

# **Village of Wellington**

*12300 Forest Hill Blvd  
Wellington, FL 33414*



## **Action Summary**

**Monday, August 12, 2019**

**4:00 PM**

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

## **Village Council Workshop**

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

**1. CALL TO ORDER**

In Mayor Gerwig's absence, Vice Mayor Napoleone called the meeting to order at 4:00 p.m.

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

Council Members Not Present: Anne Gerwig, Mayor

**2. PLEDGE OF ALLEGIANCE**

Vice Mayor Napoleone led the Pledge of Allegiance.

**3. REVIEW OF COUNCIL AGENDA**

Mr. Schofield presented the agenda for the August 13, 2019 Regular Wellington Council Meeting for review.

**A. [19-3155](#)**

A PROCLAMATION OF THE VILLAGE COUNCIL OF WELLINGTON, FLORIDA RECOGNIZING THE WELLINGTON WOLVES BOYS BASKETBALL TEAM ON WINNING THE 2019 U14 "SUPER 60" NATIONAL CHAMPIONSHIP AND 2020 U15 HOOP SEEN "BEST OF THE SOUTH" NATIONAL CHAMPIONSHIP

Mr. Schofield introduced the agenda item. This was a proclamation to the Wellington Wolves recognizing and congratulating the U14 2019 team for winning the "Super 60" National Championship and the U15 2020 team for winning the Hoop Seen "Best of the South" National Championship.

Councilman McGovern asked if this resolution was brought forward by the Parks & Recreation Department. Mr. Barnes explained that it was actually a request brought to the Village by a local resident whose son was on both teams.

Councilman Drahos asked if the Wellington Wolves was a private basketball group. In response, Mr. Barnes said that they are the Village's sports provider for travel basketball.

Councilman McGovern thought that moving forward there should be a process outlining how proclamations are brought forward and not just an email to the Mayor. His concern was that they should also be recognizing children on other sports provider teams. Mr. Schofield said that he would have Mr. Juckett draft a procedure that they can provide to the Village's

sports providers.

- B.**     [19-3143](#)     PRESENTATION BY PALM BEACH COUNTY SCHOOL DISTRICT REGIONAL SUPERINTENDENT VALERIE ZULOAGA-HAINES
- Mr. Schofield introduced the agenda item. This was a presentation by Valerie Zuloaga-Haines, Regional Superintendent for the Palm Beach County School District who will provide an update on the recently released school grades for the 2018/2019 school year.
- C.**     [19-3140](#)     MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETINGS OF JUNE 25, 2019 AND JULY 9, 2019
- Mr. Schofield introduced the agenda item. This was approval of the Council Minutes of the Regular Wellington Council Meetings of June 25, 2019 and July 9, 2019. He asked that Council provide any changes or revisions to Ms. Nubin.
- D.**     [19-2930](#)     AUTHORIZATION TO RENEW AN EXISTING CONTRACT FOR ANNUAL LAB ANALYSES SERVICES
- Mr. Schofield introduced the agenda item. This was authorization to renew an existing contract with multiple vendors for annual lab analyses services for \$155,000 (\$60,000 for Public Works and \$95,000 for Utilities) for FY 2019-2020. He explained that this is done in two parts to meet the regulatory requirements of the Health Department and the South Florida Water Management District. He said that this is beyond the scope of what the Village's own lab can do. Mr. Schofield said this is the same amount they have been spending for the last several years.
- Ms. LaRocque said that it was \$60,000 for the Public Works portion, which is primarily for the water quality monitoring under the South Florida Water Management District permit and the \$95,000 is for the compliance monitoring the Village does for all of the permits for the water plant, wastewater plant and the distribution system monitoring. She said that they do process control analysis in the microbiology lab and control lab that was not included in this. Ms. LaRocque said that they do alot of tests in-house; however, there is alot of sophisticated equipment needed to run these analyses.
- Vice Mayor Napoleone noted that this was the first renewal option and asked how many more were available. Mr. De La Vega explained that there is also a rollover option with no price increases. He further explained that usually they have an initial three-year period with two, one-year renewals, and believed there was an additional one after this.
- E.**     [19-2934](#)     AUTHORIZATION TO AWARD A SOLE SOURCE CONTRACT FOR THE PURCHASE OF BADGER WATER METERS AND

## COMPONENTS

Mr. Schofield introduced the agenda item. This was authorization to award a sole source contract to National Meter & Automation for the purchase of Badger water meters and components at a cost of \$500,000 annually. He explained that the Village entered into an agreement about 11 years ago to replace all the water meters throughout the Village with badger meters, which are proprietary. He said that this allocates \$250,000 to replace old meters and \$250,000 for new meters. Mr. Schofield said that the cost to replace that system 11 years ago was just over \$4+ million. Ms. LaRocque added that it was up to \$7 million or \$8 million now. Mr. Schofield said that this is annual maintenance. He pointed out that there are 21,000 meters that the Utility Department maintain.

Ms. LaRocque said that the meters are 10 to 11 years old and they have a phased approach to replace the meters. She said that it is a very large expenditure so they are trying to do it over four years. She further stated that this was the first year they were starting to phase it in. Ms. LaRocque said that this year they have \$250,000 budgeted to replace old meters and \$250,000 for new meters. She said that her philosophy as well as that of the manufacturer is that just because they are 10 years old does not mean you have to replace them, so they replace them just before they are needed to be replaced. She said that they have been pushing that out a bit.

Vice Mayor Napoleone asked what the life span of the meters was. Ms. LaRocque said that in past years, it had been 10 years, but now it is closer to 15 years. Mr. Schofield added that he had gone back and looked at the original contract noting that Badger had indicated that the Village would get five to seven years. Ms. LaRocque said that this year Wellington partnered with a company that uses analytical tools to look at the performance of all 21,000 meters so they can compare the performance of the meters to the manufacturer's curve. She said that every month meters are identified that are functioning below what the manufacturer recommends and those are the meters that are replaced.

Councilman McGovern asked how much was spent on meter replacement in 2018. Ms. LaRocque indicated that she did not have the exact number, but it was not much. She said that they are just now ramping up that program. She said in past years they would actually pull meters and put them on a wet bench to test them; however, it was too labor intensive for them to continue doing that practice. She said that the tools they have now allow them to replace meters when they need to and to spend the money when they need to. Mr. Schofield noted that when a resident has a meter changed out, they would never know it.

Councilman Drahos asked if the maintenance that was being done was preventative maintenance. Ms. LaRocque said that sometimes they break and they need to be changed out, sometimes customers come in and they need to upsize meters and other things like that. She explained that they were going to a new platform as meters have evolved over the last 11 years. Ms. LaRocque pointed out that it was only a budgetary number, and if they did not need to spend the money, they would not. She said that since the meters are getting older, they felt that they needed to budget a little more.

Councilman McGovern said that they were budgeting \$250,000 for new meters and asked where they were going to be installed. Ms. LaRocque said they would go in Village Royale, the new apartment complex on Southern Blvd, the adult living facility near the mall as there are a lot of projects coming in that require a lot of large meters. She noted the cost of meters is passed on to those users.

Note: After the conclusion of the tennis item discussion, Mr. Barnes provided Council with the information they requested earlier in this discussion regarding the amount spent on the meters during the previous year. He indicated that they spent approximately \$97,000 for the meters in the previous fiscal year.

**F.**     [19-3144](#)

1) RATIFICATION OF AN EMERGENCY CHANGE ORDER FOR WELLFIELD REHABILITATION PHASE 2; AND 2) APPROVAL OF RESOLUTION NO. R2019-47 AMENDING THE UTILITY FUND CAPITAL BUDGET FOR FISCAL YEAR 2018-2019 BY ALLOCATING FUND BALANCE FOR WELLFIELD 24 RECONSTRUCTION; AND PROVIDING AN EFFECTIVE DATE

Mr. Schofield introduced the agenda item. This was 1) Ratification of an emergency change order for Wellfield Rehabilitation Phase 2, to Florida Design Drilling Corp., for 11,625.00; and 2) Approval of Resolution No. R2019-47 amending the Utility Fund Capital Budget for fiscal year 2018-2019 by allocating fund balance for Wellfield 24 reconstruction; and providing an effective date. He explained that they were in the process of rehabbing one of the wellfields and had determined that one of the well casings had collapsed which has to be replaced in order to rehab the well. Mr. Schofield stressed that he does not do these type of things lightly noting that in 12 years this was only the second emergency authorization that he had ever done.

Ms. LaRocque explained that Well 24 was constructed in 1989, so it was either near or at its useful life. She said that the Village's Water Plant superintendent noticed the degradation, performance and water quality in

the well and it had to be taken off line. She said that at that time, staff came to Council requesting for funds to do a rehabilitation of the well that only included well aspiration and redevelopment. Ms. LaRocque explained that before they started that work, the well driller did a down hole video which is standard and they realized that the casing had failed as there was a big hole in the casing which was why they were getting all of the sand in the water. She said that could not be repaired, so they needed to pull all of the casing out and install a new stainless casing, which would be good for another 30 or 40 years if not more, and basically rebuild the well. She said that this would cost an additional \$111,000, so they took the original \$91,000 that had been allocated for a total of \$200,000 to rebuild the well. She pointed out that a new well would cost about \$300,000 to \$325,000 so this is very cost effective. Ms. LaRocque said that she was very comfortable with this approach.

Vice Mayor Napoleone asked if they would get the same performance out of this compared to a new well. Ms. LaRocque responding it would get the same performance if it is done correctly. Vice Mayor Napoleone then asked where Well 24 was located. Ms. LaRocque stated that Well 24 was behind the old Winn Dixie at Lake Worth Road and 441. Mr. Schofield noted that was where they get their best water.

Councilman Drahos asked Ms. LaRocque to explain again how the problem was found. Ms. LaRocque then reiterated her earlier explanation.

Councilman McGovern said that this was already done. In response, Mr. Schofield said that he authorized the change order, as they had to keep the contractor moving; however, the money had not yet been spent. He explained that this was before Council to ratify. He explained that the way the Village's purchasing is set up, if there is an emergency, he could authorize entering into the change; however, he must then come to Council for ratification of that decision.

**G. [19-3006](#)**

AUTHORIZATION TO: 1) AWARD A TASK ORDER, TO PROVIDE ENGINEERING CONSULTING SERVICES, FOR A RISK AND RESILIENCE ASSESSMENT; AND 2) APPROVAL OF RESOLUTION NO. R2019-41 AMENDING THE UTILITY FUND CAPITAL BUDGET FOR FISCAL YEAR 2018-2019 BY ALLOCATING FUND BALANCE FOR THE UTILITY RISK AND RESILIENCE ASSESSMENT; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This was authorization to: 1) Approve a task order to Hazen and Sawyer, P.C. to provide engineering consulting services for a Risk and Resilience Assessment (RRA), at a cost of \$131,421; and 2) Approval of Resolution No. R2019-41 amending the Utility Fund Capital Budget for Fiscal Year 2018-2019 by

allocating fund balance for the Utility Risk and Resilience Assessment; and providing an effective date. He explained that the Village does testing every year and has done a lot of system evaluations, but he said he did not realize that this one was based on federal requirements that were enacted in 2018, and the Village must report to the feds by the end of 2020. Ms. LaRocque said that they must report by December 2020.

Councilman McGovern questioned why they needed to do a budget transfer now as opposed to include it in the upcoming budget. Ms. LaRocque said that she must get moving now as it is a long process. She explained that it is an in-depth analysis outlining all that is involved. She noted that Hazen and Sawyer, who are highly skilled at doing this, would be conducting this. Ms. LaRocque said that every utility in the country is doing this. She said that there are 3,300 people served and they happen to be in the first tier because they are over 50,000. Ms. LaRocque said that she was looking forward to it because she felt it would reveal things they need to know.

Councilwoman Siskind asked how Hazen and Sawyer was chosen for this project. Ms. LaRocque said that they are one of the Village's consultants for plant work. She said that they will be doing the Wastewater Plant and much of this will be applicable to that plant as well. She said that she felt that it made a lot of sense to have Hazen and Sawyer. She noted that at the next agenda Council would see a Risk of Management Plan. She explained that first an assessment is done followed by that plan. Ms. LaRocque said that both of those documents have to be certified to the EPA. She said that she certifies them noting they don't send a copy of the report and there is only one copy of the report that the Village keeps that is confidential and not public record.

H. [19-3008](#)

AUTHORIZATION TO AWARD MULTIPLE CONTRACTS FOR UTILITY PROCESS CONTROL ANNUAL MAINTENANCE

Mr. Schofield introduced the agenda item. This was authorization to award contracts to Process Control Consultants, Inc. and CC Control Corp. for utility process control annual maintenance, in an amount not to exceed \$85,000 annually. He said that they hear them talk a lot about SCADA, which is how they remotely manage systems and this is the annual maintenance for it. He said that \$85,000 is what the Village has spent for the last several years.

Ms. LaRocque said that this is the contract to help the Village repair and maintain the Village's process logic controllers, which basically are mini computers. She said that these systems gather real time data, process the data and directly interact with devices such as instruments, valves and pumps. She said that these companies would help Wellington maintain these systems, reprogram them and replace them as needed.

I. [19-3010](#) AUTHORIZATION TO AWARD A TASK ORDER TO PROVIDE ENGINEERING CONSULTING SERVICES FOR THE WATER RECLAMATION FACILITY (WRF) PROCESS, INSTRUMENTATION AND CONTROL DIAGRAMS FUNCTIONAL CONTROL

Mr. Schofield introduced the agenda item. This was authorization to approve a task order to Hazen and Sawyer, P.C. to provide engineering consulting services for the WRF Process, Instrumentation, and Control Diagrams Functional Control, at a cost of \$119,712. He said this provides the operating manual that they lack today.

Ms. LaRocque said that Council previously authorized the designs to replace all of the process logic controllers at the Water Reclamation Facility. She said that design is about 50% and it is about a \$1.8 million project. She said that these control all aspects of plant operations. She said that in order for Wellington to bid the project, they have to develop control logic for every one of those computers. She noted that there are 65 separate control logic packages that have to be developed, which includes a lot of intensive, specialized work. Ms. LaRocque said that Hazen and Sawyer is their Wastewater Plant consultants who are very skilled. She said that they have just finished or are about to finish the Wastewater Facility Master Plan so they are very capable of doing this work. Ms. LaRocque said that this work is included in the utility capital improvement plan.

Councilman McGovern said this had nothing to do with the last agenda item. Ms. LaRocque explained that the other item was outside contractors that help maintain all of those systems and then the design consultant that will help develop all of the control logic for the replacement of the PLCs that they are replacing.

J. [19-3166](#) AUTHORIZATION TO EXECUTE A CHANGE ORDER FOR THE ADDITION OF PHASE III OF THE PEACEFUL WATERS BOARDWALK PROJECT

Mr. Schofield introduced the agenda item. This was authorization to execute a change order with South Florida Building, Inc., DBA BDI Marine Contractors, for the addition of Phase III of the Peaceful Waters Boardwalk Project, in the amount of \$122,288.00. He said that this will add about \$200,000 to the existing \$200,000 and there is a state grant for \$200,000 that they have to match, which gets this all done.

Ms. LaRocque showed a slide of the project. She noted that the yellow line indicated an area that was completed as Phase I. She said that the green area was planned Phase 2 which was not supposed to be done not next year, but the following one. She said that when they got the



grant, which was for 1,200 feet; they realized that they could do Phase 2 and Phase 3 for less than the cost to do Phase 2. She quickly put together the design for Phase 3, gave it to the contractor for Phase 2 and requested a price. Ms. LaRocque said that contractor then submitted a price, which was in line with what the estimate was, so they were recommending that they change order the Phase 3 to the Phase 2 contractor. She said that they would then be the recipient of \$200,000, which will save 50% of the project cost.

Vice Mayor Napoleone asked if the Village would do Phases 2 and 3 at the same time. Ms. LaRocque responded affirmatively. She explained that 240 days will be required to do the work and the park will be shut down at that point. Vice Mayor Napoleone asked when it was anticipated they would start the work. Ms. LaRocque said that they could not start until they receive a Notice of Commencement from the Department of Environmental Protection under the grant. She said they would be ready to commence the work as soon as that was received.

Councilman McGovern said that they have to do the entire project at one time in order to comply with the terms of the grant. Ms. LaRocque said that they get to do both phases for less. Councilman McGovern said that this was a win-win situation. Mr. LaRocque said that what they were doing was replacing everything but the piling and showed pictures of what the finished product would look like and explained the types of products being used.

K. [19-2933](#)

AUTHORIZATION TO: 1) RENEW AN EXISTING CONTRACT TO PROVIDE COURT MAINTENANCE AT THE TENNIS FACILITY; AND 2) ENTER INTO INDEPENDENT CONTRACTOR AGREEMENTS WITH TENNIS PROFESSIONALS TO PROVIDE PRIVATE LESSONS, CONDUCT CLINICS, TENNIS SUMMER CAMPS, ETC

Mr. Schofield introduced the agenda item. This was authorization to: 1) Renew an existing contract with K&B Maintenance Services, LLC, DBA Professional Tennis Court Services, to provide court maintenance at the tennis facility in the amount of \$92,327.64 annually; and 2) Enter into independent contractor agreements with tennis professionals to provide private lessons, conduct clinics, tennis summer camps, etc. He said that those contracts were either 70/30 or 75/25 split depending on the year that they were awarded. Mr. Schofield said that for the most part those are the people who are doing this now for the Village.

Councilman Drahos said that he assumed these were people who received good reviews in the past. Mr. Barnes responded affirmatively. He said that these are people who have been teaching with the Tennis Center for many years, have repeat customers both for lessons and for handling team-related items. He said that they were confident that the

existing list would continue to serve the customers into the future.

Councilman Drahos asked staff about the split. Mr. Schofield reiterated his earlier comments about the split. Councilman Drahos asked how they were monitoring that lessons might be conducted on the courts that they did not know about. In response, Mr. Eric Juckett, Director, Parks & Recreation said that Mr. Cheatham knows what is happening on each court and explained that you would have to put in a reservation for a court. He said he would be aware if there was someone on a court without a reservation.

With regard to the split, Mr. De La Vega said that the 75/25 split was a carryover from when the programs used to be held here and were carried over to the new facility. He said that anyone coming on board subsequent to those new agreements are 70/30. He said that at some point, the 75/25 split will fall off and everyone will be on 70/30.

Councilman McGovern asked why they were not converting those 75/25 split contracts to 70/30 as they are ending. Mr. Barnes said that it was what the existing instructors will take, and the Village does not want to lose them especially those who have a high following and good satisfaction rate. He noted that in some cases, they would be getting 80% at another club. He said that 70/30 has been the Village's standard for independent contractors; however, it varies from location to location. Mr. Barnes said that they believe it was in the best interest of the operation to keep those previous contracts at 75/25. Councilman McGovern asked how many of the nine contractors were at that number. Mr. Barnes said that he would have to find out that information.

Councilman Drahos asked if these nine individuals were responsible for the tennis event that was happening that weekend. Mr. Barnes said that Mr. Cheatham was responsible for putting them together with several of the staff who are focused primarily on the youth. He said that not all of the instructors teach a certain age group. Mr. Juckett added that this Saturday's event was focused on the juniors.

Councilman McGovern asked if staff was happy with K&B Maintenance. Mr. Juckett said that they have done a good job and he has spoken with Mr. Cheathan who is very happy with them.

L. [19-3142](#)

AUTHORIZATION TO AWARD CONTRACTS TO PROVIDE ATHLETIC TEAM OFFICIATING SERVICES

Mr. Schofield introduced the agenda item. This was authorization to continue utilizing contracts with Florida Elite Umpires, Inc. and The Palm Beach Pride, Inc., and award a new contract to South Florida Officials Recreation, LLC to provide athletic team officiating services. He noted

that this had been on the previous agenda and was moved to this agenda. Mr. Schofield noted that they since met with the people. He said that one of the contractors that they were using was asking for a rate increase and they were between 12% and 25% higher for the same services, so they went with the lower responsive bidder. He said that they met with them on two separate occasions and informed them where they were at. He explained that these were not really bids, but were solicitation of services. Mr. Schofield said that they are a qualified company noting that most of their people have worked previously for the Village. He said that he did have a meeting with the person who had lost the bid.

**M.**     [19-3148](#)

RESOLUTION NO. R2019-45 (CAPITAL PROJECT AMENDMENT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE SALES SURTAX FUND CAPITAL PROJECT BUDGETS FOR FISCAL YEAR 2018-2019 BY TRANSFERRING REMAINING BUDGET FROM THE GREENBRIAR PARK PROJECT TO THE WELLINGTON COMMUNITY HIGH SCHOOL SPORT COMPLEX PROJECT; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This was approval of Resolution No. R2019-45 to transfer the remaining budget for the Greenbriar Park Improvement project to the WCHS Sport Complex project in order to begin project design and construction. He said they were just moving the money for the project from one site to the other.

Councilman McGovern said that since the last Council meeting, the School Board had executed the contract. Mr. Schofield responded affirmatively.

With regard to the agreement, Vice Mayor Napoleone asked what the start time for the work was. Mr. Barnes said that the School Board approved this at their last board meeting in July. He said that they have since then had a kick-off meeting with the design and construction management team and the proposal is to have it completed by February 2020 for actual maximum price. Mr. Barnes said they could be to the Council's meeting at the latest in March or April so they can have the start date of not later than mid-May at the school. He further stated that they coordinated that schedule with the School District. He said that barring any unforeseen circumstances it would start with Phase 1 A, the Stadium field, in August of 2020, and complete by December 2020 with the Phase 1B which is the tennis court and the associated field area for the track. He said that would have them out of the entire south half of the school by January 2021, which would allow baseball and softball to commence and then finish the rest of the project by the summer of 2021 so by the time the school opens in August 2021, the entire facility would

be open and ready for use.

**N.**     [19-3017](#)

**AUTHORIZATION TO AWARD A CONTRACT FOR PAINTING THE EXTERIOR OF VILLAGE HALL AND THE INTERIOR OF VILLAGE PARK GYM**

Mr. Schofield introduced the agenda item. This was authorization to award a contract to Mario's Painting and Services, Inc. for painting the exterior of Village Hall and the interior of Village Park Gym, in the amount of \$79,187. He said that there were multiple bids noting that Mario's Painting was significantly lower than any other bidder. He said that Mr. De La Vega did reference checks including adjacent municipalities and received excellent references. Mr. Schofield said they are comfortable that they can do the work.

Mr. De La Vega explained that they had a mandatory pre-bid meeting with each one of the proposers and staff laid out exactly what the requirements were so that any questions were answered on the spot. He reiterated Mr. Schofield's comments that Mario's Painting came in low, and since it came in so low, he said he decided to do some extra research. He said that they have an A+ rating with the Better Business Bureau, zero complaints, have been in business for 18 years and all five of the references came in excellent including Royal Palm Beach.

Councilman Drahos asked if they would be using the same quality paint. Mr. De La Vega said that they specified the paint to be used.

Councilman Napoleone asked when the buildings had last been painted noting that Village Hall had not been painted since it was first built. Mr. Barnes said that was correct and said that for the gym, they did not have a contractor since it was constructed and had done piecemeal in-house. Mr. De La Vega noted that the price also included pressure washing.

**O.**     [19-3164](#)

**AUTHORIZATION TO UTILIZE A CITY OF FORT LAUDERDALE CONTRACT, AS A BASIS FOR PRICING, FOR THE PURCHASE AND DELIVERY OF REFUSE CARTS**

Mr. Schofield introduced the agenda item. This was authorization to utilize a City of Fort Lauderdale contract with Schaefer Systems International, Inc., as a basis for pricing, for the purchase and delivery of refuse carts, in the amount of approximately \$50,000.00 annually. He explained that this is a replacement of trash containers. He noted that this was the lowest price they could find and it is what the Village generally spends on a yearly basis for this.

**P.**     [19-3092](#)

**RESOLUTION NO. R2019-34 (AMENDED AND RESTATED INTERLOCAL AGREEMENT BETWEEN WELLINGTON AND PALM**

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BEACH COUNTY FOR EMERGENCY OPERATIONS INTEROPERABILITY)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE MAYOR AND CLERK TO EXECUTE THE AMENDED AND RESTATED INTERLOCAL AGREEMENT BETWEEN WELLINGTON AND PALM BEACH COUNTY FOR EMERGENCY OPERATIONS INTEROPERABILITY THROUGH COUNTYWIDE COMMUNICATION AMONG PUBLIC SAFETY AND GENERAL GOVERNMENTAL AGENCIES; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This was approval of Resolution No. R2019-34 authorizing the Mayor and Clerk to execute the Amended and Restated Interlocal Agreement between Wellington and Palm Beach County for emergency operations interoperability. He said that the Village has been in this agreement for 17 years and it is amended from time to time. He said that they really need to be a part of it. He noted that it has no fiscal impact on this other than it outlines how the Village cooperates during emergencies.

Q. [19-3186](#)

RESOLUTION NO. R2019-53 (HURRICANE IRMA REBUILD INFRASTRUCTURE GRANT PROGRAM)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE VILLAGE OF WELLINGTON TO APPLY FOR AND RECEIVE FINANCIAL ASSISTANCE FOR THE HURRICANE IRMA REBUILD INFRASTRUCTURE GRANT PROGRAM; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This was approval of Resolution No. R2019-53 approving and authorizing the Village of Wellington to apply for and receive financial assistance for the Hurricane Irma Rebuild Infrastructure Grant Program; providing for conflicts; providing for severability; providing for an effective date. He said that this is authorization for the staff to apply for grants from the program that is funded by the Florida Department of Economic Opportunity for about \$86 million. He explained that the types of projects were shown on the last page of the agenda summary, i.e., water and sewer facilities, emergency community shelters, etc.

R. [19-3110](#)

RESOLUTION NO. R2019-36 (VILLAGE OF WELLINGTON ALCOHOL RISK MANAGEMENT POLICY)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AMENDING

THE ALCOHOL RISK MANAGEMENT POLICY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This was approval of Resolution No. R2019-36 amending the Village of Wellington Alcohol Risk Management Policy for Parks and Recreation Facilities. He explained that they had wanted to change how security was contracted because presently parties are required to get a PBSO deputy. He explained that this amended policy would now allow the hiring of a private security company. He said that they also wanted to go through it and make the policy consistent with State laws. Ms. Cohen added that the policy needed some internal consistencies as well as being consistent with the State statutes. She said that nothing in the policy was greatly different than had previously existed. She said that they just tweaked some of the language and made it consistent throughout and changing some of the insurance provisions that were either redundant or unnecessary. Ms. Cohen said that this policy had been used for a number of years. She explained that if someone was renting a space at the Community Center and were going to serve or sell alcohol, there are different requirements. She said if they were selling alcohol they would have to have an alcohol license; however if you are serving it for private events you don't need an alcohol license, but a bartender is needed to insure that anyone being served is 21 and also to check identification. Ms. Cohen said that security is necessary where alcohol is being sold or served noting that this has been a requirement as long as the policy has been in effect.

Vice Mayor Napoleone asked Ms. Cohen if that was the reason she deleted serve and sell in Section 3 because it was inconsistent with the next paragraph that said serve. Ms. Cohen responded affirmatively. She said that it was serve and/or sell so you have to have an alcohol permit if you are selling, but one is not needed if you are serving it. Vice Mayor Napoleone noted that the next paragraph said that anyone who wishes to serve or consume alcohol must complete a permit application. Ms. Cohen said that in Section 3, anyone who wishes to sell alcohol at a site designated in Section 2 must complete a permit application. She said that there are different forms depending on whether you are serving or selling. She said that anyone who wishes to serve or consume has to complete Appendix B.

Vice Mayor Napoleone said that he had asked Mr. Schofield about the 2nd paragraph that said anyone who wishes to consume alcohol needs to fill out a permit. He felt that was not what they mean. Ms. Cohen said that this is a form that has to be filled out by the person who is renting the facility. She said if at your event you are serving or having people consume alcohol, then you would apply for the permit. Vice Mayor

Napoleone felt the language was confusing because it sounded like anyone who was going to consume alcohol needed to fill out a permit. He thought it should say "anyone who wishes to serve or have people who consume alcohol. Vice Mayor Napoleone requested that they try tweaking it so that what they are trying to accomplish is clear.

Vice Mayor Napoleone then referred to Section 3.1.4 and asked why they lengthened the time from 30 days to 60 days to pay PBSO in advance of an event. Ms. Cohen said that was a departmental requirement. Mr. Juckett explained that it was to clear up any outstanding things before the event because some people wait for the last minute. He said this encourages people to do it in a timelier manner.

Councilman McGovern did not want to make things more arduous for people trying to rent space at the Community Center and felt that pushing it out to 60 days seemed like a long time. Councilman Drahos agreed. Vice Mayor Napoleone asked if that was something that PBSO requested. Mr. Juckett said that this was a request from PBSO. Mr. Schofield said that staff would be very happy to least it at 30 days if that was Council's desire. Council wanted it to remain at 30 days.

Councilwoman Siskind asked if it was correct that insurance coverage was needed for any event. Ms. Cohen said a policy would be needed if someone is selling or serving alcohol noting that it is offered through the Tulip program. She said that they could purchase that policy to cover the event.

Vice Mayor Napoleone asked if staff knew how much the policy cost. Ms. Cohen said that she did not know. Mr. De La Vega said that it did not cost alot noting that he had to purchase it several years ago when he had an event. Mr. Barnes added that the cost of the policy depends on the length of the event and if alcohol was being served. He further noted that this is standard with any public facility. Ms. Cohen added that the insurance is important. Vice Mayor Napoleone said he also felt it was important, but he only wanted to ensure they were not making people get more than they needed to get.

Councilman McGovern addressed the change where people were now being allowed to use private security rather than PBSO deputies. He asked if they were telling people what security officers could be used, and what guidance was the Village providing. In response, Mr. De La Vega said that Ms. LaRocque currently has a list of security firms at the plants under State contract. He said that they felt comfortable using that contract to recommend security. Councilman McGovern said that he did not see that in the policy. Mr. De La Vega said that it states approved

Village security contract.

Vice Mayor Napoleone asked who makes the decision if they could use that contract or PBSO. Mr. Juckett said that if staff feels that PBSO may be warranted based on the number of people and alcohol they will be serving, then they have the discretion to bring in PBSO. He also noted that sometimes PBSO may not be available and allowing them to use a security company provides another option and more flexibility.

**S.**     [19-3165](#)

RESOLUTION NO. R2019-48 (PROGRAM FOR PUBLIC INFORMATION (PPI), INCLUDING FLOOD RESPONSE PREPARATIONS (FRP) AND FLOOD INSURANCE PROMOTION, FOR WELLINGTON'S COMMUNITY RATING SYSTEM (CRS))

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING FORMAL PROGRAM FOR PUBLIC INFORMATION, INCLUDING FLOOD RESPONSE PREPARATIONS AND FLOOD INSURANCE PROMOTION, FOR INTEGRATION INTO WELLINGTON'S COMMUNITY RATING SYSTEM, TO MEET THE NEW REQUIREMENTS OF FEMA'S COMMUNITY RATING SYSTEM; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This was approval of Resolution No. R2019-48 adopting FEMA-compliant public outreach elements, including a Program for Public Information (PPI), with Flood Response Preparations (FRP) and Flood Insurance Promotion, for integration into Wellington's Community Rating System (CRS) and the Village floodplain management program. He explained that the Village participates in a Community Rating System for flood protection and has a Class 6 rating, which allows the residents to save 20% on their flood insurance premiums. He said that it gives the Village points on the CRS. He said that while you would not see a change in building permits, there may be a change in the flood insurance. Mr. Schofield said that the Building Department also has a community rating for its commercial and residential side and those ratings are some of the best in the State. He also said that the residents also get insurance rate reductions because the Building Department has those ratings. He said that this is something the Village does in order to save the residents money on their flood insurance.

Vice Mayor Napoleone said that this helps keep the cost of flood insurance for residents down. Mr. Schofield responded affirmatively. Mr. Jacek Tomasik, Building Official, said that the PPI gives the Village 430 points overall and give the Village a whole class rating improvement noting that they started at Class 9 and now are at 6. He said that they just had a review by FEMA.

**T.**     [19-3189](#)

RESOLUTION NO. R2019-54 (AUTHORIZATION AND APPROVAL OF A QUIT CLAIM DEED BETWEEN THE VILLAGE OF WELLINGTON AND TLH-23 HILL, LLC)



A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF WELLINGTON, FLORIDA APPROVING A QUIT CLAIM DEED BETWEEN THE VILLAGE OF WELLINGTON AND TLH-23 HILL, LLC; PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This was approval of a Quit Claim Deed between the Village of Wellington and TLH-23 Hill LLC for a parcel adjacent to property owned by TLH-23 Hill, LLC. He said that they are quit claiming a piece of property within Village Royale which is in Royal Palm Beach. Mr. Schofield said that the Village has no interest or claim so they will quit claim it back. He noted that the Village provides utilities there and has the necessary easement to provide that. Because Wellington does not need the parcel and has never used or maintained it, the developer is requesting that the Village convey the parcel back. This is surplus property.

Councilman McGovern asked about the size of the property. Mr. Schofield said it is relatively small and looks like a remnant of a road that had existed at some point. He noted that it is 620 feet by 35 feet. Mr. Barnes added that it was .750 feet per the legal description that was provided.

Councilman McGovern questioned this. Mr. Schofield explained that this shows up in the Property Appraiser as an Acme property, but he did not know why. He said that they could find no property record for it. Ms. LaRocque said that the Village has never used or maintained it. Mr. Schofield pointed out that the property is not in the Village or in the Acme Improvement District.

U. [19-2964](#)

RESOLUTIONS ADOPTING THE BUDGETS AND ASSESSMENT RATES FOR THE ACME IMPROVEMENT DISTRICT, WELLINGTON SOLID WASTE COLLECTION AND SADDLE TRAIL PARK NEIGHBORHOOD IMPROVEMENT DISTRICT; AND RESOLUTIONS ADOPTING THE BUDGETS FOR THE LAKE WELLINGTON PROFESSIONAL CENTRE AND THE WATER AND WASTEWATER UTILITY

I. RESOLUTION NO. AC2019-03: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ACME IMPROVEMENT DISTRICT ADOPTING THE DISTRICT BUDGET AND NON-AD VALOREM ASSESSMENT ROLL AS PROVIDED HEREIN; LEVYING OF THE NON-AD VALOREM ASSESSMENTS FOR THE DISTRICT AND APPOINTING AN AUTHORIZED REPRESENTATIVE OF THE DISTRICT FOR CERTIFICATION OF THE DISTRICT'S NON-AD VALOREM ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

II. RESOLUTION NO. AC2019-04: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE ACME IMPROVEMENT DISTRICT ADOPTING THE WATER AND WASTEWATER UTILITY BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2019, AND ENDING SEPTEMBER 30, 2020; AND PROVIDING AN EFFECTIVE DATE.

III. RESOLUTION NO. R2019-50: A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING THE SOLID WASTE COLLECTION PROGRAM BUDGET AND NON-AD VALOREM ASSESSMENT ROLL AND LEVYING THE NON-AD VALOREM ASSESSMENTS FOR SOLID WASTE COLLECTION AND DISPOSAL WITHIN THE JURISDICTIONAL BOUNDARIES OF WELLINGTON; PROVIDING FOR RATES AND APPOINTING AN AUTHORIZED REPRESENTATIVE OF WELLINGTON TO CERTIFY THE SOLID WASTE COLLECTION NON-AD VALOREM ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

IV. RESOLUTION NO. R2019-51: A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING THE LAKE WELLINGTON PROFESSIONAL CENTRE BUDGET FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2019, AND ENDING SEPTEMBER 30, 2020; AND PROVIDING AN EFFECTIVE DATE.

V. RESOLUTION NO. R2019-52: A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL ADOPTING THE SADDLE TRAIL PARK NEIGHBORHOOD IMPROVEMENT DISTRICT NON-AD VALOREM ASSESSMENT ROLL AS PROVIDED HEREIN; LEVYING OF THE NON-AD VALOREM ASSESSMENTS FOR THE AREA AND APPOINTING AN AUTHORIZED REPRESENTATIVE OF WELLINGTON FOR CERTIFICATION OF THE AREA'S NON-AD VALOREM ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. This was approval of resolutions AC2019-03, AC2019-04, R2019-50, R2019-51 and R2019-52 as presented adopting the FY2019/2020 budgets and assessment rates, and appointing Mayor Anne Gerwig as the official authorized representative to certify the non-ad valorem assessment rolls.

Mr. Schofield then reviewed the resolutions:

(1) Resolution No. AC2019-03 Acme Non-Ad Valorem Assessment. He noted that there is no change in the assessment rate for Acme at \$230.00. Vice Mayor Napoleone asked if there were five years left at that rate. In response, Mr. Schofield said that there was an original assessment of 10 years to pay for improvements identified as part of Tropical Storm Isaac and they were at about five years into that. He said

that this expires with the last of those improvements. He said that the way that the Acme assessments work is there has to be an identifiable benefit associated with Acme. Vice Mayor Napoleone said that it would go back to \$200.00. Mr. Schofield responded affirmatively.

(2) Resolution No. AC2019-03 - Water and Wastewater Utility Budget for FY 2019-2020. He said that this is the scheduled 3.5% rate increase that was part of the rate structure that had been adopted.

(3) Resolution No. R2019-50 - Solid Waste Collection and Recycling. Mr. Schofield said that the rates for solid waste were staying the same. Mr. Schofield noted that the cost was actually higher, but there were reserves in the Solid Waste Fund that they would be using. He said that the reserves are a little higher than they need to be and it makes sense to give the money back to the residents.

(4) Resolution No. R2019-51 - Lake Wellington Professional Center Budget for FY 2019-2020. He said that sets the operating costs for LWPC, which are in line with the previous year.

Councilman McGovern asked if they were making the rental rates more uniform to all the tenants. In response, Ms. Quickel said that the only change was for a 3% cost of living adjustment for renewals. Mr. Schofield said that any new agreements would be based on current market rates.

(5) Resolution No. R2019-52 - Saddle Trail Improvements. He said that this sets the rates for the interest payments associated with their improvements. He said that these are things that the residents approved.

Vice Mayor Napoleone asked if these resolutions would require five separate votes. Mr. Schofield responded affirmatively. He said that staff would provide a more detailed presentation at the meeting.

V. [19-3139](#)

RESOLUTION NO. R2019-44 (COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FISCAL YEAR 2019/2020 ANNUAL ACTION PLAN)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND ADOPTING A FISCAL YEAR 2019/2020 ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; AUTHORIZING THE VILLAGE MANAGER TO PROVIDE THE PLAN TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD); AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the agenda item. Approval of Resolution No. R2019-44 approving and adopting a FY 2019/2020 Action Plan for the

Community Development Block Grant Program. He explained that because the Village is an entitlement community these are formulas based on their size, they will get \$249,868 from the federal government next year. He said that \$162,414 is allocated for housing rehabilitation loan program, \$37,480 for the senior transportation program and then the CBDG funding for planning and administration for \$49,974 all of which are in compliance for the guidelines.

Vice Mayor Napoleone asked how much did the Village receive last year. In response, Ms. Paulette Edwards, Community Services Director, stated that last year it was \$268,000 so they had a deduction of about \$19,000. Vice Mayor Napoleone asked why there was a decrease. Ms. Edwards explained it was the overall allocation nationally.

Councilman Drahos asked what was the planning and administration. Ms. Edwards explained that one of the salaries for one of their employees comes from the grant as well as other related administrative costs.

Councilman McGovern asked if they could move the money from one project to the other. Ms. Edwards said that they would have to amend the plan because this goes to and is approved by HUD. She said that they would have to request to have the numbers changed, and could not arbitrarily do it. Councilman McGovern then asked if staff was sure these were the allocations they wanted for next year. Ms. Edwards said that they felt confident in the numbers based on the senior transportations and housing projects.

Vice Mayor Napoleone asked if the Village spent all the money from last year. Ms. Andrews said that they currently have 21 projects, and but last year's money will be gone.

Vice Mayor Napoleone asked if the numbers were the same as last year. Ms. Andrews explained that there was a little bit of a difference explaining that they had the flag program included which was moved to the general fund, so they were able to add more allocations to the housing and senior transportation.

Mr. Schofield said they were not spending any less money on these programs, but it is how they are allocating from the CBDG funds. Mr. De La Vega added that the senior transportations is not just \$37,000 as they also have money in the general fund.

#### 4. WORKSHOP

None

**5. ATTORNEY'S COMMENTS**

None.

**6. MANAGER COMMENTS**

None.

**7. COUNCIL COMMENTS**

Councilman McGovern said that in reading Mr. Riedi's August litigation status report, he read that they had ceased worked in the Big Blue Preserve and asked what the status was. Ms. Cohen explained that a vegetative management plan was submitted. Councilman McGovern asked if they had started doing the restorative plan. Ms. Cohen said that the restoration plan was for the 4 1/2 acres and they also submitted a vegetative management plan for the entirety of Big Blue. She said that the Village had an objection to some of the things that were in the plan, which was communicated to them and they were waiting for the response. She said that once the parties come to an agreement on the content of the vegetative management plan, it is the Village's expectation that they would implement the plan. Ms. Cohen said that their failure to do so would go back to the court.

Councilman McGovern said that this was about the 4.5 acres. Ms. Cohen said that they began the restoration process for the 4.5 acres. She noted that the Village cooperated with them and South Florida Water Management District authorized the Village to stop pumping for 60 days. She said that for reasons unknown to the Village, they did not get all of the materials planted. Ms. Cohen said that the Village turned the pumps back on and they can still perform what has to be done within that time period. She said that an email was sent to their attorney to ask about the status with a follow-up on Friday with no response as of this date.

Councilman McGovern asked what the Village was doing depending on that response. Ms. Cohen said that they may have to go back to the courts for enforcement if necessary. Councilman McGovern felt that they just kept repeating the same process. Ms. Cohen said that they were under an order to do it. She said that the judgement as well as the code enforcement case requires them to do it on the 4.5 acres.

Councilman McGovern felt that they should spend very little time on letter writing an email and if that does not get a satisfactory response to the Legal Department or Manager, he believed that they should be back to the court expeditiously particularly when they get reports like

"Wellington's staff advised that as of July 31, 2019 the replanting has been accomplished only partially and some plant materials were left at the site in pots which processed themselves to become overgrown with resprouting of exotic plants." He said it seemed that they could not put this matter behind them. Ms. Cohen said that they sent an email then a follow-up email, but she would be speaking with Mr. Riedi and they could move forward expeditiously forward.

## **8. ADJOURN**

There being no further business to be discussed by Council, the meeting was adjourned at 5:00 p.m.