

THE TOWN OF
Windermere



MAYOR AND COUNCIL OF THE TOWN OF WINDERMERE

Mayor Jim O'Brien
Council Members
Robert McKinley
Andy Williams
Chris Sapp
Bill Martini
Liz Andert

Agenda

Agenda

MARCH 10, 2020
6:00 PM

WINDERMERE TOWN HALL
520 MAIN STREET
WINDERMERE, FL 34786

PLEASE TURN OFF ALL CELL PHONES AND PAGERS

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. Windermere Police Department Recognitions (Chief Ogden)

Presidents Volunteer Service Awards

In 2003, the President's Council on Service and Civic Participation founded the President's Volunteer Service Award to recognize the important role of volunteers in America's strength and national identity. This award honors individuals whose service positively impacts communities in every corner of the nation and inspires those around them to take action, too.

The PVSA has continued under each administration, honoring the volunteers who are using their time and talents to solve some of the toughest challenges facing our nation.

This is the first year the Windermere Police Department has registered for the award and it is due to the continued selfless sacrifices of the Reserve Officers.

- i. Sgt. John Alcalde Silver
- ii. Officer Lori Sipek Silver
- iii. Officer Brian Miller Bronze
- iv. Officer Jeff Bacigalupi Bronze
- v. Officer Patrick Husic Bronze
- vi. Officer Kevin Tuck Bronze

b. 1 Cent Sales Tax Initiative Discussion (Attachments-Town Manager and Orange County Staff to present and answer questions)

3. CONSENT AGENDA

a. Z20-04 – 40 Main Street – Matt and Lindsey Tomaszewski – Variance to allow a swimming pool with less than the required 50-foot setback from the Normal High Water Elevation (NHWE) line. (Attachments-DRB recommends denial by a vote of 6-0. DRB found there was not a unique hardship of the property.)

b. Temporary Town Facilities Plan – (Attachments-DRB recommends approval by a vote of 6-0. Town Council is requested to provide final approval.)

4. TIMED ITEMS AND PUBLIC HEARING

5. NEW BUSINESS

a. MINUTES

- i. Town Council Workshop Minutes January 28, 2020 (Attachments-Staff Recommends Approval)

ii. Town Council Meeting Minutes February 11, 2020 (Attachments-Staff Recommends Approval)

b. RESOLUTIONS/ORDINANCES FOR APPROVAL/FIRST READING

c. CONTRACTS & AGREEMENTS

i. KHA Proposals

1. IPO 110 – First Avenue and Forest Street Drainage Study Update (packet will be attached once received – Council option)
2. IPO 111 – Forest Street Outfall Improvement Plan (attached – staff recommends approval)
3. IPO 112 – First Avenue and Forest Street Backyard Drainage Improvement (attached – staff recommends approval)

d. FINANCIAL

e. OTHER ITEMS FOR CONSIDERATION:

- i. Town Manager Evaluations (Attachments-Council Member McKinley to Present)
- ii. Citizens Engagement Committee (Attachment – Council Member Andert to Present)

6. MAYOR & COUNCIL LIAISON REPORTS

- a. MAYOR O'BRIEN
 - i. Council Liaison Assignments
- b. COUNCILMAN MCKINLEY
- c. COUNCILMAN WILLIAMS
- d. COUNCILMAN SAPP
- e. COUNCILMAN MARTINI
- f. COUNCILMEMBER ANDERT

7. STAFF REPORTS

- a. TOWN MANAGER ROBERT SMITH
- b. TOWN ATTORNEY TOM WILKES
- c. POLICE CHIEF DAVE OGDEN
- d. PUBLIC WORKS DIRECTOR SCOTT BROWN

8. ADJOURN

-
- REPORTS: NO ACTION REQUIRED
 - FILED ITEMS
 - a. Town Council Liaison Reports
 - b. Projects Meeting Notes
 - IMPORTANT DATES
 - 3/12 – Parks & Recreation Committee meeting

- **3/13 – Farmers Market**
- **3/14 – Windermere Police Department Foundation, Inc. St. Patrick’s Day Event**
- **3/17 – Presidential Preference Primary Election**
- **Development Review Board meeting (will cancel or reschedule)**
- **3/19 – Windermere Tree Board meeting**
- **3/20 – Farmers Market**
- **3/24 – Town Council Workshop Water Master Plan**
- **3/25 – Historic Preservation Board meeting**
- **3/26 – Long Range Planning Committee meeting**
- **3/27 – Farmers Market**
- **Food Truck Night**
- **4/1 - Windermere Active Youth Committee meeting**
- **Historic Preservation Board meeting**
- **4/4 – Run Among the Lakes 5K/10K**
- **4/7 – Code Enforcement hearing**
- **Elder Luncheon**
- **4/9 – Parks & Recreation Committee meeting**
- **4/10 – Farmers Market**
- **4/11 – Easter Egg-Stravaganza**
- **4/14 – Town Council meeting**
- **4/16 – Windermere Tree Board meeting**
- **4/17 – Farmers Market**
- **4/21 – Development Review Board meeting**
- **4/23 – Long Range Planning Committee meeting**
- **4/24 – Farmers Market**
- **Food Truck Night**
- **4/28 – Town Council Workshop Mid-Year Report**

- **5/1 – Farmers Market**
- **5/5 – Code Enforcement hearing**
- **5/6 – Windermere Active Youth Committee meeting**
- **Historic Preservation Board meeting**
- **5/8 – Farmers Market**
- **5/12 – Town Council meeting**
- **5/14 – Parks & Recreation Committee meeting**
- **5/15 – Farmers Market**
- **5/19 – Development Review Board meeting**
- **5/21 – Windermere Tree Board meeting**
- **5/22 – Farmers Market**
- **Food Truck Night**

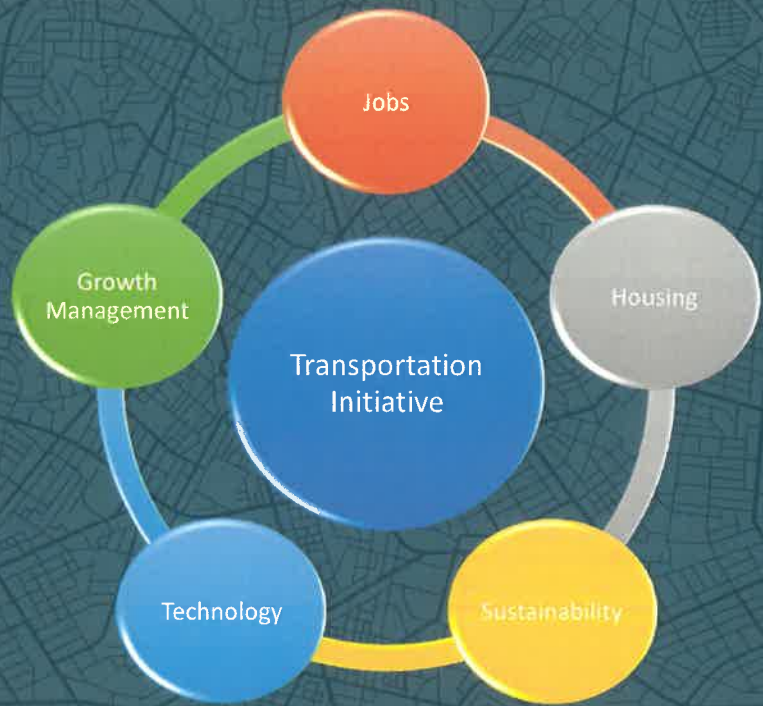
- **5/26 – Town Council Workshop**
- **5/28 – Long Range Planning Committee meeting**
- **5/29 – Farmers Market**

- **6/2 – Code Enforcement hearing**
- **6/3 – Windermere Active Youth Committee meeting**
- **Historic Preservation Board meeting**
- **6/5 – Farmers Market**
- **6/9 – Town Council**
- **6/11 – Parks & Recreation Committee meeting**
- **6/12 – Farmers Market**
- **6/16 – Development Review Board meeting**
- **6/18 – Windermere Tree Board meeting**
- **6/19 – Farmers Market**
- **6/23 – Town Council Workshop**
- **6/25 – Long Range Planning Committee meeting**
- **6/26 – Farmers Market**
- **Food Truck Night**

Transportation Initiative



**Work Session
February 25, 2020**



Presentation Outline

- Community Engagement/Feedback
- Transportation Needs
- Transportation Revenues
- Charter County and Regional Transportation System Surtax
- Transportation Plan Framework
- Decision-Making Timeline
- March 24th Work Session



The Process





Nearly **11,000** transportation surveys have been received. These responses will be instrumental in determining citizens' needs and developing a comprehensive transportation plan.



Mayor Demings and staff have participated in more than **200** community engagement opportunities - including town halls, stakeholder group discussions, neighborhood meetings, media interviews and community events.



Over **4,000** comments and recommendations have been received through various means including message boards, survey comments, phone calls, comment cards, e-mails and letters.

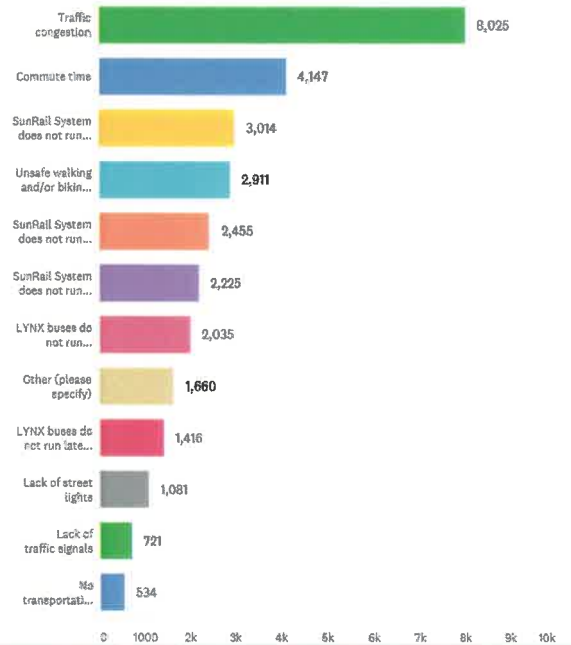
Survey Results - Key Findings

Current transportation challenges:

- Traffic Congestion
- Transit Needs
- Bicycle & Pedestrian Safety

What are your current transportation challenges? (choose ALL that apply)

Answered: 10,253 Skipped: 603



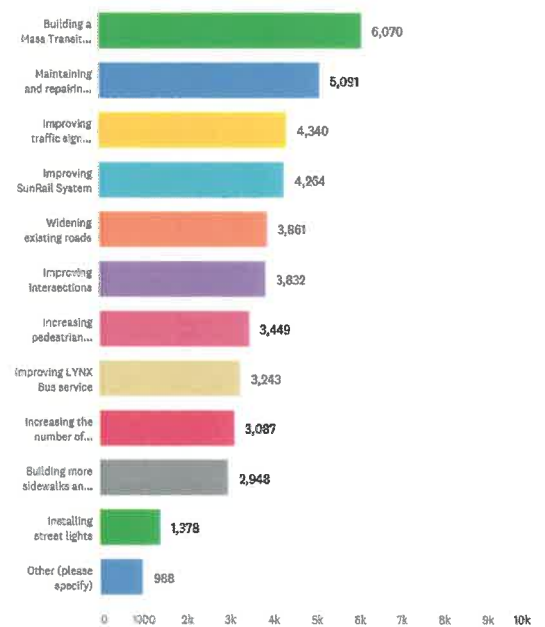
Survey Results - Key Findings

Top 5 priorities for improving transportation in Orange County:

- **Building a Mass Transit System**
(to include buses, trains and other modes of transportation)
- **Maintaining and repairing existing roads**
- **Improving traffic signal timing**
- **Improving SunRail System**
- **Widening existing roads**

What do you believe are the top priorities for improving transportation in Orange County? (choose your top 5)

Answered: 10,243 Skipped: 613



Survey Results - Key Findings

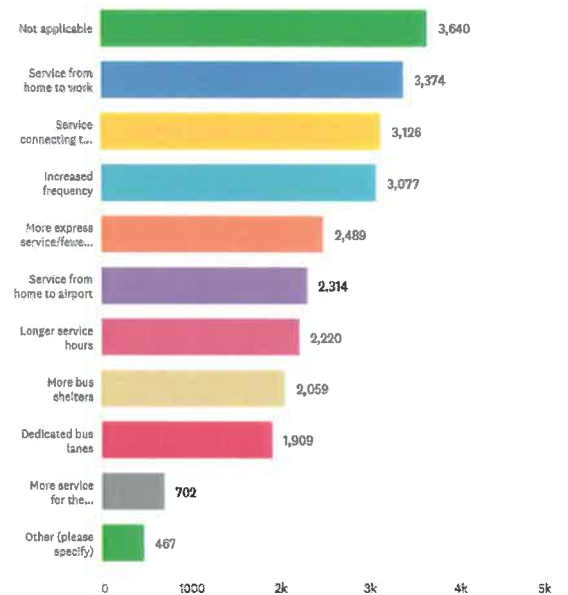
LYNX Bus Service Priorities:

- Service from home to work
- Service connecting to SunRail System
- Increased frequency
- More express service/fewer stops
- Service from home to airport



If you currently use or would like to use LYNX Bus Service, which of the following would be important to you? (choose all that apply)

Answered: 9,834 Skipped: 922



Survey Results - Key Findings

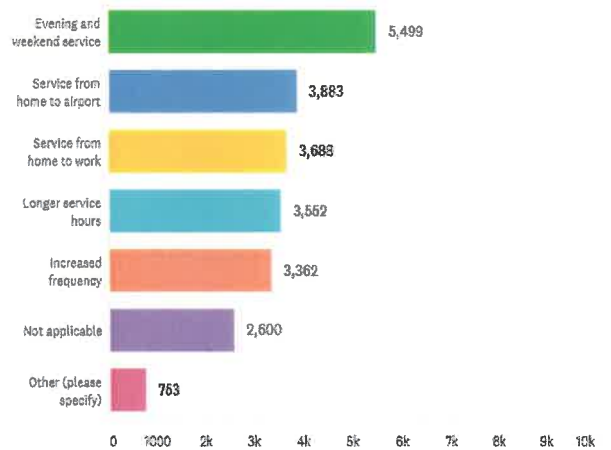
SunRail System Priorities:

- Evening and weekend service
- Service from home to airport
- Service from home to work
- Longer Service hours
- Increased Frequency



If you currently use or would like to use the SunRail System, which of the following would be important to you? (choose all that apply)

Answered: 9,991 Skipped: 765



Public Comments/Feedback

Key Focus Areas:

- Transit
- Roadways
- Safety
- Operations & Maintenance

"Need public transportation east-west. Not only north-south."

"Mass transportation for those who live on the east side...especially by UCF. No viable options for people who work in downtown Orlando!!!"

"Developing new, non-toll cross county roadways to support SR 50/SR 408, I-4 and other arteries."

"New roads should be built with turn lanes into retail and subdivisions to keep traffic flowing"

"Would like rain runoff to be improved"

"....curbing for the older streets, such as North Powers Drive"

"Safe, separated bike lanes! PLEASE."

The Process



Presentation Outline

- Community Engagement/Feedback
- **Transportation Needs**
- Transportation Revenues
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Transportation Needs



- Transit



- Roadways



- Safety



- Operations & Maintenance

Transportation Needs



Transit

- Fixed Route Bus
- Paratransit
- SunRail
- High Capacity Corridors



Transportation Needs



Transit

LYNX Bus Service Needs

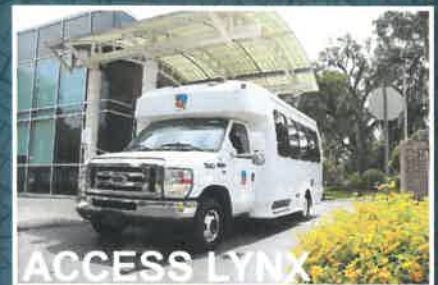
- Faster More Direct Service to Work
- Expanded Service Hours
- Increased Bus Frequency

Bus Route Frequency


15 minutes or less - 7%


20-30 minutes - 44%

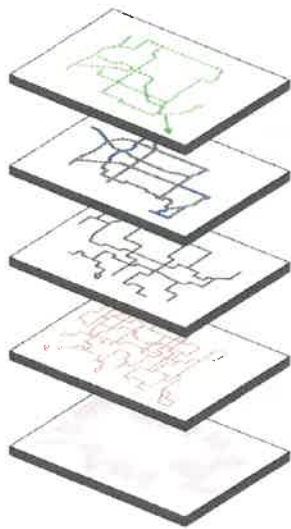

60 minutes or more - 49%



Transportation Needs



Transit



Regional Express Service

High Frequency Service

Local Service

Community/ Circulator Service

On-Demand / Flexible Service

Mobility

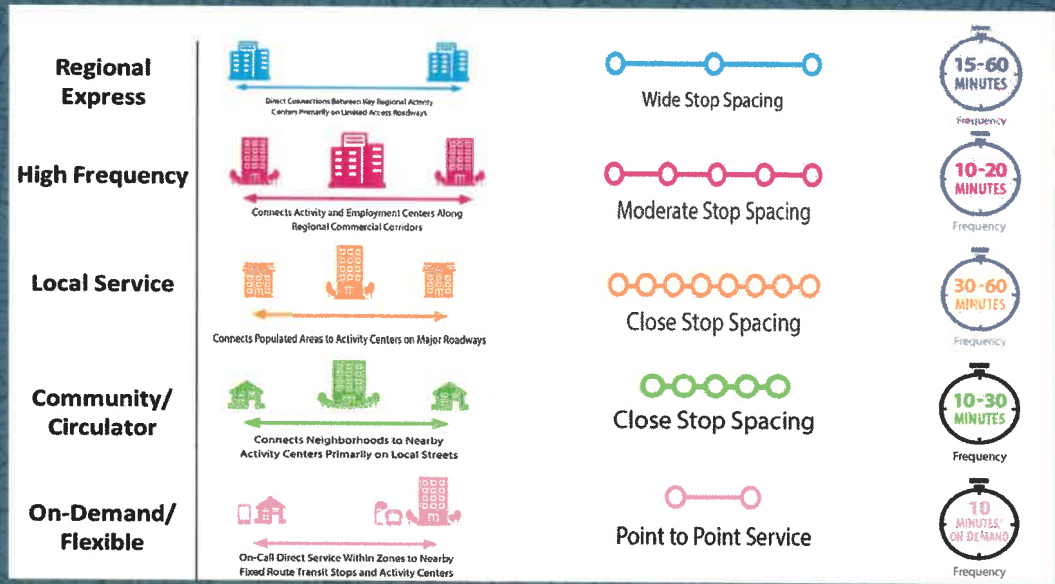


Accessibility

Transportation Needs



Transit



Transportation Needs



- High Frequency Core Transit Network
- High Speed Regional Express Network
- Expanded Service Hours (7-days a week)
- Frequent local transit network
- Community Circulators
- On-Demand / Flexible Services
- Expanded Bus Fleet – 237 to 418



Transportation Needs



Transportation Needs



Transit

Paratransit Needs

- Paratransit Network covers planned Fixed Route Bus Network
- Paratransit Network costs consistent with trendline growth
- Replacement of paratransit vehicles



Transportation Needs



Transit

SunRail System Needs

- Evening and Weekend Service
- Longer Service Hours
- Increased Frequency
- Connectivity to the Airport



Transportation Needs



Transit

- Service frequencies improved:
 - Weekday: 30-minute peak / 60-minute midday and evening
 - Weekend: 60-minute all day service
- Track Improvements
- New Station
- Expanded bus facilities at Maitland, Sand Lake Road and Meadow Woods



Transportation Needs



Transit

High Capacity Corridors

- S.R. 50
- S.R. 436
- U.S. 441
- Oak Ridge Road
- Kirkman Road
- OIA – SunRail – I-Drive
- Orange Blossom Express



Transportation Needs



Transit

OBJECTIVES

- Frequency
- Accessibility
- Productivity



RESULTS

- 48% of service operates at 10 to 15-minutes
- 94% of service operates 30-minutes or better
- Service Hours expanded to 17-21 hours per day
- Regional Express service connecting Affordable Housing to all major Employment Centers
- 12 New Transit Centers, 1 new SunRail Station
- 6 New High Capacity Corridors

Transportation Needs



Transit - \$5.6B

- LYNX \$2.930 Billion
- Paratransit \$762 Million
- SunRail \$1.465 Billion
- High Capacity Corridors \$447 Million
\$5.6 Billion

**\$5.6 Billion reflects County portion of a \$10 Billion program*

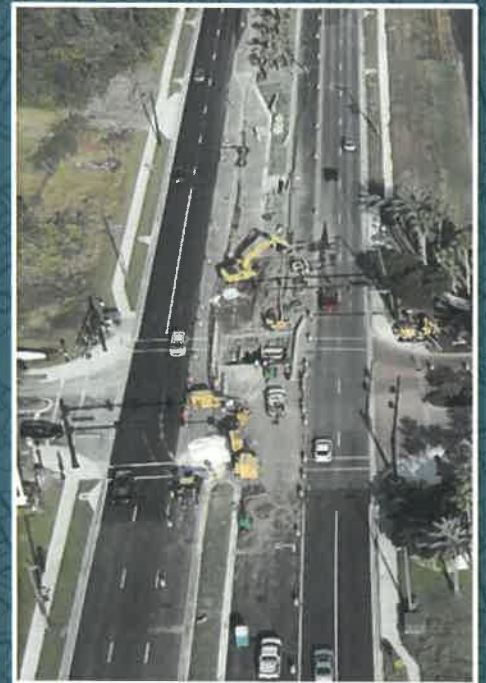


Transportation Needs



Roadways

- Major Roadway Capacity Improvements
- Transportation Technology
- Municipal Projects



Transportation Needs



Roadways - \$5.4B

- 156 Major Roadway Widening Projects
- 130 Corridors for Intersection Capacity Improvements
- 40 Transportation Technology Projects
- 80 New Traffic Signals
- 203 New Mast Arm Upgrades
- Municipal Projects



Transportation Needs - Municipalities



Transportation Needs - Municipalities



Municipality	Projected Cost
Apopka	121,900,000
Belle Isle	1,700,000
Eatonville	300,000*
Edgewood	2,000,000
Maitland	113,300,000
Oakland	17,700,000
Ocoee	78,600,000
Orlando	997,069,700
Windermere	29,000,000
Winter Garden	42,900,000
Winter Park	150,400,000
TOTAL	\$1,554,869,700

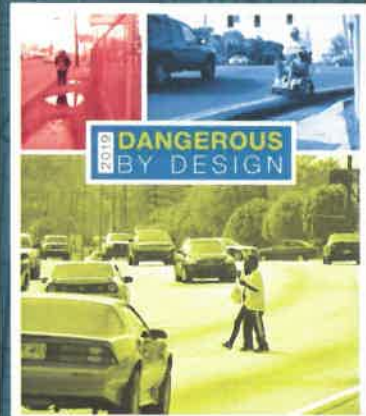
*Currently being evaluate

Transportation Needs



Safety

- Dangerous by Design ranking
- Bicycle Pedestrian Safety Action Plan
- Americans with Disabilities Act (ADA) Compliance



Transportation Needs



Safety - \$1.3B

- 33 Corridor Segments for Bicycle and Pedestrian Safety
- 106 Corridors for Intersection Safety Improvements
- Mid-Block Signalized Crosswalks
- Street Lights – 250 miles unlit
- Pedestrian Lighting



Transportation Needs



Operations & Maintenance

- Roadway Resurfacing
- Street Sweeping
- Road Grading
- Roadway Pond/Drainage Maintenance



Transportation Needs

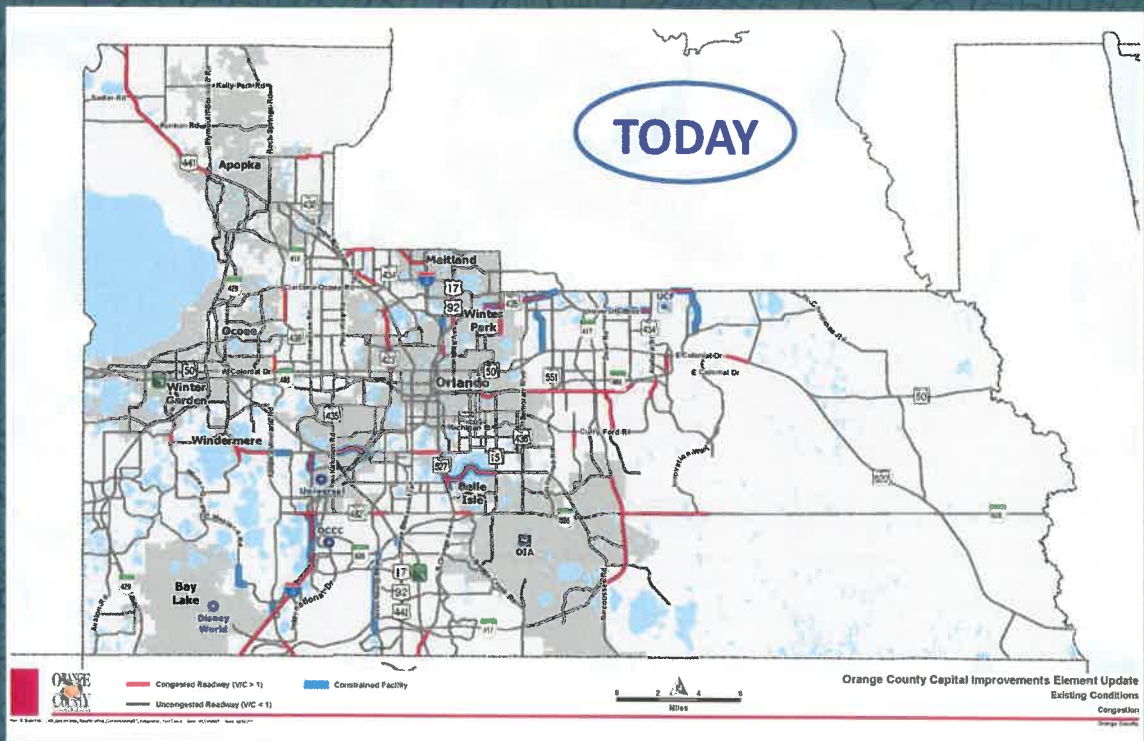


Operations & Maintenance - \$1.2B

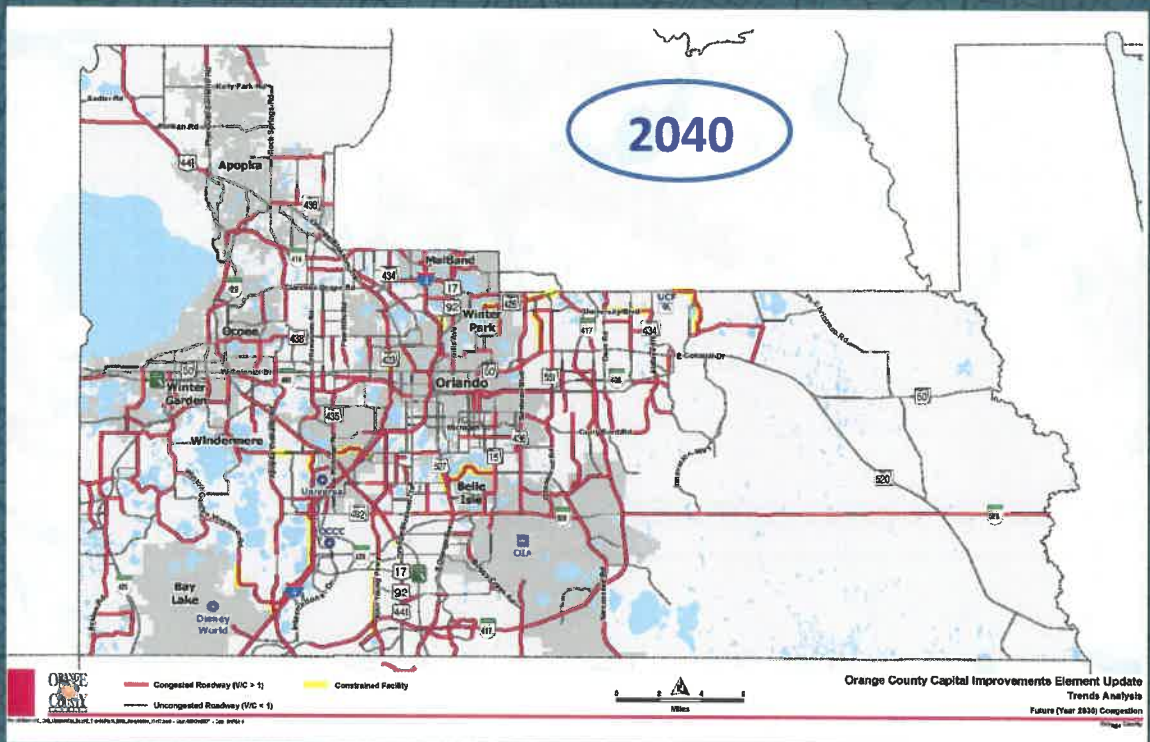
- Increased frequency of roadway resurfacing to every 10 years
- Enhanced drainage/pond maintenance to prevent flooding
- Paving Dirt Roads
- Recurring Maintenance



Transportation Needs



Transportation Needs



Transportation Needs



- Transit

\$5.6 - \$10 Billion



- Roadways

\$5.4 Billion



- Safety

\$1.3 Billion



- Operations & Maintenance

\$1.2 Billion

TOTAL TRANSPORTATION NEEDS

\$13.5 - \$17.9 BILLION

O&M reflects Municipal and County needs

Estimated Costs in 2019 \$

Presentation Outline

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Transportation Revenues

Gas Tax

Impact Fees

Restricted Sources

Property Tax

Sales Tax

Transportation Revenues

Gas Tax

Impact Fees

Restricted Sources

Property Tax

Sales Tax

\$1.4B-20 years

Potential Additional Annual Revenues

Gas Taxes

Maximizing
available gas
taxes generates

**\$27
Million**

Property Taxes

An	An
additional	additional
½ Mill	1 Mill
generates	generates
\$72	\$144
Million	Million

Charter County & Regional Transportation System Surtax

Generates
**\$596
Million**

Presentation Outline

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- **Charter County and Regional Transportation System Surtax**
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Charter County and Regional Transportation System Surtax



Estimated revenues generated - \$596M annually



Flexible use (Capital & O&M)



Non-residents/tourists pay 51%



Applies to the first \$5,000 of sales



Would not apply to essential grocery items, prescription drugs, medical supplies and utilities

Charter County and Regional Transportation System Surtax



PROJECTED REVENUES:

10 years = \$5.9 Billion

20 years = \$11.9 Billion

30 years = \$17.9 Billion

TOTAL TRANSPORTATION NEEDS = \$13.5 - \$17.9 BILLION

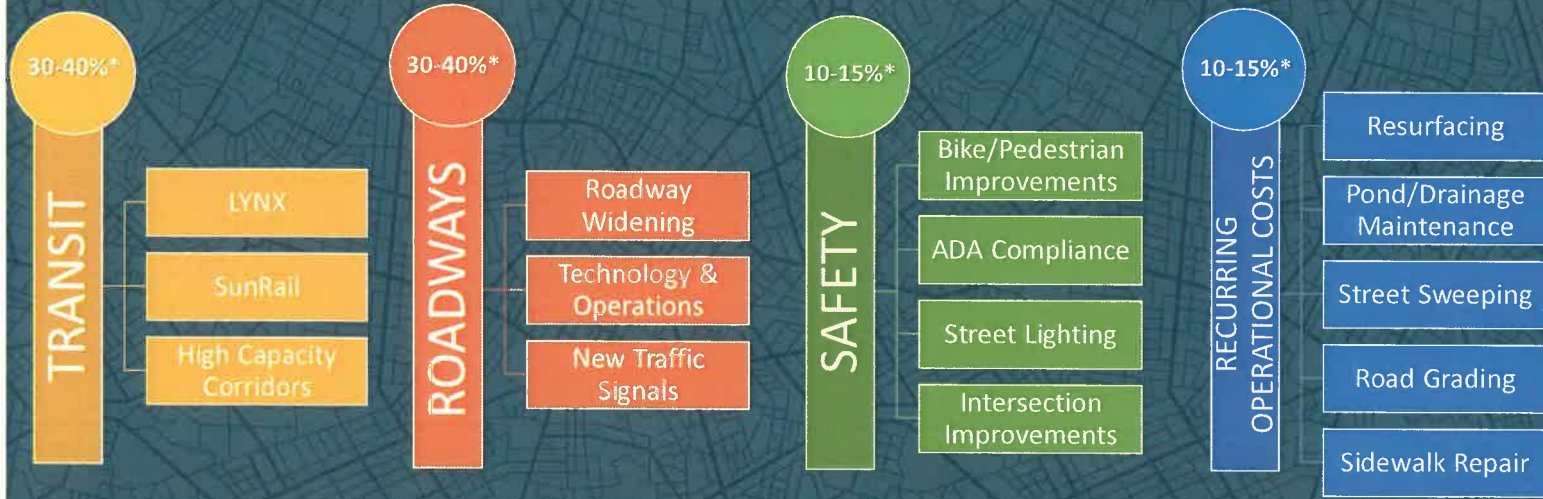
Estimated Costs in 2019 \$

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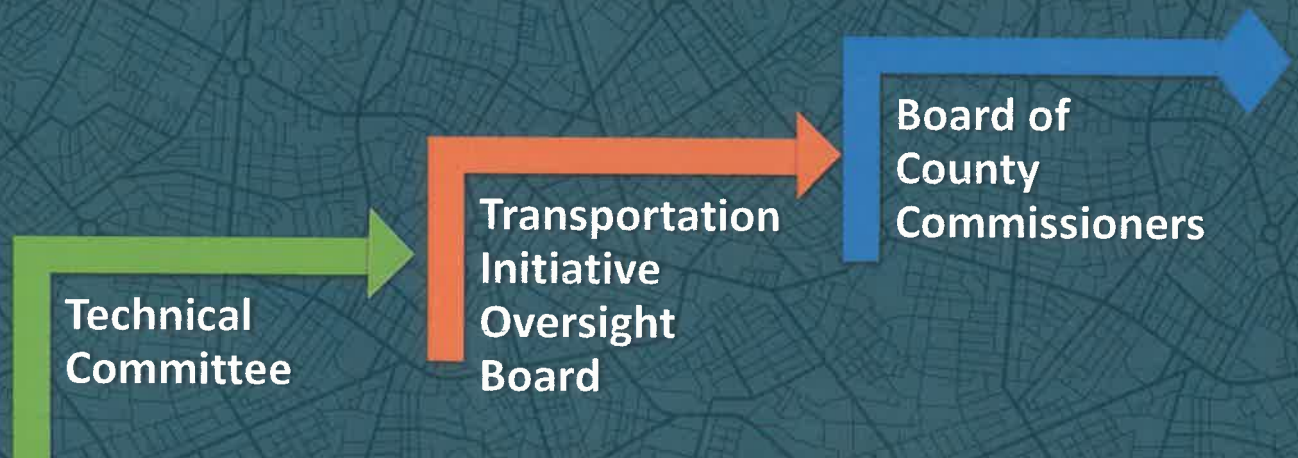


Transportation Plan Framework



*For discussion purposes only


Transportation Initiative Oversight Structure



Transportation Initiative Oversight Structure

Technical Committee (18)

Orange County 3	City of Orlando 2	FDOT 1	LYNX/SunRail 1	City of Apopka 1
City of Winter Garden 1	City of Ocoee 1	City of Winter Park 1	Town of Eatonville 1	Town of Oakland 1
City of Edgewood 1	Town of Windermere 1	City of Maitland 1	City of Belle Isle 1	Metroplan 1



- Prioritizes projects based on technical criteria for recommendation to the Oversight Board.
- Recommends proposed revisions to the transportation plan to the Oversight Board annually.

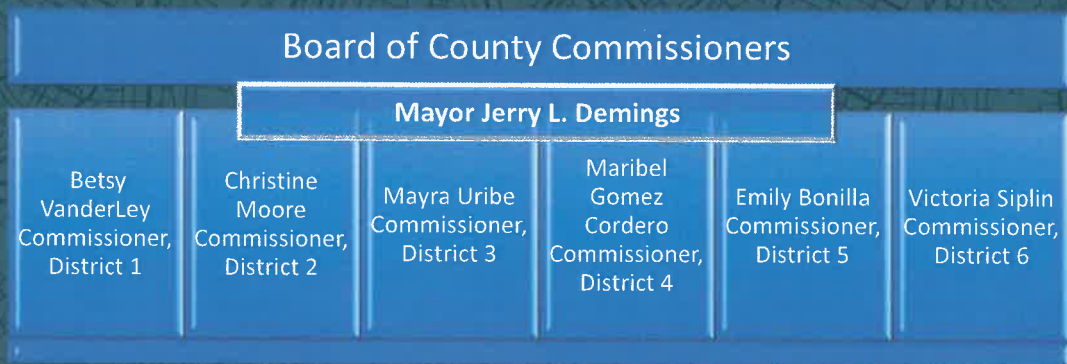
Transportation Initiative Oversight Structure

Transportation Initiative Oversight Board (11)

	Mayor's Representative (Public Transportation Consumer) 1	Mayor's Representative (Chair of the Oversight Committee) 1	
District 1 Commissioner Representative 1	District 2 Commissioner Representative 1	District 3 Commissioner Representative 1	District 4 Commissioner Representative 1
District 5 Commissioner Representative 1	District 6 Commissioner Representative 1	Municipal Representative Orlando 1	Municipal Representative Non-Orlando 2

- Ensures accountability and transparency in the expenditure of tax proceeds by monitoring, overseeing, reviewing, and auditing implementation of the transportation and transit plan.
- Annually reviews and provides recommendations regarding plan amendments and reviews for compliance with the levy ordinance and 212.055(1), Florida Statutes.
- Monitors, oversees, and periodically reports to the BCC on the level of M/WBEs and SDVs in contracts funded in whole or in part with surtax proceeds, and recommends ways to increase such participation.
- Files a quarterly report, including any recommendations, with the Mayor and the BCC.
- Reviews and requests audits of the capital outlay program by the Orange County Comptroller.
- Orange County Comptroller provides support to the Oversight Board.

Transportation Initiative Oversight Structure

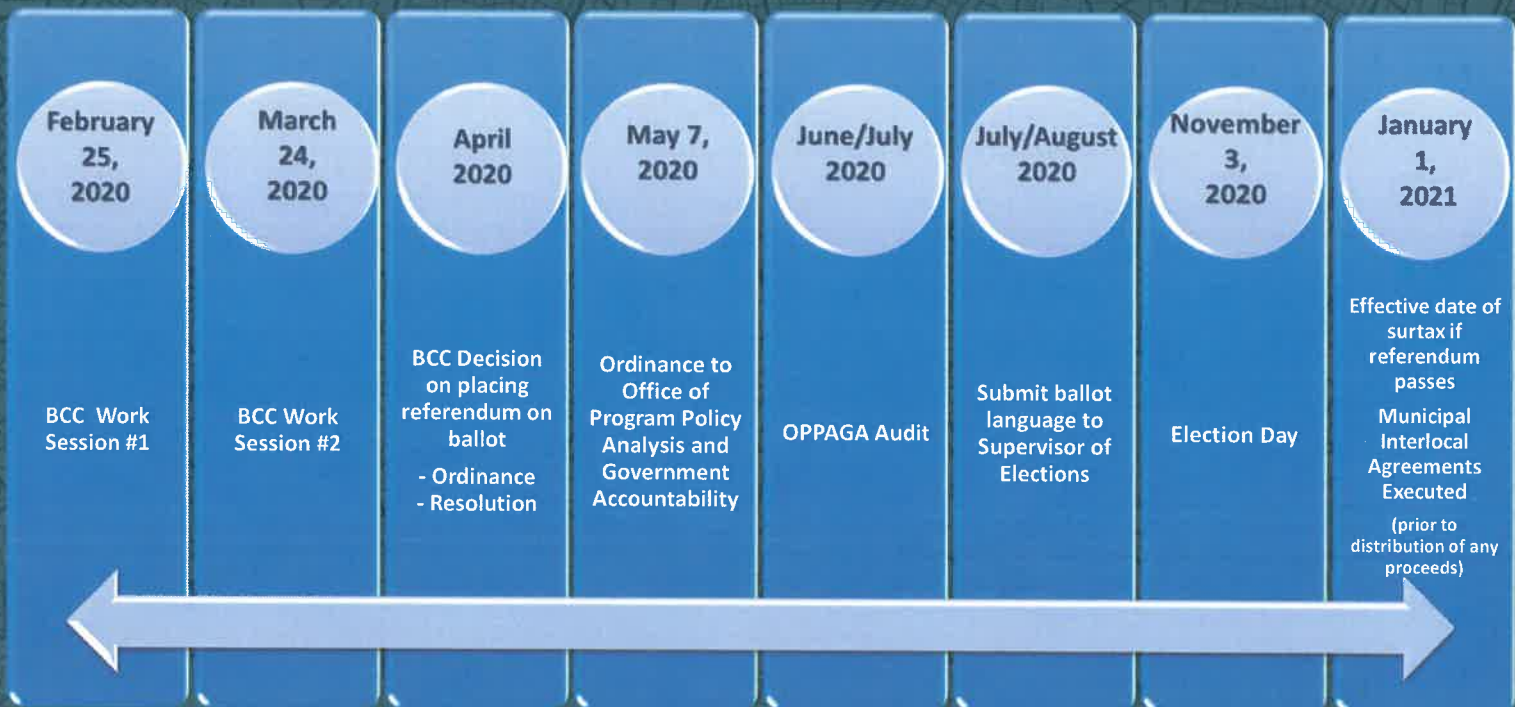


- BCC reviews the Oversight Board's recommendations and has decision-making authority regarding any plan priorities.

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Decision-Making Timeline



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- **March 24th Work Session**

March 24th Work Session

- **Review of Transportation Plan**
- **Economic Impact Analysis**
- **OPPAGA Audit**
- **Discussion of Draft Ballot Language**
- **Preview of Ordinance and Resolution**

Transportation Initiative



**Work Session
February 25, 2020**

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 18, 2020

Town Council March 10, 2020

Case No.: Z20-04

Applicant/Representative: Matt and Lindsey Tomaszewski

Property Owners: Matt and Lindsey Tomaszewski

Requested Action: Variance to allow a setback of less than 50 feet from the Normal High Water Elevation (NHWE) line. The applicant is requesting a minimum setback of 30 feet from the NHWE.

Property Address: 40 Main Street Windermere, FL 34786

Legal Description: THE SOUTHERLY 10 FEET OF LOT 4, ALL OF LOT 5 AND THE NORTH ONE HALF OF LOT 6, REPLAT OF LOT LOTS 3 THROUGH 13 INC. AND LOTS 18 THROUGH 26 INC., LAKE BUTLER PARK ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK R, PAGE 39, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

Future Land Use/Zoning: Residential/Residential

Existing Use: Residential (Single Family)

Surrounding Future Land Use/Zoning

North:	Residential/Residential	East:	Residential/Residential
South:	Residential/Residential	West:	Lake

CASE SUMMARY:

The applicants state that they were under the impression from their realtor that they would be able to construct a pool at their property before they bought their home. When they applied for the permit to construct the pool, they realized that they were in fact not able to construct a pool because a pool would not fit in their yard and still meet the required 50-foot setback from the Normal High Water Elevation (NHWE) line. The subject property lakefront is curved and limits the placement of a pool in the rear yard. The placement of the proposed pool is consistent with the other required setbacks (10 feet from side property line for pool/5 feet for deck) and for the maximum allowed impervious surface for the property. In addition, at the time of permitting, the applicant will be required to also provide an engineered stormwater retention plan for the property as required by the Town code.

The applicants are requesting a variance to construct a pool and deck in their rear yard with the closest setback from the NHWE line being 30 feet.

Division 10.02.00 of the LDC empowers the Development Review Board to review and make recommendations for approval, approval with conditions or denial to the Town Council on variance requests.

Division 10.02.00 of the LDC requires the Town Council to consider the recommendation of the Development Review Board and to take final action to either approve or deny the variance request.

CASE ANALYSIS:

Section 10.02.02 of the LDC provides the specific standards by which the Development Review Board and Town Council are to review to consider the approval or denial of a variance application. In addition, this Section requires a positive finding, based on substantial competent evidence, for each of the standards. These standards are summarized as follows:

1. The need for the variance arises out of the physical surroundings, shape, topographical condition or other physical or environmental conditions that are unique to the subject property. Variances should be granted for conditions peculiar to the property and not the result of actions of the property owner;
2. There are practical or economic difficulties in carrying out the strict letter of the regulation;
3. The variance request is not based exclusively upon a desire to reduce the cost of developing the site;
4. The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire or other hazard to the public;

5. The proposed variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site;
6. The effect of the proposed variance is in harmony with the general intent of this Land Development Code and the specific intent of the relevant subject areas of this Land Development Code; and
7. The variance will not encourage further requests for changes where such a land use would not be deemed appropriate.

It is also important to note that this Section also provides specific standards that are not to be considered in the review of a variance application. These standards are:

1. That the implementation of these regulations would impose an economic hardship on the cost of the building or redevelopment project;
2. That these regulations impose a hardship by decreasing the maximum density of a property in terms of the number of units, square footage of buildings, etc.; and
3. That other adjacent lands, structures or buildings not in conformance with these regulations provide a rationale for a lessening of their application in this specific case.

Section 10.02.02(c) of the LDC allows the imposition of conditions and restrictions as may be necessary to allow a positive finding to be made on any of the variance standards to minimize the negative effect of the variance. The conditions and restrictions should further the interest of the LDC.

The applicant submitted a site plan and other materials in support of the variance request. The following is a summary of the information provided by the applicant in support of their variance request:

1. The property was purchased by the family with the understanding that they would be able to construct a pool.
2. The odd shape of the lot does not allow for conformance with the 50 foot setback requirement.

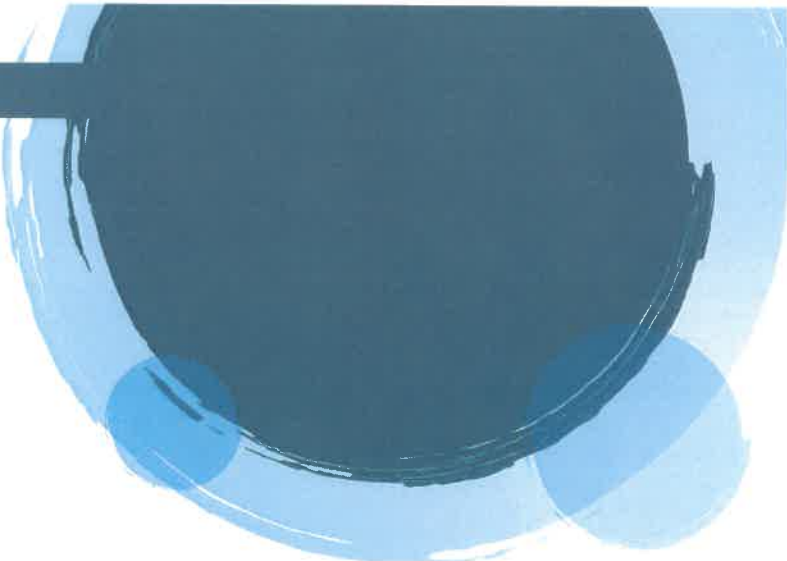
PUBLIC NOTICE:

Public notices were mailed to property owners within 500 feet of the subject property (43 notices sent). As of February 26, 2020, nine (9) responses were returned in support and one (1) response was returned in objection.

DEVELOPMENT REVIEW BOARD:

The Development Review Board (DRB) held a hearing on February 18, 2020, to review and provide a recommendation on the proposed variance. After consideration of the application

materials, staff report, and testimony provided at the hearing, the DRB found that a hardship unique to the property did not exist. The DRB found that there are several properties along Main Street with limited area in the backyards that would be able to fit a swimming pool with the required 50 foot setback. The DRB found this is a limitation of the property and is not a unique hardship. Based on the DRB's findings of the lack of a unique hardship for the property, the DRB recommended denial by a vote of 6-0.



Matt and Lindsey Tomaszewski
40 Main Street Windermere, FL 34786
407-719-5956
Matt@prpfl.com

Town of Windermere: Variance Request
Town of Windermere
Windermere, Florida 34786

Dear Mrs. Dorothy Burkhalter,

My wife, son and I purchased our beautiful dream lakefront home in downtown Windermere back in September of 2019. During the inspection period we did have a survey complete for the normal high waterline, which according to our pool builder, showed we could build a pool and still be within the fifty foot set back from the high waterline. We have one beautiful baby son who is 1.5 years, and are looking to expand our family in the near future. With Florida summers being so hot and rambunctious children at play, we felt that a family pool was essential. The findings of the survey during our inspection period gave us confidence that we would be able to build a family pool and ultimately made us move forward with the purchase of the home of our dream.

Fast forward a few short weeks after closing when we submitted our pool design for review with the Town and quickly our dreams were shattered as we learned the lot does not meet the setback requirements which we were told was a 50 foot radius from the normal high waterline. With this new information learned we realized we could no longer build our family pool and our dream home had a large piece of the pie now missing.

After learning we could apply for a variance that would allow us to still build our family pool, our hopes came back that we could stay in this home forever. Where we feel the hardship applies is that the north side of the property totals 196 feet of the property line and the south side has 121 feet, with the odd shape of the lot and the requirement of the Town's 50 feet radius setback the pool cannot conform to the lot. If the measurements were taken on a straight line the plans submitted for the pool would comply with the setback requirements. We ask from the bottom of our hearts to grant this variance which would allow us to move forward with our family pool and complete the home of our dreams to raise our growing family!

Warm regards,

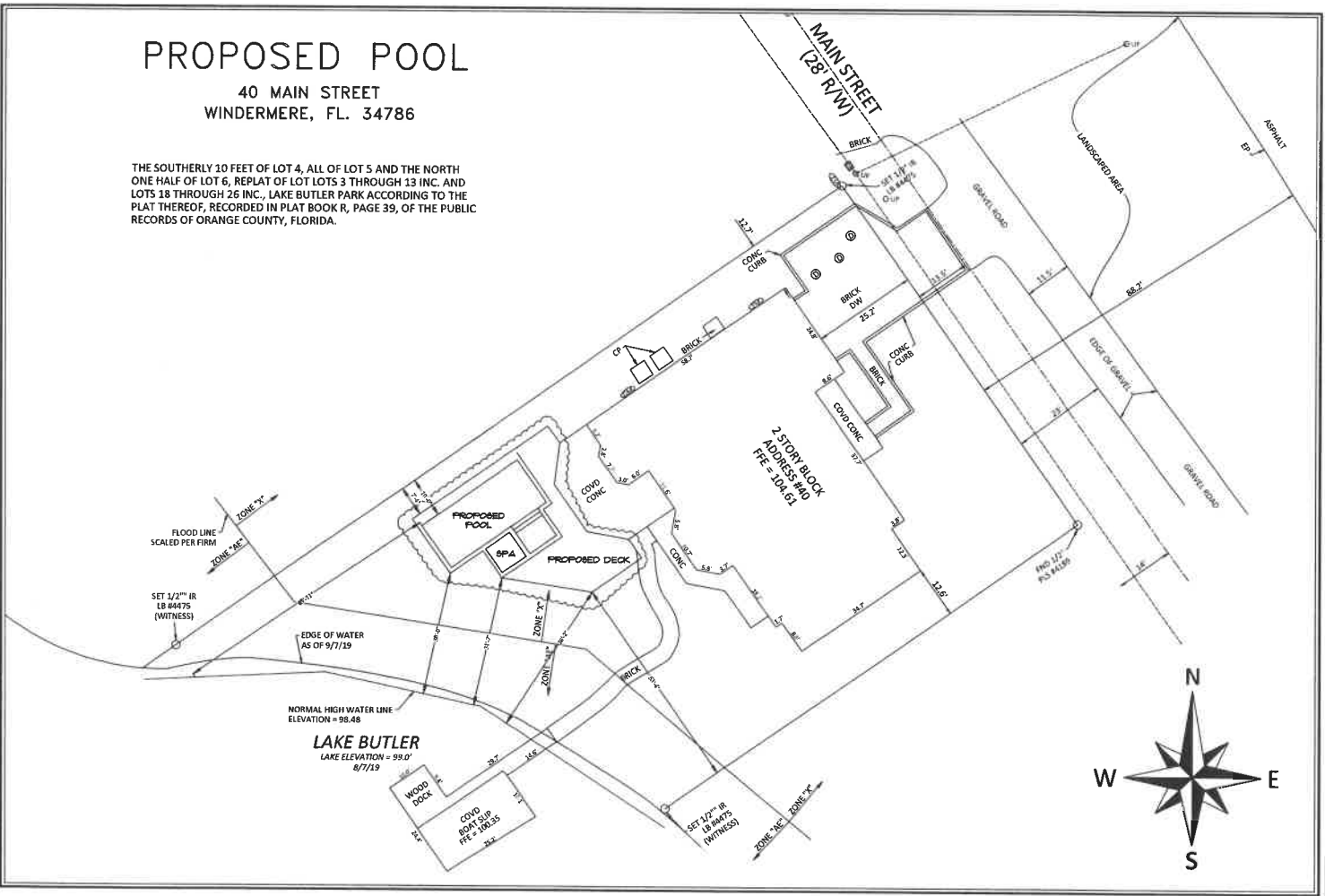
Matt and Lindsey Tomaszewski



PROPOSED POOL

40 MAIN STREET
WINDERMERE, FL. 34786

THE SOUTHERLY 10 FEET OF LOT 4, ALL OF LOT 5 AND THE NORTH ONE HALF OF LOT 6, REPLAT OF LOT LOTS 3 THROUGH 13 INC. AND LOTS 18 THROUGH 26 INC., LAKE BUTLER PARK ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK R, PAGE 39, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.



12/2/20
 T= 20
 S.C.
 21 A. Diller
 407-542-22
 PROPOSED POOL
 PLOT PLAN
 TOMASZEWSKI RESIDENCE
 40 MAIN ST
 1

Town of Windermere

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

Received
FEB 03 2020
Wade Trim

Mayor
JIM O'BRIEN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

January 27, 2020

DOS SANTOS MARCIO LIMA
20 MAIN ST
WINDERMERE, FL 34786

RE: Public Notice of Variance Public Hearing for 40 Main Street. Z20-04

Matt and Lindsey Tomaszewski, owners of 40 Main Street, submitted a request for approval of a variance, pursuant to Division 10.02.00 of the Town of Windermere Land Development Code. The purpose of the variance request is to allow for a 30-foot setback from the Normal High Water Elevation (NHWE) line. The Town's Code requires a 50-foot setback from the NHWE.

Enclosed is additional information regarding this request.

Pursuant to the Town of Windermere Code of Ordinances, you as a surrounding property owner are entitled to comment on this matter. If you wish to comment, this form must be received by the Town of Windermere either by hand delivery to the Town Clerk or by use of the enclosed stamped envelope to Wade Trim, Inc. by **February 14, 2020**.

This matter will be presented to the Development Review Board on **Tuesday, February 18, 2020 at 6:30 p.m.** in the Town Hall, located at 520 Main Street, Windermere. Their recommendation will be heard by the Town Council on **Tuesday, March 10, 2020 at 6:00 p.m.** in the Town Hall, located at 520 Main Street, Windermere. All meetings are open to the public and you are welcome to attend. Feel free to contact me if you have any questions.

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

RECOMMEND - Z20-04 (40 Main Street)

APPROVAL: X DISAPPROVAL _____

COMMENTS: OUR FAMILY IS HOPING THAT EVERYTHING GOES VERY WELL.

SIGNATURE: [Signature] DATE: 01/29/2020

DOS SANTOS MARCIO LIMA

RECOMMEND - Z20-04 (40 Main Street)

APPROVAL: _____ DISAPPROVAL: X

COMMENTS: They can Build Closer to
their house. Lake Butler needs all
the protection it can get.

SIGNATURE: [Signature] DATE: 1.31.20

HIGGINS DANIEL J

Received
FEB 05 2020
Wade Trim

RECOMMEND - Z20-04 (40 Main Street)

APPROVAL: ✓ DISAPPROVAL: _____

COMMENTS: Enjoy your Pool.

SIGNATURE: A Pearce. DATE: _____

PEARCE ANTHONY 78 Forest Street, Windermere Fl.

Received
FEB 04 2020
Wade Trim

Town of Windermere

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

Received

FEB 05 2020

Wade Trim

Mayor
JIM O'BRIEN



Town Manager
ROBERT SMITH

Clerk
DOROTHY BURKHALTER

January 27, 2020

HUDSON RONALD J
14 MAIN 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 – Z20-04 (40 Main Street)

APPROVAL: **DISAPPROVAL**

COMMENTS: _____

SIGNATURE:  **DATE:** 2/13/20

HUDSON RONALD J

Received

FEB 9 2020

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 27, 2020

TILGHMAN KELLY A
58 MAIN 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 - Z20-04 (40 Main Street)

APPROVAL: DISAPPROVAL

COMMENTS: I am not familiar with why we have a 50'
setback for the lakes but I trust the board will
make the right call. I know how great it is to have a pool.

SIGNATURE: *Kelly* DATE: 2/3/20

TILGHMAN KELLY A

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 BURKH

Received
FEB 04 2020

Wade Trim

January 27, 2020

RUBIO LINDA C
8 MAIN 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 -- Z20-04 (40 Main Street)

APPROVAL: Yes DISAPPROVAL _____

COMMENTS: _____

SIGNATURE: Linda C. Rubio DATE: Jan 30 2020

RUBIO LINDA C

RECOMMEND – Z20-04 (40 Main Street)

APPROVAL: DISAPPROVAL

COMMENTS: _____

SIGNATURE: DE Shaver DATE: 2/6/20

SHAVER DONALD E

Received
FEB 11 2020
Wade Trim

APPROVAL: ✓ DISAPPROVAL _____

COMMENTS: _____

Happy that the ^{new} neighbors are making improvements on their beautiful home by adding a pool!

SIGNATURE: Jon Pahlow DATE: 2-13-2020

PAHLOW JON A

Received
FEB 20 2020
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

TO: Mayor and Town Council

FROM: Brad Cornelius, AICP, Contracted Town Planner

DATE: February 26, 2020

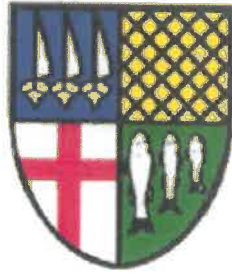
RE: Temporary Town Facilities Plan – Result of Development Review Board Review

As directed by the Town Council at the February 11, 2020, Town Council meeting, the proposed Temporary Town Facilities Plan was presented to the Development Review Board (DRB) at their February 18, 2020, meeting for their review and recommendation. The DRB had only a few comments/questions:

1. Verification that this was only temporary; and
2. Town Council may want to consider in the future to maintain the parking along Forest Street. However, this would need to be coordinated with the residents along Forest Street.

The DRB recommended approval by a vote of 6-0.

The Town Council agenda item from the February 11, 2020, Town Council meeting is attached. This is the same information that was presented to the DRB.



**TOWN OF WINDERMERE
EXECUTIVE SUMMARY**

SUBJECT: Temporary Administration/Police Town Facilities Site Plan – 501 Forest Street

REQUESTED ACTION: Staff Recommends Approval

Work Session (Report Only) **DATE OF MEETING:** February 11, 2020
 Regular Meeting Special Meeting

CONTRACT: N/A Vendor/Entity: KHA
Effective Date: 08/14/2019 Termination Date: 08/15/2020
Managing Division / Dept: Public Works

BUDGET IMPACT: _____
 Annual **FUNDING SOURCE:** _____
 Capital **EXPENDITURE ACCOUNT:** _____
 N/A

HISTORY/BACKGROUND/RECOMMENDATIONS:

Mayor & Council,

History

Town Council has approved the construction of new Admin/PD and PW facilities. As part of the requirement, the town staff will need to relocate from the current facilities during construction to allow demolition of existing facilities and construction of new facilities. As previously approved by Town Council, The staff will require temporary facilities to maintain operation during the demolition and construction phase of the new facilities.

On December 18, 2019, The Town Council approved IPO 105 to Kimley Horn and Associates (KHA) to design the site plan for the temporary facilities for Administration and Police Department.

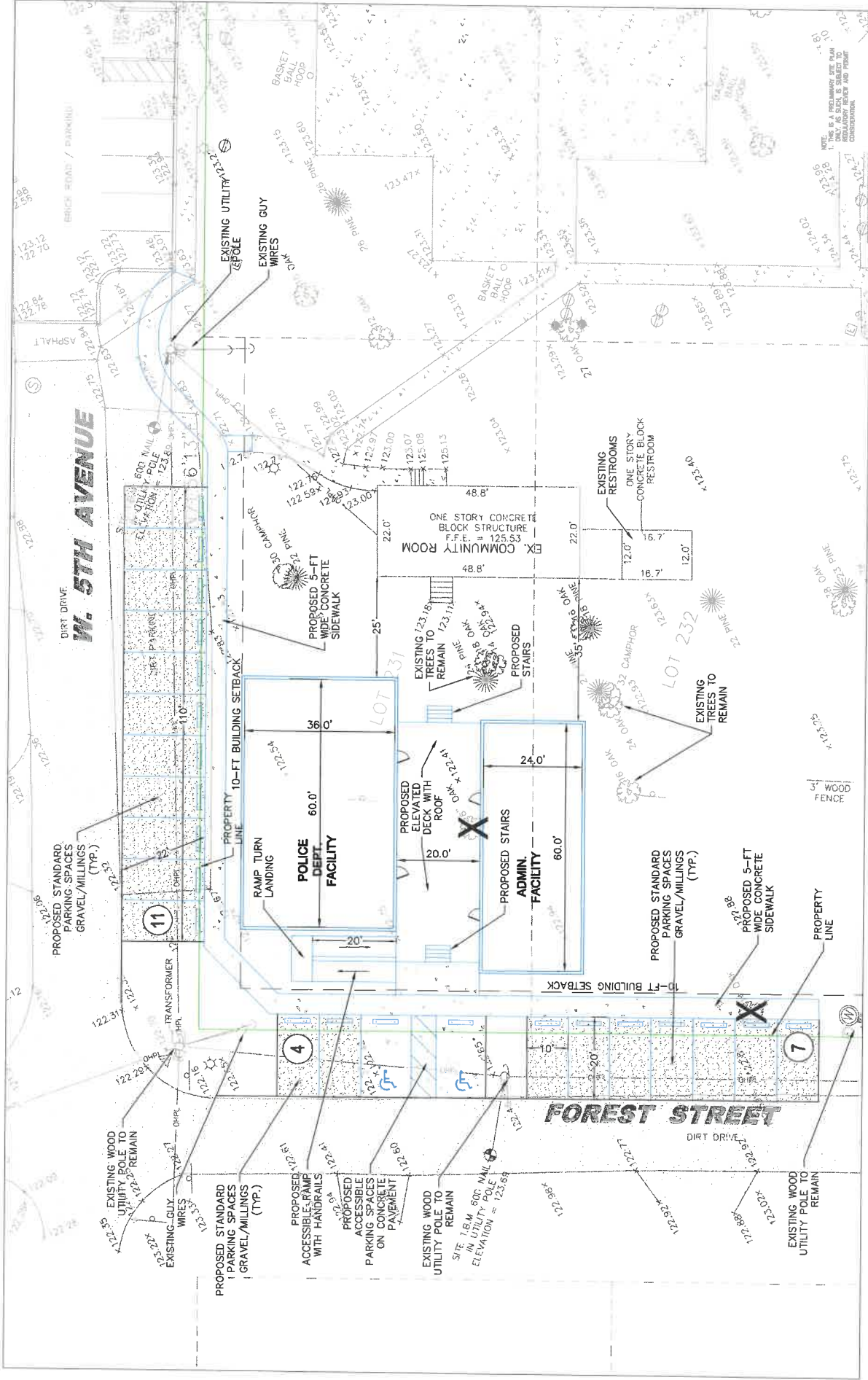
Background

KHA worked with the Town, as well as the contractor HJ High to develop a site plan for temporary administration and police department facilities that will be used during the construction of the permanent town offices. As these offices are open to the public, site plan includes, but not limited to, ADA accessible ramps, handicapped parking, sidewalks, additional side street parking spaces and a covered area between the two offices. In addition to the temporary Admin and PD offices shown on the attached site plan, PW will be located on the

southern most lot on the corner of 7th and Main. The temporary facilities for Public works will be coordinated with the Contractors site office during the construction phase.

Recommendation

Staff recommends Town Council approve the preliminary site plan. The plan will then be submitted to DRB on 2/18/2020 for review, comment and recommendation. DRB will provide recommendation to Town Council with the goal of final Town Council approval in the March 10, 2020 Council meeting.



Temporary Facilities
 CITY OF WINDERMERE, FL

CONCEPTUAL SITE PLAN
 1/27/2020 - CONTACT: MIKE WOODWARD, P.E. - (407) 898-1511

SP-2



K:\06\17010\181005-Temporary Facilities Design\CAD\CONCEPT\SP-2.dwg

TOWN OF WINDERMERE

Town Council Workshop Minutes

January 28, 2020

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, and Public Works Director Scott Brown were also present. Town Clerk Dorothy Burkhalter was absent.

Mayor O'Brien called the workshop to order at 6:00pm.

1. OPEN FORUM/PUBLIC COMMENT:

Speakers signed in and deferred comments until agenda items are being heard.

2. SPECIAL PRESENTATION:

a. Forest Street and First Avenue Technical Memorandum

Mayor O'Brien introduced this item. He then turned the floor over to Mr. Hao Chau and Mr. Victor Gallo, representatives from Kimley Horn. Mr. Chau and Mr. Gallo gave a review of the Technical Memorandum of Forest Street and First Avenue and possible solutions. The review concluded at 6:14pm. Manager Smith commented on the proposed solutions, paved and dirt roads, costs and maintenance. Discussion was made regarding the past project in the area, dirt roads and silt issues, maintenance, paved roads, costs, and grants/funding. Mayor O'Brien opened the floor to the public. First to speak was Mr. Gary Bruhn of 108 Forest Street. He questioned where the additional ditches at First Avenue and Forest Street would be located. Mr. Chau explained that areas that have not been used would be considered. Mr. Bruhn stated that two previous attempts to fix the problem have been done with a lot of money and time has been used. He commented that if this project moved forward, it needs to be accurate. Mayor O'Brien questioned which option Mr. Bruhn would like to see. Mr. Bruhn commented that "for the long run, option B". Ms. Brandi Haines of 835 Oakdale Street introduced herself. She stated that she agrees with former Mayor Gary Bruhn comments except for the paving. Ms. Haines commented on past projects that had been done and then additional issues arose, causing additional work and funding. She then stated she and others are not in favor of paving the roads. Mr. Keith Carsten of 124 Forest Street introduced himself. He commented on the past project and issues he is currently having with flooding, well and septic. Mr. Richard Gonzalez of 103 W 2nd Avenue introduced himself. He then commented his Swale and French drain system he implemented on his property. Mr. Gonzalez stated he would like to keep the sandy roads. He then commented on contaminated materials being used on the dirt roads. Comments continued. Ms. Sara Lopez of 110 Forest Street introduced herself. She then commented on past and current issues with water/flooding on her property. Ms. Lopez also stated she does not want the roads paved. There were no other public speakers. Mayor O'Brien turned the floor over to the Council members. Member McKinley commented on recommendations and the methodology from Kimley Horn. Mr. Chao stated that the recommendations were determined by the as built drawings from 2017/2018 project. He stated that the roads were higher than the inlets, and now the roads are lower than the inlets. Discussion regarding the inlets, silt build up, flooding, water tables/lake levels, roads, scope of work, maintenance, costs, and residents impacts on stormwater retention were made. Mr. Fitzgibbon commented on the projects and their issues. Mayor O'Brien reviewed the proposed options. Member McKinley stated he would like to see a topographical survey. Comments regarding pump-outs and costs were made. Mayor O'Brien thanked residents and staff for their input.

b. SE Quadrant LRP Recommendations: Cut Thru Traffic

Mayor O'Brien introduced this item. Manager Smith commented on the past Long-Range Planning meeting. He then stated that the LRP would like to try the same system as Ridgewood Drive. Manager Smith commented increasing the flow of traffic, choke points, roundabouts, widening the bridge, and widening a few roads to maintain the asphalt roads better. He then commented on the organization of the West Orange Transportation Alliance. Discussion ensued regarding traffic and traffic patterns. Mayor O'Brien recognized Mr. David Sharpe. Mr. Sharpe of 1027 Oakdale Street introduced himself. He stated that other traffic calming devices should be considered should the signage not work. Mr. Sharpe commented that the town should implement a compensation program to aid in stormwater compliance with the homeowners. He then stated that a roundabout at 12th Avenue and Chase Road would not be beneficial. Ms. Haines questioned the timeline. Director Brown commented approximately two-three months after approval from Town Council.

TOWN OF WINDERMERE

Town Council Workshop Minutes

January 28, 2020

3. Mayor & Council Liaison Reports

4. Staff Reports

Manager Smith stated that he sent letters to Senators Torres and Representative Thompson regarding Department of Emergency Management collecting debts without due process. He then stated that he will initiate a records request to DEM as well.

5. Adjourn

There being no further comments, Mayor O'Brien adjourned the workshop at 8:13pm.

Dorothy Burkhalter, MMC, FCRM
Town Clerk

Jim O'Brien, Mayor

DRAFT

TOWN OF WINDERMERE

Town Council Meeting Minutes

February 11, 2020

CALL TO ORDER:

Present were Mayor Jim O'Brien, Council Members Bill Martini, Bob McKinley, Andy Williams, Chris Sapp, and Liz Andert. Town Attorney Tom Wilkes, Town Manager Robert Smith, Police Chief Dave Ogden, Public Works Director Scott Brown, and Town Clerk Dorothy Burkhalter were also present.

Mayor O'Brien called the meeting to order at 6:01pm and stated all Council members were present.

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

Mayor O'Brien opened the floor for public comments. First to speak was Mr. Stephen Withers of 712 Main Street. Mr. Withers requested to rename dirt Main Street West Main Street.

2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS

a. Travis Mathias 20 Years of Service Recognition

Public Works Director Scott Brown and Mayor Jim O'Brien presented Public Works Foreman Travis Mathias with a 20 years of Service appreciation plaque.

b. Garden Club Recognition

Mayor O'Brien presented an Appreciation plaque to the Windermere Garden Club for their over six decades of service to the Town of Windermere.

c. Anti-Bullying Proclamation

Due to no presentation, this proclamation was not read.

d. FY 2018-2019 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. Manager Smith thanked Mr. Lee for his presentation and Mrs. White for handling the finance department for the Town.

3. TIMED ITEMS AND PUBLIC HEARING

a. Ordinance No. 2020-01:

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA, AMENDING SEC. 5.01.05 OF DIVISION 5.01.00 OF THE TOWN'S LAND DEVELOPMENT CODE ENTITLED "TREES" TO INCORPORATE CHANGES MADE TO SECTION 163.045 OF THE FLORIDA STATUTES PERTAINING TO TREES THAT PRESENT A DANGER TO PERSONS OR PROPERTY; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Mayor O'Brien introduced this item. He then closed the Town Council meeting at 6:14pm and opened the Public Hearing regarding proposed Ordinance 2020-01. Mayor O'Brien read the title of

TOWN OF WINDERMERE

Town Council Meeting Minutes

February 11, 2020

Proposed Ordinance 2020-01 for the record. He then opened the floor for public comments. Mr. Richard Gonzalez of 103 W 2nd Avenue introduced himself. He then stated that the town should sell the roadway to the residents on Ridgewood as it would then make it a private road. Mr. Gonzalez commented that he's an advocate for paving 1st and 3rd Avenues. He then commented on materials that should be used on the dirt roads. There being no further public comments, Mayor O'Brien closed the Public Hearing at 6:18pm and reconvened the Town Council meeting. Member McKinley made a motion to approve Ordinance 2020-01 as presented. Member Martini seconded the motion. Roll call vote was as follows: Andert – aye, Sapp – aye, Williams- aye, McKinley – aye and Martini – aye. Motion carried 5-0.

4. CONSENT AGENDA

- a. 1108 Main Street – William Stratton – Variance to allow expansion of a non-conforming home by more than 10%.

Mayor O'Brien introduced this item. Member Sapp made a motion to approve the consent agenda as presented. Member Andert seconded the motion. Roll call vote was as follows: Martini – aye, McKinley – aye, Williams – aye, Sapp – aye, and Andert – aye. Motion carried 5-0.

5. NEW BUSINESS:

a. Minutes

i. **January 14, 2020 Town Council Meeting**

Member McKinley made a motion to approve the January 14, 2020, Town Council meeting minutes as presented. Member Sapp seconded the motion. Roll call vote was as follows: Andert – aye, Sapp – aye, Williams- aye, McKinley – aye and Martini – aye. Motion carried 5-0.

b. Contracts & Agreements

i. **Individual Project Order #106: 6th Avenue Roundabout Analysis \$13,790.00**

Mayor O'Brien introduced this item. He then turned the floor over to Manager Smith. Manager Smith explained that prior to any improvement anticipated at 12th Avenue and Chase Road, an assessment of the 6th Avenue roundabout will be needed. He also stated that prior to the final design of the new Town facilities, the 6th Avenue roundabout would need to be addressed incase there would be a need for additional right of way. Member McKinley made a motion to approve IPO #106. Member Sapp second the motion. Roll call vote was as follows: Martini – aye, McKinley – aye, Williams – aye, Sapp – aye, and Andert – aye. Motion carried 5-0.

ii. **Task Assignment No. 31 Manhour and Fee Proposal-Final Engineering Services West 2nd Avenue Roadway and Drainage Improvements not to exceed \$79,400**

Mayor O'Brien introduced this item. He then turned the floor over to Manager Smith. Manager Smith explained that this is a portion of the Local Mitigation Strategy grant for the awarded grant for the West 2nd Avenue improvements. He further explained that Mike Galura/MGEC initially worked on the concept designs plans. Manager Smith stated that the Town Council can select Kimley Horn who has been previously been approved as the new continuing engineering company. Discussion began with the Town Council. Member Sapp stated for the record, "That Mike has done an excellent job with working

TOWN OF WINDERMERE

Town Council Meeting Minutes

February 11, 2020

with LMS and getting this project where we are today. We are still, just for the record, under contract with Mike to finish off the application until we get the C/O.” Manager Smith commented that there is an existing contract with Mr. Galura for the LMS. Discussion was made. Member Sapp made a motion to approve Task 31 with a do not exceed of \$79,400.00, and with a peer review by Kimley Horn. Member Williams second the motion. Roll call vote was as follows: Martini – aye, McKinley – aye, Williams- aye, Sapp – aye, and Andert – aye. Motion carried 5-0.

c. Financial

i. Pedestrian Crossing 1st/Main Street

Mayor O’Brien introduced this item. He stated that the project would be funded by Wine and Dine. Manager Smith stated that the Council requested additional sites, which 1st Avenue and Main Street was selected. Mayor O’Brien stated that the cost would be \$16,100.00 from the Wine and Dine account. Member Andert made a motion to approve the pedestrian crosswalk. Member Martini seconded the motion. Some discussion followed regarding a crosswalk in front of Town Hall. Roll call vote was as follows: Andert – aye, Sapp – aye, Williams- aye, McKinley – aye and Martini – aye. Motion carried 5-0.

ii. Gray Robison Lobbying Engagement Letter

Mayor O’Brien introduced this item. Manager Smith stated that he would not like to enter into this agreement at this time. He then explained that with other efforts being worked on, he’d rather see the outcome before entering into this contract. Mayor O’Brien stated that it’s mid/late session at the legislative level. Some discussion followed. No action was taken.

d. Other Items for Consideration

i. Temporary Administration/Police Town Facilities Site Plan – 501 Forest Street

Manager Smith commented on the need for and the proposed location for the temporary facilities. Mr. Fitzgibbon also commented on the proposed site, reviews, and site plans. He stated that the preliminary plan will be proposed to the Development Review Board February 18th with their recommendation back to the Town Council in March. Mr. Fitzgibbon stated that that the move will happen between May and June. Mayor O’Brien questioned if the neighbors had been advised. Manager Smith stated they had not due to not having a final approval for the location. He further stated that once the final approval is obtained, he will reach out to the residents in the area. Member McKinley made a motion to approve. Member Sapp second the motion. Roll call vote was as follows: Martini – aye, McKinley – aye, Williams- aye, Sapp – aye, and Andert – aye. Motion carried 5-0.

ii. Request to amend Land Development Code to allow Chickens in Residential areas

Mayor O’Brien introduced this item. Manager Smith explained that this item has been brought forward from a past council meeting. He then reported on reviews of other municipalities that allow chickens in residential areas. Manager Smith also reported that this would not trump any HOA covenants. Mayor O’Brien opened the floor for discussion. Member McKinley stated, “it’s a great idea with certain standards.” Member Williams stated that proper placement of a coop is needed. Member Andert comment on a concern with enforcement. Member Sapp stated he had no issues with allowing chickens. He then stated he has received positive comments. Member Martini agreed with Member Williams comment and

TOWN OF WINDERMERE

Town Council Meeting Minutes

February 11, 2020

not affecting the neighbor. Some discussion followed. This item will be brought back at a later date in an Ordinance form.

6. MAYOR & COUNCIL LIAISON REPORTS:

Mayor O'Brien stated that the liaison assignments will be on the March agenda. Manager Smith stated that discussion regarding other committees could take place at that time as well. Member Andert commented on the possibility on creating another committee, Engagement Committee. Member Sapp gave an update on the Pavilion Committee. Member McKinley stated that February 21st is the deadline for the Town Manager's evaluations. Mayor O'Brien stated that the Gazette deadline is February 20th. Member Andert commented on the WAYS Committee social media.

7. STAFF REPORTS:

a. **TOWN MANAGER ROBERT SMITH** – Mr. Smith reported on upcoming meetings regarding the one cent sales tax, the West Orange Regional Transportation Alliance meeting, the Night to Shine event, and the Bunk Bed Build.

b. **TOWN ATTORNEY TOM WILKES** – No report.

c. **POLICE CHIEF DAVE OGDEN** – Chief Ogden reported on the draft annual report, Cops and Bobbers event September 19th, Active Shooter drills, a new hire, upcoming training, and updating camera system.

d. **PUBLIC WORKS DIRECTOR SCOTT BROWN** – Director Brown stated that the Project Meeting notes are in the Council books. He then stated that his department is handling events and keeping storm drains clean.

8. ADJOURN:

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

Dorothy Burkhalter, MMC, FCRM
Town Clerk

Jim O'Brien, Mayor



EXECUTIVE SUMMARY

SUBJECT: IPO 110 – First Avenue and Forest Street Drainage Study Update

REQUESTED ACTION: Council Option

Work Session (Report Only) **DATE OF MEETING:** March 10, 2020
 Regular Meeting Special Meeting

CONTRACT: N/A Vendor/Entity: Kimley-Horn and Associates, Inc.
Effective Date: 03/11/2020 Termination Date: 03/11/2021
Managing Division / Dept: Public Works

BUDGET IMPACT: _____
 Annual **FUNDING SOURCE:** _____
 Capital **EXPENDITURE ACCOUNT:** _____
 N/A

HISTORY/RECOMMENDATIONS:

Mayor & Council,

Town Council requested engineering firm Kimley-Horn and Associates, Inc. to prepare a drainage review and study of the stormwater improvements that were installed in and around First Avenue and Forest Street. At the January 28, 2020 workshop, KHA presented Council with their technical memorandum along with recommendations to adjust the system to better accept surface water runoff during times of high rainfall events and high-water levels. During the workshop, Council members requested a current topographic map and additional surveying, elevations and data be provided for the overall drainage basin and where the surface water is coming from.

As part of the Towns’ Master Agreement for Continuing Engineering Services, find attached Kimley-Horn and Associates, Inc. Individual Project Order (IPO) Number 110 for the surveying services to fulfill the request. Staff is requesting Council direction for this IPO. Or Council may want to accept the 2016 Light Detection and Ranging (LIDAR) provided by Orange County Surveying as an accurate representation of current topo and land elevations in the area.



INDIVIDUAL PROJECT ORDER NUMBER 111

March 5, 2020

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: Forest Street Outfall Improvement Project

Client: Town of Windermere

Project Understanding:

This Individual Purchase Order (IPO) identifies the scope, schedule, and fee for engineering services associated with recommended Alternative A from the *Technical Memorandum for Forest Street and First Avenue* (submitted January 2020) to help alleviate the flooding along Forest Avenue between 1st and 2nd Avenue. Alternative A included the following:

- Reconstruct the dirt road to an elevation and typical section to work with drainage improvements
- Adding an outfall pipe to the existing drainage system
- Improve existing ditches
- Add additional ditches along Forest Avenue

Kimley-Horn will provide engineering services associated with the design and construction plans for the improvements described above. This IPO also includes permitting, bid assistance services, survey, geotechnical services, subsurface utility verification, a meeting with the Public Works Director, and construction phase services.

Specific Scope of Basic Services:

Task 1 – Drainage Design

Kimley-Horn will design a drainage system and provide a design report to help alleviate the flooding along Forest Avenue between 1st and 2nd Avenue. This design may include roadside swales, berms, inlets and pipes. The report will document field reviews, flooding reports, and drainage calculations. Kimley-horn will conduct one field review during significant rainfall events of one inch per hour or greater.

Task 2 – Construction Plans

Based on the design identified in Task 1, Kimley-Horn will prepare construction plans for the drainage improvements. The plan sheets will be prepared on 11"x17" half size sheets. Kimley-Horn will submit 30% plans to the Town for review and comment prior to developing final plans for submittal to the Town. Kimley-Horn will respond to one (1) round of comments from the Town.

It is anticipated that Temporary Traffic Control Plans (TTCP) will be prepared by the Contractor and is not included this Task.

Kimley-Horn will conduct one (1) coordination meeting with utility owners to coordinate impact of the proposed improvements on their facilities. Kimley-Horn will submit construction plans to affected utility companies once during the design phase in an effort to obtain letters, identify conflicts and schedules for

relocation from the respective utilities and submit them to the Town for inclusion in the bid documents.

This task does not include utility design and if required, can be performed as an additional service.

The construction plans will include:

- Key Sheet
- Drainage Map
- General Notes
- Plan/Profile Sheets
- Cross Sections
- Erosion Control Plans
- Construction Details

Task 3 –Permitting Coordination

It is anticipated that the potential drainage improvements will require a South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP). Kimley-Horn will perform permitting research, coordinate with SFWMD staff and attend one (1) meeting with the SFWMD to determine the permitting requirements and prepare the permit application. Kimley-Horn will respond to two (2) request for additional information from the SFWMD.

Task 4 – Survey and Mapping Services

Kimley-Horn will retain the services of PEC Surveying and Mapping, LLC (PEC) to perform the survey for approximately 700 feet of roadway. Right of way survey will include preparation of depicting computed existing/apparent right-of-way lines along Forest and 1st Avenue. Refer to attached subconsultant proposal for additional information.

Task 5 – Geotechnical Services

Kimley-Horn will retain the services of Geotechnical and Environmental Consultants, Inc. (GEC) to perform auger borings for 700' of roadway along Forest Street. Refer to attached subconsultant proposal for additional information. GEC will also perform auger borings and field permeability tests adjacent to the existing French Drain system.

Task 6 – Subsurface Utility Engineer

Kimley-Horn will retain the services of Echo UES Inc. to provide 3 test holes to field verify utility information along Forest Street. Refer to attached subconsultant proposal for additional information.

Task 7 – 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 Town. Kimley-Horn will prepare responses to questions submitted by the contractors to the Town during the bidding period.

Task 8 – 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 five (5) Contractor Requests for

Information (RFI).

Kimley-Horn will attend up to three (3) progress meetings during construction as requested by the Town. This task does not include engineering inspection services.

Project Deliverables:

- Construction Plans
- Drainage Report
- SFWMD Permit Package
- Geotechnical Engineering Report

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
- Certified Arborist evaluation for tree preservation
- Temporary Traffic Control Plans
- Utility 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 1-7 are anticipated to be completed within 180 calendar days of notice to proceed. The completion of Task 8 will depend on the construction schedule.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Method of Compensation:

Kimley-Horn will perform the services in Tasks 1-8 for a lump sum fee of \$70,500 inclusive of expenses. A breakdown of fee by task is provided in the table below.

Task	Fee
Task 1: Drainage Design	\$15,600.00
Task 2: Construction Plans	\$21,750.00
Task 3: Permitting Coordination	\$7,080.00
Task 4: Survey and Mapping Services	\$3,500.00
Task 5: Geotechnical Services	\$7,530.00
Task 6: Subsurface Utility Engineer	\$2,500.00
Task 7: Bid Assistance Services	\$4,760.00
Task 8: Construction Phase Services	\$7,780.00

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

KIMLEY-HORN AND ASSOCIATES, INC.



BY: _____

BY: _____

Hao T. Chau, PE

TITLE: _____

TITLE: Assistant Secretary/Project Manager

DATE: _____

DATE: 03/05/2020

KIMLEY-HORN AND ASSOCIATES, INC.



BY: _____

Victor H. Gallo, PE

TITLE: Drainage Engineer

DATE: 03/05/2020



March 5, 2020

KIMLEY-HORN AND ASSOCIATES, INC.

Project: IPO 111 - Forest Street Outfall Improvement Project

Client: Town of Windermere

Summary of Fees and Charges

PROJECT LABOR	Hours	Lump Sum
Project: IPO 111 - Forest Street Outfall Improvement Project	362.0	\$ 56,970.00
1. Drainage Design	100.0	\$ 15,600.00
2. Construction Plans	140.0	\$ 21,750.00
3. Permitting Coordination	44.0	\$ 7,080.00
7. Bid Assistance Services	30.0	\$ 4,760.00
8. Construction Phase Services	48.0	\$ 7,780.00
SUBTOTAL KIMLEY-HORN LABOR FEES:	362.0	\$ 56,970.00
Subconsultant: 4. Survey Services (PEC)		\$ 3,500.00
Subconsultant: 5. Geotechnical Services (GEC)		\$ 7,530.00
Subconsultant: 6. SUE (ECHO)		\$ 2,500.00
Total Subconsultant		\$ 13,530.00
GRAND TOTAL FEES AND CHARGES:		\$ 70,500.00



Consultant Name: Kimley-Horn and Associates, Inc.

Work Effort and Fee Estimate Table

Project: IPO 111 - Forest Street Outfall Improvement Project

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. Drainage Design	1	\$ 240.00	10	\$ 2,000.00	12	\$ 2,400.00	32	\$ 5,600.00	44	\$ 5,280.00	1	\$ 80.00	100	\$ 15,600.00
2. Construction Plans	3	\$ 720.00	16	\$ 3,200.00	14	\$ 2,800.00	42	\$ 7,350.00	62	\$ 7,440.00	3	\$ 240.00	140	\$ 21,750.00
3. Permitting Coordination	1	\$ 240.00	8	\$ 1,600.00	8	\$ 1,600.00	8	\$ 1,400.00	18	\$ 2,160.00	1	\$ 80.00	44	\$ 7,080.00
7. Bid Assistance Services	1	\$ 240.00	4	\$ 800.00	4	\$ 800.00	8	\$ 1,400.00	12	\$ 1,440.00	1	\$ 80.00	30	\$ 4,760.00
8. Construction Phase Services	1	\$ 240.00	8	\$ 1,600.00	8	\$ 1,600.00	12	\$ 2,100.00	18	\$ 2,160.00	1	\$ 80.00	48	\$ 7,780.00
Total Billable Labor													362	\$ 56,970.00

Principal	Proj Manager	Sr Engineer	Project Engineer	Analyst/Designer	Clerical
7 \$ 1,680.00 1.9%	46 \$ 9,200.00 12.7%	46 \$ 9,200.00 12.7%	102 \$ 17,850.00 28.2%	154 \$ 18,480.00 42.5%	7 \$ 560.00 1.9%

Notes:

K:\ORL_Roadway\MARKETING\Windermere\Contract\IPO #111_Forest Drainage Improvements



Surveying and Mapping, LLC

March 3, 2020

Kimley Horn and Associates, Inc.
Mr. Victor Gallo, P.E.
189 S. Orange Avenue, Suite 1000
Orlando, Florida 32801

PS16666-KHA

**Re: IPO 111 : First Avenue and Forest Street Drainage Study Update
Surveying and Mapping Services
Windermere, Florida**

Dear Mr. Gallo:

PEC-Surveying and Mapping (PEC) is pleased to submit our proposal for surveying and mapping services in connection with the above-referenced project.

Design Survey: We propose to update our Survey of Forrest Street right-of-way between 1st and 2nd Avenue. The area to be Surveyed is shown on the attached Exhibit.

A Survey will be performed consisting of a full topographic survey of the Project Area. All above ground improvements including a profile of intersecting private drives extending beyond the right-of-way will be surveyed. Elevations will be measured on approximate 50-foot cross section intervals. Elevations will be relative to mean sea level datum NGVD of 1929 relative to two harmonious Orange County benchmarks to be consistent with the Towns Survey Database. One project benchmark will be established in the field and will be shown in CAD file.

Evidence of all above ground utilities will be located. Invert elevations will be obtained of all drainage structures. Surface Designations of subsurface detectable utilities will be included if existent at the time of Survey.

Tree Locations: All trees 4 inches in diameter and greater, as measured at breast height, within the Project Limits will be located with the size and type noted. Areas of landscaping shrubbery, hedges and landscape areas will be denoted.

Deliverables: Deliverables will consist of an AutoDesk CAD file to be used as the engineering base map at a scale on one-inch to thirty-feet.

Schedule: We are prepared to commence within three (3) working days from Notice to Proceed and can complete the assignment within five (5) working days from commencement.

Fees: We propose to perform the work for \$ 3,500.00 (Three Thousand Seven Five Hundred Dollars)

Kimley Horn and Associates, Inc.
Mr. Victor Gallo,, P.E.
PS16666-KHA
March 3, 2020
Page Two

Thank you for the opportunity of submitting this proposal to you. Should this result in a contractual agreement please have the entity responsible for payment execute below and return to serve as our Notice to Proceed. This proposal is valid for 30 days.

Should you have any questions or comments please do not hesitate to contact us.

Sincerely

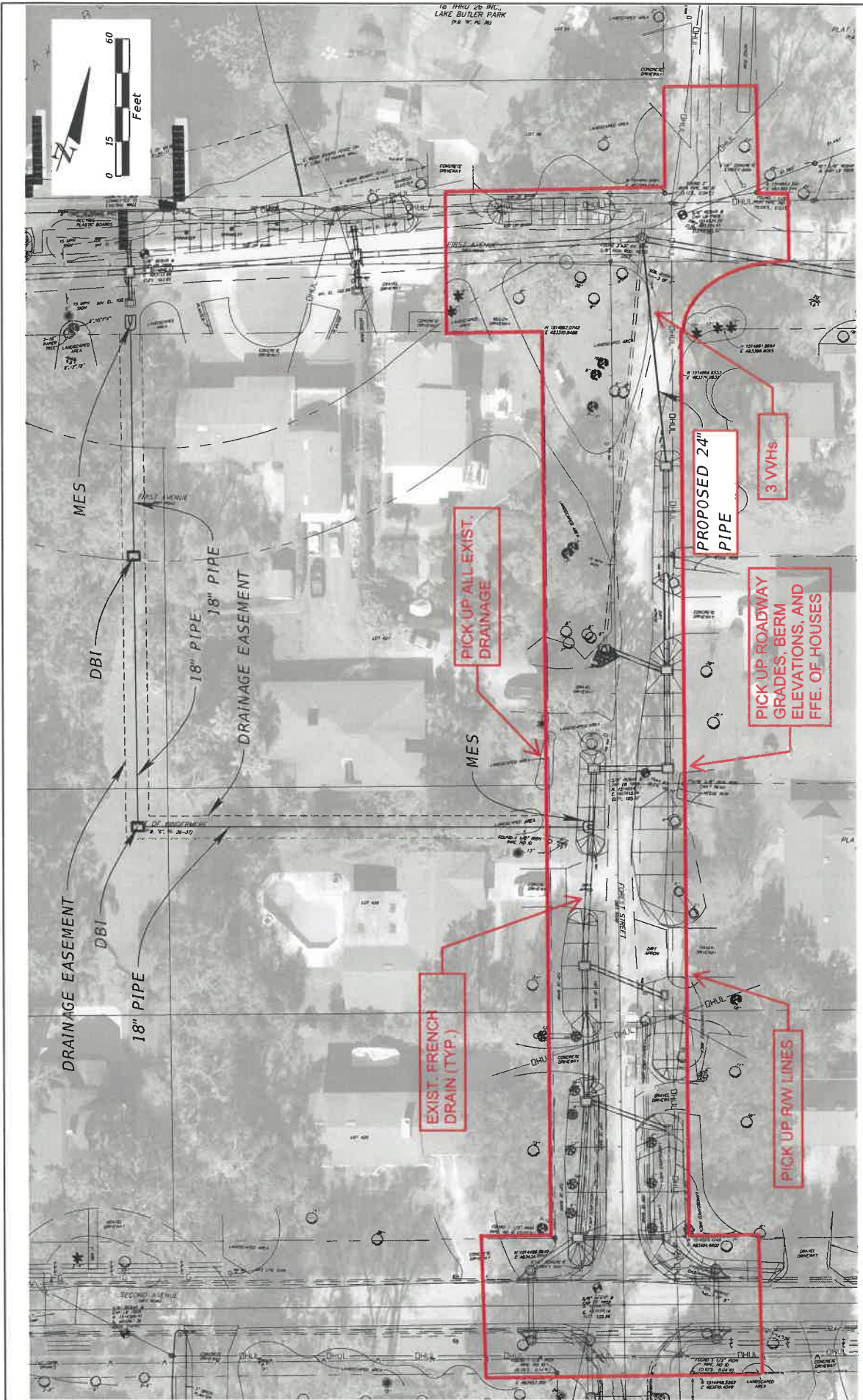
PEC Surveying and Mapping

A handwritten signature in black ink, appearing to read "David A. White". The signature is written in a cursive style with a long horizontal flourish extending to the right.

David A. White P.S.M.
President

THIS PROPOSAL IS HEREBY ACCEPTED AND AUTHORIZATION TO PROCEED IS HEREBY GIVEN.

Authorized Signature: _____ Title: _____ Date: _____



DATE	DESCRIPTION	REVISIONS	DATE	DESCRIPTION

Kimley»Horn

189 South Orange Avenue, Suite 1000
Orlando, Florida 32801
7725720100 (407) 542-1400 (TOLL FREE)

TOWN OF WINDERMERE

FOREST ST AND FIRST AVE CONCEPT

IPO # 111

SHEET NO. _____

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Katie Gleason



Geotechnical
and
Environmental
Consultants, Inc.

At the very foundation of our community

February 27, 2020
Revised March 4, 2020

Kimley-Horn
189 S. Orange Avenue, Suite 1000
Orlando, FL 32801

Attention: Mr. Victor Gallo, P.E.

Subject: Proposal for Geotechnical Engineering Services
FIRST STREET AND FOREST STREET DRAINAGE IMPROVEMENTS
IPO #111
Windermere, Florida
GEC Proposal No. P10102G

Dear Mr. Gallo:

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 February 25, 2020. The purpose of this investigation is to explore soil and groundwater conditions at the site and to use the information obtained to provide geotechnical engineering recommendations for the drainage improvement project. 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 on Forest Street from Second Avenue to First Avenue in Windermere, Florida as shown on Attachment 1. The general vicinity of the site is characterized by single-family residential. The project is approximately 400 feet in length.

We understand that this drainage improvement project includes a new 24-inch diameter outfall pipe along the east side of Forest Street as shown on Attachment 1. The scope also includes

providing soil, groundwater and permeability test results adjacent to an existing French drain system located on a section of Forest 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 3 auger borings to a depth of 15 feet and 1 permeability test.
- 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
 - Unconfined aquifer parameters for drainage evaluation

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 \$7,530.00. 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.

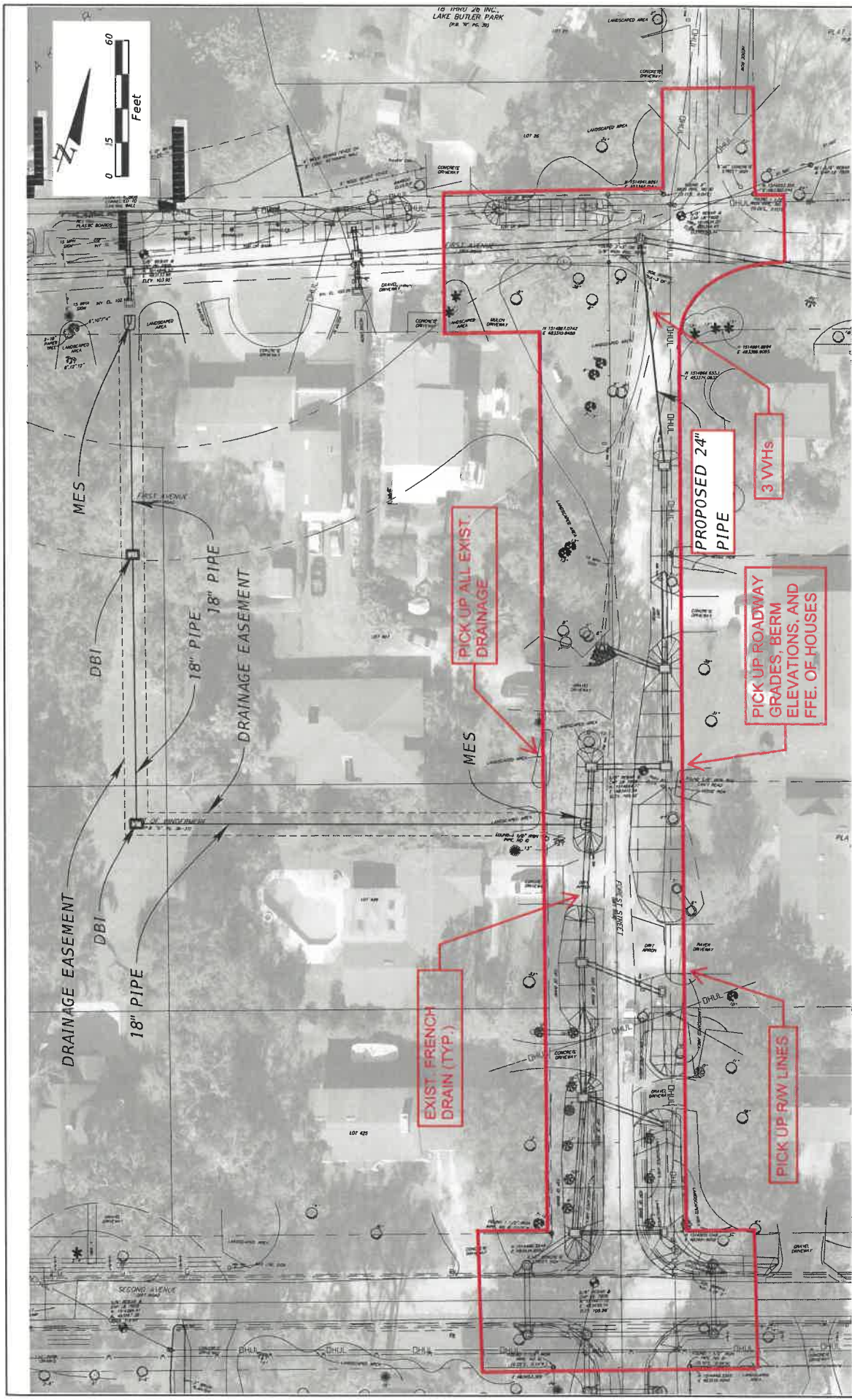
Very truly yours,

GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS, INC.



Christopher P. Meyer, P.E.
Principal Engineer

CPM/alc



REVISIONS		DESCRIPTION	
DATE	DESCRIPTION	DATE	DESCRIPTION

Kimley»Horn		TOWN OF WINDERMERE	
189 South Orange Avenue, Suite 1000 Orlando, Florida 32801		FOREST ST. AND FIRST AVE. CONCEPT	
27/25/2020 8:54:21 AM - draft		IPO # 111	
K:\ORL_Roadway\0308002_Windermere Drainage Study\0308002\roadway\PLANRD01.dwg		SHEET NO.	

Attachment 2
Geotechnical Scope of Services and Cost
FOREST STREET DRAINAGE IMPROVEMENTS (IPO 111)
Windermere, Florida
GEC Proposal No. 10102G

	Quantity	Units	Unit Rate	Cost
Field Services				
Mobilization of Truck-Mounted Rig Engineering Technician	1	ls	\$600.00	\$600.00
(Site Recon, Boring Layout, and Utility Clearance)	7	hr	\$60.00	\$420.00
Auger Borings (3 @ 15 ft)	45	ft	\$12.00	\$540.00
Field Permeability Test (0-10')	1	ea	\$420.00	\$420.00
Double Ring Infiltration (DRI) Test	0	ea	\$600.00	\$0.00
Drill Rig and Crew - Truck (2 person)	2	hr	\$220.00	\$440.00
Two-Person Soil Survey Crew	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
			Field Subtotal	\$2,570.00
Laboratory Testing				
Engineering Technician (Soil Classification)	1	hr	\$60.00	\$60.00
Percent Fines	5	ea	\$45.00	\$225.00
Organic Content	1	ea	\$50.00	\$50.00
Atterberg Limits	2	ea	\$110.00	\$220.00
Natural Moisture Content	3	ea	\$15.00	\$45.00
Corrosion Series	1	ea	\$200.00	\$200.00
Laboratory Permeability	0	ea	\$300.00	\$0.00
			Laboratory Subtotal	\$800.00
Engineering Analysis & Report				
Principal Engineer	0	hr	\$250.00	\$0.00
Senior Engineer	6	hr	\$160.00	\$960.00
Project Engineer	18	hr	\$120.00	\$2,160.00
Engineer	0	hr	\$100.00	\$0.00
CADD Draftsman/GIS Specialist	8	hr	\$100.00	\$800.00
Secretary	4	hr	\$60.00	\$240.00
			Engineering Subtotal	\$4,160.00
TOTAL LIMITING AMOUNT FEE				\$7,530.00



February 27, 2020

Victor Gallo, PE
Kimley-Horn
189 S. Orange Ave. Ste. 1000
Orlando, FL 32801

CC: Hao Chau, PE

PROPOSAL FOR UTILITY INVESTIGATIVE SERVICES

Project: Town of Windermere, Forest St. Outfall Improvements, Orange County, FL

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 this project.

Project Synopsis: Based on the information made available to ECHO, we understand the project consisting of engineering design services for improvements along Forest 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).

Project Limits: ECHO's proposed services will be performed within well-defined limits (i.e. Project Limits) as shown on the provided exhibits.

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 3 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, Lump Sum fee: \$2,500.00**

Inclusive of up to 3 utility verification test holes

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 of infrastructure.

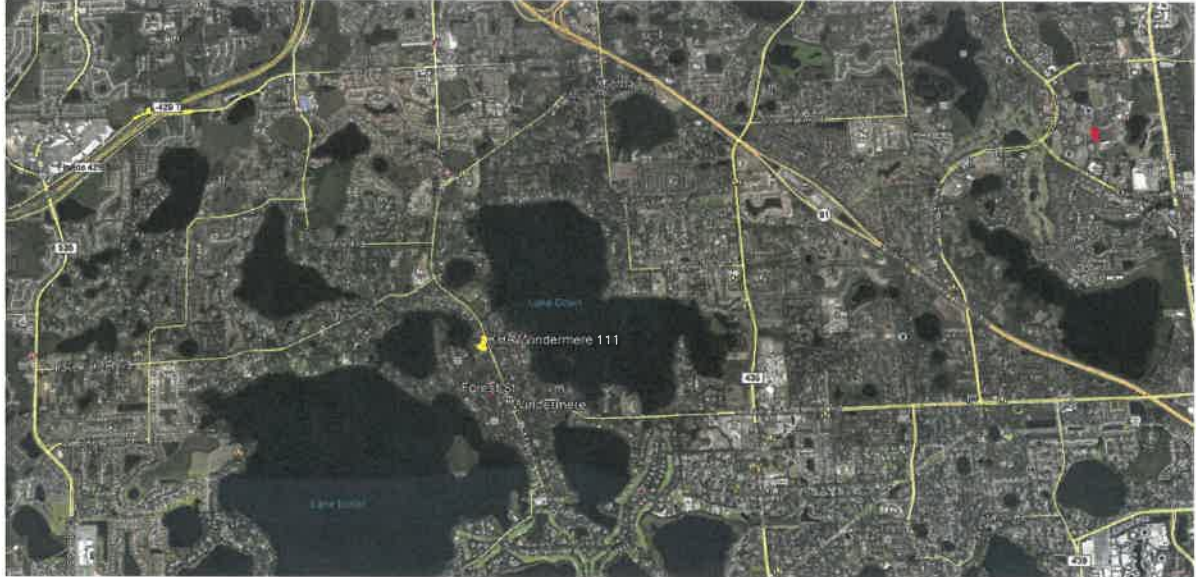
Thank you for considering ECHO for this important project and please do not hesitate to contact me directly should you have any questions or concern.

Sincerely,



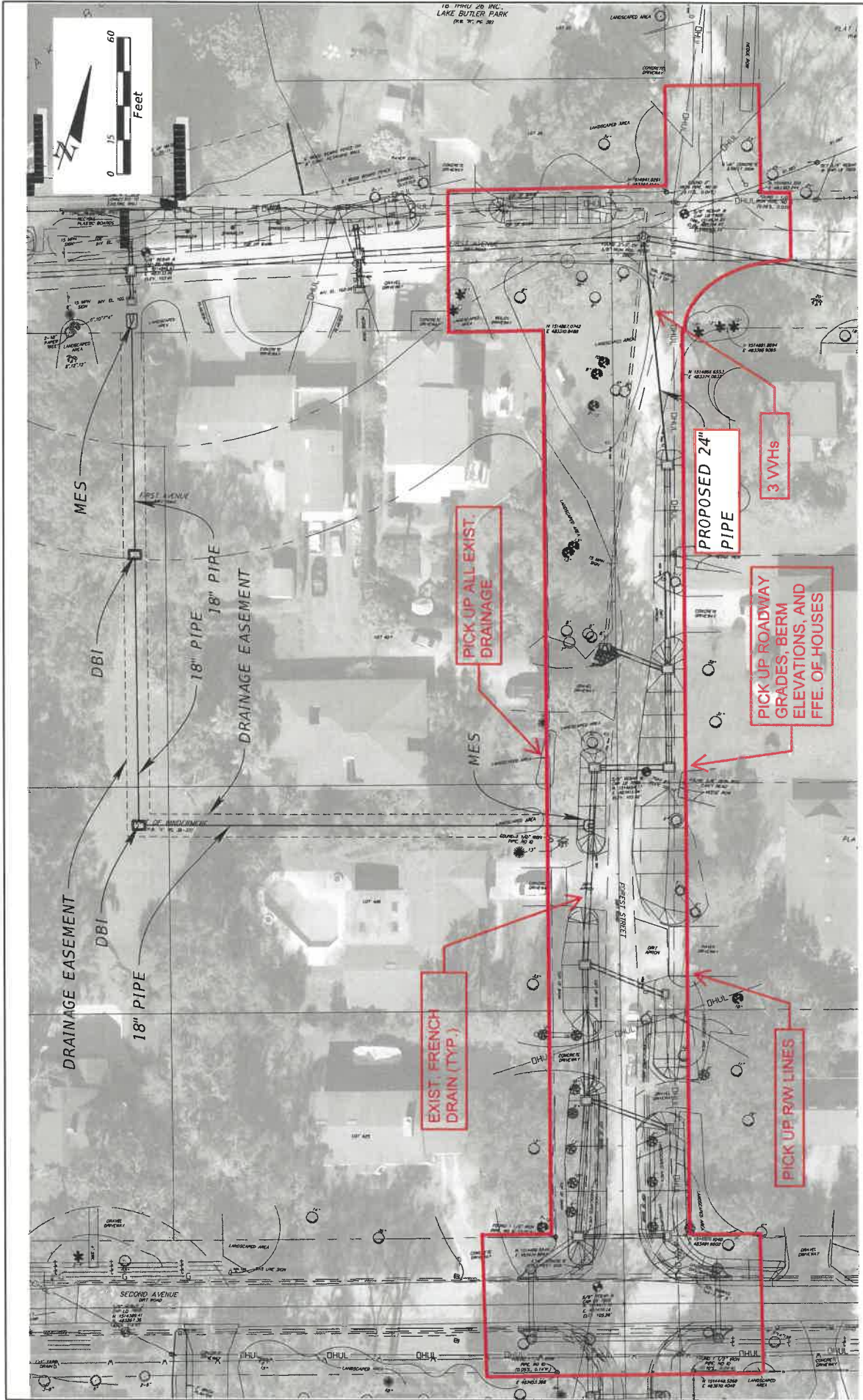
Carlo Pilia
Vice President
ECHO UES, Inc.

Vicinity Map:



Project Limits:





REVISIONS		DESCRIPTION	TOWN OF WINDERMERE	SHEET NO.
DATE	DATE			
			IPO # 111	
			FOREST ST AND FIRST AVE CONCEPT	
			Kimley»Horn	
			189 South Orange Avenue, Suite 1000 Orlando, Florida 32801	
			2/23/2020 ELECTRIC Drainage	
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KAREG EBSON



EXECUTIVE SUMMARY

SUBJECT: IPO 112 – First Avenue and Forest Street Backyard Drainage Improvement

REQUESTED ACTION: Staff Recommends Approval

Work Session (Report Only)
 Regular Meeting

DATE OF MEETING: March 10, 2020

Special Meeting

CONTRACT: N/A

Vendor/Entity: Kimley-Horn and Associates, Inc.

Effective Date: 03/11/2020

Termination Date: 03/11/2021

Managing Division / Dept:

Public Works

BUDGET IMPACT: Not to Exceed \$61,000.00

Annual
 Capital
 N/A

FUNDING SOURCE:

CIP Stormwater Projects

EXPENDITURE ACCOUNT:

004 5380 000 7530

HISTORY/RECOMMENDATIONS:

Mayor & Council,

Town Council requested engineering firm Kimley-Horn and Associates, Inc. to prepare a drainage review and study of the stormwater improvements that were installed in and around First Avenue and Forest Street. At the January 28, 2020 workshop, KHA presented Council with their technical memorandum along with recommendations to adjust the system to better accept surface water runoff during times of high rainfall events and high-water levels. In addition to the stormwater improvements review, KHA identified through the use of topographic maps used during the initial permitting of the stormwater improvements as well as photos from residents and staff, low laying areas that were holding water in the yards of the adjacent private properties.

As part of the Towns' Master Agreement for Continuing Engineering Services, find attached Kimley-Horn and Associates, Inc. Individual Project Order (IPO) Number 112 for services to design, acquire easements and construction plans to install a drainage system, independent of the Towns system, to assist the properties with an adequate drainage system. Upon completion of this design phase, KHA will provide an estimated cost for the construction. Staff recommends approval of this IPO for design, acquire easements and construction plans.



INDIVIDUAL PROJECT ORDER NUMBER 112

March 5, 2020

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: Forest Street and 1st Avenue Backyard Flooding Drainage Improvement

Client: Town of Windermere

Project Understanding:

This Individual Purchase Order (IPO) identifies the scope, schedule, and fee for engineering services associated with the proposed inlet/pipe system to address the backyard flooding behind parcels: 17-23-28-9336-04-272, 17-23-28-9336-04-231, and 17-23-28-9336-04-270. Kimley-Horn will provide engineering services associated with the design and construction plans for a drainage system that will address the existing flooding. This IPO includes permitting, bid assistance services, survey, geotechnical services, subsurface utility verification, a meeting with the Public Works Director, and construction phase services.

Specific Scope of Basic Services:

Task 1 – Drainage Design

Kimley-Horn will design a drainage system and provide a design report to address the backyard flooding problems. This design may include roadside swales, berms, inlets and a French Drain system. The report will document field reviews, flooding reports, and drainage calculations. Kimley-horn will conduct one field review during significant rainfall events of one inch per hour or greater.

Task 2 – Construction Plans

Based on the design identified in Task 1, Kimley-Horn will prepare construction plans for the drainage improvements. The plan sheets will be prepared on 11"x17" half size sheets. Kimley-Horn will submit 30% plans to the Town for review and comment prior to developing final plans for submittal to the Town. Kimley-Horn will respond to one (1) round of comments from the Town.

It is anticipated that Temporary Traffic Control Plans (TTCP) will be prepared by the Contractor and is not included this Task.

Kimley-Horn will conduct one (1) coordination meeting with utility owners to coordinate impact of the proposed improvements on their facilities. Kimley-Horn will submit construction plans to affected utility companies once during the design phase in an effort to obtain letters, identify conflicts and schedules for relocation from the respective utilities and submit them to the Town for inclusion in the bid documents. This task does not include utility design and if required, can be performed as an additional service.

The construction plans will include:

- Key Sheet
- Drainage Map
- General Notes
- Plan Sheets
- Erosion Control Plans
- Construction Details

Task 3 –Permitting Coordination

It is anticipated that the potential drainage and water quality improvements will require a South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP). Kimley-Horn will perform permitting research, coordinate with SFWMD staff and attend one (1) meeting with the SFWMD to determine the permitting requirements and prepare the permit application. Kimley-Horn will respond to two (2) request for additional information from the SFWMD.

Task 4 – Survey and Mapping Services

Kimley-Horn will retain the services of PEC Surveying and Mapping, LLC (PEC) to perform the survey for approximately 700 feet of depressional area and proposed easements. Right-of-way mapping services will be required for easements in three (3) different parcels (17-23-28-9336-04-272, 17-23-28-9336-04-231, and 17-23-28-9336-04-270) including legal description & parcel sketches. Refer to attached subconsultant proposal for additional information.

Task 5 – Geotechnical Services

Kimley-Horn will retain the services of Geotechnical and Environmental Consultants, Inc. (GEC) to perform auger borings and field permeability tests for a proposed French Drain system. Refer to attached subconsultant proposal for additional information.

Task 6 – Subsurface Utility Engineer

Kimley-Horn will retain the services of Echo UES Inc. to provide 3 test holes to field verify utility information along 1st Avenue. Refer to attached subconsultant proposal for additional information.

Task 7 – 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 Town. Kimley-Horn will prepare responses to questions submitted by the contractors to the Town during the bidding period.

Task 8 – 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 five (5) Contractor Requests for Information (RFI).

Kimley-Horn will attend up to three (3) progress meetings during construction as requested by the Town. This task does not include engineering inspection services.

Project Deliverables:

- Construction Plans
- Drainage Report
- SFWMD Permit Package
- Geotechnical Engineering Report

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
- Certified Arborist evaluation for tree preservation
- Utility Plans
- Temporary Traffic Control 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 1-7 are anticipated to be completed within 180 calendar days of notice to proceed. The completion of Task 8 will depend on the construction schedule.

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Method of Compensation:

Kimley-Horn will perform the services in Tasks 1-8 for a lump sum fee of \$60,575 inclusive of expenses. A breakdown of fee by task is provided in the table below.

Task	Fee
Task 1: Drainage Design	\$10,440.00
Task 2: Construction Plans	\$12,760.00
Task 3: Permitting Coordination	\$7,190.00
Task 4: Survey and Mapping Services	\$7,900.00
Task 5: Geotechnical Services	\$6,845.00
Task 6: Subsurface Utility Engineer	\$2,500.00
Task 7: Bid Assistance Services	\$4,280.00
Task 8: Construction Phase Services	\$8,660.00

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

KIMLEY-HORN AND ASSOCIATES, INC.



BY: _____

BY: _____

Hao T. Chau, PE

TITLE: _____

TITLE: Assistant Secretary/Project Manager

DATE: _____

DATE: 03/05/2020

KIMLEY-HORN AND ASSOCIATES, INC.



BY: _____

Victor H. Gallo, PE

TITLE: Drainage Engineer

DATE: 03/05/2020



March 3, 2020

KIMLEY-HORN AND ASSOCIATES, INC.

Project: IPO 112 - Forest Street and 1st Avenue Backyard Floo

Client: Town of Windermere

Summary of Fees and Charges

PROJECT LABOR	Hours	Lump Sum
Project: IPO 112 - Forest Street and 1st Avenue Backyard Flooding Drainage	269.0	\$ 43,330.00
1. Drainage Design	64.0	\$ 10,440.00
2. Construction Plans	82.0	\$ 12,760.00
3. Permitting Coordination	44.0	\$ 7,190.00
7. Bid Assistance Services	26.0	\$ 4,280.00
8. Construction Phase Services	53.0	\$ 8,660.00
SUBTOTAL KIMLEY-HORN LABOR FEES:	269.0	\$ 43,330.00
Subconsultant: 4. Survey Services (PEC)		\$ 7,900.00
Subconsultant: 5. Geotechnical Services		\$ 6,845.00
Subconsultant: 6. SUE (ECHO)		\$ 2,500.00
Total Subconsultant		\$ 17,245.00
GRAND TOTAL FEES AND CHARGES:		\$ 60,575.00



Consultant Name: **Kimley-Horn and Associates, Inc.** **Work Effort and Fee Estimate Table**
Project: IPO 112 - Forest Street and 1st Avenue Backyard Flooding Drainage Improvement

task	Principal	Sr Engineer	Project Engineer	Analyst/Designer	Clerical	task totals
	hrs. rate	hrs. rate	hrs. rate	hrs. rate	hrs. rate	hrs. rate
1. Drainage Design	2 \$ 480.00	8 \$ 1,600.00	24 \$ 4,200.00	20 \$ 2,400.00	2 \$ 160.00	64 \$ 10,440.00
2. Construction Plans	2 \$ 480.00	10 \$ 2,000.00	24 \$ 4,200.00	36 \$ 4,320.00	2 \$ 160.00	82 \$ 12,760.00
3. Permitting Coordination	1 \$ 240.00	8 \$ 1,600.00	10 \$ 1,750.00	16 \$ 1,920.00	1 \$ 80.00	44 \$ 7,190.00
7. Bid Assistance Services	1 \$ 240.00	4 \$ 800.00	8 \$ 1,400.00	8 \$ 960.00	1 \$ 80.00	26 \$ 4,280.00
8. Construction Phase Services	1 \$ 240.00	10 \$ 2,000.00	12 \$ 2,100.00	18 \$ 2,160.00	2 \$ 160.00	53 \$ 8,660.00
Total Billable Labor						269 \$ 43,330.00

Principal	Proj Manager	Sr Engineer	Project Engineer	Analyst/Designer	Clerical
hrs. rate	hrs. rate	hrs. rate	hrs. rate	hrs. rate	hrs. rate
7 \$ 1,680.00	38 \$ 7,600.00	40 \$ 8,000.00	78 \$ 13,650.00	98 \$ 11,760.00	8 \$ 640.00
2.6%	14.1%	14.9%	29.0%	36.4%	3.0%

Notes:

K:\ORL_Roadway\MARKETING\Windermere\Contract\IPO #111_Forest Drainage Improvements



Surveying and Mapping, LLC

March 3, 2020

Kimley Horn and Associates, Inc.
Mr. Victor Gallo, P.E.
189 S. Orange Avenue, Suite 1000
Orlando, Florida 32801

PS16667-KHA

**Re: IPO 112 : Forest Street Drainage Study - Surveying and Mapping Services
Windermere, Florida**

Dear Mr. Gallo:

PEC-Surveying and Mapping (PEC) is pleased to submit our proposal for surveying and mapping services in connection with the above-referenced project.

Topographic Survey: We propose to update and expand our Survey of Forest Street and 1st Avenue Survey. The Survey Limits are as shown on the attached Exhibit.

A Survey will be performed consisting of a full topographic survey of the Survey Limits. All above ground improvements. Elevations will be measured on approximate 50-foot grid. Elevations will be relative to mean sea level datum NGVD of 1929 relative to two harmonious Orange County benchmarks to be consistent with the Towns Survey Database. One project benchmark will be established in the field and will be shown in CAD file.

All above ground improvements will be located relative to the Boundaries. Improvements consist of the residential home located at 114 Forest Street, and 219 West 2nd Avenue, and circular driveway improvements at 212 West 1st Avenue. Evidence of all above ground utilities will be located. Invert elevations will be obtained of all drainage structures. Surface Designations of subsurface detectable utilities will be included if existent at the time of Survey.

Tree Locations: All trees 4 inches in diameter and greater, as measured at breast height, within the Project Limits will be located with the size and type noted. Areas of landscaping shrubbery, hedges and landscape areas will be denoted.

Block Boundary Survey: A Boundary Survey of the residential block will be performed to enable definition of the Platted Lots and ownerships.

Sketch of Legal Description: A Sketch of Description of the proposed drainage easement.

S.U.E. VVH Survey: All surface designations of utilities and requested VVH vacuum excavations, to be performed by others, Survey of the excavated utilities will be Surveyed.

Deliverables: Deliverables will consist of an AutoDesk CAD file to be used as the engineering base map at a scale on one-inch to thirty-feet.

Kimley Horn and Associates, Inc.
Mr. Victor Gallo,, P.E.
PS16667-KHA
March 3, 2020
Page Two

Schedule: We are prepared to commence within three (3) working days from Notice to Proceed and can complete the assignment within five (5) working days from commencement.

Fees: We propose to perform the work for the following Fees:

Topographic Survey:	\$ 3,500.00
Tree Locations:	\$ 1,500.00
Block Boundary Survey:	\$ 1,250.00
Sketch of Legal Description:	\$ 650.00
S.U.E. and VVH Survey:	\$ 1,000.00

Thank you for the opportunity of submitting this proposal to you. Should this result in a contractual agreement please have the entity responsible for payment execute below and return to serve as our Notice to Proceed. This proposal is valid for 30 days.

Should you have any questions or comments please do not hesitate to contact us.

Sincerely

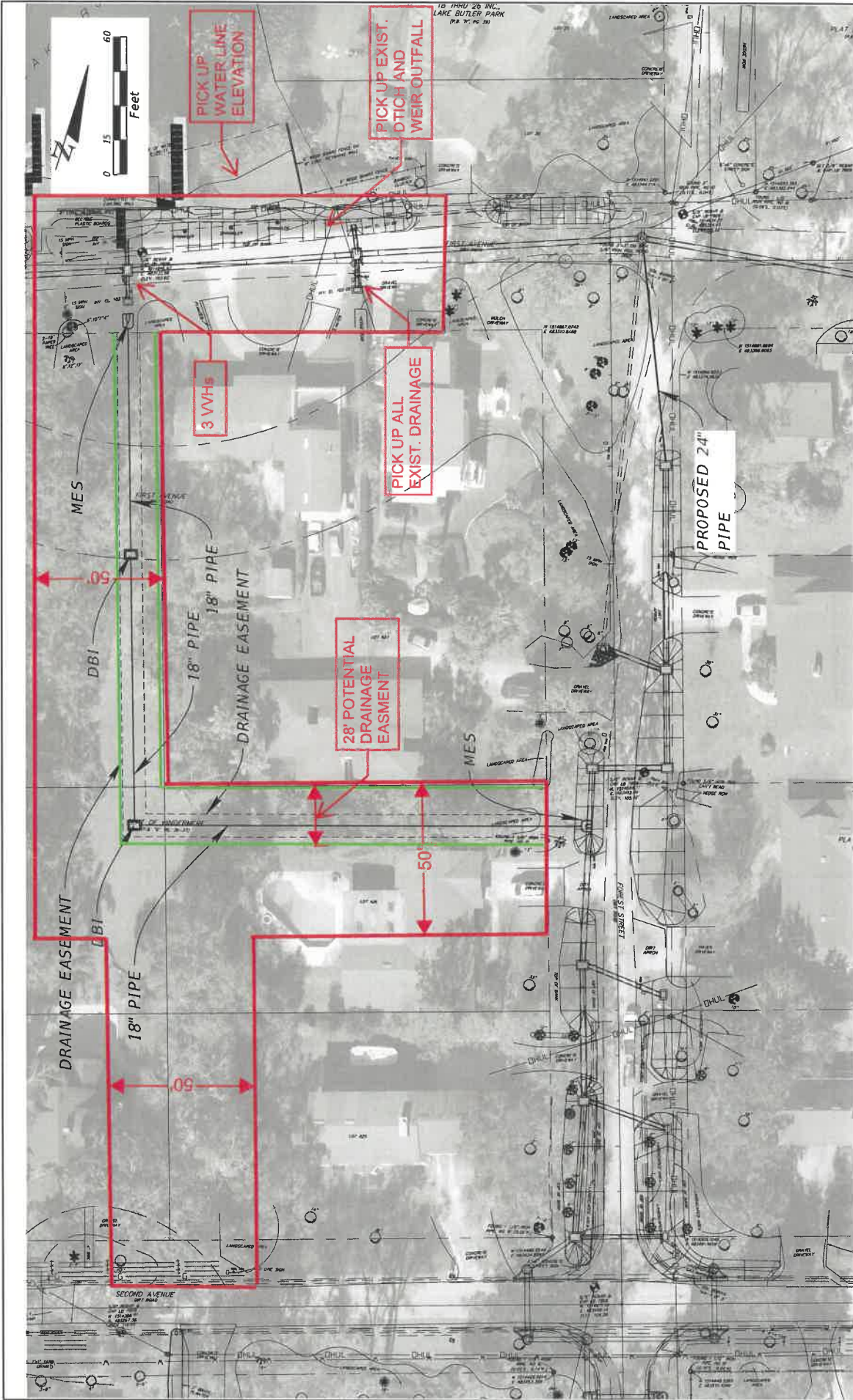
PEC Surveying and Mapping



David A. White P.S.M.
President

THIS PROPOSAL IS HEREBY ACCEPTED AND AUTHORIZATION TO PROCEED IS HEREBY GIVEN.

Authorized Signature: _____ Title: _____ Date: _____



DATE	DESCRIPTION	REVISIONS	DATE	DESCRIPTION

Kimley»Horn
 189 South Orange Avenue, Suite 1000
 Orlando, Florida 32801
 27/25/2020 8:54:21 AM Draut

TOWN OF WINDERMERE
 FOREST ST. AND FIRST AVE CONCEPT

SHEET NO.

IPO # 112



Geotechnical
and
Environmental
Consultants, Inc.

At the very foundation of our community

February 27, 2020

Kimley-Horn
189 S. Orange Avenue, Suite 1000
Orlando, FL 32801

Attention: Mr. Victor Gallo, P.E.

Subject: Proposal for Geotechnical Engineering Services
FOREST STREET AND FIRST AVENUE FLOODING DRAINAGE IMPROVEMENTS
IPO #112
Windermere, Florida
GEC Proposal No. P10103G

Dear Mr. Gallo:

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 February 25, 2020. The purpose of this investigation is to explore soil and groundwater conditions at the site and to use the information obtained to provide geotechnical engineering recommendations for the drainage improvement project. 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 on the west side of Forest Street and south of First Avenue in Windermere, Florida as shown on Attachment 1. The site includes portions of backyards of various residences. The general vicinity of the site is characterized by single-family residential. The project includes approximately 400 feet of proposed French drain/piping.

We understand that this improvement project includes a new French drain system in the area shown on Attachment 1.

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 3 auger borings to a depth of 15 feet and 2 permeability tests. Access to several backyards will need to be available to our truck-mounted drilling equipment. Otherwise the borings will need to be conducted manually to the maximum depth attainable by hand.
- 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
 - Suitability of soil excavated for use as engineered fill
 - Unconfined aquifer parameters for drainage study
 - Pond volume recovery analysis (optional)

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 \$6,845.00. 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.

If pond volume recovery analyses are requested, our fee would be \$500 for each pond/swale analyzed. If you would like GEC to perform the stormwater volume recovery analyses, please indicate the number of ponds/swales to be analyzed in your authorization.

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.

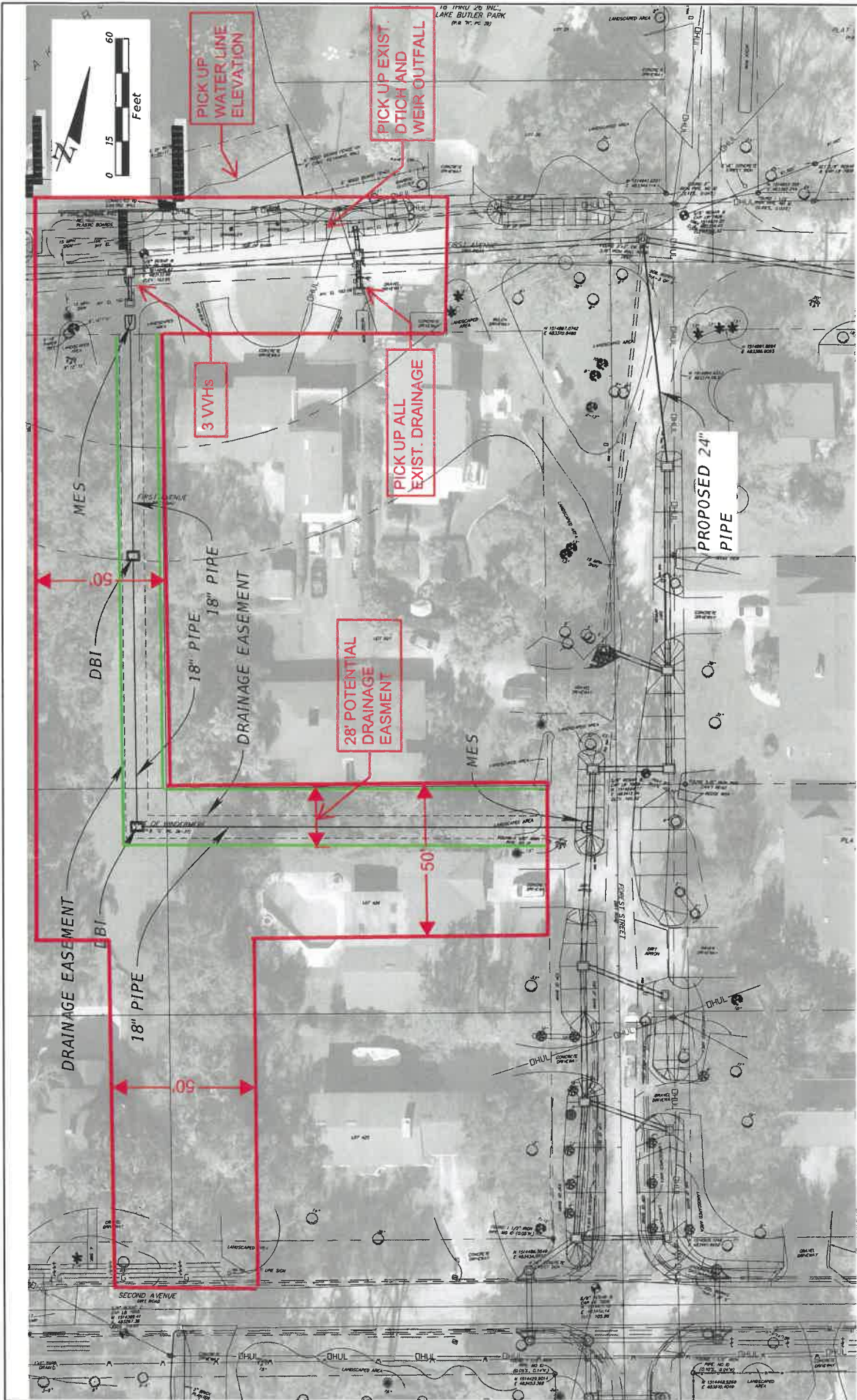
Very truly yours,

GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS, INC.



Christopher P. Meyer, P.E.
Principal Engineer

CPM/alc



DATE		REVISIONS		SHEET NO.	
DESCRIPTION	DATE	DESCRIPTION	DATE	TOWN OF WINDERMERE	
				IPO # 112	
				FOREST ST AND FIRST AVE CONCEPT	
				Kimley»Horn	
				189 South Orange Avenue, Suite 1000 Orlando, Florida 32801	
				27257020 85421 AM 06/20/17	
				K:\NHK_Roadway\04901802_Windermere Drainage Study\04901802_roadway\11\11R001.dwg	

KATE G. GIBSON

Attachment 2
Geotechnical Scope of Services and Cost
FOREST STREET AND FIRST AVENUE FLOODING DRAINAGE IMPROVEMENTS (IPO 112)
Windermere, Florida
GEC Proposal No. 10103G

	Quantity	Units	Unit Rate	Cost
Field Services				
Mobilization of Truck-Mounted Rig Engineering Technician	1	ls	\$600.00	\$600.00
(Site Recon, Boring Layout, and Utility Clearance)	5	hr	\$60.00	\$300.00
Auger Borings (3 @ 15 ft)	45	ft	\$12.00	\$540.00
Field Permeability Test (0-10')	2	ea	\$420.00	\$840.00
Double Ring Infiltration (DRI) Test	0	ea	\$600.00	\$0.00
Drill Rig and Crew - Truck (2 person)	2	hr	\$220.00	\$440.00
Two-Person Soil Survey Crew	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
			Field Subtotal	\$2,870.00
Laboratory Testing				
Engineering Technician (Soil Classification)	1	hr	\$60.00	\$60.00
Percent Fines	4	ea	\$45.00	\$180.00
Organic Content	1	ea	\$50.00	\$50.00
Atterberg Limits	2	ea	\$110.00	\$220.00
Natural Moisture Content	3	ea	\$15.00	\$45.00
Corrosion Series	1	ea	\$200.00	\$200.00
Laboratory Permeability	1	ea	\$300.00	\$300.00
			Laboratory Subtotal	\$1,055.00
Engineering Analysis & Report				
Principal Engineer	0	hr	\$250.00	\$0.00
Senior Engineer	4	hr	\$160.00	\$640.00
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	\$2,920.00
TOTAL LIMITING AMOUNT FEE				\$6,845.00



February 27, 2020

Victor Gallo, PE
Kimley-Horn
189 S. Orange Ave. Ste. 1000
Orlando, FL 32801

CC: Hao Chau, PE

PROPOSAL FOR UTILITY INVESTIGATIVE SERVICES

Project: Town of Windermere, Forest St. and 1st Ave. Flooding Drainage Improvements, Orange County, FL

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 this project.

Project Synopsis: Based on the information made available to ECHO, we understand the project consisting of engineering design services for improvements along Forest St. and 1st Ave. 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).

Project Limits: ECHO's proposed services will be performed within well-defined limits (i.e. Project Limits) as shown on the provided exhibits.

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 3 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, Lump Sum fee: \$2,500.00**

Inclusive of up to 3 utility verification test holes

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 of infrastructure.

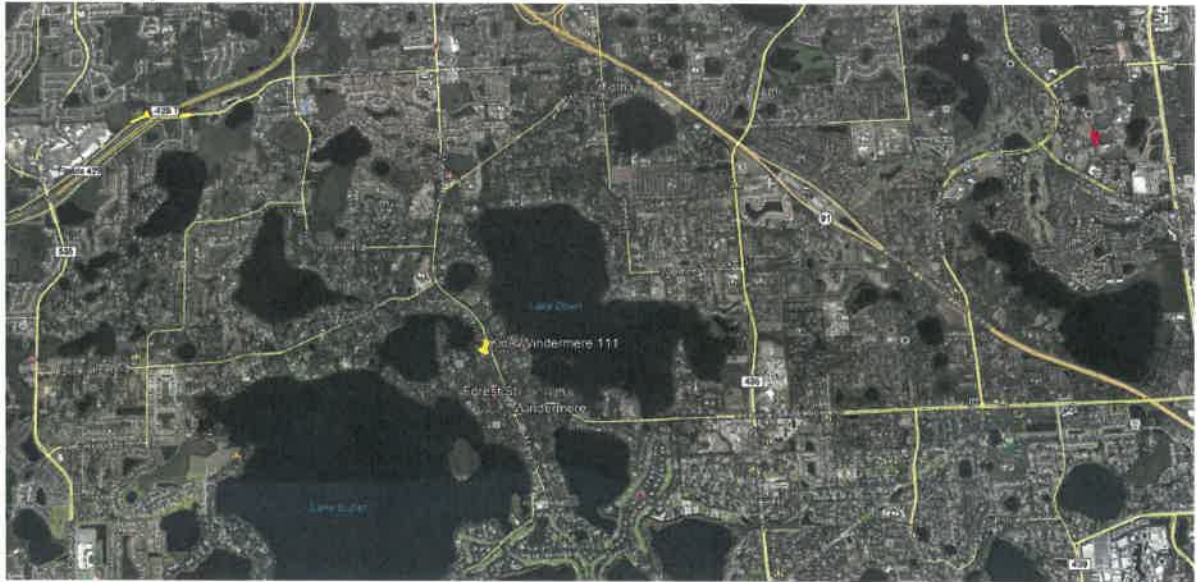
Thank you for considering ECHO for this important project and please do not hesitate to contact me directly should you have any questions or concern.

Sincerely,



Carlo Pilia
Vice President
ECHO UES, Inc.

Vicinity Map:



Project Limits:





EXECUTIVE SUMMARY

SUBJECT: 2019 Town Manager Evaluation

REQUESTED ACTION:

- Work Session (Report Only)
 Regular Meeting

DATE OF MEETING: 03/10/2020
 Special Meeting

CONTRACT: N/A

Effective Date: _____
Managing Division / Dept: _____

Vendor/Entity: _____
Termination Date: _____

BUDGET IMPACT: _____ \$

- Annual
 Capital
 N/A

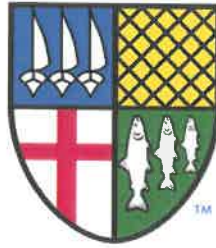
FUNDING SOURCE: General Fund
EXPENDITURE ACCOUNT: General Fund

HISTORY/FACTS/ISSUES:

Attached are items relative to the recent 2019 Town Manager Evaluation

- Town Manager's self-evaluation
- Town Council and Mayor evaluations
- Matrix and comments
- Recommendations for salary increase
- Existing contract(s)

THE TOWN OF
Windermere



Town Manager's
Self-Evaluation

**Town of Windermere
 Town Manager Evaluation**

This form may be used by each member of the Town Council to evaluate the Town Manager's performance in fulfilling each role he / she plays in the Town of Windermere's government.

The Town Manager is rated 1 through 10, with the following scale:

RATING LEVEL	EXAMPLES OF PERFORMANCE
10: Exceeds Expectations	Employee always meets, and regularly exceeds, performance goals. Results go beyond original projections, due to employee's initiative or extra effort. Work products are often convincingly better than performance objectives. Employee often demonstrates competencies beyond those expected for his/her job.
5: Fully Meets Expectations	Employee regularly meets performance goals and achieves results within a fully acceptable range. Work is produced on time, and consistently meets quality standards. Consistently and successfully demonstrates competencies appropriate to job level.
1: Below Expectations	Employee does not consistently achieve goals and deadlines, or results are not consistently of expected quality. Quality of work is variable and employee may require frequent clarification of instructions or closer supervision than expected. Competencies may not always be demonstrated at the level expected for successful performance. A performance improvement plan to bring performance to a consistent level of achievement should be developed.

If the Town Council Member lacks sufficient information/knowledge of one of the below evaluation areas and is unable to evaluate, please utilize **N/A (Not Applicable)**.

Each member of the Town Council should sign the form and forward it to the Town Clerk, who will archive and forward to the Administration Liaison compilation. The forms and accompanying summary should then be presented to the Town Manager for his permanent file.

1. **Personal**

- 9 Invests sufficient effort toward being diligent and thorough in the discharge of duties. *As in previous years, it is not uncommon for me to work several evenings (both at the office and at home), weekends, etc. attending Board and Committee Meetings, Events, HOA Meetings, Workshops and Public Hearings relative to various issues. This past year was focused on the Town Facilities and Traffic. For 2020 we already have several workshops and public meetings planned.*
- 7 Composure, appearance, and attitude fitting for an individual in his executive position.

2. **Professional Skills and Status**

- 7 Knowledgeable of current developments affecting the management field.
- 7 Respected in management position.
- 7 Has a capacity for innovation.
- 7 Anticipates problems and develops effective approaches for solving them.
- 7 Willing to try new ideas proposed by the Town Council or staff.

3. **Relations with the Town Council Members**

- 5 Carries out directives of the Town Council as a whole rather than those of any one Town Council member.
- 8 Assists the Town Council in resolving problems at the administrative level to avoid unnecessary Town Council action. *Not uncommon for me to sit down with residents or hold meetings prior to Council action to inform the public rather than spend time at a TC meeting.*
- 6 Assists the Town Council in establishing policy while acknowledging the ultimate authority of the Town Council.
- 7 Responds to requests for information or assistance by the Town Council.
- 6 Informs the Town Council of administrative developments.
- 6 Receptive to constructive criticism and advice.

4. **Policy Execution**

- 5 Implements Town Council action in accordance with the intent of the Town Council.
- 5 Supports the actions of the Town Council after a decision has been reached.
- 5 Enforces Town Council policies.
- 5 Understands town laws and ordinances.
- 6 Reviews enforcement procedures periodically to improve effectiveness.
- 7 Offers workable alternatives to the Town Council for changes in the law when an ordinance or policy proves impractical in actual administration.

Town of Windermere – Calendar Year 2019 Town Manager Evaluation

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5. **Reporting**

- 6 Provides the Town Council with reports concerning matters of importance to the town.
- 6 Reports are accurate and comprehensive.
- 6 Reports are generally produced through own initiative rather than when requested by the Town Council.
- 6 Prepares a sound agenda which ensures trivial administrative matters do not require review by the Town Council.

6. **Citizen Relations**

- 9 Accommodates complaints from citizens. *I am available any time of day and respond quickly. They may not like the answer but at least they have one.*
- 9 Dedicated to the community and to its citizens.
- 7 Skillful with the news media – avoiding political positions and partisanship.
- 6 Has the capacity to listen to others and to recognize their interests. Works well with others.
- 9 Willing to meet with members of the community and discuss their real concerns.
- 8 Cooperates with neighboring communities.
- 7 Cooperates with the town, state and federal governments.
- 7 Cooperates with the elected Constitutional Officers.

7. **Staffing**

- 6 Recruits and retains competent personnel for town positions.
- 5 Accurately informed and concerned about employee insurance, fringe benefits, promotions, and pensions.
- 5 Impartially administers the merit system.

8. **Supervision**

- 7 Encourages department heads and supervisors to make decisions within their own jurisdictions without Town Manager approval, yet maintains general control of administrative operations.
- 7 Instills confidence and initiative in subordinates and emphasizes support rather than restrictive controls for their programs.

5 Evaluates personnel periodically and points out staff weaknesses and strengths and works to improve their performance.

9. Fiscal Management

5 Prepares a balanced budget to provide services at a level intended by the Town Council.

6 Makes the best possible use of available funds: conscious of the need to operate the Town efficiently and effectively.

5 Prepared budget is in an intelligible format.

5 Reports the Town's financial position on a regular basis.

10. What have been the finest accomplishments of the Town Manager this past year?

(1) Town Facility Approval and Concept Approval (2) Phase 1 RR ROW Multi Modal Trail Connection (3) Various Project ongoing or completed: Willows, Bayshore, Park Ave ,Marina Bay, Water Master Plan etc..

11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

(1) Improve on communication with residents (meetings, projects, etc.) i.e. new website (2) Continue to keep Staff and Elected Officials in the loop on various projects and updates. (3) Patience on projects and developments

12. Goals for the upcoming year:

(1) Town Facilities (2) Utilities (3) Resolving Traffic Concerns (4) Enhance all levels of service (5) JPA with Orange County

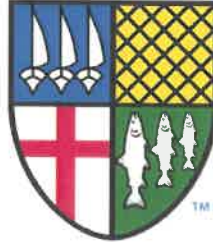
Signature

Signature

Date

Date

THE TOWN OF
Windermere



Town Council
And
Mayor
Evaluations

Town of Windermere – Calendar Year 2019 Town Manager Evaluation
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Town of Windermere
Town Manager Evaluation

This form may be used by each member of the Town Council to evaluate the Town Manager’s performance in fulfilling each role he / she plays in the Town of Windermere’s government.

The Town Manager is rated 1 through 10, with the following scale:

RATING LEVEL	EXAMPLES OF PERFORMANCE
10: Exceeds Expectations	Employee always meets, and regularly exceeds, performance goals. Results go beyond original projections, due to employee’s initiative or extra effort. Work products are often convincingly better than performance objectives. Employee often demonstrates competencies beyond those expected for his/her job.
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If the Town Council Member lacks sufficient information/knowledge of one of the below evaluation areas and is unable to evaluate, please utilize **N/A (Not Applicable)**.

Each member of the Town Council should sign the form and forward it to the Town Clerk, who will archive and forward to the Administration Liaison compilation. The forms and accompanying summary should then be presented to the Town Manager for his permanent file.

1. **Personal**

9 Invests sufficient effort toward being diligent and thorough in the discharge of duties. **The Town Manager is challenged to allocate efforts in many directions. Over the past year, Robert has scheduled and attended events and responded to resident and Council questions and commentary with a prioritization and depth of engagement that show a mature appreciation for the requirements of his role. When asked for deeper engagement, he responded with reasonable consideration in a majority of situations.**

Target for improvement: develop a process and guidelines for staff in fulfilling resident requests for information with degrees of timing and thoroughness that exceed expectations.

7 Composure, appearance, and attitude fitting for an individual in his executive position. **Robert represents the Town with all proper process and manner. He is able to deliver objective messaging in public forums and return conversations to fact and history in ways that allow effective management of a**

room at times full of disparate opinions. This is essential in his position.

Target for improvement: enhance communications with individuals. Prepare messaging and delivery that recognizes the various stages of awareness, experience and/or knowledge among Town residents and Council members. Patience with repeating/repetitive conversations is important for fostering trust. Robert has responded with a willingness and interest in creating communication channels that can be effective in delivering consistent messaging (e.g., expanding the Town website FAQs section). Implementing aides such as this and being mindful to have patience will benefit his exchanges.

2. Professional Skills and Status

N/A Knowledgeable of current developments affecting the management field. I defer to Councilman McKinley's familiarity as Council Liaison to Town Administration and his comments on Robert's on-going training in the management field.

N/A Respected in management position. I defer to Councilman McKinley's familiarity as Council Liaison to Town Administration and his comments on Robert's respect from his team members.

7 Has a capacity for innovation. Windermere's relatively small town budget requires seeking measures worth the research and effort to merit the payoff and the probability of implementation. When outside funding sources and resources are available, Robert makes reasonable effort to attain them.

Target for improvement: promote opportunities for one-on-one conversations to discuss issues and solutions with residents and other stakeholders. Recognizing these conversations need realistic limits, Robert could employ some of the processes suggested above to educate residents prior to such meetings so that the time could be spent toward productive conversation and exploring realistic solutions. Many of our residents have extensive skills, knowledge and experience with our continuing issues and can offer comments that lead to better solutions and execution.

8 Anticipates problems and develops effective approaches for solving them. Robert very effectively draws on his experience with the Town and our issues to prepare for future needs. He makes efforts to listen to perspectives and address concerns with objective facts, and he is most often well prepared to deliver messaging to explain reasoning for the chosen solution. When residents have these explanations, they are better able to understand the various considerations and trust in the Town's decisions.

Target for improvement: seek and listen to more perspectives, balancing an open office policy with competing priorities. Consider also reaching out to contemporaries in similar-size/character Florida municipalities to hear and then share their stories with Windermere residents. This kind of outreach can lead to some new ideas not previously considered, and it can demonstrate to residents the effort our Town Administration is making to research and learn.

7

Willing to try new ideas proposed by the Town Council or staff. In the past year, Robert has been open to conversation and alteration of several plans. He is also skilled at explaining why some ideas are not actionable. At times these explanations can be short of supporting information. While it is up to Council to request reference materials or ask additional questions, Robert would exceed expectations in this area if he more often followed up with such materials or resources. There are times that he does this and it is valuable to Council.

Target for improvement: Seek opportunities to strengthen Council's understanding and knowledge of various issues. Especially in the case of new Council members, suggest resources and organizations that might be useful for further research.

3. Relations with the Town Council Members

8

Carries out directives of the Town Council as a whole rather than those of any one Town Council member. There are no examples I can cite where Robert has carried out directives of one or some Council member(s) over others in the past year. He proactively seeks input and questions from every Council member prior to meetings, workshops and other events.

Target for improvement: seek methods to balance the amount of knowledge all Town Council members have around upcoming voting issues, for example by distributing draft meeting notes within two days following a committee meeting and offering time to answer questions on this material well before Town Council meetings and workshops.

8

Assists the Town Council in resolving problems at the administrative level to avoid unnecessary Town Council action. Robert frequently meets with residents and other parties (contractors, consultants, inter-government offices) to hear commentary, concerns and suggestions on issues so that he can present to Council an informed and refined suggestion for action. This takes a lot of time and dedication, but also patience.

Target for improvement: communicate to Town residents that they have channels to provide input prior to meetings. Consider pushing this message in advertisements on social media, in newspaper announcements, and on the Town website. Direct Public Works staff to persist in communicating about projects with Town neighbors through in-person outreach and other available means.

9

Assists the Town Council in establishing policy while acknowledging the ultimate authority of the Town Council. Robert operates within the authorities granted to him by previous Town Council action.

8

Responds to requests for information or assistance by the Town Council. It is rare that I have had to wait more than a day to receive a reply from Robert or from his appointed staff. In the event that he is not in possession of the requested information, he is usually quick to obtain and return materials that help answer my questions.

Target for improvement: look for ways to proactively place information in Council's hands (see earlier comments).

- 6 Informs the Town Council of administrative developments. My experience has been that Council is not apprised of many administrative developments; however, I think that Robert would merit a higher rating if this item was edited to read “Informs the Town Council of *significant (material, reasonably important)* developments.” Perhaps Robert or his appointed staff could deliver a staff report on administrative developments at each Town Council meeting, if such developments have occurred since the last meeting.
- 7 Receptive to constructive criticism and advice. I appreciate Robert’s explanations for why and how the Town operates as it does, and I see that he is open to discussing change while trying to limit repeating conversations. I feel at times he exhibits some frustration at resident criticisms (which do occur, although not with frequency to my knowledge).
- Target for improvement: research sales literature on listening to customer input and adopt a mindset that receives input positively—as an opportunity to improve something for our Town.

4. **Policy Execution**

- 7 Implements Town Council action in accordance with the intent of the Town Council. Although it must be challenging at times, Robert most often implements Town Council direction.
- Target for improvement: learn from the recent Bessie/Butler stormwater projects IPO. In this instance, Council and residents made comments for changes to the consultant’s proposal that were not clearly included in revised proposals. This caused additional conversations with and concerns from residents and Council. With future projects, consider asking for clarification if needed and/or offer all Council an opportunity to review proposals for which they have voiced concern or received resident input.
- 7 Supports the actions of the Town Council after a decision has been reached. See comments above.
- 9 Enforces Town Council policies. Robert gives thorough guidance to Town Council, residents and other parties regarding policies for Council operation and governance.
- 10 Understands town laws and ordinances.
- N/A Reviews enforcement procedures periodically to improve effectiveness. To date I have not had experience with such a review or identification of a need for it.
- 9 Offers workable alternatives to the Town Council for changes in the law when an ordinance or policy proves impractical in actual administration.

5. **Reporting**

- 7 Provides the Town Council with reports concerning matters of importance to the town. Robert consistently provides communication on his County

conversations such as the Mayor's sales tax/transportation plan proposal.

Target for improvement: hold occasional phone calls with FL League of Cities representatives and/or contemporaries from other municipalities for updates on items of importance to municipalities, determine which state legislation could have implications for the Town and give an update to Council members with a quick analysis of probability and risk impact. Seek other state of municipalities risk analyses and share with Council when merited (i.e., when there is high probability and high impact).

- 7 Reports are accurate and comprehensive. Reports are often after the fact and are not accompanied by more sources of information.

Target for improvement: include with reports a list of event dates and information sources so Town Council and residents can increase their awareness of Town/regional/state developments.

- 9 Reports are generally produced through own initiative rather than when requested by the Town Council. Through his frequent participation in inter-city and County conversations, Robert is connected and current on regional issues. He is adept at determining when conversations and issues are at important points, and then delivering presentations to Town Council.

- 10 Prepares a sound agenda which ensures trivial administrative matters do not require review by the Town Council.

6. Citizen Relations

- 8 Accommodates complaints from citizens. See comments above regarding Robert's high degree of availability and opportunities to improve resident interactions.

- 10 Dedicated to the community and to its citizens. Robert attends meetings around the clock and calendar, and during typical "off hours". He volunteers his time for charitable projects that benefit the Town and surrounding communities, and he dedicates time, energy and messaging to benefit the Windermere Police Department Foundation, serving as the Foundation's president. This list and more demonstrate an extremely strong dedication to the Town.

- 8 Skillful with the news media – avoiding political positions and partisanship. Robert does not bring up political positions in his media comments and he is succinct, articulate and convincing in representing the facts and background of Town issues to media representatives; however, his comments can emphasize the distance between Town and County interests. Sometimes this messaging is necessary to move discussion and impart the extent a regional issue impacts our residents. Other times it risks creating sensitivities and divide with outside stakeholders.

Target for improvement: engage a communications consultant or communications/management literature to refine language to most effectively communicate Town interests and impacts from regional forces while generating understanding and not opposition from involved parties.

Town of Windermere – Calendar Year 2019 Town Manager Evaluation

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- 7 Has the capacity to listen to others and to recognize their interests. Works well with others. *See earlier comments and targets for improvement.*
- 9 Willing to meet with members of the community and discuss their real concerns.
- 8 Cooperates with neighboring communities. *Robert has recently demonstrated his capabilities through extensive efforts in coordinating neighboring municipalities to collectively approach Mayor Demings's staff regarding a fair share of revenue distribution from the proposed transportation initiative.*
- 8 Cooperates with the town, state and federal governments.
- 9 Cooperates with the elected Constitutional Officers.

7. Staffing

- N/A Recruits and retains competent personnel for town positions. *Defer to Councilman McKinley and his experience as Town Administration Liaison.*
- N/A Accurately informed and concerned about employee insurance, fringe benefits, promotions, and pensions. *Defer to Councilman McKinley and his experience as Town Administration Liaison.*
- N/A Impartially administers the merit system. *Defer to Councilman McKinley and his experience as Town Administration Liaison.*

8. Supervision

- N/A Encourages department heads and supervisors to make decisions within their own jurisdictions without Town Manager approval, yet maintains general control of administrative operations. *Defer to Councilman McKinley and his experience as Town Administration Liaison.*
- N/A Instills confidence and initiative in subordinates and emphasizes support rather than restrictive controls for their programs. *Defer to Councilman McKinley and his experience as Town Administration Liaison.*
- N/A Evaluates personnel periodically and points out staff weaknesses and strengths and works to improve their performance. *Defer to Councilman McKinley and his experience as Town Administration Liaison.*

9. Fiscal Management

- 9 Prepares a balanced budget to provide services at a level intended by the Town Council.
- 8 Makes the best possible use of available funds: conscious of the need to operate the Town efficiently and effectively. *Most every decision appears to be made with consideration for best use of funds.*

Target for improvement: Council would benefit from more input from Robert

regarding the need for some analyses—or line items within proposals—presented by consultants. Whether that information be provided at Town Council meetings or in pre-meeting conversations, it would help Town staff ensure everything in a proposal is necessary (and/or understand how important various items are to a useful product), and it would help Council best allocate limited funds to Town projects. This will require a push on consultants to justify various expenses and/or to explain implications for omitting some proposal items.

- 10 Prepared budget is in an intelligible format.
- 9 Reports the Town's financial position on a regular basis.

10. What have been the finest accomplishments of the Town Manager this past year?

- Town facilities – approval, concept, favorable financing terms
- Willows repaving
- Progress on multi-modal trail
- Website re-launch
- Furthering various stormwater projects

11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

Throughout this evaluation form I have included targets for improvement in the context to which they apply. On-going and critical to all success are those areas that will improve communications with all stakeholders.

12. Goals for the upcoming year:

- Erect temporary Town facilities
- Begin and maintain the schedule for design and construction of permanent Town facilities
- Progress discussions with County on traffic management projects (roadway/intersection improvements, maintenance, stormwater management)
- Advance Water Master Plan
- Receive de-obligated FEMA funds

Signature – Town Manager

Signature – Reviewer

Date

Date

maxlini

**Town of Windermere
 Town Manager Evaluation**

This form may be used by each member of the Town Council to evaluate the Town Manager's performance in fulfilling each role he / she plays in the Town of Windermere's government.

The Town Manager is rated 1 through 10, with the following scale:

RATING LEVEL	EXAMPLES OF PERFORMANCE
10: Exceeds Expectations	Employee always meets, and regularly exceeds, performance goals. Results go beyond original projections, due to employee's initiative or extra effort. Work products are often convincingly better than performance objectives. Employee often demonstrates competencies beyond those expected for his/her job.
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If the Town Council Member lacks sufficient information/knowledge of one of the below evaluation areas and is unable to evaluate, please utilize **N/A (Not Applicable)**.

Each member of the Town Council should sign the form and forward it to the Town Clerk, who will archive and forward to the Administration Liaison compilation. The forms and accompanying summary should then be presented to the Town Manager for his permanent file.

1. **Personal**

 9 Invests sufficient effort toward being diligent and thorough in the discharge of duties.

 7 Composure, appearance, and attitude fitting for an individual in his executive position.

2. **Professional Skills and Status**

 ? Knowledgeable of current developments affecting the management field.

 7 Respected in management position.

 7 Has a capacity for innovation.

 7 Anticipates problems and develops effective approaches for solving them.

__7__ Willing to try new ideas proposed by the Town Council or staff.

3. **Relations with the Town Council Members**

__7__ Carries out directives of the Town Council as a whole rather than those of any one Town Council member.

__7__ Assists the Town Council in resolving problems at the administrative level to avoid unnecessary Town Council action.

__9__ Assists the Town Council in establishing policy while acknowledging the ultimate authority of the Town Council.

__7__ Responds to requests for information or assistance by the Town Council

__7__ Informs the Town Council of administrative developments.

__7__ Receptive to constructive criticism and advice.

4. **Policy Execution**

__7__ Implements Town Council action in accordance with the intent of the Town Council.

__9__ Supports the actions of the Town Council after a decision has been reached.

__7__ Enforces Town Council policies.

__7__ Understands town laws and ordinances.

__?__ Reviews enforcement procedures periodically to improve effectiveness.

__7__ Offers workable alternatives to the Town Council for changes in the law when an ordinance or policy proves impractical in actual administration.

5. **Reporting**

__7__ Provides the Town Council with reports concerning matters of importance to the town.

__7__ Reports are accurate and comprehensive.

__7__ Reports are generally produced through own initiative rather than when requested by the Town Council.

__7__ Prepares a sound agenda which ensures trivial administrative matters do not require review by the Town Council.

6. **Citizen Relations**

__7__ Accommodates complaints from citizens.

__10__ Dedicated to the community and to its citizens. Even with his difficult position, and often taking heat from residents, I have always been impressed by Robert's dedication to our Town and the families who live here.

__7__ Skillful with the news media – avoiding political positions and partisanship.

__7__ Has the capacity to listen to others and to recognize their interests. Works well with others.

__7__ Willing to meet with members of the community and discuss their real concerns.

__7__ Cooperates with neighboring communities.

__7__ Cooperates with the town, state and federal governments.

__7__ Cooperates with the elected Constitutional Officers.

7. **Staffing**

__7__ Recruits and retains competent personnel for town positions.

__?__ Accurately informed and concerned about employee insurance, fringe benefits, promotions, and pensions.

__?__ Impartially administers the merit system.

8. **Supervision**

__7__ Encourages department heads and supervisors to make decisions within their own jurisdictions without Town Manager approval, yet maintains general control of administrative operations.

__?__ Instills confidence and initiative in subordinates and emphasizes support rather than restrictive controls for their programs.

__?__ Evaluates personnel periodically and points out staff weaknesses and strengths and works to improve their performance.

9. **Fiscal Management**

__7__ Prepares a balanced budget to provide services at a level intended by the Town Council.

__9__ Makes the best possible use of available funds: conscious of the need to operate the Town efficiently and effectively.

__7__ Prepared budget is in an intelligible format.

__7__ Reports the Town's financial position on a regular basis.

10. What have been the finest accomplishments of the Town Manager this past year?

Smooth transition to newly-elected Mayor (after 15 years with previous Mayor!) and Council members, approval and financing of new Town facilities, completion of RRROW purchase/acquisitions, Willows paving, actively addressing cut-thru traffic, pedestrian safety, and stormwater improvement issues, budget balanced, willingness to support new W.A.Y. committee, no serious injuries.

11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

Customer service is still lacking in some areas. Residents need to know the Town values their concerns and input. Strive to provide the highest level of customer service towards residents throughout ALL departments.

12. Goals for the upcoming year:

Continue to improve customer service levels and communication with residents across all departments, new Town facilities, water master plan, traffic issues

Signature – Town Manager

Signature – Reviewer

Date

Date

McKinley

**Town of Windermere
 Town Manager Evaluation**

This form may be used by each member of the Town Council to evaluate the Town Manager’s performance in fulfilling each role he / she plays in the Town of Windermere’s government.

The Town Manager is rated 1 through 10, with the following scale:

RATING LEVEL	EXAMPLES OF PERFORMANCE
10: Exceeds Expectations	Employee always meets, and regularly exceeds, performance goals. Results go beyond original projections, due to employee’s initiative or extra effort. Work products are often convincingly better than performance objectives. Employee often demonstrates competencies beyond those expected for his/her job.
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Each member of the Town Council should sign the form and forward it to the Town Clerk, who will archive and forward to the Administration Liaison compilation. The forms and accompanying summary should then be presented to the Town Manager for his permanent file.

1. **Personal**

- 10 Invests sufficient effort toward being diligent and thorough in the discharge of duties.
- 10 Composure, appearance, and attitude fitting for an individual in his executive position.

2. **Professional Skills and Status**

- 10 Knowledgeable of current developments affecting the management field.
- 10 Respected in management position.
- 10 Has a capacity for innovation.
- 9 Anticipates problems and develops effective approaches for solving them.

10 Willing to try new ideas proposed by the Town Council or staff.

3. Relations with the Town Council Members

10 Carries out directives of the Town Council as a whole rather than those of any one Town Council member.

10 Assists the Town Council in resolving problems at the administrative level to avoid unnecessary Town Council action.

10 Assists the Town Council in establishing policy while acknowledging the ultimate authority of the Town Council.

10 Responds to requests for information or assistance by the Town Council

10 Informs the Town Council of administrative developments.

10 Receptive to constructive criticism and advice.

4. Policy Execution

10 Implements Town Council action in accordance with the intent of the Town Council.

10 Supports the actions of the Town Council after a decision has been reached.

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5. Reporting

10 Provides the Town Council with reports concerning matters of importance to the town.

10 Reports are accurate and comprehensive.

10 Reports are generally produced through own initiative rather than when requested by the Town Council.

10 Prepares a sound agenda which ensures trivial administrative matters do not require review by the Town Council.

6. Citizen Relations

10 Accommodates complaints from citizens.

- 10 Dedicated to the community and to its citizens.
- 10 Skillful with the news media – avoiding political positions and partisanship.
- 10 Has the capacity to listen to others and to recognize their interests. Works well with others.
- 10 Willing to meet with members of the community and discuss their real concerns.
- 10 Cooperates with neighboring communities.
- 10 Cooperates with the town, state and federal governments.
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7. **Staffing**

- 10 Recruits and retains competent personnel for town positions.
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9. **Fiscal Management**

- 10 Prepares a balanced budget to provide services at a level intended by the Town Council.
- 10 Makes the best possible use of available funds: conscious of the need to operate the Town efficiently and effectively.
- 10 Prepared budget is in an intelligible format.
- 10 Reports the Town's financial position on a regular basis.

10. What have been the finest accomplishments of the Town Manager this past year?

Organizing and implementing the plan for the construction of new Town facilities and for the temporary facilities to be used by staff during the construction process. Directing staff in the development of plans for meeting Town residents desire to retain the unpaved residential roads. Road improvements along with repair/replacement of sidewalks has definitely improved the community. Continued growth of our community policing program. The interaction that our police officers have with the community, especially the school children, is a very positive step.

11. What areas need the most improvement? Why? What positive ideas can you offer the Town Manager to improve these areas?

Meeting the challenge of retaining our unpaved road system while addressing the many stormwater issues. Suggest using existing information that is available on unpaved road maintenance and depend less on new engineering solutions.

12. Goals for the upcoming year:

Development of a written program for the repair, reconstruction and maintenance of our unpaved roads and how to best manage them while meeting stormwater standards.

Signature – Town Manager

Signature – Reviewer

Date

Date

Sapp

Town of Windermere – Calendar Year 2019 Town Manager Evaluation
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Town of Windermere
Town Manager Evaluation

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10: Exceeds Expectations	Employee always meets, and regularly exceeds, performance goals. Results go beyond original projections, due to employee's initiative or extra effort. Work products are often convincingly better than performance objectives. Employee often demonstrates competencies beyond those expected for his/her job.
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1: Below Expectations	Employee does not consistently achieve goals and deadlines, or results are not consistently of expected quality. Quality of work is variable and employee may require frequent clarification of instructions or closer supervision than expected. Competencies may not always be demonstrated at the level expected for successful performance. A performance improvement plan to bring performance to a consistent level of achievement should be developed.

If the Town Council Member lacks sufficient information/knowledge of one of the below evaluation areas and is unable to evaluate, please utilize **N/A (Not Applicable)**.

Each member of the Town Council should sign the form and forward it to the Town Clerk, who will archive and forward to the Administration Liaison compilation. The forms and accompanying summary should then be presented to the Town Manager for his permanent file.

1. **Personal**

 9 Invests sufficient effort toward being diligent and thorough in the discharge of duties.

 9 Composure, appearance, and attitude fitting for an individual in his executive position.

2. **Professional Skills and Status**

9 Knowledgeable of current developments affecting the management field.

9 Respected in management position.

- 7 Has a capacity for innovation.
- 7 Anticipates problems and develops effective approaches for solving them.
- 7 Willing to try new ideas proposed by the Town Council or staff.

3. **Relations with the Town Council Members**

- N/A Carries out directives of the Town Council as a whole rather than those of any one Town Council member.
- 8 Assists the Town Council in resolving problems at the administrative level to avoid unnecessary Town Council action.
- 8 Assists the Town Council in establishing policy while acknowledging the ultimate authority of the Town Council.
- 9 Responds to requests for information or assistance by the Town Council
- 9 Informs the Town Council of administrative developments.
- 8 Receptive to constructive criticism and advice.

4. **Policy Execution**

- 8 Implements Town Council action in accordance with the intent of the Town Council.
- 8 Supports the actions of the Town Council after a decision has been reached.
- 8 Enforces Town Council policies.
- 9 Understands town laws and ordinances.
- 7 Reviews enforcement procedures periodically to improve effectiveness.
- 7 Offers workable alternatives to the Town Council for changes in the law when an ordinance or policy proves impractical in actual administration.

5. **Reporting**

- 8 Provides the Town Council with reports concerning matters of importance to the town.
- 8 Reports are accurate and comprehensive.
- 7 Reports are generally produced through own initiative rather than when requested by the Town Council.

Town of Windermere – Calendar Year 2019 Town Manager Evaluation

Page 3 of 4

- 9 Prepares a sound agenda which ensures trivial administrative matters do not require review by the Town Council.

6. **Citizen Relations**

- 9 Accommodates complaints from citizens.
- 9 Dedicated to the community and to its citizens.
- 9 Skillful with the news media – avoiding political positions and partisanship.
- 8 Has the capacity to listen to others and to recognize their interests. Works well with others.
- 9 Willing to meet with members of the community and discuss their real concerns.
- 9 Cooperates with neighboring communities.
- 9 Cooperates with the town, state and federal governments.
- 9 Cooperates with the elected Constitutional Officers.

7. **Staffing**

- 8 Recruits and retains competent personnel for town positions.
- N/A Accurately informed and concerned about employee insurance, fringe benefits, promotions, and pensions.
- N/A Impartially administers the merit system.

8. **Supervision**

- 8 Encourages department heads and supervisors to make decisions within their own jurisdictions without Town Manager approval, yet maintains general control of administrative operations.
- N/A Instills confidence and initiative in subordinates and emphasizes support rather than restrictive controls for their programs.
- 7 Evaluates personnel periodically and points out staff weaknesses and strengths and works to improve their performance.

9. **Fiscal Management**

Town of Windermere – Calendar Year 2019 Town Manager Evaluation

Page 4 of 4

- 9 Prepares a balanced budget to provide services at a level intended by the Town Council.
- 9 Makes the best possible use of available funds: conscious of the need to operate the Town efficiently and effectively.
- 8 Prepared budget is in an intelligible format.
- 7 Reports the Town's financial position on a regular basis.

10. What have been the finest accomplishments of the Town Manager this past year?

Town facilities and spearheading the creation of coalition with west orange municipalities to obtain traffic relief from OC.


11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

Projects. Allow the process of advisory committees to work through their processes. Whereas this process seems longer it can prevent working backwards or scrapping/postponing projects due to negative resident feedback. This also helps prevent third party contractors from tunnel vision and going through processes of "rinse and repeat" that do not necessarily work in Windermere. However, there needs to be a balance and not all a full "design by committee. Brilliant example is the TM's work on the town facilities.

12. Goals for the upcoming year:

Water design (also relook at sewer options), phase 1 final design of Ward trail, Main St traffic CIP, keep facilities on schedule, pavillon concept and town square improvements (town hall and surrounding grounds)

Signature – Town Manager



Signature – Reviewer

Date

2 | 21 | 20

Date

Williams

Town of Windermere – Calendar Year 2019 Town Manager Evaluation
Page 1 of 4

Town of Windermere
Town Manager Evaluation

This form may be used by each member of the Town Council to evaluate the Town Manager's performance in fulfilling each role he / she plays in the Town of Windermere's government.

The Town Manager is rated 1 through 10, with the following scale:

RATING LEVEL	EXAMPLES OF PERFORMANCE
10: Exceeds Expectations	Employee always meets, and regularly exceeds, performance goals. Results go beyond original projections, due to employee's initiative or extra effort. Work products are often convincingly better than performance objectives. Employee often demonstrates competencies beyond those expected for his/her job.
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If the Town Council Member lacks sufficient information/knowledge of one of the below evaluation areas and is unable to evaluate, please utilize **N/A (Not Applicable)**.

Each member of the Town Council should sign the form and forward it to the Town Clerk, who will archive and forward to the Administration Liaison compilation. The forms and accompanying summary should then be presented to the Town Manager for his permanent file.

1. **Personal**

 10 Invests sufficient effort toward being diligent and thorough in the discharge of duties.

 10 Composure, appearance, and attitude fitting for an individual in his executive position.

2. **Professional Skills and Status**

 10 Knowledgeable of current developments affecting the management field.

 10 Respected in management position.

 9 Has a capacity for innovation.

10 Anticipates problems and develops effective approaches for solving them.

 9 Willing to try new ideas proposed by the Town Council or staff.

3. **Relations with the Town Council Members**

 10 Carries out directives of the Town Council as a whole rather than those of any one Town Council member.

 10 Assists the Town Council in resolving problems at the administrative level to avoid unnecessary Town Council action.

 10 Assists the Town Council in establishing policy while acknowledging the ultimate authority of the Town Council.

 10 Responds to requests for information or assistance by the Town Council

 10 Informs the Town Council of administrative developments.

 10 Receptive to constructive criticism and advice.

4. **Policy Execution**

 10 Implements Town Council action in accordance with the intent of the Town Council.

 10 Supports the actions of the Town Council after a decision has been reached.

 10 Enforces Town Council policies.

 10 Understands town laws and ordinances.

 10 Reviews enforcement procedures periodically to improve effectiveness.

 10 Offers workable alternatives to the Town Council for changes in the law when an ordinance or policy proves impractical in actual administration.

5. **Reporting**

 10 Provides the Town Council with reports concerning matters of importance to the town.

 10 Reports are accurate and comprehensive.

 10 Reports are generally produced through own initiative rather than when requested by the Town Council.

 10 Prepares a sound agenda which ensures trivial administrative matters do not require review by the Town Council.

6. **Citizen Relations**

Town of Windermere – Calendar Year 2019 Town Manager Evaluation
Page 3 of 4

- 9 Accommodates complaints from citizens.
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- 10 Skillful with the news media – avoiding political positions and partisanship.
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- 10 Willing to meet with members of the community and discuss their real concerns.
- 10 Cooperates with neighboring communities.
- 10 Cooperates with the town, state and federal governments.
- 10 Cooperates with the elected Constitutional Officers.

7. **Staffing**

- 10 Recruits and retains competent personnel for town positions.
- 10 Accurately informed and concerned about employee insurance, fringe benefits, promotions, and pensions.
- 10 Impartially administers the merit system.

8. **Supervision**

- 10 Encourages department heads and supervisors to make decisions within their own jurisdictions without Town Manager approval, yet maintains general control of administrative operations.
- 10 Instills confidence and initiative in subordinates and emphasizes support rather than restrictive controls for their programs.
- 10 Evaluates personnel periodically and points out staff weaknesses and strengths and works to improve their performance.

9. **Fiscal Management**

- 10 Prepares a balanced budget to provide services at a level intended by the Town Council.
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 - 10 Reports the Town's financial position on a regular basis.
-

10. What have been the finest accomplishments of the Town Manager this past year?

Finally getting ownership and control of the Rail Road Right of Way that runs through town. This was a great accomplishment for Mr. Smith and our town this past year. This property has been a sore subject of a long time and Mr. Smith got it done. This now opens up a great many options for our town when it comes to needed road and drainage improvements along Main street and the possibility of our town to become more pedestrian friendly, allowing residents North of the Canal to have access other than the Main Street to get into downtown.

11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

I feel that sometimes we can move too quickly with certain agenda items, especially when it comes to some of the IPOs that are road work related. It can be frustrating when an item get put on the agenda for discussion or vote, that should have been looked at more closely. Last year we had a couple IPOs that made it to the agenda that should have been looked more closely before sending it out. These should have had more consideration and been revised prior to making it on to the agenda.

12. Goals for the upcoming year:

I would like to see us to finally get some support from the county for a traffic issues. Mr. Smith has been creative and thinking outside the box to get our message in front of the County Administrators and for us to be heard and considered when decisions are made. A great achievement would be to get some acknowledgement and support from the county with these issues.

Signature – Town Manager

Date



Signature – Reviewer

2-24-20

Date

Mayor

**Town of Windermere
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4. **Policy Execution**

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10. What have been the finest accomplishments of the Town Manager this past year?

1. Railroad right of Way purchase and negotiations for Multi Modal Trail
2. Town Faculty Approval and Conceptual Plan
3. Work with the 4th Corner stakeholders
4. Work with the West Orange Municipalities and Mayors 1-cent transportation sales tax
5. Support of HOA Projects and Improvements
6. Future Traffic Improvements and Planning
7. Town Committee work and support

11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

1. Improve on communication with residents (meetings, projects, etc.) i.e. new website
Conduct a survey of residents to solicit feedback on a variety of important items that impact our Town in order to ensure that we are working with input and feedback from the entire Town in comparison to those who are more vocal.
2. Be certain to thoughtfully educate our current and new vendors about the unique nature of our Town and the desire of Council to maintain the uniqueness in balance with progress, especially areas such as roads and maintenance, new building and Infrastructure etc.
3. Review town vendors to ensure compliance with TOW procurement policies as well as audit to determine that we are receiving the best value and level of service for all of our consulting and services. Check and Balance

12. Goals for the upcoming year:

1. Conduct a survey of residents to solicit feedback on a variety of important items that impact our Town in order to ensure that we are working with input and feedback from the entire Town in comparison to those who are more vocal.
2. Be certain to thoughtfully educate our current and new vendors about the unique nature of our Town and the desire of Council to maintain the uniqueness in balance with progress.
3. Review town vendors to ensure compliance with TOW procurement policies as well as audit to determine that we are receiving the best value and level of service for all of our consulting and services. Check and Balance
4. Push system of messaging and alerts through our new website.

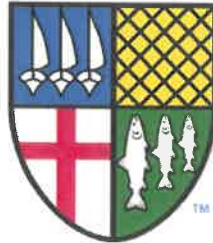
Signature – Town Manager

James M O'Brien
Signature – Reviewer

Date

February 25, 2020
Date

THE TOWN OF
Windermere



Matrix
And
Comments

2019 Town Managers Evaluation

Personal	Councilmember Andert	Councilmember McKinley	Councilmember Martini	Councilmember Sapp	Councilmember Williams	Mayor O'Brien
1A	9	10	9	9	10	9
1B	7	10	7	9	10	9
Average:	8	10	8	9	10	9

9

Professional Skills and Status	Councilmember Andert	Councilmember McKinley	Councilmember Martini	Councilmember Sapp	Councilmember Williams	Mayor O'Brien
2A	n/a	10.00 ?		9	10	8
2B	n/a	10.00	7	9	10	8
2C	7	10.00	7	7	9	9
2D	8	9.00	7	7	10	8
2E	7	10.00	7	7	9	8
Average:	7.33333333	9.80	7	7.8	9.6	8.2

8.28889

Relations with Town Council	Councilmember Andert	Councilmember McKinley	Councilmember Martini	Councilmember Sapp	Councilmember Williams	Mayor O'Brien
3A	8	10.00	7	n/a	10	7
3B	8	10.00	7	8	10	8
3C	9	10.00	9	8	10	7
3D	8	10.00	7	9	10	6
3E	6	10.00	7	9	10	6
3F	7	10.00	7	8	10	6
Average:	7.66666667	10	7.33333333	8.4	10	6.66666667

8.34444

Policy Execution	Councilmember Andert	Councilmember McKinley	Councilmember Martini	Councilmember Sapp	Councilmember Williams	Mayor O'Brien
4A	7	10.00	7	8	10	8
4B	7	10.00	9	8	10	8
4C	9	10.00	7	8	10	8
4D	10	10.00	7	9	10	9
4E	n/a	10.00 ?		7	10	7
4F	9	10.00	7	7	10	9
Average:	8.4	10	7.4	7.83333333	10	8.16666667

8.63333

Reporting	Councilmember Andert	Councilmember McKinley	Councilmember Martini	Councilmember Sapp	Councilmember Williams	Mayor O'Brien
5A	7	10.00	7	8	10	7
5B	7	10.00	7	8	10	8
5C	9	10.00	7	7	10	8
5D	10	10.00	7	9	10	8
Average:	8.25	10	7	8	10	7.75

8.5

Citizens Relations	Councilmember Andert	Councilmember McKinley	Councilmember Martini	Councilmember Sapp	Councilmember Williams	Mayor O'Brien
6A	8	10.00	7	9	9	9
6B	10	10.00	10	9	10	10
6C	8	10.00	7	9	10	7
6D	7	10.00	7	8	10	7
6E	9	10.00	7	9	10	8
6F	8	10.00	7	9	10	9
6G	8	10.00	7	9	10	8
6H	9	10.00	7	9	10	7
Average:	8.375	10	7.375	8.875	9.875	8.125

8.77083

Staffing	Councilmember Andert	Councilmember McKinley	Councilmember Martini	Councilmember Sapp	Councilmember Williams	Mayor O'Brien
7A	n/a	10.00	7	8	10	7
7B	n/a	10.00?		n/a	10	7
7C	n/a	10.00?		n/a	10	7
Average:	#DIV/0!	10	7	8	10	7

8.4

Supervision	Councilmember Andert	Councilmember McKinley	Councilmember Martini	Councilmember Sapp	Councilmember Williams	Mayor O'Brien
8A	n/a	10.00	7	8	10	7
8B	n/a	10.00?		n/a	10	7
8C	n/a	10.00?		7	10	8
Average:	#DIV/0!	10	7	7.5	10	7.33333333

8.36667

Fiscal Management	Councilmember Andert	Councilmember McKinley	Councilmember Martini	Councilmember Sapp	Councilmember Williams	Mayor O'Brien
9A	9	10.00	7	9	10	9
9B	8	10.00	9	9	10	9
9C	10	10.00	7	8	10	9
9D	9	10.00	7	7	10	9
Average:	9	10	7.5	8.25	10	9

8.95833

2019 Town Manager Evaluation Comments:

Councilmember Andert:

10. What have been the finest accomplishments of the Town Manager this past year?

- a Town facilities – approval, concept, favorable financing terms
- b Willows repaving
- c Progress on multi-modal trail
- d Website re-launch
- e Furthering various stormwater projects

11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

Throughout this evaluation form I have included targets for improvement in the context to which they apply. On-going and critical to all success are those areas that will improve communications with all stakeholders.

12. Goals for the upcoming year:

- a Erect temporary Town facilities
- b Begin and maintain the schedule for design and construction of permanent Town facilities
- c Progress discussions with County on traffic management projects (roadway/intersection improvements, maintenance, stormwater management)
- d Advance Water Master Plan
- e Receive de-obligated FEMA funds

Councilmember McKinley:

10. What have been the finest accomplishments of the Town Manager this past year?

Organizing and implementing the plan for the construction of new Town facilities and for the temporary facilities to be used by staff during the construction process. Directing staff in the development of plans for meeting Town residents desire to retain the unpaved residential roads. Road improvements along with repair/replacement of sidewalks has definitely improved the community. Continued growth of our community policing program. The interaction that our police officers have with the community, especially the school children, is a very positive step.

11. What areas need the most improvement? Why? What positive ideas can you offer the Town Manager to improve these areas?

Meeting the challenge of retaining our unpaved road system while addressing the many stormwater issues. Suggest using existing information that is available on unpaved road maintenance and depend less on new engineering solutions.

12. Goals for the upcoming year:

Development of a written program for the repair, reconstruction and maintenance of our unpaved roads and how to best manage them while meeting stormwater standards.

Councilmember Martini:

10. What have been the finest accomplishments of the Town Manager this past year?

Smooth transition to newly-elected Mayor (after 15 years with previous Mayor!) and Council members, approval and financing of new Town facilities, completion of RRROW purchase/acquisitions, Willows paving, actively addressing cut-thru traffic, pedestrian safety, and stormwater improvement issues, budget balanced, willingness to support new W.A.Y. committee, no serious injuries.

11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

Customer service is still lacking in some areas. Residents need to know the Town values their concerns and input. Strive to provide the highest level of customer service towards residents throughout ALL departments.

12. Goals for the upcoming year:

Continue to improve customer service levels and communication with residents across all departments, new Town facilities, water master plan, traffic issues

Councilmember Sapp:

10. What have been the finest accomplishments of the Town Manager this past year?

Town facilities and spearheading the creation of coalition with west orange municipalities to obtain traffic relief from OC.

11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

Projects. Allow the process of advisory committees to work through their processes. Whereas this process seems longer it can prevent working backwards or

scrapping/postponing projects due to negative resident feedback. This also helps prevent third party contractors from tunnel vision and going through processes of "rinse and repeat" that do not necessarily work in Windermere. However, there needs to be a balance and not all a full "design by committee. Brilliant example is the TM's work on the town facilities.

12. Goals for the upcoming year:

Water design (also relook at sewer options), phase 1 final design of Ward trail, Main St traffic CIP, keep facilities on schedule, pavilion concept and town square improvements (town hall and surrounding grounds)

Councilmember Williams:

10. What have been the finest accomplishments of the Town Manager this past year?

Finally getting ownership and control of the Rail Road Right of Way that runs through town. This was a great accomplishment for Mr. Smith and our town this past year. This property has been a sore subject of a long time and Mr. Smith got it done. This now opens up a great many options for our town when it comes to needed road and drainage improvements along Main street and the possibility of our town to become more pedestrian friendly, allowing residents North of the Canal to have access other than the Main Street to get into downtown.

11. What areas need the most improvement? Why? What constructive, positive ideas can you offer the Town Manager to improve these areas?

I feel that sometimes we can move too quickly with certain agenda items, especially when it comes to some of the IPOs that are road work related. It can be frustrating when an item get put on the agenda for discussion or vote, that should have been looked at more closely. Last year we had a couple IPOs that made it to the agenda that should have been looked more closely before sending it out. These should have had more consideration and been revised prior to making it on to the agenda.

12. Goals for the upcoming year:

I would like to see us to finally get some support from the county for a traffic issues. Mr. Smith has been creative and thinking outside the box to get our message in front of the County Administrators and for us to be heard and considered when decisions are made. A great achievement would be to get some acknowledgement and support from the county with these issues.

Mayor O'Brien:

10. What have been the finest accomplishments of the Town Manager this past year?

1. Railroad right of Way purchase and negotiations for Multi Modal Trail
2. Town Faculty Approval and Conceptual Plan
3. Work with the 4th Corner stakeholders
4. Work with the West Orange Municipalities and Mayors 1-cent transportation sales tax
5. Support of HOA Projects and Improvements
6. Future Traffic Improvements and Planning
7. Town Committee work and support

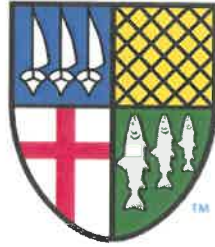
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1. Improve on communication with residents (meetings, projects, etc.) i.e. new website
Conduct a survey of residents to solicit feedback on a variety of important items that impact our Town in order to ensure that we are working with input and feedback from the entire Town in comparison to those who are more vocal.
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3. Review town vendors to ensure compliance with TOW procurement policies as well as audit to determine that we are receiving the best value and level of service for all of our consulting and services. Check and Balance

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3. Review town vendors to ensure compliance with TOW procurement policies as well as audit to determine that we are receiving the best value and level of service for all of our consulting and services. Check and Balance
4. Push system of messaging and alerts through our new website.

THE TOWN OF
Windermere



Recommendations
For
Salary Increase

Subject: Town Manager Evaluation for CY 2019

The overall consolidated rating for the performance of Town Manager Mr. Robert Smith for CY 2019, was 8.7 of a possible 10.0. A summary of comments by the Mayor and Councilmembers regarding his achievements during the past year, areas for improvement and goals for the coming year are listed below. These are only a summary. Individual comments by the Mayor and individual Councilmembers are listed in their individual reports.

Finest accomplishments:

Guided Town facilities design and arranged reasonable financing.

Oversaw design and implementation of new Town Website.

Completed road and sidewalk repair/repaving and several stormwater projects

Recognized desire of town residents to keep unpaved residential streets and directed staff in that goal.

Helped grow the community policing program where officers interact with residents and children.

Completed Railroad Right-of-Way purchase.

Addressed traffic issues, planning and improvements.

Improved pedestrian safety with addition of new flashing signs.

Worked with the various Town Committees and was instrumental in forming the Windermere Active Youth Committee.

Spearheaded coalition with other West Orange municipalities to obtain traffic relief from Orange County.

Areas needing improvement:

Communications by Town Manager and staff with residents and reacting to their concerns and input.

Ensuring information presented to Council is ready for action by Council.

Meeting the challenge of retaining unpaved road system while addressing the many stormwater issues.

Allow the process of advisory committees to work through their processes before submitting to Town Council

Goals for the coming year:

Design and position temporary town facilities.

Oversee construction of new town facilities.

Continue implementation of plan to correct traffic issues.

Develop water master plan.

Development of program for the repair, reconstruction and maintenance of unpaved roads.

Plan Town Square improvements for Town Hall, the pavilion and grounds.

Complete multi-modal path Phase 1 conceptual plan.

Conduct a survey of residents to solicit feedback on items that are important to them that impact our entire Town.

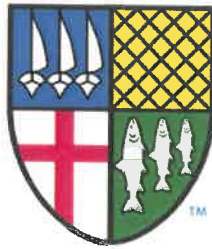
Educate our current and new vendors about the unique nature of our Town and the desire of Council to maintain the uniqueness in balance with progress.

Review town vendors to ensure compliance with TOW procurement policies and to ensure we are receiving the best value and level of service for all our consulting and services.

Based on the exemplary performance of Mr. Smith during the past year, It is recommended that he receive an increase of \$5,280.00, to his annual salary, which will set his annual salary for FY 20-21 at \$137,280.00.

Bob McKinley
Councilman
Admin Liaison

THE TOWN OF
Windermere



Town Manager's
Contract

AMENDMENT TWO
to the
EMPLOYMENT AGREEMENT
between the
TOWN OF WINDERMERE
and
ROBERT SMITH

This Amendment Two to the Employment Agreement is entered into as of March 25, 2019 (the "Effective Date"), between the Town of Windermere, Florida, a Florida Municipal Corporation ("the Town"), and Robert Smith ("Smith" or the "Town Manager"), and amends the Employment Agreement entered into between the Town and the Town Manager on November 12, 2013 as amended by Amendment One dated February 9, 2016 (collectively the "Employment Agreement").

NOW, THEREFORE, the Town and the Town Manager agree to amend the Employment Agreement as follows:

1. Subsection 2.a., of Section 2, entitled "Term" is hereby revised and replaced in its entirety to read:

- a. The term of this agreement shall be from October 24, 2013, through March 26, 2024. Thereafter, this agreement shall automatically renew for additional one-year terms unless the Town Council (i) determines it will not renew Smith's contract, and (ii) provides Smith with a minimum ninety (90) days' notice of such intent.

2. Section 4 entitled "Compensation" is revised as indicated by the underlined and strikethrough language:

The annual salary for the Town Manager shall be \$132,000 for FY 2018/2019, beginning on the Effective Date, and payable in bi-weekly installments. For the remainder of the contract, Smith shall be entitled to receive such salary increases as the Town Council may approve from time-to-time based upon performance evaluations. However, Smith shall receive at least a three percent (3%) increase annually if his evaluation is positive unless the Town Council determines that it is not financially feasible to provide a raise of any kind or of three percent (3%).

3. All provisions of the Employment Agreement that are not specifically revised or amended by this Amendment Two shall remain in full force and effect.

Town of Windermere:



Jim O'Brien, Mayor

Date: 4/1/2019

Town Manager:



Robert Smith

Date: 3/29/19

[Signatures continued on next page]

Attest:


Dorothy Burkhalter, MMC, FCRM
Town Clerk

AMENDMENT ONE
to the
EMPLOYMENT AGREEMENT
between the
TOWN OF WINDERMERE
and
ROBERT SMITH

This Amendment One to the Employment Agreement is entered into as of February 9, 2016, between the Town of Windermere, Florida, a Florida Municipal Corporation (“the Town”), and Robert Smith (“Smith” or the “Town Manager”), and amends the Employment Agreement entered into between the Town and the Town Manager on November 12, 2013.

NOW, THEREFORE, the Town and the Town Manager agree to amend the Employment Agreement as follows:

1. Subsection 2.a., of Section 2, entitled “Term” is revised as indicated by the underlined and strikethrough language:

- a. The ~~initial~~ term of this agreement shall be from October 24, 2013, through ~~October 24, 2018~~ February 1st, 2021. Thereafter, this agreement shall automatically renew for additional one-year terms unless the Town Council (i) determines it will not renew Smith’s contract, and (ii) provides Smith with a minimum ninety (90) days’ notice of such intent.

2. Section 4 entitled “Compensation” is revised as indicated by the underlined and strikethrough language:

The annual salary for the Town Manager shall be ~~\$105,000~~ \$115,000 for FY ~~13/14~~ 16/17 payable in bi-weekly installments. ~~For FY 14/15, the annual salary for the Town Manager shall be \$110,000 payable in bi-weekly installments.~~ For the remainder of the contract, Smith shall be entitled to receive such salary increases as the Town Council may approve from time-to-time based upon performance evaluations. However, Smith shall receive at least a three percent (3%) increase annually if his evaluation is positive unless the Town Council determines that it is not financially feasible to provide a raise of any kind or of three percent (3%).

3. A new subsection j is added to Section 6 entitled “Employee Benefits” as follows:

- j. If the Town Manager is required to remain on the job on a particular day within the work week for more than the number of hours performed on a regular work day, the Town Manager shall be entitled to take time off as compensation time off with pay in lieu of flex time to be used at a later date not within the same work week, subject to the following:

- (i) Compensation Time shall be accrued at the same rate as overtime pay and may be banked to be used at a later date.
 - (ii) The Town Manager shall only accrue an annual maximum of 40 hours of

compensation time. Annual accrual shall be in line with the Town's fiscal year.
(iii) The Town Manager can accrue up to a maximum of 80 hours of comp time.
(iv) Compensation Time will be paid out at same rate as overtime pay if there is a separation of employment.

4. All provisions of the Employment Agreement that are not specifically revised or amended by this Amendment One shall remain in full force and effect.

Town of Windermere



Gary Bruhn, Mayor

Date: 2/19/2016

Town Manager:



Robert Smith

Date: 2/18/16

Attest:



Dorothy Burkhalter, CMC
Town Clerk

EMPLOYMENT AGREEMENT
between the
TOWN OF WINDERMERE
and
ROBERT SMITH

This employment agreement is entered into this 12th day of November, 2013, by and between the Town of Windermere, Florida, a Florida Municipal Corporation (hereinafter "the Town"), and Robert Smith (hereinafter "Smith" or "Town Manager").

WHEREAS, the Town Charter of the Town of Windermere provides for the position of and the duties for a Town Manager.

WHEREAS, the Town desires to employ the professional services of Robert Smith as Town Manager and Robert Smith has indicated a willingness to accept the responsibilities and duties and to render specific performance to the Town as the Town Manager.

WHEREAS, both parties believe it would be mutually beneficial to have a contract of employment between the Town and the Town Manager setting forth agreements and understandings which: (1) provide inducement for Robert Smith to continue the job of Town Manager, (2) make possible full work productivity by assuring Robert Smith's morale and peace of mind with respect to future security, and (3) provide a just means for terminating the Town Manager's services at such time as the Town may desire to terminate his employ.

NOW, THEREFORE, in consideration of the mutual covenants and promises which the parties set forth below, the Town and the Town Manager agree as follows:

Section 1. Duties.

a. The Town hereby agrees to employ Smith as the Town Manager of the Town of Windermere to perform the functions and duties specified in the Town's Charter and to perform such other legally permissible and proper duties and functions as the Town Council shall from time to time assign.

b. The Town Manager shall report to the Town Council and shall perform his duties as Town Manager under the direction of the Town Council and shall answer to the Town Council. The Town Manager shall not act outside of the duties assigned to him by the Town Council and the Charter.

c. The Town Manager shall provide to the Town Council any information about a potential or current department head that could affect the Town's public image.

Section 2. Term.

a. The initial term of this agreement shall be from October 24, 2013, through October 24, 2018. Thereafter, this agreement shall automatically renew for additional one-year

terms unless the Town Council (i) determines it will not renew Smith's contract, and (ii) provides Smith with a minimum ninety (90) days' notice of such intent.

b. Nothing in this agreement shall limit or prevent or otherwise interfere with the right of the Town to terminate the services of Smith at any time, subject only to the provisions set forth in Section 9 of this agreement.

c. Nothing in this agreement shall prevent, limit or otherwise interfere with the right of Smith to resign at any time from his position with the Town subject only to the provisions set forth in Section 9 of this agreement.

Section 3. Suspension.

The Town may suspend Smith with full pay and benefits at any time during any term of this agreement, but only if:

- a. A majority of the Council and Smith agree; or,
- b. Following a public hearing, a majority of the Council votes to suspend Smith for just cause; provided, however, that Smith shall have been given written notice setting forth any charges at least ten days prior to such hearing by the Mayor or Council members bringing such charges.

Section 4. Compensation.

The annual salary for the Town Manager shall be \$105,000 for FY 13/14 payable in bi-weekly installments. For FY 14/15, the annual salary for the Town Manager shall be \$110,000 payable in bi-weekly installments. For the remainder of the contract, Smith shall be entitled to receive such salary increases as the Town Council may approve from time-to-time based upon performance evaluations. However, Smith shall receive at least a three percent (3%) increase annually if his evaluation is positive unless the Town Council determines that it is not financially feasible to provide a raise of any kind or of three percent (3%).

Section 5. Performance Evaluation.

a. The Town shall review and evaluate the performance of Smith on an annual basis. Said review and evaluation shall be in accordance with specific criteria developed by the Town. Said criteria may be amended as the Town Council may from time-to-time determine appropriate. The Town Council shall provide Smith with a written summary of the statement of findings of the Town Council and shall provide an adequate opportunity for Smith to discuss his evaluation with the Town Council. The Town Manager evaluation shall be separate from and distinct from other Town employees.

b. The performance evaluation shall be the sole basis for any salary increase and contract extension. The Town Manager's salary amendments shall be independent of and not affected by any cost of living, performance or other increases or decreases in salaries of other Town employees.

Section 6. Employee Benefits.

Smith shall receive the following benefits:

- a. Sick leave shall accrue for Smith as provided for in the Town of Windermere's personnel policies, as amended from time-to-time.
- b. At a minimum, and unless the Town's personnel policies are amended to provide additional paid holidays or sick days, Smith shall receive ten (10) paid holidays, twelve (12) sick days, and twenty (20) vacation days. Vacation shall be accrued on the anniversary date of employment (October 24th). For FY 13/14, Smith shall be able to accrue the balance of vacation time accrued prior to this agreement over the twenty (20) vacation days allotted (20 hours). Any future accruals over the approved twenty (20) would need to be approved by the Administrative Liaison.
- c. The Town shall pay Smith's Annual Florida Bar dues. The cost will include membership to the Local Government Law Section.
- d. The Town shall pay Smith's health, dental, and vision insurance which will be provided in accordance with the Town's personnel policies.
- e. The Town will provide any indemnification and bonding for Smith required by his employment with the Town.
- f. The Town shall pay for Smith's life insurance which will be provided in accordance with the Town's personnel policies.
- g. The Town shall pay for Smith's annual Florida City and County Management Association "FCCMA" dues.
- h. Smith shall be entitled to retirement benefits in accordance with the Town's personnel policies.
- i. Smith is not required to reside within the Town's corporate limits. During the term of this agreement, Smith shall live within thirty minutes travel time from Town Hall. Smith will be present in the Town during any emergency or disaster situations.

Section 7. Professional Development.

- a. The Town Council, at its discretion and approval, may budget and pay for reasonable travel and expenses of Smith for professional and official travel to continue the professional development of Smith and to adequately pursue necessary official functions for the Town, including but not limited to the FCCMA Annual Conference and other national, regional, state, and local governmental groups and committees.
- b. The Town Council, at its discretion and approval, may budget and pay for reasonable travel and expenses of Smith for short courses, institutes, continuing education

requirements, and seminars that are necessary for his professional development and to remain in good standing with the Florida Bar.

Section 8. Vehicle and other Expense Allowance.

a. Smith shall be paid \$450.00 per month on the first day of the month as an allowance for his use of his personal vehicle. This allowance shall be paid in lieu of any mileage reimbursement.

b. Smith shall be paid \$50.00 per month on the first day of the month as an allowance for use of his personal cell phone. Cell phone will have local number and e-mail access.

Section 9. Termination, Severance Pay, and COBRA.

a. In the event Smith is terminated by the Council, without cause, Smith shall be paid a lump sum cash severance payment equal to twenty (20) weeks aggregate salary and, if and to the extent allowed by law, an amount that will allow Smith to purchase COBRA health insurance for twenty (20) weeks from the date of termination. The payment of the severance pay and anticipated health insurance cost set forth in this section by the Town shall discharge the Town from any and all other obligations under this agreement.

b. Notwithstanding any provision to the contrary, Smith may be terminated at any time for cause by a majority of the entire Town Council. For purposes of this agreement, "cause" shall include, but not be limited to:

i. The failure or refusal of Smith to comply with the lawful directives of the Town established by the Town Council.

ii. Smith is found guilty of unprofessional or unethical conduct by the Florida Bar or Florida City and County Management Association ("FCCMA").

iii. Smith violates the Drug Free Workplace requirement of the Town's personnel policies.

iv. Smith engages in a proven act of dishonesty involving the Town's funds or property or commits a felony or commits a misdemeanor involving theft, embezzlement, or crime of moral turpitude.

v. Smith engages in misconduct as defined under subsection 443.036(30) of the Florida Statutes.

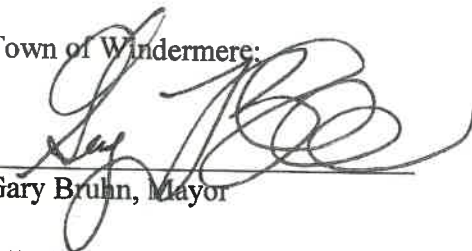
In the event Smith is terminated for cause, the Town shall have no obligation to pay severance pay to Smith, and Smith shall be entitled only to his accrued benefits under the Town's personnel policy.

c. In the event Smith voluntarily resigns his position with the Town, then Smith shall give the Town ninety (90) days' notice in advance unless the parties otherwise agree. No

severance pay or health benefits shall be payable to or on behalf of Smith upon voluntary resignation.


The parties have made and executed this Agreement on the respective dates under each signature. The Town of Windermere through its Town Council authorized the Town Mayor to execute this agreement on the 12th day of November, 2013.

Town of Windermere:



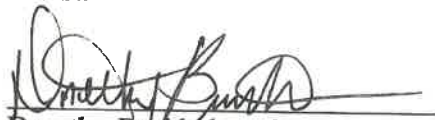
Gary Bruhn, Mayor

Town Manager:



Robert Smith

Attest:



Dorothy Burkhalter, CMC
Town Clerk

EMPLOYMENT AGREEMENT
between the
TOWN OF WINDERMERE
and
ROBERT SMITH

This employment agreement is entered into this 23rd day of August, 2011, by and between the Town of Windermere, Florida, a Florida Municipal Corporation (hereinafter "the Town"), and Robert Smith (hereinafter "Smith" or "Town Manager").

WHEREAS, the Town Charter of the Town of Windermere provides for the position of and the duties for a Town Manager.

WHEREAS, the Town desires to employ the professional services of Robert Smith as Town Manager and Robert Smith has indicated a willingness to accept the responsibilities and duties and to render specific performance to the Town as the Town Manager.

WHEREAS, both parties believe it would be mutually beneficial to have a contract of employment between the Town and the Town Manager setting forth agreements and understandings which: (1) provide inducement for Robert Smith to accept the job of Town Manager, (2) make possible full work productivity by assuring Robert Smith's morale and peace of mind with respect to future security, and (3) provide a just means for terminating the Town Manager's services at such time as the Town may desire to terminate his employ.

NOW, THEREFORE, in consideration of the mutual covenants and promises which the parties set forth below, the Town and the Town Manager agree as follows:

Section 1. Duties.

- a. The Town hereby agrees to employ Smith as the Town Manager of the Town of Windermere to perform the functions and duties specified in the Town's Charter and to perform such other legally permissible and proper duties and functions as the Town Council shall from time to time assign.
- b. The Town Manager shall report to the Town Council and shall perform his duties as Town Manager under the direction of the Town Council and shall answer to the Town Council. The Town Manager shall not act outside of the duties assigned to him by the Town Council and the Charter.
- c. The Town Manager shall provide to the Town Council any information about a potential or current department head that could affect the Town's public image.

Section 2. Term.

- a. The initial term of this agreement shall be from October 24, 2011, through October 24, 2014. Thereafter, this agreement shall automatically renew for additional one-year terms unless the Town Council (i) determines it will not renew Smith's contract, and (ii) provides Smith with a minimum 60 (sixty) notice of such intent.

b. Nothing in this agreement shall limit or prevent or otherwise interfere with the right of the Town to terminate the services of Smith at any time, subject only to the provisions set forth in Section 9 of this agreement.

c. Nothing in this agreement shall prevent, limit or otherwise interfere with the right of Smith to resign at any time from his position with the Town subject only to the provisions set forth in Section 9 of this agreement.

Section 3. Suspension.

The Town may suspend Smith with full pay and benefits at any time during any term of this agreement, but only if:

- a. A majority of the Council and Smith agree; or,
- b. Following a public hearing, a majority of the Council votes to suspend Smith for just cause; provided, however, that Smith shall have been given written notice setting forth any charges at least ten days prior to such hearing by the Mayor or Council members bringing such charges.

Section 4. Compensation.

The annual salary for the Town Manager shall be \$92,000.00 payable in bi-weekly installments. Smith shall be entitled to receive such salary increases as the Town Council may approve from time-to-time based upon performance evaluations. However, Smith shall receive at least a two (2%) percent increase annually if his evaluation is positive unless the Town Council determines that it is not financially feasible to provide a raise of any kind or of two (2%) percent.

Section 5. Performance Evaluation.

a. The Town shall review and evaluate the performance of Smith on an annual basis. Said review and evaluation shall be in accordance with specific criteria developed by the Town. Said criteria may be amended as the Town Council may from time-to-time determine appropriate. The Town Council shall provide Smith with a written summary of the statement of findings of the Town Council and shall provide an adequate opportunity for Smith to discuss his evaluation with the Town Council. The Town Manager evaluation shall be separate from and distinct from other Town employees.

b. The performance evaluation shall be the sole basis for any salary increase and contract extension. The Town Manager's salary amendments shall be independent of and not affected by any cost of living, performance or other increases or decreases in salaries of other Town employees.

c. An initial performance evaluation for Smith shall be performed by the Town Council on or before March 1, 2012. Thereafter a performance evaluation for Smith shall be finalized after input from Smith on or before March 1 of each year, beginning in 2013. The evaluation (except for the initial performance evaluation) shall contain a recommendation for modification of salary.

Section 6. Employee Benefits.

Smith shall receive the following benefits:

- a. Vacation and sick leave shall accrue for Smith as provided for in the Town of Windermere's personnel policies, as amended from time-to-time.
- b. At a minimum, and unless the Town's personnel policies are amended to provide additional paid holidays, sick days, or vacation days, Smith shall receive 9 (nine) paid holidays, 12 (twelve) sick days, and 15 (fifteen) vacation days.
- c. The Town shall pay Smith's Annual Florida Bar dues. The cost will include membership to the Local Government Law Section.
- d. The Town shall pay Smith's health, dental, and vision insurance which will be provided in accordance with the Town's personnel policies.
- e. The Town will provide any indemnification and bonding for Smith required by his employment with the Town.
- f. The Town shall pay for Smith's life insurance which will be provided in accordance with the Town's personnel policies.
- g. The Town shall pay for Smith's annual Florida City and County Management Association "FCCMA" dues.
- h. Smith shall be entitled to retirement benefits in accordance with the Town's personnel policies.
- i. Smith is not required to reside within the Town's corporate limits. During the term of this agreement, Smith shall live within thirty minutes travel time from Town Hall. Smith will be present in the Town during any emergency or disaster situations.

Section 7. Professional Development.

- a. The Town Council, at its discretion and approval, may budget and pay for reasonable travel and expenses of Smith for professional and official travel to continue the professional development of Smith and to adequately pursue necessary official functions for the Town, including but not limited to the FCCMA Annual Conference and other national, regional, state, and local governmental groups and committees.
- b. The Town Council, at its discretion and approval, may budget and pay for reasonable travel and expenses of Smith for short courses, institutes, continuing education requirements, and seminars that are necessary for his professional development and to remain in good standing with the Florida Bar.

Section 8. Vehicle and other Expense Allowance.

a. Smith shall be paid \$450.00 per month on the first day of the month as an allowance for his use of his personal vehicle. This allowance shall be paid in lieu of any mileage reimbursement.

b. Smith shall be paid \$50.00 per month on the first day of the month as an allowance for use of his personal cell phone. Cell phone will have local number and e-mail access.

Section 9. Termination, Severance Pay, and COBRA.

a. In the event Smith is terminated during the initial term by the Council, without cause, Smith shall be paid a lump sum cash severance payment equal to 12 (twelve) weeks aggregate salary and if, and to the extent allowed by law, an amount that will allow Smith to purchase COBRA health insurance for 12 (twelve) weeks from the date of termination. The amount of the severance payment shall increase annually by 2 (two) weeks, to a maximum of 20 (twenty) weeks, for each year that Smith receives a positive performance evaluation. The payment of the severance pay and anticipated health insurance cost set forth in this section by the Town shall discharge the Town from any and all other obligations under this agreement.

b. Notwithstanding any provision to the contrary, Smith may be terminated at any time for cause by a majority of the entire Town Council. For purposes of this agreement, "cause" shall include, but not be limited to:

i. The failure or refusal of Smith to comply with the lawful and reasonable practices, standards, and/or directives of the Town which from time to time may be established by the Town Council.

ii. Smith is found guilty of unprofessional or unethical conduct by any board, institution, organization, or professional society having legal jurisdiction to pass upon the conduct of Smith.

iii. Smith violates the Drug Free Workplace requirement of the Town's personnel policies.

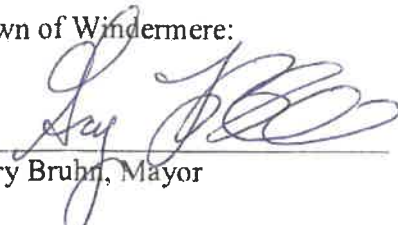
iv. Smith engages in a proven act of dishonesty involving the Town's funds or property or commits a felony or commits a misdemeanor involving theft, embezzlement, or crime of moral turpitude.

In the event Smith is terminated for cause, the Town shall have no obligation to pay severance pay to Smith, and Smith shall be entitled only to his accrued benefits under the Town's personnel policy.

c. In the event Smith voluntarily resigns his position with the Town, then Smith shall give the Town sixty (60) days' notice in advance unless the parties otherwise agree. No severance pay or health benefits shall be payable to or on behalf of Smith upon voluntary resignation.

The parties have made and executed this Agreement on the respective dates under each signature. The Town of Windermere through its Town Council authorized the Town Mayor to execute this agreement on the 23rd day of August, 2011.

Town of Windermere:



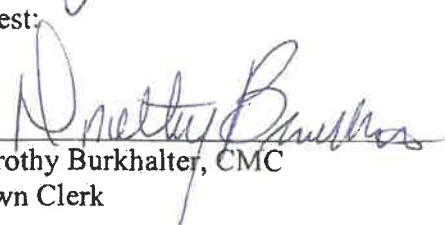
Gary Bruhn, Mayor

Town Manager:



Robert Smith

Attest:



Dorothy Burkhalter, CMC
Town Clerk

Engagement and Communications Committee

In recognition of the benefits our Town receives from active participation by our residents, the volunteer, citizen members of the Windermere Engagement and Communications Committee make recommendations to Town Council and—as appointed—assume responsibility for activities such as:

- Resident notification of Town Council activities
- Resident notification of Town Administration and Public Works activities
- Resident comment channels and processes
- Promotion of community events
- Content for Town communications properties (e.g., website, social media, Gazette newsletter)

The committee's recommendations and actions are informed through discussion of how to make Town-resident communications more convenient, inclusive, trust- and action-engendering. These conversations occur at 6 pm on the [x weekday] of the month at Town Hall, unless otherwise noted.

Proposed composition:

- Up to seven members
- Town of Windermere residents
- Desired participation of at least one communications/marketing professional (current or former)
- Desired participation of at least one former municipal elected official (service to Town of Windermere or other municipality)
- Desired participation of a broad representation of lifestyles and life stages

Proposed by-laws:

To be determined by committee, but generally reflecting existing committees' by-laws.

PARKS & RECREATION COMMITTEE

Members:

Nora Brophy – Chair
Leshia Miller – Vice Chair
Doug Bowman – Secretary/Treasurer
Donna Steele
Sherry Cassidy
Frank Krens
Tracy Mitchell

Council Liaison:

Bob McKinley

Windermere Pet Fest – Scheduled for Saturday, March 7, 2020. 10/10/19 – Committee is looking for event sponsors. 2/13/20 – Final planning for event. Set up will be Friday afternoon and Saturday morning. Take down will be following the event on Saturday afternoon. Additional activity is being added for the kids attending the event.

18th Annual UMC Run Among The Lakes – Scheduled for Saturday, April 4, 2020. 10/10/19 – Event planning is underway and evaluation is underway to solicit bids for Race Coordinator. 11/14/19 – Nora Brophy, Frank Krens and Sherry Cassidy were appointed to a sub-committee to search for a race coordinator. So far 125 people have signed up for the 2020 run. 12/12/19 – Committee approved \$360.00 for Nora and Frank to attend a Run Signup Symposium in January.

2/13/20 – Nora and Frank attended the symposium and gathered a lot of information on conducting races. They also made several contacts. This should help improve our race program.

Tennis – 8/8/19 - Marcello reported that 18 kids participated in the Summer Tennis Camp. 9/12/19 – Doug Bowman reported that he is attempting to coordinate for a Women’s Clinic for Monday and Wednesday mornings, a Children’s Clinic for Monday, Wednesday and Thursday evenings and an Adult Clinic for Monday, Tuesday, Wednesday and Thursday evenings. 10/10/19 – Doug Bowman clarified tennis information. Kids will play tennis on Mondays and Wednesdays from 5:00 - 6:30 pm and on Tuesdays and Thursdays from 5:00 – 7:00 pm at Windermere Recreation Center (WRC). Women’s clinic will begin on 11/5/19, and be held on Tuesdays from 9:30 – 11:00 am at WRC. Women’s team play is held on Mondays and Wednesdays from 9:00 – 11:00 am at WRC. An Introduction to Tennis for Adults is scheduled for Wednesday, December 4th from 6:30 – 8:00 pm at WRC. The Committee approved up to \$120 for this event. 12/12/19 – Committee agreed to hold Tennis Socials on the third Wednesday in January and February. Approved a total of \$450.00 to cover the costs for events in December, January and February. The event in December was very successful and these socials should increase tennis participation by Town residents. 1/9/2020 – Committee approved

\$450.00 to continue the tennis social for March, April and May. Scott Brown will check on report of lights out at Park Among The Lakes. 2/13/20 – Found cracks in tennis courts at WRC. Scott Brown checked and there is no warranty as cracks were there when the courts were resurfaced.

Central Park – Scott Brown is obtaining quotes for water fountain and exercise equipment. 8/8/19 - Estimated \$15,200.00 for water fountain. Need to obtain quote for metal exercise equipment for longevity. 9/12/19 – Revised estimate after receiving final quote for water is \$17,000.00. Committee approved up to \$33,000.00 for metal exercise equipment. 10/10/19 – Town Council Approved expenditures. Scott Brown reported that OUC will be charging almost \$3,000 to provide and set the water meter. 11/14/19 – Committee agreed to walk through Central Park and finalize locations for exercise equipment. Equipment has since been installed and is ready for use. 12/12/19 – Water line will be installed on 12/13/19. 1/9/2020 – Scott Brown reported that the water line was completed on 1/8.

Fernwood Park – Underbrush cleared from uplands and treatment started to clear wetland underbrush. Walk through will be conducted with Public Work on July 17th to determine which trees need to be removed. 9/12/19 – Conducted walk through and inspection. Removal of brush and invasive tress progressing as planned. Scheduled another walk through for Tuesday, September 17th at 1:00 pm to visualize plan for nature walk boardwalk. 10/10/19 – Several Committee members met at the park on 9/17 and staked out a rough position for the nature walk boardwalk so Scott Brown can begin getting quotes. 11/14/19 – Scott Brown announced that the cost would be \$8,500 for the design and permitting for the nature boardwalk. 12/12/19 – Committee approved NTE \$8,500.00 for Fadden to perform this task. Scott Brown presented quote to Clear a portion of the lakefront including a large stump. Committee approved NTE \$7,700.00 for Karina Lakefront Maintenance to perform this task. 2/13/20 – Committee approved proceeding with the nature boardwalk preliminary design.

Lake Down Park – Clearing out of lakefront and around dock completed. Dock has been lowered. Scott Brown is obtaining reflective material to post on lake side of dock. Add split rail fence at end of 4th Avenue and railroad ties to mark parking spots. Removal of invasive trees is in process. Clear out east side of 5th Street dock to enlarge usable area. Reflective strips added to lake side of dock. Memorial bench honoring Bill Criswell was donated by Windermere Rotary and will be mounted on end of dock. 9/12/19 – Additional cypress trees to be added on 9/23. Fill added to parking area. Scott Brown is obtaining quotes for park signage. Waiting on rendering. Clearing out of east side of park area is in process. 10/10/19 – Additional cypress trees have been added and additional fill for the parking area has been added. Treatment and clearing of east side of 5th Avenue dock in progressing well. Scott Brown will evaluate relocation of fence along that part of the park. 11/14/19 – Frank Krens reported that Windermere Rotary will vote next week on approval of the \$1,150 for the Bill Criswell memorial bench. 12/12/19 – Frank reported that Windermere Rotary has approved the cost of the memorial bench.

Lakefront cleanup of all parks is in process.

1/9/2020 – Committee appointed Doug Bowman as the Advertising Coordinator to oversee all matters of advertising and social media. Committee approved \$200.00 for Jennifer Roper to take photos of all parks. Doug will use these photos to update the P&R website, advertise in Gazette articles, etc. 2/13/20 – Received photos from Jennifer and will use them to update website.

Annual walk through/inspection of parks set for Saturday, August 24, 2019. 9/12/19 – The following notes were provided as a result of the walk through and inspection of the parks.

Windermere Recreation Center –

1. Repair/resurface floor of pavilion.
2. Replace rotting wood framing around electrical box.
3. Remove dead pine tree along walkway to bridge.
4. Replant trees between tennis courts and pavilion walkway.
5. Remove branch that is touching bathroom facility.
6. Remove section of railing on dock and add cleats and ladder.
7. Replace missing post cap on dock walkway.
8. Repair volleyball cord. Add borders and sand. Remove weeds.
9. Repair bathroom flooring.

Fernwood –

1. Add berms/swales at end of roadway near lake.
2. Add large oak tree in center of roundabout.
3. Add border to roundabout to prohibit parking.
4. Add hedge along chain link fence on west side.
5. Consider adding gravel in circle driveway area.

Next meeting set for Thursday, March 12, 2020, at 5:00 pm at Town Hall.



LIAISON REPORT

LIAISON: Williams

LIAISON ASSIGNMENT: Historical Preservation Board/Committee

HPB

DATE: 12/5/19

UPDATE:

HPB Meeting Notes / 1887 School House:

Update from Scott Brown from the Engineering firm, is that they should begin their work sometime by the end of the month or beginning of June. (They had some vacation scheduled which has delayed them getting started. Board voted to Restore the 1887 School House to the earliest version. The current siding does not represent earliest photographs of the building and IF the siding is deemed unsalvageable then they would like to change its orientation to a Horizontal Slat Siding that was on the building in the original class pictures. 5/29 . SB advised that the engineer will be starting their assessment within the next week. Members of the board asked for a notice of when they will be here to come and observe and ask a view questions once started. Also, the topic of taking another look at a fundraiser by selling engraved bricks for the path between the School House and the privy. Board agreed to start research and to possibly start this fundraiser out next spring. 8/28 : Approved July's Meeting minutes. Discussion for moving the Oral History Subcommittee to meet just prior to HPB Meeting each month. Discuss other avenues for raising moneys in the coming year. No update from Engineers on School House. 9/25: Did not meet. Received preliminary Engineers Report on schoolhouse. Will be on the agenda for review and comment at next meeting. 10/30 : Approved 8/28 Minutes / New Business: Charles & Janine Matteson presented proposals for a for an Eagle Scout Project & a Gold Award Girl Scout Project. 1. - Janine Matteson would like to digitize all our the HPB files and photos and then work towards building a "Digital History Museum" for the town. That could be possibly place on the town's website or other locations that have public access. Suggestions were made that maybe space in the lobby of the new

admin building for a video screen or somewhere else that has public access. 2. -Charles Matteson's Eagle Scout project would be to do some repairs to the Cal-Palmer building, including repairing the stairs, painting the building, landscaping and Installation of a Historical Sign for the building.

Both of these proposals were approved unanimously and projects will be detailed and forwarded to TM to be added to TC agenda for consideration.

Discussions on a Renovation Plan for the 1887 School House to be tabled for November Meeting. 12/5: Minutes for 10/30/19 Meeting. Update on the Eagle Scout/Gold Star Award project. Janine's has liasoned with an expert at Rollins College for education and guidance in Document storage. She is now "in process" of scanning and categorizing. 2 out of 24 boxes finished. Charles's project has been reduced to just painting the Cal Palmer building. The Eagle Scout committee felt that he had taken on to "large of a project". Committee reviewed the report from HB Associates on the Cal Palmer building audit. Committee reviewed and considered their recommendations and recommendations made by Mark Black who is helping us navigate the process. Committee agreed to break the process moving forward down to 3 or 4 sections, starting from the roof and trusses and working down. George Poelker will put together a summarized version for committee approval next meeting and we can move forward with getting it out for bids. Committee voted to move the HPB meeting permanently to the first Wednesday of each month. (January will be moved to the 8th) 1/8/20 - Over the holiday break, Charles Matteson's Eagle Scout project got underway. The Cal Palmer building was cleaned and painted. Charles has raised funds for a "historical marker" to be placed at the Cal Palmer Building. HPB reviewed and approved "wording" for the historical marker for the Cal Palmer Building and is waiting for approval from the State of Florida for their approval. This will be the Final piece of his Eagle Scout project. Committee also review initialed Strategic Plan for Restoration of 1887 School House. There will be further discussion and revisions planned for next month's meeting, and hopefully to be finalized for TC's review. The Strategic Plan will break down the overall process into 4 stages. All repairs/ restoration is based on the professional findings and recommendations of Mark Black our Consultant & HB Associates the structural engineering firm that was hired last year. Tentative plans for the RFPs to be prepared and sent out in early March, so we can set a budget proposal for project. Meeting adjourned with a "Happy Birthday" to Jackie Rapport. 2/6 - Robert Mckinley came to speak during "open forum". That Elder's Luncheon is scheduling Ray Duncan to come and speak in the Spring and wanted to see if we wanted to organize a possible "Story Telling/ Windermere History Round Table" with Ray Duncan and other local residents. Idea was well received and planning is in the works. Old minutes approved. Quick discussion on progress of Charles Matteson's Eagle Scout Project which is nearing completion. Charles has been put on the agenda/hearing for the approval of the marker for the Cal Palmer Building. Hearing is scheduled for 2/21 @ 2pm. George Poelker and Theresa Myers will meet ahead of time and prepare for "questions" that might come from the Historical Committee during the hearing. Janine Matteson's Gold Star project is also nearing completion. She has digitized all of the archives and has turned it over to Town Manager to be "published". The Strategic Plan for Renovation of 1887 Schoolhouse was approved and RFP to be written by GP with the assistance of Scott Brown. Attached is a copy of the Strategic Plans breaking down the process into 4 different phases. Discussion of Work Day needed for the School House and Grounds. Jackie Rapport is looking for a handful of young helpers to assist in pruning and bundling up the debris for pickup.

Oral History Subcommittee:

Subcommittee, Has met 2x this past month. They have defining their focus groups and getting organized. Hopefully we will have a budget proposal soon. They are already doing research for alternative funding sources, including the National Oral History Association. Plus there was a

recent article in the Windermere observer briefly discussing the project and also request for volunteers to help conduct the interviews. They would like to formalize this part soon, so they can start training them soon. Myers has identified a grant through the Florida Humanities Council that the Oral History Project qualifies for and members voted unanimously in favor of applying for Grant at the next possible deadline. Board asked subcommittee for the proposed budget ASAP. 6/4: Did not meet . 9/5: Did Not Meet due to poor attendance. Next Meeting 10/3 Oral History Subcommittee on hold till first of the year due to lack of participation..

Strategic Plan for Renovating the Windermere 1887 Historic Schoolhouse

General Statements

- It is the desire of the Historic Preservation Board (HPB) to restore the schoolhouse to a state that it would have been when it functioned as a school between 1890-1916.
- As the restoration proceeds, the materials and processes used should meet the guidelines of the United States Secretary of Interior for historic restorations.
- Due to material scarcity, technology changes in material (paint, for instance) and the need to "harden" the structure for safety, the restoration will, of necessity, require small compromises in the goal to restore to original condition. The Secretary's guidelines will always be the guiding sentiment in our approach.
- The building needs significant work. As a precursor to any plans being made or work being done, a couple of resources were consulted. Both resources were taken into consideration for our recommendations.
 - HB Associates, a structural engineering firm, did a survey of the existing building and drew plans to show existing dimensions and construction framing. They also made recommendations as to the restorations needed for structural integrity.
 - Marc Black, a consultant for historic restorations, made a tour of the building and created a list of recommended work to be done.

Strategic Plan

In the interest of managing the project and controlling costs, it seems evident that the restoration should proceed in four stages:

Stage 1- Roof and roof structure

- Replace metal roof and ridge
- Repair/replace (R/R) rafter ends
- R/R missing rafters
- Attach rafters to top plate with Simpson HS, or similar connectors (if this will not be seen from ground level)

Stage 2 - Exterior vertical surfaces

- R/R gable ends (add plywood and weather wrap behind vertical siding on gable ends, not to show, but to block rain)
- R/R gable soffits
- R/R siding and battens (requires determination of finish)
 - If painted, may be able to repair with spliced in new wood
 - If natural weathering desired, may have to replace all siding
- R/R all window and door trim to appropriate for historic time period
- Flash all window and doors
- Replace front and rear stairs

Stage 3 - Interior

- Repair interior floor
- R/R interior window and door trim to period appropriate
- Repair beadboard ceiling, if required
- Mr. Black recommended adding interior studs and horizontal nallers, but it the consensus of the HRB that this would not be in accordance with the historic nature of the restoration

Stage 4 - Landscape

- Remove and redesign sidewalks as the current design promotes splashing rain on the siding causing wood rot. Sidewalks were not original to the building.
- Remove handicap parking
- Add period appropriate landscaping around the building
- Utilize the current location of the well for some historic educational purpose

Items to be specified

- Wood type and sizes
- Flashing and caulk
- Nails
- Connectors
- Paint
- Plants

Long Range Planning Notes

(New Noted in RED/ Previous Notes in BLACK)

Flashing Crosswalk:

4/25/19: Recommendation of next two flashing crosswalk improvements 1st: Maguire @ Estancia and 2nd: 1st and Main. 11/25/19: Changed recommendation to prioritize 1st and Main.

Cut thru Traffic:

4/25/19: Update from Robert Smith (RS). No action. LRP consensus on strategy of handling traffic is to not make it easier to get into Town, but to get people out quicker once in Town. 8/22/19: Board recommended denial of cut-thru evaluation/design IPO's by Wade Trim and Kimley-Horn. Board recommends at the next TC workshop to evaluate one-way and regulatory sign plans. 8/22/19: The Board reviewed several options for curtailing cut-through traffic in the SE quadrant. The options and discussions included regulatory signs, redirects and dead-end streets. The board narrowed it down to 3 options. Option 1 and 2 are accomplished with regulatory signage which has been consistent with their recommendations in the past. A 3rd option was recommended ONLY if options 1 or 2 turned out to be non-viable after a period of time of implementation. These final options are being vetted by KHA before a workshop is scheduled. Due to the holidays and the importance of resident participation the workshop may need to be scheduled for January 2020. 11/25: Recommended to table/deny Ridgewood Ordinance for a one-way between Lake and Lee and implement plan that puts a "NO right hand turn" during defined hours on westbound E 6th Ave at the ridgewood and lee intersections. Made a recommendation for similar regulatory signs at SE quadrant. To be discussed at January 2020 workshop with residents.

Town Facilities:

4/25/19: Update by RS. No action. 2/27/20: Temp facility site plan: Recommend approval. New Facilities: Recommend approval of arborist report and WTB recommendations which includes the removal of 6 within the site plan footprint and 3 outside (1 declining, one damaged/under powerlines, and 1 invasive)

RR ROW (Railroad Right-of-way):

4/25/19: Update by RS. No action.

Windermere Pavillion:

8/22/19: No action as it is in concept design phase. 2/27/20: Recommend option 2 ("full roofline") and floor plan. Board feels that selecting an option due to a cost difference should not be considered. ***Chris to discuss w/ Council on how to proceed at the March meeting.***

Entrance and Event Signs:

8/22/19: Tabled 2/27/20: Recommend for Town to work on RFQ for a company to create a signage package. The package would include a cohesive signage plan for gateway,

event, wayfinding, town facilities, and info signs (meeting postings). Ideally the company would be able to design, manufacture, and operate. LRP to approve an RFQ scope at the next meeting.

Tree Board Notes

(New Noted in RED/ Previous Notes in BLACK)

Members

Chair: Susan Carter

Secretary: Frank Krens

Treasurer: Admin/Liaison as needed

Jackie Rapport

Leslie Brabec

Debra Neill

Misc

4/10/19: Members to discuss at the next meeting goals, projects, and fundraising that they would like to accomplish over the next year. 4/18/19: Board approved 3/0 to pay \$145 for Frank to attend an ISA weekend class. Funds to come from WTB account. 4/16/19: Frank completed class and brought back some education links and materials. Recommend that all tree board members complete the Tree Board University class online at no cost. 8/15/19: Board would like to explore name tags for events and such. 11/21/19: Board asking administration to give as much notice as possible prior to removal of trees in public areas, especially in Town Square. Ideally prior to or at the time of contacting arborist.

Town Hall Landscape Plan COMPLETE

4/10/19: Formally recommend a tree/bush/shrub that has color and is suitable for placement near the SE corner of the Town Hall and minimum one location of a mature oak. 4/18/19: Recommended replacing Golden Shower Trees with Hong Kong Orchids (non-pod producing) due to the toxicity of the Golden Shower Tree pods. Voted 3/0 to approve to spend up to \$200 from WTB account on a Fringe Tree for replacing Laurel Oak (same location) at the SE corner of Town Hall. 5/16/19: Almost complete. Fringe or Hong Kong Orchid Trees have not been planted. 6/19/19: Fringe Tree only remaining left (on backorder) 7/18/19: Planted. Complete.

5th/Forest Parking Lot COMPLETE

4/18/19: Recommended 3/0 to purchase, plant, and irrigate TWO 7-8" Live Oaks (1 on each of the west and east sides of the entry) totalling \$7,000. This will come from the Tree Mitigation Fund and must include a 1 year warranty from installer/nursery. Susan to price shop before moving forward (please allow 3 business days prior to moving forward with Dobsons). 5/16/19: Oaks are installed.

1887 School House

4/18/19: In need of replanting and treatment of grove. Susan speaking with arborist from Davey for recommendations. Frank to reach out to Rotary and Windermere grove contacts. 5/16/19: TB to recommend any removal or trimming needed on site by next meeting. Jason Arnold (potential vendor) stopped by the grove and will have a proposal/quote together by the week of the 20th

(updated 05/17/19). 5/19/19: Board approved contract for repair, replacement, and 12 month maintenance of grove to Jason Arnold for up to \$4,000. Funds to be paid from WTB account. 7/18/19: Work has commenced (started pruning, small tree removal). 8/15/19: Initial work complete. Chair to sign off on the 2nd half of payment. Board approved \$750 for a years continued maintenance by Jason Arnold (covered in the \$4,000 previously approved on 5/19/19).

Arbor Day Trees

4/18/19: 2 weeks of advertising has been given to the Town Residents for remaining trees. Jackie and Susan will coordinate with Marina Bay about acceptable species and placement. Marina Bay to coordinate volunteers/hired help for planting at no expense to WTB or Town. Next meeting: decision on remaining trees. PW and WTB to think of needed locations. 5/16/19: All remaining Arbor Day trees have been inventoried by species and mature size. Marina Bay to have utilities marked for final placement. Susan to give them a deadline. 6/19/19: Utility companies had not marked the area prior to the meeting. 7/18/19: No update. HOA president out of Town. 8/15/19: Utilities marked. HOA getting together volunteers for planting to start. **2/20/20: 24 trees left from 2020 event to be given to residents who have not received one and all others sold at wholesale.**

Tree Ordinance (including Master Forestry Plan/Grants related to)

4/18/19: Reestablish a new sub-committee or special meeting once new members obtained. 5/16/19: May have a 3rd party review the current ordinance in conjunction with a Master Forestry Plan. Susan Carter to get an estimate on cost. No new sub-committee set up at this time. 5/19/19: Ordinance review will be part of a master plan if performed and therefore, a combined agenda item with an Urban Forest Master Plan moving forward. Tabled until next meeting until a scope of work is drawn up for an RFP. The scope for the *request for proposal* to be decided on at the next meeting. 7/18/19: Frank to work with Scott to tighten up a scope for RFQ which may include just a revision of the 2006 inventory. Scott will distribute draft to TB members to comment directly to him. No update due to slimmed down meeting. 11/21/19: Board approved legal's recommendation of change to Town Ordinance 5.01.05- Exceptions (a) (9). This reflects the changes in Florida law. Board approved a list of documentation that code enforcement officer or Town designee may ask for as evidence that a removed tree was diseased or posed a danger to persons or property. CS to make write up notice for Gazette.

Urban Forest Master Plan/ **Landscape Architect**

4/18/19: Used to provide goals, strategies, recommendations and proactive management and growth of the Town Canopy. Frank will start the process. Possibly look at a 3rd party to assist in the process. 5/16/19: Susan to get a quote on the approximate costs of a 5-10 year Master Plan including line items of tree inventory/survey and review and recommendations of the current tree ordinance. Frank to start gathering information on grants available and their processes to cover the costs if TB recommends to move forward with some or all of the Master Plan. 6/19/19: See: *Tree Ordinance*. **2/20/20: Board to work with S. Brown to develop RFQ for a company to**

work w/ the Board and the Town to develop tree planting plans. This company will make plans in different public areas that will subsequently be CIPs for the board. This will make it easier for fundraising, quick location identification and cooperation with sponsors and other committees to get trees in the ground. Members to have lists of an ideal candidate (eg ISA arborist, landscape architect, urban landscaping, Tree City USA experience, grant knowledge, etc) over to S. Brown by March 5th.

Community Outreach

4/18/19: Susan to bring a couple articles for WTB approval for the Summer addition of the Windermere Gazette. The board will provide an article for each edition. Susan also exploring content for brochures. These will be used to hand out at events, Town Admin and to new residents (via admin and Realtors). WTB would like to set up at events for educating/recruiting. Chris to ask DBC if the Tree Board can set up at the Windermere Farmers Market. Look into promotional items that can be handed out. Leslie Brabec will be putting together an article for the Gazette by May 24th deadline. 6/19/19: Article completed and submitted for the Summer edition of the Gazette. Board to work on an article for the Fall edition. 7/18/19: Scott Brown discussed the new Florida Statute that preempts local government enforcement of the trimming or removal of trees if the property owner obtains a certification from a licensed arborist or landscape architect that the tree is a danger to people or property. The law (163.045, FS) took effect on July 1, 2019. Leslie will be putting together an article for the next Gazette that will educate residents between native, invasive and exotic trees. 8/15/19: Board approved article for the Fall Gazette. 11/21/19: See Tree Ordinance. 2/20/20 Tree classes prior to Treebute received positive feedback and will be continued this year. Ongoing with Gazette article.

Treebute/Events

4/18/19: Board to think of new ideas to expand Treebute and possibly a different approach to the tree giveaway (eg less trees and stick with more popular trees). Continue to discuss other events to raise money to be self-supporting. 6/19/19: Due to the amount of planning involved, the Board will meet at different times than the regular WTB meeting for sole discussion/planning of Treebute. The first meeting is scheduled for Town Hall on July 10th @ 11am. 7/18/19: May add an education segment prior to the event which would allow participants first priority of trees on the day of the event. Scheduled Treebute sub-committee meetings are July 30 and Aug 6 at 11am. 1) A Resolution for proclaiming Jan 16th 2019 Arbor Day needs to be scheduled (needed for Tree City USA qualification). 2) Treebute needs to be added to the TC consent agenda in August. 8/15/19: Susan working on sponsor letter and vendor apps. Looking into a climbing wall to give the trees a break if a sponsor would help with costs. Get with Diane about a FB event on the TOW page. 11/21/19: Tree education class Sunday January 12 1PM @ Town Hall. Completing class will give residents first option at tree during Treebute. 2/20/20: Still waiting on final numbers as a couple sponsors have not paid.

Fernwood Park:

5/16/19: Nora Brophy from Parks and Rec presented to the TB about removal of invasive trees and vegetation from the Fernwood shorelines in preparation of FRDAP funded project. TB

wants to explore that and the cost effectiveness of removal of invasives near the Main St bridge at the same time. Robert Smith to get an estimate for clearing of Fernwood and also an estimate of clearing both Fernwood and Main St Bridge/ north path area on RR ROW. Provide TB and Tree Mit account balances and projections at the next meeting. 6/19/19: The Board agreed to split the cost of removal of shoreline invasives with Parks and Rec with the opinion that much of the quote for removal of invasive vegetation were not trees and therefore, did not fall within the scope of the Tree Mitigation Fund. The Board advises the Town to pay up to \$4,500 from the Tree Mit funds for the removal of invasive vegetation at Fernwood and Lake Down Parks. 7/18/19: Underbrush removed. Waiting on herbicide to be sprayed on the shoreline and removal of larger invasive trees. 8/15/19: Clearing continuing.

Central Park:

5/16/19: Tree board to identify species and planting locations. Goal would be to obtain trees at the same time as the Arbor Day trees and plant once FDAP project is complete or no further risk to newly planted trees. 6/19/19: Tabled until the project is nearer to completion. 2/20/20: Will be discussed as possible first project after acquiring landscape architect/arborist (see landscape architect above)

WAY Project

11/21/19: Grace Foglia presented a project that would dedicate planted trees to memorialize deceased family members of Town residents. Ms. Foglia is to work on costs of plaques. Board would help with planting locations within CIP areas. 2/20/20: (see landscape architect above)

Farmers Market

11/21/19: Board approved to take over farmers market until the time DBC is reestablished. Board shall work on CIP for funds. If needed for the Food Truck/Farmers Market sub-committee, Jackie R. will be the WTB liaison with Susan C. as the alternate.

Town Facilities

2/20/20: Permanent location: Recommend approval of arborist report by Legacy which includes the removal of 6 within the site plan footprint and 3 outside (1 declining, one damaged/under powerlines, and 1 invasive) Temp Facilities: Recommend relocating 6" DBH oak to the 5th/Forest parking lot and removal of 1 invasive (vote 3/1).



LIAISON REPORT

LIAISON: Liz Andert

LIAISON ASSIGNMENT:

- HPB DBC TREE BOARD ELDERS LRP
- DRB HOLIDAY SOCIAL ADMIN BUDGET
- STREET & ROADS POLICE P&R FTFMSC
- BUTLER CHAIN CHAMBER METRO PLAN
-

DATE: February 2020

UPDATE:

- The Board officially welcomed newly appointed member Dean Kurtz.
- Lt. Jeff Hudson of the Butler Marine Patrol reported that the patrol provided 159 hours of patrol time in January. They inspected 74 vessels and made contact with 210 users. They assisted three disabled vessels and issued five citations and 35 warnings. They conducted 12 Boat Ramp Checks. During January there was a jet ski gathering—"Swarm Lake Butler"—on the Butler Chain, and the patrol officers observed no significant safety issues during that event.
- Orange County Environmental Protection Division (EPD) senior analyst David Hansen mentioned that the Orange County Board of County Commissioners (BCC) is discussing a possible ordinance limiting commercial activity at lakes (e.g., drop-off rental services at county boat ramps).
- FWC (Florida Fish & Wildlife Conservation Commission) will resume spraying on Lake Down, with entirely state-paid herbicide treatment of 113 acres.
- EPD is stocking up to 500 grass carp in Lake Crescent to control excessive vegetation. There will be a gate placed in the waterway between Lakes Crescent and Butler (under Park Avenue near Lake Butler Blvd.) to keep the carp in place. These carp do not reproduce, but they can live for about ten years and grow to 30-40 pounds.
- David Hamstra—a County-contracted engineer from Pegasus Engineering—will research BMPs (best management practices) on stormwater mitigation for residents, and EPD will consider these as they seek partnership with the Town of Windermere on proactive stormwater education programs for our residents and Public Works team.