THE TOWN OF
Windermere

MAYOR AND COUNCIL OF THE TOWN OF WINDERMERE

Mayor Jim O'Brien
Council Members
Andy Williams
Chris Sapp
Bill Martini
Mandy David
Tony Davit

Agenda *Agenda*

April 13, 2021
6:00 PM
Town Hall
520 Main St.
Windermere, FL 34786

PLEASE NOTE: IN ACCORDANCE WITH F.S. 286.26: Person with disabilities needing assistance to participate in any such proceeding should contact the Office of the Town Clerk at least 48 hours beforehand at (407) 876-2563

Pursuant to Resolution No. 2005-12 adopted on December 13, 2005, the following Civility Code shall govern all proceedings before the Town of Windermere Town Council:

1. All electronic devices, including cell phones and pagers, shall be either turned off or otherwise silenced.
2. Prolonged conversations shall be conducted outside Council meeting hall.
3. Whistling, heckling, gesturing, loud conversations, or other disruptive behavior is prohibited.
4. Only those individuals who have signed the speaker list and/or who have been recognized by the Mayor (or Chair) may address comments to the Council.
5. Comments at public hearings shall be limited to the subject being considered by the Council.
6. Comments at Open Forums shall be directed to Town issues.
7. All public comments shall avoid personal attacks and abusive language
8. No person attending a Town Council meeting is to harass, annoy, or otherwise disturb any other person in the room.

Any member of the public whose behavior is disruptive and violates the Town of Windermere Civility Code is subject to removal from the Town Council meeting by an officer and such other actions as may be appropriate. PLEASE NOTE: IN ACCORDANCE WITH F.S. 286.0105: Any person who desires to appeal any decision at this meeting will need a record of this proceeding. For this, such person may need to ensure that a verbatim record of such proceeding is made which includes the

AGENDA

- THE MEETING IS CALLED TO ORDER BY THE MAYOR
- FLAG SALUTE
- INVOCATION

1. OPEN FORUM/PUBLIC COMMENT (3 Minute Limit)

2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS

    a. Service Longevity Awards:

        i. Officer Jeff Czwornog (10 Years)
        ii. Officer Ryan Miller (10 Years)
        iii. Officer Brian Miller (5 Years)

    b. Service Recognition

        i. Officer Brian Miller: Reserve Unit Citation & Volunteer Award

    c. Staff Recognition

        i. Travis Mathias
        ii. John Fitzgibbon

3. TIMED ITEMS AND PUBLIC HEARING

    a. ORDINANCE NO. 2021-01 (Windermere Downtown Property PUD Rezoning)

    AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA, PERTAINING TO REZONING; AMENDING THE TOWN OF WINDERMERE'S ZONING MAP FOR 2.17 ACRES MORE OR LESS OF REAL PROPERTY LOCATED WITHIN THE TOWN CENTER DISTRICT OVERLAY AT THE NORTHEAST CORNER OF MAIN STREET AND EAST 6TH AVENUE, AS MORE SPECIFICALLY DESCRIBED HEREIN, FROM COMMERCIAL AND RESIDENTIAL ZONING TO PLANNED UNIT DEVELOPMENT; PROVIDING FOR APPLICABILITY; SEVERABILITY; CONFLICTS; CODIFICATION; AND AN EFFECTIVE DATE.

4. CONSENT AGENDA

5. NEW BUSINESS

    a. MINUTES

        i. Town Council Meeting Minutes March 23, 2021 (Attachments-Staff Recommends Approval)

        ii. Town Council Workshop Minutes March 31, 2021 (Attachments-Staff Recommends Approval)

    b. RESOLUTIONS/ORDINANCES FOR APPROVAL/FIRST READING

i. RESOLUTION NO. 2021- 02: Not to exceed $25,000 (Windermere PD Vehicle #46 Purchase)

A RESOLUTION OF THE TOWN OF WINDERMERE OF ORANGE COUNTY, FLORIDA, AUTHORIZING THE ISSUANCE OF A NOTE IN THE AMOUNT NOT TO EXCEED $25,000 FOR THE PURPOSE OF PAYING THE COSTS OF PURCHASING A PUBLIC SAFETY VEHICLE AND COSTS OF ISSUANCE OF SUCH NOTE; DELEGATING TO THE TOWN MANAGER OF THE TOWN, SUBJECT TO COMPLIANCE WITH THE APPLICABLE PROVISIONS HEREOF, THE AUTHORITY TO AWARD THE SALE OF SUCH NOTE TO SYNOVUS BANK PURSUANT TO A TERM SHEET; AUTHORIZING THE EXECUTION OF A BUSINESS LOAN AGREEMENT AND PROMISSORY NOTE; MAKING CERTAIN FINDINGS; AUTHORIZING CERTAIN OFFICIALS OF THE TOWN AND OTHERS TO TAKE ALL ACTIONS REQUIRED IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SAID NOTE; AND PROVIDING AN EFFECTIVE DATE.

c. APPOINTMENTS

i. Pamela Schrimsher; Windermere Tree Board (Attachment-Tree Board Recommends Approval).

ii. Town Council Liaison Assignments (Attachments-Mayor O'Brien to address)

d. CONTRACTS & AGREEMENTS

i. IPO #115 Paving Old Main Street – Amendment #1 for Water Main Design and Permitting (Attachments-Staff Recommends Approval)

ii. IPO #119 Bessie Stormwater Improvements – Amendment #1 for 3rd and Magnolia area (Attachments-Staff Recommends Approval)

iii. IPO #120 New IPO for Old Main Street Stormwater Improvements from 9th to 10th Ave (Attachments-Staff Recommends Approval)

iv. IPO#121 Multi Modal Path Phase 1 Design; $189,964 (Attachments-Staff Recommends Approval)

e. FINANCIAL

i. Purchase Authorizations for the following RR ROW parcels: (Attachments-Board Option)

1. Meryl Hart: .48 Acres: $21,428.57 (+ Attorney fees) Between 1st & 2nd
2. James Singer: .48 Acres: $21,428.57 (+ Attorney fees) Between 1st & 2nd
3. Richard Denoyelles: .48 Acres: $21,428.57 (+ Attorney fees) Between 1st & 2nd
4. Jules Masse: .48 Acres: $21,428.57 (+ Attorney fees) Between 1st & 2nd
5. Sara Gruppo: .08 Acres: $3,571.42 (+ Attorney fees): North

f. OTHER ITEMS FOR CONSIDERATION:

6. MAYOR & COUNCIL LIAISON REPORTS

a. MAYOR O'BRIEN

b. COUNCILMAN WILLIAMS
c. COUNCILMAN SAPP
d. COUNCILMAN MARTINI
e. COUNCILMEMBER DAVID
f. COUNCILMAN DAVIT

7. STAFF REPORTS

a. TOWN MANAGER ROBERT SMITH
b. TOWN ATTORNEY HEATHER RAMOS
c. POLICE CHIEF DAVE OGDEN
d. PUBLIC WORKS DIRECTOR TONYA ELLIOT-MOORE
e. CLERK DOROTHY BURKHALTER

8. ADJOURN

- REPORTS:

a. APRIL 2021 Projects Meeting Notes

ORDINANCE NO. 2021-01

AN ORDINANCE BY THE TOWN OF WINDERMERE, FLORIDA, PERTAINING TO REZONING; AMENDING THE TOWN OF WINDERMERE'S ZONING MAP FOR 2.17 ACRES MORE OR LESS OF REAL PROPERTY LOCATED AT THE NORTHEAST CORNER OF MAIN STREET AND E 6TH AVENUE, AS MORE SPECIFICALLY DESCRIBED HEREIN, FROM COMMERCIAL AND RESIDENTIAL ZONING WITHIN THE TOWN CENTER DISTRICT OVERLAY TO PLANNED UNIT DEVELOPMENT WITHIN THE TOWN CENTER DISTRICT OVERLAY; PROVIDING FOR APPLICABILITY; SEVERABILITY; CONFLICTS; CODIFATION; AND AN EFFECTIVE DATE.

Whereas, the Town Council of the Town of Windermere, Florida, recognizes the need to plan for orderly growth and development;

Whereas, pursuant to a request by the property owner, Windermere Downtown Property, LLC (the "Owner") is requesting a zoning map amendment for the 2.17 acres, located at the northeast corner of Main Street and E 6th Avenue, as more particularly described herein, from a Commercial and Residential zoning within the Town Center District Overlay to Planned Unit Development ("PUD") within the Town Center District Overlay zoning;

Whereas, the Town Council is committed to the goal of enacting and implementing sound growth management practices within the Town and finds that this Ordinance is consistent with the goals, objectives, and policies of the Town's comprehensive plan and that it is in the best interests of the Town of Windermere;

Whereas, by enactment of its Ordinance 2003-10, the Town Council amended the future land use element of its comprehensive plan in 2003 to designate a portion of the Town's downtown area as a "Town Center District"; and

Whereas, Downtown Windermere Property, LLC is the owner of fee simple title to certain real property, as more particularly described on Exhibit "A" hereto (the "Property"), which constitutes a portion of the Town Center District; and

Whereas, the Owner intends to develop the real property with mixed commercial, restaurant, and office uses, with the project to be known as Windermere Downtown Property (the "Project"); and

Whereas, under the comprehensive-plan amendment enacted by Ordinance 2003-10, all development activities that occur in the Town Center District must obtain PUD zoning consistent with the Town Center District; and

Whereas, under Florida law and the Town's comprehensive plan, PUD zoning approved for land within the Town Center District must be consistent with both the comprehensive plan amendment set forth in Ordinance 2003-10 and all other applicable provisions of the comprehensive plan and shall be subject to such conditions, requirements, and restrictions as the

Town deems necessary to protect the health, welfare, and safety of the town; and

Whereas, the Town's Development Review Board ("DRB") and the Town's Town Council ("Town Council") have both reviewed the Project as proposed by the Owner and, after appropriate public participation, have determined the conditions, restrictions, and requirements that are needed or useful to ensure that the Project (i) is appropriate to the Town and its history, character, and nature and (ii) does not result in adverse impacts to its residents and taxpayers; and

Whereas, the Town now desires to set forth the entitlements, terms, conditions, requirements, and restrictions as part of the PUD zoning for the Property and the Project.

BE IT ENACTED BY THE PEOPLE OF THE TOWN OF WINDERMERE:

Section 1. Amendment to the Zoning Map. The Town of Windermere's official Zoning Map for 2.17 acres of property described and depicted in **Attachment A** is hereby rezoned to PUD zoning within the Town Center District.

Section 2. Conditions of Approval. The Town Council has determined that the requested zoning change is consistent with the public interest, encourages the appropriate use of land, is consistent with and further the goals and objectives of the Town of Windermere's comprehensive plan, and is in compliance with the Town of Windermere's land development code zoning designation of PUD within the Town Center District, with the conditions set forth in **Attachment B**.

Section 3. Severability. If a provision of this ordinance is held invalid or unconstitutional in judicial proceedings, the holding shall not affect other provisions that can be given effect. To that end, this ordinance is declared to be severable.

Section 4. Conflicts. In the event of a conflict or conflicts between this ordinance and other ordinances, this ordinance shall control and supersede.

Section 5. Codification. The amendments to the official Zoning Map in Section 1 of this Ordinance shall be codified and made part of the official land development code for the Town of Windermere.

Section 6. Effective Date. This Ordinance shall become effective 31 days after its passage as a non-emergency ordinance at two regular meetings of the Town Council.

ENACTED by ordinance this _____ day of _____ 2021, at a meeting of the Town Council of the Town of Windermere, Florida.

TOWN OF WINDERMERE, FLORIDA
by: its Town Council

by:_____
_____
Jim O'Brien, Mayor

Attest:

_____
Dorothy Burkhalter, CMC
Town Clerk

First reading: _____
Second reading: _____

Attachment A
Town of Windermere
Ordinance No. 2019-04

Legal Description of Property

PLAT OF WINDERMERE G/36; LOTS 245, 246, 247, 248, 249, 250, 251, 252, AND 244 LESS THE NORTH 24.5 FEET

ATTACHMENT B

PLANNED UNIT DEVELOPMENT (PUD)
CONDITIONS OF APPROVAL
for
WINDERMERE DOWNTOWN PROPERTY

Condition 1. Development of the Property. The Owner is entitled to develop the Project on the Property. However, development of the Property must conform to and may be undertaken only in accordance with

(i) the "Preliminary Development Plan" for Windermere Downtown Property, attached hereto as Exhibit A (the "PDP"), and

(ii) these Conditions, and

(iii) the Transportation Agreement required under Condition 2.1, and

(iv) the Utilities Agreement required under Condition 2.2, and

(v) the Final Development Plan required by the Town's Ordinance No. 2004-09 and Condition 2.3.

All development of the Property must comply with all other applicable federal, state, county, and Town laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent the applicable laws, ordinances, and regulations are expressly waived or modified by this Agreement, or by action expressly approved in the future by the Town Council, or by express action of the Town Council.

Condition 2. Development-Related Conditions of Approval. Development of the Project may be undertaken on the Property, but only in compliance with the following conditions, requirements, and restrictions:

2.1. ***Transportation Agreement.***

a) The Owner shall design and construct a right-turn access lane from E 6th Avenue into the Project. The right-turn access lane design shall be provided as part of the final development plan (FDP). The Owner shall pay the full cost of the design and construction of the right-turn access lane.

b) As part of the FDP, as provided in Condition 2.3, a transportation mitigation agreement must be negotiated and entered into by the Owner and the Town (the "Transportation Agreement"). The Transportation Agreement shall include the requirement that the Owner contribute its proportionate share of the cost of improvements to the roundabout at E 6th Avenue and Main Street and pedestrian crossing improvements across Main Street at its intersection with E 6th Avenue, with the allocation of the contributed funds between those two projects to be determined by the Town. The Transportation Agreement shall include such other requirements and provisions as the Owner and the Town may negotiate and set forth therein.

2.2. ***Utilities Agreement.*** As part of the FDP, as provided in Condition 2.3, an agreement addressing the construction and installation of water utility lines and other facilities for the Project must be negotiated and executed by the Owner and the Town (the "Utilities Agreement"). Along with such other provisions as the Owner and the Town may negotiate and set forth therein, the Utilities Agreement must include the following requirements:

a) The Owner must obtain water utility service for the Project from Orange County;

b) Design, constructing, and installing the water utility lines and other facilities necessary or useful for the water services for the Project must be done at no cost to the Town; and

c) The construction plans and specifications for construction and installation of the necessary and useful water utility lines and facilities must be submitted to the Town for review and approval by its town engineer simultaneously with the Owner's application for approval of its FDP under Condition 2.3.

The Utilities Agreement shall be in addition to such other agreement or agreements as the Town may elect to negotiate with the county in connection with the extension of the county's water services inside the Town's boundaries.

2.3. ***Final Development Plans.*** The final development plans ("FDP") for the Project shall be prepared for review and approval by the Town's DRB and Town Council, as required by the Town code, and, notwithstanding any part of the PDP to the contrary, shall be subject to the following conditions, requirements, and restrictions:

a) The gross floor area for buildings in the Project shall not exceed, in the aggregate, 21,750 square feet. For purposes of calculating gross floor area, areas used for outside dining shall be deemed to be part of the gross floor area.

b) Buildings and appurtenances shall be no taller than 35 feet. Store widths and building modules shall be designed in 20-foot increments.

c) The architectural features and details and the structural colors and materials shall be submitted as part of the FDP. Any changes to those architectural features and details and structural colors and materials approved in the FDP will be allowed only if approved by the DRB and Town Council as an amendment to the FDP.

d) Windows and doors on the first floor must occupy no less than 70% of the total storefront, with doors being more than 50% clear glass.

e) As required by the Town Center Design Guidelines (the "Guidelines"), the screenwall on the east boundary must be set back from the property line to allow landscaping outside the wall, within the boundaries of the Property, except that the wall may jog as reasonably necessary to avoid removal of existing trees. Landscaping must be installed and maintained as depicted in the Guidelines or as required by Town Council.

f) The parking lot must supply no fewer than four spaces per 1,000 square feet of gross building floor area, which must include outdoor dining areas. Each space must be no less than 10 feet wide and 20 feet long. However, the Town Council may allow for a reduction of the required number of parking spaces for the sole intended purpose to preserve and protect the existing trees on the Project property. In addition, the Owner may pay a

fee to the Town in lieu of providing parking spaces on the Property. The fee in lieu would be determined by Town Council as part of the FDP.

g) A sign plan must be submitted as part of the proposed FDP. Signage must follow the requirements in the Guidelines. No pole signs or billboards are allowed.

h) Detailed stormwater plans and calculations must be submitted as part of the proposed FDP.

i) Detailed potable water plans and calculations must be submitted as part of the proposed FDP. If the Owner submits its FDP, together with the detailed potable-water plans and calculations, without having obtained the approval of those plans and calculations by Orange County, the Owner will be proceeding at its own risk.

j) Detailed on-site sewage disposal system plans and calculations must be submitted as part of the proposed FDP. If the Owner submits the FDP, together with the detailed on-site sewage disposal system plans and calculations, without having obtained the approval of those plans and calculations by the Orange County Health Department, the Owner will be proceeding at its own risk.

k) Detailed plans for landscaping and tree retention/removal must be submitted as part of the proposed FDP. The Owner shall make all reasonable efforts to protect the existing tree canopy. Landscaping shall be installed and trees may be removed only as approved by Town Council. Further, in its tree retention/removal plan, the Owner shall comply with Sections 5.01.00 through 5.01.18 of the Town's Code of Ordinances related to tree protection and mitigation.

l) The Owner shall utilize permeable pavement and other pervious materials to the greatest extent feasible to assist in the protection of trees and to minimize the impact of the Project on stormwater runoff.

m) Light fixtures shall be shielded to prevent light and glare from radiating either skyward or beyond the boundaries of the Property.

Condition 3. Construction-Related Conditions of Approval. The Town Council intends the requirements of Conditions 3.1 through 3.9 to eliminate, as much as possible, the nuisance to Town residents and visitors that might otherwise result from the sights, sounds, dust, and debris from the construction of the Project.

The following requirements and restrictions shall apply to construction activity on the Property:

3.1. ***Staging*** –Construction staging (*e.g.*, construction trailers, vehicles, and equipment, material storage, construction-worker parking, construction dumpsters, temporary restrooms, etc.) shall be contained within the boundaries of the Property. During all construction activity, the Property shall be screened along its entire boundary, obscuring view of the construction-staging area. No signs, advertising, or other communications (other than signs pertaining specifically to the construction) may be placed on the exterior of the screening.

3.2. ***Staging – Subsequent Construction, Reconstruction, and Renovation***. Staging areas for construction, reconstruction, or renovations occurring from time to time after completion of the Project shall be at such locations as may be approved in writing by the Town Manager. Under no circumstances may the staging occur within public rights-of-way or on Town property without the express approval of Town Council, which may be granted or withheld at the discretion of the Town Council.

3.3. ***Dust and Debris***. All debris shall be retained within the boundaries of the Property throughout all construction activities. The Owner shall not allow dust to escape in material amounts, as determined by the Town Manager, during construction.

3.4. ***Wall***. The six-foot screenwall to be constructed along the boundary of the Property, as required by the PDP, shall be constructed and completed before the start of any construction of either the parking lot or the buildings. The screenwall shall be set back from the boundary of the Property, and the area of the Property outside the screenwall shall be bermed and landscaped as required by the Guidelines.

3.5. ***Road Closures***. No road closures may occur in connection with the construction, unless expressly approved in writing by the Town Manager.

3.6. ***Construction Hours and Deliveries***. Construction activity may occur only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, unless

approved otherwise expressly and in writing by the Town Manager. Deliveries of construction materials and equipment may occur only during those same hours.

3.7. ***Stormwater Retention and Erosion Control During Construction.*** The Owner shall take such steps as are necessary or useful to ensure that, at all times during construction, all stormwater from rainfall, up to at least one inch per storm, is retained within the boundaries of the Property and not discharged offsite and appropriate mitigation is provided to maintain proper erosion control during construction. As part of the FDP, the Owner shall provide a stormwater and erosion control plan compliant with the requirements of the National Pollution Discharge Elimination System (NPDES). All stormwater and erosion control measures must be installed prior to the initiation of any demolition of construction activity on the Property.

3.8. ***Construction-Site Security.*** The Owner shall provide a reasonable level of security on the Property throughout the construction period to prevent trespass, theft, bodily injury, and other undesirable occurrences. If, after consultation with the Town's Chief of Police, the Town Manager determines that additional security is needed, the Owner will provide it.

3.9. ***Enforcement.*** Material violations of the requirements and restrictions of these conditions, as determined in the reasonable judgment of the Town Manager, may result in the issuance by the Town Manager of a stop-work order. Upon such issuance, the Owner shall halt all construction immediately and correct the violation. Construction may be resumed only upon notification to the Owner from the Town Manager that the violation has been corrected, and the Town Manager shall issue such notice immediately upon correction thereof. The Town shall have such other remedies (other than an action for damages) as allowed by law and equity to enforce the provisions of these conditions, including (but not limited to) withholding building permits and certificates of occupancy.

Condition 4. Land-Use Conditions of Approval. Upon completion of the, the Property may be used in accordance with the following:

4.1. ***Permitted Uses.*** The uses of land in the Project are limited to:

a) Business and professional office;

b) Government offices and related ancillary uses;

c) Bank and financial institutions;

d) Churches and related ancillary uses;

e) The following personal services: barber shops, beauty shops (but not tattoo or body-piercing shops), personal training, spa, salons, pottery shops, art-painting galleries or studios, and dance studios;

f) Restaurants and bakeries (but drive-through-window services and fast-food restaurants are prohibited);

g) The following light-retail uses: bicycle shop, hardware store (but outdoor storage is prohibited), home-décor shop, florist shop, clothing store, specialty-fashion store, jewelers, book store, household goods and services shops, antiques, and pharmacies (but drive-through-window services are prohibited).

h) Such other uses approved by Town Council from time to time; and

4.2. ***Hours of Operation.*** Unless otherwise expressly authorized by Town Council, the offices, shops, restaurants, and other non-residential activities within the Project may be open for business only between the hours of 7:00 a.m. and 10:00 p.m. each day.

Condition 5. Other Requirements.

5.1. ***Law-Enforcement Capital Contribution.*** If, upon consultation with the Chief of Police, the Town Manager determines that the Town will incur capital expense to provide law-enforcement services to the Project, the Town Manager may require the Owner to make a one-time capital contribution to the Town to pay such capital expense, and building permits shall not thereafter be issued until the contribution is paid.

5.2 ***Town Council Preliminary Review of Final Development Plan.*** Prior to the final submission of the FDP for DRB and Town Council public hearings, the Owner shall

5.1. ***Town Council Final Development Plan Workshops.*** The Owner shall participate in at least three (3) Town Council workshops to present drafts of the FDP for preliminary review and comment by Town Council. These workshops are intended to provide an opportunity for the Town Council to identify opportunities for improvements to the proposed FDP and to identify areas of concern. These workshops shall be noticed public

workshops. The Owner shall coordinate with the Town on the scheduling of the Town Council workshops.

Condition 6. Miscellaneous.

6.1. ***Notice***. Notices delivered with respect to this PUD shall be in writing and be deemed to be delivered (whether or not actually received) when (i) hand delivered to the person(s) hereinafter designated, or (ii) upon deposit of such notice in the United States Postal Service, postage prepaid, certified mail, return receipt requested, addressed to the person at the address set forth opposite the party's name below, or such other address or to such other person as the party shall have specified by written notice to the other party delivered in accordance herewith:

As to Owner: Windermere Downtown Property, LLC
9259 Point Cypress Drive
Orlando, Florida 32826

As to Town: Town of Windermere
Robert Smith, Town Manager
614 Main Street
Windermere, Florida 34786

With copy to: Dorothy Burkhalter, Town Clerk
Town of Windermere
614 Main Street
Windermere, Florida 34786

Thomas J. Wilkes , Town Attorney
GrayRobinson, P.A.
301 E. Pine Street, Suite 1400
Orlando, Florida 32801

6.2. ***Covenants Running with the Land***. These Conditions shall be binding upon, and shall inure to the benefit of, the successors and assigns of the parties and shall be a covenant running with the Property.

6.3. ***Recordation of Conditions***. Ordinance 2021-_____ and these Conditions shall be recorded in the Official Records of Orange County, Florida, at the expense of the Owner, within ten business days after the Effective Date of this Agreement (as defined in Subsection 6.8 below).

6.4. ***Applicable Law***. This Agreement shall be construed and interpreted according to the laws of the State of Florida. Venue for a proceeding in connection with this Agreement shall be the Ninth Judicial Circuit of Florida, in Orange County, Florida.

6.5. ***Further Documentation***. Following a request therefor by a party, the other party shall execute and deliver such documents and instruments, in form and substance reasonably requested, as may be necessary to confirm the obligations of the party and to evidence the consummation of the transactions contemplated hereby.

6.6. ***Limitation on Remedies.*** In judicial proceedings, the Town and the Owner shall have the right to enforce the terms and conditions of these Conditions only by an action for specific performance or injunctive relief. Each party expressly waives its right, if any, to seek damages of any type in actions arising from or connected to these Conditions and the Project. Notwithstanding the foregoing, the parties may use self-help remedies, such as withholding performance of obligations hereunder while the other party is in breach hereof, withholding permits and approvals (including certificates of occupancy), etc.

6.7. ***Effective Date***. This Agreement shall be deemed to have taken effect as of the date the Town Council voted to approve the PUD zoning for the Property (the "Effective Date"). This Agreement shall remain in full force and effect for so long as the Property is zoned and used for the Project.

6.8. ***Amendments and Waivers***. These Conditions may be amended only by express written instrument executed by both the Owner and the Town, and the execution by the Town shall be valid and binding against the Town only if expressly approved by its Town Council at a meeting thereof. Waivers of material requirements, restrictions, and conditions imposed hereunder shall be valid and binding against the Town likewise only if expressly approved by its Town Council at a meeting thereof.

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

To: **Mayor and Town Council**
From: **Brad Cornelius, AICP, Contracted Town Planner**
Date: **April 6, 2021**
Re: **Ordinance No. 2021-01 – Windermere Downtown Property PUD Rezoning and Preliminary Development Plan**

At the April 13, 2021, Town Council meeting, the Town Council will hold the first of two required public hearings to consider the rezoning of 2.17 acres at the northeast corner of Main Street and E 6th Avenue to Planned Unit Development (PUD) and to approve a preliminary development plan for the subject property.

Attached to this memo for the Town Council's consideration are the following:

1. Ordinance 2021-01 with related PUD Conditions and proposed Preliminary Development Plan; and

2. Staff report providing information regarding the rezoning to PUD and the Preliminary Development Plan.

On April 5, 2021, the applicant contacted the Town to advise they are in the process of obtaining a new survey and tree survey for the property. The applicant plans on submitting the revised surveys to the Town at the public hearing on April 13, 2021.

The PUD conditions that are included as Attachment B to Ordinance 2021-01 provide a series of conditions that will apply to the development of the required final development plan and will also provide for conditions during and after development of the project. Many of the conditions proposed are directly related to the discussions and comments from the Town Council Workshop on March 31, 2021. The following provides a brief summary of the more critical proposed PUD conditions:

- Limits the maximum gross building area of the property to no more than 21,750 square feet with a maximum height no greater than 35 feet.

- The final development plan be in conformance with the preliminary development plan. The final development plan will provide the full engineering/architectural/landscaping plans for the project. The final development plan is required to come back to the Development Review Board and Town Council for public hearings for approval.

- A separate agreement between the applicant and the Town to address a proportional transportation mitigation fee to assist with improvements to the roundabout at Main Street and E 6th Avenue and improvements to the pedestrian crossing at the same location.

- A separate agreement between the applicant and the Town to address the connection to Orange County potable water lines.

- Requires submission of water and septic utility calculations and plans for the project.

- Requires the six foot wall along Oakdale Street to be placed as to allow for the planting of the required landscaping on the outside of the wall along Oakdale Street and for the wall to meander to avoid impacts to trees.

- Requires submission of detailed landscaping plan for the wall and the project.

- Requires submission of detailed tree plan to identify the trees to be saved or removed.

- Requires the applicant to use best effort to preserve and protect trees.

- Requires the applicant to be subject to the Town tree protection and mitigation code, which may require payment of a mitigation fee for removal of trees.

- Provides the opportunity for the applicant to reduce parking with the approval of Town Council to specifically protect trees. Also, the applicant may pay a fee to the Town in lieu of providing on-site parking spaces to protect the trees.

- A sign plan must be submitted.

- The building facades, compliant with the Town Center Guidelines, must be submitted.

- Exterior lights shall be installed to prevent lighting impacts to surround properties.

- Requires the control of stormwater, erosion, and dust and debris.

- Wall along Oakdale Street must be constructed prior to the start of construction of either the buildings or parking lot.

- Construction hours and deliveries are limited Monday through Saturday from 7 a.m. to 7 p.m., unless approved by the Town Manager.

- Provides for a list of permitted and uses:

    a) Business and professional office;
    b) Government offices and related ancillary uses;
    c) Bank and financial institutions;
    d) Churches and related ancillary uses;
    e) The following personal services: barber shops, beauty shops (but not tattoo or body-piercing shops), personal training, spa, salons, pottery shops, art-painting galleries or studios, and dance studios;
    f) Restaurants and bakeries (but drive-through-window services and fast-food restaurants are prohibited);
    g) The following light-retail uses: bicycle shop, hardware store (but outdoor storage is prohibited), home-décor shop, florist shop, clothing store, specialty-fashion store, jewelers, bookstore, household goods and services shops, antiques, and pharmacies (but drive-through-window services are prohibited).
    h) Such other uses approved by Town Council from time to time

- Limits to hours of operation for businesses to 7 a.m. to 10 p.m., unless otherwise approved by Town Council.

- Provides the Town the ability to assess a law enforcement capital contribution is the Town Manager and Police Chief determine there is a need for increased law enforcement due to the project.

- Requires the applicant to participate in at least three (3) Town Council workshops to review drafts of the final development plan prior to submission of the final development for DRB and Town Council review. The purpose is to identify opportunities for improvements to the final development plan and to identify areas of concern.

If approved by Town Council, these PUD conditions will run with the land and be binding on future property owners and tenants.

The second public hearing for the PUD rezoning and preliminary development plan will be held on June 8, 2021.

During the April 13, 2021, Town Council public hearing, if the Town Council directs staff to amend the proposed PUD conditions, the amended PUD conditions will be provided to the Town Council for the second public hearing on June 8, 2021.

ORDINANCE NO. 2021-01

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA, PERTAINING TO REZONING; AMENDING THE TOWN OF WINDERMERE'S ZONING MAP FOR 2.17 ACRES MORE OR LESS OF REAL PROPERTY LOCATED WITHIN THE TOWN CENTER DISTRICT OVERLAY AT THE NORTHEAST CORNER OF MAIN STREET AND EAST 6TH AVENUE, AS MORE SPECIFICALLY DESCRIBED HEREIN, FROM COMMERCIAL AND RESIDENTIAL ZONING TO PLANNED UNIT DEVELOPMENT; PROVIDING FOR APPLICABILITY; SEVERABILITY; CONFLICTS; CODIFICATION; AND AN EFFECTIVE DATE.

Whereas, the Town Council of the Town of Windermere, Florida, recognizes the need to plan for orderly growth and development.

Whereas, Windermere Downtown Property, LLC, the fee simple owner, (the "Owner") is requesting a zoning map amendment for 2.17 acres of property located in the Town Center District Overlay area at the northeast corner of Main Street and E 6th Avenue, as more particularly described in **Attachment A** (the "Property"), from Commercial and Residential zoning to Planned Unit Development ("PUD").

Whereas, the Town Council is committed to the goal of enacting and implementing sound growth management practices within the Town and finds that this Ordinance is consistent with the goals, objectives, and policies of the Town's comprehensive plan and that it is in the best interests of the Town of Windermere.

Whereas, by enactment of its Ordinance 2003-10, the Town Council amended the future land use element of its comprehensive plan in 2003 to designate a portion of the Town's downtown area as a "Town Center District" in which the Property is located.

Whereas, the Owner intends to develop the real property with mixed commercial, restaurant, and office uses, with the project to be known as Windermere Downtown Property (the "Project").

Whereas, Ordinance 2003-10 requires all development activities that occur in the Town Center District to obtain PUD zoning consistent with the Town Center District.

Whereas, under Florida law and the Town's comprehensive plan, PUD zoning approved for land within the Town Center District must be consistent with both the comprehensive plan amendment set forth in Ordinance 2003-10 and all other applicable provisions of the comprehensive plan and shall be subject to such conditions, requirements, and restrictions as the Town deems necessary to protect the health, welfare, and safety of the residents of the Town.

Whereas, the Development Review Board ("DRB") and the Town Council have reviewed the Project as proposed by the Owner and, after duly advertising and appropriate public participation, have determined the conditions, restrictions, and requirements that are needed or useful to ensure that the Project (i) is appropriate to the Town and its history, character, and

Attest:

_____

Dorothy Burkhalter, MMC,
FCRM, Town Clerk

First reading: _____
Second reading: _____

Attachment A

Land Use Plan

Issued for Town of Windermere

Date Issued December 15, 2020

Latest Issued

Applicant:
Jim Hall, AICP, BLA
Hall Development Services, Inc.

Owner:
Windermere Downtown Property, LLC
9259 Point Cypress Drive
Orlando, FL 32836-5480

SHEET INDEX

SHEET #	TITLE
01	COVER SHEET
02	ENVIROMENTAL CONDITIONS
03	NOTES, WAIVERS & LAND USE PLAN
04	CONCEPT PLAN
05	SURVEY PLAN
06	TREE LIST
07	TOWN DESIGN GUIDELINES AND ELEVATION DETAILS

Preliminary Development Plan

Windermere, FL

Parcel ID: 17-23-28-9336-02-490; 17-23-28-9336-02-470; 17-23-28-9336-02-430; 17-23-28-9336-02-520; 17-23-28-9336-02-510; 17-23-28-9336-02-500

LEGAL DESCRIPTION:

PLAT OF WINDERMERE G/36 LOTS 245, 246, 247, 248, 249, 250, 251, 252 and 244 (lesss N 24.5 ft); 2.17 acres

Location Map

Hall Development Services Inc.

1302 Osprey Avenue Orlando, FL 32803
Ph: (407) 257-9235
Planning, Real Estate, and Entitlement Strategies
www.halldsi.com

LIBRA design group
P.O. Box 547368, Orlando, FL 32854-7368
Tel (407) 649-1828 Fax (407) 428-9526
Landscape Architecture & Planning
www.libradesigngroup.com

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Florida License LC26000253

GeoOrbis
Prior Park House St. James, Barbados
Ph: (246) 421-6875
Geospatial Consulting
www.geoorbis.com

Wetlands

Legend

- Subject Property
- Orange County Parcels

Notes:
There are no wetlands on the subject property.

Topography & Floodplain

Legend

- Topography (5 ft.)
- Subject Property

Fema Flood Zones

- X

Source:
Topography - SFWMD 5 ft.

Boundary - Orange County Property Appraiser

Floodplain - Fema Flood Hazard Zone Lines
Dated June 1, 2018

Soils Map

Legend

- Subject Property

Map Unit Symbol - Map Unit Name

- 48 - Tavares-Urban land complex, 0 to 5 percent slopes

Source:
Soil Survey of Orange County, Florida
National Cooperative Soil Survey,
Issued August 1990

Aerial & Existing Land Use

Legend

- Subject Property

Land Use Cover

- 121 - Medium Density, Fixed Single Family Units

Source:
Aerial - FDOT - 2017 Orange County Orthophotos
FLUCFCS - Statewide Land Use Land Cover 2004-2017

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LIBRA

ISSUED

DATE:	FOR:
05.16.2019	REVIEW
08.16.2019	REVIEW
03.05.2020	REVIEW
08.06.2020	REVIEW
09.24.2020	REVIEW
11.17.2020	REVIEW
12.09.2020	REVIEW
12.15.2020	REVIEW

Preliminary
Development
Plan
WINDERMERE, FLORIDA

KEY PLAN

0 300 600
SCALE IN FEET

JOB NO.:

DESIGNED BY:

DRAWN BY:

CHECKED BY:

PROJECT APPROVAL:

TITLE
EXISTING
CONDITION
PLAN

SHEET NO.
02

SITE DATUM

Parcel Numbers 17-23-28-9336-02-490; 17-23-28-9336-02-470; 17-23-28-9336-02-430; 17-23-28-9336-02-520; 17-23-28-9336-02-510; 17-23-28-9336-02-500

Property Owners: Windermere Downtown Property, LLC, 9259 Point Cypress Drive, Orlando, Florida, 32836

Current Use on the Property:	mixed use
Current Future Land Use Designation:	commercial & single family residential & town center overlay
Town Center D istrict:	commercial and parking
Requested Future Land Use Designation:	town center overlay district, single family residential & commercial
Current Zoning:	commercial and single family residential with town center overlay
Requested Zoning:	PUD
Existing commercial uses:	6,676 SF
Gross acres	2.17 acres
Wetlands	0.0 acres
Water Bodies	0.0 acres
Net Acres	2.17 acres

DEVELOPMENT PROGRAM

Land Use	Acres	Units	Trip Gen	RateTrips
Office		6,600 SF	9.74	64
Retail		11,500 SF	37.70	434
Restaurant		3,750 SF	83.84	314
Parking On Site	NA	80 PS	NA	NA
Parking On Main	NA	4 PS	NA	NA
Total Parking	NA	84 PS	NA	NA
Pass by Trips	266			
Pedestrian Trips	292			
Total Trips	360 AADT less 285 existing trips			
New trips	894 AADT			

Parking: minimum 4 parking spaces per 1,000 gross square feet of commercial building (Town Center Guidelines page 13; rear access and behind the buildings)

Required Parking 87 parking spaces to reach 21,750 square feet

Off Street Loading: Shall comply with Section 6.03.03 requiring one off street loading space.

Town Center Land Use Calculations

OWNER	GENERAL OFFIC	MEDICAL OFFICE	RETAIL	RESTAURANTS	CIVIC	RESIDENTIAL	TOTAL
Windermere Union Church					2,712		
					8,371		
501 Main St			1,961			1	
			1,075				
			1,800				
505 Main St.	1,578						
507 Main St				1,032			
533 Main St.	3,579						
517 Main St. Proposed			11,500				
517 Main St. Proposed				3,650			
517 Main St. Proposed	6,600						
603 Main St		12,810					
625 Main St.		350					
				300			
			4,600				
	3,555						
422 Main St	1,264						
428 Main St.	1,032						
Subtotals	18,608	13,160	20,933	5,082	11,083		67,016
	0.20	0.20	0.20	0.09	0.17		
Permitted	0.30	0.30	0.30	0.30	0.30		

Permitted Land Uses

Section 2.02.02

(2) Commercial. A wide variety of commercial uses are included in this category to include those listed and other substantially similar types of uses:

a. Shopping centers.

b. Personal service establishments, such as, barbershops, beauty parlors, medical and dental clinics, restaurants, financial institutions, professional and other offices, travel agencies, service stations, laundry and dry cleaning pickup stations, self-service coin-operated laundry and dry cleaning establishments, shoe repair, and locksmiths.

c. Retail business, such as: drug, liquor, hardware stores, book, stationery, china and luggage shops, newsstands, photographic supplies and studios, ladies', men's and children's apparel.

d. Automobile repair shops for ignition, fuel, brake and suspension systems.

e. Theatres, except drive-in theatres.

f. Florist shops, the products of which are displayed and sold wholly within an enclosed building.

g. Grocery, fruit, vegetable and meat market stores.

h. Health baths.

i. Interior decorating, home furnishings and furniture stores

j. Music conservatory, dancing schools and art studios.

k. Music, radio and television shops.

l. Retail paint and wallpaper stores.

m. Dry cleaning establishments using equipment which emits no smoke or escaping steam, and which use nonflammable synthetic cleaning agents (perchloroethylene, trichloroethylene, etc.).

n. Bakeries, the product of which are sold only at retail on the premises.

o. Other uses which are similar or compatible to the uses permitted herein, which would promote the intent and purposes of this district. Determination shall be made by the town council which shall be without public notice or public hearing.

(9) Restricted commercial. This group of uses includes business and professional offices, medical offices or clinics, government offices, financial institutions without drive up facilities, day care facilities, convenience stores and personal service businesses where the service is performed on an individual-to-individual basis as opposed to services which are performed on objects or personal property. Examples of personal service businesses are barbershops, beauty shops, photography studios and travel agencies.

Section 2.02.03

(3) Commercial. The following uses are allowed in the commercial land use district. All others are prohibited.

a. Commercial.
b. Restricted commercial.
c. Public service.
d. Government offices and facilities.
e. Single-family residential, as an additional alternative, but not concurrent use in a restricted commercial area (Ord. No. 99-1).
f. Public elementary school.

(5) Planned unit development (mixed use). The following uses are allowed in the planned unit development land use district. All others are prohibited.

a. Residential.
b. Restricted commercial.
c. Outdoor recreation.
d. Public service.
e. Conservation.
f. Institutional.
g. Government offices and facilities.
h. Public middle and high school.

Non-Residential Intensity	Not to exceed 0.30 FAR on the subject property
	Not to exceed 0.60 FAR on commercial land

DEVELOPMENT STANDARDS	Town Center Design Guidelines page 12
Building height	35'
Building Setbacks	
Oakdale Street	20'
Build to Line	0'
Main Street	15' minimum BOC
	10' maximum BOC
6th Street	0'
North property line	0'
Building Setback Encroachments	
Balcony	5' MIN; 8' MAX.
Arcade	5' MIN.;8' MAX
Canopy	5' minimum
Canopy	10' maximum
Site Development Standards	
Impervious Surface Area	80% (Section 6.01.02)
Maximum building coverage	40%
Off Street Parking	Shall comply with Section 6.03.05

BUFFERS

Will comply with Town Center Guidelines.

LANDSCAPING

Will comply with Town Center Guidelines page 13.

Landscape buffer	minimum 20' on Oakdale Street and East half of 6th Avenue
6' Screen Wall	Oakdale Street and dumpster

SIGNAGE

Signs shall comply Article VII - SIGNS, DIVISION 8.00.00

PHASING

One Phase

STORMWATER

Shall comply with Section 6.05.

ADEQUATE PUBLIC FACILITIES

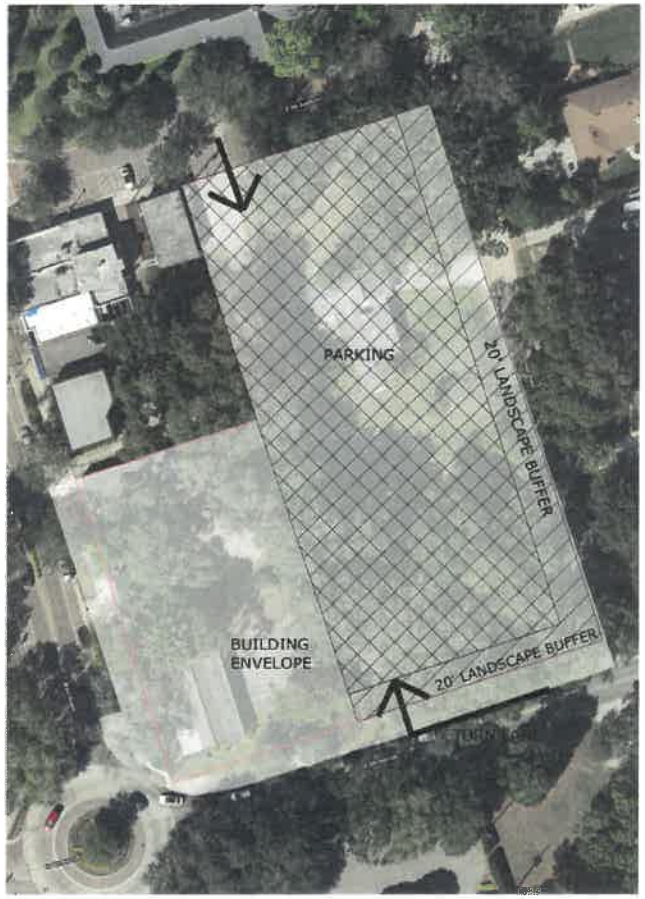
Fire Flow	1,750 GPM per 2018 International Fire Code
Water	1,300 GPD
Sewer	NA (Private Septic)

NOTES

1. Ownership of storm water management facilities shall be the OWNER.
2. Open space to be owned and maintained by the OWNER.

WAIVERS

1. 1' TOPO DEFERED TO FDP.
2. ARCHITECTURAL ELEVATIONS DEFERED TO FDP



HDSi

LIBRA

ISSUED

DATE	FOR
05.14.2019	REVIEW
08.14.2019	REVIEW
03.05.2020	REVIEW
08.06.2020	REVIEW
01.24.2020	REVIEW
11.17.2020	REVIEW
12.03.2020	REVIEW
12.15.2020	REVIEW

Preliminary Development Plan
WINDERMERE, FLORIDA

KEY PLAN

0 40 80
SCALE IN FEET

JOB NO.:

DESIGNED BY:

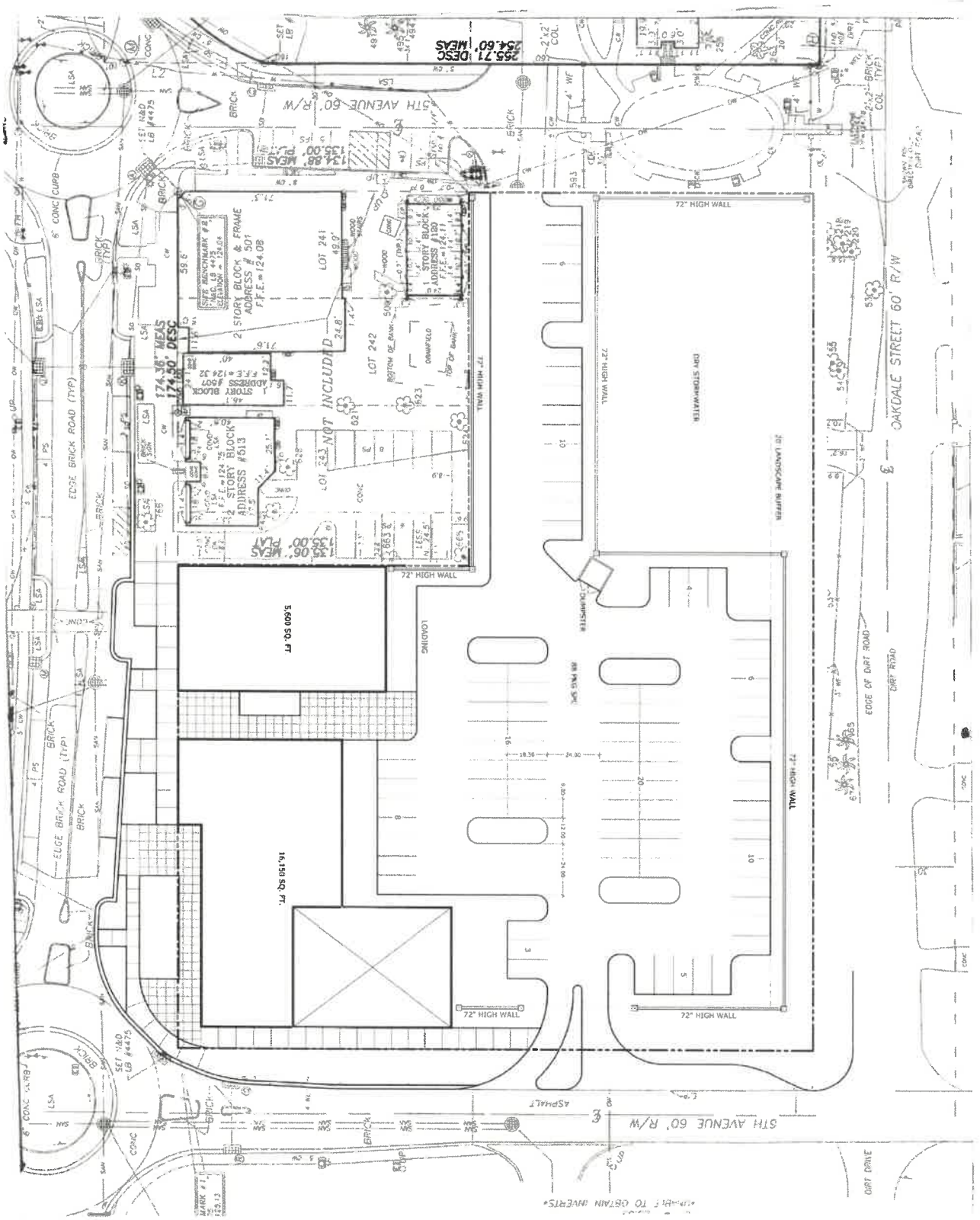
DRAWN BY:

CHECKED BY:

PROJECT APPROVAL:

TITLE
NOTES, WAIVERS, LANDUSE PLAN

SHEET NO.
03



Downtown Windermere

Windermere • Florida

Hall Development Services Inc.

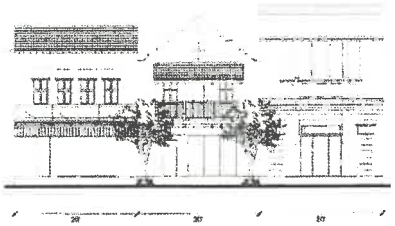
0 20 40 60 Feet

N

Town Center Design Guidelines

Building Types and Site Disposition

+ Store Widths or Building Modules Designed in 20' Increments

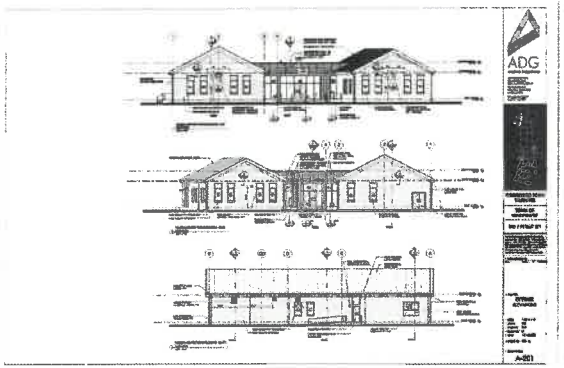


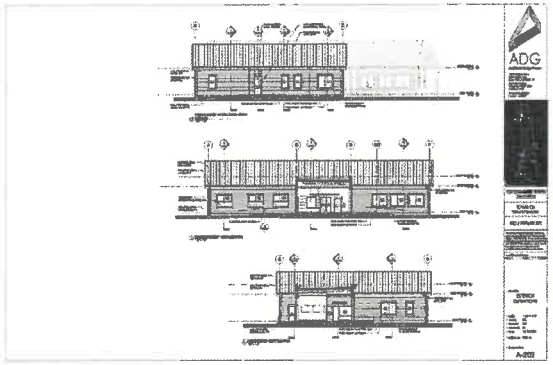
Town Center Design Guidelines

Architectural Guidelines

Design Elements

- Awnings and Canopies
- Arcades and Colonnades
- Balconies
- Signage
  - + Wall Mounted (Projecting)
  - + Sidewalk Pole Banner





HDSi

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GreenOrbis

ISSUED

DATE:	FOR:
05.15.2019	REVIEW
06.14.2019	REVIEW
08.05.2020	REVIEW
08.06.2020	REVIEW
09.24.2020	REVIEW
11.17.2020	REVIEW
12.03.2020	REVIEW
12.15.2020	REVIEW

Preliminary
Development
Plan
WINDERMERE, FLORIDA

KEY PLAN

JOB NO.:

DESIGNED BY:

DRAWN BY:

CHECKED BY:

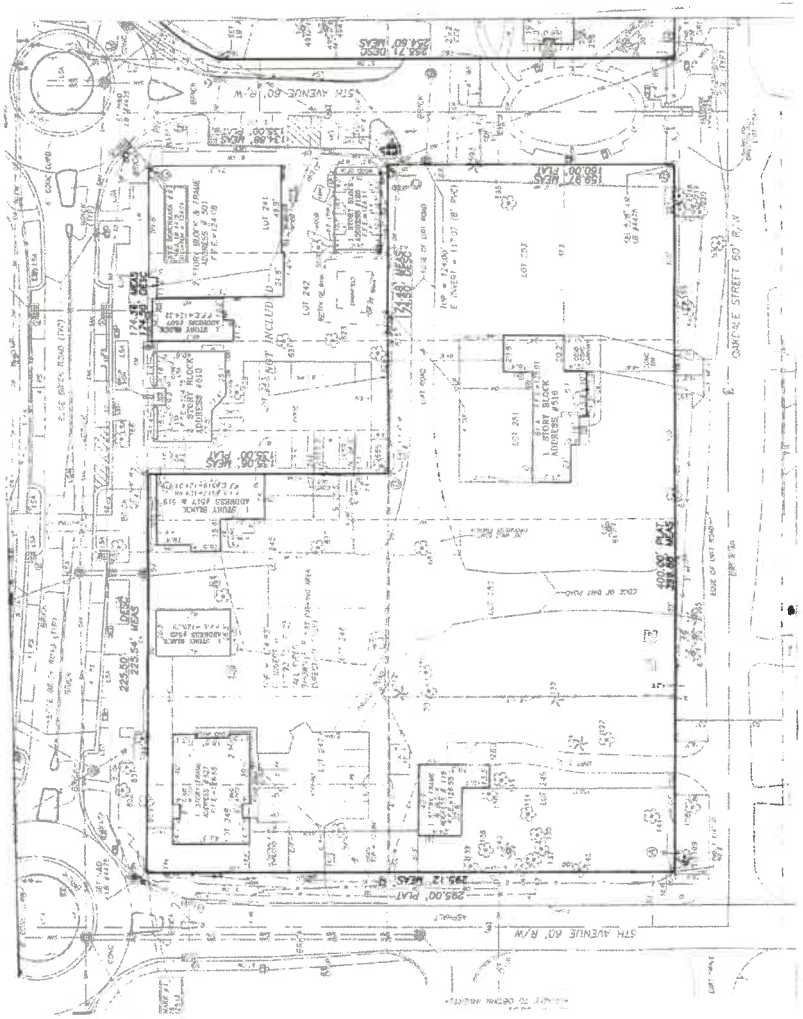
PROJECT APPROVAL: _____

TITLE

APPROVED
TOWN DESIGN GUIDELINES
AND ELEVATIONS

SHEET NO.

07



Downtown Windermere
Windermere • Florida

Hall Development Services Inc.

0 20 40 60 Feet

N

Updated Survey and Data to be provided prior to the second Town Council hearing.

HDSi

LIBRA

ISSUED

DATE:	FOR:
05.31.2019	REVIEW
08.16.2019	REVIEW
05.05.2020	REVIEW
06.04.2020	REVIEW
01.24.2020	REVIEW
11.17.2020	REVIEW
12.03.2020	REVIEW
12.15.2020	REVIEW

Preliminary
Development
Plan
WINDERMERE, FLORIDA

KEY PLAN

JOB NO.:

DESIGNED BY:

DRAWN BY:

CHECKED BY:

PROJECT APPROVAL:

TITLE

SURVEY
PLAN

SHEET NO.

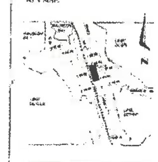
05

Tree #	Description	Cal	On Site	Off Site	Deemed Savable by the Town	Condition	Notes
2	Oak	25	•			Save	
5	Oak	14	•			Remove	
6	Oak	15	•			Remove	
9	Camphor	14	•			Remove	Invasive Exotic
53	Oak	34		•	Yes	Save	
54	Oak	20		•	Yes	Save	
55	Oak	22		•	Yes	Save	
63	Oak	22	•			Remove	
64	Oak	20	•			Remove	
65	Palm	14		•	Yes	Save	
66	Palm	14		•	Yes	Save	
[illegible]	Palm	13		•	Yes	Save	
108	Oak	30		•		Save	
109	Oak	12		•		Save	
110	Palm	10		•		Save	
122	Oak	10	•			Remove	
124	Pine	11	•			Remove	[illegible]
132	Pine	24	•			Remove	[illegible]
133	Oak	36	•			Remove	[illegible]
134	Oak	30	•			Save	[illegible]
135	Oak	26	•			Save	
136	Oak	27	•			Remove	[illegible]
137	Oak	30	•			Save	
138	Oak	30	•		Yes	Save	[illegible]
139	Oak	34	•		Yes	Save	[illegible]
140	Palm	12	•		Yes	Save	[illegible]
141	Oak	29	•			Save	[illegible]
142	Oak	14	•			Save	
143	Oak	14	•			Save	
144	Oak	32	•			Save	
218	Oak	60		•	Yes	Save	
219	Oak	40		•	Yes	Save	
220	Oak	24		•	Yes	Save	
221	Pine	36		•	Yes	Save	
259	Pine	20	•			Remove	[illegible]
263	Sycamore	15	•			Save	
292	Oak	62	•		Yes	Save	
302	Oak	24	•		Yes	Remove	[illegible]
303	Pine	16	•		Yes	Remove	[illegible]
304	Pine	10	•		Yes	Save	
305	Pine	14	•		Yes	Save	
306	Pine	14	•		Yes	Save	
307	Pine	18	•		Yes	Save	
308	Pine	18	•		Yes	Save	
309	Oak	20	•			Remove	[illegible]
310	Oak	14	•			Remove	[illegible]
311	Oak	21	•			Remove	[illegible]
318	Oak	30	•			Remove	[illegible]
321	Oak	20		•	Yes	Save	
322	Pine	24		•		Save	
323	Pine	22		•		Save	
325	Palm	24	•			Save	
326	Pine	24	•			Save	
328	Pine	20	•		Yes	Save	
329	Pine	20	•		Yes	Save	
330	Oak	26	•		Yes	Save	
331	Oak	33	•			Save	
332	Oak	33	•			Save	
334	Oak	40	•			Remove	[illegible]
340	Oak	24	•			Save	

Tree #	Description	Cal	On Site	Off Site	Deemed Savable by the Town	Condition	Notes
345	Oak	28	•			Remove	[illegible]
346	Pine	21	•			Remove	[illegible]
347	Oak	2?	•			Remove	
348	Oak	18	•			Remove	[illegible]
361	Palm	15	•			Save	
403	Oak	16	•			Remove	[illegible]
412	Palm	12	•			Salvage	
451	Palm	17	•			Salvage	
452	Palm	12	•			Salvage	
453	Palm	12	•			Salvage	
456	Palm	12	•			Salvage	
457	Palm	12	•			Salvage	
458	Palm	10	•			Salvage	
460	Oak	20	•			Remove	[illegible]
462	Oak	15	•			Remove	[illegible]
463	Oak	13	•			Remove	[illegible]
466	Palm	24	•			Remove	
463	Oak	16	•			Save	
464	Oak	10	•			Save	
465	Oak	20	•			Save	
466	[illegible]	24	•			Remove	
471	Oak	16/12	•			Remove	
473	Camphor	36	•			Remove	Invasive Exotic
474	Oak	56/12	•			Remove	[illegible]
476	Oak	18		•	Yes	Save	
477	Oak	18		•	Yes	Save	
491	Palm	12	•			Salvage	
492	Palm	12	•			Salvage	
493	Palm	10	•			Salvage	
494	Palm	10	•			Salvage	
495	Palm	12	•			Salvage	
502	Oak	38		•			
503	Oak	19	•			Remove	[illegible]
505	Oak	14	•		Yes	Save	
630	Tree	16/12	•			Remove	[illegible]
621	Oak	21		•		Save	
624	Oak	14		•		Save	
628	Oak	32		•		Save	
638	Oak	24		•		Save	
641	Oak	15		•		Save	
663	Oak	24		•		Save	
665	Oak	33		•		Save	
677	Oak	36	•		Yes	Remove	[illegible]
681	Oak	32	•		Yes	Save	
682	Oak	36	•		Yes	Save	[illegible]
706	Oak	42	•		Yes	Save	
710	Oak	42	•		Yes	Save	
712	Oak	16	•			Remove	[illegible]
[illegible]	Oak	17		•		Save	
[illegible]	Oak	12		•		[illegible]	
[illegible]	Oak	32		•	Yes	[illegible]	[illegible]
[illegible]	Oak	24		•	Yes	Save	
[illegible]	Oak	20		•		Save	
[illegible]	Oak	18	•			Save	[illegible]
[illegible]	Camphor	16/12	•			Remove	[illegible]

Updated Survey and Data to be provided prior to the second Town Council hearing.

KEY MAP



CONSULTANT

DATE: OCTOBER 2006
JOB NO.: 05-0316.1000
DESIGNED BY: DST
DRAWN BY: DST
CHECKED BY: DAP
APPROVED BY: DAP
SCALE IN FEET

PROJECT NAME:
MAIN STREET SHOPPES

WINDERMERE PARTNERS

WINDERMERE, FLORIDA

SHEET TITLE:
TREE DATA / INFORMATION

SHEET NO.:
LS-2

SEAL

Oct. 12, 2006

MSCW

HDSi

LIBRA

GeoOrbis

ISSUED

DATE:	FOR:
05.19.2019	REVIEW
08.19.2019	REVIEW
03.05.2020	REVIEW
08.06.2020	REVIEW
09.24.2020	REVIEW
11.17.2020	REVIEW
12.03.2020	REVIEW
12.15.2020	REVIEW

Preliminary Development Plan
WINDERMERE, FLORIDA

KEY PLAN

JOB NO.:
DESIGNED BY:
DRAWN BY:
CHECKED BY:
PROJECT APPROVAL:

TITLE
EXISTING TREE SCHEDULE

SHEET NO.
06

ATTACHMENT B

PLANNED UNIT DEVELOPMENT (PUD) CONDITIONS OF APPROVAL *for* *WINDERMERE DOWNTOWN PROPERTY*

Condition 1. Development of the Property. The Owner is entitled to develop the Project on the Property. However, development of the Property must conform to and may be undertaken only in accordance with

(i) the "Preliminary Development Plan" for Windermere Downtown Property, attached hereto as Exhibit A (the "PDP"), and

(ii) these Conditions, and

(iii) the Transportation Agreement required under Condition 2.1, and

(iv) the Utilities Agreement required under Condition 2.2, and

(v) the Final Development Plan required by the Town's code and Condition 2.3.

All development of the Property must comply with all other applicable federal, state, county, and Town laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent the applicable laws, ordinances, and regulations are expressly waived or modified by this Agreement, or by action expressly approved in the future by the Town Council, or by express action of the Town Council.

Condition 2. Development-Related Conditions of Approval. Development of the Project may be undertaken on the Property, but only in compliance with the following conditions, requirements, and restrictions:

2.1. ***Transportation Agreement.***

a) The Owner shall design and construct a right-turn access lane from E 6th Avenue into the Project. The right-turn access lane design shall be provided as part of the final development plan (FDP). The Owner shall pay the full cost of the design and construction of the right-turn access lane.

2.3. ***Final Development Plans***. The final development plans ("FDP") for the Project shall be prepared for review and approval by the Town's DRB and Town Council, as required by the Town code, and, notwithstanding any part of the PDP to the contrary, shall be subject to the following conditions, requirements, and restrictions:

a) The gross floor area for buildings in the Project shall not exceed, in the aggregate, 21,750 square feet. For purposes of calculating gross floor area, areas used for outside dining shall be deemed to be part of the gross floor area.

b) Buildings and appurtenances shall be no taller than 35 feet. Store widths and building modules shall be designed in 20-foot increments.

c) The architectural features and details and the structural colors and materials shall be submitted as part of the FDP. Any changes to those architectural features and details and structural colors and materials approved in the FDP will be allowed only if approved by the DRB and Town Council as an amendment to the FDP.

d) Windows and doors on the first floor must occupy no less than 70% of the total storefront, with doors being more than 50% clear glass.

e) As required by the Town Center Design Guidelines (the "Guidelines"), the screenwall on the east boundary must be set back from the property line to allow landscaping outside the wall, within the boundaries of the Property, except that the wall may jog as reasonably necessary to avoid removal of existing trees. Landscaping must be installed and maintained as depicted in the Guidelines or as required by Town Council.

f) The parking lot must supply no fewer than four spaces per 1,000 square feet of gross building floor area, which must include outdoor dining areas. Each space must be no less than 10 feet wide and 20 feet long. However, the Town Council may allow for a reduction of the required number of parking spaces for the sole intended purpose to preserve and protect the existing trees on the Project property. In addition, the Owner may pay a

Condition 3. Construction-Related Conditions of Approval. The Town Council intends the requirements of Conditions 3.1 through 3.9 to eliminate, as much as possible, the nuisance to Town residents and visitors that might otherwise result from the sights, sounds, dust, and debris from the construction of the Project.

The following requirements and restrictions shall apply to construction activity on the Property:

3.1. ***Staging*** –Construction staging (*e.g.*, construction trailers, vehicles, and equipment, material storage, construction-worker parking, construction dumpsters, temporary restrooms, etc.) shall be contained within the boundaries of the Property. During all construction activity, the Property shall be screened along its entire boundary, obscuring view of the construction-staging area. No signs, advertising, or other communications (other than signs pertaining specifically to the construction) may be placed on the exterior of the screening.

3.2. ***Staging – Subsequent Construction, Reconstruction, and Renovation***. Staging areas for construction, reconstruction, or renovations occurring from time to time after completion of the Project shall be at such locations as may be approved in writing by the Town Manager. Under no circumstances may the staging occur within public rights-of-way or on Town property without the express approval of Town Council, which may be granted or withheld at the discretion of the Town Council.

3.3. ***Dust and Debris***. All debris shall be retained within the boundaries of the Property throughout all construction activities. The Owner shall not allow dust to escape in material amounts, as determined by the Town Manager, during construction.

3.4. ***Wall***. The six-foot screenwall to be constructed along the boundary of the Property, as required by the PDP, shall be constructed and completed before the start of any construction of either the parking lot or the buildings. The screenwall shall be set back from the boundary of the Property, and the area of the Property outside the screenwall shall be bermed and landscaped as required by the Guidelines.

3.5. ***Road Closures***. No road closures may occur in connection with the construction, unless expressly approved in writing by the Town Manager.

3.6. ***Construction Hours and Deliveries***. Construction activity may occur only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, unless

c) Bank and financial institutions;

d) Churches and related ancillary uses;

e) The following personal services: barber shops, beauty shops (but not tattoo or body-piercing shops), personal training, spa, salons, pottery shops, art-painting galleries or studios, and dance studios;

f) Restaurants and bakeries (but drive-through-window services and fast-food restaurants are prohibited);

g) The following light-retail uses: bicycle shop, hardware store (but outdoor storage is prohibited), home-décor shop, florist shop, clothing store, specialty-fashion store, jewelers, book store, household goods and services shops, antiques, and pharmacies (but drive-through-window services are prohibited).

h) Such other uses approved by Town Council from time to time; and

4.2. ***Hours of Operation***. Unless otherwise expressly authorized by Town Council, the offices, shops, restaurants, and other non-residential activities within the Project may be open for business only between the hours of 7:00 a.m. and 10:00 p.m. each day.

Condition 5. Other Requirements.

5.1. ***Law-Enforcement Capital Contribution***. If, upon consultation with the Chief of Police, the Town Manager determines that the Town will incur capital expense to provide law-enforcement services to the Project, the Town Manager may require the Owner to make a one-time capital contribution to the Town to pay such capital expense, and building permits shall not thereafter be issued until the contribution is paid.

5.2 ***Town Council Final Development Plan Workshops.*** The Owner shall participate in at least three (3) Town Council workshops to present drafts of the FDP for preliminary review and comment by Town Council. These workshops are intended to provide an opportunity for the Town Council to identify opportunities for improvements to the proposed FDP and to identify areas of concern. These workshops shall be noticed public workshops. The Owner shall coordinate with the Town on the scheduling of the Town Council workshops.

6.4. ***Applicable Law.*** This Agreement shall be construed and interpreted according to the laws of the State of Florida. Venue for a proceeding in connection with this Agreement shall be the Ninth Judicial Circuit of Florida, in Orange County, Florida.

6.5. ***Further Documentation.*** Following a request therefor by a party, the other party shall execute and deliver such documents and instruments, in form and substance reasonably requested, as may be necessary to confirm the obligations of the party and to evidence the consummation of the transactions contemplated hereby.

6.6. ***Limitation on Remedies.*** In judicial proceedings, the Town and the Owner shall have the right to enforce the terms and conditions of these Conditions only by an action for specific performance or injunctive relief. Each party expressly waives its right, if any, to seek damages of any type in actions arising from or connected to these Conditions and the Project. Notwithstanding the foregoing, the parties may use self-help remedies, such as withholding performance of obligations hereunder while the other party is in breach hereof, withholding permits and approvals (including certificates of occupancy), etc.

6.7. ***Effective Date.*** This Agreement shall be deemed to have taken effect as of the date the Town Council voted to approve the PUD zoning for the Property (the "Effective Date"). This Agreement shall remain in full force and effect for so long as the Property is zoned and used for the Project.

6.8. ***Amendments and Waivers.*** These Conditions may be amended only by express written instrument executed by both the Owner and the Town, and the execution by the Town shall be valid and binding against the Town only if expressly approved by its Town Council at a meeting thereof. Waivers of material requirements, restrictions, and conditions imposed hereunder shall be valid and binding against the Town likewise only if expressly approved by its Town Council at a meeting thereof.

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

Development Review Board
February 16, 2021

1st Town Council
April 13, 2021

2nd Town Council
June 8, 2021

Case No.:	Z19-12
Applicant/Representative:	Jim Karr/Jim Hall
Property Owner:	Windermere Downtown Property, LLC
Requested Action:	Rezoning and approval of Preliminary Development Plan (PDP)
Property Address:	517 Main St. (17-23-28-9336-02-430); 527 Main St. (17-23-28-9336-02-470); 516 Oakdale St. (17-23-28-9336-02-510); 522 Oakdale St. (17-23-28-9336-02-500); 119 E 6th Ave. (17-23-28-9336-02-490) , Windermere, FL 34786; and parcel no. 17-23-28-9336-02-520
Legal Description:	PLAT OF WINDERMERE G/36 LOTS 244 (LESS N 24.50 FT) & LOTS 245 & 246; PLAT OF WINDERMERE G/36 LOTS 247 & 248; PLAT OF WINDERMERE G/36 LOT 251; PLAT OF WINDERMERE G/36 LOT 250; PLAT OF WINDERMERE G/36 LOT 249; and PLAT OF WINDERMERE G/36 LOT 252
Existing Future Land Use:	Commercial/Single-Family Residential with Town Center Overlay
Existing Zoning:	Commercial/Single-Family Residential with Town Center Overlay
Existing Use:	Commercial/Residential

CASE SUMMARY:

The subject property is located at the northeast corner of Main Street and E 6th Avenue in Downtown Windermere. The subject property is within the Town Center Overlay District as adopted in the Town's Comprehensive Plan and must adhere to the Town Center Design Guidelines. The development of property within the Town Center Overlay District requires the property to be rezoned to PUD. The applicant is requesting a rezoning and a preliminary site plan, pursuant to Division 3.03.00 of the Town of Windermere Land Development Code. As required by the Comprehensive Plan, the applicant proposes to change the current zoning designation from Commercial/Single-Family Residential within the Town Center Overlay to Planned Unit Development (PUD) within the Town Center Overlay. Additionally, the applicant is requesting approval of a Preliminary Development Plan (PDP) that proposes two buildings for Office, Retail, and Restaurant uses.

The PUD zoning approval process involves three steps:

1. The **concept plan** provides a generalized plan of development. This plan is nonbinding on the developer. The concept plan is required to be submitted to individual Development Review Board (DRB) members for comments on the concept. The comments from the DRB are non-binding on the project but provide any comments or concerns of individual DRB members in the development of the plans for the next two steps of the process.

   The concept plan for this project was submitted to individual DRB members on September 30, 2020. Comments from individual DRB members on the concept plan were provided to the applicant on October 12, 2020.

2. The **preliminary development plan** is a more detailed plan which conveys the PUD zoning to the parcel. The preliminary development plan is reviewed in a public hearing by the DRB and also by the Town Council at two public hearings. Approval of the preliminary development plan assigns the PUD zoning to the property. Approval of the preliminary development plan does not authorize development activity.

   The preliminary development plan and PUD rezoning was reviewed by the DRB on February 16, 2021. Based on the information provided in the staff report and testimony provided during the DRB meeting, the DRB recommended approval of the preliminary development plan and PUD rezoning by a vote of 6-1.

3. The **final development plan** is a detailed fully engineered site plan, and it represents the last step in the PUD approval process prior to the approval of construction plans. The DRB will hold a public hearing to consider the final development plan for a recommendation of approval to Town Council. After DRB recommendation on the final development plan, the final development plan will be considered at a public hearing by the Town Council for final approval.

To reiterate, this request is only related to the preliminary development plan. If the preliminary development plan is approved by Town Council, then the project will come back to the DRB and

Town Council for approval of the final development plan.

CASE ANALYSIS:

This review is the preliminary development plan (PDP) step in the PUD process. The following is an assessment of the preliminary development plan requirements, and if the requirements are met with the submitted PDP plans .

Requirement	Provided
Project Name	Windermere Downtown Property
Legal Description	Yes
Total Acreage	Yes
Location Map	Yes
Contact information for the owners, developers and the consultants involved in the preliminary development plan	Yes
Plan legend including north arrow, scale and date.	Yes
Preliminary survey information showing the existing tree dimensions and locations on the site. For six inches or greater caliper trees, a tree impact plan must be provided.	Survey provided is outdated. The applicant will provide an updated tree survey at the public hearing on April 13, 2021.
A traffic study may be requested by the town manager.	Traffic study completed by Luke Transportation Engineering Consultants, Inc. date December 19, 2019. Reviewed for Town by Kimley Horn. Right-turn lane from west-bound E 6th Avenue into project site required.
Existing topography at one-foot contours and other natural features including lakes, water bodies, conservation area, soils and flood hazard areas.	Not provided. The applicant will provide an updated survey at the public hearing on April 13, 2021.
Existing and proposed land uses, with each phase of the total development identified, if applicable.	Yes – Project one phase
Town Center Types of Uses	Yes
Gross Floor Area	21,750 square feet
Floor Area Ratio	0.23 (21,750 square feet on 2.17 acres).
Building Height	Applicant acknowledges the maximum 35 foot height limitation, but does not provide the proposed height.
Setbacks	Compliant
Open Space	Not Applicable
Parking Spaces	88 spaces
Service Access	Yes, loading zone shown.
Landscape Buffers	Yes, shows required 20 foot buffer and wall along Oakdale Street and portion of E 6th Avenue, but does not show detail. Acknowledges buffer requirement.

Identify the phasing of development and the manner in which each phase of development will exist as an independent development unit.	One phase.
The location of local streets proposed in the development, right-of-way widths, street setbacks, planned rights-of-way, the location of access points to abutting streets and projected traffic generation based on established International Traffic Engineer (ITE) standards. A traffic study may be required at the discretion of the town manager.	Traffic study completed by Luke Transportation Engineering Consultants, Inc. date December 19, 2019. Reviewed for Town by Kimley Horn. Right-turn lane from west-bound E 6th Avenue into project site required. Traffic study and Kimley Horn review attached as Attachment "B".
Buffer treatment to adjacent uses.	Yes, shows required 20 foot buffer and wall along Oakdale Street, but does not show detail
All building elevations and architectural character. Sketches at appropriate scale to provide sufficient detail for review.	No. Applicant provides example façade images and states the Town Center Design Guidelines will be met. No project specific sketches provided. Applicant requests a waiver for this requirement.
Water service (including fire flows), plus gallons per day requirement.	Yes
Sewage disposal, plus gallons per day generated, unless septic systems are used.	No. Applicant states that sewer will be a private septic. Does not show location of septic tank nor does it show location of drainfield.
Stormwater management concept.	Only the location of the stormwater retention area is provided. No calculations or design information provided.
Parks/recreation facilities.	Not Applicable
Waivers from this Land Development Code or the site development standards of the PUD district shall be indicated on the preliminary development plan and/or submitted in writing.	Façade waiver requested. Will provide façades as part of the final development plan.

Since this property is within the Town Center Overlay district, it must adhere to the Town Center Design Guidelines. The Town Center Design Guidelines provide design standards for developments within the Town Center Overlay district. The following are the standards provided within the Town Center Design Guidelines:

Requirement	**Compliant**
Rear Building Setback: 120' from buffer zone	The buildings meet the 120' setback from buffer zone.
Building Frontage: 80% on Main St.	The buildings meet the 80% building frontage requirement.
Required off-street parking 4 parking spaces/every 1,000 square feet	88 spaces shown. No handicap spaces shown.

Storefront with entrance and display windows	Façade design/Elevation information not provided. However, applicant states they will meet the Town Center Design Guideline standards.
Expression line which delineates the transition between storefront and the upper façade	Façade design/Elevation information not provided. However, applicant states they will meet the Town Center Design Guideline standards.
Upper façade which contains horizontal area utilized for wall signage, canopies or awnings (this area may also have windows if it is a two story building) and the cornice, which is the architectural feature that tops the building	Façade design/Elevation information not provided. However, applicant states they will meet the Town Center Design Guideline standards.
Store widths or building modules should be designed in 20' increments and proportions based on multiples of the same dimension.	Façade design/Elevation information not provided. However, applicant states they will meet the Town Center Design Guideline standards.
Awnings	Façade design/Elevation information not provided. However, applicant states they will meet the Town Center Design Guideline standards.
Canopies	Façade design/Elevation information not provided. However, applicant states they will meet the Town Center Design Guideline standards.
Arcades and Colonnades maximum of 8' wide (measured from outside wall to inside of column)	Façade design/Elevation information not provided. However, applicant states they will meet the Town Center Design Guideline standards.
Balcony Maximum Height: 35'	Façade design/Elevation information not provided. However, applicant states they will meet the Town Center Design Guideline standards.
Balcony Maximum Width: 5'	Façade design/Elevation information not provided. However, applicant states they will meet the Town Center Design Guideline standards.
Maximum Building Height: 35'	Façade design/Elevation information not provided. However, applicant states they will meet the Town Center Design Guideline standards.
Minimum Base building height: 12'	Façade design/Elevation information not provided. However, applicant states they will meet the Town Center Design Guideline standards.
Wall Materials	Façade design/Elevation information not provided. However, applicant states they will meet the Town Center Design Guideline standards.
Wall Configurations	Façade design/Elevation information not provided. However, applicant states they will meet the Town Center Design Guideline standards.
Storefront Materials and Window Treatment	Façade design/Elevation information not provided. However, applicant states they will meet the Town Center Design Guideline standards.
Storefront Configuration	Façade design/Elevation information not provided. However, applicant states they will meet the Town Center Design Guideline standards.
Trim Materials	Façade design/Elevation information not provided. However, applicant states they will meet the Town Center Design Guideline standards.
Trim Configurations	Façade design/Elevation information not provided. However, applicant states they will meet the Town Center Design Guideline standards.

Roof Materials	Façade design/Elevation information not provided. However, applicant states they will meet the Town Center Design Guideline standards.
Roof Configurations	Façade design/Elevation information not provided. However, applicant states they will meet the Town Center Design Guideline standards.
Signs	Façade design/Elevation information not provided. However, applicant states they will meet the Town Center Design Guideline standards.
Signage Materials	No information Provided. However, applicant states they will meet the Town Center Design Guideline standards.
Signage Configurations	No information Provided. However, applicant states they will meet the Town Center Design Guideline standards.
Lighting	No information Provided. However, applicant states they will meet the Town Center Design Guideline standards.
Screenwall Materials:	
Brick or stone	No information Provided. However, applicant states they will meet the Town Center Design Guideline standards.
Stucco wall, consistent with character of new building	No information Provided. However, applicant states they will meet the Town Center Design Guideline standards.
Hedges shall be selected from the shrub list and shall be 36" in height.	No information Provided. However, applicant states they will meet the Town Center Design Guideline standards.
Screenwall Configuration:	
Shall be located at all parking lots in conjunctions with the 20' enhancement landscape buffer	Yes, as shown on preliminary site plan.
Shall be 6' in height	Yes

Upon review of the submitted plans for the preliminary site plan for the PUD, the following are inconsistencies that have been identified through review:

- The site plan does not show any proposed handicap parking spaces.

- The Preliminary Site Plan is required to include proposed façade designs. However, the applicant did not provide their proposed façade designs. The applicant states that the façade will comply with the Town Center Design Standards and is asking for a waiver to the requirement to submit proposed façade designs. The applicant will provide façade designs with the final development plan.

- The tree survey and inventory submitted with the application is from 2006 and from a different proposed project (Main Street Shoppes). With the age of the survey and the disconnect of the tree schedule from the current project, there is no clear schedule on tree size, what trees are being removed, and what trees are being saved. The applicant will be providing an updated tree survey at the public hearing on April 13, 2021.

- Another area of concern is the lack of space for the septic tank and septic drain field. The

applicant has not shown on the site plan the location of the proposed septic tank and septic drainfield. The proposed site development does not appear to provide any open area for the installation of the septic tank and septic drainfield.

The applicant provided a traffic study for the proposed project. The traffic study completed by Luke Transportation Engineering Consultants, Inc. date December 19, 2019. The development analyzed in the 2019 traffic study is slightly greater than the building areas currently proposed. However, the difference is not significant. Consistent with the requirements of the Town Center Overlay District requirements, the access to E 6th Avenue is limited to a right-in and right-out only. There is a full access on E 5th Avenue. The traffic study was reviewed for the Town by Kimley-Horn and Associates. Kimley-Horn and Associates recommended the installation of a right-turn lane from westbound E 6th Avenue into project site. The site plan does show the recommended right-turn lane into the project site.

PUBLIC NOTICE:

Public notices were mailed to property owners within 500 feet of the subject property on January 25, 2021 (45 notices sent). As of April 6, 2021, five (5) were returned in support, eight (8) were returned in objection, and three (3) were retuned with no opinion due to lack of detailed information.

DEVELOPMENT REVIEW BOARD RECOMMENDATION

On February 16, 2021, the Development Review Board (DRB) held a public meeting to review and provide a recommendation for the proposed PUD rezoning and preliminary development plan. After review of the staff report and related information and testimony provided at the public meeting, the DRB recommend approval of the PUD rezoning and preliminary development plan by a vote of 6-1.

Kimley»Horn

MEMORANDUM

To:	Robert Smith, Town Manager
From:	Mike Woodward, P.E. Kimley-Horn and Associates, Inc.
Date:	January 27, 2020
Subject:	Revised TIA - Karr Property

PURPOSE

This is intended to document our review and comments associated with the Traffic Impact Analysis (TIA) for the "Windermere Downtown Property", as proposed by LTEC in a report dated December 2019.

BACKGROUND

The proposed project will redevelop a site along Main Street between 5th Avenue and 6th Avenue, extending back to Oakdale Street, with 26,000 square feet of mixed commercial uses. A right-in / right-out driveway is proposed on 6th Avenue, and a full access driveway is proposed on 5th Avenue, connecting to Main Street. Comments were previously issued on the methodology (September 2019) and previous version of this TIA (November 2019).

REVIEW COMMENTS

Our review comments are provided below:

- Right-Turn Lane on 6th Avenue: While the NCHRP Report 457 shows that the turn lane is not needed based on projected volumes, it misses the threshold by a very slim margin. A slight increase in turning traffic or through volumes will change the results. Given that there are several assumptions related to trip generation, internal / walk capture, and trip distribution, it is not clear whether the actual volumes will trigger the need for a turn lane (per the volume criteria in NCHRP Report 457). Further, the proposed driveway is located within the influence area of the Main Street / 6th Avenue roundabout. The proximity creates safety concerns due to potential rear-end collisions caused by people that aren't sure if the car in front of them is slowing down for the roundabout or for the driveway. Due to these factors, a right-turn lane into the project driveway is required.

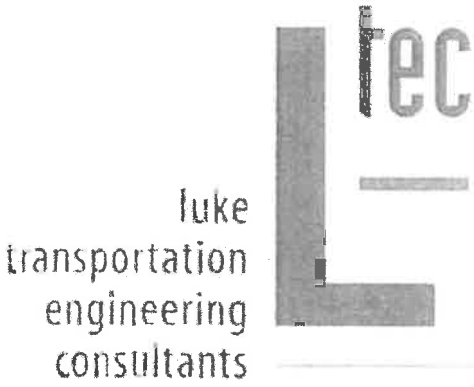
kimley-horn.com | 189 South Orange Avenue, Suite 1000, Orlando, FL 32801 | 407-898-1511

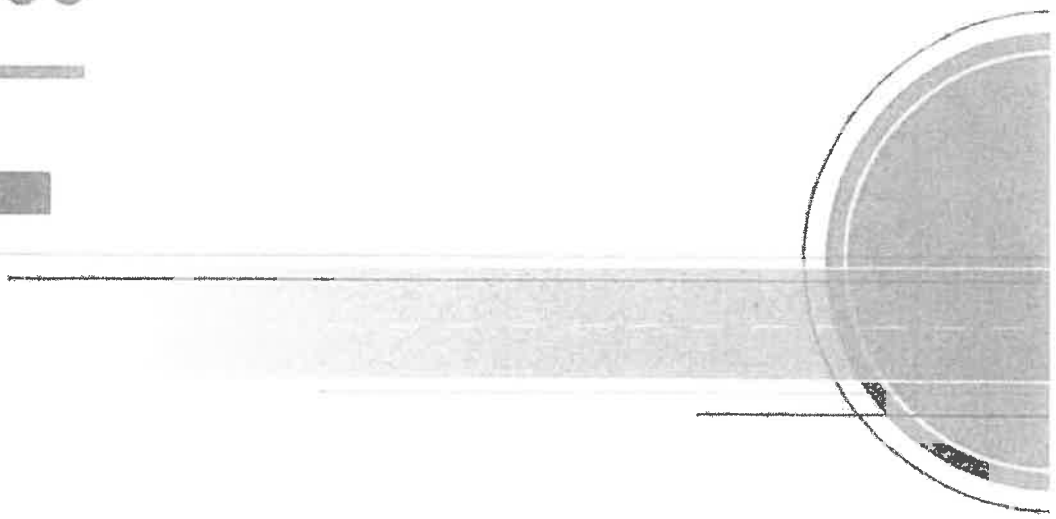
December 2019

WINDERMERE DOWNTOWN PROJECT

Windermere, Florida

Access Traffic Study





LTEC № 19-2801

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WINDERMERE DOWNTOWN PROJECT

Access Traffic Study

Windermere, Florida

Prepared for:

Windermere Downtown Property, LLC

9259 Point Cypress Drive

Orlando, FL 32836

Prepared by:

Luke Transportation Engineering Consultants, Inc.

P. O. Box 941556

Maitland, Florida 32794-1556

December 2019

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PROFESSIONAL ENGINEER ENDORSEMENT

I hereby certify that I am a registered engineer in the State of Florida, practicing with Luke Transportation Engineering Consultants, a corporation authorized to operate as an engineering business (#EB-0007429), by the State of Florida Department of Professional Regulation, Board of Professional Engineers, and I have prepared or approved the evaluation, findings, opinions, conclusions, or technical advice hereby reported for:

PROJECT: Windermere Downtown Project

LOCATION: Main Street and Sixth Avenue, Windermere, Florida

CLIENT: Windermere Downtown Property, LLC

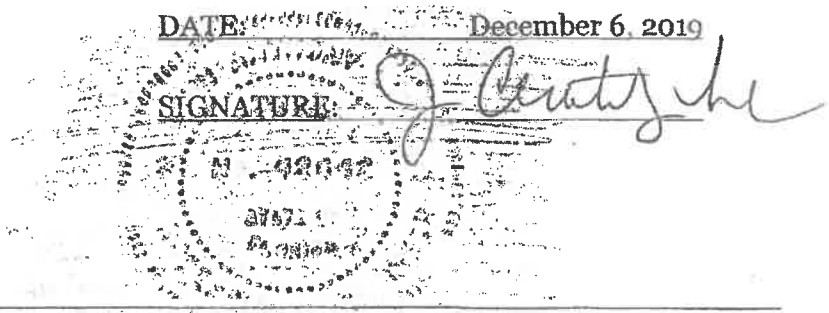
I acknowledge that the procedures and references used to develop the results contained in this report are standard to the professional practice of transportation engineering, as applied through professional judgment and experience.

NAME: J. Anthony Luke, P.E.

P.E. NO.: 42642

DATE: December 6, 2019

SIGNATURE:



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INTRODUCTION

This traffic study was undertaken to provide the required traffic data for the proposed Windermere Downtown Project in Windermere, Florida. As shown, the site is located in the northeast quadrant of Main Street and East Sixth Avenue in Windermere. The Windermere Downtown Project plan will consist of a mixed-use retail development.

Figure 1 shows the location of the development and the adjacent neighborhood. The proposed Windermere Downtown Project site will be developed within a ±2.17-acre parcel. The existing structures (3,592 square feet of commercial, 2,572 square feet office and 2 single family homes) within Lots 244 – 252 will be demolished. The proposed redevelopment plan will consist of a 26,000 square foot mixed-use development. The preliminary plan contains 5,000 square feet of office, 15,000 square feet of retail space and 6,000 square feet of quality restaurant space (with full-service wait-staff). Off street parking will be provided in the rear. **Figure 2** shows the general conceptual Windermere Downtown Project plan configuration.

Access for the Windermere Downtown Project site parking lot will be via a restricted right-in/right-out only access connection onto East Sixth Avenue and via a full access connection onto East Fifth Avenue. Build-out of the development is expected to occur by the end of 2020.

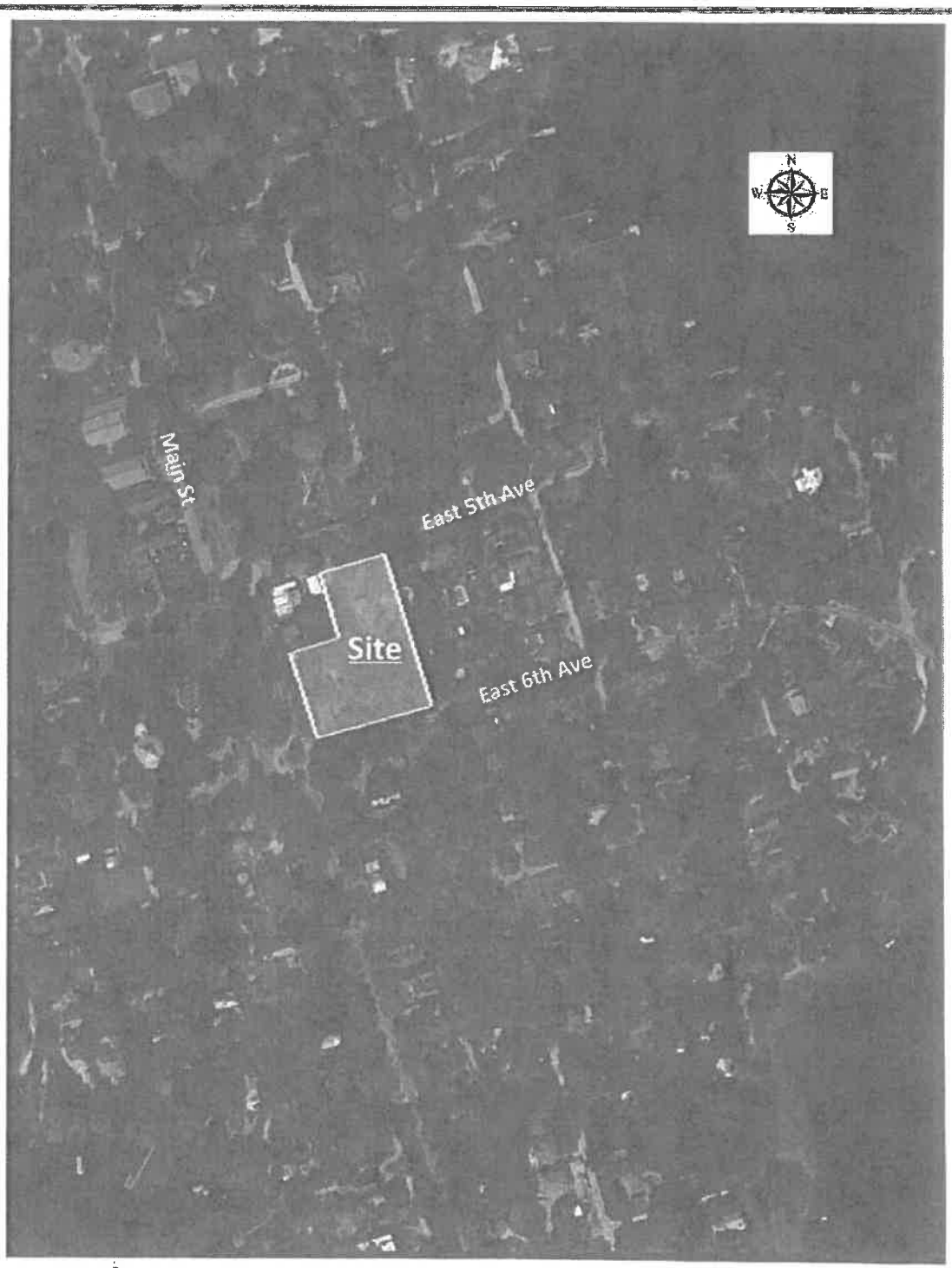
Study Methodology

Before conducting this study, the assumptions and procedures to be used in the traffic impact analysis were submitted to the City of Windermere. A copy of the submitted study methodology is included in **Appendix A**.

To perform the intersection analysis, traffic counts were collected by Luke Transportation Engineering Consultants, Inc. (LTEC) at the following study intersections:

- Main Street and East Fifth Avenue
- Main Street and East Sixth Avenue
- Main Street and Chase Road/East 12th Avenue

LTEC personnel conducted a field survey to obtain geometric and traffic operations data in the area.



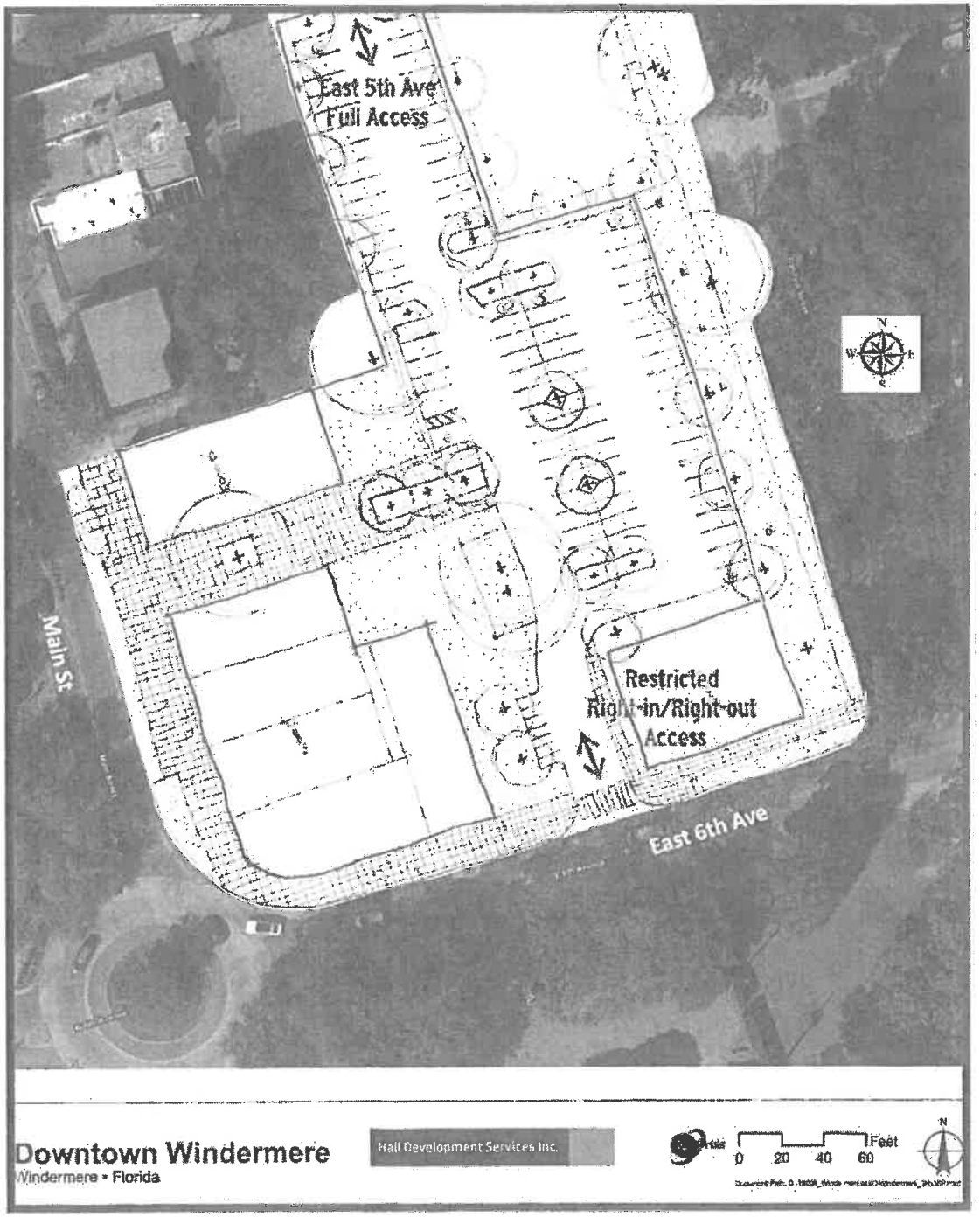
luke transportation engineering consultants

WINDERMERE DOWNTOWN PROJECT

TRAFFIC IMPACT ANALYSIS

SITE LOCATION

Figure 1



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WINDERMERE DOWNTOWN PROJECT
TRAFFIC IMPACT ANALYSIS

CONCEPTUAL SITE PLAN

Figure 2

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EXISTING TRAFFIC CONDITIONS

The following section documents the existing intersection traffic operation in the vicinity of the proposed Windermere Downtown Project.

Study Intersections

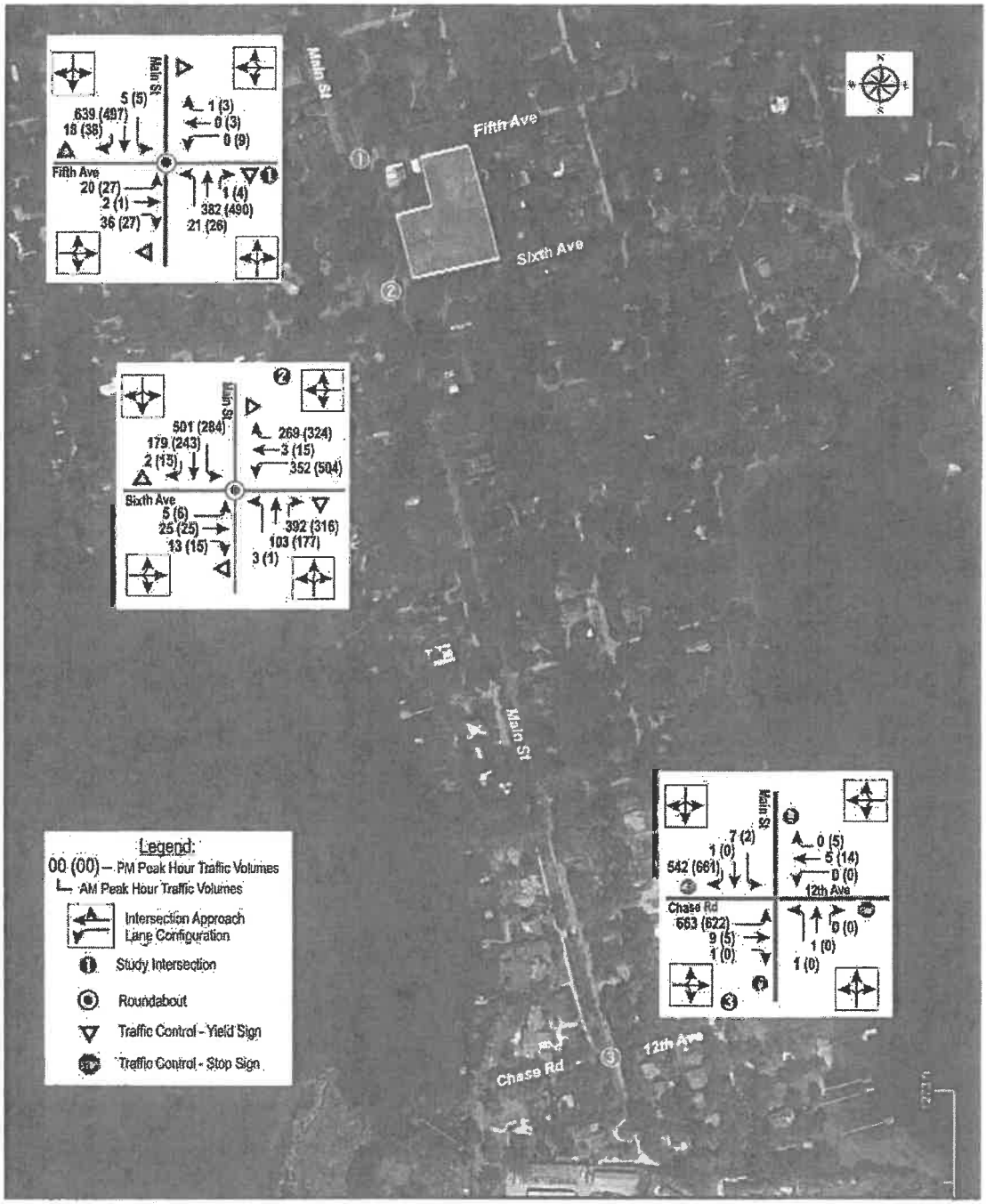
The study intersections were analyzed under existing conditions using the ***Highway Capacity Manual, 6th Edition*** procedures via *Synchro 10* software for unsignalized intersections. This analysis used existing traffic volumes and existing geometric conditions.

On Wednesday, September 21, 2019, A.M. and P.M. peak hour intersection turning movement traffic counts were conducted at the study intersections. See **Appendix B** for the turning movement summary worksheets. Follow Up Headway Adjustment Factors developed for the intersection of Main Street and Sixth Avenue, as part of a research and evaluation of roundabouts memorandum prepared for Orange County on September 10, 2012, were utilized in the analysis (see **Appendix B** for the Main Street and Sixth Avenue summary worksheet). Existing A.M. and P.M. peak hour traffic volumes are presented on **Figure 3**. The results of this analysis are shown in **Table 1** and included in computer printouts in **Appendix C**. The intersection Lane Group Delay, Lane Group V/C Ratio, Lane Group LOS, and 95th percentile queue length for the approach lanes of each study intersection are included in the analysis results table.

As can be seen, the Main Street roundabout intersections (both under Yield control) currently operate with adverse levels of service (LOS) with queues. However, it should be noted that during field observations, the two roundabout intersections had continuous vehicle movements traveling through the intersection. The critical westbound Sixth Avenue approach which had the longest queue was observed to be in continuous movement. As were the northbound and southbound movements. The study intersection of Main Street and Chase Road/12th Avenue (under Multi-way Stop control) currently operates at a deficient LOS condition. Should this intersection be converted to a roundabout intersection under Yield control, the intersection would operate at an acceptable LOS.

Programmed/Planned Roadway Improvements

No programmed roadway improvements are underway or scheduled within the next three years.



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WINDERMERE DOWNTOWN PROJECT

TRAFFIC IMPACT ANALYSIS

EXISTING PEAK HOUR TRAFFIC VOLUMES

Figure 3

TABLE 1

Study Intersections Existing (2019) Level of Service

Approach / Movement		Lanes	Traffic Control	LnGrp Delay (d) (sec/veh)	LnGrp V/C Ratio	LnGrp LOS	95th %ile Queue (Feet)	LnGrp Delay (d) (sec/veh)	LnGrp V/C Ratio	LnGrp LOS	95th %ile Queue (Feet)
1 - Main Street and Fifth Avenue											
			Roundabout	**A.M. Peak Hour**				**P.M. Peak Hour**			
EB	Left Thru Right	> 1 <		10.4	0.144	B	25	7.5	0.102	A	0
WB	Left Thru Right	> 1 <		6.9	0.002	A	0	6.6	0.028	A	0
NB	Left Thru Right	> 1 <		16.6	0.626	C	100	12.8	0.604	B	100
SB	Left Thru Right	> 1 <		63.5	1.020	F	425	13.6	0.631	B	125
Intersection Summary				43.9		E		12.8		B	
2 - Main Street and Sixth Avenue											
			Roundabout	**A.M. Peak Hour**				**P.M. Peak Hour**			
EB	Left Thru Right	> 1 <		13.5	0.142	B	0	11.8	0.131	B	0
WB	Left Thru Right	> 1 <		68.3	1.030	F	425	85.0	1.102	F	600
NB	Left Thru Right	> 1 <		110.7	1.130	F	475	21.1	0.728	C	150
SB	Left Thru Right	> 1 <		194.7	1.357	F	825	54.8	0.963	F	325
Intersection Summary				125.1		F		58.4		F	
3 - Main Street and Chase Road/12th Avenue											
			All-Way	**A.M. Peak Hour**				**P.M. Peak Hour**			
EB	Left Thru Right	> 1 <	STOP	104.0	1.124	F	568	102.1	1.164	F	525
WB	Left Thru Right	> 1 <	STOP	10.0	0.010	A	0	10.6	0.043	B	3
NB	Left Thru Right	> 1 <	STOP	10.5	0.004	B	0	10.7	0.000	A	0
SB	Left Thru Right	> 1 <	STOP	31.4	0.885	D	233	73.6	1.099	F	458
Intersection Summary				71.0		F		86.3		F	

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PROPOSED DEVELOPMENT AND TRAFFIC GENERATION

As indicated earlier, the proposed Windermere Downtown Project will consist of a redevelopment of the existing structures (3,592 square feet of commercial, 2,572 square feet of office and 2 single family homes) within Lots 244 – 252 which will be demolished and replaced with a 26,000 square foot mixed-use development. The proposed mixed-use plan contains a 5,000 square foot office, 15,000 square feet of retail space and 6,000 square feet of quality restaurant space (with full-service wait-staff). Parking will be off street in the rear of the development parcel. To determine the impact of this redevelopment, an analysis of its traffic characteristics was made. This included the determination of the traffic generated by proposed development and the distribution/assignment of this traffic to the study intersections.

Trip Generation

The trip generation was calculated utilizing the 10th Edition, ***ITE Trip Generation Report*** data as summarized in **Table 2**. Utilizing the ITE trip generation rates, the proposed mixed-use land use plan will generate a total of 1,118 daily vehicle trip ends, 27 A.M. peak hour vehicle trip ends and 109 P.M. peak hour vehicle trip ends. These total trips will consist of pedestrian walk-up trips and pass-by trips that will be discussed below.

Pedestrian Walk-up Trips

Based on the location of the proposed development parcel within downtown Windermere, the Project trip generation will be made up of trips linked to other destinations in the immediate area and includes a component of "walk-up" customers from the nearby residential areas. Based on familiarity with the businesses on this property (surrounding area, available public parking, neighboring uses) the Applicant has estimated that 30% of the trip generation of the proposed uses will be made up of walk-up traffic from customers who link the trip to another destination proximate to the Project property.

In order to develop a rational for support of the 30% walk-up percentage, the *ITE Trip Generation Handbook, 3rd Edition* internal capture procedures were utilized. The typical walking distance is 0.25 miles. Within a 0.25-mile radius of the proposed development (see **Figure 3**), there are at least 118 single-family dwelling units and other commercial and office establishments. Should only 22 (18.6% of the homes within the 0.25-mile radius) of these single-family homes interact with the proposed development the internal capture would equal the 30% walk-up percentage. Copies of the ITE internal capture calculation worksheets are in **Appendix D**. **Table 2** includes the pedestrian walk-up calculations trip ends adjustment calculations at build-out.

TABLE 2
Proposed Land Use Estimated Trip Generation (1)

Land Use	Size	ITE Code (2)	Trip Generation Rates							Traffic Volumes						
				A.M. Peak Hour			P.M. Peak Hour				A.M. Peak Hour			P.M. Peak Hour		
			Daily	Total	Enter	Exit	Total	Enter	Exit	Daily	Total	Enter	Exit	Total	Enter	Exit
Proposed Land Use																
Office	5,000 SF	710 / R	9.74	1.56	1.34	0.22	1.15	0.18	0.97	49	8	7	1	6	1	5
Retail	15,000 SF	820 / R	37.70	0.94	0.58	0.36	3.81	1.83	1.98	566	14	9	5	57	27	30
Restaurant	6,000 SF	931 / R	83.84	0.73	0.58	0.15	7.80	5.23	2.57	503	5	4	1	46	31	15
									Total Trips	***1,118***	***27***	***20***	***7***	***109***	***59***	***50***

Land Use	Size	Pedestrian Walk-up Calculation (3)			Pedestrian Walk-up Reduction							External Trips (4)						
						A.M. Peak Hour			P.M. Peak Hour				A.M. Peak Hour			P.M. Peak Hour		
		Daily	AM Pk	PM Pk	Daily	Total	Enter	Exit	Total	Enter	Exit	Daily	Total	Enter	Exit	Total	Enter	Exit
Proposed Land Use																		
Office	5,000 SF	14.3%	12.5%	16.7%	7	1	0	1	1	0	1	42	7	7	0	5	1	4
Retail	15,000 SF	29.5%	7.1%	35.1%	167	1	1	0	20	10	10	399	13	8	5	37	17	20
Restaurant	6,000 SF	23.5%	0.0%	26.1%	118	0	0	0	12	5	7	385	5	4	1	34	26	8
			Total Trips		***292***	***2***	***1***	***1***	***33***	***15***	***18***	***826***	***25***	***19***	***6***	***76***	***44***	***32***

Land Use	Size	Pass-by Capture % (5)			Pass-by Trips							Net New Traffic Volumes (6)						
						A.M. Peak Hour			P.M. Peak Hour				A.M. Peak Hour			P.M. Peak Hour		
		Daily	AM Pk	PM Pk	Daily	Total	Enter	Exit	Total	Enter	Exit	Daily	Total	Enter	Exit	Total	Enter	Exit
Proposed Land Use																		
Office	5,000 SF	0.0%	0.0%	0%	0	0	0	0	0	0	0	42	7	7	0	5	1	4
Retail	15,000 SF	32.1%	17.0%	34%	128	2	1	1	14	7	7	271	11	7	4	23	10	13
Restaurant	6,000 SF	35.8%	0.0%	44%	138	0	0	0	14	7	7	247	5	4	1	20	19	1
			Total Trips		***266***	***2***	***1***	***1***	***28***	***14***	***14***	***560***	***23***	***18***	***5***	***48***	***30***	***18***

(1) Trip generation calculations from 10th Edition of ITE Trip Generation Report.

(2) ITE Land Use Code Number / R = Average Trip Rate or E = Fitted Curve Equation

(3) Pedestrian Walk-up Percentage from ITE "Trip Generation Handbook, 3rd Edition," August 2014.

(4) Total Traffic Volumes minus Pedestrian Walk-up Reduction Trips = External Trips.

(5) Pass-by trips set to ITE Handbook Table E.9 LUC 820 Shopping Center - 34% pass-by percentage (P.M. peak). AM assumed to be 50% of PM.

Pass-by trips set to ITE Handbook Table E.29 LUC 931 Quality Restaurant - 44% pass-by percentage (P.M. peak). AM assumed to be 0%.

Pass-By Check - (28 pass-by trips ÷ (843 EB Sixth Ave existing PM peak hour trips + 725 2-Way Main St) = 0.0178, use 1.8%)

(6) External Trips minus Pass-by Capture Trips = Net New (Primary) Trips.

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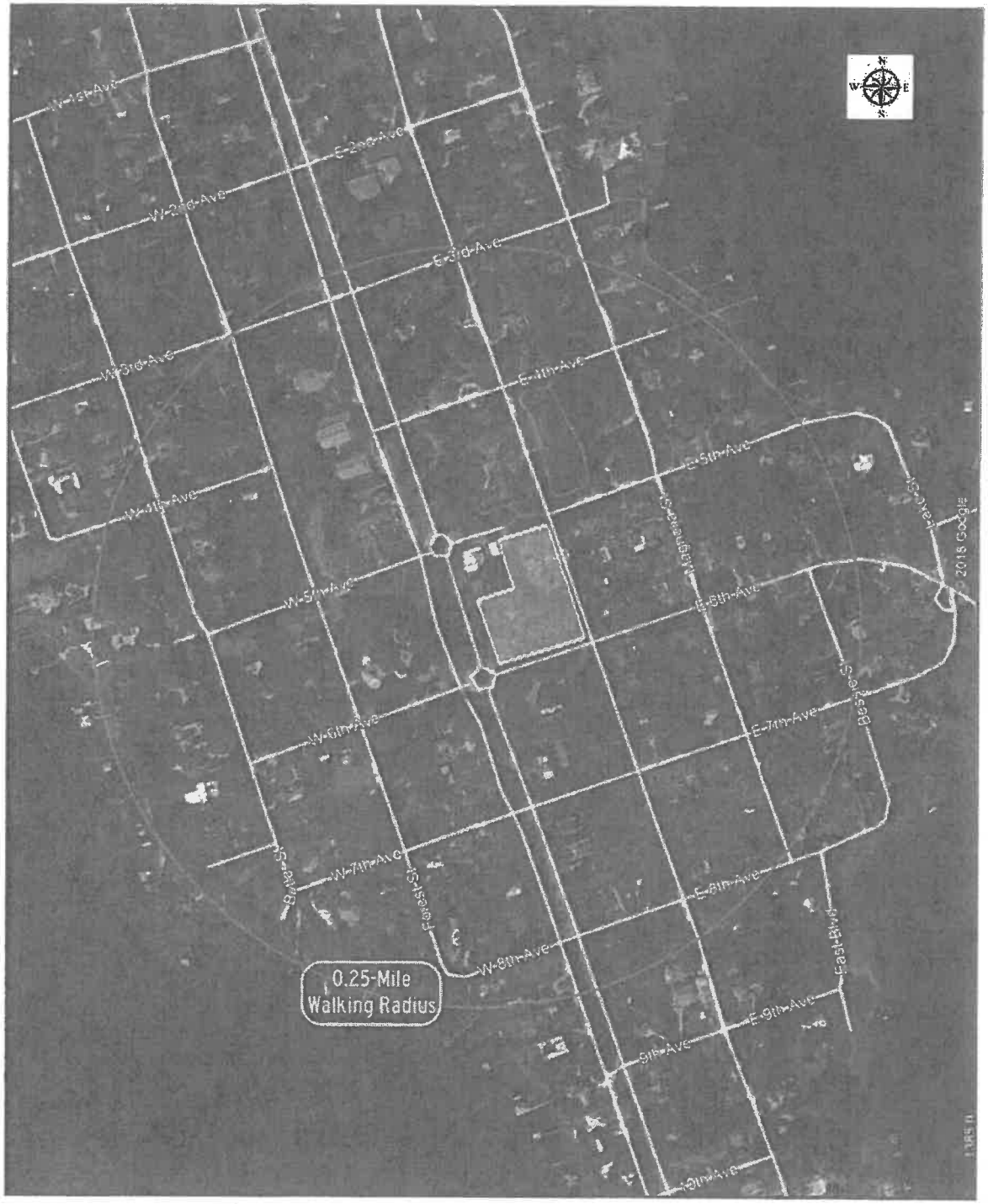


WINDERMERE DOWNTOWN PROJECT
TRAFFIC IMPACT ANALYSIS
PEDESTRIAN WALK-UP AREA

Figure 4

Pass-by Trips

For the retail and restaurant components of the development program, a pass-by traffic proportion was calculated. Pass-by trips are defined as those trips from the passing roadway stream that would already be on the road. Therefore, pass-by traffic does not create additional impact on the surrounding roadways. For this site, the pass-by traffic will be drawn from Main Street and East Sixth Avenue. Pass-by percentages will be based upon pass-by information contained in the *ITE Trip Generation Handbook, 3rd Edition.* Pass-by trips calculated using the ITE P.M. peak hour percentages represent 1.8% of the existing P.M. peak hour traffic volumes on Main Street and East Sixth Avenue (see the calculation in footnote 5 in **Table 2**). **Table 2** also includes the pass-by trips which were assigned at the Project access driveways.

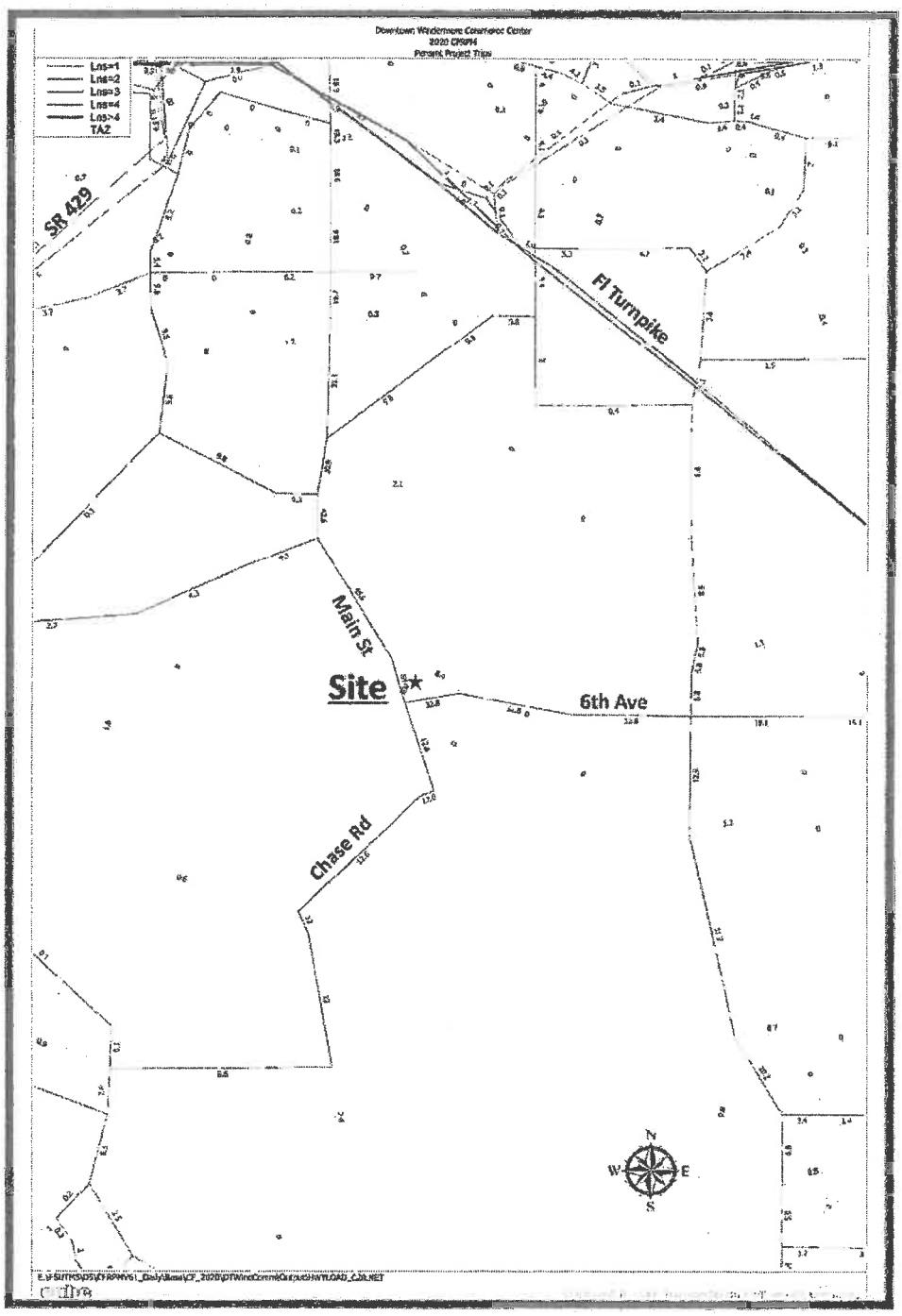
The trip generation at build-out for this redevelopment plan is estimated to result in a net increase, over the current trips generated by the existing development, of 420 net new weekday vehicle trip ends. Of this total, 9 vehicle net new trip ends will occur during the A.M. peak hour and 36 vehicle net new trip ends will occur during the P.M. peak hour (see **Appendix D** for the trip generation worksheet showing the calculations). However, the analysis will assign 100% of the proposed land use trips at the Project driveways. Which are 560 net new weekday vehicle trip ends, 23 vehicle net new A.M. peak hour trip ends and 48 vehicle net new P.M. peak hour trip ends (see **Table 2**).

Trip Distribution

Project trip distribution and assignment of projected Project trips will be based on a 2025 Cost Feasible CFRPM model assignment and the observed turning movement patterns at the adjacent roadways. The socioeconomic data was updated to reflect the proposed development in a separate traffic zone. Subsequently, a selected zone assignment was performed to determine distribution of site trips in the impact area to the adjacent roadway network. The CFRPM model plot of the Project trip distribution is shown in **Figure 5**.

Access Plan

As summarized earlier, the Windermere Downtown Project is proposed to be served by two (2) access driveways. A full access driveway connection onto East Fifth Avenue and a right-in/right-out access driveway connection on East Sixth Avenue.



WINDERMERE DOWNTOWN PROJECT
TRAFFIC IMPACT ANALYSIS

PROJECT TRIP DISTRIBUTION

Figure 5

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PROJECTED TRAFFIC CONDITIONS

Projected 2020 A.M. and P.M. peak hour traffic conditions at the study intersections were analyzed in accordance with the procedures of the ***Highway Capacity Manual, 6th Edition*** utilizing projected 2020 traffic volumes (see **Figure 6** for the projected A.M. peak hour volumes and **Figure 7** for the projected P.M. peak hour volumes) and planned access driveway geometry for the Project. Projected 2020 traffic volumes consist of background traffic and project traffic. A historical trend annual percentage from the current 2018 Orange County traffic counts on Chase Road, East Sixth Avenue and Main Street were used to develop the background traffic growth (the traffic count summary sheet is contained in **Appendix E**). Background traffic on Main Street and East Fifth Avenue was based on a 2% annual growth rate, a 3.4% annual growth rate on Chase Road and a 4.0% annual growth rate on East Sixth Avenue.

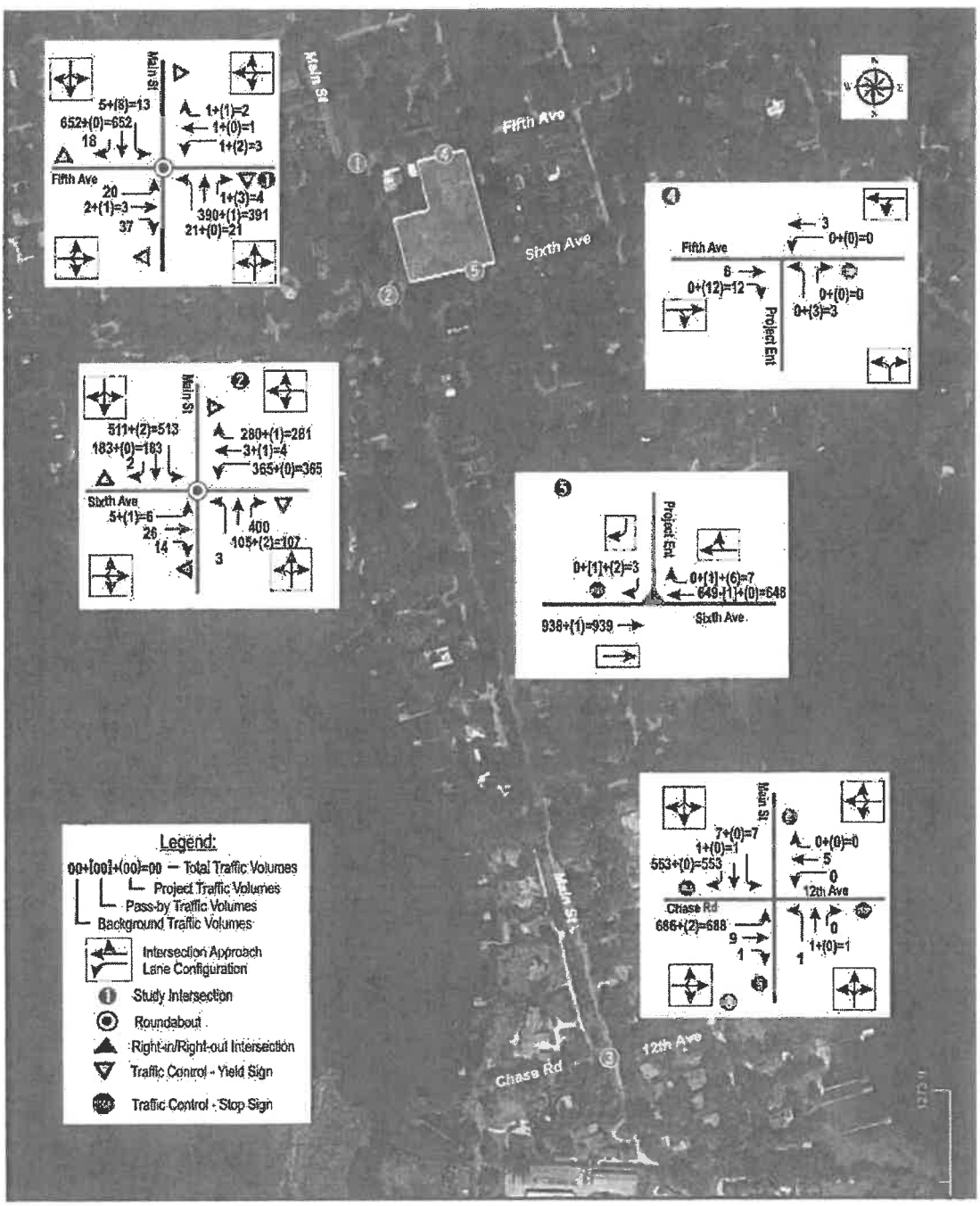
Intersection Analysis

To determine the projected Level of Service provided by the intersections to be impacted by the proposed redevelopment plan, a capacity analysis was conducted utilizing the procedures of the *Highway Capacity Manual, 6th Edition* for the unsignalized intersections. This analysis used projected background traffic volumes plus project traffic volumes and existing/proposed geometric conditions. Printouts of the intersection analyses may be found in **Appendix F**. The projected intersection LOS and delay, for each study intersection, are shown in **Table 3**.

As can be seen, at build-out of the proposed redevelopment plan all of the study intersections are projected to operate at levels of service similar to existing conditions. The intersection of Main Street and Chase Road/East 12th Avenue is projected to continue to operate at a deficient LOS during the A.M. and P.M. peak hour. Again, should this intersection be converted to a roundabout, the intersection would operate at an acceptable LOS. The proposed Project access connections are projected to operate at an acceptable level of service.

Project Access and Auxiliary Turn Lanes

An evaluation was conducted to determine if projected traffic volumes at the Project Entrance driveways on East Fifth Avenue and East Sixth Avenue would meet the minimum requirements for auxiliary turn lanes. Procedures documented in the *NCHRP Report 457: Evaluating Intersection Improvements, 2001* and the projected traffic counts utilized in this analysis were used to evaluate the need for auxiliary turn lanes at the unsignalized access driveways.



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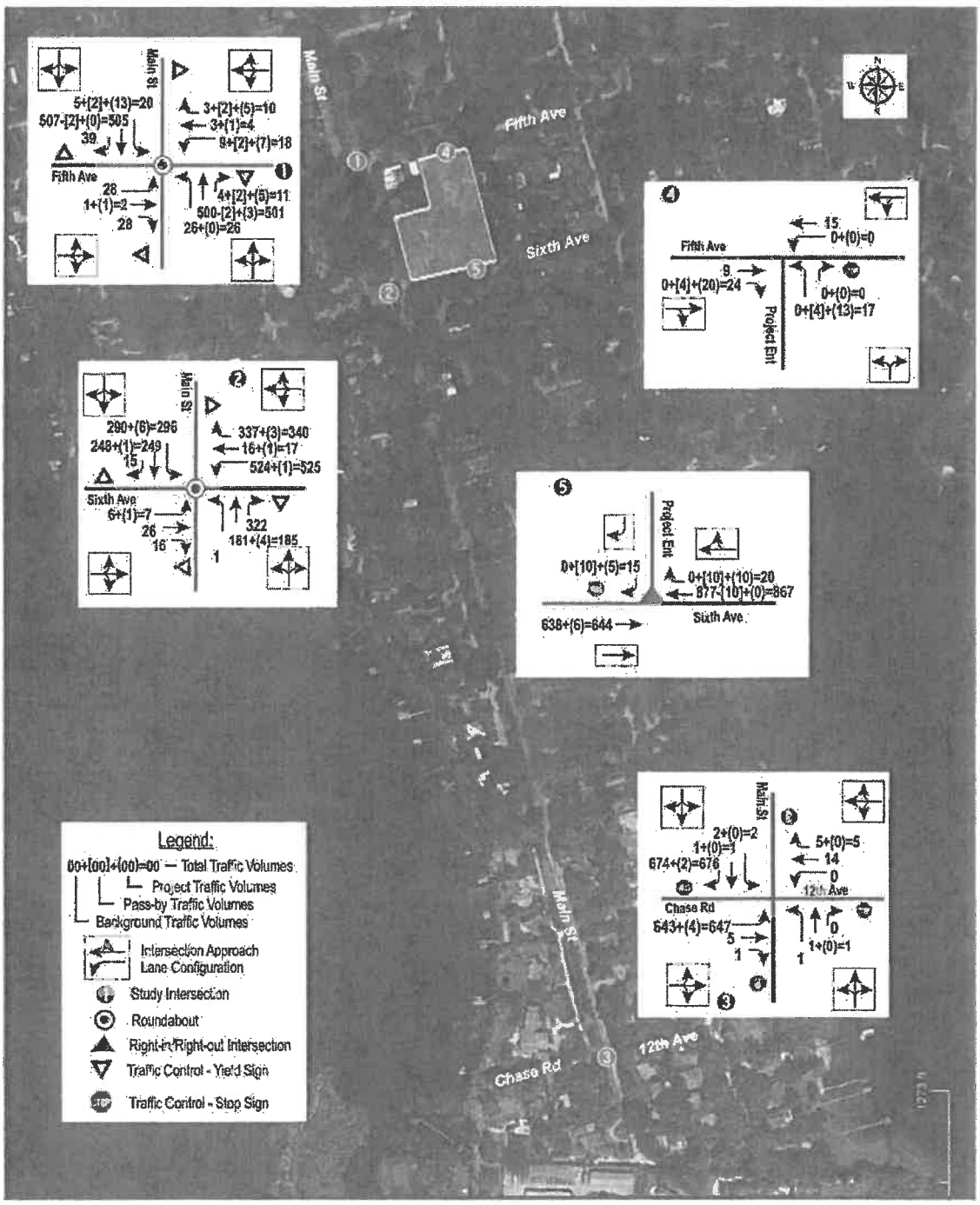
WINDERMERE DOWNTOWN PROJECT

TRAFFIC IMPACT ANALYSIS

PROJECTED A.M. PEAK HOUR TRAFFIC VOLUMES **Figure 6**



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WINDERMERE DOWNTOWN PROJECT
TRAFFIC IMPACT ANALYSIS
PROJECTED P.M. PEAK HOUR TRAFFIC VOLUMES **Figure 7**

TABLE 3
Study Intersections Projected (2020) Level of Service

Approach / Movement		Lanes	Traffic Control	LnGrp Delay (d) (sec/veh)	LnGrp V/C Ratio	LnGrp LOS	95th %ile Queue (Feet)	LnGrp Delay (d) (sec/veh)	LnGrp V/C Ratio	LnGrp LOS	95th %ile Queue, (Feet)
1 - Main Street and Fifth Avenue											
			Roundabout	A.M. Peak Hour				P.M. Peak Hour			
EB	Left Thru Right	> 1 <		10.4	0.145	B	25	7.7	0.106	A	0
WB	Left Thru Right	> 1 <		7.0	0.011	A	0	7.0	0.059	A	0
NB	Left Thru Right	> 1 <		17.0	0.634	C	125	13.6	0.628	B	125
SB	Left Thru Right	> 1 <		67.3	1.033	F	450	14.6	0.657	B	125
Intersection Summary				46.1		E		13.6		B	
2 - Main Street and Sixth Avenue											
			Roundabout	A.M. Peak Hour				P.M. Peak Hour			
EB	Left Thru Right	> 1 <		13.7	0.149	B	25	12.6	0.146	B	25
WB	Left Thru Right	> 1 <		75.0	1.053	F	450	112.0	1.175	F	725
NB	Left Thru Right	> 1 <		112.0	1.134	F	475	24.0	0.769	C	175
SB	Left Thru Right	> 1 <		199.1	1.368	F	825	73.0	1.032	F	400
Intersection Summary				129.0		F		176.3		F	
3 - Main Street and Chase Road/12th Avenue											
			All-Way	A.M. Peak Hour				P.M. Peak Hour			
EB	Left Thru Right	> 1 <	STOP	122.4	1.176	F	638	112.4	1.176	F	565
WB	Left Thru Right	> 1 <	STOP	10.1	0.010	B	0	10.6	0.041	B	3
NB	Left Thru Right	> 1 <	STOP	10.6	0.004	B	0	10.8	0.004	B	0
SB	Left Thru Right	> 1 <	STOP	33.8	0.918	D	245	71.6	1.100	F	445
Intersection Summary				82.5		F		90.3		F	
4 - Fifth Avenue and Project Entrance											
				A.M. Peak Hour				P.M. Peak Hour			
EB	Thru Right	1 <	Free Flow								
WB	Left Thru	> 1	Free Flow	0.0	0.000	A	0	0.0	0.000	A	0
NB	Left Right	> <	STOP	8.6	0.003	A	0	8.8	0.018	B	3
5 - Sixth Avenue and Project Entrance											
				A.M. Peak Hour				P.M. Peak Hour			
EB	Thru	1	Free Flow								
WB	Thru Right	1 <	Free Flow								
SB	Right	1	STOP	13.1	0.007	B	0	16.6	0.048	C	5

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The results of this analysis indicate that based on the projected traffic volumes, auxiliary right-turn lanes ***are not*** warranted at the Project Entrance on East Fifth Avenue or East Sixth Avenue. See **Appendix G** for the all the auxiliary turn lane warrant worksheets.

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STUDY CONCLUSIONS

This study was conducted in order to evaluate existing and future traffic conditions in the vicinity of the proposed Windermere Downtown Project in Windermere, Florida. The ±2.17-acre parcel is located in the northeast quadrant of Main street and East Sixth Avenue in Windermere. The Windermere Downtown Project redevelopment plan will consist of a mixed-use development which will replace the existing 3,592 square feet of commercial space, 2,572 square feet of office space and 2 single family homes (within Lots 244 – 252 which will be demolished)

The proposed mixed-use plan contains a 5,000 square foot office, 15,000 square feet of retail space and 6,000 square feet of quality restaurant space (with full-service wait-staff). Parking will be off street in the rear of the development parcel. The results of the study as documented herein are summarized below:

- The trips to be generated by the proposed redevelopment were estimated to be 560 new daily vehicle trip ends, 23 new A.M. peak hour trip ends and 48 new P.M. peak hour vehicle trip ends.
- The Windermere Downtown Project is proposed to be served by a full access driveway on East Fifth Avenue and a right-in/right-out access driveway on East Sixth Avenue.
- Based upon this analysis, the two (2) existing roundabout study intersections under Yield control currently operate with poor levels of service but field observations show continuous vehicle travel through the intersections. The Multi-way Stop control intersection of Main Street and Chase Road/East 12th Avenue currently operates at a deficient level of service. Should this intersection be converted to a roundabout under Yield control, it would operate at an acceptable level of service.
- At build-out of the proposed plan the existing roundabout study intersections are projected to continue to operate at levels of service similar to existing conditions. The Multi-way Stop control intersection of Main Street and Chase Road/East 12th Avenue is projected to continue to operate at a deficient LOS. Project trips represent 0.5% of the P.M. peak hour available approach lane capacity.
- The proposed Project Entrance with projected A.M. and P.M. peak hour traffic volumes ***do not*** meet the *NCHRP Report 457* warrant for right-turn lanes.
- The proposed Project Entrance access driveways should be designed to City of Windermere and FDOT design standards.

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APPENDICES

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Appendix A – Traffic Study Methodology

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MEMORANDUM

TO: Brad Cornelius, AICP
FROM: J. Anthony Luke, P.E.
DATE: September 10, 2019 (Revised)
RE: Traffic Impact Analysis Methodology: Windermere Downtown Project, Windermere, Florida (LTEC № 19-2801)

Following up from our 8/22/19 phone conversation and the September 5, 2019 review comments, this summarizes the proposed traffic impact analysis methodology for the Windermere Downtown Project plan, located in the northeast quadrant of Main street and East Sixth Avenue in Windermere. The Windermere Downtown Project plan will consist of a mixed-use retail development. The site location showing the development parcel and the surrounding transportation area is shown in **Figure 1.**

1. Proposed Development

The proposed Windermere Downtown Project site will be developed within a ±2.17-acre parcel. The existing structures (3,592 square feet of commercial, 2,572 square feet office and 2 single family homes) within Lots 244 – 252 will be demolished. The proposed redevelopment plan will consist of a 26,000 square foot mixed-use development. The preliminary plan contains 5,000 square feet of office, 15,000 square feet of retail space and 6,000 square feet of restaurant space with off street parking in the rear. The number of spaces will be per applicable City code. **Figure 2** shows the conceptual site plan.

2. Site Access

Access for the Windermere Downtown Project site parking lot will be via a restricted right-in/right-out only access connection onto East Sixth Avenue and via a full access connection onto East Fifth Avenue.

3. Trip Generation

As discussed, the trip generation for both the existing and proposed uses is made up of trips linked to other destinations in the immediate area and includes a component of "walk-up" customers from the nearby residential areas.

The trip generation was calculated utilizing the 10th Edition, ***ITE Trip Generation Report*** data as summarized in **Table 1**. Based on familiarity with the businesses on this property (surrounding area, available public parking, neighboring uses) we estimate that 30% of trip generation for existing uses and proposed uses will be made up of walk-up traffic from customers who link the trip to another destination proximate to the Project property. In order to develop a rational for support of the 30% walk-up percentage, the ***ITE Trip Generation Handbook*** internal capture procedures were utilized. The typical walking distance is 0.25 miles. There are at least 118 single-family dwelling units within a 0.25-mile radius of the proposed development (see **Figure 3**). Should 22 (18.6% of the homes within the 0.25-mile radius) of these single-family homes interact with the

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proposed development the internal capture would equal the 30% walk-up percentage. The ITE internal capture calculation is attached.

The total driveway trips generated by the retail land use will comprise "new (primary)" and "pass-by" trips. Pass-by trips are defined as those trips from the passing roadway stream that would already be on the road. Therefore, pass-by traffic does not create additional impact on the surrounding roadways. For this site, the pass-by traffic will be drawn from Main Street and East Sixth Street. Pass-by percentages will be based upon pass-by information contained in the 3rd Edition, ***ITE Trip Generation Handbook***, September 2017. Pass-by trips will be checked to ensure they do not exceed 10% of the adjacent street traffic in the final report.

The trip generation at build-out for this redevelopment plan is estimated to result in a net increase, over the current trips generated by the existing development, of 636 net new weekday vehicle trip ends. Of this total, 11 vehicle net new trip ends will occur during the A.M. peak hour with 10 trips entering and 1 trip exiting the development site and 40 vehicle net new trip ends will occur during the P.M. peak hour with 22 trips entering and 18 trips exiting the development site.

4. Trip Distribution/Assignment

Project trip distribution and assignment of projected Project trips will be based on a 2025 Cost Feasible CFRPM model assignment and the observed turning movement patterns at the adjacent roadways.

5. Study Roadways and Study Intersection

The list of proposed study intersections is as follows:

- Main Street and East Fifth Avenue
- Main Street and East Sixth Avenue
- Main Street and Chase Road/East 12th Avenue
- East Fifth Avenue and Project Entrance
- East Sixth Avenue and Project Entrance

6. Trip Distribution/Assignment

- Perform a single phase (2020) assessment for the Project.
- A review of historical traffic counts on the adjacent roadway segments (Main Street and East Sixth Avenue) indicates an annual growth rate 4.0% on Sixth Avenue and 1.5% on Main Street (see **Table 2** for the historical counts 2020 growth factor calculations). The Main Street minimum annual growth rate will be 2.0%.
- Combine project traffic with historically grown background traffic to obtain total traffic flows.
- Project traffic assignment for the study intersections for the A.M. and P.M. peak hour.
- An auxiliary turn lane analysis will be performed for the Project Entrances.
- Perform intersection traffic analysis utilizing the *HCM Sixth Edition* operational analysis procedures for unsignalized study intersections.

7. Traffic Report

A traffic report will be prepared summarizing the study procedures, analyses and recommendations per the City traffic impact analysis procedures. Three signed and sealed copies of the completed traffic study will be submitted to the City.

Please contact our office if you have any questions or comments.

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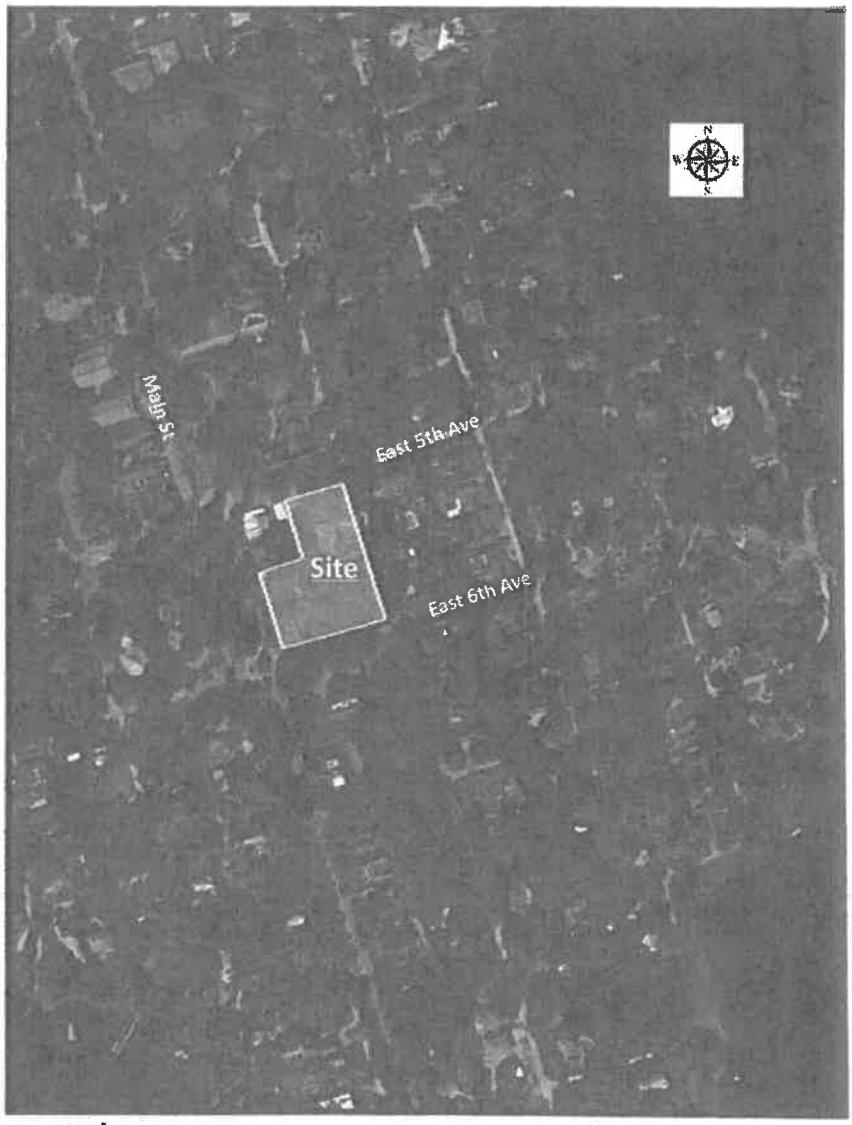

WINDERMERE DOWNTOWN PROJECT

TRAFFIC IMPACT ANALYSIS

SITE LOCATION

Figure 1

19-5801 Windermere Downtown Project TIA August 23, 2019

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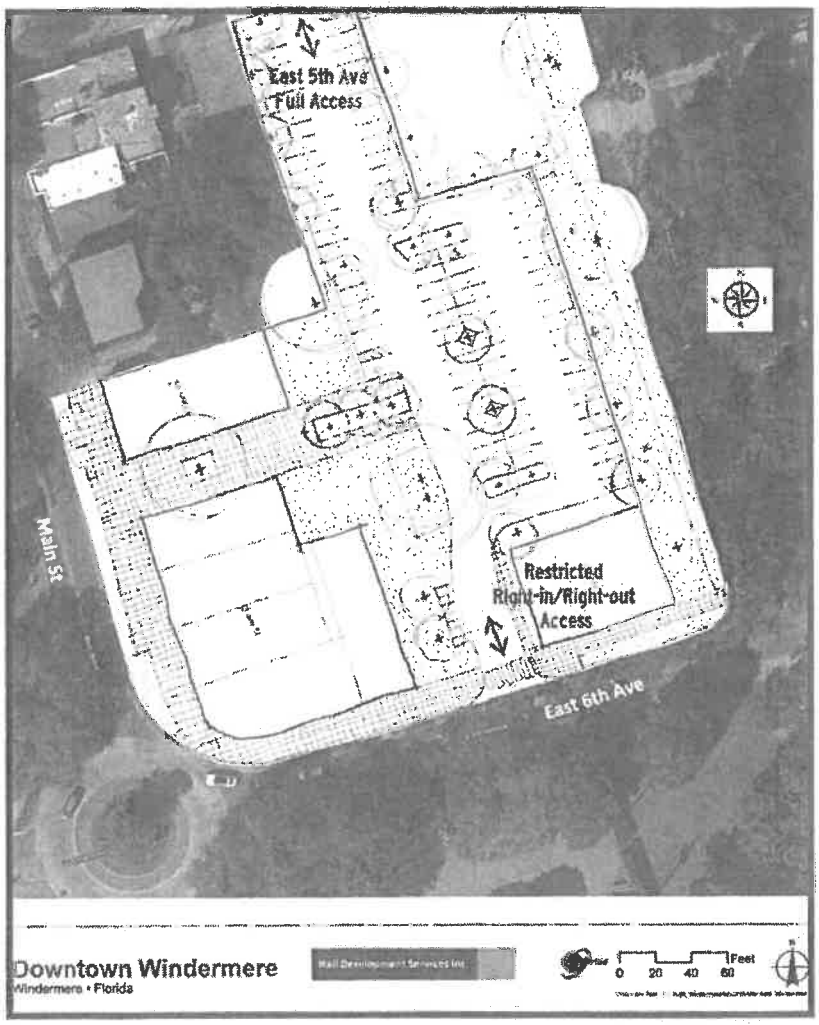

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WINDERMERE DOWNTOWN PROJECT

TRAFFIC IMPACT ANALYSIS

CONCEPTUAL SITE PLAN **Figure 2**

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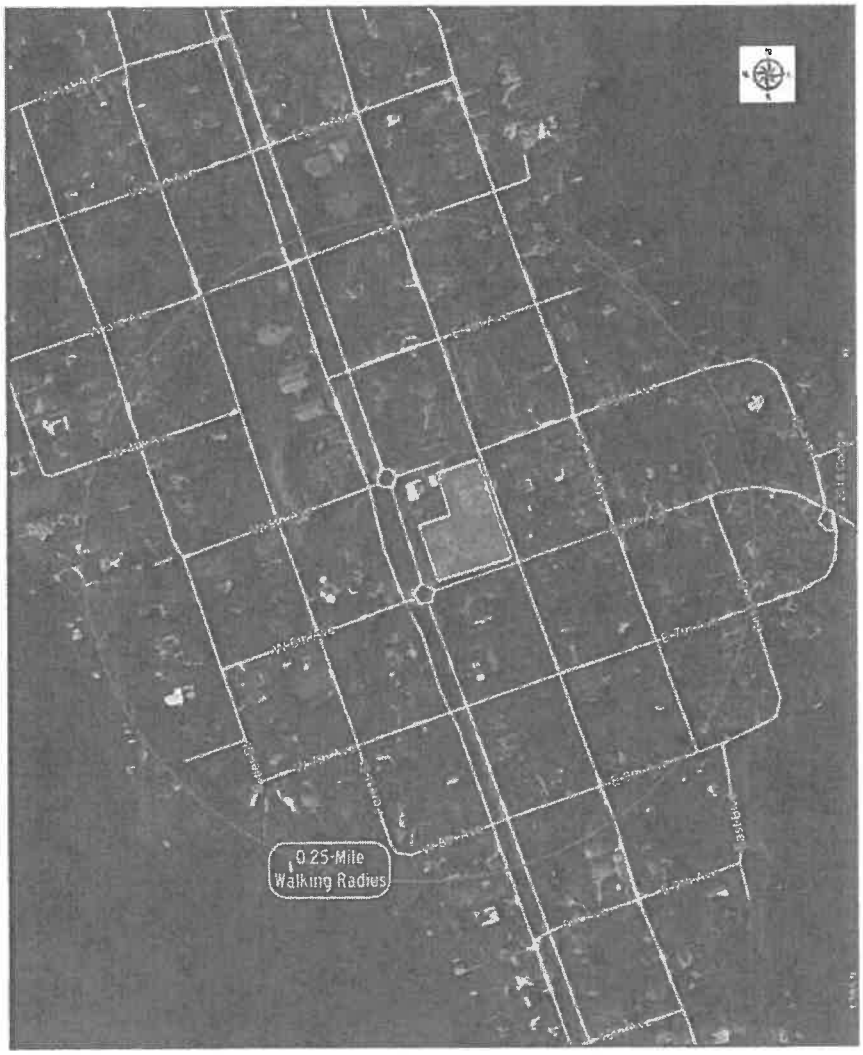

WINDERMERE DOWNTOWN PROJECT

TRAFFIC IMPACT ANALYSIS

PEDESTRIAN WALK-UP AREA

Figure 3

19-5801 Windermere Downtown Project TIA August 23, 2019

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Traffic 1
Estimated Trip Generation Rates (1)

Land Use	Size	ITE Land Use Code (2)	Trip Generation Rates: Daily	A.M. Peak Hour: Total	Enter	Exit	P.M. Peak Hour: Total	Enter	Exit	Traffic Volumes: Daily	A.M. Peak Hour: Total	Enter	Exit	P.M. Peak Hour: Total	Enter	Exit
Proposed Land Use																
Office	5.000 SF	710 / R	9.74	1.56	1.34	0.22	1.15	0.18	0.97	49	8	7	1	6	1	5
Retail	15.000 SF	820 / R	37.70	0.94	0.58	0.36	3.81	1.83	1.98	566	14	8	6	57	27	30
Restaurant	6.000 SF	931 / R	83.84	0.73	0.58	0.15	7.80	5.23	2.57	503	5	4	1	46	31	15
									Total	1,118	27	19	8	109	59	50

Land Use	Size	Ped Traffic Reduction	Pedestrian Traffic Volumes Reduction: Daily	A.M. Peak Hour: Total	Enter	Exit	P.M. Peak Hour: Total	Enter	Exit	External Traffic Volumes (3): Daily	A.M. Peak Hour: Total	Enter	Exit	P.M. Peak Hour: Total	Enter	Exit
Proposed Land Use																
Office	5.000 SF	30%	15	2	2	0	2	0	2	34	6	5	1	4	1	3
Retail	15.000 SF	30%	170	4	2	2	17	8	9	396	10	6	4	40	19	21
Restaurant	6.000 SF	30%	151	1	1	0	14	9	5	352	4	3	1	32	22	10
		Total	336	7	5	2	33	17	16	782	20	14	6	76	42	34

Land Use	Size	Pass-by Capture % (4): AM	PM	Pass-by Traffic Volumes: Daily	A.M. Peak Hour: Total	Enter	Exit	P.M. Peak Hour: Total	Enter	Exit	Net New Traffic Volumes (5): Daily	A.M. Peak Hour: Total	Enter	Exit	P.M. Peak Hour: Total	Enter	Exit
Proposed Land Use																	
Office	5.000 SF	0%	0%	0	0	0	0	0	0	0	34	6	5	1	4	1	3
Retail	15.000 SF	5%	34%	20	0	0	0	13	6	7	376	10	6	4	27	13	14
Restaurant	6.000 SF	0%	44%	0	0	0	0	14	10	4	352	4	3	1	18	12	6
		Total		20	0	0	0	27	16	11	762	20	14	6	49	26	23

Land Use	Size	ITE Land Use Code (2)	Trip Generation Rates: Daily	A.M. Peak Hour: Total	Enter	Exit	P.M. Peak Hour: Total	Enter	Exit	Traffic Volumes: Daily	A.M. Peak Hour: Total	Enter	Exit	P.M. Peak Hour: Total	Enter	Exit
Existing Land Use																
Single Family	2 DU	210 / E	14.22	3.11	0.78	2.33	1.19	0.75	0.44	28	7	2	5	2	1	1
Office	2,572 SF	710 / R	9.74	1.56	1.34	0.22	1.15	0.18	0.97	25	4	3	1	2	0	2
Retail	3,592 SF	820 / R	37.70	0.94	0.58	0.36	3.81	1.83	1.98	135	3	2	1	14	7	7
									Total	188	14	7	7	18	8	10

Land Use	Size	Ped Traffic Reduction	Pedestrian Traffic Volumes Reduction: Daily	A.M. Peak Hour: Total	Enter	Exit	P.M. Peak Hour: Total	Enter	Exit	External Traffic Volumes (3): Daily	A.M. Peak Hour: Total	Enter	Exit	P.M. Peak Hour: Total	Enter	Exit
Existing Land Use																
Single Family	2 DU	30%	8	3	1	2	0	0	0	20	4	1	3	2	1	1
Office	2,572 SF	30%	8	1	1	0	1	0	1	17	3	2	1	1	0	1
Retail	3,592 SF	30%	41	1	1	0	4	2	2	94	2	1	1	10	5	5
		Total	57	5	3	2	5	2	3	131	9	4	5	13	6	7

Land Use	Size	Pass-by Capture % (4): AM	PM	Pass-by Traffic Volumes: Daily	A.M. Peak Hour: Total	Enter	Exit	P.M. Peak Hour: Total	Enter	Exit	Net New Traffic Volumes (5): Daily	A.M. Peak Hour: Total	Enter	Exit	P.M. Peak Hour: Total	Enter	Exit
Existing Land Use																	
Single Family	2 DU	0%	0%	0	0	0	0	0	0	0	20	4	1	3	2	1	1
Office	2,572 SF	0%	0%	0	0	0	0	0	0	0	17	3	2	1	1	0	1
Retail	3,592 SF	5%	34%	5	0	0	0	4	2	2	89	2	1	1	6	3	3
		Total		5	0	0	0	4	2	2	126	9	4	5	8	4	5
										Net Increase	636	11	10	1	40	22	18

(1) Trip generation calculations from 10th Edition of ITE Trip Generation Report.
(2) ITE Land Use Code Number / E = Fitted Curve Equation, R = Average Rate
(3) Total trips minus Pedestrian reduction trips = External Trips
(4) Pass-by trips from 3rd Edition of ITE Trip Generation Handbook
(5) External Trips minus Pass-by Capture Trips = Net New (Primary) Trips.
Luke Transportation Engineering Consultants, Inc., 2019

Table 2
Historical Traffic Counts - Linear Regression Calculations

Roadway Segment From	To	Station Number	Orange County AADT (1): 2012	2013	2014	2015	2016	2017	2018	FDOT Trends Analysis - V2.0 Linear Regression: RSQ	Slope	Intercept	Projected 2020	2020 Growth Factor	Annual Growth Rate
East 6th Avenue															
Main St	Lake St	7078.0	18,681	19,709	22,104	22,756	23,089	24,587	24,227	0.908	977.8214	18,253.4286	27,100	1.08	4.0%
Main Street															
6th St	8th St	7,080.0	14,812	15,242	16,431	16,084	16,284	14,726	17,876	0.297	264.7500	14,834.5714	17,200	1.03	1.5%

1. From 2018 AADT Orange County Traffic Counts
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NCHRP 8-81 Internal Trip Capture Estimation Tool			
Project Name:	Downtown Windermere	Organization:	LTEC
Project Location:	Main St Windermere	Performed By:	JTR
Scenario Description:	B. Ki-o..	Date:	8/10/2019
Analysis Year:	2020	Checked By:	
Analysis Period:	AM Street Peak Hour	Date:	

Table 1-A: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)

Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips		
	ITE LUCs[1]	Quantity	Units	Total	Entering	Exiting
Office	710	6,000	SF	8	7	1
Retail	820	15,000	SF	14	9	5
Restaurant	931	6,000	SF	5	3	2
Cinema/Entertainment				0	0	0
Residential	210	24	DU	20	5	15
Hotel				0	0	0
All Other Land Uses[2]				0	0	0
Total				47	24	23

Table 2-A: Mode Split and Vehicle Occupancy Estimates

Land Use	Entering Trips			Exiting Trips		
	Veh. Occ.	% Transit	% Non-Motorized	Veh. Occ.	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses[2]						

Table 3-A: Average Land Use Interchange Distances (Feet Walking Distance)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-A: Internal Person-Trip Origin-Destination Matrix[3]

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		1	0	0	0
Restaurant	1	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	0	1	0		0
Hotel	0	0	0	0	0	

Table 5-A: Computations Summary

	Total	Entering	Exiting
All Person-Trips	47	24	23
Internal Capture Percentage	13%	13%	13%
External Vehicle-Trips[4]	41	21	20
External Transit-Trips[4]	0	0	0
External Non-Motorized Trips[4]	0	0	0

Table 6-A: Internal Trip Capture Percentages by Land Use

Land Use	Entering Trips	Exiting Trips
Office	14%	0%
Retail	0%	20%
Restaurant	67%	50%
Cinema/Entertainment	N/A	N/A
Residential	0%	7%
Hotel	N/A	N/A

[1] Land Use Codes (LUCs) from *Trip Generation Informational Report*, published by the Institute of Transportation Engineers.
[2] Total estimate for all other land uses at mixed-use development site not subject to internal trip capture computations in this estimator.
[3] Veh-die-trips computed using the mode split and vehicle occupancy values provided in Table 3-A.
[4] Person-Trips.
[5] Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas Transportation Institute

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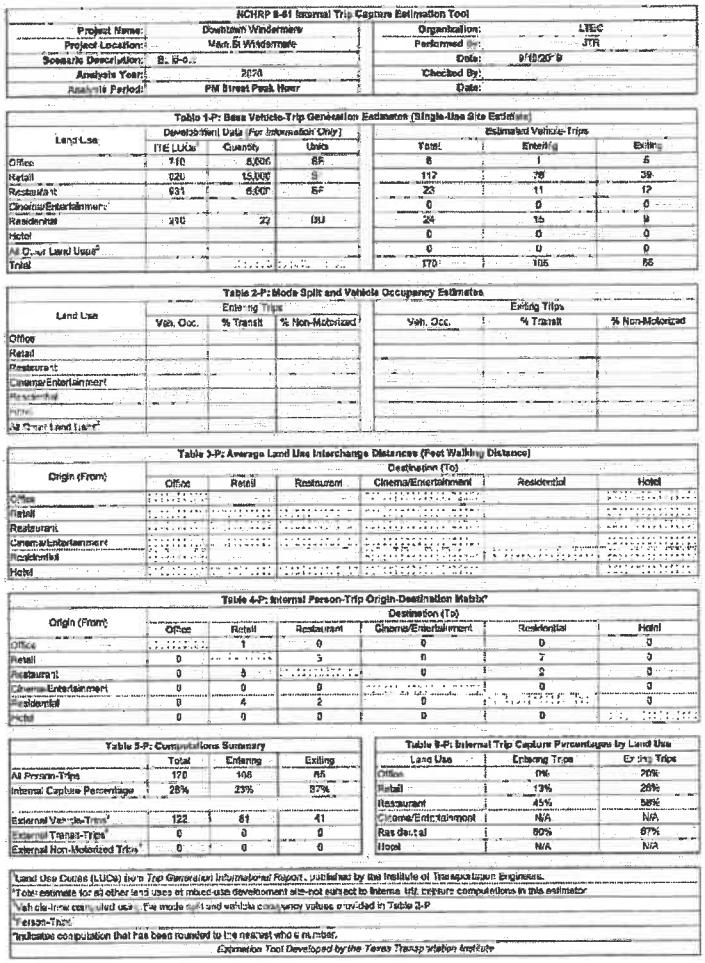

NCHRP 8-51 Internal Trip Capture Estimation Tool

Project Name:	Downtown Windermere	Organization:	LTEC
Project Location:	Main St Windermere	Performed By:	JTR
Scenario Description:	B...ld-o...	Date:	9/19/2019
Analysis Year:	2020	Checked By:	
Analysis Period:	PM Street Peak Hour	Date:	

Table 1-P: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)

Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips		
	ITE LUCs	Quantity	Units	Total	Entering	Exiting
Office	710	5,606	SF	6	1	5
Retail	820	15,005	S	112	78	39
Restaurant	931	6,907	SF	23	11	12
Cinema/Entertainment				0	0	0
Residential	220	22	DU	24	15	9
Hotel				0	0	0
All Other Land Uses[2]				0	0	0
Total				170	105	65

Table 2-P: Mode Split and Vehicle Occupancy Estimates

Land Use	Entering Trips			Exiting Trips		
	Veh. Occ.	% Transit	% Non-Motorized	Veh. Occ.	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses[2]						

Table 3-P: Average Land Use Interchange Distances (Feet Walking Distance)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-P: Internal Person-Trip Origin-Destination Matrix[3]

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		1	0	0	0	0
Retail	0		5	0	7	0
Restaurant	0	8		0	3	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	4	2	0		0
Hotel	0	0	0	0	0	

Table 5-P: Computations Summary

	Total	Entering	Exiting
All Person-Trips	170	105	65
Internal Capture Percentage	28%	23%	37%
External Vehicle-Trips[4]	122	81	41
External Transit-Trips[4]	0	0	0
External Non-Motorized Trips[4]	0	0	0

Table 6-P: Internal Trip Capture Percentages by Land Use

Land Use	Entering Trips	Exiting Trips
Office	0%	20%
Retail	13%	28%
Restaurant	45%	58%
Cinema/Entertainment	N/A	N/A
Residential	80%	67%
Hotel	N/A	N/A

[1] Land Use Codes (LUCs) from *Trip Generation Informational Report*, published by the Institute of Transportation Engineers.
[2] Total estimate for all other land uses or mixed-use development site not subject to internal trip capture computations in this estimator.
[3] Veh.cle-time computed using the mode split and vehicle occupancy values provided in Table 2-P.
[4] Person-Trips.
*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas Transportation Institute

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Appendix B – Turning Movement Summary Worksheet

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Summary of Vehicle Movements

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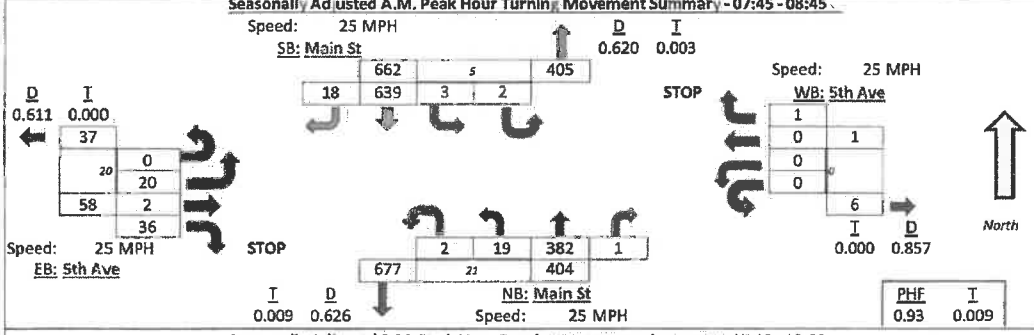
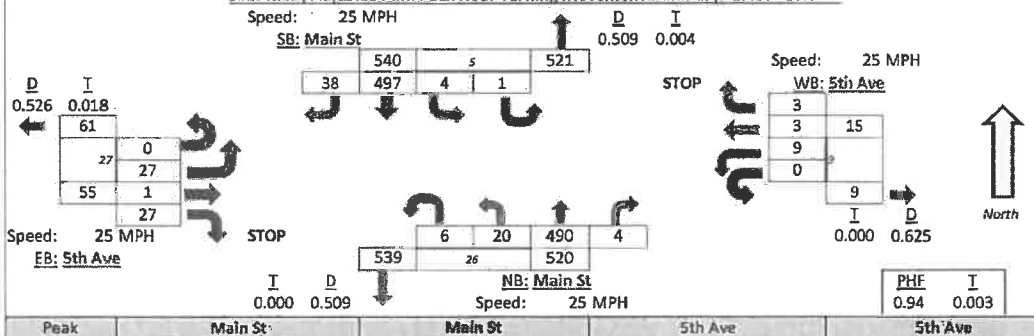
Project:	**Downtown Windermere Project**		LTEC LTEC		
N/S Road:	Main St	**Observer:**	LTEC		
E/W Road:	5th Ave	**Weather:**	Clear		
Date:	Wednesday, September 11, 2019	**Rd Condition:**	Ok		
City:	Windermere	**Signal:**	No	**Latitude:**	28.495680°
County:	Orange	**Major St Movement:**	North/South	**Longitude:**	-81.535004°
FDOT SF:	1.01	**PM Pk Hr Factor:**	0.94	**Station #:**	1

Seasonally Adjusted A.M. Peak Hour Turning Movement Summary - 07:45 - 08:45



Seasonally Adjusted P.M. Peak Hour Turning Movement Summary - 17:00 - 18:00



Peak Hour	Main St Northbound				Main St Southbound				5th Ave Eastbound				5th Ave Westbound			
Time Interval	Uturn	Lt	Thru	Rt	Uturn	Lt	Thru	Rt	Uturn	Lt	Thru	Rt	Uturn	Lt	Thru	Rt
# Lanes	>		1	<	>		1	<	>		1	<	>		1	<
Length																
7:00 7:15	0	1	57	0	0	0	160	3	0	3	0	1	0	0	0	0
7:15 7:30	0	0	67	0	0	1	140	1	0	4	0	1	0	0	0	1
7:30 7:45	0	1	68	0	0	0	169	0	0	1	0	0	0	0	0	0
7:45 8:00	0	4	92	0	0	0	160	8	0	4	0	4	0	0	0	0
Hourly Sum	0	6	284	0	0	1	629	12	0	12	0	6	0	0	0	1
8:00 8:15	0	3	89	0	1	1	157	2	0	4	2	2	0	0	0	0
8:15 8:30	1	9	104	0	0	1	159	6	0	6	0	13	0	0	0	0
8:30 8:45	1	3	93	1	1	1	157	2	0	6	0	17	0	0	0	1
8:45 9:00	0	4	72	2	0	2	158	4	0	4	1	8	0	2	1	0
Hourly Sum	2	19	358	3	2	5	631	14	0	20	3	40	0	2	1	1
16:00 16:15	0	1	120	2	0	1	111	7	0	6	0	6	0	4	0	0
16:15 16:30	0	1	108	0	0	1	105	3	1	4	0	4	0	0	2	2
16:30 16:45	0	3	105	1	0	1	101	3	0	1	0	2	1	1	2	1
16:45 17:00	0	0	124	0	0	0	105	4	0	2	0	2	0	2	0	1
Hourly Sum	0	5	457	3	0	3	422	17	1	13	0	14	1	7	4	4
17:00 17:15	1	4	127	2	0	0	106	8	0	13	0	7	0	2	1	0
17:15 17:30	1	4	125	1	1	0	141	7	0	3	1	6	0	1	0	1
17:30 17:45	1	8	126	1	0	4	134	11	0	4	0	7	0	2	0	1
17:45 18:00	3	4	107	0	0	0	111	12	0	7	0	7	0	4	2	1
Hourly Sum	6	20	485	4	1	4	492	38	0	27	1	27	0	9	3	3
A.M. Peak Hour Summary - Seasonally Adjusted with FDOT Factor																
7:45 8:45	2	19	382	1	2	3	639	18	0	20	2	36	0	0	0	1
% Turns	0.5%	4.7%	94.6%	0.2%	0.3%	0.5%	96.5%	2.7%		34.5%	3.4%	62.1%				100.0%
P.M. Peak Hour Summary - Seasonally Adjusted with FDOT Factor																
17:00 18:00	6	20	490	4	1	4	497	38	0	27	1	27	0	9	3	3
% Turns	1.2%	3.8%	94.2%	0.8%	0.2%	0.7%	92.0%	7.0%		49.1%	1.8%	49.1%		60.0%	20.0%	20.0%

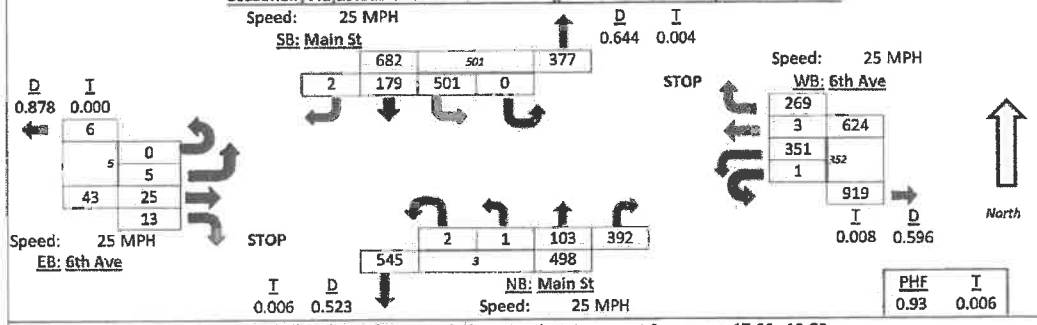
Luke Transportation Engineering Consultants, 2019

Summary of Vehicle Movements

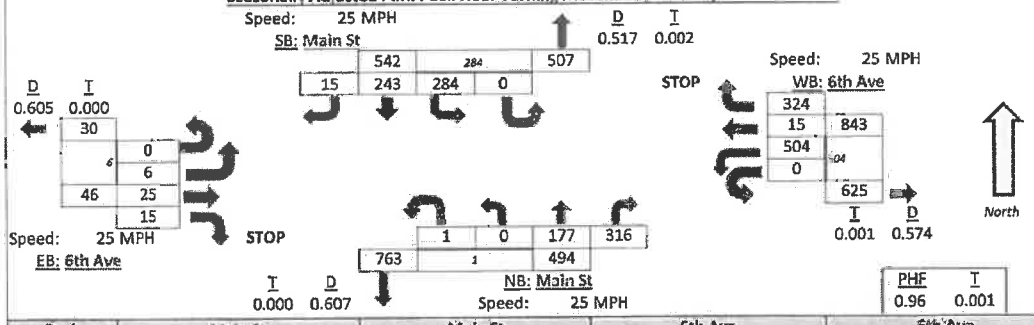
Luke Transportation Engineering Consultants

Project:	Downtown Windermere Project		LTEC LTEC		
N/S Road:	Main St	**Observer:**	LTEC		
E/W Road:	6th Ave	**Weather:**	Clear		
Date:	Wednesday, September 11, 2019	**Rd Condition:**	Ok		
City:	Windermere	**Signal:**	No	**Latitude:**	28.494437°
County:	Orange	**Major St Movement:**	North/South	**Longitude:**	-81.534571°
FDOT SF:	1.01	**PM Pk Hr Factor:**	0.96	**Station #:**	2

Seasonally Adjusted A.M. Peak Hour Turning Movement Summary - 08:00 - 09:00



Seasonally Adjusted P.M. Peak Hour Turning Movement Summary - 17:00 - 18:00



Peak Hour	Main St Northbound				Main St Southbound				6th Ave Eastbound				6th Ave Westbound			
Time Interval	Uturn	Lt	Thru	Rt	Uturn	Lt	Thru	Rt	Uturn	Lt	Thru	Rt	Uturn	Lt	Thru	Rt
# Lanes	>		1	<	>		1	<	>		1	<	>		1	<
Length																
7:00 7:15	0	0	21	90	0	120	49	0	0	0	1	1	0	78	0	36
7:15 7:30	0	0	17	101	0	117	49	0	0	0	3	1	0	109	1	46
7:30 7:45	0	0	13	83	0	117	51	0	0	0	11	1	0	92	2	55
7:45 8:00	0	0	17	80	0	125	41	0	0	0	5	1	0	93	1	81
Hourly Sum	0	0	68	354	0	479	190	0	0	0	20	4	0	372	4	218
8:00 8:15	0	0	27	97	0	114	43	0	0	1	3	1	0	85	0	65
8:15 8:30	1	0	36	102	0	126	48	2	0	2	4	2	1	93	2	73
8:30 8:45	1	1	22	82	0	131	44	0	0	2	11	4	0	76	1	67
8:45 9:00	0	0	17	107	0	125	42	0	0	0	7	6	0	94	0	61
Hourly Sum	2	1	102	388	0	496	177	2	0	5	25	13	1	348	3	266
16:00 16:15	0	1	44	59	0	65	40	5	0	6	4	4	0	69	11	76
16:15 16:30	0	2	22	99	0	65	61	1	0	3	2	4	0	103	6	77
16:30 16:45	0	2	32	89	0	64	41	5	0	2	8	4	0	121	4	75
16:45 17:00	0	0	40	81	0	66	43	2	0	4	4	3	0	116	4	79
Hourly Sum	0	5	138	328	0	260	185	13	0	15	18	15	0	409	25	307
17:00 17:15	0	0	52	83	0	56	51	3	0	5	10	2	0	115	4	72
17:15 17:30	0	0	43	75	0	77	76	3	0	0	2	1	0	124	6	81
17:30 17:45	0	0	38	78	0	82	60	4	0	0	9	6	0	121	1	99
17:45 18:00	1	0	42	77	0	66	54	5	0	1	4	6	0	139	4	69
Hourly Sum	1	0	175	313	0	281	241	15	0	6	25	15	0	499	15	321
A.M. Peak Hour Summary - Seasonally Adjusted with FDOT Factor																
8:00 9:00	2	1	103	392	0	501	179	2	0	5	25	13	1	351	3	269
% Turns	0.4%	0.2%	20.7%	78.7%		73.5%	26.2%	0.3%		11.6%	58.1%	30.2%	0.2%	56.3%	0.5%	43.1%
P.M. Peak Hour Summary - Seasonally Adjusted with FDOT Factor																
17:00 18:00	1	0	177	316	0	284	243	15	0	6	25	15	0	504	15	324
% Turns	0.2%		35.8%	64.0%		52.4%	44.8%	2.8%		13.0%	54.3%	32.6%		59.8%	1.8%	38.4%

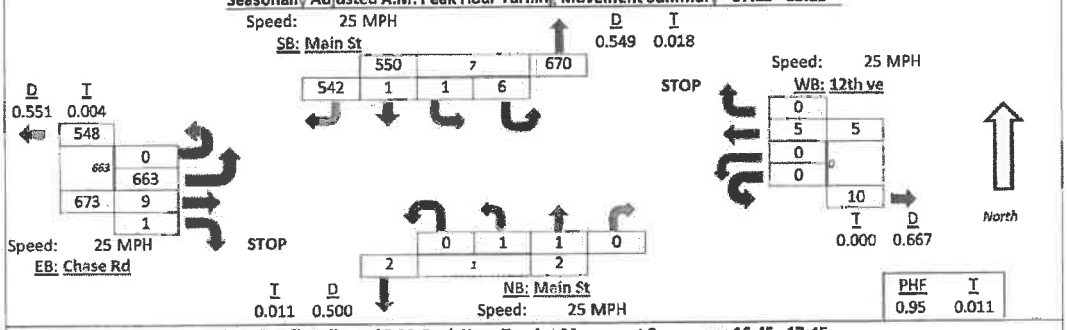
Luke Transportation Engineering Consultants, 2019

Summary of Vehicle Movements

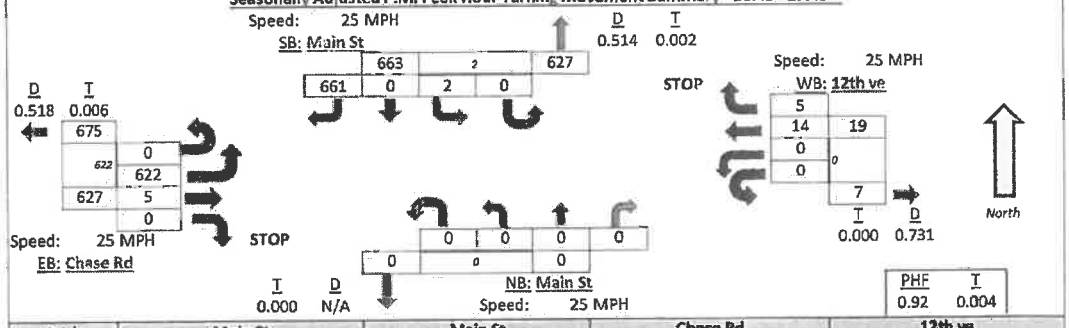
Luke Transportation Engineering Consultants

Project:	Downtown Windermere Project	LTEC LTEC	
N/S Road:	Main St	**Observer:**	LTEC
E/W Road:	Chase Rd	**Weather:**	Clear
Date:	Wednesday, September 11, 2019	**Rd Condition:**	Ok
City:	Windermere	**Signal:**	No
County:	Orange	**Major St Movement:**	North/South
FDOT SF:	1.01	**PM Pk Hr Factor:**	0.92
		Latitude:	28.487228°
		Longitude:	-81.531852°
		Station #:	3

Seasonally Adjusted A.M. Peak Hour Turning Movement Summary - 07:15 - 08:15



Seasonally Adjusted P.M. Peak Hour Turning Movement Summary - 16:45 - 17:45



Peak Hour	Main St Northbound				Main St Southbound				Chase Rd Eastbound				12th ve Westbound			
Time Interval	Utum	Lt	Thru	Rt	Utum	Lt	Thru	Rt	Utum	Lt	Thru	Rt	Utum	Lt	Thru	Rt
# Lanes	>		1	<	>		1	<	>		1	<	>		1	<
Length																
7:00 7:15	0	0	0	0	0	0	0	119	0	165	0	0	0	0	0	2
7:15 7:30	0	0	0	0	0	0	1	150	0	165	1	0	0	0	2	0
7:30 7:45	0	1	0	0	0	0	0	135	0	164	1	1	0	0	1	0
7:45 8:00	0	0	1	0	0	0	0	128	0	164	6	0	0	0	2	0
Hourly Sum	0	1	1	0	0	0	1	532	0	658	8	1	0	0	5	2
8:00 8:15	0	0	0	0	6	1	0	124	0	163	1	0	0	0	0	0
8:15 8:30	0	0	0	0	0	0	0	136	0	148	2	1	0	0	0	0
8:30 8:45	0	1	0	0	0	0	0	122	0	152	0	1	0	0	1	0
8:45 9:00	0	0	1	0	0	1	0	132	0	130	0	0	0	0	0	0
Hourly Sum	0	1	1	0	6	2	0	514	0	593	3	2	0	0	1	0
16:00 16:15	0	0	0	0	0	0	0	101	0	105	0	0	0	0	2	2
16:15 16:30	0	0	1	0	0	1	0	170	0	157	2	0	0	0	0	0
16:30 16:45	0	0	0	0	0	2	0	161	0	147	0	0	0	0	4	2
16:45 17:00	0	0	0	0	0	1	0	143	0	155	0	0	0	0	4	1
Hourly Sum	0	0	1	0	0	4	0	575	0	564	2	0	0	0	10	5
17:00 17:15	0	0	0	0	0	1	0	161	0	154	2	0	0	0	2	0
17:15 17:30	0	0	0	0	0	0	0	188	0	159	2	0	0	0	3	0
17:30 17:45	0	0	0	0	0	0	0	162	0	148	1	0	0	0	5	4
17:45 18:00	0	0	0	0	0	0	0	161	0	130	1	0	0	1	2	0
Hourly Sum	0	0	0	0	0	1	0	672	0	591	6	0	0	1	12	4
A.M. Peak Hour Summary - Seasonally Adjusted with FDOT Factor																
7:15 8:15	0	1	1	0	6	1	1	542	0	663	9	1	0	0	5	0
% Turns		50.0%	50.0%		1.1%	0.2%	0.2%	98.5%		98.5%	1.3%	0.1%			100.0%	
P.M. Peak Hour Summary - Seasonally Adjusted with FDOT Factor																
16:45 17:45	0	0	0	0	0	2	0	661	0	622	5	0	0	0	14	5
% Turns						0.3%		99.7%		99.2%	0.8%				73.7%	26.3%

Luke Transportation Engineering Consultants, 2019

TABLE 1

Main Street & 6th Street Roundabout

Seasonally Adjusted Peak Hour Turning Movement Summary

Intersection	Northbound - 25 mph			Southbound - 30 mph			Eastbound - 15 mph			Westbound - 30 mph			
Count Date	Main Street						6th Street						
5/2/2012 Wednesday	↰	↑	↱	↰	↑	↱	↰	↑	↱	↰	↑	↱	PHF
AM Pk: 7:15-8:15	3	118	420	402	177	4	0	18	5	300	14	189	0.90
AM Total		541			583			23			503		1,650
Off Pk: 3:00-4:00	3	148	279	179	142	1	0	16	20	357	22	320	0.89
Off Peak Total		430			322			36			699		1,487
PM Pk: 4:45-5:45	5	225	366	191	143	6	5	38	25	335	19	361	0.92
PM Total		600			340			68			715		1,723

Approach Volumes (3-Day Average)

Count Period - May 1-3, 2012

Hour	NB	SB	EB	WB	Approach Total
1	56	16	0	65	137
2	35	10	1	25	71
3	12	5	0	22	39
4	13	14	1	30	58
5	18	37	2	43	100
6	62	92	2	73	229
7	248	357	12	194	811
8	677	630	18	547	1,872
9	845	755	18	536	2,154
10	464	463	18	469	1,414
11	386	371	25	401	1,183
12	377	409	22	433	1,232
13	428	388	21	489	1,326
14	460	332	25	559	1,376
15	498	434	22	649	1,603
16	626	560	25	751	1,962
17	706	480	34	734	1,954
18	668	491	39	831	2,029
19	488	422	28	772	1,710
20	313	338	24	566	1,241
21	198	249	14	472	933
22	116	153	10	353	632
23	114	66	4	236	420
24	107	22	0	142	271
Total	7,915	7,085	365	9,392	24,757

Time Period	Percent Heavy Vehicles				Number of Pedestrians			
	NB	SB	EB	WB	NB	SB	EB	WB
AM	1.1%	1.0%	0.0%	1.5%	0	0	0	0
Off Peak	1.9%	0.0%	0.0%	0.9%	5	5	9	0
PM	0.7%	0.3%	0.0%	0.3%	3	3	7	8

Travel Time Speed Through Roundabout, 5/1/2012				
Approach	NB	SB	EB	WB
AM Speed (mph)	14.2	17.0		13.1
Off Pk Speed (mph)	16.1	12.7		13.8
PM Speed (mph)	14.2	13.6		14.4

Roundabout Approach Stop Delay Results (5/3/2012)

AM Pk: 7:30-7:45	NB	SB	EB	WB	Intersection Total
Total Approaching Vehicles	194	124	7	128	453
Total Non Stopped Vehicles	138	84	2	93	317
Total Stopped Vehicles	56	40	5	35	136
Percent Stopped Vehicles	28.9%	32.3%	71.4%	27.3%	30.0%
Avg Stopped Delay (Sec's)	4.52	2.98	10.24	3.09	3.87
Approach Vehicle Delay (Sec's)	3.54	2.30	8.78	1.59	2.73
Max Queue Length (Veh's)	18	5	0	7	
Maximum Number of Observed Vehicles in Roundabout					6

Off Pk: 3:45-4:00	NB	SB	EB	WB	Total
Total Approaching Vehicles	179	114	11	169	473
Total Non Stopped Vehicles	126	79	3	117	325
Total Stopped Vehicles	53	35	8	52	148
Percent Stopped Vehicles	29.6%	30.7%	72.7%	30.8%	31.3%
Avg Stopped Delay (Sec's)	4.28	3.23	5.48	3.53	3.84
Approach Vehicle Delay (Sec's)	1.27	0.99	3.99	1.09	1.20
Max Queue Length (Veh's)	9	0	0	7	
Maximum Number of Observed Vehicles in Roundabout			-		5

PM Pk: 5:15-5:30	NB	SB	EB	WB	Total
Total Approaching Vehicles	182	142	17	211	552
Total Non Stopped Vehicles	131	95	5	161	392
Total Stopped Vehicles	51	47	12	50	160
Percent Stopped Vehicles	28.0%	33.1%	70.6%	23.7%	29.0%
Avg Stopped Delay (Sec's)	3.49	3.87	6.56	2.49	3.50
Approach Vehicle Delay (Sec's)	0.98	1.28	4.49	0.59	0.79
Max Queue Length (Veh's)	12	7	1	4	
Maximum Number of Observed Vehicles in Roundabout					5

Luke Transportation Engineering Consultants, 2012

Roundabout Approach Travel Time Results, 5/1/2012 (1)

Approach	NB	SB	EB	WB
AM Travel Time (Sec's)	65.0	24.5		78.9
AM Approach Delay (Sec's)	28.8	15.2		33.8
Number of Stops	3.0	0.7		3.5
Off Pk Travel Time (Sec's)	51.5	31.6		65.5
Off Pk Delay (Sec's)	15.5	23.5		20.5
Number of Stops	1.0	4.0		2.5
PM Travel Time (Sec's)	66.2	28.5		93.2
PM Delay (Sec's)	29.8	19.5		48.2
Number of Stops	3.0	1.7		4.0

(1) Delay & Speed based on 30 MPH & Stops based on a Stop Speed of 4 MPH

Roundabout Level of Service (2010 HCS Calibrated) (2)

	NB	SB	EB	WB	Overall
AM LOS	D	C	C	D	D
AM Delay (Sec's)	28.80	15.21	16.56	33.22	25.17
95th % Queue	9.2	5.7	0.3	9.7	
Off Pk LOS	C	C	B	C	C
Off Pk Delay (Sec's)	15.54	23.52	14.22	20.54	19.58
95th % Queue	4.5	5.2	0.5	6.6	
PM LOS	D	C	B	E	D
PM Delay (Sec's)	29.89	19.56	10.21	48.87	34.90
95th % Queue	10.2	4.5	0.5	15.8	

(2) Inputs Calebrated to Observed Approach Travel Time Delay

Averaged Follow Up Headway Adjustment Factors:
AM - 4.985, Mid-Day - 5.289 & PM - 3.737

Appendix C – Existing Synchro Analysis Summary Sheets

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HCM 6th Roundabout
1: Main St & Fifth Ave

Existing AM Peak Hour Revised
12/05/2019

Intersection					
Intersection Delay, s/veh	43.9				
Intersection LOS	E				
Approach		EB	WB	NB	SB
Entry Lanes		1	1	1	1
Conflicting Circle Lanes		1	1	1	1
Adj Approach Flow, veh/h		63	1	435	711
Demand Flow Rate, veh/h		64	1	443	725
Vehicles Circulating, veh/h		706	484	29	23
Vehicles Exiting, veh/h		42	8	741	442
Ped Vol Crossing Leg, #/h		0	0	0	0
Ped Cap Adj		1.000	1.000	1.000	1.000
Approach Delay, s/veh		10.4	6.9	16.6	63.5
Approach LOS		B	A	C	F
Lane	Left		Left	Left	Left
Designated Moves	LTR		LTR	LTR	LTR
Assumed Moves	LTR		LTR	LTR	LTR
RT Channelized					
Lane Util	1.000		1.000	1.000	1.000
Follow-Up Headway, s	4.985		4.985	4.985	4.985
Critical Headway, s	4.976		4.976	4.976	4.976
Entry Flow, veh/h	64		1	443	725
Cap Entry Lane, veh/h	444		524	708	711
Entry HV Adj Factor	0.984		1.000	0.981	0.981
Flow Entry, veh/h	63		1	435	711
Cap Entry, veh/h	437		524	695	697
V/C Ratio	0.144		0.002	0.626	1.020
Control Delay, s/veh	10.4		6.9	16.6	63.5
LOS	B		A	C	F
95th %tile Queue, veh	1		0	4	17

Existing 10/24/2019 AM Peak Hour
JTR

Synchro 10 Report
Page 1

HCM 6th Roundabout
2: Main St & Sixth Ave

Existing AM Peak Hour Revised
12/05/2019

Intersection					
Intersection Delay, s/veh	125.1				
Intersection LOS	F				
Approach		EB	WB	NB	SB
Entry Lanes		1	1	1	1
Conflicting Circle Lanes		1	1	1	1
Adj Approach Flow, veh/h		46	670	536	733
Demand Flow Rate, veh/h		47	684	546	748
Vehicles Circulating, veh/h		1132	121	583	392
Vehicles Exiting, veh/h		8	1008	596	413
Ped Vol Crossing Leg, #/h		0	0	0	0
Ped Cap Adj		1.000	1.000	1.000	1.000
Approach Delay, s/veh		13.5	68.3	110.7	194.7
Approach LOS		B	F	F	F
Lane	Left	Left	Left	Left	
Designated Moves	LTR	LTR	LTR	LTR	
Assumed Moves	LTR	LTR	LTR	LTR	
RT Channelized					
Lane Util	1.000	1.000	1.000	1.000	
Follow-Up Headway, s	4.985	4.985	4.985	4.985	
Critical Headway, s	4.976	4.976	4.976	4.976	
Entry Flow, veh/h	47	684	546	748	
Cap Entry Lane, veh/h	331	664	483	551	
Entry HV Adj Factor	0.988	0.979	0.981	0.980	
Flow Entry, veh/h	46	670	536	733	
Cap Entry, veh/h	327	651	474	540	
V/C Ratio	0.142	1.030	1.130	1.357	
Control Delay, s/veh	13.5	68.3	110.7	194.7	
LOS	B	F	F	F	
95th %tile Queue, veh	0	17	19	33	

HCM 6th AWSC
3: Main St & Chase Rd/12th Ave

Existing AM Peak Hour
10/24/2019

Intersection	
Intersection Delay, s/veh	71
Intersection LOS	F

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	663	9	1	0	5	0	1	1	0	7	1	542
Future Vol, veh/h	663	9	1	0	5	0	1	1	0	7	1	542
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	698	9	1	0	5	0	1	1	0	7	1	571
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay	104	10	10.5	31.4
HCM LOS	F	A	B	D

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	50%	99%	0%	1%
Vol Thru, %	50%	1%	100%	0%
Vol Right, %	0%	0%	0%	99%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	2	673	5	550
LT Vol	1	663	0	7
Through Vol	1	9	5	1
RT Vol	0	1	0	542
Lane Flow Rate	2	708	5	579
Geometry Grp	1	1	1	1
Degree of Util (X)	0.004	1.142	0.01	0.844
Departure Headway (Hd)	7.426	5.804	6.973	5.59
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	485	630	516	664
Service Time	5.426	3.805	4.973	3.59
HCM Lane V/C Ratio	0.004	1.124	0.01	0.885
HCM Control Delay	10.5	104	10	31.4
HCM Lane LOS	B	F	A	D
HCM 95th-tile Q	0	22.7	0	9.3

HCM 6th Roundabout
1: Main St & Fifth Ave

Existing PM Peak Hour Revised
12/05/2019

Intersection					
Intersection Delay, s/veh	12.8				
Intersection LOS	B				
Approach		**EB**	**WB**	**NB**	**SB**
Entry Lanes		1	1	1	1
Conflicting Circle Lanes		1	1	1	1
Adj Approach Flow, veh/h		59	16	553	574
Demand Flow Rate, veh/h		61	16	564	586
Vehicles Circulating, veh/h		555	590	36	42
Vehicles Exiting, veh/h		73	10	580	564
Ped Vol Crossing Leg, #/h		0	0	0	0
Ped Cap Adj		1.000	1.000	1.000	1.000
Approach Delay, s/veh		7.5	6.6	12.8	13.6
Approach LOS		A	A	B	B
Lane	**Left**		**Left**	**Left**	**Left**
Designated Moves	LTR		LTR	LTR	LTR
Assumed Moves	LTR		LTR	LTR	LTR
RT Channelized					
Lane Util	1.000		1.000	1.000	1.000
Follow-Up Headway, s	3.737		3.737	3.737	3.737
Critical Headway, s	4.976		4.976	4.976	4.976
Entry Flow, veh/h	61		16	564	586
Cap Entry Lane, veh/h	587		579	934	929
Entry HV Adj Factor	0.967		0.996	0.980	0.980
Flow Entry, veh/h	59		16	553	574
Cap Entry, veh/h	577		577	915	911
V/C Ratio	0.102		0.028	0.604	0.631
Control Delay, s/veh	7.5		6.6	12.8	13.6
LOS	A		A	B	B
95th %tile Queue, veh	0		0	4	5

HCM 6th Roundabout
2: Main St & Sixth Ave

Existing PM Peak Hour Revised
12/05/2019

Intersection					
Intersection Delay, s/veh	58.4				
Intersection LOS	F				

Approach	EB	WB	NB	SB
Entry Lanes	1	1	1	1
Conflicting Circle Lanes	1	1	1	1
Adj Approach Flow, veh/h	48	879	514	565
Demand Flow Rate, veh/h	49	897	525	576
Vehicles Circulating, veh/h	1095	195	335	552
Vehicles Exiting, veh/h	33	665	809	539
Ped Vol Crossing Leg, #/h	0	0	0	0
Ped Cap Adj	1.000	1.000	1.000	1.000
Approach Delay, s/veh	11.8	85.0	21.1	54.8
Approach LOS	B	F	C	F

Lane	Left	Left	Left	Left
Designated Moves	LTR	LTR	LTR	LTR
Assumed Moves	LTR	LTR	LTR	LTR
RT Channelized				
Lane Util	1.000	1.000	1.000	1.000
Follow-Up Headway, s	3.737	3.737	3.737	3.737
Critical Headway, s	4.976	4.976	4.976	4.976
Entry Flow, veh/h	49	897	525	576
Cap Entry Lane, veh/h	374	814	721	598
Entry HV Adj Factor	0.989	0.980	0.980	0.981
Flow Entry, veh/h	48	879	514	565
Cap Entry, veh/h	370	797	707	587
V/C Ratio	0.131	1.102	0.728	0.963
Control Delay, s/veh	11.8	85.0	21.1	54.8
LOS	B	F	C	F
95th %tile Queue, veh	0	24	6	13

HCM 6th AWSC
3: Main St & Chase Rd/12th Ave

Existing PM Peak Hour
10/24/2019

Intersection	
Intersection Delay, s/veh	86.3
Intersection LOS	F

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	622	5	0	0	14	5	0	0	0	2	0	661
Future Vol, veh/h	622	5	0	0	14	5	0	0	0	2	0	661
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	676	5	0	0	15	5	0	0	0	2	0	718
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay	102.1	10.6	0	73.6
HCM LOS	F	B	-	F

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	0%	99%	0%	0%
Vol Thru, %	100%	1%	74%	0%
Vol Right, %	0%	0%	26%	100%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	0	627	19	663
LT Vol	0	622	0	2
Through Vol	0	5	14	0
RT Vol	0	0	5	661
Lane Flow Rate	0	682	21	721
Geometry Grp	1	1	1	1
Degree of Util (X)	0	1.13	0.039	1.054
Departure Headway (Hd)	7.657	6.266	7.3	5.579
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	0	586	498	656
Service Time	5.657	4.266	5.3	3.579
HCM Lane V/C Ratio	0	1.164	0.043	1.099
HCM Control Delay	10.7	102.1	10.6	73.6
HCM Lane LOS	N	F	B	F
HCM 95th-tile Q	0	21	0.1	18.3

Appendix D – Pedestrian Walk-up Internal Capture Worksheets

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NCHRP 8-51 Internal Trip Capture Estimation Tool			
Project Name:	Downtown Windermere	**Organization:**	LTEC
Project Location:	Main St Windermere	**Performed By:**	JTR
Scenario Description:	Build-out	**Date:**	9/10/2019
Analysis Year:	2020	**Checked By:**	
Analysis Period:	AM Street Peak Hour	**Date:**	

Table 1-A: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)

Land Use	Development Data (*For Information Only*)			Estimated Vehicle-Trips		
	ITE LUCs[1]	Quantity	Units	Total	Entering	Exiting
Office	710	5,000	SF	8	7	1
Retail	820	15,000	SF	14	9	5
Restaurant	931	6,000	SF	5	3	2
Cinema/Entertainment				0	0	0
Residential	210	22	DU	20	5	15
Hotel				0	0	0
All Other Land Uses[2]				0	0	0
Total				47	24	23

Table 2-A: Mode Split and Vehicle Occupancy Estimates

Land Use	Entering Trips			Exiting Trips		
	Veh. Occ.	% Transit	% Non-Motorized	Veh. Occ.	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses[2]						

Table 3-A: Average Land Use Interchange Distances (Feet Walking Distance)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-A: Internal Person-Trip Origin-Destination Matrix*

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		1	0	0	0
Restaurant	1	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	0	1	0		0
Hotel	0	0	0	0	0	

Table 5-A: Computations Summary

	Total	Entering	Exiting
All Person-Trips	47	24	23
Internal Capture Percentage	13%	13%	13%
External Vehicle-Trips[3]	41	21	20
External Transit-Trips[4]	0	0	0
External Non-Motorized Trips[4]	0	0	0

Table 6-A: Internal Trip Capture Percentages by Land Use

Land Use	Entering Trips	Exiting Trips
Office	14%	0%
Retail	0%	20%
Restaurant	67%	50%
Cinema/Entertainment	N/A	N/A
Residential	0%	7%
Hotel	N/A	N/A

[1]Land Use Codes (LUCs) from *Trip Generation Informational Report*, published by the Institute of Transportation Engineers.
[2]Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator
[3]Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A
[4]Person-Trips
*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas Transportation Institute

NCHRP 8-51 Internal Trip Capture Estimation Tool			
Project Name:	Downtown Windermere	**Organization:**	LTEC
Project Location:	Main St Windermere	**Performed By:**	JTR
Scenario Description:	Build-out	**Date:**	9/10/2019
Analysis Year:	2020	**Checked By:**	
Analysis Period:	PM Street Peak Hour	**Date:**	

Table 1-P: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)

Land Use	Development Data (*For Information Only*)			Estimated Vehicle-Trips		
	ITE LUCs[1]	Quantity	Units	Total	Entering	Exiting
Office	710	5,000	SF	6	1	5
Retail	820	15,000	SF	117	78	39
Restaurant	931	6,000	SF	23	11	12
Cinema/Entertainment				0	0	0
Residential	210	22	DU	24	15	9
Hotel				0	0	0
All Other Land Uses[2]				0	0	0
Total				170	105	65

Table 2-P: Mode Split and Vehicle Occupancy Estimates

Land Use	Entering Trips			Exiting Trips		
	Veh. Occ.	% Transit	% Non-Motorized	Veh. Occ.	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses[2]						

Table 3-P: Average Land Use Interchange Distances (Feet Walking Distance)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-P: Internal Person-Trip Origin-Destination Matrix*

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		1	0	0	0	0
Retail	0		3	0	7	0
Restaurant	0	5		0	2	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	4	2	0		0
Hotel	0	0	0	0	0	

Table 5-P: Computations Summary

	Total	Entering	Exiting
All Person-Trips	170	105	65
Internal Capture Percentage	28%	23%	37%
External Vehicle-Trips[3]	122	81	41
External Transit-Trips[4]	0	0	0
External Non-Motorized Trips[4]	0	0	0

Table 6-P: Internal Trip Capture Percentages by Land Use

Land Use	Entering Trips	Exiting Trips
Office	0%	20%
Retail	13%	26%
Restaurant	45%	58%
Cinema/Entertainment	N/A	N/A
Residential	60%	67%
Hotel	N/A	N/A

[1]Land Use Codes (LUCs) from *Trip Generation Informational Report*, published by the Institute of Transportation Engineers.
[2]Total estimate for all other land uses at mixed-use development site-not subject to internal trip capture computations in this estimator
[3]Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P
[4]Person-Trips
*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas Transportation Institute

Existing Land Use Estimated Trip Generation (1)

Land Use	Size	ITE Code (2)	Trip Generation Rates							Traffic Volumes						
			Daily	A.M. Peak Hour			P.M. Peak Hour			Daily	A.M. Peak Hour			P.M. Peak Hour		
				Total	Enter	Exit	Total	Enter	Exit		Total	Enter	Exit	Total	Enter	Exit
Existing Land Use																
Single Family	2 DU	210 / E	14.22	3.11	0.78	2.33	1.19	0.75	0.44	28	7	2	5	2	1	1
Office	2,572 SF	710 / R	9.74	1.56	1.34	0.22	1.15	0.18	0.97	25	4	3	1	2	0	2
Retail	3,592 SF	820 / R	37.70	0.94	0.58	0.36	3.81	1.83	1.98	135	3	2	1	14	7	7
									Total Trips	*188*	*14*	*7*	*7*	*18*	*8*	*10*

Land Use	Size	Pedestrian Capture (3)			Pedestrian Traffic Volumes Reduction							External Trips (4)						
		Daily	AM Pk	PM Pk	Daily	A.M. Peak Hour			P.M. Peak Hour			Daily	A.M. Peak Hour			P.M. Peak Hour		
						Total	Enter	Exit	Total	Enter	Exit		Total	Enter	Exit	Total	Enter	Exit
Existing Land Use																		
Single Family	2 DU	0.0%	0.0%	0.0%	0	0	0	0	0	0	0	28	7	2	5	2	1	1
Office	2,572 SF	0.0%	0.0%	0.0%	0	0	0	0	0	0	0	25	4	3	1	2	0	2
Retail	3,592 SF	23.7%	0.0%	28.6%	32	0	0	0	4	2	2	103	3	2	1	10	5	5
			Total Trips		*32*	*0*	*0*	*0*	*4*	*2*	*2*	*156*	*14*	*7*	*7*	*14*	*6*	*8*

Land Use	Size	Pass-by Capture % (5)			Pass-by Trips							Net New Traffic Volumes (6)						
		Daily	AM Pk	PM Pk	Daily	A.M. Peak Hour			P.M. Peak Hour			Daily	A.M. Peak Hour			P.M. Peak Hour		
						Total	Enter	Exit	Total	Enter	Exit		Total	Enter	Exit	Total	Enter	Exit
Existing Land Use																		
Single Family	2 DU	0.0%	0.0%	0%	0	0	0	0	0	0	0	28	7	2	5	2	1	1
Office	2,572 SF	0.0%	0.0%	0%	0	0	0	0	0	0	0	25	4	3	1	2	0	2
Retail	3,592 SF	15.5%	5.0%	34%	16	0	0	0	2	1	1	87	3	2	1	8	4	4
			Total Trips		*16*	*0*	*0*	*0*	*2*	*1*	*1*	*140*	*14*	*7*	*7*	*12*	*5*	*7*

Proposed Land Use Estimated Trip Generation (1)

Land Use	Size	ITE Code (2)	Trip Generation Rates							Traffic Volumes						
			Daily	A.M. Peak Hour			P.M. Peak Hour			Daily	A.M. Peak Hour			P.M. Peak Hour		
				Total	Enter	Exit	Total	Enter	Exit		Total	Enter	Exit	Total	Enter	Exit
Proposed Land Use																
Office	5,000 SF	710 / R	9.74	1.56	1.34	0.22	1.15	0.18	0.97	49	8	7	1	6	1	5
Retail	15,000 SF	820 / R	37.70	0.94	0.58	0.36	3.81	1.83	1.98	566	14	9	5	57	27	30
Restaurant	6,000 SF	931 / R	83.84	0.73	0.58	0.15	7.80	5.23	2.57	503	5	4	1	46	31	15
									Total Trips	*1,118*	*27*	*20*	*7*	*109*	*59*	*50*

Land Use	Size	Pedestrian Walk-up Calculation (3)			Pedestrian Walk-up Reduction							External Trips (4)						
		Daily	AM Pk	PM Pk	Daily	A.M. Peak Hour			P.M. Peak Hour			Daily	A.M. Peak Hour			P.M. Peak Hour		
						Total	Enter	Exit	Total	Enter	Exit		Total	Enter	Exit	Total	Enter	Exit
Proposed Land Use																		
Office	5,000 SF	14.3%	12.5%	16.7%	7	1	0	1	1	0	1	42	7	7	0	5	1	4
Retail	15,000 SF	29.5%	7.1%	35.1%	167	1	1	0	20	10	10	399	13	8	5	37	17	20
Restaurant	6,000 SF	23.5%	0.0%	26.1%	118	0	0	0	12	5	7	385	5	4	1	34	26	8
			Total Trips		*292*	*2*	*1*	*1*	*33*	*15*	*18*	*826*	*25*	*19*	*6*	*76*	*44*	*32*

Land Use	Size	Pass-by Capture % (5)			Pass-by Trips							Net New Traffic Volumes (6)						
		Daily	AM Pk	PM Pk	Daily	A.M. Peak Hour			P.M. Peak Hour			Daily	A.M. Peak Hour			P.M. Peak Hour		
						Total	Enter	Exit	Total	Enter	Exit		Total	Enter	Exit	Total	Enter	Exit
Proposed Land Use																		
Office	5,000 SF	0.0%	0.0%	0%	0	0	0	0	0	0	0	42	7	7	0	5	1	4
Retail	15,000 SF	32.1%	17.0%	34%	128	2	1	1	14	7	7	271	11	7	4	23	10	13
Restaurant	6,000 SF	35.8%	0.0%	44%	138	0	0	0	14	7	7	247	5	4	1	20	19	1
			Total Trips		*266*	*2*	*1*	*1*	*28*	*14*	*14*	*560*	*23*	*18*	*5*	*48*	*30*	*18*
		Net Increase in Traffic over Existing Development			*250*	*2*	*1*	*1*	*26*	*13*	*13*	*420*	*9*	*11*	*(2)*	*36*	*25*	*11*

(1) Trip generation calculations from 10th Edition of ITE Trip Generation Report.

(2) ITE Land Use Code Number / R = Average Trip Rate or E = Fitted Curve Equation

(3) Pedestrian Walk-up Percentage from ITE "Trip Generation Handbook, 3rd Edition," August 2014.

(4) Total Traffic Volumes minus Pedestrian Walk-up Reduction Trips = External Trips.

(5) Pass-by trips set to ITE Handbook Table E.9 LUC 820 Shopping Center - 34% pass-by percentage (P.M. peak). AM assumed to be 50% of PM.

Pass-by trips set to ITE Handbook Table E.29 LUC 931 Quality Restaurant - 44% pass-by percentage (P.M. peak). AM assumed to be 0%.

Pass-By Check - (28 pass-by trips + (843 EB Sixth Ave existing PM peak hour trips + 725 2-Way Main St) = 0.0178, use 1.8%)

(6) External Trips minus Pass-by Capture Trips = Net New (Primary) Trips.

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Appendix E – Background Traffic Worksheet

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Historical Traffic Counts - Linear Regression Calculations

Roadway Segment		Station	Orange County AADT (1)						FDOT Trends Analysis - V2.0 Linear Regression			Projected	Growth Factor	Annual Growth Rate
From	To	Number	2012	2013	2014	2015	2016	2017	2018	RSQ	Slope	Intercept			
Chase Road															
Tallavana Tr	Main St	7103.0	13,674	14,495	14,904	15,094	16,025	17,148	17,268	0.963	614.6071	13,057.0000	18,600	1.07	3.4%
East Sixth Avenue															
Main St	Lake St	7078.0	18,681	19,709	22,104	22,756	23,089	24,587	24,227	0.908	977.8214	18,253.4286	27,100	1.08	4.0%
Main Street															
Sixth Ave	Chase Rd	7080.0	14,812	15,242	16,431	16,084	16,284	14,726	17,676	0.297	264.7500	14,834.5714	17,200	1.03	1.5%

1. From 2018 AADT Orange County Traffic Counts

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Appendix F – Future 2021 Synchro Analysis Summary She

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HCM 6th Roundabout
1: Main St & Fifth Ave

2020 AM Peak Hour Reviaed
12/04/2019

Intersection	
Intersection Delay, s/veh	17.6
Intersection LOS	C

Approach	EB	WB	NB	SB
Entry Lanes	1	1	1	1
Conflicting Circle Lanes	1	1	1	1
Adj Approach Flow, veh/h	63	6	438	719
Demand Flow Rate, veh/h	64	6	446	733
Vehicles Circulating, veh/h	717	463	36	26
Vehicles Exiting, veh/h	42	21	743	443
Ped Vol Crossing Leg, #/h	0	0	0	0
Ped Cap Adj	1.000	1.000	1.000	1.000
Approach Delay, s/veh	8.9	5.9	10.5	22.7
Approach LOS	A	A	B	C

Lane	Left	Left	Left	Left
Designated Moves	LTR	LTR	LTR	LTR
Assumed Moves	LTR	LTR	LTR	LTR
RT Channelized				
Lane Util	1.000	1.000	1.000	1.000
Follow-Up Headway, s	3.884	3.884	3.884	3.884
Critical Headway, s	4.976	4.976	4.976	4.976
Entry Flow, veh/h	64	6	446	733
Cap Entry Lane, veh/h	507	627	898	907
Entry HV Adj Factor	0.983	0.997	0.982	0.981
Flow Entry, veh/h	63	6	438	719
Cap Entry, veh/h	498	625	881	890
V/C Ratio	0.126	0.010	0.497	0.808
Control Delay, s/veh	8.9	5.9	10.5	22.7
LOS	A	A	B	C
95th %tile Queue, veh	0	0	3	9

HCM 6th Roundabout
2: Main St & Sixth Ave

2020 AM Peak Hour Reviaed
12/04/2019

Intersection				
Intersection Delay, s/veh	61.9			
Intersection LOS	F			
Approach	**EB**	**WB**	**NB**	**SB**
Entry Lanes	1	1	1	1
Conflicting Circle Lanes	1	1	1	1
Adj Approach Flow, veh/h	48	684	537	735
Demand Flow Rate, veh/h	49	698	547	750
Vehicles Circulating, veh/h	1140	124	585	399
Vehicles Exiting, veh/h	9	1008	604	423
Ped Vol Crossing Leg, #/h	0	0	0	0
Ped Cap Adj	1.000	1.000	1.000	1.000
Approach Delay, s/veh	12.6	26.6	57.3	101.3
Approach LOS	B	D	F	F

Lane	Left	Left	Left	Left
Designated Moves	LTR	LTR	LTR	LTR
Assumed Moves	LTR	LTR	LTR	LTR
RT Channelized				
Lane Util	1.000	1.000	1.000	1.000
Follow-Up Headway, s	3.884	3.884	3.884	3.884
Critical Headway, s	4.976	4.976	4.976	4.976
Entry Flow, veh/h	49	698	547	750
Cap Entry Lane, veh/h	355	835	566	662
Entry HV Adj Factor	0.989	0.980	0.981	0.980
Flow Entry, veh/h	48	684	537	735
Cap Entry, veh/h	351	818	556	649
V/C Ratio	0.138	0.836	0.966	1.133
Control Delay, s/veh	12.6	26.6	57.3	101.3
LOS	B	D	F	F
95th %tile Queue, veh	0	10	13	23

HCM 6th AWSC
3: Main St & Chase Rd/12th Ave

2020 AM Peak Hour
10/24/2019

Intersection	
Intersection Delay, s/veh	82.5
Intersection LOS	F

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	688	9	1	0	5	0	1	1	0	7	1	553
Future Vol, veh/h	688	9	1	0	5	0	1	1	0	7	1	553
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	724	9	1	0	5	0	1	1	0	7	1	582
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay	122.4	10.1	10.6	33.8
HCM LOS	F	B	B	D

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	50%	99%	0%	1%
Vol Thru, %	50%	1%	100%	0%
Vol Right, %	0%	0%	0%	99%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	2	698	5	561
LT Vol	1	688	0	7
Through Vol	1	9	5	1
RT Vol	0	1	0	553
Lane Flow Rate	2	735	5	591
Geometry Grp	1	1	1	1
Degree of Util (X)	0.004	1.191	0.01	0.861
Departure Headway (Hd)	7.564	5.838	7.074	5.685
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	476	625	509	644
Service Time	5.564	3.839	5.074	3.685
HCM Lane V/C Ratio	0.004	1.176	0.01	0.918
HCM Control Delay	10.6	122.4	10.1	33.8
HCM Lane LOS	B	F	B	D
HCM 95th-tile Q	0	25.5	0	9.8

HCM 6th TWSC
4: Project Ent & Fifth Ave

2020 AM Peak Hour
10/24/2019

Intersection						
Int Delay, s/veh	1.1					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	6	12	0	3	3	0
Future Vol, veh/h	6	12	0	3	3	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	6	13	0	3	3	0

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	19	0	16	13
Stage 1	-	-	-	-	13	-
Stage 2	-	-	-	-	3	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1597	-	1002	1067
Stage 1	-	-	-	-	1010	-
Stage 2	-	-	-	-	1020	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1597	-	1002	1067
Mov Cap-2 Maneuver	-	-	-	-	1002	-
Stage 1	-	-	-	-	1010	-
Stage 2	-	-	-	-	1020	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	8.6
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	1002	-	-	1597	-
HCM Lane V/C Ratio	0.003	-	-	-	-
HCM Control Delay (s)	8.6	-	-	0	-
HCM Lane LOS	A	-	-	A	-
HCM 95th %tile Q(veh)	0	-	-	0	-

HCM 6th TWSC
5: Sixth Ave & Project Ent

2020 AM Peak Hour
10/24/2019

Intersection						
Int Delay, s/veh	0					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↑	↑			↱
Traffic Vol, veh/h	0	939	648	7	0	3
Future Vol, veh/h	0	939	648	7	0	3
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	-	0
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	988	682	7	0	3

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	-	0	-	0	-	686
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	-	-	-	-	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	-	-	-	-	3.318
Pot Cap-1 Maneuver	0	-	-	-	0	447
Stage 1	0	-	-	-	0	-
Stage 2	0	-	-	-	0	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	-	-	-	-	-	447
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	WB	SB
HCM Control Delay, s	0	0	13.1
HCM LOS			B

Minor Lane/Major Mvmt	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	-	-	-	447
HCM Lane V/C Ratio	-	-	-	0.007
HCM Control Delay (s)	-	-	-	13.1
HCM Lane LOS	-	-	-	B
HCM 95th %tile Q(veh)	-	-	-	0

HCM 6th Roundabout
1: Main St & Fifth Ave

Build-out 2020 PM Peak Hour Revised
12/04/2019

Intersection	
Intersection Delay, s/veh	14.8
Intersection LOS	B

Approach	EB	WB	NB	SB
Entry Lanes	1	1	1	1
Conflicting Circle Lanes	1	1	1	1
Adj Approach Flow, veh/h	60	34	566	594
Demand Flow Rate, veh/h	62	34	578	606
Vehicles Circulating, veh/h	583	596	53	51
Vehicles Exiting, veh/h	74	35	592	579
Ped Vol Crossing Leg, #/h	0	0	0	0
Ped Cap Adj	1.000	1.000	1.000	1.000
Approach Delay, s/veh	7.9	7.2	14.8	15.9
Approach LOS	A	A	B	C

Lane	Left	Left	Left	Left
Designated Moves	LTR	LTR	LTR	LTR
Assumed Moves	LTR	LTR	LTR	LTR
RT Channelized				
Lane Util	1.000	1.000	1.000	1.000
Follow-Up Headway, s	3.884	3.884	3.884	3.884
Critical Headway, s	4.976	4.976	4.976	4.976
Entry Flow, veh/h	62	34	578	606
Cap Entry Lane, veh/h	567	561	886	888
Entry HV Adj Factor	0.967	0.998	0.980	0.981
Flow Entry, veh/h	60	34	566	594
Cap Entry, veh/h	548	560	869	871
V/C Ratio	0.109	0.061	0.652	0.683
Control Delay, s/veh	7.9	7.2	14.8	15.9
LOS	A	A	B	C
95th %tile Queue, veh	0	0	5	6

HCM 6th Roundabout
2: Main St & Sixth Ave

Build-out 2020 PM Peak Hour Revised
12/04/2019

Intersection				
Intersection Delay, s/veh	86.9			
Intersection LOS	F			

Approach	EB	WB	NB	SB
Entry Lanes	1	1	1	1
Conflicting Circle Lanes	1	1	1	1
Adj Approach Flow, veh/h	51	929	535	590
Demand Flow Rate, veh/h	52	947	546	601
Vehicles Circulating, veh/h	1149	207	353	563
Vehicles Exiting, veh/h	35	692	848	571
Ped Vol Crossing Leg, #/h	0	0	0	0
Ped Cap Adj	1.000	1.000	1.000	1.000
Approach Delay, s/veh	12.9	128.8	26.6	82.1
Approach LOS	B	F	D	F

Lane	Left	Left	Left	Left
Designated Moves	LTR	LTR	LTR	LTR
Assumed Moves	LTR	LTR	LTR	LTR
RT Channelized				
Lane Util	1.000	1.000	1.000	1.000
Follow-Up Headway, s	3.884	3.884	3.884	3.884
Critical Headway, s	4.976	4.976	4.976	4.976
Entry Flow, veh/h	52	947	546	601
Cap Entry Lane, veh/h	352	778	688	567
Entry HV Adj Factor	0.989	0.981	0.980	0.981
Flow Entry, veh/h	51	929	535	590
Cap Entry, veh/h	348	763	675	556
V/C Ratio	0.148	1.216	0.793	1.060
Control Delay, s/veh	12.9	128.8	26.6	82.1
LOS	B	F	D	F
95th %tile Queue, veh	1	32	8	17

HCM 6th AWSC
3: Main St & Chase Rd/12th Ave

Build-out 2020 PM Peak Hour
10/24/2019

Intersection	
Intersection Delay, s/veh	90.3
Intersection LOS	F

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	647	5	1	0	14	5	1	1	0	2	1	676
Future Vol, veh/h	647	5	1	0	14	5	1	1	0	2	1	676
Peak Hour Factor	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	681	5	1	0	15	5	1	1	0	2	1	712
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay	112.4	10.8	10.8	71.6
HCM LOS	F	B	B	F

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	50%	99%	0%	0%
Vol Thru, %	50%	1%	74%	0%
Vol Right, %	0%	0%	26%	100%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	2	653	19	679
LT Vol	1	647	0	2
Through Vol	1	5	14	1
RT Vol	0	1	5	676
Lane Flow Rate	2	687	20	715
Geometry Grp	1	1	1	1
Degree of Util (X)	0.004	1.159	0.038	1.046
Departure Headway (Hd)	7.818	6.24	7.329	5.647
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	461	584	491	650
Service Time	5.818	4.24	5.329	3.647
HCM Lane V/C Ratio	0.004	1.176	0.041	1.1
HCM Control Delay	10.8	112.4	10.6	71.6
HCM Lane LOS	B	F	B	F
HCM 95th-tile Q	0	22.6	0.1	17.8

HCM 6th TWSC
4: Project Ent & Fifth Ave

Build-out 2020 PM Peak Hour
10/24/2019

Intersection						
Int Delay, s/veh	2.3					

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑			↑	↑	
Traffic Vol, veh/h	9	24	0	15	17	0
Future Vol, veh/h	9	24	0	15	17	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	9	25	0	16	18	0

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	34	0	38	22
Stage 1	-	-	-	-	22	-
Stage 2	-	-	-	-	16	-
Critical Hdwy	-	-	4.12	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	2.218	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	1578	-	974	1055
Stage 1	-	-	-	-	1001	-
Stage 2	-	-	-	-	1007	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	1578	-	974	1055
Mov Cap-2 Maneuver	-	-	-	-	974	-
Stage 1	-	-	-	-	1001	-
Stage 2	-	-	-	-	1007	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	8.8
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	974	-	-	1578	-
HCM Lane V/C Ratio	0.018	-	-	-	-
HCM Control Delay (s)	8.8	-	-	0	-
HCM Lane LOS	A	-	-	A	-
HCM 95th %tile Q(veh)	0.1	-	-	0	-

HCM 6th TWSC
5: Sixth Ave & Project Ent

Build-out 2020 PM Peak Hour
10/24/2019

Intersection						
Int Delay, s/veh	0.2					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↑	↑			↱
Traffic Vol, veh/h	0	644	867	20	0	15
Future Vol, veh/h	0	644	867	20	0	15
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	-	0
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	95	95	95	95	95	95
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	678	913	21	0	16

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	-	0	-	0	-	924
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-
Critical Hdwy	-	-	-	-	-	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-
Follow-up Hdwy	-	-	-	-	-	3.318
Pot Cap-1 Maneuver	0	-	-	-	0	327
Stage 1	0	-	-	-	0	-
Stage 2	0	-	-	-	0	-
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	-	-	-	-	-	327
Mov Cap-2 Maneuver	-	-	-	-	-	-
Stage 1	-	-	-	-	-	-
Stage 2	-	-	-	-	-	-

Approach	EB	WB	SB
HCM Control Delay, s	0	0	16.6
HCM LOS			C

Minor Lane/Major Mvmt	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	-	-	-	327
HCM Lane V/C Ratio	-	-	-	0.048
HCM Control Delay (s)	-	-	-	16.6
HCM Lane LOS	-	-	-	C
HCM 95th %tile Q(veh)	-	-	-	0.2

Appendix G – Auxiliary Right-Turn Worksheets

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East Fifth Avenue & Project Entrance Eastbound Right-Turn Lane Analysis

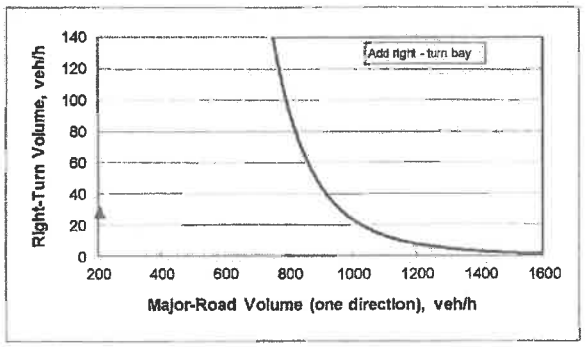
Figure 2 - 6. Guideline for determining the need for a major-road right-turn bay at a two-way stop-controlled intersection.

INPUT

Roadway geometry:	2-lane roadway
Variable	Value
Major-road speed, mph:	25
Major-road volume (one direction), veh/h:	33
Right-turn volume, veh/h:	24

OUTPUT

Variable	Value
Limiting right-turn volume, veh/h:	##########
Guidance for determining the need for a major-road right-turn bay for a 2-lane roadway:	
Do NOT add right-turn bay.	



East Sixth Avenue & Project Entrance Westbound Right-Turn Lane Analysis

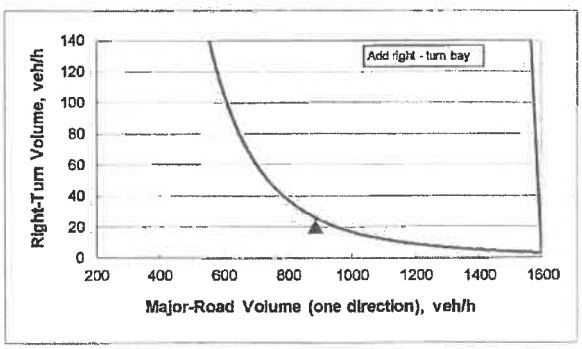
Figure 2 - 6. Guideline for determining the need for a major-road right-turn bay at a two-way stop-controlled intersection.

INPUT

Roadway geometry:	2-lane roadway
Variable	Value
Major-road speed, mph:	36
Major-road volume (one direction), veh/h:	887
Right-turn volume, veh/h:	20

OUTPUT

Variable	Value
Limiting right-turn volume, veh/h:	26
Guidance for determining the need for a major-road right-turn bay for a 2-lane roadway:	
Do NOT add right-turn bay.	



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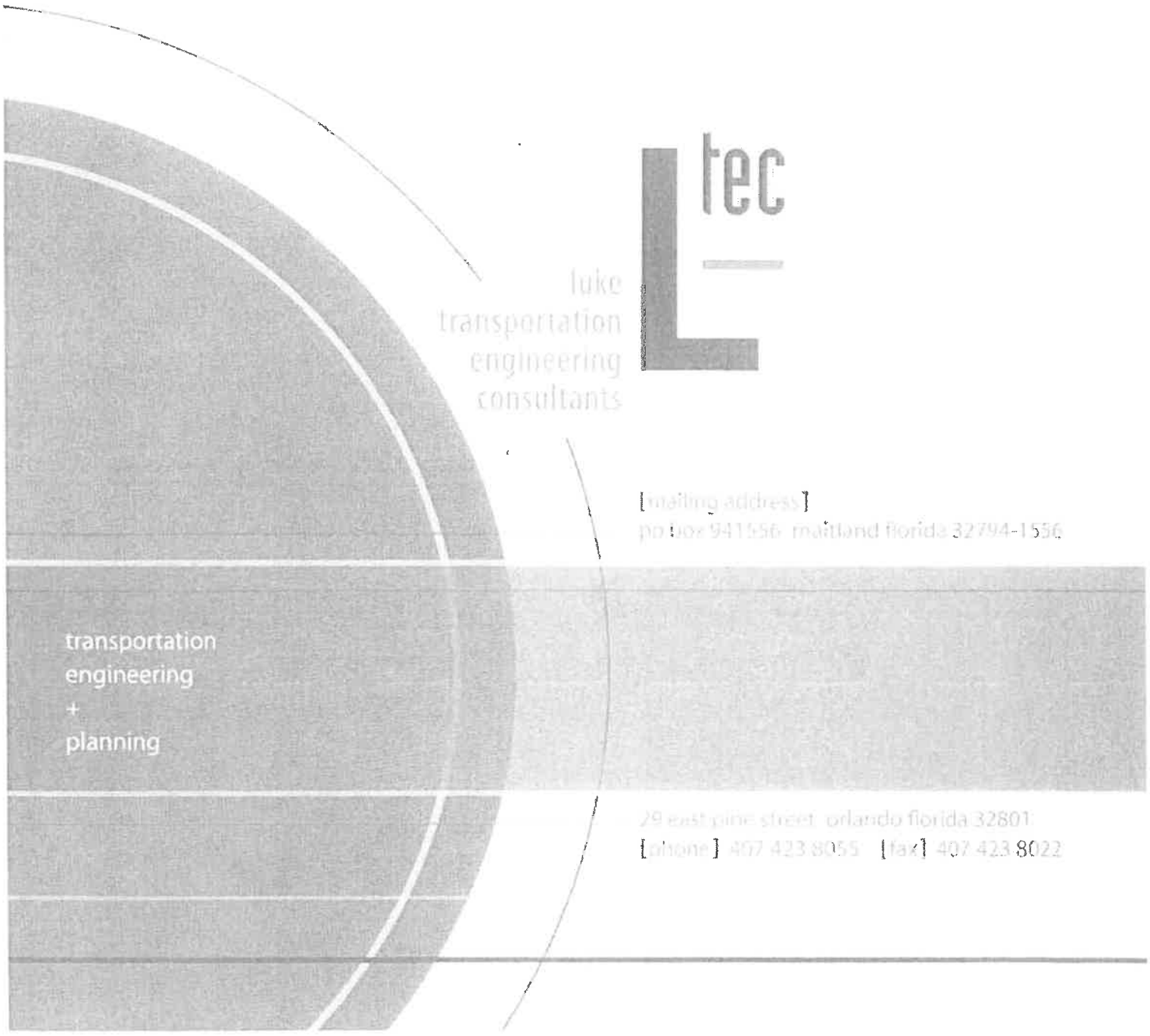

[mailing address]
po box 941556 maitland florida 32794-1556

29 east pine street orlando florida 32801
[phone] 407 423 8055 [fax] 407 423 8022

Received

Wade Trim

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

January 25, 2021

PARK RESIDENTIAL RENTALS LLC
4 PINE ST
WINDERMERE, FL 34786

RE: Public Notice of Rezoning and Preliminary Development Plan Review Public Hearing for 517 Main St. Z19-12

Windermere Downtown Property LLC, owner 517 Main Street, represented by Jim Hall, submitted a request for approval of a rezoning and a preliminary site plan, pursuant to Division 3.03.00 of the Town of Windermere Land Development Code. The purpose of the rezoning request is to change the current zoning designation from Commercial/Single-Family Residential within the Town Center Overlay to Plan Unit Development (PUD) within the Town Center Overlay. Development within the Town Center Overlay is required to obtain PUD approval. Additionally, the applicant is requesting approval of a Preliminary Development Plan (PDP) that proposes two buildings for Office, Retail, and Restaurant uses.

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND – Z19-12 (517 Main Street)

APPROVAL: X **DISAPPROVAL**_____

COMMENTS: It would be nice to have the facade/Exterior to look like "multiple shops" as a "downtown USA" look. Will the restaurant be a "non-brand" restaurant? Love the parking off of main street.

SIGNATURE: Willie E Tucker Sr. **DATE:** 1/28/2021

PARK RESIDENTIAL RENTALS LLC

RECOMMEND – Z19-12 (517 Main Street)

APPROVAL: ✓ **DISAPPROVAL** _____

COMMENTS: Can you tell me what comes next. Dmgrier@gmail.com

SIGNATURE: _____ **DATE:** 1-28-21

GRIER DAVID M

Received
FEB 01 2021
Wade Trim

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

January 25, 2021

ORIGEL MICHAEL H
260 CALLE DE MADRID
REDONDO BEACH, CA 90277

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND – Z19-12 (517 Main Street)

APPROVAL: X **DISAPPROVAL** _____

COMMENTS: _____

_____

_____

SIGNATURE: _____ **DATE:** 2/5/21

ORIGEL MICHAEL H

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

January 25, 2021

WINDERMERE MARKET LLC
901 ROSSER RD
WINDERMERE, FL 34786

RE: Public Notice of Rezoning and Preliminary Development Plan Review Public Hearing for 517 Main St. Z19-12

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND – Z19-12 (517 Main Street)

APPROVAL: X **DISAPPROVAL**_____

COMMENTS:_____

SIGNATURE: [signature] **DATE:** 2/1/21

WINDERMERE MARKET LLC

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Received
Wade Trim

Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

January 25, 2021

D M HUBER FAMILY L P
PO BOX 730
WINDERMERE, FL 34786

RE: Public Notice of Rezoning and Preliminary Development Plan Review Public Hearing for 517 Main St. Z19-12

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND – Z19-12 (517 Main Street)

APPROVAL: ✓ **DISAPPROVAL** _____

COMMENTS: _____

_____

_____

SIGNATURE: Allan Bjaadly **DATE:** 1/29/2021

D M HUBER FAMILY L P

Encl.

Received
FEB 1 2021
Wade Trim

RECOMMEND – Z19-12 (517 Main Street)

APPROVAL: _____ **DISAPPROVAL** V

COMMENTS: We do not approve the rezoning change for these business and parking. This plan encroaches on our residential community. Please vote No!

SIGNATURE: Mark L. Huffman **DATE:** 1/20/2021

HUFFMAN MARK Carlene Huffman

RECOMMEND – Z19-12 (517 Main Street)

APPROVAL: _____ **DISAPPROVAL** ✓

COMMENTS: _____

SIGNATURE: Mary Ellen Stone **DATE:** March 10, 2021

STONE MARY ELLEN

RECOMMEND – Z19-12 (517 Main Street)

APPROVAL: _____ **DISAPPROVAL** ✓

COMMENTS: Windermere is so busy with traffic we do not need more parking, commercial buildings the Grove is 1 mile away

SIGNATURE: [signature] **DATE:** 21/5/21

NELMES ANDREW

RECOMMEND – Z19-12 (517 Main Street)

APPROVAL: _____ **DISAPPROVAL** ✓

COMMENTS: We do not Need New Expanded Business in Denver. The "Vintage" Look is the Charm of Denver.

SIGNATURE: Betty Randolph **DATE:** 7/1/21

RANDOLPH BETTY L

If you do not like the look of Denver — Don't Move here.

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

January 25, 2021

NEILL DONALD R
525 OAKDALE ST
WINDERMERE, FL 34786

RE: Public Notice of Rezoning and Preliminary Development Plan Review Public Hearing for 517 Main St. Z19-12

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND – Z19-12 (517 Main Street)

APPROVAL:_____ **DISAPPROVAL** X

COMMENTS: Please see enclosure

SIGNATURE: Donald R Neill **DATE:** 2/2/21

NEILL DONALD R

RE: REZONING and PRELIMINARY DEVELOPMENT PLAN REVIEW

February 2, 2021

We are homeowners on Oakdale Street, directly across from the proposed rezoning and development of the Main Street property. We are writing this letter to protest the plan as proposed.

The owner is entitled to develop the commercial property to its best use, but rezoning Single-Family Residential properties to commercial — right across the street from homeowners like ourselves—to allow for 81 parking spaces, so that even more commercial property can be built, is truly overstepping.

Windermere leaders should take a stand against whittling away at single family zoning. We have no objection to a restaurant being built on the commercial property, but it can be done without grabbing Single-Family Residential property.

The increased traffic, light and noise pollution will compromise the aesthetics and home values of Oakdale homeowners and other nearby homes.

We ask that this request be denied.

Respectfully,

Debra Neill

Debra Neill

Donald Neill

Don Neill

525 Oakdale St.
Windermere FL 34786

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

January 25, 2021

MCKINLEY ROBERT R JR
536 MAGNOLIA ST
WINDERMERE, FL 34786

RE: Public Notice of Rezoning and Preliminary Development Plan Review Public Hearing for 517 Main St. Z19-12

Windermere Downtown Property LLC, owner 517 Main Street, represented by Jim Hall, submitted a request for approval of a rezoning and a preliminary site plan, pursuant to Division 3.03.00 of the Town of Windermere Land Development Code. The purpose of the rezoning request is to change the current zoning designation from Commercial/Single-Family Residential within the Town Center Overlay to Plan Unit Development (PUD) within the Town Center Overlay. Development within the Town Center Overlay is required to obtain PUD approval. Additionally, the applicant is requesting approval of a Preliminary Development Plan (PDP) that proposes two buildings for Office, Retail, and Restaurant uses.

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND – Z19-12 (517 Main Street)

APPROVAL:_____ **DISAPPROVAL** ✓

COMMENTS: POOR CONCEPTUAL PLAN – FENCE AS BUFFER VICE VEGETATION. SEPTIC SYSTEM LOCATION. I REALIZE FINAL PLANS WILL REQUIRE APPROVAL BUT CONCEPT SHOULD GIVE REASONABLE IDEA.

SIGNATURE: [signature] **DATE:** 2/2/2021

MCKINLEY ROBERT R JR

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

January 25, 2021

BROPHY NORA FRANCES
426 MAGNOLIA ST
WINDERMERE, FL 34786

RE: Public Notice of Rezoning and Preliminary Development Plan Review Public Hearing for 517 Main St. Z19-12

Windermere Downtown Property LLC, owner 517 Main Street, represented by Jim Hall, submitted a request for approval of a rezoning and a preliminary site plan, pursuant to Division 3.03.00 of the Town of Windermere Land Development Code. The purpose of the rezoning request is to change the current zoning designation from Commercial/Single-Family Residential within the Town Center Overlay to Plan Unit Development (PUD) within the Town Center Overlay. Development within the Town Center Overlay is required to obtain PUD approval. Additionally, the applicant is requesting approval of a Preliminary Development Plan (PDP) that proposes two buildings for Office, Retail, and Restaurant uses.

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND – Z19-12 (517 Main Street)

APPROVAL:_____ **DISAPPROVAL** ✓

COMMENTS: I am opposed to changing our residential street as it is unfair to the residents and homeowners. This type restaurant will create even more traffic + parking issues.

SIGNATURE: [signature] **DATE:** 2/2/21

BROPHY NORA FRANCES

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

January 25, 2021

ROBINSON CECIL W
PO BOX 579
WINDERMERE, FL 34786

RE: Public Notice of Rezoning and Preliminary Development Plan Review Public Hearing for 517 Main St. Z19-12

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND – Z19-12 (517 Main Street)

APPROVAL: _____ **DISAPPROVAL** ✓

COMMENTS: Need more detail as to development plans and screening for residential on East side of Oakdale St. and location of septic system.

SIGNATURE: Cecil W. Robinson **DATE:** Feb 4, 2021

ROBINSON CECIL W

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Received

Wade Trim

Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

January 25, 2021

NABERS JOHN M
PO BOX 6
WINDERMERE, FL 34786

RE: Public Notice of Rezoning and Preliminary Development Plan Review Public Hearing for 517 Main St. Z19-12

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND – Z19-12 (517 Main Street)

APPROVAL:_____ **DISAPPROVAL** X

COMMENTS: I AM NOT NECESSARILY OPPOSED BUT I CANNOT MAKE AN INTELLIGENT DECISION WITHOUT MORE INFORMATION IE, ELEVATIONS, HEIGHT, ETC

SIGNATURE: [signature] **DATE:** 2/25/21

NABERS JOHN M

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Received

Wade Trim

Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

January 25, 2021

FITZGIBBON JOHN P
615 OAKDALE ST
WINDERMERE, FL 34786

RE: Public Notice of Rezoning and Preliminary Development Plan Review Public Hearing for 517 Main St. Z19-12

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND – Z19-12 (517 Main Street)

APPROVAL:_____ **DISAPPROVAL**_____ NOT ENOUGH INFORMATION

COMMENTS: SEE ATTACHED

SIGNATURE: _____ **DATE:** 1/29/2021

FITZGIBBON JOHN P

Received
Wade Trim

Comment on Public Notice or Rezoning for 517 Main St. Z19-12

From: John Fitzgibbon, 615 Oakdale St

Brad,

While I certainly support development of the 517 Main St property, at this time, I cannot provide approval or disapproval due to the lack of information and inconsistency on the submitted plan. Some brief comments on quick initial assessment:

Appears to be a landscape plan and not a proper plan for PUD submission due to lack of details

The scale of the buildings seems to be misrepresented based on scale and do not match the SF shown on the plans

No Septic or sanitary is shown. If septic is being submitted for waste water it should be shown on the plans which will affect number of parking spaces and total allowable SF

Are buildings single story or two stories? Appears SF is for the footprint of the buildings. Need clarification on number of stories and SF allocation

No property lines, set backs or dimensions are shown to ensure the plans meet or exceed requirement

No indication of height of buffer wall along east and south of property

Existing Large heritage Live oak trees are not accounted for in the plan, which will reduce parking or at least provide a mitigation plan to save the oaks

Should sidewalk continue to Oakdale St on south property line

Please note that these are highlights and have some more questions but at this point I think plan is lacking in information for a proper PUD submittal

Thank you for reaching out to the surrounding residents.

Sincerely
John and Cindy FItzgibbon

Town of Windermere

614 Main Street Windermere, FL 34786
Office: (407) 876-2563 Fax: (407) 876-0103

Mayor
JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

January 25, 2021

GUILLOT BRYAN T JR
625 OAKDALE ST
WINDERMERE, FL 34786

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Sincerely,
Brad Cornelius, AICP, Town Planner
Wade Trim, Inc.
813.882.4373
tow@wadetrim.com
Encl.

RECOMMEND – Z19-12 (517 Main Street)

APPROVAL:_____ **DISAPPROVAL**_____

COMMENTS: Based on the plans Received I cannot Approve or disapprove - I look Forward to seeing More Detailed plans

SIGNATURE: [signature] **DATE:** 2/5/21

GUILLOT BRYAN T JR

TOWN OF WINDERMERE

Town Council Meeting Minutes **March 23, 2021**

CALL TO ORDER:

Present were Mayor Jim O'Brien, Council Members Bill Martini, Bob McKinley, Andy Williams, Chris Sapp, and Liz Andert. Town Manager Robert Smith, Attorney Heather Ramos, Police Chief Dave Ogden, Public Works Foreman Travis Mathias, and Town Clerk Dorothy Burkhalter were also present.

Mayor O'Brien called the meeting to order at 6:00pm and stated quorum was present.

Mayor O'Brien led everyone in the Pledge of Allegiance. He then gave the invocation.

1. OPEN FORUM/PUBLIC COMMENT (3 Minute Limit)

There were no public speakers.

2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS

a. FY 19/20 Audit Presentation

Mayor O'Brien turned the floor over to Mr. Mathew Lee, representative with McDirmit & Davis. Mr. Lee explained that the Town received an Unqualified Opinion, which is the best that can be given. He then reviewed accounts, financial growth, income, and expenditures. Mr. Lee commented on the purchasing policy and purchase orders. Manager Smith commented that there had been an issue and it has been rectified. He then thanked Mr. Lee for his presentation and Mrs. White for handling the finance department for the Town

b. Officer Mark Wilson Swearing In

Chief Ogden introduced and swore in Officer Mark Wilson as a new police officer for the Town.

c. Reserve Sgt. John Alcalde Unit Citation and Gold Presidential Volunteer Award

Chief Ogden presented a Unit Citation and a Gold Presidential Volunteer Award to Reserve Sgt. John Alcalde.

3. TIMED ITEMS AND PUBLIC HEARING:

4. CONSENT AGENDA:

a. AMR 4th Amendment to the Emergency Ambulance Transportation Services Agreement

b. Retro-Active Approval of Fernwood Boat Dock Repairs

Member Sapp made a motion to approve the consent agendas presented. Member McKinley seconded the motion. Roll call vote was as follows: Andert – aye, McKinley – aye, Williams – aye, Sapp – aye, and Martini – aye. Motion carried 5-0.

5. MINUTES:

a. MINUTES

i. Town Council Meeting Minutes February 9, 2021

DRAFT

Member Martini made a motion to approve the minutes as presented. Member Williams seconded the motion. Roll call vote was as follows: Martini – aye, Sapp – aye, Williams - aye – aye, McKinley – aye, and Andert – aye. Motion carried 5-0.

6. OTHER ITEMS:

a. Town Manager Evaluations

b. Town Manager Contract Extension

Member McKinley gave a summary of the Town Manager's evaluations. He then briefly reviewed some comments that were submitted. Member McKinley stated that he is recommending ay pay increase to an annual salary of $142,000.00. He then suggested adding an additional two years to the contract which would extend the original contract to March 31, 2026. Some discussion followed. Member Andert made a motion to approve the evaluation salary increase to $142,000.00 annually. Member McKinley seconded the motion. Roll call vote was as follows: McKinley – aye, Andert – aye, Martini – aye, Sapp – aye, and Williams – aye. Motion carried 5-0. Member McKinley made a motion to extend the Manager's current contract for an additional 2-years, March 31, 2026. Member Martini seconded the motion. Roll call vote was as follows: Williams – aye, Sapp – aye, Martini – aye, McKinley – aye, and Andert – aye. Motion carried 5-0. Manager Smith thanked the Mayor and Town Council.

Member McKinley reported on the next Elder Luncheon scheduled for April 13th and the new statue in Central Park. Member Andert reported on the Tree Board and WAY Committee.

7. NEW BUSINESS

a. Swearing in Councilmembers:

i. Councilmember Bill Martini
ii. Councilmember Mandy David
iii. Councilmember Tony Davit

Mayor O'Brien administered the Oath of Office to Bill Martini, who will be serving his second two-year term, Mandy David who will be serving her first two-year term, and to Tony Davit who will be serving his first two-year term.

b. Special Recognition:

i. Councilmember Bob McKinley
ii. Councilmember Liz Andert

Mayor O'Brien presented appreciation plaques to outing going Council members Bob McKinley and Liz Andert. Mr. McKinley and Mrs. Andert accepted graciously.

c. Resolutions/Ordinances for Approval/First Reading

d. APPOINTMENTS:

i. Parks & Recreation Committee Appointment: Cynthia Hunter

Member Sapp made a motion to appoint Cynthia Hunter to the Parks and Recreation Committee. Member Martini seconded the motion. Roll call vote was as follows: Davit – aye, David – aye, Williams – aye, Sapp – aye, and Martini – aye. Motion carried 5-0.

e. CONTRACTS & AGREEMENTS:

DRAFT

f. FINANCIAL:

g. OTHER ITEMS FOR CONSIDERATION:

i. Hiring of Public Works Director Tonya Elliott-Moore

Mayor O'Brien introduced this item. He then turned the floor over to Manager Smith. Manager Smith commented on the search for the new Public Works Director. He then stated that he is requesting approval to hire Ms. Tonya Elliot-Moore. Manager Smith reviewed her background and experience. Member Williams made a motion to approve the hiring of Ms. Tonya Elliott-Moore as the new Public Works Director. Member Sapp seconded the motion. Roll call vote was as follows: Williams – aye, Sapp – aye, Martini – aye, Davit – aye, and David – aye. Motion carried 5-0.

8. MAYOR & COUNCIL LIAISON REPORTS:

Mayor O'Brien stated that request for liaison assignments will be sent out and brought back at the April Town Council meeting. He then commented on the remembrance of Officer Robbie German. Member Williams stated that the Historic Preservation Board has not met. Member Sapp stated that the Long-Range Planning Committee is schedule to meet next week. Member Martini reported that there would not be a Development Review Board meeting. He then stated that there will be a workshop on March 31st at 6:00pm via Zoom to discuss the proposed Karr downtown project.

9. STAFF REPORTS:

a. TOWN MANAGER ROBERT SMITH – Mr. Smith thanked the Mayor and Town Council for his evaluations. He then commented on the movement in the State and Washington regarding the proposed appropriations. Mr. Smith also commented on the American Appropriations Act. Member Sapp thanked the West Orange Chamber for their assistance with the appropriations.

b. TOWN ATTORNEY HEATHER RAMOS – No report.

c. POLICE CHIEF DAVE OGDEN – Chief Ogden reported on the 2020-year end report, training, upcoming Easter parade, off duty details, Accreditation training, meeting with State Attorney, and staff.

d. PUBLIC WORKS FOREMAN TRAVIS MATHIAS – Mr. Mathias reported on the light pole installation, quotes for Town Hall porch roof repairs, Central Park, split rail fencing, Windermere Recreation Center electrical box, and daily routines. Manager Smith thanked Mr. Mathias for handling the department until a new Director was hired. Mr. Fitzgibbon complimented Mr. Mathias and the Public Works team for all the work that has been accomplished in a short period of time.

e. TOWN CLERK DOROTHY BURKHALTER – Ms. Burkhalter thanked Council members Williams and Sapp for their assistance with the past election canvassing and audits.

10. ADJOURN:

Mayor O'Brien adjourned the meeting at 7:12pm.

Dorothy Burkhalter, MMC, FCRM
Town Clerk

Jim O'Brien, Mayor

DRAFT

OATH OF OFFICE

March 23, 2021

I, **William (Bill) Martini**, solemnly swear or affirm that I will support the Constitution of the United States and will obey the laws of the State of Florida; that I will, in all respects, observe the provisions of the Charter and Ordinances of the Town of Windermere and will faithfully discharge the duties of Council Member.

Term: 1st Two-year 2019 – 2021
2nd Two-years 2021 - 2023

William Martini

Administer of Oath

Sworn and subscribed before me this 23rd day of March 2021

Notary Public

DOROTHY BURKHALTER
Notary Public - State of Florida
Commission # GG 301295
My Comm. Expires Apr 25, 2023
Bonded through National Notary Assn.

OATH OF OFFICE

March 23, 2021

I, **Mandy David**, solemnly swear or affirm that I will support the Constitution of the United States and will obey the laws of the State of Florida; that I will, in all respects, observe the provisions of the Charter and Ordinances of the Town of Windermere and will faithfully discharge the duties of Council Member.

Term: 1st Two-year 2019 – 2021

Mandy David

Administer of Oath

Sworn and subscribed before me this 23rd day of March 2021

Notary Public

DOROTHY BURKHALTER
Notary Public - State of Florida
Commission # GG 301295
My Comm. Expires Apr 25, 2023
Bonded through National Notary Assn.

OATH OF OFFICE

March 23, 2021

I, **Anthony (Tony) Davit**, solemnly swear or affirm that I will support the Constitution of the United States and will obey the laws of the State of Florida; that I will, in all respects, observe the provisions of the Charter and Ordinances of the Town of Windermere and will faithfully discharge the duties of Council Member.

Term: 1st Two-year 2019 – 2021

Anthony Davit

Administer of Oath

Sworn and subscribed before me this 23rd day of March 2021

Notary Public

DOROTHY BURKHALTER
Notary Public - State of Florida
Commission # GG 301295
My Comm. Expires Apr 25, 2023
Bonded through National Notary Assn.

TOWN OF WINDERMERE

Public Workshop Minutes
(Virtual Meeting)

March 31, 2021

CALL TO ORDER:

Present were Mayor Jim O'Brien, Council Members Bill Martini, Chris Sapp (arrived at 6:08pm), Mandy David, and Tony Davit. Town Manager Robert Smith, Town Planner Brad Cornelius and Town Clerk Dorothy Burkhalter were also present. Council Member Andy Williams was absent.

Mayor O'Brien explained that this was a workshop, therefore no motions or votes will be made. Mayor O'Brien called the workshop to order at 6:03pm.

1. OPEN FORUM/PUBLIC COMMENT:

There were no public speakers.

2. SPECIAL PRESENTATION:

Mayor O'Brien turned the floor over to Manager Smith. Manager Smith explained the process that would be taken; presentations, discussion/comments from Town Council, and then the floor would be opened for public discussion. First to speak was Mr. Brad Cornelius, Town Planner. Mr. Cornelius gave a presentation regarding the proposed project which concluded at 6:40pm. Mr. Jim Hall, partner/owner of the proposed project, gave a brief presentation which concluded at 6:49pm. The floor opened to the Town Council for discussion. Some of their concerns were; trees/tree removal, arborist on retainer for complete project, square footage – including existing, water retention, septic system, procedural timelines, and traffic studies. Comments from the public were made via chat (see attached).

3. ADJOURN

There being no further comments, Mayor O'Brien adjourned the workshop at 7:57pm.

Dorothy Burkhalter, MMC, FCRM
Town Clerk

Jim O'Brien, Mayor

DRAFT

01:04:47 Robert Smith: Q: What is the exiting square to determine net possible gain
01:05:03 Robert Smith: Existing vs proposed sorry
01:05:23 Robert Smith: Q: How does septic restrict development
01:05:55 matt: Will they be bringing water in for this project?
01:06:10 Robert Smith: Q: What are options for parking (offsite, etc.)
01:07:05 Robert Smith: Q. Can Land Development Code be Changed or updated
01:07:11 Tony Davit: Is the Final Development Review at 100% design?
01:07:36 Tony Davit: Timeline for Final Development Review?
01:11:47 Robert Smith: Q: What is the net impact of peak time traffic
01:12:11 Robert Smith: Exisiting v proposed
01:12:48 susncarter@gmail.com: There are three substantial live oak trees on the southwest corner of Oakdale and 6th, one with a DBH of 87.5 and another with a DBH of 73 that are not shown on the master plan. How can those and their critical root zoned be protected? Also, wishing the property with the yellow house, there is another substantial oak that appears to be larger than the 87.5 DBH tree that should be included in these protections. How do we prioritize this so these heritage oaks are not damaged or removed?
01:13:35 susncarter@gmail.com: Can the land development code be changed or updated?
01:14:08 danielfloyd: Is the parking paved?
What do the parking lights look like? How do you handle light pollution for Oakdale residents directly across from the proposed building and parking lot?
01:18:10 Brandi: Approximately how many feet are there between the travel lane and the property line of the proposed project? Are there survey markers on site now?
01:19:05 Robert Smith: Q Are they compliant as proposed
01:20:15 StephenWithers: The other permitting agency is Ocoee Fire Department
01:21:16 Jim OBrien: Mr. Hall, What other projects have you worked on in the Windermere/West Orange area?
01:22:39 Robert Smith: Q does that include the residential bld sq ftg on property
01:23:22 billmartini: Is Allen's Ice Cream included in existing square footage?
01:32:45 Brandi: Brad: What is the percentage pavers are calculated at if the are typical impervious pavers? Can we require the applicant do a highly permeable surface instead of pavers around the trees?
01:33:01 Robert Smith: Q Will traffic impact fees be assessed like the residential developments like Estancia and Rosser
01:36:59 Jim OBrien: Why not determine the septic requirements prior so residents are able to view façade sooner than later? Façade was a major sticking point for Town facilities.
01:45:11 susncarter@gmail.com: Respectfully, I would like to know which of the trees are not going to be saved.
01:47:58 Robert Smith: We will have tree survey by TC meeting and forward
01:50:13 Robert Smith: Q Can there be better pedestrian crossing in this area such as the wags
02:20:43 susncarter@gmail.com: I agree about the wall foundation and also

would like to point out that a berm on top of critical root zones can affect the health of the trees.
02:21:41 Brittany Grier: Is there a way to have better crosswalks for residents to access the downtown from the Bessie side of Windermere?
02:23:57 StephenWithers: Concern is 5th Ave was designed for parallel parking but was changed to front in parking. 5th Ave may need to be widened to accept the proposed traffic and trucks.
02:28:29 danielfloyd: Can no right and left turn signs between peak hours be put up for Oakdale like they are on other streets along Main
02:30:15 danielfloyd: Yes
02:30:20 danielfloyd: For not cut through
02:30:54 danielfloyd: ty
02:31:37 susncarter@gmail.com: Thank you all.
02:31:42 Brittany Grier: How long until we are able to get started?
02:31:49 Brandi: Will the power point be available on town website?
02:32:06 Robert Smith: yes
02:32:25 Dorothy Burkhalter: It's on the website Brandi.
02:32:37 Brandi: Thanks, Dorothy.
02:33:12 danielfloyd: Can the power point link be posted here?
02:33:21 danielfloyd: Cant find it on town website
02:34:23 Robert Smith: we will post as news item tomorrow
02:34:33 danielfloyd: TY

RESOLUTION NO. 2021- 02

A RESOLUTION OF THE TOWN OF WINDERMERE OF ORANGE COUNTY, FLORIDA, AUTHORIZING THE ISSUANCE OF A NOTE IN THE AMOUNT NOT TO EXCEED $25,000 FOR THE PURPOSE OF PAYING THE COSTS OF PURCHASING A PUBLIC SAFETY VEHICLE AND COSTS OF ISSUANCE OF SUCH NOTE; DELEGATING TO THE TOWN MANAGER OF THE TOWN, SUBJECT TO COMPLIANCE WITH THE APPLICABLE PROVISIONS HEREOF, THE AUTHORITY TO AWARD THE SALE OF SUCH NOTE TO SYNOVUS BANK PURSUANT TO A TERM SHEET; AUTHORIZING THE EXECUTION OF A BUSINESS LOAN AGREEMENT AND PROMISSORY NOTE; MAKING CERTAIN FINDINGS; AUTHORIZING CERTAIN OFFICIALS OF THE TOWN AND OTHERS TO TAKE ALL ACTIONS REQUIRED IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SAID NOTE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Windermere, Florida (the "Town") is authorized by Article VIII, Section 2 of the Constitution of the State of Florida, Chapter 166, Florida Statutes, the Charter of the Town of Windermere, Florida, and other applicable provisions of law (the "Act"), to issue debt secured by a covenant to budget and appropriate legally available non-ad valorem revenues for lawful purposes set forth in the Act; and

WHEREAS, the Town Council of the Town (the "Town Council") desires to authorize the issuance of and award the sale of its Promissory Note in a principal amount not exceeding $25,000 (the "Note") to finance the costs of acquiring a public safety vehicle and the costs of issuance of the Note, to authorize the execution of the Business Loan Agreement (hereinafter defined) and to provide for various other matters relating to the issuance of the Note; and

WHEREAS, the Town Council has received from Synovus Bank (the "Bank") a term sheet dated March 22, 2021 (the "Term Sheet") for the purchase of the Note, a copy of which Term Sheet is attached hereto as **Exhibit A**, and the Town Council has determined that the issuance of the Note and the sale thereof to the Bank pursuant to the Term Sheet is in the best interest of the Town for the reasons hereafter indicated; and

WHEREAS, in conjunction with the sale and issuance of the Note, it is necessary to authorize the execution of the Note and the Loan Agreement and to provide for various other matters with respect to the issuance of the Note;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WINDERMERE, FLORIDA, as follows:

SECTION 1. Definitions. All words and phrases used herein in capitalized form, unless otherwise defined herein, shall have the meaning ascribed to them in the Loan Agreement (hereinafter defined).

SECTION 2. Authorization. There is hereby authorized to be issued a Note in a principal amount not exceeding $25,000.00. The Town Manager is hereby authorized and directed to

execute and deliver such Note on behalf of and in the name of the Town, and the Town Clerk or any Deputy Town Clerk are hereby authorized to attest such execution, with such additions and deletions therein as may be made and approved by the Town Manager, such execution to be conclusive evidence of such approval. The proceeds of the Note shall be used for the purpose of paying the cost of purchasing a public safety vehicle and the costs of issuance of the Note.

SECTION 3. Approval of Loan Agreement. The Town Manager is hereby authorized to approve the form of a Business Loan Agreement, to be dated the date of the Note, by and between the Town and the Bank (the "Loan Agreement") in form and substance satisfactory to the Town Manager, following legal review.. The Town Manager is hereby authorized and directed to execute and deliver such Loan Agreement on behalf of and in the name of the Town, and the Town Clerk or any Deputy Town Clerk are hereby authorized to attest such execution, with such additions and deletions therein as may be made and approved by the Town Manager, such execution to be conclusive evidence of such approval.

SECTION 4. Negotiated Sale. The Town Council hereby determines that a negotiated private sale of the Note to the Bank pursuant to the Term Sheet and in accordance with the Loan Agreement is in the best interest of the Town because of the nature of the Note, the amount of the Note and the prevailing market conditions, and because delays caused by soliciting competitive bids could adversely affect the Town's ability to issue and deliver the Note at presently favorable interest rates.

SECTION 5. Award; Form of Note. The Town Council hereby approves the Term Sheet and the sale of the Note to the Bank upon the terms and conditions set forth therein. In the event of any conflict between the terms of the Term Sheet and the Loan Agreement, the terms of the Loan Agreement shall control. The Note shall be in substantially the form as set forth in the Loan Agreement, with such additions, deletions and other changes thereto as the officials of the Town executing the Note shall approve, such approval to be conclusively evidenced by the execution of the Note (by manual or facsimile signature) by such officials. As a condition precedent to the issuance of the Note, the Town shall receive a Certificate of the Bank substantially in the form attached hereto as **Exhibit B** and a Disclosure Letter containing the information required by Section 218.385, Florida Statutes.

SECTION 6. Application of Note Proceeds. Proceeds of the Note shall be applied as provided in the Loan Agreement.

SECTION 7. Designation of Note as a "Qualified Tax Exempt Obligation pursuant to Section 265(b)(3) of the Code. The Town hereby designates the Note as a "qualified tax-exempt obligation" under and as defined in Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

SECTION 8. Open Meetings. It is hereby found and determined that all official acts of this Town Council concerning and relating to the issuance, sale and delivery of the Note, including but not limited to adoption of this Resolution and the approval of the Term Sheet, were taken in open meetings of the members of the Town Council, and all deliberations of the members of the Town council that resulted in such official acts were in meetings open to the public in compliance

with all legal requirements including, but not limited to, the requirement of Florida Statutes, Section 286.011.

SECTION 9. Other Actions. The Mayor, the Town Manager, the Town Clerk, any Deputy Town Clerk, the Town Attorney and any authorized designee thereof (collectively, the "Town Officers"), and any other consultant or experts retained by the Town, are hereby authorized and directed to take all actions necessary or desirable in connection with the issuance and delivery of the Note and the consummation of all transactions in connection therewith. The Town Officers are hereby authorized and directed to execute all necessary or desirable certificates, documents, papers, and agreements necessary to the undertaking and fulfillment of all transactions referred to in or contemplated by this Resolution and the Term Sheet. Any reference in this Resolution to the "Town Manager" shall mean the Town Manager of the Town or, in his absence, such other persons authorized to act on his behalf.

SECTION 10. Severability. If any section, paragraph, clause or provision of this Resolution shall be held to be invalid or ineffective for any reason, the remainder of this Resolution shall continue in full force and effect, it being expressly hereby found and declared that the remainder of this Resolution would have been adopted despite the invalidity or ineffectiveness of such section, paragraph, clause or provision.

SECTION 11. Effective Date. This Resolution shall become effective immediately upon its adoption.

ADOPTED this 13th day of April 2021.

TOWN OF WINDERMERE, FLORIDA

_____
Jim O'Brien, Mayor

Attest:

_____
Dorothy Burkhalter, MMC, FCRM
Town Clerk

EXHIBIT A

TERM SHEET

BUSINESS LOAN AGREEMENT

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
$25,000.00	04-19-2021	04-19-2026	802856-17		802856	JM	

References in the boxes above are for Lender's use only and do not limit the applicability of this document to any particular loan or item.
Any item above containing "****" has been omitted due to text length limitations.

Borrower: Town of Windermere, Florida
614 Main Street Suite A
Windermere, FL 34786

Lender: Synovus Bank
1148 Broadway
Columbus, GA 31901

THIS BUSINESS LOAN AGREEMENT dated April 19, 2021, is made and executed between Town of Windermere, Florida ("Borrower") and Synovus Bank ("Lender") on the following terms and conditions. Borrower has received prior commercial loans from Lender or has applied to Lender for a commercial loan or loans or other financial accommodations, including those which may be described on any exhibit or schedule attached to this Agreement. Borrower understands and agrees that: (A) in granting, renewing, or extending any Loan, Lender is relying upon Borrower's representations, warranties, and agreements as set forth in this Agreement; (B) the granting, renewing, or extending of any Loan by Lender at all times shall be subject to Lender's sole judgment and discretion; and (C) all such Loans shall be and remain subject to the terms and conditions of this Agreement.

TERM. This Agreement shall be effective as of April 19, 2021, and shall continue in full force and effect until such time as all of Borrower's Loans in favor of Lender have been paid in full, including principal, interest, costs, expenses, attorneys' fees, and other fees and charges, or until such time as the parties may agree in writing to terminate this Agreement.

CONDITIONS PRECEDENT TO EACH ADVANCE. Lender's obligation to make the initial Advance and each subsequent Advance under this Agreement shall be subject to the fulfillment to Lender's satisfaction of all of the conditions set forth in this Agreement and in the Related Documents.

Loan Documents. Borrower shall provide to Lender the following documents for the Loan: (1) the Note; (2) together with all such Related Documents as Lender may require for the Loan; all in form and substance satisfactory to Lender and Lender's counsel.

Borrower's Authorization. Borrower shall have provided in form and substance satisfactory to Lender properly certified resolutions, duly authorizing the execution and delivery of this Agreement, the Note and the Related Documents. In addition, Borrower shall have provided such other resolutions, authorizations, documents and instruments as Lender or its counsel, may require.

Payment of Fees and Expenses. Borrower shall have paid to Lender all fees, charges, and other expenses which are then due and payable as specified in this Agreement or any Related Document.

Representations and Warranties. The representations and warranties set forth in this Agreement, in the Related Documents, and in any document or certificate delivered to Lender under this Agreement are true and correct.

No Event of Default. There shall not exist at the time of any Advance a condition which would constitute an Event of Default under this Agreement or under any Related Document.

REPRESENTATIONS AND WARRANTIES. Borrower represents and warrants to Lender, as of the date of this Agreement, as of the date of each disbursement of loan proceeds, as of the date of any renewal, extension or modification of any Loan, and at all times any Indebtedness exists:

Organization. Borrower is a governmental entity which is, and at all times shall be, duly organized, validly existing, and in good standing under and by virtue of the laws of the State of Florida. Borrower is duly authorized to transact business in all other states in which Borrower is doing business, having obtained all necessary filings, governmental licenses and approvals for each state in which Borrower is doing business. Specifically, Borrower is, and at all times shall be, duly qualified as a foreign in all states in which the failure to so qualify would have a material adverse effect on its business or financial condition. Borrower has the full power and authority to own its properties and to transact the business in which it is presently engaged or presently proposes to engage. Borrower maintains an office at 614 Main Street Suite A, Windermere, FL 34786. Unless Borrower has designated otherwise in writing, the principal office is the office at which Borrower keeps its books and records including its records concerning the Collateral. Borrower will notify Lender prior to any change in the location of Borrower's state of organization or any change in Borrower's name. Borrower shall do all things necessary to preserve and to keep in full force and effect its existence, rights and privileges, and shall comply with all regulations, rules, ordinances, statutes, orders and decrees of any governmental or quasi-governmental authority or court applicable to Borrower and Borrower's business activities.

Assumed Business Names. Borrower has filed or recorded all documents or filings required by law relating to all assumed business names used by Borrower. Excluding the name of Borrower, the following is a complete list of all assumed business names under which Borrower does business: **None.**

Authorization. Borrower's execution, delivery, and performance of this Agreement and all the Related Documents have been duly authorized by all necessary action by Borrower and do not conflict with, result in a violation of, or constitute a default under (1) any provision of any agreement or other instrument binding upon Borrower or (2) any law, governmental regulation, court decree, or order applicable to Borrower or to Borrower's properties.

Financial Information. Each of Borrower's financial statements supplied to Lender truly and completely disclosed Borrower's financial condition as of the date of the statement, and there has been no material adverse change in Borrower's financial condition subsequent to the date of the most recent financial statement supplied to Lender. Borrower has no material contingent obligations except as disclosed in such financial statements.

Legal Effect. This Agreement constitutes, and any instrument or agreement Borrower is required to give under this Agreement when delivered will constitute legal, valid, and binding obligations of Borrower enforceable against Borrower in accordance with their respective terms.

Properties. Except as contemplated by this Agreement or as previously disclosed in Borrower's financial statements or in writing to Lender and as accepted by Lender, and except for property tax liens for taxes not presently due and payable, Borrower owns and has good title to all of Borrower's properties free and clear of all Security Interests, and has not executed any security documents or financing statements relating to such properties. All of Borrower's properties are titled in Borrower's legal name, and Borrower has not used or filed a financing statement under any other name for at least the last five (5) years.

Hazardous Substances. Except as disclosed to and acknowledged by Lender in writing, Borrower represents and warrants that: (1) During the period of Borrower's ownership of the Collateral, there has been no use, generation, manufacture, storage, treatment, disposal, release or threatened release of any Hazardous Substance by any person on, under, about or from any of the Collateral. (2) Borrower has no knowledge of, or reason to believe that there has been (a) any breach or violation of any Environmental Laws; (b) any use, generation, manufacture, storage, treatment, disposal, release or threatened release of any Hazardous Substance on, under, about or from the

Collateral by any prior owners or occupants of any of the Collateral; or (c) any actual or threatened litigation or claims of any kind by any person relating to such matters. (3) Neither Borrower nor any tenant, contractor, agent or other authorized user of any of the Collateral shall use, generate, manufacture, store, treat, dispose of or release any Hazardous Substance on, under, about or from any of the Collateral; and any such activity shall be conducted in compliance with all applicable federal, state, and local laws, regulations, and ordinances, including without limitation all Environmental Laws. Borrower authorizes Lender and its agents to enter upon the Collateral to make such inspections and tests as Lender may deem appropriate to determine compliance of the Collateral with this section of the Agreement. Any inspections or tests made by Lender shall be at Borrower's expense and for Lender's purposes only and shall not be construed to create any responsibility or liability on the part of Lender to Borrower or to any other person. The representations and warranties contained herein are based on Borrower's due diligence in investigating the Collateral for hazardous waste and Hazardous Substances. Borrower hereby (1) releases and waives any future claims against Lender for indemnity or contribution in the event Borrower becomes liable for cleanup or other costs under any such laws, and (2) agrees to indemnify, defend, and hold harmless Lender against any and all claims, losses, liabilities, damages, penalties, and expenses which Lender may directly or indirectly sustain or suffer resulting from a breach of this section of the Agreement or as a consequence of any use, generation, manufacture, storage, disposal, release or threatened release of a hazardous waste or substance on the Collateral. The provisions of this section of the Agreement, including the obligation to indemnify and defend, shall survive the payment of the Indebtedness and the termination, expiration or satisfaction of this Agreement and shall not be affected by Lender's acquisition of any interest in any of the Collateral, whether by foreclosure or otherwise.

Litigation and Claims. No litigation, claim, investigation, administrative proceeding or similar action (including those for unpaid taxes) against Borrower is pending or threatened, and no other event has occurred which may materially adversely affect Borrower's financial condition or properties, other than litigation, claims, or other events, if any, that have been disclosed to and acknowledged by Lender in writing.

Taxes. To the best of Borrower's knowledge, all of Borrower's tax returns and reports that are or were required to be filed, have been filed, and all taxes, assessments and other governmental charges have been paid in full, except those presently being or to be contested by Borrower in good faith in the ordinary course of business and for which adequate reserves have been provided.

Lien Priority. Unless otherwise previously disclosed to Lender in writing, Borrower has not entered into or granted any Security Agreements, or permitted the filing or attachment of any Security Interests on or affecting any of the Collateral directly or indirectly securing repayment of Borrower's Loan and Note, that would be prior or that may in any way be superior to Lender's Security Interests and rights in and to such Collateral.

Binding Effect. This Agreement, the Note, all Security Agreements (if any), and all Related Documents are binding upon the signers thereof, as well as upon their successors, representatives and assigns, and are legally enforceable in accordance with their respective terms.

AFFIRMATIVE COVENANTS. Borrower covenants and agrees with Lender that, so long as this Agreement remains in effect, Borrower will:

Notices of Claims and Litigation. Promptly inform Lender in writing of (1) all material adverse changes in Borrower's financial condition, and (2) all existing and all threatened litigation, claims, investigations, administrative proceedings or similar actions affecting Borrower or any Guarantor which could materially affect the financial condition of Borrower or the financial condition of any Guarantor.

Financial Records. Maintain its books and records in accordance with GAAP, applied on a consistent basis, and permit Lender to examine and audit Borrower's books and records at all reasonable times.

Financial Statements. Furnish Lender with the following:

Annual Statements. As soon as available, but in no event later than 270 days after the end of each fiscal year, Borrower's balance sheet and income statement for the year ended, audited by a certified public accountant satisfactory to Lender.

Additional Requirements.

Borrower shall provide Credit Service Review prepared internally to the Bank within sixty (60) days of the end of each fiscal year.

Borrower shall provide Annual Budget prepared internally to the Bank within 60 days of the end of each fiscal year.

All financial reports required to be provided under this Agreement shall be prepared in accordance with GAAP, applied on a consistent basis, and certified by Borrower as being true and correct.

Additional Information. Furnish such additional information and statements, as Lender may request from time to time.

Insurance. Maintain fire and other risk insurance, public liability insurance, and such other insurance as Lender may require with respect to Borrower's properties and operations, in form, amounts, coverages and with insurance companies acceptable to Lender. Borrower, upon request of Lender, will deliver to Lender from time to time the policies or certificates of insurance in form satisfactory to Lender, including stipulations that coverages will not be cancelled or diminished without at least thirty (30) days prior written notice to Lender. Each insurance policy also shall include an endorsement providing that coverage in favor of Lender will not be impaired in any way by any act, omission or default of Borrower or any other person. In connection with all policies covering assets in which Lender holds or is offered a security interest for the Loans, Borrower will provide Lender with such lender's loss payable or other endorsements as Lender may require.

Insurance Reports. Furnish to Lender, upon request of Lender, reports on each existing insurance policy showing such information as Lender may reasonably request, including without limitation the following: (1) the name of the insurer; (2) the risks insured; (3) the amount of the policy; (4) the properties insured; (5) the then current property values on the basis of which insurance has been obtained, and the manner of determining those values; and (6) the expiration date of the policy. In addition, upon request of Lender (however not more often than annually), Borrower will have an independent appraiser satisfactory to Lender determine, as applicable, the actual cash value or replacement cost of any Collateral. The cost of such appraisal shall be paid by Borrower.

Other Agreements. Comply with all terms and conditions of all other agreements, whether now or hereafter existing, between Borrower and any other party and notify Lender immediately in writing of any default in connection with any other such agreements.

Loan Proceeds. Use all Loan proceeds solely for Borrower's business operations, unless specifically consented to the contrary by Lender in writing.

Taxes, Charges and Liens. Pay and discharge when due all of its indebtedness and obligations, including without limitation all assessments, taxes, governmental charges, levies and liens, of every kind and nature, imposed upon Borrower or its properties, income, or profits, prior to the date on which penalties would attach, and all lawful claims that, if unpaid, might become a lien or charge upon any of Borrower's properties, income, or profits. Provided however, Borrower will not be required to pay and discharge any such assessment, tax, charge, levy, lien or claim so long as (1) the legality of the same shall be contested in good faith by appropriate proceedings, and (2) Borrower shall have established on Borrower's books adequate reserves with respect to such contested assessment, tax, charge, levy, lien, or claim

in accordance with GAAP.

Performance. Perform and comply, in a timely manner, with all terms, conditions, and provisions set forth in this Agreement, in the Related Documents, and in all other instruments and agreements between Borrower and Lender. Borrower shall notify Lender immediately in writing of any default in connection with any agreement.

Operations. Maintain executive and management personnel with substantially the same qualifications and experience as the present executive and management personnel; provide written notice to Lender of any change in executive and management personnel; conduct its business affairs in a reasonable and prudent manner.

Environmental Studies. Promptly conduct and complete, at Borrower's expense, all such investigations, studies, samplings and testings as may be requested by Lender or any governmental authority relative to any substance, or any waste or by-product of any substance defined as toxic or a hazardous substance under applicable federal, state, or local law, rule, regulation, order or directive, at or affecting any property or any facility owned, leased or used by Borrower.

Compliance with Governmental Requirements. Comply with all laws, ordinances, and regulations, now or hereafter in effect, of all governmental authorities applicable to the conduct of Borrower's properties, businesses and operations, and to the use or occupancy of the Collateral, including without limitation, the Americans With Disabilities Act. Borrower may contest in good faith any such law, ordinance, or regulation and withhold compliance during any proceeding, including appropriate appeals, so long as Borrower has notified Lender in writing prior to doing so and so long as, in Lender's sole opinion, Lender's interests in the Collateral are not jeopardized. Lender may require Borrower to post adequate security or a surety bond, reasonably satisfactory to Lender, to protect Lender's interest.

Inspection. Permit employees or agents of Lender at any reasonable time to inspect any and all Collateral for the Loan or Loans and Borrower's other properties and to examine or audit Borrower's books, accounts, and records and to make copies and memoranda of Borrower's books, accounts, and records. If Borrower now or at any time hereafter maintains any records (including without limitation computer generated records and computer software programs for the generation of such records) in the possession of a third party, Borrower, upon request of Lender, shall notify such party to permit Lender free access to such records at all reasonable times and to provide Lender with copies of any records it may request, all at Borrower's expense.

Environmental Compliance and Reports. Borrower shall comply in all respects with any and all Environmental Laws; not cause or permit to exist, as a result of an intentional or unintentional action or omission on Borrower's part or on the part of any third party, on property owned and/or occupied by Borrower, any environmental activity where damage may result to the environment, unless such environmental activity is pursuant to and in compliance with the conditions of a permit issued by the appropriate federal, state or local governmental authorities; shall furnish to Lender promptly and in any event within thirty (30) days after receipt thereof a copy of any notice, summons, lien, citation, directive, letter or other communication from any governmental agency or instrumentality concerning any intentional or unintentional action or omission on Borrower's part in connection with any environmental activity whether or not there is damage to the environment and/or other natural resources.

Additional Assurances. Make, execute and deliver to Lender such promissory notes, mortgages, deeds of trust, security agreements, assignments, financing statements, instruments, documents and other agreements as Lender or its attorneys may reasonably request to evidence and secure the Loans and to perfect all Security Interests.

LENDER'S EXPENDITURES. If any action or proceeding is commenced that would materially affect Lender's interest in the Collateral or if Borrower fails to comply with any provision of this Agreement or any Related Documents, including but not limited to Borrower's failure to discharge or pay when due any amounts Borrower is required to discharge or pay under this Agreement or any Related Documents, Lender on Borrower's behalf may (but shall not be obligated to) take any action that Lender deems appropriate, including but not limited to discharging or paying all taxes, liens, security interests, encumbrances and other claims, at any time levied or placed on any Collateral and paying all costs for insuring, maintaining and preserving any Collateral. All such expenditures incurred or paid by Lender for such purposes will then bear interest at the rate charged under the Note from the date incurred or paid by Lender to the date of repayment by Borrower. All such expenses will become a part of the Indebtedness and, at Lender's option, will (A) be payable on demand; (B) be added to the balance of the Note and be apportioned among and be payable with any installment payments to become due during either (1) the term of any applicable insurance policy; or (2) the remaining term of the Note; or (C) be treated as a balloon payment which will be due and payable at the Note's maturity.

NEGATIVE COVENANTS. Borrower covenants and agrees with Lender that while this Agreement is in effect, Borrower shall not, without the prior written consent of Lender:

Indebtedness and Liens. (1) Except for trade debt incurred in the normal course of business and indebtedness to Lender contemplated by this Agreement, create, incur or assume indebtedness for borrowed money, including capital leases, (2) sell, transfer, mortgage, assign, pledge, lease, grant a security interest in, or encumber any of Borrower's assets (except as allowed as Permitted Liens), or (3) sell with recourse any of Borrower's accounts, except to Lender.

Continuity of Operations. (1) Engage in any business activities substantially different than those in which Borrower is presently engaged, (2) cease operations, liquidate, merge, transfer, acquire or consolidate with any other entity, change its name, dissolve or transfer or sell Collateral out of the ordinary course of business, or (3) make any distribution with respect to any capital account, whether by reduction of capital or otherwise.

Loans, Acquisitions and Guaranties. (1) Loan, invest in or advance money or assets to any other person, enterprise or entity, (2) purchase, create or acquire any interest in any other enterprise or entity, or (3) incur any obligation as surety or guarantor other than in the ordinary course of business.

Agreements. Enter into any agreement containing any provisions which would be violated or breached by the performance of Borrower's obligations under this Agreement or in connection herewith.

CESSATION OF ADVANCES. If Lender has made any commitment to make any Loan to Borrower, whether under this Agreement or under any other agreement, Lender shall have no obligation to make Loan Advances or to disburse Loan proceeds if: (A) Borrower or any Guarantor is in default under the terms of this Agreement or any of the Related Documents or any other agreement that Borrower or any Guarantor has with Lender; (B) Borrower or any Guarantor dies, becomes incompetent or becomes insolvent, files a petition in bankruptcy or similar proceedings, or is adjudged a bankrupt; (C) there occurs a material adverse change in Borrower's financial condition, in the financial condition of any Guarantor, or in the value of any Collateral securing any Loan; or (D) any Guarantor seeks, claims or otherwise attempts to limit, modify or revoke such Guarantor's guaranty of the Loan or any other loan with Lender; or (E) Lender in good faith deems itself insecure, even though no Event of Default shall have occurred.

RIGHT OF SETOFF. To the extent permitted by applicable law, Lender reserves a right of setoff in all Borrower's accounts with Lender (whether checking, savings, or some other account). This includes all accounts Borrower holds jointly with someone else and all accounts Borrower may open in the future. However, this does not include any IRA or Keogh accounts, or any trust accounts for which setoff would be prohibited by law. Borrower authorizes Lender, to the extent permitted by applicable law, to charge or setoff all sums owing on the debt against any and all

such accounts, and, at Lender's option, to administratively freeze all such accounts to allow Lender to protect Lender's charge and setoff rights provided in this paragraph.

DEFAULT. Each of the following shall constitute an Event of Default under this Agreement:

Payment Default. Borrower fails to make any payment when due under the Loan.

Other Defaults. Borrower fails to comply with or to perform any other term, obligation, covenant or condition contained in this Agreement or in any of the Related Documents or to comply with or to perform any term, obligation, covenant or condition contained in any other agreement between Lender and Borrower.

Default in Favor of Third Parties. Borrower or any Grantor defaults under any loan, extension of credit, security agreement, purchase or sales agreement, or any other agreement, in favor of any other creditor or person that may materially affect any of Borrower's or any Grantor's property or Borrower's or any Grantor's ability to repay the Loans or perform their respective obligations under this Agreement or any of the Related Documents.

False Statements. Any warranty, representation or statement made or furnished to Lender by Borrower or on Borrower's behalf under this Agreement or the Related Documents is false or misleading in any material respect, either now or at the time made or furnished or becomes false or misleading at any time thereafter.

Death or Insolvency. The death of Borrower or the dissolution or termination of Borrower's existence as a going business, the insolvency of Borrower, the appointment of a receiver for any part of Borrower's property, any assignment for the benefit of creditors, any type of creditor workout, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Borrower.

Defective Collateralization. This Agreement or any of the Related Documents ceases to be in full force and effect (including failure of any collateral document to create a valid and perfected security interest or lien) at any time and for any reason.

Creditor or Forfeiture Proceedings. Commencement of foreclosure or forfeiture proceedings, whether by judicial proceeding, self-help, repossession or any other method, by any creditor of Borrower or by any governmental agency against any collateral securing the Loan. This includes a garnishment of any of Borrower's accounts, including deposit accounts, with Lender. However, this Event of Default shall not apply if there is a good faith dispute by Borrower as to the validity or reasonableness of the claim which is the basis of the creditor or forfeiture proceeding and if Borrower gives Lender written notice of the creditor or forfeiture proceeding and deposits with Lender monies or a surety bond for the creditor or forfeiture proceeding, in an amount determined by Lender, in its sole discretion, as being an adequate reserve or bond for the dispute.

Events Affecting Guarantor. Any of the preceding events occurs with respect to any Guarantor of any of the Indebtedness or any Guarantor dies or becomes incompetent, or revokes or disputes the validity of, or liability under, any Guaranty of the Indebtedness.

Adverse Change. A material adverse change occurs in Borrower's financial condition, or Lender believes the prospect of payment or performance of the Loan is impaired.

Insecurity. Lender in good faith believes itself insecure.

EFFECT OF AN EVENT OF DEFAULT. If any Event of Default shall occur, except where otherwise provided in this Agreement or the Related Documents, all commitments and obligations of Lender under this Agreement or the Related Documents or any other agreement immediately will terminate (including any obligation to make further Loan Advances or disbursements), and, at Lender's option, all Indebtedness immediately will become due and payable, all without notice of any kind to Borrower, except that in the case of an Event of Default of the type described in the "Insolvency" subsection above, such acceleration shall be automatic and not optional. In addition, Lender shall have all the rights and remedies provided in the Related Documents or available at law, in equity, or otherwise. Except as may be prohibited by applicable law, all of Lender's rights and remedies shall be cumulative and may be exercised singularly or concurrently. Election by Lender to pursue any remedy shall not exclude pursuit of any other remedy, and an election to make expenditures or to take action to perform an obligation of Borrower or of any Grantor shall not affect Lender's right to declare a default and to exercise its rights and remedies.

ADDITIONAL REMEDIES FOR NONCOMPLIANCE WITH FINANCIAL AND OTHER REPORTING REQUIREMENTS. Notwithstanding anything in this Agreement or the Related Documents to the contrary, if for any reason Borrower fails to furnish Lender with any and all balance sheets, income statements, tax returns, financial reports and other information in strict compliance with the requirements, conditions and timing deadlines of this Agreement, and the other Related Documents, time being of the essence, then the Loan evidenced by the Note described in this Agreement, at the option of the Lender (in addition to all other rights and remedies of Lender) shall be assessed an ongoing monthly fee in the amount of $500.00 until Borrower complies with the requirements, conditions and timing deadlines of this Agreement.

LOAN ADDENDUM AND ALLONGE TO NOTE. See the attached Loan Addendum and Allonge to Note for additional terms and conditions.

MONETARY DEFAULT RATE. The "default rate of interest" shall be the lesser of five percentage points over the Bank's Prime Rate of interest or the maximum legal rate at the time of the Monetary Default. The default rate of interest shall only apply for interest during the period between when the Monetary Default (after noticed cure period), occurs and when it is cured by the Town.

INTEREST RATE ADJUSTMENT. In the event the interest on the Note becomes subject to federal income tax in any period due to actions or inactions of the Town, the interest rate will convert to the taxable rate during that period. The taxable rate will be calculated by dividing the current tax-exempt rate by 1 minus the maximum federal corporate tax rate. In addition, the Town shall make the Bank whole for any interest, penalties, and additions to tax suffered by the Bank.

MISCELLANEOUS PROVISIONS. The following miscellaneous provisions are a part of this Agreement:

Amendments. This Agreement, together with any Related Documents, constitutes the entire understanding and agreement of the parties as to the matters set forth in this Agreement. No alteration of or amendment to this Agreement shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.

Attorneys' Fees; Expenses. Borrower agrees to pay upon demand all of Lender's costs and expenses, including Lender's reasonable attorneys' fees and Lender's legal expenses, incurred in connection with the enforcement of this Agreement. Lender may hire or pay someone else to help enforce this Agreement, and Borrower shall pay the costs and expenses of such enforcement. Costs and expenses include Lender's reasonable attorneys' fees and legal expenses whether or not there is a lawsuit, including reasonable attorneys' fees and legal expenses for bankruptcy proceedings (including efforts to modify or vacate any automatic stay or injunction), appeals, and any anticipated post-judgment collection services. Borrower also shall pay all court costs and such additional fees as may be directed by the court.

Caption Headings. Caption headings in this Agreement are for convenience purposes only and are not to be used to interpret or define the provisions of this Agreement.

Consent to Loan Participation. Borrower agrees and consents to Lender's sale or transfer, whether now or later, of one or more

participation interests in the Loan to one or more purchasers, whether related or unrelated to Lender. Lender may provide, without any limitation whatsoever, to any one or more purchasers, or potential purchasers, any information or knowledge Lender may have about Borrower or about any other matter relating to the Loan, and Borrower hereby waives any rights to privacy Borrower may have with respect to such matters. Borrower additionally waives any and all notices of sale of participation interests, as well as all notices of any repurchase of such participation interests. Borrower also agrees that the purchasers of any such participation interests will be considered as the absolute owners of such interests in the Loan and will have all the rights granted under the participation agreement or agreements governing the sale of such participation interests. Borrower further waives all rights of offset or counterclaim that it may have now or later against Lender or against any purchaser of such a participation interest and unconditionally agrees that either Lender or such purchaser may enforce Borrower's obligation under the Loan irrespective of the failure or insolvency of any holder of any interest in the Loan. Borrower further agrees that the purchaser of any such participation interests may enforce its interests irrespective of any personal claims or defenses that Borrower may have against Lender.

Governing Law. This Agreement will be governed by federal law applicable to Lender and, to the extent not preempted by federal law, the laws of the State of Florida without regard to its conflicts of law provisions. This Agreement has been accepted by Lender in the State of Florida.

Choice of Venue. If there is a lawsuit, Borrower agrees upon Lender's request to submit to the jurisdiction of the courts of Orange County, State of Florida.

No Waiver by Lender. Lender shall not be deemed to have waived any rights under this Agreement unless such waiver is given in writing and signed by Lender. No delay or omission on the part of Lender in exercising any right shall operate as a waiver of such right or any other right. A waiver by Lender of a provision of this Agreement shall not prejudice or constitute a waiver of Lender's right otherwise to demand strict compliance with that provision or any other provision of this Agreement. No prior waiver by Lender, nor any course of dealing between Lender and Borrower, or between Lender and any Grantor, shall constitute a waiver of any of Lender's rights or of any of Borrower's or any Grantor's obligations as to any future transactions. Whenever the consent of Lender is required under this Agreement, the granting of such consent by Lender in any instance shall not constitute continuing consent to subsequent instances where such consent is required and in all cases such consent may be granted or withheld in the sole discretion of Lender.

Notices. Any notice required to be given under this Agreement shall be given in writing, and shall be effective when actually delivered, when actually received by telefacsimile (unless otherwise required by law), when deposited with a nationally recognized overnight courier, or, if mailed, when deposited in the United States mail, as first class, certified or registered mail postage prepaid, directed to the addresses shown near the beginning of this Agreement. Any party may change its address for notices under this Agreement by giving written notice to the other parties, specifying that the purpose of the notice is to change the party's address. For notice purposes, Borrower agrees to keep Lender informed at all times of Borrower's current address. Unless otherwise provided or required by law, if there is more than one Borrower, any notice given by Lender to any Borrower is deemed to be notice given to all Borrowers.

Severability. If a court of competent jurisdiction finds any provision of this Agreement to be illegal, invalid, or unenforceable as to any circumstance, that finding shall not make the offending provision illegal, invalid, or unenforceable as to any other circumstance. If feasible, the offending provision shall be considered modified so that it becomes legal, valid and enforceable. If the offending provision cannot be so modified, it shall be considered deleted from this Agreement. Unless otherwise required by law, the illegality, invalidity, or unenforceability of any provision of this Agreement shall not affect the legality, validity or enforceability of any other provision of this Agreement.

Subsidiaries and Affiliates of Borrower. To the extent the context of any provisions of this Agreement makes it appropriate, including without limitation any representation, warranty or covenant, the word "Borrower" as used in this Agreement shall include all of Borrower's subsidiaries and affiliates. Notwithstanding the foregoing however, under no circumstances shall this Agreement be construed to require Lender to make any Loan or other financial accommodation to any of Borrower's subsidiaries or affiliates.

Successors and Assigns. All covenants and agreements by or on behalf of Borrower contained in this Agreement or any Related Documents shall bind Borrower's successors and assigns and shall inure to the benefit of Lender and its successors and assigns. Borrower shall not, however, have the right to assign Borrower's rights under this Agreement or any interest therein, without the prior written consent of Lender.

Survival of Representations and Warranties. Borrower understands and agrees that in making the Loan, Lender is relying on all representations, warranties, and covenants made by Borrower in this Agreement or in any certificate or other instrument delivered by Borrower to Lender under this Agreement or the Related Documents. Borrower further agrees that regardless of any investigation made by Lender, all such representations, warranties and covenants will survive the making of the Loan and delivery to Lender of the Related Documents, shall be continuing in nature, and shall remain in full force and effect until such time as Borrower's Indebtedness shall be paid in full, or until this Agreement shall be terminated in the manner provided above, whichever is the last to occur.

Time is of the Essence. Time is of the essence in the performance of this Agreement.

Waive Jury. All parties to this Agreement hereby waive the right to any jury trial in any action, proceeding, or counterclaim brought by any party against any other party.

DEFINITIONS. The following capitalized words and terms shall have the following meanings when used in this Agreement. Unless specifically stated to the contrary, all references to dollar amounts shall mean amounts in lawful money of the United States of America. Words and terms used in the singular shall include the plural, and the plural shall include the singular, as the context may require. Words and terms not otherwise defined in this Agreement shall have the meanings attributed to such terms in the Uniform Commercial Code. Accounting words and terms not otherwise defined in this Agreement shall have the meanings assigned to them in accordance with generally accepted accounting principles as in effect on the date of this Agreement:

Advance. The word "Advance" means a disbursement of Loan funds made, or to be made, to Borrower or on Borrower's behalf on a line of credit or multiple advance basis under the terms and conditions of this Agreement.

Agreement. The word "Agreement" means this Business Loan Agreement, as this Business Loan Agreement may be amended or modified from time to time, together with all exhibits and schedules attached to this Business Loan Agreement from time to time.

Borrower. The word "Borrower" means Town of Windermere, Florida and includes all co-signers and co-makers signing the Note and all their successors and assigns.

Collateral. The word "Collateral" means all property and assets granted as collateral security for a Loan, whether real or personal property, whether granted directly or indirectly, whether granted now or in the future, and whether granted in the form of a security interest, mortgage, collateral mortgage, deed of trust, assignment, pledge, crop pledge, chattel mortgage, collateral chattel mortgage, chattel trust, factor's lien, equipment trust, conditional sale, trust receipt, lien, charge, lien or title retention contract, lease or consignment intended as a security device, or any other security or lien interest whatsoever, whether created by law, contract, or otherwise.

Environmental Laws. The words "Environmental Laws" mean any and all state, federal and local statutes, regulations and ordinances relating to the protection of human health or the environment, including without limitation the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. Section 9601, et seq. ("CERCLA"), the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499 ("SARA"), the Hazardous Materials Transportation Act, 49 U.S.C. Section 1801, et seq., the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901, et seq., or other applicable state or federal laws, rules, or regulations adopted pursuant thereto.

Event of Default. The words "Event of Default" mean any of the events of default set forth in this Agreement in the default section of this Agreement.

GAAP. The word "GAAP" means generally accepted accounting principles.

Grantor. The word "Grantor" means each and all of the persons or entities granting a Security Interest in any Collateral for the Loan, including without limitation all Borrowers granting such a Security Interest.

Guarantor. The word "Guarantor" means any guarantor, surety, or accommodation party of any or all of the Loan.

Guaranty. The word "Guaranty" means the guaranty from Guarantor to Lender, including without limitation a guaranty of all or part of the Note.

Hazardous Substances. The words "Hazardous Substances" mean materials that, because of their quantity, concentration or physical, chemical or infectious characteristics, may cause or pose a present or potential hazard to human health or the environment when improperly used, treated, stored, disposed of, generated, manufactured, transported or otherwise handled. The words "Hazardous Substances" are used in their very broadest sense and include without limitation any and all hazardous or toxic substances, materials or waste as defined by or listed under the Environmental Laws. The term "Hazardous Substances" also includes, without limitation, petroleum and petroleum by-products or any fraction thereof and asbestos.

Indebtedness. The word "Indebtedness" means the indebtedness evidenced by the Note or Related Documents, including all principal and interest together with all other indebtedness and costs and expenses for which Borrower is responsible under this Agreement or under any of the Related Documents.

Lender. The word "Lender" means Synovus Bank, its successors and assigns.

Loan. The word "Loan" means any and all loans and financial accommodations from Lender to Borrower whether now or hereafter existing, and however evidenced, including without limitation those loans and financial accommodations described herein or described on any exhibit or schedule attached to this Agreement from time to time.

Note. The word "Note" means the Note dated April 19, 2021 and executed by Town of Windermere, Florida in the principal amount of $25,000.00, together with all renewals of, extensions of, modifications of, refinancings of, consolidations of, and substitutions for the note or credit agreement.

Permitted Liens. The words "Permitted Liens" mean (1) liens and security interests securing Indebtedness owed by Borrower to Lender; (2) liens for taxes, assessments, or similar charges either not yet due or being contested in good faith; (3) liens of materialmen, mechanics, warehousemen, or carriers, or other like liens arising in the ordinary course of business and securing obligations which are not yet delinquent; (4) purchase money liens or purchase money security interests upon or in any property acquired or held by Borrower in the ordinary course of business to secure indebtedness outstanding on the date of this Agreement or permitted to be incurred under the paragraph of this Agreement titled "Indebtedness and Liens"; (5) liens and security interests which, as of the date of this Agreement, have been disclosed to and approved by the Lender in writing; and (6) those liens and security interests which in the aggregate constitute an immaterial and insignificant monetary amount with respect to the net value of Borrower's assets.

Related Documents. The words "Related Documents" mean all promissory notes, credit agreements, loan agreements, environmental agreements, guaranties, security agreements, mortgages, deeds of trust, security deeds, collateral mortgages, and all other instruments, agreements and documents, whether now or hereafter existing, executed in connection with the Loan.

Security Agreement. The words "Security Agreement" mean and include without limitation any agreements, promises, covenants, arrangements, understandings or other agreements, whether created by law, contract, or otherwise, evidencing, governing, representing, or creating a Security Interest.

Security Interest. The words "Security Interest" mean, without limitation, any and all types of collateral security, present and future, whether in the form of a lien, charge, encumbrance, mortgage, deed of trust, security deed, assignment, pledge, crop pledge, chattel mortgage, collateral chattel mortgage, chattel trust, factor's lien, equipment trust, conditional sale, trust receipt, lien or title retention contract, lease or consignment intended as a security device, or any other security or lien interest whatsoever whether created by law, contract, or otherwise.

BORROWER ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS BUSINESS LOAN AGREEMENT AND BORROWER AGREES TO ITS TERMS. THIS BUSINESS LOAN AGREEMENT IS DATED APRIL 19, 2021.

BORROWER:

TOWN OF WINDERMERE, FLORIDA

By: _____
Robert J. Smith, Town Manager of Town of Windermere, Florida

LENDER:

SYNOVUS BANK

By: _____
Authorized Signer

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DRAFT

AMORTIZATION SCHEDULE

Principal	Loan Date	Maturity	Loan No	Call / Coll	Account	Officer	Initials
$25,000.00	04-19-2021	04-19-2026	802856-17		802856	JM	

References in the boxes above are for Lender's use only and do not limit the applicability of this document to any particular loan or item.
Any item above containing "****" has been omitted due to text length limitations.

Borrower: Town of Windermere, Florida
614 Main Street Suite A
Windermere, FL 34786

Lender: Synovus Bank
1148 Broadway
Columbus, GA 31901

Disbursement Date: April 19, 2021
Interest Rate: 2.400

Repayment Schedule: Installment
Calculation Method: 30/360 U.S. Rule

Payment Number	Payment Date	Payment Amount	Interest Paid	Principal Paid	Remaining Balance
1	04-19-2022	5,365.69	600.00	4,765.69	20,234.31
2	04-19-2023	5,365.69	485.62	4,880.07	15,354.24
3	04-19-2024	5,365.69	368.50	4,997.19	10,357.05
4	04-19-2025	5,365.69	248.57	5,117.12	5,239.93
5	04-19-2026	5,365.69	125.76	5,239.93	0.00
TOTALS:		**26,828.45**	**1,828.45**	**25,000.00**	

NOTICE: This is an estimated loan amortization schedule. Actual amounts may vary if payments are made on different dates or in different amounts.

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DRAFT

EXHIBIT B

FORM OF BANK CERTIFICATE

This is to certify that Synovus Bank (the "Bank"), has not required the Town of Windermere, Florida (the "Town") to deliver any offering document and has conducted its own investigation, to the extent it deems satisfactory or sufficient, into matters relating to business affairs or conditions (either financial or otherwise) of the Town in connection with the issuance by the Town of its $_____ Promissory Note (the "Note"). Any capitalized undefined terms used herein not otherwise defined shall have the meaning set forth in that Business Loan Agreement dated as of April 13, 2021, by and between the Town and the Bank (the "Loan Agreement").

We are aware that investment in the Note involves various risks, that the Note is not a general obligation of the Town or payable from ad valorem tax revenues, and that the payment of the Note is secured solely from Legally Available Non-Ad Valorem Revenues as described in the Loan Agreement. We have made such independent investigation of the Town as we, in the exercise of sound business judgment, consider to be appropriate under the circumstances. We have knowledge and experience in financial and business matters and are capable of evaluating the merits and risks of our investment in the Note and can bear the economic risk of our investment in the Note.

We acknowledge and understand that the Resolution is not required to be qualified under the Trust Indenture Act of 1939, as amended, and that the Note is not required to be registered in reliance upon an exemption from registration pursuant to the Securities Act of 1933, as amended, Section 517.051(1), Florida Statutes, and Section 517.061(7), Florida Statutes, and that neither the Town nor the Town Attorney shall have any obligation to effect any such registration or qualification.

The Note has been purchased for the account of the Bank for investment purposes only and not with a present view to the distribution, transfer or resale thereof. The Bank intends to hold and book the Note as a loan in its loan portfolio. The Bank currently intends to hold such Note for its own account and for an indefinite period of time and does not currently intend to dispose of all or any portion of such Note. The Bank hereby covenants that if the Bank subsequently decides to distribute or resell the Note, it shall comply in all respects with all laws then applicable with respect to any such distribution or resale. We understand that the Note may not be transferred in a denomination less than the par amount outstanding at the time of transfer.

We are a national banking association, and as such we are a qualified institutional buyer as contemplated by Section 517.061(7), Florida Statutes. We are not purchasing the Note for the direct or indirect promotion of any scheme or enterprise with the intent of violating or evading any provision of Chapter 517, Florida Statutes.

We are an "accredited investor" within the meaning of the Securities Act of 1933, as amended, and Regulation D thereunder.

DATED this 13th day of April 13, 2021.

SYNOVUS BANK

By:_____

Name:_____

Title:_____

Town of Windermere
P. O. Drawer 669
614 Main Street
Windermere, FL 34786

COMMITTEE APPLICATION FORM

1. Name: Pamela Schrimsher Home Phone: 954-683-3271
2. Home Address: 12 Oakdale Street Windermere
3. Business: N/A Business Phone: _____
4. Business Address: _____
5. Email: NewRiverMom@gmail.com
6. Brief Summary of Education and Experience:
B.S Applied Psychology, Georgia Institute of Technology, 1993
Member Florida Federated Garden Clubs; Master Composter, Brevard County Avid Florida Gardener; Retired Business owner & homeschooler.

7. Are you a U.S. Citizen?	Yes ✓	No _____
8. Are you a registered voter?	Yes ✓	No _____
9. Resident of the Town for 6 Months or longer?	Yes ✓	No _____
10. Do you hold public office?	Yes _____	No ✓
11. Are you employed by the Town?	Yes _____	No ✓
12. Do you now serve on a Town Board or Committee?	Yes _____	No ✓

13. Indicate which Board(s) or Committee(s) you are interested in:

Code Enforcement Board __
Development Review Board __
Downtown Business Committee __
Elder's Committee __
Historical Preservation Committee __
Long Range Planning Committee __
Parks and Recreation Committee __
Traffic Committee __
Tree Board Committee ✓

14. Why do you think you are qualified to serve on this board? I am committed to the protection of and investment in our local canopy, with an emphasis on educating our citizens about good tree management.

*FINANCIAL DISCLOSURE FORMS MAY BE REQUIRED FOLLOWING APPOINTMENT

Signature: _____ Date: 11/27/20

Note: If you have any questions, please call the Town Clerk at (407) 876-2563 ext. 23.

LIAISON ASSIGNMENT AREAS – COUNCIL

Council members, please indicate on the attached form which areas you would be most interested in being a liaison to. Indicate your top 5 preference by placing a #1 on the line, your second choice a #2 and so on. **Please return this to me by April 2, 2021.** Historically, the senior council members will get preference for their requested choices. Areas of expertise will also be considered.

Below are listed the committees/boards for which a council liaison is assigned. The Council member will be required to attend the meetings for the committee to which he/she is assigned.

1.	West Orange Chamber of Commerce	Mayor
2.	West Orange Chamber of Commerce Alternate	_____
3.	Butler Chain of Lake Advisory Committee	_____
4.	Long Range Planning Committee (Monthly 4th Thursday 6:00pm)	_____
5.	Downtown Business District Committee	(Currently inactive)
6.	Development Review Board (Monthly 3rd Tuesday 6:30pm)	_____
7.	Farmers Market/Food Truck Committee (Monthly 1st Thursday – 10:00am)	_____
8.	Parks & Recreation Committee (Monthly 2nd Thursday 5:00pm)	_____
9.	Tree Board (Monthly 3rd Thursday 5:00pm)	_____
10.	Historical Preservation Board (Monthly 1st Wednesday 6:30pm)	_____
11.	TSMO Advisory Committee	_____
12.	Elder's Committee	_____

13. WAY Committee (Monthly 3rd Wednesday 6:30pm) _____

14. Holiday Social _____

15. Metro Plan Mayor

16. Metro Plan Alternate _____

17. School Advisory Committee Mayor

18. School Advisory Committee Alternate _____

Below are the departments for which a council member may also be assigned as a liaison. The council member will be briefed by the Town Manager on any irregularities that may develop in that department.

1. Streets/Roads Department _____

2. Buildings/Grounds Department _____

3. Parks/Recreation Department _____

4. Budget/Finance Department _____

5. Police Department _____

6. Administration Department _____

Thank you for your attention to this and if you have any questions about the committees and/or departments, please feel free to contact me. Further information on the various committees, their meeting times etc. is on the town website www.town.windermere.fl.us under the boards and committee's page.

These assignments will be on the April Council meeting for discussion.

COUNCIL LIAISON ASSIGNMENT AREAS		2021						
	Mayor		**Andy Williams**	**Chris Sapp**	**Bill Martini**	**Mandy David**	**Tony Davit**	**Suggested Liaison**
				Open to any alternates needed to fill in for the Mayor				
AREAS:								
Development Review Board				4	1			
Downtown Business Committee			4					
Food Truck Farmers Market			2	3			4	
Elders						3		
Historical Preservation Board			1					
Long Range Planning Committee				2	3		2	
Parks & Recreation Committee						1	1	
Windermere Tree Board					2			
Butler Chain of Lakes Advisory Committee			5		4		5	
West Orange Chamber	Mayor							
West Orange Chamber Alternate				1 also continue w/EGAC			3	
Metro Plan	Mayor							
Metro Plan Alternate				5b	5			
TSMO Advisory Committee								
WAYS Committee				5		2		
Holiday Social			3			4		
School Advisory Committee						5		
Mayor Pro Tem								
Departments								
Streets/Roads				1			1	
Buildings/Grounds			X	2			4	
Parks/Recreation				4		1	3	
Budget/Finance			X		2		5	
Police				3	1		2	
Administration				5				

Kimley»Horn

INDIVIDUAL PROJECT ORDER NUMBER 115 – AMENDMENT #1
April 8, 2021

Describing a specific agreement between Kimley-Horn and Associates, Inc. (Kimley-Horn), and The Town of Windermere (the Client or the Town) in accordance with the terms of the Master Agreement for Continuing Engineering Services dated May 15, 2019, which is incorporated herein by reference.

Identification of Project:

Project: Paving Old Main Street Improvements
Amendment #1 – Water Main Design and Permitting

Client: Town of Windermere

Project Understanding:

This Individual Purchase Order (IPO) Amendment #1 identifies the scope, schedule, and fee for engineering services associated with the design and permitting of an 8-inch water main along Old Main Street (Project). The Project limits are on Old Main Street from 2nd Avenue to just south of the canal (approximately 1,500'). The plans will be submitted to the Town and Orange County (County) for review at the 60% and 90% stage.

Specific Scope of Basic Services:

Task 1 – Utility Investigative Services
Kimley-Horn has retained the services of ECHO UES, Inc. to perform four (4) utility verification test holes and associated survey of the test holes.

Task 2 – Coordination
Kimley-Horn will coordinate with the County and assist the Town in developing a cost reimbursement agreement with the County for the water main construction. This task includes up to two (2) meetings with the County to discuss the Project.

Task 3 – Water Main Construction Documents
Kimley-Horn will perform the following services for the water main construction documents:

1. Prepare Project construction drawings based on the Paving Old Main Street design plans to include the required plan and profile views and necessary construction details and notes. Cross sections, if necessary, will be included in the Project construction drawings in the areas specific to the storm water infrastructure improvements to show the necessary separation requirements are met. The construction documents will comply with current requirements of the Orange County Manual of Standards and Specifications for Wastewater and Water Main Construction and Appendix D.

2. Kimley-Horn will submit construction documents to the COUNTY for review and comment at the 60% and 90% complete level. The 90% level of completion of the construction documents will be at a level to allow the project to be bid. Kimley-Horn will attend one (1) meeting with the County to review and discuss the 60% and 90% submittal.

3. Following the 60% and 90% review by the COUNTY, Kimley-Horn will revise the drawings and submit Final construction documents. Included with this submittal will be the submission of the electronic drawing files and the technical specifications. The drawing

files will be submitted in the latest release of AutoCAD™

4. Kimley-Horn will submit a signed and sealed Engineers Opinion of Probable Construction Cost for the project based on the 90% and Final plan sets respectively.

Task 4 – Water Main Permitting

Kimley-Horn will provide permitting services, as follows:

1 Kimley-Horn will prepare and submit the FDEP applicable permit package for proposed water main installation.

2. Kimley-Horn will prepare responses to Requests for Additional Information (RAIs) provided by FDEP during the permit review process.

Task 5 – Construction Administration

The County provides daily/resident construction inspection. Kimley-Horn will provide general construction administration for the Project that includes provision of consultation and advice. All instructions to the Contractor(s) will be issued through the Town or County. The following tasks will be accomplished during the construction phase. The construction phase will initiate after the award of the construction contract.

1. Provide the County with "Conformed" utility construction drawings and complete Project Manuals (the Contract Documents) for the County's use during the construction phase of the Project.

2. Attend one (1) pre-construction conference.

3. Review shop drawings and product submittals for utility components for conformance with the Contract Documents.

4. Attend up to two (2) construction progress meetings. Concurrently on the day of the construction progress meeting, observe the construction of the Project and discuss any concerns with the County.

5. Provide clarification and interpretation of the Contract Documents if, and when requested.

6. Conduct substantial and final completion walk throughs of Project and prepare appropriate "punch lists".

7. Prepare and submit any FDEP clearance documentation required.

8. Prepare record drawings incorporating changes made during construction based on record information furnished by the Contractor.
9. Provide to the County with signed and sealed prints of the record drawings and electronic files of the record drawings utilizing the latest release of AutoCAD™. Additionally, provide electronic files of scanned images of the record drawings in PDF format.

10. Compile the utility closeout package for submittal to the County for the water main construction cost reimbursement.

Project Deliverables:

- Construction Documents
- FDEP Permit Application Package
- FDEP Clearance Documentation
- Record Drawings
- County Utility Closeout Package
- Utility test hole data sheets
- Opinion of probable construction cost

Information Provided By Client:

The Town will provide the following information, upon which Kimley-Horn can rely:

- Available right of way data
- Available record or as-built plans
- Available permits

Schedule:

Tasks 1-4 are anticipated to be completed within 180 calendar days. Task 5 will be dependent on the construction duration.

Method of Compensation:

Kimley-Horn will perform the services in Tasks 1-5 for a lump sum fee of $32,870 inclusive of expenses. A breakdown of fee by task is provided in the table below.

Task	Fee
Task 1: Utility Investigative Services	$3,200
Task 2: Coordination	$3,415
Task 3: Water Main Construction Documents	$15,900
Task 4: Water Main Permitting	$2,595
Task 5: Construction Administration	$7,760

Lump sum fees will be invoiced monthly based upon the overall percentage of services performed. Payment will be due within 25 days of your receipt of the invoice.

ACCEPTED:

THE TOWN OF WINDERMERE, FLORIDA

BY:_____

TITLE:_____

DATE:_____

KIMLEY-HORN AND ASSOCIATES, INC.

BY:_____
Hao T. Chau, PE

TITLE: Assistant Secretary/Project Manager

DATE: 4/08/2021

Kimley»Horn

April 8, 2021

KIMLEY-HORN AND ASSOCIATES, INC.

Project: IPO 115 - Paving Old Main Street Improvements

Amendment #1 - Water Main Design and Permitting

Client: Town of Windermere

Summary of Fees and Charges

PROJECT LABOR	Hours		Lump Sum
Project: IPO 115 - Paving Old Main Street Improvements	**189.0**	**$**	**29,670.00**
Amendment #1 - Water Main Design and Permitting			
2. Coordination	18.0	$	3,415.00
3. Water Main Construction Documents	105.0	$	15,900.00
4. Water Main Permitting	16.0	$	2,595.00
5. Construction Administration	50.0	$	7,760.00
SUBTOTAL KIMLEY-HORN LABOR FEES:	**189.0**	**$**	**29,670.00**
Subconsultant: 1. Utility Investigative Services (ECHO)		$	3,200.00
Total Subconsultant		**$**	**3,200.00**
GRAND TOTAL FEES AND CHARGES:		***$***	***32,870.00***

Kimley»Horn

Consultant Name: **Kimley-Horn and Associates, Inc.**

Work Effort and Fee Estimate Table

Project: IPO 115 - Paving Old Main Street Improvements
Amendment #1 - Water Main Design and Permitting

task	Principal		Proj Manager		Sr Engineer		Project Engineer		Analyst/Designer		Clerical		task totals	
	hrs.	rate	hrs.	rate	hrs.	rate	hrs.	rate	hrs.	rate	hrs.	rate	hrs.	rate
2. Coordination	1	$ 240.00	4	$ 800.00	4	$ 800.00	9	$ 1,575.00	0	$ -	0	$ -	18	$ 3,415.00
3. Water Main Construction Documents	2	$ 480.00	10	$ 2,000.00	10	$ 2,000.00	28	$ 4,900.00	53	$ 6,360.00	2	$ 160.00	105	$ 15,900.00
4. Water Main Permitting	1	$ 240.00	2	$ 400.00	2	$ 400.00	5	$ 875.00	5	$ 600.00	1	$ 80.00	16	$ 2,595.00
5. Construction Administration	1	$ 240.00	5	$ 1,000.00	5	$ 1,000.00	16	$ 2,800.00	22	$ 2,640.00	1	$ 80.00	50	$ 7,760.00
Total Billable Labor													**189**	**$ 29,670.00**

Principal	Proj Manager	Sr Engineer	Project Engineer	Analyst/Designer	Clerical
5 $ 1,200.00	21 $ 4,200.00	21 $ 4,200.00	58 $ 10,150.00	80 $ 9,600.00	4 $ 320.00
2.6%	11.1%	11.1%	30.7%	42.3%	2.1%

Notes:

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ECHO UES, Inc.
888.778.ECHO
www.echoues.com
Grow, Inspire, Make a Difference

April 7, 2021

Hao T. Chau, PE
Kimley-Horn
189 S. Orange Ave. Ste. 1000
Orlando, FL 32801

CC: Jay Jackson, PE

PROPOSAL FOR UTILITY INVESTIGATIVE and SURVEY SERVICES

Project: Paving Old Main St. Improvements, Windermere, Orange County, FL

Supplemental Agreement #1

Dear Mr. Chau:

At ECHO UES, Inc. (ECHO) we value your consideration and appreciate the opportunity to provide a technical proposal for the provision of professional services. This technical proposal, inclusive of economical offer and schedule, details the approach we consider as the most suitable for this project.

Project Synopsis: Based on the information made available to ECHO, we understand the project consisting of engineering design services for roadway improvements of Old Main St. in Windermere. ECHO's professional services were requested to provide utility investigation services to address existing utilities in the project plans. Utility information as produced by ECHO will be surveyed by the Team's Survey Firm (PEC).

This proposal letter addresses ***Supplemental Agreement #1*** for performing up to four (4) utility verification test holes and associated utility designating in support of the design of a new 8" water main on the west side of Old Main St.

Additionally, with this new effort, ECHO will also survey the location of the performed test holes based on project control to be provided by the Client.

Fee: ECHO's competitive offer, which is inclusive of all field, office, materials, supplies, and equipment costs is detailed below.

- **Utility Investigation Services and Survey, Lump Sum fee: $3,200.00**

Inclusive of up to 4 utility verification test holes and survey.

Acceptance: We will honor this proposal for 90 days. If accepted, please return to our attention together with a professional services agreement / task work order authorization and official Notice to Proceed.

At ECHO UES, Inc. we believe in collaboration and communication with our clients and are driven to understand their needs and provide time efficient and cost-effective solutions. ECHO strives to provide quality utility and survey reliable data to design better, build faster, and safely enhance Engineering, Design, Construction and Maintenance o0f infrastructure.

Thank you for considering ECHO for this important project and please do not hesitate to contact me directly should you have any questions or concern.

Sincerely,

Carlo Pilia
Vice President
ECHO UES, Inc.

Vicinity Map:

Project Limits:

Kimley»Horn

Bessie Street and 9th Avenue Stormwater Maintenance Improvements – AMENDMENT #1
April 8, 2021

Describing a specific agreement between Kimley-Horn and Associates, Inc. (Kimley-Horn), and The Town of Windermere (the Client or the Town) in accordance with the terms of the Master Agreement for Continuing Engineering Services dated May 15, 2019, which is incorporated herein by reference.

Identification of Project:

Project: Bessie Street and 9th Avenue Stormwater Maintenance Improvements
Amendment #1 – 3rd Avenue and Magnolia Street Drainage Improvements

Client: Town of Windermere

Project Understanding:

This Individual Purchase Order (IPO) Amendment #1 This proposal identifies the scope, schedule, and fee for engineering services for the 45% Design Plans for review by Town Council and Final Design Plans associated for the Drainage Improvements along 3rd Avenue from Main Street to one block east of Magnolia Street.

The Project will consist of open and closed drainage conveyance systems while maintaining the existing width of the dirt roadways along 3rd Avenue. The total project length is approximately 1,100 ft including side street returns. The improvements will include proposed drainage inlets, swales and stormwater retention area and spreader swale needed to accommodate the water quantity and quality requirements prior to the discharge into Lake Down.

All design work shall comply with the direction of Town Council provided at the 45% design review and prior to proceeding to the Final Design Phase. Kimley-Horn will coordinate with Town Staff early during the design for direction to limit impacts to existing features along the corridor as to not diminish the look, feel and charm of the area. Kimley-Horn will present the 45% Design Plans to the Town Council at up to two (2) meetings. Final Design work shall comply with the requirements of the appropriate regulatory agencies.

Specific Scope of Basic Services:

Task 1 – 45% Design Plans Submittal

A. Construction Plans

Kimley-Horn will prepare the 45% design package and construction plans for the drainage improvements in accordance with Town Staff direction, FDOT Drainage Manual, and requirements by regulatory agencies. Coordination with a certified arborist retained by the Town will be conducted early during this process. Kimley-Horn will present the 45% Design Plans to the Town Council at up to one (1) meetings.

The drainage plan and profile sheets will be prepared on 11"x17" half size sheets at a horizontal scale of 1" = 40'. The plans will be prepared on topographic information provided by a field survey. The plan and profile sheets will show the horizontal and vertical information for the project. Various roadway elements such as dirt road widths, drainage swales, inlets, pipes, intersecting roadways, driveways and right-of-way

lines will be shown and dimensioned. The plans will include grading details for the drainage improvements along 3rd Avenue.

Existing underground utilities will be shown based on information provided by the utility companies or as identified during surveying efforts. Roadway soil profiles from auger borings will be shown.

B. Drainage Design

Drainage Map(s) will be prepared for the project at a scale of 1" = 200'. The drainage maps will show roadway drainage basins, pond locations, existing drainage features, offsite basins and flow patterns/arrows. Design information relative to the proposed storm sewer pipes, drainage structures and swales will be shown on the drainage plan and profile sheets. Proposed drainage structure cross sections are not included in this Task.

Kimley-Horn will design roadside swales and stormwater management as needed to accommodate the Project. Drainage calculations will be prepared and documented in a Drainage Report.

Task 2 – Final Design Plans Submittal

A. Construction Plans

Based on the coordination with Town Staff and Council established after the 45% Design Plans submittal, Kimley-Horn will prepare the Final Design and construction plans for the drainage improvements.

It is anticipated that Traffic Control Plans (TCP) will be prepared by the Contractor and is not included this Task.

Kimley-Horn will design the signing for the dirt roads in accordance with the current version of the Manual on Uniform Traffic Control Devices (MUTCD). The design will be shown on the drainage plan and profile sheets.

B. Permitting

It is anticipated that the drainage and water quality improvements will require a South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP).

Kimley-Horn will provide water quality calculations in support of SFWMD ERP application.

Kimley-Horn will prepare and submit a permit application package to the SFWMD. Kimley-Horn will respond to up to two (2) Requests for Additional Information (RAI) from the SFWMD. The Town will be responsible for signing all necessary application forms and all application fees associated with the permit application.

Task 3 – Bid Assistance Services

Kimley-Horn will prepare one (1) opinion of probable construction cost and one (1) contractor bid tabulation form for the Project for use by the Town during the bidding process. Kimley-Horn will attend one (1) pre-bid meeting and provide input as directed by the Client. Kimley-Horn will prepare responses to questions submitted by the contractors to the Town during the bidding period.

Task 4 – Construction Phase Services

Kimley-Horn will review drainage structure shop drawings submitted by the Contractor in accordance with standard FDOT procedures. The Town will be responsible for the receipt, distribution, and disposition of all contractor submittals, including project logs. The term "shop drawings" include all drawings, diagrams, illustrations, transportation procedures, manuals, and design calculations submitted

by the Contractor to define some portion of the project.

Kimley-Horn will provide written responses to the Town for up to three (3) Contractor Requests for Information (RFI).

Kimley-Horn will attend up to two (2) progress meetings during construction as requested by the Town. This task does not include engineering inspection services.

Task 5 – Survey Services
Kimley-Horn will retain the services of ECHO UES, Inc. (ECHO) to perform the additional design survey for 3rd Avenue from Main Street to one block east of Magnolia Street (approximately 1100'). Refer to attached subconsultant proposal for additional information.

Task 6 – Geotechnical Services
Kimley-Horn will retain the services of Geotechnical and Environmental Consultants, Inc. (GEC) to perform additional auger borings and field permeability tests associated with stormwater retention area. Refer to attached subconsultant proposal for additional information.

Task 7 – Subsurface Utility Verification
Kimley-Horn will retain the services of ECHO UES, Inc. (ECHO) to perform utility test holes. Refer to attached subconsultant proposal for additional information.

Project Deliverables:

- 45% Construction Plans
- Final Construction Plans
- Drainage Report (to be incorporated in the main report from the original IPO #119)
- SFWMD application package (to be incorporated in the main report from the original IPO #119)
- Geotechnical engineering report
- Utility test hole data sheets
- Opinion of probable construction cost
- Contractor bid tabulation form

Additional Services if required:

The following services are not included in this proposal, but may be performed if authorized by the Town. Payment for these additional services will be agreed upon prior to their performance.

- Sidewalk Design
- Traffic Control Plans
- Drainage structure cross sections
- Engineering inspection services
- Attendance at meetings in addition to those noted in the scope of services
- Concept development of additional alternatives
- Cost estimates of additional alternatives
- Certified Arborist evaluation for tree preservation
- Lighting Plans

Information Provided By Client:

The Town will provide the following information, upon which Kimley-Horn can rely:

- Available right of way data
- Available record or as-built plans
- Available permits
- Data regarding the existing road conditions

Schedule:

Tasks 1-2 and 5-7 are anticipated to be completed within 180 calendar days. Tasks 3 and 4 will be dependent on the Town's bidding process and the construction duration.

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Method of Compensation:

Kimley-Horn will perform the scope of services in Tasks 1-7 for a lump sum fee of $44,410.00 inclusive of expenses. A breakdown of fee by task is provided in the table below.

Task	Fee
Task 1: 45% Design Plans Submittal	$9,520
Task 2: Final Design Plans Submittal	$12,380
Task 3: Bid Assistance Services	$3,130
Task 4: Construction Phase Services	$6,260
Task 5: Survey Services	$4,730
Task 6: Geotechnical Services	$4,490
Task 7: Subsurface Utility Verification	$3,900

Lump sum fees will be invoiced monthly based upon the overall percentage of services performed. Payment will be due within 25 days of your receipt of the invoice.

ACCEPTED:

THE TOWN OF WINDERMERE, FLORIDA

BY:_____

TITLE:_____

DATE:_____

KIMLEY-HORN AND ASSOCIATES, INC.

BY:_____
Hao T. Chau, PE

TITLE: Assistant Secretary/Project Manager

DATE: 04/08/2021

KIMLEY-HORN AND ASSOCIATES, INC.

BY:_____
Victor H. Gallo, PE

TITLE: Drainage Engineer

DATE: 04/08/2021

Kimley»Horn

April 8, 2021

KIMLEY-HORN AND ASSOCIATES, INC.

Project: Bessie and 9th Stormwater Maintenance- Amendment #1

Client: Town of Windermere

Summary of Fees and Charges

PROJECT LABOR	Hours		Lump Sum
Project: Bessie and 9th Stormwater Maintenance- Amendment #1	**198.0**	**$**	**31,290.00**
1. 45% Design Plans Submittal	60.0	$	9,520.00
2. Final Design Plans Submittal	78.0	$	12,380.00
3. Bid Assistance Services	20.0	$	3,130.00
4. Construction Phase Services	40.0	$	6,260.00
SUBTOTAL KIMLEY-HORN LABOR FEES:	198.0	$	31,290.00
Subconsultant: 5. Survey Services (ECHO)		$	4,730.00
Subconsultant: 6. Geotechnical Services (GEC)		$	4,490.00
Subconsultant: 7. Subsurface Utility Verification (ECHO)		$	3,900.00
Total Subconsultant		**$**	**13,120.00**
GRAND TOTAL FEES AND CHARGES:		*$*	*44,410.00*

Kimley»Horn

Consultant Name: **Kimley-Horn and Associates, Inc.**

Work Effort and Fee Estimate Table

Project: Bessie and 9th Stormwater Maintenance- Amendment #1

task	Principal		Proj Manager		Sr Engineer		Project Engineer		Analyst/Designer		Clerical		task totals	
	hrs.	rate	hrs.	rate	hrs.	rate	hrs.	rate	hrs.	rate	hrs.	rate	hrs.	rate
1. 45% Design Plans Submittal	2	$ 480.00	8	$ 1,600.00	8	$ 1,600.00	16	$ 2,800.00	24	$ 2,880.00	2	$ 160.00	60	$ 9,520.00
2. Final Design Plans Submittal	2	$ 480.00	10	$ 2,000.00	12	$ 2,400.00	20	$ 3,500.00	32	$ 3,840.00	2	$ 160.00	78	$ 12,380.00
3. Bid Assistance Services	1	$ 240.00	2	$ 400.00	2	$ 400.00	6	$ 1,050.00	8	$ 960.00	1	$ 80.00	20	$ 3,130.00
4. Construction Phase Services	2	$ 480.00	4	$ 800.00	4	$ 800.00	12	$ 2,100.00	16	$ 1,920.00	2	$ 160.00	40	$ 6,260.00
Total Billable Labor													198	$ 31,290.00

Principal	Proj Manager	Sr Engineer	Project Engineer	Analyst/Designer	Clerical
7 $ 1,680.00	24 $ 4,800.00	26 $ 5,200.00	54 $ 9,450.00	80 $ 9,600.00	7 $ 560.00
3.5%	12.1%	13.1%	27.3%	40.4%	3.5%

Notes:

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888.778.ECHO
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April 7, 2021

Victor Gallo, PE
Kimley-Horn

PROPOSAL FOR TOPOGRAPHICAL SURVEY SERVICES

Project: Bessie St. Stormwater Maintenance Improvements, City of Windermere, Orange County, FL

Re. IPO 119 Supplemental Agreement for Additional Work (Topographical Survey)

Dear Mr. Gallo:

At ECHO UES, Inc. (ECHO) we value your consideration and appreciate the opportunity to provide a technical proposal for the provision of professional services. This technical proposal inclusive of economical offer and schedule details the approach we consider as the most suitable for your specific project's needs.

Project Synopsis: Based on the information made available to ECHO, we understand the project consisting of engineering design services for utility improvements. ECHO's professional services were requested to provide a topographical survey of the project site.

Project Limits: ECHO's proposed services will be performed within well-defined limits (i.e. Project Limits) as shown on the provided graphic representation.

Services:

Topographic Survey

- Recover horizontal and vertical control throughout the project corridor for the purpose of collecting the topographic information.
- Collect aboveground and visible features and improvements within the highlighted limits as shown and described by the attached graphic.
- Accessible drainage structures located within the limits as shown on said exhibit will be collected horizontally and vertically.
- Accessible sanitary sewer structures located within the limits as shown on said exhibit will be collected horizontally and vertically.
- Collect sufficient elevation data to create a digital terrain model (DTM) of the site.

- The horizontal and vertical survey control will be provided in the final survey in tabular format for use by the contractor during construction activities.
- Recover and tie down sufficient monumentation in the field to calculate the existing apparent right-of-way along all public roadways within the project limits. Right-of-way will be shown as calculated based on field monumentation and it will be referred to as apparent right-of-way; it will not be a full right-of-way mapping survey.
- All survey efforts will be conducted in accordance with the Standards of Practice set forth in Rule Chapter 5J-17, F.A.C., pursuant to Section 472.027, F.S.

Deliverables:

Office deliverables will consist of:

- Survey digital CADD file (AutoCAD) inclusive of sheeting to appropriate format and scale, and a signed and sealed surveyor's report.

Proposed Schedule: To be agreed upon with Client.

Notes and Limitations:

1. Client shall facilitate access to the site and provide any relevant project information.
2. Site must be clear from obstacles impeding access to any portion of the project limits.
3. Standard work hours are from 7:00am to 4:00pm, Monday through Friday; additional charges may occur (following discussion with the Client) in case of weekend or nighttime work.
4. ECHO will not work on any site that is known to be contaminated with any hazardous or harmful substance.
5. Any permit or fee requested to perform the work complying with any stakeholder's requirement will be submitted to the Client with a 5% administrative markup.
6. FDOT Design Standards (Index 600 Series) will be utilized for the Maintenance of Traffic (MOT). Should the site require modification to the Index 600 for non-standard MOT arrangements, ECHO will seek the Client's concurrence to obtain signed and sealed project's specific MOT plans (to be provided by others).
7. Any cost associated with signed and sealed MOT plans will be submitted to the Client with a 5% administrative markup.
8. Unless otherwise stated within this proposal, test holes have usual depth of up to eight (8) ft. from the ground surface, and diameter of up to 1 ft. Should there be a need for deeper or wider excavations, additional charges may apply.
9. The original ground surface at each test hole location will be restored to as close as possible to its original conditions, using concrete mix or asphalt cold patch as applicable. Any deviation from this standard (e.g. use of hot asphalt, flowable fill etc.) may require additional charges and the use of specialty subcontractors.
10. Regardless of the type of estimate proposed (e.g. lump sum, time and materials, etc.) such estimate should be considered indicative and based on preliminary information. Should any situation out of ECHO's control heavily impact ECHO's field work performance (e.g. adverse site conditions), ECHO reserves the right to seek additional funds to complete the work.
11. The exact location of any underground utility is not guaranteed unless clearly exposed and visually verified at a specific location. Utility characteristics, methods of installation, soil conditions and the surrounding environment all may impact adversely the results of any utility investigation with surface geophysical instruments and technology. No guarantee is made that all utilities will be found and identified.
12. Independently from ECHO's scope of work and performance, the Client shall comply with the relative chapter from the Florida (or any other applicable) Statutes: "Underground Facility Damage Prevention and Safety Act" and call 811 prior to any excavation taking place.
13. Subsurface Utility Engineering, Designating and Locating terms all refer to the American Society of Civil Engineers / Construction Institute Standard for the Collection and Depiction of Subsurface Utility Data (ASCE/CI 38-02). Should

ECHO adopt this standard for the performance of the scope of work and preparation of deliverables, clear mention to the Standard shall be made throughout the deliverable.

Fee: ECHO's competitive offer, which is inclusive of all field, office, materials, supplies, and equipment costs is detailed below.

- **Topographical Survey of the project site, Fixed Fee: $4,730.00**

Acceptance: We will honor this proposal for 90 days. If accepted, please return together with the associate subagreement duly executed.

At ECHO UES, Inc. we believe in collaboration and communication with our clients, driven to understand their needs and provide time efficient and cost-effective solutions. ECHO strives to provide quality utility and survey reliable data to design better, build faster, and safely enhance Engineering, Design, Construction and Maintenance of infrastructure.

Thank you for considering ECHO for your project, and please do not hesitate to contact me directly should you have any question or concern.

Sincerely,

Carlo Pilia
Vice President
ECHO UES, Inc.

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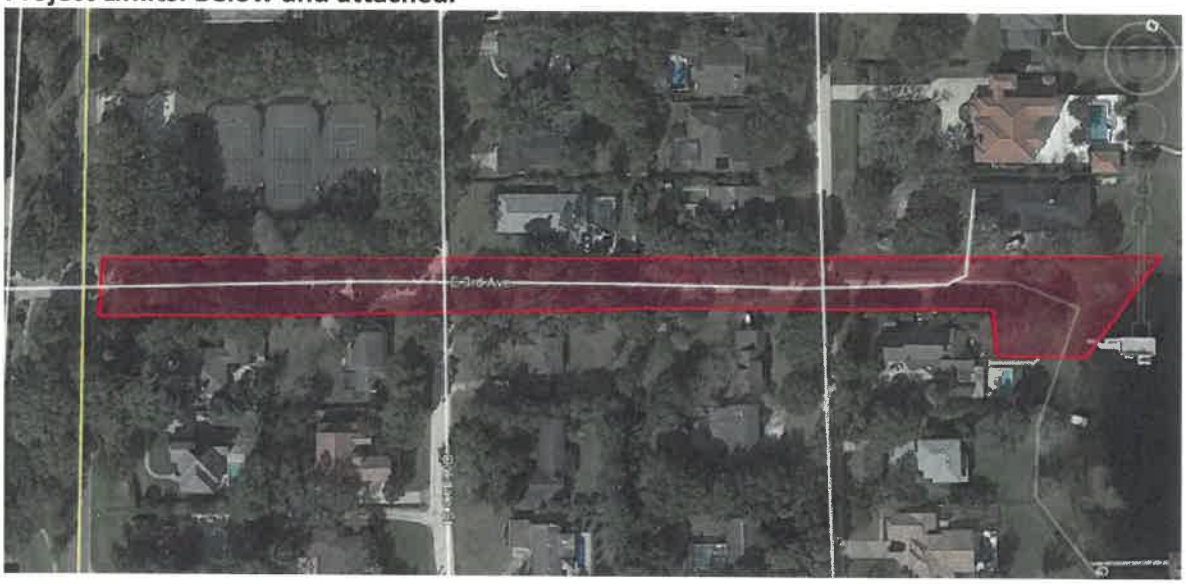
Vicinity Map:

Project Limits: Below and attached.



Geotechnical and Environmental Consultants, Inc.

At the very foundation of our community

April 8, 2021

Kimley-Horn
189 S. Orange Avenue, Suite 1000
Orlando, FL 32801

Attention: Mr. Hao T. Chau, P.E.

Subject: Proposal for Geotechnical Engineering Services
MAGNOLIA STREET AND 3RD AVENUE
STORMWATER MAINTENENACE IMPROVEMENTS
IPO #119, Amendment No. 1
Windermere, Florida
GEC Proposal No. P10512G

Dear Mr. Chau:

Geotechnical and Environmental Consultants, Inc. (GEC) is pleased to provide this proposal for the above-referenced project. Our proposed scope of services is based on the project information you provided to us, as shown on Attachment 1, and our correspondence on April 6, 2021. The purpose of this investigation is to explore soil and groundwater conditions at the drainage locations and to use the information obtained to provide geotechnical engineering recommendations for the design of the drainage system. This proposal presents our understanding of the project, our recommended scope of services, and a cost and schedule for providing those services.

Site Location and Project Description

The Bessie Street project is planned to absorb the drainage from improvements along 3rd Avenue at Lake Down in Windermere, Florida as shown on **Attachment 1**. The general vicinity of the site is characterized by single-family residential.

We understand that the project includes a new dry retention area on the south side of West 3rd Avenue east of Magnolia Street and on the west side of Lake Down.

919 Lake Baldwin Lane, Orlando, FL 32814
P: 407/898-1616 F: 407/898-1637
www.g-e-c.com

OFFICES IN ORLANDO AND KISSIMMEE

Scope of Services

Based on the project information provided, our experience, and the local standard of care, we recommend the following scope of services:

- Stake boring locations at the site.
- Clear utilities at the boring locations.
- Mobilize truck drilling equipment and personnel.
- Perform a total of 1 auger boring to 15 feet deep and 1 Double Ring Infiltration (DRI) test for the drainage areas.
- Perform routine laboratory soil classification tests to enhance visual soil classification of samples obtained.
- Issue a geotechnical engineering report that will address the following topics:
    - Subsurface conditions at the boring locations
    - Measured and estimated seasonal high groundwater depths
    - Site preparation
    - Fill selection, placement and compaction
    - Suitability of soil excavated for use as engineered fill
    - Provide measured infiltration rate for use by Drainage Engineer

The geotechnical report will be signed and sealed by a Geotechnical Engineer licensed in Florida.

Cost and Schedule

The cost to provide the scope of services is a LIMITING AMOUNT fee of $4,490.00. Attachment 2 documents our detailed scope of services and fees. *Our fees will be billed based on the actual units of work performed and the unit rates shown on Attachment 2; however, we will not exceed the limiting amount without your authorization.* This fee includes an electronic copy of our report emailed to you.

Our schedule to complete the work will be about 4 weeks from your written notice to proceed. If requested, verbal recommendations can be provided after the field work is completed.

Limitations

This proposal is subject to the following limitations: 1) The site will be accessible to the drilling equipment assumed above. If other types of drilling equipment become necessary due to site and/or weather conditions, appropriate adjustments to the actual fees will be necessary; 2) undisturbed samples and consolidation tests are not included, unless stated above; and 3) we assume no responsibility for damage to underground utilities and/or structures that are not located by the owner or Sunshine State One-Call.

Closure

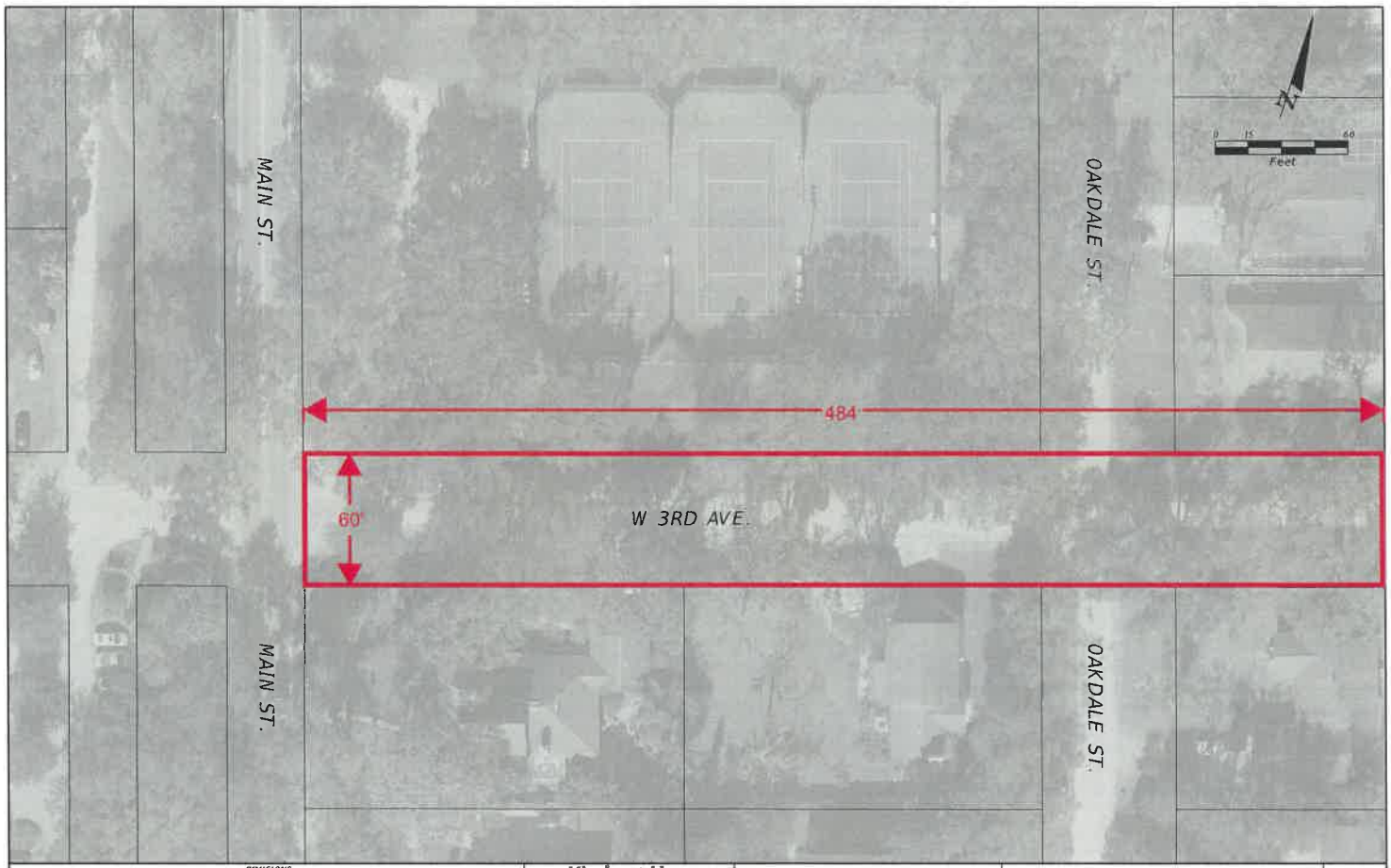
GEC appreciates the opportunity to submit this proposal. If you have any questions regarding this proposal, or if we can be of further assistance, please contact the undersigned.

Very truly yours,

GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS, INC.

Ryan J. Petersen, E.I.
Project Manager

Christopher P. Meyer, P.E.
Principal Engineer



REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

Kimley»Horn

189 South Orange Avenue, Suite 1000
Orlando, Florida 32801

TOWN OF WINDERMERE

W 3RD AVE AND MAGNOLIA ST CONCEPT

ADDITIONAL CONSIDERATION

SHEET NO.

Alyssa.Davidson 8/6/2021 8:58:43 AM default

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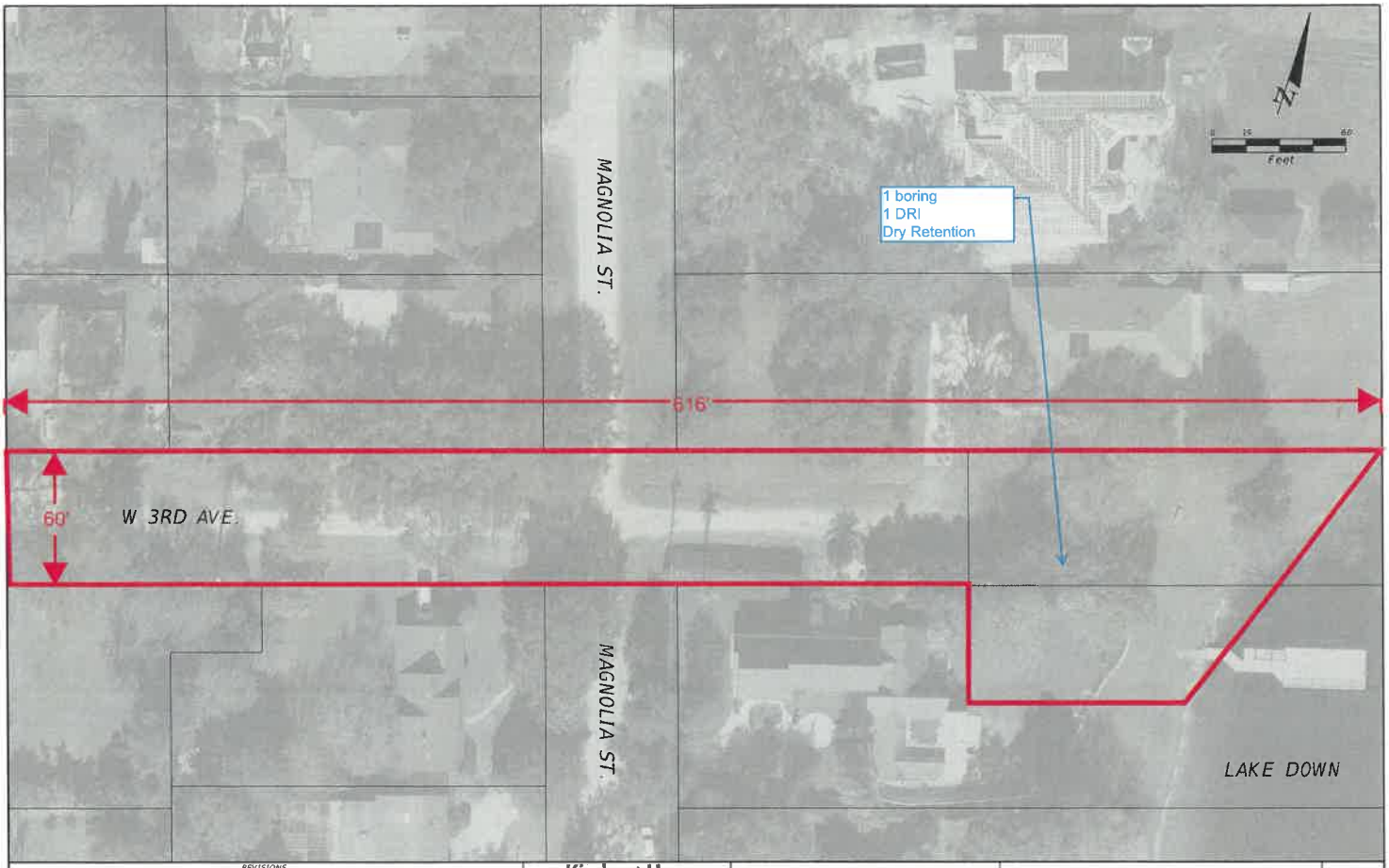

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

Kimley»Horn

189 South Orange Avenue, Suite 1000
Orlando, Florida 32801

TOWN OF WINDERMERE

W 3RD AVE AND MAGNOLIA ST CONCEPT

ADDITIONAL CONSIDERATION

SHEET NO.

Alyssa Davidson

Attachment 2

Geotechnical Scope of Services and Cost

MAGNOLIA STREET AND 3RD AVENUE DRAINAGE IMPROVEMENTS

IPO # 119

Windermere, Florida

GEC Proposal No. 10512G

	Quantity	Units	Unit Rate	Cost
Field Services				
Mobilization of Truck-Mounted Rig	1	ls	$600.00	$600.00
Engineering Technician (Site Recon, Boring Layout,24 hr GWT and Utility Clearanc	4	hr	$60.00	$240.00
Auger Borings (1 @ 15 ft)	15	ft	$12.00	$180.00
Field Permeability Test (0-10')	0	ea	$420.00	$0.00
Double Ring Infiltration (DRI) Test	1	ea	$600.00	$600.00
Drill Rig and Crew - Truck (2 person)	1	hr	$220.00	$220.00
Two-Person Soil Survey Crew (DCP @ bridge in woods)	0	hr	$160.00	$0.00
GPS Unit for Boring Locations	1	day	$100.00	$100.00
Portable Safety Signs for MOT	1	day	$50.00	$50.00
Support Truck	1	day	$150.00	$150.00
			Field Subtotal	**$2,140.00**
Laboratory Testing				
Engineering Technician (Soil Classification)	0	hr	$60.00	$0.00
Grain Size Analyses	2	ea	$70.00	$140.00
Organic Content	1	ea	$50.00	$50.00
Atterberg Limits	1	ea	$110.00	$110.00
Natural Moisture Content	2	ea	$15.00	$30.00
			Laboratory Subtotal	**$330.00**
Engineering Analysis & Report				
Principal Engineer	0	hr	$250.00	$0.00
Senior Engineer	4	hr	$160.00	$640.00
Project Engineer	8	hr	$120.00	$960.00
Engineer	0	hr	$100.00	$0.00
CADD Draftsman/GIS Specialist	3	hr	$100.00	$300.00
Secretary	2	hr	$60.00	$120.00
			Engineering Subtotal	**$2,020.00**
			TOTAL LIMITING AMOUNT FEE	**$4,490.00**

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April 7, 2021

Victor Gallo, PE
Kimley-Horn

PROPOSAL FOR SUBSURFACE UTILITY ENGINEERING SERVICES

Project: Bessie St. Stormwater Maintenance Improvements, City of Windermere, Orange County, FL

Re. IPO 119 Supplemental Agreement for Additional Work (SUE)

Dear Mr. Gallo:

At ECHO UES, Inc. (ECHO) we value your consideration and appreciate the opportunity to provide a technical proposal for the provision of professional services. This technical proposal inclusive of economical offer and schedule details the approach we consider as the most suitable for your specific project's needs.

Project Synopsis: Based on the information made available to ECHO, we understand the project consisting of engineering design services for utility improvements. ECHO's professional services were requested to provide subsurface utility engineering services in support of the design phase, investigating the presence and location of existing utilities in potential conflict with the project.

Project Limits: ECHO's proposed services will be performed within well-defined limits (i.e. Project Limits) as shown on the provided graphic representation.

Services: Using a combination of field investigative techniques and technology, including surface geophysical instruments and vacuum excavation, ECHO will perform the following services.

- **Identification and marking of existing utilities.** Utilities potentially in conflict with the project and located within the project limits will be investigated in the attempt to identify their position. The results will be marked on the ground surface using the most appropriate method (i.e. pin flags, paint etc.) and showing the approximate position of the identified utilities. **For this effort, ECHO will attempt to achieve the ASCE/CI 38-02 Utility Quality Level B.**

  ECHO will attempt to identify and mark detectable underground utilities potentially in conflict with the proposed installations and located within the project limits, with the

exclusion of irrigation lines, services lines and sewer laterals; main gravity lines (sewer and drainage) are included in the topographical survey scope.

- **Verification of utility location and characteristics**. At locations selected by the Client, ECHO will attempt to expose utilities via minimally intrusive methods (e.g. use of vacuum excavation) to confirm their characteristics (e.g. type, size, material, direction, configuration) and provide an accurate location. At completion of each excavation (test hole) ECHO will record all verifiable utility information, mark the utility location with the most appropriate method (e.g. wooden lathes, "X" mark on concrete, disc and nail on asphalt) and restore the field to as close as possible to its original conditions. **For this effort, ECHO will attempt to achieve the ASCE/CI 38-02 Utility Quality Level A.**

- **Survey of utility information:**
  - ECHO will recover existing project control as provided by the Client and survey new utility information gathered as described above.
  - All survey efforts will be conducted in accordance with the Standards of Practice set forth in Rule Chapter 5J-17, F.A.C., pursuant to Section 472.027, F.S.

Deliverables:

a. Field deliverables will consist of field marks (e.g. pin flags, paint marks, wooden lathes, nails/discs etc.) showing the position of the found utilities.
b. Office deliverables will consist of:
   - images and a sketch (out of scale unless otherwise stated) based on the project plans or aerial imagery publicly available.
   - Test hole data sheets containing all the information obtained via test holes and visual verification.
   - Survey digital file and one (1) signed and sealed surveyor's report.

Proposed Schedule: To be agreed upon with Client.

Notes and Limitations:

1. Client shall facilitate access to the site and provide any relevant project information.
2. Site must be clear from obstacles impeding access to any portion of the project limits.
3. Standard work hours are from 7:00am to 4:00pm, Monday through Friday; additional charges may occur (following discussion with the Client) in case of weekend or nighttime work.
4. ECHO will not work on any site that is known to be contaminated with any hazardous or harmful substance.
5. Any permit or fee requested to perform the work complying with any stakeholder's requirement will be submitted to the Client with a 5% administrative markup.
6. FDOT Design Standards (Index 600 Series) will be utilized for the Maintenance of Traffic (MOT). Should the site require modification to the Index 600 for non-standard MOT arrangements, ECHO will seek the Client's concurrence to obtain signed and sealed project's specific MOT plans (to be provided by others).
7. Any cost associated with signed and sealed MOT plans will be submitted to the Client with a 5% administrative markup.

8. Unless otherwise stated within this proposal, test holes have usual depth of up to eight (8) ft. from the ground surface, and diameter of up to 1 ft. Should there be a need for deeper or wider excavations, additional charges may apply.
9. The original ground surface at each test hole location will be restored to as close as possible to its original conditions, using concrete mix or asphalt cold patch as applicable. Any deviation from this standard (e.g. use of hot asphalt, flowable fill etc.) may require additional charges and the use of specialty subcontractors.
10. Regardless of the type of estimate proposed (e.g. lump sum, time and materials, etc.) such estimate should be considered indicative and based on preliminary information. Should any situation out of ECHO's control heavily impact ECHO's field work performance (e.g. adverse site conditions), ECHO reserves the right to seek additional funds to complete the work.
11. The exact location of any underground utility is not guaranteed unless clearly exposed and visually verified at a specific location. Utility characteristics, methods of installation, soil conditions and the surrounding environment all may impact adversely the results of any utility investigation with surface geophysical instruments and technology. No guarantee is made that all utilities will be found and identified.
12. Independently from ECHO's scope of work and performance, the Client shall comply with the relative chapter from the Florida (or any other applicable) Statutes: "Underground Facility Damage Prevention and Safety Act" and call 811 prior to any excavation taking place.
13. Subsurface Utility Engineering, Designating and Locating terms all refer to the American Society of Civil Engineers / Construction Institute Standard for the Collection and Depiction of Subsurface Utility Data (ASCE/CI 38-02). Should ECHO adopt this standard for the performance of the scope of work and preparation of deliverables, clear mention to the Standard shall be made throughout the deliverable.

Fee: ECHO's competitive offer, which is inclusive of all field, office, materials, supplies, and equipment costs is detailed below.

- **Perform SUE services as described herewith, to include up to three (3) utility verification test holes; Fixed Fee: $3,900.00**

Acceptance: We will honor this proposal for 90 days. If accepted, please return together with the associate subagreement duly executed.

At ECHO UES, Inc. we believe in collaboration and communication with our clients, driven to understand their needs and provide time efficient and cost-effective solutions. ECHO strives to provide quality utility and survey reliable data to design better, build faster, and safely enhance Engineering, Design, Construction and Maintenance of infrastructure.

Thank you for considering ECHO for your project, and please do not hesitate to contact me directly should you have any question or concern.

Sincerely,

Carlo Pilia
Vice President
ECHO UES, Inc.

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Vicinity Map:

Project Limits: Below and attached.

Kimley»Horn

Old Main Street from 9th Ave to 10th Ave Stormwater Maintenance Improvements
April 8, 2021

Identification of Project:

Project: Old Main Street from 9th Ave to 10th Ave Stormwater Maintenance Improvements

Client: Town of Windermere

Project Understanding:

This proposal identifies the scope, schedule, and fee for engineering services for the 45% Design Plans for review by Town Council and Final Design Plans associated for the Drainage Improvements along Old Main Street from 9th Ave to 10th Ave (Project).

The Project will consist of open and closed drainage conveyance systems while maintaining the existing width of the dirt roadways along Old Main Street from 9th Ave to 10th Ave (approximately 750'). The improvements will include proposed drainage swales, inlets and pipes to accommodate the water quantity and requirements for this drainage sub basin.

The design will comply with the direction of Town Council provided at the 45% design review and prior to proceeding to the Final Design Phase. Kimley-Horn will coordinate with Town Staff early during the design for direction to limit impacts to existing features along the corridor as to not diminish the look, feel and charm of the area. Kimley-Horn will present the 45% Design Plans to the Town Council at one (1) meeting. Final Design work will comply with the requirements of the appropriate regulatory agencies.

Specific Scope of Basic Services:

Task 1 – 45% Design Plans Submittal

A. Construction Plans

Kimley-Horn will prepare the 45% design package and construction plans for the drainage improvements in accordance with Town Staff direction, FDOT Drainage Manual, and requirements by regulatory agencies. Coordination with a certified arborist retained by the Town will be conducted early during this process. Kimley-Horn will present the 45% Design Plans to the Town Council at one (1) meeting.

The drainage plan and profile sheets will be prepared on 11"x17" half size sheets at a horizontal scale of 1" = 40'. The plans will be prepared on topographic information provided by a field survey. The plan and profile sheets will show the horizontal and vertical information for the project. Various roadway elements such as dirt road widths, drainage swales, inlets, pipes, intersecting roadways, driveways and right-of-way lines will be shown and dimensioned. The plans will include grading details for the drainage improvements along Old Main Street.

Existing underground utilities will be shown based on information provided by the utility companies or as identified during surveying efforts. Roadway soil profiles from auger borings will be shown.

B. Drainage Design

Drainage Map(s) will be prepared for the project at a scale of 1" = 200'. The drainage maps will show roadway drainage basins, existing drainage features, offsite basins and flow patterns/arrows. Design information relative to the proposed storm sewer pipes, drainage structures and swales will be shown on the drainage plan and profile sheets. Proposed drainage structure cross sections are not included in this Task.

Kimley-Horn will design roadside swales as needed to accommodate the Project. Drainage calculations will be prepared and documented in a Drainage Report.

Task 2 – Final Design Plans Submittal

A. Construction Plans

Based on the coordination with Town Staff and Council established after the 45% Design Plans submittal, Kimley-Horn will prepare the Final Design and construction plans for the drainage improvements.

It is anticipated that Traffic Control Plans (TCP) will be prepared by the Contractor and is not included this Task.

B. Permitting

It is anticipated that the drainage and water quality improvements will require a South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP).

Kimley-Horn will provide water quality calculations in support of SFWMD ERP application.

Kimley-Horn will prepare and submit a permit application package to the SFWMD. Kimley-Horn will respond to up to two (2) Requests for Additional Information (RAI) from the SFWMD. The Town will be responsible for signing all necessary application forms and all application fees associated with the permit application.

Task 3 – Bid Assistance Services

Kimley-Horn will prepare one (1) opinion of probable construction cost and one (1) contractor bid tabulation form for the Project for use by the Town during the bidding process. Kimley-Horn will attend one (1) pre-bid meeting and provide input as directed by the Client. Kimley-Horn will prepare responses to questions submitted by the contractors to the Town during the bidding period.

Task 4 – Construction Phase Services

Kimley-Horn will review dirt road material and drainage structure shop drawings submitted by the Contractor in accordance with standard FDOT procedures. The Town will be responsible for the receipt, distribution, and disposition of all contractor submittals, including project logs. The term "shop drawings" include all drawings, diagrams, illustrations, transportation procedures, manuals, and design calculations submitted by the Contractor to define some portion of the project.

Kimley-Horn will provide written responses to the Town for up to three (3) Contractor Requests for Information (RFI).

Kimley-Horn will attend up to two (2) progress meetings during construction as requested by the Town. This task does not include engineering inspection services.

Task 5 – Survey and Subsurface Utility Verification

Kimley-Horn has retained the services of ECHO UES, Inc. (ECHO) to perform the following tasks. Refer to attached subconsultant proposal for additional information.

- Topographical survey
- Identification of Apparent R/W
- Utility Designation
- Utility Locating - Up to two (2) Test Holes

Task 6 – Geotechnical Engineering

Kimley-Horn has retained the services of GEC, Inc. (GEC) to perform one (1) soil boring and one (1) Double Ring Infiltration (DRI) test. Refer to attached subconsultant proposal for additional information.

Project Deliverables:

- 45% Construction Plans
- Final Construction Plans
- Drainage Report
- SFWMD application package
- Utility test hole data sheets
- Opinion of probable construction cost
- Contractor bid tabulation form

Additional Services if required:

The following services are not included in this proposal, but may be performed if authorized by the Town. Payment for these additional services will be agreed upon prior to their performance.

- Utility Design
- Traffic Control Plans
- Drainage structure cross sections
- Engineering inspection services
- Attendance at meetings in addition to those noted in the scope of services
- Certified Arborist evaluation for tree preservation

Information Provided By Client:

The Town will provide the following information, upon which Kimley-Horn can rely:

- Available right of way data
- Available record or as-built plans
- Available permits
- Data regarding the existing road conditions

Schedule:

Tasks 1, 2, 5 and 6 are anticipated to be completed within 180 calendar days. Tasks 3 and 4 will be dependent on the Town's bidding process and the construction duration.

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Method of Compensation:

Kimley-Horn will perform the scope of services in Tasks 1-6 for a lump sum fee of $40,425 inclusive of expenses. A breakdown of fee by task is provided in the table below.

Task	Fee
Task 1: 45% Design Plans Submittal	$7,835
Task 2: Final Design Plans Submittal	$10,990
Task 3: Bid Assistance Services	$3,130
Task 4: Construction Phase Services	$6,260
Task 5: Survey and Subsurface Utility Verification	$7,720
Task 6: Geotechnical Engineering	$4,490

Lump sum fees will be invoiced monthly based upon the overall percentage of services performed. Payment will be due within 25 days of your receipt of the invoice.

ACCEPTED:

THE TOWN OF WINDERMERE, FLORIDA

BY:_____

TITLE:_____

DATE:_____

KIMLEY-HORN AND ASSOCIATES, INC.

BY:_____
Hao T. Chau, PE

TITLE: Assistant Secretary/Project Manager

DATE: 4/08/2021

Kimley»Horn

April 8, 2021

KIMLEY-HORN AND ASSOCIATES, INC.

Project: Old Main Street from 9th Ave to 10th Ave

Stormwater Maintenance Improvements

Client: Town of Windermere

Summary of Fees and Charges

PROJECT LABOR	Hours		Lump Sum
Project: Old Main Street from 9th Ave to 10th Ave	**180.0**	**$**	**28,215.00**
1. 45% Design Plans Submittal	50.0	$	7,835.00
2. Final Design Plans Submittal	70.0	$	10,990.00
3. Bid Assistance Services	20.0	$	3,130.00
4. Construction Phase Services	40.0	$	6,260.00
SUBTOTAL KIMLEY-HORN LABOR FEES:	180.0	$	28,215.00
Subconsultant: 5. Survey and Subsurface Utility Verification (ECHO)		$	7,720.00
Subconsultant: 6. Geotechnical Engineering (GEC)		$	4,490.00
Total Subconsultant		**$**	**12,210.00**
GRAND TOTAL FEES AND CHARGES:		***$***	***40,425.00***

Kimley»Horn

Consultant Name: **Kimley-Horn and Associates, Inc.**

Work Effort and Fee Estimate Table

Project: Old Main Street from 9th Ave to 10th Ave

task	Principal		Proj Manager		Sr Engineer		Project Engineer		Analyst/Designer		Clerical		task totals	
	hrs.	rate	hrs.	rate	hrs.	rate	hrs.	rate	hrs.	rate	hrs.	rate	hrs.	rate
1. 45% Design Plans Submittal	2	$ 480.00	6	$ 1,200.00	6	$ 1,200.00	13	$ 2,275.00	21	$ 2,520.00	2	$ 160.00	50	$ 7,835.00
2. Final Design Plans Submittal	2	$ 480.00	9	$ 1,800.00	9	$ 1,800.00	18	$ 3,150.00	30	$ 3,600.00	2	$ 160.00	70	$ 10,990.00
3. Bid Assistance Services	1	$ 240.00	2	$ 400.00	2	$ 400.00	6	$ 1,050.00	8	$ 960.00	1	$ 80.00	20	$ 3,130.00
4. Construction Phase Services	2	$ 480.00	4	$ 800.00	4	$ 800.00	12	$ 2,100.00	16	$ 1,920.00	2	$ 160.00	40	$ 6,260.00
Total Billable Labor													**180**	**$ 28,215.00**

Principal	Proj Manager	Sr Engineer	Project Engineer	Analyst/Designer	Clerical
7 $ 1,680.00	21 $ 4,200.00	21 $ 4,200.00	49 $ 8,575.00	75 $ 9,000.00	7 $ 560.00
3.9%	11.7%	11.7%	27.2%	41.7%	3.9%

Notes:

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April 8, 2021

Hao Chau, PE
Kimley-Horn

PROPOSAL FOR TOPOGRAPHICAL SURVEY and SUBSURFACE UTILITY ENGINEERING SERVICES

Project: Old Main St., from 9th Ave. to 10th Ave. Drainage Improvements, City of Windermere, Orange County, FL

Re. IPO 120

Dear Mr. Chau:

At ECHO UES, Inc. (ECHO) we value your consideration and appreciate the opportunity to provide a technical proposal for the provision of professional services. This technical proposal inclusive of economical offer and schedule details the approach we consider as the most suitable for your specific project's needs.

Project Synopsis: Based on the information made available to ECHO, we understand the project consisting of engineering design services for utility improvements. ECHO's professional services were requested to provide a topographical survey of the project site in addition to subsurface utility engineering services in support of the design.

Project Limits: ECHO's proposed services will be performed within well-defined limits (i.e. Project Limits) as shown on the provided graphic representation.

Services:

Subsurface Utility Engineering

- **Identification and marking of existing utilities.** Utilities potentially in conflict with the project and located within the project limits will be investigated in the attempt to identify their position. The results will be marked on the ground surface using the most appropriate method (i.e. pin flags, paint etc.) and showing the approximate position of the identified utilities. **For this effort, ECHO will attempt to achieve the ASCE/CI 38-02 Utility Quality Level B.**

ECHO will attempt to identify and mark detectable underground utilities potentially in conflict with the proposed installations and located within the project limits, with the exclusion of irrigation lines, services lines and sewer laterals; main gravity lines (sewer and drainage) are included in the topographical survey scope.

- **Verification of utility location and characteristics**. At locations selected by the Client, ECHO will attempt to expose utilities via minimally intrusive methods (e.g. use of vacuum excavation) to confirm their characteristics (e.g. type, size, material, direction, configuration) and provide an accurate location. At completion of each excavation (test hole) ECHO will record all verifiable utility information, mark the utility location with the most appropriate method (e.g. wooden lathes, "X" mark on concrete, disc and nail on asphalt) and restore the field to as close as possible to its original conditions. **For this effort, ECHO will attempt to achieve the ASCE/CI 38-02 Utility Quality Level A.**

Topographic and Utility Survey

- Recover horizontal and vertical control throughout the project corridor for the purpose of collecting the topographic information.
- Collect aboveground and visible features and improvements within the highlighted limits as shown and described by the attached graphic, in addition to utility information obtained per steps above.
- Accessible drainage structures located within the limits as shown on said exhibit will be collected horizontally and vertically.
- Accessible sanitary sewer structures located within the limits as shown on said exhibit will be collected horizontally and vertically.
- Collect sufficient elevation data to create a digital terrain model (DTM) of the site.
- The horizontal and vertical survey control will be provided in the final survey in tabular format for use by the contractor during construction activities.
- Recover and tie down sufficient monumentation in the field to calculate the existing apparent right-of-way along all public roadways within the project limits. Right-of-way will be shown as calculated based on field monumentation and it will be referred to as apparent right-of-way; it will not be a full right-of-way mapping survey.
- All survey efforts will be conducted in accordance with the Standards of Practice set forth in Rule Chapter 5J-17, F.A.C., pursuant to Section 472.027, F.S.

Deliverables:

Office deliverables will consist of:

- Survey digital CADD file (AutoCAD) inclusive of sheeting to appropriate format and scale, and a signed and sealed surveyor's report.

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Proposed Schedule: To be agreed upon with Client.

Notes and Limitations:

1. Client shall facilitate access to the site and provide any relevant project information.
2. Site must be clear from obstacles impeding access to any portion of the project limits.
3. Standard work hours are from 7:00am to 4:00pm, Monday through Friday; additional charges may occur (following discussion with the Client) in case of weekend or nighttime work.
4. ECHO will not work on any site that is known to be contaminated with any hazardous or harmful substance.
5. Any permit or fee requested to perform the work complying with any stakeholder's requirement will be submitted to the Client with a 5% administrative markup.
6. FDOT Design Standards (Index 600 Series) will be utilized for the Maintenance of Traffic (MOT). Should the site require modification to the Index 600 for non-standard MOT arrangements, ECHO will seek the Client's concurrence to obtain signed and sealed project's specific MOT plans (to be provided by others).
7. Any cost associated with signed and sealed MOT plans will be submitted to the Client with a 5% administrative markup.
8. Unless otherwise stated within this proposal, test holes have usual depth of up to eight (8) ft. from the ground surface, and diameter of up to 1 ft. Should there be a need for deeper or wider excavations, additional charges may apply.
9. The original ground surface at each test hole location will be restored to as close as possible to its original conditions, using concrete mix or asphalt cold patch as applicable. Any deviation from this standard (e.g. use of hot asphalt, flowable fill etc.) may require additional charges and the use of specialty subcontractors.
10. Regardless of the type of estimate proposed (e.g. lump sum, time and materials, etc.) such estimate should be considered indicative and based on preliminary information. Should any situation out of ECHO's control heavily impact ECHO's field work performance (e.g. adverse site conditions), ECHO reserves the right to seek additional funds to complete the work.
11. The exact location of any underground utility is not guaranteed unless clearly exposed and visually verified at a specific location. Utility characteristics, methods of installation, soil conditions and the surrounding environment all may impact adversely the results of any utility investigation with surface geophysical instruments and technology. No guarantee is made that all utilities will be found and identified.
12. Independently from ECHO's scope of work and performance, the Client shall comply with the relative chapter from the Florida (or any other applicable) Statutes: "Underground Facility Damage Prevention and Safety Act" and call 811 prior to any excavation taking place.
13. Subsurface Utility Engineering, Designating and Locating terms all refer to the American Society of Civil Engineers / Construction Institute Standard for the Collection and Depiction of Subsurface Utility Data (ASCE/CI 38-02). Should ECHO adopt this standard for the performance of the scope of work and preparation of deliverables, clear mention to the Standard shall be made throughout the deliverable.

Fee: ECHO's competitive offer, which is inclusive of all field, office, materials, supplies, and equipment costs is detailed below.

- **Topographical Survey of the project site, Fixed Fee: $2,990.00**
- **Identification of apparent R/W within the project limits for inclusion within the Topographical Survey file, Fixed Fee: $1,500.00**
- **Utility designating within the project limits, Fixed Fee: $2,230.00**
- **Utility locating up to two (2) test holes, inclusive of survey, Fixed Fee: $1,000.00**

Acceptance: We will honor this proposal for 90 days. If accepted, please return together with the associate subagreement duly executed.

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Thank you for considering ECHO for your project, and please do not hesitate to contact me directly should you have any question or concern.

Sincerely,

Carlo Pilia
Vice President
ECHO UES, Inc.

Vicinity Map:

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Project Limits: Below and attached.

Geotechnical and Environmental Consultants, Inc.

At the very foundation of our community

April 8, 2021

Kimley-Horn
189 S. Orange Avenue, Suite 1000
Orlando, FL 32801

Attention: Mr. Hao T. Chau, P.E.

Subject: Proposal for Geotechnical Engineering Services
OLD MAIN STREET FROM 9TH TO 10TH AVENUE DRAINAGE IMPROVEMENTS
IPO #120
Windermere, Florida
GEC Proposal No. P10511G

Dear Mr. Chau:

Geotechnical and Environmental Consultants, Inc. (GEC) is pleased to provide this proposal for the above-referenced project. Our proposed scope of services is based on the project information you provided to us, as shown on Attachment 1, and our correspondence on April 6, 2021. The purpose of this investigation is to explore soil and groundwater conditions at the drainage locations and to use the information obtained to provide geotechnical engineering recommendations for the design of the drainage system. This proposal presents our understanding of the project, our recommended scope of services, and a cost and schedule for providing those services.

Site Location and Project Description

The project site is located along Main Street beginning at 9th Avenue and continuing south of 10th Avenue in Windermere, Florida as shown on **Attachment 1**. The general vicinity of the site is characterized by single-family residential.

We understand that the project includes a new dry linear retention swale near 10th Avenue.

Scope of Services

Based on the project information provided, our experience, and the local standard of care, we recommend the following scope of services:

- Stake boring locations at the site.
- Clear utilities at the boring locations.
- Mobilize truck drilling equipment and personnel.
- Perform a total of 1 auger boring to 15 feet deep and 1 Double Ring Infiltration (DRI) test for the drainage area.
- Perform routine laboratory soil classification tests to enhance visual soil classification of samples obtained.
- Issue a geotechnical engineering report that will address the following topics:
    - Subsurface conditions at the boring location
    - Measured and estimated seasonal high groundwater depths
    - Site preparation
    - Fill selection, placement and compaction
    - Suitability of soil excavated for use as engineered fill
    - Measured infiltration rate for Drainage Engineer's use

The geotechnical report will be signed and sealed by a Geotechnical Engineer licensed in Florida.

Cost and Schedule

The cost to provide the scope of services is a LIMITING AMOUNT fee of $4,490.00. Attachment 2 documents our detailed scope of services and fees. *Our fees will be billed based on the actual units of work performed and the unit rates shown on Attachment 2; however, we will not exceed the limiting amount without your authorization.* This fee includes an electronic copy of our report emailed to you.

Our schedule to complete the work will be about 4 weeks from your written notice to proceed. If requested, verbal recommendations can be provided after the field work is completed.

Limitations

This proposal is subject to the following limitations: 1) The site will be accessible to the drilling equipment assumed above. If other types of drilling equipment become necessary due to site and/or weather conditions, appropriate adjustments to the actual fees will be necessary; 2) undisturbed samples and consolidation tests are not included, unless stated above; and 3) we assume no responsibility for damage to underground utilities and/or structures that are not located by the owner or Sunshine State One-Call.

Closure

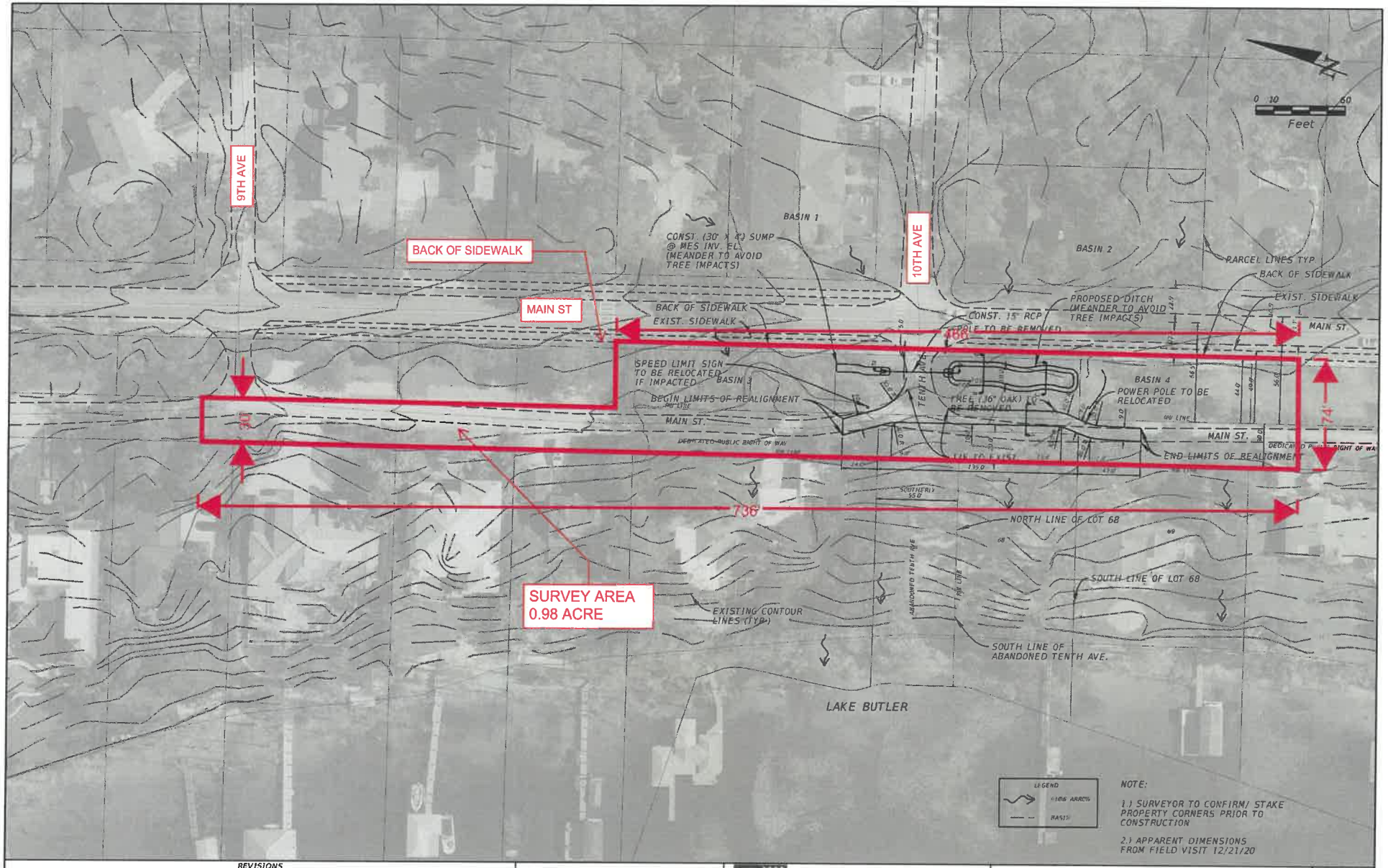
GEC appreciates the opportunity to submit this proposal. If you have any questions regarding this proposal, or if we can be of further assistance, please contact the undersigned.

Very truly yours,

GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS, INC.

Ryan J. Petersen, E.I.
Project Manager

Christopher P. Meyer, P.E.
Principal Engineer



REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

Kimley»Horn
189 South Orange Avenue, Suite 1000
Orlando, Florida 32801

TOWN OF WINDERMERE

TENTH AVE. & OLD MAIN ST. EXTENSION

SHEET NO.

Alyssa.Davidson 4/6/2021 4:20:42 PM Prop Exhibit 3d Widening\Drainage\Amendment\DRPRRD01.dgn

Attachment 2
Geotechnical Scope of Services and Cost
BESSIE AND 9TH STORNWATER MAINTENANCE IMPROVEMENTS
IPO # 119 AMENDMENT NO. 1
Windermere, Florida
GEC Proposal No. 10511G

	Quantity	Units	Unit Rate	Cost
Field Services				
Mobilization of Truck-Mounted Rig	1	ls	$600.00	$600.00
Engineering Technician				
(Site Recon, Boring Layout, 24-Hr GWT and Utility Clearan	4	hr	$60.00	$240.00
Auger Borings (1 @ 15 ft)	15	ft	$12.00	$180.00
Double Ring Infiltration (DRI) Test	1	ea	$600.00	$600.00
Drill Rig and Crew - Truck (2 person)	1	hr	$220.00	$220.00
GPS Unit for Boring Locations	1	day	$100.00	$100.00
Portable Safety Signs for MOT	1	day	$50.00	$50.00
Support Truck	1	day	$150.00	$150.00
			Field Subtotal	**$2,140.00**
Laboratory Testing				
Grain Size Analyses	2	ea	$70.00	$140.00
Organic Content	1	ea	$50.00	$50.00
Atterberg Limits	1	ea	$110.00	$110.00
Natural Moisture Content	2	ea	$15.00	$30.00
			Laboratory Subtotal	**$330.00**
Engineering Analysis & Report				
Senior Engineer	4	hr	$160.00	$640.00
Project Engineer	8	hr	$120.00	$960.00
CADD Draftsman/GIS Specialist	3	hr	$100.00	$300.00
Secretary	2	hr	$60.00	$120.00
			Engineering Subtotal	**$2,020.00**
			TOTAL LIMITING AMOUNT FEE	**$4,490.00**

Kimley»Horn

INDIVIDUAL PROJECT ORDER NUMBER 121
April 06, 2021

Describing a specific agreement between Kimley-Horn and Associates, Inc. (Kimley-Horn), and The Town of Windermere (the Client or the Town) in accordance with the terms of the Master Agreement for Continuing Engineering Services dated May 15, 2019, which is incorporated herein by reference.

Identification of Project:

Project: Windermere Ward Trail Design – Phase 1

Client: Town of Windermere

I. PROJECT UNDERSTANDING

A Concept Plan was completed for a multi-use path between North Drive and Park Avenue, in the area between Old Main Street / South Lake Butler Boulevard and Main Street/Maguire Road. This IPO is for the design and permitting phase, which will result in construction plans, bid documents, and an Engineer's Opinion of Probable Costs. The project includes a workshop with adjacent residents and a walk through with an arborist (to be hired separately by Town).

A previous IPO, IPO #116, consisted of planning, coordination, and design elements the for the bridge over the canal with golf-cart connections to adjacent roadways. That IPO included structural design of the berms leading up to the bridge over the canal and coordination with a company that will design the prefabricated bridge structure. It is anticipated that one set of final construction plans will be developed for all of Phase 1 of Ward Trail, from North Drive to Park Avenue.

This project includes an 8-10' wide concrete trail, drainage facilities for collection and water quality, and landscaping elements.

This IPO is based on providing one (1) set of construction plans for Ward Trail. The plans will be submitted to the Town for review at the 60% and 100% stage.

II. SCOPE OF SERVICES

Task 1 –Meetings

Kimley-Horn will prepare for and attend up to three (3) staff meetings. It is anticipated that this will consist of a meeting at the 60% stage, a meeting after the resident workshop, and a meeting at the 100% stage.

Kimley-Horn will walk through the site when plans are at 60% with an Arborist, to be hired separately by Town. Kimley-Horn will coordinate with Town staff on changes to the alignment and tree protection measures based on the walk-through results.

Kimley-Horn will prepare for and attend two virtual workshops with residents who live adjacent to the Trail. Kimley-Horn will prepare for and conduct the meetings then document the discussions via written workshop summaries. Kimley-Horn will develop and send a postcard meeting invitation to the residents.

Kimley-Horn will present the project to the Town Council in a regular meeting or workshop to be scheduled by Town.

Task 2 – Construction Plans

Kimley-Horn will prepare the final design and construction plans for the Trail improvements in accordance with the FDOT Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Street and Highways (Florida Greenbook) and the FDOT Standard Plans.

The construction plan and profile sheets will be prepared on 11"x17" half size sheets at a horizontal scale of 1" = 40'. The plans will be prepared on topographic information provided by a field survey. The plan and profile sheets will show the horizontal and vertical information for the project. Various elements such as pavement width, drainage elements, intersecting roadways, driveways and right-of-way lines will be shown and dimensioned.

The plans will include typical section(s) to depict the paving details.

Cross-Sections will be developed at 50-foot intervals along the baseline of survey and at driveway connections to scales of 1" = 10' horizontal and 1" = 5' vertical. Existing underground utilities will be shown based on information provided by the utility companies or as identified during surveying efforts. Roadway soil profiles from auger borings will be shown.

It is anticipated that Temporary Traffic Control Plans (TTCP) will be prepared by the Contractor and is not included this Scope of Work.

Kimley-Horn will review the existing drainage systems present in the corridor and determine the modifications that will be necessary to accommodate the proposed trail. Kimley-Horn will design a drainage system and provide a report to document the drainage design for the proposed trail. The design may include roadside swales, berms, cross drains, inlets and pipes. In addition, Best Management Practices (BMPs) will be utilized prior to direct discharge to the canal (outfall). Any special consideration of permit requirements that includes stormwater ponds is not included under this task. The report will document field reviews, flooding reports, and drainage calculations. Kimley-Horn will conduct one field review during a significant rainfall event. Drainage design information relative to proposed storm sewer pipes, drainage structures and swales will be shown on the plan sheets; and a drainage map shall be prepared as part of the roadway plans. Proposed drainage structure cross sections are not included.

Kimley-Horn will design the signing and pavement markings for the trail in accordance with the current version of the Manual on Uniform Traffic Control Devices (MUTCD), the FDOT Standard Plans and the Americans with Disabilities Act Standards for Accessible Design. The design will be shown on the plan and profile sheets.

Task 3 – Landscape Design

Kimley-Horn will prepare one (1) set of Tree Inventory and Tree Mitigation utilizing an owner-provided, horizontally controlled tree survey which indicates:

- Tree Species
- Tree Size (DBH-diameter at breast height)
- Tree location (with COGO electronic data points provided by Surveyor/Others)
- Requirements Per The Town of Windermere Site Development Landscape

Requirements

The Tree Mitigation Plans will include:

- Tree data, location, and status of tree to be removed or remain in place based on the Town's requirements. Kimley-Horn will provide revised plans after input from the Arborist walk-through.
- Locations of proposed mitigation techniques limited to: tree protection fencing, root pruning limits, extents of aeration beds, and extents of pervious pavement.
- Tree removal and mitigation calculations per the jurisdiction's tree mitigation requirements to determine the total number of replacement inches required.

Kimley-Horn will prepare development plan level Landscape Drawings (code compliant only) in accordance with The Town of Windermere Site Development Landscape Requirements.

The Landscape Plan work will include:

- Preparation of landscape construction documents suitable for bidding and construction depicting landscape locations; quantities; and sizes including planting details, landscape berms, general notes, and specifications.
- Landscape plans for edge-of-pavement to edge-of-pavement.
- Grassing, seeding/sodding, and other special materials on the designation plan.
- Plant details to meet The Town of Windermere requirements.
- Provide one (1) final code concept landscape plan for the proposed project, using CAD technology suitable for submittal for permitting.

Deliverables for this task will include one (11"x17") set of reproducible drawings to be included in the construction documents for bidding.

This task includes two (2) meetings with Town staff and one (1) site visit for data collection. This task does not include irrigation plans.

Task 4 – Prefabricated Bridge Coordination and Substructure Design
Kimley-Horn will incorporate design elements from IPO 116 into the construction plans.

Task 5 – Permitting

Kimley-Horn will attend one (1) pre-application meeting with the South Florida Water Management District (SFWMD) to discuss the project. It is anticipated that one (1) Environmental Resource Permit (ERP) application will be submitted to the SFWMD. Kimley-Horn will conduct field verification with the SFWMD to confirm surface water limits. Kimley-Horn will respond to up to two (2) Requests for Additional Information (RAI) from the SFWMD.

Kimley-Horn will submit a Nationwide Permit application to the US Army Corps of Engineers (USACE). Kimley-Horn will respond to up to two (2) RAIs from the USACE. Kimley-Horn will coordinate with the US Fish and Wildlife Services USFWS to determine eligibility for a reduced or eliminated skink survey prior to the start of construction related activities.

Kimley-Horn will prepare a Conservation Area Determination (CAD) application to the Orange County Environmental Protection Division (EPD) to determine whether a Conservation Area Impact (CAI) is required. Kimley-Horn will conduct field verification with the EPD to confirm surface water limits. Kimley-Horn will respond to up to two (2) RAIs from the EPD.

The Town will be responsible for signing all necessary application forms and all application fees associated with the permit application.

Kimley-Horn will attend one (1) coordination meeting with the SFWMD to discuss the criteria. It is anticipated that one (1) Environmental Resource Permit (ERP) application will be submitted to the South Florida Water Management District (SFWMD).

Kimley-Horn will conduct field verification with the South Florida Water Management District (SFWMD) and the US Army Corps of Engineers (USACE) to confirm surface water limits. Kimley-Horn will coordinate with the US Fish and Wildlife Services USFWS to determine eligibility for a reduced or eliminated skink survey prior to the start of construction related activities.

Kimley-Horn will prepare an application to the Orange County Environmental Protection Division (EPD) to determine whether a Conservation Area Impact permit will be required from Orange County EPD.

The Town will be responsible for signing all necessary application forms and all application fees associated with the permit application.

Task 6 – Bid Assistance
Kimley-Horn will prepare one (1) opinion of probable construction cost and one (1) contractor bid tabulation form for the Project for use by the Town during the bidding process. Kimley-Horn will attend one (1) pre-bid meeting and provide input as directed by the Town. Kimley-Horn will prepare one (1) round of responses to questions submitted by the contractors to the Town during the bidding period.

Task 7 – Survey Services
Kimley-Horn will retain the services of PEC Surveying and Mapping, LLC (PEC) to perform the design survey from North Drive to Park Avenue, approximately 3,200' in length. The survey limits will consist of the area between the Old Main Street right of way and Main Street. Refer to attached subconsultant proposal for additional information.

Task 8 – Geotechnical Services
Kimley-Horn will retain the services of Geotechnical and Environmental Consultants, Inc. (GEC) to perform auger borings, field permeability tests, LBR testing and laboratory soil classification tests for the proposed improvements. Refer to attached subconsultant proposal for additional information.

Task 9 – Subsurface Utility Investigation
Kimley-Horn will retain the services of ECHO Utility Engineering & Survey, Inc. (ECHO) to perform utility designates and utility test holes. Refer to attached subconsultant proposal for additional information.

Task 10 – Construction Phase Services
Kimley-Horn will review concrete mix design and drainage structure shop drawings submitted by

the Contractor in accordance with standard FDOT procedures. The Town will be responsible for the receipt, distribution, and disposition of all contractor submittals, including project logs. The term "shop drawings" include all drawings, diagrams, illustrations, transportation procedures, manuals, and design calculations submitted by the Contractor to define some portion of the project.

Kimley-Horn will provide written responses to the Town for up to five (5) Contractor Requests for Information (RFI).

Kimley-Horn will attend up to five (5) progress meetings during construction as requested by the Town. This task does not include engineering inspection services.

III. PROJECT DELIVERABLES

- Conceptual Typical Sections
- Trail Plans
- Landscape Plans
- Drainage Report
- SFWMD application package
- Geotechnical engineering report
- Utility test hole data sheets
- Opinion of probable construction cost
- Contractor bid tabulation form

IV. ADDITIONAL SERVICES IF REQUIRED

The following services are not included in this IPO, but may be performed if authorized by the Town. Payment for these additional services will be agreed upon prior to their performance.

- Attendance at meetings in addition to those noted in the scope of services
- Lighting Plans
- Utility Plans
- Drainage structure cross sections
- Temporary Traffic Control Plan
- Irrigation Plans
- Hardscape Plans
- 3D Modeling
- Engineering Inspection or Testing Services
- Certified Arborist Evaluations

(this space intentionally left blank)

V. SCHEDULE

Tasks 1-9 are anticipated to be completed within 240 calendar days. Task 10 will be dependent on the construction duration.

VI. METHOD OF COMPENSATION

Kimley-Horn will perform the services in Tasks 1 –10 for a lump sum fee of **$189,964,** inclusive of expenses. A breakdown of fee by task is provided in the table below.

TABLE 1: STAFFHOUR ESTIMATE

Task	Fee
Task 1: Meetings	$12,030
Task 2: Construction Plans	$88,410
Task 3: Landscaping Design	$14,300
Task 4: Bridge Design Coordination	$440
Task 5: Permitting	$16,500
Task 6: Bid Assistance	$4,430
Task 7: Survey	$22,100
Task 8: Geotech	$7,114
Task 9: SUE	$11,000
Task 10: Construction Phase Services	$13,640
TOTAL	**$189,964**

Lump sum and hourly fees will be invoiced monthly based upon the overall percentage of services performed. Payment will be due within 25 days of your receipt of the invoice.

ACCEPTED:

THE TOWN OF WINDERMERE, FLORIDA

BY:_____

TITLE:_____

DATE:_____

KIMLEY-HORN AND ASSOCIATES, INC.

BY:_____
Hao T. Chau, PE

TITLE: Assistant Secretary

DATE: 04/07/2021

Kimley»Horn

April 7, 2021

KIMLEY-HORN AND ASSOCIATES, INC.

Project: IPO 121 - Ward Trail Design

Client: Town of Windermere

Summary of Fees and Charges

PROJECT LABOR	Hours		Lump Sum
Project: IPO 121 - Ward Trail Design	**930.0**	**$**	**149,750.00**
1. Meetings	70.0	$	12,030.00
2. Construction Plans	558.0	$	88,410.00
3. Landscaping Design	92.0	$	14,300.00
4. Bridge Design Coordination and Substructure Design	3.0	$	440.00
5. Permitting	97.0	$	16,500.00
6. Bid Assistance	28.0	$	4,430.00
10. Construction Phase Services	82.0	$	13,640.00
SUBTOTAL KIMLEY-HORN LABOR FEES:	930.0	$	149,750.00
Subconsultant: 7. Survey Services (PEC)		$	22,100.00
Subconsultant: 8. Geotechnical Services (GEC)		$	7,114.00
Subconsultant: 9. Subsurface Utility Investigation (ECHO)		$	11,000.00
Total Subconsultant		**$**	**40,214.00**
GRAND TOTAL FEES AND CHARGES:		***$***	***189,964.00***

Kimley»Horn

Consultant Name: **Kimley-Horn and Associates, Inc.**

Work Effort and Fee Estimate Table

Project: IPO 121 - Ward Trail Design

task	Principal		Proj Manager		Sr Engineer		Project Engineer		Analyst/Designer		Clerical		task totals	
	hrs.	rate $ 240.00	hrs.	rate $ 200.00	hrs.	rate $ 200.00	hrs.	rate $ 175.00	hrs.	rate $ 120.00	hrs.	rate $ 80.00	hrs.	rate
1. Meetings	2	$ 480.00	22	$ 4,400.00	22	$ 4,400.00	2	$ 350.00	16	$ 1,920.00	6	$ 480.00	70	$ 12,030.00
2. Construction Plans	18	$ 4,320.00	44	$ 8,800.00	98	$ 19,600.00	150	$ 26,250.00	240	$ 28,800.00	8	$ 640.00	558	$ 88,410.00
3. Landscaping Design	12	$ 2,880.00	8	$ 1,600.00	2	$ 400.00	20	$ 3,500.00	48	$ 5,760.00	2	$ 160.00	92	$ 14,300.00
4. Bridge Design Coordination and Substructure Design	0	$ -	1	$ 200.00	0	$ -		$ -	2	$ 240.00	0	$ -	3	$ 440.00
5. Permitting	3	$ 720.00	8	$ 1,600.00	8	$ 1,600.00	60	$ 10,500.00	16	$ 1,920.00	2	$ 160.00	97	$ 16,500.00
6. Bid Assistance	2	$ 480.00	2	$ 400.00	8	$ 1,600.00	2	$ 350.00	12	$ 1,440.00	2	$ 160.00	28	$ 4,430.00
10. Construction Phase Services	2	$ 480.00	6	$ 1,200.00	12	$ 2,400.00	40	$ 7,000.00	20	$ 2,400.00	2	$ 160.00	82	$ 13,640.00
Total Billable Labor													**930**	**$ 149,750.00**

Principal	Proj Manager	Sr Engineer	Project Engineer	Analyst/Designer	Clerical
39 $ 9,600.00	91 $ 18,400.00	150 $ 30,200.00	274 $ 48,125.00	354 $ 42,600.00	22 $ 1,840.00
4.2%	9.8%	16.1%	29.5%	38.1%	2.4%

Notes:

K:\ORL_TPTO\049018000_Windermere_Engineering\Tasks\Ward Trail\[IPO 121-Trail staffhours.xlsx]IPO #121 STAFF HOURS

PEC

Surveying and Mapping, LLC

April 6, 2021

Kimley Horn and Associates, Inc.
Mr. Mike Woodward, P.E.
189 S. Orange Avenue, Suite 1000
Orlando, Florida 32801

PS16791-KHA

Re: Ward Trail – Surveying and Mapping Services
Windermere, Florida

Dear Mr. Woodward:

PEC-Surveying and Mapping (PEC) is pleased to submit our proposal for surveying and mapping services in connection with the above-referenced project.

Project Corridor: The Project Corridor is defined by that portion of the attached Exhibit being bounded on the south by a point 160 feet north of the Lake Butler – Lake Down Canal and bounded on the north by the south Park Avenue right-of-way and being 60 feet in width. The Project Area represents approximately 2,060 feet of the old Railroad bed now owned by the City of Windermere lying west of Maguire Road. This represents a portion of the Orange County Assessor's Parcel Number 08-23-28-0000-00-012 and all of Parcels 08-23-28-0000-00-014, 08-23-28-0000-00-011, 07-23-28-0000-00-004, 07-23-28-0000-00-002 and 07-23-28-0000-00-005.

Approach to Survey

Ward Trail Boundary Survey: The Boundary Limits of these parcels within the Project Area are those lands west of Maguire Road and east of the Wauson Ridge and Metcalf Park Record Plats. The right-of-way of Maguire Road and of the adjacent South Lake Butler Boulevard will be Surveyed. A Project Baseline will be monumented in the field for use during construction activities

Improvement Locations: All above ground improvements will be located relative to the Project Corridor Boundary will be located. The eastern edge of pavement of South Lake Butler Boulevard and Maguire Road adjacent to the corridor will be located. The Lake Butler Boulevard right-of-way improvements within the corridor will also be located.

Bench Levels: A Closed Bench Level loop will be performed from published benchmarks along the Project Corridor. The level loop will establish Project Benchmarks along the Project Corridor. Elevations will be based on the National Geodetic Vertical Datum of 1929 to be consistent with work within the City of Windermere. The benchmarks will be used for the Topographic Survey.

Cross Sections: We propose to obtain elevations of the Project Area by performing cross-sections transverse to the centerline of the Corridor. Cross-sections will be performed on 50-foot intervals. It is noted that a portion of the Project Area is heavily vegetated and will require hand line cutting. The cross-section will extend to the easterly edge of South Lake Butler Boulevard and the westerly edge of Maguire Road.

Tree Location Survey: All trees within the Project Corridor, 6 inches in diameter and greater, as measured at breast height will be located, noting their size and common name.

Deliverables: Deliverables will consist of an AutoDesk CAD file to be used as the engineering basemap.

Schedule: We are prepared to commence within five (5) working days from Notice to Proceed and can complete the assignment within twenty (20) working days from commencement.

Fees: We propose to perform the work for the following Fees:

War Trail Boundary: ..... $ 5,000.00
Improvement Locations: ..... $ 3,500.00
Bench Levels: ..... $ 1,000.00
Cross-sections (43): ..... $ 6,600.00
Tree Location Survey: ..... $ 6,000.00

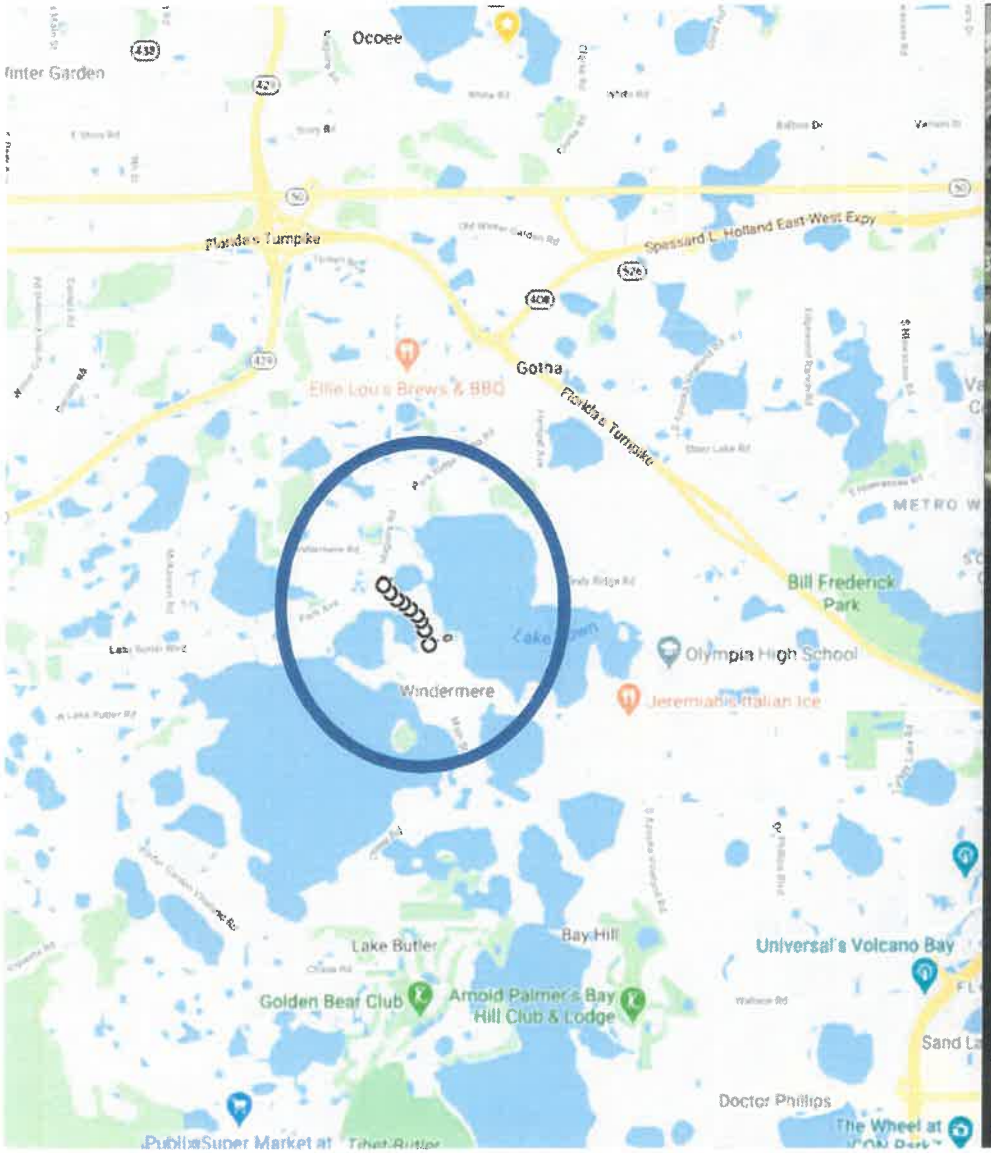
Thank you for the opportunity of submitting this proposal to you. This proposal is valid for 30 days.

Should you have any questions or comments please do not hesitate to contact us.

Sincerely

PEC Surveying and Mapping

David A. White P.S.M.
President


Ocoee
Winter Garden
Florida's Turnpike
Spessard L. Holland East-West Expy
Gotha
Ellie Lou's Brews & BBQ
Florida's Turnpike
METRO W
Bill Frederick Park
Olympia High School
Windermere
Jeremiah's Italian Ice
Lake Butler
Bay Hill
Universal's Volcano Bay
Golden Bear Club
Arnold Palmer's Bay Hill Club & Lodge
Sand La
Doctor Phillips
The Wheel at
Publix Super Market at

PARK AVE
WAUSEON DR
MAGUIRE RD
LAKE DOWN CIR
LAKE BUTLER BLVD
SOUTH LAKE BUTLER BLVD
MAIN ST
WAUSEON BAY
NORTH DR
N
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250
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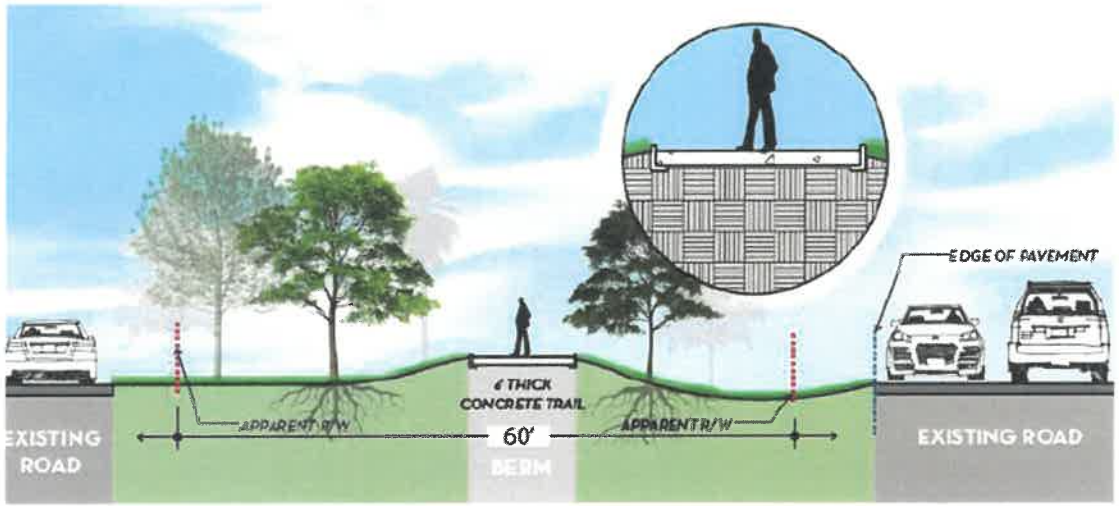
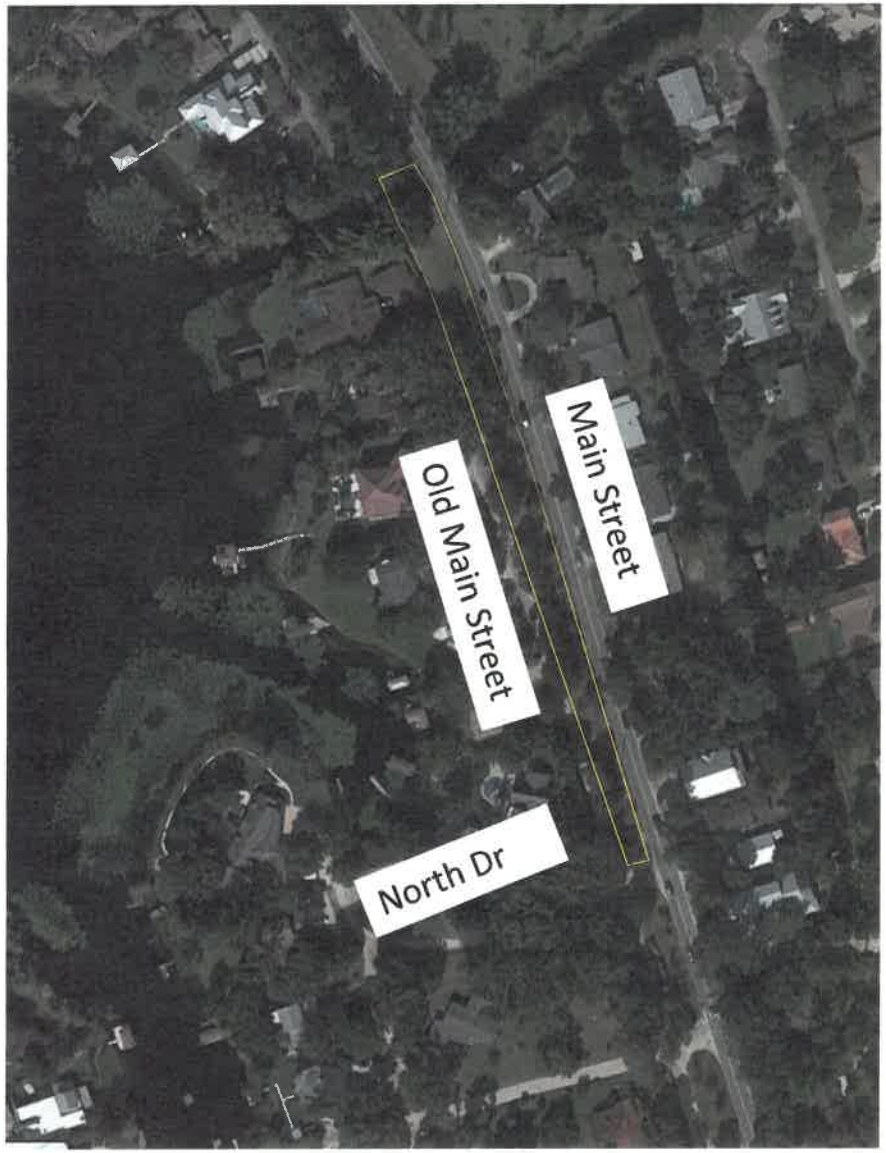
Feet
Study Area



Conceptual typical section



Southern Section (1 of 3)

Survey limits in yellow. Include trees within topo limits:

- Most of this should covered under Hao's Old Main Street project – please exclude previously covered areas from this scope
- Survey utility designates and 10 SUE test holes
- Include ped ramp to ped bridge
- Western Limits – West edge of sidewalk on Old Main Street
- Eastern Limits –
  - Topo survey limit is east R/W Line of Old Main Street.
  - Include eastern R/W line of Old Main Street.
  - Western EOP location is Main Street

Geotechnical

- Soil borings every 100' to 200'
- Also need scope for testing concrete and compaction of all sections during construction
- Future pre-fabricated bridge over canal:
  - Not sure if the foundation will be spread footings or pile. Provide scope & fee for both.

Utilities:

- Designates and 10 test holes for SUE

Middle Section (2 of 3)

Survey limits in yellow. Include trees within topo limits:

- Include ped ramp
- Survey utility designates and 10 SUE test holes
- Survey Wetland Flags
- Note that most of this portion has heavy vegetation
- Western Limits – West EOP for S. Lake Butler
- Eastern Limits –
  - Topo survey limit is east R/W Line of Old Main Street.
  - Include east to western EOP of Main Street

Geotechnical

- Soil borings every 100' - 200'

Utilities:

- Designates and 10 test holes for SUE

North Section (3 of 3)

Survey limits in yellow. Include trees within topo limits:

- Survey utility designates and 3 SUE test holes
- Western Limits – Western ROW for Maguire Road plus 10'
- Eastern Limits – Western EOP for Maguire Road
- Northern limit – include sidewalk on Park Avenue for 10' to tie in.

Geotechnical

- Soil borings every 100' - 200'

Utilities:

- Designates and 3 test holes for SUE

Geotechnical and Environmental Consultants, Inc.

At the very foundation of our community

April 6, 2021

Kimley-Horn and Associates
189 S. Orange Avenue, Suite 1000
Orlando, FL 32801

Attention: Mr. Hao T. Chau, P.E.

Subject: Proposal for Additional Geotechnical Engineering Services
WINDERMERE WARD TRAIL
IPO #TBD
Windermere, Florida
GEC Proposal No. P10273GS

Dear Mr. Chau:

Geotechnical and Environmental Consultants, Inc. (GEC) is pleased to provide this proposal for the above-referenced project. Our proposed scope of services is based on the project information you provided to us, as shown on Attachment 1, and our correspondence on March 30 and April 5, 2021. The purpose of this investigation is to explore soil and groundwater conditions along the pedestrian trail outside of the new bridge area and to use the information obtained to provide geotechnical engineering recommendations for the design of the surface trail. This proposal presents our understanding of the project, our recommended scope of services, and a cost and schedule for providing those services.

Site Location and Project Description

The site is located along Main Street from North Drive to Park Avenue in Windermere, Florida as shown on Attachment 1. The general vicinity of the site is characterized by single-family residential.

We understand that this new trail is approximately 3,000 feet in length and includes a pedestrian bridge over the canal located 950 feet north of North Drive. This alignment does cross two areas suspected to contain organic (muck) soils. The project also includes 2 dry linear retention swales near Lake Butler Boulevard and the canal. The scope for this proposal covers

the approximately 3,000 lf of new surface trail only. Scopes for the foundation and stormwater retention areas were covered under a separate proposal.

Scope of Services

Based on the project information provided, our experience, and the local standard of care, we recommend the following additional scope of services:

- Stake boring locations at the site.
- Clear utilities at the boring locations.
- Mobilize truck drilling equipment and personnel.
- Perform 17 auger borings to 6 feet along the 3,000-foot segment of the trail.
- Perform routine laboratory soil classification tests to enhance visual soil classification of samples obtained.
- Issue a geotechnical engineering report that will address the following topics:
    - Subsurface conditions at the boring locations
    - Measured and estimated seasonal high groundwater depths
    - Site preparation
    - Fill selection, placement and compaction
    - Suitability of soil excavated for use as engineered fill
    - Trail pavement design recommendations

The geotechnical report will be signed and sealed by a Geotechnical Engineer licensed in Florida.

Cost and Schedule

The cost to provide the scope of services is a LIMITING AMOUNT fee of $7,114.00. Attachment 2 documents our detailed scope of services and fees. *Our fees will be billed based on the actual units of work performed and the unit rates shown on Attachment 2; however, we will not exceed the limiting amount without your authorization.* This fee includes an electronic copy of our report emailed to you.

Our schedule to complete the work will be about 4 to 5 weeks from your written notice to proceed. If requested, verbal recommendations can be provided after the field work is completed.

Limitations

This proposal is subject to the following limitations: 1) The site will be accessible to the drilling equipment assumed above. If other types of drilling equipment become necessary due to site and/or weather conditions, appropriate adjustments to the actual fees will be necessary; 2) undisturbed samples and consolidation tests are not included, unless stated above; and 3) we assume no responsibility for damage to underground utilities and/or structures that are not located by the owner or Sunshine State One-Call.

Closure

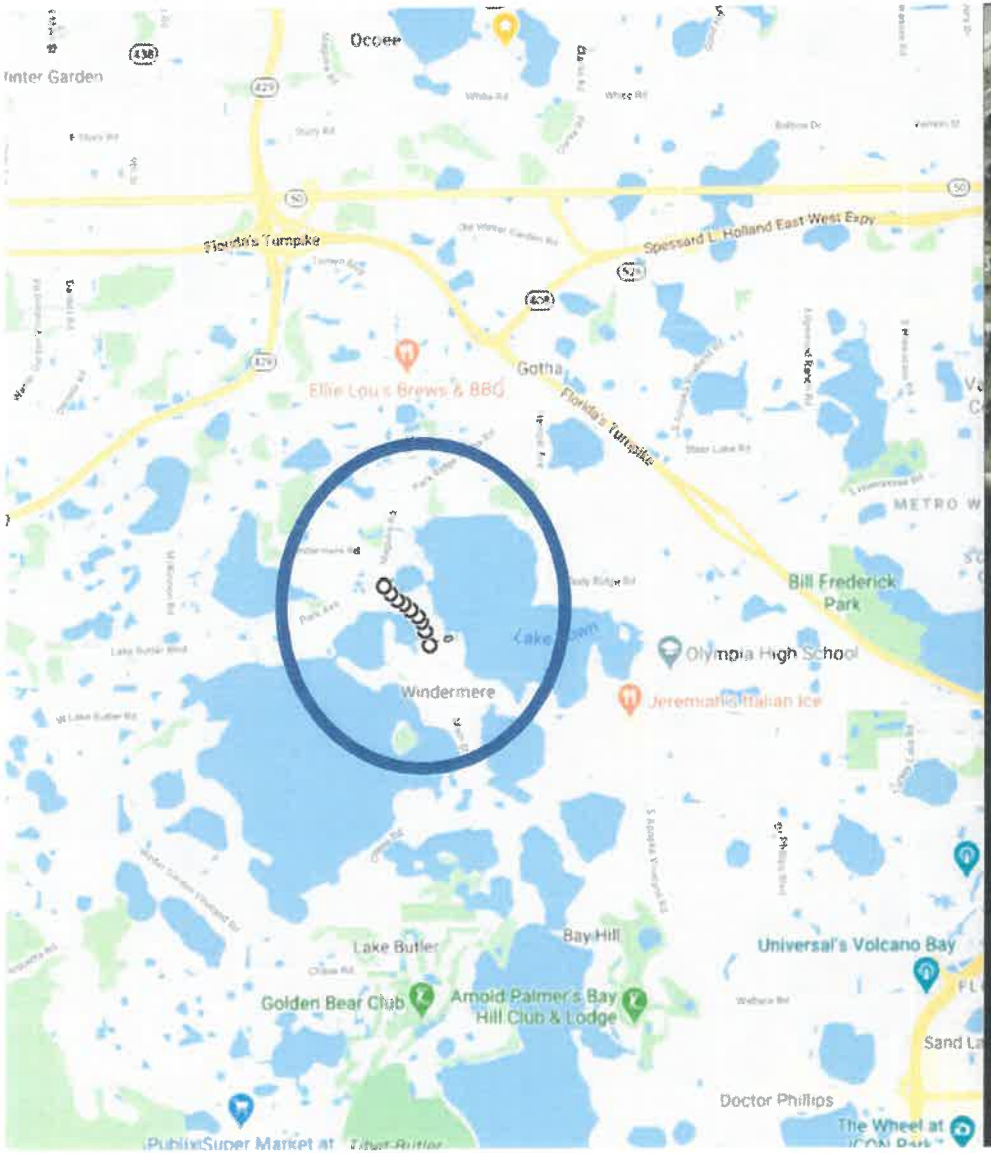
GEC appreciates the opportunity to submit this proposal. If you have any questions regarding this proposal, or if we can be of further assistance, please contact the undersigned.

Very truly yours,

GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS, INC.

Ryan J. Petersen, E.I.
Engineer Intern

Christopher P. Meyer, P.E.
Principal Engineer


Ocoee
Florida's Turnpike
Spessard L. Holland East West Expy
Ellie Lou's Brews & BBQ
Gotha
Bill Frederick Park
Olympia High School
Windermere
Jeremiah's Italian Ice
Lake Butler
Bay Hill
Universal's Volcano Bay
Golden Bear Club
Arnold Palmer's Bay Hill Club & Lodge
Doctor Phillips

PARK AVE
WAUSEON DR
MAGUIRE RD
LAKE DOWN CIR
LAKE BUTLER BLVD
SOUTH LAKE BUTLER BLVD
MAIN ST
NORTH DR
WAUSEON BAY
0 250 500
Feet
Study Area

Attachment 2
Additional Geotechnical Scope of Services and Cost
WINDERMERE WARD TRAIL (IPO NO. TBD)
Windermere, Florida
GEC Proposal No. 10273GS

	Quantity	Units	Unit Rate	Cost
Field Services				
Mobilization of Truck-Mounted Rig	1	ls	$600.00	$600.00
Engineering Technician (Site Recon, Boring Layout, and Utility Clearance)	6	hr	$60.00	$360.00
Auger Borings (17 @ 6 ft)	102	ft	$12.00	$1,224.00
GPS Unit for Boring Locations	1	day	$100.00	$100.00
Portable Safety Signs for MOT	1	day	$50.00	$50.00
Support Truck	1	day	$150.00	$150.00
			Field Subtotal	**$2,484.00**
Laboratory Testing				
Engineering Technician (Soil Classification)	1	hr	$60.00	$60.00
Grain Size Analyses	6	ea	$70.00	$420.00
Organic Content	4	ea	$50.00	$200.00
Atterberg Limits	2	ea	$110.00	$220.00
Natural Moisture Content	6	ea	$15.00	$90.00
Corrosion Series	2	ea	$200.00	$400.00
			Laboratory Subtotal	**$1,390.00**
Engineering Analysis & Report				
Principal Engineer	0	hr	$250.00	$0.00
Senior Engineer	6	hr	$160.00	$960.00
Project Engineer	12	hr	$120.00	$1,440.00
Engineer	0	hr	$100.00	$0.00
CADD Draftsman/GIS Specialist	6	hr	$100.00	$600.00
Secretary	4	hr	$60.00	$240.00
			Engineering Subtotal	**$3,240.00**
			TOTAL LIMITING AMOUNT FEE	**$7,114.00**

UTILITY ENGINEERING & SURVEY
ECHO UES, Inc.
888.778.ECHO
www.echoues.com
Grow, Inspire, Make a Difference

April 5, 2021

Mike Woodward, PE
Kimley-Horn
189 S. Orange Ave. Ste. 1000
Orlando, FL 32801

CC: Hao T. Chau, PE

PROPOSAL FOR UTILITY INVESTIGATIVE SERVICES

Project: Windermere, Ward Trail Design, Utility Investigation, Orange County, FL

Supplemental Agreement #1

Dear Mr. Woodward:

At ECHO UES, Inc. (ECHO) we value your consideration and appreciate the opportunity to provide a technical proposal for the provision of professional services. This technical proposal, inclusive of economical offer and schedule, details the approach we consider as the most suitable for this project.

Project Synopsis: Based on the information made available to ECHO, we understand the project consisting of engineering design services for a new trail planned along Main St. / Maguire Rd., from north of North Dr. to Park Ave. in Windermere, FL. ECHO's professional services were requested to provide utility investigation services to address existing utilities in the project plans. Utility information as produced by ECHO will be surveyed by the Team's Survey Firm (PEC).

This proposal letter addresses Supplemental Agreement #1 for performing a utility investigation throughout the limits of the proposed trail, and in addition to the previous portion of the project already performed by ECHO, which consisted of investigating utilities at the bridge location only.

Project Limits: ECHO's proposed services will be performed within well-defined limits (i.e. Project Limits) as shown on the provided exhibits. The investigation area is shown on the attached PDF with a blue outline (Town R/W), approx. STA 108+00 to STA 142+00.

Subsurface Utility Engineering (SUE) Services: Using a combination of field investigative techniques and technology, including surface geophysical instruments, and vacuum excavation if needed, ECHO will perform the following services.

1. **Identification and marking of existing utilities.** Utilities potentially in conflict with the project and located within the project limits will be investigated in the attempt to identify their position. The results will be marked on the ground surface using the most appropriate method (i.e. pin flags, paint etc.) and showing the approximate position of the identified utilities.

   Utilities that ECHO will attempt to identify and mark are utilities located within the project limits, with the exclusion of gravity lines (sanitary and storm), irrigation lines and service lines.

2. **Verification of utility location and characteristics.** At specific locations ECHO will attempt to expose utilities via minimally intrusive methods (e.g. use of vacuum excavation) to confirm their characteristics (e.g. type, size, material, direction, configuration) and provide an accurate location. At completion of each excavation (test hole) ECHO will record all verifiable utility information, mark the utility location with the most appropriate method (e.g. wooden lathes, "X" mark on concrete, disc and nail on asphalt) and restore the field to as close as possible to its original conditions.

   Up to 10 utility verification test holes will be performed at locations identified by the EOR.

Deliverables:

- Field deliverables will consist of field marks (e.g. pin flags, paint marks, wooden lathes, nails/discs etc.) showing the position of the designated and located utilities.
- Office deliverables will consist of utility sketch (not to scale) based on aerial publicly available and test hole data report.

Proposed Schedule: To be discussed and agreed upon with the Client following acceptance of this proposal. The proposed schedules shall be valid barring any unforeseen conditions.

Notes and Limitations:

1. Client shall facilitate access to the site and provide any relevant project information.
2. Site must be clear from obstacles impeding access to any portion of the project limits.
3. Standard work hours are from 7:00am to 4:00pm, Monday through Friday; additional charges may occur (following discussion with the Client) in case of weekend or nighttime work.
4. ECHO will not work on any site that is known to be contaminated with any hazardous or harmful substance.
5. Any permit or fee requested to perform the work complying with any stakeholder's requirement will be submitted to the Client with a 5% administrative markup.

6. FDOT Design Standards (Index 600 Series) will be utilized for the Maintenance of Traffic (MOT). Should the site require modification to the Index 600 for non-standard MOT arrangements, ECHO will seek the Client's concurrence to obtain signed and sealed project's specific MOT plans (to be provided by others).
7. Any cost associated with signed and sealed MOT plans will be submitted to the Client with a 5% administrative markup.
8. Unless otherwise stated within this proposal, test holes have usual depth of up to eight (8) ft. from the ground surface, and diameter of up to 1 ft. Should there be a need for deeper or wider excavations, additional charges may apply.
9. The original ground surface at each test hole location will be restored to as close as possible to its original conditions, using concrete mix or asphalt cold patch as applicable. Any deviation from this standard (e.g. use of hot asphalt, flowable fill etc.) may require additional charges and the use of specialty subcontractors.
10. Regardless of the type of estimate proposed (e.g. lump sum, time and materials, etc.) such estimate should be considered indicative and based on preliminary information. Should any situation out of ECHO's control heavily impact ECHO's field work performance (e.g. adverse site conditions), ECHO reserves the right to seek additional funds to complete the work.
11. The exact location of any underground utility is not guaranteed unless clearly exposed and visually verified at a specific location. Utility characteristics, methods of installation, soil conditions and the surrounding environment all may impact adversely the results of any utility investigation with surface geophysical instruments and technology. No guarantee is made that all utilities will be found and identified.
12. Independently from ECHO's scope of work and performance, the Client shall comply with the relative chapter from the Florida (or any other applicable) Statutes: "Underground Facility Damage Prevention and Safety Act" and call 811 prior to any excavation taking place.
13. Subsurface Utility Engineering, Designating and Locating terms all refer to the American Society of Civil Engineers / Construction Institute Standard for the Collection and Depiction of Subsurface Utility Data (ASCE/CI 38-02). Should ECHO adopt this standard for the performance of the scope of work and preparation of deliverables, clear mention to the Standard shall be made throughout the deliverable.

Fee: ECHO's competitive offer, which is inclusive of all field, office, materials, supplies, and equipment costs is detailed below.

- **Utility Investigation Services Fixed Fee as described herewith, inclusive of up to 10 utility verification test holes: $11,000.00**

Acceptance: We will honor this proposal for 90 days. If accepted, please return to our attention together with a professional services agreement / task work order authorization and official Notice to Proceed.

At ECHO UES, Inc. we believe in collaboration and communication with our clients and are driven to understand their needs and provide time efficient and cost-effective solutions. ECHO strives to provide quality utility and survey reliable data to design better, build faster, and safely enhance Engineering, Design, Construction and Maintenance o0f infrastructure.

Thank you for considering ECHO for this important project and please do not hesitate to contact me directly should you have any questions or concern.

Sincerely,

Carlo Pilia
Vice President
ECHO UES, Inc.

Vicinity Map:

Project Limits: Below (Typ. and attached)

TOWN R/W

PRIVATE R/W

0 10 40

Feet

MATCH LINE SHEET 2

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

Kimley»Horn
Registry No. 696
Michael R. Woodward, P.E.
P.E. License No. 70009
189 S Orange Avenue, Suite 1000
Orlando, FL 32801

TOWN OF WINDERMERE

WARD TRAIL POTENTIAL ALIGNMENT

SHEET NO. 1

Eric.Benson 5/21/2020 3:19:02 PM Default C:_Projects\ORL_TPTO\049018007_Windermere_Ward Trail_TPTO\03_Roadway\049018007\Roadway\PLANRD01.dgn

TOWN R/W

PRIVATE R/W

0 10 40

Feet

MATCH LINE SHEET 1

MATCH LINE SHEET 3

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

Kimley»Horn

Registry No. 696
Michael R. Woodward, P.E.
P.E. License No. 70009
189 S Orange Avenue, Suite 1000
Orlando, FL 32801

TOWN OF WINDERMERE

WARD TRAIL POTENTIAL ALIGNMENT

SHEET NO. 2

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

Kimley»Horn
Registry No. 696
Michael R. Woodward, P.E.
P.E. License No. 70009
189 S Orange Avenue, Suite 1000
Orlando, FL 32801

TOWN OF WINDERMERE

WARD TRAIL POTENTIAL ALIGNMENT

SHEET NO. 3

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

Kimley»Horn
Registry No. 696
Michael R. Woodward, P.E.
P.E. License No. 70009
189 S Orange Avenue, Suite 1000
Orlando, FL 32801

TOWN OF WINDERMERE

WARD TRAIL POTENTIAL ALIGNMENT

SHEET NO. 4

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TOWN R/W

PRIVATE R/W

0 10 40

Feet

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

Kimley»Horn

Registry No. 696
Michael R. Woodward, P.E.
P.E. License No. 70009
189 S Orange Avenue, Suite 1000
Orlando, FL 32801

TOWN OF WINDERMERE

WARD TRAIL POTENTIAL ALIGNMENT

SHEET NO. 5

TOWN R/W

PRIVATE R/W

MATCH LINE SHEET 5

MATCH LINE SHEET 7

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

Kimley»Horn

Registry No. 696
Michael R. Woodward, P.E.
P.E. License No. 70009
189 S Orange Avenue, Suite 1000
Orlando, FL 32801

TOWN OF WINDERMERE

WARD TRAIL POTENTIAL ALIGNMENT

SHEET NO. 6

Eric.Benson

5/27/2020 3:19:11 PM Default

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REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

Kimley»Horn
Registry No. 696
Michael R. Woodward, P.E.
P.E. License No. 70009
189 S Orange Avenue, Suite 1000
Orlando, FL 32801

TOWN OF WINDERMERE

WARD TRAIL POTENTIAL ALIGNMENT

SHEET NO. 7

Eric.Benson
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THE TOWN OF
Windermere

EXECUTIVE SUMMARY

SUBJECT: **Purchase Authorizations for the following RR ROW parcels**
REQUESTED ACTION: **Staff Recommends Approval**

☐ Work Session (Report Only) **DATE OF MEETING:** **4/12/21**
☒ Regular Meeting ☐ Special Meeting

CONTRACT: ☐ N/A Vendor/Entity: _____
Effective Date: _____ Termination Date: _____
Managing Division / Dept: _____

BUDGET IMPACT: $94,285.70
☐ Annual **FUNDING SOURCE:** **General Revenues**
☐ Capital **EXPENDITURE ACCOUNT:** **TBD**
☒ N/A

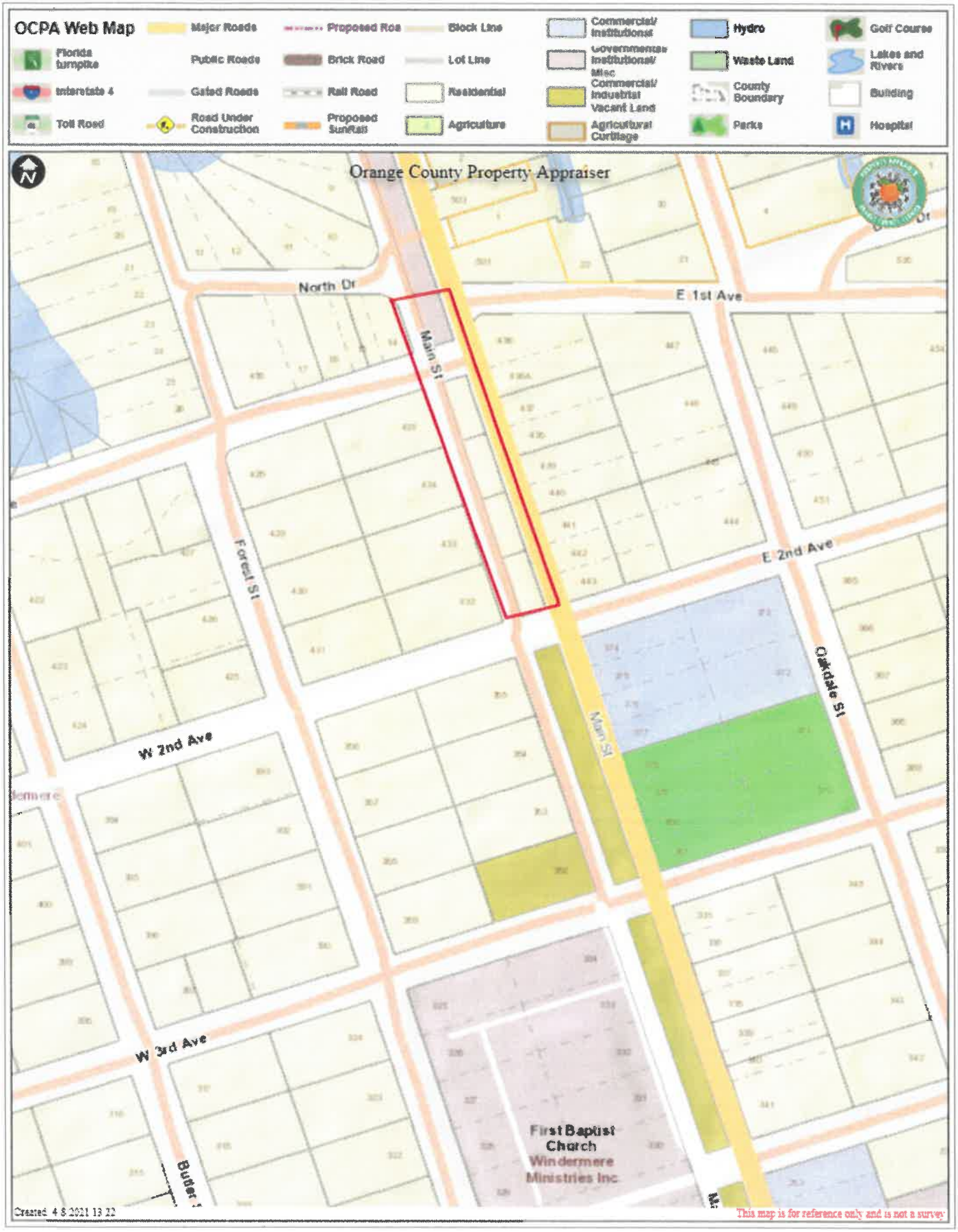
HISTORY/FACTS/ISSUES:

Mayor & Council,

Since 2010, the Town of Windermere has either acquired or has attempted to acquire the old railroad right of way from 12th/Chase to Windermere Rd. In 2018, the Town was successful in purchasing a large portion of the railroad right of way from the Ward Trustees for $44642.85 per acre. Staff would now request authorization to offer the same amount per acre to those properties between West 2nd Ave and North along Dirt Main. This would allow for the Town to move the newly paved roadway further from the residential property lines, save trees and extend the multi modal pathway.

Meryl Hart: .48 Acres: $21,428.57 (+ Attorney fees) Between 1st & 2nd
James Singer: .48 Acres: $21,428.57 (+ Attorney fees) Between 1st & 2nd
Richard Denoyelles: .48 Acres: $21,428.57 (+ Attorney fees) Between 1st & 2nd
Jules Masse: .48 Acres: $21,428.57 (+ Attorney fees) Between 1st & 2nd
Sara Gruppo: .08 Acres: $3,571.42 (+ Attorney fees): North (still confirming surveyed area)

Staff Recommends Approval


OCPA Web Map
Major Roads
Proposed Roa
Block Line
Commercial/ Institutional
Hydro
Golf Course
Florida turnpike
Public Roads
Brick Road
Lot Line
Governmental/ Institutional/ Misc
Waste Land
Lakes and Rivers
Interstate 4
Gated Roads
Rail Road
Residential
Commercial/ Industrial/ Vacant Land
County Boundary
Building
Toll Road
Road Under Construction
Proposed SunRail
Agriculture
Agricultural Curtilage
Parks
Hospital
Orange County Property Appraiser
North Dr
E 1st Ave
Main St
Forest St
E 2nd Ave
Oakdale St
W 2nd Ave
W 3rd Ave
First Baptist Church Windermere Ministries Inc
Created: 4/8/2021 13:22
This map is for reference only and is not a survey

PROJECTS UPDATE MEETING APRIL 5, 2021

For previous updates on each item please refer to March 1, 2021 meeting minutes

Attendees:

- Robert Smith, Town Manager
- Tonya Elliott-Moore, Public Works Director Town of Windermere)
- John Fitzgibbon, Town of Windermere
- Nora White, Town of Windermere
- Travis Mathias, Town of Windermere – Not in attendance
- Chris Sapp, Town Councilman Liaison
- Mike Woodward, Kimley-Horn Associates – Not in attendance
- Hao Chau, Kimley-Horn Associates
- Victor Gallo, Kimley-Horn Associates – Not in attendance
- Mike Galura, Michael Galura Engineering Consultants

1. NPDES (National Pollutant Discharge Elimination System): ***The NPDES permit program addresses water pollution by regulating point sources that discharge pollutants to waters of the United States.*** **Since the Town discharges into the lakes we are required to maintain this permit. 10/18: MBG addressed additional comments for NOI and Annual Report. Per conversation with Jason Maron, response to audit is complete. Awaiting completeness and acceptance letter. Issuance of NOI, Cycle 4 pending. MBG will distribute forms to be used for compliance (i.e., fleet maintenance, erosion/sedimentation control, etc.). Community project scheduled for Saturday, November 3rd (clean-up on lakefront, etc.) per Scott Brown. Final reading for ordinance scheduled for November 13th TC meeting. TM to coordinate with Da'Shanta and Diane on distributing Stormwater pamphlets with Boat Ramp Keys. TM reached out to BC and PDCS as well. Town received additional comments for NOI from Jason Maron. MG to address and resubmit. Comments are minor – MG to try to have responses by next week. MG to work on additional stormwater related brochures for rack in front of receptionist desk. MG coordinate with Diane on Gazette articles and number of Gazettes' issued. MG to provide Town with public education brochures for front magazine rack. Mike had DEP public notice published in February 10, Sunday edition of Orlando Sentinel. Inquiries to be made to Jason Maron, FDEP. Expecting NOI to be issued this month. MG contacted Jason Maron, DEP, for status of pending NOI. Received violation by residential builder. Coordinate with Dianne on Gazette on stormwater related articles. Awaiting Notice of Public Petition to be published in Orlando Sentinel (to be published this Saturday). Once published, need to forward proof of publication to Jason Maron, FDEP. Proof of Publication for Public Petition from Orlando Sentinel forwarded to Jason Maron, FDEP. Issuance of NOI Cycle 4 pending (permit issued May 3, 2019). KH to pick up NPDES tasks from MG based on KHA being selected as Town Continuing Consultant. KHA will prepare NPDES brochure and in-house training schedule. MG to send SOP's to HC for NPDES compliance. HC to prepare brochure for stormwater related subjects. Articles to also be published in quarterly Gazette. Violations being documented. HC to prepare stormwater related articles for the quarterly Gazette. Training is will also be initiated (late March and before Memorial Day for Town employees). Subject will range from illicit discharge to stormwater and sediment control. HC preparing for FDEP audit. Jason Maron, FDEP, to be in Town 10/24 to review Town NPDES program. KHA will be working on Gazette article for next publication. SB to provide deadline for submittal. Monthly sweeping and documentation will continue. Two (2) violations noted by JF and coordinated with BC of Wade-Trim. KHA working on Illicit Discharge power-point presentation, scheduled for March/April 2020. Draft of**

presentation to be provide to TM and SB in November. SB and KHA attended FDEP audit. SB and KHA to continue to coordinate with NPDES staff to provide documentation and forms. Supply KHA with street sweeping and vacuum truck quantities. Submitted article for Gazette. First training in March to include documentation forms. SB spoke to EnviroServices to map drainage infrastructure. HC coordinating with SB on street sweeping and drainage structure debris quantities. March training HC. KHA and SB addressing FDEP questions noted in their Ph II MS4 Cycle 4 Year 1 Focused Audit Report. Reply to be completed by March 2, 2020. ON schedule. Moving forward with Town stormwater inventory via CCTV all systems (to set the control point), GPS and building mapping system for recording, reporting and monitoring current and future needs/cleanings, etc. This will be a team effort through KHA, Enviro Waste Services and SB. Debris removals being recorded via HC. 2/3: HC provided MG with quantities for street sweeping. MG to include with STAR report to DEP. SB to provide estimate to TM for decanting of dewatering. SB to also work with Vacuum trucks to identify GPS locations and quantities per GPS location to monitor any issues. Article has been submitted for Gazette. KHA and SB has responded to FDEP questions on focused audit. Vacuum truck services have completed GPS and CCTV work at 12th Street and Oakdale. KHA and SB to work on how to get this information into GIS. Potential dates for training in April. Training slides sent to SB for approval (slides approved). Training session to be scheduled. First set of inlets from truck vac for inventory. Proposal to incorporate vacuum information. Tentative training to be conducted in July-August. Two sessions: 1) Public Works and 2) Police Department. SB to coordinate with Chief on scheduling training. HC to submit projected budget impacts for next FY. Gazette articles submitted. Vac trucks working on drainage structure inventory. All training material prepared per HC. Year 2 reporting due by June 2021 – may defer training until COVID-19 restrictions are eased. Thursday nights are best for training with PD per TM. HC and SB to coordinate on when the training can be conducted (for all Town Staff). KHA agreement approved at last TC meeting. Inspection for 505 and 1108 Dirt Main sent out by JF (now in compliance) for noncompliance. IPO approved. Documentation continuing for vac truck. Need to schedule 2 training sessions with staff (PD and Public Works). SB suggested a virtual training session. HC to provide copies of training documents and to coordinate with SB on dates of training sessions. Staff training dates scheduled. Training Sessions completed (October 2020). KHA working on standardized violation forms. 12/7/20 - Prepare standard violation forms. MG will send to HC. No reporting to DEP required till next year (Year 2 reporting). 1/6/21 Ongoing. 2/1/21 Additional reports received and filed. 3/1/21 Draft – List for violations to be sent out to the Town for review. 4/5/21Next report in October-November. HC working on violation forms to TC for review. Violations noted by JF and BC in Rosser Reserve. Violations documented by JF.

2. Orange County LMS: Orange County Local Mitigation Strategy (LMS) is comprised of the County and other governmental jurisdiction within it to plan and prepare for natural disasters. These projects are funded by FEMA. FEMA has dedicated $15 million to the County to fund various projects. TOW has submitted 7 projects for funding including W Second Ave. This is a 25% match program. The process takes about 2 years. 10/18: MBG ask Jason Taylor for status. MG to review comments for 5 HMGP projects from DEM (Douglas Galvan) and address within 15-days for 5 projects. MG to resubmit by DEM timeline. MG resubmitted revised Pre-Disaster application for funding of Preliminary Engineering for West Second Avenue. Geotechnical and Surveying services were not eligible because the services were performed before the Hurricane Irma disaster declaration. Awaiting word on technical review of HMGP applications. Update on Hurricane Irma HMGP applications (contact Douglas Galvan

on status update). LMS Working Group Meeting scheduled for later in May (May 22nd). Jason Taylor encouraged the submittal of applications for Tier 3 projects under Hurricane Michael disaster declaration. JT feels that there will be substantial money available due to rural and smaller communities in the Panhandle not being able to provide matching funding sources for HMGP applications. MG to notify JT of budget change for West Second Avenue for Preliminary Engineering. KHA to work on Hurricane Michael applications (due August). MG to continue on Hurricane Irma tasks. MG to address comments from Mitchell Plummer, Engineering Specialist, Mitigation Bureau, Florida Division of Emergency Management by 07/12/2019. These projects are:

- 4337-693: 3rd Avenue and Magnolia Street Drainage Improvements;
- 4337-694: 6th Avenue and Butler Street Drainage Improvements; and
- 4337-695: 9th Avenue/10th Avenue and Oakdale Street Drainage Improvements
- 4337-697: West Second Avenue TM executed agreement and it was sent back to DEM for their execution and authorization to proceed with the Phase I design services.

DEM is reviewing the technical/engineering aspects of these projects for eligibility, feasibility and cost-effectiveness.
MG to attend LMS meeting on Wednesday August 21st at Orange County OEC (10:00 am). MG mentioned money may be available under Tier 3 funding for Hurricane Michael. Town to consider projects.

MG is to submit an HMGP for the Lake Down retaining wall under Hurricane Michael. Project will only be eligible under Tier 3 money. Applications considered by the State (DEM) is on a first come, first serve basis.

MG continuing to prepare HMGP application for the Lake Down retaining wall improvements under Hurricane Michael. MG to e-mail DEM engineers for application status for Hurricane Irma. MG re-submitted Lake Down Wall Improvement project to Daniel Negron, P.E., Orange County Public Works, for consideration by the Planning Committee for endorsement.
Initial approval for West Second Avenue Phase I Design with funded budget of $80,000. After Phase I is complete then Phase II for Construction will begin. Estimated total cost is $900,000 for both phases. Still waiting to hear back on other 3 projects.
Administration change at the Orange County LMS. Jason Taylor no longer LMS Manager.

Executed contract. Waiting on FEMA to sign. MG to revise scope and TM to work on title search for end of Second Avenue and easement. Public workshops will be included again. 18 months since last meeting. 2/3 MG prepared first quarterly report to Douglas Galvan, DEM (September-December 2019). Final design for West Second Ave to be on TC agenda for February 2020 meeting. MG emailed LMS and received RAI for two projects. MG to respond by /10 deadline.

MG submitted FEMA-4399-DR-FL HMGP application for Lake Down Retaining Wall to Kathleen Marshall, FDEM, Mitigation Bureau, on February 25, 2020. Project will be considered for Tier 3 funding under Hurricane Michael.

MG address environmental comments from DEM regarding applications 4337-693 (3rd Avenue and Magnolia Street) and 4337-694 (6th Avenue and Butler Street). The comments were from Kayla Born, FDEM. Two projects were considered ineligible for HMGP funding by the FDEM. These projects are 4337-695 (9th/10th Avenue and Oakdale Street) and 4337-696 (9th Avenue and East Boulevard Regional Stormwater Pond). RS mentioned infrastructure stimulus package may have money available for CIP's.

Received notification from DEM (Douglas Galvan) that Project 4338-443-R (693) 3rd Avenue and Magnolia Street Drainage – Phase I (Design and Permitting) has been approved for funding under the Hazard Mitigation Grant Program (HMGP). The Project Total Cost under Phase I: $72,500; Federal Share: $54,375; Local Share: $18,125. The contract with DEM will be forthcoming for the Town's execution.

Reimbursement Request No. 1 processed by the DEM. Additional information submitted to Claudia Purser, DEM regarding 9th/10th and Oakdale and 9th/East Boulevard Regional Stormwater Pond. MG to follow up with Claudia on status of additional information. MG to prepare and submit quarterly report and Reimbursement Request No. 2 by the first week in July.

Second quarter reports sent to TM for his digital signature. Awaiting execution of two new project contracts with DEM.

New quarterly reports forms prepared and executed by the TM for the three (3) Town project – 4337-297-R (West Second Avenue); 4337-443-R (3rd Avenue and Magnolia Street); and 4337-449-R (6th Avenue and Butler Street) and submitted to Douglas Galvan, FDEM. All contracts executed and quarterly reports submitted. MG submitted an exhibit locating the three projects on a single Location Map to Paola Sullivan, DEM. Attended LMS Working Group meeting last month to discuss LMS projects and any other topics. Discussions on residential safe room funding. Manny Soto (City of Orlando) – Steering Committee chair; Daniel Negron (Orange County Stormwater Management Division) – Planning Committee chair. HC to provide typical section for 7th and Butler Street. Workshops and public meetings scheduled in October. Typical will be applied. Contract for three projects pending from DEM (FEMA Project No. 4337-443-R). HC submitted quarterly report for three projects (contract pending). 11/2/20 Contract for three projects pending from DEM. HC submitted quarterly report for three projects (contracts pending). 12/7/20 - TM provided brief discussion regarding CCNA as it relates to procurement of the HMGP grants. TM had discussions with Gray-Robinson. TM to have 2nd zoom meeting with Gray-Robinson 12/8/20. 1/6/21 Bessie and Butler has been RFQ. Due on 1/11. 2/1/21 West 2nd received first reimbursement for

design and proceeding with Bessie and Butler. Bessie/Butler RFQ to be approved at February TC Meeting. MG to contact DG and get confirmation of extensions. 3/1/21 Butler extension received. DEM agreement for Bessie, extension for Bessie. AIA agreements with KHA executed. 4/5/21 Extensions issued by DEM (Douglas Galvan) for Bessie and Oakdale. BC is working with FEMA on any ordinance changes.

3. FIRST Avenue and FOREST Street Drainage Improvements: Grant awarded to TOW to address flooding within the Basin. 10/18: MBG awaiting all cancelled checks to prepare reimbursement form to SFWMD (Nestor Garrido). No further complaints on the project. Town is monitoring system for condition and adjust as needed per TC directive. Vacuuming service RFP sent out by SB. Bid opening November 8th at 3:00 pm at Town Hall. MG to still look at possibility of covering grates on roadway. MG submitted initial request for reimbursement. SFWMD responded and needs unique Town invoice number to process request. Debbie Wilson provided MG with unique Town invoice number. MG resubmitted invoice to Nestor Garrido. Town received $175,000 reimbursement from the SFWMD. Project Complete. MG to review alternatives to grates in lieu of Mack Concrete's recommendation to cut inlet top and precast top with manhole frame and cover. Potential filter per JF – test site. Further evaluate grates on First Avenue on whether to cap or maintain. MG to apply for DAC Recovery funding from DEM. $31,564.07 is requested for DAC funding. MG to work to submit next week. DAC application submitted to Amanda Campen, Florida DEM, Bureau Chief of Recovery, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32301 on July 1st, 2019. MG to follow up on submittal. KHA to review drainage system and provide Induvial Project Order (IPO) for recommendations and possible upgrades. Data collection for project fix. MG provided topographic information to SB per resident request. Project completed; reimbursement received. KHA to address additional concerns regarding project improvements. IPO released to KHA on analyzing alternatives to maintain stormwater within the Town right-of-way. HC to provide summary to TM. Draft Report to be submitted to TM and SB by Monday 10/7. KH submitted draft report to TM and SB. TM and SB have reviewed and have no comments. KH to submit final report with opinions of probable construction costs. HC reviewed DRAFT report which will be revised and submitted to SB for review. TC meeting on 12/18 for discussion of the report. Final report submitted by HC to TM and SB. Workshop with TC scheduled for January 28th (KHA to present). TC to review scope of concept design. KHA completed and presented study to TC during January workshop. Recommend adding 24" connector to existing culverts on Forest to assist with high demand discharge events and high-water conditions, as we have been seeing for several years. Further provided alternative road options, dirt and porous for considerations. Also provided recommendation to alleviate private lot drainage via property owners providing drainage easements to place a culvert system in to discharge their private lot drainage. March 4th: March 10th presentation to TC on recommendation for improvements to First Avenue and Forest Street drainage improvements. David Hansen mentioned the OC has a project the Town may wish to explore relative to establishing swales or berms on both Town and Residential properties with appropriate landscaping. TM and David to coordinate with Councilmember Andert for more info and see if we can incorporate in the Butler, Bessie and Forest projects. KHA will prepare three IPOs for March Town Council agenda. KHA to review survey files previously provided by MG. KHA to include septic drain fields in project survey. Schedule kick-off meeting – TC approved one CIP – upgrade and include equalizer pipes and swale details. IPO expanded to include topographic survey in private property. Rain event monitored by KHA. First field visit conducted as well as kick-off meeting. KHA completed field

visits and prepared drainage maps to prepare conceptual construction plans. PEC Surveying and Mapping conducting survey work. KHA to present to TC in July (tentative). Rain events to be continued to be monitored. Meeting to property owners before TC meeting. MG to coordinate with HC on modeling of W. Second Avenue as part of the First Avenue and Forest Drainage Improvements. Schedule kick-off meeting – TC approved one CIP – upgrade and include equalizer pipes and swale details. IPO expanded to include topographic survey in private property. Rain event monitored by KHA. First field visit conducted as well as kick-off meeting. Drainage analysis and conceptual design underway. Coordination with MG on W. 2nd Avenue. Meetings to be scheduled with residents upon completion of the conceptual. Concept and approach to tentatively presented in two (2) weeks. VG conducted review and will provide TM with update after storm observation. Workshop on 9/22. Concept plan to be completed this week and submitted to the Town for review next week. HC to utilize same typical section as 7th and Butler. Redundant outfall pipe and swales to be presented by KH as part of workshop with TC. KHA to complete plans by December 2020. Zoom meeting to be conducted with residents. MG to send ICPR model to VG. 12/7/20 – 90-percent plans to be submitted in two weeks and to the SFWMD for permit modification. CS asked if a workshop is warranted. 1/6/21 90% Plans submitted, met with John F in field and he had some comments. We implemented and will resubmit this week. John F to meet with residents to discuss before KH finalizes plans. 2/1/21 KH will send full set and separate plan view to John F. Once we have reviewed full plans, we will create Zoom meeting with residents and in person when possible. 3/1/21 TC reviewing documents. JF reviewed and will discuss with HC on any comments prior to bidding. Public outreach to be conducted pursuant to JF comments. 4/5/21 Final plans completed. JF to discuss plan design with residents. HC ready to prepare bid documents. HC to send MG model modifications for proposed plans. TM to evaluate availability of money for project. Zoom calls with residents pending.

4. RR ROW (Sidewalks, Multi Modal Path, RR ROW): Town Council approved the purchase of the Ward/DP Lynn interests in the Railroad ROW. Once acquired the Town would be able to use the property for various projects: multi modal, stormwater, and landscaping) This would also allow for possible property swaps with those that own the RR Row so the TOW would have a continuous corridor form 12th/chase to Windermere Rd. 10/18 November 1st advertising period. TM working on negotiations for property swap. Conceptual design will commence once the property agreement is finalized. SB is coordinating with the Rubio's on property donation adjacent to Lake Down-Lake Butler canal. Still waiting on Wards. Awaiting on closing on property swap with the Town. Expect closing in April. Next agenda for resolution to vacate 20' on Dirt Main and provide it for the property owner (Ward). TM negotiating with property owner adjacent to Lake Down canal. The closing is next week. TM providing information to closing agent. Workshop held Monday night. TC approved property swap. TM to talk to residents on Lake Butler Boulevard for swap/purchase of RR property. SB still talking to Rubio's, updating TM on status. TM looking for funding sources for project (FRDAP, etc.). Rubio's agreed to donate land pursuant to conditions to be addressed by the Town. To be on July TC meeting. TM sent documents to Sorenson. SB to discuss contract with Rubio's. Heather to draft agreement for Rubio's. TM – after property acquisition, review multi-modal concept plan with Wade-Trim or KHA. SB working on funding opportunities to design project. To be named Windermere-Ward trail (prototype name – provisional). SB still negotiating with Rubio's – language in agreement for disclosure statement. Gray-Robinson to prepare agreement language for the Rubio's to approve. Memorial plaque to be provided as part of the agreement. No change. SB continuing to coordinate with the Rubio's regarding donation of railroad right-of-way property. Sorenson

property in closing stage. Anticipated completion by December 2019. Scott spoke Rubio and will continue to coordinate with Rubio for their review and signature. TM to work with both KH and Wade Trim on survey, concepts and design from North to Park Ave. Rubio property donation completed. Phase I will be from Park Avenue to North Avenue. Funding to be applied through the MPO TAC. KHA working on scope for Concept Design. TM received scope and under review for approval at January TC meeting. KHA moving forward with the concept design phase. Project added to OC tax increase project list for possible funding source as part of a regional trail. 2/3 IPO approved at January TC meeting. Windermere WD looking to help fund portion of the project. LRP needs to select stake-holder to represent at coordination meeting with various boards. TM to schedule first stakeholder meeting in February. Meeting occurred in February. Direction was given to KHA on look and feel of walk way. KHA and SB have a site visit scheduled in March. After the field visit, KHA will prepare draft concept for TC workshop. MW presented preliminary alignment for multi-modal path and concept plan for typical sections. The alignment is a curvilinear alignment with a 10-foot width an in an elevated section along the top of the existing berm. Discussion regarding public meeting – pending on when a public meeting can be held. KHA to amend plans to remove elevated path. TC workshop to be scheduled by SB/HC. Present to LRP/TB in July prior to TC meeting workshop in the end of July for conceptual approval. IPO to be prepared for final design upon approval by TC of conceptual plan. TM to secure some initial funding for the project (without pedestrian bridge). Information to be ready by 6/12 for TB meeting on 6/18. Review plan with LRP on 6/25. Property on 10th Avenue, alignment to be adjusted. TM discussed with LRP and TB to be submitted to TC for conceptual approval of plan at next TC meeting. Coordination with Ocoee, MW provided multi-modal information. Once concept is approved, TM to take to West Orange for funding opportunities (connection to West Orange Trail). TM to request IPO from Mike Woodward, KHA. Work with TB regarding tree selection. Work with residents on type of vegetation to be planted. Include separate Add-Alternative for bridge. Need probable cost for pedestrian bridge. IPO for pedestrian bridge was approved to KHA. CS discussed KHA third party vendor for provider of pedestrian bridge. KHA will serve as liaison for bridge design. Vendors will present options to KHA and the Town for selection of preferred bridge structure. TM and MW working with West Orange Alliance on funding for the project. Pedestrian bridge is separate IPO. Provide multi-modal links. April 2021 funding to be considered by WOA. Meeting regarding pedestrian bridge scheduled for tomorrow. 12/7/20 - TM and MW has been working with West Orange County Health Care alliance regarding interconnectivity and connection between Windermere and Ocoee. NW got closing documents from Gray-Robinson for TM to review and approve. 1/6/21 RW conveyance has been completed. Robert to confirm with Gray Robinson. 2/1/21 RS met with West Orange Health Alliance, they are working on it and will present to board in April. State appropriations also asked for trail. Plans also went to Chamber of Commerce. TM also to reach out to additional private RR ROW owners in the near future. 3/1/21 TC working with MW on concept. Metroplan has large PDE projects and project is unlikely to be funded through this mechanism. Best bet for funding is WO Health Alliance. TM meeting with residents along route for possible interest in property acquisition (1st Ave and North). 4/5/21 Submitted to MetroPlan for funding. Set up meeting with West Orange Health Alliance for funding. Property at Second and Dirt Main to be purchased from resident (preliminarily agreed on). Heather Ramos, Gray-Robinson, to prepare agreement.

5. W. Second Ave Roadway and Drainage Improvements: Town Council approved the widening and stormwater projects for West Second Ave. Staff met with public and have a conceptual design. Staff waiting on Orange County LMS response for funding before design can be brought

back to residents and TC for Approval. 10/18. No change. Awaiting Notice of Funding from FEMA/DEM from Hurricane Irma. MG to address comments from DEM (Douglas Galvin) regarding project costs. MG addressed with Douglas Galvan. MG to coordinate with Douglas Galvan, DEM, on project status. No Change. MG e-mailed Douglas Galvan – no response to date. Applications under technical review – fiscal review complete. Continue to fill in edge of pavement. None. MG addressed RFI's from DEM Environmental Reviewer regarding project limits (project limits in latitude/longitude format). No change. MG to request status of HMGP application review. Still waiting on LMS contract. TM to coordinate design approval and workshops. TM executed Phase I agreement and sent back to DEM for approval and authorization to proceed. Total authorization is $79,400 (75% Federal, 25% local share). Awaiting on executed contract with DEM for authorization for Notice to Proceed. Need easement and title search to be conducted to verify existing rights-of-way/easements. Also, more public hearings to be scheduled. 2/3 Coordinate with Gray-Robinson on title search for "right-of-way" for stormwater outfall to Wauseon Bay/Lake Butler. TM – pave Old Main from 2nd Avenue to Canal (IPO by KHA). TM emailed GR. MG submitted 4th Quarter report to FDEM in compliance with the executed contract conditions. Next quarterly report to be submitted by April 15, 2020. MG to coordinate with Gray-Robinson regarding title search for existing right-of-way bisecting West Second Avenue for stormwater management outfall to Lake Butler/Wauseon Bay. MG to coordinate with Diane Edwards on reserving Town Hall for 2 public forums (east of Pine Street/west of Pine Street). MG to coordinate with Wade-Trim regarding the existing 2" water main on West Second Avenue for upgrading per the water master plan. RS and MG to also meet with cul-se-sac owners regarding the Town taking over the cul-de-sac if agreed on with owners, including the securing of outfall easement to Lake Butler/Wauseon Bay. Title search by Gray-Robinson revealed that no rights-of-ways or drainage easements exist where originally mapped by the Orange County Property Appraiser. Their maps were updated to reflect no right-of-way or drainage easements. A public forum is to be scheduled (pending on pandemic lockdown) to solicit drainage easement(s) from residents. Mike Galura will coordinate with Scott Brown, Hao Chou and John Fitzgibbon on PRELIMINARY drainage design. TM to schedule a Town Hall Meeting for specific residents regarding the outfall easements at the middle of the project and at the end of the project (cul-de-sac). June may be the tentative month for a face-to-face public forum. MG to re-print presentation boards for public forum. MG to also coordinate with WT on relocation and re-construction of existing water main as part of roadway improvements. MG to have updated presentation boards prepared for public forum. 2nd quarter report due first week in July. MG to coordinate with SB, JF and HC on design plans and calculations. Three meetings: 1) East of Pine Street residents; 2) West of Pine Street residents; 3) Cul-De-Sac residents. MG conducted video conference call with SB and KHA (HC, VG) to discuss peer review comments by KHA. MG to amend plans accordingly. MG to coordinate with WT regarding water main design to be incorporated with the plans. SB and WT coordinating with OCU regarding the water main design. Tentative August 5th meeting with OCU. Quarterly report submitted to Doug Galvan by TM. MG prepared and submitted Reimbursement Request No. 2 to Doug Galvan. MG continuing to revise plans per KHA peer review and prepare boards for public forum(s). MG to submit revised computer models to Victor Gallo, KHA. Schedule to have 90% plans completed by September. TM and MG to conduct Zoom meeting with residents on public forum. Three (3) virtual public workshops conducted (East of Pine Street; west of Pine Street; cul-de-sac). Minor comments received that MG will incorporate into the final plans. Expecting more comments. Comments and discussions include avoiding large trees, locations of speed humps, stop signs (at Pine Street), lane widths, curb type etc. Continue public forums with stakeholders on discussions of project design. MG working on

quarterly report and time extension request. MG to review side street extensions pursuant to Zoom meeting inquiry by resident(s). MG to only look at double stack on side streets instead of extending Forest Street. MG discussed water main improvements with Mike Demko, Wade-Trim. What was proposed in the Master Water Plan report is to replace 6" water main west of Pine Street to 8". 4" water main to terminus would remain the same size. 8" water main size between Main Street and Pine Street would remain the same. No additional fire hydrants proposed on 2nd Avenue pursuant to Master Water Plan. 1/6/21 Mike G will provide update. 2/1/21 MG working on reimbursement #3. Plans sent to Christina Crosby at OCU. RS to reach out to Gray Robinson on 4 property owners at cul-de-sac. 3/1/21 Awaiting PEC on drawing of legal description on Lot 21 from Gray-Robinson title search. HC to send MG copy of OC agreement for the Park Avenue improvements. TM to schedule final round of public input on project. 4/5/21 Conducted additional Public Involvement meetings with Town Residents. Spoke with cul-de-sac residents and will move forward to establish a 20-foot wide right-of-way and Cul-De-Sac radius based new alignment (avoid existing large tree). Upon completion, a legal description and sketches will be prepared and agreements prepared by Heather Ramos, Gray-Robinson. Linear Park R/W purchased for property at 2nd Avenue and Dirt Main. Revise roadway alignment to avoid existing large tree at northwest quadrant. MG and HC to coordinate on final roadway alignment. TM to discuss project with Ms. McCarthy (Andrew McCarthy's grandmother) to get concurrence on design.

6. Downtown Lighting Project: The Town of Windermere recently changed from halogen to LED lights. We are now working on getting additional lights in areas but looking to work with Duke on process/need/cost. In addition, we are working with various companied looking to co-located small cell towers on our existing lighting. 10/18 Crown Castle considering 5G cell towers in Windermere. No applications received by Brad Cornelius (BC) as of yet. Working on application process. SB talked to Mike Smith, Duke Energy, for light/pole installation and FDEM permitting. TM needs application, cost estimate and clarification on policy. Major corridors (Biscayne – 12th Avenue to Windermere Road) and residential areas (Top Hats) for lighting envelope. No response from Mike Smith on SB's e-mails. Continue to follow-up with Duke Energy on street lighting. Send e-mail to Debbie Clements. SB met with Mike Smith last week. Look at photo metrics for area north of canal where it is currently not lighted. Still waiting on Duke Energy on photo metrics. SB waiting on Mike Smith. No change. New liaison with Duke. SB has received monthly cost from Duke for lighting from Parkridge Gotha to North. Duke to provide construction cost estimate for what Town is responsible for. Anticipated receipt from Duke in 60 days. Possible item at the Feb 2020 Board Meeting. Mike Smith to provide costs for lighting based on concept drawings. Mike Smith provided cost to SB. From Parkridge-Gotha Road to Lake Down-Butler Canal, it would cost $240,000 during the day and $280,000 for night work (Construction and MOT). 2/3 Need flood lighting for Windermere Wine & Dine. Nothing further at this time. Lighting may be incorporated into the multi modal pathway project. No new updates. On hold, awaiting stimulus money.TM to meet with Duke regarding franchise agreements and whether additional lighting can be provided to the Town. SB video-conferenced with Duke Energy. Discussions on MOT during the day by working within the existing right-of-way. SB directed Duke on their phasing plan and updated costs for each phase. SB spoke with Duke contractor on line alignments. Duke to return with options and associated costs. Town tentative funding in FY 2022. Still waiting on Mike Smith regarding costs. Still awaiting Duke Energy. Awaiting on Mike on lighting project. -SB to reach out to Duke Energy to get the prices for undergrounding utilities. Relocate lighting adjacent to Town Administration building. SB corresponding with

Duke Energy (Kara). SB waiting on new contractors to get on board. 11/2/20 SB waiting on new contractors to get on board. Adding two lights along rear of Town sidewalk. (Previously located in front of old Town Admin building). 12/7/20 - TM to coordinate with JF on light locations based on access to power. 1/6/21 Fixture heads have been approved and JF will get cost from Bright Futures. Will get PO done and will set poles. 2/1/21 Pricing obtained. Work will be done in house by Public Works team. 3/1/21 Two poles from old facility to be relocated in house (Travis). The Willows (Karen) putting a proposal together to submit to the Town (JF and NW). 4/5/21 TrM installed two poles.

7. Signage: TOW looking for consistent signage within Town. Part of Branding Revitalization. Street signs have been installed along major roadways. Now focusing on interior signage to make sure they are correct type, meet specs and are justified and enforceable. 10/18: SB to look into Parking Directional Signage when 5th/Forest is complete. Town Entrance Signage placed on hold. SB to look at parking directional signage. Parking directional sign ordered by SB. SB to meet with contractor on parking signs and public parking signs. Keep 10-ton weight limit for bridge over canal. SB to order sign for 10-ton limit. Parking signs are expected to be received this week. New speed limit signs installed by SB. Look at installing DO NOT BLOCK INTERSECTION signs at intersections. SB to look to add in next round of regulatory signs. Most signs have been maintained by PW. Some signs may need to be replaced due to age. SB to monitor. SB awaiting quotes for flashing beacons. DO NOT BLOCK INTERSECTION signage to be included in next FY budget. Re-visit event signage – coordinate with LRP. No change – Advanced warning "Stop Ahead" beacons have been ordered and will be installed at approach to Windermere Road on Maguire Road. Beacons on hold due to backorder at manufacturer. PW to continue to maintain sidewalks. Posts were received but were damaged and were return. LRP tabled entry and event signage for next meeting. Footers laid for the 2 beacons. Start upgrading regulatory signs. Main and First pedestrian signage – LRP to prioritize. LRP prioritized First and Main. New signs and decorative posts have been ordered to replace existing from Parkridge Gotha to downtown. New signs and decorative signs completed. Upgraded all regulatory signs from Parkridge-Gotha to downtown. Working on first reading for Ordinance for right-turn only and fine amounts for violations. Radar trailer purchased by PW (can be used for educational purposes). New and regulatory signs have been completed. 2/3 Take pictures of new pedestrian cross-walks and post on Town website (Windermere Rd and Main). Order signage for southeast quadrant. New no right-turn signs at six locations and speed humps have been installed on Ridgewood. CS suggested that flags be temporarily placed on new signs, a temporary info board from PD could be used, and to put down traffic counters. SB will get with PD on these items. KHA to look at providing past traffic counts. There was a discussion on how to get this information reported to Waze and Google Maps. LRP made recommendation for RFW w/sign company to design, construct and operate Town Facilities event and gateway signs. PD monitoring, will get count when traffic patterns return to normalcy. Hold off on internal signs. Park Avenue signs to be updated. CS to set up LRP meeting – schedule workshop in August-September. SB put signs on bridge. Park Avenue signage ready to go (SB spoke with contractor). Resolve issue with property owner and WT on signage. SB and CS discussed with LRP and they need more information on scope of work. SB should have some notes to CS sometime this week to get a signage company onboard regarding the Town's brand (beyond regulatory and traffic signage). SB reached out to OCPS for design processes. Looking at capabilities of companies currently contracted with the TOW for design. LRP will make final recommendations to TC. Individual IPO's for signage discussed. Documentation to be sent to TM for TC agenda. To be done under KHA master services

agreement. To be presented as an LRP item. Upgrade 6th Avenue. CS to send summary to LRP. Upgrade 6th Avenue. 12/7/20 - CS to send summary to LRP. Upgrades to be completed this week. TM to coordinate with Duke Energy. 1/6/21 Poles getting replaced with new upgrades on 6th Avenue. 2/1/21 Poles on 6th Avenue completed. John F and Travis have been doing maintenance on all signs. TC approved signage as part of KH master services. 3/1/21 Change guideline on font use to match the Town Facility. 4/5/21 Tonya will check on expenditures for signage for the year.

8. New Facility: Awaiting preliminary DD budget numbers from HJ High. Coordination with MW regarding impact to roundabout from new facility construction. JF to coordinate with ADG for modifications and scope on 6th Ave including ingress-egress to the library. This was not part of the original budget and will be priced separately for Robert to determine budget parameters. Maintenance Bldg. will be priced separately since it was not included in the original scope. The arborist was on site Friday May 2nd to perform air spading the trees that are to remain. The report will indicate tree root pruning plans. Determination was made that no special foundations will be required based on proposed building foundations and existing tree root extent. JF working on AIA102 form for GMP for review in July with HJ High. Early demo and foundation packages plan to be submitted in August for pricing and contracting. Demo tentatively to be completed 8/1. Meetings this week with design teams. JF to send current design schedule to Robert for TC. JF/ADG to present update to TC by 7/28 (workshop). Any TC directions can be approved at August meeting. Two workshops to be conducted per TM. Transition into construction document phase. Anticipate having demo package by mid- to latter part of August. Preliminary construction meeting to be conducted before demolition. Provisions for ventilation requirements for COVID-19 to be considered as part of budget increase. Received 50% CD set from ADG Thursday of last week. JF and Stephen Withers to prepare redlines and schedule meeting with ADG to further discuss. ADG working on 50% CD budget. Bidding abatement out. Abatement will be done as Change Order to. Waiting review comments from HJH. TM – request waivers for demo contractors (hold Town harmless). JF coordinate with demo contractor on turning off power. CS – coordinate on salvaging of materials from Town offices to be demolished and documented. 60% CD's complete; 90% CD's expected September 30, 2020. Demo package out to bid with HJH. Demolition to begin mid- to late October 2020. Coordination with all utilities continuing for disconnection. Gas has been disconnected as well as all Spectrum Business services. FDLE Server waiting to be relocated. Once server is relocated, power will be cut off and removed from old facilities. Coordinating salvage of old material from building with Tom Strupe and George Poelker from the Historic Preservation Board. Doing final selection with Demo contractor. Selection based on low qualified bidder. Abatement completed. Air quality test conducted in existing facilities. Pre-construction meeting with demo contractor TBD. 100% CD's expected by end of week. Looking into perimeter fencing prior to demolition. Demolition complete. Awaiting permit from OC Public Health for existing septic system. Kerosene tank removed. In for permit for permit fees for WT. Full GNP numbers from contractor pending. Minor items pending per JF. Ground breaking anticipated in approximately 3-weeks (possibly after Thanksgiving). Expect NTP in December with 10-12-month construction timeline. 11/2/20 Demolition complete. Awaiting permit from OC Public Health for existing septic system. Kerosene tank removed. In for permit for permit fees for WT. Full GNP numbers from contractor pending. Minor items pending per JF. Ground breaking anticipated in approximately 3-weeks (possibly after Thanksgiving).
12/7/20 - JF had meeting with site contractor. Hope to have GNP soon. JF to coordinate with Computer Business, Spectrum and contractor regarding all infrastructure to be installed.

Construction timeline is expected to be the same – to be discussed with contractor. 1/6/21 Working on finalizing all GMP contracts paperwork. JF to review changes with Guy Haggard to finalize all forms. 2/1/21 Fully executed contract approved by TC. Contractor is proceeding with submittals. 3/1/21 Work progressing. Foundation poured. Underground utilities relocated. JF working with Town Staff on purchases. Schedule for TC walk-though. TM to review Duke Energy easement agreement. 4/5/21 Budget review pending. Concrete block walls going up. Awaiting inspection at 6' height. 4/22 structural steel expected. Underground work is completed. 5/21 Duke to establish transformer. Stormwater/drainage tie-ins to be conducted. Water lines upsized pursuant to OCU.

9. Fernwood Park Improvements: $50,000 Awarded for Fernwood Park improvements. 10/18 SB working on RFP for Park Improvements for Fernwood. Project will match IDG approved plans. All contracts have been signed and waiting work from Andy Easton. All contracts signed. SB getting surveys done for site. Have not received Notice to Proceed. Awaiting boundary survey which is required per FRDAP. All commitment documents submitted to FDEP. Title search kicked back by FDRP (prepared by Gray-Robinson). Awaiting Notice to Proceed from FDEP. Notice of Commencement received from FDEP. 5-year CIP list to be built (SB to coordinate). TM requested items to be put on March/April TC agenda. Got Notice of Commencement. Come up with priority list for capital projects. PR to have a CIP list for SB. Central and Fernwood to be priority for FRDAP. SB has received cost estimates for drinking water fountains and butterfly garden. Dock quotes to be solicited by SB. Shoreline clearing will be in next FY budget. SB awaiting prices to remove invasive species from vendors. Dobson has removed invasive species in upland areas. Trees will also need to be removed. Aquatics company will continue to treat vegetation in waters. FWC and Orange County EPD permits have been amended. Invasive species being removed. Boardwalk concept pending based on removal of additional vegetation along projected alignment. SB stated approximate ETA for design is 6-months. Took down some large invasive trees. SB met with PR on footprint for trail and walkway. Obligation for boat ramp repair. Deadline to complete in 14 months under FRDAP conditions. Contractor is developing draft footprint and estimated cost for the boardwalk. Contractor provided SB with quote for the design, engineering and permitting of elevated nature walk. Nature trail in design phase by Contractor. Final concept drawings completed. Moving into construction plans and scope of work. 2/3 Final concept prepared including elevated nature trail. Sent to PR for review. Concept in design. FRDAP schedule through April 2021. TM and David Hansen to coordinate on driveway within the park. Partnership with OC, FWC and TOW. Need to stabilize the driveway and launch area. David Hansen to help guide Town through OC permitting and variances. Video conference with SFWMD – will require a permit for the boardwalk. Meeting with Orange County EPD – 2 permits required including tree survey and wetland delineation. Draft concept prepared, beginning preparation of construction plans. 4-6-months estimated for design. FRDAP grant deadline April 2021. 5K run has been postponed, but not canceled. SB working with OC EPD on wetland delineation. Surveyors are picking up wetland flagging. Also virtually met with SFWMD on permit submittal. FRDAP forms sent to TM for execution. TM coordinating with FDEP regarding parking configuration. SB said that the SFWMD is requesting an individual permit for the boardwalk due to encroachments to Sovereign submerged lands. FRDAP grant application withdrawn. Meeting tonight at 5:00 pm to discuss. Town to conduct a charette for presentation (to be conducted on Zoom). Coordinate with Councilman McKinley on P&R input. No changes. Getting charettes and scheduled for the residents. TM to discuss with Councilman McKinley on opening of Lake Street Park. TM to as PR to complete and close-

out. PR to determine what to do with boardwalk. 11/2/20 PR to determine what to do with boardwalk. 12/7/20 – Pending. 1/6/21 On hold until we get RFQ completed. Travis M. to contact companies and get quotes for dock fix. 2/1/21 JF to get three numbers from separate vendors for dock fix. JF to look into dock inspections checklist and schedule. 3/1/21 TM needs third quote for dock fix pursuant to Town procurement procedures. JF and TrM will review and recommend quote. 3/12/21 TM approved dock replacement. Waiting on schedule from vendor. Once there is a time frame scheduled, TM will post. 4/5/21 Await dock replacement until Butler design completed. TrM spoke with Peter Fleck regarding the dock. No permit required since it is a maintenance activity on existing dock.

10. Central Park FRDAP Grant: $50,000 Awarded for Central Park improvements. 10/18 SB working on RFP for Park Improvements for Central Park. Project will match IDG approved plans. All contracts have been signed and waiting work from Andy Easton. SB getting surveys for site. Title search kicked back by FDRP (prepared by Gray-Robinson). Awaiting Notice to Proceed from FDEP. SB getting quotes on drinking fountain and Frisbee golf baskets. SB expects quotes this month. Also getting quotes on exercise stations and drinking water fountain. SB waiting on final quotes for exercise stations. Will need to coordinate with OCU on connection for water fountains. PR recommended wood as opposed to metal exercise equipment. Still waiting on final quotes. Coordinating with OC Utilities for meter for drinking fountain. PR recommended metal as opposed to wood. Exercise equipment and drinking fountain (including water meter hookup) to be considered for TC agenda. Repairs completed on split rail fences and walking trail. SB expects Central Park improvements to be completed within the next couple of months. Include maintenance schedules from exercise equipment. Exercise equipment has been ordered. SB is coordinating to have the water meter installed for the drinking fountain. Exercise equipment installed. Awaiting OC for water meter installation for drinking fountain. OC completed water meter installation. Exercise equipment completed. OC meter account set up and active. Awaiting meter to be activated. Signage has been ordered, awaiting receipt of signs to be installed. TB to secure a landscape architect (with certified arborist) for tree mitigation plan. Signage installed. Met with Andy Eason (grants manager) to review, take photos, and go over close out documents. Finalizing Limitation of Use agreement to be recorded with OC, As Builts, expense records and final documents. 2/3 Close-out phase initiated. Determining what is required for the close-out document. Tree Board to focus on site for tree plantings. SB met with grant manager to close out. Grill has been purchased which was the last item to upgrade picnic area. Central Park completed. Walk-through conducted by SB and Andy Easton. Project is completed – Project completed. MG submitted signed and sealed As-Built plans to SB. Awaiting reimbursements. TM to execute paperwork. TM to execute paperwork. 1/6/21 Nora sent Andy all requested documents. Robert Smith to follow up. 2/1/21 RS provided all required documentation, pending reimbursement. 3/1/21 Final closeouts have been submitted and awaiting reimbursements. 4/5/21 Reimbursements not received per NW.

11. Cross Walk Improvements: W&D has funded two cross walk improvements. First one on Second/Main and the next on 6th/Magnolia. 10/18 Two additional locations – 6th Avenue east of Ridgewood, and Main Street near Estancia. Funded one cross-walk. Location to be determined. Consideration for cross-walk locations: 1) 6th Avenue near Ridgewood Drive; 2) Main Street near Estancia. LRP to make recommendation and present to TC for approval. LRP has reviewed and approved Johnson Park crossing (east of Ridgewood), to be presented to TC for approval. More usage and higher volume of traffic. Cross-walk improvements

completed. Look at an additional cross-walk based on availability of funding. LRP made 2 recommendations – 1) Estancia; 2) First Avenue and Main Street. Retrofit existing cross-walks. LRP recommendations made. Awaiting funding. No change. Waiting on Windermere W&D funds. No change. No Change. Awaiting on Windermere Wine & Dine. Crosswalk on Windermere Road and Main should be completed soon. 2/3 Windermere W&D agreed to fund new cross-walk at 1st Avenue and Main Street. On TC agenda for 2/11. Windermere Road and Maguire Road has been completed. TC approved RRFB at Main Street and 1st Ave. Footers have been poured. Awaiting deliveries for RRFB's. RRFB's completed at Main Street and 1st Avenue and operational. Nothing additional. Waiting on W&D. W&D to conduct event in March 2021 for sponsorships. TM to meet with HPB. 12/7/20 - W&D to conduct event in March 2021. 1/6/21 No update. 2/1/21 Ongoing. 3/1/21 - Ongoing. Another tier of cross-walk locations to be reviewed. LRP to have updates. 4/5/21 Taking to LRP.

12. 1887 Schoolhouse: HPB and Tree Board have worked on the planning and implementation of repairing and improving the grounds and structures. Currently HPB is looking at making sure the building is sound prior to making additional improvements. SB sent out various requests for contractors and engineers to look at to no avail. In addition, SB was able to get a vendor to take care of the grove area to make sure it is well maintained and healthy. 10/18. Approved to replace citrus trees that have died and contract with maintenance firm. HPB to make decision on structure analysis. Working with Amanda Black on search for architect. HPB still searching for tree/grove maintenance. Architectural evaluation approved by TC. Based on architectural evaluation, HPB will generate a CIP. Architectural evaluation awaiting. The architect has conducted initial condition of schoolhouse. Architect to return to review the condition of the schoolhouse. Architect has returned several times to continue to evaluate. Architect sent in plans to Town for review. SB to be liaison for Eagle Scout project. HPB working with architect and on future CIP. HPB creating scope of work based on architect's evaluation. HPB still having open discussions regarding the architect concept. HPB meets 1/8/20. HPB discussing options for materials to use and style of final look. 2/3 HPB still having discussions. To keep status on National Historic Register, HPB will need to maintain the same architectural look. HPB had conference call with SHPPO about signage and marker. No changes. TM to meet with potential volunteers for community hours. No changes. 12/7/20 HPB met and agreed to remove sidewalk around schoolhouse facility due to drainage issues. TM to address this week. 1/6/21 Completed. 2/1/21 Siding boards are currently being repaired. 3/1/21 Sidewalk removed and disturbed areas re-sodded. JF met with local Boy Scout troop who have an Eagle Scout project to connect the school house to the privy. 4/5/21 HPB is meeting this week. Eagle Scout project completed.

13. Street Sweeping: Best Management Practice (BMP) under the stormwater NPDES program. 10/18 Ongoing. MG has article to send to TM, SB and JF. Ongoing. HC to consider street sweeping article for Gazette. No change. Ongoing. KH to prepare article in Winter Gazette about street sweeping. Due date is 11/22. MG to get street sweeping quantities from SB and determine TN (Total Nitrogen) and TP (Total Phosphorous) and submit the removals to DEP under their STAR program (State Annual Report). HC to provide MG with quantities. MG to submit as part of STAR to the FDEP doe pollutant load reduction reporting. 2/3 MG received quantities from HC. Will combine with NPDES section. Ongoing. SB and KHA submitted street sweeping volumes to FDEP. KHA and USA Services documenting quantities. Continuing to document. Quantities are continuing to be documented. Still documenting on monthly basis. Ongoing. 12/7/20 – Ongoing. 1/6/21 Coming out once a month. Travis to get paperwork and

send to Hao. 2/1/21 Ongoing on obtaining reports. 3/1/21 Ongoing with reporting. 4/5/21 Ongoing.

14. Vacuum-Truck Services – Cleaning of stormwater structures and storm pipes. Bid awarded by Town to Waste Services Group at January TC meeting. Started on 8th and Bessie Street to Magnolia. Log of linear footage of pipe cleaning and volume of debris collected. Completed in 1-1/2 days. Scheduled for 12th Avenue and Oakdale Street stormwater project. MG to provide SB with copy of recorded drainage easements for the storm sewer system in the back of the homes. Next project is west 8th and Forest Street. Plan is to initially clean the entire system with a future target of bi-annual cleaning of systems. SB to receive cleaning logs from WSG for documentation for NPDES measurable goals. Provide measurable goals for NPDES reporting. Done with cleaning 12th and Oakdale Street. Moving nest to west 8th Avenue drainage system for cleaning. TM to coordinate with SB on availability of funding for continuing work. Working on funding. Continuing the cleaning of stormwater/drainage structures. Plan to conduct bi-annually. SB to provide budget amount to TM. Completed west 8th Avenue and currently working on Lake Street. Targeting North Oakdale (north of 1st Avenue). Completed North Oakdale including First Avenue stormwater pond. Next is Johnson Park pond then Ridgewood ponds. Completed. SB will continue working with vacuum trucks for other projects. Completed main drainage basins. Biannual treatment of all infrastructure and also CCTV of infrastructure. Structures will also be GPS's for inventory. SB to draft release on dewatering so there is no confusion as to what is being placed in stormwater ponds. Will also get costs on transport. 2/3 Completed cleaning of all stormwater systems, including Main street and its associated detention chambers. Crews returning this week to begin return cleaning off the dirt roads, as well as to start GPS and CCTV all systems to record current conditions and control points moving forward with an overall inventory of the Town's stormwater system. Will combine with NPDES section. 12th Street and Oakdale vacuum, GPS and CCTV services have been completed. 12th and Oakdale completed. Videoing process. SB working with KHA on GIS for inventory. GIS being prepared for drainage infrastructure mapping. Continuing GIS mapping of Town's MS4 system. Completed west 8th Avenue – working towards First and Forest. Ongoing. Set up for Bi-yearly cleaning. Continuing GIS mapping. Ongoing. Videoing for GIS mapping. Conducting videoing for GIS mapping. TM to present costs for upkeep for Street Sweeping and Vacuum-Truck services. Ongoing. 11/2/20 Conducting videoing for GIS mapping. TM to present costs for upkeep for Street sweeping and vacuum truck services. 12/7/20 - Johnson Park used as discharge location. HC tracking invoicing and debris removal for NPDES reporting (coordinate with TrM). 1/6/21 Ongoing. 2/1/21 Current reports received; HC will continue to track. JF and TM to request per service invoicing. 3/1/21 Ongoing. 4/5/21 Ongoing.

15. Lakefront Maintenance: TOW to control invasive species along lakefront that is under Town jurisdiction. 10/18: Awaiting Orange County for permits. Once received, invasive plants to be removed by selected contractor. Awaiting Orange County permits. To start in January. Received OC permits. All permits now received. Start herbicide spraying. Pond by Windermere Elementary also maintained. Aquatic Systems has been onsite for a couple of months. SB coordinating with David Hansen, Orange County Environmental Protection Division, regarding limits of herbicide application. Information on cleaning Town's social media pages. Ongoing. Monthly treatment (15 locations). Vegetation cleared at Windermere Rec Center pond. Ongoing. SB to assess Windermere Rec Center pond on water recovery – check lake levels for comparison. Spraying is on a monthly basis on lakeshore and in the parks.

Continuing on monthly basis. On Lake Down, 5 cypress trees planted and sent documentation to OCEPD to close out the complaint. Ongoing. SB received quotes to clean up the lakeshore (vegetation removal and tree removal). Continue to construct elevated boardwalk for nature trail. 2/3 DH discussed possibly funding "backyard BMP's" (swales, rain gardens, planting, etc.). Ongoing. SB to provide TM with budget numbers. Continuing. Continuing. Ongoing. SB to address wax myrtle growth by Lake Bessie boat ramp. Land alteration permit would be required. Ongoing. TrM to check with vendor (Solitude Lake Management) on cycle of lakefront maintenance. Check on maintenance plan and frequency. 1/6/21 Travis M reached out to vendor to get scheduling. Will follow up again to establish a set schedule. 2/1/21 JF and TM working on permit and is in process of resubmitting. 3/1/21 Received Lake Crescent permit. TrM working on schedule. 4/5/21 Ongoing.

16. Town Hall: PW to inventory entire Town hall for improvements and repairs. 10/18: TM asking for long term needs of Town Hall – full assessment (i.e., lighting, kitchen, audio-video, etc.). SB contacted Landmark Construction for proposal. SB spoke with Landmark for numbers for quote. SB to contact Landmark Construction. SB talking to other contractors regarding quotes. SB requested proposal from Edmundson. SB has meeting with general contractor to give him some prices. Ongoing for quotes. Need all fixed assets identified and provided to NW (for insurance purposes). W&D to consider helping with Town Hall fix. No Change. TM needs to complete inventory. W&D want to invest in Town Hall including: roof; kitchen; etc. Working on pricing with contractor over the next 60 days. W&D has interest in TH improvements. SB has requested scope of work and cost from HB & Associates for TH improvements. SB to meet with CPWG to do a complete evaluation of Town Hall (both interior and exterior), subsurface to roof including electrical, HVAC, sound and lighting, foundations, etc. 2/3 Met twice with cpwg as well as their co-consultant MLD Architects. MLD has an extensive history with historic buildings and are familiar with the State Historic Preservation Office (SHIPO) requirements aka Secretary of Interior. Some opportunities for grants may be possible for the historic portions of the work. SB met CPWG to provide a cost to evaluate Town Hall. MLB architects to also provide review of historical elements of Town Hall. SB to look at mid-end of March for scope of work. Will need RFQ. Contractor just send SB scope of work and cost. SB is reviewing. On Hold. SB and JF to get together on AC so TM can submit for the CARES act. JF to conduct thermal scans for various buildings. New toilets, automatic soap dispensers and automatic faucets to be implemented. Scheduled AC replacement for week after next (week of November 16th, 2020). 12/7/20 - AC replacement at Town Hall completed per TrM. Awaiting on final invoice and maintenance plan and warranty. 1/6/21 UV lights are installed and inspected. Look at getting roofer out to look at rotted area in the flat roof section. TM and JF to look at temporary fixes. 2/1/21 Minimal maintenance until after Town facilities completed, then will do full repairs. Temporary fixes to roof and porch steps. 3/1/21 Temporary fix on roof completed. Permanent roof replacement is pending. TrM gathering quotes for fixes from roofing vendors. 4/5/21 TrM getting quotes on roofing from prospective vendors. Bids to be presented to TC for consideration.

17. Water Utility Master Plan: TC approved master plan for water utilities for entire TOW. 10/18 - TM to issue RFQ for water master plan (entire Town). TM spoke with Wade-Trim on structure of RFQ. WT to meet with Orange County Utilities (OCU) regarding what OCU will need for RFQ. RFQ to be issued today on Town Website and DemandStar. Wade-Trim, KHA and CPH are the three consultants short listed for study. SB, JF and MG to review their proposals and select consultant for study. Oral presentations conducted on 3/17/19 (Wade-Trim, KHA).

Consultant selection pending. Selection of consultant will be on TC agenda for approval. SB to issue ranking of consultants. Scheduled for April TC meeting. Awarded to Wade-Trim at April 9th TC meeting. WT to schedule kick-off meeting (SB, JF, MG to attend). Tentative schedule of 12-months to complete study. TM to consider lobbyist (2020-2021 FY, approximately $60,000 for lobbyist) to assist in securing funding for implementing plan. June Technical Advisory Committee (TAC) meeting for project. Awaiting follow up schedule from Wade-Trim. TAC meeting with Wade-Trim (meeting in July). Presentation at September TC meeting. Web conference call between WT, Town and OC Utilities to be scheduled by SB regarding the water utility master plan on September 19th. Additional workshop with TC on September 23rd to be conducted to provide update and information on project status. October 22nd TC workshop with Wade-Trim to provide status of project. Scheduled for completion in March 2020. Presentation was completed on 10/20. OCU to provide flow information. Scheduled completion in March 2020. Ongoing. Coordinating with Orange County Utilities. WT requesting meter readings on hydrants for more accurate data. WT to provide update on coordination with Orange Count. Confirm some flows and reevaluate fire hydrants (Orange County). 2/3 Final flows and calculations have been completed. JF and SB meeting with WT to review drawings and design. Preliminary plans sent to Angie Brewer to review for possible funding sources. Goal to have TAC meeting mid-March with outcome moving toward TC in April. TC workshop in March. Final TAC meeting on 3/10 at 2pm. Workshop pending. Monitoring infrastructure package to see if funding is available. MG to coordinate with SB on 2nd Avenue water main improvements (6") WT to provide status update to TC regarding water main improvements. Awaiting final report. Presentation by W-T at last TC meeting. MG to coordinate on W. 2nd Avenue. Discussion on funding opportunities. Follow up meeting with OCU to discuss plan. Discussion on funding and verification of low rates. MG to coordinate with Mike Demko, WT, regarding water main design along West Second Avenue. Finalized plan submitted to TC on 9/8/20. Looking for funding opportunities for all phases. MG to coordinate with WT on 2nd Avenue water main improvements. Look at funding sources. 12/7/20 - Implementing water main improvements through CIP projects. 1/6/21 Been adopted. 2/1/21 RS submitted to Orange County for appropriations. Actively incorporating plan into new projects. 3/1/21 Recommendation to be incorporated into all Town CIP's. 3/12/21 Still waiting on State Appropriations and will discuss with TC from American Rescue Plan $$$. 4/5/21 awaiting on appropriations for funding of implementation of recommended improvements per approved Master Plan.

18. Cut-Through traffic: Town Council approved KHA to do study on cut thru traffic and determine where traffic originates. 10/18 Town Council Workshop on 10/30 Schedule follow-up meeting with KHA. KHA to conduct TC Workshop scheduled on 1/22/19. Includes evaluation of continuous right turn southbound from Main Street to Chase Road. Await recommendations. Presentation by KHA at February TC meeting Tuesday night. Work with OC on county level on Windermere Road/Main Street roundabout and Main Street northbound to Chase Road with exclusive right-turn lane to relieve traffic congestion. Brought to TC Tuesday night. Police to continue with 90-day study – compile data and further evaluate with KHA study. TM asked Brad Cornelius for an urban planning study – possibly RFQ. Workshop in May, included in budget analysis by TM. Workshop planned this month. CS – Update from PD. Number of travel counts received from KHA. Data evaluated and will be discussed again at July TC meeting. TM had meeting for ideas for cut-thru traffic. TM has meeting with County Administrator. To be discussed at September 23rd TC workshop. LRP took no action on cut-thru IPO's. Work on cut-thru traffic plan for Ridgewood Drive. LRP will look at Oakdale Street improvements. TM to schedule workshop for LRP recommendation for SE Quadrant. LRP made second

recommendation for SE quadrant and Ridgewood Drive. No right turns on Ridgewood Drive and Lee Street (at certain times). LRP recommending to table the Ridgewood Drive one-way ordinance indefinitely and move forward with requesting revised traffic engineering study for time limitation no right-turn only on 6th Avenue at Ridgewood Drive and Lee Street. SE quadrant discussion at a later date depending on effectiveness of no-right turn signage at Ridgewood Drive and Lee Street. MW to review plan before 12/18 TC meeting. OC has requested projects from the Town. 2/3 TM working with Winter Garden, Ocoee and Oakland: West Orange Transportation Alliance (WOTA). TM worked with staff and KHA and submitted projects list to Ocoee and will submit to OC on 2/4. TM meeting with OC Staff about 1 cent sales tax. WOTA to meet on Friday. TM to update TC on Feb 11. New no right turns signs at six locations and speed humps have been installed on Ridgewood. CS suggested that flags be temporarily placed on new signs, a temporary info board from PD could be used, and to put down traffic counters. SB will get with PD on these items. KHA to look at providing past traffic counts. There was a discussion on how to get this information reported to Waze and Google Maps. Monitor right-turn issues. TM asking OC on 6th Avenue and Chase Road round-about road improvements. Conversations ongoing. Ongoing. Ongoing. 12/7/20 - No change. 1/6/21 No change. 2/1/21 RS met with Commissioner Wilson and sent documentation for 12th and Chase and 6th and Main improvements. 3/1/21 TM to continue discussions with Commissioner Wilson regarding appropriations for the 12th and Chase and Main Street improvements. 3/12/21 Meeting was cancelled last minute (again). We will continue to advocate for relief. 4/5/21 Issue with Duke. TM discussed with residents. Re-evaluate when school starts back up in the fall to provide a more realistic scenario.

~~19. Park Ave Stormwater Project: TOW received complaints about standing water and flooding on south Park Ave across from School. Town put on notice of possible legal action. KHA, PW, and Staff working on solutions. 10/18: SB met with KHA to review and provide answers. MG and JF to review with SB (possible French Drain system). TM to approve KHA IPO for Design and Survey. Project 1 on list of CIP projects for FY 18/19 KHA (Mike Woodward) to proceed on design for project. SB and JF reviewed KHA plans and provide comments. Once completed, TC will issue project for bid. Notifications to be done by JF and SB for residents to be affected by construction. Coordinating with Orange County Utilities. OCU (Christina Crosby) has approved scope and fee for the relocation of their utility relocation as part of the drainage improvements. KHA to conduct design for utility relocation. Target Bid in April, construction in June. 90% design complete. OCU water main to be relocated. OCU will work with KHA to design relocate within the prescribed Town timeline. SB to upload the bid set plans on DemandStar and Town website. OCU has hired KHA for water main relocation improvements. Need agreement between Town and OCU on reimbursement for water main labor and materials for project. No bids received. SB to look at options for constructing the project. Quote received from Barracuda (lowest quote received). HC to request qualifications. Additional quotes received and to be evaluated. Project to be presented to August TC. HC to discuss with contractor lane closures. On TC agenda for approval. Contract with OCU to be signed by TC. Barracuda to initiate construction on October 1st, 2019. Shop drawings reviewed by KHA and approved 10/4. AT&T permit review completed on 10/3. Contractor to start construction on 11/06. 60% of sidewalk demolished, water DIP exposed to determine size of tapping sleeve. Dog house structure shop drawing approved by KHA for installation by Barracuda. Project delayed by OC. Barracuda to request a change order for the bonding of the entire project. Original was to bond only for the utility improvements (per Orange County Utilities). 2/3 Project moving forward, slow progress, as expected, due to~~

~~conflicts with existing underground utilities and water taps. Bacterial testing scheduled for this week. Positive outcome will result in moving forward with removal of existing conflicting water line and begin stormwater system. Ongoing. Contractor submitted changed order for restraining existing 12" water line. KHA has forward this change order for OCU review/approval. Contractor will be laying storm pipes on evening/night shifts. Bacteriological tests completed and FDEP clearances submitted to OCU for signature (Christina Crosby). Once received and approved by FDEP, water main will be operational. Expecting to complete stormwater by the next 2 weeks. Includes removal of existing water main. Clearances approved by FDEP. Remove old water mains and proceed with completion of stormwater improvements. Revised storm box by Barracuda. Asset Management spreadsheet submitted to OC and approved by OC. To be completed by JF and HC by July 20th! Striping completed, As-Builts to be completed. KHA to prepare RECORD DRAWINGS utilizing as-built information, which will be archived and submitted to the Town. Completed on July 17th. Final walk through conducted by SB and HC. HC coordinating with OC on reimbursement to the Town. Completed. CC approved Record Drawings. HC to follow up on reimbursement from the County ($237K). HC contacted OC on reimbursement – to be per agreement. Have not received reimbursement from Orange County Utilities. 12/7/20 - JF pursue warranty bond from County (Christina Crosby). 1/6/21 Warranty letter received and submitted to OCU. HC to follow up. 2/1/21 HC followed up, OCU has everything they need, still waiting on reimbursement. 3/1/21 Awaiting reimbursements from OCU. Reimbursement check received by Town.~~

20. Sidewalk improvements/repairs (maintenance budget) outside of multi-modal project: 10/18: TC at approved budget. PW to inventory sidewalks and prioritize for repairs. SB to inventory after first of the New Year. Await till February for inventory, work to be done after school is out for summer. No change. SB to inventory existing sidewalks, which will establish the funding needs to improve sidewalks. SB met with sidewalk contractor on project in front of Johnson Park. Contractor to begin sidewalk improvements on Summit and Highland. SB working on sidewalk list. Work in the Manors. Priorities to be established by next month. Sidewalk Repair Inventory prepared and completed by JF/SB. Based on sidewalks that need corrective action to be compliant with ADA. Survey presented in 8 sections with linear footage for each section for sidewalk repair/improvement. Planned for 2-year capital improvement plan. TM to update CIP based on JF inventory. Awaiting QES update on pavement management plan. SB – met with contractor. Manors will be first location to be addressed then Park Avenue. SB and JF to work on prioritization in developing a sidewalk CIP. CS requested a written CIP for each sidewalk improvement project in order to appraise citizens of project status. SB and JF completed priority map. SB & JF to provide CIP with year and cost. SB has a CIP for review of projected costs over a 5-year period (CIP attached to these minutes). Currently working in the Manors with approximately 75% complete of root-damaged sidewalks and other sidewalks in disrepair (i.e., trip hazards, cracking, etc.). Contractor working at Manors on repairs, removing cracked panels and trip hazards. 2/3 Manors repairs completed, as well as portions on north side of Park Avenue between the Manors and Marquises Court. No new updates. Budgeted money spent for FY. Last project completed for Town Hall. TM needs second year estimated CIP costs of sidewalk improvements. Awaiting budget for sidewalk improvement for next fiscal year. Waiting on budget approval for next FY. 6th Avenue is priority project. Projects to be advertised for procurement of construction contracts. Portions of 6th Avenue replaced between Lee and Ridgewood due to fallen tree. 1/6/21 6th Avenue completed. Need to determine which area for repair is next. 2/1/21 Received proposal to extend construction on 6th Avenue from Highland to Ridgewood. 3/1/21 Sidewalk improvements on 6th

Avenue to Ridgewood completed. 4/5/21 JF to coordinate with Tonya regarding implementation of various plans. TM to conduct budget review analysis.

21. Bessie Street Stormwater Improvements: #2 priority on Stormwater improvements. Continuous maintenance issues and flooding. 10/18: MG to provide scopes. SB provide scopes to TM. On Hold. Awaiting HMGP application review. IPO to be presented at August TC. To be on August 27th special meeting agenda. TC provided direction to revise IPO scope for September 10th agenda. TM to review revised IPO from KHA. KH to contact OC representative responsible for lake water quality testing. KH to provide responses to IPO comments. Awaiting to complete responses to resident concerns by KHA. TM to review revised. 2/3 IPO revised as requested and moving forward. IPO has been approved. SB and KHA to have kickoff meeting in March. IPO approved by TC. Kickoff meeting conducted between SB and KHA. Design survey and geotechnical services underway. 4/22 field review by KHA. Surveyor to complete this week and move on to Butler Street. KHA received topographic survey. HC working with SB on typical sections. End of June, preliminary concepts to the Town (SB, TM, CS). HC to schedule meeting. Preliminary concept plans to be presented by KHA fat scheduled meeting or review and approval before moving to final design. HC coordinating with SB on concept plan. HC to prepare quarterly report. Concept plan ready next week. Community outreach to be conducted in October. Utility proposal from KHA pending (per Master Water Plan). Include Add Alternatives per TM. 12/7/20 Zoom meeting conducted with stakeholders. JF to meet with homeowners regarding project design concept prepared by KHA. IPO to be presented to TC for approval at December meeting. 1/6/21 RFQ due Monday, 1/11 at 5 pm. 2/1/21 Contract for design award with be on 2/9 TC agenda. 3/1/21 AIA agreements executed. Coordinate with Doug Galvan regarding time extension. Surveying on Bessie has been initiated (PEC). HC to review where additional swales and pipes are needed. Town to contact residents regarding surveying for project. 4/5/21 Survey to begin this week (Oakdale/8th and Magnolia Street). May delivery date expected for 45% plans. 3rd and Magnolia to be included as part of the project per DEM combination of projects. HC to provide separate IPO for water main improvements.

22. Butler Street Stormwater Improvements: #3 Priority on Stormwater improvements: Continuous maintenance issues and flooding. 10/18: MG to provide scopes. SB provide scopes to TM. On Hold. Awaiting HMGP application review. IPO to be presented at August TC. To be on August 27th special meeting agenda. TC provided direction to revise IPO scope for September 10th agenda. TM to review revised IPO from KHA. KH to contact OC representative responsible for lake water quality testing. KH to provide responses to IPO comments. Awaiting to complete responses to resident concerns by KHA. Awaiting to complete responses to resident concerns by KHA. 2/3 IPO revised as requested and moving forward. IPO has been approved. SB and KHA to have kickoff meeting in March. IPO approved by TC. Kickoff meeting conducted between SB and KHA. Design survey and geotechnical services underway. Wetlands delineated in Fernwood Park. Design survey to be completed this week and field reviews by KHA forthcoming. KHA received topographic survey. HC working with SB on typical sections. End of June, preliminary concepts to the Town (SB, TM, CS). HC to schedule meeting. Preliminary concept plans to be presented by KHA fat scheduled meeting or review and approval before moving to final design. MG to forward HC quarterly reports to be prepared by KHA for the project (HMGP Project # 4337-449-R), Project has been selected for HMGP funding under Hurricane Irma. Concept plan in final review by SB and TM. Concept plan done. Community virtual outreach on 9/16/20 at 6:00 pm. Utility proposal from KHA pending (per

Master Water Plan). Include berms and other improvements in Fernwood Park. 12/7/20 - TM and HC met with homeowners. IPO to be presented to TC for approval at December meeting. 1/6/21 RFQ due Monday, 1/11 at 5 pm. 2/1/21 Contract for design award with be on 2/9 TC agenda. 3/1/21 No additional surveying needed. HC moving to 45% plans. HC provided schedule regarding resident discussions on 45% plans. April-May for Butler; June-July for Bessie. 4/5/21 On schedule for delivery 45% for this month, including Fernwood Park. May workshops likely for resident feedback.

23. Windermere Pavilion: – JF coordinating with DBC on site plan. Received two proposals for outdoor pavilion preliminary design (site plan and concept drawing). Presented to TC at April meeting. Meeting on Thursday. JF to follow up with Hunton-Brady. Review rough draft of rendering. Subcommittee revisions to concept plan provided by HB. Meeting scheduled for review on 9/11 at 10:00 am. Hunt-Brady to complete final plan and renderings. JF received updated version of renderings and will distribute to committee. JF awaiting on sketch of interpretation of drop-down roof version of rendering. Providing comments to H-B to complete final plan. One minor comment on the pavilion elevation, addressed by H-B. Expected cost to be between $400K and $500K. 2/3 To be run through LRP prior to TC meeting. TC/CS to provide direction moving forward. Received preliminary plans, TC wants to go through DRB and conduct a workshop. CS has been coordinating with BC at Wade-Trim for their review. JF to send information to CS. CS to schedule with TM to discuss pavilion status. Workshop to be scheduled for May 19th. JF sent package to CS. DRB approved preliminary plans. Next step is to present to TC in early August meeting (budget meeting). Discussion on funding options and opportunities. Concept approval. Awaiting funding opportunities from Rotary. Rotary trying to come up with funding plan. No changes. Rotary to have a plan. No change. 1/6/21 No change. 2/1/21 Ongoing. 3/1/21/ - On Hold. 4/5/21 On Hold (Town working on other CIP projects).

24. Dirt Main (Rose Property): Road water not flowing. Stormwater solutions pending (contingent on railroad right-of-way property swap). PW to address. Possible use of Town-owned property north of 10th Avenue for stormwater use. On-going. Ongoing. HC submitted proposal to TM and SB for improvements to Dirt Main. SB will work with HC to review possible drainage/road realignment design. HC, CG and SB met on site. Ideas on realigning dirt road. HC to provide scope and fee for engineering services to counter problems. Concerns by residents on stormwater runoff in the area. HC to send scope and fee to SB. Approval of scope – KHA defining drainage basin and preparing concept plan for maintenance work to realign Dirt Main which will address stormwater related issues. 12/7/20 KHA working through their miscellaneous services contract. HC to move forward with dirt road realignment and coordinate with JF regarding location of property corners. 1/6/21 KHA submitted and need to get with property owner. Met with John F in field. KHA to resubmit concept plan addressing John F comments this week. Get property corner surveyed. KHA to coordinate with Duke Energy on distribution pole relocation. 2/1/21 Final concept submitted, KH contacted Duke Energy and they will require 2-3 months for relocation. Bishman surveyed property corners. Arborist report obtained recommending removal of tree. KH to call Duke Energy to start relocation process. Likely to be done in house. 3/1/21 JF met with Tree Board, Enviro-Tree to remove tree. JF awaiting Duke on pole relocation. 4/5/21 HC and JF met with Molly Rose 4/2/21 to discuss options for improving drainage improvements. IPO to be prepared for the proposed drainage improvement including design survey. Relocation of Dirt Main design pending relocation of Duke power pole. Tree's trimmed and removed.

25. Pavement Management Plan: SB working with four (4) professional engineering companies to develop a scope of work and costing for the Town's PMP. The survey/study will evaluate the existing roadway system conditions and provide future recommendations for paving and longevity. SB received no response. Received proposal from QES on budget ($60,000). On hold for this FY. RFQ slated for next FY (original PMP prepared by QES). SB working on RFQ – pending. SB working on RFQ – next FY. Selection committee to be determined. RFQ is out (TM, JF and Roger Gatlin on selection committee). 12/7/20 Two respondents on RFQ (QES and PDQ). JF, TM, and Roger Gatlin to be on selection committee). 1/6/21 Robert Smith to look at and discuss pushing out selection to possibly April. 2/1/21 Pushing out to fiscal year 2021/2022. 3/1/21 No change. 4/5/21 RFQ – 2 submittals been received. Move awarding of RFQ till next FY.

26. Paving of Dirt Main – IPO signed by TM. Survey scheduled this week. Survey completed. Horizontal and vertical alignment pending. Address large oak tree on northwest quadrant of 2nd and Dirt Main (MG and JF reviewing). 12/7/20 HC provided typical section and alignment. 1/6/21 Field meeting with John F conducted. KHA will address comments and resubmit to John F and Robert Smith next week. 2/1/21 HC to finalize and send exhibits to JF and RS. 3/1/21 HC finalized road and drainage plan, including sidewalk tie-in. 4/5/21 MG to coordinate with HC on roadway alignment. Massee property has been preliminarily acquired (pending agreement).

27. Pedestrian Bridge – IPO approved by TC 9/8/20. Survey underway. Elevations to be established. Meeting scheduled week of 11/2/2020. First Zoom meeting to be held 12/7/20. 1/6/21 KH sent Town survey results. Workshop in January with Town Council to decide on type of bridge and colors. Then we can move forward with design. 2/1/21 TC selected Bridge Brothers Bowstring 14-foot width, KH working on getting color palates and height. Will be on February TC. RS asked for appropriation from state. 3/1/21 Proceeding with final design (KHA). Target Healthcare Alliance meeting in April to have concept plan. 4/5/21 KHA (Mike Woodward) completing design.

28. Bayshore Drive – Maintenance Issues. MG to prepare conceptual fix to washout of swale pursuant to meeting with SB and JF onsite. MG to contact SFWMD regarding compliance with previously issued Exemption Request. Washouts regraded and sodded (shade tolerant sod). MG provided SB and JF detail of weir wall at end of existing swale. Weir wall construction pending per SB. 12/7/20 Washed out again. TrM to monitor. 1/6/21 Last item is to build weir wall. John F and Travis M to coordinate. 2/1/21 Waiting on contractor price for concrete weir construction. 3/1/21 Received preliminary pricing on weir construction. JF to review. 4/5/21 JF to acquire additional bids for weir construction.

29. ~~11/20/2 CS recommends looking at published Town standards for streets and roadways, etc. HC recommends ROAD NARROWS signage where roadway contracts from standard Florida Greenbook widths. 12/7/20 CS to coordinate with TC on whether to present to LRP to establish standard roadway widths. 9' lanes currently cited in Town's muni-code. 1/6/21 No update. 2/1/21 Address via in-house maintenance plan to be developed by new Public Works Director. 3/1/21 New PW Director to develop comprehensive plan and criteria. 4/5/21 TEM to prepare comprehensive maintenance plan for all dirt roads.~~

Acronyms

ADG: Architect Design Group
BC: Brad Cornelius (Wade-Trim)
CIP: Capital Improvement Project
CE: Code Enforcement
CS: Chris Sapp, Town Council Liaison
CP: Claudia Purser, Florida DEM
DAC: Direct Administrative Cost
DBC: Downtown Business Committee
DEM: Division of Emergency Management (State of Florida)
DG: Douglas Galvan, Florida DEM
DH: David Hansen, Orange County Environmental Protection Division (EPD)
EPA: Environmental Protection Agency (Federal)
FEMA: Federal Emergency Management Agency (Federal)
FDEP: Florida Department of Environmental Protection (State of Florida)
FDOT: Florida Department of Transportation (State of Florida)
FRDAP: Florida Recreation Development Assistance Program (FDEP)
H-B: Hunton-Brady Architects.
HC: Hao Chau (Kimley-Horn and Associates)
HJH: HJ High
HR: Heather Ramos (Gray-Robinson)
HMGP: Hazard Mitigation Grant Program (FEMA/Florida DEM)
IDG: Innovative Design Group
IPO: Individual Project Order
JF: John Fitzgibbon, Town of Windermere
KHA: Kimley-Horn and Associates
LA: Liz Ardent, Town Council Member
LAS: Legacy Arborist Services
LMS: Local Mitigation Strategy (Orange County Office of Emergency Management)
MD: Mike Demko (Wade Trim)
MG: Mike Galura (Michael Galura Engineering Consultants)
MPO: Metropolitan Planning Organization
MW: Mike Woodward (Kimley-Horn and Associates)
MS4: Municipal Separate Storm Sewer System (USEPA acronym)
NOI: Notice of Intent
NPDES: National Pollutant Discharge Elimination System (EPA/FDEP)
NW: Nora White, Town of Windermere
PA: Public Assistance
PD: Police Department
PMP: Pavement Management Plan
PW: Public Works Department
PDCS: Town Permitting Consultant
RFP: Request for Proposals
RFQ: Request for Qualifications
RR: Railroad
ROW: Right-of-Way
SFWMD: South Florida Water Management District
STAR: State Annual Reporting (DEP)
SW: Stormwater
TAC: Transportation Advisory Committee.
TB: Tree Board
TC: Town Council
TM: Town Manager (Robert Smith)
TEM: Tonya Elliott-Moore, Town of Windermere (Public Works Director)
TOW: Town of Windermere
TrM: Travis Mathias, Town of Windermere
WBC – Windermere Baptist Church
WW&D – Windermere Wine & Dine
WT – Wade-Trim