

MINUTES

REGULAR MEETING OF THE WELLINGTON VILLAGE COUNCIL

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

**Tuesday, March 12, 2019
7:00 p.m.**

Pursuant to the foregoing notice, a Regular Meeting of the Wellington Council was held on Tuesday, March 12, 2019, 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; Michael J. 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** – Mayor Gerwig led the Pledge of Allegiance.
3. **INVOCATION** – Deacon Al Payne, St. Therese de Lisieux Catholic Church, Wellington, delivered the invocation.
4. **APPROVAL OF AGENDA**

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

1) Move Item 6B, Authorization to: 1) Award a Contract for the Wastewater Treatment Facility Renewal and Rehabilitation Project; and 2) Approval of Resolution No. R2019-12 Amending the Utility Fund for Fiscal Year 2018-2019 by Allocating Fund Balance for the Wastewater Treatment Facility Renewal and Rehabilitation Project, to the Regular Agenda as Item 8A.

2) Add a report by Councilman Napoleone regarding the Village's Pinewood Derby car to Presentations and Proclamations as Item 5C.

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

5. PRESENTATIONS AND PROCLAMATIONS

A. 19-2631 PRESENTATION OF AUDIT RESULTS FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2018

Mr. Schofield introduced the item.

Ms. Ana Acevedo introduced Ms. Racquel McIntosh, partner with Grau & Associates.

Ms. McIntosh presented an overview of the Audit for the Village of Wellington for fiscal year ended September 30, 2018. She thanked Council for letting Grau & Associates serve as the external independent auditors for the Village. She stated they have had a very good working relationship with staff and had no difficulties getting the information they needed. She also thanked Mr. Schofield, Ms. Quickel and Ms. Pearson for their hard work and for allowing Grau & Associates to perform their audit without any problems.

Ms. McIntosh highlighted the following:

Pages 1 & 2 (spiral)/page 27 (book): This was an opinion letter for the Fiscal Year Ended September 30, 2018. She said the Village was given a clean or unmodified opinion, as the financial statements are fairly stated in all material respects. She stated that was a good thing for the Village.

Pages 17/18 (spiral)/pages 45/46 (book): Page 17 was the Village's balance sheet. As of September 30, 2018, Village assets were \$74.6 million. The Village's liabilities and fund balance were on page 18. The fund balance was \$64.3 million, and of that amount, \$35 million came from the General Fund. Of the \$35 million in the General Fund, there was an unassigned fund balance of \$19.1 million, which can be used at the discretion of Council.

Vice Mayor Drahos stated the unassigned fund balance of \$19 million can be used at Council's discretion; however, they have to maintain certain amount. Ms. McIntosh indicated the unassigned balance has to be at 25% to 29% as a target, and that number is currently at 45%.

Mayor Gerwig stated the rate stabilization is \$2.875 million knowing that changes in property values and recessions may occur.

Mayor Gerwig inquired about the solid waste emergency funds. Ms. McIntosh indicated the \$3 million in reserve is for emergencies Village wide, but it was not used for hurricane Irma.

Councilwoman Siskind thought 45% was significantly higher than the target and asked if that posed any problems. Ms. Acevedo stated it did not. She said for the 5-year CIP Plan, the Village is anticipating using approximately \$20 million over the next five years. She explained the Town Center alone is \$7 million, so one capital project would bring the Village within compliance or within the policy at 29%.

Pages 20/21 (spiral)/pages 49/50 (book): On page 20 (or page 49), revenues for the Governmental Fund were at \$61.8 million for all the funds combined. The general fund was approximately \$42.6 million. Expenditures and fund balances were listed on Page 21 (or page 50). The total expenditures were approximately \$57.8 million so there was an excess of revenues over expenditures of approximately \$4 million. The third line from the bottom showed

the net change in fund balances (revenues minus expenditures) at \$9.2 million. The general fund increased by \$9 million, the building fund increased by \$2.3 million, the Acme Improvement Fund had a decrease of \$416,000, the capital projects fund increased by \$1 million, debt service was just under \$5,000, and the other non-governmental fund increased by \$3.2 million, a majority of which was from the surtax fund.

Pages 23/24 (spiral)/pages 53/54 (book): These pages showed the Statement of Position for the Proprietary Enterprise Fund. There was \$70.2 million of total current assets in the enterprise fund; and a total net position of \$170.5 million of which \$111 million was the investment in the capital assets. The unrestricted funds, which can be used at Council's discretion, was at \$14.97 million of which \$9.8 million was in the utility system, \$4 million is in solid waste, and just under \$1.1 million in the Lake Wellington Professional Centre.

Page 24 (or page 54) was the Statement of Revenues, Expenses and Changes in the Net Position: There were total operating revenues of just under \$24 million for all three of the funds. Operating expenses were at \$23.2 million, which gave the Village income from operations at \$690,000. The third line from the bottom showed the overall change in net position showing a decrease of \$913,000, which was a combination of the utility system bringing in \$844,000, solid waste system using \$1.8 million and Lake Wellington Professional Centre bringing in just under \$45,000 for the fiscal year ending 2018.

Councilman Napoleone stated the solid waste decrease was attributed to hurricane Irma. Ms. Acevedo indicated there was \$1.2 million in the solid waste fund for debris. Councilman Napoleone said the Village was about two years away from receiving FEMA reimbursement on this. Mr. Schofield stated it was a minimum of two. He said one reason the solid waste fund is used is that it is one of the few expenditures for which they can use that specific fund.

Mayor Gerwig stated they were hopeful to get a great percentage of that, but until it is obligated and until we are told the project is closed, this is what is expected, they do not count on that in the budget. Ms. Acevedo stated once the project worksheet is approved, then they can book the receivable and the revenue, meaning they should expect to collect within a year from that timeframe.

Mayor Gerwig stated they will know the exact amount at that point, because they are going through the \$1.2 million determining what is covered and what is not. She said they expect 90% of it to be covered. Mr. Schofield stated approximately 90% is recovered between the federal government and the state.

Vice Mayor Drahos asked for clarification on the costs relative to Lake Wellington Professional Centre. He stated one category is Operations & Maintenance for \$486,333 and the other is to transfer out \$73,780. He asked what the transfer out cost was for. Ms. Acevedo indicated the transfer out cost is called Indirect Cost Allocation and it is for general administrative expenses that Finance provides, i.e., billing services. She said any other service the Village Finance Department provides is covered under this. She stated they are also charging some costs to Lake Wellington for the ERP project. Vice Mayor Drahos noted that the total cost to operate Lake Wellington Professional Centre exceeds \$500,000.

Mayor Gerwig stated Operations & Maintenance was \$486,000 and the total revenue that the rents brought in was \$745,000. She asked about depreciation. Ms. Acevedo indicated depreciation was \$149,000, which is a book entry that does not affect their cash balance.

Mayor Gerwig stated that is just saying the assets are this old, so they are depreciated a certain amount. Ms. Acevedo indicated the value has gone down in other words.

Councilman Napoleone indicated the net profit for the Lake Wellington Professional Centre was \$44,000 last year. Vice Mayor Drahos stated that did not include the cost that was originally expended to buy this building. Ms. McIntosh indicated that cost was in the general fund. Vice Mayor Drahos stated the Village was still looking at a negative \$4 million for the Lake Wellington Professional Centre.

Page 43 (spiral)/page 74 (book): The Notes section indicated that the Village paid off its 2014 Public Service Bond so they no longer have that as a liability. The only current debt is the 2016 Special Assessment Bond that totaled \$3,060,000, which was for Saddle Trail. The assessments to the Saddle Trail residents will pay off that debt so that was not currently a Village obligation. The Village has \$2.3 million in Compensated absences and a net pension liability for FRS for \$18 million.

Page 61 (spiral)/page 94 (book): This page showed the Budgetary Comparison Schedule for the General Fund. Total revenues that were budgeted were \$41.3 million; however, actual revenues that were brought in were \$42.6 million, so there was \$1.3 million more that was brought in than what was expected. \$45.7 million was budgeted, but only \$41.1 million was spent, so the budget was underspent by \$4.6 million.

Page 101 (spiral)/page 141 (book): This page showed the Internal Control of their Financial and Compliance Report. For the fiscal year ended September 30, 2018, they did not identify any material weaknesses or significant deficiencies in the Village's internal controls nor did they have any other internal control findings that needed to be reported.

Page 101 (spiral)/page 143 book): This was Grau's opinion on the Village's compliance with the investment statute 218.415. The third paragraph had Grau's opinion noting that they believed the Village met all of the requirements in that statute.

Page 105 (spiral)/last page of book): This was their report to management noting that they had no current or prior year findings to be reported in the audit.

Mayor Gerwig asked about the obligation for retirement benefits. Ms. McIntosh indicated the chart on page 43 (spiral)/page 74 (binder) shows the changes in the long term liabilities of the Village. She stated the first bond series 2014 was paid off in the current year, so it is no longer an outstanding bond. She said the series 2016 special assessment bond for Saddle Trail has an outstanding balance of \$3,060,000, but the Village has a receivable coming from the Saddle Trail residents that will payoff that amount. She indicated the only other long term debt the Village has is compensated absences, which is the sick and vacation accrual time for employees, and that ended at \$2.339 million. She said the net pension liability from the Florida Retirement System (FRS) was at \$18 million. She stated FRS and the compensated absences would not be expected to be paid out, as they get paid out over time.

Mayor Gerwig stated that was discussed, as the number provided is as if everyone retired today and if everyone took all of their benefits today. Ms. McIntosh said it also included those already invested in the Florida Retirement System.

Mayor Gerwig stated there was a question earlier about eligibility for the Florida Retirement System (FRS) for the part-time aquatic workers, but that has been worked out. She said the

money that was put in those FRS accounts just came back and was put into the general fund. She stated FRS agreed with the Village on the determination. Ms. McIntosh indicated that was clarified a few years ago.

Vice Mayor Drahos stated the residents expect for Council to spend this money wisely and the budget is their primary responsibility. He said he sees this audit as a report card for the Council. He stated to receive a report that shows they earned \$1.3 million more than expected and spent \$4.6 million less than anticipated, shows that this Council is running this Village extremely effectively. He said he is quite proud of this audit. He thanked the Ms. Acevedo and Ms. McIntosh for a clear and concise report.

Ms. Acevedo stated it was a Village wide effort and commended everyone involved in providing information for the audit.

Mayor Gerwig indicated that the Village's Annual Financial Report is now available. She said it is not online, but it can be provided upon request. She indicated that the Budget in Brief is her favorite and the residents appreciate the more concise reports.

Council extended their thanks to Ms. McIntosh and her firm and to Ms. Quickel and staff for their hard work.

B. 19-2682 PALM BEACH COUNTY FIRE RESCUE FY 18 ANNUAL REPORT PRESENTATION

Mr. Schofield introduced the item.

District Chief William Rowley presented Palm Beach County Fire Rescue's Annual Report on the services provided to Wellington over the past year. He introduced Division Chief Rich Ellis with the Medical Service Division and Mobile Integrated Health. Chief Rowley indicated Fire Rescue predominately runs medical calls in the Village of Wellington, as they responded to 73% of the total call volume or to 3,800 calls last year.

Chief Rowley stated Fire Rescue responded to 67 structure fires last year. He said structure fires go from a pot on the stove, a smoking microwave, all the way to an actual full structure fire, room and content, or an entire home. He said the 112 fires also includes brush fires, 26. He said those can be anywhere from a small grass fire all the way up to a larger piece of acreage. He stated they responded to 15 vehicle fires and 4 trash fires, including dumpsters.

Chief Rowley indicated Fire Rescue's total calls were pretty consistent from FY17 to FY18, but jumped the previous years. He stated their average response time has gone down over the past year, as Fire Rescue is always working to improve the time from when the call hits the station until the crews roll out of the station. He said traffic and roadways are the limiting factors.

Chief Rowley stated that Fire Rescue responds to auto accidents. He said for significant auto accidents where an extrication is involved, the engine crews have extrication capabilities as well as special operations. He stated special operations will also assist the units in the Village with any hazardous material calls or the like.

Chief Rowley stated fire stations #25, #20, #27 and #30 are within the Village and the units located at these fire stations are in excellent condition. He said all of their fire and EMS

equipment is maintained internally by support services on Vista Parkway, where there is a fleet of mechanics and a large shop. He indicated Station #25 has an ALS Engine, ALS Rescue and a large brush truck; Station #27 has an ALS Engine, ALS Rescue, and a large brush truck; Station #20 has an ALS Engine, a large brush truck, and ALS Rescue; and Station #30 has an ALS Engine and an ALS Rescue.

Chief Rowley stated that Operations covers all of the actual responses that run through the county. He said the Medical Services Division, Training Division and Fire Operations in the Village are under Operations. He indicated there are forty-nine (49) fire stations throughout the county.

Chief Rowley stated there are two Special Operations units, one in the Village and one in Jupiter. He said if anything significant happens in the Village, such as a large hazardous material event, they will combine the two teams. He indicated there is a multidiscipline response that covers high angle rescue, confined space, trench, technical rescue, hazardous material, dive and heavy extrication. He explained each team is completely independent of itself, but when there is a larger incident they can put fourteen techs on scene.

Chief Ellis stated a couple of years ago their division was changed from the Division of EMS, Emergency Medical Services, to the Division of Medical Services. He said that was a deliberate action to take "emergency" out of it. He stated they divided the division into two sections: Emergency Medical Services (EMS) and Mobile Integrated Health (MIH).

Chief Ellis stated they are very proud of their EMS Division. He said their calls are 79% medical in the Village and 90% medical countywide. He thought that referenced the higher concentration of elderly people outside of Wellington.

Chief Ellis stated they were also really proud of their ROSC rates, Return of Spontaneous Circulation after cardiac arrest. He indicated they are around 35% in Palm Beach County and sometimes as high as 40% or 45% for a month. He said that was due to their innovative training and protocols and their constant commitment to improve that service. He noted the state averages about 15%. He stated Wellington is lucky, as both Palms West and Wellington Hospital are STEMI hospitals and cardiac arrest resuscitation centers. He said there nine of those hospitals in the county.

Chief Ellis stated the EMS Division is striving to increase their neurologically intact survival rate in 2019. He said it is great to have high ROSC rates, but if the people do not walk out of the hospital neurologically intact, it is not so good. He stated Palm Beach County is at 12%-15% with people walking out of the hospital and the statewide average is about 8%. He said their EMS Division doubles the statewide average due to the efforts they have taken.

Chief Ellis stated the EMS Division is also committing to cardiac arrest care in 2019. He said they kicked it off in December 2018 with a cardiac arrest symposium and other initiatives will be coming on board this year. He stated the EMS Division is trialing a new way to do CPR and has some new equipment. He said this was just a sliver of what this division does.

Chief Ellis provided a brief summary of the Mobile Integrated Health (MIH) program, which was developed a couple of years ago. He indicated there are 3,000 plus medical calls in Wellington and most are from people who call 911 multiple times. He stated some people call 911 ten to forty times a year and one person called fifty-five times last year. He said something is obviously wrong, as their needs are not being met in the traditional way and they are using 911

as their first line medical provider. He stated the High Frequency Utilizer (HFU) program within the MIH program, was developed to address those needs.

Chief Ellis stated departments around the country have programs like this, but the HFU program is different because it provides social workers. He said the paramedics were not trained to deal with someone calling 911 so many times. He stated the paramedics assess the people and take them to the hospital and the hospital discharges them. He said the social workers look at the whole system.

Chief Ellis stated it is not 911 abuse, as it is an emergency to these people. He indicated many of the calls are from diabetics or people with other medical conditions, as they just do not know how to take their medications properly. He said they go downhill and then call 911 when they are having a true medical emergency. He stated some of the paramedics are trained to be community paramedics and go see these people before their next 911 call. He said the people who have called 911 three or more times in the last two weeks or ten or more times in the last month are seen by the social workers and the paramedics to find out what is going on.

Chief Ellis stated the HFU program started as a pilot program and officially started in November. He said the patients are enrolled in the program and followed for thirty days, and their 911 use is monitored. He stated the 911 calls have been reduced by 75%, so they are really happy with results so far.

Chief Ellis indicated there are other programs within the MIH program. He stated anytime a paramedic codes a call as an addiction, whether it be drugs or alcohol, it triggers a social worker. He said the social worker, after two or three days, will reach out to these people via phone to offer them services. He stated 70% of the people have been receptive, but the social workers do not know if these people actually get the services. He said these addiction patients have shown a 45% reduction in their 911 use, just by having the social worker make a phone call and offer services.

Chief Ellis stated they also have a Paramedic Referral program. He said if a paramedic comes across a person in need, and it does not have to be a High Frequency Utilizer, they are referred to the team and a social worker will contact them.

Chief Ellis stated a Pregnancy Outreach program was also just started. He said Palm Beach County Fire Rescue sits on the county Fetal Infant Mortality Review (FIMR) Board and its mission is to reduce fetal demise. He stated after reviewing a dozen or so fetal deaths, Fire Rescue realized many of the mothers were not connected to resources or were not getting or continuing prenatal care. He stated Fire Rescue determined that was their role. He explained now anytime a paramedic calls on a patient who is pregnant, it is coded in the system. He stated the Pregnancy Outreach program will check on that patient to make sure she has the resources and connections she needs. He indicated this program was started two weeks ago and eight patients have gone through the system. He said the social workers called each of them, and they all had the resources they needed. He stated the patients were very happy they were called and of concern. He said if Fire Rescue is able to save one baby, it will be worth it.

Mayor Gerwig stated she appreciated Palm Beach County Fire Rescue for their innovation. She said everyone is paying for the overuse of 911. She thought it was great if Fire Rescue could get to the bottom of it and help the residents as well.

Chief Ellis stated, as 911 calls are reduced, it will save money for the whole healthcare system. He said about 60% of the patients who call 911 are transported to an emergency room and some are admitted. He stated their goal is to reduce those calls by 2,000 a year, so the front line rescues are available and not tied up with one of the frequent callers.

Chief Rowley stated the MIH program is successful, because of the passion Chief Ellis and his division and the rest of the department has for this program.

Chief Rowley indicated another service Fire Rescue provides in Palm Beach County is Trauma Hawk. He said Palm Beach County Fire Rescue provides the paramedics, paramedic firefighters and registered nurse paramedic firefighters. He stated the Health Care District provides the helicopters and the pilots.

Chief Rowley stated the fire station in the middle of the runway at Palm Beach International Airport is staffed with Palm Beach County Fire Rescue (PBCFR) personnel. He said Palm Beach International provides the facility and equipment and PBCFR provides the aircraft firefighters and the officers to man the station.

Chief Rowley stated Training & Safety is a huge part of what Palm Beach County Fire Rescue provides as an ancillary benefit to having service through them. He said all of the fire stations in the Village along with all of the fire stations in PBCFR go to their state-of-the-art facility on Pike Road. He stated the burn building allows the firefighters to train in a controlled environment. He said they can black out masks and use theatrical smoke. He stated they actually burn pallets and hay, so the firefighters can see the fire behavior, extinguish it and work as a crew in that environment. He said temperatures reach 1,000 to 1,500 degrees, so the firefighters deal with the same situations as in a structure fire.

Chief Rowley stated Support Services is where their fleet is serviced on Pike Road. He said a lot of mechanics and technicians work at the facility, in addition to their three field mechanics. He said if there is an issue with a truck, it is not necessarily brought to Pike Road, as a road mechanic will go to the station. He stated all of the fire stations have the equipment needed to service the trucks at the stations. He said the goal is to keep the vehicles in the battalions and in the stations available for calls.

Chief Rowley stated the Alarm Office answers over 200,000 911 calls in one year. He said along with Palm Beach County Fire Rescue, the dispatch serves several other municipalities in the county. He indicated the 911 Center is located on Military Trail south of Southern Boulevard.

Chief Rowley stated the Bureau of Safety Services (BOSS) includes the fire inspectors and fire investigators. He said when there is a structure fire and the cause is not obvious, the firefighters and officers can easily determine the cause. If the cause is undetermined or if there is a significant amount of damage, a fire investigator will do an investigation to see if it was an accident or arson. He stated the act of finding the cause and mitigating it further would be done by their Fire Prevention Bureau.

Chief Rowley stated 1,100 Fire and Safety Inspections were done in the Village this past year. He said PBCFR participates in community education and attends all of the events in the Village. He stated they enjoy having their firetrucks, firefighters and rescues at these events. He said it is an opportunity for PBCFR to show the citizens in the Village their services and equipment and

an opportunity for the citizens to interact with the firefighters. He stated they did not want their first interaction with a firefighter to be during an emergency.

Mayor Gerwig stated Palm Beach County Fire Rescue is pretty impressive. She said Council attended the Operation Heatshield training. Chief Rowley stated that training showed the partnership between Palm Beach County Fire Rescue and the Palm Beach County Sheriff's Office. He said the training Council witnessed was developed over six to eight years or more, to get that type of interaction to those type of emergencies.

Councilman McGovern stated it was a great opportunity to see the whole facility on Pike Road.

Mayor Gerwig stated there has been a lot of citizen input regarding the stroke awareness, where Fire Rescue does the hands only CPR training so that everybody can do it. She said it really gets the word out. She stated the Council appreciates the interaction and the training.

Chief Rowley stated an initiative by the Health Care District is the "Stop the Bleed" program. He said they have been pushing it countywide, as it is a national initiative, and doing it in many of the schools. He stated it is designed to put lifesaving skills in the hands of laypersons. He said they use tourniquets, apply pressure, and quickly put civilians or government employees on scene. He stated he just did a training at a school in Wellington that included 70 teachers and faculty. He said several personnel from Fire Rescue and the Health Care District provided that service. He indicated they would be putting this equipment in their AED boxes.

Vice Mayor Drahos stated, in the example of cardiac or stroke events, the difference in outcome can be dependent upon a couple of minutes. He said it is extremely impressive that Palm Beach County Fire Rescue's response time is averaging 6.5 minutes and that they brought that number down by 9 seconds since last year. He thought Chief Rowley's crew deserved a lot of credit for that accomplishment.

Councilman Napoleone stated he had the privilege of spending New Year's Day accompanying his son in Rescue #20 to the emergency room. He said Palm Beach County Fire Rescue showed up fast and were professional, and it was a great experience. He thanked them for everything they do for the Village and for the community partnership they have. He said it is important to build those relationships.

Mayor Gerwig stated the trailer sprinkler presentation is impressive to watch. She said she knows it is expensive to do again and again, because they actually burn the items in the trailer. She stated it gave her a lot of confidence knowing that they are in a building with sprinklers.

Chief Rowley stated if the Village ever has an event where they want a larger presence from Palm Beach County Fire Rescue, they just need advance notice in order to plan and coordinate it with the different divisions.

Council thanked Palm Beach County Fire Rescue for all that they do for the Village.

C. REPORT BY COUNCILMAN NAPOLEONE REGARDING THE VILLAGE'S PINEWOOD DERBY CAR

Mr. Schofield introduced the item.

Councilman Napoleone provided a report regarding the Village's car and participation in the Pinewood Derby.

6. CONSENT AGENDA

- A. 19-2728 A PROCLAMATION OF THE VILLAGE COUNCIL OF WELLINGTON, FLORIDA PROCLAIMING MARCH 2019 AS FLORIDA BICYCLE MONTH" IN THE VILLAGE OF WELLINGTON
- C. 18-2321 AUTHORIZATION TO UTILIZE A U.S. COMMUNITIES' CONTRACT WITH CINTAS CORPORATION FOR FACILITIES MANAGEMENT PRODUCTS AND SOLUTIONS (RENTAL AND SERVICE OF EMPLOYEE UNIFORMS AND OTHER RELATED PRODUCTS)
- D. 19-2733 AUTHORIZATION TO CONTINUE UTILIZING A CONTRACT FOR MITEL (SHORETEL) PHONE SUPPORT SERVICES, UPGRADES AND SOFTWARE MAINTENANCE
- E. 19-2737 RESOLUTION NO. R2019-11 (BLUE CYPRESS REPLAT NO. 2 AT PALM BEACH POLO AND COUNTRY CLUB)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ACCEPTING AND APPROVING THE BLUE CYPRESS REPLAT NO. 2 AT PALM BEACH POLO AND COUNTRY CLUB LYING IN SECTION 15, TOWNSHIP 44 SOUTH, RANGE 41 EAST, VILLAGE OF WELLINGTON, PALM BEACH COUNTY, FLORIDA, BEING A REPLAT OF LOTS 43 THROUGH 48 OF BLUE CYPRESS REPLAT AT PALM BEACH POLO AND COUNTRY CLUB, AS RECORDED IN PLAT BOOK 116, PAGES 163 THROUGH 165, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

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

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

Mr. Schofield indicated there were no public comments for the Consent Agenda.

7. PUBLIC HEARINGS

- A. 19-2762 ORDINANCE NO. 2018-10 (SMALL CELL WIRELESS ORDINANCE):

AN ORDINANCE OF THE VILLAGE OF WELLINGTON
AMENDING THE VILLAGE CODE BY REPEALING AND
REPLACING CHAPTER 23, "COMMUNICATIONS
FACILITIES RIGHTS-OF-WAY ORDINANCE", TO
PROVIDE FOR CERTAIN STANDARDS AND REGULATIONS
RELATING TO THE LOCATION OF COMMUNICATION
FACILITIES AND OTHER STRUCTURES WITHIN THE
VILLAGE'S PUBLIC RIGHTS-OF-WAY, CONSISTENT WITH
FEDERAL AND STATE LAW; PROVIDING FOR
SEVERABILITY; PROVIDING FOR CONFLICTS; AND
PROVIDING AN EFFECTIVE DATE.

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

Ms. Cohen stated the Village received a letter from the general counsel of the Federal Housing Finance Agency objecting to paying the mortgage foreclosure registration fee. Staff researched the issue and felt it was more expedient to include language in the ordinance that to the extent that they were exempt, the fee would not apply. Ms. Cohen stated the changes are on pages 4 and 5 of the proposed ordinance.

Mayor Gerwig stated her concern, brought up in agenda review yesterday, was that the Village could not go back to redo this if there is a problem in the future. She stated the Village Attorney does not believe that is a problem.

Public Hearing

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

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

A motion was made by Councilman McGovern, seconded by Councilwoman Siskind, and unanimously passed (5-0), to approve Ordinance No. 2018-10 (Small Cell Wireless Ordinance).

8. REGULAR AGENDA

- A. 17-1619** AUTHORIZATION TO: 1) AWARD A CONTRACT FOR THE WASTEWATER TREATMENT FACILITY RENEWAL AND REHABILITATION PROJECT; AND 2) APPROVAL OF RESOLUTION NO. R2019-12 AMENDING THE UTILITY FUND FOR FISCAL YEAR 2018-2019 BY ALLOCATING FUND BALANCE FOR THE WASTEWATER TREATMENT FACILITY RENEWAL AND REHABILITATION PROJECT; AND PROVIDING AN EFFECTIVE DATE.

This item was formerly Consent Item 6B.

Mr. Schofield introduced the item.

Ms. LaRocque stated this is a \$19 million project for the Village of Wellington and a significant renewal, replacement and expansion program for the Utility's Water Reclamation Facility on Pierson Road. She indicated the important elements include structural mechanical rehabilitation of the headworks, which is a vital component of their wastewater treatment process, as well as demolition and replacement of the odor control system. She said this will fix the odor challenges at the site. She stated some additional filters will be installed and various improvements will be made to their biosolid systems. She said the expansion component includes construction of a new control building, reuse control building and a blower building. She indicated a lot of chemical lines around the plant need to be replaced, as they have been causing some challenges for operation and maintenance staff. She said a lot of painting, coating and structural repairs need to be made to the 35 year old facilities. She said many of the walkways and catwalks do not currently meet OSHA standards and need to be repaired. She noted that supporting electrical and instrumentation work goes along with all of this as well.

Ms. LaRocque stated the last project at the facility was in early 2000 and a small expansion in 2010 did not address any of these items. She said this type of major rehabilitation project typically occurs at large water treatment and wastewater treatment plants around this age. She stated the facility has a very aggressive atmosphere and at certain times in its life it requires significant renewal and replacement.

Ms. LaRocque stated the Village received two bids. She said the low bidder was deemed non-responsible, as they did not meet the qualifications. She stated because they cannot impact the operations of the wastewater plant, the qualifications are strict but not overly burdensome for this type of work. She indicated the bid required the general contractor to have a minimum of five projects of similar scope and magnitude during the past ten years with a minimum value of \$7 million. She said the general contractor also needs to be under the present name of the entity submitting the bid for a minimum of ten years. She stated the low bidder started the company around August of last year, so they do not meet the ten year requirement. She said they also do not have the minimum of five projects with an evaluation over \$7 million. She stated the second bidder was Wharton Smith, a contractor well known to the Village and to her personally throughout her career. She said this contractor is highly qualified and specializes in water and wastewater.

Ms. LaRocque stated staff feels very comfortable that Wharton Smith can execute the project within the timeframe established. She said it is a two year project.

Ms. LaRocque indicated when the rate study was done and presented to Council last year, it carried a project cost of \$17 million and that number is about two years old or older. She stated staff started looking at the numbers related to the \$17 million in the rate study versus the \$19 million bid. She said they obtained a lot of information primarily from Engineering News Record, an organization that looks at industry trends for construction. She indicated since October 2017 through October 2019, their statistics indicate a 17% to 20% increase in construction costs. She explained this was primarily due to a very good economy, because one pays more when the economy is good. She said it is harder for contractors to get labor and material, as they pay a premium on material and the tariffs are not helping construction prices.

Ms. LaRocque stated, because it is a two year job, the contractor has to build in some allowances for potential cost increases. She said staff kept the budget where it was originally prior to the rate study, which was about \$14 million, because they did not want to arbitrarily change the number until getting the bids. She stated the Village is well positioned, as it has

been planning for this for a long time. She said this does not put the Utility in an uncompromised position financially and it is a very important investment that the Village needs to make.

Ms. LaRocque stated the Village has been setting aside money every year to pay for the big projects like the water plant and wastewater plant. She said the funding comes from available revenue within the Utilities and the Village will still maintain its required reserves for the Utility. Councilman McGovern stated that was true whether the number is \$17 million or \$19 million.

Ms. LaRocque stated she advised Mr. Schofield before the bids were received that she thought the number would be around \$19 million, based on trending construction costs. She said they do not see that decreasing at this point. She indicated there are still uncertainties with respect to tariffs and the construction market in the water and wastewater arena is unbelievable. She explained the Village bid a different project that was not ultimately awarded, but back then it was traditional to have four or five bidders on a project like this. She said the water plant received two bids and this project received two bids, because people are so busy. She stated the Village has to be selective. She said a job this big takes a lot of time to bid, so the contractor has to have the resources to pull the bid together. She noted that Miami-Dade County and Broward County each have billions of dollars in work and Palm Beach County has a lot of work, so the construction industry is really stretched.

Vice Mayor Drahos stated Ms. LaRocque mentioned that she had some experience with Wharton Smith, but that they also have some experience in Wellington as well. Ms. LaRocque indicated that Wharton Smith successfully completed the last expansion of the wastewater plant and two emergency repairs at the water reclamation facility. She said these projects were completed under a piggyback contract and Wharton Smith did them under budget and under schedule. She stated Wharton Smith has a familiarity with the plant, which makes staff feel very comfortable. She said it is an operational plant and Wharton Smith and the Village are going to be neighbors for two years, so they want to make sure they can work well together.

Councilman Napoleone thought everyone agreed this was a critical facility for the health and safety of the residents. He said, because of the aging infrastructure, the Village cannot put off this project and it will probably cost more if they wait.

Ms. LaRocque stated, historically, the cost does not decrease when a project is rebid. She explained the bidders become more knowledgeable and look at things more closely. She said they get information from the other bidders through public information. She noted the economy and the uncertainty with tariffs is driving construction costs.

Public Comments

1. Mr. Gregory Williams, 9418 Maplewood Court, Palm Beach Plantation, a representative with Wharton Smith, Inc., spoke regarding the project. He stated that Wharton Smith has performed work for the Village of Wellington for well over twenty years. He said he was involved in the expansion to the wastewater treatment facility in 2009. He stated he also worked with Ms. LaRocque and the piggyback contracts in order to facilitate the emergency projects that were recently completed on the headwork structure. He said that was very difficult, because it was a 24 hour operation. He stated they did not have any complaints and they maintained the environment very well. He indicated Wharton Smith also performed work at the water treatment facility across the street. Mr. Williams stated he lives in Wellington and his kids go to school in Wellington, so he has a vested interest in the infrastructure of the community. He thanked

Council for their consideration and stated that Wharton Smith looks forward to another successful project.

Mayor Gerwig stated Council discussed this project at length at Agenda Review.

Councilman McGovern asked if there had been any protests or appeals in regards to the bid process. Mr. Schofield indicated no protests or appeals were received and that time has closed.

A motion was made by Councilman Napoleone, seconded by Councilman McGovern, and unanimously passed (5-0) for Authorization to: 1) Award a Contract for the Wastewater Treatment Facility Renewal and Rehabilitation Project; and 2) Approval of Resolution No. R2019-12 Amending the Utility Fund for Fiscal Year 2018-2019 by Allocating Fund Balance for the Wastewater Treatment Facility Renewal and Rehabilitation Project.

9. PUBLIC FORUM

Mr. Bruce Tumin spoke regarding an amendment to the minutes and the Construction Board of Adjustments and Appeals.

10. ATTORNEY'S REPORT

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

- Ms. Cohen stated she had no report.

11. MANAGER'S REPORT

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

- The next Regular Council Meeting will be held on Tuesday, April 9, 2019 at 7:00 p.m. in the Council Chambers. There is no second meeting for the month of March.
- The Village will host the Bacon & Bourbon Fest on Friday, March 22, 2019, from 4:00 p.m. to 10:00 p.m. and Saturday, March 23, 2019 from 11:00 a.m. to 10:00 p.m.
- The Joe DiMaggio Children's Health Specialty Center will hold a grand opening on Saturday, March 16, 2019 at their new facility on State Road 7 beginning at 1:00 p.m.
- Mr. Schofield referenced the minutes and Action Summary and stated staff will speak with Mr. Tumin.
- Councilman Napoleone asked Mr. Schofield to provide an update on Operation Wild Stallion II.
- Mr. Schofield provided an update on Operation Wild Stallion II and Operation SARA.

12. COUNCIL REPORTS

COUNCILMAN NAPOLEONE: Councilman Napoleone presented the following report:

- Councilman Napoleone congratulated staff for putting together the Marchtoberfest. He stated it was a good turnout and a fun, family friendly event.
- Councilman Napoleone reminded everyone that Wellington Idol is this weekend.
- Councilman Napoleone stated Bacon & Bourbon Fest is the next weekend on Friday and Saturday.

- Councilman Napoleone stated the Council went to Tallahassee for Palm Beach County Days.
- Councilman Napoleone wished everyone a safe Spring Break.

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

- Vice Mayor Drahos commented regarding the golf cart incident that took place on last week. He asked Mr. Schofield to discuss the laws that the Village follows. Mr. Schofield responded regarding the laws the Village follows regarding Golf Carts.
- Vice Mayor Drahos asked Mr. Schofield to provide potential dates next week for visioning.
- Vice Mayor Drahos asked that the item for the appointment of Vice Mayor be placed on the April 9, 2019 agenda.

COUNCILMAN MCGOVERN: Councilman McGovern presented the following report:

- Councilman McGovern stated it was a privilege to travel with Council to Tallahassee. He stated Council participated in very important meetings to set the groundwork on important issues that affect the community.
- Councilman McGovern thanked Temple Beth Torah for inviting Council to participate in the Purim Carnival this year and stated it was great event.
- Councilman McGovern congratulated the Wellington High School Boys Basketball team for making it to the State Finals for the second year in a row.

COUNCILWOMAN SISKIND: Councilwoman Siskind presented the following report:

- Councilwoman Siskind stated Council had a very productive day in Tallahassee.
- Councilwoman Siskind reminded everyone that the Joe DiMaggio Wellness Fair will take place on Saturday afternoon.
- Councilwoman Siskind congratulated Wellington High School for raising \$105,000 and Palm Beach Central High School for raising \$91,000 at their dance marathons.

MAYOR GERWIG: Mayor Gerwig presented the following report:

- Mayor Gerwig stated the Wellington High School Boys Basketball team going to the State Finals was a huge team effort and commended Coach Matt Collin. Mayor Gerwig also commended the Wellington Wolves Basketball Program.
- Mayor Gerwig stated Relay for Life will take place on March 30, 2019 and she has started fundraising. She stated she hopes everyone can come out for the day.
- Mayor Gerwig stated Sunday night is American Equestrians Got Talent and stated it supports the young equestrian U.S. Olympic teams.
- Mayor Gerwig commented regarding Palm Beach County Day in Tallahassee and stated she could not do a lot of the appointments with the Village Council because as President of the Palm Beach County League of Cities she had to participate with its delegation. She thanked everyone for their efforts.
- Mayor Gerwig stated she is looking forward to more comment on the budget.
- Mayor Gerwig commented that the Village is not able to place a lot of things on the website at this point. However, the public can request the information.
- Mayor Gerwig asked Mr. Schofield how the speed bump policy works. Mr. Schofield responded.

- Mayor Gerwig discussed speeding in neighborhoods.

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