

# **Village of Wellington**

*12300 Forest Hill Blvd  
Wellington, FL 33414*



## **Action Summary - Final**

**Monday, November 9, 2020**

**4:00 PM**

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

## **Village Council Workshop**

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

**1. CALL TO ORDER**

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

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

**2. PLEDGE OF ALLEGIANCE**

Mayor Gerwig led the Pledge of Allegiance.

**3. REVIEW OF COUNCIL AGENDA**

Mr. Schofield asked Ms. Quickel to speak about the Information Technology (IT) Department employees.

Ms. Quickel recognized the IT Department for their contribution to Wellington's WISE Project, also known as Project 2020. WISE stands for Wellington Information System Environment, which began in 2015 with a five year timeline. She said that she was proud to announce that the full implementation of Environmental Resources Planning (ERP) software program is complete. She recognized the following employees:

Camilo Campo, Assistant IT Director  
Karyn Ahwai, IT Solutions Analyst  
Ian Ainbinder, Senior Systems Administrator  
Adam Watson, System Administrator III  
Jonathan Martinez, System Administrator III  
Jerry Willis, System Administrator  
William Silliman, IT Director

Ms. Quickel thanked them for their work on a daily basis and throughout the pandemic as well as with the ERP program and congratulated them on being Employees of the Month.

Mayor Gerwig commented that the IT Department employees are very patient with them. She said that to have a project and to be able to stay on schedule and on budget with it is very admirable.

Councilman Napoleone commented that they have all done a great job and many of them take for granted that when they turn their computers on it will work. He said that the IT Department is very quick to make repairs when things happen. He thanked them for everything that they do and he knows that it is often a tough job.

Councilman McGovern said that the ERP project was something that the

Village believed they needed to do for the residents and the employees. He said that much of it was more than any of them could understand, but they knew they had the IT Department that they could rely on to get that job done correctly and on time. He knows that each of them played an important role in getting this project done and that is one of the things he loves about the Village, that everyone is really part of a team. He thanked and congratulated them.

Vice Mayor Siskind offered congratulations to them and thanked them for everything they do on a daily basis, not just the ERP. She said that the Village is very thankful to have them. She said that the work they do is so important and sometimes they take it for granted, but they really do appreciate everything.

Mr. Schofield stated that what people do not recognize is that they took every piece of operating software that the Village uses and updated it to something that was modern. They saved the most difficult piece of software to the last, which was the utility billing software. They had to change over 22,000 customer accounts to do that and that was probably the most problematic for the public because they were not able to take any data from the old system. The reason that they did not is because they did not want to risk a security breach. He said that with the system before that had a security breach, they did not lose any customer accounts, but they managed to do this without losing any security. He said that it was outstanding work and the last six months of it, which were the most difficult, they did while quarantining because of COVID-19 and working remotely. He told Mr. Silliman that he and his staff performed phenomenally and thanked them.

Mr. Schofield introduced the agenda for the November 10, 2020, Regular Council Meeting for review.

- A.     [20-4090](#)     CONSIDERATION OF THE NOMINATION OF DR. CARMINE PRIORE FOR THE FOUNDERS PLAQUE
- Mr. Schofield introduced the item. He said that this is the consideration of the nomination of Dr. Carmine Priore for the Founders' Plaque.
- B.     [20-4076](#)     MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF OCTOBER 27, 2020
- Mr. Schofield introduced the item. He said that this is the Council Approval of the Minutes of the Regular Wellington Council Meeting of October 27, 2020. He mentioned that if they had any changes or corrections, Ms. Addie and her staff would be able to do that.
- C.     [20-3893](#)     AUTHORIZATION TO RENEW EXISTING CONTRACTS FOR THE

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PURCHASE AND DELIVERY OF FERTILIZERS AND CHEMICALS  
USED BY THE PUBLIC WORKS DEPARTMENT

Mr. Schofield introduced the item. He said that this is the Authorization to Renew an Existing Contract with Multiple Vendors for the Purchase and Delivery of Chemicals used by the Public Works Department, in the amount of \$140,000.00 for Fiscal Year 2021. He explained that a year ago they released a bid and there were three companies that came in. Parts of the contract were awarded to all three companies and it is recommended that the Village extend those contracts for an additional year. He said that there was a slight increase. The current amount was around \$140,000 and it will increase by about \$1,500 this year. He said that this is like all the other contracts where they will go to the lowest priced on the vendor list and would only go to the next one if the first one did not have the chemicals available.

Mayor Gerwig asked if they also do not use anymore chemicals than are required.

Mr. Schofield stated that was correct. He stated that glyphosate, which is the Roundup, has received a lot of attention lately and we do not really use it.

Mr. Barnes stated that they would still see it on the list, but they really do not use the glyphosate, the Roundup based product in house anymore. He said that our contractors still utilize it as far as they can tell, but we have found an alternate substitute for Roundup glyphosate, which is another product that does not contain glyphosate called Sureguard. This is what we are utilizing internally at staff level.

Mayor Gerwig stated that we want to be responsible and she appreciated the extra effort.

D. [20-3897](#)

AUTHORIZATION TO UTILIZE A CLAY COUNTY CONTRACT FOR THE  
TOWN CENTER PLAYGROUND PROJECT

Mr. Schofield introduced the item. He said that this is the Authorization to Utilize a Clay County Contract with REP Services, Inc., as a basis for pricing, to furnish, deliver and install the Town Center Playground Project in the amount of \$146,789.81. He explained that this would be to put in a small playground near the Boardwalk between the Community Center and the Lake Wellington Professional Center. He said that there is a pavilion over there and it will be fenced in. He said that it will be a place that people can have their children while they are at the Boardwalk. He mentioned that he was asked why are they doing this instead of expanding Scott's Place. He said that they will be getting a proposal later on for some refurbishments at Scott's Place and do some things at

the Amphitheater. He said that because it is across the street and so far away, people would be far away from their children while at the Boardwalk. He said that this would allow people to use the Boardwalk and let their children play. It is one of the more requested items for younger children at the boardwalk. He said that \$50,000 of that is a Land and Water Conservation Fund Grant.

Mayor Gerwig asked if this would be two separate playgrounds or areas. She said that it looked like there was a playground over by the gazebo and then a picnic area on the north end of the promenade.

Mr. Barnes stated that was correct. He said that basically the playground area and based on the proximity to the existing pavilion, they did not feel it was the best location to put another shade structure, so they figured they would put one in further down along the way that would be utilized. He mentioned that if they noticed, this playground was not the typical playground. This playground is more creative and different type of equipment, which they have seen has had good success at Scott's Place and are carrying it forward into this playground concept as well.

Councilman McGovern asked if the playground was being positioned right next to the existing pavilion.

Mr. Barnes stated that it was close to it. He said that if they looked at the site location map, they would see the proximity of that playground to the existing pavilion area.

Mayor Gerwig stated it was shown on page 58 in their books.

Councilman Napoleone stated that it was such a small footprint of an area and asked if they were going to fence that in and did they have to fence it in.

Mr. Barnes stated that he was a fan of fencing even if it is just for not necessarily security, but as a deterrent to really contain your active participants in there. He said that he feels they will want to separate it out in case there is a different activity going on at the promenade. He said that it will not be a six foot fence, maybe a little more decorative, but will be more of defining the limits of the area.

Mr. Schofield stated that it is really more designed to deter the younger children from taking off from the playground to the seawall at the boardwalk.

Councilman McGovern said that it will not be as extensive as the fencing

at Scott's Place.

Mr. Barnes stated that was correct.

Councilman Drahos asked where did they come up with the particular design. He said that he had never seen a park like it before.

Mr. Barnes stated that the Village has a very successful relationship with Landscape Structures, their local Florida representative is called Rep Services, Inc., but Landscape Structures is one of the national playground and play equipment manufacturers and they are continuously reinventing. They have made things safer and are more creative. There are other activities that they incorporate in the playgrounds besides going up and down on a slide. We gave them some guiding advice as to what we were looking for and Landscape Structures came up with the design.

Mayor Gerwig stated that it will be different and exciting. She asked if both will have shade elements.

Mr. Barnes stated that they would. He said that the shade element is something that they are continuously working on with the other parks each year.

Councilman Drahos asked if there were going to be seating options for the parents as he did not see any seating on the plans.

Mr. Barnes stated that they do not have any immediately adjacent there. He said that what they normally see at Scott's Place is most of the parent activity is with the kids. He said that very seldom do they see someone come in and just let them go play. He said that with this new equipment, it may require a little more supervision and often the parents are there interacting/supervising with the children rather than sitting back and letting the kids run loose.

Mayor Gerwig stated that Scott's Place was designed for differently abled adults and children, so something that she was not prepared for was seeing adults in wheelchairs playing with their children.

Mr. Barnes stated that they are universally accessible playgrounds, so the design incorporates all sorts of different levels of ability.

Councilman Drahos asked if it would be possible to have one or two benches added to the playground design.

Mr. Barnes stated that there are benches along the boardwalk, but they are not close to this location. He said an approach they have taken before is that they can look at the use and after awhile, if they see there is demand for that. Putting in benches is easy and quick.

Councilman McGovern asked where the exit and entrance will be with the fence and if it would just be along the sidewalk.

Mr. Barnes stated that was correct. He said that they would want to have it accessible from the sidewalk.

Mayor Gerwig stated that the last page in their book showed the entryways in the gates. She said it indicated one on the boardwalk and one on the pathway. She said that she suggests not adding anymore because the point of the restraint at all would be limited.

Mr. Barnes mentioned that you would want to put the access where it is accessible from a hard surface so that would have to be from the pavers on the boardwalk or on the concrete sidewalk.

Councilman McGovern stated that he agreed that there should not be anymore access points. He said that the proximity from the pavilion to the playground was still not ideal for parents to sit at the pavilion while children played. He said that we may need to consider adding some benches in there.

Councilman Drahos asked if there was a charity that was putting suicide prevention benches at parks.

Councilman McGovern stated that there was and they are still doing that.

Councilman Drahos asked if the Village was fronting the cost of the benches or how it worked.

Mayor Gerwig stated that they were fundraising for the cost for those benches.

Councilman McGovern mentioned that the Village was just giving the locations. He said that it was Josh's Benches and there was one at Village Park and near Palm Beach Central School.

Mayor Gerwig asked if there was one at the amphitheater as well.

Mr. Barnes stated that there was.

Mayor Gerwig suggested that maybe they could look into that. She said that hopefully there will be more treatment and vaccinations and we will be able to group together and doing things. She said we may find things along the way that they may want to add, but thinks it is a good step and a good time to do it ahead of the need. She asked what the schedule on this is.

Mr. Barnes said that he did not know exactly, but the longest part of the schedule is the lead time for ordering. He said that depending on the lead time for the order, which sometimes could easily take 8-12 weeks, after that they would start the installation. For the installation itself, they normally go in there with a different contractor and do some preparation work so that the playground contractor comes in and is able to set the equipment, pour the surfacing and wrap it up quickly.

Mayor Gerwig stated one thing she really liked about this is the fact that there is a picnic element on one end for families to gather and it also puts an ending to the boardwalk on the north side, like an end cap.

E. [20-3929](#)

AUTHORIZATION TO EXECUTE A GUARANTEED MAXIMUM PRICE (GMP) AMENDMENT FOR THE REHABILITATION OF VILLAGE PARK FIELDS 6 & 7

Mr. Schofield introduced the item. He said that this is the Authorization to Execute a Guaranteed Maximum Price (GMP) Amendment to Burkhardt Construction, Inc. for the Rehabilitation of Village Park Field 6 & 7 at a cost of \$1,796,385.63. He stated that this is a complete re-do of those fields, including the drainage and turf. He said that \$400,000 of this total is in a Land and Conservation Fund Grant.

Mr. Barnes said that they have been talking about Fields 21, 6 and 7 for a few years now. He mentioned that they have finally approved Field 21, which is almost complete, and are now ready for 6 and 7. Fields 6 and 7 are the two multi-purpose fields that are located immediately adjacent to the playground area and that parking area at Village Park. For soccer, they generally use it for the under 8 age group and it is also utilized for WCFL practice and for Lacrosse. He said that in this area, they have historically had some additional drainage issues that they have had to contend with as well as irrigation issues. This will finally correct those drainage issues that they have had over the years that they have "band-aided" with some minor work and addresses all that.

Mayor Gerwig asked if the exfiltration was under the field as indicated by the lines on the plan.

Mr. Barnes stated that was correct. He said that basically one of the ways you are able to get better drainage, in addition to putting better



sand material there and gaining a lot of appeal to a lot of organic material, is if you put that under drain system in similar to the greens at golf courses. He said that it is not conventional ex filtration that they would put in a parking lot that is just for treatment, this will actually get the water off surface and move it along to some of the major/main drainage areas.

Mayor Gerwig stated that it seemed like a pretty high dollar amount, but in looking at the plan it is very extensive. She asked if AstroTurf was considered for the field.

Mr. Barnes stated that they did consider it. He said that they actually looked at it and the synthetic turf that they put in at Wellington High School. They considered the same product for this field and for the additional cost it would take, they made the determination at the staff level that they would recommend moving forward with natural grass. He said that considering the way that it will be used, it is not going to get that heavy use that something at the High School would have; seven day a week use, all day and into the evenings. He said for the additional cost, it was easily in the neighborhood of \$500,000 more to do synthetic. You can lifecycle over the 10 years that you would not have to replace it, you would still have to do maintenance to it. They thought that it was not the right spend in this particular case that they would be fine with the natural grass and with the regular maintenance.

Mayor Gerwig said that this is not just re-grassing by looking at the plans as it is pretty extensive.

Mr. Barnes stated that was correct.

Mayor Gerwig asked if they were removing material or muck.

Mr. Barnes stated that they will be moving some organics and will be bringing in a better top material. He said they are not doing a complete re-muck of the entire area, but they are bringing in some better material without the surface. He said it will not be a total sand mix because they would be watering a lot more than they are now and they would have to take care of a lot more. The mix they are using will have some organic material because it is a little easier based on the staffing levels and the cost.

Councilman McGovern asked if at the end this project will essentially, in conjunction with the Field 21 project, give significant reducing modernization of 6, 7 and 21.

Mr. Barnes stated that was correct. He said that one footnote is that we

will not be able to start as soon as they had hoped. They are getting the contract approved now so that they are ready to go, but they received notice the week before that the \$400,000 grant that they were approved for has not yet been released by the State through the federal government. It will be pushed off for a start date for sometime in 2021, but they indicate it has not been de-funded, just been delayed as far as the release for funding.

Ms. Quickel stated that they have not received the agreement as they have to send the agreement to us. We also cannot have any expenditures before the agreement is executed, so we are waiting on that.

Mr. Barnes stated that the approval is contingent on the receipt of the \$400,000. He said that they will only be able to do the project if they receive the \$400,000.

Councilman McGovern asked if at this point in time we believe the grant is still happening even though it has been delayed.

Ms. Quickel stated that we were to have received the agreement in October and they have just advised us that they are just running behind. She said that this is not abnormal on waiting for an agreement that they have been advised months ago that they have been awarded. It is just the technicalities of the documentation.

Councilman Drahos stated that what is unfortunate about that is that if we had gotten this money on time, we may have been able to do the fields while the fields are not as heavily used as normal.

Mr. Barnes stated that Councilman Drahos was correct and that was the thought they had of moving some usage around and still be able to do this project now so that it is ready to go, but unfortunately not. They still may be able to do it during the down time over the summer depending on when they actually get the green light on the grant itself.

Councilman McGovern asked if there were any predictions on when it may begin. He asked if it may be the early part of 2021.

Mr. Barnes stated that it was the hope to be early 2021, but the biggest thing driving this is when we receive that agreement.

**F. [20-3968](#)**

**AUTHORIZATION TO AWARD A CONTRACT FOR THE BIG BLUE TRACE MULTIUSE TRAIL PROJECT AND BUDGET AMENDMENT R2020-58 FOR GRANT FUNDING**

Mr. Schofield introduced the item. He said that this is the Authorization to

Award a Contract to Heavy Civil Inc., for the Big Blue Trace Multiuse Trail Project in the amount of \$708,210.24 and Approval of Budget Amendment Resolution No. R2020-58 to Appropriate LAP Grant Revenues and Expenditures. He said that the plan is to widen the trail along Big Blue Trace to ten feet to get the multi-use trail out of it. He mentioned that there is a grant accompanied with that and they would find the substitute resolution in their packet and the actual cost of contract came in lower than they were expecting. He said that it is an 80/20 grant and they get the amount based on the cost of the contract. He said that the grant was originally for \$495,000 and now based on the project coming in under the estimate, the amount is \$483,000. He stated that this was a sealed bid/low bid and they are recommending the award of the contract and amendment to the budget to include the grant funds into project funding.

Mayor Gerwig asked if this was on the east side of Big Blue Trace.

Mr. Barnes stated that was correct. He explained that it was primarily along the HOA side where there was enough room to put it there from Wellington Trace to South Shore. He said that in addition to the pathway, there are improvements at all the crossroad intersections. They will be improving the crossing at each of those locations and in some locations, they will be addressing drainage issues.

Councilman Drahos stated that one of those developments has been asking about assistance for landscaping improvements.

Mr. Barnes stated that was unrelated and they are still waiting to set up an appointment with them. He said that they are trying to do improvements and there has been some of the delay in getting the meeting, which is when they would advise them and explain the process. He said that what they will be looking at is an assessment project. He said that they are not out there looking to do new landscaping and assist in funding landscaping projects or even internal roadway improvement projects.

Councilman Drahos asked if there have been matching programs in the past.

Mr. Barnes stated it was very little and what they really had in the past as far as matching have been more recently on an individual homeowner basis. He said that the old HOA matching grant programs have been primarily utilized for entrances.

Mayor Gerwig stated that it was more of signage and things like that with

Beautiful Wellington.

Mr. Barnes stated that was correct. It was with the old Beautiful Wellington grants. He said that primarily they had a handful of the same associations that came in on a regular basis to get entrance way improvements like landscaping, hard scape, and in some instances they did median improvements and then the associations took over. He said that generally what they have transitioned to is individual homeowner/home site kind of property improvements.

Councilman Drahos asked if they were aware that this project is in line.

Mr. Barnes stated that all the individual communities have been made aware. The communities have been considered throughout and when the project actually starts, they will be notified again.

Mayor Gerwig stated that she thought the drainage has been requested by that community also as there has been a problem at the entrance.

Mr. Barnes stated that it was actually for Emerald Forest that they have communicated with as there has been a "ponding" issue at the two terminus points of the pathway at their main entrance.

Mayor Gerwig stated that Meadowland Cove was having the same problem that we need to address.

Mr. Barnes stated that is basically at all the entrances.

Councilman McGovern mentioned that he is excited about the project. He said that an expanded pathway, drainage improvement, under budget and grant are all the words he needed to hear to be excited about any project.

Mayor Gerwig stated that this is part of the project that they have talked about for a long time with the divided pathway that makes it easier for everyone.

**G.**     [20-4036](#)

**AUTHORIZATION TO UTILIZE AN EXISTING PUBLIC WORKS CONTRACT FOR A FISCAL YEAR 2021 CANAL PROJECT**

Mr. Schofield introduced the item. He said that this is the Authorization to Utilize a previously awarded Village Contract with D.S. Eakins for a FY 2021 Canal Improvement Project estimated at \$66,240.00. He said that this is the replacement of a 72 inch corrugated aluminum pipe at the C2 and C24B Canal, which is down on South Road not too far from the show grounds. He said that this is a culvert replacement and is a budgeted replacement. He mentioned that the amount is over \$66,000 and

requires Council approval.

Councilman McGovern asked the location of this project.

Mr. Schofield explained that it is at the C24B between Palm Beach Point and Palm Beach Point East. The description is about South Road and 50th Street, just north of Palm Beach Point Boulevard.

Mayor Gerwig asked if this was being done with Acme funds.

Ms. Quickel stated that it was.

Mr. Schofield said that before they moved on, he wanted to point out that is another construction project that they have awarded. There are about \$2.65 million worth of construction projects that are here and out of that, \$950,000 was covered by grants. He mentioned that staff works really hard by going to get grants and leveraging the dollars. He said that they would be seeing them more and sometimes people do not realize how much work goes into getting those grants and what they cover. In this case, it was about a third of the cost of the projects.

H. [20-3801](#)

RESOLUTION NO. R2020-18 (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 item. He said that this is the Approval of 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. There is also a resolution of the Village Council authorizing the Manager to execute a contract to the Florida Department of Corrections to provide the use of inmate labor. He explained that the Village has been in a long term contract with the Department of Corrections and they provide between 8-10 people that come out and work almost exclusively in the Preserve. He said that it is \$57,000, with the increase. That does not even cover the cost of one full time maintenance worker, so this is a really good deal. He mentioned that it

works well for them because these are people who are transitioning back into the community and it gives them some work experience and the ability to start working back in the regular system.

Councilman Napoleone stated that this has been a good program.

Mayor Gerwig said that the Village has not had any complaints. She said that early on when they first started this she had concerns that residents would feel unsafe, but there has not been a single complaint that she has heard.

Mr. Schofield stated that there were complaints early on when they had them working in neighborhoods, but they have not done that in a very long time. He said that they work almost exclusively in Section 24.

I. [20-4057](#)

ORDINANCE NO. 2020-13 (COMPREHENSIVE PLAN AMENDMENT-FUTURE LAND USE MAP DESIGNATION FOR LOTIS WELLINGTON 10-ACRE)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING AN AMENDMENT TO WELLINGTON'S COMPREHENSIVE PLAN FUTURE LAND USE MAP [PETITION NUMBER 2019-0002-CPA] TO MODIFY THE LAND USE DESIGNATION FROM PALM BEACH COUNTY'S LOW RESIDENTIAL (LR-2) TO WELLINGTON'S MIXED USE (MU) FOR CERTAIN PROPERTY, KNOWN AS LOTIS WELLINGTON, TOTALING 10.36 ACRES, MORE OR LESS, LOCATED APPROXIMATELY 600 FEET WEST OF STATE ROAD 7 AND APPROXIMATELY ONE-HALF MILE NORTH OF FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item. He stated that this is the Approval of Ordinance No. 2020-13, a Comprehensive Plan Amendment (CPA) to amend the Future Land Use Map (FLUM) Designation of a 10.36-Acre (+/-) Parcel (Parcel 2) from PBC Low Residential (LR-2) to Mixed Use (MU) for a portion of the Lotis Wellington Project. He said that his recommendation would be to have this item and the next item done together.

J. [20-4058](#)

ORDINANCE NO. 2020-14 (REZONING- ZONING MAP DESIGNATION FOR LOTIS WELLINGTON 10-ACRE)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A REZONING [PETITION NUMBER 2019-0001-REZ] TO AMEND THE ZONING MAP DESIGNATION FROM PALM BEACH

COUNTY'S PUBLIC OWNERSHIP (PO) TO WELLINGTON'S MULTIPLE USE PLANNED DEVELOPMENT (MUPD), FOR CERTAIN PROPERTY, KNOWN AS LOTIS WELLINGTON, TOTALING 10.36 ACRES, MORE OR LESS, LOCATED APPROXIMATELY 600 FEET WEST OF STATE ROAD 7 AND APPROXIMATELY ONE-HALF MILE NORTH OF FOREST HILL BOULEVARD, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item. He said that this is the Approval of Ordinance No. 2020-14, a Rezoning (REZ) to amend the Zoning Map Designation of a 10.36-acre (+/-) Parcel (Parcel 2) from PBC Public Ownership (PO) to Multiple Use Planned Development (MUPD) for a portion of the Lotis Wellington Project. He explained that once that comes into the Village, they are required to give it a comprehensive plan designation and then once that is done, they are then required to give it a zoning designation, so these have to happen hand in hand. He said that each of these items require two readings.

Mr. Stillings explained that this is in reference to Parcel 2 (on screen presentation), which is the northeast parcel that is immediately west of the storage medical office building. Parcels 1, 3 and 4 already have a land use of Mixed Use and a zoning of Mixed Use Plan Development. It is a parcel that will join the other three to complete the project boundary for Lotis Wellington. He stated that at the second reading, there will be adoption of those items for the comprehensive plan and land use element, and they will be bringing forward the master plan in a resolution for the projected development project that is Lotis Wellington. This will include the mixed use/residential commercial, office, retail, restaurant, ALF and CLF development. He said that the 10-acre site meets all of the standards of the comprehensive plan requirements and staff is recommending approval. The Planning Board also is recommending approval, unanimously, of the land use and zoning request.

Councilman McGovern asked if the only part of this that abuts Black Diamond is in Parcel 1.

Mr. Stillings stated that was correct.

Councilman McGovern asked what was before them now for the next meeting is relative to Parcel 2.

Mr. Stillings stated that was correct.

Mayor Gerwig asked for the history of Parcel 2 and asked how it became

a part of Lotis.

Mr. Stillings explained that in 2016, it was annexed into the Village and then it was purchased by the same company that purchased the other three parcels, which is coming forward as Lotis.

Mayor Gerwig asked who did they purchase Parcel 2 from.

Mr. Schofield informed the Council that it was purchased from Palm Beach County. It was one of the surplus pieces that, along with another 15-acre piece, sits north of Parcel 1.

Mayor Gerwig stated that there is the confusion that people think this is that 15-acre piece. She said that Parcel 2 was purchased in 2016.

Mr. Schofield stated that it initially was purchased by Roger Pina. While he still owned that property, it was incorporated. He said that the second part of what the County owns is immediately north of what is designated as Parcel 1 and that actually abuts up to the entry road to Black Diamond. This one sits between the lake and that storage place up towards the front and it does not touch on the Black Diamond property.

Mr. Stillings stated that the 15-acre piece was just sold by the County to 441 Partners which owns the property that is labeled unincorporated Palm Beach County.

Mayor Gerwig asked if the property owned by 441 Partners has been brought into the Village yet.

Mr. Stillings stated that it has not. He said that they have come to talk to staff and they have the intention of requesting annexation and then a land use, zoning and development plan.

Mayor Gerwig asked if that property right now is in Palm Beach County's jurisdiction.

Mr. Stillings stated that was correct.

Mayor Gerwig stated that she truly believes that there is some confusion about these pieces.

Mr. Barnes stated that the parcel that Black Diamond's HOA and Ms. Miller has come in and talked to staff about is the piece that is on the other side of 441 Partner's piece and that is the piece that the HOA had been tracking. He said that he knows there was confusion when this



went before the PZAB, they thought this was the parcel that 441 Partner's owned.

Mayor Gerwig stated that this particular parcel is in the Village's borders and asked when it was annexed in.

Mr. Stillings stated that the parcels 1, 3 and 4 were annexed in 2006 and parcel 2 was in 2016. He said that there would be more of a presentation at the next meeting. He said that they will present the details of the project, but they would not be acting on the development plan or the master plan until December.

Mayor Gerwig asked if this was for the future land use for that piece and zoning as well.

Mr. Stillings stated that was correct. He mentioned that he agreed it would be easier to present both items together and then vote on items independently.

Councilman McGovern asked what the zoning would be changed to.

Mr. Stillings said that the zoning will go to Mixed Use Plan Development, consistent with parcels 1, 3 and 4.

Councilman Drahos stated that right now, the parcel is zoned PBC Low Residential. He asked what does that entitle to them.

Mr. Stillings stated that less their land use, the zoning is public ownership, so there is really no entitlements on that land at the moment. The land use itself is a land use designation of two units per acre, but it is not an entitlement.

Mayor Gerwig mentioned that was because it was public owned and the County could have done whatever they wanted on it if they had access.

Mr. Barnes stated that he thought it would happen back when the County's original 1994 plan was put forward that everything around Wellington, since it was LR2 before it incorporated, everything around it was generally put to LR2. He said that the Village did not go through at the County and rezone everything that had the public ownership.

Mayor Gerwig asked if the applicant was going to be presenting the item at the next meeting.

Mr. Stillings stated that they were.

Councilman McGovern asked if the plan was that the project was coming on the night of second reading.

Mr. Stillings stated that was correct. He said that they need to have the land use and zoning in place for the Village to act on the master plan.

Councilman McGovern asked when the anticipated date was.

Mr. Stillings explained that there would typically be a 30 day gap between the first and second reading, in this case, they have been talking to the Department of Economic Opportunity (DEO) to bring this forward to the Council at the first meeting in December. He said that this is because there is not a second meeting in December and they have been agreeable to that. He said that staff will be sending them material in advance so that they are well versed on what the application is. In discussions, they indicated that it is that .36, if we were at 10 or under we could do it as a small scale and would not have to have that 30 day gap for the State review, but because it is a little over 10 acres, they have to look at it. It has no regional or statewide impacts, so it should be a pretty quick return.

Mayor Gerwig asked if all that the DEO would be commenting on is outside impacts since this does not seem to be something that would be difficult.

Mr. Stillings stated that was correct. He said that since the changes in growth management regulations, their entire focus now is on statewide impacts.

**K.**     [20-4020](#)

ORDINANCE NO. 2020-16 (CHANGES TO CHAPTER 18 BUILDINGS AND BUILDING REGULATIONS OF WELLINGTON CODE OF THE ORDINANCES)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL RELATING TO BUILDING CODES AND THE ADOPTION OF THE FLORIDA BUILDING CODE 7th EDITION (2020) AS REQUIRED BY STATE STATUTE; ADOPTING A LOCAL ADMINISTRATION SECTION AS PROVIDED FOR IN THE STATE BUILDING CODE BASED UPON THE BUILDING CODE ADVISORY BOARD OF PALM BEACH COUNTY MODEL AND BUILDING OFFICIALS ASSOCIATION OF FLORIDA MODEL; AMENDING SEC. 18.31 (1), (2), AND (3) REGARDING THE ADOPTION OF THE GROUP OF CODES KNOWN AS FLORIDA BUILDING CODE 7th EDITION (2020), INCLUDING THE: BUILDING, RESIDENTIAL, EXISTING BUILDING, ACCESSIBILITY, MECHANICAL, PLUMBING, FUEL GAS, ENERGY, NATIONAL ELECTRICAL CODE,

THE FLORIDA FIRE PREVENTION CODE AS AMENDED BY PALM BEACH COUNTY, INTERNATIONAL PROPERTY MAINTENANCE CODE; REPEALING AND READOPTING SEC. 18.32, WELLINGTON BUILDING CODE ADMINISTRATIVE CODE, IN ITS ENTIRETY; AMENDING SEC. 18.33 AMENDMENTS TO THE FLORIDA BUILDING CODE TO REFERENCE THE CHANGED SECTION REFERENCES OF THE STATE BUILDING CODE AND ADOPTING WINDSPEED MAPS; PROVIDING FOR CODIFICATION; PROVIDING AN ADOPTION DATE; PROVIDING A CONFLICTS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Schofield introduced the item. He said that this is the Adoption of Ordinance No. 2020-16 adopting the Florida Building Code 7th Edition (2020) and amending the Administrative Provisions of the Building Code. He said that the Village normally adopts the building code about two years after it has been developed. He said that the Village will be adopting the 2020 Building Code with very few exceptions and they will be adopting it exactly as the State has written it. There were some changes to Chapter 1, Administration, which is how the Village implements it. That is the only thing under the Statute that they can change. He mentioned that if they do not adopt the code with staff's changes, then they are required by law to use the version as the State wrote it.

Mayor Gerwig asked if this was allowing it to fit for the Village's use.

Mr. Tomasik stated that was correct. He explained that they are doing two things with this adoption. They are adopting the 2020 Florida Building Code with all the volumes, including building, mechanical, electrical, gas and plumbing. They are also adopting the changes to Chapter 1 of the Florida Building Code, which is specific to Wellington. He said that it is based on National Building Codes as well as suggestions by Building Code Officials Association of Florida. This combines our old code with the new one. The important thing that Chapter 1 does is adopts all the legislative changes that happened last year around July and they waited until this code to insert those changes with this adoption. Some of the changes will address expired permits and allowing the homeowner to hire the same contractor to finish the job when the permit is expired and they will be allowed to finish the job under the code that was in effect at the time.

Mayor Gerwig asked if things are getting better with contractors not getting their final inspections when their work was completed.

Mr. Tomasik stated that they have been successful in closing open permits. He said that they have cleaned up many permits before they

adopted the new ERP system because it was much easier to transfer to the new system with clean data. They had a large effort in cleaning up the permits before starting with the new program. He said that the new legislature does change something that does not help closing permits, unfortunately. He said that if they remembered at the last code adoption, they had discussed when a contractor has more than 2-6 expired permits, they would have to clean it up before they could give them a new one. He said that legislation this time specifically does not allow that and we cannot deny a permit because of a contractor having many open permits. He said that it makes it a little more difficult, but our new system actually tracks it. He mentioned that there was one page that had to be changed from what they had that was regarding the wind zones and wind loads. This was page 490 in their packets that would be changed to a different map, which actually affects construction of very important structures, such as hospitals and shelters, where they have to be constructed to withstand up to 190 miles an hour winds. He said that other than what he has mentioned, there are really no changes besides the cleanup and updating to the current legislation. He mentioned that they had cleaned up some items in regards to the Construction Board of Appeals. Adopting the new codes does a few things. Mr. Tomasik said that it gives us what we are required to do and the other thing is that it keeps us in a high rating with the insurance service offices. He said that we do get points for enforcing new codes and current codes within the State of Florida. He said that also applies to international codes and fire prevention codes.

Councilman McGovern asked what was meant by "making changes to the Construction Board of Appeals."

Mayor Gerwig stated that they made recommended changes on these codes.

Councilman McGovern asked if those changes were just incorporated by the State.

Mr. Tomasik stated that was correct. He said that those included changes by the State and also reflected in the changes that were remanded by the legislature. He said that at this point, they have to learn the new codes quickly because these go into effect on December 31, 2020. He stated that new permits that come in on January 1, 2021 will have to reflect the compliance with the 2020 6th Edition of the Florida Building Code. He mentioned it is a sort of burden on designers and anyone that applies for the permits in the entire State of Florida. This means a continuing education for all of us as well.

Mayor Gerwig stated that this must be done for the residents of Wellington.

Mayor Gerwig asked if there were walk-on items.

Ms. Cohen stated that there were two items. She said that there was one resolution that she thought Ms. Quickel wanted to add.

Ms. Quickel stated that Mr. Schofield already covered the item.

Ms. Cohen stated that the other item was the co-sponsorship agreement. She said that Mr. Stone had requested that the Village assist Wellington Equestrian Partners in the equestrian events by, among other things, showing the events on Channel 18 and promoting them on our social media pages. This is a co-sponsorship that would achieve that. There is no money being paid and there are no seats to events that would benefit the Council because of the circumstances of this year. She said that if these were "normal times", then as a part of the sponsorship, there could be a table or something that would be offered to the Council, but that is just not the case this year.

Mayor Gerwig stated that in the past, she believed that would have been made accessible to all of staff, not just the Council. She said that it was not even relevant in this discussion, but the fact is that this is what needs to be done right now to help promote. It is a tough year. There is no way for the community to be involved in the events as there are no spectators at any of the venues. This is a way for spectators in local restaurants, and possibly other local entertainment establishments, to show it on their tv channel and have easy access.

Councilman Drahos stated that he thinks that it is extraordinary circumstances and so under those extraordinary circumstances, they should do their part to be helpful and this is definitely a one year situation.

Councilman Napoleone asked if the Village has ever done a co-sponsorship before.

Ms. Cohen stated that they have drafted one before, but does not believe it was ever executed. She said that years ago, they did do a co-sponsorship agreement for the National Horse Show and it was a similar agreement.

Mr. Barnes stated that one had a payment for the benefits back and forth.

Ms. Cohen stated that was correct that they did pay for that one.

Councilman McGovern stated that this one really allows the Village to be promoted through the banners, through the announcements, to the placements on the school boards that would then be shown on our own channel. This is a true partnership.

Vice Mayor Siskind asked if this is just for this season or for going forward.

Ms. Cohen stated that it was just for this season.

Mayor Gerwig stated that they cannot transfer that excitement they get from having the Winter Equestrian Festival here for residents, so the thought in her mind is just to just keep the connection that they have. She said that since they cannot physically go watch it, they can watch it at home or in local establishments. She asked Mr. Schofield about the banners. She asked if the Village will be putting banners out that will promote and asked if WEP wanted to, could they put banners out on our poles.

Mr. Schofield stated that they could. He said that the ordinance provides for banners that are in specific locations. They are informational and directional. He said that they would either put them up or reimburse us for the cost of doing it.

Councilman Drahos stated that he thinks it is really nice and generates a lot of community pride.

Mayor Gerwig agreed and said that she liked this.

Ms. Cohen stated that she believed this item could be added to the Consent agenda or they can make it the last item on the agenda. It is entirely up to them.

Councilman Drahos said that he thought it should be on the agenda.

Mayor Gerwig said that she thinks it is good if people are wanting to watch the meetings and hear about it.

Councilman McGovern stated that it builds right off of the last meeting.

#### **4. WORKSHOP**

None.

#### **A. [20-4085](#) DISCUSSION OF PROCESS FOR SELECTION OF VILLAGE**

**MANAGER**

Ms. Cohen introduced the item. She said that this is the Discussion of the Process for Selection of Village Manager. She said that they have to make some decisions in light of the Manager's decision to retire in February. She said that Mr. Schofield has been an excellent manager and his shoes are going to be very difficult to fill. She said that the first step is for Council to decide whether they want to do a national or statewide search or whether they would want to promote from within. The decision is really going to drive the timing and some of the other decisions that they will need to make. She said that she is looking and staff is looking for direction from the Council with respect to whether they want to do a search or whether they want to promote from within.

Mayor Gerwig stated that this is difficult because they are under the obligation to not discuss this on their own outside of a meeting. She said that when the Palm Beach Post called and asked for her comments, she had to reply that they have not talked about it yet. She said that this is their time to discuss.

Councilman McGovern asked in regards to the memo, if someone asked for the memo to be written with these items to be contained in it.

Ms. Cohen stated that no one had, it was just a projection of various time frames.

Councilman McGovern stated that he just curious if it was information that anyone had asked for a timeline or asked for suggested timeline or any guidance from Ms. Cohen whatsoever.

Mayor Gerwig stated that she had discussed it with Ms. Cohen, but she did not ask for it. She said that she thought it was helpful.

Ms. Cohen stated that it is really their process, so what they decide needs to be something that they are really comfortable with. She said that the point in her giving that memo is to remind them about the timing in the process. She mentioned that if they were to do a search, it would probably take at least six months.

Vice Mayor Siskind said that she preferred not to do a search, national or statewide. She said that she preferred to promote from within. She stated that searches can be lengthy and costly. She said that we have plenty of talent right here that knows the Village very well and would prefer to promote from within.

Councilman McGovern stated that he agrees with the Vice Mayor. He

said that he felt that this was a discussion they should be having at the next meeting with full openness to all residents and so it can be heard by the most people. He said that for the purposes of guidance, it is his belief that at this point in time this Council had spent a lot of time talking about restoring confidence in government, restoring confidence in the Council, fiscal responsibility, a budget plan, and significant and ongoing plans for redoing any number of important components. He said that is the hallmark of Paul Schofield's legacy. He mentioned that they had the first Village Manager for 12 years and Mr. Schofield has been here for 12 years. He said that he thinks the lesson here is that, if in fact they are doing their job, and he is doing his job, then they should not take a year and potentially waste a year on a national search that brings them back to the exact same point where they could be today. He said that they could go explore their options, but he thinks that they are in a very good place now and they have extremely talented in-house candidates. He said that he believes they should endeavor to negotiate the manager's contract with Jim Barnes first.

Councilman Napoleone stated that he completely agreed with what Councilman McGovern said. He said that they can certainly discuss it more at the next meeting, but it is his inclination as well.

Councilman Drahos mentioned that it is awkward because they cannot talk outside of the public meetings, so that presents challenges like what they are facing at that moment. He said that his preference would be to withhold substantive comment until the next meeting when they are in a regular Council meeting because that stands the greatest chance of having the highest level of public participation.

Mayor Gerwig asked Councilman Drahos if he preferred that they did not discuss this at their current meeting.

Councilman Drahos stated that he knew they were going to be discussing it, but he thought it was going to be more procedural and not get into substance, which they are getting into. He said that his strong preference would be to avoid a national search because he puts a tremendous amount of stock into Wellington being a particularly unique environment and they need someone to run the Village who understands the uniqueness of Wellington. He said that they are fortunate in the sense that they do have a lot of internal options in that regard. Many of those could step in the next day and do a solid job. He said that they are fortunate and that is a credit to Mr. Schofield's leadership. He was able to cultivate a number of excellent candidates. He said that he was not going to go further in naming those names at this time, because he wants to be as open and transparent in the most open and transparent



environment, which would be at the next meeting.

Mayor Gerwig stated that this was a public meeting and it is recorded.

Councilman Drahos stated that he understood.

Mayor Gerwig stated that she did agree that they had a discussion going and they have some thoughts from each other and that is something to work from. She said that one thing she wanted to talk about was Mr. Schofield's leadership style has been oriented and she thinks that is one of the reasons that they are in the position that they are in. They have things running so well and it is not easy when a team has so many different parts, especially dealing with political environments that change and are affected by outside influences. It is very hard to keep that team environment going. She said that Mr. Schofield has done a great job at that and as they move forward, they will discuss it more at the next meeting.

## **5. ATTORNEY'S COMMENTS**

None.

## **6. MANAGER COMMENTS**

Mayor Gerwig asked about the storm and if the Village was in decent shape on the drainage.

Mr. Schofield stated that the Village came through the storm well. He said that they did have a little bit of damage overnight with three inches of rainfall. Our water levels are very near normal right now and they have not had to discharge them much lower than control, because they never like to go into the dry season without it. He said that they did put a fair amount of water in Section 24 so it can be released out. He said that when he last checked water levels in Basin A, which is where they are, we are just above 12 in the basin and 12 is a regulation schedule. In Basin B, they were just above 12.5 and 12.5 is its regulation schedule. He reminded them that he sent them a text earlier in the morning that Pump Stations 3-9 were working. He said that he probably should have mentioned that Pump Station 1 was removed a number of years ago as part of settlement with the Water Management District and Pump Station 2 they are not allowed to operate except under very dire circumstances.

Councilman McGovern mentioned that thankfully this was not one of those.

Mr. Schofield said that they were not even close. He mentioned that the

Public Works crew were out at 5:30 a.m. that morning cleaning up debris and there were a couple inlets that were clogged and they fixed those. All in all, they came through the storm very well. He told them that there was a little damage to the Public Works building and a couple buildings had leaks. He said that the damage assessment teams were out that morning and there really was nothing. He said that they came through this about as unscathed as possible to come through with a tropical storm with high winds in the upper 40's. He said that by 6:00 p.m. that evening, they should be well clear of any effects at all.

Mr. Schofield mentioned that at the next meeting he will take a few minutes to dispel some of the theories of what got him to his decision. He said that there was nothing in particular that got him to where he is at. There was no one that screamed at him or hurt his feelings. He said that he is just in a very different place now based on a combination of things. He said that he has known for awhile that he was getting close to the end of his time with the Village. He said that from his perspective, there is not a better time to leave. He said that they are financially in a place where their financial outlook for the next five years is excellent and really for the next 10 years beyond that. He said that there are excellent people here. Wellington is truly a unique community and he has given a lot of his life to the Village and he truly loves it. He said that he has given them personally what he thinks they should do. He said that it has not been his intention to tell them what to do, but if they ask him he will tell them what he thinks they should do.

## **7. COUNCIL COMMENTS**

None.

## **8. ADJOURN**

There being no further business to be discussed by Council, the meeting was adjourned at 5:17 p.m.