

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary

Thursday, November 8, 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 for the November 13, 2018 Council Meeting for review.

He announced that by this time most of Council had their books reordered, as there was an item on the Consent Agenda that needed to be on the Regular Agenda that is the contract for Mock Roos.

Mayor Gerwig said that, for the record, she was still trying to determine when her conflict with Mock Roos ends because that company cancelled all the contracts with her company. She said that there is an end date to that which she believed was June 2019 but she indicated she would verify that with Mark Bannon whether it is the last day her company received money or the day the contract was awarded with them. She indicated that her company does not have any current work with them.

Mr. Schofield requested that they hear item H at this time as Mr. Silliman has to work on ERPs.

H. [18-2469](#)

(1) AUTHORIZATION TO UTILIZE MULTIPLE CONTRACTS FOR THE PURCHASE OF INFORMATION TECHNOLOGY SYSTEMS EQUIPMENT; AND (2) AUTHORIZATION TO ENTER INTO A LEASE AGREEMENT TO REPLACE AN EXISTING AS400 SERVER

Mr. Schofield introduced the agenda item. 1) Authorization to utilize multiple contracts (National Joint Powers Alliance - NJPA #100614, National Intergovernmental Purchasing Alliance - NIPA #130733, and State of Florida #43211500) for the purchase of information technology systems equipment in the amount not to exceed \$331,000 (annual budgeted amount); and (2) Authorization to enter into a three year lease to replace an existing AS400 server with an IBM server from SPSVAR, LLC, at an initial cost of \$47,250. He noted that these were budgeted funds that are within the parameters of what the Village believed they should cost.

Mr. Bill Silliman said that much of what was before Council was routine and was budgeted to replace desktops, iPad, tablets, servers and firewalls and such. He said it is a combination of a budget between utilities and the IT Department. He said that the additional piece that was included this year is for the AS400 server that is slated with IBM's end of life of September 2019 which means they will no longer support hardware or software should the Village call it in. He noted that it is a big swap out, this is their vendor of record, and they are into a three-year lease. He said that upon approval, they would figure out when they will fit that in which would probably be in the spring.

Mayor Gewig said that the amount that they are authorizing for this item is \$47,250. Mr. Silliman explained that it is \$47,250 for the lease and \$331,000 for the equipment that is a budgeted amount.

Mr. Silliman stated that they work with multiple vendors and get the best pricing possible.

At this point, Mr. Schofield invited Mr. Bruce DeLaney and Mr. Juckett to come to the table. He said that the Village went through a very long process to select a new Parks & Recreation Director, which he outlined. Mr. Schofield said that at the conclusion of that process, they selected Mr. Eric Juckett as the new Parks & Recreation Director who will assume that position on December 1. He noted that there were several people who did very well in the interview process and it would be improper not to mention how well Michelle Garvey and Daryl Boyd did in the process.

Mr. DeLaney said that Eric is a very strong member of his team and has been an outstanding employee for the last 14 years. He said that any one of the people who applied for this position could have done the job well, but as they went through the process, Eric seemed to shine. Mr. DeLaney said that Eric would do a very fine job for the organization. He added that his time with the Village has been awesome, the department is in good hands, they are well respected throughout the area, and he would have no qualms to say he expects that to continue. He felt that Eric will lead the team very well.

Council extended their congratulations to Mr. Juckett.

Mr. Juckett said that he was very grateful for the opportunity and he looked forward to doing great things.

A. [18-2495](#)

MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETINGS OF SEPTEMBER 11, 2018 AND SEPTEMBER 25, 2018

Mr. Schofield introduced the agenda item. This was Council approval of the Minutes of the Regular Wellington Council Meetings of September

11, 2018 and September 25, 2018. He said Ms. Nubin would be happy to make any changes that Council has to the minutes.

B. [18-2296](#)

AUTHORIZATION TO RENEW AN EXISTING AGREEMENT FOR LOBBYING SERVICES

Mr. Schofield introduced the agenda item. This was authorization to renew an existing agreement with Coker Consulting to provide lobbying services to the Village in the amount of \$75,000. He noted that this is the last time that this contract can be renewed as it has to go out for RFP next year. Mr. Schofield said that he has spoken to Coker about the things they need to perform noting that Council will have a chance to go through them. He said that they will be able to go over that after the end of the legislative session so they can have either them or a new person on board before the new legislative session starts.

Councilman McGovern asked when Coker was scheduled to be in Wellington. In response, Mr. Schofield said that they were originally scheduled to be here on October 15th, but that visit was stopped by the storm. He said that he would commit have them here for several days toward the end of the month so they have time to meet individually with Council.

Councilman McGovern asked if the Village was putting together a comprehensive legislative agenda. Mr. Schofield responded affirmatively advising Council that he would have a copy for them early next week.

Mayor Gerwig said that they had talked about Royal Palm Beach asking for money for the canal system. She asked if they ended up getting those grants. In response, Mr. Schofield said that they didn't. He said that he has asked Coker to look at those projects that were funded and why the Governor did not veto those versus the ones that he did. He said that there didn't seem to be a particular rhyme or reason as to what he vetoed.

Mr. Schofield said that even if they don't get things through the legislature there is an opportunity to get funds through some of the departments which may be the more viable options, but at this point they need to deliver.

Councilman McGovern said there are some things that some municipalities got that others didn't. Mayor Gerwig asked for Coker to help them with that.

Mr. De La Vega pointed out a typo in the second paragraph of the agenda item explaining that they were seeking one additional year of

funding through January 2020 and not 2019. Mr. Schofield noted that Council had already received that correction.

Mr. Schofield reiterated that they will have to go through the RFP process next summer to either have Coker rehired or a new firm on board before the 2020 legislative session.

C. [18-2299](#)

AUTHORIZATION TO: 1) AWARD A TASK ORDER TO PROVIDE HYDROGEOLOGIC DESIGN AND CONSTRUCTION PHASE SERVICES; AND 2) AWARD A TASK ORDER FOR THE REHABILITATION OF SURFICIAL AQUIFER WELLS

Mr. Schofield introduced the agenda item. This was authorization to: 1) Award a task order to JLA Geosciences, Inc., to provide hydrogeologic design and construction phase services, for the rehabilitation of surficial aquifer wells in the amount of \$55,287; and 2) Award a task order to Florida Design Drilling, Inc., for rehabilitation of surficial aquifer wells R2, R3 and R9 in the amount of \$450,000, including \$59,275 of owner controlled contingencies.

Ms. LaRocque said that the Village was completing Phase One of the rehabilitation that was previously approved and this will be Phase Two. She said that this is being done to extend the life cycle of the wells as to improve their performance which leads to more efficient operation and reduction in cost. Ms. LaRocque said that this is a standard thing that they do which is cyclical. She said that once they finish with the 18, they will go back and continue to do it every year.

Ms. LaRocque said that this is part of the whole comprehensive capital plan. Mr. Schofield said that Council will see some of these every year as they proceed. He said that the utility brings in \$22 million which is almost all spent making the utility run.

D. [18-2309](#)

AUTHORIZATION TO DISPOSE OF SURPLUS TANGIBLE PERSONAL PROPERTY

Mr. Schofield introduced the agenda item. This was authorization to dispose of FY 2018 surplus tangible personal property.

Mr. De La Vega said that this was the Village' annual disposition of items of assets that are over \$5,000 in original costs. He directed Council to page 125 which listed all of the items. He noted, in particular, the sewer vacuum truck that had an original value of \$287,000 and has a net value of \$60,763. He noted that at this moment it is on a 10 year depreciation schedule and has 1 1/2 years remaining life. He noted that they expect to sell that on Govdeals. He said that he had spoken with Jay Murphy, Fleet Manager, who expects conservatively to get between \$70,000 to

\$400,000 which will assist them in paying for the replacing vehicle.

Mayor Gerwig asked if all the items go through Govdeals. Mr. De La Vega said that all of the items go through there except for the last three items that will be scrapped. He said that some are an old tape recorder with water damage, 2004 panasonic camera kit and some very old items that have no value.

E. [18-2324](#)

AUTHORIZATION TO AWARD A CONTRACT FOR THE VILLAGE PARK CONCESSION STAND DOOR REPLACEMENT PROJECT

Mr. Schofield introduced the agenda item. This was authorization to award a contract to E & F Enterprises Inc., D/B/A Creative Contracting Group, for the Village Park Concession Stand Door Replacement project, in the amount of \$87,700.00. He noted that he almost had heart failure when he saw the price; however, it is actually for replacing 18 doors which is about \$4,700 a piece. He said this is a good price for these doors. He noted that 12 of the doors are regular doors and some are double doors so there are actually 24 doors that are being done.

Vice Mayor Drahos asked why these doors were being replaced. Mr. Schofield said that they are metal, old, their frames are rusted and they need to be replaced.

F. [18-2326](#)

AUTHORIZATION TO AWARD A TASK ORDER, TO PROVIDE ENGINEERING CONSULTING SERVICES, FOR UPDATING THE UTILITY WATER SYSTEM GIS DATABASE

Mr. Schofield introduced the agenda item. This was authorization to approve a task order to Keshavarz and Associates, Inc. to provide engineering consulting services to update the Utility Water System GIS Database in the amount of \$99,680.00.

Ms. LaRocque said that this was the capital improvement project to develop hydraulic models for the entire water distribution system which includes over 300 miles of pipes, 5,000 valves and 2,200 fire hydrants. She explained that this work authorization will take all of the data that they have obtained through condition assessments that were approved by Council. She said that they need to take all of that information and put it into the database so that it works with the hydraulic model. Ms. LaRocque, said that from an engineering perspective, this is very important because it is used to evaluate developer projects and to determine what improvements need to be made to the system to meet future growth. She said that it is also used in operations for asset and outage management for water main breaks. Ms. LaRocque said that this will also create a tool so that when there is a water main break, the field guys can look at their IPAd and it will immediately tell them what valve

they have to shut down and how many customers are impacted. Ms. LaRocque said that it allows Wellington with the ability to minimize the number of customers that are out and also minimizes the time it takes to isolate that break.

Mayor Gerwig asked if the Village was getting significant GIS locations in house. Ms. LaRocque said that they were also using their field crew because it is such a large system. She said that it will take all of the information that the field crew has obtained along with the hydromax consultant and put it in the database.

Councilwoman Siskind noted that this was only for the consulting services and asked how much was for the actual repairs. Ms. LaRocque said that she received reports the other day that indicated that 97% of the Village's hydrants were operable and there was no problem delivering fire flow and the valves had the same percentage.

Mayor Gerwig asked if this was driven by a break or a failure. In response, Ms. LaRocque said that from the valve assessment that was done, the Village has a list of valves that are not fully functionable. She said that if they can be repaired internally they do, but they may have to hire the work out if it is a deeper valve which they would build into the capital plan. Ms. LaRocque said that they did not see any emergencies.

Councilman McGovern asked how long would the Village need to have a capital outlay such as this as they build this database. Ms. LaRocque said that they would not have to because once it is developed, the Village's internal utilities engineering will keep it up to date. She noted that in the future if they have limited resources, they may need some external assistance. She said that they will see something similar to this for the forcemain system, gravity system as well as some of the other utility systems. She said that they were doing this in stages noting the importance of the Village's water. She she that after this, they will work on the forcemain.

Councilman Napoleone asked why the Village selected Keshavarz from the slate of bidders. Ms. LaRocque said that they are very familiar wit the Village's system, do excellent work and she was very pleased with their work.

G. [18-2489](#)

AUTHORIZATION TO UTILIZE AN EXISTING PUBLIC WORKS CONTRACT FOR THE FOREST HILL BOULEVARD/C-8 CANAL DRAINAGE IMPROVEMENT PROJECT

Mr. Schofield introduced the agenda item. This was authorization to utilize a previously awarded contract with Shenandoah General Construction Company for the Forest Hill Boulevard/C-8 Canal Drainage

Improvement Project for \$134,865.00. He said that staff has had this project before Council several times, and it was decided that the bids were too high. Mr. Schofield said rather than just saying they would award the contract, Mr. Lundeen had some people go in and look at the pipes. He noted that the original pipes that were reported were circular pipes and they were smaller than what was actually out there which are oval and wider on the bottom. He said that while the pipes were collapsing, they did not actually need to be replaced as they could go through and slip line them. Mr. Schofield said that for the 135,000, they are slip lining them noting that the original cost of the project was \$2.8 million. He said that because Mr. Lundeen went back, took a better look, and looked for an alternate technology, they are down to \$135,000 to do this. He said that he did not believe they would get 50-70 years out of this with the slip lining, but said that what they have is a two to three decade solution that is significantly less than the major replacement. He praised the Engineering Department for taking the extra initiative and going out there and looking to see if there was another technology beyond having to cut that road open, pull the pipes out and completely replace them. Mr. Schofield recommended that the Village do this project.

Mayor Gerwig noted that everyone is doing this as this is quite common. She asked Mr. Lundeen if the pipe was made of fiberglass. Mr. Lundeen responded that pretty much and explained how the system works and what they would be replacing.

Councilman McGovern questioned why they were not given this option previously. Mr. Schofield said that it was because the pipes were collapsing and the record data was for round pipes that carry a lot less water than the elliptical ones. Councilman McGovern asked if the original information was wrong. Mr. Schofield said it was only the assumption of what the pipe was. Mr. Schofield said that they are now finding that many of the record drawings were wrong. He explained that the culverts were put in 40 years ago and sometimes it is anyone's guess as to how accurate the record data is.

Vice Mayor McGovern said that the Village was asked to provide a 20% contingency because of the unforeseen conditions and asked what potential issues they were talking about. Mr. Lundeen said some of the joints could be bad, but that right now he was not expecting anything but it is a safety net. Mr. Schofield said that is the standard contingency the Village puts in. He said if between now and then, part of the pipe collapses, they will have to deal with that, but they just don't know. Mr. Schofield said that if they don't use the money, they won't spend it. He noted that the Village very rarely spends their contingencies.

Mayor Gerwig said that this was not a conflict for this based on the consultant Mock Roos was working with. Mr. Schofield said that the Council was not awarding anything to Mock Roos as it is going to a contractor. Mayor Gerwig said that it was mentioned in the documents. Mr. Schofield said that Mayor Gerwig already recused herself from that.

Mr. Schofield noted a problem they had when record drawings were incorrect. He explained to Council that about ten years ago, the Village started down the process of doing assessments and capital planning on all the facilities. He said that they found that Wellington Trace and Greenview Shores used to flood regardless of what they Village did. Mr. Schofield said that when they looked at the record data there was nothing that indicated there should be a problem. He said that they went in and actually looked and found that some of the connecting pipes were not there. Mr. Schofield said that they then ran into another interesting problem. He said that roads are built in three parts. He noted that there is the asphalt which is the weakest part of it. He said that the things that really make a difference are the shellrock based which is 8 inches and the subgrade which is 12 inches. He said that they had multiple miles of road that were constructed that never had the shellfrock base in them. Mr. Schofield said that they fixed the drainage, connected the pipes, put in the subbase in and it has worked. He said that sometimes when you are doing a design, you work off of the best available information you have.

Councilman McGovern asked if there were other places where this will be considered. Mr. Lundeen responded affirmatively.

I. [18-2473](#)

RESOLUTION NO. R2018-62 (DROWNING PREVENTION COALITION "BUCKS" CERTIFICATE PROGRAM)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE DROWNING PREVENTION COALITION OF PALM BEACH COUNTY TO PROVIDE FOR VOUCHERS FOR FREE SWIMMING LESSONS UNDER THE "BUCK" PROGRAM FOR FISCAL YEAR 2018-2019; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This was the approval of the FY19 Drowning Prevention Coalition "Bucks" Program. He said that the Village does this program every year.

Mr. Juckett addressed this item. He explained that this is a voucher program and is one of the great programs that Wellington does. He said that it is a program that the Village does with Palm Beach County that does not cost Wellington anything. Mr. Juckett explained that this is for

those children who would otherwise not be able to participate in the program. He said that this gives them a \$50.00 voucher that the Village takes and the person is responsible for the additional \$10.00 so that the child can participate in some lessons.

Mayor Gerwig asked if it was an income-based program. Mr. Juckett responded affirmatively. He said that as the years go by, the number of children they get improves. Mayor Gerwig asked if the County covers all the applications they receive. Mr. Juckett said they don't explaining they only have a certain number of funds per year which has increased which may be the reason the Village's number of participants has increased.

Council agreed that this is a very important program.

J. [18-2493](#)

RESOLUTION NO. R2018-65 (WELLINGTON GREEN MUPD B REPLAT OF TRACT 2 AND CIVIC TRACT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ACCEPTING AND APPROVING THE WELLINGTON GREEN MUPD REPLAT OF TRACT 2 AND CIVIC TRACT LYING IN SECTION 13, TOWNSHIP 44 SOUTH, RANGE 41 EAST, VILLAGE OF WELLINGTON, PALM BEACH COUNTY, FLORIDA, BEING A REPLAT OF CIVIC TRACT, WELLINGTON GREEN, A MUPD/PUD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 87, PAGES 81 THROUGH 90 AND TRACT 2 OF WELLINGTON GREEN, A MUPD/PUD, A REPLAT OF TRACT B, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 110, PAGES 183 THROUGH 188 BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

Mr. Schofield introduced the agenda item. This was approval of Resolution No. R2018-65 accepting and approving the Wellington Green MUPD B Replat of Tract 2 and Civic Tract. He explained that this was the final component of transferring the old parking lot to the Fairfield Marriott Hotel. He said that the Village had sold that property to them and this actually changes the plat so that parts that are private parking for them become theirs. Mr. Schofield said that it is also the final document that makes sure the hotel is responsible for maintaining park and ride. He said that Village issued their Certificate of Occupancy last week and he will speak with Mr. Koolik to see when they plan on opening.

Councilman McGovern asked if this was the last step in this process. Mr. Schofield responded affirmatively.

Ms Cohen indicated that she had spoken with Mr. Koolik and she believed that they are expecting to open around mid-December.

Mayor Gerwig said that the Park and Ride parcel is dedicated to Wellington Parking LLC and asked who that was. Mr. Schofield said that was the hotel's

maintenance entity and not the Village. He explained that the Village now has nothing to do with the maintenance and operation of this piece. He noted that there is a breakdown in the number of spaces, but the hotel had to commit to a certain number of spaces they have to maintain.

Councilman Napoleon said the Village was doing this now because the hotel has the Certificate of Occupancy as opposed to doing it previously because the hotel did not want the responsibility. Mr. Schofield said no as they have been doing it ever since they started construction, and was not sure why the Village was only getting around to doing the plat now. Mayor Gerwig explained how it is better to do the plat afterwards rather than before because it is more accurate.

K. [18-2494](#)

RESOLUTION NO. R2018-66 (AGREEMENT WITH THE FLORIDA DEPARTMENT OF CORRECTIONS FOR THE PROVISION OF INMATE LABOR FOR MAINTENANCE OF THE WELLINGTON ENVIRONMENTAL PRESERVE AT THE MARJORY STONEMAN DOUGLAS EVERGLADES HABITAT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MANAGER OR DESIGNEE TO EXECUTE THE CONTRACT WITH THE FLORIDA DEPARTMENT OF CORRECTIONS TO PROVIDE FOR THE USE OF INMATE LABOR IN WORK PROGRAMS WITHIN THE WELLINGTON ENVIRONMENTAL PRESERVE AT THE MARJORY STONEMAN DOUGLAS EVERGLADES HABITAT; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This was approval of Resolution No. R2018-66 which is the agreement between Wellington and the Florida Department of Corrections for the provision of inmate labor for the maintenance of the Wellington Environmental Preserve at the Marjory Stoneman Douglas Everglades Habitat. He explained that this was an agreement that costs the Village \$57,460 a year and they have had it for a number of years. Mr. Schofield further explained that the Florida Department of Corrections provides the Village with a number of inmates that can be up to 10. He indicated that this is a significantly better deal for Wellington than having to hire people to do it. Mr. Schofield recommended approval because as long as they are going to provide people at this cost, he probably would continue to recommend doing this.

Councilman Napoleone asked if the Village has had any problems using the inmate labor. Mr. Schofield said that they have not. He explained that these are people who are in the very last part of the time they are serving and are making the transition back to normal society. He said that the only place he may run into a problem is if one of them does something wrong, which results in the entire crew being removed. Mr. Schofield said that is one of the things that the Florida Department of

Corrections uses as an incentive. He said that over the years, that has happened maybe only twice.

Mayor Gerwig asked if they are completely supervised the entire time. Mr. Schofield said that there is a correctional guard with them and they are never unsupervised. He said that they are under the general supervision of the maintenance crew that works on that, but they do work on their own.

Mayor Gerwig asked if they work only at Section 24. In response, Mr. Schofield said that they have been used at other places but they tend to leave them at Section 24 because when they were using them in residential areas, they were getting more complaints from residents. He said that they have used them at Peaceful Waters and other places.

Mayor Gerwig asked if the Village ever has programming with children at Section 24, and if so, is the Dept of Corrections notified. Mr. Schofield said that they would put the inmates in a place where the children are not at. He explained that they would not find the inmates in the tower and are generally not out in the general use areas. He also noted that they have to work within the eyesight of their guard.

Mr. Schofield said that if they have 10 inmates there, they only provide work that 6 staff members given the travel time and things like that. However, the contract costs the Village less than a single person with benefits. He noted that this really helps the inmates transition back into society.

L. [18-2490](#)

RESOLUTION NO. R2018-64 (FDOT HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING THE HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE VILLAGE OF WELLINGTON AND STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF CERTAIN IMPROVEMENTS MORE PARTICULARLY DESCRIBED AS FINANCIAL PROJECT ID 436307-1, A PORTION OF WHICH INCLUDES FOREST HILL BOULEVARD; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This was the approval of Resolution No. R2018-64 authorizing the Mayor or Vice Mayor and Village Clerk to execute the Highway Maintenance Memorandum of Agreement with the Florida Department of Transportation. He explained that this is the agreement that allows FDOT to do the improvements to Southern Blvd. and come down into that portion of Forest Hill Blvd. He stressed that it was only for that part of the project that is within the

Village of Wellington's right-of-way. He said that the Village is not assuming any liability and once the work is completed in the Village's right-of-way, the Village will own it, but are not responsible for anything outside of Wellington. Mr. Schofield made it clear that the bridge over the West Palm Beach canal is not in Wellington. He said that you would have to go about 50 or 100 feet south of that before you actually get to Wellington. He said that about half of the canal and half of the bridge is in Royal Palm Beach.

Vice Mayor Drahos asked if there was a timeframe as to how long they would be working on this. Mr. Schofield said that he did not know that. Vice Mayor Drahos asked about the starting date. In response, Mr. Lundeen said that he believed they would be starting probably within the next year. He said that they have the SR80 project going on and have not given Wellington a timeframe, but he would check with them. Mr. Schofield added that they will get a construction notice and once they receive it, they will post it. He said that what Council will see before they get to the work for Wellington is the work they are doing on SR80.

Mayor Gerwig felt it was important for the work not to be done during the equestrian season because so many people are pulling in with large trailers, etc. Mr. Schofield said they would provide that parameters, but he did not know if they would comply with it. He said that the major changes to it will be on the outbound lane noting that the two right turn lanes will be eliminated and they will make a much longer sweeping turn so you will make a "hot" right on to Southern Blvd. He did not believe it would be a problem for inbound traffic.

Mayor Gewig wanted to ensure there was some flashing lights or other things there for the safety of the pedestrians. Mr. Lundeen said there would be signalization.

M. [18-2483](#)

RESOLUTION NO. R2018-63 (EQUESTRIAN VILLAGE SEASONAL EQUESTRIAN PERMIT 2018/2019)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING A SEASONAL EQUESTRIAN USE PERMIT FOR THE GLOBAL DRESSAGE COMPLEX, AKA EQUESTRIAN VILLAGE, AT 13466 SOUTH SHORE BOULEVARD FOR AN EQUESTRIAN SHOW USE FROM DECEMBER 1, 2018 TO APRIL 30, 2019; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This was the approval of Resolution No. R2018-63 for a Seasonal Equestrian Permit for Global Dressage Complex, AKA Equestrian Village, at 13466 South Shore Boulevard from December 1, 2018 to April 30, 2019.

Mr. Basehart explained that in 2013 the property owner obtained a commercial equestrian arena approval which would eliminate the need to have these permits done on an annual basis, but there are some conditions of approval that have not been met. He noted that one is the intersection improvements to South Shore and Pierson. He said that for that reason, they have not been able to take advantage of the commercial equestrian arena approval so they have been coming back for a special use permit since 2013. Mr. Basehart said that this application is identical to last year's and is actually less event days, but there is no change regarding the physical activity on the site. Mr. Basehart said that under the current Article V, when the seasonal equestrian permits come in the first time, they require Council approval and after that they can be done administratively if there are no issues. He said that last year, Council placed a Condition of Approval on this seasonal permit that if it was needed again this year, it would have to come back to Council which was why this was before Council.

Mayor Gerwig noted that the developer has availed himself of the State's extensions. Mr. Basehart said that the commercial equestrian arena approval would have expired on October 31, 2014 if it were not for the extensions. He explained that the extensions have kept Council's approval of the permitted facility alive. He said that the difference here is that the property owner has not been able to take advantage of the commercial equestrian arena approval until he complies with the Conditions of Approval. Mr. Basehart said that alternatively is to have nothing there or to have a seasonal permit each year until that condition is met. He said that the State mandated extensions that would keep the original approval alive. Mr. Basehart asked Ms. Cramer whether the extensions were for two or three more years. Ms. Cramer said that they did not actually have the date yet as it is the date of the State of Emergency plus six months so they can't determine that until the State of Emergency is declared.

Mayor Gerwig said that some people had talked about stacking some of the extensions and the Village does not believe that is valid. In response, Ms. Cramer said that staff has looked at it noting that she had gone through an analysis of all the previous dates and extensions and reviewed it with the Village Attorney to assure they were coming up with the same dates and they are not stacking them. She said if they ran concurrently then the latest date out would be the date they received.

Vice Mayor Drahos said that Council had talked about the Condition of Approval for the Southshore and Pierson intersection, but he thought he heard Ms. Cramer talk about other ones. Ms. Cramer said that they completed the on-site improvements with the exception of the road that

goes toward the north that is to tie around once these fields are developed which has not been completed. In addition, she said that there are some monetary conditions, which can't be monitored until the road improvements are done because they are related to cueing.

Mayor Gerwig said that the applicant could be hurting themselves by letting more development come around them because they may not meet the standard at that point with the traffic cueing. Ms. Cramer said that is a possibility depending on what the monetary analysis comes back at.

Councilman Napoleone referred to staff's request that they include a bond for future approvals. Mr. Basehart suggested, as a separate requirement, that Council may want to require a bond to be filed by a time certain. He said if the bond is required then they won't have to come back anymore the special use permit.

Mayor Gerwig said that the Village could use that bond for the improvements.

Councilman Napoleone said that the Village was planning to do work on that intersection any way and if they had to perhaps, they could pull the bond and do all of the construction at one time.

Vice Mayor Drahos asked what would be the amount of the bond. Mr. Schofield said that the bond would be about \$950,000, which was what the engineer's cost estimate is; however, that bond estimate is now over five years old. He said that they don't think it would actually cover the cost although if they were to combine that improvement with the Village's, he thought they could do it within that amount of money. He said that there are some advantages to requiring that bond up front so that it will let the applicant pay for it at the 2014 rate where the Village will be paying for improvements at the 2019 rate. He said that because both improvements will be done at the same time and there is no destruction of previous work, they could get the economy there. Mr. Schofield indicated that this was also suggested to the applicant.

Vice Mayor Drahos asked if the Village would have to assume the additional cost if the bond amount was too low. Mr. Schofield said that even if the bond amount is too low, if the applicant does his work, the Village would then have to tear that up in order to do their improvements. However, if both projects are combined, then there won't be any redoing and overlaying. He said that staff believes that they can do the amount for what is budgeted in the bond amount because they would have budgeted more to do that work anyway.

Mayor Gerwig asked where the condition was for the bond in the document. Mr. Basehart directed her to the staff report noting it was not included in the resolution. Mr. Schofield explained that technically they are two separate applications as there is the approval for the commercial equestrian arena that has a set of conditions, and there is this request for a Special Use Permit. He further explained that as development orders, they are separate so generally they do not cross requirements. Mr. Schofield said that this has been going on for a very long time and they at least have to make the suggestion. He said that Council might want to seriously make this a condition.

Councilman McGovern did not understand that it would only be a suggestion to them. Mr. Schofield said that it would be a condition of approval that the applicant would have to decide if they want the condition and they take their permit or they don't take the permit.

Vice Mayor Drahos asked if the applicant was to come back and say they have a proper extension by virtue of the opioid emergency. Mr. Schofield said that the extension does not speak to improvements or bonds. Mr. Basehart explained that the time extensions only apply to time certain time limits and expiration dates that were put on a development. He explained that there is a condition in the 2013 approval for the facility that by October 31, 2014 they were supposed to make those improvements, but the extensions are keeping that alive. He said, in the meantime, when the applicant passed that deadline, the Village's position was that you can't have beneficial use of the approval you got and the conditions. Councilman McGovern said that was why they were getting requests for special use permits every year. Mr. Basehart responded affirmatively.

Ms. Cramer added that was the reason they put it in the staff report recommendation that Council may want to consider the bond requirement separate from the actual recommended Conditions of Approval because it is a separate item. She said that essentially there can be another option because take it with the conditions as it is, they could get their permit like they did last year with the condition that if the road is not built by next year they have to come back for the special use permit. However, they have been doing this for multiple years, so this may be another option. Ms. Cramer said that it was Council's decision whether they wanted to make that a condition of the special use permit, but they did not want to make that assumption for Council by adding it as a condition.

Mr. Schofield explained that the staff report will have the times as an organization, they say they will not do this again and there is a number of

times that they said they are not going to ask again. He said that information is all available for Council now. He explained that a special use permit is like any land development permit, the zoning code is essentially a checklist and if you do all the things that you are supposed to do including meeting Council-imposed conditions you will get your permit. However, if you don't do those things and you don't meet Council conditions, then you won't get it which is why the Special Use Permit is not effective until they sign it and acknowledge that they are accepting the conditions.

Ms. Cohen explained that the Special Use Permit does allow Council to place conditions on it to mitigate the impact on the surrounding community. She said that one of those conditions could be that they post a bond for the improvements. She said that requirement is unconnected with their already approved compatibility determination and the commercial equestrian arena approvals. She said she believed that the applicant is aware of it noting that she has spoken with Dan Rosenbaum. She said that she believed he wanted to schedule a meeting to discuss that with staff, but she did not think it would be a surprise to them.

Councilman McGovern asked if Mr. Rosenbaum wanted to meet with staff the next day. Ms. Cohen said that she did not know. Mr. Schofield said that it would either be tomorrow or it would be Tuesday because there won't be staff in the office on Monday which is a holiday.

Councilman McGovern asked Ms. Cohen if she knew what their position was on this when she spoke with either the applicant or the agents for the applicant. In response, Ms. Cohen said that she did not specifically call him for that reason as they had a conversation about a different issue. She said that during the course of the conversation, this item came up as something they wanted to discuss with staff. She said that she knows that they know about it, but it was not her impression that there is a lot of objection. Ms. Cohen believed that they just want to sit down with staff and discuss what the best way to handle this is.

Councilman McGovern asked how that condition would be worded if it was included. Ms. Cramer explained that the condition would be added to the special use permit that a bond be posted for the road improvements that were required that had been included in the resolution which she could provide to Council. Mr. Schofield said that the condition would need for the bond to be posted before the expiration of the special use permit. He said that they would not want to test a condition on an expired permit. Ms. Cohen added that it could be a cash bond, bond or a letter of credit. She said that it would just be a security being posted that could take various forms.

Councilman McGovern said that he only wanted to know when they would have to post the bond by. Ms. Cohen said if they get the beneficial use and do not post the bond then there is a problem. She said that it would seem they would want it earlier in the season than later.

Vice Mayor Drahos reiterated his question regarding whether the amount of bond they would request is a true amount. Mr. Schofield said that at this time they have the certified engineer's cost estimate. He said that when they post it that is what they will take. Ms. Cohen said as Mr. Schofield had previously said, if the developer did their work now and then the Village went in and did their work, the Village would have to go in and rip out the work that was done. Therefore, the cost savings that would occur by combining the project would account for any shortfall in the age of the cost estimate.

Mayor Gerwig wanted Mr. Lundeen or a member of his department to look at that. Mr. Schofield said that there is a 10% contingency noting that they don't have to pay for maintenance or traffic twice.

Vice Mayor Drahos felt that this was coming across as punitive because they have this discussion a number of times but it also makes sense to him to do the jobs at the same time. Mr. Schofield said that staff has been making that offer to them repeatedly. He said that when you take out some of the things that have to be done twice, he was not worried about not having enough money to do it.

Councilman Napoleone said if the offer now becomes a condition it would be harder to decline than to go along with it. Ms. Cramer added that if two other things occur: (1) if they put up the bond and the Village is able to pull it and do the work then they are able to use their commercial equestrian arena approval and they don't have to do the special use approved; and (2) if for some reason the bond doesn't come in and they get to the end of season, that will be something for Council to consider next year when they have to come back for a special use permit.

Vice Mayor Drahos said if the Village was going to do this on Tuesday, he believed they needed to have clear direction on exactly how much the bond would be, the conditions to pull it, when it would be pulled, and all other related items. Mr. Schofield said that there is an approval and engineer's cost estimates which the Village had accepted as part of their approval. He said the bond is in the \$950,000 range, which is the amount he would be recommending. He said that instead of when it gets pulled, the bigger question for him was when it gets posted which he would suggest not later than March 1st. He said that it would get pulled the day

before the permit expires because he would not want to try and pull it after that. Mr. Schofield said they will be very clear about that. Ms. Cohen believed they may need to discuss that a little further as well.

Vice Mayor Drahos felt that they needed to have a unified game plan going into Tuesday's meeting.

Councilman Napoleone asked when the Village wanted to do the road improvements. Mr. Schofield said the Village has the money budgeted and they had wanted to do them last summer, but they want to do them this summer.

Ms. Cohen said that they could make the bond effective beyond the permit expiration which can be part of the bond form. However, they could pull the bond if necessary after the expiration of the permit, but she believed that they needed to have some discussion with them and have some better information for Council for Tuesday.

Vice Mayor Drahos asked if there was any reason this was on the agenda for this meeting. Mr. Schofield said that as of this moment, he has no regular agenda items or public hearings for the second meeting in November. He said that they do not have another item like that coming to Council until December. He said that he wanted Council to consider whether they wanted to have that second meeting in November because all they will have is consent items.

Mr. Schofield said that he promised Council that they would come with a united front for Tuesday.

Councilman McGovern thought it was important that there be some discussion with the applicant, agents for the applicant and the attorneys for the applicant to work this out in a way that is suitable to all parties keeping in mind that as a minimum there is some strong inclination that the Village is willing to put this condition in so them coming in to work with the Village on that would be his first choice. Vice Mayor Drahos said that he assumed that would be done to hopefully reach an agreement.

Mr. Schofield said that Ms. Cohen will speak to them on the legal side and he will speak to their operational people tomorrow morning.

N. [17-1618](#)

AUTHORIZATION TO APPROVE A TASK ORDER TO PROVIDE ENGINEERING CONSULTING SERVICES FOR THE SOUTH SHORE FORCEMAIN REPLACEMENT PROJECT PHASE I

Mr. Schofield announced that the Mayor will have to recuse herself on this item. This was authorization to approve a task order to Mock Roos and Associates, Inc. to provide engineering consulting services for design

and bid phase services for South Shore Forcemain Replacement Phase I at a cost of \$145,396.

Mayor Gerwig announced that she had a conflict explaining that the company she works for and owns one share of stock in has ongoing projects with Mock Roos, although no longer ongoing, in the past 24 months and have exceeded the \$10,000 amount. She said that according to the Palm Beach County Code, she would be recusing herself from this item.

At this time, Mayor Gerwig left the Conference Rooms.

Mr. Schofield explained that this is a budgeted project and is planned work. He noted that it is part of the Village's capital budget.

Ms LaRocque explained that the South Shore Forcemain is basically the Village's main backbone of their forcemain system, the pressured wastewater system that delivers wastewater to the wastewater treatment plant. She said that it is over 40 years old and the material is inferior. She said that the Village would have a mess on their hands if that system failed, so they were trying to be proactive. She said that they did a routing study because if it is on South Shore it is a very heavily ridden roadway to determine what the proper corridor would be. She said it was decided on the south side as there is adequate roadway and it can be done without impacting traffic a great deal. She indicated that it was a little over \$7 million to do the three segments noting that it was broken up between fiscal year 2020 and 2023. Ms. LaRocque said that this year in the capital budget they have the design for Phase I so it made logical sense that since Mock Roos did all the due diligence to do the routing study to go ahead and let them do Phase 1. She noted that it was beyond the load of statutory threshold for CCNA which is \$2 million. She noted that the future two phases will go out to a competitive selection as they will exceed \$2 million. She said this was only for the design component of Phase 1 which takes it from Sheffield Court to Big Blue Trace.

Councilman McGovern said that this is the design phase of this \$1.4 million project. Ms. LaRocque responded affirmatively. She said that with the construction value of \$2 million, you don't have to go through CCNA. Councilman McGovern asked if Ms. LaRocque was comfortable with Mock Roos. Ms. LaRocque said that they do excellent work for the Village and know the Village's system very well.

At this point, Mayor Gerwig re-entered the Conference Rooms.

4. WORKSHOP

NONE

5. ATTORNEY'S COMMENTS

Ms. Cohen said that she would provide Council with an update on Big Blue case as well as what is happening with Flying Cow at the Council meeting. She noted that she had distributed a letter to Council on the Wellington Crossing Group and to contact her if they had any questions.

Ms. Cohen said that Wellington's Historical Society was having a mixer tonight at Flanigan's from 5:30 p.m. to 7:30 p.m.

6. MANAGER COMMENTS

Mr. Schofield reiterated that at this point the only items on the November 27th agenda were consent items. He said that the only public hearing item they have will come to Council in December. He explained the public hearing item that will be coming in December. He said that Wellington Equestrian Partners have said they want to build Gene Mische Way. He said that there is a condition in their 2008 or 2010 site plan that all plats have to be recorded before construction. Mr. Schofield said that the Village has all of the plat documents. He explained that the Village's process usually allows two means for platting: (1) either bond the improvements up front and record the plat; or (2) do the improvements and then record the plat. He said that they need to get moving on this as some of the property was transferred. He said that solely for the purpose of constructing Gene Mische Way, staff will be asking that those conditions be amended so that they can issue a land development permit for that. He felt that it was important for Gene Mische Way to be built to provide a 2nd exit from the showgrounds that will relieve some of the problems.

Councilman McGovern asked if that was what they were building it for or does the Village not know. Mr. Schofield said that was what they were building it for now. He explained that there are six lots along there, and said that without the plat records, the Village will give them the LDP to build the road, but because it is not platted, the Village will not issue permits for anything on the six lots. He said if they get the road built which he believed won't be done until toward the end of the season, then they can record the plat and they will issue permits on those 6 lots. He said there is a variety of reasons why they don't want to post the bond and just do the work noting that it is an option that is normally available to them.

Councilman McGovern believed that there are a lot of people who have longed for a second exit from the showgrounds and having it be completed and functional. He asked if that was the full intent that was

communicated to Mr Schofield. Mr. Schofield responded affirmatively. He said there was nothing else they could do with this until that plat is recorded is a secondary entrance and exit from the showgrounds. Councilman McGovern asked if it will continue with that after it is recorded. Mr. Schofield noted that it is a private road as is Gene Mische Way that is already constructed. He said that there will be parts of it that will be available to the public because there is a bridle path along one side and a cart path along the other so those will be available for anyone to use getting into and out of the showgrounds.

Councilman Napoleone thought that Councilman McGovern's question was that once that road is constructed that is a private road, it will continued to be used for exiting the showgrounds. Councilman McGovern said that the public is going to want to know that there will be a second exit, the traffic will be dramatically improved, and that the function of site will be dramatically improved.

Mr. Schofield said that the area where it is, is generally not the area where spectators park, but it gives the people who groom the horses another way out and significantly unloads Pierson Road. He said if you are going to watch the shows you are not going to use this exit. Councilman McGovern said that all the trucks going in and other types of things will be off of Pierson Road. Mr. Schofield noted that Condition of Approval does not change for them.

7. COUNCIL COMMENTS

Mayor Gerwig noted that she had asked for the cost of the Lakeside events. Mr. Schofield said that he thought they had already been provided to her, but would give them to her the next day.

8. ADJOURN

There being no further business to be discussed by Council, the meeting was adjourned at 5:20 p.m.