.

Councilman McGovern stated presently the forecast leaves the Village with 37% general unassigned fund balance for this coming year. He said the chart indicates that by 2025 the Village will be down to 4% remaining in the unassigned fund balance. He asked what rate of spending was being assumed. Ms. Quickel stated it was based on consistent levels of service, as they have not been adjusted.

Councilman McGovern stated that assumes that eight years from now the Village will need all of the same things they need today to provide the same levels of service, so there are no increases for technology, greater efficiency, etc., factored in at present. Ms. Quickel said that was correct.

Councilman McGovern stated Council has discussed this in prior years. Mr. Schofield indicated that in 2016 staff told Council that at the levels of service they had then and with the anticipated rates of everything, the Village would be out of reserves by 2021. He said in that year staff committed to doing things like implementing technology, which is the transfer to Tyler, reducing staff, and increasing efficiencies. He stated, in the intervening two years, staff has pushed the timeframe where the Village would spend through its reserve from 2020-2021 off to 2025-2026. He said there are changes that staff will implement over time. He stated with absolute certainty, they will not be using exactly the same model they are using today, when they get to 2021 or 2022.

Mr. Schofield stated the discussion in 2016 was predicated on keeping the basic levels of service and facilities they had at that time. He said they know those are going to change and staff will adjust for them to stay at the 29%. He indicated they had looked at reducing staff from 316 to 300. He stated this year's budget proposal has the Village eliminating essentially ten positions: seven of which are permanent fulltime, two are supplemental and one is in program hours. He said they have a normal attrition rate. He indicated in any given year, the Village loses ten to fifteen people due to them retiring or finding other jobs. He stated the Village is not looking to let anyone go, but they are looking at reassigning some positions. He said he has been asked to accelerate that. He stated as they go through the budget hearings in September, Council will be given more detail.

Mayor Gerwig asked if they were losing employees to a more competitive job market. Mr. Schofield stated the Village is paying more for employees now than they were. He said they are not losing many employees, because Wellington is a pretty good place to work. He stated they lose a few employees to better job offers, but it is not a percentage that has him worried yet.

Mayor Gerwig asked about the department increases of \$251,000 on page 7 that indicate surface water management, technology & building demo. Ms. Quickel stated that included the

demolition of two properties from the Building Department, as they have been averaging one to two demos a year.

Mayor Gerwig stated that was for private residents and asked if the Village recaptured that money. Ms. Quickel explained the Village still has to budget the expenditure, which is what this is.

Ms. Cohen stated the Village has recouped that money with a couple of the demolitions. She said if it is a foreclosure and they amend their complaint to include that, it would not be recoverable.

Mayor Gerwig thought the Village would not demolish a place if they could not recover their costs. Ms. Cohen explained they may have to demo an unsafe structure. Mayor Gerwig asked if they could just board it or if there were other ways to handle it. Ms. Cohen stated that would be a question for the building official. Mayor Gerwig said that would be decided along the way.

Mayor Gerwig stated there could be twenty, one or none of these structures, so this is just a guesstimate. Ms. Quickel said that was correct.

Mayor Gerwig asked about the enterprise assets on page 8. Ms. Quickel indicated the Village has equipment and vehicles in the enterprise funds that are being replaced, and this is the change from the prior year.

Mayor Gerwig stated she is seriously opposed to the Lake Wellington one-time project fee of \$1.2 million in this year's budget, because the Village has not done any public charrettes for that and has not done much more than Council's visioning. She said she wants that to come before the public to get a lot more input, before the Village spends \$1.2 million on a design. She stated she wants to make sure they are meeting the needs of the community in that way and in a more transparent way. She said she will not be supporting that part of the budget.

Mayor Gerwig stated if they do not want to go to 2.55 mills, they need to carve out some areas and the Lake Wellington waterfront is one area. She said another area is the entry signs. She stated she knows this Council would still like to do something, but she does not like anything that has been presented so far.

Councilman McGovern stated he did not know why the signage has not come back to Council since the Vision workshop. Mayor Gerwig said it seemed as if the Council did not have their vision. She explained she did not want the Village to abandon the look it has, but she would like the signs to be updated with some changes. She said the problem with a whole new start is that the Wellington brand is pretty popular and if they made a change it would be throughout the community. She stated if they changed the entry features at three major locations, the secondary signs would automatically look completely different. She said it will be a major expense and she wants to make sure they do it right. She thought the Village could maintain its logo while finding a way to make it fresher. She stated she did not want the Village to spend a lot of money on anything this is not agreed on yet. She said she realizes when it comes to doing it, there has to be money in the budget. She stated she could be inclined to go up on the millage, but she is not going to vote for 2.55 mills.

Vice Mayor Drahos stated Mayor Gerwig brought up a lot of points and he appreciated her sharing her thoughts. He said tonight they are looking at this as an opportunity to set the maximum. He stated, based on Ms. Quickel's presentation, he sees the situation as either

kicking the can down the road or making a slight increase now that can be sustained over many years. He said they can increase it by \$37.00 a year for a \$300,000 house to be able to maintain the lifestyle everyone in this community is used to or they can delay it and make a much sharper increase at some point down the road. He stated he sees this as being a responsible projection. Mayor Gerwig stated she agrees with Vice Mayor Drahos, because the Village has been kicking the can for the last five years.

Vice Mayor Drahos stated he was not going to engage in the details of some of these numbers. He said he thinks the proposal Council is faced with right now, which is whether or not they want to agree to set the maximum at 2.55 mills, is a reasonable request from staff. He stated Council will be able to discuss the details at a later point.

Councilwoman Siskind stated she thinks the 2.55 mills is represented well. She said she knows it is only projections and it can always go down, but it costs more to provide the same level of service. She stated they do not want to set it too low and then not be able to adjust for that, so they do have some room to go down.

Councilwoman Siskind asked if the 25% unassigned fund balance was mandatory. Ms. Quickel indicated it is a policy that was set by Council. Mr. Schofield explained it is not mandatory, but the Village's credit rating is affected if it goes below that. He indicated the Village will be borrowing for the Utility in a few years. He said they will pay more for those loans if they do not maintain adequate reserves. He stated it is cheaper to maintain the reserves than it is to pay the higher loan amounts.

Mayor Gerwig stated the Village just paid off a loan because they did not want to carry the debt, which is the other side of that conversation.

Mayor Gerwig stated this millage rate will affect the mailings that go out. Ms. Quickel stated this rate will go on the TRIM notices. Mayor Gerwig stated it will be different when the residents receive their tax bill and it will throw them off.

Councilman McGovern stated this has been discussed by this Council and the Council before. He said every year he has been here the unassigned fund balance was going to fall much closer to 25%, as it is certainly not going to remain at 37% like this budget calls for. He stated when that is combined with the fact the Village is literally debt free, they have to look at all of that going forward. He said they have to discuss very seriously if they are going to ask the residents to pay slightly more.

Councilman McGovern indicated he is the one who said the Village needed to get to 300 employees this year. He said he thinks they need to look at offering significant raises, both annual and merit every year, as private industry looks at that every year. He stated the Village has discussed health insurance and significant changes in those areas.

Councilman McGovern thought Council needed to be responsible with their fiduciary obligation to the residents while ensuring that Wellington is current, up-to-date, and has what the residents have come to expect. He said the Village has very low crime. He stated Council talks a lot about the Wellington standard as it applies to parks, buildings, landscaping, roads, etc. He believed the reason they were discussing road signs, the waterfront and the like is because they are responsible for keeping Wellington current and competitive with the surrounding newer communities.

Councilman McGovern stated while he has concerns about moving to budgeting at 2.55 mills for multiple years, the fifteen year average of the millage in the Village is 2.51¼ mills. He said they have moved significantly down in years when there were recessionary trends and have not come back over the last several years when maybe they should have. He thought for the purposes of tonight, going to 2.55 allows them the flexibility to address all of these questions in much greater detail over the next sixty days or so and to make those tough decisions in the end. He stated he thinks that 2.55 mills is responsible for the purposes of tonight and then they can discuss it further. He said they are setting the ceiling and later they will set the actual number, which will essentially be the floor.

Mayor Gerwig stated she understood that conversation. She said they were raising the millage but not providing a service the residents want. She stated the one thing she hears from the Village is that people do not feel safe. She said if the increase in millage was going to provide more safety on the streets, she would support the increase. She stated these are soft costs and she does not think they merit this kind of increase.

Vice Mayor Drahos asked Mayor Gerwig for her proposal. He asked her if she wanted to keep the Village at the current rate and face the prospect of having to make a drastic change down the road.

Mayor Gerwig stated she would support 2.50 mills but not 2.55, because it is inching in the wrong direction. She said the \$37 increase for a \$300,000 home is not a huge difference, but they are not providing anything, which is why she is a no. She stated she is not trying to be argumentative, but they keep adding things, asking for more services and doing things differently. She said she does not think they are addressing the needs of their residents, which is feeling safer in their homes.

Mayor Gerwig stated she is the only there who does not live in a gated community and she did not know if that was part of it. She said she does not feel unsafe in her home or when she walks at night without her dog. She stated she hears the community having that conversation about not feeling so safe anymore and she would like to focus on that. She said if she does not agree with everything in this budget, the only way she can say no is to vote no, and it is okay if she does.

Mayor Gerwig explained Council was voting on the TRIM rate, which goes out in the mail. She stated the residents are going to look at that number and Council is going to answer for it, whether they use it all or not. She said if this budget did what she wanted it to do for 2.55 mills, she would support it. She stated she just disagrees and does not feel like they should be competing with the new communities around them. She said the Village needs to be serving the people who are here by keeping their property values up, keeping Wellington current, etc. Mayor Gerwig stated she understands the intent, but she disagrees on the finer points of it.

Vice Mayor Drahos stated he disagreed, as he does not feel Wellington is unsafe in any capacity. Councilman McGovern agreed. Vice Mayor Drahos said not one person has come to him saying they feel unsafe in Wellington. He stated if Mayor Gerwig has had individuals say that to her, he would be curious to talk to them and find out why they feel that way. Mayor Gerwig indicated she would forward that information to him, because they contact her quite often. Vice Mayor Drahos stated he looked forward to receiving it, because he is not getting that vibe at all. He said that he did not think that living in a gated community had anything to do with it.

Vice Mayor Drahos asked what the annual dollar difference would be between 2.50 and 2.55 mills on a \$300,000 taxable home. It was determined that the difference would be \$22 per year instead of \$37. Vice Mayor Drahos indicated the difference would be a little more than \$1.00 a month.

Mr. Schofield indicated there were no public comment cards. He explained they rarely get comments on the budget. He stated in all the years he has been doing the budget, the basic complaints are that the Village is not raising it enough, usually for specific things like sports.

Mayor Gerwig stated she understands, but everything they do and everything they add increases the budget. She said they can disagree on the finer points of it, but she made her statement.

A motion was made by Vice Mayor Drahos, seconded by Councilwoman Siskind, and passed (3-1), with Mayor Gerwig dissenting, to approve Resolution No. R2018-28 (Adopting the Preliminary Ad Valorem Millage Rate for Wellington for Truth-In-Millage "TRIM" Purposes within the Jurisdictional Boundaries of Wellington) with the proposed maximum TRIM rate of 2.55 mills.

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (4-0) to approve Resolution No. AC2018-01 (Adopting the Preliminary Non-Ad Valorem Assessment Rate for Acme Improvement District for Trim Purposes).

A motion was made by Councilwoman Siskind, seconded by Councilman McGovern, and unanimously passed (4-0) to approve Resolution No. R2018-29 (Adopting the Preliminary Non-Ad Valorem Assessment Rates for Solid Waste Collection and Recycling Services for TRIM Purposes).

Mayor Gerwig asked if Council had already agreed to Saddle Trail. Mr. Schofield stated Council has agreed to it and the Village is obligated to it, but they are legally required to set the rate every year.

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (4-0) to approve Resolution No. R2018-30 (Adopting the Preliminary Non-Ad Valorem Assessment Rates for the Saddle Trail Park Neighborhood Improvement District for TRIM Purposes).

B. 18-2191 RESOLUTION NO. R2018-31 (PUBLIC SERVICE REVENUE BONDS DEBT PAYOFF)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE DEBT SERVICE FUND BUDGET FOR FISCAL YEAR 2018 BY TRANSFERRING FUND BALANCE RESERVES FROM GENERAL FUND, GAS TAX ROAD CAPITAL FUND, ROAD IMPACT CAPITAL FUND, AND RECREATION IMPACT FUND TO THE DEBT SERVICE FUND FOR THE EARLY RETIREMENT OF WELLINGTON'S PUBLIC SERVICE TAX REVENUE BONDS, AND ADJUST RECREATION IMPACT FUND BALANCE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item. He stated staff is looking to pay-off a little over \$1.6 million in debt for a net savings of \$16,568.00.

Ms. Quickel indicated this payoff was included in the proposed budget just discussed. She stated if Council approved this tonight, the debt would be paid off tomorrow and the Village would be basically debt free.

Mayor Gerwig stated the Village was retiring debt in order to keep their expenses down and keep their reserves up, so they can borrow more money at a good rate in the future.

A motion was made by Councilwoman Siskind, seconded by Vice Mayor Drahos, and unanimously passed (4-0) to approve Resolution No. R2018-31 (Public Service Revenue Bonds Debt Payoff) as presented.

C. 18-2192 AUTHORIZATION TO UTILIZE LAW ENFORCEMENT TRUST FUND MONIES FOR THE PURCHASE AND INSTALLATION OF AUTOMATED LICENSE PLATE READER (ALPR) CAMERAS AT VARIOUS LOCATIONS THROUGHOUT THE VILLAGE

Mr. Schofield introduced the item. He stated \$354,000 is currently available in Law Enforcement Trust Fund monies, which can only be used for law enforcement purposes. He said the funds cannot be used to meet operating costs or salary and cannot be used for something that has been funded in the past. He stated the Palm Beach Sheriff's Office (PBSO) has asked for license plate readers, so they can identify stolen cars. He said this parallels one of the biggest needs in the Village. He stated everyone in the Village knows that Wellington has had a significant increase in auto burglaries and thefts. He said those crimes are going down, but the license plate readers will provide PBSO the ability to identify and track cars with stolen tags. He stated they do not have any final numbers, but staff is asking to begin the negotiation process. He said they will bring the final contract back to Council for approval.

Mayor Gerwig asked if the license plate readers will take the entire amount that is in the fund now. Mr. Schofield stated he believed if their District 8 deputies had their way, they would be spending twice this amount.

Ms. Cohen indicated Mayor Gerwig had asked yesterday if there was any kind of an exemption for this type of purchase. Ms. Cohen stated unless there is an active investigation, there would be no exemption under Chapter 119.

Mayor Gerwig stated the readers would not necessarily be in these exact locations, as this was just an example. She asked that they be placed in the best places. Mr. Schofield stated he would not rule out mounting at least one or two of the readers to mobile trailers.

Mayor Gerwig asked if the law enforcement officers have mobile readers in their vehicles now. Mr. Schofield stated the officers in Wellington do not have them. He said they have the ability to run tags via the computer in their car, but it is not done automatically.

Councilwoman Siskind stated the Law Enforcement Trust Fund is not taxpayer dollars, but the Village would own and maintain the equipment. Mr. Schofield said that was correct. He stated that is based on the Village's contract with PBSO, with the exception of the deputies' personal equipment and their cars, as the Village operates and maintains their facilities. He said that includes the copiers, desks, and the office space they occupy.

Councilwoman Siskind indicated it will cost approximately \$35,000 a year to maintain this equipment. Mr. Schofield said that was the initial estimate.

Councilwoman Siskind stated the license plate readers are currently in other cities. She asked if there was any data showing how effective they have been. Mr. Schofield stated they have begun collecting data and he will distribute that to Council.

Councilwoman Siskind thought the readers would be more effective as a deterrent, so maybe knowing where they are located is better than not.

Councilman McGovern believed they would defer the placement of the readers to the professionals who would then place them in the locations shown here and any other locations where they would be most effective. He said he did not know if that needed to be brought to him for some kind of approval.

Councilwoman Siskind stated she wanted to make sure this is an effective use of the money, because she is not sure how it works. She asked what happens to the information once the license plate is scanned. Mr. Schofield explained the information is read in real time, as all of the cameras have cellular data cards. He stated the information is transmitted and runs through a national database. He said if there is a hit, it is sent back.

Captain Silva stated Detective Black will provide a brief overview of the capacity and the capabilities of the license plate reader system. Detective Black indicated 30-35 agencies across the state currently use the system. He stated the information is shared with each one of these agencies, so the whole state of Florida becomes their backyard. He explained, once the Village has tag readers, they will have access to tag readers across the state of Florida and potentially across the United States. He said it is used as an investigative and crime prevention tool as well as for life and safety, i.e., missing persons, silver/amber alerts. He stated tags can be flagged in the system to notify the officers when they are in or out of the city.

Detective Black indicated a preliminary study in Lake Worth, where a system was deployed for over a month, found two to three stolen vehicles a day. He said he did not expect that to be the case in the Village, but it is a great investigative tool that helps the officers locate the suspects doing the burglaries, vehicle thefts, and crimes around the city.

Mayor Gerwig asked if the tags in Lake Worth were being read as they go by the readers or if the officers were seeing that information later. Detective Black stated it is a live system where the tags get read and fed into a database. He said the database then becomes immediately searchable by law enforcement, so it is all live wherever it occurs. He indicated all of Wellington's entrances and exits will be covered.

Mr. Schofield asked how quickly the information from the tag reader is available to the road patrol deputy. Detective Black stated there is a service within this program where it could be immediate. He said the officer could be driving in their car and get a popup on their computer screen. He stated from that point on the officer would handle it as one of their law enforcement duties.

Councilman McGovern asked for the turnaround time of the tag reader. Detective Black stated it works via the internet, as the officer's computer is up when he is on patrol. He explained when a car drive's past the camera, the officer will have a stolen vehicle alert within seconds if it

is a stolen vehicle. He stated the alerts can be configured however they choose. He said they are setting up some policies as to how they are going to get this to their dispatch as well.

Mr. Schofield asked how and where the alert is given. Detective Black stated it can be an alert via e-mail. He said there is a target alert service which is real time on their computer.

Mr. Schofield asked if every deputy in District 8 would be getting that alert. Detective Black stated they potentially could, as the system is not in place yet.

Captain Silva asked about how it is currently working in Lake Worth to the extent the Village could apply the same protocol. Detective Black explained the real time system in Lake Worth is through the real time crime center being setup in the Sheriff's Office. He said the alerts are going directly to the real time crime center and then the dispatcher is dispatching the alert to the specific street team.

Captain Silva stated the protocols are kind of evolving and the system will be tailored for the Village. He said they were not completely sure how it was going to work, but the idea is that the people who are working will get notified in real time.

Councilwoman Siskind stated her concern is that the first thing someone does when they steal a car is change the license plate or take it off. She said she wanted to make sure it is an effective use of the funds. Captain Silva stated that was a legitimate concern. He said the main problem is the bad guys are coming into the Village late at night, typically in a stolen car. He explained that an ample amount of deputies are out and about at that time, but they are not able to find the suspects because they are not getting alerted that the bad guys are coming into town. He said maybe with this new system the officers can get alerted in real time and then converge and ultimately stop this crime from happening.

Councilman McGovern stated the plan is that the officers will get an alert upon the entry of a stolen vehicle into the Village. He said they will be able to track the vehicle all the way through the Village as it passes these readers. Captain Silva said, in addition to many other benefits, this is one of the primary benefits they hope to get out of it.

Detective Black stated they could also enter a tag, from an active investigation of a burglary suspect, into the system and it will alert them to the tag they chose via this target alert service and/or e-mail. He said it is a huge investigative service across the board, as there are many different ways to use it.

Mayor Gerwig stated in some narrations where the crime started somewhere else but moved through the Village, it will be a complete program if those around the Village are using it. She said the other agencies and cities are on the same format.

Detective Black stated they chose to use Vigilant approximately two years ago, because the company shares its data statewide and nationwide. He said, on the commercial aspect of it, the repo companies also operate tag readers with Vigilant. He explained the repo companies do not see law enforcement's sensitive data, but they read and scan tags into the system as they look for repos for the banks.

Mayor Gerwig stated the Law Enforcement Trust Funds were basically money that has been acquired from or assets that have been forfeited because of crime. She said that is why they say this is not taxpayer money. Councilwoman Siskind stated she wanted to be clear about

that, because the Village is going to be owning and maintaining the system, which will cost something.

Councilwoman Siskind thanked Captain Silva and Detective Black for their explanations. She said she did not want to give them a hard time, as she just wanted to get some clarification. She stated she wants them to have every available tool at their disposal, so they can continue to do an amazing job and even raise the bar.

Councilman McGovern stated Captain Silva has come to Council periodically over the years for expenditures out of this trust fund. He asked Captain Silva if PBSO wanted to spend the \$350,000 on the license plate reader system. Captain Silva stated the law is very specific as to what they can use this money for. He said with those limitations, PBSO cannot think of a better use for this money than the program they are looking to embark on.

Mayor Gerwig asked if staff was going to talk about the install and how the system would work with Village utilities. Mr. Barnes said, at this point, they were not.

Councilman McGovern stated the authorization tonight is to start the negotiation process. Mr. Barnes said it is actually to authorize use of the Law Enforcement Trust Fund for this project. He stated staff needs the authorization to then go to PBSO, since it requires the approval of this Council as well as the Sheriff's Office to utilize the funds.

Councilman McGovern asked when this system will be implemented. Mr. De La Vega stated staff hopes to be back to Council with this on August 14, 2018.

A motion was made by Councilwoman Siskind, seconded by Vice Mayor Drahos, and unanimously passed (4-0) to approve the Authorization to Utilize Law Enforcement Trust Fund Monies for the Purchase and Installation of Automated License Plate Reader (ALPR) Cameras at Various Locations Throughout the Village.

**D. 18-2168 AUTHORIZATION TO AWARD A TASK ORDER TO PROVIDE
ENGINEERING CONSULTING SERVICES FOR THE FOREST HILL
BOULEVARD/C-8 CANAL IMPROVEMENT PROJECT**

Mayor Gerwig recused herself from this item, because the company she works for and owns one share of stock in has other business with Mock Roos and Associates that totals over \$10,000 in the last 24 months. She left the Chambers at this time.

Mr. Schofield introduced the item.

Mr. De La Vega stated staff was seeking authorization for Mock Roos to do an additional design for the C-8 canal improvement project. He explained the Village went out for bid on this project using micro-tunneling as the method, and the bids came in higher than the budgeted amount by approximately \$337,000. He stated staff came up with an alternate open cut option with the hopes of saving approximately \$400,000, based on the bid price previously received. He stated the \$38,000 is needed to invest in the design of that alternate in order to go back out to bid.

Vice Mayor Drahos stated his concern was if they were overcompensating in an attempt to save money. He asked if they were confident in this proposal and in being able to pull this off without creating any further problems.

Mr. Schofield stated it is always possible when going out to rebid that the prices will not be as good. He said projects going out for construction are done by sealed bid. He indicated staff actually wanted to disqualify the low bidder on this project, because they had not done the specific kind of micro-tunneling called for here. He stated staff was hearing from the other contractors that it could be open cut. He said they were looking at micro-tunneling in the first place to make sure Forest Hill Blvd would not be causing traffic delays during AM and PM peak hours. He stated staff will get the engineering design to have the open cut and also provide for this work to be done at night, as some lanes will be closed at times.

Vice Mayor Drahos asked if they found this option to be the much more reasonable and conservative way to approach this situation.

Councilman McGovern stated the original sending out of the RFP on this for the sealed bids was a request for proposal to do it by the micro-tunneling. He asked if the problem and the reason they were back here was because when the RFP was sent out, they did not expect the cost to be as high as it turned out to be.

Mr. Schofield stated it came in \$337,000 over budget. Mr. Lundeen said they did not expect it to be that high.

Councilman McGovern stated had it not been \$337,000 over budget, the Village's preferred method would still have been the micro-tunneling. He said now that staff has done the cost/benefit analysis, they need to spend an additional \$38,000 to re-engineer it to save approximately \$400,000.

Mr. Barnes stated that was the intent, but nothing will be determined until the bids come in. He said it is difficult to predict, particularly on a rebid scenario. He stated staff feels, based on the market right now, they should be able to save that difference. He indicated staff was going to disqualify the low bidder anyway, based on the fact they did not appear to be responsive or responsible to the requirements of having had previous experience specific to micro-tunneling. He stated when staff bids it out this time, they will not rely just on the costs from the previous bid to determine if it is a better deal or not. He said, with this bid, they will be able to see what it is for the micro-tunneling and an open cut scenario, and thus compare apples to apples in terms of the actual costs.

Councilman McGovern asked, for the purpose of informing the residents, staff to walk back through what this project is and why it is important.

Mr. Lundeen stated the two pipes at the C-8 canal and Forest Hill Blvd are corrugated metal pipes 48" in diameter. Mr. Schofield indicated the C-8 canal runs between Palm Beach Polo and the mall where the powerlines are. He stated that is the major drainage for the eastern portion of the Village, as it drains everything from the south end of the Village north to the C-51 canal.

Councilman McGovern stated the pipes have to work today and they have to work in the long term. He said this is essential to hurricane drainage and major rain drainage, as it is essential to the function of the Village.

Mr. Schofield stated Mr. Lundeen got inside the culverts and saw how deteriorated they were. Mr. Lundeen said the culverts are not going to fail today and probably not tomorrow, but it is the

day after that he is worried about. He indicated they sent a diver through the pipes and the inspection report indicates they are in bad shape, so the Village needs to do something soon.

Vice Mayor Drahos stated they definitely want it done right and they definitely need to do it.

Mr. Schofield stated Council will see this project one more time when staff comes back with a recommended contract, as Council will have to award that contract.

A motion was made by Councilwoman Siskind, seconded by Councilman McGovern, and unanimously passed (3-0), with Mayor Gerwig recused, to approve the Authorization to Award a Task Order to Provide Engineering Consulting Services for the Forest Hill Boulevard/C-8 Canal Improvement Project.

At this point, Mayor Gerwig returned to the Chambers.

E. 18-1929 AUTHORIZATION TO AWARD A CONTRACT FOR THE K-PARK LANDSCAPE BUFFER

Mr. Schofield introduced the item.

Mr. Barnes stated that Council received the landscape plans that the Village put out to bid for this project. He said this project is basically beautification of the K-Park property line along State Road 7 and Stribling Way. He stated the reasons for this project are:

- 1) To utilize funds that were assessed in the different developments and designated for improvements along the State Road 7 corridor between 2002 and 2013; and
- 2) The Village needed to address what to do with the material at the Greenbriar Park location, which has doubled as a Village tree nursery over the last several years. The material was acquired originally at a deep discount from nursery growers going out of business and the Village has used it over the last several years for various projects. Staff's plan is to leave some material at the existing Greenbriar Park for that site's ultimate development and then utilize what is left.

Mr. Barnes indicated the total funding for this project is \$360,000.

Mayor Gerwig stated part of the reason is that these trees have grown significantly and are harder to move. Mr. Barnes said they have been nurtured well and continue to thrive.

Mayor Gerwig asked when the Village last purchased anything for the nursery. Mr. Barnes stated it was all purchased around 2009-2010. He said they have used the nursery as a holding zone for some other projects that required different material, but in general the nursery stock was purchased when the Forest Hill Blvd and Town Center project was being done.

Mr. Barnes showed Council the type of material being proposed for the project. He said there are royal palms, Bismarck palms, crepe myrtles, clusia hedges, Japanese ferns, and silver buttonwoods. He stated some of the crepe myrtles were along Forest Hill Blvd now. He explained they flower seasonally, so at some parts of the year they have no flowers. He said they are not dead, as that is how they are supposed to grow. He stated sometimes they have to do a hard prune on the crepe myrtles.

Mayor Gerwig stated she had asked for clarification on that because some residents cut back the crepe myrtles too much. She suggested using arborist standards.

Mr. Barnes stated the groundcover includes trinettes, which are in some of the medians, and foundation plantings, which include the green island ficus, coontie, copper leaf and firebush. He stated the green island ficus is in a lot of their medians and parking lots. Mayor Gerwig noted that the green island ficus are white fly resistant.

Mr. Barnes stated everything the Village is planting now seems to be handling the white fly. He said the podocarpus handles the white fly as well. He stated the green island ficus and the trinettes seem to be doing well. Mayor Gerwig said the podocarpus is hard to establish and kind of expensive, but she likes it better.

Mr. Barnes stated these materials will be used in this project. He said there will be some mulch and grass along the berm that has been installed along Stribling and State Road 7.

Vice Mayor Drahos stated he asked to have this pulled from Consent, because he wants to be clear about what is going on. He said for many years the Village has had these trees at what is proposed to be the Greenbriar Park location. He stated if they are going to proceed with building Greenbriar Park, they need to clear those trees. He said one option is to sell the trees.

Mr. Barnes stated staff does not believe that is a viable option, based on the fact they will get some money for the trees but it probably will not be worth their while. He said the purchaser will have to buy them at a considerable discount to be able to take on the ownership and warranty when they use them for another project.

Vice Mayor Drahos stated that leaves the Village with the prospect of moving them. He said staff's plan is to move them by using a fund the Village has available to them and that is limited to landscaping along the State Road 7 corridor. He stated they were not asking the taxpayers to fund this move, as it is coming from existing funds.

Mr. Barnes stated that was correct. He explained the existing funds were collected between 2002 and 2013 from projects that were approved along the corridor down to Versailles. He said the optical shop located next to Farmington Estates was the most recent project. Mayor Gerwig indicated they paid an impact/assessment for landscaping.

Vice Mayor Drahos stated if the Village does not use these funds, they run the risk of giving them back. Mr. Barnes indicated at some point someone could say that no project has been completed and there has been no benefit to the corridor, so the money should be returned.

Vice Mayor Drahos stated, in the end, they are either looking at killing the trees, which he did not think any of them wanted to do, or using the existing funds to put the trees along the State Road 7 corridor, which happens to be K-Park. Mr. Barnes stated that was correct.

Vice Mayor Drahos stated this not intended to in some way signal that the Village has any plans to do anything with K-Park. Mr. Barnes said absolutely not.

Mr. Schofield stated if the Village was going to be doing anything with K-Park in the next two to four years, he would not be recommending this project. He said the Council is getting ready to adopt the 2019-2020 budget and there is nothing about K-Park in there. He stated the next time

Council could see that is next year, so it would be two years before they would even contemplate K-Park and three years before they could do anything.

Vice Mayor Drahos stated that was important for rumor control. He said the Village will be putting in some plants and trees along the K-Park border, but it does not mean anything other than that. He stated this is a good opportunity for the Village to save some plants and use some existing funding.

Councilman McGovern stated this project will also beautify this entire streetscape for a lengthy period of time. Vice Mayor Drahos said that is the benefit of this whole thing.

Mr. Barnes indicated the use that is there now is not compatible from an aesthetic perspective with everything else around it, so this will provide a buffer that will hopefully improve the aesthetics along the corridor. Mayor Gerwig thought this buffer might make the K-Park property more marketable in the future.

Mayor Gerwig stated she has served in the Village for a long time. She said they are pretty good at not wasting things, as they make use of what they have. She stated with this nursery project, they have used the trees over the years and have saved their taxpayers money along the way. She thought it was a responsible use at this point.

Vice Mayor Drahos stated staff has looked at alternatives along State Road 7 and this was the only viable option. Mr. Barnes stated that was correct.

Councilman McGovern stated, of the money the Village has collected for this specific type of purpose, it is now time to actually spend the money. He asked if this was the best use that Mr. Barnes knows of at this point in time. Mr. Barnes said this is the best use of the dollars.

Mayor Gerwig indicated the plantings will be irrigated with the water reuse system.

A motion was made by Councilwoman Siskind, seconded by Vice Mayor Drahos, and unanimously passed (4-0) to approve the Authorization to Award a Contract for the K-Park Landscape Buffer.

9. PUBLIC FORUM

Mr. Schofield indicated no public comment cards were received.

10. ATTORNEY'S REPORT

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

- She stated that about a year-and-a-half ago she mentioned to Council that the Village had an inquiry from Paragon Wireless to do a ground lease for two parcels: one on 50th/Ousley and one on Greenbriar/Ousley. She said she raised the issue with Council at that time and they indicated they wanted to consider the issue as well as speak to some of their constituents. She stated Council also said they were not in a hurry to do anything with it. She said the Paragon representative has made another inquiry to see whether there has been any interest or response. Ms. Cohen stated she was bringing this inquiry from Paragon Wireless forward for Council to consider whether it is something they want to do.

Mayor Gerwig asked if it would increase cell coverage and how it would benefit the residents. Ms. Cohen stated apparently four carriers are interested in locating/co-locating on these towers. She said she thought it would increase coverage and provide some stream of revenue to the Village.

Vice Mayor Drahos asked about the height of the towers being proposed. Ms. Cohen stated she believed it would be a 140 foot monopole in each location.

Councilman McGovern asked if this was a written proposal or if they called her. Ms. Cohen stated she had a written proposal when they first discussed it and she thinks she brought that forward with some of the terms. She said she did know if those terms would still be the same.

Vice Mayor Drahos asked for the terms. Ms. Cohen stated she thought it was between \$20,000 and \$30,000 a year for each carrier, but she would have to look at it again. She said she was mentioning it, because the Paragon representative e-mailed her today and was wondering if Council had any interest in moving forward. Ms. Cohen stated if Council has any interest, she can discuss the terms with the representative and bring a proposal back for consideration. She said if Council does not have an interest, she will communicate that as well.

Mayor Gerwig stated she still gets lots of complaints about cell coverage, particularly in the areas where they thought it would be increased by the last cell tower. She said if it is not helping then they are not interested. But if it is helping, she thinks it is good to have it in the conversation. She stated they could get more details and look into it.

Ms. Cohen asked if Council would like her to bring back a proposal. Councilman McGovern stated he did not want Ms. Cohen to have a formal negotiation with the Paragon representative. He said he wants the representative to send back the current terms, much like what was sent the last time, so Council can review them as a starting point to see if they are even interested.

Ms. Cohen stated she believed that was done last time. She said she needs to go back and look at it. She said she also needs to confirm with the Paragon representative that these are the terms that would be proposed, and then she could send that to Council for consideration.

Councilman McGovern stated he would like, at the same time, some kind of report as to what is happening with the tower here. He asked if carriers were on it and, if so, how many.

Mr. Schofield stated he would get that report. He said some of it is live, but they do not have all of the carriers they originally anticipated.

Mayor Gerwig indicated the residents wanted the last tower. She said historically the towers have been a difficult issue for the Village.

- Ms. Cohen indicated a status conference is scheduled for July 17, 2018, on the Stribling vegetation and tree removal. She also indicated a temporary injunction hearing is scheduled for July 23, 2018, on the "Big Blue 2" case, which is the Big Blue clearing.

She said she calls it “Big Blue 2,” because the first case is still pending on appeal. She stated, to her knowledge, they are no longer clearing.

- Ms. Cohen stated when the soccer was occurring after the special use permit was terminated on the North course, the Village filed and obtained a temporary injunction. She said the property owner recently filed a counterclaim and the Village has filed a Motion to Dismiss. She stated there is an agreed order on that with leave to amend their counterclaims. She said Mr. Riedi will be moving forward with that litigation.

Vice Mayor Drahos asked what the basis was for the counterclaim. Ms. Cohen stated the counterclaim was attacking the constitutionality of the Village’s Land Development Regulations as to whether they are unconstitutionally vague with respect to whether activity such as soccer is permitted on the property and whether a property owner would know, based on reading the Village code, that such conduct is prohibited.

Councilman McGovern stated the Village filed a Motion to Dismiss. Ms. Cohen indicated there is going to be an agreed order with leave to amend. She said she did not know what the amendment will look like, but she will report back to Council as soon as she receives it.

Councilman McGovern stated Mr. Riedi’s status report indicates the reply brief for the “Big Blue 1” case that is on appeal was due before July 4, 2018. He asked if that got filed. Ms. Cohen stated it was filed and summarily stricken by the court, because it did not comply with the rules of appellate procedure. She said, in addition to that, the Village filed a motion to strike because Big Blue included a transcript that was not part of the record. She stated the court already struck it on its own motion before the Village simultaneously filed its motion to strike. She said if Big Blue files the same type of appendix with their amended reply, the Village will move to strike it again.

Councilman McGovern stated Big Blue filed what was due and the court summarily struck it for not being in compliance with the rules. He said that filing came as a result of extensions and the like. He asked how much more time Big Blue has now.

Ms. Cohen stated she would have to look at the order, but it is usually ten or twenty days to file an amended brief. Councilman McGovern said he did not think any extensions should be granted, as the Village has already granted extensions for what was supposed to be done. Ms. Cohen stated she did not disagree with him. Councilman McGovern asked Ms. Cohen to pass that along to Mr. Riedi.

Ms. Cohen explained that sometimes in these types of situations, even if they do not agree, the court may nevertheless grant the extension. Councilman McGovern said they would be rewarding the conduct for having filed the pleading that was stricken. Ms. Cohen stated she is just pointing out that sometimes the Village is in a situation where they need to ask for an extension. Councilman McGovern stated that was not this instance. Ms. Cohen said she agreed with him.

Councilman McGovern thought it was time to get the appellate decision moved along. Ms. Cohen stated the Village also has on appeal for the second time the “code enforcement 130 violations case” that relates to that same incident. She indicated that it was fully briefed as of a few weeks ago and that it is on appeal. She said it was handled internally.

Councilman McGovern asked if there had been any request for oral argument at this point. Ms. Cohen stated typically the oral argument does not take place before the Appellate Division of the Circuit Court, so the Village did not request it and they did not request it. She said she did not think there was a need for it. She stated if it gets reversed again, they will take it back in front of the special magistrate. She said she did not believe that it should be reversed, but it is always possible.

- Ms. Cohen stated she and Ms. Bausch will be attending the Florida Municipal Attorneys Association Conference in Key Biscayne this Thursday, July 12, 2018, to Saturday, July 14, 2018. She said she will have her iPad and cell phone, so she will be available if anyone needs her. She stated Ms. Pisz will be in during this time, so they can contact her if need be.

11. MANAGER'S REPORT

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

- The next Regular Council Meeting will be held on Tuesday, August 14, 2018, at 7:00 p.m. in the Council Chambers.
- The Village is collecting supplies for the Wellington Back to School Supply Drive through July 20, 2018. Drop-off locations are listed on the Village website.
- He indicated he will be in Tallahassee on July 20, 2018, to meet with the Village lobbyist regarding next year's legislative session and ask about a number of funding bills that were granted to local governments. He said in the last session he asked the lobbyist to review all of those bills to see if the Village's capital plan had some opportunities for state funds.
- He stated following his trip to Tallahassee, he will be on vacation through August 3, 2018. He said he will be available by phone, text and e-mail.

12. COUNCIL REPORTS

COUNCILWOMAN SISKIND: Councilwoman Siskind presented the following report:

- She congratulated the Wellington Schools on receiving an "A" rating. She stated she believes the Village had something to do with that by always working with the schools and granting them money. She said she knows it is the work of the principals and administration as well as the parents' involvement that sets their schools apart.
- She reminded the residents to take the Budget Challenge on the Village website.

COUNCILMAN MCGOVERN: Councilman McGovern presented the following report:

- He particularly congratulated Dr. Maria Vaughn, Principal, Wellington Elementary School; Ms. Elizabeth Cardozo, Principal, New Horizons Elementary School; and Mr. Darren Edgecombe, Principal, Palm Beach Central High School for raising their school grades from B's to A's. He said that was no small task. He stated they were committed

to a plan and worked together to achieve it. He said the students bought in and saw the result of a full collaborative effort. Councilman McGovern also congratulated Dr. Frank Rodriguez, Palm Beach County School District Regional Superintendent (Central).

- He encouraged the residents to take the Budget Challenge.
- He thanked the Parks & Recreation staff for another great 4th of July event, even though the weather was not cooperative.

VICE MAYOR DRAHOS: Vice Mayor Drahos presented the following report:

- He stated staff did an impressive job with the 4th of July event under the weather conditions. He said it was a great celebration and he was proud to be a part of it.
- He stated this Council had recently gone out to support the Wellington Little League 9-10 year old All Star Team in their tournament. He said they played very well but they did not prevail. He stated they played down to the last out in the last inning and showed that true Wellington spirit. He said the 11-12 year old team won and is moving on to the next round. He stated they could potentially end up in the Little League World Series. He said they will be cheering them on and hoping for the best.

MAYOR GERWIG: Mayor Gerwig presented the following report:

- Mayor Gerwig stated since the last meeting, she received a thank you note from Evan Ebersole who is going to the Naval Academy. She said they did not recognize him when they acknowledged the Air Force Academy and West Point students. She mentioned that Mr. Ebersole made her a luggage tag with the Wellington Logo and her name on the front and Go Navy on the back. She stated it is amazing the kind of kids that are being produced in the Village. She said she is very proud of them.
- Mayor Gerwig commended the students of all of the Wellington Schools for their hard work in getting the "A" rating.

13. ADJOURNMENT

There being no further business to come before the Village Council, the meeting was adjourned at approximately 8:45 PM.

Approved:

Anne Gerwig, Mayor

Chevelle D. Nubin, Village Clerk