

THE TOWN OF  
**Windermere**



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

**Mayor Jim O'Brien**

**Council Members**

**Andy Williams**

**Tony Davit**

**Mandy David**

**Molly Rose**

**Tom Stroup**

***Agenda***

***Agenda***

**April 11, 2023**

**6:00 PM**

**JOIN ZOOM MEETING (COPY/PASTE INTO BROWSER):**

**[HTTPS://US06WEB.ZOOM.US/J/81716648680?](https://us06web.zoom.us/j/81716648680?pwd=OFZ2ZVVSWDB5NLZTCVY5AEJZQ1NCZZ09)**

**PWD=OFZ2ZVVSWDB5NLZTCVY5AEJZQ1NCZZ09**

**MEETING ID: 817 1664 8680**

**PASSCODE: 747418**

**ONE TAP MOBILE: +1-305-224-1968 / 81716648680**

**WINDERMERE TOWN HALL**

**520 MAIN STREET**

**WINDERMERE, FL 34786**

**PLEASE TURN OFF ALL CELL PHONES AND PAGERS**

PLEASE NOTE: IN ACCORDANCE WITH F.S. 286.26: Person with disabilities needing assistance to participate in any such proceedings should contact the Office of the 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 conversation 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**

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

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

**a. Proclamation: "Municipal Clerk's Week; April 30th - May 6th, 2023"**  
**(Attachment - Mayor to Read)**

### **~~3. TIMED ITEMS & PUBLIC HEARING~~**

### **4. NEW BUSINESS**

#### **a. Minutes**

i. Town Council Meeting Minutes: March 14, 2023 (Attachments - Staff Recommends Approval)

ii. Town Council Workshop "Lake Street Parks Discussion" Minutes: March 28, 2023 (Attachments - Staff Recommends Approval)

#### **~~b. Consent Items~~**

**c. Ordinances / Resolutions for Approval / First Reading**

i. Resolution #2023-03: Rename Down Yonder Lane to Down Park Lane  
(Attachments - Board Option - Residents Request)

**d. Appointments**

i. Town Council Board / Committee Liaison Assignments (Attachments - Mayor O'Brien to assign)

~~—e. Contracts & Agreements~~

**f. Financial**

i. Approval of IPO #116 for Kimley-Horn Pedestrian Bridge Project \$14,830  
(Attachments - Board Option)

ii. Approval of IPO #130 for Kimley-Horn FDEM Grant Support Bessie Basin Project \$18,040 (Attachments - Board Option)

~~—g. Other Items for Consideration~~

**5. MAYOR & COUNCIL LIAISON REPORTS**

**a. Mayor O'Brien**

**b. Council Member Williams**

**c. Council Member David**

**d. Council Member Davit**

**e. Council Member Rose**

**f. Council Member Stroup**

**6. STAFF REPORTS**

**a. Town Manager Robert Smith**

**b. Town Attorney Heather Ramos**

**c. Police Chief Dave Ogden**

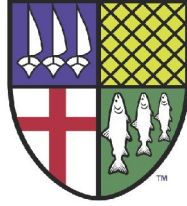
**d. Public Works Director Tonya Elliott-Moore**

**e. Clerk Dorothy Burkhalter**

**7. ADJOURN**

- **REPORTS**
- **OTHER ITEMS**

THE TOWN OF  
**Windermere**



## Proclamation

MUNICIPAL CLERKS WEEK

April 30 – May 6, 2023

**Whereas**, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

**Whereas**, the Office of the Municipal Clerk is the oldest among public servants, and

**Whereas**, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

**Whereas**, municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

**Whereas**, the Municipal Clerk serves as the information center on functions of local government and community.

**Whereas**, municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.

**Whereas**, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

**Now, Therefore, I**, Jim O'Brien, Mayor of The Town of Windermere, Florida, have recognized the week of May 1 through May 7, 2022, as Municipal Clerks Week, and recognized that the Florida Association of City Clerks (FACC), the professional association for Florida's municipal clerks, is celebrating its 50th Anniversary. I further extend appreciation to our municipal clerk, Dorothy Burkhalter, and to all municipal clerks for the vital services they perform and their exemplary dedication to the communities they represent. Dated this 11<sup>th</sup> day of April 2023.

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Jim O'Brien, Mayor

**TOWN OF WINDERMERE**

**Town Council Meeting Minutes**

**March 14, 2023**

**CALL TO ORDER:**

Present were Mayor Jim O'Brien, Council Members Bill Martini, Mandy David, Tony Davit, and Molly Rose. Town Manager Robert Smith, Public Works Director Tonya Elliott-Moore, Attorney Heather Ramos, Chief Dave Ogden, Zoning/Town Planner Brad Cornelius, and Town Clerk Dorothy Burkhalter were also present.

Mayor O'Brien called the meeting to order at 6:00pm and stated that a quorum was present. He then led everyone in the Pledge of Allegiance.

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

There were no public comments made.

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

**a. McDirmit Davis FY 21/22 Audit Presentation**

Mayor O'Brien turned the floor over to Ms. Tammy Campbell representative with McDirmit Davis. Ms. Campbell stated that the Town received an Unqualified Opinion, which is the highest opinion that can be given. She then reviewed the past audit. Mayor O'Brien thanked Ms. Campbell and the staff for a job well done.

**3. TIMED ITEMS AND PUBLIC HEARING**

NONE

**4. OLD BUSINESS:**

**a. Other Items for Consideration**

**i. Town Manager Evaluations**

Mayor O'Brien introduced this item and turned the floor over to Member Rose. Member Rose reviewed and commented on the evaluation of Manager Smith. She then suggested an annual rate increase of 5%. Member Rose made a motion to increase the salary by 5%. Member David seconded the motion. Roll call vote was as follows: Martini – aye, David – aye, Davit – aye, and Rose – aye. Motion carried 4-0.

**5. NEW BUSINESS:**

**a. Swearing In of Council Members**

- i. Council Member Tony Davit**
- ii. Council Member Mandy David**
- iii. Council Member Tom Stroup**

Mayor O'Brien administered the Oath of Office to Council Members Tony Davit and Mandy Davit. They will serve their seconded two-year term. Mayor O'Brien then administered the Oath of Office to Mr. Tom Stroup who will serve his first two-year term.

**b. Special Recognition**

- i. Council Member William "Bill" Martini**

## TOWN OF WINDERMERE

### Town Council Meeting Minutes

March 14, 2023

Mayor O'Brien publicly thanked Council Member Bill Martini for his dedication and service to the Town of Windermere. Member Martini served two – two-year terms. Member Martini commented on accomplishments, projects, and events that he seen and been a part of since being elected. He then thanked all for their hard and continued work to the Town.

#### c. Minutes

- i. **Public Information Workshop/Healthy West Orange-Rotary Pavilion Walkthrough – February 9, 2023**
- ii. **Town Council Meeting Minutes – February 14, 2023**
- iii. **Town Council Workshop Minutes – February 28, 2023**

Mayor O'Brien introduced this item. Member Davit made a motion to approve the Town Council minutes as presented. Member David seconded the motion. Roll call vote was as follows: Stroup – aye, Davit – aye, David – aye, and Rose – aye. Motion carried 4-0.

#### d. CONSENT ITEMS:

- i. **Z23-04 – 12150 Lake Butler Blvd; Sanjay & Kavita Pattani – Variance to allow a sport court in front of the principal residence**

Mayor O'Brien introduced this item. He then turned the floor over to Mr. Cornelius. Mr. Cornelius review the proposed variance request for the sports court in the front yard. He stated that the code requires a sports court to be behind the home. Mr. Cornelius stated that this item has been reviewed by the DRB and has been recommended for approval with conditions. Mr. Cornelius stated that the condition is that the sports court be screened with a six-foot hedge along Lake Butler Blvd and Park Avenue. He further stated that notices were sent out; with four returned in favor and three in opposition citing light and noise impacts. Mayor O'Brien opened the floor to the Council. Member Stroup explained that he went by the location and saw that the driveway could be used as a sports court. Discussion followed regarding setbacks, hardship - characteristics of the lot, and the five-hundred-foot notification boundary. Mr. Sanjay Pattani owner of 12150 Lake Butler Blvd introduced himself. He then thanked the Town Council for considering their request. Mr. Pattani stated that there are other sports courts in Town, therefore a precedence would not be set with their court. There being no further discussion Member Rose made a motion to approve the variance request. Member David seconded the motion. Member Davit questioned if the motion includes the DRB's stipulation. Member Rose modified her motion to include the six-foot landscape barrier recommended by the Development Review Board. Member David was friendly to the modification. Roll call vote was as follows: Stroup -aye, David – aye, Davit- aye, and Rose – aye. Motion carried 4-0.

- ii. **Z23-05 – 126 Down Court – Variance to allow an expansion of more than 10% for a non-conforming home**

Mayor O'Brien turned the floor over to Mr. Cornelius. Mr. Cornelius reviewed the proposed variance request. He explained that this is an existing home with that has an existing screened porch that is less than fifty feet from the normal high-water elevation, which makes this a non-conforming home. Mr. Cornelius commented that the proposed addition of enclosing the carport and adding a second story is compliant. He also stated pavers are being removed which will increase the pervious ratio. Mr. Cornelius explained that the request for more than ten percent is due to the existing screened porch. He stated that public notices were mailed out with ten received in support and three in opposition. Mr. Cornelius commented that the DRB has recommended approval for this request. After some discussion was made, Member Rose made a motion to approve the variance request. Member Davit seconded the

TOWN OF WINDERMERE

Town Council Meeting Minutes

March 14, 2023

motion. Roll call vote was as follows: Rose – aye, Davit – aye, David – aye, and Stroup – aye. Motion carried 4-0.

e. **ORDINANCES/RESOLUTIONS FOR APPROVAL/FIRST READING**

NONE

f. **APPOINTMENTS**

i. **Liz Andert to Historic Preservation Board**

Member David made a motion to appoint Liz Andert to the Historical Board. Member Rose seconded the motion. Roll call vote was as follows: Stroup – aye, David – aye, Davit – aye, and Rose – aye. Motion carried 4-0.

ii. **Donna Steele to Historic Preservation Board**

Member Davit made a motion to appoint Liz Andert to the Historical Board. Member Rose seconded the motion. Roll call vote was as follows: Rose – aye, Davit -aye, David – aye, and Stroup – aye. Motion carried 4-0.

g. **CONTRACTS & AGREEMENTS**

h. **FINANCIAL**

i. **Rostan Solutions LLC Emergency Debris Monitoring Cost Overages – Hurricane Ian \$36,229.49**

Mayor O'Brien introduced this item. He then turned the floor over to Public Works Director Elliott-Moore. Director Elliott-Moore explained that this is an after-the-fact approval. She further explained that the original approval for a "not to exceed \$50,000.00" has been exceeded by an additional \$36,229.49. Director Elliott-Moore explained Rostans position with the debris hauling an removal. Mayor O'Brien commented on concerns with the overage and the reimbursements. Member Rose questioned if contractually, is the Town obligated to pay the cost? Director Elliott-Moore stated that the work was performed during an emergency, and they have been paid. Member Rose questioned if contractually the Town is responsible to pay the cost. Manager Smith stated he would need to review the contract. Member Rose questioned if a "share the cost" discussion had been made with Rostan? Director Elliott-Moore stated that she has had several conversations with Rostan. She stated that she has been assured that the Town will be reimbursed. Discussion was made regarding the On-Call contract, monitoring and submittal, reimbursements, sharing of the cost, agreeing to be paid when the Town is paid, and FEMA reimbursements. Manager Smith stated that Rostan has already been paid due to reimbursement deadlines. Director Elliott-Moore stated that she has advised Rostan that if one hundred percent is not reimbursed, she will seek reimbursement for some of he costs. Member Davit stated that a Notice of Non-Compliance needed to be issued to Rostan. He then questioned if there is a guideline for per diem rates. Director Elliott-Moore stated that there are per diem rates in the contract. Mayor O'Brien stated that State or GSA rates need to be specified in the contract. Member Rose made a motion to approve the \$36,229.49. Member David seconded the motion. Roll call vote was as follows: Stroup – aye, David – aye, Davit – aye, and Rose – aye. Motion carried 4-0.

i. **OTHER ITEMS FOR CONSIDERATION**

i. **Promotion of Tara Vegel to Finance Director**



## TOWN OF WINDERMERE

### Town Council Meeting Minutes

March 14, 2023

Mayor O'Brien introduced this item and turned the floor over to Manager Smith. Manager Smith stated that Ms. Tara Vegel has been acting as Interim Finance Director since the retirement of Ms. Nora White. He then stated that Ms. Vegel has been doing a great job and recommends approval of the promotion. Member Rose made a motion to approve Ms. Tara Vegel as Finance Director. Member Davit seconded the motion. Roll call vote was as follows: Rose – aye, Davit – aye, David – aye, and Stroup – aye. Motion carried 4-0.

#### ii. Appointment of Town Council Liaison for Boathouse Lawsuit Mediations

Mayor O'Brien introduced this item. He then turned the floor over to Attorney Heather Ramos. Attorney Ramos commented on the upcoming mediations regarding the boathouse lawsuits. Some discussion followed. Member Davit made a motion to have Council Member Molly Rose as the Mediation Liaison. Member David seconded the motion. Roll call vote was as follows: Stroup – aye, David – aye, Davit – aye, and Rose – aye. Motion carried 4-0.

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

Mayor O'Brien opened the floor to the Council members. Member David reported on the Pet Fest, temporary pickle ball court at Main Street courts, food truck event breaking for June, July and August, and pre order pick-ups for food truck between 5:00-6:00pm. Member Davit stated project meeting notes are in the packet.

#### 7. STAFF REPORTS:

**a. TOWN MANAGER ROBERT SMITH** – Manager Smith thanked all for his evaluation and increase. He then commented on liaison assignments, TDT Committee Liaison, Pet Fest, parking issues, and the Workshop on March 28<sup>th</sup>. Discussion followed regarding events and parking. Member Davit suggested having a parking diagram for the public for events. Manager Smith commented on Appropriation requests.

**b. TOWN ATTORNEY HEATHER RAMOS** – Attorney Ramos stated that the Legislative Session is scheduled to start. No further report.

**c. POLICE CHIEF DAVE OGDEN** – Chief Ogden congratulated the incoming and outgoing elected officials. He then reported on the stolen car recovery, new hire, Accreditation, upcoming trainings, DUI School, events and parking.

**d. PUBLIC WORKS DIRECTOR TONYA ELLIOTT-MOORE** – Director Elliott-Moore reported on fencing repairs, sidewalk repairs, boat ramp repairs, paving projects, and Duke Energy road closures.

**e. TOWN CLERK DOROTHY BURKHALTER** – Clerk Burkhalter stated she has been accepted to sit for the Certified Records Manager exams.

Discussion was made regarding lakes levels and boat access.

#### 8. ADJOURN:

Mayor O'Brien adjourned the meeting at 7:32pm.

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Dorothy Burkhalter, MMC, FCRM  
Town Clerk

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Jim O'Brien, Mayor

## TOWN OF WINDERMERE

### Town Council Lake Street Parks Virtual Workshop Minutes

March 28, 2023

#### CALL TO ORDER:

Present were Mayor Jim O'Brien, Council Members Tom Stroup, Andy Williams, Mandy David, Tony Davit, and Molly Rose. Also present was Town Manager Robert Smith, Police Chief Dave Ogden, Town Clerk Dorothy Burkhalter, and Public Works Director Tonya Elliott-Moore.

#### 1. WORKSHOP CALLED TO ORDER

Mayor O'Brien called the workshop to order at 6:02pm. He then led everyone with the Pledge of Allegiance.

#### 2. NEW BUSINESS

##### a. Other items for consideration

##### i. Lake Street Parks Presentation

Mayor O'Brien reviewed the decorum for this workshop. He then turned the floor over to Public Works Director Elliot-Moore who gave the presentation for Manager Smith. Director Elliott-Moore reviewed discussion with DEP that included not being able to return grant funds, restricting access, charging fees, hours/days restrictions, and require an acknowledgement/hold harmless agreement. She then reviewed options of; gating and fencing the area, charging of non-residents, swim area designation, acknowledgement to terminate access, set capacity at park, and possible removal of the roof from the dock. Mayor O'Brien turned the floor over to the Town Council for questions/comments. Comments were made regarding hiring options for Park Rangers/Security, size of the park area, roof concerns, jumping off the roof, noise, illegal activities, overcrowded, rude behaviors, disrespectful, enforcement, and use of cameras and trespassing. Mayor O'Brien opened the floor to the public. Ms. April Bonfanti of 414 E 5<sup>th</sup> Avenue stated that the roof needed to be removed or changed to metal. She then questioned the timeline for the park to re-open. Mayor O'Brien stated that the opening is to be determined as FEMA needed to do an inspection first due to the damages from the hurricane and reimbursements for repairs. Ms. Lisa Eastwood of 323 E 4<sup>th</sup> Avenue requested clarification regarding the use of the trail which she believes is for walking not swimming/fishing as the sign states. She commented on loud music/pot smells and the possibility of condensing all the rule signage. Mr. Bill Martini of 627 Ridgewood Drive commented on the twenty-five-year commitment requirement for the FRDAP grant. He stated that the commitment would expire in five years, in which the Town would then be able to control the park. Mr. Martini commented on the significant amount for calls of service to the park in the past. Ms. Bonnie Kellogg of 416 E 5<sup>th</sup> Avenue questioned if the FEMA clearance is needed prior to any minor repairs/landscaping. Director Elliott-Moore stated that FEMA needs to see the area first handed. Discussion followed regarding mitigation possibilities at the park, "Park Closed" signage, park enhancements, repair timelines, updates, and the roof – remove/leave and/or change of material. Mayor O'Brien closed public comments. He then requested the practicality of enforcement from Chief Ogden. Chief Ogden stated that caution is needed with enforcement. Discussion followed regarding enforcement in the past and currently. Member Davit questioned if quotes have been received for fencing and/or gates? Director Elliott Moore stated yes, approximately \$30,000.00. Discussion followed regarding swim areas, managing expectations, agreeing with the layered options, procedures (Orange County Parks), upcoming challenges, Security Guard costs, pass codes, gross numbers, crowds, sounds, boats, concern with roof material, and keep legal in the discussions. Mayor O'Brien recapped the discussion as; Council requests fence pricing/plan, determination of the high-water mark, possible swim area designation, explore fees for non-residential passes, capacity numbers, day and time restrictions for non-residents, roof – keep/material, potential costs for Security Guard, legal review of all, and mitigation/repair park. Discussion ensued. Ms. Brandi Haines commented on restriction for "residents only" on Friday, Saturdays, and Sundays, pass access and restricting those numbers, and metal roofing pricing with protective edges. Mayor O'Brien thanked everyone for their comments and input.

#### 3. MAYOR AND COUNIL LIAISON REPORTS

None

TOWN OF WINDERMERE

Town Council Lake Street Parks  
Virtual Workshop Minutes

March 28, 2023

4. STAFF REPORTS

None

5. ADJOURN

Mayor O'Brien adjourned the workshop at 7:17pm

\_\_\_\_\_  
Dorothy Burkhalter, MMC, FCRM  
Town Clerk

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

DRAFT

# Town of Windermere

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

Mayor

JIM O'BRIEN



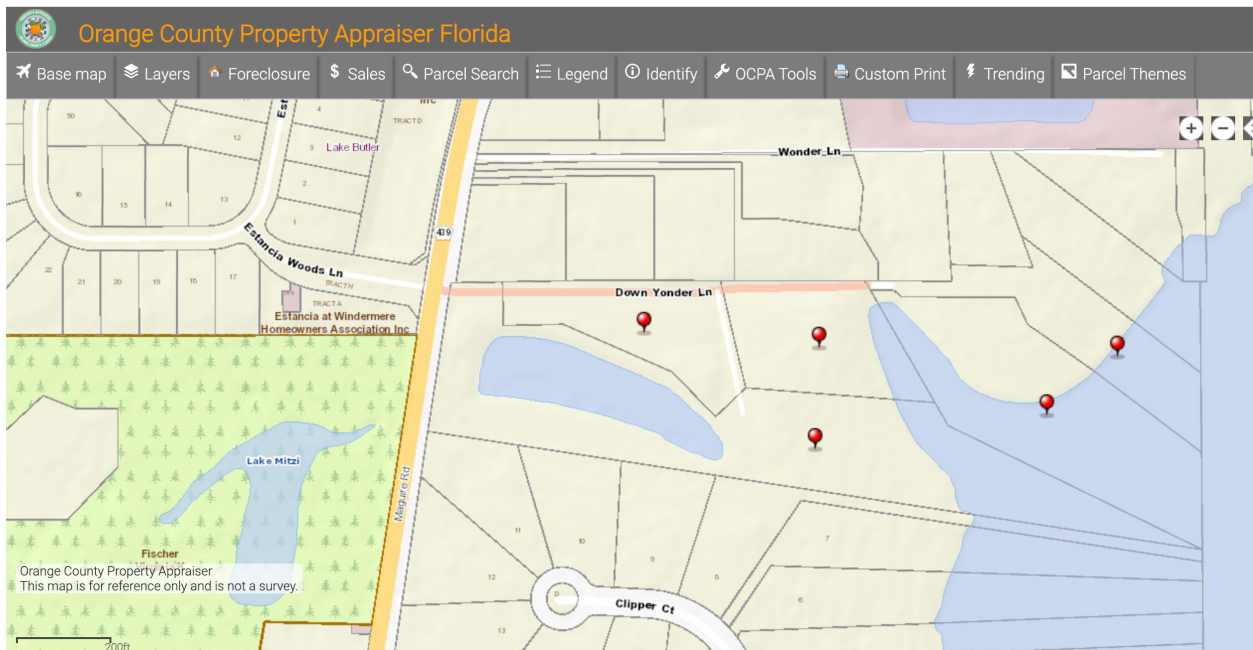
Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

To: Mayor and Town Council  
From: Brad Cornelius, AICP, Contracted Town Planner  
Date: April 3, 2023

Re: Resolution 2023-03 - Rename the Private Easement Down Yonder Lane to Down Park Lane

On January 19, 2023, the Town received a request from Michel Scala, Attorney, on behalf of his client Jim Heistand, for the Town to approve the renaming of the private easement Down Yonder Lane to Down Park Lane. There are five properties that are accessed from the private easement. The Down Yonder Lane private easement and five properties are shown in the map below.



The owners of the five properties are:

1. Stonebridge Homes, Inc. – 10908 Down Yonder Lane
2. Starlite Land Holdings, LLC – 10846 Down Yonder Lane
3. Treasured Oaks, LLC – 10856 Down Yonder Lane
4. JRH RE Investments, LLC – 10988 Down Yonder Lane
5. Danielito and Rosalie Rueda – 10948 Down Yonder Lane

Mr. Scala submitted notarized petitions from all five property owners approving the change of the name of Down Yonder Lane to Down Park Lane. The petitions are attached.

Down Yonder Lane private easement is included in the master address list for Orange County, 911 services, Orange County Property Appraiser, and United States Postal Service. To properly reflect the renaming of Down Yonder Lane to Down Park Lane, the Town Council must adopt the resolution to approve the renaming of Down Yonder Lane to Down Park Lane. If the Town Council adopts the resolution, then Town staff will notify all agencies to update the name of the private easement and the related addresses.

No objections have been received for the renaming to Down Park Lane.

Attached:      Petitions of Five Property Owners  
                    Resolution 2023-03

November 9, 2022

**RE: Street Name Petition - Changing Down Yonder Way to Down Park Lane**

Ladies and Gentlemen:

The undersigned is the owner of (1) parcel located on Down Yonder Way consisting of Tax Parcel No. 05-23-28-4400-00-117. This will confirm that we have no objection to, and that we consent to, changing the name of Down Yonder Way to Down Park Lane. Thank you.

By: *Helen Avalon*  
Helen Avalon, Manager

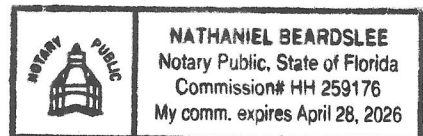
**FLORIDA NOTARY ACKNOWLEDGMENT**

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 28 (numeric date) day of November (month), 2022 (year), by Helen Avalon (name of person acknowledging).  
(Seal)

*Nathaniel Beardslee*  
Signature of Notary Public  
Print, Type/Stamp Name of Notary

Personally known: \_\_\_\_\_  
OR Produced Identification: X  
Type of Identification Produced: FLDL



November 9, 2022

**RE: Street Name Petition - Changing Down Yonder Way to Down Park Lane**

Ladies and Gentlemen:

The undersigned is the owner of (1) parcel located on Down Yonder Way consisting of Tax Parcel No. 05-23-28-4400-00-122. This will confirm that we have no objection to, and that we consent to, changing the name of Down Yonder Way to Down Park Lane. Thank you.

By: [Signature]  
Danielito Rueda

By: [Signature]  
Rosalie Rueda

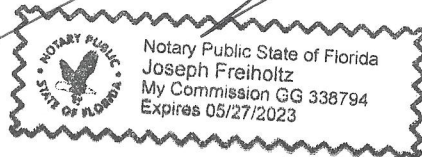
**FLORIDA NOTARY ACKNOWLEDGMENT**

STATE OF FLORIDA  
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 6<sup>th</sup> (numeric date) day of December (month), 2022 (year), by Danielito and Rosalie Rueda (name of person acknowledging).  
(Seal) Rueda

Signature of Notary Public  
Print, Type/Stamp Name of Notary

Personally known: \_\_\_\_\_  
OR Produced Identification:  \_\_\_\_\_  
Type of Identification Produced: Driver's license





November 9, 2022

**RE: Street Name Petition - Changing Down Yonder Way to Down Park Lane**

Ladies and Gentlemen:

The undersigned is the owner of (1) parcel located on Down Yonder Way consisting of Tax Parcel No. 05-23-28-4400-00-120. This will confirm that we have no objection to, and that we consent to, changing the name of Down Yonder Way to Down Park Lane. Thank you.

By: [Signature]  
James R Neistand, Manager

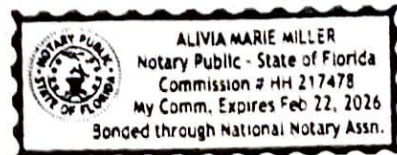
**FLORIDA NOTARY ACKNOWLEDGMENT**

STATE OF FLORIDA  
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 9<sup>th</sup> (numeric date) day of November (month), 2022 (year), by James R Neistand (name of person acknowledging).  
(Seal)

[Signature]  
Signature of Notary Public  
Print, Type/Stamp Name of Notary

Personally known: X  
OR Produced Identification: \_\_\_\_\_  
Type of Identification Produced: \_\_\_\_\_



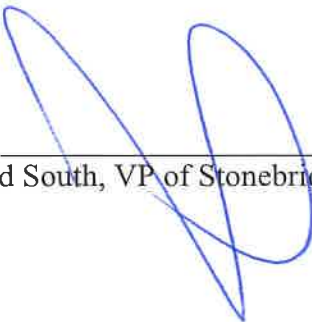


November 9, 2022

**RE: Street Name Petition - Changing Down Yonder Way to Down Park Lane**

Ladies and Gentlemen:

The undersigned is the owner of (1) parcel located on Down Yonder Way consisting of Tax Parcel No. 05-23-28-4400-00-114. This will confirm that we have no objection to, and that we consent to, changing the name of Down Yonder Way to Down Park Lane. Thank you.

By:   
Todd South, VP of Stonebridge Homes INC

**FLORIDA NOTARY ACKNOWLEDGMENT**


STATE OF FLORIDA  
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 18<sup>th</sup> (numeric date) day of November (month), 2022 (year), by \_\_\_\_\_ (name of person acknowledging).

(Seal)



Signature of Notary Public  
Print, Type/Stamp Name of Notary

Personally known:   
OR Produced Identification: \_\_\_\_\_  
Type of Identification Produced: \_\_\_\_\_



November 9, 2022

**RE: Street Name Petition - Changing Down Yonder Lane to Down Park Lane**

Ladies and Gentlemen:

The undersigned is the owner of (1) parcel located on Down Yonder Lane consisting of Tax Parcel No. 05-23-28-4400-00-115. This will confirm that we have no objection to, and that we consent to, changing the name of Down Yonder Lane to Down Park Lane. Thank you.

By: *Lisa Pattanayak*  
STARLITE LAND HOLDING LLC

**FLORIDA NOTARY ACKNOWLEDGMENT**

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 24<sup>th</sup> (numeric date) day of MARCH (month), 2023 (year), by LISA PATTANAYAK (name of person acknowledging).  
(Seal)

*Christine L. Malcolm*  
Signature of Notary Public  
Print, Type/Stamp Name of Notary

Personally known:   
OR Produced Identification: FLORIDA DRIVERS LICENSE  
Type of Identification Produced: P352 520 68 7880



THE TOWN OF  
**Windermere**



**RESOLUTION #2023-03:  
RENAME DOWN YONDER LANE TO DOWN PARK LANE**

The undersigned Town Council of Town of Windermere, hereby certifies that the following resolution was duly adopted on April 11, 2023, and that such resolution has not been modified or rescinded as of the date hereof:

RESOLVED, the owners of property that are encumbered or have right of use of the private 40' easement for access and utilities known as Down Yonder Lane, as described, and shown in Exhibit "A" to this resolution, have petitioned the Town Council of Town of Windermere to approval the renaming of Down Yonder Lane to Down Park Lane;

RESOLVED, the because the Down Yonder Lane private easement is recorded as part of the master addressing for Orange County, 911 addressing, Orange County Property Appraiser addressing, and the United States Postal Service addressing, the Town Council of Town of Windermere must approve the name change to Down Park Lane to implement the change in other applicable public records;

RESOLVED, upon approval of this resolution, the Town Council of Town of Windermere directs the Town Manager to complete all actions necessary to implement the change of the name of the private easement Down Yonder Lane to Down Park Lane within the other applicable public records;

The undersigned further certifies that attached hereto as Exhibit "A" is the description and depiction of the Down Park Lane private easement as adopted in this resolution.

ATTEST:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Dorothy Burkhalter, MMC, FCRM  
Town Clerk

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

**SKETCH OF DESCRIPTION  
EXHIBIT "A"  
- NOT A SURVEY -**

SHEET 1 OF 2

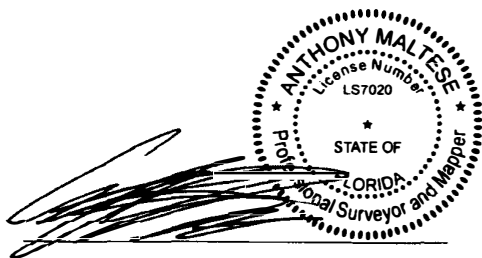
**LEGAL DESCRIPTION**

**40' ACCESS & UTILITY EASEMENT**

A STRIP OF LAND BEING A PORTION OF LAKE DOWN ESTATES REPLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK "Q", PAGE 154 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE WEST 1/4 CORNER OF SECTION 5, TOWNSHIP 23 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; THENCE SOUTH 00°05'05" WEST, ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 5, A DISTANCE OF 263.77 FEET TO A POINT ON THE NORTH LINE OF SAID LAKE DOWN ESTATES AND THE POINT OF BEGINNING; THENCE SOUTH 89°52'18" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 567.54 FEET; THENCE SOUTH 15°43'52" EAST, A DISTANCE OF 41.58 FEET; THENCE NORTH 89°52'18" WEST, ALONG A LINE 40.00 SOUTH OF AND PARALLEL TO THE AFORESAID NORTH LINE OF LAKE DOWN ESTATES-REPLAT, PLAT BOOK "Q", PAGE 154, A DISTANCE OF 283.78 FEET; THENCE SOUTH 13°14'51" EAST, A DISTANCE OF 190.14 FEET; THENCE SOUTH 47°31'24" WEST, A DISTANCE OF 45.84 FEET; THENCE NORTH 13°14'51" WEST, A DISTANCE OF 222.04 FEET; THENCE NORTH 89°52'18" WEST, A DISTANCE OF 253.58 FEET; THENCE SOUTH 88°52'53" WEST, A DISTANCE OF 285.82 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF McGUIRE ROAD (WINDERMIRE GOTHA ROAD); THENCE NORTH 08°39'24" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 40.59 FEET; THENCE NORTH 88°52'53" EAST, ALONG THE AFORESAID NORTH LINE OF LAKE DOWN ESTATES-REPLAT, PLAT BOOK "Q", PAGE 154, A DISTANCE OF 279.36 FEET TO THE POINT OF BEGINNING.

CONTAINING 42,468 SQUARE FEET, OR 0.975 ACRES, MORE OR LESS.



**ANTHONY MALTESE, P.E., P.L.S., P.S.M., P.P., C.M.E.**

PROFESSIONAL LAND SURVEYOR  
PROFESSIONAL SURVEYOR AND MAPPER  
NJ LICENSE No. 42759 - PA LICENSE SU-075530 - FL LICENSE LS7020



**AMERICAN LAYOUT & LAND SURVEYING**

5125 Adanson Street, Suite 800, Orlando, Florida 32804

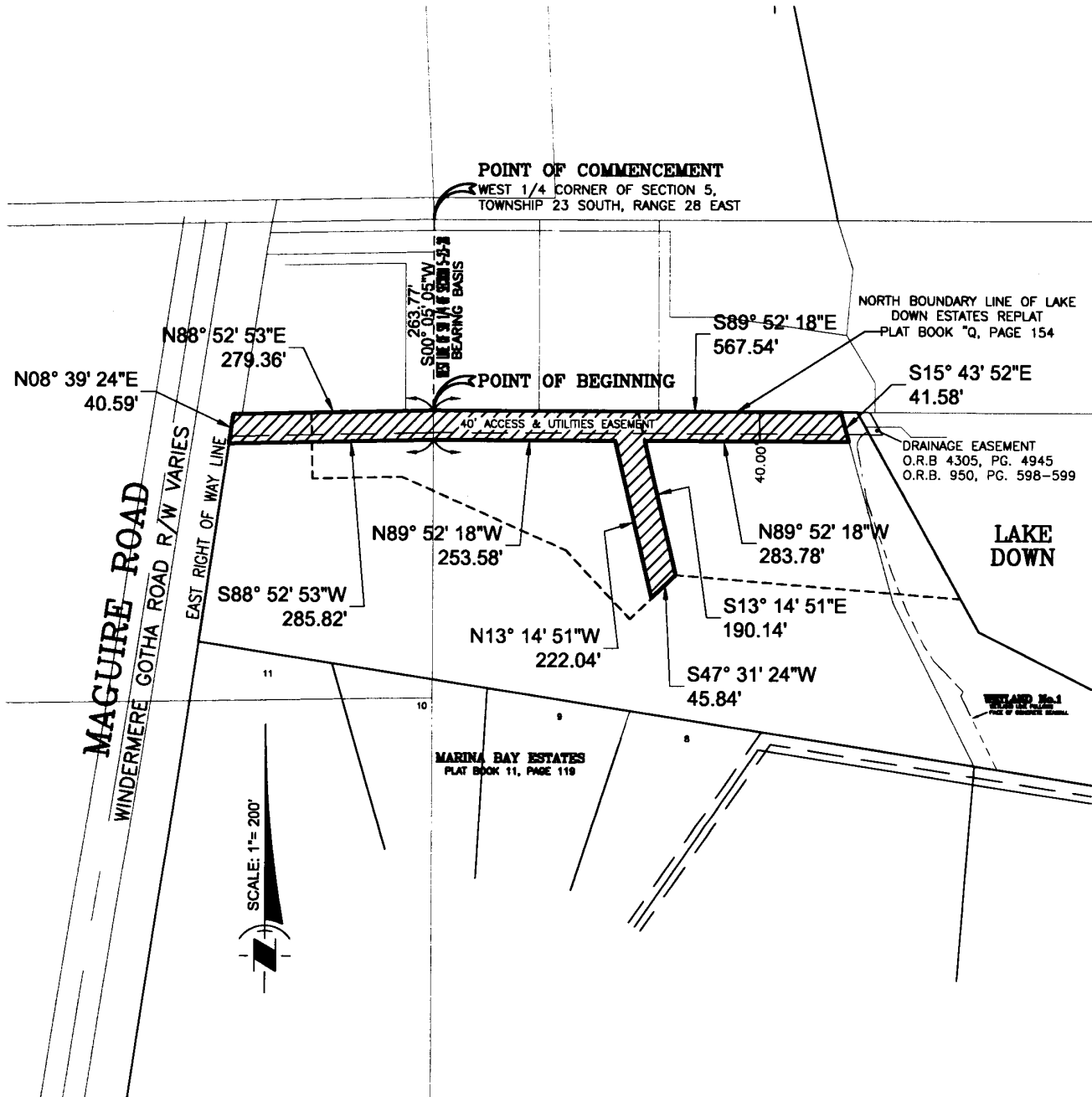
Tele. No. (844) 787-8399

LICENSED BUSINESS No. 8131

CLOUD/2768/2768 SOD

# SKETCH OF DESCRIPTION EXHIBIT "A" - NOT A SURVEY -

SHEET 2 OF 2



**SURVEYOR'S NOTES**

- 1) BEARINGS SHOWN HEREON ARE ASSUMED RELATIVE TO: NORTH BOUNDARY LINE OF LAKE DOWN ESTATES REPLAT AS RECORDED IN PLAT BOOK "Q, PAGE 154 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AS S 89°52'18" E
- 2) See sheet 1 for Legal Description.



**AMERICAN LAYOUT & LAND SURVEYING**  
 5125 Adanson Street, Suite 800, Orlando, Florida 32804  
 Tele. No. (844) 787-8399  
 LICENSED BUSINESS No. 8131  
 CLOUD/2768/2768 SOD2

THE TOWN OF  
**Windermere**



**RESOLUTION #2023-03:  
RENAME DOWN YONDER LANE TO DOWN PARK LANE**

The undersigned Town Council of Town of Windermere, hereby certifies that the following resolution was duly adopted on April 11, 2023, and that such resolution has not been modified or rescinded as of the date hereof:

RESOLVED, the owners of property that are encumbered or have right of use of the private 40' easement for access and utilities known as Down Yonder Lane, as described, and shown in Exhibit "A" to this resolution, have petitioned the Town Council of Town of Windermere to approval the renaming of Down Yonder Lane to Down Park Lane;

RESOLVED, the because the Down Yonder Lane private easement is recorded as part of the master addressing for Orange County, 911 addressing, Orange County Property Appraiser addressing, and the United States Postal Service addressing, the Town Council of Town of Windermere must approve the name change to Down Park Lane to implement the change in other applicable public records;

RESOLVED, upon approval of this resolution, the Town Council of Town of Windermere directs the Town Manager to complete all actions necessary to implement the change of the name of the private easement Down Yonder Lane to Down Park Lane within the other applicable public records;

The undersigned further certifies that attached hereto as Exhibit "A" is the description and depiction of the Down Park Lane private easement as adopted in this resolution.

ATTEST:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Dorothy Burkhalter, MMC, FCRM  
Town Clerk

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

2023 / 2024 Liaison Assignments	David	Davit	Rose	Stroup	Williams	Mayor
West Orange Chamber of Commerce						X
West Orange Chamber of Commerce ALT					6	
Butler Chain of Lakes Advisory Board	4	4	5	4	7	
Long Range Planning Committee			4	2	8	
Development Review Board			2	1	1	
Food Truck / Farmers Market Selection Committee	2				4	
Parks & Recreation Committee	1			5	11	
Windermere Tree Board	3				10	
Historic Preservation Board		5			9	
TSMO					16	
Elder Affairs Committee					3	
Holiday Social Committee					2	
MetroPlan						X
MetroPlan ALT		2			15	
School Advisory Committee						X
School Advisory Committee ALT	5				5	
<b>DEPARTMENTS:</b>						
Public Works / Parks & Recreation Department	X	1			12	
Administration / Budget / Finance Department			1		14	
Police Department		3	3	3	13	

LIAISON ASSIGNMENT AREAS – COUNCIL

Council members, please indicate below which areas you would be most interested in being a liaison to. Indicate your top 5 preference by placing a #1 on the line, your second choice a #2 and so on. **Please return this to me by April 4, 2022.** Historically, the senior council members will get preference for their requested choices. Areas of expertise will also be considered.

- 1. West Orange Chamber of Commerce Mayor
- 2. West Orange Chamber of Commerce Alternate \_\_\_\_\_
- 3. Butler Chain of Lake Advisory Committee Mandy 4 \_\_\_\_\_
- 4. Long Range Planning Committee  
(Monthly 4<sup>th</sup> Thursday 6:00pm) \_\_\_\_\_
- 5. Downtown Business District Committee (Currently inactive)
- 6. Development Review Board  
(Monthly 3<sup>rd</sup> Tuesday 6:30pm) \_\_\_\_\_
- 7. Farmers Market/Food Truck Committee  
(Monthly 1<sup>st</sup> Thursday – 10:00am) Mandy\_2 \_\_\_\_\_
- 8. Parks & Recreation Committee  
(Monthly 2<sup>nd</sup> Thursday 5:00pm) Mandy\_1 \_\_\_\_\_
- 9. Tree Board  
(Monthly 3<sup>rd</sup> Thursday 5:00pm) Mandy \_\_\_\_\_ 3 \_\_\_\_\_
- 10. Historical Preservation Board  
(Monthly 1<sup>st</sup> Wednesday 6:30pm) \_\_\_\_\_
- 11. TSMO Advisory Committee \_\_\_\_\_
- 12. Elder’s Committee \_\_\_\_\_
- 13. Holiday Social \_\_\_\_\_



- 14. Metro Plan Mayor
- 15. Metro Plan Alternate \_\_\_\_\_
- 16. School Advisory Committee Mayor
- 17. School Advisory Committee Alternate Mandy 5 \_\_\_\_\_

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

- 1. Public Works/Parks and Recreation Department X
- 2. Administration/Budget/Finance Department \_\_\_\_\_
- 3. Police Department \_\_\_\_\_

If you have any questions about the committees and/or departments, please feel free to contact me. Further information on the various committees, their meeting times etc. is on the town website [www.town.windermere.fl.us](http://www.town.windermere.fl.us) under the boards and committee's page.

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

Davit

### LIAISON ASSIGNMENT AREAS – COUNCIL

Council members, please indicate below which areas you would be most interested in being a liaison to. Indicate your top 5 preference by placing a #1 on the line, your second choice a #2 and so on. **Please return this to me by April 4, 2022.** Historically, the senior council members will get preference for their requested choices. Areas of expertise will also be considered.

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

- 15. Metro Plan Alternate 2
- 16. School Advisory Committee Mayor
- 17. School Advisory Committee Alternate \_\_\_\_\_

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

- 1. Public Works/Parks and Recreation Department 1
- 2. Administration/Budget/Finance Department \_\_\_\_\_
- 3. Police Department 3

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

LIAISON ASSIGNMENT AREAS – COUNCIL

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

- 15. Metro Plan Alternate \_\_\_\_\_
- 16. School Advisory Committee Mayor
- 17. School Advisory Committee Alternate \_\_\_\_\_

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

- 1. Public Works/Parks and Recreation Department \_\_\_\_\_
- 2. Administration/Budget/Finance Department \_\_\_\_\_ 1
- 3. Police Department \_\_\_\_\_ 3

If you have any questions about the committees and/or departments, please feel free to contact me. Further information on the various committees, their meeting times etc. is on the town website [www.town.windermere.fl.us](http://www.town.windermere.fl.us) under the boards and committee's page.

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

LIAISON ASSIGNMENT AREAS – COUNCIL

Council members, please indicate below which areas you would be most interested in being a liaison to. Indicate your top 5 preference by placing a #1 on the line, your second choice a #2 and so on. **Please return this to me by April 4, 2022.** Historically, the senior council members will get preference for their requested choices. Areas of expertise will also be considered.

- 1. West Orange Chamber of Commerce Mayor
- 2. West Orange Chamber of Commerce Alternate 6
- 3. Butler Chain of Lake Advisory Committee 7
- 4. Long Range Planning Committee  
(Monthly 4<sup>th</sup> Thursday 6:00pm) 8
- 5. Downtown Business District Committee (Currently inactive)
- 6. Development Review Board  
(Monthly 3<sup>rd</sup> Tuesday 6:30pm) 1
- 7. Farmers Market/Food Truck Committee  
(Monthly 1<sup>st</sup> Thursday – 10:00am) 4
- 8. Parks & Recreation Committee  
(Monthly 2<sup>nd</sup> Thursday 5:00pm) 11
- 9. Tree Board  
(Monthly 3<sup>rd</sup> Thursday 5:00pm) 10
- 10. Historical Preservation Board  
(Monthly 1<sup>st</sup> Wednesday 6:30pm) 9
- 11. TSMO Advisory Committee 16
- 12. Elder’s Committee 3
- 13. Holiday Social 2

- 14. Metro Plan Mayor
- 15. Metro Plan Alternate 15
- 16. School Advisory Committee Mayor
- 17. School Advisory Committee Alternate 5

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

- 1. Public Works/Parks and Recreation Department 12
- 2. Administration/Budget/Finance Department 14
- 3. Police Department 13

If you have any questions about the committees and/or departments, please feel free to contact me. Further information on the various committees, their meeting times etc. is on the town website [www.town.windermere.fl.us](http://www.town.windermere.fl.us) under the boards and committee's page.

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





- 15. Metro Plan Alternate \_\_\_\_\_
- 16. School Advisory Committee Mayor
- 17. School Advisory Committee Alternate \_\_\_\_\_

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

- 1. Public Works/Parks and Recreation Department \_\_\_\_\_
- 2. Administration/Budget/Finance Department \_\_\_\_\_
- 3. Police Department #3

If you have any questions about the committees and/or departments, please feel free to contact me. Further information on the various committees, their meeting times etc. is on the town website [www.town.windermere.fl.us](http://www.town.windermere.fl.us) under the boards and committee's page.

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



**TOWN OF WINDERMERE  
EXECUTIVE SUMMARY**

**SUBJECT:** Approval of Amendment to IPO #116 for Kimley Horn Pedestrian Bridge Project

**REQUESTED ACTION:** Approval

- Work Session (Report Only)
- Regular Meeting

**DATE OF MEETING:** April 11, 2023

Special Meeting

**CONTRACT:**  N/A

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

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

Vendor/Entity: Kimley Horn

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

Public Works

**BUDGET IMPACT:** \$14,830.00

- Annual
- Capital
- N/A

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

Public Works

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

Professional Services

**HISTORY/FACTS/ISSUES:**

The Ward Trail Pedestrian Bridge is currently in the final stages of design. Two factors have changed since the initial scope of services began in 2020. The Town was successful in obtaining outside funding for the construction of the project, which is being administered by FDOT. The other factor was the decision to use walls along the approaches to the bridge, to minimize the construction area and to avoid impacting the existing berm for the canal. The original scope assumed that walls would not be designed. This amendment to the scope of services covers the additional work required to coordinate with FDOT and to design the walls.

Kimley Horn will complete two tasks as follows:

- FDOT Coordination
- Wall Design

The project deliverables are a response to FDOT comments, modified plan sheets, wall structure calculations, and the wall design incorporated into the plan sheets.

The total cost for the amendment to IPO 116 is \$14,830.00. Funds will come from the stormwater professional services line item.

**AMENDMENT 1 TO INDIVIDUAL PROJECT ORDER NUMBER 116  
February 16, 2023**

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

***Identification of Project:***

Project: Pedestrian Bridge Substructure Design

Client: Town of Windermere

**I. PROJECT UNDERSTANDING**

The Ward Trail Pedestrian Bridge is currently in the final stages of design. Two factors have changed since the initial scope of services began in 2020. The Town was successful in obtaining outside funding for construction of the project, which is being administered by FDOT. The other factor was the decision to use walls along the approaches to the bridge, to minimize the construction area and to avoid impacting the existing berm for the canal. The original scope assumed that walls would not be designed. This amendment to the scope of services covers the additional work required to coordinate with FDOT and to design the walls.

**II. SCOPE OF SERVICES**

*Task 1 – FDOT Coordination*

Kimley-Horn will coordinate with FDOT staff by attending up to two (2) meetings, provide responses to up to two (2) rounds of FDOT comments, and perform minor modifications to the bridge and trail design based on the comments.

*Task 2 – Wall Design*

Kimley-Horn will prepare structural calculations for segmental block retaining walls for the bridge abutments on each side of the bridge over the canal. Kimley-Horn will produce structural construction plans utilizing 11"x 17" CADD format. Structural plans will be in MicroStation format and integrated with the rest of the plan sheets. One signed and sealed PDF document will be submitted to the Client at the Final submittal. Structural construction plans will be prepared in accordance with the documents referenced in the project description.

**III. PROJECT DELIVERABLES**

- Responses to FDOT comments
- Modified plan sheets
- Wall structural calculations
- Wall Design (incorporated in plan sheets)

**IV. ADDITIONAL SERVICES IF REQUIRED**

The following services are not included in this IPO, but may be performed if authorized by the Town. Payment for these additional services will be agreed upon prior to their performance.

- Attendance at meetings in addition to those noted in the scope of services
- Lighting Plans
- Utility Plans
- Drainage structure cross sections
- Temporary Traffic Control Plan
- Landscape Plans
- Irrigation Plans
- Hardscape Plans
- 3D Modeling
- Engineering Inspection Services
- Certified Arborist Evaluations

**V. SCHEDULE**

Tasks 1-2 are anticipated to be completed within 30 calendar days.

**VI. METHOD OF COMPENSATION**

Kimley-Horn will perform the services in Tasks 1 –2 for a lump sum fee of **\$14,830**, inclusive of expenses. A breakdown of fee by task is provided in the table below.

**TABLE 1: STAFFHOUR ESTIMATE**

task	Principal		Proj Manager		Project Engineer		Analyst/Designer		Clerical		task totals	
	hrs.	rate	hrs.	rate	hrs.	rate	hrs.	rate	hrs.	rate	hrs.	rate
	4	\$ 240.00	8	\$ 200.00	34	\$ 175.00	50	\$ 120.00	4	\$ 80.00	100	
1. FDOT Coordination	2	\$ 480.00	8	\$ 1,600.00	4	\$ 700.00	10	\$ 1,200.00	2	\$ 160.00	26	\$ 4,140.00
2. Wall Design	2	\$ 480.00		\$ -	30	\$ 5,250.00	40	\$ 4,800.00	2	\$ 160.00	74	\$ 10,690.00
											=====	
Total Billable Labor											100	\$ 14,830.00

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

ACCEPTED:

THE TOWN OF WINDERMERE, FLORIDA

KIMLEY-HORN AND ASSOCIATES, INC.

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

BY:  \_\_\_\_\_  
Hao T. Chau, PE

TITLE: \_\_\_\_\_

TITLE: Vice President

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

DATE: 2/16/2023

*K:\ORL\_TPTO\049018016\_Windermere IPO 116 Ped Bridge\PM\Contract\2023-09-03-IPO116 Ped Bridge-Amd 1.docx*



**TOWN OF WINDERMERE  
EXECUTIVE SUMMARY**

**SUBJECT:** Approval of IPO #130 for Kimley Horn FDEM Grant Support Bessie Basin Project

**REQUESTED ACTION:** Approval

Work Session (Report Only)

Regular Meeting

**DATE OF MEETING:** April 11, 2023

Special Meeting

**CONTRACT:**  N/A

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

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

Vendor/Entity: Kimley Horn

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

Public Works

**BUDGET IMPACT:** \$18,040.00

Annual

Capital

N/A

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

Stormwater

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

Professional Services

**HISTORY/FACTS/ISSUES:**

The Grant process for the Florida Department of Emergency Management (FDEM) support has been particularly difficult for the Bessie Basin Project and the requests for additional information (RAI) have been substantial.

Kimley Horn will need to respond to four additional RAI's as follows:

- Revised Depth-Damage Function (“DDF”) table for FDEM’s Benefit-Cost Analysis
- Revised drainage calculations
- Project documentation requested by FDEM Engineering Reviewer
- Project documentation requested by FDEM Environmental Reviewer
- FDEP No Permit Required Letter application package and meeting
- Comment responses

Tasks associated with the project include continued FDEM coordination, responses to the RAI's, and construction plan revisions to meet FDEM requirements.

The project deliverables are; revised damage tables, revised drainage calculations, project documentation, FDEP No permit required application package, comment responses, plan sets, opinions of probable cost, and bid package.

The total costs for this IPO are \$18,040.00. Funds will come from the stormwater professional services line item. KH will request these be added to the Phase 1 grant funds if FDEM will approve the amendment.

INDIVIDUAL PROJECT ORDER NUMBER 130  
Additional FDEM Grant Support Services for Bessie Street Drainage Improvement Project  
March 14, 2023

*Identification of Project:*

Project: Additional FDEM Grant Support Services for Bessie Street Drainage Improvement Project

Client: Town of Windermere

*Project Understanding:*

This proposal identifies the scope, schedule, and fee for engineering services to support the Florida Division of Emergency Management (“FDEM”) Hazard Mitigation Grant (“Grant”) for the Bessie Street Drainage Improvement Project (“Project”). The design and permitting of the Project have been completed and FDEM is currently reviewing the Project for construction funding eligibility, feasibility and cost-effectiveness.

*Specific Scope of Basic Services:*

Task 1 – FDEM Coordination

Kimley-Horn will provide additional project management and coordination services with the Town and FDEM to support the review of the Project. This task includes up to four (4) meetings to discuss the comments and documents requested by FDEM.

Task 2 – Responding to Requests for Additional Information

Kimley-Horn will respond to up to four (4) Requests for Additional Information (“RAIs”) from FDEM. This Task includes preparing and submittal of the following supporting documents to FDEM for review.

- Revised Depth-Damage Function (“DDF”) table for FDEM’s Benefit-Cost Analysis
- Revised drainage calculations
- Project documentation requested by FDEM Engineering Reviewer
- Project documentation requested by FDEM Environmental Reviewer
- FDEP No Permit Required Letter application package and meeting
- Comment responses

Task 3 – Construction Plans Revision

Kimley-Horn will separate the improvements from the project scope that do not provide a direct flood mitigation benefit and submit to FDEM for an updated Benefit-Cost Analysis. These separate improvements are anticipated to be completed by the Town at a later date. Kimley-Horn will perform a plans revision to split the current set of plans to two (2) plans sets. One set will contain the improvements submitted to FDEM and one set will contain the improvements to be completed by the Town at a later date. Kimley-Horn will provide an opinion of probable construction cost and bid package for each set.

*Project Deliverables:*

- Revised DDF table
- Revised drainage calculations
- Project documentation
- FDEP No Permit Required Letter application package
- Comment responses
- Two (2) construction plan sets

- Two (2) opinions of probable construction costs
- Two (2) bid packages

*Additional Services if required:*

The following services are not included in this proposal, but may be performed if authorized by the Town. Payment for these additional services will be agreed upon prior to their performance.

- Environmental Services
- Permitting Services
- Construction phase services

*Information Provided By Client:*

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

- Data regarding existing road and drainage conditions
- Data regarding existing road and drainage maintenance costs
- Available information requested by FDEM

*Schedule:*

Tasks 1-3 is anticipated to be completed within 90 calendar days.

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*Method of Compensation:*

Kimley-Horn will perform the scope of services in Tasks 1-3 for a lump sum fee of \$18,040.00 inclusive of expenses. A breakdown of fee by task is provided in the table below.

<b>Task</b>	<b>Fee</b>
Task 1: FDEM Coordination	\$3,545.00
Task 2: Responding to Requests for Additional Information	\$6,405.00
Task 3: Construction Plans Revision	\$8,090.00

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

ACCEPTED:

THE TOWN OF WINDERMERE, FLORIDA

KIMLEY-HORN AND ASSOCIATES, INC.



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

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

Hao T. Chau, PE

TITLE: \_\_\_\_\_

TITLE: Vice President

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

DATE: 3/14/2023

March 14, 2023

**KIMLEY-HORN AND ASSOCIATES, INC.**

**Project: IPO 130 - Additional FDEM Grant Support Services for  
Bessie Street Drainage Improvement Project**

**Client: Town of Windermere**

**Summary of Fees and Charges**

<b>PROJECT LABOR</b>	<b>Hours</b>	<b>Lump Sum</b>
<b>Project: IPO 130 - Additional FDEM Grant Support Services for Bessie Street Drainage Improvement Project</b>	<b>112.0</b>	<b>\$ 18,040.00</b>
1. FDEM Coordination	22.0	\$ 3,545.00
2. Responding to Requests for Additional Information	40.0	\$ 6,405.00
3. Construction Plans Revision	50.0	\$ 8,090.00
<b>SUBTOTAL KIMLEY-HORN LABOR FEES:</b>	<b>112.0</b>	<b>\$ 18,040.00</b>
<b>Total Subconsultant</b>		<b>\$ -</b>
<b>GRAND TOTAL FEES AND CHARGES:</b>		<b>\$ 18,040.00</b>

Consultant Name: <b>Kimley-Horn and Associates, Inc.</b>														
<b>Work Effort and Fee Estimate Table</b>														
<b>Project: IPO 130 - Additional FDEM Grant Support Services for Bessie Street Drainage Improvement Project</b>														
task	Principal		Proj Manager		Sr Engineer		Project Engineer		Analyst/Designer		Clerical		task totals	
	hrs.	rate	hrs.	rate	hrs.	rate	hrs.	rate	hrs.	rate	hrs.	rate	hrs.	rate
		\$ 240.00		\$ 200.00		\$ 200.00		\$ 175.00		\$ 120.00		\$ 80.00		
1. FDEM Coordination	0.5	\$ 120.00	3	\$ 600.00	3	\$ 600.00	7	\$ 1,225.00	8	\$ 960.00	0.5	\$ 40.00	22	\$ 3,545.00
2. Responding to Requests for Additional Information	1	\$ 240.00	6	\$ 1,200.00	6	\$ 1,200.00	11	\$ 1,925.00	14	\$ 1,680.00	2	\$ 160.00	40	\$ 6,405.00
3. Construction Plans Revision	1	\$ 240.00	8	\$ 1,600.00	8	\$ 1,600.00	14	\$ 2,450.00	17	\$ 2,040.00	2	\$ 160.00	50	\$ 8,090.00
													=====	
<b>Total Billable Labor</b>													<b>112</b>	<b>\$ 18,040.00</b>

Principal	Proj Manager	Sr Engineer	Project Engineer	Analyst/Designer	Clerical
2.5 \$ 840.00	17 \$ 3,600.00	17 \$ 3,600.00	32 \$ 5,775.00	39 \$ 4,800.00	4.5 \$ 440.00
2.2%	15.2%	15.2%	28.6%	34.8%	4.0%

Notes: