

ACME HISTORY

The Acme Improvement District is a dependent special district originally created by the Florida legislature in 1953 to provide drainage, water management, and infrastructure development in western Palm Beach County. Acme became the local government for the area until the Village of Wellington (Wellington) was incorporated in 1995. With the incorporation, Acme became a dependent district of Wellington and the two entities share the same governing board with the Wellington Council acting as the Board of Supervisors for Acme.

Acme's service area covers over 32 square miles and includes parts of unincorporated Palm Beach County. Special Districts are unlike municipalities and counties in that some of them, including Acme, collect revenue from non-Ad Valorem assessments. This means that the amount of the assessment is not based on the value of the property. Assessments are paid solely by landowners benefiting from the services that Acme provides.

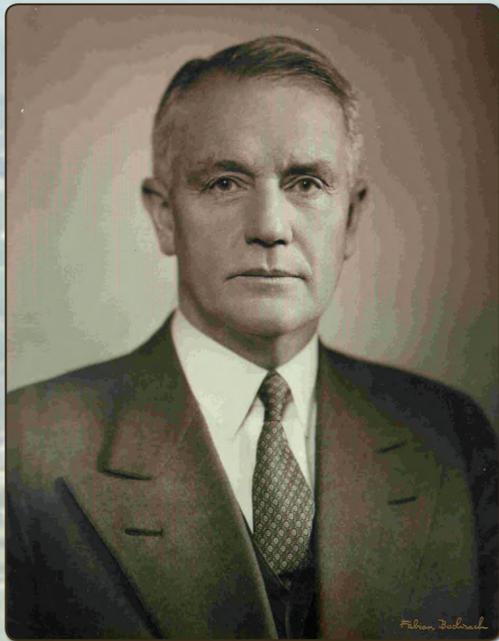
The assessments collected do not duplicate services provided by other municipalities or districts and revenues can only be used for purposes authorized in our legislation.

SERVICES PROVIDED

- **Water and Wastewater** – provides water and wastewater utility services.
- **Roadway Improvements** – construction and maintenance of roadways and infrastructure.
- **Surface Water Management** – construction and maintenance of drainage facilities and infrastructure, including pump stations, canals, water bodies, swales, and storm water conveyance system, etc.
- **Environmental Services** – performs mosquito and pest control service.
- **Neighborhood Parks** – construction and maintenance of neighborhood parks, littoral plantings, pathways, sidewalks, and multi-purpose pathway construction and maintenance, and special event preparation.
- **Equestrian Trails** – maintenance and construction of all public equestrian trails, fencing and trail heads.
- **Preserve Maintenance** – Responsible for overseeing and maintaining the Wellington Environmental Preserve at Marjory Stoneman Douglas Everglades Habitat, the Birkdale Preserve, and Big Blue Preserve.



WELLINGTON HISTORY



Wellington, one of the most successfully crafted communities in Palm Beach County, is the premier South Florida community known for its abundant parks, quality schools, attractive neighborhoods and equestrian interests.

In 1951, following the recommendations of Arthur William Glisson (known to all in Wellington as "Bink" Glisson), Charles Oliver Wellington assembled and purchased several tracts of land that would later become known as Wellington. Mr. Wellington was a very successful accountant and investor from New York. The area he purchased frequently flooded with water. That really is not surprising because Wellington's southwestern boundary is the Florida Everglades. Shortly following the land purchases, the State of Florida passed legislation creating the Acme Drainage District.

The initial purpose of the District, created in 1953, was to provide for drainage and flood control on the assembled acreage and to make the property suitable for agriculture. This was a huge undertaking as the total size of the tract was over 16,000 acres. This drastically transformed the landscape from waterlogged land to fertile farmland. Portions of the land were sold or leased to farmers for cultivation. Many crops were grown, including strawberries – 2,000 acres to be exact. In fact, the area that is known as Wellington was once the world's largest strawberry patch.

Bink Glisson was hired by Charles Oliver Wellington to oversee the property that was soon to become known as the Flying Cow (Charles Oliver Wellington) Ranch. Bink also served as the Acme Drainage District's first employee and general manager. In many respects, Bink was the first rock to anchor what was soon (44 years later) to become Wellington. He served the District in many capacities for 40 years and retired in 1993 with a big sendoff attended by hundreds of his friends and neighbors.

Mr. Wellington was the first Chairman of the Acme Drainage District and served until his death in 1959. Oddly enough, it was probably Mr. Wellington's death which led to the decision to develop portions of the property to raise capital to pay for estate taxes. Wellington's son, Roger Wellington, carried on as the District Chairman until he retired in 1984. Major construction did not begin until the first large tract of land, 7,400 acres, was sold to the Investment Corporation of Florida (ICOF) in 1971 for a cost of approximately \$800 per acre. In 1972, a joint venture between ICOF and Alcoa Aluminum was formed to begin the construction of a new community. Shortly after construction began, hundreds of homes began selling. In 1976, Alcoa decided to sell their interest back to ICOF. Two years later, the remaining properties of ICOF were sold to Gould Florida, a division of the large electronics corporation Gould, Inc. William Yilvisaker, the Chairman of Gould, was an avid polo player. It was his contribution that produced the Palm Beach Polo and Country Club.



COUNCIL COMPENSATION

Section 5E

OLD

E. *Compensation and expenses.* Village councilmembers shall initially be compensated at the rate of \$300 per month, and shall be entitled to receive reimbursement in accordance with Florida Statutes for authorized travel and per-diem expenses incurred in the performance of their official duties. The village council, by not less than four affirmative votes, may elect to provide for an increase in compensation by ordinance. However, no such ordinance establishing or increasing compensation shall take effect until the date of commencement of the terms of councilmembers elected at the next regular election which follows the adoption of said ordinance.

PROPOSED

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The CRTF discussed that there has been a significant escalation in the time required of councilmembers since the drafting of the charter. With that in mind, the CRTF recommends that the charter be amended to require the Village Council to review its compensation at least every 5 years. CRTF recommended removing the super-majority provision, reasoning that Council regularly makes budgetary allocations well in excess of its compensation and that such a decision should not be treated differently.

COUNCIL VACANCIES

Section 5G

OLD

4. *Filling of vacancies.*

- a. ~~If a vacancy occurs in the office of mayor, and less than 180 days remain in the term of the mayor, then the vice-mayor shall serve as mayor until a new mayor is elected and assumes the duties of his or her office. If a vacancy occurs in the office of mayor and 180 days or more remain in the term of the mayor, then the vice-mayor shall serve as mayor until a new mayor is elected at a special election as provided herein. The special election shall be called within not less than 90 days or more than 180 days to fill such vacancy.~~
- b. ~~If any vacancy occurs in the office of any councilmember and the remainder of the unexpired term is less than 2 years and 81 days, the remaining councilmembers shall, within 30 days following the occurrence of such vacancy, by majority vote, appoint a person to fill the vacancy for the remainder of the unexpired term. If, however, the remainder of the unexpired term exceeds 2 years and 81 days, the remaining councilmembers shall, within 30 days following the occurrence of such vacancy, by majority vote, appoint a person to fill the vacancy until the next regularly scheduled village election.~~
- c. Any person appointed to fill a vacant seat on the council shall be required to meet the qualifications of the seat to which he or she is appointed.

PROPOSED

4. *Filling of vacancies.*

- a. If any vacancy occurs in the office of mayor or of any councilmember and the remainder of the unexpired term is less than 180 days, the remaining councilmembers shall, within 30 days following the occurrence of such vacancy, by majority vote, appoint a person to fill the vacancy for the remainder of the unexpired term. If any vacancy occurs in the office of mayor or any councilmember and the remainder of the unexpired term is 180 days or more, then a special election shall be called as provided herein. The special election shall be called within not less than 90 days or more than 180 days to fill such vacancy. Should such vacancy occur in the office of mayor, the vice mayor shall serve as mayor until a new mayor is elected.
- b. Any person appointed to fill a vacant seat on the council shall be required to meet the qualifications of the seat to which he or she is appointed.

When the office of Mayor was established, the process for filling a vacancy in that office was revised and the process for filling a vacancy on Council stayed the same. The CRTF recommends revising the charter to make the process consistent for both offices.

72 HR NOTICE FOR SPECIAL MEETING

Section 5(H)1

OLD

1. Special meetings may be held at the call of the mayor, or in his or her absence, at the call of the vice-mayor. Special meetings may also be called upon the request of a majority of the councilmembers. Unless of an emergency nature, the person or persons calling such a meeting shall provide not less than 72 hours' prior notice of the meeting to the public.

PROPOSED

1. Special meetings may be held at the call of the mayor, or in his or her absence, at the call of the vice-mayor. Special meetings may also be called upon the request of a majority of the councilmembers. ~~Unless of an emergency nature, the person or persons calling such a meeting shall provide not less than 72 hours' prior notice of the meeting to the public.~~

Florida's public meetings law requires that reasonable notice of all public meetings be provided. The CRTF discussed eliminating the 72 hour requirement in order to give the Village the flexibility it needs in a quickly moving atmosphere to act to call a special meeting while complying with state law. When the charter was drafted, a 72 hour requirement was the absolute minimum required to provide reasonable notice, but with the evolution of social media and the internet as a mechanism for advertising and promoting meetings, it is no longer required.

ELIMINATING ALL CHARTER REFERENCE TO 5 MIL CAP

OLD

1. Initiative and referendum.

b. Referendum.

- (1) The village council shall have the power, by resolution, to call for a referendum vote by the electors of the village at any time, provided that the purpose of such referendum is presented to the village at a public hearing at least 60 days prior to the adoption of said resolution. Any resolution calling for a referendum vote of the electors of the village must be passed by the affirmative vote of not less than four members of the council.
- (2) The electors of the village shall have the power to require reconsideration by the village council of any adopted ordinance and, if the village council fails to repeal an ordinance so reconsidered, to approve or reject it at a village election, provided that such power shall not extend to the annual budget or capital program or any ordinance appropriating money, levying taxes, or setting salaries of village officers or employees.
- (3) Notwithstanding anything in section 8.1.1.a.(2) to the contrary, the referendum power shall extend to any ordinance levying ad valorem taxes, provided that the ordinance increases the total village tax rate above 5 mills, and that all petitions with respect to the referendum are filed within 30 days after the date of adoption of the ordinance.

5. Action on petitions.

- a. Action by the village council. When an initiative or referendum petition has been determined sufficient, the village council shall promptly consider the proposed initiative ordinance or reconsider the referendum ordinance by voting its repeal. The repeal of an ordinance relating to the levy of ad valorem taxes shall be by ordinance. If the village council fails to adopt a proposed initiative ordinance without any change in substance within 45 days or fails to repeal the referendum ordinance within 30 days or, in the case of a referendum authorized pursuant to section 8.1.1.b.(3), within 5 days after the date on which the petition is determined to be sufficient, it shall submit the proposed initiative or referendum ordinance to the electors of the village. If the village council fails to act on a proposed initiative ordinance or a referendum ordinance within the time period specified, the village council shall be deemed to have failed to adopt the proposed initiative ordinance or failed to repeal the referendum ordinance on the last day that the village council was authorized to act on such matter.

PROPOSED

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b. Referendum.

- (1) The village council shall have the power, by resolution, to call for a referendum vote by the electors of the village at any time, provided that the purpose of such referendum is presented to the village at a public hearing at least 60 days prior to the adoption of said resolution. Any resolution calling for a referendum vote of the electors of the village must be passed by the affirmative vote of not less than four members of the council.
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The CRTF discussed this issue extensively. The process of levying taxes has never been by ordinance; rather it has been by resolution. Under the current provisions, a taxpayer has the opportunity to challenge an ad valorem tax increase through the referendum procedure outlined in the charter, but only so long as the ordinance increased the total tax rate above 5 mills. The CRTF determined that this section is ineffective because any referendum would not take place until approximately 90 to 100 days after the adoption of a millage rate. Based on the timeline for adopting and setting the millage rate in conjunction with the Village's budget year, by the time the referendum made it to the electors, residents' tax bills would already be processed and mailed by the property appraiser's office.

ELIMINATE REFERENCE TO TRANSITION

Section 9. Transition schedule

OLD

A. *Referendum.* The referendum election called for by this act shall be held on November 7, 1995, at which time the following question shall be placed upon the ballot:

“SHALL LAWS OF FLORIDA, CH. 95-[496], CREATING THE VILLAGE OF WELLINGTON AND PROVIDING ITS CHARTER BE APPROVED?”

In the event this question is answered affirmatively by a majority of voters voting in the referendum, the provisions of this charter will take effect as provided in section 14.

B. *Initial election of councilmembers.*

1. *Dates.* Following the adoption of this charter in accordance with section 9.A., the Palm Beach County Commission shall call a special election for the election of the five village councilmembers to be held on March 12, 1996. In the event no candidate for an office receives a majority of the votes cast for said office, then a runoff election shall be held on March 26, 1996.
2. *Qualifying period.* Between noon on January 30, 1996, and noon on February 13, 1996, any individual who wishes to run for one of the five initial seats on the council shall qualify as a candidate with the Palm Beach County Supervisor of Elections in accordance with the provisions of this charter and general law.
3. *Certification of election results.* For the initial election, the Palm Beach County Commission shall appoint a canvassing board which shall certify the results of the election.
4. *Induction into office.* Those candidates who are elected on March 12, 1996, and March 26, 1996, shall take office at the initial village council meeting, which shall be held at 7 p.m. on March 28, 1996, at the Wellington High School, Wellington, Florida.
5. *Initial terms of office.* In order to provide for staggering terms of office, the initial term of office for those three council candidates receiving the highest number of votes in the initial election shall be 4 years, and for the remaining elected candidates 2 years.

C. *Creation and establishment of village.* For the purpose of compliance with F.S. § 200.066, relating to assessment and collection of ad valorem taxes, the village is hereby created and established effective December 31, 1995, notwithstanding anything to the contrary contained herein, the village although created and established as of December 31, 1995, shall not be operational until March 28, 1996.

D. *First year expenses.* The village council, in order to provide moneys for the expenses and support of the village, shall have the power to borrow money necessary for the operation of village government until such time as a budget is adopted and revenues are raised in accordance with the provisions of this charter.

E. *Transitional ordinances and resolutions.* The village council shall adopt ordinances and resolutions required to effect the transition. Ordinances adopted within 60 days after the first council meeting may be passed as emergency ordinances. These transitional ordinances, passed as emergency ordinances, shall be effective for no longer than 90 days after adoption, and thereafter may be readopted, renewed, or otherwise continued only in the manner normally prescribed for ordinances.

F. *Transitional comprehensive plan and land development regulations.*

1. Until such time as the village adopts a comprehensive plan, the applicable provisions of the Comprehensive Plan of Palm Beach County, as the same exists on the day the village commences corporate existence, shall remain in effect as the village's transitional comprehensive plan. However, all planning functions, duties, and authority shall thereafter be vested in the Village Council of Wellington which shall be deemed the local planning agency until the council establishes a separate local planning agency. Any amendment to any zoning as established in the current county land use plan, which is adopted by the village, shall only be by an ordinance adopted by the affirmative vote of not less than four members of the council. Any increase in the residential density or intensity, as established in the current county land use plan which is adopted by the village shall only be by an ordinance adopted by the affirmative vote of not less than four members of the council. This charter shall not affect any of the rights and obligations, between and among any persons, which have been and are established by or result from any existing planned unit developments in the area which are established by this charter. Notwithstanding any other provision within general law or this charter, if, before the village adopts its comprehensive plan and land development regulations, an application for development approval is filed for a development of regional impact on a parcel of land located within the corporate boundaries of the village, as described in Section 11 herein, the comprehensive plan and land development regulations of Palm Beach County shall govern all development approvals for the development of regional impact until 48 months subsequent to the date the village commences corporate existence and during that 48-month period all local government orders and development permits associated with the development of regional impact shall be administered and issued by Palm Beach County.
2. With the exception of the Development of Regional Impact exemption provided in subparagraph F.1. [of this section], all powers and duties of the planning commission, zoning authority, any boards of adjustment, and the County Commission of Palm Beach County, as set forth in these transitional zoning and land use regulations, shall be vested in the Village Council of Wellington until such time as the village council delegates all or a portion thereof to another entity.
3. With the exception of the Development of Regional Impact exemption provided in subparagraph F.1. [of this section], subsequent to the commencement of the village's corporate existence, no amendment of the comprehensive plan or land development regulations enacted by the Palm Beach County Commission shall be deemed as an amendment of the village's transitional comprehensive plan or land development regulations or otherwise take effect within the village's corporate limits unless approved by the village council.

G. *State shared revenues.* The Village of Wellington shall be entitled to participate in all shared revenue programs of the State of Florida effective immediately on the date of incorporation. The provisions of F.S. § 218.23(1) shall be waived for the purpose of eligibility to receive revenue sharing funds from the date of incorporation through the state fiscal year 1996—1997. Initial population estimates for calculating eligibility for shared revenues shall be determined by the University of Florida Bureau of Economic and Business Research. Should the bureau be unable to provide an appropriate population estimate, the Palm Beach County Planning Division estimate should be utilized.

H. *Gas tax revenues.* Notwithstanding the requirements of F.S. § 336.025 to the contrary, the Village of Wellington shall be entitled to receive local option gas tax revenues beginning October 1, 1996. The amount of said revenues distributed to the Village of Wellington shall be determined pursuant to Ordinance [No.] 86-23 of Palm Beach County.

PROPOSED

A. ~~Referendum.~~ The referendum election called for by this act shall be held on November 7, 1995, at which time the following question shall be placed upon the ballot:

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- ~~3. Certification of election results.~~ For the initial election, the Palm Beach County Commission shall appoint a canvassing board which shall certify the results of the election.
- ~~4. Induction into office.~~ Those candidates who are elected on March 12, 1996, and March 26, 1996, shall take office at the initial village council meeting, which shall be held at 7 p.m. on March 28, 1996, at the Wellington High School, Wellington, Florida.
- ~~5. Initial terms of office.~~ In order to provide for staggering terms of office, the initial term of office for those three council candidates receiving the highest number of votes in the initial election shall be 4 years, and for the remaining elected candidates 2 years.

~~C. Creation and establishment of village.~~ For the purpose of compliance with F.S. § 200.066, relating to assessment and collection of ad valorem taxes, the village is hereby created and established effective December 31, 1995, notwithstanding anything to the contrary contained herein, the village although created and established as of December 31, 1995, shall not be operational until March 28, 1996.

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~~E. Transitional ordinances and resolutions.~~ The village council shall adopt ordinances and resolutions required to effect the transition. Ordinances adopted within 60 days after the first council meeting may be passed as emergency ordinances. These transitional ordinances, passed as emergency ordinances, shall be effective for no longer than 90 days after adoption, and thereafter may be readopted, renewed, or otherwise continued only in the manner normally prescribed for ordinances.

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~~G. State shared revenues.~~ The Village of Wellington shall be entitled to participate in all shared revenue programs of the State of Florida effective immediately on the date of incorporation. The provisions of F.S. § 218.23(1) shall be waived for the purpose of eligibility to receive revenue sharing funds from the date of incorporation through the state fiscal year 1996—1997. Initial population estimates for calculating eligibility for shared revenues shall be determined by the University of Florida Bureau of Economic and Business Research. Should the bureau be unable to provide an appropriate population estimate, the Palm Beach County Planning Division estimate should be utilized.

~~H. Gas tax revenues.~~ Notwithstanding the requirements of F.S. § 336.025 to the contrary, the Village of Wellington shall be entitled to receive local option gas tax revenues beginning October 1, 1996. The amount of said revenues distributed to the Village of Wellington shall be determined pursuant to Ordinance [No.] 86-23 of Palm Beach County.

This section outlined the procedure for electing the Village's first council, provided for expenses and otherwise guided the original administration through the transition from an unincorporated community in Palm Beach County to the Village of Wellington. Nearly 20 years have passed since incorporation, and with that in mind, the CRTF recommends removing these provisions from the Village Charter, as they are no longer necessary.

ELIMINATE THE REMOVAL OF REQUIREMENT FOR REFERENDUM PRIOR TO ESTABLISHING A VILLAGE FIRE OR POLICE DEPARTMENT SECTION 10. CONTINUATION, MERGER, AND DISSOLUTION OF EXISTING DISTRICTS.

OLD

- A. *Palm Beach County Fire Rescue Municipal Service Taxing Unit; continuation.* Notwithstanding the incorporation of the Village of Wellington, that portion of the Palm Beach County Fire Rescue Municipal Service Taxing Unit, a special taxing district created by the Palm Beach County Commission that lies within the boundaries of the Village of Wellington, is authorized to continue in existence, until the village adopts an ordinance to the contrary. However, the village shall not establish a village fire department without a referendum.
- B. *Law enforcement.* Law enforcement services shall continue to be provided by the Palm Beach County Sheriff's Office, or contracted with other law enforcement agencies, until the village adopts an ordinance to the contrary; provided that the village shall not establish a village police department without a referendum.
- C. *Palm Beach County Library Taxing District; continuation.* Notwithstanding the incorporation of the Village of Wellington, that portion of the Palm Beach County Library Taxing District, a dependent district of Palm Beach County created by Laws of Fla., ch. 67-1869, as amended, that lies within the boundaries of the Village of Wellington, is authorized but not required to continue in existence.
- D. *Palm Beach County Municipal Service Taxing Unit B.* That portion of Palm Beach County Municipal Service Taxing Unit B, a dependent district of Palm Beach County created by the Palm Beach Commission that lies within the boundaries of the Village of Wellington, shall cease to exist within the municipal boundaries of the Village of Wellington on September 30, 1996.
- E. *Palm Beach County Municipal Service Taxing Unit C.* That portion of Palm Beach County Municipal Service Taxing Unit C, a dependent district of Palm Beach County created by the Palm Beach County Commission that lies within the boundaries of the Village of Wellington, shall cease to exist within the municipal boundaries of the Village of Wellington on September 30, 1996.
- F. *Palm Beach County Municipal Service Taxing Unit F.* That portion of Palm Beach County Municipal Service Taxing Unit F, a dependent district of Palm Beach County created by the Palm Beach County Commission that lies within the boundaries of the Village of Wellington, shall cease to exist within the municipal boundaries of the Village of Wellington on September 30, 1996.

PROPOSED

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- D. *Palm Beach County Municipal Service Taxing Unit B.* That portion of Palm Beach County Municipal Service Taxing Unit B, a dependent district of Palm Beach County created by the Palm Beach Commission that lies within the boundaries of the Village of Wellington, shall cease to exist within the municipal boundaries of the Village of Wellington on September 30, 1996.
- E. *Palm Beach County Municipal Service Taxing Unit C.* That portion of Palm Beach County Municipal Service Taxing Unit C, a dependent district of Palm Beach County created by the Palm Beach County Commission that lies within the boundaries of the Village of Wellington, shall cease to exist within the municipal boundaries of the Village of Wellington on September 30, 1996.
- F. *Palm Beach County Municipal Service Taxing Unit F.* That portion of Palm Beach County Municipal Service Taxing Unit F, a dependent district of Palm Beach County created by the Palm Beach County Commission that lies within the boundaries of the Village of Wellington, shall cease to exist within the municipal boundaries of the Village of Wellington on September 30, 1996.

After significant debate, the CRTF recommends for discussion removing the requirement that the Village hold a referendum before establishing its own Police and/or Fire Departments. The CRTF makes this recommendation in hopes that it may provide the Village with a better bargaining position in negotiating its contracts with the Palm Beach County Sherriff's Office and Palm Beach County Fire Rescue, in addition to giving future Councils greater flexibility should they desire to take these services in-house.

REFERENCE AND INCORPORATE THE EQUESTRIAN PRESERVE AREA IN THE CHARTER

OLD

No existing provision

PROPOSED

There shall exist within the boundaries of the Village of Wellington an area designated as the Equestrian Preserve Area. The boundaries of the Equestrian Preserve Area shall consist of those areas designated as the Equestrian Preserve Area in Equestrian Element Map No. 1, adopted as part of Ordinance No. 2012-07. The Council may, by majority vote, expand the boundaries of the Equestrian Preserve Area, but such boundaries shall not be reduced except by referendum.

The CRTF undertook extensive discussion of the importance of the equestrian element to the Village of Wellington and sought input from the Equestrian Preserve Committee. The CRTF proposes a charter amendment that would define the boundaries of the equestrian preserve area and would protect that preserve by mandating that any reduction in the land area of the preserve be accomplished only by referendum.