

Village of Wellington

*12300 Forest Hill Blvd
Wellington, FL 33414*



Action Summary - Final

Monday, January 11, 2021

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. Barnes introduced the agenda for the January 12, 2021, Regular Council Meeting for review.

A. [20-4195](#) PRESENTATION OF PROCLAMATION BY PALM BEACH COUNTY COMMISSIONER MELISSA MCKINLAY FOR WELLINGTON'S 25TH ANNIVERSARY

Mr. Barnes introduced the item. He said that this is the presentation of a Proclamation by Palm Beach County Commissioner Melissa McKinlay for Wellington's 25th Anniversary. He said that Commissioner McKinlay will be coming to present a proclamation and recognizing our 25th anniversary as an incorporated municipality.

B. [20-4110](#) RECOGNITION OF WELLINGTON'S YOUTH COUNCIL FOR WINNING THE 2020 FLORIDA LEAGUE OF CITIES COMMUNITY SERVICE AND PHOTOGRAPHY COMPETITIONS

Mr. Barnes introduced the item. He said that this is the Recognition of Wellington's Youth Council for Winning the 2020 Florida League of Cities Community Service and Photography Competitions.

Mr. De La Vega mentioned that the Florida League of Cities had two competitions that the Village submitted applications for. He said that one was for photography and the other was community services. He stated that the Community Services Department with Ms. Edwards and Mr. Williams and in conjunction with the Communications Department, submitted and were awarded first place in both competitions. He said that they will have the trophy presentations and have members of the Youth Council present at the next meeting.

Mayor Gerwig asked if they would be viewing the photographs.

Mr. De La Vega stated that they would be. He said that they would be viewing the photographs and photographs of the HYPE Hall. He explained that HYPE stood for Helping Youth by Providing Empowerment.

C. [20-4144](#)

PALM BEACH CENTRAL HIGH SCHOOL AND WELLINGTON COMMUNITY HIGH SCHOOL PROJECT GRADUATION SPONSORSHIP 2021

Mr. Barnes introduced the item. He said that this is the Approval of Palm Beach Central High School and Wellington Community High School 2021 Project Graduation Sponsorship. He mentioned that they have done this for several years. They will be presenting each school with a \$500 scholarship. He said that both schools do not have finalized plans for their Project Graduations, but the Village is still providing support. The schools are still continuing to solicit for support from other community partners for some type of project graduation. He said that they may not even have an event since they have not finalized those plans, but they may plan on some sort of "send off" for the students, even if it is material as opposed to an actual event.

Councilman McGovern said that hopefully they will now that they have graduation dates.

Mr. Barnes stated that we do have graduation dates, but not necessarily graduation plans. He said that he believes the schools have submitted plan options to the School District. He said that the School District was preventing individual schools from actually securing any off site locations. He said that they have looked at everything from onsite to graduations and onsite proms and are continuing to work on that.

Councilman McGovern stated that they had a tentative scheduled at the fairgrounds.

Mayor Gerwig asked if they were going to do it indoors.

Mr. Barnes stated that was correct. He said that there is a long time between now and May and things could still change.

D. [20-4173](#)

MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF DECEMBER 8, 2020

Mr. Barnes introduced the item. He said that this is the Council Approval of the Minutes of the Regular Wellington Council Meeting of December 8, 2020. He mentioned to the Council that if they had any comments or corrections to please get them to staff.

E. [19-3505](#)

AUTHORIZATION TO AWARD ANNUAL PUBLIC WORKS CONTRACTS TO MULTIPLE VENDORS

Mr. Barnes introduced the item. He said that this is the Authorization to Award Annual Public Works Contracts to Multiple Vendors.

Mr. De La Vega explained that this item is our annual public works contract that we use for capital maintenance projects such as canal cleaning, installation of drainage pipe and structures, swale reconstruction and roadway and path installation, as well as any emergency repairs. He said that they went out for bid on this in November 2020, received a total of 11 bids. He said that the proposals are for a unit price contract based on hourly rates. He said that they are proposing to award nine of the 11 vendors. They are the first nine that are on the table in the agenda backup. He said that the bottom two were not low on any of the items, so they are not proposing to award to those two companies. He said that they will take a look at these nine unit priced contracts on a project by project basis. Those that have the lowest price, based on need of the project, would get awarded the job. He said that at this point, the Village has one project, swale maintenance reconstruction which would be around \$94,750, so they are asking for approval to go ahead and use these contractors for that work. It is a three year contract with two additional one-year renewal periods.

F. [20-3974](#)

AUTHORIZATION TO UTILIZE CONTRACTS FOR THE PURCHASE AND DELIVERY OF VEHICLES AND EQUIPMENT; AND AUTHORIZATION TO DISPOSE OF EXISTING SURPLUS EQUIPMENT

Mr. Barnes introduced the item. He said that this is the Authorization to Utilize Florida Sheriffs Association (FSA) Contracts FSA20-VEH18.0 and FSA20-EQU18.0 and Sourcewell Contract 120716-NAF (Formally NJPA), as a Basis for Pricing, for the Purchase and Delivery of Vehicles and Equipment in the Amount of \$502,117.65; and Authorization to Dispose of Existing Surplus Equipment pursuant to Village Disposition Policies.

Mr. De La Vega explained that in this case, staff is using multiple contracts to purchase vehicles and equipment. He said that they were proposing to purchase seven vehicles and two generators. He said that the total cost of the vehicles and the generator will be \$502,117.65. He mentioned that within that total is the authorization to purchase a bus, that had already been approved to purchase through the CDBG Funds. He

said that the bus costs \$106,975, funded by the Cares Act, and will be used in the Community Services Department. He said that the seven vehicles will include four replacement vehicles and three new vehicles. They also asked to dispose of two vehicles that were purchased in 2001 and a Kawasaki that was purchased in 2011. He said that both of those have no net value and they will sell on Govdeals.com. He explained that is the website that they put all the Village's disposed of vehicles and equipment since 2014. He mentioned that since 2014, they have accumulated \$1,113,044 from selling vehicles and equipment on that site.

Councilman McGovern asked how they are getting four replacement vehicles when it looks like they are getting rid of only one vehicle.

Mr. De La Vega explained that they are only getting rid of one vehicle at this time and the other three were authorized to be disposed of previously on October 13, 2020.

Councilman McGovern asked if all purchases are budgeted items.

Mr. De La Vega stated that they were.

G. [20-4088](#)

1) RATIFICATION OF AN EMERGENCY REPAIR OF THE WATER RECLAMATION FACILITY DRYER; AND 2) APPROVAL OF RESOLUTION NO. R2021-05 AMENDING THE UTILITY FUND MAINTENANCE BUDGET FOR FISCAL YEAR 2020-2021 BY ALLOCATING FUND BALANCE FOR EMERGENCY REPAIRS TO THE WATER RECLAMATION FACILITY DRYER; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. He said that this is the 1) Ratification of an Emergency Repair of the Water Reclamation Facility Dryer in the amount of \$91,131.75; and 2) Approval of Resolution No. R2021-05 amending the Utility Fund Maintenance Budget for Fiscal Year 2020-2021 by allocating fund balance for Emergency Repairs to the Water Reclamation Facility Dryer; and Providing an Effective Date.

Ms. LaRocque explained that recently Council authorized a contract with a company to do comprehensive rehabilitation work on our dryer at the water reclamation facility. She said that during the execution of that work, it was determined that the shaft for the dryer was severely damaged and it needed to be addressed immediately, which would allow them to continue operating the dryer. The company that was on site doing the rehabilitation work was not able to perform that work because it was specialized. She said that they had to bring in a company out of Wisconsin and they mobilized right away and repaired the dryer. The dryer is now in operation. She said that unfortunately, they had to incur

some additional costs, which were \$91,000. She said that at the end of all this, they have done a comprehensive restoration on that dryer and she said that she feels that it will be good for another ten years. She said that the good thing about this is that it allowed us to test our contingency plans. She said that about a year ago, Council approved a contract with the Solid Waste Authority should something like this happen. She said that with this situation, staff was able to call Solid Waste Authority immediately and they were able to take the Village's solids to their dryer. She said that staff did not impact operations at all. She stated that this item is asking the Council to ratify the emergency repair and authorize a budget transfer as this was not anticipated in the budget and will come from reserves.

Mayor Gerwig asked how often does staff analyze that specialized equipment and was this a normal occurrence of wear and tear that maybe could have been predicted.

Ms. LaRocque stated that prior to her arrival, it had not been done. She said that this is the first time it has been done and it is her mandate that they do this every year. She said that these costs will not be incurred if the Village is doing this every year.

Councilman Drahos asked if this was a wear and tear issue or did something cause it.

Ms. LaRocque stated that it definitely was a wear and tear. It has been in operation with no maintenance.

Councilman McGovern asked if the people from AIT were there to examine this.

Ms. LaRocque stated that once the bearing had been removed, they were able to see it. She said that part of it was that along the way, unqualified staff had been trying to perform some type of preventative maintenance work and they really should have had experts doing the work. She said that it is not like anyone broke anything, but they have learned that they have to have the experts in to do this type of work.

Mayor Gerwig asked what the added expense was from having to take everything to the County to dry.

Ms. LaRocque stated that it was almost \$10,000, but it was a very cost effective solution. She said that they had to have Wharton-Smith onsite to construct some emergency by-pass piping, the cost from Solid Waste Authority, some additional work by AIT and the specialty machining

company from Wisconsin came in.

Mayor Gerwig asked if they had to re-route the product.

Ms. LaRocque stated that was correct. She said that they did not have the ability to send the pressed solids right to the trucks, so they had to build some emergency by-pass piping. She said that it ended up being seamless and they did not affect operation. She said that she feels comfortable and that we are in a very good position and going forward they will be doing proactive maintenance.

Councilman Napoleone stated if AIT had not been onsite examining, we may not have known what damage could have happened.

Ms. LaRocque stated it could have been a catastrophic failure.

Mayor Gerwig asked how much the ongoing maintenance will cost.

Ms. LaRocque stated that she does not believe it will be any more than \$25,000 a year.

H. [20-4135](#)

AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR GIS CLOUD HOSTING SERVICES

Mr. Barnes introduced the item. He said that this is the Authorization to enter into a Three Year Agreement with ROK Technologies, Inc. to provide Digital Comprehensive Communication Archiving Services at a cost of approximately \$314,700.

Mr. Silliman explained that right now, all the GIS servers are on property. He said that with everything else, we have been moving them as a hybrid or to the "Cloud" and this specific item is to propose the service of moving all the GIS data to the Cloud. He said that it is fully secured and they are partners with ESRI. He said that this service not only moves us into the cloud, but it makes our information more secure and more mobile. He mentioned that right now, if our service goes down, it could be out for awhile and if we were to be in the cloud, between the three different sites they have across the country, it will always be up and they monitor it. He said that another positive is that they will watch and run the ESRI portion and the server portion of the GIS. They will keep it up to date in real time. He explained that this would free up GIS staff so that they do not have to take that time away from whatever project they may be working on for someone. It also frees up the IT staff so that they do not have to constantly make sure that the systems are running. He said that this allows full scalability, full elasticity. He said that it can grow as we need it to grow as in more GIS or more powerful and it will also allow the Village to scale back. The Village will only pay for what is being used.

He said that staff has checked with several municipalities from across the United States who have used this company and they have nothing but wonderful things to say about them. Other servers they have looked at were more costly and they involved more GIS and IT staff here, which was more time and money spent.

Mayor Gerwig asked about the current servers not being used here.

Mr. Silliman stated that it is more about not having the servers here and at one entity in case something should happen.

Mayor Gerwig asked if there is already some redundancy in data and if we already had off-site storage.

Mr. Silliman stated that we do have it in another facility, but it is still in Wellington. We do not have it geographically diverse. He explained that everything else we use is already in the cloud. Other programs that use maps such as our website, which is on a hosted server is in the cloud. This way our website and our GIS would never go down.

Councilman McGovern asked if there was going to be a savings by going to the cloud in that we will not have to maintain the server with time, parts, updates, etc.

Mr. Silliman stated that is exactly correct. The benefits of the services we will be getting from Roktek would be disaster recovery and they take on the responsibility of making sure the updates are done and all the maintenance. He said that he will be kept up to date on when repairs or updates are needed. This will all free up staff to do other pressing items here at the Village.

Councilman Drahos asked that since this is a three year commitment and we go in one year and decide we do not like it, what would happen.

Mr. Silliman explained that we can leave the contract at any time and Roktek would give us either 60-90 days of time to get our information out and move to a new company. He said that this locks in the pricing for 36 months.

Councilman McGovern asked about the initial set up charge of approximately \$20,000.

Mr. Silliman stated that was correct. It is a one time fee for set up.

Mayor Gerwig stated that it was just under \$100,000 a year after that.

Mr. Silliman stated that was correct. He said that number can go down. He said that Roktec has said that they are very certain we have over scaled the amount and that it will be much cheaper. We currently have 9-13 servers which run GIS, which we will gain all back and will not have to renew or replace anything annually. All that was normally updated and replaced each year will go away with what is included in their price. This price is very cheap compared to him going out and buying parts and such for each server.

Councilman McGovern asked if we will need to re-fill the vacant GIS position.

Ms. Quickel stated that they are currently evaluating that and it depended on the actual work and the data that they do. She said that sometimes with routine tickets, it is just better to have it done in-house than to have to pay an outside contractor. They will be watching that to see how things change as they get this move done.

Councilman McGovern stated that when looking at places to decrease FTE's, this may be a place to do it and we just do not know it yet.

Ms. Quickel stated that was correct. They have kept the position vacant, but they will see how it goes.

Councilman Napoleone stated that he thought this was a great move. He said that he oversaw this process at his firm a few years ago and it is great to get everything hosted. He said that you do have the scalability and only buy what you need. It is a great move and is surprised we have not already done it.

I. [20-4148](#)

AUTHORIZATION TO AWARD CONTRACTS FOR PLANNING, ZONING AND BUILDING INSPECTION SERVICES

Mr. Barnes introduced the item. He said that this is the Authorization to Award Contracts for Planning, Zoning and Building Inspection Services in the amount of approximately \$192,000.00 annually.

Mr. De La Vega explained that this is for PZB to use outside firms for plans reviews for residential and commercial building application and inspection services. He said that they went out to bid in October 2020 and received three proposals. He said that staff is recommending to award primary to C.A.P. Government, Inc., who had the lowest hourly rates, Nova Engineering & Environmental, LLC. as the secondary and M.T. Causley, LLC. as the tertiary. He mentioned that this is a three year contract with two one-year annual renewals. He said that last year they spent \$191,210 and this award is for \$192,000.

Mayor Gerwig asked if we are just guessing on the amount of work that will come in.

Mr. De La Vega stated that we will only pay for what we use.

Mayor Gerwig asked if that was covered by the Village billing the applicant for these services.

Ms. Quickel stated that was correct.

J. [20-4150](#)

AUTHORIZATION TO RENEW AN EXISTING CONTRACT TO PROVIDE AQUATIC VEGETATION CONTROL SERVICES TO WELLINGTON CANALS AND LAKES

Mr. Barnes introduced the item. He said that this is the Authorization to Renew an Existing Contract with Clarke Aquatic Services, Inc. to provide Aquatic Vegetation Control Services to Wellington Canals and Lakes, at an annual Cost of \$447,041.48.

Mr. De La Vega explained that this is just a renewal as we already have a contract with Clarke Aquatic Services. He said that we had initially awarded the three year contract with two one-year annual renewals and this is the first renewal. He said that they have done a great job and they have accepted a renewal with no price increase. Staff would like to renew for one additional year, effective through March 5, 2022.

Mayor Gerwig stated that they are a local company and we have had good response and a good relationship with them.

Councilman McGovern asked for clarification on what scope of services the Village is getting for this large sum of money.

Mr. Barnes explained that this was maintenance of all the aquatic vegetation on the publicly owned and publicly managed lakes and canals within the Village.

Mr. Wagner stated that they take care of every lake and canal that the Village owns. He said that in the last 12 years, they have done a fantastic job.

Mayor Gerwig stated that we get complaints from residents every once in awhile and asked if we just address it and they perform the service that we need.

Mr. Wagner stated that was correct. He said that Clarke will actually come out and talk to the residents to educate them on the vegetation,

what chemicals they use, how they do it, what the process is and how long it takes to clear issues up.

Mr. Barnes mentioned that they have to find the happy medium because you want the weeds gone, but there is a time that lags of when you treat and when the weeds actually die off. If there is not a heavy rain event, then you will see the dead weeds sitting in the canal or in the lakes. He said the other side of it is if they do too good of a job, then you see a big fish kill. There needs to be a middle ground where they are killing the weeds, but not everything else in the lake. He said that they do provide assistance with finding the environmental balance at the lakes.

Councilman McGovern asked if these chemicals are safe for both water quality and marine life.

Mr. Wagner stated that they were.

Mr. Barnes stated that is the service they provide is looking at each body of water and deciding what specifically needs to be done.

Councilman Drahos commented that the medians throughout the Village looked fantastic.

K. [20-4157](#)

AUTHORIZATION TO UTILIZE MULTIPLE CONTRACTS FOR THE PURCHASE OF INFORMATION TECHNOLOGY SYSTEMS EQUIPMENT

Mr. Barnes introduced the item. He said that this is the Authorization to Utilize Multiple Contracts (Sourcewell RFP #081419; OMNIA Partners with the City of Mesa, AZ #2018011, and State of Florida #43211500-WSCA-15-ACS; #43230000-NASPO-16-ACS-SVAR; and #43220000-WSCA-14-ACS-WCSA-15-ACS) for the purchase of Information Technology Systems Equipment in the amount not to exceed \$249,500 (Budgeted Amount) for FY 2021.

Mr. Silliman explained that staff wants to use what is budgeted for the year for the purchase of monitors, laptops, firewalls, computers, tablets, etc. that they purchase from the various contracts.

Mayor Gerwig stated that this is basically using up the budgeted amounts for the maintenance and upgrades that we need along the way. She asked if we will use the full amount or possibly not.

Mr. Silliman stated that was correct and they would probably spend close to the full amount. He said that they have a lot of desktops and tablets to replace that have not been done in four to five years. He explained that Mr. Wagner's crew needs these tablets in their trucks as they move

around doing the lakes, streets, medians, and a new ticketing system with the ERP.

Ms. Quickel mentioned that this is recurring on an annual basis and they budget for it every year. With the pandemic, they were very well supplied to begin with, Mr. Silliman was able to keep everyone functioning with our equipment.

Councilman Napoleone stated that the Council does know that the IT department does a very good job finding the best prices.

Mayor Gerwig stated that she is still getting complaints regarding the ERP. They are from businesses that cannot use the system to do their Business Tax Receipts (BTRs). She asked who she can direct resident businesses to when they are to the point of being fed up with the system.

Ms. Quickel stated that Samatha Candela is in charge of the BTRs and she reaches out to the people and tries to work with them once we get notified that they are having problems.

L. [20-4170](#)

RATIFICATION OF CONSTRUCTION ENGINEERING INSPECTION EXPENDITURES FOR THE AERO CLUB DRIVE PATHWAY PROJECT

Mr. Barnes introduced the item. He said that this is the Ratification of the Construction Engineering Inspection (CEI) Expenditures for the Aero Club Drive Pathway Project, with Mock Roos & Associates, Inc., in the amount of \$9,865.00.

Mr. De La Vega explained that we issued a \$22,000 purchase order to Mock Roos & Associates that includes construction (CEI) for the Aero Club Drive Pathway project. Due to some unexpected delays, there was some additional CEI services in the amount of \$9,865 that are required. He said that since they now exceed \$25,000, Council approval is required. He mentioned that there are some liquidated damages that they are currently pursuing from the contractor because of the delays to hopefully offset the additional costs.

Mayor Gerwig asked if this additional amount was unanticipated.

Councilman McGovern asked what happened exactly.

Mr. Reinsvold explained that there were about 12 days of weather delays and a lot of contractor missteps which delayed the project even further. They missed their substantial completion date by about 12 days.

Councilman McGovern asked if that was the liquidated damages we are pursuing.

Mr. Reinsvold stated that was correct.

Councilman McGovern asked if that would get us back this amount.

Mr. Reinsvold stated that it would.

Councilman McGovern asked who was pursuing that.

Mr. De La Vega stated that it was the Purchasing Department along with the Engineering Department.

Mayor Gerwig asked for clarification on the 12 days that was mentioned twice.

Mr. Reinsvold explained that they had 12 days of bad weather and an additional 12 days of contractor extension. So, basically 24 days over.

M. [20-4171](#)

UTILITY SERVICES AGREEMENT FOR 4370 SOUTH ROAD
DEVELOPMENT PROJECT

Mr. Barnes introduced the item. He said that this is the Approval of a Utility Services Agreement reserving Potable Water Capacity for the 4370 South Road Development Project.

Ms. LaRocque stated that they are asking for Council approval for the Utility Services Agreement for 4370 South Road. She explained that standard development agreements are required for any project where a developer has to get a water or sewer permit. In 2018, Council approved "Capacity Fees" for water, sewer and fire. A capacity fee is a one time payment made by every new potable water/wastewater customer. This allows the utility to recover costs for capacity that is currently in place and available. This is a type of an impact fee imposed on new customers so that existing customers do not have to bear the cost. Payment of these charges do allow landowners to purchase the system capacity, provided capacity is available. She said that typically the Council would not see these, but this year they did re-do our standard developer agreement with the assistance of Mr. Nat Nasson. He made a recommendation that Council approve all of these because they are buying something from the Village and it needs to be memorialized. She mentioned that this is a smaller one, but they are working on a couple in the amount of two and a half million dollars each. She said that she feels it is very good that Council sees these because they see staff coming forward asking for money quite often, but do not always get to see the contributions that the private sector makes to building out the utility. She pointed out on the graphic being displayed the details of another agreement that they are working on. She said that they are requiring them to extend the existing

water line down the entire property line to the south. She said that they are doing this continuously as new projects come in. Ms. LaRocque stated that is one example of how the private sector builds out the system. She mentioned to Council that they will see this form more often moving forward. These agreements are not negotiable, they are standard agreements.

Mayor Gerwig asked if we are required to supply water or do they have the option to use well water.

Ms. LaRocque explained that if there is a water line in the vicinity, they are required to connect to it by law. They do not have the ability to make that decision. In the areas where they do not have it available, then obviously they have that decision. She said that this helps the Village build out the system.

Mayor Gerwig stated that having the water access, especially in the equestrian area is a safety issue.

Ms. LaRocque stated that they always tell people that having water is positive in numerous ways. It helps your property value and lowers your insurance.

Mayor Gerwig stated that another good thing is that this is now an ongoing customer.

Ms. LaRocque mentioned that in addition to the capacity fees, they also pay other charges such as for their meter and administrative costs on the front side, but after that, they would be a continuing customer. They have base fees and the commodity charges based on how much they use. She said this particular agreement is a water only customer, no sanitary.

Mayor Gerwig asked if that was because it is not available.

Ms. LaRocque said that was correct.

N. [20-4137](#)

RESOLUTION NO. R2021-01 (ACCEPTANCE OF INTERLOCAL AGREEMENT WITH SOLID WASTE AUTHORITY)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL APPROVING AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN INTERLOCAL AGREEMENT FOR THE DELIVERY OF MUNICIPAL SOLID WASTE, TO DESIGNATE FACILITIES AND FOR A MUNICIPAL REVENUE SHARING RECYCLING PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. He said that this is the Approval of

Resolution No. R2021-01 Acceptance of the Interlocal Agreement with the Solid Waste Authority.

Ms. Cohen explained that there was a change in the Florida Statutes regarding residential recycling materials and the legislature is requiring that in any agreement with the Solid Waste Authority that we include strategies to reduce contaminated recyclable material, procedures to identify it, remedies for it, education and a definition. She said that this agreement is substantially identical to the prior, but adds those requirements that the new statute requires municipalities to include.

Mayor Gerwig asked what are some examples of contamination that we could reduce and what that would include.

Ms. Cohen stated that contaminated recyclable material is anything that does not conform to acceptable loads. Acceptable loads contain no prohibited material and a maximum of 12% contamination in total. She said that there are certain things that are allowed to be recycled and if you throw something in that is not one of those things, then that would be considered "contamination." She said that there are things that are absolutely prohibited like bio hazards and chemical hazards.

Mr. Barnes said that Mr. John Archambo is not only with the Solid Waste Authority, but he is also a resident of the Village.

Mr. Archambo said that as a resident of Wellington for four years, he wanted to thank the Council for their vision. He said that this is a great and beautiful Village to live in. He said that as far as the recycling agreement, he is not aware of Wellington having any contaminated loads. He stated that all the residents here do a fantastic job recycling and we have a lot to be proud of working as partners. He said that about 75% of the materials are recycled in the County, which is fantastic. He explained that the contamination is usually with the fiber, the vapor, or the yellow bin gets in with the blue bin. He said that a lot of these changes in laws are due to single stream recycling and we have double stream recycling. He mentioned that Wellington has received over \$670,000 in the revenue share program since 2010. He said that as far as contamination, there really is not a factor in Wellington for that.

Mayor Gerwig stated that she thinks of the pizza box story where if the pizza grease is larger than a quarter is on the box, you cannot recycle that box. She asked if that is the type of contamination they are talking about.

Mr. Archambo stated that it does not go to that degree. He said that if

that pizza box is really greasy and is put in the garbage, know that the system will recycle that into electricity.

Mayor Gerwig stated that the Village will continue to educate the residents on what goes into those bins. She said she knows we have some videos. She asked if any municipality in Palm Beach County still uses single stream recycling.

Mr. Archambo stated there is no one in Palm Beach County uses single stream. He said that everyone is on double stream recycling. He stated that many of the northern and some south counties had gone to single stream years ago.

O. [20-4176](#)

RESOLUTION NO. R2020-61 HIBISCUS PALACE (CONDITIONAL USE)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A CONDITIONAL USE [PETITION NUMBER 2020-0002-CU] TO ALLOW A TYPE 2(B) CONGREGATE LIVING FACILITY FOR SENIOR HOUSING WITH A MAXIMUM OF 21 RESIDENTS FOR CERTAIN PROPERTY KNOWN AS HIBISCUS PALACE, CONSISTING OF 0.34 ACRE, MORE OR LESS, LOCATED AT 13931 MORNING GLORY DRIVE; IN A PLANNED UNIT DEVELOPMENT ZONING DISTRICT AND SUBJECT TO CONDITIONS OF APPROVAL; AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. He said that this is the Approval of Resolution No. R2020-61, a Conditional Use (CU) Approval to allow a Type 2(B) Congregate Living Facility (CLF) for Senior Housing with a maximum of 21 Residents.

Mr. Stillings stated that this request is for a Type 2(B) Senior Housing CLF with a maximum of 21 residents. It is located at 13931 Morning Glory Drive, which is the northwest corner of Morning Glory and Greenview. It is almost directly across from Courtyard Shoppes to the west. The request meets all the LDR minimum standards with the exception of two standards. The first is the distance to the fire station is 1.1 miles and the requirement is 1.5 miles. The second is the separation from single family residential is 500 feet and they are at 400 feet. He said that the aerial photo in the presentation at the next meeting will show the 400 feet is to the southeast across Greenview Shores and Lilac Place. Staff is recommending approval and the Planning, Zoning & Adjustments Board (PZAB) also recommended approval.

Mayor Gerwig asked if the reason it is before the Council is because of

the deficiencies.

Mr. Stillings stated it was before Council because it is a Conditional Use, but those two areas require specific approval.

Councilman Drahos stated that two PZAB members voted against it. He asked what their reasons were.

Mr. Stillings stated that those members had concerns over the parking. They were concerned that the minimum standard was not sufficient and they felt they could not support it. Seven spaces are required, they have provided eight. He said that it is an operator that came in over last summer with an operation on Golden Rod and Hyacinth.

Councilman McGovern stated that there were some parking challenges there as well.

Mr. Stillings stated that they tried to find extra space, but they have a fairly good game plan, operationally. He explained that they are requiring visitors to make appointments, no residents are permitted to have vehicles, they have a shuttle that will take residents anywhere they need to go and they have another facility nearby if they should happen to have additional staff parking needs. He mentioned that with all of the CLF in the community, they have not had any parking complaints.

Mayor Gerwig asked about the 400 foot separation instead of the 500 foot separation. She asked if a significant portion of that was a roadway.

Mr. Stillings stated that was correct.

Councilman Drahos asked if staff was satisfied with the parking plan.

Mr. Stillings stated that they were.

Councilman Drahos asked the names of the two PZAB members that voted against it.

Mr. Stillings stated that he did not recall at the moment, but would get that information to Council.

Councilman McGovern asked about staff parking on that site.

Mr. Stillings said that they have eight spaces onsite. He said that one thing that the operator encourages is that the employees carpool to minimize the number of vehicles onsite in general.

Councilman McGovern asked if their operational plan called for that.

Mr. Stillings stated that it did.

Councilman McGovern asked if their staff does not carpool, then would they have enough parking.

Mr. Stillings stated that generally they only have about three staff maximum at the facility, so eight spaces would be more than enough for staff and any potential visitors.

Mayor Gerwig asked if there would be any changes to the exterior of the building that will make it look any different to residents.

Mr. Stillings stated that there are none that have been proposed at this time. He said that it will look as it does now.

Councilman McGovern stated that there were two public comments in opposition to this request. He asked if he could see the comments before the next meeting.

Mr. Stillings stated that one of those was related to the parking and the other had a concern of the overall use itself. He said that it seemed that they were confusing the existing tenants over the future CLF. He said that he would provide them with the PZAB minutes, which would include those comments.

Councilman Drahos asked about the square sail cloth and where it was to be located on the property and what it is for.

Mr. Stillings stated that he believed it was just to provide shade in the rear of the structure. He said that it could be seen from some of the adjacent properties.

Mayor Gerwig stated that she has seen those throughout the Village as there are residents who have them already. She said that she has seen them going down Forest Hill in treetops.

Mr. Barnes stated that they are also along some of the units that backup along Greenview Shores Boulevard.

Councilman Napoleone asked if that was something that required a permit.

Mr. Stillings stated that it normally did not. He said that if they were installing a post with a footer, then it would, but he would venture to say most do not.

Councilman Drahos stated that this issue concerns him as he does not want seniors to sit out in the sun, but this could be an eye sore if it is not done correctly. He asked if the Village has any kind of aesthetic requirements for items like this. He said that he wondered what would stop someone from putting just a sheet up.

Mr. Barnes stated that it is more of a size issue. He said that if it is larger, it would require support with the posts, which would require the permitting. With the smaller ones, they do not as they just require some hooks anchored to the building/trees.

Councilman Drahos stated that it just really concerns him.

Councilman McGovern asked clarification about the standard of distance to a fire station.

Mr. Stillings explained that the standard requires the CLF to be no more than a mile and half of road mile from a fire station. He said that this particular one is 1.1 miles from a station, so they are .4 miles away from that standard. He said that the closest station would be Station #20 and they feel it would be sufficiently close, even with this flexibility.

Mayor Gerwig asked if this was a quasi-judicial item.

Ms. Cohen stated that it was.

Mayor Gerwig asked how it affected this as she was telling the rest of Council to go look at other sail cloths around the Village.

Ms. Cohen stated that if they actually go and look at something that is in connection with this application, then that would be an ex-parte that would have to be disclosed. She said that certainly they can go and view other areas. If they go by this particular property, that would need to be disclosed as site visits are part of ex-parte.

Mr. Stillings stated that there is a privacy fence proposed along the north property line as well as shade trees proposed between the fence and the structure.

Mr. Barnes stated that in response to the earlier question about the PZAB member's names that opposed the vote, the names were Ms.

Martinez and Mr. Herman.

Mayor Gerwig asked if they would see the whole presentation from the applicant at the next meeting.

Mr. Stillings stated that was correct.

P. [20-4106](#)

COUNCIL DIRECTION REGARDING THE APPOINTMENT OF A COMMUNITY MEMBER AND AN ALTERNATE TO THE CANVASSING BOARD

Mr. Barnes introduced the item. He said that this is staff is seeking direction from Council regarding the Appointment of a Community Member and an Alternate to the Canvassing Board for the upcoming March 2022 Election.

Ms. Cohen explained that in 2016, the Council changed the Charter so that years when there is an even number of canvassing board members, they are required to appoint a community member of the Canvassing Board. She said that since the position of Vice-Mayor Siskind and Councilman McGovern will be open for election in March of 2022, she said that would leave the three remaining members plus the Clerk, which is four and an even number. Because of this, the Council is expected to appoint a community member. She said that staff is seeking direction on how they want to go about doing that.

Mayor Gerwig asked if they need a community member and an alternate.

Ms. Cohen stated that was correct.

Councilman McGovern asked when this needs to be completed by.

Ms. Cohen stated that it was by March.

Mayor Gerwig asked who they appointed the last time.

Ms. Cohen stated that it was Judge Sarah Shullman.

Councilman McGovern asked if it could be a judge again.

Ms. Cohen mentioned that the County does appoint judges, but she is not entirely sure a judge would agree to it. She said that we cannot really compel any judge to agree to do that. The Chief Judge would have to agree to that. She said that she recommends staying clear of appointing judges.

Mayor Gerwig stated that judges are usually their first choice because

they are not usually involved in campaigns.

Councilman Napoleone asked what if the judge wants to volunteer for it.

Ms. Cohen stated that she thinks they would still want to make sure the Chief Judge was not going to have an issue with it. She said that they may be able to do it without the approval of the Chief Judge.

Mayor Gerwig asked who the alternate was.

Councilman Napoleone stated that it was Blanca Goldstein.

Mayor Gerwig stated that the big thing is that they cannot be involved in a campaign in any way. They cannot contribute, endorse or put up yard signs. They are putting restrictions on these members.

Ms. Cohen mentioned that these restrictions are only on these particular members, not on the other members of the canvassing board.

Mayor Gerwig asked if they were seeking direction on the appointment process. She said that they could decide at the next meeting that they want to put it out on the website and ask for applications.

Ms. Cohen stated that they could. She mentioned that is how they did it last time.

Councilman Napoleone and Councilman McGovern both mentioned that if they did that last time, then they should do it again.

Mayor Gerwig stated that they would discuss it and make that decision at the next meeting. She said that she is glad they went over that because she could not remember how they did it the last time.

Mr. Barnes mentioned that before they got into the Workshop item, Mr. De La Vega would like to introduce Mr. Gill, the new tennis instructor.

Mr. De La Vega said that they were very excited to welcome Mr. Chuck Gill. He mentioned that Mr. Gill previously worked for many years at the Country Club of Ibis and is a former USPTA National President. He said that they are very excited. Mr. Gill started at the Village a week ago and has already accomplished many things.

Mr. Gill spoke to the Council and gave a little bit of information about himself. He spoke on his feelings about the game of tennis. He thanked the Council for the opportunity, their support of the game and invited them

to come out and play.

Councilman McGovern welcomed Mr. Gill and thanked him for taking on the responsibility.

4. WORKSHOP

A. [20-4202](#) DISCUSSION OF EVENTS AND CONSIDERATION OF REQUEST FOR WELLINGTON TO BE LOCATION FOR 2021 GARLIC FEST

Mr. Barnes introduced the item. He said that this was the Discussion of Events and Consideration of a Request for Wellington to be the location for the 2021 Garlic Fest. He said that as far as events, the Village is cancelling our own "in-house" events that are normally on the calendar for the first quarter. Those events include BrewFest, Marchtoberfest, Daddy/Daughter Dance and "Senior" Prom. He said that they will look at those events and consider virtual options for some or all of these at a later date, but as of now, they are all cancelled. They are going to take it on a quarter by quarter basis. They do not want to go too far out until they have a better handle on the COVID issue. He mentioned that there was an item that the Council received an email on, which was the Wellington Soccer Club Soccer Tournament. After staff reviewed the plan, with the appropriate COVID protocols and safeguards, they have recommended that the Soccer Club move forward with the tournament. He mentioned to the Council that they received an Administrative Transmittal the week prior with the specific COVID protocols that the Soccer Club was initiating and undertaking for the event. He explained that the event, which normally has about 300 teams, has been reduced to about 140 teams. They will be spaced out between 25 soccer fields. He said that they believe that based on that field allocation, the number of reduced teams, the number of reduced participants correspond to reduced spectators. He said that the fields would allow for a greater staggering of game times, so there is not the usual overlap of participants and spectators. They would be able to allow for social distancing and have the support to ensure that masks are required for those that are not playing as well as the required support to keep facilities clean and sanitized.

Mayor Gerwig asked if they will be checking the temperatures. She said that the protocol rules say that no one with a temperature of 100 degrees or higher must not attend the event.

Mr. Zoete, Wellington Soccer Club Director, stated that the referees will be checking the players.

Mr. Juckett stated that the families are asked to self-check prior to

arriving. The referees are being checked on the day of the tournament.

Councilman McGovern asked who will be checking the referees.

Mr. Zoete stated the referees will be checked by the Wellington Soccer Club staff.

Councilman McGovern asked approximately how many spectators will be in attendance at these games.

Mr. Zoete said that it is limited to one parent per player.

Councilman McGovern asked if the Soccer Club staff will be responsible for enforcing that all participants and spectators will be social distancing and wearing masks. He also asked how many staff members will be enforcing this.

Mr. Zoete stated that was correct and that there will be at least one representative at each field.

Councilman McGovern asked if it will be a zero tolerance type of thing.

Mr. Zoete explained that there will be signs made that say "Violators will be asked to leave the premise" for those that do not wear the face masks properly. The signs will be in English and Spanish at every entrance of the park as well as scattered around the park. He said that they have been playing since mid-August and it has been pretty routine that everyone knows what they are supposed to do.

Councilman McGovern expressed concern that the other teams from elsewhere and their spectators would not know the routine.

Mr. Zoete assured him that these are all local area teams that are practicing the same routines. He said that this is a fundraiser for the Club, but also for the community as they use local vendors for the food trucks. He said that the areas help each other out. He said there was a tournament in Coral Springs and Delray Beach and they sent teams to those areas as they send teams to ours.

Mr. De La Vega stated that he contacted those other tournament areas and got information on the number of teams and fields for comparison to ours. He said that Coral Springs had their two day tournament with 180 teams with six fields. Delray Beach had their two day tournament with 140 teams with five fields. He said that we have 150 teams and 25 fields over a four day period.

Mayor Gerwig stated that there will be social distancing and spreading the schedule out. She asked what ages will be playing in the tournament.

Mr. Zoete stated it was ages 9 through 18. He said that with so many fields, they are able to stagger the games. He said that is what they currently do on the weekends as well. No one is permitted on the fields, even during their practices.

Mr. Juckett mentioned that as the schedules are currently set, there is 45 minutes minimum in between each game, which is ample time to get everyone off the field before the second group even gets on the field.

Vice Mayor Siskind said that there will be much less capacity, but more traffic in the area. She asked if PBSO is prepared and if they have a plan.

Mr. Juckett stated that they do.

Mayor Gerwig asked if Wellington Soccer Club is taking responsibility for paying for it.

Mr. Zoete stated that was correct.

Mr. Juckett mentioned that the Village will also have additional Maintenance staff on hand for cleaning and sanitizing the bathrooms. He said that there would be additional sanitizing stations throughout the park.

Mr. Zoete informed the Council that each team that is playing is required to send back acknowledgement of the COVID rules. This is an acknowledgement that if they do not abide by the rules, they will be asked to leave. If they do not abide by this, then the team will be suspended.

Mayor Gerwig stated she thought it was important to have kids playing outside and maintain some sort of our safe protocol lifestyles. She said that she knows people are concerned with this tournament, but she has seen enough to feel comfortable that we are doing everything within our power to make sure that this is not a super-spreader event or anything like that.

Mr. Zoete mentioned that everyone wants the kids to play, but they need to make sure everyone stays safe at the same time.

Councilman Napoleone stated that it is a very good plan, provided it is

enforced the way it is laid out.

Mr. Barnes stated that the next event to discuss will be presented by Nancy Stewart-Franczak. She is bringing the Village a request, which staff has reviewed in some considerable detail, to host the Garlic Fest 2021 in Wellington. She will be discussing COVID protocols and safety precautions that would be available should we choose to host the event here. He mentioned that the City of West Palm Beach has decided to cancel all their city sponsored events like their Green Market, Movies on the Green and Clematis By Night. They also cancelled any permitted events. A while back, the City of West Palm Beach passed a resolution that had provisions by which they would make determination on events and such based on positivity rate. He said that he brought this up because he knows that the Council is also going to be making some decisions on events such as these. He said that the City of West Palm Beach has cancelled, suspended and postponed these events because they are events that are not designed to control limited access type of events. Those larger events that they have are pretty much open access events, much like the ones that we have cancelled. He mentioned that this requested event is a ticketed, gated event that allows the event operator to be able to control access.

Mayor Gerwig asked what we are doing about movies. She said that West Palm Beach has cancelled their movies, but asked if the Village is still showing movies.

Mr. Barnes stated that the Village is still doing movies. He said that they had a movie the last Friday before this meeting and they have a limited number of spots that people can get. He said that while it is not ticketed, they do restrict access and limit attendance by being able to size up the area and put social distancing provisions in place.

Councilman McGovern asked if the Friday evening Green Market was still continuing.

Mr. Barnes stated that it was. He said that there have not been any issues with that event. There have been no social distancing issues and they have been able to enforce the mask requirement.

Mr. Juckett mentioned that there are grids marked off in the amphitheater with the capacity of 150. He said that they moved the movie on the same night as the Green Market and they had 75 people attend. He stated that people have to go through Eventbrite to register for the movie.

Ms. Stewart-Franczak gave her presentation for Garlic Fest 2021. She

explained the history of the Garlic Fest. She explained that the request is for the dates of March 6 & 7, 2021. She said that they do realize that the current situation is a "fluid" situation and will continue to adjust their protocols based on most recent COVID-19 modeling and ongoing updates outlined by the CDC. She said that as an outdoor event they have the ability to manage social distancing and they have shown the ability to enforce mask wearing and do temperature checks as they are doing with the Green Market. She said that they differ from other venues because they can manage and reduce capacity on the grounds to allow for appropriate social distancing. She said that they use a clicker to count people coming in and out. The event is completely outdoors. The exposure time between non-same-household sheltering family members is somewhat limited and is completely controllable by the event's guests themselves. The attendees move freely throughout the event instead of sitting in one single location for an extended period of time. They have activities going on in various locations at the event. She mentioned that the safety plan precautions included the Entry/Exit, Main Stage, Dining Areas, Social Distancing/Attendee Capacity, Sanitation, Signage, Restrooms and Children's Amusement Area.

Ms. Stewart-Franczak explained that the entry and exit will be monitored and controlled to ensure social distancing by clicking in/out at the main gate. They have established entrance and exit points. They are recommending purchasing tickets in advance or online, which would help with contactless admission. Attendees, volunteers and employees who have been diagnosed or exhibiting symptoms will be prohibited from entering the premises. For the main stage, there will be 10x10 pods drawn on the lawn at the main stage with 6 foot aisles allowing everyone to easily maintain 6 foot social distancing with 4-6 guests permitted per pod. They will not have any meet and greet with the bands this year. They eliminated national touring concerts to avoid attracting large crowds. The concern over sound/volume of music from the main stage can be monitored/adjusted using a sound meter. She said that the dining areas will be set up in numerous locations on event grounds and sanitized continuously. They have reconfigured the seating areas to promote social distancing. There will be increased cleaning and sanitation protocols of dining areas, tables and chairs continuously during the event. All cleaning personnel will wear face coverings and gloves at all times. For the social distancing, based on the 231,360 square feet of usable space that allows them to accommodate up to 3,800 attendees and still incorporate social distancing. She said that they have never clicked in more than 4,000 attendees onsite at the same time in any of the 22 years that they have done the event. In their COVID Safety Plan, it outlines that they plan on having a minimum of 6 feet between exhibitor booths, in addition to wider aisles. She said that there will be additional volunteers

in the area reminding attendees of social distancing and to prevent gatherings. They have a texting program that they use for communication between the volunteers to market different areas of the event when there was a lull in one area and this would be used to move people around by advertising specials and keep them from gathering in one area. For the sanitation, attendees will be instructed via signage to utilize sanitation stations before entering each ride, and before and after consuming food and drinks. Employees/volunteers will be required to clean and sanitize all contact surfaces throughout the event grounds. Hand sanitation and hand washing stations will be set up in multiple locations. They have new procedures to increase that cleaning and sanitizing. Food service areas will adhere to the guidelines set forth by the CDC for restaurants and dining services. Exhibitors are required to follow the disinfection guidelines and sign an agreement to abide by all COVID-19 compliance precautions. For signage, informative signage will be posted at entrances and throughout the event with reminders to adhere to the guidelines provided by the CDC. There will be signage with disclaimers visible throughout the park. Anywhere there will be a potential for people to stand in a line, queuing instructions (i.e. signage) shall be used to illustrate and define safe distances from one another by social distancing guidelines with 6 foot markings. For the restrooms, the port-a-let quantity increased to reduce per unit use and placed 6 feet apart. They have a team that mans, monitors and cleans restrooms in between each use. They will have distancing marks for attendees and utilize queues. All high touch points will be cleaned routinely. Hand washing and hand sanitizing stations are spaced 6 feet apart. Portable restrooms have a supply of hand sanitizer in them. For the children's amusement area, they will only be having Kiddie and family rides available. All thrill rides and fun houses have been eliminated to avoid activities that are high touch structures and difficult to sanitize effectively. All the rides will undergo a deep cleaning and sanitizing procedure prior to opening. This process is repeated throughout the weekend. All high touch areas are sanitized at regular intervals during each days' operation. She said that some miscellaneous information that they may want to know is that they have spent the past month in communication with media, sponsors, vendors, staff, volunteer organizations and suppliers to confirm their participation. We have everything lined up, committed and ready to go once approval received. Live interview is scheduled for Tuesday, January 12, 2021 with WPBF-25 to announce. They have received their Cultural Council grant and Resiliency Grant for the event. All bands have been booked and no funds have been taken to date. They have updated all their job descriptions and training will be provided to volunteers and employees instructing them on how to stay safe and keep our attendees safe. Humana is on board and will provide masks and hand sanitizer to attendees. The parking for attendees will be primarily at the Mall at

Wellington Green with shuttle service provided with verbal approval pending approval by Council. Temperature checks will be performed at the beginning of each shift for employees and volunteers and they are required to wear face masks the entire time. The traffic pattern will be done in conjunction with Palm Beach Sheriff's Office (PBSO) and will have signage. Social media will provide the ability to provide quick messaging as well as their text alerts. They would like to engage the local hospital or an organization to possibly conduct rapid testing on site. They are also requesting permission to have vendors and sponsors that represent CBD products. A lot of their revenue comes from partners who sell products that contain CBD such as candles, candies, creams, lotions, oils, soaps, etc. It is not cannabis. She also presented several of the large scale events that are scheduled and confirmed in the State.

Vice Mayor Siskind asked about the 3,800 attendees and if that will be over the two days or each day.

Ms. Stewart-Franczak said that is at any given time during the event in order to still maintain social distancing. They will be clicking people in and out in order to keep track of how many are there. She explained that people do not congregate in one area. It is very similar to the Green Market where they come in, walk through and they exit and go. She said some come in to shop, some to eat and some come in the evening for the music. She mentioned that last year, for their national headliner act, they only clicked in 2,500 attendees. She said that they calculated that around this stage, by doing the pods, they could fit around 900 people.

Vice Mayor Siskind asked if all their volunteers were included in that 3,800 number.

Ms. Stewart-Franczak stated that the staff and volunteers were not included in that number. She explained that they have 35 full time staff that will be there during the course of the event and around 50-75 volunteers on site. She said that the site plans show that the staff and volunteers are dispersed around the event.

Vice Mayor Siskind stated that she would like to see the online tickets be the only way that they are available.

Ms. Stewart-Franczak said that you cannot make people do that and there have been other events that have tried that. They sold tickets and people did not come and the vendors lost out on money. She said that you do not know when they are coming. They could buy tickets for Saturday or Sunday, but you do not know what time they are coming. You would only get an idea of how many are interested. She explained that

doing time specific tickets is not feasible. She said that it is better to say that attendance is limited and that they may or may not get in. If they buy a ticket and it is full when they get there, they may have to wait till someone leaves.

Councilman McGovern asked about the 3,800 being allowed to be on the entire site. He said that they are going to want to congregate, but asked if they are going to be led to other areas. He asked what the true capacity number is.

Ms. Stewart-Franczak said that they are limiting it to 3,800 to be able to still utilize social distancing.

Councilman McGovern said that is assuming every inch of that site is being used, he said that he does not feel comfortable with that number. He said that is assuming that people are going to be stretched out with 6 feet distancing all around and he does not feel that is where they are going to want to be.

Ms. Stewart-Franczak said that the only time there is something going on at one time is at the Main stage, which is where they have the pods. Everything else is moved around with the food, the dining area, the shopping and the amusement area.

Mayor Gerwig stated that her problem is with the site. She said that the stage is blasting directly at Palm Beach Polo. She said that the Village currently receives complaints about Bone Fish Mac's outdoor dining area on a regular night. She said that she does not know how the event could have the band facing that way and the Village not receive backlash from the residents. She said that when staff went over this plan with her, she commented that she just wanted it at another location. She suggested having it here because people were used to this area as a place with events going on. She said that Palm Beach Polo was pretty upset about the drive in that was done for WinterFest, which was one night and ended very early in the evening. She mentioned that this particular event is two days. She commented that she loves this event, but just not at this location.

Councilman McGovern asked the hours of the event.

Ms. Stewart-Franczak said that they reduced them down to 11 a.m. - 10 p.m. on Saturday and 11 a.m. - 6 p.m. on Sunday.

Vice Mayor Siskind asked at what time do the bands play.

Ms. Stewart-Franczak said all day Saturday and Sunday.

Mayor Gerwig stated that with the bands playing, especially at night, and with the Kid's zone she would like to see this at a different location. She asked Ms. Stewart-Franczak if the Village Hall area was considered.

Ms. Stewart-Franczak said that they did consider this area. She stated that the problem with the Village Hall area is everyone has to be shuttle-bused to the site and that is already \$9,000 to do just that.

Mayor Gerwig asked if she plans on shuttling to the proposed site.

Ms. Stewart-Franczak said yes, but it is shorter shuttle and from the south side, it is walkable. She mentioned that there are some closed businesses and some other businesses in that area that they were going to see if they could allow them to use that for parking. She mentioned that PBSO does do parking, which is part of their fundraiser. Those are things they are still working on.

Mayor Gerwig asked about Village Park and if it was considered.

Ms. Stewart-Franczak stated that it was considered and they did not like it. It is a long drive, there are two lane roads which could lead to bumper to bumper traffic, and most of the attendees do not like to drive that far. Most of the attendees are usually from central and south Palm Beach County. She said that they had this experience at John Prince Park and it was bumper to bumper up Congress from the time they opened till the time they closed. She said that the following year, they moved parking to Palm Beach State College. She said that they do put a lot of thought and consideration into their planning based on their experience. She said that the Village Hall area is difficult because you have to be able to lock it down and with the perimeter, it is not possible. You can not let people in, let people drive through, you have to consider the pool, community center and Scott's Place. She said that was a struggle with the Bacon and Bourbon Fest.

Mayor Gerwig stated that her big concern is the sound and that the bands go the whole two days. She said that she does not see how it would not be a negative impact.

Councilman Drahos asked if there was a way to move the stage.

Ms. Stewart-Franczak stated that there was. They do have two site plans configured, however what that requires is that all of the staging area that is on the surface lot, now has to go on the grass. This would mean

vehicles would be driving constantly on the grass and if there is any kind of rain, it will tear the grass up. They originally thought they would point the Kid's zone towards the Mall, but with this change, they would have to have a traffic isle way for loading in the bands. There also has to be an area where they stage the dumpsters, the ice truck, the beer truck, the food truck and the Cheney trucks. She said that it did not seem appropriate to put it on that property. She said it is easier to control the attendance on this property.

Mayor Gerwig stated that she just cannot support it at this location and the noise that would come from it for the entire two days. She said that if it were just an afternoon she could, but an entire two days is just too much for that location.

Councilman McGovern asked about the square white boxes on plan.

Ms. Stewart-Franczak explained that those are the vendors in a 10 x10 booth.

Mayor Gerwig stated that she understood that CBD and THC are legal and knows many places sell them. She does not have a problem with that. She said that what she has a problem with is the selling of bongos and other paraphernalia that go along with it.

Ms. Stewart-Franczak stated that is not what they are asking for permission for. She said that they have so many vendors at the Green Market that sell it in their Kombucha. She said that they have been so prohibitive that they cannot do lotions, candles and creams.

Mayor Gerwig said that she knows that what bothers her is the bongos, the paraphernalia that goes with it, the vulgar T-shirts/marketing is not part of the discussion. She said that the real discussion is the impact to the community and she does not see how they could mitigate the sound.

Ms. Stewart-Franczak asked if there is an association that they might have an opportunity to go in front of and find out things they can do to get permission.

Mayor Gerwig stated that they do have an association, but they complain about Bone Fish Mac's area now. She said that she just cannot imagine that it would be something they would find attractive or acceptable.

Councilman Drahos stated that the appeal is not just a one year thing as they would like to have Garlic Fest every year in Wellington. He said that he would hate to have Palm Beach Polo agree to it this year and then

there could be a fall out and not agree to it the following year and Ms. Stewart-Franczak would not want that either. He said that he is sure that Ms. Stewart-Franczak wants to find a permanent spot for the event.

Councilman McGovern asked why the event moved from Lake Worth.

Ms. Stewart-Franczak stated it was because Palm Beach County is not permitting anything in their parks anymore. She said that the proposed park is the exact footprint of what they had a John Prince Park and they have reduced the vendors by about 60 vendors and cut out the rides. She said that they have cut all of that out of the space. She asked if the main concern is the sound.

Mayor Gerwig stated that it was the sound and the impact it would have on the community. She said that she just was not sure if she was the only one that felt that way on this.

Councilman Drahos stated that he was siding with the Mayor on this in that he would rather not bring something to the Village that will be an annual problem. He said that he wants everyone to come out and have a good time, but does not feel we have the space to accommodate that.

Ms. Stewart-Franczak stated that they are not promoting that this is the new location "forever", if that is the concern. She said that they are just trying to move forward for this year.

Councilman Drahos stated that the appeal for the Council is that they are going to establish a relationship and we have the Garlic Fest every year.

Ms. Stewart-Franczak stated that would be great, but that is not what they are promoting.

Mayor Gerwig stated that if it were in another location, she could support it.

Councilman McGovern asked if the hours could be modified in any way or is that the minimum that they are at now.

Ms. Stewart-Franczak stated that she did modify the hours, but she can look at that. She asked what hours they are thinking. She said that it costs them \$600,000 to open the gates. She said that anything that they take away from them hour wise, they have to replace it with something.

Councilman McGovern suggested potentially 9:00 p.m. and that she should speak to the HOA President at Palm Beach Polo. He said that

the 3,800 capacity limit is too intense for him, he would like a lower number.

Councilman Drahos mentioned that he had to leave early, but wanted to say that to have this event at the proposed location, he was not in approval of unless Palm Beach Polo can sign off on some accommodation and that the Council approves of. He said that right now he would vote no on this event. He said that hopefully the remainder of the Council can come up with some alternative that is workable.

Mayor Gerwig reminded Councilman Drahos that it was not a clear no tonight because they do not make decisions at this current meeting.

Councilman McGovern stated that he did not see in the presentation that there will be a mandate for attendees to wear a mask, other than when they are eating. He said that is a critical component.

Ms. Stewart-Franczak stated that was mentioned. It will be enforced through signage, staff and volunteers. It will be enforced throughout as well as at the entrance and by security.

Councilman McGovern asked if conditions on the ground got worse, what the contingency plan would be in regards to positivity rates.

Ms. Stewart-Franczak stated that was one of the first things she said in her presentation. She stated that they know this situation is a fluid situation and it could change and they have no control. She said that if it happens where it is said that nothing can happen, then that is something they can deal with as it has been incorporated in all their contracts with full agreement.

Councilman McGovern asked Mr. Barnes what staff's recommendation is.

Mr. Barnes stated that staff's recommendation is to move forward with considering the event, notwithstanding the comment on the noise. He said that they strictly looked at it from a COVID perspective and safety protocols. He said that they believe by controlling access and limiting access, whatever number they may come in consensus to, that they would be able to maintain safety protocols. He said that from what he recalls, he believed the 3,800 came based on the calculations of using 6 acres of the 10 acre site. Regardless of what number ends up being what everyone is comfortable with and other protocols, this differs from events like the BrewFest. With the BrewFest, people are not necessarily there to listen to the band or visit vendors, they are there to sample beer.

That makes it difficult to enforce the mask wearing. With this particular event, with the exception of going to grab something to eat or drink, the majority of the time is spent at the vendors, listening to the bands and going on the rides so mask wearing is easier to maintain.

Mayor Gerwig stated that she desperately wanted to have some fun events, but just wants to find a different location.

Councilman Napoleone stated that he loves this event. He said that when Delray Beach was in the process of jet-setting events, this was the first one he tried to go after. He said they did not get it, but they were able to get Bacon and Bourbon and it was a great hit. He said that his main concern was the COVID safety and making sure they could maintain an event like this that was safe and socially distanced. He said that the lesser concern was the noise impact because he feels that can be mitigated a lot by placement and decibel measuring. He said that he would love to see this event in Wellington. He said that he does not share the same concerns about this site. Councilman Napoleone said that he would like to find out what the true noise impact is to next door. He said that people are going to complain about almost anything. This would mean that they could never do anything on this side of town if they worry about the few people that complain. He said that if there was a real problem or not, he does not know, but he would like to find some way to make this event work. He suggested tweaking the number of capacity. He said that as big as Village Park is, getting in and out of there is terrible. For every event held there, the worst part is getting in and out.

Councilman McGovern stated that he wants this to work and would like the Garlic Fest to make a permanent home in Wellington, for however long that may be. He said that he would like to see a way that the stage could be reconfigured to move the sound in the other direction.

Ms. Stewart-Franczak stated that they have looked at other options, but worry about how they are going to get people in other areas, worry about the lake carrying the sound, etc. She said that her other concern, which is her issue, is that she has a press deadline of January 13th. She said that it is make or break whether she can promote/print this or even do anything. She said the site plan can be worked on. It may not end up being what they like, but if the Council is ok with it, then that would work. She asked for information for the Palm Beach Polo Club HOA so they can reach out to them.

Councilman McGovern asked if the plan was to revisit this at the next meeting.

Mr. Barnes stated that they definitely could. He said that the plan was to get it on the table, get some sort of consensus and bring back up for an approval at the next meeting. He said that they can certainly make some recommendations on how to look at doing some advance work related to the noise issue, to at least get an idea of what those noise issues would be at those property lines.

Ms. Stewart-Franczak stated that in Delray Beach, when they had these issues, they gave them all free tickets.

Mayor Gerwig stated that the complaints she got were ones such as a baby going to sleep at 8 p.m. and they cannot when the windows were shaking when Vanilla Ice was performing. She said that she understands that he is a stronger percussionist.

Ms. Stewart-Franczak stated that they are reggae bands.

5. ATTORNEY'S COMMENTS

Ms. Cohen informed the Council that the attorney for the Palm Beach Polo POA has reached out to her and they are negotiating with Palm Beach Polo to purchase a building located within the community that is referred to as the "halfway house." It is 11585 Polo Club Road, on the corner of Sunnydale and Polo Club Road.

Vice Mayor Siskind mentioned that she and Ms. Cohen had already discussed this. She said she had to leave the meeting early.

Ms. Cohen stated that in order to make the sale possible, the attorney is requesting that the Village agrees and releases that property from our foreclosure action and the several liens once the property is re-platted and receives its own PCN.

Mayor Gerwig asked for clarification on what the "halfway house" is.

Ms. Cohen explained that it is a building that is a rest area for golfers, which is about halfway through the course. She said she believed at one time they used to serve refreshments for the golfers. She stated that it is part of a larger parcel and would need to be re-platted to separate to become its' own parcel.

Mayor Gerwig asked if they ever platted that.

Ms. Cohen stated that they did plat the Dunes Course. She said that if they recall, in that case they did the same thing. The Village gave them a partial release just for that property and that is what they are requesting

for this. She said that they will have to come back and do a master plan amendment and a land use change in order to use it for the purpose they want to, which is for the Association office.

Councilman McGovern asked if they would be doing this after the sale or before.

Ms. Cohen stated that Palm Beach Polo could re-plat it before they sell it, but more likely, the POA will purchase it and do the re-plat. After it is assigned a separate PCN, then the Village could do a partial release, if the Council is comfortable doing that. She said that would facilitate the transaction.

Councilman McGovern stated that he would be fine with that in that specific order.

Mayor Gerwig and Councilman Napoleone stated that they would have to see it and talk with Ms. Cohen further on that. They both stated that conceptually it sounds fine.

Ms. Cohen stated that even if they purchase it and re-plat it, they would still have to do the land use change and the master plan amendment. She asked the Council if they would like a more formal presentation or she could forward them the information that was sent, which has the survey and all the liens.

Mayor Gerwig stated that she would like to see those items.

Councilman Napoleone asked if there was a deadline.

Ms. Cohen stated that she did not believe there was. She said that she would forward them the information and possibly at the next meeting, after reviewing the documents she could ask for direction.

6. MANAGER COMMENTS

None.

7. COUNCIL COMMENTS

Councilman McGovern asked Mr. Barnes if he or Ms. Coates will be prepared to discuss at the next meeting information regarding the testing site and vaccination pod questions. People have seen pods popping up in other places around the County, but it has not happened in Wellington.

Mayor Gerwig stated that our residents really want to know why.

Councilman Napoleone stated it would be nice to know what is going on so people can get a handle on it and no one seems to know.

Mr. Barnes stated that they can give an update at the next meeting.

Ms. Coates stated that she could give a brief update. She said that we are working on the vaccine distribution plan with the County as well as the Department of Health. Right now they are focused on opening up the South Florida Fairgrounds site at the end of the month. She said that right now it is a supply issue. Ms. Coates stated that we are in Phase 1 of the State's Distribution Plan, supply is limited. The Village is working on trying to get vaccines here in the Village as well. She said that there are some considerations that they will have to present, but they are working on that right now.

Mayor Gerwig stated that her problem with that is the fact that the vaccine is not getting in arms and what is keeping the supply from becoming more available. She said that when there is a limited number and they have areas that are more effective at getting it, they are going there and giving them more. She said that we are here in this "catch-22" and it is very frustrating for all of us. She said that it is frustrating to know that we cannot manage this and they will not let us manage it.

Councilman McGovern stated that it seemed our County is having problems that other counties are not. He said that we are hearing stories that people are coming from around the country to Florida to get the vaccine. He said that he does not know where that is. He said that he has residents that are wanting to know where to go to get it.

Mayor Gerwig stated that we need to see this effective roll-out. It is very frustrating for the Village knowing that we have been able to accomplish these things with the testing. She said that doing one massive site in the County is not going to be the best way to facilitate this.

Ms. Coates stated that there are additional plans that the County will have. They are prepared for a mass distribution. They will be utilizing the pods, mobile dispensing and partnerships with churches. She said that there is a further plan for this, but right now it is a supply issue. She said that we have put in a request for a site here as other municipalities have and we are prepared to do that.

Mr. Barnes stated that he will speak with the Commissioner's office that will be there at the next meeting to see if they can get some County staff to join the meeting to have them update us.

8. ADJOURN

There being no further business to discuss with Council, the meeting adjourned at 6:24 p.m.