

# **Village of Wellington**

*12300 Forest Hill Blvd  
Wellington, FL 33414*



## **Action Summary - Final**

**Monday, May 7, 2018**

**4:00 PM**

**Village Hall - Conference Rooms 1E & 1F**

## **Village Council Workshop**

*Anne Gerwig, Mayor  
Michael Drahos, Vice Mayor  
John T. McGovern, Councilman  
Michael J. Napoleone, Councilman  
Tanya Siskind, Councilwoman*

**1. CALL TO ORDER**

Mayor Gerwig called the meeting to order at 4:00 p.m.

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

**2. PLEDGE OF ALLEGIANCE**

Mayor Gerwig led the Pledge of Allegiance.

**3. REVIEW OF COUNCIL AGENDA**

Mr. Schofield presented the Agenda of the May 8, 2018 Regular Wellington Council Meeting for review.

**A. [18-1968](#)**

PRESENTATION OF SCHOLARSHIPS AND CONTRIBUTIONS BY WASTE MANAGEMENT, INC. OF FLORIDA TO LOCAL AREA SCHOOLS

Mr. Schofield introduced the agenda item. He announced that Waste Management, Inc., of Florida (WMI) will present sustainability scholarships to Wellington High School and Palm Beach Central High School (\$2,500 each), as well as provide contributions for the purchase of books to Equestrian Trails and Wellington Elementary Schools (\$1,800 each) and Wellington Landings Middle School (\$900).

**B. [18-2075](#)**

UPDATE BY THE WELLINGTON COMMUNITY FOUNDATION

Mr. Schofield introduced the agenda item. This was the annual update presentation by the Wellington Community Foundation.

Ms. Edwards said that Mr. Wenham had come to the Village with a Memorandum of Understanding to assist them in helping seniors, veterans and youth in the community. She said that the first project was four housing rehab projects - three seniors and one senior veteran. Ms. Edwards noted the projects included a wheelchair ramp; door widening for wheelchair accessibility; and replacement of a hot water heater to bring it up to energy code. She noted that all the recipients have lived in Wellington for years. She said that Mr. Wenham will be presenting the check. Ms. Edwards noted that one of the recipients may be in the audience, but she said she would advise Council if any of the other people were in attendance.

- C. [18-2067](#) A PROCLAMATION OF THE VILLAGE COUNCIL OF WELLINGTON, FLORIDA PROCLAIMING MAY 2018 AS "AMERICAN STROKE MONTH" IN THE VILLAGE OF WELLINGTON
- Mr. Schofield introduced the agenda item. This is the presentation of a Proclamation proclaiming May 2018 as "American Stroke Month" in the Village of Wellington. He noted that this proclamation is on the Village's annual list; however, since the current president is Robbin Lee, CEO, Wellington Regional, they thought it might be a good idea to have her accept the proclamation.
- D. [18-2079](#) MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETINGS OF FEBRUARY 27, 2018 AND MARCH 13, 2018
- Mr. Schofield introduced the agenda item. This was Council's approval of the Minutes of the Regular Wellington Council Meetings of February 27, 2018 and March 13, 2018. Mr. Schofield said that Ms. Nubin would be happy to make any changes.
- E. [18-1923](#) A PROCLAMATION OF THE VILLAGE COUNCIL OF WELLINGTON, FLORIDA PROCLAIMING MAY 6-12, 2018 AS "DRINKING WATER WEEK" IN THE VILLAGE OF WELLINGTON
- Mr. Schofield introduced the agenda item. This is a proclamation declaring May 6th to May 12th as Drinking Water Week in the Village of Wellington. This will be added to the Village's list of proclamations.
- F. [18-2073](#) A PROCLAMATION OF THE VILLAGE COUNCIL OF WELLINGTON, FLORIDA PROCLAIMING MAY 6-12, 2018 AS "MUNICIPAL CLERKS WEEK" IN THE VILLAGE OF WELLINGTON
- Mr. Schofield introduced the agenda item. This was a proclamation recognizing May 6th to May 12th as "Municipal Clerks Week" in the Village of Wellington.
- G. [17-1597](#) AUTHORIZATION TO UTILIZE A SOUTHEAST FLORIDA COOPERATIVE CONTRACT FOR THE PURCHASE AND DELIVERY OF SODIUM HYDROXIDE
- Mr. Schofield introduced the agenda item. This was the authorization to utilize a Southeast Florida Co-Op contract with Allied Universal Corporation, as a basis for pricing for the purchase and delivery of sodium hydroxide in the amount of approximately \$72,300.00 annually.
- Mr. De La Vega said that this item was for sodium hydroxide which is typically purchased for utilities. He said that this was an unusual circumstance because the pricing on this chemical has significantly increased. He explained that apparently there is a chemical used in aluminum that is also used as part of the hydroxide, and the price has

increased for both the foreign and domestic chemicals which was why they were taking such a significant increase on this contract. Mr. De La Vega said that in order to get the best price, they reached out to the Southeast Florida Coop which has 15 participating agencies that take all of their usage together that is used as an incentive to get the best price. Mr. De La Vega said that they feel this is the best price they can currently get. He noted that the contract was good until April 16, 2020 so the price will be fixed through that time. Staff was seeking authorization to award the contract to Allied Universal Corporation.

Councilman McGovern asked how much was the authorization. In response, Mr. De La Vega said that the authorization was not to exceed \$72,300.00 annually which includes the additional increase.

Mayor Gerwig asked how much was the increase. Mr. De La Vega said that it increased \$28,400.00 Mayor Gerwig then asked if they could not get a longer contract. Mr. De La Vega explained that the Coop put out the bid for three years with two renewable options.

H. [17-1605](#)

AUTHORIZATION TO AWARD A TASK ORDER TO PROVIDE ENGINEERING CONSULTING SERVICES FOR A REUSE MASTER PLAN

Mr. Schofield introduced the agenda item. This was authorization to approve a task order to Hazen Sawyer, P.C. to provide engineering consulting services for a Reuse Master Plan at a cost of \$148,610.00. He said they will look at the reuse water noting that the Village produces about five million gallons on an average day. Mr. Schofield said that this will allow the Village to use it in alot more places other than they currently do. He said that it means that they are not pumping it way deep any more as well as for every gallon that can get reused, the Village gets credit for consumptive use from South Florida Water Management District.

Ms. LaRocque, Utilities Director, explained that the use of reuse water is highly regulated by the Department of Environmental Protection noting that it just can't be put anywhere. She said that about one million gallons a day of resue water is used to irrigate the roadway medians, rights-of-ways and some of the parks which are all an allowable use. She said that there are some benefits that can be obtained by using reused more. She noted that it is a commodity as the Village can sell reuse which is done by many utilities, i.e., Palm Beach County. She pointed out that the Villlage's plant is rated for 6.5 million gallons per day while Palm Beach County's is rated in the range of 40 million gallon per day. Ms. LaRocque said that staff wants to look at whether there is a plan that can be put in place to earn some revenue from reuse. In addition, they will need additional water to take them through their future development of

their water supply system. She said that by putting the reuse in the appropriate places, they can actually get credits from SFWMD so they can get more surficial water. Ms. LaRocque said that it can also generate revenue by partnering with other municipalities that need offset credits which is one of the things that Hazen Sawyer will look at. She said that they will also have to look at the phosphorous loading which is a concern. Ms. LaRocque said that they do need a plan to look at what infrastructure they would need to put in place in order to support specific users, i.e., larger polo fields. She said that the plan will also look at what capital improvements need to be made, the cost, potential users and the potential revenue streams. Ms. LaRocque said it is estimated that this will be completed in 10 months noting that the company is very qualified to do this work.

Councilman McGovern asked if the Village sells any reuse water now. Ms. LaRocque said that the Village does not sell any reuse water as they don't have a rate structure in place. She said as they get through the master plan and it looks like Council wants to pursue that, staff will come back and propose some options for a rate. Mr. Schofield added that the biggest obstacle to selling the reuse water at this point is that the Village does not have a delivery system in place.

Vice Mayor Drahos said that if they are being asked to lay out \$150,000 as an investment to come to some sort of plan, what was the likelihood that the company will come back and say that cost is too high. Ms. LaRocque said that the County actually mandates it noting that they have a mandatory reuse zone that is something that SFWMD encourages because it is a conservation method. She said that many utilities actually mandate it; however, the Village is not currently at that point. She noted that Palm Beach County does not have enough reuse and they are actually partnering with Broward County to bring their reuse water into Palm Beach County so they can fulfill all the needs they have for all the golf courses. She said that it is a desired commodity.

Mr. Schofield noted that although the amount of five million to six million gallons per day sounds like a lot, it is not. He said that just to do the parks and the medians uses one million gallons. He said that the Village could not supply enough reuse water to irrigate every golf course or polo field in the Village if they had to. Mr. Schofield said that the real issue is to get the delivery system in place, and once that is done, they will have users for it even if they have to amend their permit. He said that at some point, the Village may be told to amend its consumptive use permits to recover that water rather than pump it. He said that the likelihood of the Village being told they can't do it is pretty remote. Ms. LaRocque added that she has been approached by entities wondering if it was available; however,

they don't have a delivery system.

Vice Mayor Drahos asked if the company was going to make a recommendation as well as propose the delivery system or was that a separate study. In response, Ms. LaRocque said that it was all part of the master plan. She explained that the first thing to be done is to look at the potential users, where they are, how it affects the Village's consumptive use permit and then they will lay out a delivery system, estimate the costs and then have a potential plan in place. Mr. LaRocque said that it is a study that says what improvements would be needed, the costs required and also includes additional treatment at the Wastewater Treatment Plant.

Mayor Gerwig asked who would ultimately pay for the additional pipes. Ms. LaRocque said that the utility would pay for that. She said that the cost is never 100% recovery in a reuse system, but the infrastructure would be the Village's responsibility.

Councilman McGovern asked Ms. LaRocque if in the long term they would be recouping this money for the pipes plus the credits from the SFWMD which makes this worth doing. Ms. LaRocque responded affirmatively.

Councilman Napoleone asked if there were any grants available. In response, Ms. LaRocque said there are a very limited number of grants. She said that South Florida used to have some alternative water supply programs which they stopped doing years ago.

Vice Mayor Drahos asked Ms. LaRocque to explain the meaning of credits. Ms. LaRocque explained that every utility that has a water utility gets a "bucket of water" they are allowed to use. She said that they make projections as they look out long term to see if their present bucket of water has enough for tomorrow. Ms. LaRocque said they are pretty sure that they will need additional water when they look to 2040. She noted that SFWMD set a rule many years ago that set a level indicating how much water was allowed. She said that the Village has to go and prove to them that they can take additional water without adversely impacting other users/utilities. Ms. LaRocque said that what this does if the Village uses an alternative water supply, it provides a credit so they can get more water in simplistic forms because it is very valuable. She noted that there are not many ways to get alternative water or supply credits without spending a lot of money, so this is an opportunity to get some without spending a lot of money.

Councilman McGovern asked what prompted the Village to embark on a

\$150,000 study at this time. Ms. LaRocque said, given her experience with Palm Beach County where she was used to working with utilities that put a lot of focus on using reuse water, she thought it was a good opportunity for the Village since they have the systems in place. She said the goal would be to use 100% of the reuse water.

Mr. Schofield said that they have always known that they had to go down the reuse path, and have about one million gallons of capacity a day at this time. He said that there is a permitted amount of water that the Village treats once they reach 80%, then they have to look beyond a regulation. He said that when they looked at alternative water supplies several years ago, it was taking water out of the C-51 reservoir project. He said that at the end of the day, this is actually cheaper than trying to do that.

Ms. LaRocque pointed out that when they think of K-Park, the reuse water cannot be used to irrigate crops. Mr. Schofield said that it is fine for non-consumables.

I. [17-1614](#)

AUTHORIZATION TO AWARD A TASK ORDER TO PROVIDE ENGINEERING CONSULTING SERVICES FOR THE 2018 NEIGHBORHOOD REINVESTMENT PROGRAM

Mr. Schofield introduced the agenda item. This was the authorization to approve a task order to Keshavarz & Associates, Inc. to provide engineering consulting services for the 2018 Neighborhood Reinvestment Program - Project 1: Sanitary Sewer System Rehabilitation at a cost of \$270,502.00. He said that out of that amount \$122,000 is for additional camera work.

Ms. LaRocque said that Keshavarz & Association recently completed two condition assessments: (1) Sugar Pond Manor area on Wellington Trace and Greenview Shores; and (2) Southeast Lake Wellington area. She explained that the reasons why those studies were performed was to determine the condition of the existing water and wastewater systems in these neighborhoods, evaluate the needed repairs and replacements; prioritize the phasing work based on conditions; and provide an opinion of cost. She said that what they found was that a majority of the water infrastructure was between 30 and 40 years old and it was originally installed with inferior materials that do not meet current standards, had marginal strength and durability and it does not meet the current American Waterworks Association's standards. Ms. LaRocque further stated that what they found from the wastewater side which is also between 30 and 40 years old, was that it was also installed with varying material, the existing mains are in good condition in some areas with potential failures in others and there are localized defects that require spot repairs. Ms. LaRocque said that these reports recommended 10 projects which were before Council. She said that those 10 projects recommend replacing all the water mains in the neighborhoods and then lining and repairing the sanitary sewer where needed. The total value of the project is about \$24.3 million, and the plan is to

construct these improvements over a 10-year period.

Noting that this was done based on priority, Ms. LaRocque explained that Project 1 (shown in light green on graphic) will only be sanitary sewer repairs (both lining and spot repair) which includes Sugar Pond Manor Section 1, 2 and 3; Park Place, White Pine Drive, 12th Fairways, French Quarter, Sunset Point, Lake Shore Heights, Channing Villas and Wellington Market Place. She pointed out that Keshavarz did an excellent job on these assessments which is a great road map for the utility moving forward over the next 10 years. Ms. LaRocque said that she highly recommended them for the Phase 1 design project which has an estimated construction cost of \$1.9 million. She noted that there was a lot of backup work that occurred prior to their making the recommendation to Council.

Mayor Gerwig asked if it was correct that this had already been done in other neighborhoods. Ms. LaRocque said that there were some other neighborhoods that had some reinvestment work done. Mr. Barnes added that Stratford and Block Island both had water main work done, but no sanitary work. Mayor Gerwig asked if it was found that sanitary work didn't need to be done or was that not looked at. In response, Mr. Barnes explained that those two areas were based on field experience as opposed to condition assessments. He said that since Ms. LaRocque has arrived at the Village, she has systematically gone through the various neighborhoods to do a complete assessment of water and sanitary service and determine work that needs to be done. He said that in the future, they may be going back to the two areas to possibly do sanitary repair work.

Ms. LaRocque reiterated that 10 projects were recommended for over 10 years at \$24.3 million. She said that there is one more condition assessment to do in the Eastwood area. She said that depending on the results of that study, it may reprioritize these 10 projects, but that has not yet been authorized by Council. She said that she felt very strongly about the sewer only in Phase 1 as there are areas that need immediate attention.

Councilman Napoleone said that of the \$270,000 of this work, \$122,000 is for additional camera work. He asked why so much additional cameras were needed. Ms. LaRocque said that there was a lot more inspection work that needed to be done. She said that every lateral that is replaced costs about \$10,000. So, in order to ensure that they are only replacing them, they needed to do an additional survey.

Mayor Gerwig said that this wasn't anything that the homeowner would be paying for. Mr. Barnes said that is all on the public side of the meter. Ms. LaRocque added that it is all part of the renewal and replacement. Mr. Schofield said this was normal renewal and replacement noting that when you start getting lines that are 30 and 40 years old, these are the types of things that need to be done. He said that it is much cheaper to do the repairs up front to stay ahead than it is to stay behind and have them collapse.

Vice Mayor Drahos asked how much destruction were they talking about. Ms. LaRocque said there would be very little here because it is mostly for the



sanitary sewer noting that in order to repair them you line them. She said that there are some spot repairs that need to be done as it looks like they may have some collapsed pipes.

Councilwoman Siskind asked if the video cameras found anything, would that add to the cost. Ms. LaRocque said that this would result in a design so this video work is needed to determine whether or not they have to replace that lateral.

Councilman Napoleone asked what the timeline was from Project 1 to completion. Ms. LaRocque said that project wide, design would be around 8 months and then construction would be another 8 months.

Councilman McGovern asked what happens as a result of doing the additional \$123,000 for additional video and survey work. In response, Ms. LaRocque said that they incorporate that into this design package which will then be used to go out to bid.

Councilman Napoleone asked if this isn't to define additional work that needs to be done, but to do the work they already know about. Ms. LaRocque said that it is to develop the documents to go to construction.

Councilman McGovern thought the camera work could potentially find additional work that needs to be done. Mr. Schofield explained that they will get the designs on the main lines and they will check the laterals. He said until they video them they won't know. He said that Ms. LaRocque indicated that it is \$10,000 to line one of them; however, if they found 12 that don't have to be lined, they would then pay for the video.

Vice Mayor Drahos said if the main lines were old and were not up to compliance, then what was the likelihood that the laterals would be superior to the main lines. Ms. LaRocque said that typically on a project like this, most of the problems are in the laterals. Vice Mayor Drahos then thought there was the likelihood that they will come back and say that more work is needed. Ms. LaRocque said that this would cover all the work they need to get through to design as it will develop a construction package.

Mr. Schofield explained that the design and the camera work will stay the same regardless. He said that what will be different will be the cost to do the actual repair work. He said that it was the camera work that would determine how many laterals have to be done and how much of the main lines have to be lined. Mr. Schofield said that whatever that comes back with, Ms. LaRocque would be able to provide a linear cost. However, Ms. LaRocque simply could not estimate that until they know that. He reiterated that this contract doesn't change, but it is the cost to repair when staff comes back to Council with that. Ms. LaRocque explained that they presently have an estimate of \$1.9 million which was based on what they observed was an approximation as to how many laterals they would have to address. She said that hopefully that cost would come down because they want to estimate conservatively high to plan.

Mayor Gerwig asked if this would have any negative impact on the residents. Ms. LaRocque said that there are no health risks which is why they are being proactive.

J. [18-1938](#)

AUTHORIZATION TO UTILIZE A PALM BEACH COUNTY CONTRACT WITH WYNN & SONS ENVIRONMENTAL CONSTRUCTION CO., INC., FOR THE SADDLE TRAIL SOUTH DRAINAGE IMPROVEMENTS

Mr. Schofield introduced the agenda item. This was the authorization to utilize Palm Beach County contract #R2018-0012 with Wynn & Sons Environmental Construction Co., Inc., as a basis for pricing, for the Saddle Trail South Drainage Improvements at a cost of \$210,445.53 noting that about 15,000 of that is contingency and bond. He explained that when the Saddletrail project was done, some design changes were made post award noting that there were some swales that were too deep to be safe for horses and this project goes back and retrofits them. Mr. Schofield said that the Village made the changes, and this is not something they intend to go back to the Saddletrail people and ask for additional money. He noted that there is money in the budget for this. Mr. Lundeen noted that the Village performed the design in-house.

Councilman McGovern asked why and what changes had the Village made that resulted in this. Mr. Schofield said that they were done as cost savings and they changed the flow lines of the swales. He explained that you can't have a 14-wide bridle path next to a swale that is 10 feet wide and 4 feet deep. Councilman McGovern said that when they did this project, it was studied and discussed. Mayor Gerwig added that the Village did not do the original design. Mr. Barnes pointed out that the original design was done by an outside firm. He said that from the point of the initial presentation by that firm and the final construction, there were some value engineering that occurred that did not consider operational impacts.

Vice Mayor Drahos asked who the firm was that did the design. In response, Mr. Barnes said that it was the Wantman Group.

Mr. Barnes explained that there was a program that was presented during the original project concept, and in looking at it with staff at that time, there were some cost saving measures that were taken to make the project a little more cost effective; however, in hindsight, they did not consider the operational impacts.

Vice Mayor Drahos said that Mr. Barnes was referring to "we" however, it sounded like staff acted upon the reliance of the Wantman Group's recommendations. Mr. Barnes thought it was a combination explaining that you had a previous engineering staff that worked on it together with the consultant. Vice Mayor Drahos said the Village hired the consultant

to provide their expertise, and asked if that was what staff followed. Mr. Barnes said that they followed their expertise and then provided direction for them to make some modifications which everyone agreed would be fine, but in hindsight the operational impacts were too much for them to look at and recommended each modification based on that.

Vice Mayor Drahos said that it sounded like Mr. Barnes was initially saying that staff followed the advice of their experts which resulted in a \$210,000 modification, but then it sounded like there was some input made by the Village at some point in the process. Mr. Barnes said that previous staff who is no longer here was directing that project. Mr. Schofield pointed out that even with this, it will cost less than if they hadn't made the changes.

Councilman Napoleone said that might be true, but that the Saddletrail residents paid for these improvements. He said they would have paid for these cost savings that they realized by changing the project, the Village now has to pay \$200,000 to fix. Mr. Schofield said that was correct.

Mayor Gerwig said that the main problem was that there are swales that are considered to be unsafe that could create a life/safety issue. She did not believe they had any other option except to do this work.

Vice Mayor Drahos said that he was not suggesting that they not fix the problem, but perhaps they should have their attorney send a letter to the Wantman Group. Mr. Schofield said that could be done, but he believed they could provide documentation that they followed direction. Ms. Cohen added that it was her understanding that the Village directed them to make the changes, and therefore it was on the Village. She said this was done to save costs probably because there was concern by the residents at that time as to the total cost. She said if the Wantman Group followed the Village's direction and made the change that was asked for, they would not be able to go back and make a claim against them.

Mayor Gerwig asked staff to explain how this was now going to be fixed. Mr. Lundeen explained that they will be raising the flow line of the swales next to the bridle path, they will take the sod out, bring the grade up, put new sod down, where there are pipes underneath the driveways there will be a little bit of a sump there and the water will still flow. He said they are basically just raising the grade of the swale up which will make the sides slope less steep.

Vice Mayor Drahos asked if this was work that could be done in-house. Mr. Schofield said that it would cost more to do it in-house.

Councilwoman Siskind asked how long this project will take. Mr. Schofield said that it would be done over the summer before the start of season. He said that part of the timing for this was so it was done off season. Councilwoman Siskind asked if anyone had been injured as a result of this. Mr. Lundeen and Mr. Schofield indicated that there were no injuries. Mr. Schofield noted that they had a couple of horses go off the swale, but not in the really deep parts.

Councilman McGovern said that this has come to the top of the projects to do list because of the safety concern. Mr. Schofield said that it is a safety concern, and he has a real concern regarding the depth of the swales. He said that where some areas are drainage issues, this is a problem every time the horses go down by the deeper swales. Ms. Cohen said that this could present a safety hazard to the life and safety of the residents using those areas so she felt it should be moved up.

Councilman McGovern asked if there was a bid process for this work. Mr. Schofield indicated that there was a bid and directed Council to the bid. Mr. De La Vega indicated that they were using a Palm Beach County contract. Ms. Cohen said that it was a competitively procured contract. Mr. Barnes added that the Village used Wynn and Sons previously on other projects. He noted that their projects are competitive and are actually lower than other current unit pricing that staff has been seeing in other public contracts. In addition, Wynn's work has been very exceptional in terms of meeting schedules and the quality of the work.

Vice Mayor Drahos asked if the residents were aware that this work would be commencing. Mr. Schofield said that the residents that are there during the summer will know; however, the seasonal residents would not.

Mayor Gerwig thought they should be doing A frames to let everyone know that the work would be commencing

**K. [18-1990](#)**

**AUTHORIZATION TO CONTINUE UTILIZING PARKS AND RECREATION REVENUE GENERATING CONTRACTS**

Mr. Schofield introduced the agenda item. This was the authorization to continue utilizing multiple Parks and Recreation revenue generating contracts. He said that contracts that are over \$25,000 require Council's approval.

Mr. De La Vega said that in 2015 when the Village revised their Purchasing Manual, they added language that required any revenue-generating contracts that produced over \$25,000 required Council approval. He said that in this particular case, there were four contracts, two with the food truck management company: Food Truck

Invasion and Gourmet Food Truck Expo. Mr. De La Vega said that both of those companies generate revenue in excess of \$25,000 annually. He also noted that there is a contract with Cavalry Church, based at the Wellington Community, that generates over \$25,000 as well. Mr. De La Vega said that those three contracts are 100% revenue generating so the Village keeps all of the money that is generated.

Mayor Gerwig asked if that included costs associated with staff. Mr. Barnes said it does include staff costs noting that they have staff that man the food truck events as far as litter control, restroom cleanup, and for the church there is set up and take down involved as well as the facility costs. Mr. Barnes said that these rentals are priced according to pricing in the community and the areas as well as the benefits received, but they are not intended to recover 100% of indirect and direct costs. Ms. Cohen said that the Purchasing Manual speaks in terms of revenue-generated and not net.

Mayor Gerwig noted that they are mixing it up with the two different food truck firms. Mr. De La Vega explained that as of January 1st, they started with a second firm which is why there is no revenue generated for 2017 for Gourmet Food Trucks. He said that they are anticipating \$30,000 between January 1st and September 30th coupled with the \$47,000 from Food Truck Invasion for a total of \$77,000 for fiscal year 2018. Mr. Schofield pointed out that the revenue for the prior year was \$67,500.

Mr. De La Vega added that the fourth contract was with NRG Studios which is a 70/30 split. He said that the Village received \$33,361 in registration fees and in 2017, they paid \$23,352 to NRG Studios and the Village kept \$10,900. He said that staff is seeking three-year contracts with each one of the four.

L. [18-2017](#)

AUTHORIZATION TO AMEND CHAPTER 9 "EVALUATION AND SELECTION" OF THE VILLAGE'S PURCHASING MANUAL

Mr. Schofield introduced the agenda item. This was authorization to amend Chapter 9 "Evaluation and Selection" of the Village's Purchasing Manual. He said that they have run into some issues lately that need to be resolved.

Mr. De La Vega said that the Village has done 26 total formal solicitations opposed to 24 last year. Mr. Schofield said that they are doing them at a rate of more than one per week which has caused several issues. He explained that there are three permanent standing members of that committee: Mr. Basehart, Ms. Quickel and Mr. Lundeen. He said that they have to do all of them and occasionally they have ended up with their direct reports on the same committee. Mr. Schofield said

that they would like to spread out that work as well as bring in people who are not necessarily staff members but who have expertise.

Ms. Cohen explained that there are five members of a Selection Committee, three of which are standing members. She said that there are two additional members who are selected because of their knowledge concerning a particular contract or services that is being bid out which is what Mr. Schofield means that a supervisor can be on the same Selection Committee as someone who reports to them.

Councilman McGovern said that his understanding after reading this was that they were eliminating those requirements so that it could be any five people. Mr. Schofield said that it would be the five people with the best expertise including an outside person. Councilman McGovern said that according to the new policy that was before Council for approval, the Selection Committee could be all five people from the outside. Mr. Schofield said that was correct; however, he was doubtful that would happen, but it could be. Mr. De La Vega said that they have had committees before sit as a Selection Committee, i.e., Parks & Recreation Advisory Board.

Councilman McGovern asked if the people from the outside who are asked to sit on the committee would be paid. Mr. Schofield said that they would not look to compensate someone on a Selection Committee noting that he has sat on a Selection Committee for other organizations where he was not compensated. As an example, Mr. Schofield said that occasionally they go out and hire people to do an evaluation of all of the power poles in the Village so if they were going to do an RFP on that, they would ask Bill Klein, who sits on one of the Village's committees, to sit on the committee because his expertise is specific in that area. As another example, he said if they were going to look at their drainage system, it would include Mr. Lundeen and he might then look at the Director of the Northern Palm Beach County Improvement District who has that kind of experience, but he would not look to be compensated.

Councilman McGovern asked how often does this occur noting that they have eliminated the standing three staff people, the fourth and fifth people could be entirely selected. He outlined what was previously in the Purchasing Manual relative to what occurred prior to using an alternate Selection Committee, and asked if that entire section was going to be eliminated. Mr. Schofield said they were essentially going back to what previously existed. Councilman McGovern asked when that had occurred. Mr. Barnes said that was in 2010 and noted that the previous policy was such that the Manager had the divine right of manager that the Selection Committees were appointed by staff, were approved by the

Manager and required no Council approval. However, there was a challenge by an outside attorney to a committee that had been changed which was the first solicitation that the Parks & Recreation Advisory Committee had sat as a Selection Committee. Mr. Barnes explained that the challenge was that it was not a duly-appointed committee by Council and was not a valid selection; however, there was no requirement at that time that Council ratify committee members. Mr. Barnes said that in abundance of caution, that provision was included when the Purchasing Manual was revised. He said it included three permanent standing members and the other two members were to be appointed as staff experts, and there was a change in the process, where it would be approved by Council.

Mayor Gerwig recalled that challenge stating that the vote had occurred at the Agenda Review Meeting rather than at the Council Meeting. Mr. Barnes said that subsequent to that, staff made a change as far as a permanent committee which was formally modified when the Purchasing Manual was modified. He said that they are now requesting to go back to the previous process to accommodate a lot of requirements because the workload is too much for the three standing members.

Councilman Napoleone said that the reason was for the change was because the Village has had an increase in RFPs/RFQs, and asked why there was such an increase in those bids and was it expected to increase in the future. Mr. Barnes believed they were doing a lot more work outside and they were also doing a lot more capital projects than had previously been done. He said in the past, many of the designs were completed in-house; however, they were done as staff time permitted and projects went out almost one-by-one. He said there are now multiple projects being done simultaneously. Mr. Barnes said they don't see that trend changing any time soon. In addition, based on the types of projects that are going out, it is important to evaluate the proposers project approach.

Ms. Cohen said that it is not a bad thing that the Village is doing more work outside, and felt it was probably a benefit in terms of liability. Mr. Schofield added that if you look at the Village's operations from 2000-2006 they had worked at this level of RFPs/RFQs; however, when they went through the recession in 2007 until 2012/2013, the amount of work dropped off considerably. He said that there are a lot of projects that were postponed during that time which they are doing now. He believed they would be working at this pace for the next several years.

Councilman Napoleone said that the change is being made because it provides greater flexibility going forward to appoint the committee

members and not overwork certain people. Mr. De La Vega said that in many of these solicitations, committee members can get as many as 15 packets that they will have to review, do interviews and hear presentations so it is a long process.

Councilman McGovern said that he fully understood having one of our advisory boards sit as a selection committee which he supported and was fine that selection could be made at the Manager's discretion. However, he was not totally comfortable going from potentially no standing senior staff members to an all outside member committee. In response, Mr. Schofield said that he could not envision any case where he would appoint a committee that didn't have at least one member of senior management. Councilman McGovern felt that should be the requirement. Mr. Schofield said that they will then add that provision in. He said that he could also not imagine a case where they would bring in more than two people from the outside. Mr. Schofield said he knew that there are times when he would like to bring in outside expertise but reiterated that he can't imagine a circumstance where he would go to all outside people.

Mayor Gerwig agreed that they should have senior staff members, but felt that the same ones would still get called on. She asked who he considered senior staff members. In response, Mr. Schofield said that senior staff members would be Ms. Quickel, Mr. Barnes, Mr. De La Vega, Ms. La Rocque. Mr. Barnes clarified that neither he nor Mr. De La Vega can sit on a committee for several reasons relating to the purchasing procedures. Mayor Gerwig asked if it would be cumbersome if they said that the committee must include a minimum of two staff members. Mr. Schofield said that would not be cumbersome at all, and he did not believe that anyone on staff would have a problem with three members either. Mr. De La Vega noted that they would not be standing members. Mr. Barnes added that all they were seeking was flexibility.

Mayor Gerwig said that she could envision a situation where they wanted all outside members because of their expertise. Mr. Schofield said that he would rather go to Council for that. Ms. Cohen thought they may want to add in that provision. Mr. Schofield said if he went to Council with that they would have the ability to do that by resolution any time they wanted.

Mayor Gerwig said they should have a minimum of three employees. Ms. Cohen asked if Council was asking for two or three. Council said that they would be willing to go with whatever the minimum number is noting that it started off as one. Ms. Cohen believed they were saying that every Selection Committee should have at least one staff member at the discretion of the Manager. Councilman Napoleone added they should



have general knowledge of the area. Ms. Cohen continued with if the Manager's recommendation was to have the entire Selection Committee be comprised of individuals who are not affiliated with the Village, then it should receive Council approval. Mr. Schofield said that he was more comfortable with three members. Mr. Barnes clarified that they would not be standing members. Mr. Schofield said that it would be one senior level staff member and one other staff member with expertise/knowledge in the area. Ms. Cohen said Council approval would not be required for a Village/board or committee, but would only need Council approval if the committee was made up entirely of outside people.

Mr. De La Vega said that they would make the changes and provide copies to Council prior to the meeting. Mr. Schofield said that his understanding was that there would be one senior staff member who is defined as someone who is in a definitive position as director or higher with expertise in the field and at a minimum one additional staff member with expertise, and if they go to a Village board or committee with expertise, he can make that decision; however, any time that he is looking to go completely outside the Village, he then needs Council approval.

**M.**     [18-2046](#)

UTILITY SERVICES AGREEMENT FOR TOWN SOUTHERN - VILLAGE ROYALE PHASE I NORTH DEVELOPMENT PROJECT

Mr. Schofield introduced the agenda item. This was the approval of a Utility Services Agreement for Town Southern - Village Royale Phase I North development project. He said that this was the Village's agreement for water to a development outside of the Village.

Mr. LaRocque explained that the Town Southern project was located in the Village Royale master which is located on the southwest corner of 441 and Southern Blvd. behind Loew's. She said that it is in the municipal boundary of Royal Palm Beach, but it is in the Wellington Utility Service Boundary. She said that the project included 392 apartments, and this agreement provides for the payment of \$1,427,100 in capacity fees. Ms. LaRocque said as they know from the Rate Study, capacity fees are paid by every customer of the utility and it covers their fair share of the plant cost and some future renewal and replacement costs for the plant. She said that they are normally paid when an entity comes in to pull a building permit, but because this is in the Village of Royal Palm Beach, they don't have that mechanism and a separate agreement is needed. Ms. LaRocque said that staff was recommending approval.

Mayor Gerwig asked Ms. LaRocque if she reviewed this and if their engineers were in agreement. In response, Ms. LaRocque said that this was an agreement that the Village developed and they negotiated directly with the property's developer.

Councilman McGovern asked how the figure was arrived at. Ms. LaRocque said that it is based on their published rates.

Councilman Napoleone asked if they anticipated having more of these. Ms. LaRocque responded affirmatively. Ms. Cohen noted that they will pay a higher rate. Ms. LaRocque said that they would and indicated that they pay a 25% surcharge which is included in the number.

N. [18-2072](#)

RESOLUTION NO. R2018-20 (WATER AND WASTEWATER MUTUAL AID AGREEMENT WITH FLORIDA'S WATER/WASTEWATER AGENCY RESPONSE NETWORK)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE MAYOR TO EXECUTE A WATER AND WASTEWATER MUTUAL AID AGREEMENT WITH FLORIDA'S WATER/WASTEWATER AGENCY RESPONSE NETWORK AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This was for the approval of a Water and Wastewater Mutual Aid Agreement with Florida's Water/Wastewater Agency Response Network. He explained that this was an agreement where the Village either receives or provides aid during a disaster.

Ms. LaRocque said that Florida Warn is a formalized system of utilities helping utilities to address mutual aid during emergencies, either through man-made or natural disasters. She said that the goal of Florida Warn is to provide immediate relief for other utility members. She said the utility business is very specific so it is very helpful when utilities can help one another as the Village did with Delray Beach after the storms. Ms. LaRocque said that the purpose of Florida Warn is to get qualified personnel with the necessary tools to get equipment that can both access and assist the impacted utility as quickly as possible. She explained that this program was developed after the 2004 hurricanes where utilities in Florida found it very difficult to get needed assistance from other utilities without some type of formalized agreement. Ms. LaRocque said that the utilities in Florida is a very close group and they all got together and developed the Florida Warn system which helped to solve that issue. She said that there are currently 134 member utilities across Florida with seven across Palm Beach County. She said that last year she had the opportunity to meet with the Executive Director of the Florida Keys Aqueduct Authority after last year's hurricane who informed her that the only way he could have recovered was with the Florida Warn program. Ms. LaRocque pointed out that this is a voluntary program and member utilities are under no obligation to use it, but when you have an emergency, it is very nice to have. She recommended that Council

approve this noting that there is no cost to it.

Councilman Napoleone questioned why the Village had not previously been involved in this. In response, Ms. LaRocque said that it could have been that the utility was not aware of it.

Mr. Schofield said that the Village does have the ability through other mechanisms to send people out which has been done through the State's Office of Emergency Management; however, this just gives the Village something very utility-specific.

Ms. Cohen advised Council that they would also be seeing a mutual aid agreement regarding hurricane emergency aftermath as part of the Village's Emergency Management.

With regard to the Florida Warn agreement, Councilwoman Siskind asked if a utility needed to opt into the program at any time. Ms. LaRocque said that a utility only has to enter into the mutual aid agreement in order to go through the Florida Warn program.

Mr. Schofield said that what is becoming more evident is that depending on the scope of the disaster, if the agreements are not in place, their ability to get help is very limited. He said the Village was very lucky last year with Hurricane Irma, but other parts of the State were not. He said that their experience was that not everyone who said they would provide services could.

Mayor Gerwig said that she wanted to watch this to ensure the Village was being a good neighbor and that it is a benefit to Wellington. Ms. LaRocque said that this was similar to what FPL does as they have collaboration with other power companies. Mayor Gerwig expressed concern about the costs. Mr. Barnes advised that there was a reimbursement provision. Mr. Schofield explained that if the Village receives the services, we will reimburse and vice versa.

Mayor Gerwig asked who sets the rates. In response, Ms. LaRocque said that they are actual costs. She said that she did not want to have to deal with that while in an emergency situation.

With regard to the costs, Ms. Cohen added that she thought most of them would be covered by FEMA.

O. [18-2080](#)

AUTHORIZATION TO UTILIZE A MARTIN COUNTY CONTRACT WITH WHARTON SMITH, INC., AS A BASIS FOR PRICING, FOR PROCESS BASIN 3 EMERGENCY REPAIRS AT THE WATER RECLAMATION FACILITY, AND APPROVAL OF RESOLUTION NO. R2018-22

## AMENDING THE UTILITY FUND MAJOR MAINTENANCE BUDGET TO PROVIDE FUNDING

Mr. Schofield introduced the agenda item. This was the authorization to utilize Martin County Contract #RFB2015-2813 with Wharton- Smith, Inc., as a basis for pricing, for the Process Basin No. 3 repairs at the Water Reclamation Facility in an amount not to exceed \$225,000 and approval of Resolution No. R2018-22.

Ms. LaRocque said that Council had approved a master plan to be conducted by the engineering firm of Hayden and Sawyer who are in the process of executing that plan. She said that a component of the scope included interior and exterior inspections of all of the major treatment components. Ms. LaRocque explained that during the course of the inspection, a very critical structural issue was discovered with Process Basin No. 3. She showed the basin on the screen indicating the location of the failure. She said that this was the second step in their treatment process. She stated that the Basin was constructed in 2009 and noted how large it was. Ms. LaRocque said that, at the suggestion of the consultant, they have taken this basin out of service and transferred all the contents to Basin Nos. 1 and 2. She said that they don't have any operational redundancy at this point in time since season is over. However, it would be an issue if something happened to those two basins.

Ms. LaRocque said that at this point in time, the consultant has completed the design and she has received a price to fix the problem from Wharton-Smith. She said that they were not recommending a forensic analysis to determine what happened because that would add a significant cost and time and may require a destructive analysis which would further weaken the structure. She noted that they used a Martin County contract which they also used for emergency repairs of the headworks Council approved about five months ago. Ms. LaRocque said that contract yielded a price of \$177,879, but they were requesting some contingency of \$225,000. She said that due to the significance of the issue in relationship to public safety and plant operations, they were hoping to move forward to do immediate repairs. She noted that the company had done an excellent job on their previous work for the Village.

Ms. LaRocque explained what happened to the Basin stating that they did not know why. She noted that they took it off line because they were afraid the wall was going to fail.

Councilman McGovern asked how long that basin has been off line. Ms. LaRocque said that it has been about three weeks.

Councilwoman Siskind said that she could understand not wanting to do the forensic analysis because of the cost, but asked what were the chances that they would find something that prevents that from happening to another area or other structure. Ms. LaRocque said that was one of the reasons they were doing the Master Plan where they would get inside all of the treatment components and do a thorough investigation. She said that they have been through everything and this is the only critical structure that was found.

Councilman McGovern asked if they don't think this will develop on a large scale basis in the remainder of Basin 3. Ms. LaRocque said that they have not seen anything that would indicate that at this time.

Vice Mayor Drahos asked Ms. LaRocque if they had even an educated guess as to what could have caused this. In response, Ms. LaRocque said that she would not guess nor would the consultants.

Councilman McGovern asked if they were worried about this happening to Basins 1 and 2. Ms. LaRocque said that they have not seen any indication of that noting that they were constructed at different times by different contractors. Ms. LaRocque said that she actually went inside the basin herself.

Mr. Schofield said that he had previously told Council that when things go wrong with utilities, they get very expensive very fast, and this is actually very cheap.

**P.**     [17-1589](#)

AUTHORIZATION TO 1) AWARD A CONSTRUCTION CONTRACT FOR THE BIG BLUE TRACE AND BARBERRY DRIVE TURN LANE ADDITION AND CULVERT REPLACEMENT PROJECT; 2) AWARD A TASK ORDER TO PROVIDE CONSTRUCTION PHASE ENGINEERING SERVICES; AND 3) APPROVAL OF RESOLUTION NO. R2018-19 REALLOCATING CAPITAL PROJECT BUDGETS IN THE GAS TAX CAPITAL FUND AND THE GOVERNMENTAL CAPITAL FUND FOR FISCAL YEAR 2018 TO PROVIDE FUNDING FOR THE BIG BLUE TRACE & BARBERRY TURN LANE CAPITAL PROJECT

Mr. Schofield introduced the agenda item. This was the authorization to award a construction contract to Rio-Bak Corporation for the following projects: (1) Big Blue Trace and Barberrry Drive turn lane and drainage improvements; (b) Culvert replacement in the C-12 Canal under Big Blue Trace; and (c) Traffic and Circulation Improvements on Big Blue Trace to provide better traffic movements in and around Wellington Elementary School.

Mr. Schofield said that the turn lane at Barberrry and the C-12 culvert replacement were budgeted; however, the school traffic circulation

improvements were not. He noted that these were put out and came back as sealed bid low bid noting that Rio-Bak came in at \$1.13 million dollars. He said that monies just under \$500,000 is left in the roadway budget for the Barberry turn lane, there is money in Acme to do the culvert and they want to transfer that in and do all the improvements which will require \$357,000 from the general road budget. He noted that \$500,000 was budgeted to do the turn lane and drainage.

Mayor Gerwig said that she wanted to see what the improvements were.

Mr. Schofield said that Council had the option to award all, part or none of this. He said it was bid so that Council could make a selection.

Showing a map, Mr. Lundeen explained that near the school, they would be widening the road half way where the turn lane is going in from 8 feet to 10 feet wide. They will be putting in a curb which will help with the drop off for the school. He showed the culvert that they would be replacing at the C-12 canal, and they also have the left turn lane going into Barberry Drive.

Vice Mayor Drahos said that he was having a difficult time understanding what was happening. Mr. Barnes explained that at the top of the exhibit, at the left side of the screen, the parking lot is for Wellington Elementary School at the corner of Paddock and Big Blue Trace. He directed Council to the bottom right which was the Church of the Latter Day Saints located at the corner of Wellington Trace and Big Blue Trace which is the beginning and end point of the project. He said that the work that is contained in the school improvements is the modifications to the pathway that are on the east side of Big Blue Trace which are modifications of the road to install curbing along the edge of roadway which allows them to relocate and put new existing three-rail fencing that is currently at the front face of the existing pathway to the back of that concrete curb.

Mayor Gerwig said that there was a flow that happens across the road when it rains from the environmental area. She asked if they were going to fix that problem when they are curbing. Mr. Lundeen said that there will be a flume in the opening of the curb so it will still go that way. Mayor Gerwig said that the water comes straight across. Mr. Barnes said that they will check into that as it might be a condition of the existing swale condition because he didn't think the Preserve should be flowing into the roadway.

Vice Mayor Drahos asked what improvements were being made at Barberry. Mr. Lundeen said that they would be milling and overlaying that area. There also is no turn presently there. Mr. Barnes said that one of

the reasons this project made it on the list is that because during peak traffic situations at the Barberry Lane turning movement, the traffic backs up and precludes people from going back into the neighborhood.

Councilman Napoleone asked how many car lengths was the turning lane. Mr. Lundeen said that he believed it was 300 foot long.

With regard to the changing out of the culvert, Councilman McGovern said it decreased the flooding risk. Mr. Lundeen responded affirmatively noting that they were putting in a larger size pipe. Mr. Schofield added that was one of the areas that was identified after Tropical Storm Isaac as there was flooding there. He said that will upsize that culvert and eliminate that problem. It was noted that this has been on the project list for a long time.

Councilman Napoleone asked when the construction will start and end. In response, Mr. Lundeen said that they will start as soon as possible in order to get it done before school starts although it may be close to getting that done in time.

With regard to the work at the elementary school, Mr. Barnes said that it has been a collaborative effort noting that they have been working with Dr. Vaughn at the school, the school police and PBSO. He said it was doubtful whether this would 100% solve the problem, but it would go a long way to make the area safer, and hopefully turn away alot of the activity that happens with the actual travel.

Councilman McGovern asked whether Dr. Vaughn has seen all of these plans. Mr. Barnes indicated that Dr. Vaughn had not seen these plans, but had signed on to the concept as they had discussed this concept with the School District staff including their Planning and Real Estate staff.

Vice Mayor Drahos asked whether there would be any opening along the wooden fence that extends along Big Blue. Mr. Lundeen and Mr. Barnes indicated that there would be no opening as it would be at the back of the curb.

Mayor Gerwig said that there is no solution there as they have in front of Binks. Mr. Barnes said that given Paddock from Big Blue to the back of the elementary school only serves one facility that being the school, the Village has offered to turn the right-of-way over to them to see if they can come up with a circulation solution. Mr. Schofield said that the other problem is that Big Blue carries significantly more traffic than Bent Creek Road.

Mayor Gerwig noted that some parents do use the parking at the Temple and the Latter Day Church. Mr. Barnes said that parking in designated areas is never a problem, but it is the activity that happens within the right-of-way.

Mayor Gerwig asked if the school had ever replaced their sign. Mr. Barnes said that the sign stayed the same noting that they had painted it and put new font on it. He said there is an issue that it is behind the fence. They have asked the Village, and the Village agreed to move it, but no changes were made.

**4. WORKSHOP**

NONE

**5. ATTORNEY'S COMMENTS**

Mr. Cohen said that she and Ms. Bausch would be attending the Local Government Session of the Florida Bar Conference from Wednesday to Saturday, but noted that she would be available by cell phone and email.

**6. MANAGER COMMENTS**

NONE

**7. COUNCIL COMMENTS**

NONE

**8. ADJOURN**

There being no further business to be discussed by Council, the meeting was adjourned at 5:30 p .m.