

MINUTES

REGULAR MEETING OF THE WELLINGTON VILLAGE COUNCIL

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

**Tuesday, May 12, 2020
7:00 p.m.**

Pursuant to the foregoing notice, a Regular Meeting of the Wellington Council was held on Tuesday, May 12, 2020, commencing at 7:00 p.m. via Communications Media Technology.

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

Advisors to the Council: Paul Schofield, Manager; Laurie Cohen, Attorney; Jim Barnes, Assistant Manager; Tanya Quickel, Deputy Village Manager; and Chevelle D. Addie, 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 Pete Del Valle, 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.

Move Regular Item 8B, Council Appointment of Board and Committee Members, to the May 26, 2020 Regular Council Meeting.

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

- 5. PRESENTATIONS AND PROCLAMATIONS**
 - A. 20-3581 PALM BEACH COUNTY SHERIFF'S OFFICE DISTRICT 8 WELLINGTON
FY19 ANNUAL REPORT PRESENTATION**

Mr. Schofield introduced the item.

Captain Rolando Silva of the Palm Beach County Sheriff's Office (PBSO) thanked Council for the opportunity and presented the District 8 Wellington FY 19 Annual Report.

Captain Silva showed Council the Florida Department of Law Enforcement (FDLE) 2019 Uniform Crime Report (UCR) Statistics and stated Wellington's total overall crime index is down 7%.

Captain Silva stated person crimes increased by 7% and property crimes were down 10%. He stated crashes were up 7% this year.

Captain Silva stated robberies are down 52% and there were eight (8) robberies in 2019. Arrests were down in 2019. He indicated burglaries remained the same with a less than one percent increase.

Captain Silva referenced the Performance Goals for Burglary and Theft for 2019 and 2020. He stated they want to keep the residential burglaries and theft cases below 800 for the year and clearing those arrests out by 10%. He further clarified the reason for the number and stated PBSO met the goals for 2019.

Captain Silva showed Council the number of traffic crashes by month for 2019. He stated there was a slight increase during equestrian season. He indicated the crash rate was below what the target was for the year.

Captain Silva stated that PBSO there was an increase in the number of traffic stops themselves but a decrease in the number of traffic citations issued. He stated the standard that was set for the crash rate was kept below 3.0.

Captain Silva stated that the 2020 Law Enforcement Service Plan Objectives are the same. He said the plan is to have less than 800 burglary and theft crimes and to clear 10% of the burglaries by arrest. He indicated the traffic safety goal remains the same. They want to keep it below 3.0 per 100 residents in the Village.

Captain Silva discussed Action Plans, Operations and Special Initiatives. He said PBSO gets involved with community policing projects and different initiatives throughout the year. He briefly referenced the Annual Holiday Action Plan. He stated they had a great season at the mall last year.

Captain Silva showed Council how the Village compared to other similar situated communities: Boca Raton, Delray Beach, Jupiter, Palm Beach Gardens, Greenacres, Royal Palm Beach. He said the Village was in the middle since the residential burglaries increased this year. He further explained the types of cases in the numbers. He indicated the Village is at the bottom with the vehicle burglaries and robberies in comparison to other similar situated communities and PBSO is pleased with these numbers.

Captain Silva stated the License Plate Reader (LPR) system has been tremendously successful and they are grateful for the system. He provided statistics and success examples linked to the use of the system.

Captain Silva commented that PBSO continues to work with the State Attorney on some of their cases.

Captain Silva commented on where the Village is to date with the overall statistics in relation to the pandemic.

Mayor Gerwig commented regarding traffic stops and when persons leave the scene of the crash.

Captain Silva stated traffic enforcement has been consistent and is a high priority for PBSO.

Councilman McGovern congratulated Captain Silva on a very comprehensive report and another great year. He stated the Village is proud of the partnership with PBSO and the things that they do to keep us safe every day. He noted that crimes are down by 236 crimes in comparison to last year and stated that is a testament to Captain Silva's leadership and thanked the teams involved. He stated significant improvements have been made to almost every other crime category.

Mayor Gerwig stated that the Village is pleased and this was a really good year based on the numbers in the report.

Vice Mayor Siskind commended Captain Silva and PBSO for the comprehensive report.

Councilman Drahos thanked Captain Silva for this very comprehensive report and asked about calls in certain areas of the Village.

Captain Silva briefly discussed the areas where activities are happening with traffic crashes and crimes.

Councilman Drahos commended PBSO and stated the 53% reduction is a direct reflection of the work that PBSO puts in that produces real results.

He thanked Council for their comments and stated that there is a lot of hard work that goes into the numbers provided in the report and thanked PBSO's partners that work with them and commended PBSO's Street Team.

Councilman Napoleone commended Captain Silva and the PBSO team for the comprehensive report and stated Wellington remains one of the safest places to live.

Mayor Gerwig stated the residents are also a part of the success along with PBSO in the Village. She stated the contract with PBSO has been a successful alliance.

Councilman McGovern asked if PBSO is seeing any issues regarding compliance during this pandemic. He stated PBSO has been vigilant in helping with the Village's Community Services and Code Enforcement Divisions.

6. CONSENT AGENDA

- A. 19-3504 AUTHORIZATION TO CONTINUE UTILIZING ALLIED UNIVERSAL SECURITY SERVICES, LLC FOR SECURITY SERVICES AT THE WATER AND WASTEWATER TREATMENT PLANTS**

- B. 20-3766 AUTHORIZATION TO EXECUTE A CHANGE ORDER FOR THE PROCUREMENT OF ADDITIONAL EQUIPMENT FOR THE WATER TREATMENT PLANT CONSTRUCTION PROJECT
- C. 20-3772 AUTHORIZATION TO AWARD A TASK ORDER TO PROVIDE ENGINEERING CONSULTING SERVICES FOR THE WATER TREATMENT PLANT TRAIN 8 DESIGN AND PERMITTING
- D. 20-3774 AUTHORIZATION TO DISPOSE OF SURPLUS TANGIBLE PERSONAL PROPERTY
- E. 20-3804 AUTHORIZATION TO AWARD ANNUAL CONTRACTS FOR CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES

Mr. Schofield indicated no comment cards were received on the Consent agenda.

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

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

7. PUBLIC HEARINGS

- A. 20-3767 ORDINANCE NO. 2020-08 (SPECIAL MAGISTRATE APPOINTMENT POLICY AND PROCESS)

AN ORDINANCE OF THE VILLAGE OF WELLINGTON FLORIDA AMENDING CHAPTER 2, ARTICLE IV, SECTION 2-203 OF WELLINGTON'S CODE OF ORDINANCES ENTITLED "SPECIAL MAGISTRATE" TO ELIMINATE THE TERM LIMITS PREVIOUSLY ADOPTED AND CLARIFY THE APPOINTMENT PROCESS AND QUALIFICATIONS FOR SPECIAL MAGISTRATES; PROVIDING FOR THE REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH, INCLUDING ORDINANCE NO. 2012-18 AND RESOLUTIONS R2012-29 AND R2015-43; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item.

Ms. Addie read the Ordinance by title.

Mr. Steve Koch explained to the Council that the ordinance changes requested at the agenda review meeting on May 11, 2020 have been incorporated and redistributed to Council.

The changes are removal of the reappointment resolution; change to the language in the Request for Letters of Interest (LOI) section; changed certain criteria from “may” to “must” which includes admittance to the Florida Bar for a minimum period of five years and is in good standing; acceptance of the fund compensation and acceptance of a rotational schedule; a subsection was added to the LOI criteria to include experience in municipal law and experience in interpreting and applying municipal codes.

Mr. Koch stated staff is requesting to clarify and codify the special magistrate appointment and reappointment process. He reiterated that the process at this time is in different resolutions and this ordinance will codify the process. Mr. Koch further highlighted what the process will be in relation to term lengths, removal/appointment and staggered terms of special magistrates. He stated second reading of the ordinance will be on May 26, 2020.

There was Council discussion regarding staggered terms (initial three term, then two year terms), special magistrates serving at the pleasure of the Council and whether the current magistrates are interested in continuing to serve.

Public Hearing

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

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

A motion was made by Councilman McGovern, seconded by Vice Mayor Siskind, and unanimously passed (5-0) to approve Ordinance No. 2020-08 (Special Magistrate Appointment Policy and Process) on first reading.

8. REGULAR AGENDA

A. 20-3799 OUTSIDE LEGAL FEES AND COSTS

Mr. Schofield introduced the item.

Ms. Cohen stated these legal fees have been budgeted for outside counsel. She indicated she provided Council with a summary of the outstanding litigation the Village has currently. Ms. Cohen stated due to an invoice received for over \$10,000 in the Pine Tree litigation that will put the amount over \$25,000 for that particular vendor. Therefore, they are seeking authorization from Council to pay that invoice and other expected invoices between now and the end of the fiscal year. Ms. Cohen stated any monies not expended on legal fees go back into the General Fund. Ms. Cohen informed Council that approximately \$83,000 has been spent to date in outside legal fees and they expect for the fees to come close to the \$225,000 that was budgeted this year due to some of the cases that the Village has brought.

There was Council discussion regarding legal fees expended for outside counsel, anticipated costs in certain litigation matters and how costs are being divided.

Mayor Gerwig stated she serves on the Florida Municipal Insurance Trust as a trustee. Ms. Cohen informed the Mayor that her vote on this item does not inure to the benefit of the FLC and therefore, there is not a conflict.

Mr. Schofield reiterated the monies exist in the Legal budget, however, the expenditures exceed staff's individual ability to approve it. Therefore, this item is before Council because the amount exceeds \$25,000.

A motion was made by Councilman Drahos, seconded by Vice Mayor Siskind, and unanimously passed (5-0) to approve the continued use of outside professional legal services with multiple firms in an amount up to \$125,000 through September 30, 2020.

B. 20-3806 ~~COUNCIL APPOINTMENT OF BOARD AND COMMITTEE MEMBERS~~

This item was postponed to the May 26, 2020 Regular Council Meeting.

9. PUBLIC FORUM

Mr. Schofield indicated no public comment cards were received for Public Forum.

10. ATTORNEY'S REPORT

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

- Ms. Cohen stated that she provided a list of pending cases to Council and stated if Council has any questions about the status of the cases to give her a call.

11. MANAGER'S REPORT

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

- Mr. Schofield stated there is a walk up testing site open from 10:00 a.m. to 2:00 p.m. at Village Park. He stated this is a partnership between Premier Health, Palm Beach County and the Village of Wellington.

There was brief discussion regarding the testing, insurance, age of those who can be tested, doctors and how patient information is handled in regards to reporting to the state.

- Mr. Schofield gave a brief update regarding Feeding South Florida, vouchers and commended staff involved with this as well as the testing site. He stated the Mall at Wellington Green has been an exceptional community partner. The extra food left over was given to the Boys and Girls Club to be distributed to Wellington families who were not able to get to the site.
- He discussed the Phase 1 reopening and outdoor seating. There were questions from Council regarding the businesses and restaurants. Mr. Schofield stated the state and county guidelines are restrictive. He discussed the request from Wellington Equestrian Partners to allow very limited equestrian competitions on the show grounds. He referenced the Governor's order in relation to the request and answered Council's questions regarding same.

- Mr. Schofield stated the Village's lobby will reopen with certain limitations on Monday, May 18, 2020. Employees will return to a more normal work schedule on Monday also. He stated staff will make a decision on whether or not to hold summer camp.
- The Next Regular Council Meeting will be held on Tuesday, May 26, 2020 at 7:00 PM. He stated the intent is for this to be an in-person meeting depending on state and county orders.
- Village offices will be closed on Monday, May 25, 2020 in observance of Memorial Day.
- Village Parks are open for individual use and gatherings are limited to less than 10 people with social distancing requirements. He discussed other facilities i.e. Tennis Center and pool that are open with restrictions.

Mr. Barnes explained the reason that certain parks were noted with specific closing times.

- There was discussion regarding what the Boys & Girls Club were going to do over the summer.

12. COUNCIL REPORTS

COUNCILMAN MCGOVERN: Councilman McGovern presented the following report:

- Councilman McGovern commented regarding the census and asked how to complete the census if you do not have the letter.

Mr. Stillings stated the number and the instructions to complete the census are available on the Village's website. He stated the Village is up to a 65% response rate; ahead of the county, state and nation. Regarding the response rate, Mr. Stillings stated the Village is still in the top five of the municipalities in the county.

- Councilman McGovern stated Council has delayed Board and Committee appointments until the next Council Meeting (May 26, 2020). He stated persons can contact Council or go through the Village's website if they are interested. Mr. Drahos stated he has an opening on the Senior Advisory Board and asked if someone is interested to contact him.
- Councilman McGovern asked for an update on the Council letter to graduates. Mr. Barnes stated the letter has been completed and the schools are going to handle the distribution of the letters to individual students.
- Councilman McGovern thanked staff, volunteers, community partners (Crowned Pearls and Rotary Club) and everyone for participation in Health Care and Nurses' Week, Feeding South Florida and donations to Community Services to help support programs to help those in need. He stated it is National Police Week and thanked Wellington's Officers who keep the village safe.

Mayor Gerwig also commended the Crowned Pearls for their donation of a check for the Grab & Go meals for the hospitals.

COUNCILMAN DRAHOS: Councilman Drahos presented the following report:

- Councilman Drahos waived comments. He stated everything has been covered by Councilman McGovern and Mr. Schofield.

VICE MAYOR SISKIND: Councilwoman Siskind presented the following report:

- Vice Mayor Siskind thanked Captain Silva and Lieutenant Kennedy for the comprehensive report. She also thanked the Public Safety Committee and Education Committee for their joint meeting and involvement with PBSO.
- She stated yesterday's Health Care Heroes parade was a great success and it was a really nice show of support for nurses, doctors and health care workers. She thanked PBSO and Fire-Rescue for keeping everyone safe.
- Vice Mayor Siskind thanked the Rotary Club of Wellington, Crowned Pearls and all volunteers who came out to help with Feeding South Florida. She thanked Commissioner McKinlay, Village staff and Starwood Partners.
- She commented that the last day of school is May 29, 2020 and thanked teachers and parents for working through the transition to virtual learning.
- She stated Memorial Day is May 25, 2020 and the Village will conduct a virtual celebration.
- Vice Mayor Siskind stated she hopes all of the moms had a great Mother's Day.

COUNCILMAN NAPOLEONE: Vice Mayor Napoleone presented the following report:

- Councilman Napoleone commented about Teachers' Appreciation Week and stated we appreciate teachers more now than ever before for those of us who are trying to home school. He thanked the teachers for everything they have done.
- Councilman Napoleone concurred with the previous comments from Council thanking everyone for their participation in the events.
- He stated the Crowned Pearls donated a \$500 check to the Grab & Go pantry project and stated that will help the project continue for a little longer.
- Councilman Napoleone encouraged everyone that as things reopen to support local businesses and do it safely and responsibly.

Regarding the food distribution, Councilman McGovern stated there are additional sites for Feeding South Florida and mentioned other locations for the Palm Beach County School District meal distributions.

MAYOR GERWIG: Mayor Gerwig presented the following report:

- Mayor Gerwig stated she appeared virtually in a Wellington Landings Middle School Journalism Class. She stated the students had some great questions for a story they are putting together. She commended the teachers who have gone through great lengths to add experiences for the students.
- She stated Wellington has a Youth Council now and asked if anyone has taken a look at the Florida League of Cities (FLC) competition for youth this year.
- Mayor Gerwig spoke about the "The City That Talks" book written by FLC President Isaac Salver and asked if the Village could request additional copies for Wellington's elementary school libraries. In addition, she asked if each member of Council could read a portion of the book and put together a video.
- She thanked everyone for their patience in getting through this time.
- She stated Feeding South Florida went well today.
- Mayor Gerwig commended Mr. Schofield on the staff that he has put into place. She stated they have been flexible during this time.

13. ADJOURNMENT

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

Approved:

Anne Gerwig, Mayor

Chevelle D. Addie, Village Clerk