

# **Village of Wellington**

*12300 Forest Hill Blvd  
Wellington, FL 33414*



## **Action Summary - Final**

**Monday, November 7, 2022**

**4:00 PM**

**Village Hall - Council Chambers**

## **Village Council Workshop**

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

**1. CALL TO ORDER**

Mayor Gerwig called the meeting to order at 4:07 p.m.

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

**2. PLEDGE OF ALLEGIANCE**

Mayor Gerwig led the Pledge of Allegiance.

**3. REVIEW OF COUNCIL AGENDA**

Mr. Barnes introduced the agenda for the November 9, 2022 Regular Council Meeting for review.

**A. [22-5535](#)**

A PROCLAMATION OF WELLINGTON, FLORIDA'S COUNCIL PROCLAIMING NOVEMBER 9, 2022 AS "WORLD WAR II VETERAN MARTIN DENENBERG DAY" IN THE VILLAGE OF WELLINGTON

Mr. Barnes mentioned that in the abundance of caution staff has asked our esteemed guest to attend the Agenda Review meeting for the first items listed on the Agenda under Presentations and Proclamations. He said that in the event that we have to change the order of the operations in terms of how we conduct the meeting as it relates to the storm.

Mr. Barnes introduced the item. He stated that this was a Proclamation of Wellington, Florida's Council Proclaiming November 9, 2022 as "World War II Veteran Martin Deneberg Day" in the Village of Wellington.

Ms. Addie read the proclamation into the record.

Mr. Barnes noted that Mr. Deneberg is present along with friends and family.

Council gave comments and presented the proclamation to Mr. Denenberg.

**B. [22-5528](#)**

PROCLAMATION DECLARING NOVEMBER 11, 2022 AS WELLINGTON COMMUNITY FOUNDATION DAY IN WELLINGTON

Mr. Barnes introduced the item. He stated that this was a Proclamation Declaring November 11, 2022 as Wellington Community Foundation Day in Wellington.

Ms. Addie read the proclamation.

Council gave comments and presented the proclamation to Former Mayor Tom Wenham.

Former Mayor Tom Wenham, Chair of the Wellington Community Foundation, Inc., thanked the Council, Mr. Barnes, and staff for their assistance in getting things accomplished.

**C.     [22-5489](#)           PRESENTATION OF PALM TRAN BUS SHELTER IMPROVEMENT PROGRAM**

Mr. Barnes introduced the item. He stated this was the Presentation of Palm Tran Bus Shelter Improvement Program. He said that Mr. Clinton Forbes will be present along with Palm Tran staff to present.

**D.     [22-5517](#)           MINUTES OF THE REGULAR WELLINGTON COUNCIL MEETING OF OCTOBER 11, 2022**

Mr. Barnes introduced the item. He stated that this was for Council approval of the Minutes of the Regular Wellington Council Meeting of October 11, 2022. He asked Council to provide any comments, if any, to the Clerk's Office.

**E.     [22-5536](#)           A PROCLAMATION OF WELLINGTON, FLORIDA'S COUNCIL DESIGNATING NOVEMBER, 2022 AS "FAMILY COURT AWARENESS MONTH" IN THE VILLAGE OF WELLINGTON**

Mr. Barnes introduced the item. He stated that this was a Proclamation of Wellington, Florida's Council Designating November, 2022 as "Family Court Awareness Month" in the Village of Wellington. He noted that the request was submitted by a representative of the organization. He mentioned that the organization will not be in attendance therefore the item remains on Consent.

**F.     [21-4909](#)           AUTHORIZATION TO EXECUTE A CHANGE ORDER TO WHARTON-SMITH, INC. FOR AMMONIA SYSTEM IMPROVEMENTS AT THE WATER TREATMENT PLANT (WTP)**

Mr. Barnes introduced the item. He stated that this was the Authorization to Execute A Change Order to Wharton-Smith, Inc. for Ammonia System Improvements at the Water Treatment Plant. He mentioned that a companion item will be added to this item for Construction Observation Services by the design professionals of record.

Ms. Panse explained the item. She presented a PowerPoint and discussed the Project Background.

Mayor Gerwig asked about the Perfluorooctanoic acid (PFOA) protections.

Ms. Panse answered Mayor Gerwig's question.

Councilman McGovern inquired about the change order amount.

Ms. Panse responded to Councilman McGovern's inquiry.

**G.**     [22-5285](#)

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

Mr. Barnes introduced the item. He stated that this was the Authorization to Utilize Contracts For the Purchase and Delivery of Equipment; and Authorization to Dispose of Existing Surplus Equipment.

Mr. De La Vega explained the item.

Councilman McGovern asked about the equipment.

Mr. De La Vega answered Councilman McGovern's question.

Mayor Gerwig inquired about the lowest price option.

Mr. De La Vega responded to Mayor Gerwig's inquiry.

**H.**     [22-5440](#)

AUTHORIZATION TO EXECUTE A GUARANTEED MAXIMUM PRICE (GMP) AMENDMENT TO WHARTON-SMITH, INC. FOR THE WATER RECLAMATION FACILITY (WRF) MISCELLANEOUS IMPROVEMENTS PROJECT

Mr. Barnes introduced the item. He stated that this was the Authorization to Execute A Guaranteed Maximum Price (GMP) Amendment to Wharton-Smith, Inc. For the Water Reclamation Facility (WRF) Miscellaneous Improvements.

Ms. Panse explained the item.

Mayor Gerwig inquired whether this project is funded by Utilities Budget.

Councilman Napoleone asked if this item is part of the overall plan.

Ms. Panse responded to Councilman Napoleone's question.

Mayor Gerwig commented on the Utilities staff finding the right professionals to manage this.

- I. [22-5443](#) AUTHORIZATION TO AWARD A TASK ORDER TO HAZEN & SAWYER P.C. TO PROVIDE ENGINEERING CONSULTING SERVICES FOR THE WATER RECLAMATION FACILITY (WRF) CLAFIFIER 1 AND 3 RAS/WAS PUMP REPLACEMENT AND ELECTRICAL UPGRADES PROJECT

Mr. Barnes introduced the item. He stated that this was the Authorization to Award A Task Order to Hazen & Sawyer P.C. To Provide Engineering Consulting Services for the Water Reclamation Facility (WRF) Clarifier 1 And 3 RAS/WAS Pump Replacement and Electrical Upgrades Project.

Ms. Panse explained this item.

There was discussion on the care of the Water Plant.

Councilman McGovern inquired about the overall cost of the project.

Ms. Panse responded to Councilman McGovern's inquiries.

- J. [22-5494](#) AUTHORIZATION TO UTILIZE A PALM BEACH COUNTY CONTRACT FOR THE TRAFFIC CALMING PROJECT AT THE INTERSECTION OF WELLINGTON TRACE AND PRIMROSE LANE

Mr. Barnes introduced the item. He stated that this was the Authorization to Utilize A Palm Beach Contract for the Traffic Calming Project at The Intersection of Wellington Trace and Primrose Lane.

Mr. De La Vega explained the item.

Mr. Barnes further explained the item.

Mayor Gerwig commented on Traffic Calming at the intersection.

Vice Mayor Drahos asked what is the plan for the center piece at the intersection.

Mr. Barnes answered Vice Mayor's Drahos's question.

Councilman McGovern asked what the distance is between the intersection and the next traffic light.

Mr. Barnes said that he will check the distance and noted the speed limit in the area.

There was discussion on the landscaping and the cost.

K. [22-5511](#)

A. UTILITY SERVICES AGREEMENT WITH SOUTHERN BLVD VILLAS, LLC FOR PROPERTY LOCATED IN PALM BEACH COUNTY, FLORIDA

B. APPROVAL OF RESOLUTION NO. R2022-68 AMENDING THE UTILITY FUND BUDGET FOR FISCAL YEAR 2022/2023 TO ALLOCATE UTILITY CAPACITY FEES TO UTILITY CAPITAL IMPROVEMENT PROJECT BUDGETS; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. He stated that this was the Utility Services Agreement with Southern Blvd Villas LLC for Property Located in Palm Beach County, Florida. Approval of Resolution No. R2022-68 Amending The Utility Fund Budget For Fiscal Year 2022/2023 To Allocate Utility Capacity Fees to Utility Capital Improvement Project Budgets; and Providing An Effective Date.

Ms. Panse explained the item.

Mayor Gerwig asked whether this was expected as part of the process of what is coming online.

Ms. Panse responded to Mayor Gerwig's questions.

L. [22-5515](#)

AUTHORIZATION TO WAIVE CERTAIN REQUIREMENTS IN FLORIDA STATUTE 255.065 AND PUBLISH NOTICE OF UNSOLICITED PROPOSAL

Mr. Barnes introduced the item. He stated that this was the Authorization to Waive Certain Requirements in Florida Statute 255.065 and Publish Notice of Unsolicited Proposal.

Mr. De La Vega explained the item.

Mayor Gerwig asked how big the market is.

Mr. Barnes and Ms. Cohen responded to Mayor Gerwig's question.

Ms. Cohen mentioned that this proposal has been sent to the consultant for review. She noted that a conference call will be held Wednesday; and depending on the outcome of the call Legal may recommend postponing or pulling the item.

There was discussion on cell coverage and towers.

Councilman McGovern asked Ms. Cohen who will be on the conference call.

Ms. Cohen answered Councilman McGovern's question.

Vice Mayor Drahos asked what would be the reason for pulling the item.

Ms. Cohen responded to Vice Mayor Drahos's inquiry.

Mr. Barnes further explained the purpose of the item.

Vice Mayor Drahos asked for staff to provide more information on the company.

Mr. De La Vega advised if there is more information available it will be forwarded to Council.

Mr. Barnes provided an update to Councilman McGovern's question; he mentioned the distance from the roundabout to the next traffic signal. He noted that Mr. Reinsvold has advised that there maybe a limitation on landscaping that can be placed in the median.

**M. AUTHORIZATION TO 1) UTILIZE A GENERAL SERVICES ADMINISTRATION (GSA) CONTRACT, AS A BASIS FOR PRICING, FOR THE PURCHASE AND DELIVERY OF TWO DATTO BACKUP STORAGE SERVERS AND DATTO INFINITE CLOUD RETENTION SERVICES; AND 2) DISPOSE OF EXISTING SURPLUS EQUIPMENT**

Mr. Barnes introduced the item. He stated that this was the Authorization To 1) Utilize A General Services Administration (GSA) Contract, As A Basis for Pricing, For the Purchase and Delivery of Two Datto Backup Storage Servers and Datto Infinite Cloud Retention Services; and 2) Dispose of Existing Surplus Equipment.

Mr. De La Vega explained the item.

Mr. Sillman further explained the item.

Mayor Gerwig inquired about the disposal of the servers.

Mr. Sillman responded to Mayor Gerwig's inquiry.

Councilman McGovern asked about the pricing.

Mr. Sillman answered Councilman McGovern's question.

There were comments by Council regarding safety of servers.

**N.**     [22-5534](#)

AUTHORIZATION TO CONTINUE UTILIZING AN OMNIA PARTNERS/U.S. COMMUNITIES CONTRACT, AS A BASIS FOR PRICING, FOR THE PURCHASE AND DELIVERY OF REFUSE CARTS

Mr. Barnes introduced the item. He stated that this was the Authorization to Continue Utilizing an Ominia Partners/U.S. Communities Contract, As A Basis for Pricing the Purchase and Delivery of Refuse Carts.

Mr. De La Vega explained the item.

Mayor Gerwig asked about the cart sizes.

Mr. Wright answered Mayor Gerwig's question.

There were comments by Council regarding the wear and tear of carts and lid closures.

Mr. Wright responded to Council comments.

Mr. Wagner said that he would like to see a picture of the cans. Mayor Gerwig said that staff can request to see what the problem is with the cans.

Mr. Barnes commented on the transition efforts made by staff and the vendor.

Council commented on fine tuning the process.

**O.**     [22-5539](#)

RESOLUTION NO. R2022-69 (FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S RESILIENT FLORIDA PROGRAM GRANT FOR THE ENVIRONMENTAL PRESERVE AT MARJORIE STONEMAN DOUGLAS HABITAT (MONCADA) PROJECT) AND RESOLUTION NO. R2022-70 (A BUDGET AMENDMENT TO ALLOCATE THE GRANT FUNDS)

RESOLUTION NO. R2022-69 (FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S RESILIENT FLORIDA PROGRAM GRANT FOR THE ENVIRONMENTAL PRESERVE AT MARJORIE STONEMAN DOUGLAS HABITAT (MONCADA) PROJECT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH



THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE PURPOSE OF RECEIVING A GRANT UNDER PROVISIONS OF THE RESILIENT FLORIDA PROGRAM GRANT FOR THE ENVIRONMENTAL PRESERVE AT THE MARJORY STONEMAN DOUGLAS EVERGLADES HABITAT (MONCADA) PROJECT; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. R2022-70 (FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION RESILIENT FLORIDA PROGRAM GRANT FUNDS BUDGET AMENDMENT)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE FISCAL YEAR 2022-2023 GOVERNMENTAL CAPITAL FUND BUDGET FOR FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION RESILIENT FLORIDA PROGRAM GRANT FUNDS AWARDED FOR DEVELOPMENT OF THE MARJORIE STONEMAN DOUGLAS EVERGLADES HABITAT (MONCADA) PROJECT; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. He stated that this was Resolution No. R2022-69 (Florida Department of Environmental Protection's Resilient Florida Program Grant for The Environmental Preserve at Marjorie Stoneman Douglas Habitat (Moncada Project) And Resolution No. R2022-70 (A Budget Amendment to Allocate the Grant Funds).

Ms. Quickel explained the item.

Mayor Gerwig inquired about the work and design.

Ms. Quickel answered Mayor Gerwig's question.

**P.**     [22-5533](#)

DISCUSSION BY THE ACME BOARD OF SUPERVISORS OF UNIT OF DEVELOPMENT 50TH STREET AND A RECOMMENDED WITHDRAWAL OF THE UNIT'S PROPOSED PLAN OF IMPROVEMENT AND REVISED ENGINEER'S REPORT

Mr. Barnes introduced the item. He stated that this was Discussion by The Acme Board of Supervisors of Unit of Development 50th Street and A Recommended Withdrawal of the Unit's Proposed Plan of Improvement and Revised Engineers Report.

Mayor Gerwig asked if it matters that this item is listed as a Discussion on the Consent Agenda.

Ms. Cohen responded that this is recommendation for removal of the item.

Ms. Quickel explained the item. She answered questions from Council.

**Q.**     [22-5506](#)

ORDINANCE NO. 2022-27 (LOTIS II FUTURE LAND USE MAP AMENDMENT TO THE COMPREHENSIVE PLAN AMENDMENT {FLUM})

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING AN AMENDMENT TO THE FUTURE LAND USE MAP (FLUM) OF WELLINGTON'S COMPREHENSIVE PLAN, (PETITION NUMBER 2021-0002-CPA), TO MODIFY THE LAND USE DESIGNATION FROM PALM BEACH COUNTY LOW RESIDENTIAL TO MIXED USE (MU) FOR CERTAIN PROPERTIES KNOWN AS 441 PARTNERS TOTALING 52.43 ACRES, MORE OR LESS, AND KNOWN AS LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY TOTALING 1.49 ACRES, MORE OR LESS, LOCATED ON THE WEST SIDE OF STATE ROAD 7, APPROXIMATELY A HALF MILE NORTH OF THE FOREST HILL BOULEVARD AND STATE ROAD 7 INTERSECTION, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. He stated that this was Ordinance No. 2022-27 (Lotis II Future Land Use Map Amendment to The Comprehensive Plan Amendment {FLUM}).

Ms. Cramer explained the item. She answered questions from Council.

Mayor Gerwig commented on the mitigation.

Ms. Cramer responded to Mayor Gerwig's comments.

**R.**     [22-5507](#)

ORDINANCE NO. 2022-28 (LOTIS II REZONING)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL, APPROVING A REZONING (PETITION NUMBER 2021-0002-REZ), TO MODIFY THE OFFICIAL ZONING MAP OF WELLINGTON TO MULTIPLE USE PLANNED DEVELOPMENT (MUPD) FROM PALM BEACH COUNTY PUBLIC OWNERSHIP FOR CERTAIN PROPERTY KNOWN AS 441 PARTNERS (PARCEL 1) TOTALING 15.68 ACRES, MORE OR LESS, AGRICULTURAL RESIDENTIAL FOR CERTAIN PROPERTIES KNOWN AS 441 PARTNERS (PARCELS 2 AND 3) TOTALING 35.92 ACRES, MORE OR LESS, AND AGRICULTURAL RESIDENTIAL FOR CERTAIN PROPERTY KNOWN AS LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY TOTALING 1.49 ACRES, MORE OR LESS, LOCATED ON THE WEST SIDE OF STATE ROAD 7, APPROXIMATELY A HALF MILE NORTH OF THE FOREST HILL BOULEVARD AND STATE ROAD 7 INTERSECTION, AS MORE

SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

This item was discussed with the previous item.

S. [22-5509](#)

ORDINANCE NO. 2022-30 (CELL TOWER - ZONING TEXT AMENDMENT TO WELLINGTON'S LAND DEVELOPMENT REGULATIONS)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING THE WELLINGTON LAND DEVELOPMENT REGULATIONS, MORE SPECIFICALLY, A ZONING TEXT AMENDMENT TO MODIFY SECTION 6.2.2.G. TRANSPORTATION COMMUNICATIONS INFRASTRUCTURE, OF ARTICLE 6, TO PROVIDE STANDARDS FOR COMMERCIAL WIRELESS FACILITIES AND APPROVING A WIRELESS COMMUNICATION TOWER MAP WITH THE LOCATIONS OF PRELIMINARY APPROVED TOWERS AND APPROVED TOWERS WITHIN WELLINGTON, AS MORE SPECIFICALLY CONTAINED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. He stated that this was Ordinance No. 2022-30 (Cell Tower - Zoning Text Amendment to Wellington's Land Development Regulations. He advised that this item will be opened and need to be postponed to a meeting date certain to the December 13, 2022 meeting; based on the discussion staff will have with the Tower Consultant.

Mayor Gerwig asked about re-advertisement.

Ms. Cohen answered Mayor Gerwig's question.

T. [22-5508](#)

RESOLUTION NO. R2022-64 (WELLINGTON PUD MASTER PLAN AMENDMENT FOR 977 CINDY DRIVE)

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, FOR A MASTER PLAN AMENDMENT (PETITION NUMBER 2022-0003-MPA) AMENDING THE WELLINGTON PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN FOR A CERTAIN PARCEL KNOWN AS PALM BEACH LITTLE RANCHES EAST OPEN SPACE AND RECREATION (A.K.A. 977 CINDY DRIVE), TOTALING 0.23-ACRE, MORE OR LESS, LOCATED APPROXIMATELY A HALF-MILE SOUTH OF ACME ROAD AND CINDY DRIVE INTERSECTION AT 977 CINDY DRIVE, AS MORE SPECIFICALLY DESCRIBED HEREIN; TO ADD ONE (1) DWELLING UNIT WITH SITE-SPECIFIC DEVELOPMENT STANDARDS;

PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Barnes introduced the item. He stated that this was Resolution No. R2022-64 (Wellington PUD Master Plan Amendment For Cindy Drive).

Ms. Cramer explained the item.

#### **4. WORKSHOP**

None.

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

Ms. Cohen advised that Pine Tree will meet to discuss the proposed settlement that was negotiated during the mediation; and a meeting has been scheduled for either November 28th or November 29th.

Councilman McGovern inquired whether Pine Tree holds regular meetings.

Ms. Cohen said she does not know; as they do not post the notices on their website.

There were Council comments on Pine Tree's meeting notices and who the regulatory governing agency is.

Ms. Cohen advised that Pine Tree's Counsel has advised that they are convening; she mentioned that Legal should be in the position to advise Council afterwards and may have to call a Shade Session.

Councilman McGovern inquired whether Pine Tree should be ratifying up or down the agreement.

Ms. Cohen responded to Councilman McGovern's inquiry.

#### **6. MANAGER COMMENTS**

None.

#### **7. COUNCIL COMMENTS**

Mayor Gerwig mentioned the Administrative Transmittal sent out on November 3, 2022 regarding the new applicants for the Architectural Review Board. She said that Council could have the discussion at upcoming meeting.

Ms. Addie noted that there is a vacancy on the Senior Advisory Committee as well.

Councilman Napoleone asked Ms. Addie to re-circulate the current applications.

There were comments by Council about Board/Committee applications.

Ms. Addie listed the names of the applicants.

Mayor Gerwig requested Ms. Addie re-circulate the current applications.

Ms. Addie advised that the applications will be circulated.

## **8. ADJOURN**

There being no further business to discuss with Council, the meeting adjourned at 5:37 p.m.