



Legislation Details (With Text)

File #: 22-5462 **Name:** AMENDMENT TO A COMPREHENSIVE AGREEMENT FOR THE DESIGN, DEVELOPMENT, CONSTRUCTION, AND OPERATION OF WELLINGTON COMMUNITY PARK, BETWEEN WELLINGTON ATHLETICS, LLC., AND ACME IMPROVEMENT DISTRICT, A DEPENDENT DISTRICT OF THE VILLAGE OF WELLINGTON

Type: Purchasing/Contract

In control: Village Council

On agenda: 10/11/2022

Final action:

Title: AMENDMENT TO A COMPREHENSIVE AGREEMENT FOR THE DESIGN, DEVELOPMENT, CONSTRUCTION, AND OPERATION OF WELLINGTON COMMUNITY PARK, BETWEEN WELLINGTON ATHLETICS, LLC., AND ACME IMPROVEMENT DISTRICT, A DEPENDENT DISTRICT OF THE VILLAGE OF WELLINGTON

Code sections:

Attachments: 1. 1. Wellington Athletics Amendment No. 1 to Comprehensive Agreement(16134442.1) (002)

Date	Ver.	Action By	Action	Result
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ITEM: AMENDMENT TO A COMPREHENSIVE AGREEMENT FOR THE DESIGN, DEVELOPMENT, CONSTRUCTION, AND OPERATION OF WELLINGTON COMMUNITY PARK, BETWEEN WELLINGTON ATHLETICS, LLC., AND ACME IMPROVEMENT DISTRICT, A DEPENDENT DISTRICT OF THE VILLAGE OF WELLINGTON

REQUEST: Approval of amendment No.1 to a comprehensive agreement for the design, development, construction, and operation of Wellington Community Park, between Wellington Athletics, LLC and ACME Improvement District, a dependent district of the Village of Wellington.

EXPLANATION: On June 14, 2022, the Village Council approved Resolution No. R2022-19, a comprehensive agreement between Wellington Athletics, LLC and ACME Improvement District for the development, construction, operation, and maintenance of a recreational facility at the Wellington Community Park Site.

In order to address comments provided by Palm Beach County, to satisfy obligations required during the Due Diligence Period, and to address input from the Palm Beach Sports Commission, the Village of Wellington and Wellington Athletics, LLC., have determined that certain provisions of the agreement need to be revised, as summarized below:

- Extension of "Equity Funding Period"
- Extension of "Due Diligence Period"
- Amendment to the "Public Financing Period"
- Add recommended language from PBC to address existing County deed dated January 14, 1986; specifically, "Wellington Athletics shall provide Recreational Facility access to all residents of Palm Beach County, Florida, on a non-discriminatory basis, including fees required to be paid, with no

preference given to Wellington residents.

Staff recommends approval of amendment No.1 to the comprehensive agreement for the design, development, construction, and operation of Wellington Community Park between Wellington Athletics, LLC., and ACME Improvement District, a dependent district of the Village of Wellington.

BUDGET AMENDMENT REQUIRED: NO

PUBLIC HEARING: NO **QUASI-JUDICIAL:**

FIRST READING: **SECOND READING:**

LEGAL SUFFICIENCY: YES

FISCAL IMPACT: No Fiscal Impact.

WELLINGTON FUNDAMENTAL: Responsive Government

RECOMMENDATION: Approval of amendment No.1 to the comprehensive agreement for the design, development, construction, and operation of Wellington Community Park between Wellington Athletics, LLC and ACME Improvement District, a dependent district of the Village of Wellington.