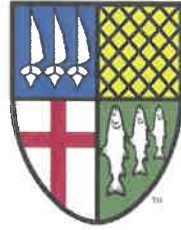


THE TOWN OF  
**Windermere**



**MAYOR AND COUNCIL OF THE TOWN OF WINDERMERE**

***Agenda***

**Mayor Jim O'Brien**

**Council Members**

**Robert McKinley**

**Andy Williams**

**Chris Sapp**

**Bill Martini**

**Liz Andert**

**Mandy David (Elect)**

**Tony Davit (Elect)**

***Agenda***

**March 23, 2021**

**6:00 PM**

**Town Hall**

**520 Main St.**

**Windermere, FL 34786**

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

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

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

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

# AGENDA

- THE MEETING IS CALLED TO ORDER BY THE MAYOR
- FLAG SALUTE
- INVOCATION
- 1. OPEN FORUM/PUBLIC COMMENT (3 Minute Limit)
- 2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS
  - a. FY 19/20 Audit Presentation (Attachments-McDermitt & Davis to present)
  - b. Officer Mark Wilson Swearing In (Chief Ogden to Swear in)
  - c. Reserve Sgt. John Alcalde Unit Citation and Gold Presidential Volunteer Award
- 3. TIMED ITEMS AND PUBLIC HEARING
- 4. CONSENT AGENDA
  - a. AMR 4<sup>th</sup> Amendment to Emergency Ambulance Transportation Services Agreement (Attachment-Staff Recommends Approval)
  - b. Retro-Active Approval of Fernwood Boat Dock Repairs (Attachments-Staff Recommends Approval)
- 5. MINUTES
  - a. Town Council Meeting Minutes February 9, 2021 (Attachments-Staff Recommends Approval)
- 6. OTHER ITEMS
  - a. Town Manager Evaluations (Attachment-Board Discussion)
  - b. Town Manager Contract Extension (Attachment-Board Option)
- 7. NEW BUSINESS
  - a. Swearing In Mayor and Councilmembers:
    - i. Councilman Bill Martini
    - ii. Councilmember Mandy David
    - iii. Councilman Tony Davit
  - b. SPECIAL RECOGNITIONS:
    - i. Councilman Bob McKinley Service Award
    - ii. Councilmember Liz Andert Service Award
  - c. RESOLUTIONS/ORDINANCES FOR APPROVAL/FIRST READING

d. APPOINTMENTS

- i. Parks & Recreation Committee Appointment: Cynthia Hunter (Parks & Recreation Recommends Approval)

e. CONTRACTS & AGREEMENTS

f. FINANCIAL

g. OTHER ITEMS FOR CONSIDERATION:

- i. Hiring of Public Works Director Tonya Elliot-Moore (Attachments-Staff Recommends Approval)

8. MAYOR & COUNCIL LIAISON REPORTS

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

9. STAFF REPORTS

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

10. ADJOURN

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• REPORTS:

- a. March 2021 Projects Meeting Notes



934 North Magnolia Avenue, Suite 100  
Orlando, Florida 32803  
407-843-5406  
[www.mcdermittdavis.com](http://www.mcdermittdavis.com)

Honorable Mayor and Town Council  
Town of Windermere, Florida

We have audited the financial statements of the *Town of Windermere, Florida* as of and for the year ended September 30, 2020 and have issued our report thereon dated February 4, 2021. Professional standards require that we advise you of the following matters relating to our audit.

#### **Our Responsibility in Relation to the Financial Statement Audit**

As communicated in our engagement letter dated August 10, 2020 our responsibility, as described by professional standards, is to form and express an opinion(s) about whether the financial statements that have been prepared by management with your oversight are presented fairly, in all material respects, in conformity with accounting principles generally accepted in the United States of America. Our audit of the financial statements does not relieve you or management of your respective responsibilities.

Our responsibility, as prescribed by professional standards, is to plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. An audit of financial statements includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control over financial reporting. Accordingly, as part of our audit, we considered the internal control of the Town of Windermere solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are also responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

We have provided our findings regarding significant control deficiencies over financial reporting and material noncompliance, and other matters noted during our audit in a separate letter to you dated February 4, 2021.

#### **Planned Scope and Timing of the Audit**

We conducted our audit consistent with the planned scope and timing we previously communicated to you.

#### **Compliance with All Ethics Requirements Regarding Independence**

The engagement team, others in our firm, as appropriate, and our firm have complied with all relevant ethical requirements regarding independence.

#### **Qualitative Aspects of the Entity's Significant Accounting Practices**

##### *Significant Accounting Policies*

Management has the responsibility to select and use appropriate accounting policies. A summary of the significant accounting policies adopted by Town of Windermere is included in Note 1 to the financial statements. There have been no initial selection of accounting policies and no changes in significant accounting policies or their application during the fiscal year. No matters have come to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

##### *Significant Accounting Estimates*

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's current judgments. Those judgments are normally based on knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ markedly from management's current judgments.



The most sensitive accounting estimates affecting the financial statements are:

Management's estimation for the allowance for depreciation is based on the estimated useful lives of the capital assets. We evaluated the reasonableness of the useful lives as well as the depreciation methods in determining that it is reasonable in relation to the financial statements taken as a whole.

#### *Financial Statement Disclosures*

Certain financial statement disclosures involve significant judgment and are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting Town of Windermere's financial statements relate to litigation and contingencies as described in Note 13.

#### **Significant Difficulties Encountered During the Audit**

We encountered no significant difficulties in dealing with management relating to the performance of the audit.

#### **Uncorrected and Corrected Misstatements**

For purposes of this communication, professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that we believe are trivial, and communicate them to the appropriate level of management. Further, professional standards require us to also communicate the effect of uncorrected misstatements related to prior periods on the relevant classes of transactions, account balances or disclosures, and the financial statements as a whole and each applicable opinion unit. Management has corrected all identified misstatements.

In addition, professional standards require us to communicate to you all material, corrected misstatements that were brought to the attention of management as a result of our audit procedures. The following material misstatements that we identified as a result of our audit procedures were brought to the attention of, and corrected by, management:

- Record retainage payable for Town admin facility construction in the amount of \$16,204
- Adjust prior receivable account balance to correct plans review deposit receivables in the amount of \$12,098

#### **Disagreements with Management**

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter, which could be significant to Town of Windermere's financial statements or the auditor's report. No such disagreements arose during the course of the audit.

#### **Representations Requested from Management**

We have requested certain written representations from management, which are included in the attached letter dated February 4, 2021.

#### **Management's Consultations with Other Accountants**

In some cases, management may decide to consult with other accountants about auditing and accounting matters. Management informed us that, and to our knowledge, there were no consultations with other accountants regarding auditing and accounting matters.

#### **Other Significant Matters, Findings, or Issues**

In the normal course of our professional association with Town of Windermere, we generally discuss a variety of matters, including the application of accounting principles and auditing standards, operating and regulatory conditions affecting the entity, and operational plans and strategies that may affect the risks of material misstatement. None of the matters discussed resulted in a condition to our retention as Town of Windermere's auditors.

This report is intended solely for the use of management, the Town Council and the Auditor General of the State of Florida and is not intended to be and should not be used by anyone other than these specified parties.

*McDermitt Davis*

Orlando, Florida  
February 4, 2021

**TOWN OF WINDERMERE  
614 Main Street  
Windermere, FL 34786  
407-876-2563**

February 4, 2021

McDirmit Davis, LLC  
934 North Magnolia Avenue, Suite 100  
Orlando, FL 32803

This representation letter is provided in connection with your audit of the financial statements of Town of Windermere as of September 30, 2020 and for the year then ended, and the related notes to the financial statements, for the purpose of expressing opinions on whether the basic financial statements present fairly, in all material respects, the financial position and results of operations of the various opinion units of Town of Windermere in conformity with accounting principles generally accepted for governments in the United States of America (U.S. GAAP).

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in the light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement.

We confirm that, to the best of our knowledge and belief, having made such inquiries as we considered necessary for the purpose of appropriately informing ourselves as of the date of this letter.

**Financial Statements**

- We have fulfilled our responsibilities, as set out in the terms of the audit engagement dated August 10, 2020, for the preparation and fair presentation of the financial statements of the various opinion units referred to above in accordance with U.S. GAAP.
- We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
- We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
- With regard to nonaudit services performed by you, we acknowledge and our responsibility to:
  - Made all management decisions and performed all management functions;
  - Assigned a competent individual to oversee the services;
  - Evaluate the adequacy of the services performed;
  - Evaluate and accepted responsibility for the results of the services performed; and
  - Establish and maintain internal controls, including monitoring ongoing activities.
- We acknowledge our responsibility for compliance with the laws, regulations, and provisions of contracts and grant agreements.
- We have reviewed, approved, and taken responsibility for the financial statements and related notes.
- We have a process to track the status of audit findings and recommendations.
- We have identified and communicated to you all previous audits, attestation engagements, and other studies related to the audit objectives and whether related recommendations have been implemented.

- Significant assumptions used by us in making accounting estimates, including those measured at fair value, are reasonable.
- Related party relationships and transactions have been appropriately accounted for and disclosed in accordance with the requirements of U.S. GAAP.
- All events subsequent to the date of the financial statements and for which U.S. GAAP requires adjustment or disclosure have been adjusted or disclosed.
- There is no summary of unrecorded misstatements since all adjustments proposed by the auditor, material, and immaterial, have been recorded.
- The effects of all known actual or possible litigation and claims have been accounted for and disclosed in accordance with U.S. GAAP.
- All component units, as well as joint ventures with an equity interest, are included and other joint ventures and related organizations are properly disclosed.
- All funds and activities are properly classified.
- All funds that meet the quantitative criteria in GASB Statement No. 34, *Basic Financial Statements—and Management's Discussion and Analysis—for State and Local Governments*, GASB Statement No. 37, *Basic Financial Statements—and Management's Discussion and Analysis—for State and Local Governments: Omnibus* as amended, and GASB Statement No. 65, *Items Previously Reported as Assets and Liabilities*, for presentation as major are identified and presented as such and all other funds that are presented as major are considered important to financial statement users.
- All components of net position, nonspendable fund balance, and restricted, committed, assigned, and unassigned fund balance are properly classified and, if applicable, approved.
- Our policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position/fund balance are available is appropriately disclosed and net position/fund balance is properly recognized under the policy.
- All revenues within the statement of activities have been properly classified as program revenues, general revenues, contributions to term or permanent endowments, or contributions to permanent fund principal.
- All expenses have been properly classified in or allocated to functions and programs in the statement of activities, and allocations, if any, have been made on a reasonable basis.
- All interfund and intra-entity transactions and balances have been properly classified and reported.
- Special items and extraordinary items have been properly classified and reported.
- Deposit and investment risks have been properly and fully disclosed.
- Capital assets, including infrastructure assets, are properly capitalized, reported, and if applicable, depreciated.
- All required supplementary information is measured and presented within the prescribed guidelines.
- With regard to investments and other instruments reported at fair value:
  - The underlying assumptions are reasonable and they appropriately reflect management's intent and ability to carry out its stated courses of action.
  - The measurement methods and related assumptions used in determining fair value are appropriate in the circumstances and have been consistently applied.
  - The disclosures related to fair values are complete, adequate, and in conformity with U.S. GAAP.
  - There are no subsequent events that require adjustments to the fair value measurements and disclosures included in the financial statements.

### Information Provided

- We have provided you with:
  - Access to all information, of which we are aware that is relevant to the preparation and fair presentation of the financial statements of the various opinion units referred to above, such as records, documentation, meeting minutes, and other matters;
  - Additional information that you have requested from us for the purpose of the audit; and
  - Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
- All transactions have been recorded in the accounting records and are reflected in the financial statements.
- We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
- We have no knowledge of any fraud or suspected fraud that affects the entity and involves:
  - Management;
  - Employees who have significant roles in internal control; or
  - Others where the fraud could have a material effect on the financial statements.
- We have no knowledge of any allegations of fraud, or suspected fraud, affecting the entity's financial statements communicated by employees, former employees, vendors, regulators, or others.
- We have disclosed to you all known actual or possible litigation and claims whose effects should be considered when preparing the financial statements, including the potential amount due to FEMA regarding the 2004 hurricanes as disclosed in Notes to the Financial Statements.
- We have disclosed to you the identity of the entity's related parties and all the related party relationships and transactions of which we are aware.
- There have been no communications from regulatory agencies concerning noncompliance with or deficiencies in accounting, internal control, or financial reporting practices.
- Town of Windermere has no plans or intentions that may materially affect the carrying value or classification of assets and liabilities.
- We have disclosed to you all guarantees, whether written or oral, under which Town of Windermere is contingently liable.
- We have disclosed to you all nonexchange financial guarantees, under which we are obligated and have declared liabilities and disclosed properly in accordance with GASB Statement No. 70, *Accounting and Financial Reporting for Nonexchange Financial Guarantees*, for those guarantees where it is more likely than not that the entity will make a payment on any guarantee.
- For nonexchange financial guarantees where we have declared liabilities, the amount of the liability recognized is the discounted present value of the best estimate of the future outflows expected to be incurred as a result of the guarantee. Where there was no best estimate but a range of estimated future outflows has been established, we have recognized the minimum amount within the range.
- We have disclosed to you all significant estimates and material concentrations known to management that are required to be disclosed in accordance with GASB Statement No. 62 (GASB-62), *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*. Significant estimates are estimates at the balance sheet date that could change materially within the next year. Concentrations refer to volumes of business, revenues, available sources of supply, or markets or geographic areas for which events could occur that would significantly disrupt normal finances within the next year.
- We have identified and disclosed to you the laws, regulations, and provisions of contracts and grant agreements that could have a direct and material effect on financial statement amounts, including legal and contractual provisions for reporting specific activities in separate funds.
- There are no:
  - Violations or possible violations of laws or regulations, or provisions of contracts or grant agreements whose effects should be considered for disclosure in the financial statements

- or as a basis for recording a loss contingency, including applicable budget laws and regulations.
- Unasserted claims or assessments that our lawyer has advised are probable of assertion and must be disclosed in accordance with GASB-62.
  - Other liabilities or gain or loss contingencies that are required to be accrued or disclosed by GASB-62.
  - Continuing disclosure consent decree agreements or filings with the Securities and Exchange Commission and we have filed updates on a timely basis in accordance with the agreements (Rule 240, 15c2-12).
- Town of Windermere has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset or future revenue been pledged as collateral, except as disclosed to you.
  - We have complied with all aspects of grant agreements and other contractual agreements that would have a material effect on the financial statements in the event of noncompliance.



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Robert Smith – Town Manager  
Town of Windermere, Florida



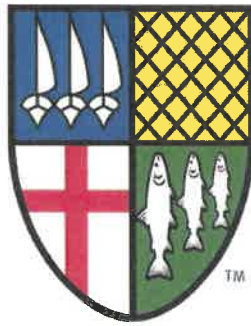
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Nora White – Finance Director  
Town of Windermere, Florida

# Annual Financial Report

September 30, 2020

THE TOWN OF  
**Windermere**



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Town of Windermere  
List of Principal Officials

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**Elected Officials**

Mayor	Jim O'Brien
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Town Council Members:	Loren Williams
	Chris Sapp
	Bob McKinley
	Liz Andert
	Bill Martini

**Town Officials**

Town Manager	Robert Smith
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Town Attorney	Tom Wilkes
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Town Clerk	Dorothy Burkhalter
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## **Financial Section**

This section contains the following subsections:

- Independent Auditor's Report
- Management's Discussion and Analysis
- Basic Financial Statements



934 North Magnolia Avenue, Suite 100  
Orlando, Florida 32803  
407-843-5406  
www.mcdermittdavis.com

## INDEPENDENT AUDITOR'S REPORT

Honorable Mayor and Town Council  
Town of Windermere, Florida

### Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities and each major fund of the *Town of Windermere, Florida*, as of and for the year ended September 30, 2020, and the related notes to the financial statements, which collectively comprise the Town's basic financial statements as listed in the table of contents.

### Management's Responsibility for the Financial Statements

*Town of Windermere's* management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

### Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of Town of Windermere, as of September 30, 2020, and the respective changes in financial position and the respective budgetary comparison for the General Fund and Stormwater Fund, thereof, for the year then ended in accordance with accounting principles generally accepted in the United States of America.

### Other Matters

#### *Required Supplementary Information*

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis on page 3 through 7 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

*Other Information*

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise *Town of Windermere's* basic financial statements. The introductory section is presented for purposes of additional analysis and is not a required part of the financial statements.

The introductory section has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

**Other Reporting Required by Government Auditing Standards**

In accordance with *Government Auditing Standards*, we have also issued a report dated February 4, 2021 on our consideration of *Town of Windermere's* internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering *Town of Windermere's* internal control over financial reporting and compliance.

*McDermitt Davis*

Orlando, Florida  
February 4, 2021

As management of the Town of Windermere, Florida (the Town) we offer readers of the Town's financial statements this narrative overview and analysis of the financial activities of the Town for the fiscal year ended September 30, 2020.

#### **Financial Highlights**

- The assets of the Town exceeded its liabilities at the close of the most recent fiscal year by \$9,045,030 (net position). Of this amount, \$1,716,151 (unrestricted net position) may be used to meet the Town's ongoing obligations to citizens and creditors.
- The Town's total net position increased by \$436,057.
- As of the close of the current fiscal year, the Town's governmental funds reported combined ending fund balances of \$6,238,981, an increase of \$4,329,095 in comparison with the prior year. Unassigned fund balance for the general fund was \$1,543,078 or 23% of total general fund expenditures.
- The Town's total debt increased by \$4,845,425 during the current fiscal year.

#### **Overview of the Financial Statements**

This discussion and analysis are intended to serve as an introduction to the Town's basic financial statements. The Town's basic financial statements comprise three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

#### **Government-Wide Financial Statements**

The government-wide financial statements are designed to provide readers with a broad overview of the Town's finances, in a manner similar to a private-sector business.

The statement of net position presents information on all of the Town's assets and liabilities, with the difference between the two reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the Town is improving or deteriorating.

The statement of activities presents information showing how the Town's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but unused vacation leave).

Since the Town has no business-type activities such as water and sewer systems, the government-wide financial statements include only governmental activities. The governmental activities of the Town include general government, public safety, physical environment and culture and recreation.

The government-wide financial statements can be found on pages 8-9 of this report.

#### **Fund Financial Statements**

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Town, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The Town has two governmental funds - the General Fund and the Stormwater Special Revenue Fund.

#### **Governmental Funds**

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the Town's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The Town adopts an annual appropriated budget for the General Fund and Stormwater Fund. A budgetary comparison statement has been provided for the General Fund and Stormwater Special Revenue Fund on pages 13-14 to demonstrate compliance with this budget.

The basic governmental fund financial statements can be found on pages 10 - 14 of this report.

### **Government-Wide Financial Analysis**

#### *Statement of Net Position*

As noted earlier, net position may serve over time as a useful indicator of a government's financial position. In the case of the Town, assets exceeded liabilities by \$9,045,030 at the close of the most recent fiscal year. The following table reflects the condensed Statement of Net Position for the current year. For more detail see the Statement of Net Position on page 8.

#### **Net Position as of September 30:**

	<b>Governmental Activities 2020</b>	<b>Governmental Activities 2019</b>
<b>Assets:</b>		
Current and other assets	\$ 6,888,111	\$ 2,325,374
Capital Assets, net of depreciation	9,176,501	8,149,908
<b>Total assets</b>	<b>16,064,612</b>	<b>10,475,282</b>
<b>Liabilities:</b>		
Long-term liabilities	6,308,541	1,450,821
Other liabilities	711,041	415,488
<b>Total liabilities</b>	<b>7,019,582</b>	<b>1,866,309</b>
<b>Net Position:</b>		
Net investment in capital assets	7,328,227	6,759,733
Restricted for public safety	652	-
Unrestricted	1,716,151	1,849,240
<b>Total net position</b>	<b>\$ 9,045,030</b>	<b>\$ 8,608,973</b>

The largest portion of the Town's net position reflects its investment in capital assets (e.g., land, buildings, improvements, infrastructure and equipment) less any related debt used to acquire those assets that is still outstanding. The Town uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. There is \$652 of net position that is restricted for public safety.

The balance of unrestricted net position, \$1,716,151, may be used to meet the Town's ongoing obligations to citizens and creditors.

### Statement of Activities

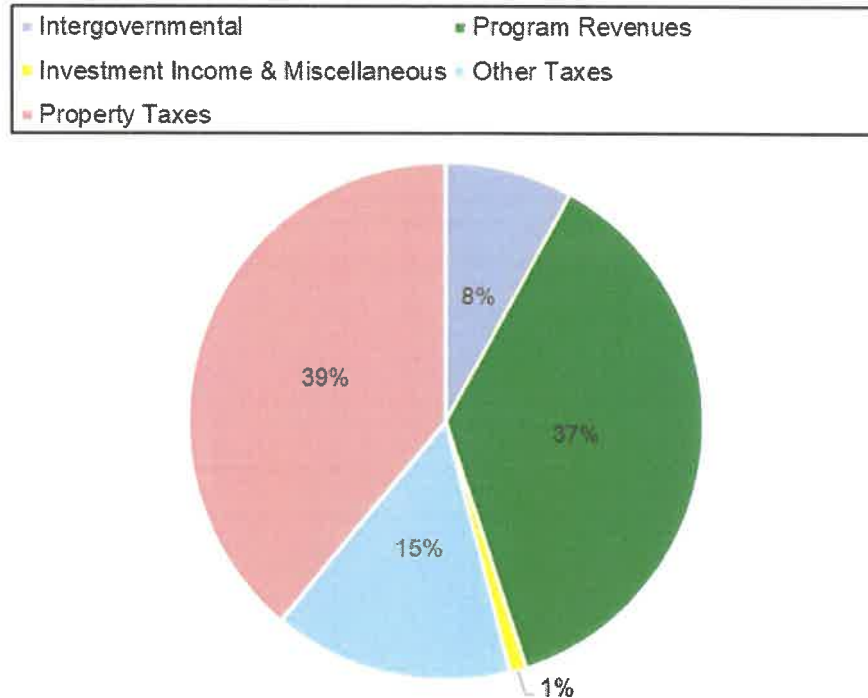
The following table reflects the condensed Statement of Activities for the current year. For more detailed information see the Statement of Activities on page 9.

Governmental activities increased the Town's net position by \$436,057. Key elements of this increase are as follows:

### Changes in Net Position

	<b>Governmental Activities 2020</b>	<b>Governmental Activities 2019</b>
<b>Revenues:</b>		
Program Revenues:		
Charges for services	\$ 2,003,889	\$ 2,205,448
Operating grants and contributions	318,536	102,118
Capital grants and contributions	81,500	2,964
<b>Total program revenues</b>	<b>2,403,925</b>	<b>2,310,530</b>
<b>General Revenues:</b>		
Property taxes	2,593,484	2,460,240
Franchise and utility taxes	983,553	923,273
Intergovernmental	521,821	622,528
Investment income and miscellaneous	97,293	93,829
<b>Total revenues</b>	<b>6,600,076</b>	<b>6,410,400</b>
<b>Expenses:</b>		
General government	1,401,396	1,568,601
Public safety	2,236,010	2,136,004
Physical environment	2,204,191	1,674,831
Culture and recreation	144,264	205,289
Interest on long-term debt	178,158	48,067
<b>Total expenses</b>	<b>6,164,019</b>	<b>5,632,792</b>
<b>Change in net position</b>	<b>436,057</b>	<b>777,608</b>
Net position, beginning	8,608,973	7,831,365
<b>Net position, ending</b>	<b>\$ 9,045,030</b>	<b>\$ 8,608,973</b>

**Revenues by Source - Governmental Activities**



**Financial Analysis of the Government's Funds**

As noted earlier, the Town used fund accounting to ensure and demonstrate compliance with finance-related requirements.

*Governmental Funds*

The focus of the Town's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the Town's financing requirements. In particular, unassigned fund balance may serve as a useful measure of a Town's net resources available for spending at the end of the fiscal year.

As of September 30, 2020, the Town governmental funds reported combined ending fund balances of \$6,238,981.

The general fund is the chief operating fund of the Town. At September 30, 2020, the total fund balance of the general fund was \$6,361,504 and the unassigned fund balance of the general fund was \$1,543,078. The fund balance of the general fund increased by \$4,751,668.

**General Fund Budgetary Highlights**

During the year, there was a need for a budget amendment in the general fund primarily to reallocate appropriations between departments. Actual revenues and expenditures for the year ended September 30, 2020 were comparable to budgeted amounts; total general fund balance increased by \$4,751,668 due to notes payable issued during the year.



### Capital Asset and Debt Administration

#### Capital Assets

The Town's investment in capital assets for its governmental activities as of September 30, 2020 amounts to \$9,176,501, net of accumulated depreciation. This investment in capital assets includes land, buildings, improvements, equipment and machinery, infrastructure and intangibles.

#### Town of Windermere Capital Assets (Net of Depreciation)

	<b>Governmental Activities 2020</b>	<b>Governmental Activities 2019</b>
Land	\$ 458,670	\$ 458,670
Buildings	331,329	446,147
Improvements other than buildings	560,763	614,219
Equipment and machinery	337,591	427,369
Infrastructure	6,505,842	5,901,294
Intangibles	90,786	10,431
Construction in progress	891,520	291,778
<b>Total</b>	<b>\$ 9,176,501</b>	<b>\$ 8,149,908</b>

Additional information on the Town's capital assets can be found in Note 6 of this report.

#### Long-Term Debt

At the end of the current fiscal year, the Town had total debt outstanding of \$6,235,600. This debt includes notes payable related to equipment and construction of the new town administrative facility. Additional information on long-term debt can be found in Note 10 of this report.

#### Town of Windermere Long-term Debt

	<b>Governmental Activities 2020</b>	<b>Governmental Activities 2019</b>
Revenue notes payable	\$ 5,902,500	\$ 1,011,000
Promissory notes payable	333,100	379,175
	<b>\$ 6,235,600</b>	<b>\$ 1,390,175</b>

### Next Year's Budget and Rates

During the current fiscal year, the unassigned fund balance in the General fund increased to \$1,543,078. None of this was appropriated for spending in the 2021 budget since the Town plans to maintain this as a reserve.

### Requests for Information

This financial report is designed to provide a general overview of the Town's finances for all those with an interest in the Town's finances. Questions concerning any of the information should be addressed to the office of the Finance Director, Town of Windermere, 614 Main Street, Windermere, FL 34786.

## **Basic Financial Statements**

Town of Windermere, Florida  
**Statement of Net Position**  
September 30, 2020

	<b>Governmental Activities</b>
<b>Assets:</b>	
Cash	\$ 2,338,088
Receivables	58,071
Due from other governments	66,627
Prepays	37,999
Restricted Assets:	
Cash	4,387,326
Capital Assets not Being Depreciated:	
Land	458,670
Construction in progress	891,520
Capital Assets, Net of Accumulated Depreciation:	
Buildings	331,329
Improvements	560,763
Equipment and machinery	337,591
Infrastructure	6,505,842
Intangibles	90,786
<b>Total assets</b>	<b>16,064,612</b>
<b>Liabilities:</b>	
Accounts payable	421,354
Accrued liabilities	54,475
Accrued interest payable	61,911
Matured interest and principal payable	110,207
Deferred revenues	32,640
Customer deposits	30,454
Noncurrent Liabilities:	
Due within one year	506,267
Due in more than one year	5,802,274
<b>Total liabilities</b>	<b>7,019,582</b>
<b>Net Position:</b>	
Net investment in capital assets	7,328,227
Restricted for:	
Public safety	652
Unrestricted	1,716,151
<b>Total net position</b>	<b>\$ 9,045,030</b>

Town of Windermere, Florida  
**Statement of Activities**  
Year Ended September 30, 2020

Functions/Programs	Program Revenues			Net (Expense) Revenue and Changes in Net Position
	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions
<b>Primary Government</b>				
Governmental Activities:				
General government	\$ 1,401,396	\$ 466,906	\$ 11,362	\$ -
Public safety	2,236,010	764,347	-	11,500
Physical environment	2,204,191	679,655	307,174	20,000
Culture and recreation	144,264	92,981	-	50,000
Interest on long-term debt	178,158	-	-	-
<b>Total governmental activities</b>	<b>\$ 6,164,019</b>	<b>\$ 2,003,889</b>	<b>\$ 318,536</b>	<b>\$ 81,500</b>
		<b>General Revenues:</b>		
		Property taxes		2,593,484
		Franchise and utility taxes		983,553
		Intergovernmental		521,821
		Investment income and miscellaneous		97,293
		<b>Total general revenues</b>		<b>4,196,151</b>
		<b>Change in net position</b>		<b>436,057</b>
		Net position, beginning		8,608,973
		<b>Net position, ending</b>		<b>\$ 9,045,030</b>

Town of Windermere, Florida  
**Balance Sheet**  
**Governmental Funds**  
September 30, 2020

	General	Stormwater Special Revenue	Total Governmental Funds
<b>Assets:</b>			
Cash	\$ 2,316,592	\$ 21,496	\$ 2,338,088
Receivables	58,071	-	58,071
Due from other governments	66,627	-	66,627
Due from other funds	101,518	-	101,518
Prepays	37,999	-	37,999
Restricted assets:			
Cash	4,387,326	-	4,387,326
<b>Total assets</b>	<b>\$ 6,968,133</b>	<b>\$ 21,496</b>	<b>\$ 6,989,629</b>
<b>Liabilities:</b>			
Accounts payable	380,106	41,248	421,354
Accrued liabilities	53,222	1,253	54,475
Due to other funds	-	101,518	101,518
Customer deposits	30,454	-	30,454
Unearned revenue	32,640	-	32,640
Matured notes payable	94,000	-	94,000
Matured interest payable	16,207	-	16,207
<b>Total liabilities</b>	<b>606,629</b>	<b>144,019</b>	<b>750,648</b>
<b>Fund Balances:</b>			
Nonspendable	37,999	-	37,999
Restricted	4,387,978	-	4,387,978
Assigned	392,449	-	392,449
Unassigned	1,543,078	(122,523)	1,420,555
<b>Total fund balances</b>	<b>6,361,504</b>	<b>(122,523)</b>	<b>6,238,981</b>
<b>Total liabilities and fund balances</b>	<b>\$ 6,968,133</b>	<b>\$ 21,496</b>	

**Amounts reported for governmental activities in the Statement of Net  
Position are different because:**

Capital assets used in governmental activities are not financial resources and therefore are not reported in the funds	9,176,501
Long-term liabilities, including notes payable, are not due and payable in the current period and therefore are not reported in the funds.	
Accrued interest payable	(61,911)
Notes payable	(6,235,600)
Compensated absences	(72,941)
<b>Net position of governmental activities</b>	<b>\$ 9,045,030</b>

Town of Windermere, Florida  
**Statement of Revenues, Expenditures and Changes in Fund Balance**  
**Governmental Funds**  
Year Ended September 30, 2020

	General	Stormwater Special Revenue	Total Governmental Funds
<b>Revenues:</b>			
Taxes:			
Property	\$ 2,593,484	\$ -	\$ 2,593,484
Franchise and utility	983,553	-	983,553
Impact fees	20,000	-	20,000
Licenses and permits	189,254	-	189,254
Intergovernmental revenues	901,857	-	901,857
Charges for services	1,457,014	334,030	1,791,044
Fines and forfeitures	23,591	-	23,591
Investment income	32,303	1,740	34,043
Miscellaneous	92,076	-	92,076
<b>Total revenues</b>	<b>6,293,132</b>	<b>335,770</b>	<b>6,628,902</b>
<b>Expenditures:</b>			
Current:			
General government	1,325,848	-	1,325,848
Public safety	2,114,027	-	2,114,027
Physical environment	2,680,647	739,132	3,419,779
Culture and recreation	169,331	-	169,331
Debt Service:			
Principal	378,194	16,015	394,209
Interest and other charges	113,051	3,196	116,247
<b>Total expenditures</b>	<b>6,781,098</b>	<b>758,343</b>	<b>7,539,441</b>
<b>Excess (Deficit) of revenues over expenditures</b>	<b>(487,966)</b>	<b>(422,573)</b>	<b>(910,539)</b>
<b>Other Financing Sources (Uses):</b>			
Notes payable issued	5,239,634	-	5,239,634
<b>Total other financing sources (uses)</b>	<b>5,239,634</b>	<b>-</b>	<b>5,239,634</b>
<b>Net change in fund balances</b>	<b>4,751,668</b>	<b>(422,573)</b>	<b>4,329,095</b>
Fund balance, beginning of year	1,609,836	300,050	1,909,886
<b>Fund balance, end of year</b>	<b>\$ 6,361,504</b>	<b>\$ (122,523)</b>	<b>\$ 6,238,981</b>

**Reconciliation of the Statement of Revenues, Expenditures and Changes in Fund Balance  
of Governmental Funds to the Statement of Activities**

Year Ended September 30, 2020

Amounts reported for Governmental Activities in the Statement of Activities are different because:

Net change in fund balances - total governmental funds:	\$ 4,329,095
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Governmental funds report capital outlays as expenditures. However, in the statement of activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which depreciation exceeded capital outlay in the current period.

Capital outlay	\$ 1,948,096	
Current year depreciation	<u>(766,329)</u>	1,181,767

The net effect of various miscellaneous transactions involving capital assets (i.e. sales, trade-ins and disposals) is to decrease net position	(155,174)
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The issuance of long-term debt provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds.

Debt proceeds	\$ (5,239,634)	
Debt repayments	<u>394,209</u>	(4,845,425)

Interest on long-term debt is not accrued in governmental funds, but rather is recognized as an expenditure when paid.	(61,911)
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Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.	<u>(12,295)</u>
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<b>Change in Net Position of Governmental Activities</b>	<u><u>\$ 436,057</u></u>
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Town of Windermere, Florida  
**Statement of Revenues, Expenditures and Changes in Fund Balance**  
**Budget and Actual - General Fund**  
Year Ended September 30, 2020

	<b>Budgeted Amounts</b>		<b>Actual</b>	<b>Variance with</b>
	<b>Original</b>	<b>Final</b>	<b>Amounts</b>	<b>Final Budget -</b>
				<b>Positive</b>
				<b>(Negative)</b>
<b>Revenues:</b>				
Taxes:				
Property	\$ 2,591,469	\$ 2,593,484	\$ 2,593,484	\$ -
Franchise and utility	878,500	983,553	983,553	-
Impact fees	-	20,000	20,000	-
Licenses and permits	259,500	189,254	189,254	-
Intergovernmental revenues	848,347	901,857	901,857	-
Charges for services	1,464,519	1,457,014	1,457,014	-
Fines and forfeitures	43,000	23,591	23,591	-
Investment income	16,000	32,303	32,303	-
Miscellaneous	102,000	92,076	92,076	-
<b>Total revenues</b>	<b>6,203,335</b>	<b>6,293,132</b>	<b>6,293,132</b>	<b>-</b>
<b>Expenditures:</b>				
Current:				
General government:				
Finance & administrative	940,172	795,654	795,787	(133)
Other	478,012	530,072	530,061	11
<b>Total general government</b>	<b>1,418,184</b>	<b>1,325,726</b>	<b>1,325,848</b>	<b>(122)</b>
Public safety	2,171,790	2,074,413	2,074,393	20
Physical environment:				
Streets & buildings	1,521,303	2,379,816	2,378,887	929
Solid waste	302,053	301,760	301,760	-
<b>Total physical environment</b>	<b>1,823,356</b>	<b>2,681,576</b>	<b>2,680,647</b>	<b>929</b>
Culture and recreation	266,500	169,346	169,331	15
Debt service:				
Principal	523,505	378,194	378,194	-
Interest	-	113,053	113,051	2
<b>Total expenditures</b>	<b>6,203,335</b>	<b>6,742,308</b>	<b>6,741,464</b>	<b>844</b>
<b>Excess of revenues over expenditures</b>	<b>-</b>	<b>(449,176)</b>	<b>(448,332)</b>	<b>844</b>
<b>Other Financing Sources (uses):</b>				
Proceeds from notes payable	-	-	5,200,000	5,200,000
<b>Total other financing sources (use)</b>	<b>-</b>	<b>-</b>	<b>5,200,000</b>	<b>5,200,000</b>
<b>Net change in fund balances</b>	<b>-</b>	<b>(449,176)</b>	<b>4,751,668</b>	<b>5,200,844</b>
Fund balance, beginning	1,609,836	1,609,836	1,609,836	-
<b>Fund balance, ending</b>	<b>\$ 1,609,836</b>	<b>\$ 1,160,660</b>	<b>\$ 6,361,504</b>	<b>\$ 5,200,844</b>



Town of Windermere, Florida  
**Stormwater Special Revenue Fund**  
**Statement of Revenues, Expenditures and Changes in Fun Balance - Budget and Actual**  
Year Ended September 30, 2020

	<b>Budgeted Amounts</b>		<b>Actual</b>	<b>Variance with</b>
	<b>Original</b>	<b>Final</b>	<b>Amounts</b>	<b>Final Budget -</b>
				<b>Positive</b>
				<b>(Negative)</b>
<b>Revenues:</b>				
Charges for services	\$ 352,999	\$ 334,030	\$ 334,030	\$ -
Investment income	-	1,740	1,740	-
<b>Total revenues</b>	<b>352,999</b>	<b>335,770</b>	<b>335,770</b>	<b>-</b>
<b>Expenditures:</b>				
Current:				
Physical environment	352,999	739,156	739,132	24
Debt service:				
Principal	-	16,015	16,015	-
Interest	-	3,196	3,196	-
<b>Total debt service</b>	<b>-</b>	<b>19,211</b>	<b>19,211</b>	<b>-</b>
<b>Total expenditures</b>	<b>352,999</b>	<b>758,367</b>	<b>758,343</b>	<b>24</b>
<b>Net change in fund balances</b>	<b>-</b>	<b>(422,597)</b>	<b>(422,573)</b>	<b>24</b>
Fund balance, beginning of year	300,050	300,050	300,050	-
<b>Fund balance, end of year</b>	<b>\$ 300,050</b>	<b>\$ (122,547)</b>	<b>\$ (122,523)</b>	<b>\$ 24</b>

## **Notes to Financial Statements**

## NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

### Reporting Entity

The Town was created by the laws of Florida 59-1614. The Town operates under a Mayor-Council form of government and provides the following services as authorized by its charter: public safety, streets and roads, sanitation, culture and recreation, and general administrative services. The accompanying financial statements include all those separately administered departments and funds for which the Town has financial accountability. There are no potential component units or related organizations of the Town.

### Government-Wide and Fund Financial Statements

The government-wide financial statements (i.e., the Statement of Net Position and the Statement of Activities) report information on all of the non-fiduciary activities of the Town. Since the Town has no business-type activities, only governmental activities are reported on the government-wide financial statements.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as *general revenues*.

The Town has no fiduciary funds, which would be excluded from the government-wide financial statements.

### Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenues as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the Town considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences, are recorded only when payment is due.

Property taxes, franchise taxes, licenses and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenue of the current fiscal period. All other revenue items are considered to be measurable and available only when cash is received by the Town.

The Town reports the following major governmental funds:

*General Fund* is the Town's primary operating fund. It accounts for all financial resources of the Town, except those required to be accounted for in another fund.

*Stormwater Special Revenue Fund* accounts for stormwater management operations and related capital improvements.

Amounts reported as program revenues include charges to customers or applicants for goods, services, or privileges provided, as well as fines. Internally dedicated resources are reported as general revenues rather than as program revenues. Likewise, general revenues include all taxes.

**NOTE 1      SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Assets, Liabilities and Net Position or Equity**

*Deposits and Investments*

The Town's cash and cash equivalents are considered to be cash on hand, demand deposits, and short term investments with original maturities of three months or less from the date of acquisition.

Investments of the Town are reported at fair value and are categorized within the fair value hierarchy established in accordance with GASB Statement No. 72, *Fair Value Measurement and Application*. The Town's investments consist of investments authorized per the Town's investment policies adopted in accordance with Section 218.415, Florida Statutes.

*Receivables*

Receivables are stated net of estimated allowances for uncollectible amounts, which are determined based on past collection experience and current economic conditions.

*Prepaid Items*

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both the government-wide and fund financial statements. These are recorded as expenditures when consumed rather than when purchased.

*Capital Assets*

Capital assets, which include property, plant equipment and infrastructure assets (e.g., roads, sidewalks and similar items), are reported in the applicable governmental activities column in the government-wide financial statements. Infrastructure assets acquired prior to October 1, 2003 have not been recorded since Governmental Accounting Standards Board (GASB) No. 34 does not require a Town the size of Windermere to retroactively record infrastructure. Capital assets are defined by the Town as assets with an initial, individual cost of more than \$750 and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized.

Major outlays for capital assets and improvements are capitalized as projects are constructed.

Depreciation on all capital assets is calculated using the straight-line method over the following useful lives:

<b>Assets</b>	<b>Years</b>
Buildings	50 years
Improvements	10 - 30 years
Infrastructure	20 years
Equipment & machinery	5 - 15 years
Intangible assets	5 years

Amortization of assets recorded under capital leases is included with depreciation expense.

*Contributions*

Contributions in the form of cash and capital assets to the governmental activities of the Town are recognized on the Statement of Activities as revenues in the period they are received. Contributions of capital assets are recognized at the acquisition value at the date of donation. All contributions are reported on the Statement of Activities as program revenues, with operating contributions reported separately from capital contributions.

**NOTE 1      SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

*Restricted Assets*

Assets are reported as restricted in the government-wide statement of net position when constraints are placed on net position use. The constraints are either: (1) externally imposed by creditors, grantors, contributors, or laws or regulations of other governments; or (2) imposed by law or through constitutional provisions or enabling legislation.

*Compensated Absences*

Town employees may accumulate vacation and sick leave with certain limitations as to the number of hours of accumulation. Employees are paid 100% of their accumulated vacation when they terminate for any reason. Additionally, employees with more than 10 years of service are paid 50% of their sick time upon termination. Since the Town's policy is to pay both vacation and sick pay when employees separate from service, all vacation and 50% of sick pay for eligible employees is accrued when incurred in the government-wide financial statements. A liability for these amounts is reported in the governmental funds only if they have matured, for example, as a result of employee resignations and retirements. For governmental activities, compensated absences are generally liquidated by the General fund.

*Deferred Outflows/Inflows of Resources*

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to a future period(s) and so will *not* be recognized as an outflow of resources (expense/expenditure) until then. The Town does not have any item that qualifies for reporting in this category for the year ended September 30, 2020.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period(s) and so will *not* be recognized as an inflow of resources (revenue) until that time. The Town does not have any item that qualifies for reporting in this category for the year ended September 30, 2020.

*Net Position Flow Assumptions*

Sometimes the Town will fund outlays for a particular purpose from both restricted and unrestricted resources. In order to calculate the amounts to report as restricted - net position and unrestricted - net position in the government-wide financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the Town's policy to consider restricted - net position to have been depleted before unrestricted - net position is applied.

*Fund Balance Flow Assumptions*

Sometimes the Town will fund outlays for a particular purpose from both restricted and unrestricted resources (total of committed, assigned, and unassigned fund balance). In order to calculate the amounts to report as restricted, committed, assigned, and unassigned fund balance in the governmental fund financial statements a flow assumption must be made about the order in which the resources are considered to be applied. It is the Town's policy to consider restricted fund balance to have been depleted before using any of the components of unrestricted fund balance. Further, when the components of unrestricted fund balance can be used for the same purpose, committed fund balance is depleted first, followed by assigned fund balance. Unassigned fund balance is applied last.

*Fund Balance Policies*

Fund balance of governmental funds is reported in various categories based on the nature of any limitations requiring the use of resources for specific purposes. The Town itself can establish limitations on the use of resources through either a commitment (committed fund balance) or an assignment (assigned fund balance).

The committed fund balance classification includes amounts that can be used only for the specific purposes determined by a formal action of the town's highest level of decision-making authority. The Council is the highest level of decision-making authority for the town that can, by adoption of a resolution prior to the end of the fiscal year, commit fund balance. Once adopted, the limitation imposed by the resolution remains in place until a similar action is taken (the adoption of another resolution) to remove or revise the limitation.

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

Amounts in the assigned fund balance classification are intended to be used by the town for specific purposes but do not meet the criteria to be classified as committed. The council has maintained authority to assign fund balance. The council may also assign fund balance as it does when appropriating fund balance to cover a gap between estimated revenue and appropriations in the subsequent year's appropriated budget. Unlike commitments, assignments generally only exist temporarily. In other words, an additional action does not normally have to be taken for the removal of an assignment. Conversely, as discussed above, an additional action is essential to either remove or revise a commitment.

*Use of Estimates*

The preparation of financial statements, in accordance with GAAP, requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amount of revenue and expenses during the reporting period. Actual results could differ from those estimates.

*New Accounting Standard*

In fiscal year 2020, the Town implemented GASB Statement No. 95, *Postponement of the Effective Dates of Certain Authoritative Guidance*. This pronouncement provides temporary relief to governments and other stakeholders in light of the COVID-19 pandemic by postponing the effective dates of provisions in certain other statements. There was no effect on beginning balances of the Town for the implementation of this statement.

**NOTE 2 RECONCILIATION OF GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS**

**Explanation of Certain Differences Between the Governmental Fund Balance Sheet and the Government-Wide Statement of Net Position**

The governmental fund balance sheet includes reconciliation between fund balances - total governmental funds and net position of governmental activities as reported in the government-wide statement of net position.

**Explanation of Certain Differences Between the Governmental Fund Statement of Revenues, Expenditures, and Changes in Fund Balances and the Government-Wide Statement of Activities**

The governmental fund statement of revenues, expenditures, and changes in fund balance includes a reconciliation between net change in fund balances - total governmental funds and changes in net position of governmental activities as reported in the government-wide statement of activities.

**NOTE 3 STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY**

**Budgetary Information**

The Town follows these procedures set forth below in establishing the budgetary data reflected in the financial statements:

1. At least 90 days prior to the beginning of each budget year, the Town Manager shall submit to the Town Council a budget.
2. Public hearings are conducted to obtain taxpayer comments.
3. The Budget shall be finally adopted no later than the last day of the last month of the fiscal year.
4. Formal budgetary accounting is employed as a management control for the General Fund and Stormwater Fund. Annual operating budgets are adopted each fiscal year through passage of an annual budget resolution and amended as required for the General Fund and Stormwater Fund. Budgeted amounts presented in the accompanying financial statements have been adjusted for legally authorized revisions.
5. The Town Manager may transfer part or all of any unencumbered appropriation balance among programs within a department and upon written request by the Town Manager, the Town Council may by resolution transfer part or all of any unencumbered appropriation balance from one department to another.
6. All unexpended budget appropriations lapse at the end of each fiscal year.
7. The Town does not utilize an encumbrance system of accounting.

**NOTE 3 STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY (CONTINUED)**

The General Fund budget is prepared on a budgetary basis, whereby the Town includes a portion of the prior year's fund balance represented by unappropriated liquid assets remaining in the fund as budgeted revenue in the succeeding year. The results of operations on a GAAP basis do not recognize the fund balance allocation as revenue as it represents prior periods' excess of revenues over expenditures. Also, the Town does not budget for capital outlay expenditures and other financing sources related to the acquisition of assets through capital leases or other debt.

For the 2020 fiscal year, the following adjustments were necessary to convert General Fund expenditures on a GAAP basis to the budgetary basis, respectively:

	Expenditures	Other Financing Sources (Uses)
GAAP basis	\$ 6,781,098	\$ 5,239,634
Nonbudgeted notes payable	(39,634)	(39,634)
<b>Budgetary basis</b>	<b>\$ 6,741,464</b>	<b>\$ 5,200,000</b>

**Appropriations in Excess of Estimated Revenues and Funds Available**

For the year ended September 30, 2020, appropriations in the Stormwater Special Revenue Fund were in excess of anticipated revenue and prior years' fund balance.

**NOTE 4 CASH AND INVESTMENTS**

**Deposits**

At year-end, the carrying amount of the Town's deposits was \$6,725,414 and the bank balance was \$6,758,011. All bank deposits were fully covered by federal depository insurance or by collateral held in banks that are members of the State of Florida's Collateral Pool as specified under Florida law.

**Investments**

The Town's investment policies are governed by State Statutes and Town ordinances. Town ordinance allows investments in any financial institution that is a qualified public depository of the State of Florida as identified by the State Treasurer, in accordance with Chapter 280 of the Florida Statutes. Authorized investments are:

1. The State Board of Administration Local Government Investment Pool (LGIP);
2. Repurchase Agreements collateralized by U.S. Government Securities;
3. Interest bearing savings accounts, money market accounts and certificates of deposits at banks certified as a Qualified Public Depository by the State of Florida;
4. The Florida Municipal Investment Trust, administered by the Florida League of Cities, Inc.;
5. Direct obligations of the U.S. Government and its agencies;
6. Fixed interest mutual funds.

The Town follows GASB No. 31, *Accounting and Financial Reporting for Certain Investments and for External Investment Pools*, which requires the adjustments of the carrying values of investments to fair value to be presented as a component of investment income. Investments are presented at fair value, which is based on available market values. Per GASB No. 72, *Fair Value Measurement and Application*, The Town categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 inputs are quoted prices in active markets for identical assets; Level 2 inputs are significant other observable inputs; level 3 inputs are significant unobservable inputs. As of September 30, 2020, the town has no investments as defined by GASB 72.

**NOTE 4 CASH AND INVESTMENTS (CONTINUED)**

The Town's investment policy limits credit risk by restricting authorized investments to those described above. These policies also control concentration of credit risk by setting limits on the maximum percentage that certain investments may comprise in the portfolio. Since the Town has no investments at September 30, 2020, it has no exposure to credit risk, concentration of credit risk, custodial credit risk, or interest rate risk. However, all deposits are potentially subject to custodial credit risk. The Town's investment policy requires that bank deposits be secured as provided by Chapter 280, Florida Statutes. This law requires local governments to deposit funds only in financial institutions designated as qualified public depositories by the Chief Financial Officer of the State of Florida, and creates the Public Deposits Trust Fund, a multiple financial institution pool with the ability to assess its member financial institutions for collateral shortfalls if a default or insolvency has occurred. At September 30, 2020, all the Town's bank deposits were in qualified public depositories.

**NOTE 5 PROPERTY TAXES**

Property taxes attach as an enforceable lien on property as of January 1. Taxes are levied on October 1 and payable by March 31. Orange County Government, Florida (the County) bills and collects property taxes. Collections of the property taxes by the County and remittance of them to the Town are accounted for in the General fund. Town property tax revenues are recognized when levied to the extent that they result in current receivables.

The Town is permitted by the Municipal Finance Law of the State to levy taxes up to \$10 per \$1,000 of assessed valuation for general governmental services other than the payment of principal and interest on long-term debt and in unlimited amounts for the payment of principal and interest on long-term debt. The combined tax rate to finance general governmental services for the year ended September 30, 2020 was \$3.7425 per \$1,000 which means the Town has a tax margin of \$6.2575 per \$1,000 and could raise up to \$4,473,454 (before discount) additional per year from the present assessed valuation of \$714,894,746 before the limit is reached.



**NOTE 6 CAPITAL ASSETS**

Capital asset activity for the year ended September 30, 2020 was as follows:

	<b>Beginning Balance</b>	<b>Increases / Transfers</b>	<b>Decreases / Transfers</b>	<b>Ending Balance</b>
<b>Primary Government</b>				
<b>Governmental Activities:</b>				
Capital assets, not being depreciated:				
Land	\$ 458,670	\$ -	\$ -	\$ 458,670
Construction in progress	291,778	1,894,224	(1,294,482)	891,520
<b>Total capital assets not being depreciated</b>	<b>750,448</b>	<b>1,894,224</b>	<b>(1,294,482)</b>	<b>1,350,190</b>
Capital assets, being depreciated:				
Buildings	1,524,988	-	(237,175)	1,287,813
Improvements	1,323,984	57,779	(157,754)	1,224,009
Equipment & machinery	1,495,291	52,852	(112,950)	1,435,193
Infrastructure	10,352,346	1,154,813	-	11,507,159
Intangibles	42,303	82,910	-	125,213
<b>Total capital assets being depreciated</b>	<b>14,738,912</b>	<b>1,348,354</b>	<b>(507,879)</b>	<b>15,579,387</b>
Less accumulated depreciation for:				
Buildings	(1,078,841)	(25,968)	148,325	(956,484)
Improvements	(709,765)	(65,636)	112,155	(663,246)
Equipment & machinery	(1,067,922)	(121,905)	92,225	(1,097,602)
Infrastructure	(4,451,052)	(550,265)	-	(5,001,317)
Intangibles	(31,872)	(2,555)	-	(34,427)
<b>Total accumulated depreciation</b>	<b>(7,339,452)</b>	<b>(766,329)</b>	<b>352,705</b>	<b>(7,753,076)</b>
<b>Total capital assets being depreciated, net</b>	<b>7,399,460</b>	<b>582,025</b>	<b>(155,174)</b>	<b>7,826,311</b>
<b>Governmental activities capital assets, net</b>	<b>\$ 8,149,908</b>	<b>\$ 2,476,249</b>	<b>\$ (1,449,656)</b>	<b>\$ 9,176,501</b>
Depreciation Allocation:				
General government		\$	41,523	
Public safety			74,495	
Physical environment			612,642	
Culture and recreation			37,669	
			<u>\$ 766,329</u>	

**NOTE 7 INTERFUND RECEIVABLES AND PAYABLES**

At September 30, 2020, the Stormwater Special Revenue Fund owed the General Fund \$101,518 mainly due to the time lag between the dates that interfund goods and services are provided or reimbursable expenditures occur, transactions are recorded in the accounting system, and payments between funds are made.

**NOTE 8 RETIREMENT PLAN**

The Town adopted the Town of Windermere Employee Retirement Plan effective October 1, 2001. The plan is a money purchase defined contribution plan which was established and can be amended by the Town Council. The plan covers all full time employees. The Town is required to contribute 19% of eligible employee compensation for sworn police officers, and 10% for remaining employees each year. Employees may not make contributions to the plan. At September 30, 2020, there were 43 participants. Total contributions made by the Town during the year ended September 30, 2020 amounted to \$155,179.

The Town adopted the Town of Windermere Deferred Compensation Plan effective March 20, 2002. The plan is a deferred compensation defined contribution plan which was established and can be amended by the Town Council. The plan covers all full time employees who may elect to make contributions. The Town does not match employee contributions or otherwise contribute to the plan. At September 30, 2020, the plan had 29 participants.

**NOTE 9 OTHER POSTEMPLOYMENT BENEFITS**

Pursuant to Resolution 2010-15, the Town has elected not to make continuation of group health insurance through the Town's current provider available to retirees and eligible dependents.

**NOTE 10 LONG-TERM DEBT**

A summary of long-term debt activity for the year ended September 30, 2020 follows:

	<b>Beginning Balance</b>	<b>Additions</b>	<b>Deductions</b>	<b>Ending Balance</b>	<b>Due Within One Year</b>
Promissory notes payable- Private Placement	\$ 379,175	\$ 39,634	\$ 85,709	\$ 333,100	\$ 84,973
Revenue notes payable- Private Placement	1,011,000	5,200,000	308,500	5,902,500	414,000
Compensated absences	60,646	83,188	70,893	72,941	7,294
	<u>\$ 1,450,821</u>	<u>\$ 5,322,822</u>	<u>\$ 465,102</u>	<u>\$ 6,308,541</u>	<u>\$ 506,267</u>

**NOTE 10 LONG-TERM DEBT (CONTINUED)**

**Notes Payable**

Notes payable outstanding at September 30, 2020, are as follows:

	<u>Sale Date</u>	<u>Original Borrowing</u>	<u>Outstanding 9/30/2020</u>	<u>Final Maturity</u>	<u>Interest Rates to Maturity</u>
<u>Note Payable:</u>					
Communication services tax refunding					
Note, Series 2014	11/14/2014	\$ 1,856,500	\$ 822,500	10/1/2024	3.54%
CIRN Note, Series 2019	12/20/2019	5,200,000	5,080,000	10/1/2039	2.13%
<u>Promissory Notes:</u>					
Promissory Note 802856-1	5/7/2015	33,509	-	5/7/2020	2.75%
Promissory Note 802856-3	2/23/2016	29,995	5,998	3/23/2021	2.99%
Promissory Note 802856-4	5/2/2016	32,592	6,784	5/2/2021	2.99%
Promissory Note 802856-5	8/26/2016	26,252	5,568	8/26/2021	2.99%
Promissory Note 802856-6	3/2/2017	74,940	54,800	3/2/2027	3.05%
Promissory Note 802856-7	12/13/2016	148,493	108,562	12/13/2026	3.05%
Promissory Note 802856-9	9/25/2017	32,472	13,345	3/2/2022	2.99%
Promissory Note 802856-10	11/6/2017	21,001	8,603	3/2/2022	3.00%
Promissory Note 802856-11	11/6/2017	21,001	8,603	3/2/2022	3.00%
Promissory Note 802856-12	2/14/2018	35,643	14,499	3/2/2022	3.25%
Promissory Note 802856-13	11/1/2018	82,000	66,704	11/1/2023	3.25%
Promissory Note 802856-14	11/25/2019	39,634	39,634	11/25/2024	3.65%

The Town has pledged future communication services tax revenues to repay the Communication Services Tax Refunding Revenue Note, Series 2014. Proceeds from the original note, issued in 2004, provided financing for various Town capital projects. The note is payable solely from the communication services tax revenues. To the extent that communication services tax revenues are insufficient to pay principal and interest on the note, the Town will, in each year while the note is outstanding, budget and appropriate sufficient non-ad valorem revenues to make payments of the principal of and interest on the note as it becomes due. Total communication services tax revenues pledged for the year was \$296,843. In the event of default, all principal and interest of the Note will become immediately due and payable.

**NOTE 10 LONG-TERM DEBT (CONTINUED)**

The promissory notes payable were issued to fund the purchase of various capital equipment. Each of the notes are secured by the underlying equipment and are not general obligations of the Town. In the event of default, the Lender may declare the entire amount immediately due and payable without notice to the Town. The Lender may also exercise the right to take possession of the collateral with or without a court order.

Debt service requirements of notes payable are as follows:

	<b>Maximum Annual Debt Service</b>	<b>Fiscal Year Principal &amp; Interest Paid</b>	<b>Principal and Interest Remaining</b>	<b>Payment Schedule</b>
<u>Note Payable:</u>				
Communication services tax refunding Note, Series 2014	\$ 235,863	\$ 226,228	\$ 887,921	Bi-annual
CIRN Note, Series 2019	327,714	151,074	6,231,105	Annual
<u>Promissory Notes:</u>				
Promissory Note 802856-1	10,719	10,718	-	Annual
Promissory Note 802856-3	6,726	6,364	6,180	Annual
Promissory Note 802856-4	7,244	6,854	6,990	Annual
Promissory Note 802856-5	5,738	5,738	5,737	Annual
Promissory Note 802856-6	8,828	8,827	61,792	Annual
Promissory Note 802856-7	17,492	17,492	122,414	Annual
Promissory Note 802856-9	6,979	6,979	13,955	Annual
Promissory Note 802856-10	4,499	4,499	8,998	Annual
Promissory Note 802856-11	4,499	4,499	8,998	Annual
Promissory Note 802856-12	7,610	7,609	15,220	Annual
Promissory Note 802856-13	18,224	18,223	72,845	Annual
Promissory Note 802856-14	8,817	-	44,083	Annual

Annual debt service requirements to maturity are as follows:

<u>Year Ending September 30,</u>	<u>Governmental Activities</u>	
	<u>Principal</u>	<u>Interest</u>
2021	\$ 498,973	\$ 144,775
2022	483,311	130,487
2023	482,493	116,481
2024	498,046	102,729
2025	267,527	90,631
2026 - 2030	1,275,250	366,004
2031 - 2035	1,370,000	226,153
2036 - 2040	1,360,000	73,378
	<u>\$ 6,235,600</u>	<u>\$ 1,250,638</u>

**NOTE 11 LEASES**

*As Lessor* - The Town leases certain space to tenants pursuant to operating lease agreements with terms of one year or less. For fiscal year 2020, rental income totaled \$49,260. All lease agreements ended in 2020 with the retirement of the Town administrative facility.

**NOTE 12 RISK MANAGEMENT**

The Town is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; job-related illnesses or injuries to employees; and natural disasters. Risk of loss from the above is transferred by the Town to various commercial insurers through the purchase of insurance.

There has been no significant reduction in insurance coverage from the previous year. There have been no settlements in excess of insurance coverage in any of the prior three fiscal years.

**NOTE 13 LITIGATION CONTINGENCIES, AND COMMITMENTS**

**Litigation**

During the ordinary course of its operations, the Town is a party to various claims, legal actions, and complaints. In addition, although the outcome of these lawsuits is not presently determinable, in the opinion of the Town's management and legal counsel, these matters are not anticipated to have a material financial impact on the Town.

**NOTE 14 FUND BALANCES**

At September 30, 2020, the Town's governmental fund balances were classified as follows:

<b>Fund Balances:</b>	<b>General</b>	<b>Stormwater Special Revenue</b>	<b>Total</b>
<b>Nonspendable:</b>			
Prepaid expenses	\$ 37,999	\$ -	\$ 37,999
<b>Spendable:</b>			
<b>Restricted for:</b>			
Capital assets	4,387,326	-	4,387,326
Police education fund	652	-	652
<b>Assigned to:</b>			
Downtown business committee	87,621	-	87,621
Parks & recreation	82,208	-	82,208
Capital improvements	100,000	-	100,000
Other	122,620	-	122,620
<b>Unassigned:</b>			
Unassigned	1,543,078	(122,523)	1,420,555
<b>Total Fund Balances</b>	<b>\$ 6,361,504</b>	<b>\$ (122,523)</b>	<b>\$ 6,238,981</b>

**NOTE 15      SUBSEQUENT EVENTS**

In November 2020, the Town entered into a promissory note agreement with a bank in the amount of \$35,496 for the purchase of certain equipment.

## Other Reports



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**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL  
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN  
AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE  
WITH GOVERNMENT AUDITING STANDARDS**

Honorable Mayor and Town Council  
*Town of Windermere, Florida*

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, and each major fund of the *Town of Windermere, Florida*, as of and for the year ended September 30, 2020, and the related notes to the financial statements, which collectively comprise the Town's basic financial statements and have issued our report thereon dated February 4, 2021.

**Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the *Town's* internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the *Town's* internal control. Accordingly, we do not express an opinion on the effectiveness of the *Town's* internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented or detected and corrected on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified. We did identify certain deficiencies in internal control, described in the accompanying Appendix A that we consider to be significant deficiencies.

**Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the *Town's* financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

**Town's Response to Findings**

The *Town of Windermere's* response to the finding identified in our audit is included in this report. The *Town's* response was not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on it.



**Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

*McDermitt Davis*

Orlando, Florida  
February 4, 2021



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**INDEPENDENT ACCOUNTANT'S REPORT ON COMPLIANCE WITH  
THE REQUIREMENTS OF SECTION 218.415, FLORIDA STATUTES**

Honorable Mayor and Town Council  
*Town of Windermere, Florida*

We have examined Town of Windermere's (the "Town") compliance with the requirements of Section 218.415, Florida Statutes, during the year ended September 30, 2020. Management is responsible for the Town's compliance with those requirements. Our responsibility is to express an opinion on the Town's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and the standards applicable to attestation engagements contained in Government Auditing Standards issued by the Comptroller General of the United States and, accordingly, included examining, on a test basis, evidence about the Town's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination on the Town's compliance with specified requirements.

In our opinion, Town of Windermere complied, in all material respects, with the aforementioned requirements for the year ended September 30, 2020.

*McDermitt Davis*

Orlando, Florida  
February 4, 2021



## MANAGEMENT LETTER

Honorable Mayor and Town Council  
Town of Windermere, Florida

### Report on the Financial Statements

We have audited the financial statements of the Town of Windermere, Florida, as of and for the fiscal year ended September 30, 2020, and have issued our report thereon dated February 4, 2021.

### Auditor's Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Chapter 10.550, Rules of the Florida Auditor General.

### Other Reporting Requirements

We have issued our Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of the Financial Statements Performed in Accordance with *Government Auditing Standards* and Independent Accountant's Report on an examination conducted in accordance with *AICPA Professional Standards*, AT-C Section 315, regarding compliance requirements in accordance with Chapter 10.550, Rules of the Auditor General. Disclosures in those reports, which are dated February 4, 2021, should be considered in conjunction with this management letter.

### Prior Audit Findings

Section 10.554(1)(i)1., Rules of the Auditor General, require that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. Management has decided to acknowledge and accept the finding which was repeated in the prior two annual financial reports:

Tabulation of Uncorrected Audit Findings		
FY 2020 Finding #	FY 2019 Finding #	FY 2018 Finding #
ML 20-01	ML 19-01	ML 18-01

### Official Title and Legal Authority

Section 10.554(1)(i)4., Rules of the Auditor General, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in this management letter, unless disclosed in the notes to the financial statements. This information has been disclosed in the notes to the financial statements.

### Financial Condition and Management

Sections 10.554(1)(i)5.a. and 10.556(7), Rules of the Auditor General, require us to apply appropriate procedures and communicate the results of our determination as to whether or not the Town of Windermere has met one or more of the conditions described in Section 218.503(1), Florida Statutes, and to identify the specific condition(s) met. In connection with our audit, we determined that the Town of Windermere, Florida did not meet any of the conditions described in Section 218.503(1), Florida Statutes.

Pursuant to Sections 10.554(1)(i)5.b. and 10.556(8), Rules of the Auditor General, we applied financial condition assessment procedures for the Town of Windermere. It is management's responsibility to monitor the Town of Windermere, Florida's financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same.

Section 10.554(1)(i)2., Rules of the Auditor General, requires that we communicate any recommendations to improve financial management. In connection with our audit, we did not have any such recommendations.

**Additional Matters**

Section 10.554(1)(i)3., Rules of the Auditor General, requires us to communicate noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but which warrants the attention of those charged with governance. In connection with our audit, we did not note any such findings.

**Purpose of this Letter**

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, Federal and other granting agencies, the Town Council, and applicable management, and is not intended to be and should not be used by anyone other than these specified parties.

*McDiarmid Davis*

Orlando, Florida  
February 4, 2021

#### **20-01 - INTERNAL CONTROLS OVER THE PREPARATION OF FINANCIAL STATEMENTS**

**Criteria**

AUC 265, *Communicating Internal Control Related Matters Identified in an Audit*, requires auditors to evaluate whether or not the Town has the necessary expertise to draft the financial statements, including footnote disclosures, without the assistance of auditors.

**Condition**

During the course of our audit, we determined that the Town does not have the necessary expertise to draft the financial statements without our assistance.

**Cause**

Due to the small size of the Town, none of the staff is qualified to prepare the financial statements.

**Effect**

Errors in financial reporting could go undetected by management.

**Recommendation**

We recommend continued training of existing staff to improve financial reporting.

#### **20-02 - PURCHASE ORDERS**

**Criteria**

Purchase orders should function as a preventative control over cash disbursements.

**Condition**

During our audit, we noted that the design of internal controls included the use of purchase orders on all purchases over \$1,000. While purchase orders were properly included as supporting documentation for cash disbursements, we found that in practice they are not used as a preventative control to authorize purchases before they are made.

**Cause**

A purchase was made where a purchase order was issued out after the transaction had occurred.

**Effect**

Purchases which require purchase orders as a preventative control over cash disbursements can be made without prior authorization as required by written policy. Unauthorized purchases would not be prevented.

**Recommendation**

We recommend the Town mandate that all purchases over the established threshold require a properly completed, prenumbered purchase order with appropriate authorization before the provision of the good or service.

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

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

March 15, 2021

RE: Comments and Recommendations from Auditor FY 19-20

Mayor & Council,

For FY 19-20, the Auditors had two (2) findings relative to internal controls. The following is my response to the findings:

**ML 20-01-Internal Controls Over the Preparation of Financial Statements:**

**Finding:** SAS No. 115, *Communicating Internal Control Related Matters Identified in an Audit*, requires auditors to evaluate whether or not the Town has the necessary expertise to draft the financial statements, including footnote disclosures, without the assistance of auditors.

**Recommendation:** "We recommend continued training of existing staff to improve financial reporting."

**Response:** Management acknowledges and accepts this deficiency due to the size and limited resources of the Town. We will continue to develop and train staff in improving financial reporting capabilities.

**ML 20-02-Internal Controls Over Purchase Orders :**

**Finding:** SAS No. 115, *Communicating Internal Control Related Matters Identified in an Audit*, requires auditors to evaluate the design of internal control to include the use of completed, prenumbered purchase orders on purchases over \$1,000.00 with appropriate authorizations in place to limit unauthorized purchases. A purchase was made where a purchase order was issued out after the transaction had occurred.

**Recommendation:** "We recommend the Town mandate that all purchases over the established threshold require a properly completed, prenumbered purchase order with appropriate authorization before the provision of the good or service."

**Response:** Management acknowledges and accepts this deficiency due to the type of emergency service for tree removal and limited staffing due to the COVID pandemic. We will continue to develop and train staff in the purchasing policies of the town for compliance and adherence.

Regards,

A handwritten signature in black ink, appearing to read 'Robert Smith', with a long horizontal stroke extending to the right.

**Robert Smith  
Town Manager**



**FOURTH AMENDMENT TO EMERGENCY AMBULANCE  
TRANSPORTATION SERVICES AGREEMENT**

**THIS FOURTH AMENDMENT TO EMERGENCY AMBULANCE TRANSPORTATION SERVICES AGREEMENT** ("Amendment") is made between the American Medical Response company ("AMR") and the Town of Windermere (the "Town") set forth below.

**WHEREAS**, the parties wish to amend the Emergency Ambulance Transportation Services Agreement that they entered September 1, 2011 ("Agreement");

**WHEREAS**, the parties wish to update the fee schedule language and provide future renewal language; and

**WHEREAS**, the parties wish to amend the Agreement on the terms and conditions set forth herein.

**NOW THEREFORE**, in consideration of the foregoing and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. This Amendment shall be effective when executed by all parties and the effective date shall be September 1, 2019.
2. The parties hereby amend the fee schedule to the Agreement – Table 1 below and renew the terms of the Agreement for a period not to exceed 1 year. Future renewals will need to be in writing and will be submitted 90 days prior to expiration of the current agreement or as to a timeframe mutually agreed upon by both parties.
3. All other terms and conditions set forth in the Agreement remain unchanged.

**IN WITNESS WHEREOF**, the parties have hereto executed this Amendment.

**LIFEFLEET SOUTHEAST INC. D/B/A AMERICAN MEDICAL RESPONSE**

By: DocuSigned by:  
*Edward Van Horne*  
Edward Van Horne, President and CEO

**TOWN OF WINDERMERE**

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Title: \_\_\_\_\_



**TABLE 1**

Service	MCR HCPC	Orange County 9-1-1*
Orange County		
Basic Life Support, Non – Emergency	A0428	\$747.11
Basic Life Support, Emergency	A0429	\$747.11
Advanced Life Support, Non – Emergency	A0426	\$960.28
Advanced Life Support, Emergency	A0427	\$960.28
Advanced Life Support, Level 2	A0433	\$1,066.87
Specialty Care Transport	A0434	\$1,066.87
Mileage – Urban & Suburban - per loaded mile	A0425	\$12.81
Mileage – Rural - per loaded mile	A0425	NA
ALS ER Assessment	A0999	\$960.28

## Rate Adjustments:

☒ Automatic adjustment when Usual and Customary rates adjust (typically January 1<sup>st</sup>)

AMR may also notify the Town at anytime in writing of a rate adjustment due to changed circumstances, e.g. increase in fuel costs, new regulatory requirements or new clinical standards. The rate adjustments shall become effective thirty (30) days after AMR's notification unless the Customer has objected in writing to the rate adjustment before expiration of the notice period.



#### **AMENDMENT TO EMERGENCY AMBULANCE TRANSPORTATION SERVICES AGREEMENT**

**THIS FOURTH AMENDMENT TO MEDICAL TRANSPORTATION SERVICES AGREEMENT** ("Amendment") is made between the American Medical Response company ("AMR") and the Town of Windermere (the "Town") as set forth below.

**WHEREAS**, the parties wish to amend the Medical Transportation Services Agreement that they entered into on September 1, 2011 and as amended from time-to-time ("Agreement");

**WHEREAS**, the parties wish to update the fee schedule language, add required statutory language, and provide future renewal language; and

**WHEREAS**, the parties wish to amend the Agreement on the terms and conditions set forth herein.

**NOW THEREFORE**, in consideration of the foregoing and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. This Amendment shall be effective when executed by all parties and the effective date shall be **October 1, 2019**.
2. The parties hereby add the following fee schedule to the agreement – Table 1 below and renew for a period not to exceed 1 year. Future renewals will need to be in writing and will be submitted 90 days prior to expiration of the current contract or as to a timeframe mutually agreed upon by both parties
3. The parties hereby add the following terms to the Agreement:
  - a. **Public Records. IF AMR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO AMR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE TOWN'S CUSTODIAN OF PUBLIC RECORDS AT (407) 876-2563 x5323, dburkhalter@town.windermere.fl.us, 614 Main Street, Windermere, FL 34786.**
4. All other terms and conditions set forth in the Agreement remain unchanged.

**IN WITNESS WHEREOF**, the parties have hereto executed this Amendment.

Lifefleet Southeast Inc. d/b/a American Medical Response

By: \_\_\_\_\_

Town of Windermere

By:

Print Name:

Robert Smith

Print Title:

Town Manager

**Table 1**

Service	MICR BUC	Orange County 9-1-1*
Orange County		
Basic Life Support, Non – Emergency	A0428	\$747.11
Basic Life Support, Emergency	A0429	\$747.11
Advanced Life Support, Non – Emergency	A0426	\$960.28
Advanced Life Support, Emergency	A0427	\$960.28
Advanced Life Support, Level 2	A0433	\$1,066.87
Specialty Care Transport	A0434	\$1,066.87
Mileage – Urban & Suburban - per loaded mile	A0425	\$12.81
Mileage – Rural - per loaded mile	A0425	NA
ALS ER Assessment	A0999	\$960.28

**Rate Adjustments:**

**Ambulance Services (select only one and delete other non-applicable options):**



Automatic adjustment when Usual and Customary rates adjust (typically January 1<sup>st</sup>)

Provider may also notify Customer at anytime in writing of a rate adjustment (for Ambulance Services and/or Non-Ambulance Services) due to changed circumstances, e.g., increase in fuel costs, new regulatory requirements or new clinical standards. The rate adjustment shall become effective thirty (30) days after Provider's notification unless the Customer has objected in writing to the rate adjustment before expiration of the notice period.



## EXECUTIVE SUMMARY

**SUBJECT:** Retro-Active Approval of Fernwood Boat Dock Repairs

**REQUESTED ACTION:** Staff Recommends Approval Q Ice Builders

☐ Work Session (Report Only)

☒ Regular Meeting

**DATE OF MEETING:** 3/23/21

☐ Special Meeting

**CONTRACT:** ☐ N/A

Effective Date: \_\_\_\_\_

Managing Division / Dept: \_\_\_\_\_

Vendor/Entity: \_\_\_\_\_

Termination Date: \_\_\_\_\_

**BUDGET IMPACT:** \$17,480

☐ Annual

☐ Capital

☒ N/A

**FUNDING SOURCE:** \_\_\_\_\_

**EXPENDITURE ACCOUNT:** \_\_\_\_\_

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## HISTORY/FACTS/ISSUES:

Mayor & Council,

Based on the safety, health and welfare of our residents, I approved the repair/replacement of the Fernwood boat dock. The dock posed a hazard and per charter the TM is allowed to expend funds beyond his or her spending threshold in exigent circumstances. However, the funds still need to be brought to TC for approval.

Staff proposed the question to our legal team about the ability of the Town to contract with a DRB member (Peter Fleck) for work to be performed for the Town. The work to be done is under \$35,000.00 so the statutory procurement requirements are not applicable, however the Town must comply with the requirements in the Town's procurement code.

The DRB is an advisory board (sec. 112.312(1), Fla. Stat.) A DRB member is a "public officer" (sec. 112.313(1), Fla. Stat.), and if the dollar amount of the work to be performed is more than \$500 a fiscal year (sec. 112.313(12)(f), Fla. Stat.), a DRB member cannot do business with the Town (secs. 112.313(3) & 112.313(7), Fla. Stat.) unless one of the following exceptions are met:

- The Town Council waives the prohibitions and finds that the DRB member can do business with the Town and can hold a contract with the Town by a two-thirds vote (sec. 112.313(12), Fla. Stat.); or,
  - The Town awards the work by a sealed, competitive bid and the DRB member has not participated in the bid specifications and the board member files the proper forms with the commission on ethics (sec. 112.313(12)(b), Fla. Stat.) (Form 3A – Interest in Competitive Bid for Public Business:
-

<http://www.ethics.state.fl.us/Documents/Forms/Form3A.pdf?cp=2021311>).

My suggestion is to put the proposed work and contract on the agenda and have the Town Council waive the prohibition at an upcoming Town Council meeting.

Alternatively, the DRB member can drop off of the DRB board and do the work without Town Council approval, as long as the Town's procurement requirements are met.

Staff would recommend approval and waive the prohibition.

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1 0 0 W e s t P l a n t S t .  
W i n t e r G a r d e n , F l . 3 4 7 8 7

**Peter Fleck**  
**Phone: (407) 724-1550**  
**Email: Pkfleck@aol.com**  
**CBC No: 1252836**

Date 2-8-21

**Town of Windermere**  
**[TMATHIAS@TOWN.WINDERMERE.FL.US](mailto:TMATHIAS@TOWN.WINDERMERE.FL.US)**  
**321 299 2409**

**Scope of work:**

**JACK UP FLOOR FRAME, AND BOLT OFF CARRIER BEAM, ADD BOLTS TO THE  
REST OF DOCK** **\$2500**

**OPTION 1**

**RE DECK AND FRAME 460 SQ FT OF EXISTING DECK @ 27 WITH  
COMPOSITE DECKING** **\$ 12,420**

**OPTION 2**

**REMOVE AND REPLACE DOCK WITH NEW DOCK IN THE SAME  
FOOTPRINT** **\$17,480**

**TOTAL** **\$**

**POLES: #1 6"x6".6 CCA. PT CLEATED, AND COMPACTED AFTER SETTING**

**JOIST: 2"x8" .4 CCA PT**

**FASTENERS: HOT DIPPED GALVINISED**

**DECKING: WEAR DECKING WITH CAMO HIDDEN FASTENERS**

**PAYMENT SCHEDULE:**

DEPOSIT	\$ 2000
MATERIAL DROP	\$ 25%
50% COMPLETE	\$ 50%
90%	\$ 90% OF WALKWAY FEE
FINALE	BALANCE

PAYMENTS ARE DUE 7 DAYS AFTER FINAL INSPECTION. IF PAYMENT IS LATE IT WILL VOID ANY WARRANTY

CUSTOMER: \_\_\_\_\_ VENDER: **Q-ICE BUILDERS, LLC.**

SIGNATURE: \_\_\_\_\_ BY: \_\_\_\_\_

DATE: \_\_\_\_\_ DATE: \_\_\_\_\_

**WARRANTY/MAINTENANCE**

**STATEMENT OF WARRANTY:** Q-ICE BUILDERS, LLC. APPLIES THE FOLLOWING WARRANTY INFORMATION TO THEIR WORKMANSHIP AND MATERIALS USED TO CONSTRUCT DECKS, DOCKS, SEA WALLS.

**STRUCTURAL WARRANTY:** FIVE (5) YEARS FROM THE DATE OF COMPLETION/FINAL PERMIT INSPECTION OR DELIVERY, CONTRACTOR WARRANTS THAT THE STRUCTURE WILL REMAIN STRUCTURALLY SOUND. BOAT LIFTS, BENCHES, ROPE RAILINGS, TABLES AND OTHER PARTS AND ACCESSORIES ARE BY DEFINITION NOT PART OF THE STRUCTURE.

**PRIMARY MATERIALS WARRANTY:** ONE (1) YEAR FROM THE DATE OF COMPLETION/FINAL PERMIT INSPECTION OR DELIVERY. INCLUDED ARE WOOD, STEEL, ALUMINUM, WELDS, PLASTICS, AND HARDWARE. NOTE: WOOD HAS A NATURAL TENDENCY TO SPLINTER AND/OR CRACK DUE TO EXPANSION AND CONTRACTION, AND SHALL NOT BE VIEWED AS A FAULT IN THE MATERIAL.

**SECONDARY MATERIAL WARRANTY:** SIX (6) MONTHS FROM DATE OF COMPLETION/FINAL PERMIT INSPECTION OR DELIVERY. INCLUDED ARE ROPE, AND SURFACE FINISHES SUCH AS PAINT OR SEALANT.

**ACCESSORY WARRANTY:** ONE (1) YEAR FROM THE DATE OF COMPLETION/FINAL PERMIT INSPECTION OR DELIVERY. INCLUDED ARE DOCK BOXES, ALUMINUM LADDERS, BENCHES, GATES, AND ANCHORING SYSTEMS.

**MANUFACTURER WARRANTY:** MANY COMPONENTS SUCH AS LIFTS, HOISTS SYSTEMS, AND ROOFING MATERIALS, CARRY WARRANTIES OFFERED FROM THE INDIVIDUAL MANUFACTURERS AND SHALL BE HONORED BY THE COMPANY, WITH PROPER MAINTENANCE.

**EXCEPTIONS TO ABOVE MENTIONED WARRANTIES:** NEGLIGENCE BY THE CUSTOMER, INCLUDING MISUSE OR NEGLIGENCE TO SURFACES AND EQUIPMENT, AND/OR NOT MAINTAINING THE STRUCTURE AS RECOMMENDED IN THE "MAINTENANCE RECOMMENDATIONS" SECTION OF THIS AGREEMENT. ALSO EXCLUDED FROM THIS WARRANTY ARE THE DAMAGES CAUSED BY INCLEMENT WEATHER CONDITIONS SUCH AS HIGH WINDS, HURRICANES, TORNADOS, AND HAIL (BUT NOT LIMITED TO THESE).

**REPAIRS AND REPLACEMENTS:** Q-ICE BUILDERS, LLC. IS ONLY RESPONSIBLE FOR THE INDIVIDUAL COMPONENTS THAT ARE REPAIRED OR REPLACED, AND WILL BE DISCLOSED IN A PRESENTED QUOTE TO THE CUSTOMER. IF PARTS THAT TO BE REPLACED ARE NOT AVAILABLE, AN ITEMIZED QUOTATION OF A COMPARABLE ALTERNATIVE WILL BE PRESENTED TO THE CUSTOMER FOR APPROVAL. IF INDIVIDUAL MECHANICAL OR STATIONARY ITEMS ARE PURCHASED FROM Q-ICE BUILDERS, LLC. BUT INSTALLED BY OTHERS, THERE IS NO WARRANTY ON THE INSTALLATION LABOR.

#### **QUOTE CONDITIONS:**

**ARE BASED ON NORMAL MARKET RATE OF MATERIALS, UNFORSEEN SPIKES IN PRICES DUE TO SUPPLY CHAIN INTERRUPTIONS LIKE COVID OR HURRICANES MAY CAUSE INCREASES TO THIS AGREEMENT BASED ON THOSE INCREASES.**

**POSTS AND ANCHORS: QUOTED AMOUNT IS BASED ON POSTS BEING ABLE TO BE JETTED INTO PLACE, OR ANCHORS SET, ADDITIONAL COSTS MAY BE INCURRED BY THE CUSTOMER IF UNFORESEEN SOIL CONDITIONS (TREE ROOTS, ROCK, MUCK, HARD-PAN) EXIST, WHICH CANNOT BE DETECTED UNTIL CONSRUCTION/INSTALLATION HAS BEGUN. THE CONDITION**



**EXPLAINED AND ADDITIONAL COSTS (IF APPLICABLE) WILL BE PRESENTED TO CUSTOMER WHEN DISCOVERED.**

ACCEPTANCE: ALL QUOTES ARE VALID FOR 14 DAYS FROM DATE POSTED ON QUOTE.

DEPOSITS: WILL BE USED FOR PULLING PERMITS, PLANS, MATERIAL ORDERS, DESIGN WORK AND ARE NON-REFUNDABLE.

FINAL PAYMENT: FINAL PAYMENT IS DUE WITHIN 10 DAYS OF FINAL BUILDING INSPECTION.

**IRRIGATION SYSTEMS:** ALL IRRIGATION SYSTEMS PUMPS SHALL BE TURNED OFF DURING CONSTRUCTION, DUE TO A VARIOUS MATERIALS BEING USED STIRRED UP DURING THE JETTING PROCESS, CLOGS IN THE PUMPS AND LINES COULD OCCUR. IT IS THE CUSTOMER'S RESPONSIBILITY TO INSURE THAT ALL PUMPS REMAIN OFF DURING THE ENTIRE CONSTRUCTION PROCESS. Q-ICE BUILDERS, LLC. IS NOT RESPONSIBLE FOR ANY DAMAGE TO IRRIGATION SYSTEMS OR LANDSCAPE DURING THE DOCK INSTALLATION PROCESS.

**DELIVERY AND STORAGE OF MATERIALS:** UNLESS SPECIFIC INSTRUCTIONS ARE SUBMITTED BY THE CUSTOMER IN WRITING, INDICATING SPECIAL STORAGE INSTRUCTIONS, Q-ICE BUILDERS, LLC. WILL BE RESPONSIBLE FOR LOCATING THE EFFECTIVE AND EFFICIENT PLACE TO STORE MATERIALS FOR THE DURATION OF CONSTRUCTION. **DUE TO THE WEIGHT OF THE MATERIALS, SOME DAMAGE TO YOUR YARD AND/OR DRIVEWAY MAY OCCUR, AND IS NOT THE RESPONSIBILITY OF Q-ICE BUILDERS, LLC.**

**LENGTH OF CONSTRUCTION:** DUE TO UNFORESEEN WEATHER CONDITIONS, SUB-CONTRACTING SCHEDULING, PERMITTING DELAYS AND SIZE OF THE PROJECT, CONSTRUCTION TIMES WILL VARY.

**GENERAL DISCLAIMER:** Q-ICE BUILDERS LLC. SHALL NOT BE HELD ACCOUNTABLE FOR ANY DAMAGE WHICH OCCURS TO BOAT RAMPS OR STORED EQUIPMENT (BOATS, SKIS, ETC.) OR PERSONS, AS A RESULT OF THE USE AND/OR OPERATION OF THE DOCKS, DECKS, JUMPS, SLIDERS, WALLS OR EQUIPMENT.

**MAINTENANCE RECOMMENDATIONS:**

ANNUAL BASIS: WOOD DECK SURFACES CLEANED (PRESSURE WASHED RECOMMENDED) AND FINISH. CLEAN GEAR ASSEMBLY OF EXCESS GREASE, THEN RE-GREASE AS PER MANUFACTURER INSTRUCTIONS

SEMI-ANNUAL BASIS: (EVERY 6 MONTHS): (1) INSPECTION OF HOIST SYSTEMS, REFER TO MANUFACTURER INSTRUCTIONS.

MONTHLY BASIS:

- LUBRICATE HOIST SYSTEM'S PULLEYS AND BEARINGS.
- INSPECT ALL WOOD SURFACES, ESPECIALLY SURFACES UNDER WATER, FOR BUILD-UP WHICH WILL MAKE SURFACES SLIPPERY AND DANGEROUS. CLEAN IF NECESSARY.
- CHECK ALL CABLES, CABLE CLAMPS, NUTS AND BOLTS FOR BREAKAGE, LOOSENING, TANGLING OR CRIMPING, REPAIR AND/OR REPLACE AS NECESSARY.
- INSPECT DECORATIVE ROPE FOR FRAYING. NOTE DECORATIVE ROPE HANDRAILS DO NOT CONTAIN ANY STRUCTURAL INTEGRITY AND SHOULD NOT BE USED AS SUCH.

THE ABOVE INFORMATION HAS BEEN REVIEWED AND ACCEPTED AS PART OF CONTRACT AGREEMENT:

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

CUSTOMER \_\_\_\_\_

### **713.015 Mandatory provisions for direct contracts**

**ACCORDING TO FLORIDA'S CONSTRUCTION LIEN LAW (SECTIONS 713.001/713.37, FLORIDA STATUTES), THOSE WHO WORK ON YOUR PROPERTY OR PROVIDE MATERIALS AND SERVICES AND ARE NOT PAID IN FULL HAVE A RIGHT TO ENFORCE THEIR CLAIM FOR PAYMENT AGAINST YOUR PROPERTY. THIS CLAIM IS KNOWN AS A CONSTRUCTION LIEN. IF YOUR CONTRACTOR OR A SUBCONTRACTOR FAILS TO PAY SUBCONTRACTORS, SUB/SUBCONTRACTORS, OR MATERIAL SUPPLIERS, THOSE PEOPLE WHO ARE OWED MONEY MAY LOOK TO YOUR PROPERTY FOR PAYMENT, EVEN IF YOU HAVE ALREADY PAID YOUR CONTRACTOR IN FULL. IF YOU FAIL TO PAY YOUR CONTRACTOR, YOUR CONTRACTOR MAY ALSO HAVE A LIEN ON YOUR PROPERTY. THIS MEANS IF A LIEN IS FILED YOUR PROPERTY COULD BE SOLD AGAINST OUR WILL TO PAY FOR LABOR, MATERIALS, OR OTHER SERVICES THAT YOUR CONTRACTOR OR A SUBCONTRACTOR MAY HAVE FAILED TO PAY. TO PROTECT YOURSELF, YOU, SHOULD STIPULATE IN THIS CONTRACT THAT BEFORE ANY PAYMENT IS MADE, YOUR CONTRACTOR IS REQUIRED TO PROVIDE YOU WITH A WRITTEN RELEASE OF LIEN FROM ANY PERSON OR COMPANY THAT HAS PROVIDED TO YOU A "NOTICE TO OWNER." FLORIDA'S CONSTRUCTION LIEN LAW IS COMPLEX, AND IT IS RECOMMENDED THAT YOU CONSULT AN ATTORNEY.**

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Date

489.1425 Duty of contractor to notify residential property owner of recovery fund

**FLORIDA HOMEOWNERS' CONSTRUCTION**

**RECOVERY FUND**

PAYMENT, UP TO A LIMITED AMOUNT, MAY BE AVAILABLE FROM THE FLORIDA HOMEOWNERS' CONSTRUCTION RECOVERY FUND IF YOU LOSE MONEY ON A PROJECT PERFORMED UNDER CONTRACT, WHERE THE LOSS RESULTS FROM SPECIFIED VIOLATIONS OF FLORIDA LAW BY A LICENSED CONTRACTOR. FOR INFORMATION ABOUT THE RECOVERY FUND AND FILING A CLAIM, CONTACT THE FLORIDA CONSTRUCTION INDUSTRY LICENSING BOARD AT THE FOLLOWING TELEPHONE NUMBER AND ADDRESS:

2601 BLAIR STONE ROAD, TALLAHASSEE, FLORIDA 32399-1039

Phone: 850-487-1395

*Disclaimer*

*This document provides information about the laws affecting the Florida construction industry. We do not give legal advice, which is the application of law to an individual's specific circumstances. Although we go to great lengths to make sure our information is accurate and useful, we recommend you consult a lawyer if you want professional assurance that our information and your interpretation of it, is appropriate to your particular situation.*

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Date



2/9/2021

Proposal No. 21-068

Travis Mathias  
Town of Windermere  
614 Main Street  
Windermere, FL 34786  
321-299-2409  
tmathias@town.windermere.fl.us

RE: Wood Pier Dock Replacement

**Proposal**

Thank you for requesting a quote from Faden Builders, Inc. We have included engineering, materials and labor as needed to demolish and construct a new dock to match the existing approx. 500 SF.

**Scope of work includes:**

1. Provide and submit engineered construction plans as applicable to the Town of Windermere, Orange County EPD, Windermere Water and Navigation Control District (WWNCD) and SFWMD.
2. Demolish the existing dock.
3. Construct new dock to match existing layout:
  - a. Piles: 6x6 pressure treated SYP marine grade
  - b. Stringers: 2x8 pressure treated SYP at 16" OC
  - c. Deck Boards: 1x6 Trex Select square edge composite secured with stainless steel screws (color TBD)
  - d. Railing: 2x6 pressure treated SYP top and mid rail
  - e. Accessories:
    - i. Pile bumpers (11)
    - ii. Tie-off cleats (6)
    - iii. Pile caps (12)
    - iv. Decorative trim at piles

Total lump sum price: \$38,480.00 (thirty-eight thousand four hundred eighty and 00/100 dollars)

**Qualifications:**

1. Survey adequate for obtaining permit to be supplied by owner.

**Exclusions:**

1. Permit fees by owner.
2. Landscaping, irrigation, and sod are excluded.
3. Electrical work is excluded.
4. Painting/staining is excluded.

Additional items requested that are not specified in the contract will be billed at \$60.00 per man hour plus materials marked up at 15%. Estimate firm for 30 (thirty) days. All payments are due within 5 days of payment request, per scheduled draw, or subject to maximum allowable interest. If contract is cancelled after permitting has begun through no fault of contractor, the contractor retains the right of profit in the amount of 10% of the original contract cost.

\_\_\_\_\_ Initial



**Warranties:**

- \* The basic structure of a newly constructed boathouse, dock, deck, walkway, gazebo, or seawall is warranted against defects in workmanship for a period of one (1) year from the date of final completion.
- \* All warranties go into effect once final payment has been received by Faden Builders, Incorporated.
- \* If project has been completed and final payment remains unpaid for five days from completion date, all warranties become null and void.
- \* Please be advised, this warranty shall exclude defects or failures resulting from abnormal use, misuse, mistreatment, or use contrary to the maintenance instructions set forth below, or neglect by the customer. Damage, defects, or failures resulting from acts of nature, including but not limited to hurricanes, tornados, flooding, drought, heavy rains and wind, or other inclement weather conditions, are hereby excluded from this warranty.

**Terms:**

\$4,000.00	Down payment due with signed proposal (all pages)
1/3 of the total amount	Due the day construction commences
Remaining Balance	Due upon completion of work

All materials are guaranteed as specified. All work to be completed in a workman like manner according to standard practices. Any alteration or deviation from the above specifications involving extra cost will become an extra charge over and above the contract amount. All agreements are contingent upon strikes, accidents or delays beyond our control. Owner is required to carry fire, tornado and other necessary insurance. Faden Builders, Inc. is licensed and fully insured. Contractor is not responsible for grass or yard due to wear from walking or material delivery and/or storage.

THIS PROPOSAL IS VALID FOR 30 DAYS FROM THE ABOVE DATE.

Thank you again for the opportunity to quote this project. Please feel free to contact me with any questions.

Best regards,

**PHILIP RAPALJE**

Philip Rapalje  
Faden Builders, Inc.

Proposal accepted by:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name



# HODGSKIN

## Outdoor Living, Inc.

• Florida's Finest Custom Built •

March 2, 2021

Town of Windermere  
c/o Travis  
Windermere, Florida 34786

**Subject: Fernwood Park Dock Renovation**

Dear Travis:

We are pleased to quote the following per the attached plan view drawing and specifications listed below. Thank you again for allowing us the opportunity to be of service to you.

**Option No. 1:**

Labor and material as specified only for the following :

- Reattach, to the best of our ability, approximately 4' wide x 10' long section of existing walkway that broke loose;
- Add spreader to the entire dock; and,
- Refasten all crossties and x-braces

**TOTAL INVESTMENT FOR OPTION NO. 1: \$4,980.00**

**TERMS:** Due upon completion of Option No. 1

**Option No. 2:**

Labor and material for the following:

- Demolition of the existing structure and haul off to proper dump site; and,
- Construct new the following:

**Walkway:**

- ~ Labor and materials for the installation of:
- One (1) 5' wide x 60' long with one (1) 4' flare

**Specifications**

Poles : 6x6 .60, set 10' o.c., finished H.O. L. style

*"QUALITY IS NOT EXPENSIVE - IT'S PRICELESS"*

#### Does Not Include

- Any additional repairs/labor/material other than as indicated above
- Any additional permits, if necessary
- HOA fees
- Mitigation/land lease
- Additional Railing
- Pilings and/or additional materials not specifically indicated above for Option No. 1
- Electric/Plumbing
- Paint/Stain
- Landscape/sod/rock revetment
- Aquatic plantings and/or permits
- Any Accessories not specifically mentioned above
- Differing site condition and/or representation made in the contract, plans, specs, et al
- Warranty/liability/guarantee on existing structure for Option No. 1
- Unforeseen conditions not seen by the naked eye
- Any other item not specifically mentioned above

### **IMPORTANT NOTICES AND INFORMATION**

#### MATERIALS/INSTALLATION/PRICING INCREASES

- Any work, changes, manipulations, adjustments, additions, deletions, etc. done to any and all Hodgskin Outdoor Living, Inc. lift systems and/or portion of their construction project, by anyone other than a Hodgskin Outdoor Living, Inc. employee or representative will void the Contract and warranty. There are absolutely no exceptions to this criteria and Owner agrees to accept all responsibility and liability associated with any of the above.
- Due to the constant increases in fuel, materials, etc., should a significant increase in material cost occur, there may be an increase in material charge to you, at our cost only, as lumber is a commodity which we cannot control at any given time.
- The above contract amount is based on pilings being jetted into place. Unforeseen conditions such as rocks, dense clay substrata or other unusual conditions may incur additional costs to you as the property owner. Any such additional costs shall be addressed in the form of a Change Order to the Contract.
- Rigging shall be stainless and or galvanized steel. The lifting cables shall be stainless steel for a long life and safety. Galvanized cables rust from the inside out and break without warning.
- The lift system is designed to lift the boat and adequate gear only. It is not intended to lift any human beings; inflated gross weight or water ballast tanks.
- While the aluminum cradle is designed with a maximum 4,500 lb boat weight capacity, the 1 hp motor is rated for an 4,000 lb lifting capacity.
- Wood dock warranties: Any and all wood docks must be stained every twelve (12) months by a professional or any and all warranty is null and void.

#### COVID-19/CORONAVIRUS

- Due to COVID-19/Coronavirus pandemic, material, labor, freight, et al. pricing has and will continue to increase and/or not be available. We cannot control this and are not responsible for said increases/costs. As such, any and all increases will be borne by you



Frame	:	2x8	.40 PT, set 1' o.c.
Crossties	:	2x8	.40 PT, each set of poles
X-braces	:	2x6	.40 PT, each set of poles
Decking	:	1x6	Azek Color: Harvest Collection PVC decking with s.s. color matched screws
Skirtboard	:	1x6	Azek Color: Harvest Collection PVC decking with s.s. color matched screws

Azek Harvest collection is included. Please indicate color(s) requested for decking. If you'd like other colors, we can supply but they are an upgraded cost.

Decking	:	Brownstone _____	Slate Grey _____	
Skirtboard	:	Brownstone _____	Slate Grey _____	Kona _____

**IMPORTANT NOTICE FOR AZEK MATERIAL**

- Although Azek is a composite decking, it is not 100% maintenance free and can fade. You will need to oil the decking at least once a year to minimize any fading due to the Florida sun. A copy of the brochure is attached for your review.
- Frame layout goes from 2' o.c. to 1' o.c.
- Azek is a specialized material, commodity and pricing is out of our control. We can only quote these materials based on current pricing and prior jobs. As such, any price increase at the time of the commencement of the job will be billed to you.

**Open Activity Deck 12' wide x 16' long:**

- ~ Built to the same specifications as the walkway above, except crossties to be 2x10.

**Accessories/Upgrades:**

- ~ Ten (10) commercial grade black "D" bumpers; and,
- ~ Twenty-two (22) metal pyramid caps

**Railing:**

- ~ Approximately 72 l.f. of 2x6 top rail with Azek cap railing on the right side only

**TOTAL INVESTMENT FOR OPTION NO. 2: \$32,176.00**

**TERMS:**

Deposit	:	\$ 3,000.00
Mobilization	:	\$19,000.00
Our completion	:	\$10,176.00

**Includes the following:**

- Local County permit fee for Option No. 2 only
- State exemption permit fee for Option No. 2 only
- Demolition as indicated
- Labor and materials as indicated above only
- Accessories as indicated above only
- Job site clean up

and/or Owner/GC/Contractor, et al. Additionally, we cannot guarantee timing and/or be responsible for any delays as a result of the lack of material, lack of production, inability to procure required materials, et al. This Contract indicates Hodgskin Outdoor Living, Inc. is to be reimbursed for any and all cost increases and/or released from any and all liability due to delays including but not limited to time delays, product availability/manufacturing delays, et al.

#### **PERMITTING**

- Should the County Building Department require an "as-built" survey to be completed prior to any final inspections, this mandatory expenditure will be borne by the homeowner/builder and reimbursed to Hodgskin Outdoor Living, Inc.
- Any and all mitigation fees, including but not limited to those fees associated with obtaining permit compliance, will be borne by the homeowner/builder and reimbursed to Hodgskin Outdoor Living, Inc.
- The normal environmental permitting process consists of applications to the FDEP/SJRWMD and the Lake County Building Department can take at least 90 days for standard, non-questioned, applications. All of the standard fees and applications are included in the contract price. However, additional monies and/or time associated with public hearings, attorney involvement, homeowner associations, etc. are not included, will be charged at \$200.00 per man-hour or the cost of an attorney, any and all fees, costs, etc. will be reimbursed to Hodgskin Outdoor Living, Inc.
- Should the Owner choose to utilize their own electrical contractor or perform the electrical work themselves, the electrical work shall not commence until the work included in Hodgskin's contract has been accomplished, the permit has been closed out and the final payment has been received.

#### **WARRANTY**

- The attached warranty dated September 1, 2016 consisting of two (2) pages is hereby made a part of this Agreement and applies to the Scope of Services included in this Contract only.
- This Contract constitutes the entire agreement. No verbal or other written agreements or understandings shall be honored.

#### **SITE CONDITIONS**

- You as the Owner are responsible for the operation of your irrigation system during construction. Silt and other deleterious material are stirred up during our jetting. This stirred material may enter the intake of lake fed irrigation systems and may clog the pump and lines. We shall not be responsible for any materials entering the irrigation pump or lines. Please turn your pumps off during construction.
- Due to heavy loads of lumber being transported for use on your job, your yard may incur some damage. Specifically, ruts in the sod, accidental leakage on your driveway and/or sod, etc. Therefore, it is requested that any specific instructions concerning the placement of materials, driving of vehicles, etc. be specified to the Project Manager at the time of the closing of the Contract. HOL cannot assume responsibility for damage to

your sod or driveway unless specific instructions in writing have been dictated to the Project Manager at the time of execution of the Contract.

#### **DEPOSIT**

- The deposits taken with this Contract are used to secure your project on our schedule and for the procurement of permitting, including but not limited to State agencies, County agencies, Municipal agencies, Design Review Boards and other entities involved with the permitting of your project. There is an extensive amount of work and expense associated with the design and permitting stages and therefore, the deposit received with this Contract is non-refundable.

#### **CONSTRUCTION INDUSTRIES RECOVERY FUND**

- Payment may be available from the Construction Industries Recovery Fund if you lose money on a project performed under Contract, where the loss results from specified violations of Florida Law by a State-Licensed Contractor. For information about the recovery fund and filing a claim, contact the Florida Construction Industry Licensing Board at the following telephone number and address: Department of Business and Professional Regulation, Construction Industry Licensing Board, 7960 Arlington Expressway, Suite 300, Jacksonville, Florida 32211-7467. Telephone: (850) 727-3650.

The interpretation and enforcement of this Agreement shall be governed by and construed in accordance with the laws of the State of Florida unless otherwise provided in the General Contract Documents and shall bind, and the benefits and advantages shall inure to and be enforceable by the parties. Whenever used, the singular name shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

If it shall be necessary for either party to this Agreement to bring suit to enforce any provisions hereof or for damages on account of any breach of this Agreement, or under any indemnity provided for in this Agreement, the substantially prevailing party on any issue in any such litigation and any appeals therefrom shall be entitled to recover from the other party, in addition to any damages, interest at a rate of 18% per annum from the date of owing, or other relief granted as a result of such litigation, all reasonable costs and expenses of such litigation and a reasonable attorneys' fee as fixed by the court.

In the event any term or provision of this Agreement shall be held illegal, unenforceable or inoperative as a matter of law, the remaining terms and provision of this Agreement shall not be affected thereby and shall remain in full force and effect unless the overall intent of this Agreement is substantially defeated by such illegality or lack of enforceability.

#### **CONSTRUCTION SCHEDULING/DELAYS**

- The estimate date of structure completion is 240 days from receipt of all permits ("Estimated Date of Completion"). Structure completion may occur on, before or after the Estimated Date of Completion, but not later than one (1) year from the effective date of the Contract which includes receipt of all properly executed and necessary permitting documents required from customer, unless delayed by circumstances or

conditions beyond Hodgskin Outdoor Living, Inc.'s control. Examples of circumstances or conditions beyond Hodgskin Outdoor Living, Inc.'s control include, but are not limited to: availability of workforce; theft of materials; sink holes; government moratoriums; changes in state or local laws that increase requirements or extend the time needed for design, permitting or construction; permitting delays; restrictive covenants; homeowner association approval delays; property title issues and encumbrances; change orders by Owner; delay caused by Owner; unforeseen site conditions, work stoppages imposed by government; material shortages; inclement weather conditions; and other unforeseen circumstances.

- In the event structure completion is delayed by the occurrence of circumstances or conditions beyond Hodgskin Outdoor Living, Inc.'s control and commencement of structure construction does not occur prior to one (1) year after the Estimated Date of Completion, Hodgskin Outdoor Living, Inc. or Owner may terminate this Contract with written notice and Hodgskin Outdoor Living, Inc. shall retain the deposit and Owner shall be liable to Hodgskin Outdoor Living, Inc. for any additional monies for fees or time incurred associated with public hearings, attorney involvement, homeowners associations, or other matters outside of the standard non-questioned permit application process.
- If structure completion does not occur on or before one (1) year from the effective date of the Contract per the above paragraph and definition because of Hodgskin Outdoor Living, Inc.'s unexcused delay, Owner's sole remedy is to terminate this Contract within fifteen (15) days thereafter by written notice and Hodgskin Outdoor Living, Inc. shall return to the Owner the deposit minus any permitting fees and/or costs paid to local/state government and permitting service.
- In no event shall Hodgskin Outdoor Living, Inc. be liable for delays in construction, whatever the reason.

#### **PAYMENT**

Payment due upon receipt of the Invoice. Final payment for the original Contract is due within five (5) days from completion of the original Contract items above. Please see the attached Warranty


Please indicate Option(s) requested:

Option No. 1 \_\_\_\_\_ Option No. 2 \_\_\_\_\_

**ACCEPTED BY:**

\_\_\_\_\_  
Town of Windermere

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Hodgskin Outdoor Living, Inc.      8/22/24  
By: Lori Hodgskin, President      Date

## **Florida Lien Law**

ACCORDING TO FLORIDA'S CONSTRUCTION LIEN LAW (SECTIONS 713.001-713.37, FLORIDA STATUTES), THOSE WHO WORK ON YOUR PROPERTY OR PROVIDE MATERIALS AND ARE NOT PAID IN FULL HAVE A RIGHT TO ENFORCE THEIR CLAIM FOR PAYMENT AGAINST YOUR PROPERTY. THIS CLAIM IS KNOWN AS A CONSTRUCTION LIEN. IF YOUR CONTRACTOR OR A SUBCONTRACTOR FAILS TO PAY SUBCONTRACTORS, SUB-SUBCONTRACTORS OR MATERIAL SUPPLIERS OR NEGLECTS TO MAKE OTHER LEGALLY REQUIRED PAYMENTS, THE PEOPLE WHO ARE OWED MONEY MAY LOOK TO YOUR PROPERTY FOR PAYMENT, EVEN IF YOU HAVE PAID YOUR CONTRACTOR IN FULL. IF YOU FAIL TO PAY YOUR CONTRACTOR, YOUR CONTRACTOR MAY ALSO HAVE A LIEN ON YOUR PROPERTY. THIS MEANS IF A LIEN IS FILED YOUR PROPERTY COULD BE SOLD AGAINST YOUR WILL TO PAY FOR LABOR, MATERIALS, OR OTHER SERVICES THAT YOUR CONTRACTOR OR A SUBCONTRACTOR MAY HAVE FAILED TO PAY. FLORIDA'S CONSTRUCTION LIEN LAW IS COMPLEX AND IT IS RECOMMENDED THAT WHENEVER A SPECIFIC PROBLEM ARISES, YOU CONSULT AN ATTORNEY.

**ACCEPTED BY:**

\_\_\_\_\_  
**Town of Windermere**

\_\_\_\_\_  
**Date**





**HODGSKIN**  
Outdoor Living, Inc.  
• Florida's Finest Custom Built •

P.O. Box 843 • Ocoee, Florida 34761  
Phone: (407) 656-1470 • Fax: (407) 656-1452 • [www.hodgskin.com](http://www.hodgskin.com)

JOB

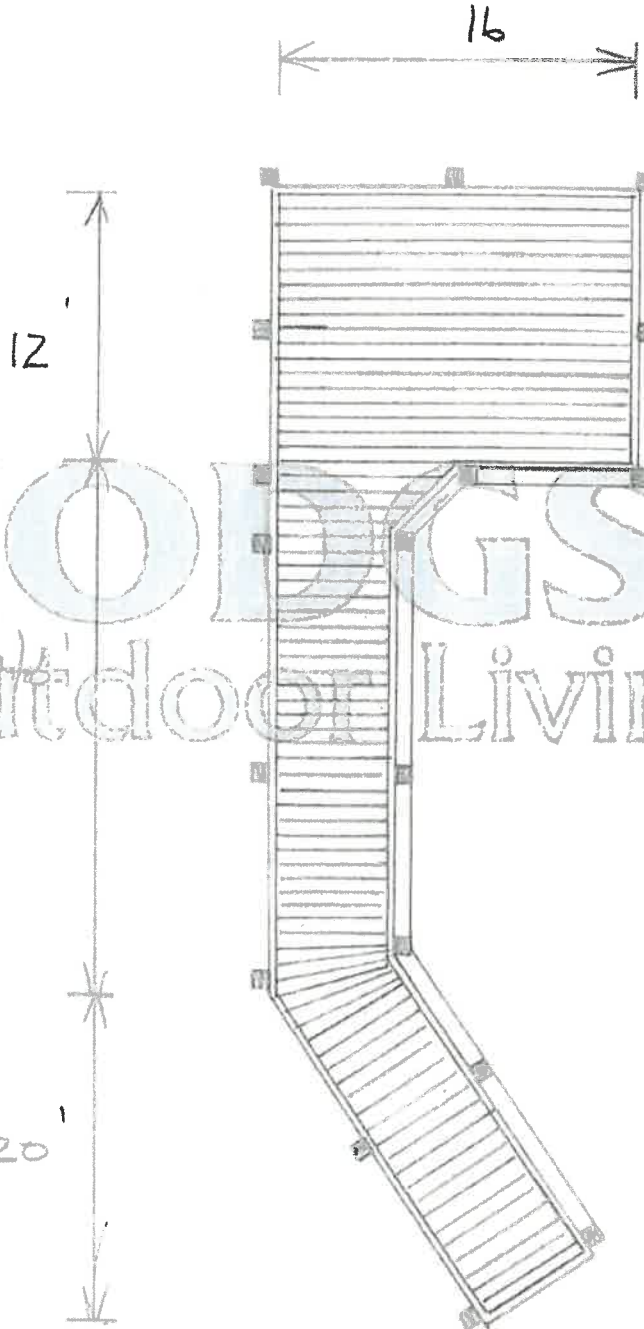
SHEET NO.

OF

ADDRESS

SCALE

Tow



Drawings and illustrations contained herein are the property of Hodgskin Outdoor Living, Inc. and shall not be copied, reproduced, duplicated, misused or misrepresented in any part or entirety, or made available for bidding purposes, without the expressed written consent of Hodgskin Outdoor Living, Inc. Misuse of these documents may result in a civil penalty.

License# CBC 057656

Florida Marine Contractors Association Founding Member

[www.hodgskin.com](http://www.hodgskin.com)





## **TOWN OF WINDERMERE**

### **Town Council Meeting Minutes**

**February 9, 2021**

#### **CALL TO ORDER:**

Present were Mayor Jim O'Brien, Council Members Bill Martini, Bob McKinley (arrived 6:05pm), Andy Williams, Chris Sapp, and Liz Andert. Town Manager Robert Smith, Attorney Tom Wilkes, Police Chief Dave Ogden, Public Works Foreman Travis Mathias, and Town Clerk Dorothy Burkhalter were also present.

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

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

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

Mayor O'Brien opened the floor to the public. First to speak was Mrs. Angela Withers of 712 Main Street. Mrs. Withers commented on the City Nature Challenge 2021 Orlando Metro. She stated that the challenge to record and observe wildlife begins April 30<sup>th</sup> and runs through May 3<sup>rd</sup>. Mayor O'Brien requested that Mrs. Withers forward the information to Manager Smith. Mr. Stephen Withers of 712 Main Street introduced himself. He then assured everyone that the trees at the new facility construction site are being protected. Ms. Susan Carter of 106 Palm Street introduced herself. She then commented on the trees at the new facility site. Ms. Carter stated that she has read the arborist report and appreciates all the support with saving the trees. Mrs. Karen Fay of 28 Pine Street introduced herself. She thanked the Town Council, Susan Carter, Lesha Miller, Nancy Nix, and all who were involved with the 83 Elder luncheon deliveries earlier in the day. Manager Smith stated that public comments were received from resident Brandi Haines (attached). He then responded on the 100-year flood plan, maintenance plans, same approach for the projects, dirt roads experience response, and materials proposed to be used.

#### **2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS**

##### **a. Windermere Police Department Awards and Recognitions:**

- i. Lieutenant Promotion Mark Destefano**
- ii. Sergeant Promotion Officer Chip Irwin**
- iii. Officer of the Year Officer Griffin Hebel**
- iv. Award of Merit**
  - 1. Sgt. Javson Bonk**
  - 2. Ms. Lori Sipek**
- v. Presidential Service Award**
  - 1. Andy Jones, Bronze**
  - 2. Brian Miller, Silver**
  - 3. Carolee Burrell, Gold**
  - 4. Jeff Bacigalupi, Bronze**
  - 5. John Alcalde, Gold**
  - 6. Lori Sipek, Silver**
  - 7. Patrick Husic, Bronze**

##### **vi. Certificate of Appreciation – Crossing Guards**

- 1. Ruth Marcus**

## TOWN OF WINDERMERE

### Town Council Meeting Minutes

February 9, 2021

#### 2. Patty Saunders

#### 3. Becky Sipek

Chief Ogden promoted, presented, and recognized several within the Police Department.

#### b. Recognition of Donna Steele: Volunteer Service Award

Mayor O'Brien introduced this item. Ms. Nora Brophy accepted the recognition plaque in the absence of Ms. Donna Steele. She then spoke and accepted the plaque on Ms. Steele's behalf.

#### c. Recognition of Orlando Health as Annual Sponsor of the Town of Windermere's Run Among the Lakes

Ms. Nora Brophy introduced the new Run Among the Lakes title sponsor, Orlando Health. She then introduced Mr. Mark Marsh and Ms. Dawn Harris Goodwin, representatives from Orlando Health. Mr. Marsh spoke briefly on the newly opened hospital in Horizon West. He then stated that Orlando Health is excited to play a part in a healthy event such as the Run Among the Lakes. Mayor O'Brien thanked Orlando Health for their support.

#### 3. TIMED ITEMS AND PUBLIC HEARING:

#### 4. CONSENT AGENDA

#### 5. NEW BUSINESS

##### a. MINUTES

##### i. Town Council Meeting Minutes January 12, 2021

##### ii. Town Council Workshop Meeting Minutes January 26, 2021

Member McKinley made a motion to approve the minutes 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.

Andert – aye, Sapp – aye, Williams – aye, McKinley – aye, and Martini – aye. Motion carried 5-0.

##### b. RESOLUTIONS/ORDINANCES FOR APPROVAL/FIRST READING

##### c. APPOINTMENTS

##### i. Parks & Recreation Committee Appointment: Dena O'Malley's

Member McKinley made a motion to appoint Dena O'Malley to the Parks and Recreation Board. 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.

##### ii. Long Range Planning Appointment: Frank Krens

Member Martini made a motion to appoint Frank Krens to the Long-Range Planning

## TOWN OF WINDERMERE

### Town Council Meeting Minutes

February 9, 2021

Committee. Member Sapp seconded the motion. Roll call vote was as follows: Martini – aye, McKinley – aye, Williams – aye, Sapp – aye, and Andert – aye. Motion carried 5-0.

#### iii. Long Range Planning Appointment Ex-Officio Member

Member Martini made a motion to appoint Gregg Anderson to the Long-Range Planning Committee. 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.

#### d. CONTRACTS & AGREEMENTS

##### i. Town of Windermere and KHA AIA Design Contracts:

1. AIA Agreement Between Town of Windermere and KHA:  
IPO 118 Butler Street and 7<sup>th</sup> Avenue Stormwater  
Maintenance Improvements; Kimley Horn & Associates not  
to exceed \$163,647

Mayor O'Brien introduced this item. Manager Smith explained that this has been previously approved with a not-to-exceed and à la cart items. He then stated that the formal RFQ process has been completed. Mayor O'Brien stated that the Maintenance Plan has been previously discussed and will be handled in house or outsourced. There being no further discussion, Member Sapp made a motion to approve the not-to-exceed \$163,647. Member Martini seconded the motion. Member McKinley questioned if the maintenance plan had been removed and is an à la cart item. Mayor O'Brien stated yes. Member Sapp amended his motion to include the maintenance plan as an à la cart item. Member Martini was friendly to the amendment. Roll call vote was as follows: Andert – aye, Sapp – aye, Williams – aye, McKinley – aye, and Martini – aye. Motion carried 5-0.

2. AIA Agreement Between Town of Windermere and KHA:  
IPO 119 Bessie Street and 9<sup>th</sup> Avenue Stormwater  
Maintenance Improvements; Kimley Horn & Associates not  
to exceed \$216,264

Mayor O'Brien introduced this item. Member McKinley made a motion to approve the not-to-exceed \$216,264.00, and the maintenance plan excluded as well. 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.

#### e. FINANCIAL

#### f. OTHER ITEMS FOR CONSIDERATION:

##### i. Town of Windermere Pedestrian Bridge Concept Design Approval

1. Concept: Bowstring
2. Color: Black

Mayor O'Brien introduced this item. He stated that the Bowstring design was favored, with the colors being questioned. Manager Smith stated that black was the consensus, but brown and bronze were

## TOWN OF WINDERMERE

### Town Council Meeting Minutes

February 9, 2021

questioned. He stated that brown and bronze are available. Manager Smith clarified that the height of the bridge will be six feet. He then stated that the concept and color needed to be determined. After some discussion was made, Member McKinley made a motion to approve the bowstring design with the black color. Member Williams seconded the motion. Member Martini questioned the width of the bridge. Manager Smith stated that the bridge will be fifteen feet external width and approximately one hundred feet long. There being no further comments, roll call vote was as follows: Andert – aye, Sapp – aye, Williams – aye, McKinley – aye, and Martini – aye. Motion carried 5-0.

#### 6. MAYOR & COUNCIL LIAISON REPORTS:

Member McKinley reported on the Elder Luncheon held earlier in the day. He stated that eighty-three residents were delivered to. Member McKinley thanked all involved in the successful event. Member Martini reported that the Development Review Board did not meet. He then stated that the Board will be meeting on February 16, 6:30pm. Member Martini commented that the Wine and Dine scheduled in March has been canceled, future date to be determined. Member Andert reported on the upcoming WAY Zest event. She stated that the 1887 School House will be open for tours during the event. Member Andert reported on the Butler Chain of Lakes Advisory Board. She then recapped the Tree Board event. Mayor O'Brien stated that the workshop regarding the boathouses will be scheduled after the Council members are seated.

#### 7. STAFF REPORTS:

a. **TOWN MANAGER ROBERT SMITH** – Mr. Smith stated that there has been discussion regarding Zoom streaming and the chat box being closed. He explained that Zoom is for livestreaming only, and as in the past, any and all comments can be forwarded to the Town Clerk for inclusion at the meeting. After some discussion was made, consensus from the Town Council is to leave the chat box closed and require any and all comments be forwarded to the Town Clerk prior to the meeting if anyone from the public can not be present at the meeting. Mr. Smith then reported on House/Senate bills, upcoming Candidates Night, February 24<sup>th</sup> Q & A, and the Project meeting notes. He then gave an update on the new facilities.

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

c. **POLICE CHIEF DAVE OGDEN** – Chief Ogden thanked everyone for the support to the Police Department. He then reported on a meeting with the new State Attorney, current IT issues, Staff, applicants, upcoming spring break, and line of duty deaths.

d. **PUBLIC WORKS FOREMAN TRAVIS MATHIAS** – Mr. Mathias reported on Central Park, Main Street Tennis Courts, signage, sidewalk clean-ups, regulatory signage installed, dock repair quotes, and the light at the roundabout.

e. **TOWN CLERK DOROTHY BURKHALTER** – No report.

#### 8. ADJOURN:

Mayor O'Brien adjourned the meeting at 7:25pm.

Dorothy Burkhalter, MMC, FCRM  
Town Clerk

Jim O'Brien, Mayor

## **Dorothy Burkhalter**

---

**From:** Robert Smith  
**Sent:** Tuesday, February 9, 2021 4:48 PM  
**To:** Dorothy Burkhalter  
**Subject:** FW: Comments for Town Council Meeting 2/9/2021

Regards,

Robert Smith  
Town Manager  
Town of Windermere  
614 Main St.  
Windermere, FL 34786  
rsmith@town.windermere.fl.us  
Cell: (407) 797-5004  
Main: (407) 876-2563 x5324  
Fax: (407) 876-0103

Florida has a very broad Public Records Law. Virtually all written communications to or from State and Local Officials and employees are public records available to the public and media upon request. This means email messages, including your e-mail address and any attachments and information we receive online might be disclosed to any person or media making a public records request. E-mail sent on the Town system will be considered public and will only be withheld from disclosure if deemed confidential or exempt pursuant to State Law. If you are an individual whose information is exempt under 119.071, Florida Statutes, please so indicate in your email or other communication. If you have any questions about the Florida public records law refer to Chapter 119 Florida Statutes.

**From:** Brandi Sloss <mascada16@yahoo.com>  
**Sent:** Tuesday, February 09, 2021 4:45 PM  
**To:** Robert Smith <rsmith@town.windermere.fl.us>; Robert McKinley <RMcKinley@town.windermere.fl.us>; Chris Sapp <csapp@town.windermere.fl.us>; Liz Andert <landert@town.windermere.fl.us>; Bill Martini <bmartini@town.windermere.fl.us>; Andy Williams <awilliams@town.windermere.fl.us>; Jim O'Brien <jobrien@town.windermere.fl.us>  
**Subject:** Comments for Town Council Meeting 2/9/2021

Robert, Mayor, Council,

Please see below my comments for tonight's Town Council meeting. Unfortunately we are out of town and were unaware until recently that public comment would not be allowed virtually as we have been to all of the in person council meetings since they started back up.

### **General Comments:**

Town Council meetings should continue to allow for public comment via zoom or whatever interface the Town uses for meetings. Many residents are often out of town for work, leisure, or may own rental properties in the town although may not reside there. We have had great outreach and participation since the pandemic started and had to use a virtual setting. I understand there are technical difficulties that need to be worked out but I am confident that the town admin can find a solution. Maybe reach out to residents that are well versed in computers to assist if necessary. I have heard lots of positive feedback from residents that like to be able to interact this way.

All charettes with residents should be advertised and made available to ALL Town of Windermere residents not just those that are adjacent to certain projects.

#### Comments specific to the Butler and Bessie IPOs

1. There is a major discrepancy from what was previously said. John Fitzgibbons said in a meeting at my home with Councilwoman Andert, my husband and I (and may have been said at a Town Council meeting as well), that these IPOs are designing for a 5-year flood event. The contract with FEMA says we must design for a 100-year flood event (p. 181 of agenda packet). What flood event are the designs for? What flood event is required to be designed by the FEMA contracts?

2. There is a discrepancy between the Butler and the Bessie Projects regarding a maintenance plan. Will a maintenance plan be included on both the IPO's or just on Bessie?

p. 34 Butler project: "...with dirt roads we understand that a well planned and executed maintenance plan is essential to keep the proposed drainage improvements functioning properly. The type of maintenance plan may be better suited to be developed by in-house town staff. However we can assist town staff as needed for details of maintenance plans such as determining maintenance intervals dirt road and soil grading material procedures and vacuuming of inlets.

p.161 Bessie Project includes Task 15 - Unpaved Road Project Maintenance Plan.

3. The Butler IPO (p. 70) says the project will include open and closed drainage conveyance systems & will include proposed drainage swales, inlets, pipes, and stormwater management facilities needed. Bessie IPO (p. 157) says proposed drainage inlet, swales and stormwater facilities needed to accommodate water quantity and quality requirements prior to discharge into Lake Bessie. The Bessie project has no mention of pipes. This alternative should be considered for Bessie project as well as it would have less of a impact footprint and may allow for trees to be included in the plan in some areas of the proposed project. Was this left out on accident? Will Bessie IPO also look at piping an alternative? If so, it should be added to the SOW.

4. KHA RFQ bid states that they have expertise in dirt roads and an engineer with 26 years of experience with dirt roads. Can they provide any project examples of their dirt road projects specifically? There are none listed under the Experience: Relevant Projects Section.

p. 30 (1-7) KHA has expertise in the development and maintenance and dirt roads "We have implemented a series of best practices for the design and construction of low volume dirt and gravel roads." "Our team of experts understands regular inspections and maintenance will protect a dirt road from becoming degraded."

p. 37 (2-14) Mark Davies, P.E., LEED AP Dirt Road Maintenance/Construction Administration - Mark has 26 years of experience in construction, design, and dirt road maintenance.

5. Please define bank-run shell road material. Will other road material options be considered? How quickly will water percolate if bank-run shell is used compared to other sources such as sand?

p. 44 consider road material options such as bank-run shell to increase resistance to water and erosion.

Sincerely,  
Brandi Haines  
835 Oakdale St

## **Subject: Town Manager Evaluation for CY 2020**

The overall consolidated rating for the performance of Town Manager Mr. Robert Smith for CY 2020, is 8.7 of a possible 10.0. A summary of comments by the Mayor and Councilmembers regarding his achievements, areas for improvement and goals for the coming year are listed below. This is only a summary as individual comments by the Mayor and Councilmembers are listed in their individual reports.

### **Finest accomplishments:**

1. Met the many challenges encountered by the COVID-19 pandemic. Initiated procedures to ensure the safety and well-being of staff and residents alike while ensuring that Town Operations continued uninterrupted. Coordinated establishment of procedures to enable community businesses to continue operating during the pandemic and placing limitations on activities that were not in keeping with established guidelines or that were required to ensure the safety of our residents. Established and led the process needed to continue Council and Committee Meetings would be held, without interruption, while enforcing restrictions on public face to face meetings.
2. Organized the movement of staff from the old Town Facilities to the Temporary Facilities.
3. Coordinated the many Zoom meetings required to keep officials and residents in the loop on the many projects and issues that were ongoing. Greatly increased the level of communication/information sharing with residents, committees and Town Council through the many workshops, charettes, Q&A's, in-person/onsite meetings, Town App and YouTube videos.
4. Made remarkable progress in Town projects, such as the Ward Trail, water master plan, Butler and Bessie Stormwater, Second Avenue Repaving and the Forest/First Avenue Stormwater project.
5. Advanced several grant and legislative funding requests for Town Projects that, if approved, will save the Town millions of dollars in costs, thereby reducing the tax impact on our residents.

### **Areas that need improvement:**

1. Communications with residents. This is a never-ending area that will never meet perfection as it requires the assistance of staff, Council, committees and the residents themselves.
2. Management and maintenance of our dirt roads and stormwater. This area will hopefully be improved with the addition of a dedicated and competent Public Works Director.
3. Work with all Town Professional Services Providers in improving their understanding of how to best present projects and improvements to the Council and residents, anticipating questions and concerns based on previous successful and unsuccessful projects.

**Goals for the upcoming year:**

1. Completion of Town Facilities.
2. Develop written plan for water outfalls, devices, and management of our dirt roads and paved roads.
3. Continue to work with County officials, other local municipalities, Town elected officials and committees to formulate solutions to our ongoing traffic problems.
4. Build out a COVID-19 Relief Spending Plan.
5. Enhance and build the strength and abilities of the Public Works Department.

**Recommendation:**

Based on the exemplary performance of Mr. Smith during this past, very challenging year, it is recommended that he receive an increase of \$4,720.00 to his annual salary, which will set his annual salary for FY21-22 at \$142,000.00.

Further recommend that the employment contract for Mr. Smith be extended an additional two years to March 31, 2026. This extension will provide for the completion of current and planned CIP projects under the same leadership.

Bob McKinley  
Councilman  
Admin Liaison



THE TOWN OF  
**Windermere**



Town Council  
And  
Mayor  
Evaluations

*Andert*

**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:**

<b>RATING LEVEL</b>	<b>EXAMPLES OF PERFORMANCE</b>
<b>10: Exceeds Expectations</b>	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.
<b>5: Fully Meets Expectations</b>	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.
<b>1: Below Expectations</b>	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**

- 10 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**

- N/A Knowledgeable of current developments affecting the management field.
- 10 Respected in management position.
- 8 Has a capacity for innovation.
- 8 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.

9 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.

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

8 Informs the Town Council of administrative developments.

8 Receptive to constructive criticism and advice.

4. **Policy Execution**

9 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.

10 Enforces Town Council policies.

10 Understands town laws and ordinances.

N/A 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**

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

9 Reports are accurate and comprehensive.

9 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**

8 Accommodates complaints from citizens.

- 10 Dedicated to the community and to its citizens.
- 10 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.
- 10 Cooperates with neighboring communities.
- 10 Cooperates with the town, state and federal governments.
- 10 Cooperates with the elected Constitutional Officers.

7. **Staffing**

- 9 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**

- 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.
- N/A Instills confidence and initiative in subordinates and emphasizes support rather than restrictive controls for their programs.
- N/A 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.
- 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?**

- Steering our Town staff, officials and residents through COVID-19 needs, notably safety measures and communications, and securing CARES Act funds
- Progressing the 1<sup>st</sup>/Forest and 2<sup>nd</sup> Avenue stormwater management and related grant funding work
- Establishing/furthering resident communication channels, e.g., Zoom charettes on stormwater and park projects, YouTube channel with video segments to more clearly present proposed projects, timely consolidation and publication of projects materials to Town website
- Working with West Orange Alliance for funding source and support for Ward Trail
- Erecting and operating the temporary Town Facilities

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

I don't know that I'd encourage Robert to spend significantly more of his stretched time and capacity to improve resident communication as his priorities are generally well placed and best aligned with his position and the needs of the Town. However, resident trust and awareness do need improvement and so I would suggest that Robert seek to leverage other ways to improve communication that do not require so much of his direct attention and time. The YouTube videos, social media posts and other materials accessible at all times via online channels are a good start. Training and empowering Town staff to manage these channels and others may help spread communication wider and deeper.

The nascent W.A.Y. Committee needs some attention to lead its members to success in their mission of serving the Town and bridging the gap between generations. Because of the inherent turnover this group's membership presents, the Town staff needs to provide more guidance and structure, and prevent the loss of knowledge that can occur when member classes lose their graduating or otherwise departing members.

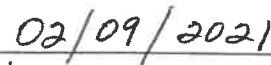
**12. Goals for the upcoming year:**

- Continue to safely navigate the COVID environment, paying special care to safety and our more vulnerable residents
- Seek communications solutions as suggested in number 11. above
- Keep the new Town Facilities project on time and within budget
- Return attention to traffic issues when/if transportation levels resume
- Progress Bessie and Butler stormwater projects to final design and completion
- Progress pedestrian bridge and Dirt Main (2<sup>nd</sup> to bridge) work
- Support W.A.Y. Committee through creating more structure and staff/Council involvement to provide guidance and longevity in a group whose members are short-term as governed by the committee's by-laws, as suggested in number 11. above

\_\_\_\_\_  
Signature – Town Manager

  
\_\_\_\_\_  
Signature – Reviewer

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Date

*Martini*

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- 9 Knowledgeable of current developments affecting the management field.
- 9 Respected in management position.
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***Town of Windermere – Calendar Year 2019 Town Manager Evaluation***

**Page 2 of 4**

9 Anticipates problems and develops effective approaches for solving them.

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

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

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**7. Staffing**

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

Safely and productively moving the Town and administration forward while simultaneously navigating the immense difficulties of dealing with the Covid-19 pandemic and related issues. Marked increase in level of communication/information sharing with residents, committees, and Council (workshops, charettes, Q&A's, in-person/onsite meetings, Town app, etc.). Great progress on new Town facilities (including installation of temp facilities), Ward Trail, water master plan, stormwater projects, balanced budget, seeking funding from every source possible. No serious personal injuries.

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

Continue to improve communication/information sharing across the board to build/maintain faith and trust with residents.

**12. Goals for the upcoming year:**

Maintain productivity and continue to excel despite restrictions of the pandemic, closely and cautiously monitor finances and spending as the Town may experience reduced revenue moving forward, continue to progress on new facilities while staying within budget, hire new PW director (priorities should be repairing resident/PW relationships and establishing dirt road maintenance plan). Smile more.

\_\_\_\_\_  
Signature – Town Manager

\_\_\_\_\_  
Signature – Reviewer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date  
(Martini)

*McKinley*

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- 10 Has a capacity for innovation.

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

**Page 2 of 4**

10 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.

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10 Informs the Town Council of administrative developments.

10 Receptive to constructive criticism and advice.

**4. Policy Execution**

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

**Page 3 of 4**

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

Meeting the many challenges that were encountered by the COVID 19 pandemic. Mr. Smith established procedures to ensure staff safety while making sure that all Town operations proceeded on schedule. Coordinated with other government officials and the Town elected

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

**Page 4 of 4**

officials to protect the safety and well being of Town residents. Oversaw the planning and implementation of moving all staff to temporary facilities and the beginning of the process for construction of the new facilities.

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

On the performance appraisal that I submitted last review cycle was to use existing information to maintain our dirt roads and depend less on engineering solutions. This was not fully accomplished because of the lack of support from the Public Works Director. That individual has since left our employment and we are searching for a qualified individual for this position.

12. **Goals for the upcoming year:**

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

\_\_\_\_\_  
Signature – Town Manager

\_\_\_\_\_  
Signature – Reviewer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

(McKinley)

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1. **Personal**

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- \_\_7\_\_ Composure, appearance, and attitude fitting for an individual in his executive position.

2. **Professional Skills and Status**

- \_\_8\_\_ Knowledgeable of current developments affecting the management field.
- \_\_8\_\_ Respected in management position.
- \_\_7\_\_ Has a capacity for innovation.

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

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

- 9   Carries out directives of the Town Council as a whole rather than those of any one Town Council member.
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- 8   Receptive to constructive criticism and advice.

4. **Policy Execution**

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5. **Reporting**

- 9   Provides the Town Council with reports concerning matters of importance to the town.
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6. **Citizen Relations**

- \_8\_\_ Accommodates complaints from citizens.
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- \_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.
- \_7\_\_ Willing to meet with members of the community and discuss their real concerns.
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- \_9\_\_ Cooperates with the elected Constitutional Officers.

7. **Staffing**

- \_8\_\_ Recruits and retains competent personnel for town positions.
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- \_n/a\_\_ Impartially administers the merit system.

8. **Supervision**

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

Navigating through Covid and still keeping the Town on track financially and projects on schedule cannot be appreciated enough. Especially with the amount of work involved with some of these larger projects. Obtaining funds for the Town like CARES and LMS is always a plus as it allows us to keep taxes as low as possible.

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

With the restraints of Covid I am not sure I can be critical this year. I appreciate how hard TM and staff have worked to create new lines of communication to the town and I hope that we can build off this.

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12. Goals for the upcoming year:

Most goals will bleed into next fiscal year: Move into final design and construction bidding of phase one of the multi-modal path if we can secure funding. An agreement with Orange County for funding of Town road improvements. Completion of Town facilities. Phase 1 water design (crossing fingers for outside help).



Signature

2/19/21

Date

Signature

Date

*Williams*

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

Mr. Smith has accomplished many things year, despite the challenges that faced us. 1. Town Admin/Police Station funding in place and construction started. 2. Negotiated past issues with FEMA monies owned to the town. 3. Organized town's admin and set protocol during Covid Crisis, allowing us to function smoothly with little down time. 3. Kept moving forward strategically with linear park plans.

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

Communication always is an area that is in need of improvement. The Staff changes this year made by Mr. Smith, have improved many relationships but there is still a gap in good communication and there is a lack trust/faith by many residents needs to be repaired and earned.

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**12. Goals for the upcoming year:**

1. To continue work on our traffic issues, as it has begun to increase again, while also keeping pressure County Govt. to assist us with any relief efforts. 2. To keep construction on time and budget for new Admin Building. 3. Find funding sources for new proposed Bridge for the linear park.

\_\_\_\_\_  
Signature – Town Manager

*Loren Williams*  
\_\_\_\_\_  
Signature – Reviewer

\_\_\_\_\_  
Date

01/20/2021  
\_\_\_\_\_  
Date

**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:**

<b>RATING LEVEL</b>	<b>EXAMPLES OF PERFORMANCE</b>
<b>10: Exceeds Expectations</b>	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.
<b>5: Fully Meets Expectations</b>	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.
<b>1: Below Expectations</b>	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.
- 8   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.
- 8   Respected in management position.
- 8   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**

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

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

  7   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.

  7   Receptive to constructive criticism and advice.

**4. Policy Execution**

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

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

  8   Enforces Town Council policies.

  8   Understands town laws and ordinances.

  7   Reviews enforcement procedures periodically to improve effectiveness.

  8   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.

  6   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**

 10  Accommodates complaints from citizens.

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

**Page 3 of 4**

- 9   Dedicated to the community and to its citizens.
- 9   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.
- 9   Willing to meet with members of the community and discuss their real concerns.
- 8   Cooperates with neighboring communities.
- 8   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.
- 7   Accurately informed and concerned about employee insurance, fringe benefits, promotions, and pensions.
- 6   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.
- 8   Instills confidence and initiative in subordinates and emphasizes support rather than restrictive controls for their programs.
- 6   Evaluates personnel periodically and points out staff weaknesses and strengths and works to improve their performance.

**9. Fiscal Management**

- 8   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.
- 8   Prepared budget is in an intelligible format.
- 8   Reports the Town's financial position on a regular basis.



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

ROR purchase and negotiations for linear park pathway. Town Admin and Police Facilities Approval and Groundbreaking, Navigating the municipal challenges of COVID-19. Grant-funding and submission of legislative projects for Windermere,

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

Work with all Town Professional Services Providers in improving there understanding of how to best present projects and improvements to the TC and Residents, anticipating questions and concerns based on previous successful and unsuccessful projects.

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**12. Goals for the upcoming year:**

Ensure the successful completion of Town Facilities, Build out a COVID 19 Relief Spending Plan, PW Maintenance Plan for water outfalls, devices, and roadways. Enhance and build the strength and abilities of the PW Department. Utilities and Traffic Improvements

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Signature – Town Manager

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Date

**Mayor James OBrien**

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Signature – Reviewer

March 16, 2021

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Date



# Matrix And Comments

## 2019 Town Managers Evaluation

Personal	Councilmember Andert	Councilmember Martini	Councilmember McKinley	Councilmember Sapp	Councilmember Williams	Mayor O'Brien
1A	10	10	10	8	10	9
1B	9	9	10	7	10	8
Average:	9.5	9.5	10	7.5	10	8.5

9.16667

Professional Skills and Status	Councilmember Andert	Councilmember McKinley	Councilmember Martini	Councilmember Sapp	Councilmember Williams	Mayor O'Brien
2A	n/a	9.00	10	8	9	7
2B	10	9.00	10	8	8	8
2C	8	9.00	10	7	10	8
2D	8	9.00	10	7	10	7
2E	9	9.00	10	8	10	7
Average:	8.75	9.00	10	7.6	9.4	7.4

8.69167

Relations with Town Council	Councilmember Andert	Councilmember McKinley	Councilmember Martini	Councilmember Sapp	Councilmember Williams	Mayor O'Brien
3A	10	10.00	10	9	7	6
3B	9	8.00	10	8	9	9
3C	10	10.00	10	8	9	7
3D	9	10.00	10	9	7	7
3E	8	10.00	10	8	8	6
3F	8	9.00	10	8	7	7
Average:	9	9.5	10	8.333333333	7.833333333	7

8.61111

Policy Execution	Councilmember Andert	Councilmember McKinley	Councilmember Martini	Councilmember Sapp	Councilmember Williams	Mayor O'Brien
4A	9	10.00	10	8	7	7
4B	9	10.00	10	8	8	7
4C	10	10.00	10	8	8	8
4D	10	10.00	10	9	6	8
4E	n/a	n/a	10	7	7	7
4F	10	10.00	10	8	8	8
Average:	9.6	10	10	8	7.333333333	7.5

8.73889

Reporting	Councilmember Andert	Councilmember McKinley	Councilmember Martini	Councilmember Sapp	Councilmember Williams	Mayor O'Brien
5A	9	9.00	10	9	7	7
5B	9	8.00	10	8	7	6
5C	9	9.00	10	8	7	7
5D	10	9.00	10	8	7	7
Average:	9.25	8.75	10	8.25	7	6.75

8.33333

Citizens Relations	Councilmember Andert	Councilmember McKinley	Councilmember Martini	Councilmember Sapp	Councilmember Williams	Mayor O'Brien
6A	8	9.00	10	8		10
6B	10	10.00	10	10	0	9
6C	10	9.00	10	9	8	9
6D	8	8.00	10	8	9	7
6E	9	10.00	10	7	8	9
6F	10	9.00	10	9	8	8
6G	10	9.00	10	9	10	8
6H	10	9.00	10	9	8	7
Average:	9.375	9.125	10	8.625	7.285714286	8.375
8.79762						
Staffing	Councilmember Andert	Councilmember McKinley	Councilmember Martini	Councilmember Sapp	Councilmember Williams	Mayor O'Brien
7A	9	8.00	10	8	9	6
7B	n/a	9.00	10	n/a	8	7
7C	n/a	n/a	10	n/a	6	6
Average:	9	8.5	10	8	7.666666667	6.333333333
8.1						
Supervision	Councilmember Andert	Councilmember McKinley	Councilmember Martini	Councilmember Sapp	Councilmember Williams	Mayor O'Brien
8A	n/a	9.00	10	8	8	8
8B	n/a	9.00	10	8	8	8
8C	n/a	n/a	10	n/a	9	6
Average:	#DIV/0!	9	10	8	8.333333333	7.333333333
8.53333						
Fiscal Management	Councilmember Andert	Councilmember McKinley	Councilmember Martini	Councilmember Sapp	Councilmember Williams	Mayor O'Brien
9A	10	10.00	10	9	8	8
9B	10	10.00	10	9	8	8
9C	10	10.00	10	9	8	8
9D	10	10.00	10	7	6	8
Average:	10	10	10	8.5	7.5	8
9						

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

- Steering our Town staff, officials and residents through COVID-19 needs, notably safety measures and communications, and securing CARES Act funds
- Progressing the 1<sup>st</sup>/Forest and 2<sup>nd</sup> Avenue stormwater management and related grant funding work
- Establishing/furthering resident communication channels, e.g., Zoom charettes on stormwater and park projects, YouTube channel with video segments to more clearly present proposed projects, timely consolidation and publication of projects materials to Town website
- Working with West Orange Alliance for funding source and support for Ward Trail
- Erecting and operating the temporary Town Facilities

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

I don't know that I'd encourage Robert to spend significantly more of his stretched time and capacity to improve resident communication as his priorities are generally well placed and best aligned with his position and the needs of the Town. However, resident trust and awareness do need improvement and so I would suggest that Robert seek to leverage other ways to improve communication that do not require so much of his direct attention and time. The YouTube videos, social media posts and other materials accessible at all times via online channels are a good start. Training and empowering Town staff to manage these channels and others may help spread communication wider and deeper.

The nascent W.A.Y. Committee needs some attention to lead its members to success in their mission of serving the Town and bridging the gap between generations. Because of the inherent turnover this group's membership presents, the Town staff needs to provide more guidance and structure, and prevent the loss of knowledge that can occur when member classes lose their graduating or otherwise departing members.

**12. Goals for the upcoming year:**

- Continue to safely navigate the COVID environment, paying special care to safety and our more vulnerable residents
- Seek communications solutions as suggested in number 11. above
- Keep the new Town Facilities project on time and within budget
- Return attention to traffic issues when/if transportation levels resume
- Progress Bessie and Butler stormwater projects to final design and completion
- Progress pedestrian bridge and Dirt Main (2<sup>nd</sup> to bridge) work
- Support W.A.Y. Committee through creating more structure and staff/Council involvement to provide guidance and longevity in a group whose members are short-term as governed by the committee's by-laws, as suggested in number 11. above

\_\_\_\_\_  
Signature – Town Manager

  
\_\_\_\_\_  
Signature – Reviewer

\_\_\_\_\_  
Date

02/09/2021  
\_\_\_\_\_  
Date

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

Safely and productively moving the Town and administration forward while simultaneously navigating the immense difficulties of dealing with the Covid-19 pandemic and related issues. Marked increase in level of communication/information sharing with residents, committees, and Council (workshops, charettes, Q&A's, in-person/onsite meetings, Town app, etc.). Great progress on new Town facilities (including installation of temp facilities), Ward Trail, water master plan, stormwater projects, balanced budget, seeking funding from every source possible. No serious personal injuries.

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

Continue to improve communication/information sharing across the board to build/maintain faith and trust with residents.

**12. Goals for the upcoming year:**

Maintain productivity and continue to excel despite restrictions of the pandemic, closely and cautiously monitor finances and spending as the Town may experience reduced revenue moving forward, continue to progress on new facilities while staying within budget, hire new PW director (priorities should be repairing resident/PW relationships and establishing dirt road maintenance plan). Smile more.

\_\_\_\_\_  
Signature – Town Manager

\_\_\_\_\_  
Signature – Reviewer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

(Martini)

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

Meeting the many challenges that were encountered by the COVID 19 pandemic. Mr. Smith established procedures to ensure staff safety while making sure that all Town operations proceeded on schedule. Coordinated with other government officials and the Town elected

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

***Page 4 of 4***

officials to protect the safety and well being of Town residents. Oversaw the planning and implementation of moving all staff to temporary facilities and the beginning of the process for construction of the new facilities.

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

On the performance appraisal that I submitted last review cycle was to use existing information to maintain our dirt roads and depend less on engineering solutions. This was not fully accomplished because of the lack of support from the Public Works Director. That individual has since left our employment and we are searching for a qualified individual for this position.

12. **Goals for the upcoming year:**

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

\_\_\_\_\_  
Signature – Town Manager

\_\_\_\_\_  
Signature – Reviewer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

(McKinley)

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

Navigating through Covid and still keeping the Town on track financially and projects on schedule cannot be appreciated enough. Especially with the amount of work involved with some of these larger projects. Obtaining funds for the Town like CARES and LMS is always a plus as it allows us to keep taxes as low as possible.

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

With the restraints of Covid I am not sure I can be critical this year. I appreciate how hard TM and staff have worked to create new lines of communication to the town and I hope that we can build off this.

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12. Goals for the upcoming year:

Most goals will bleed into next fiscal year: Move into final design and construction bidding of phase one of the multi-modal path if we can secure funding. An agreement with Orange County for funding of Town road improvements. Completion of Town facilities. Phase 1 water design (crossing fingers for outside help).



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Signature

2/19/21

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Date

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Signature

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Date



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

Mr. Smith has accomplished many things year, despite the challenges that faced us. 1. Town Admin/Police Station funding in place and construction started. 2. Negotiated past issues with FEMA monies owned to the town. 3. Organized town's admin and set protocol during Covid Crisis, allowing us to function smoothly with little down time. 3. Kept moving forward strategically with linear park plans.

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

Communication always is an area that is in need of improvement. The Staff changes this year made by Mr. Smith, have improved many relationships but there is still a gap in good communication and there is a lack trust/faith by many residents needs to be repaired and earned.

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**12. Goals for the upcoming year:**

1. To continue work on our traffic issues, as it has begun to increase again, while also keeping pressure County Govt. to assist us with any relief efforts. 2. To keep construction on time and budget for new Admin Building. 3. Find funding sources for new proposed Bridge for the linear park.

\_\_\_\_\_  
Signature – Town Manager

*Loren Williams*  
\_\_\_\_\_  
Signature – Reviewer

\_\_\_\_\_  
Date

01/20/2021  
\_\_\_\_\_  
Date

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

ROR purchase and negotiations for linear park pathway. Town Admin and Police Facilities Approval and Groundbreaking, Navigating the municipal challenges of COVID-19. Grant-funding and submission of legislative projects for Windermere,

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

Work with all Town Professional Services Providers in improving there understanding of how to best present projects and improvements to the TC and Residents, anticipating questions and concerns based on previous successful and unsuccessful projects.

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**12. Goals for the upcoming year:**

Ensure the successful completion of Town Facilities, Build out a COVID 19 Relief Spending Plan, PW Maintenance Plan for water outfalls, devices, and roadways. Enhance and build the strength and abilities of the PW Department. Utilities and Traffic Improvements

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\_\_\_\_\_  
Signature – Town Manager

\_\_\_\_\_  
Date

**Mayor James OBrien**

\_\_\_\_\_  
Signature – Reviewer

March 16, 2021

\_\_\_\_\_  
Date



# 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
<b>10: Exceeds Expectations</b>	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.
<b>5: Fully Meets Expectations</b>	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.
<b>1: Below Expectations</b>	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**

10 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 included even more time. Once the Pandemic hit, we held daily then bi-weekly updates with the General Public about COVID updates which included guest speakers (only ones in West Orange). For the various projects we held special Zoom public outreach meetings in addition to onsite meetings with those directly and indirectly impacted. Now beginning in 2021 I will be conducting monthly Q&A with the Public to answer questions about anything Town related.*

8 Composure, appearance, and attitude fitting for an individual in his executive position. *I am told I need to smile more*

2. **Professional Skills and Status**

8 Knowledgeable of current developments affecting the management field.

8 Respected in management position. *I believe my presence and sometimes outspokenness to issues that directly impact not only Windermere residents but those of West Orange County has put us in a position where we will always have a seat at the table. (1 cent sales tax initiative)*

8 Has a capacity for innovation. *I believe this past year has shown how quickly we can adapt from a normal day to day operation to completely virtual.*

8 Anticipates problems and develops effective approaches for solving them.

8 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. *This will always be a 5 since it is a directive, I will always carry out equally.*

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. With some of the projects planned and initial lack of communication we have improved significantly with Zoom, in person, etc. public outreach. With every new project we will now hold Resident Workshops.*

8 Assists the Town Council in establishing policy while acknowledging the ultimate authority of the Town Council. *Established one of the first COVID policies in Orange County when it came to personnel.*

8 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**

- 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.

**5. Reporting**

- 7 Provides the Town Council with reports concerning matters of importance to the town.
- 7 Reports are accurate and comprehensive. *Sometimes too comprehensive.*
- 6 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**

- 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.*
- 10 Dedicated to the community and to its citizens.
- 8 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.
- 10 Willing to meet with members of the community and discuss their real concerns.
- 8 Cooperates with neighboring communities. *Especially with the 1 cent initiative we coordinated and created an alliance to advocate as a group as opposed to individually. Also working on interconnectivity of our trail systems*

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

**Page 4 of 5**

8 Cooperates with the town, state and federal governments. With LMS, FEMA, DOE and others, I believe I have sometimes gone above and beyond on trying to not only maintain these relationships but sometimes my patience.

8 Cooperates with the elected Constitutional Officers. They may not like the positions I take but respect the manner in which I advocate for my community no matter the size. We have worked with the various Constitutional Officers from COVID coordination, 1 Cent Sales Tax, LMS projects and Legislative initiatives that impact the Town both financially and legislatively. (Tree Ordinance, FEMA de-obligation)

**7. Staffing**

8 Recruits and retains competent personnel for town positions. I couldn't do it without a great team

7 Accurately informed and concerned about employee insurance, fringe benefits, promotions, and pensions. I have worked personally with employees about benefits and questions about getting assistance in personal finance.

5 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.

8 Instills confidence and initiative in subordinates and emphasizes support rather than restrictive controls for their programs. I believe if you poll the employees, they will tell you that I treat them like family. I am fair but will never set someone up for failure. I will provide them all the tools they need to be successful. Their failure, I believe reflects upon bad management which starts with me.

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 Hall Construction beginning (2) Over \$3 million in Grant Funds Awarded to the Town (3) Over \$70,000 in CARES ACT \$\$ (4) COVID response and outreach to the public. (5) Transition into Temporary Facilities (6) Various Project ongoing: Butler, Bessie, Facilities, Water Master Plan, Downtown Developments... (7) My involvement in the 1 Cent Sales Tax initiative and advocacy (8) I didn't injure myself with any power tools. (9) New website enhancements, New Town App, YouTube channel, and videos for public outreach.

**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. prior to an item being presented to TC. Negotiate impacts to lessen anxieties (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 (Same as in 2019)

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**Signature**

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**Date**

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**Signature**

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**Date**





# Recommendations For Salary Increase

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

This Amendment Three to the Employment Agreement is entered into as of March 23, 2021 (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 and Amendment Two dated March 25, 2019 (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: The term of this agreement shall be from October 24, 2013, through March 31, 2026. Thereafter, this agreement shall automatically renew for additional one-year term 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 following language: The annual salary for the Town Manager shall be \$142,000 for FY 2021/2022, 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 the Amendment Three shall remain in full force and effect.

Town of Windermere:

Town Manager

\_\_\_\_\_  
Jim O'Brien, Mayor

\_\_\_\_\_  
Robert Smith

Date: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Dorothy Burkhalter, Town Clerk

Date: \_\_\_\_\_

## OATH OF OFFICE

March 23, 2021

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

Term: 1<sup>st</sup> Two-year 2019 – 2021  
2<sup>nd</sup> Two-years 2021 - 2023

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William Martini

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Administer of Oath

Sworn and subscribed before me this 23<sup>rd</sup> day of March 2021

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Notary Public

# OATH OF OFFICE

March 23, 2021

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

Term: 1<sup>st</sup> Two-year 2021 – 2023

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Mandy David

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Administer of Oath

Sworn and subscribed before me this 23<sup>rd</sup> day of March 2021

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Notary Public

# OATH OF OFFICE

March 23, 2021

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

Term: 1<sup>st</sup> Two-year 2021 – 2023

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Anthony Davit

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Administer of Oath

Sworn and subscribed before me this 23<sup>rd</sup> day of March 2021

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Notary Public



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

## COMMITTEE APPLICATION FORM

1. Name: Cynthia Hunter Home Phone: 407-363-9236  
2. Home Address: 416 Butler St, Windermere  
3. Business: N/A Business Phone: \_\_\_\_\_

4. Business Address: \_\_\_\_\_

5. Email: CLHUNTER1@yahoo.com

6. Brief Summary of Education and Experience:  
I have my masters in Accounting, owned my own CPA practice for the last 20 years

7. Are you a U.S. Citizen? Yes ☒ No ☐

8. Are you a registered voter? Yes ☒ No ☐

9. Resident of the Town for 6 Months or longer? Yes ☒ No ☐

10. Do you hold public office? Yes ☐ No ☒

11. Are you employed by the Town? Yes ☐ No ☒

12. Do you now serve on a Town Board or Committee? Yes ☐ No ☒

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

Code Enforcement Board <input type="checkbox"/>	Development Review Board <input type="checkbox"/>
Downtown Business Committee <input checked="" type="checkbox"/>	Elder's Committee <input type="checkbox"/>
Historical Preservation Committee <input type="checkbox"/>	Long Range Planning Committee <input type="checkbox"/>
Parks and Recreation Committee <input checked="" type="checkbox"/>	Traffic Committee <input type="checkbox"/>
Tree Board Committee <input type="checkbox"/>	

14. Why do you think you are qualified to serve on this board? I am energetic, organized and LOVE our town. I have served /chaired on many committees

\*FINANCIAL DISCLOSURE FORMS MAY BE REQUIRED FOLLOWING APPOINTMENT

Signature: [Signature] Date: 2-20-21 various

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

non-profit organizations.

**TONYA ELLIOTT- MOORE**  
**31919 Geoff Way**  
**Sorrento, FL. 32776**  
**(407) 982-6693 • ttong2@aol.com**

Professional with substantial government, public information, and private expertise and experience. Proficient in MS Office, MS Project, MS Word, MS Excel, MS PowerPoint, MS Access.

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Public Works Management • Annual Municipal Budgeting & Grant Management • Strategic Planning • State/Federal Agency Coordination • Water Conservation & Stormwater Implementation • Non Advalorem Assessment Expertise • Project Management & Consultant Oversight • Consumptive Use Permitting • Administration & Contract Management • Policy Development • Board Presentations • Project Scheduling • Customer Relations • Leadership Development • HOA Liaison • Employee Development • Outreach & Communication • Corporate Spokesperson

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**PROFESSIONAL EXPERIENCE**

**DPFG, Lake Mary, FL**

**March 2020 to Present**

***Community Development District Manager***

- Function as the City Manager for 18 Community Development Districts in Florida. Responsible for citizen engagement and response, prepare and conduct required public board meetings, budgeting, operations, maintenance, repair and replacement of all district infrastructure and CDD property. Direct Strategic initiatives.

**City of Maitland, Maitland, FL**

**November 2017- March 2020**

***Public Works Assistant Director***

- Manage departmental administrative functions including development of operating budgets and related reports.
- Develop and revise procedures and conduct special research projects.
- Coordinate special studies and implement solutions to administrative and operational issues.
- Improve departmental efficiency, optimize services to customers, and facilitate inter-departmental coordination.
- Manage municipal public works projects ensuring contractor compliance, budget parameters and timing.

**CareerSource Central Florida, Orlando, FL**

**October 2012 - November 2017**

***Director of Communications & Community Relations***

- Hired to repair organizations reputation following a high-profile media crisis.
- Developed a highly functioning team of five professionals and managed a \$300K budget. Managed contracts and relationships with state and federal agencies as well as advertising, public relations, and print consultants.
- Managed organizations re-branding efforts to "CareerSource Central Florida". Launched social media initiatives that increased reach and leads exponentially. Facebook followers increased from 1,400 in 2015 to over 6,100 in 2017. Executed successful integrated campaigns through a variety of channels including direct mail, email, social media, print, digital, website, and mobile.
- Directed the Operation Maria partnership with WKMG Channel 6 to assist Hurricane Maria evacuees with connecting to employment opportunities in Central Florida.
- Responsible for the development, implementation and management of communications, outreach, public affairs and public/media relations strategies to strengthen workforce development as a regional priority and to raise awareness and comprehension of workforce initiatives and programs. Responsible for managing the strategic marketing and communications efforts of the organization, including providing counsel to the organization's executives and board officers.
- Directed the organizations marketing and external strategies.

**Progress Energy, Orlando, FL**

**September 2008 - October 2012**

***Program Management Specialist / External Relations***



- Developed and delivered strategic external and internal communication strategy for Levy Nuclear Power Plant and Transmission project. Largest project in the company's 100 year existence. Implemented a similar plan for company's non-baseload projects
- Updating of project details with local, state, and federal governmental entities, community working groups and community and civic organizations
- Responsible for project management and coordination efforts between transmission staff and external relations teams
- Oversaw power company franchise renewals and agreements
- Drafted new municipal franchise agreements for adoption by local legislative bodies

**City of Maitland, Maitland, FL**

**July 2008 - September 2008**

**Contractual Project and Public Information Management**

- Implemented City's first Environmental Stormwater Utility in three months.
- Responsible for rate modeling, ordinance and rate resolution establishment and corresponding public information duties. Prepared and presented recommendations to City Council.

**Osceola County, Kissimmee, FL**

**July 2007 - June 2008**

**Director of Public Information**

- Development, coordination, and implementation of the County's overall, internal and external communication and marketing plan
- Served as communication liaison for the County Manager and the Board of County Commissioners
- Directed official event planning, collateral development, and production of all Board of County Commissioner publications, print materials, and television productions
- Managed the creation, development, and production of all aspects of the county's video and television programs
- MSTU and MSBU taxing district coordination activities
- Directed County's strategic planning processes and implementation
- Managed grants and served as HOA and Community Association liaison
- Oversight of a staff of three and a budget of \$800,000 annually

**City of Ocoee, Ocoee, FL**

**November 2005 - July 2007**

**Assistant Director of Public Works**

- Performed administrative and professional work serving as the principal assistant to the director of public works.
- Directed the development of departmental administrative functions
  - Development of operating budgets, Capital Improvement Projects, workplans, and performance measurements
  - Development and/or revisions of procedures, operational standards and special research projects ensuring the effective and efficient provision of administrative support to the department.
  - Developed departmental policies and procedures
  - Managed departmental human resource functions
  - Developed departmental financial analysis for solid waste and stormwater utilities
  - Grant management including CDBG grant funding
  - Coordinated and supervised all cross-departmental activities
  - Managed the department's contracts and renewed all applicable permits.
  - Performed highly responsible analytical, planning, managerial, administrative, and technical work directing the operating divisions of the department.
  - Researched and performed independent analysis of variables in calculating stormwater and solid waste utility fees and developed assessment for funding capital stormwater improvement and solid waste programs.
  - Developed and produced public education campaigns; interacted with the public, HOA's, elected officials, departments, and state and county agencies on department matters.
  - Resolved customer issues.
  - Acted as Public Works Director in the absence of the Director.
  - **Developed, directed, managed, and authorized expenditures on an \$10 Million budget**
  - **Acting Director from May 2006 to August 2006**
  - Oversight of 40 plus staff

Directed seven public works divisions: Administration, Solid Waste, Streets/Traffic, Rights-of-Way Maintenance, Fleet Maintenance, Facilities Maintenance, and Stormwater.

**Accomplishments:**

- Managed completion of construction for the new public works facility
- Project manager for the renovation of the Senior & Veteran Service Center
- Planned and presented site location options for new police headquarters
- Project lead for calculating, assessing, and placing solid waste and stormwater fees on the Orange County Tax Roll
- Transferred residential solid waste services back in-house from a contractual hauler
- Created city's first in-house fleet division for all city vehicles

**City of Ocoee, Ocoee, Florida**

**March 2004 - November 2005**

**Community Relations Manager**

- Directed and managed all public relations and marketing programs, events, and activities
- Managed city's television station (OGTV Channel 10)
- Managed purchasing authorizations and functions
- Managed city grant programs
- Served as Staff Liaison to the Education Commission and Community Merit Awards Board program with HOA's and Neighborhoods
- Lead member of the City's Protect Ocoee's Water Resources (POWR) team
- Created collateral materials and designed communication tools including television production pieces to promote the city
- Supervised administrative staff of four and contractual television production crews equating to over half a dozen staff members
- Highest ranking staff member in the City Manager's Office
- Assisted the City Manager with Special Projects

**Trans4mation/ Global-5, Orlando, Florida**

**August 2003 - March 2004**

**Public Information Specialist**

- Communications consultant to the Florida Department of Transportation's, District 5, Interstate Program Management Department
- Responsible for monitoring and managing construction project status, information flow, and coordination of public meetings
- Served as primary expert on grassroots level, community consensus building with the municipalities and county government agencies along the I-4 Corridor
- Integral part of the communications team for the I-4 project, the evolution of transportation in Central Florida

**City of Maitland, Maitland, FL**

**October 1999 - August 2003**

**PIO/Community Relations Coordinator**

- Authored, created, designed, and implemented City's award-winning, public relations campaign and water conservation program, Water Down. Managed City's Consumptive Use permitting process with the water management district. City obtained a long term, 15 year C.U.P due to water conservation efforts and mid-year reporting.
- Reported to the City's OMB Manager and performed budget analysis, assisted in developing City's essential priorities, city and departmental workplans, and performance measurements
- Assisted in developing and producing the City's Annual Budget
- Directed, managed, and facilitated all communication and marketing efforts for the City, including all Public Information Office duties and media responses as city's official media spokesperson.
- Created, implemented and maintained renowned and well recognized municipal website
- the new and improved City website [www.itsmymaitland.com](http://www.itsmymaitland.com)
- Created PowerPoint presentations for City's upper management, and authored official city speeches
- Assistant staff liaison to the Electrical Power Advisory Board

**Major Accomplishments:**

- St. Johns River Water Management District Partner of the Year 2000 – Water Conservation.
- Authored Award-Winning Submittal packet for Top Ten Public Works Leader of the Year in United States and Canada

- After less than a year of employment voted Maitland Eagle in 2000 (employee of the year) by group of peers

## **EDUCATION**

**University of Central Florida, Orlando, FL**  
***Masters Public Administration:*** (In process)

**University of Central Florida, Orlando, FL**  
***Bachelor of Arts Degree in Journalism: Advertising / Public Relations***

## **ADDITIONAL TRAINING & CERTIFICATIONS**

Certified Public Works Manager – Carl Vinson School of Government, University of Georgia: In Process  
NIMS Certified through ICS – 300

## **HONORS & AWARDS**

Women in Public Works Essays – Influential Women in Public Works by American Public Works Association <http://www2.apwa.net/documents/about/board/diversity/WomenInPWEssays.pdf>

## **References:**

Michelle del Valle  
Assistant City Manager  
City of Winter Park  
407-312-1124

Tom Tomerlin  
Assistant Economic Development Manager  
City of Deltona  
Former Assistant City Manager  
City of Lake Mary  
407-242-6382

Robert Zaitooni  
Principal Engineer  
Independent Transportation Consultant  
Former Public Works Director  
City of Ocoee  
407-687-8754

Robert Frank  
City Manager  
City of Ocoee  
407-509-2770

Don Fisher  
County Manager  
Osceola County  
407-494-8788

Jo Thacker  
Former Osceola County Attorney  
Partner Broad and Cassel  
407-839-4200

Kelley Teague  
Director of Public Affairs and Strategy  
Orange County Government  
407-538-6181

Mike Steigerwald

City Manager  
City of Kissimmee  
407-518-2300



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**PROJECTS UPDATE MEETING MARCH 1, 2021**

*For previous updates on each item please refer to February 1, 2021 meeting minutes*

**Attendees:**

- Robert Smith, Town Manager
- John Fitzgibbon, Town of Windermere
- Nora White, Town of Windermere
- Travis Mathias, Town of Windermere – **Not in attendance**
- Chris Sapp, Town Councilman Liaison
- Mike Woodward, Kimley-Horn Associates – **Not in attendance**
- Hao Chau, Kimley-Horn Associates
- Victor Gallo, Kimley-Horn Associates – **Not in attendance**
- Mike Galura, Michael Galura Engineering Consultants

1. **NPDES (National Pollutant Discharge Elimination System):** *The NPDES permit program addresses water pollution by regulating point sources that discharge pollutants to waters of the United States.* Since the Town discharges into the lakes we are required to maintain this permit. 10/18: MBG addressed additional comments for NOI and Annual Report. Per conversation with Jason Maron, response to audit is complete. Awaiting completeness and acceptance letter. Issuance of NOI, Cycle 4 pending. MBG will distribute forms to be used for compliance (i.e., fleet maintenance, erosion/sedimentation control, etc.). Community project scheduled for Saturday, November 3<sup>rd</sup> (clean-up on lakefront, etc.) per Scott Brown. Final reading for ordinance scheduled for November 13<sup>th</sup> TC meeting. TM to coordinate with Da'Shanta and Diane on distributing Stormwater pamphlets with Boat Ramp Keys. TM reached out to BC and PDCS as well. Town received additional comments for NOI from Jason Maron. MG to address and resubmit. Comments are minor – MG to try to have responses by next week. MG to work on additional stormwater related brochures for rack in front of receptionist desk. MG coordinate with Diane on Gazette articles and number of Gazettes' issued. MG to provide Town with public education brochures for front magazine rack. Mike had DEP public notice published in February 10, Sunday edition of Orlando Sentinel. Inquiries to be made to Jason Maron, FDEP. Expecting NOI to be issued this month. MG contacted Jason Maron, DEP, for status of pending NOI. Received violation by residential builder. Coordinate with Dianne on Gazette on stormwater related articles. Awaiting Notice of Public Petition to be published in Orlando Sentinel (to be published this Saturday). Once published, need to forward proof of publication to Jason Maron, FDEP. Proof of Publication for Public Petition from Orlando Sentinel forwarded to Jason Maron, FDEP. Issuance of NOI Cycle 4 pending (permit issued May 3, 2019). KH to pick up NPDES tasks from MG based on KHA being selected as Town Continuing Consultant. KHA will prepare NPDES brochure and in-house training schedule. MG to send SOP's to HC for NPDES compliance. HC to prepare brochure for stormwater related subjects. Articles to also be published in quarterly Gazette. Violations being documented. HC to prepare stormwater related articles for the quarterly Gazette. Training is will also be initiated (late March and before Memorial Day for Town employees). Subject will range from illicit discharge to stormwater and sediment control. HC preparing for FDEP audit. Jason Maron, FDEP, to be in Town 10/24 to review Town NPDES program. KHA will be working on Gazette article for next publication. SB to provide deadline for submittal. Monthly sweeping and documentation will continue. Two (2) violations noted by JF and coordinated with BC of Wade-Trim. KHA working on Illicit Discharge power-point presentation, scheduled for March/April 2020. Draft of

presentation to be provide to TM and SB in November. SB and KHA attended FDEP audit. SB and KHA to continue to coordinate with NPDES staff to provide documentation and forms. Supply KHA with street sweeping and vacuum truck quantities. Submitted article for Gazette. First training in March to include documentation forms. SB spoke to EnviroServices to map drainage infrastructure. HC coordinating with SB on street sweeping and drainage structure debris quantities. March training HC. KHA and SB addressing FDEP questions noted in their Ph II MS4 Cycle 4 Year 1 Focused Audit Report. Reply to be completed by March 2, 2020. ON schedule. Moving forward with Town stormwater inventory via CCTV all systems (to set the control point), GPS and building mapping system for recording, reporting and monitoring current and future needs/cleanings, etc. This will be a team effort through KHA, Enviro Waste Services and SB. Debris removals being recorded via HC. 2/3: HC provided MG with quantities for street sweeping. MG to include with STAR report to DEP. SB to provide estimate to TM for decanting of dewatering. SB to also work with Vacuum trucks to identify GPS locations and quantities per GPS location to monitor any issues. Article has been submitted for Gazette. KHA and SB has responded to FDEP questions on focused audit. Vacuum truck services have completed GPS and CCTV work at 12<sup>th</sup> Street and Oakdale. KHA and SB to work on how to get this information into GIS. Potential dates for training in April. Training slides sent to SB for approval (slides approved). Training session to be scheduled. First set of inlets from truck vac for inventory. Proposal to incorporate vacuum information. Tentative training to be conducted in July-August. Two sessions: 1) Public Works and 2) Police Department. SB to coordinate with Chief on scheduling training. HC to submit projected budget impacts for next FY. Gazette articles submitted. Vac trucks working on drainage structure inventory. All training material prepared per HC. Year 2 reporting due by June 2021 – may defer training until COVID-19 restrictions are eased. Thursday nights are best for training with PD per TM. HC and SB to coordinate on when the training can be conducted (for all Town Staff). KHA agreement approved at last TC meeting. Inspection for 505 and 1108 Dirt Main sent out by JF (now in compliance) for noncompliance. IPO approved. Documentation continuing for vac truck. Need to schedule 2 training sessions with staff (PD and Public Works). SB suggested a virtual training session. HC to provide copies of training documents and to coordinate with SB on dates of training sessions. Staff training dates scheduled. Training Sessions completed (October 2020). KHA working on standardized violation forms. 12/7/20 - Prepare standard violation forms. MG will send to HC. No reporting to DEP required till next year (Year 2 reporting). 1/6/21 Ongoing. 2/1/21 Additional reports received and filed. Draft – List for violations to be sent out to the Town for review.

2. Orange County LMS: Orange County Local Mitigation Strategy (LMS) is comprised of the County and other governmental jurisdiction within it to plan and prepare for natural disasters. These projects are funded by FEMA. FEMA has dedicated \$15 million to the County to fund various projects. TOW has submitted 7 projects for funding including W Second Ave. This is a 25% match program. The process takes about 2 years. 10/18: MBG ask Jason Taylor for status. MG to review comments for 5 HMGP projects from DEM (Douglas Galvan) and address within 15-days for 5 projects. MG to resubmit by DEM timeline. MG resubmitted revised Pre-Disaster application for funding of Preliminary Engineering for West Second Avenue. Geotechnical and Surveying services were not eligible because the services were performed before the Hurricane Irma disaster declaration. Awaiting word on technical review of HMGP applications. Update on Hurricane Irma HMGP applications (contact Douglas Galvan on status update). LMS Working Group Meeting scheduled for later in May (May 22<sup>nd</sup>). Jason Taylor encouraged the submittal of applications for Tier 3 projects under Hurricane Michael

disaster declaration. JT feels that there will be substantial money available due to rural and smaller communities in the Panhandle not being able to provide matching funding sources for HMGP applications. MG to notify JT of budget change for West Second Avenue for Preliminary Engineering. KHA to work on Hurricane Michael applications (due August). MG to continue on Hurricane Irma tasks. MG to address comments from Mitchell Plummer, Engineering Specialist, Mitigation Bureau, Florida Division of Emergency Management by 07/12/2019. These projects are:

- 4337-693: 3<sup>rd</sup> Avenue and Magnolia Street Drainage Improvements;
- 4337-694: 6<sup>th</sup> Avenue and Butler Street Drainage Improvements; and
- 4337-695: 9<sup>th</sup> Avenue/10<sup>th</sup> Avenue and Oakdale Street Drainage Improvements
- 4337-697: West Second Avenue TM executed agreement and it was sent back to DEM for their execution and authorization to proceed with the Phase I design services.

DEM is reviewing the technical/engineering aspects of these projects for eligibility, feasibility and cost-effectiveness.

MG to attend LMS meeting on Wednesday August 21<sup>st</sup> at Orange County OEC (10:00 am). MG mentioned money may be available under Tier 3 funding for Hurricane Michael. Town to consider projects.

MG is to submit an HMGP for the Lake Down retaining wall under Hurricane Michael. Project will only be eligible under Tier 3 money. Applications considered by the State (DEM) is on a first come, first serve basis.

MG continuing to prepare HMGP application for the Lake Down retaining wall improvements under Hurricane Michael. MG to e-mail DEM engineers for application status for Hurricane Irma. MG re-submitted Lake Down Wall Improvement project to Daniel Negron, P.E., Orange County Public Works, for consideration by the Planning Committee for endorsement.

Initial approval for West Second Avenue Phase I Design with funded budget of \$80,000. After Phase I is complete then Phase II for Construction will begin. Estimated total cost is \$900,000 for both phases. Still waiting to hear back on other 3 projects.

Administration change at the Orange County LMS. Jason Taylor no longer LMS Manager.

Executed contract. Waiting on FEMA to sign. MG to revise scope and TM to work on title search for end of Second Avenue and easement. Public workshops will be included again. 18 months since last meeting. 2/3 MG prepared first quarterly report to Douglas Galvan, DEM (September-December 2019). Final design for West Second Ave to be on TC agenda for February 2020 meeting. MG emailed LMS and received RAI for two projects. MG to respond by /10 deadline.

MG submitted FEMA-4399-DR-FL HMGP application for Lake Down Retaining Wall to Kathleen Marshall, FDEM, Mitigation Bureau, on February 25, 2020. Project will be considered for Tier 3 funding under Hurricane Michael.



MG address environmental comments from DEM regarding applications 4337-693 (3<sup>rd</sup> Avenue and Magnolia Street) and 4337-694 (6<sup>th</sup> Avenue and Butler Street). The comments were from Kayla Born, FDEM. Two projects were considered ineligible for HMGP funding by the FDEM. These projects are 4337-695 (9<sup>th</sup>/10<sup>th</sup> Avenue and Oakdale Street) and 4337-696 (9<sup>th</sup> Avenue and East Boulevard Regional Stormwater Pond). RS mentioned infrastructure stimulus package may have money available for CIP's.

Received notification from DEM (Douglas Galvan) that Project 4338-443-R (693) 3<sup>rd</sup> Avenue and Magnolia Street Drainage – Phase I (Design and Permitting) has been approved for funding under the Hazard Mitigation Grant Program (HMGP). The Project Total Cost under Phase I: \$72,500; Federal Share: \$54,375; Local Share: \$18,125. The contract with DEM will be forthcoming for the Town's execution.

Reimbursement Request No. 1 processed by the DEM. Additional information submitted to Claudia Purser, DEM regarding 9<sup>th</sup>/10<sup>th</sup> and Oakdale and 9<sup>th</sup>/East Boulevard Regional Stormwater Pond. MG to follow up with Claudia on status of additional information. MG to prepare and submit quarterly report and Reimbursement Request No. 2 by the first week in July.

Second quarter reports sent to TM for his digital signature. Awaiting execution of two new project contracts with DEM.

New quarterly reports forms prepared and executed by the TM for the three (3) Town project – 4337-297-R (West Second Avenue); 4337-443-R (3<sup>rd</sup> Avenue and Magnolia Street); and 4337-449-R (6<sup>th</sup> Avenue and Butler Street) and submitted to Douglas Galvan, FDEM. All contracts executed and quarterly reports submitted. MG submitted an exhibit locating the three projects on a single Location Map to Paola Sullivan, DEM. Attended LMS Working Group meeting last month to discuss LMS projects and any other topics. Discussions on residential safe room funding. Manny Soto (City of Orlando) – Steering Committee chair; Daniel Negron (Orange County Stormwater Management Division) – Planning Committee chair. HC to provide typical section for 7<sup>th</sup> and Butler Street. Workshops and public meetings scheduled in October. Typical will be applied. Contract for three projects pending from DEM (FEMA Project No. 4337-443-R). HC submitted quarterly report for three projects (contract pending). 11/2/20 Contract for three projects pending from DEM. HC submitted quarterly report for three projects (contracts pending). 12/7/20 - TM provided brief discussion regarding CCNA as it relates to procurement of the HMGP grants. TM had discussions with Gray-Robinson. TM to have 2<sup>nd</sup> zoom meeting with Gray-Robinson 12/8/20. 1/6/21 Bessie and Butler has been RFQ. Due on 1/11. 2/1/21 West 2<sup>nd</sup> received first reimbursement for design and proceeding with Bessie and Butler. Bessie/Butler RFQ to be approved at February TC Meeting. MG to contact DG and get confirmation of extensions. Butler extension

received. DEM agreement for Bessie, extension for Bessie. AIA agreements with KHA executed.

3. FIRST Avenue and FOREST Street Drainage Improvements: Grant awarded to TOW to address flooding within the Basin. 10/18: MBG awaiting all cancelled checks to prepare reimbursement form to SFWMD (Nestor Garrido). No further complaints on the project. Town is monitoring system for condition and adjust as needed per TC directive. Vacuuming service RFP sent out by SB. Bid opening November 8<sup>th</sup> at 3:00 pm at Town Hall. MG to still look at possibility of covering grates on roadway. MG submitted initial request for reimbursement. SFWMD responded and needs unique Town invoice number to process request. Debbie Wilson provided MG with unique Town invoice number. MG resubmitted invoice to Nestor Garrido. Town received \$175,000 reimbursement from the SFWMD. Project Complete. MG to review alternatives to grates in lieu of Mack Concrete's recommendation to cut inlet top and precast top with manhole frame and cover. Potential filter per JF – test site. Further evaluate grates on First Avenue on whether to cap or maintain. MG to apply for DAC Recovery funding from DEM. \$31,564.07 is requested for DAC funding. MG to work to submit next week. DAC application submitted to Amanda Campen, Florida DEM, Bureau Chief of Recovery, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32301 on July 1<sup>st</sup>, 2019. MG to follow up on submittal. KHA to review drainage system and provide Induvial Project Order (IPO) for recommendations and possible upgrades. Data collection for project fix. MG provided topographic information to SB per resident request. Project completed; reimbursement received. KHA to address additional concerns regarding project improvements. IPO released to KHA on analyzing alternatives to maintain stormwater within the Town right-of-way. HC to provide summary to TM. Draft Report to be submitted to TM and SB by Monday 10/7. KH submitted draft report to TM and SB. TM and SB have reviewed and have no comments. KH to submit final report with opinions of probable construction costs. HC reviewed DRAFT report which will be revised and submitted to SB for review. TC meeting on 12/18 for discussion of the report. Final report submitted by HC to TM and SB. Workshop with TC scheduled for January 28<sup>th</sup> (KHA to present). TC to review scope of concept design. KHA completed and presented study to TC during January workshop. Recommend adding 24" connector to existing culverts on Forest to assist with high demand discharge events and high-water conditions, as we have been seeing for several years. Further provided alternative road options, dirt and porous for considerations. Also provided recommendation to alleviate private lot drainage via property owners providing drainage easements to place a culvert system in to discharge their private lot drainage. March 4<sup>th</sup>: March 10<sup>th</sup> presentation to TC on recommendation for improvements to First Avenue and Forest Street drainage improvements. David Hansen mentioned the OC has a project the Town may wish to explore relative to establishing swales or berms on both Town and Residential properties with appropriate landscaping. TM and David to coordinate with Councilmember Andert for more info and see if we can incorporate in the Butler, Bessie and Forest projects. KHA will prepare three IPOs for March Town Council agenda. KHA to review survey files previously provided by MG. KHA to include septic drain fields in project survey. Schedule kick-off meeting – TC approved one CIP – upgrade and include equalizer pipes and swale details. IPO expanded to include topographic survey in private property. Rain event monitored by KHA. First field visit conducted as well as kick-off meeting. KHA completed field visits and prepared drainage maps to prepare conceptual construction plans. PEC Surveying and Mapping conducting survey work. KHA to present to TC in July (tentative). Rain events to be continued to be monitored. Meeting to property owners before TC meeting. MG to coordinate with HC on modeling of W. Second Avenue as part of the First Avenue and Forest Drainage

Improvements. Schedule kick-off meeting – TC approved one CIP – upgrade and include equalizer pipes and swale details. IPO expanded to include topographic survey in private property. Rain event monitored by KHA. First field visit conducted as well as kick-off meeting. Drainage analysis and conceptual design underway. Coordination with MG on W. 2<sup>nd</sup> Avenue. Meetings to be scheduled with residents upon completion of the conceptual. Concept and approach to tentatively presented in two (2) weeks. VG conducted review and will provide TM with update after storm observation. Workshop on 9/22. Concept plan to be completed this week and submitted to the Town for review next week. HC to utilize same typical section as 7<sup>th</sup> and Butler. Redundant outfall pipe and swales to be presented by KH as part of workshop with TC. KHA to complete plans by December 2020. Zoom meeting to be conducted with residents. MG to send ICPR model to VG. 12/7/20 – 90-percent plans to be submitted in two weeks and to the SFWMD for permit modification. CS asked if a workshop is warranted. 1/6/21 90% Plans submitted, met with John F in field and he had some comments. We implemented and will resubmit this week. John F to meet with residents to discuss before KH finalizes plans. 2/1/21 KH will send full set and separate plan view to John F. Once we have reviewed full plans we will create Zoom meeting with residents and in person when possible. TC reviewing documents. JF reviewed and will discuss with HC on any comments prior to bidding. Public outreach to be conducted pursuant to JF comments.

4. RR ROW (Sidewalks, Multi Modal Path, RR ROW): Town Council approved the purchase of the Ward/DP Lynn interests in the Railroad ROW. Once acquired the Town would be able to use the property for various projects: multi modal, stormwater, and landscaping) This would also allow for possible property swaps with those that own the RR Row so the TOW would have a continuous corridor from 12<sup>th</sup>/chase to Windermere Rd. 10/18 November 1<sup>st</sup> advertising period. TM working on negotiations for property swap. Conceptual design will commence once the property agreement is finalized. SB is coordinating with the Rubio's on property donation adjacent to Lake Down-Lake Butler canal. Still waiting on Wards. Awaiting on closing on property swap with the Town. Expect closing in April. Next agenda for resolution to vacate 20' on Dirt Main and provide it for the property owner (Ward). TM negotiating with property owner adjacent to Lake Down canal. The closing is next week. TM providing information to closing agent. Workshop held Monday night. TC approved property swap. TM to talk to residents on Lake Butler Boulevard for swap/purchase of RR property. SB still talking to Rubio's, updating TM on status. TM looking for funding sources for project (FRDAP, etc.). Rubio's agreed to donate land pursuant to conditions to be addressed by the Town. To be on July TC meeting. TM sent documents to Sorenson. SB to discuss contract with Rubio's. Heather to draft agreement for Rubio's. TM – after property acquisition, review multi-modal concept plan with Wade-Trim or KHA. SB working on funding opportunities to design project. To be named Windermere-Ward trail (prototype name – provisional). SB still negotiating with Rubio's – language in agreement for disclosure statement. Gray-Robinson to prepare agreement language for the Rubio's to approve. Memorial plaque to be provided as part of the agreement. No change. SB continuing to coordinate with the Rubio's regarding donation of railroad right-of-way property. Sorenson property in closing stage. Anticipated completion by December 2019. Scott spoke Rubio and will continue to coordinate with Rubio for their review and signature. TM to work with both KH and Wade Trim on survey, concepts and design from North to Park Ave. Rubio property donation completed. Phase I will be from Park Avenue to North Avenue. Funding to be applied through the MPO TAC. KHA working on scope for Concept Design. TM received scope and under review for approval at January TC meeting. KHA moving forward with the concept design phase. Project added to OC tax increase project list for possible funding source as part of a regional

trail. 2/3 IPO approved at January TC meeting. Windermere WD looking to help fund portion of the project. LRP needs to select stake-holder to represent at coordination meeting with various boards. TM to schedule first stakeholder meeting in February. Meeting occurred in February. Direction was given to KHA on look and feel of walk way. KHA and SB have a site visit scheduled in March. After the field visit, KHA will prepare draft concept for TC workshop. MW presented preliminary alignment for multi-modal path and concept plan for typical sections. The alignment is a curvilinear alignment with a 10-foot width in an elevated section along the top of the existing berm. Discussion regarding public meeting – pending on when a public meeting can be held. KHA to amend plans to remove elevated path. TC workshop to be scheduled by SB/HC. Present to LRP/TB in July prior to TC meeting workshop in the end of July for conceptual approval. IPO to be prepared for final design upon approval by TC of conceptual plan. TM to secure some initial funding for the project (without pedestrian bridge). Information to be ready by 6/12 for TB meeting on 6/18. Review plan with LRP on 6/25. Property on 10<sup>th</sup> Avenue, alignment to be adjusted. TM discussed with LRP and TB to be submitted to TC for conceptual approval of plan at next TC meeting. Coordination with Ocoee, MW provided multi-modal information. Once concept is approved, TM to take to West Orange for funding opportunities (connection to West Orange Trail). TM to request IPO from Mike Woodward, KHA. Work with TB regarding tree selection. Work with residents on type of vegetation to be planted. Include separate Add-Alternative for bridge. Need probable cost for pedestrian bridge. IPO for pedestrian bridge was approved to KHA. CS discussed KHA third party vendor for provider of pedestrian bridge. KHA will serve as liaison for bridge design. Vendors will present options to KHA and the Town for selection of preferred bridge structure. TM and MW working with West Orange Alliance on funding for the project. Pedestrian bridge is separate IPO. Provide multi-modal links. April 2021 funding to be considered by WOA. Meeting regarding pedestrian bridge scheduled for tomorrow. 12/7/20 - TM and MW has been working with West Orange County Health Care alliance regarding interconnectivity and connection between Windermere and Ocoee. NW got closing documents from Gray-Robinson for TM to review and approve. 1/6/21 RW conveyance has been completed. Robert to confirm with Gray Robinson. 2/1/21 RS met with West Orange Health Alliance, they are working on it and will present to board in April. State appropriations also asked for trail. Plans also went to Chamber of Commerce. TM also to reach out to additional private RR ROW owners in the near future. TC working with MW on concept. Metroplan has large PDE projects and project is unlikely to be funded through this mechanism. Best bet for funding is WO Health Alliance.

5. W. Second Ave Roadway and Drainage Improvements: Town Council approved the widening and stormwater projects for West Second Ave. Staff met with public and have a conceptual design. Staff waiting on Orange County LMS response for funding before design can be brought back to residents and TC for Approval. 10/18. No change. Awaiting Notice of Funding from FEMA/DEM from Hurricane Irma. MG to address comments from DEM (Douglas Galvin) regarding project costs. MG addressed with Douglas Galvan. MG to coordinate with Douglas Galvan, DEM, on project status. No Change. MG e-mailed Douglas Galvan – no response to date. Applications under technical review – fiscal review complete. Continue to fill in edge of pavement. None. MG addressed RFI's from DEM Environmental Reviewer regarding project limits (project limits in latitude/longitude format). No change. MG to request status of HMGP application review. Still waiting on LMS contract. TM to coordinate design approval and workshops. TM executed Phase I agreement and sent back to DEM for approval and authorization to proceed. Total authorization is \$79,400 (75% Federal, 25% local share). Awaiting on executed contract with DEM for authorization for Notice to Proceed. Need



easement and title search to be conducted to verify existing rights-of-way/easements. Also, more public hearings to be scheduled. 2/3 Coordinate with Gray-Robinson on title search for "right-of-way" for stormwater outfall to Wauseon Bay/Lake Butler. TM – pave Old Main from 2<sup>nd</sup> Avenue to Canal (IPO by KHA). TM emailed GR. MG submitted 4<sup>th</sup> Quarter report to FDEM in compliance with the executed contract conditions. Next quarterly report to be submitted by April 15, 2020. MG to coordinate with Gray-Robinson regarding title search for existing right-of-way bisecting West Second Avenue for stormwater management outfall to Lake Butler/Wauseon Bay. MG to coordinate with Diane Edwards on reserving Town Hall for 2 public forums (east of Pine Street/west of Pine Street). MG to coordinate with Wade-Trim regarding the existing 2" water main on West Second Avenue for upgrading per the water master plan. RS and MG to also meet with cul-se-sac owners regarding the Town taking over the cul-de-sac if agreed on with owners, including the securing of outfall easement to Lake Butler/Wauseon Bay. Title search by Gray-Robinson revealed that no rights-of-ways or drainage easements exist where originally mapped by the Orange County Property Appraiser. Their maps were updated to reflect no right-of-way or drainage easements. A public forum is to be scheduled (pending on pandemic lockdown) to solicit drainage easement(s) from residents. Mike Galura will coordinate with Scott Brown, Hao Chou and John Fitzgibbon on PRELIMINARY drainage design. TM to schedule a Town Hall Meeting for specific residents regarding the outfall easements at the middle of the project and at the end of the project (cul-de-sac). June may be the tentative month for a face-to-face public forum. MG to re-print presentation boards for public forum. MG to also coordinate with WT on relocation and re-construction of existing water main as part of roadway improvements. MG to have updated presentation boards prepared for public forum. 2<sup>nd</sup> quarter report due first week in July. MG to coordinate with SB, JF and HC on design plans and calculations. Three meetings: 1) East of Pine Street residents; 2) West of Pine Street residents; 3) Cul-De-Sac residents. MG conducted video conference call with SB and KHA (HC, VG) to discuss peer review comments by KHA. MG to amend plans accordingly. MG to coordinate with WT regarding water main design to be incorporated with the plans. SB and WT coordinating with OCU regarding the water main design. Tentative August 5th meeting with OCU. Quarterly report submitted to Doug Galvan by TM. MG prepared and submitted Reimbursement Request No. 2 to Doug Galvan. MG continuing to revise plans per KHA peer review and prepare boards for public forum(s). MG to submit revised computer models to Victor Gallo, KHA. Schedule to have 90% plans completed by September. TM and MG to conduct Zoom meeting with residents on public forum. Three (3) virtual public workshops conducted (East of Pine Street; west of Pine Street; cul-de-sac). Minor comments received that MG will incorporate into the final plans. Expecting more comments. Comments and discussions include avoiding large trees, locations of speed humps, stop signs (at Pine Street), lane widths, curb type etc. Continue public forums with stakeholders on discussions of project design. MG working on quarterly report and time extension request. MG to review side street extensions pursuant to Zoom meeting inquiry by resident(s). MG to only look at double stack on side streets instead of extending Forest Street. MG discussed water main improvements with Mike Demko, Wade-Trim. What was proposed in the Master Water Plan report is to replace 6" water main west of Pine Street to 8". 4" water main to terminus would remain the same size. 8" water main size between Main Street and Pine Street would remain the same. No additional fire hydrants proposed on 2<sup>nd</sup> Avenue pursuant to Master Water Plan. 1/6/21 Mike G will provide update. 2/1/21 MG working on reimbursement #3. Plans sent to Christina Crosby at OCU. RS to reach out to Gray Robinson on 4 property owners at cul-de-sac. Awaiting PEC on drawing of legal description on Lot 21 from Gray-Robinson title search. HC to send MG copy of OC agreement for the Park Avenue improvements. TM to schedule final round of public input on project.

- 6. Downtown Lighting Project:** The Town of Windermere recently changed from halogen to LED lights. We are now working on getting additional lights in areas but looking to work with Duke on process/need/cost. In addition, we are working with various companies looking to co-located small cell towers on our existing lighting. 10/18 Crown Castle considering 5G cell towers in Windermere. No applications received by Brad Cornelius (BC) as of yet. Working on application process. SB talked to Mike Smith, Duke Energy, for light/pole installation and FDEM permitting. TM needs application, cost estimate and clarification on policy. Major corridors (Biscayne – 12<sup>th</sup> Avenue to Windermere Road) and residential areas (Top Hats) for lighting envelope. No response from Mike Smith on SB's e-mails. Continue to follow-up with Duke Energy on street lighting. Send e-mail to Debbie Clements. SB met with Mike Smith last week. Look at photo metrics for area north of canal where it is currently not lighted. Still waiting on Duke Energy on photo metrics. SB waiting on Mike Smith. No change. New liaison with Duke. SB has received monthly cost from Duke for lighting from Parkridge Gotha to North. Duke to provide construction cost estimate for what Town is responsible for. Anticipated receipt from Duke in 60 days. Possible item at the Feb 2020 Board Meeting. Mike Smith to provide costs for lighting based on concept drawings. Mike Smith provided cost to SB. From Parkridge-Gotha Road to Lake Down-Butler Canal, it would cost \$240,000 during the day and \$280,000 for night work (Construction and MOT). 2/3 Need flood lighting for Windermere Wine & Dine. Nothing further at this time. Lighting may be incorporated into the multi modal pathway project. No new updates. On hold, awaiting stimulus money. TM to meet with Duke regarding franchise agreements and whether additional lighting can be provided to the Town. SB video-conferenced with Duke Energy. Discussions on MOT during the day by working within the existing right-of-way. SB directed Duke on their phasing plan and updated costs for each phase. SB spoke with Duke contractor on line alignments. Duke to return with options and associated costs. Town tentative funding in FY 2022. Still waiting on Mike Smith regarding costs. Still awaiting Duke Energy. Awaiting on Mike on lighting project. -SB to reach out to Duke Energy to get the prices for undergrounding utilities. Relocate lighting adjacent to Town Administration building. SB corresponding with Duke Energy (Kara). SB waiting on new contractors to get on board. 11/2/20 SB waiting on new contractors to get on board. Adding two lights along rear of Town sidewalk. (Previously located in front of old Town Admin building). 12/7/20 - TM to coordinate with JF on light locations based on access to power. 1/6/21 Fixture heads have been approved and JF will get cost from Bright Futures. Will get PO done and will set poles. **2/1/21 Pricing obtained. Work will be done in house by Public Works team. 3/1/21 Two poles from old facility to be relocated in house (Travis). The Willows (Karen) putting a proposal together to submit to the Town (JF and NW).**
- 7. Signage:** TOW looking for consistent signage within Town. Part of Branding Revitalization. Street signs have been installed along major roadways. Now focusing on interior signage to make sure they are correct type, meet specs and are justified and enforceable. 10/18: SB to look into Parking Directional Signage when 5<sup>th</sup>/Forest is complete. Town Entrance Signage placed on hold. SB to look at parking directional signage. Parking directional sign ordered by SB. SB to meet with contractor on parking signs and public parking signs. Keep 10-ton weight limit for bridge over canal. SB to order sign for 10-ton limit. Parking signs are expected to be received this week. New speed limit signs installed by SB. Look at installing DO NOT BLOCK INTERSECTION signs at intersections. SB to look to add in next round of regulatory signs. Most signs have been maintained by PW. Some signs may need to be replaced due to age. SB to monitor. SB awaiting quotes for flashing beacons. DO

NOT BLOCK INTERSECTION signage to be included in next FY budget. Re-visit event signage – coordinate with LRP. No change – Advanced warning “Stop Ahead” beacons have been ordered and will be installed at approach to Windermere Road on Maguire Road. Beacons on hold due to backorder at manufacturer. PW to continue to maintain sidewalks. Posts were received but were damaged and were return. LRP tabled entry and event signage for next meeting. Footers laid for the 2 beacons. Start upgrading regulatory signs. Main and First pedestrian signage – LRP to prioritize. LRP prioritized First and Main. New signs and decorative posts have been ordered to replace existing from Parkridge Gotha to downtown. New signs and decorative signs completed. Upgraded all regulatory signs from Parkridge-Gotha to downtown. Working on first reading for Ordinance for right-turn only and fine amounts for violations. Radar trailer purchased by PW (can be used for educational purposes). New and regulatory signs have been completed. 2/3 Take pictures of new pedestrian cross-walks and post on Town website (Windermere Rd and Main). Order signage for southeast quadrant. New no right-turn signs at six locations and speed humps have been installed on Ridgewood. CS suggested that flags be temporarily placed on new signs, a temporary info board from PD could be used, and to put down traffic counters. SB will get with PD on these items. KHA to look at providing past traffic counts. There was a discussion on how to get this information reported to Waze and Google Maps. LRP made recommendation for RFW w/sign company to design, construct and operate Town Facilities event and gateway signs. PD monitoring, will get count when traffic patterns return to normalcy. Hold off on internal signs. Park Avenue signs to be updated. CS to set up LRP meeting – schedule workshop in August-September. SB put signs on bridge. Park Avenue signage ready to go (SB spoke with contractor). Resolve issue with property owner and WT on signage. SB and CS discussed with LRP and they need more information on scope of work. SB should have some notes to CS sometime this week to get a signage company onboard regarding the Town’s brand (beyond regulatory and traffic signage). SB reached out to OCPS for design processes. Looking at capabilities of companies currently contracted with the TOW for design. LRP will make final recommendations to TC. Individual IPO’s for signage discussed. Documentation to be sent to TM for TC agenda. To be done under KHA master services agreement. To be presented as an LRP item. Upgrade 6<sup>th</sup> Avenue. CS to send summary to LRP. Upgrade 6<sup>th</sup> Avenue. 12/7/20 - CS to send summary to LRP. Upgrades to be completed this week. TM to coordinate with Duke Energy. 1/6/21 Poles getting replaced with new upgrades on 6<sup>th</sup> Avenue. 2/1/21 Poles on 6<sup>th</sup> Avenue completed. John F and Travis have been doing maintenance on all signs. TC approved signage as part of KH master services. Change guideline on font use to match the Town Facility.

8. New Facility: Awaiting preliminary DD budget numbers from HJ High. Coordination with MW regarding impact to roundabout from new facility construction. JF to coordinate with ADG for modifications and scope on 6<sup>th</sup> Ave including ingress-egress to the library. This was not part of the original budget and will be priced separately for Robert to determine budget parameters. Maintenance Bldg. will be priced separately since it was not included in the original scope. The arborist was on site Friday May 2<sup>nd</sup> to perform air spading the trees that are to remain. The report will indicate tree root pruning plans. Determination was made that no special foundations will be required based on proposed building foundations and existing tree root extent. JF working on AIA102 form for GMP for review in July with HJ High. Early demo and foundation packages plan to be submitted in August for pricing and contracting. Demo tentatively to be completed 8/1. Meetings this week with design teams. JF to send current design schedule to Robert for TC. JF/ADG to present update to TC by 7/28 (workshop). Any TC directions can be approved at August meeting. Two workshops to be conducted per TM.

Transition into construction document phase. Anticipate having demo package by mid- to latter part of August. Preliminary construction meeting to be conducted before demolition. Provisions for ventilation requirements for COVID-19 to be considered as part of budget increase. Received 50% CD set from ADG Thursday of last week. JF and Stephen Withers to prepare redlines and schedule meeting with ADG to further discuss. ADG working on 50% CD budget. Bidding abatement out. Abatement will be done as Change Order to. Waiting review comments from HJH. TM – request waivers for demo contractors (hold Town harmless). JF coordinate with demo contractor on turning off power. CS – coordinate on salvaging of materials from Town offices to be demolished and documented. 60% CD's complete; 90% CD's expected September 30, 2020. Demo package out to bid with HJH. Demolition to begin mid- to late October 2020. Coordination with all utilities continuing for disconnection. Gas has been disconnected as well as all Spectrum Business services. FDLE Server waiting to be relocated. Once server is relocated, power will be cut off and removed from old facilities. Coordinating salvage of old material from building with Tom Strupe and George Poelker from the Historic Preservation Board. Doing final selection with Demo contractor. Selection based on low qualified bidder. Abatement completed. Air quality test conducted in existing facilities. Pre-construction meeting with demo contractor TBD. 100% CD's expected by end of week. Looking into perimeter fencing prior to demolition. Demolition complete. Awaiting permit from OC Public Health for existing septic system. Kerosene tank removed. In for permit for permit fees for WT. Full GNP numbers from contractor pending. Minor items pending per JF. Ground breaking anticipated in approximately 3-weeks (possibly after Thanksgiving). Expect NTP in December with 10-12-month construction timeline. 11/2/20 Demolition complete. Awaiting permit from OC Public Health for existing septic system. Kerosene tank removed. In for permit for permit fees for WT. Full GNP numbers from contractor pending. Minor items pending per JF. Ground breaking anticipated in approximately 3-weeks (possibly after Thanksgiving). 12/7/20 - JF had meeting with site contractor. Hope to have GNP soon. JF to coordinate with Computer Business, Spectrum and contractor regarding all infrastructure to be installed. Construction timeline is expected to be the same – to be discussed with contractor. 1/6/21 Working on finalizing all GMP contracts paperwork. JF to review changes with Guy Haggard to finalize all forms. 2/1/21 Fully executed contract approved by TC. Contractor is proceeding with submittals. Work progressing. Foundation poured. Underground utilities relocated. JF working with Town Staff on purchases. Schedule for TC walk-through. TM to review Duke Energy easement agreement.

9. Fernwood Park Improvements: \$50,000 Awarded for Fernwood Park improvements. 10/18 SB working on RFP for Park Improvements for Fernwood. Project will match IDG approved plans. All contracts have been signed and waiting work from Andy Easton. All contracts signed. SB getting surveys done for site. Have not received Notice to Proceed. Awaiting boundary survey which is required per FRDAP. All commitment documents submitted to FDEP. Title search kicked back by FDRP (prepared by Gray-Robinson). Awaiting Notice to Proceed from FDEP. Notice of Commencement received from FDEP. 5-year CIP list to be built (SB to coordinate). TM requested items to be put on March/April TC agenda. Got Notice of Commencement. Come up with priority list for capital projects. PR to have a CIP list for SB. Central and Fernwood to be priority for FRDAP. SB has received cost estimates for drinking water fountains and butterfly garden. Dock quotes to be solicited by SB. Shoreline clearing will be in next FY budget. SB awaiting prices to remove invasive species from vendors. Dobson has removed invasive species in upland areas. Trees will also need to be removed. Aquatics company will continue to treat vegetation in waters. FWC and Orange County EPD permits have



been amended. Invasive species being removed. Boardwalk concept pending based on removal of additional vegetation along projected alignment. SB stated approximate ETA for design is 6-months. Took down some large invasive trees. SB met with PR on footprint for trail and walkway. Obligation for boat ramp repair. Deadline to complete in 14 months under FRDAP conditions. Contractor is developing draft footprint and estimated cost for the boardwalk. Contractor provided SB with quote for the design, engineering and permitting of elevated nature walk. Nature trail in design phase by Contractor. Final concept drawings completed. Moving into construction plans and scope of work. 2/3 Final concept prepared including elevated nature trail. Sent to PR for review. Concept in design. FRDAP schedule through April 2021. TM and David Hansen to coordinate on driveway within the park. Partnership with OC, FWC and TOW. Need to stabilize the driveway and launch area. David Hansen to help guide Town through OC permitting and variances. Video conference with SFWMD – will require a permit for the boardwalk. Meeting with Orange County EPD – 2 permits required including tree survey and wetland delineation. Draft concept prepared, beginning preparation of construction plans. 4-6-months estimated for design. FRDAP grant deadline April 2021. 5K run has been postponed, but not canceled. SB working with OC EPD on wetland delineation. Surveyors are picking up wetland flagging. Also virtually met with SFWMD on permit submittal. FRDAP forms sent to TM for execution. TM coordinating with FDEP regarding parking configuration. SB said that the SFWMD is requesting an individual permit for the boardwalk due to encroachments to Sovereign submerged lands. FRDAP grant application withdrawn. Meeting tonight at 5:00 pm to discuss. Town to conduct a charette for presentation (to be conducted on Zoom). Coordinate with Councilman McKinley on P&R input. No changes. Getting charettes and scheduled for the residents. TM to discuss with Councilman McKinley on opening of Lake Street Park. TM to ask PR to complete and close-out. PR to determine what to do with boardwalk. 11/2/20 PR to determine what to do with boardwalk. 12/7/20 – Pending. 1/6/21 On hold until we get RFQ completed. Travis M. to contact companies and get quotes for dock fix. **2/1/21 JF to get three numbers from separate vendors for dock fix. JF to look into dock inspections checklist and schedule. TM needs third quote for dock fix pursuant to Town procurement procedures. JF and TrM will review and recommend quote.**

**10. Central Park FRDAP Grant: \$50,000 Awarded for Central Park improvements. 10/18 SB working on RFP for Park Improvements for Central Park. Project will match IDG approved plans. All contracts have been signed and waiting work from Andy Easton. SB getting surveys for site. Title search kicked back by FDRP (prepared by Gray-Robinson). Awaiting Notice to Proceed from FDEP. SB getting quotes on drinking fountain and Frisbee golf baskets. SB expects quotes this month. Also getting quotes on exercise stations and drinking water fountain. SB waiting on final quotes for exercise stations. Will need to coordinate with OCU on connection for water fountains. PR recommended wood as opposed to metal exercise equipment. Still waiting on final quotes. Coordinating with OC Utilities for meter for drinking fountain. PR recommended metal as opposed to wood. Exercise equipment and drinking fountain (including water meter hookup) to be considered for TC agenda. Repairs completed on split rail fences and walking trail. SB expects Central Park improvements to be completed within the next couple of months. Include maintenance schedules from exercise equipment. Exercise equipment has been ordered. SB is coordinating to have the water meter installed for the drinking fountain. Exercise equipment installed. Awaiting OC for water meter installation for drinking fountain. OC completed water meter installation. Exercise equipment completed. OC meter account set up and active. Awaiting meter to be activated. Signage has been ordered, awaiting**

receipt of signs to be installed. TB to secure a landscape architect (with certified arborist) for tree mitigation plan. Signage installed. Met with Andy Eason (grants manager) to review, take photos, and go over close out documents. Finalizing Limitation of Use agreement to be recorded with OC, As Builts, expense records and final documents. 2/3 Close-out phase initiated. Determining what is required for the close-out document. Tree Board to focus on site for tree plantings. SB met with grant manager to close out. Grill has been purchased which was the last item to upgrade picnic area. Central Park completed. Walk-through conducted by SB and Andy Easton. Project is completed – Project completed. MG submitted signed and sealed As-Built plans to SB. Awaiting reimbursements. TM to execute paperwork. TM to execute paperwork. 1/6/21 Nora sent Andy all requested documents. Robert Smith to follow up. 2/1/21 RS provided all required documentation, pending reimbursement. Final closeouts have been submitted and awaiting reimbursements.

**11. Cross Walk Improvements:** W&D has funded two cross walk improvements. First one on Second/Main and the next on 6<sup>th</sup>/Magnolia. 10/18 Two additional locations – 6<sup>th</sup> Avenue east of Ridgewood, and Main Street near Estancia. Funded one cross-walk. Location to be determined. Consideration for cross-walk locations: 1) 6<sup>th</sup> Avenue near Ridgewood Drive; 2) Main Street near Estancia. LRP to make recommendation and present to TC for approval. LRP has reviewed and approved Johnson Park crossing (east of Ridgewood), to be presented to TC for approval. More usage and higher volume of traffic. Cross-walk improvements completed. Look at an additional cross-walk based on availability of funding. LRP made 2 recommendations – 1) Estancia; 2) First Avenue and Main Street. Retrofit existing cross-walks. LRP recommendations made. Awaiting funding. No change. Waiting on Windermere W&D funds. No change. No Change. Awaiting on Windermere Wine & Dine. Crosswalk on Windermere Road and Main should be completed soon. 2/3 Windermere W&D agreed to fund new cross-walk at 1<sup>st</sup> Avenue and Main Street. On TC agenda for 2/11. Windermere Road and Maguire Road has been completed. TC approved RRFB at Main Street and 1<sup>st</sup> Ave. Footers have been poured. Awaiting deliveries for RRFB's. RRFB's completed at Main Street and 1<sup>st</sup> Avenue and operational. Nothing additional. Waiting on W&D. W&D to conduct event in March 2021 for sponsorships. TM to meet with HPB. 12/7/20 - W&D to conduct event in March 2021. 1/6/21 No update. 2/1/21 Ongoing. 3/1/21 - Ongoing. Another tier of cross-walk locations to be reviewed. LRP to have updates.

**12. 1887 Schoolhouse:** HPB and Tree Board have worked on the planning and implementation of repairing and improving the grounds and structures. Currently HPB is looking at making sure the building is sound prior to making additional improvements. SB sent out various requests for contractors and engineers to look at to no avail. In addition, SB was able to get a vendor to take care of the grove area to make sure it is well maintained and healthy. 10/18. Approved to replace citrus trees that have died and contract with maintenance firm. HPB to make decision on structure analysis. Working with Amanda Black on search for architect. HPB still searching for tree/grove maintenance. Architectural evaluation approved by TC. Based on architectural evaluation, HPB will generate a CIP. Architectural evaluation awaiting. The architect has conducted initial condition of schoolhouse. Architect to return to review the condition of the schoolhouse. Architect has returned several times to continue to evaluate. Architect sent in plans to Town for review. SB to be liaison for Eagle Scout project. HPB working with architect and on future CIP. HPB creating scope of work based on architect's evaluation. HPB still having open discussions regarding the architect concept. HPB meets 1/8/20. HPB discussing options for materials to use and style of final look. 2/3 HPB still

having discussions. To keep status on National Historic Register, HPB will need to maintain the same architectural look. HPB had conference call with SHPPO about signage and marker. No changes. TM to meet with potential volunteers for community hours. No changes. 12/7/20 HPB met and agreed to remove sidewalk around schoolhouse facility due to drainage issues. TM to address this week. 1/6/21 Completed. 2/1/21 Siding boards are currently being repaired. Sidewalk removed and disturbed areas re-sodded. JF met with local Boy Scout troop who have an Eagle Scout project to connect the school house to the privy.

**13. Street Sweeping:** Best Management Practice (BMP) under the stormwater NPDES program. 10/18 Ongoing. MG has article to send to TM, SB and JF. Ongoing. HC to consider street sweeping article for Gazette. No change. Ongoing. KH to prepare article in Winter Gazette about street sweeping. Due date is 11/22. MG to get street sweeping quantities from SB and determine TN (Total Nitrogen) and TP (Total Phosphorous) and submit the removals to DEP under their STAR program (State Annual Report). HC to provide MG with quantities. MG to submit as part of STAR to the FDEP doe pollutant load reduction reporting. 2/3 MG received quantities from HC. Will combine with NPDES section. Ongoing. SB and KHA submitted street sweeping volumes to FDEP. KHA and USA Services documenting quantities. Continuing to document. Quantities are continuing to be documented. Still documenting on monthly basis. Ongoing. 12/7/20 – Ongoing. 1/6/21 Coming out once a month. Travis to get paperwork and send to Hao. 2/1/21 Ongoing on obtaining reports. 3/1/21 Ongoing with reporting.

**14. Vacuum-Truck Services –** Cleaning of stormwater structures and storm pipes. Bid awarded by Town to Waste Services Group at January TC meeting. Started on 8<sup>th</sup> and Bessie Street to Magnolia. Log of linear footage of pipe cleaning and volume of debris collected. Completed in 1-1/2 days. Scheduled for 12<sup>th</sup> Avenue and Oakdale Street stormwater project. MG to provide SB with copy of recorded drainage easements for the storm sewer system in the back of the homes. Next project is west 8<sup>th</sup> and Forest Street. Plan is to initially clean the entire system with a future target of bi-annual cleaning of systems. SB to receive cleaning logs from WSG for documentation for NPDES measurable goals. Provide measurable goals for NPDES reporting. Done with cleaning 12<sup>th</sup> and Oakdale Street. Moving next to west 8<sup>th</sup> Avenue drainage system for cleaning. TM to coordinate with SB on availability of funding for continuing work. Working on funding. Continuing the cleaning of stormwater/drainage structures. Plan to conduct bi-annually. SB to provide budget amount to TM. Completed west 8<sup>th</sup> Avenue and currently working on Lake Street. Targeting North Oakdale (north of 1<sup>st</sup> Avenue). Completed North Oakdale including First Avenue stormwater pond. Next is Johnson Park pond then Ridgewood ponds. Completed. SB will continue working with vacuum trucks for other projects. Completed main drainage basins. Biannual treatment of all infrastructure and also CCTV of infrastructure. Structures will also be GPS's for inventory. SB to draft release on dewatering so there is no confusion as to what is being placed in stormwater ponds. Will also get costs on transport. 2/3 Completed cleaning of all stormwater systems, including Main street and its associated detention chambers. Crews returning this week to begin return cleaning off the dirt roads, as well as to start GPS and CCTV all systems to record current conditions and control points moving forward with an overall inventory of the Town's stormwater system. Will combine with NPDES section. 12<sup>th</sup> Street and Oakdale vacuum, GPS and CCTV services have been completed. 12<sup>th</sup> and Oakdale completed. Videoing process. SB working with KHA on GIS for inventory. GIS being prepared for drainage infrastructure mapping. Continuing GIS mapping of Town's MS4 system. Completed west 8<sup>th</sup> Avenue – working towards First and Forest. Ongoing. Set up for Bi-yearly cleaning. Continuing GIS mapping. Ongoing.

Videoing for GIS mapping. Conducting videoing for GIS mapping. TM to present costs for upkeep for Street Sweeping and Vacuum-Truck services. Ongoing. 11/2/20 Conducting videoing for GIS mapping. TM to present costs for upkeep for Street sweeping and vacuum truck services. 12/7/20 - Johnson Park used as discharge location. HC tracking invoicing and debris removal for NPDES reporting (coordinate with TrM). 1/6/21 Ongoing. 2/1/21 Current reports received; HC will continue to track. JF and TM to request per service invoicing. 3/1/21 Ongoing.

**15. Lakefront Maintenance:** TOW to control invasive species along lakefront that is under Town jurisdiction. 10/18: Awaiting Orange County for permits. Once received, invasive plants to be removed by selected contractor. Awaiting Orange County permits. To start in January. Received OC permits. All permits now received. Start herbicide spraying. Pond by Windermere Elementary also maintained. Aquatic Systems has been onsite for a couple of months. SB coordinating with David Hansen, Orange County Environmental Protection Division, regarding limits of herbicide application. Information on cleaning Town's social media pages. Ongoing. Monthly treatment (15 locations). Vegetation cleared at Windermere Rec Center pond. Ongoing. SB to assess Windermere Rec Center pond on water recovery – check lake levels for comparison. Spraying is on a monthly basis on lakeshore and in the parks. Continuing on monthly basis. On Lake Down, 5 cypress trees planted and sent documentation to OCEPD to close out the complaint. Ongoing. SB received quotes to clean up the lakeshore (vegetation removal and tree removal). Continue to construct elevated boardwalk for nature trail. 2/3 DH discussed possibly funding “backyard BMP’s” (swales, rain gardens, planting, etc.). Ongoing. SB to provide TM with budget numbers. Continuing. Continuing. Ongoing. SB to address wax myrtle growth by Lake Bessie boat ramp. Land alteration permit would be required. Ongoing. TrM to check with vendor (Solitude Lake Management) on cycle of lakefront maintenance. Check on maintenance plan and frequency. 1/6/21 Travis M reached out to vendor to get scheduling. Will follow up again to establish a set schedule. 2/1/21 JF and TM working on permit and is in process of resubmitting. 3/1/21 Received Lake Crescent permit. TrM working on schedule.

**16. Town Hall:** PW to inventory entire Town hall for improvements and repairs. 10/18: TM asking for long term needs of Town Hall – full assessment (i.e., lighting, kitchen, audio-video, etc.). SB contacted Landmark Construction for proposal. SB spoke with Landmark for numbers for quote. SB to contact Landmark Construction. SB talking to other contractors regarding quotes. SB requested proposal from Edmundson. SB has meeting with general contractor to give him some prices. Ongoing for quotes. Need all fixed assets identified and provided to NW (for insurance purposes). W&D to consider helping with Town Hall fix. No Change. TM needs to complete inventory. W&D want to invest in Town Hall including: roof; kitchen; etc. Working on pricing with contractor over the next 60 days. W&D has interest in TH improvements. SB has requested scope of work and cost from HB & Associates for TH improvements. SB to meet with CPWG to do a complete evaluation of Town Hall (both interior and exterior), subsurface to roof including electrical, HVAC, sound and lighting, foundations, etc. 2/3 Met twice with cpwg as well as their co-consultant MLD Architects. MLD has an extensive history with historic buildings and are familiar with the State Historic Preservation Office (SHIPO) requirements aka Secretary of Interior. Some opportunities for grants may be possible for the historic portions of the work. SB met CPWG to provide a cost to evaluate Town Hall. MLB architects to also provide review of historical elements of Town Hall. SB to look at mid-end of March for scope of work. Will need RFQ. Contractor just send SB scope of work and cost. SB is reviewing. On Hold. SB and JF to get together on AC so TM can submit for the CARES



act. JF to conduct thermal scans for various buildings. New toilets, automatic soap dispensers and automatic faucets to be implemented. Scheduled AC replacement for week after next (week of November 16<sup>th</sup>, 2020). 12/7/20 - AC replacement at Town Hall completed per TrM. Awaiting on final invoice and maintenance plan and warranty. 1/6/21 UV lights are installed and inspected. Look at getting roofer out to look at rotted area in the flat roof section. TM and JF to look at temporary fixes. 2/1/21 Minimal maintenance until after Town facilities completed, then will do full repairs. Temporary fixes to roof and porch steps. Temporary fix on roof completed. Permanent roof replacement is pending. TrM gathering quotes for fixes from roofing vendors.

17. Water Utility Master Plan: TC approved master plan for water utilities for entire TOW. 10/18 - TM to issue RFQ for water master plan (entire Town). TM spoke with Wade-Trim on structure of RFQ. WT to meet with Orange County Utilities (OCU) regarding what OCU will need for RFQ. RFQ to be issued today on Town Website and DemandStar. Wade-Trim, KHA and CPH are the three consultants short listed for study. SB, JF and MG to review their proposals and select consultant for study. Oral presentations conducted on 3/17/19 (Wade-Trim, KHA). Consultant selection pending. Selection of consultant will be on TC agenda for approval. SB to issue ranking of consultants. Scheduled for April TC meeting. Awarded to Wade-Trim at April 9<sup>th</sup> TC meeting. WT to schedule kick-off meeting (SB, JF, MG to attend). Tentative schedule of 12-months to complete study. TM to consider lobbyist (2020-2021 FY, approximately \$60,000 for lobbyist) to assist in securing funding for implementing plan. June Technical Advisory Committee (TAC) meeting for project. Awaiting follow up schedule from Wade-Trim. TAC meeting with Wade-Trim (meeting in July). Presentation at September TC meeting. Web conference call between WT, Town and OC Utilities to be scheduled by SB regarding the water utility master plan on September 19<sup>th</sup>. Additional workshop with TC on September 23<sup>rd</sup> to be conducted to provide update and information on project status. October 22<sup>nd</sup> TC workshop with Wade-Trim to provide status of project. Scheduled for completion in March 2020. Presentation was completed on 10/20. OCU to provide flow information. Scheduled completion in March 2020. Ongoing. Coordinating with Orange County Utilities. WT requesting meter readings on hydrants for more accurate data. WT to provide update on coordination with Orange County. Confirm some flows and reevaluate fire hydrants (Orange County). 2/3 Final flows and calculations have been completed. JF and SB meeting with WT to review drawings and design. Preliminary plans sent to Angie Brewer to review for possible funding sources. Goal to have TAC meeting mid-March with outcome moving toward TC in April. TC workshop in March. Final TAC meeting on 3/10 at 2pm. Workshop pending. Monitoring infrastructure package to see if funding is available. MG to coordinate with SB on 2<sup>nd</sup> Avenue water main improvements (6") WT to provide status update to TC regarding water main improvements. Awaiting final report. Presentation by W-T at last TC meeting. MG to coordinate on W. 2<sup>nd</sup> Avenue. Discussion on funding opportunities. Follow up meeting with OCU to discuss plan. Discussion on funding and verification of low rates. MG to coordinate with Mike Demko, WT, regarding water main design along West Second Avenue. Finalized plan submitted to TC on 9/8/20. Looking for funding opportunities for all phases. MG to coordinate with WT on 2<sup>nd</sup> Avenue water main improvements. Look at funding sources. 12/7/20 - Implementing water main improvements through CIP projects. 1/6/21 Been adopted. 2/1/21 RS submitted to Orange County for appropriations. Actively incorporating plan into new projects. Recommendation to be incorporated into all Town CIP's.

**18. Cut-Through traffic:** Town Council approved KHA to do study on cut thru traffic and determine where traffic originates. 10/18 Town Council Workshop on 10/30 Schedule follow-up meeting with KHA. KHA to conduct TC Workshop scheduled on 1/22/19. Includes evaluation of continuous right turn southbound from Main Street to Chase Road. Await recommendations. Presentation by KHA at February TC meeting Tuesday night. Work with OC on county level on Windermere Road/Main Street roundabout and Main Street northbound to Chase Road with exclusive right-turn lane to relieve traffic congestion. Brought to TC Tuesday night. Police to continue with 90-day study – compile data and further evaluate with KHA study. TM asked Brad Cornelius for an urban planning study – possibly RFQ. Workshop in May, included in budget analysis by TM. Workshop planned this month. CS – Update from PD. Number of travel counts received from KHA. Data evaluated and will be discussed again at July TC meeting. TM had meeting for ideas for cut-thru traffic. TM has meeting with County Administrator. To be discussed at September 23<sup>rd</sup> TC workshop. LRP took no action on cut-thru IPO's. Work on cut-thru traffic plan for Ridgewood Drive. LRP will look at Oakdale Street improvements. TM to schedule workshop for LRP recommendation for SE Quadrant. LRP made second recommendation for SE quadrant and Ridgewood Drive. No right turns on Ridgewood Drive and Lee Street (at certain times). LRP recommending to table the Ridgewood Drive one-way ordinance indefinitely and move forward with requesting revised traffic engineering study for time limitation no right-turn only on 6<sup>th</sup> Avenue at Ridgewood Drive and Lee Street. SE quadrant discussion at a later date depending on effectiveness of no-right turn signage at Ridgewood Drive and Lee Street. MW to review plan before 12/18 TC meeting. OC has requested projects from the Town. 2/3 TM working with Winter Garden, Ocoee and Oakland: West Orange Transportation Alliance (WOTA). TM worked with staff and KHA and submitted projects list to Ocoee and will submit to OC on 2/4. TM meeting with OC Staff about 1 cent sales tax. WOTA to meet on Friday. TM to update TC on Feb 11. New no right turns signs at six locations and speed humps have been installed on Ridgewood. CS suggested that flags be temporarily placed on new signs, a temporary info board from PD could be used, and to put down traffic counters. SB will get with PD on these items. KHA to look at providing past traffic counts. There was a discussion on how to get this information reported to Waze and Google Maps. Monitor right-turn issues. TM asking OC on 6<sup>th</sup> Avenue and Chase Road round-about road improvements. Conversations ongoing. Ongoing. Ongoing. 12/7/20 - No change. 1/6/21 No change. **2/1/21 RS met with Commissioner Wilson and sent documentation for 12<sup>th</sup> and Chase and 6<sup>th</sup> and Main improvements. 3/1/21 TM to continue discussions with Commissioner Wilson regarding appropriations for the 12<sup>th</sup> and Chase and Main Street improvements.**

**19. Park Ave Stormwater Project:** TOW received complaints about standing water and flooding on south Park Ave across from School. Town put on notice of possible legal action. KHA, PW, and Staff working on solutions. 10/18: SB met with KHA to review and provide answers. MG and JF to review with SB (possible French Drain system). TM to approve KHA IPO for Design and Survey. Project 1 on list of CIP projects for FY 18/19 KHA (Mike Woodward) to proceed on design for project. SB and JF reviewed KHA plans and provide comments. Once completed, TC will issue project for bid. Notifications to be done by JF and SB for residents to be affected by construction. Coordinating with Orange County Utilities. OCU (Christina Crosby) has approved scope and fee for the relocation of their utility relocation as part of the drainage improvements. KHA to conduct design for utility relocation. Target Bid in April, construction in June. 90% design complete. OCU water main to be relocated. OCU will work with KHA to design relocate within the prescribed Town timeline. SB to upload the bid set plans on DemandStar and Town website. OCU has hired KHA for water main relocation

improvements. Need agreement between Town and OCU on reimbursement for water main labor and materials for project. No bids received. SB to look at options for constructing the project. Quote received from Barracuda (lowest quote received). HC to request qualifications. Additional quotes received and to be evaluated. Project to be presented to August TC. HC to discuss with contractor lane closures. On TC agenda for approval. Contract with OCU to be signed by TC. Barracuda to initiate construction on October 1<sup>st</sup>, 2019. Shop drawings reviewed by KHA and approved 10/4. AT&T permit review completed on 10/3. Contractor to start construction on 11/06. 60% of sidewalk demolished, water DIP exposed to determine size of tapping sleeve. Dog house structure shop drawing approved by KHA for installation by Barracuda. Project delayed by OC. Barracuda to request a change order for the bonding of the entire project. Original was to bond only for the utility improvements (per Orange County Utilities). 2/3 Project moving forward, slow progress, as expected, due to conflicts with existing underground utilities and water taps. Bacterial testing scheduled for this week. Positive outcome will result in moving forward with removal of existing conflicting water line and begin stormwater system. Ongoing. Contractor submitted changed order for restraining existing 12" water line. KHA has forward this change order for OCU review/approval. Contractor will be laying storm pipes on evening/night shifts. Bacteriological tests completed and FDEP clearances submitted to OCU for signature (Christina Crosby). Once received and approved by FDEP, water main will be operational. Expecting to complete stormwater by the next 2 weeks. Includes removal of existing water main. Clearances approved by FDEP. Remove old water mains and proceed with completion of stormwater improvements. Revised storm box by Barracuda. Asset Management spreadsheet submitted to OC and approved by OC. To be completed by JF and HC by July 20<sup>th</sup>! Striping completed, As-Builts to be completed. KHA to prepare RECORD DRAWINGS utilizing as-built information, which will be archived and submitted to the Town. Completed on July 17<sup>th</sup>. Final walk through conducted by SB and HC. HC coordinating with OC on reimbursement to the Town. Completed. CC approved Record Drawings. HC to follow up on reimbursement from the County (\$237K). HC contacted OC on reimbursement – to be per agreement. Have not received reimbursement from Orange County Utilities. 12/7/20 - JF pursue warranty bond from County (Christina Crosby). 1/6/21 Warranty letter received and submitted to OCU. HC to follow up. 2/1/21 HC followed up, OCU has everything they need, still waiting on reimbursement. Awaiting reimbursements from OCU.

20. Sidewalk improvements/repairs (maintenance budget) outside of multi-modal project: 10/18: TC at approved budget. PW to inventory sidewalks and prioritize for repairs. SB to inventory after first of the New Year. Await till February for inventory, work to be done after school is out for summer. No change. SB to inventory existing sidewalks, which will establish the funding needs to improve sidewalks. SB met with sidewalk contractor on project in front of Johnson Park. Contractor to begin sidewalk improvements on Summit and Highland. SB working on sidewalk list. Work in the Manors. Priorities to be established by next month. Sidewalk Repair Inventory prepared and completed by JF/SB. Based on sidewalks that need corrective action to be compliant with ADA. Survey presented in 8 sections with linear footage for each section for sidewalk repair/improvement. Planned for 2-year capital improvement plan. TM to update CIP based on JF inventory. Awaiting QES update on pavement management plan. SB – met with contractor. Manors will be first location to be addressed then Park Avenue. SB and JF to work on prioritization in developing a sidewalk CIP. CS requested a written CIP for each sidewalk improvement project in order to appraise citizens of project status. SB and JF completed priority map. SB & JF to provide CIP with year and cost. SB has a

CIP for review of projected costs over a 5-year period (CIP attached to these minutes). Currently working in the Manors with approximately 75% complete of root-damaged sidewalks and other sidewalks in disrepair (i.e., trip hazards, cracking, etc.). Contractor working at Manors on repairs, removing cracked panels and trip hazards. 2/3 Manors repairs completed, as well as portions on north side of Park Avenue between the Manors and Marquises Court. No new updates. Budgeted money spent for FY. Last project completed for Town Hall. TM needs second year estimated CIP costs of sidewalk improvements. Awaiting budget for sidewalk improvement for next fiscal year. Waiting on budget approval for next FY. 6<sup>th</sup> Avenue is priority project. Projects to be advertised for procurement of construction contracts. Portions of 6<sup>th</sup> Avenue replaced between Lee and Ridgewood due to fallen tree. 1/6/21 6<sup>th</sup> Avenue completed. Need to determine which area for repair is next. **2/1/21 Received proposal to extend construction on 6<sup>th</sup> Avenue from Highland to Ridgewood. Sidewalk improvements on 6<sup>th</sup> Avenue to Ridgewood completed.**

**21. Bessie Street Stormwater Improvements: #2** priority on Stormwater improvements. Continuous maintenance issues and flooding. 10/18: MG to provide scopes. SB provide scopes to TM. On Hold. Awaiting HMGP application review. IPO to be presented at August TC. To be on August 27<sup>th</sup> special meeting agenda. TC provided direction to revise IPO scope for September 10<sup>th</sup> agenda. TM to review revised IPO from KHA. KH to contact OC representative responsible for lake water quality testing. KH to provide responses to IPO comments. Awaiting to complete responses to resident concerns by KHA. TM to review revised. 2/3 IPO revised as requested and moving forward. IPO has been approved. SB and KHA to have kickoff meeting in March. IPO approved by TC. Kickoff meeting conducted between SB and KHA. Design survey and geotechnical services underway. 4/22 field review by KHA. Surveyor to complete this week and move on to Butler Street. KHA received topographic survey. HC working with SB on typical sections. End of June, preliminary concepts to the Town (SB, TM, CS). HC to schedule meeting. Preliminary concept plans to be presented by KHA at scheduled meeting or review and approval before moving to final design. HC coordinating with SB on concept plan. HC to prepare quarterly report. Concept plan ready next week. Community outreach to be conducted in October. Utility proposal from KHA pending (per Master Water Plan). Include Add Alternatives per TM. 12/7/20 Zoom meeting conducted with stakeholders. JF to meet with homeowners regarding project design concept prepared by KHA. IPO to be presented to TC for approval at December meeting. 1/6/21 RFQ due Monday, 1/11 at 5 pm. **2/1/21 Contract for design award with be on 2/9 TC agenda. AIA agreements executed. Coordinate with Doug Galvan regarding time extension. Surveying on Bessie has been initiated (PEC). HC to review where additional swales and pipes are needed. Town to contact residents regarding surveying for project.**

**22. Butler Street Stormwater Improvements: #3** Priority on Stormwater improvements: Continuous maintenance issues and flooding. 10/18: MG to provide scopes. SB provide scopes to TM. On Hold. Awaiting HMGP application review. IPO to be presented at August TC. To be on August 27<sup>th</sup> special meeting agenda. TC provided direction to revise IPO scope for September 10<sup>th</sup> agenda. TM to review revised IPO from KHA. KH to contact OC representative responsible for lake water quality testing. KH to provide responses to IPO comments. Awaiting to complete responses to resident concerns by KHA. Awaiting to complete responses to resident concerns by KHA. 2/3 IPO revised as requested and moving forward. IPO has been approved. SB and KHA to have kickoff meeting in March. IPO approved by TC. Kickoff meeting conducted between SB and KHA. Design survey and geotechnical services underway.



Wetlands delineated in Fernwood Park. Design survey to be completed this week and field reviews by KHA forthcoming. KHA received topographic survey. HC working with SB on typical sections. End of June, preliminary concepts to the Town (SB, TM, CS). HC to schedule meeting. Preliminary concept plans to be presented by KHA at scheduled meeting or review and approval before moving to final design. MG to forward HC quarterly reports to be prepared by KHA for the project (HMGP Project # 4337-449-R), Project has been selected for HMGP funding under Hurricane Irma. Concept plan in final review by SB and TM. Concept plan done. Community virtual outreach on 9/16/20 at 6:00 pm. Utility proposal from KHA pending (per Master Water Plan). Include berms and other improvements in Fernwood Park. 12/7/20 - TM and HC met with homeowners. IPO to be presented to TC for approval at December meeting. 1/6/21 RFQ due Monday, 1/11 at 5 pm. **2/1/21 Contract for design award with be on 2/9 TC agenda. No additional surveying needed. HC moving to 45% plans. HC provided schedule regarding resident discussions on 45% plans. April-May for Butler; June-July for Bessie.**

**23. Windermere Pavilion:** – JF coordinating with DBC on site plan. Received two proposals for outdoor pavilion preliminary design (site plan and concept drawing). Presented to TC at April meeting. Meeting on Thursday. JF to follow up with Hunton-Brady. Review rough draft of rendering. Subcommittee revisions to concept plan provided by HB. Meeting scheduled for review on 9/11 at 10:00 am. Hunt-Brady to complete final plan and renderings. JF received updated version of renderings and will distribute to committee. JF awaiting on sketch of interpretation of drop-down roof version of rendering. Providing comments to H-B to complete final plan. One minor comment on the pavilion elevation, addressed by H-B. Expected cost to be between \$400K and \$500K. 2/3 To be run through LRP prior to TC meeting. TC/CS to provide direction moving forward. Received preliminary plans, TC wants to go through DRB and conduct a workshop. CS has been coordinating with BC at Wade-Trim for their review. JF to send information to CS. CS to schedule with TM to discuss pavilion status. Workshop to be scheduled for May 19<sup>th</sup>. JF sent package to CS. DRB approved preliminary plans. Next step is to present to TC in early August meeting (budget meeting). Discussion on funding options and opportunities. Concept approval. Awaiting funding opportunities from Rotary. Rotary trying to come up with funding plan. No changes. Rotary to have a plan. No change. 1/6/21 No change. **2/1/21 Ongoing. 3/1/21/ - On Hold.**

**24. Dirt Main (Rose Property):** Road water not flowing. Stormwater solutions pending (contingent on railroad right-of-way property swap). PW to address. Possible use of Town-owned property north of 10<sup>th</sup> Avenue for stormwater use. On-going. Ongoing. HC submitted proposal to TM and SB for improvements to Dirt Main. SB will work with HC to review possible drainage/road realignment design. HC, CG and SB met on site. Ideas on realigning dirt road. HC to provide scope and fee for engineering services to counter problems. Concerns by residents on stormwater runoff in the area. HC to send scope and fee to SB. Approval of scope – KHA defining drainage basin and preparing concept plan for maintenance work to realign Dirt Main which will address stormwater related issues. 12/7/20 KHA working through their miscellaneous services contract. HC to move forward with dirt road realignment and coordinate with JF regarding location of property corners. 1/6/21 KHA submitted and need to get with property owner. Met with John F in field. KHA to resubmit concept plan addressing John F comments this week. Get property corner surveyed. KHA to coordinate with Duke Energy on distribution pole relocation. **2/1/21 Final concept submitted, KH contacted Duke Energy and they will require 2-3 months for relocation. Bishman surveyed property corners. Arborist report obtained recommending removal of tree. KH to call Duke Energy to start relocation**

process. Likely to be done in house. JF met with Tree Board, Enviro-Tree to remove tree. JF awaiting Duke on pole relocation.

**25. Pavement Management Plan:** SB working with four (4) professional engineering companies to develop a scope of work and costing for the Town's PMP. The survey/study will evaluate the existing roadway system conditions and provide future recommendations for paving and longevity. SB received no response. Received proposal from QES on budget (\$60,000). On hold for this FY. RFQ slated for next FY (original PMP prepared by QES). SB working on RFQ – pending. SB working on RFQ – next FY. Selection committee to be determined. RFQ is out (TM, JF and Roger Gatlin on selection committee). 12/7/20 Two respondents on RFQ (QES and PDQ). JF, TM, and Roger Gatlin to be on selection committee). 1/6/21 Robert Smith to look at and discuss pushing out selection to possibly April. 2/1/21 Pushing out to fiscal year 2021/2022.

**26. Paving of Dirt Main – IPO** signed by TM. Survey scheduled this week. Survey completed. Horizontal and vertical alignment pending. Address large oak tree on northwest quadrant of 2<sup>nd</sup> and Dirt Main (MG and JF reviewing). 12/7/20 HC provided typical section and alignment. 1/6/21 Field meeting with John F conducted. KHA will address comments and resubmit to John F and Robert Smith next week. 2/1/21 HC to finalize and send exhibits to JF and RS. HC finalized road and drainage plan, including sidewalk tie-in.

**27. Pedestrian Bridge – IPO** approved by TC 9/8/20. Survey underway. Elevations to be established. Meeting scheduled week of 11/2/2020. First Zoom meeting to be held 12/7/20. 1/6/21 KH sent Town survey results. Workshop in January with Town Council to decide on type of bridge and colors. Then we can move forward with design. 2/1/21 TC selected Bridge Brothers Bowstring 14-foot width, KH working on getting color palates and height. Will be on February TC. RS asked for appropriation from state. Proceeding with final design (KHA). Target Healthcare Alliance meeting in April to have concept plan.

**28. Bayshore Drive – Maintenance Issues.** MG to prepare conceptual fix to washout of swale pursuant to meeting with SB and JF onsite. MG to contact SFWMD regarding compliance with previously issued Exemption Request. Washouts regraded and sodded (shade tolerant sod). MG provided SB and JF detail of weir wall at end of existing swale. Weir wall construction pending per SB. 12/7/20 Washed out again. TrM to monitor. 1/6/21 Last item is to build weir wall. John F and Travis M to coordinate. 2/1/21 Waiting on contractor price for concrete weir construction. Received preliminary pricing on weir construction. JF to review.

**29. 11/20/2 CS** recommends looking at published Town standards for streets and roadways, etc. HC recommends ROAD NARROWS signage where roadway contracts from standard Florida Greenbook widths. 12/7/20 CS to coordinate with TC on whether to present to LRP to establish standard roadway widths. 9' lanes currently cited in Town's muni-code. 1/6/21 No update. 2/1/21 Address via in-house maintenance plan to be developed by new Public Works Director. New PW Director to develop comprehensive plan and criteria.

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**Acronyms**

ADG: Architect Design Group  
BC: Brad Cornelius (Wade-Trim)  
CIP: Capital Improvement Project  
CE: Code Enforcement  
CS: Chris Sapp, Town Council Liaison  
CP: Claudia Purser, Florida DEM  
DAC: Direct Administrative Cost  
DBC: Downtown Business Committee  
DEM: Division of Emergency Management (State of Florida)  
DG: Douglas Galvan, Florida DEM  
DH: David Hansen, Orange County Environmental Protection Division (EPD)  
EPA: Environmental Protection Agency (Federal)  
FEMA: Federal Emergency Management Agency (Federal)  
FDEP: Florida Department of Environmental Protection (State of Florida)  
FDOT: Florida Department of Transportation (State of Florida)  
FRDAP: Florida Recreation Development Assistance Program (FDEP)  
H-B: Hunton-Brady Architects.  
HC: Hao Chau (Kimley-Horn and Associates)  
HJH: HJ High  
HR: Heather Ramos (Gray-Robinson)  
HMGP: Hazard Mitigation Grant Program (FEMA/Florida DEM)  
IDG: Innovative Design Group  
IPO: Individual Project Order  
JF: John Fitzgibbon, Town of Windermere  
KHA: Kimley-Horn and Associates  
LA: Liz Ardent, Town Council Member  
LAS: Legacy Arborist Services  
LMS: Local Mitigation Strategy (Orange County Office of Emergency Management)  
MD: Mike Demko (Wade Trim)  
MG: Mike Galura (Michael Galura Engineering Consultants)  
MPO: Metropolitan Planning Organization  
MW: Mike Woodward (Kimley-Horn and Associates)  
MS4: Municipal Separate Storm Sewer System (USEPA acronym)  
NOI: Notice of Intent  
NPDES: National Pollutant Discharge Elimination System (EPA/FDEP)  
NW: Nora White, Town of Windermere  
PA: Public Assistance  
PD: Police Department  
PMP: Pavement Management Plan  
PW: Public Works Department  
PDCS: Town Permitting Consultant  
RFP: Request for Proposals  
RFQ: Request for Qualifications  
RR: Railroad  
ROW: Right-of-Way  
~~SB: Scott Brown, Town of Windermere~~  
SFWMD: South Florida Water Management District  
STAR: State Annual Reporting (DEP)  
SW: Stormwater  
TAC: Transportation Advisory Committee.  
TB: Tree Board  
TC: Town Council  
TM: Town Manager (Robert Smith)  
TOW: Town of Windermere  
TrM: Travis Mathias, Town of Windermere  
WBC – Windermere Baptist Church  
WW&D – Windermere Wine & Dine  
WT – Wade-Trim