

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***

**June 13, 2023**

**6:00 PM**

**WINDERMERE TOWN HALL**

**520 MAIN STREET**

**WINDERMERE, FL 34786**

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

**[HTTPS://US06WEB.ZOOM.US/J/81872811796?](https://us06web.zoom.us/j/81872811796?)**

**PWD=YKFXM3JQVNO1TWPTSFJGR1HSN0JIQT09**

**MEETING ID: 818 7281 1796**

**PASSCODE: 011501**

**ONE TAP MOBILE: +1-305-224-1968 / 81872811796#**

**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**

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

**a. 2<sup>nd</sup> Reading Ordinance 2023-01 - Proposed LDC Change to 10% Limitation for Additions to Nonconforming Structures (Attachments - DRB Recommends Adoption 6-0)**

### **4. NEW BUSINESS**

#### **a. Minutes**

i. April 25, 2023 - Pavilion 45% Plans Town Council Workshop (Attachment - Staff Recommends Approval)

ii. May 9, 2023 - Town Council Meeting (Attachment - Staff Recommends Approval)

iii. May 23, 2023 - Oakdale & 9th Traffic Diversion Town Council Workshop (Attachment - Staff Recommends Approval)

**b. Consent Items**

i. Z23-02 - Maika & Courtney Maile - 803 Main Street – Variance for an addition of greater than 10% of a non-conforming home and encroachment into rear setback for a proposed home addition (DRB Recommends Approval 4-2)

i. Z23-10 – Marcelino Hoyo – 507 Main Street – Conditional Use for Sale and On-Site Consumption of Beer and Wine at Paloma Coffee (DRB Recommends Approval 6-0)

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

i. Ordinance No. 2023-03 - AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA, PERTAINING TO HEALTH, SAFETY AND WELFARE; IMPLEMENTING A TRAFFIC CALMING PROGRAM ON OAKDALE STREET BY INSTALLING A DIVERSION BARRIER AT THE INTERSECTION OF 9TH AVENUE EAST AND OAKDALE STREET FOR TRAFFIC HEADING NORTH AND SOUTH ON OAKDALE STREET; REQUIRING VEHICLES TRAVELING NORTH ON OAKDALE STREET TO TURN LEFT ONTO 9TH AVENUE AND VEHICLES TRAVELING SOUTH ON OAKDALE STREET TO TURN LEFT ONTO 9TH AVENUE; PROVIDING FOR SIGNAGE AND NOTIFICATION TO THE EMERGENCY AGENCIES AND UTILITIES; PROVIDING FINDINGS, SEVERABILITY, AND AN EFFECTIVE DATE.

ii. Resolution 2023-04 - 2024 Municipal Election Date, Canvassing Board and Qualifying Dates

**d. Financial**

i. Fausnight - Installation of Crosswalk Near Windermere Recreation on Park Avenue \$23,900 + \$750 for Thermoplastic (Attachment - Staff Recommends Approval)

ii. Waste Pro 2023-2024 Rate Increase (Attachment - Staff Recommends Approval)

**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**

**a. June Projects Meeting Notes (Attachment)**



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**ORDINANCE NO. 2023-01**

1  
2  
3     **AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF**  
4     **WINDERMERE, FLORIDA AMENDING THE EXISTING**  
5     **NONCONFORMING DEVELOPMENT EXPANSION LIMITATION;**  
6     **AMENDING ARTICLE X, DIVISION 10.01.00, OF THE TOWN OF**  
7     **WINDMERERE LAND DEVELOPMENT CODE TO ALLOW THE**  
8     **EXPANSION OF AN EXISTING NONCONFORMING STRUCTURE**  
9     **WHEN SUCH EXPANSION DOES NOT INCREASE THE**  
10    **NONCONFORMITY AND SUCH EXPANSION IS IN FULL**  
11    **COMPLIANCE WITH CURRENT LAND DEVELOPMENT CODE**  
12    **REQUIREMENTS; PROVIDING STANDARDS FOR EXISTING**  
13    **NONCONFORMING STRUCTURES RELATED TO RECONSTRUCTION**  
14    **AFTER PARTIAL OR FULL DEMOLITION, RECONSTRUCTION**  
15    **AFTER A FIRE OR OTHER CALAMITY, RECONSTRUCTION WITHIN**  
16    **THE 100-YEAR FLOOD ZONE, RECONSTRUCTION OF BOATHOUSES**  
17    **AND DOCKS, AND OTHER CLARIFICATIONS AND UPDATES AS**  
18    **PROVIDED HEREIN; PROVIDING FOR SEVERABILITY,**  
19    **CODIFICATION AND AN EFFECTIVE DATE.**

20  
21     **BE IT ENACTED BY THE PEOPLE OF THE TOWN OF WINDERMERE:**

22  
23    **Section 1. Legislative Findings.** The Town Council of the Town of Windermere hereby makes  
24    and declares the following findings and statements of legislative intent:

25  
26        1.     The Town of Windermere places a high priority on maintaining the special  
27     character of the town and encouraging responsible and quality development;

28  
29        2.     Within the town, there are several homes and other structures that are legal  
30     nonconforming structures that are limited to a ten percent expansion and are restricted in their  
31     ability to be renovated or expanded due to their nonconformity;

32  
33        3.     The Town Council receives and approves many variances requesting the  
34     expansion of an existing nonconforming structure by more than the ten percent limitation but in  
35     compliance with all other current requirements of the Town’s Land Development Code;

36  
37        4.     The consistent Town Council approval of variances to allow a greater than ten  
38     percent expansion of an existing nonconforming structure but in compliance with all other  
39     current requirements of the Town’s Land Development Code is a strong indication of a need to  
40     amend the Land Development Code to address the issue;

41  
42        5.     The Town Council considered the recommendation by the Town’s Development  
43     Review Board, and comments during the public hearing for this proposed ordinance and;

44  
45        6.     The Town Council has determined it is in the best interest of the Town to amend  
46     Article X, Division 10.01.00, of the Town’s Land Development Code to allow the expansion of

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47 an existing nonconforming structure that does not increase the nonconformity and is in full  
48 compliance with current land development code requirements; provide standards for existing  
49 nonconforming structures related to reconstruction after partial or full demolition, reconstruction  
50 after a fire or other calamity, reconstruction within the 100-year flood zone, reconstruction of  
51 boathouses and docks, and other clarifications and updates as provided herein  
52

53 **Section 2. Land Development Code Amendment.** Article X, Division 10.01.00, of the Town's  
54 Land Development Code is amended as follows:

55 **Sec. 10.01.01. Definitions.**

56 The following words, terms and phrases, when used in this division, shall have the meanings ascribed to  
57 them in this section, except where the context clearly indicates a different meaning:

58 *Nonconforming development* means development legally constructed in accordance with  
59 regulations in place at the time of such construction or land that does not conform to the land use  
60 regulations and/or the development design and improvement standards of this Land  
61 Development Code, and/or the future land use map.

62 **Sec. 10.01.02. Continuation.**

63 Nonconforming development may remain in use in its nonconforming state and may only be  
64 expanded or improved consistent with the requirements within this Division of this Land  
65 Development Code.

66 **Sec. 10.01.03. Expansion or improvement of nonconforming development or structure.**

67 (a) *Generally.* Nonconforming development or structures shall only be expanded or improved if  
68 the expansion or improvement is fully compliant with the requirements of this Land  
69 Development Code, and the nonconforming condition is not increased as a result of the new  
70 construction. Nonconforming development is also subject to the following requirements:

71 (1) If a nonconforming development or structure is voluntarily fully or partially  
72 demolished, any reconstruction must meet all requirements of this Land Development  
73 Code.

74 (2) Reconstruction of a nonconforming structure after the structure has been substantially  
75 destroyed by fire or other calamity must be consistent with all requirements of this  
76 Land Development Code. A structure is substantially destroyed if the cost of  
77 reconstruction is 50 percent or more of the fair market value of the structure before the  
78 fire or other calamity. If there are multiple structures on a site, the cost of  
79 reconstruction shall be compared to the combined fair market value of all the  
80 structures.

81 (3) Any nonconforming property that existed on June 10, 1975, but has changed its usage  
82 to a single-family residence shall not be permitted to revert back to duplex usage.

83 (b) *Special provisions for specific nonconformities.*

84 (1) *Nonconformity with the stormwater management requirements of this Land*  
85 *Development Code.* An existing development that does not comply with the  
86 stormwater management requirements of this Land Development Code must be

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87 brought into full compliance when the use of the development is intensified, resulting  
88 in an increase in stormwater runoff or added concentration of pollution in the runoff.

89 (2) *Nonconformity with floodplain requirements of the Floodplain Management*  
90 *Ordinance of Chapter 16, Code of Ordinances.* Any structure or development that does  
91 not meet the requirements of the Floodplain Management Ordinance in Chapter 16,  
92 Code of Ordinances, shall be subject to requirements of Chapter 16, Code of  
93 Ordinances, to come into compliance.

94 (3) *Nonconforming boathouses and docks.* Boathouses and docks that do not meet the  
95 requirements of Section 7.02.05 of this Land Development Code are subject to the  
96 requirements for repairs and reconstruction under Orange County's ordinances  
97 regulating, restricting, and otherwise addressing boat dock construction, as such  
98 ordinances may be amended from time-to-time. (4) *Nonconforming with the*  
99 *parking and loading requirements of this Land Development Code.*, Full compliance  
100 with the requirements of this Land Development Code shall be required where the  
101 seating capacity or other factor controlling the number of parking or loading spaces  
102 required by this Land Development Code is increased by ten percent or more.

103 (5) *Nonconforming signs.*

104 a. *Defined.* Any sign within the town on the effective date of this Land Development  
105 Code or a sign existing within any area annexed to the town after the effective  
106 date of this Land Development Code, and except for subdivision signs erected  
107 prior to 1990, which is prohibited by, or does not conform to the requirements of,  
108 this Land Development Code; except that signs that are within ten percent of the  
109 height and size limitations of this Land Development Code, and that in all other  
110 respects conform to the requirements of this Land Development Code, shall be  
111 deemed to be in conformity with this Land Development Code.

112 b. *Amortization.*

113 1. *Alternative A.*

114 (i) All nonconforming signs with a replacement cost of less than \$100.00, and all  
115 signs prohibited by division 8.02.00, prohibited signs, of this Land  
116 Development Code, shall be removed or made to conform within 60 days of  
117 the enactment of this Land Development Code.

118 (ii) All other nonconforming signs shall be removed or altered to be conforming  
119 within seven years of the effective date of this Land Development Code,  
120 unless an earlier removal is required by subsection (a) or (b)(3)b.2(ii)C of this  
121 section.

122 2. *Alternative B.*

123 (i) All nonconforming signs with a replacement cost of less than \$100.00, and all  
124 signs prohibited by division 8.02.00, prohibited signs, of this Land  
125 Development Code, shall be removed or made to conform within 60 days of  
126 the enactment of this Land Development Code.

127 (ii) Unless an earlier removal is required by subsection (a) or (b)(3)b.2(ii)C of this  
128 section, all other nonconforming signs may be maintained for the longer of the  
129 following periods:

- 130 A. Two years from the date upon which the sign became illegal  
 131 under this Land Development Code;
- 132 B. A period of three to seven years from the installation date or  
 133 most recent renovation date that preceded the enactment of  
 134 this Land Development Code according to the amortization  
 135 table in this subsection. If the date of the more recent  
 136 renovation is chosen as the starting date of the amortization  
 137 period, the period of amortization shall be calculated  
 138 according to the cost of the renovation and not according to  
 139 the original cost of the sign;

Sign Cost or Permitting Years Renovation from Installation Cost or Renovation Date	
\$101.00 to \$1,000.00	3 years
\$1,001.00 to \$3,000.00	4 years
\$3,001.00 to \$10,000.00	5 years
More than \$10,000.00	7 years

- 140
- 141 C. Any owner of a sign who requests an amortization period  
 142 longer than two years shall, within one year from the date of  
 143 enactment of these regulations, file with the town manager a  
 144 statement setting forth the cost of the sign, the date of  
 145 erection, or the cost and date of most recent renovation and a  
 146 written agreement to remove the sign at or before the  
 147 expiration of the amortization period applicable to the sign; or
- 148 D. The development review board may grant a variance from the  
 149 terms of the foregoing amortization schedule for up to one  
 150 additional year where it finds such additional period of time is  
 151 necessary in order to avoid unnecessary hardship not caused  
 152 by the petitioner, and such variance is not contrary to the  
 153 public interest. Multiple one-year extensions may be granted  
 154 where warranted, but may only be granted one year at a time.
- 155 (c) *Continuation of nonconforming signs.* Subject to the limitation imposed by the amortization  
 156 schedule above, and subject to the restrictions in subsection (a) or (b)(3)b.2(ii)A and B of  
 157 this section, a nonconforming sign may be continued and shall be maintained in good  
 158 condition as required by this Land Development Code, but it shall not be:
- 159 (1) Structurally changed to another nonconforming sign, but its pictorial content may be  
 160 changed.
- 161 (2) Structurally altered to prolong the life of the sign, except to meet safety requirements.
- 162 (3) Altered in any manner that increases the degree of nonconformity.
- 163 (4) Expanded.
- 164 (5) Reestablished after damage or destruction if the estimated cost of reconstruction  
 165 exceeds 50 percent of the appraised replacement cost as determined by the town  
 166 manager.

167 (6) Continued in use when a conforming sign or sign structure shall be erected on the same  
168 parcel or unit.

169 (7) Continued in use when the structure housing the occupancy is demolished or requires  
170 renovations the cost of which exceeds 50 percent of the assessed value of the structure.

171 (8) Continued in use after the structure housing the occupancy has been vacant for six  
172 months or longer.

173 Should any of the conditions in this subsection (c) be violated, the sign shall be removed within  
174 60 days.

175 (d) *Nonconforming signs along federal highways.* If it is determined that nonconforming signs  
176 along a federal interstate or primary aid highway may not be removed pursuant to the above  
177 provisions, the town council shall develop a plan for their expeditious removal in  
178 accordance with state and federal law.

179 **Section 3. Codification.** Section 2 of this Ordinance shall be codified and made part of the  
180 Town of Windermere Land Development Code.

181 **Section 4. Conflicts.** In the event of a conflict or conflicts between this ordinance and other  
182 ordinances, this ordinance controls to the extent of the conflict.

183 **Section 5. Severability.** The provisions of this Ordinance are declared to be separable and if  
184 any section, paragraph, sentence or word of this Ordinance or the application thereto any person  
185 or circumstance is held invalid, that invalidity shall not affect other sections or words or  
186 applications of this Ordinance. If any part of this Ordinance is found to be preempted or  
187 otherwise superseded, the remainder shall nevertheless be given full force and effect to the extent  
188 permitted by the severance of such preempted or superseded part.

189 **Section 6. Effective Date.** This Ordinance shall become effective upon adoption at its second  
190 reading.

191 **ENACTED** this \_\_\_\_ day of \_\_\_\_\_, 2023, at a regular meeting of the Town  
192 Council of the Town of Windermere, Florida.

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Town of Windermere, Florida

by: Town Council

197

198

199

by: \_\_\_\_\_

200

Jim O'Brien, Mayor

201

202

203 Attest:

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207 Dorothy Burkhalter, MMC, FCRM  
208 Town Clerk  
209  
210 First reading:  
211 Second reading:  
212 Advertised:



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43       Review Board, and comments during the public hearing for this proposed ordinance and;
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62 Development Code, and/or the future land use map.

63 **Sec. 10.01.02. Continuation.**

64 Nonconforming development may remain in use in its nonconforming state and may only be  
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68 (a) *Generally.* Nonconforming development or structures shall only be expanded or improved if  
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74 Code.

75 (2) Reconstruction of a nonconforming structure after the structure has been substantially  
76 destroyed by fire or other calamity must be consistent with all requirements of this  
77 Land Development Code. A structure is substantially destroyed if the cost of  
78 reconstruction is 50 percent or more of the fair market value of the structure before the  
79 fire or other calamity. If there are multiple structures on a site, the cost of  
80 reconstruction shall be compared to the combined fair market value of all the  
81 structures.

82 (3) Any nonconforming property that existed on June 10, 1975, but has changed its usage  
83 to a single-family residence shall not be permitted to revert back to duplex usage.

84 (b) *Special provisions for specific nonconformities.*

85 (1) *Nonconformity with the stormwater management requirements of this Land*  
86 *Development Code.* An existing development that does not comply with the

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87 stormwater management requirements of this Land Development Code must be  
88 brought into full compliance when the use of the development is intensified, resulting  
89 in an increase in stormwater runoff or added concentration of pollution in the runoff.

90 (2) *Nonconformity with floodplain requirements of the Floodplain Management*  
91 *Ordinance of Chapter 16, Code of Ordinances.* Any structure or development that does  
92 not meet the requirements of the Floodplain Management Ordinance in Chapter 16,  
93 Code of Ordinances, shall be subject to requirements of Chapter 16, Code of  
94 Ordinances, to come into compliance.

95 (3) *Nonconforming boathouses and docks.* Boathouses and docks that do not meet the  
96 requirements of Section 7.02.05 of this Land Development Code are subject to the  
97 requirements for repairs and reconstruction under Orange County's ordinances  
98 regulating, restricting, and otherwise addressing boat dock construction, as such  
99 ordinances may be amended from time-to-time.

100 (4) *Nonconforming with the parking and loading requirements of this Land Development*  
101 *Code.* Full compliance with the requirements of this Land Development Code shall be  
102 required where the seating capacity or other factor controlling the number of parking or  
103 loading spaces required by this Land Development Code is increased by ten percent or  
104 more.

105 (5) *Nonconforming signs.*

106 a. *Defined.* Any sign within the town on the effective date of this Land Development  
107 Code or a sign existing within any area annexed to the town after the effective  
108 date of this Land Development Code, and except for subdivision signs erected  
109 prior to 1990, which is prohibited by, or does not conform to the requirements of,  
110 this Land Development Code; except that signs that are within ten percent of the  
111 height and size limitations of this Land Development Code, and that in all other  
112 respects conform to the requirements of this Land Development Code, shall be  
113 deemed to be in conformity with this Land Development Code.

114 b. *Amortization.*

115 1. *Alternative A.*

116 (i) All nonconforming signs with a replacement cost of less than \$100.00, and all  
117 signs prohibited by division 8.02.00, prohibited signs, of this Land  
118 Development Code, shall be removed or made to conform within 60 days of  
119 the enactment of this Land Development Code.

120 (ii) All other nonconforming signs shall be removed or altered to be conforming  
121 within seven years of the effective date of this Land Development Code,  
122 unless an earlier removal is required by subsection (a) or (b)(3)b.2(ii)C of this  
123 section.

124 2. *Alternative B.*

125 (i) All nonconforming signs with a replacement cost of less than \$100.00, and all  
126 signs prohibited by division 8.02.00, prohibited signs, of this Land  
127 Development Code, shall be removed or made to conform within 60 days of  
128 the enactment of this Land Development Code.

129 (ii) Unless an earlier removal is required by subsection (a) or (b)(3)b.2(ii)C of this  
130 section, all other nonconforming signs may be maintained for the longer of the  
131 following periods:

- 132 A. Two years from the date upon which the sign became illegal  
133 under this Land Development Code;
- 134 B. A period of three to seven years from the installation date or  
135 most recent renovation date that preceded the enactment of  
136 this Land Development Code according to the amortization  
137 table in this subsection. If the date of the more recent  
138 renovation is chosen as the starting date of the amortization  
139 period, the period of amortization shall be calculated  
140 according to the cost of the renovation and not according to  
141 the original cost of the sign;

Sign Cost or Permitting Years Renovation from Installation Cost or Renovation Date	
\$101.00 to \$1,000.00	3 years
\$1,001.00 to \$3,000.00	4 years
\$3,001.00 to \$10,000.00	5 years
More than \$10,000.00	7 years

- 142
- 143 C. Any owner of a sign who requests an amortization period  
144 longer than two years shall, within one year from the date of  
145 enactment of these regulations, file with the town manager a  
146 statement setting forth the cost of the sign, the date of  
147 erection, or the cost and date of most recent renovation and a  
148 written agreement to remove the sign at or before the  
149 expiration of the amortization period applicable to the sign; or
- 150 D. The development review board may grant a variance from the  
151 terms of the foregoing amortization schedule for up to one  
152 additional year where it finds such additional period of time is  
153 necessary in order to avoid unnecessary hardship not caused  
154 by the petitioner, and such variance is not contrary to the  
155 public interest. Multiple one-year extensions may be granted  
156 where warranted, but may only be granted one year at a time.

157 (c) *Continuation of nonconforming signs.* Subject to the limitation imposed by the amortization  
158 schedule above, and subject to the restrictions in subsection (a) or (b)(3)b.2(ii)A and B of  
159 this section, a nonconforming sign may be continued and shall be maintained in good  
160 condition as required by this Land Development Code, but it shall not be:

- 161 (1) Structurally changed to another nonconforming sign, but its pictorial content may be  
162 changed.
- 163 (2) Structurally altered to prolong the life of the sign, except to meet safety requirements.
- 164 (3) Altered in any manner that increases the degree of nonconformity.
- 165 (4) Expanded.

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- 166 (5) Reestablished after damage or destruction if the estimated cost of reconstruction  
167 exceeds 50 percent of the appraised replacement cost as determined by the town  
168 manager.
- 169 (6) Continued in use when a conforming sign or sign structure shall be erected on the same  
170 parcel or unit.
- 171 (7) Continued in use when the structure housing the occupancy is demolished or requires  
172 renovations the cost of which exceeds 50 percent of the assessed value of the structure.
- 173 (8) Continued in use after the structure housing the occupancy has been vacant for six  
174 months or longer.
- 175 Should any of the conditions in this subsection (c) be violated, the sign shall be removed within  
176 60 days.
- 177 (d) *Nonconforming signs along federal highways.* If it is determined that nonconforming signs  
178 along a federal interstate or primary aid highway may not be removed pursuant to the above  
179 provisions, the town council shall develop a plan for their expeditious removal in  
180 accordance with state and federal law.

181 **Section 3. Codification.** Section 2 of this Ordinance shall be codified and made part of the Town  
182 of Windermere Land Development Code.

183 **Section 4. Conflicts.** In the event of a conflict or conflicts between this ordinance and other  
184 ordinances, this ordinance controls to the extent of the conflict.

185 **Section 5. Severability.** The provisions of this Ordinance are declared to be separable and if any  
186 section, paragraph, sentence or word of this Ordinance or the application thereto any person or  
187 circumstance is held invalid, that invalidity shall not affect other sections or words or  
188 applications of this Ordinance. If any part of this Ordinance is found to be preempted or  
189 otherwise superseded, the remainder shall nevertheless be given full force and effect to the extent  
190 permitted by the severance of such preempted or superseded part.

191 **Section 6. Effective Date.** This Ordinance shall become effective upon adoption at its second  
192 reading.

193 **ENACTED** this \_\_\_\_ day of \_\_\_\_\_, 2023, at a regular meeting of the Town  
194 Council of the Town of Windermere, Florida.

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Town of Windermere, Florida  
by: Town Council

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

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205 Attest:

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207

208

209 Dorothy Burkhalter, MMC, FCRM

210 Town Clerk

211

212 First reading:

213 Second reading:

214 Advertised:



## TOWN OF WINDERMERE

### Town Council Pavilion 45% Plans Virtual Workshop Minutes

April 25, 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 were Town Manager Robert Smith, Attorney Heather Ramos, Town Clerk Dorothy Burkhalter, Public Works Director Tonya Elliott-Moore, and Mr. John Fitzgibbon

#### 1. WORKSHOP CALLED TO ORDER

Mayor O'Brien called the workshop to order at 6:01pm. He then led everyone with the Pledge of Allegiance.

#### 2. NEW BUSINESS

##### a. Other items for consideration

##### i. Rotary/Healthy West Orange Pavilion 45% Plans

Mayor O'Brien reviewed the decorum for this workshop. He then turned the floor over to Clerk Burkhalter regarding public input. Clerk Burkhalter stated that all public email comments for any upcoming meetings/workshop need to be submitted by 4:00pm the day prior to said meeting/workshop. Mayor O'Brien opened the floor for public comments. First to speak was Mrs. Theresa Schretzman-Myers of 2713 Tryon Place, who introduced herself. She stated she opposes the pavilion, that protection of green space is needed, that bathrooms are needed, and regarding replanting of trees and protecting the tree canopy. Mrs. Schretzman-Myers commented on the Town Hall and the need for repairs. Manager Smith explained that the Town Hall renovation is a scheduled project. Attorney Ramos clarified that the pavilion grant is between Healthy West Orange and Rotary for this specific project. Mrs. Angela Withers of 712 Main Street introduced herself. She then commented that Healthy West Orange needed to be involved for a complete restart regarding a full site analysis to include appropriate size, location, and restrooms. Manager Smith stated that there is not an agreement between the Town of Windermere and Healthy West Orange. Ms. Brandi Haines of 835 Oakdale Street introduced herself. She then stated that she is against the design, as it is too modern and too big. Mrs. Haines further commented on the need for bathrooms, and the need for a start-over. Manager Smith clarified that a full cost accounting has been requested for the project by the Town to Rotary Inc. He then stated that approximately \$157,000.00 is claimed to have been spent. Mr. Stephen Withers of 712 Main Street introduced himself. He then stated that after reviewing the drawings, they seem to be farther along than what has been approved. Mr. Fitzgibbon stated that if the Town Council desires, a full cost accounting will be done. Ms. Renee Cingolani stated that she, Ms. Sue Ellen Doty, and Ms. Sandi Gee were present as immediate neighbors on Forest Street. She stated that after going door-to-door to her neighbors, she did not find one resident who was in support of the Pavilion as it currently is proposed, however they were in support of bathrooms. Ms. Cingolani commented on the need for Town Hall repairs, proposed lawsuits, the need for line-item expenses, the need for green space, and many other current projects in town. Manager Smith stated that the Town is currently in litigation on one case. Some discussion followed. Manager Smith presented four options that the Town Council will need to decide on. The options are: 1 – Consent and move forward with proposed design, 2- Town Council be amenable to comprise the design, layout, size, and scope, 3 – Pay back the \$157,000.00 to Rotary Inc. and leave the space open, and 4 – Pay back funds and build bathrooms only. Mr. Fitzgibbon stated that decisions need to be based on facts. Mayor O'Brien stated that workshops between the Town Council are beneficial as they can't discuss items outside of this type of forum. Discussion followed. Member Stroup commented on the need for the line item numbers, questioned a possible size reduction, the intent, safety, importance compared to impact, and stated that residents are not in favor. Attorney Ramos reviewed the requirements in the agreement between Rotary Inc. and Healthy West Orange for the pavilion project. Member Stroup commented on his concerns with the requirements. Member David questioned if the proposed pavilion would sit in the exact outline of the previous community room. Mr. Fitzgibbon the design is to fit within the context of the community room. He then commented on past discussions since 2017 that have led to where the plans are today. Member David questioned the estimated cost for the bathrooms. Mr. Fitzgibbon stated that the estimated cost would be \$3.00-\$4.00 per square foot depending on variables. Mayor O'Brien stated that the funds that would need to be paid to Rotary Inc. are not in the budget. Member Rose stated she has heard comments with the majority not wanting the pavilion. She also stated that Town committees/boards stated they would not

## TOWN OF WINDERMERE

### Town Council Pavilion 45% Plans Virtual Workshop Minutes

April 25, 2023

use the facility for their events. She stated that the plans needed to be modified and reduced in size. Member Rose commented on possible increase in events and bringing more outsiders in. She then stated she is not sure restrooms are needed as other parks do not have them. Member Rose stated she would like to see the Architects agreement that is in place for this project. Member Davit questioned where in the agreement that a single event will be added. Mayor O'Brien stated he remembers reading it in the agreement. Member Davit stated his concerns with the limitation use restrictions (one single event) in the agreement between the Town of Windermere and Rotary Club. Attorney Ramos stated that there is a requirement for one event in the agreement between Rotary Inc. and Healthy West Orange. Member Davit commented on concerns with the possibility of multiple "events" and the need for clarification for those types of events. He then stated that he did not read in the agreement where the Town would need to pay back the funds, but that Rotary would. Attorney Ramos explained contractual scenarios that could happen. Mayor O'Brien commented that it's uncertain but likely it would be paid back. Member Davit stated that there seems to be a difference between what the Town Council previously approved to what is being proposed now. He then stated that the Town needs to work with Rotary, and that Rotary needs to meet with Healthy West Orange and do a realignment. Member Davit stated that he does not like the current proposed architecture and design, as the it is too large. He then stated he would like to have the estimated costs to date for the proposed project. Discussion followed regarding size, design, current costs, events, issues with the size of events, and dislikes with size of events. Manager Smith stated that "no parking signs have been ordered for special events. Mayor O'Brien stated that direction for staff is needed. He stated that the following are options for the Town Council to consider: One – stop the project 100%; two – suggest that staff supply smaller concepts, different designs, and work with challengers with the funder and Rotary Inc.; three – proceed with existing proposed project; four – stop and plan for future restrooms. Member Davit stated he would like to add engaging Healthy West Orange regarding what they would like to see, and if there are any trades-offs allowed with an amended agreement. Mr. Fitzgibbon commented on the restrooms, size, and code. Discussion followed. Member David stated she would agree with option number two and would like the itemized list of spending. Mayor O'Brien stated, for the record, "that this is going to require full and active participation from the Rotary 501(c)3 to make this happen." Member Rose stated that most responses she received were in opposition to the pavilion. She then stated that restrooms are not required by Code unless there is a facility. Member Rose stated that Healthy West Orange could assist with restrooms, and then commented on the possibility of an exercise path, and possibly repairing the Town Hall porch and creating a stage. Member Stroup stated he has concerns with the impact on immediate neighbors who oppose the project the most. Mayor O'Brien stated that the size of the events seem to be more of a concern than the facility. Discussion followed. Mayor O'Brien stated that four options for staff have been previously discussed. Member Stroup commented that if residents' concerns can't be met, he would not be in favor of moving forward with the pavilion. Member Rose stated that if this moves forward, there should not be any further costs to the Town. Manager Smith commented that if other renderings are needed, then there will be additional costs. Member Rose suggested having a conversation with Healthy West Orange prior to moving forward. Manager Smith had contractual concerns. Mr. Fitzgibbon stated that clear direction of what the Town wants is what will be needed for the Rotary and Healthy West Orange. Mayor O'Brien recapped the discussion as to proceed with all players at the table for a possible significant modification. Manager Smith stated that there will be additional costs, approximately \$15,000.00 - \$20,000.00. He then stated that consensus is needed if moving forward with the project so that more costs are not incurred if not wanted. Discussion ensued. Attorney Ramos stated that this is a workshop in which no actions can be taken. Member David stated she would like to know if discussion can be had first with all parties prior to spending any further money. Member Davit agreed that the conversation needed to take place first so that the agreement boundaries are known. He then stated that at the next Town Council meeting a vote could be taken as to which way to move. Member Stroup agreed with Member David and Member Davit. Member Williams also agreed. Member Rose stated the project needed to be defined specifically. Attorney Ramos explained that the West Orange Health Care District is being dissolved.

### 3. MAYOR AND COUNCIL LIAISON REPORTS

None

### 4. STAFF REPORTS

Manager Smith reminded all of the upcoming Spring Fling. Mr. Fitzgibbon thanked all on behalf of his family for their support regarding their son Evan. He then commented on an upcoming memorial that will honor their son in renaming the lower mountain course after him. Mr. Fitzgibbon thanked all for



**TOWN OF WINDERMERE**

**Town Council Pavilion 45% Plans  
Virtual Workshop Minutes**

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their support and prayers.

**5. ADJOURN**

Mayor O'Brien adjourned the workshop ay 8:20pm

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

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

00:48:32 Jim & Peg Currie: Jim Currie, can't stay, vehemently oppose pavilion!

00:49:07 Robert Smith: Public Comment limited to 3 Minutes

01:04:45 Theresa Schretzmann-Myers: Theresa Schretzmann-Myers, 2713 Tryon Place, Windermere, FL 34786. I oppose the Pavilion. The most valuable and last remaining open green-space, historic Long Leaf Pine and Oak Tree Canopy in the NW green quadrant of Town Square Park must be kept and preserved for the use of Town Residents, Parks and Recreation Committee, Tree Board, Windermere Wine & Dine. All we need are public restrooms. We can start from the beginning, repay Healthy West Orange and try to go for another grant. There are more pressing needs such as restoration of Town Hall and its roof, Town Hall back porch which is rotting and restrooms in another location. The Town Square Green Space is use by most all the committees in the Town. Taking the green space and the remaining Tree Canopy would be a great loss to the residents and the committees. A stage can always be erected for concert activities. If bathrooms are erected, they should not be located in the location of the trees or at the expense of the tree canopy. We should take some

01:06:58 joanfoggia: I concur with Theresa Myers. If a pavilion is absolutely necessary, it must be modified and placed in a different location.

01:10:20 Jonathan Lewis: Each boathouse is a separate lawsuit!

01:10:51 Jonathan Lewis: Sad that she got cut off because she wanted to speak her mind. -again just proving her point. - Jessica Lee

01:16:18 joseph: Joseph Ata - 5 Pine St.  
Just want to say thank you Mayor, council, Robert Smith and staff for all the wonderful work you do for our town! It is a thankless job and we are appreciative!

**TOWN OF WINDERMERE**

**Town Council Meeting Minutes**

**May 9, 2023**

**CALL TO ORDER:**

Present were Mayor Jim O'Brien, Council Members Tom Stroup, Andy Williams, Mandy David, Tony Davit, and Molly Rose. Town Manager Robert Smith, Public Works Director Tonya Elliott-Moore, Attorney Heather Ramos, Deputy Chief Jayson Bonk, 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)**

Mayor O'Brien opened the floor to the public. The first to speak was Ms. Dena O'Malley. Ms. O'Malley spoke on behalf of the Parks and Recreation Committee regarding the proposed height increase of 18" for the 4<sup>th</sup> Avenue dock, of which the current height is 12". She stated that the Committee does not want the dock increased to 30", and that they have ADA concerns. Mr. Bob McKinley of 536 Magnolia Street introduced himself. He also commented on the history of the dock and stated that the dock needs to remain at its current height. Mr. McKinley then commented on ADA compliance and functionality of the dock. He further stated that if there are future proposed changes, that they need to be brought before the Parks and Recreation Committee before the item gets to the Town Council. Mr. Frank Waters of 536 Ridgewood Drive introduced himself. He stated that he currently has a contract for a house on 4<sup>th</sup> Avenue near the park. Mr. Waters commented on concerns with activities at the Lake Down parks and the future safety and peace. He then stated that he and other neighbors are willing to help however possible. Mayor O'Brien thanked Mr. Waters. Mrs. Brandi Haines of 835 Oakdale Street introduced herself. She then commented on her support for the variance request at 804 Oakdale Street. Mrs. Haines then questioned the schedule for the permanent diverters on Oakdale Street. Manager Smith explained that there have been scheduling issues, and that another Town Council workshop would be scheduled.

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

NONE

**3. TIMED ITEMS AND PUBLIC HEARING**

NONE

**4. NEW BUSINESS:**

**a. MINUTES**

- i. Oakdale Street and 9<sup>th</sup> Avenue Permanent Traffic Diverters Public Workshop: April 6, 2023**
- ii. Town Council Meeting: April 11, 2023**
- iii. Rotary/Healthy West Orange Pavilion Public Workshop: April 17, 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, Williams – aye, David – aye, Davit – aye, and Rose – aye. Motion carried 5-0.

**b. CONSENT AGENDA ITEMS**

## TOWN OF WINDERMERE

### Town Council Meeting Minutes

May 9, 2023

- i. **Z23-06: 4414 Down Point Lane – Kevin and Megan Butler/Shelia Cichra – Variance to allow the reconstruction of a previous unpermitted boat dock at 10 feet from the side property line extended.**

Mayor O'Brien introduced this item. He then turned the floor over to Mr. Brad Cornelius. Mr. Cornelius explained that this dock was built before 1984, and that in 2005 an alteration was made without a permit. He stated that this request is to reconstruct the dock in its existing location at 10' side setback. Mr. Cornelius further stated that the reconstruction is due to storm damage. He commented that notices were mailed out, with all responses in support. Ms. Shelia Cichra, representative with Streamline Permitting, introduced herself. She stated that all the pilings will remain, and that only boards will be replaced. Member Williams made a motion to approve the variance request. Member Rose seconded the motion. Roll call vote was as follows: Rose – aye, Davit -aye, David – aye, Williams – aye, and Stroup – aye. Motion carried 5-0.

- ii. **Z23-07: 804 Oakdale Street – Lacy Adams – Variance to allow 39.6% gross floor area, new front porch with front setback of 23.6 feet, and 100% increase of gross floor area of existing nonconforming detached accessory garage with a height greater than 18 feet.**

Mayor O'Brien introduced this item. He then turned the floor over to Mr. Cornelius. Mr. Cornelius explained the request. He then stated that a lot of public comments were received regarding the proposed request. Mr. Cornelius commented that the DRB did make a recommendation to only allow a front porch that will match the existing house, and the entire property will need to be brought up to current stormwater compliance. He then stated that the applicant had revised the plans for only the front porch. He further stated that the stormwater will be addressed when permitting for the porch is done. Ms. Lacy Adams, owner of 804 Oakdale Street, introduced herself. She then stated that she removed the garage request and agrees with the recommendation from the DRB. Member Williams made a motion to approve. Member Davit seconded the motion. Roll call vote was as follows: Stroup – aye, Williams – aye, David – aye, Davit – aye, and Rose – aye. Motion carried 5-0.

- iii. **Z23-08: 65 Pine Street – Nick and Susan Capone/Kevin Ball – Variance to allow a sport court in front of the principal structure.**

Mayor O'Brien introduced this item. He then turned the floor over to Mr. Cornelius. Mr. Cornelius commented on the unusual lot that had been previously split. He stated that there is access from Pine Street to the house. Mr. Cornelius explained that the proposed sport court would be in front of the house. He stated that the lot is not wide enough for placement in the side yard. Mr. Cornelius further stated that if the court were placed in the back, then the house would be moved closer to the access road, ultimately putting the house closer to neighbors. Mr. Cornelius commented that lights are not being proposed. He stated that notices were mailed out with six returned in favor and five returned in opposition. Mr. Cornelius reported that the DRB had much discussion on this item as there is not a hardship. Mayor O'Brien questioned the fencing height. Mr. Cornelius stated that, per code, due to being a sports court, the fence can be higher. Member Williams stated that the applicants/owners are present, which they were not for the DRB meeting, and that the DRB had many questions. Member Rose questioned the determination of the front yard. Mr. Cornelius explained that due to this particular property not actually on a street/road, but an access is where the concerns is. Member Davit questioned clarification of the location. Mr. Cornelius explained that, per code, a court is allowed in the front yard, but not in front of the house/structure. Discussion followed. Mr. Kevin Ball, builder for the owner, introduced himself. He then commented that placing the court in the rear would be louder than placement in the front. Mr. Ball explained that if the house were pushed to the front, it would then impede on the neighbors as the proposed house would look down on the neighbors. He then explained that the court in the front would have walls/fence and be set down in the earth. Mrs. Susan Capone, owner, commented on shifting the house

## TOWN OF WINDERMERE

### Town Council Meeting Minutes

May 9, 2023

forward if the court is not allowed in front. Member Stroup commented on lighting. He stated in talking with the neighbors, the neighbors' concerns are more with the noise than lighting. Discussion followed regarding lighting, court location, and the recommendation from the DRB. Member Rose made a motion to approve as-is. Member Williams seconded the motion. Member David commented on the hardship concern. Mr. Cornelius explained the unusual lot. Roll call vote was as follows: Stroup – aye, Williams – aye, David – aye, Davit – aye, and Rose – aye. Motion carried 5-0.

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

##### i. First Reading Ordinance 2023-01 – Proposed LDC Change to 10% Limitation for Additions to Nonconforming Structures

Mayor O'Brien introduced this item. He stated that this is a first reading only. The second reading/public hearing will take place at the June Town Council meeting. Mayor O'Brien read the title of proposed Ordinance 2023-01 for the record. He then turned the floor over to Mr. Cornelius. Mr. Cornelius commented on the number of variances regarding nonconforming structures. He then explained that when several variances are being approved, the code needs to be reviewed. Mr. Cornelius reviewed the proposed Ordinance changes/amendments. He further commented that should a significant event occur, the proposed change/amendment would allow the structure to be replaced how it existed prior to that event. Mr. Cornelius stated that the event could be a fire or a declared emergency. He then stated that any other change or renovation would need to conform to the existing code. Mr. Cornelius commented on the compliance for a 100-year flood and docks. He then stated that the DRB had reviewed the proposed changes/amendments and they recommend approval, including the stipulation that the Town Manager will be allowed to designate a weather event. Mayor O'Brien questioned if a home had damage from trees falling on it, how would that be handled. Mr. Cornelius explained that if it were caused by a weather event, then that would be declared by the Town Manager, and that the home could be rebuilt to the existing footprint before the event. He further explained that if it was not a declared event, the rebuild would need to meet current codes. Member Rose stated her concerns that if a house were burned down, it should be rebuilt to the current code. Mayor O'Brien agreed. Much discussion followed. Mayor O'Brien questioned if the changes from the discussion that had been made would be substantial enough to have another first reading. Attorney Ramos stated that nothing in the title had changed, therefore, a second first-reading would not be needed. Member Davit had concerns with not knowing a future Town Manager having the authority. Manager Smith stated it could remain as currently stated. Some discussion followed. This item will be heard at the next Town Council meeting in June.

#### d. FINANCIAL

Mayor O'Brien questioned if all would be amenable to hearing item ii. prior to item i. All agreed.

##### ii. Lake Street and Lake Down Parks Dock Repairs – Hurricane Ian (Q Ice Builders)

Mayor O'Brien introduced this item. He then turned the floor over to Director Elliott-Moore. Director Elliott-Moore explained that due to Hurricane Ian damage to Lake Street and Lake Down parks, as well as FEMA requirements, repair proposals were needed. She explained that due to current and past damage to the docks during storms, she has asked that the best-case repair scenario be submitted. Director Elliott-Moore stated that the contractor suggested raising the dock at 4<sup>th</sup> Avenue by 18" for more sustainability. She then explained that she was unaware that the Parks and Recreation Committee lowered the dock in 2019. Director Elliott-Moore explained that the contractor stated he could keep the current height while keeping the dock sustainable. She then stated that she will need approval to move forward. Member Rose gave a personal comment regarding her 30" dock and how it has sustained the past storms. Mayor O'Brien stated that the Council needed to give direction. Member Davit made a motion to approve

## TOWN OF WINDERMERE

### Town Council Meeting Minutes

May 9, 2023

the dock repair at its current height. Member Rose seconded the motion. Member Stroup stated that he trusts Mr. Peter Fleck and his work. Roll call vote was as follows: Rose – aye, Davit – aye, David – aye, Williams – aye, and Stroup – aye. Motion carried 5-0.

#### **i. Rostan Solutions, LLC FEMA Reimbursement – Hurricane Ian**

Mayor O'Brien introduced this item. He then turned the floor over to Director Elliott-Moore. Director Elliott-Moore explained that she had been working with Rostan regarding FEMA reimbursements. She then commented on Category A Debris Removal and \$25,000.00. Director Elliott-Moore stated that the permanent phase is beginning. She explained what the phase will entail: mitigation of 6<sup>th</sup> Avenue, Lake Street/Lake Down boat ramp, and the 406 Funds from the State. Director Elliott-Moore explained that due to this phase, Rostan is seeking another \$25,000.00. Member Davit questioned if \$50,000.00 is being requested or \$25,000.00. Director Elliott-Moore explained that Rostan has been paid \$25,000.00 and this would be a second payment of \$25,000.00 for a total of \$50,000.00 so far. Ms. Dina Groves and Mr. Carlos Arredondo, representatives from Rostan, introduced themselves. Mayor O'Brien stated that the funds for the consultants would come from Cat Z funds. Mr. Arredondo explained that FEMA allows up to 5% reimbursement of the total claim. Mayor O'Brien questioned the cost share. Mr. Arredondo stated 75. Mayor O'Brien questioned if mitigation funds are going to be used for the 6<sup>th</sup> Avenue Park and Lake Street Park project. Mr. Arredondo stated that FEMA allows for Federal funds to be used for projects in kind. He then commented on two separate programs that will come through the State funding. Mr. Arredondo further commented on the cost analysis. Member Rose requested clarification of where the Town is with this. Director Elliott-Moore explained that she had Galura Engineering review the sites because she and Mr. Fitzgibbon felt that if like in kind were replaced, it wouldn't be the best solution. She then reported on the steps that are needed and need to be taken. Discussion followed regarding funding, projects, completed projects, waiting for obligated funds, future FEMA submittals, and mitigation fees/funds. Member Rose made a motion to approve the not-to-exceed \$25,000.00. Member Williams seconded the motion. Roll call vote was as follows: Stroup – aye, Williams – aye, David – aye, Davit – aye, and Rose – aye. Motion carried 5-0.

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

Mayor O'Brien opened the floor for any reports. Member Rose questioned the direction for the Butler Chain of Lakes Advisory Committee. Mayor O'Brien stated that Member Rose can attend when she is available as there haven't been any others interested. Member Davit reported that the Historic Preservation Board had met (not meeting until September), and Town Hall Renovation updates. Member David reported on the Run Among the Lakes scheduled for October 14, 2023, issues at the tennis courts, swings and teeter totters installed at Palmer Park, and possible soccer goals. Member Williams reported on the Hoopla Committee meeting. The Holiday Hoopla is scheduled for December 1, 2023, with a traditional Christmas theme. Member Stroup commented on concerns with the times at Fernwood Park.

#### **7. STAFF REPORTS:**

**a. TOWN MANAGER ROBERT SMITH** – Manager Smith reported on the Appropriation requests, Water Phases, Project Meetings, upcoming workshops, Hurricane Prep meeting, and Chaine du Lac annexation.

**b. TOWN ATTORNEY HEATHER RAMOS** – Attorney Ramos reported that the Legislative Session had ended. She then reported on some changes that have passed and are awaiting the Governor's signature.

**c. DEPUTY CHIEF JAYSON BONK** – Deputy Chief Bonk reported that the Chief was out, upcoming memorials, and the hiring of a new Cross Walking Guard.

**d. PUBLIC WORKS DIRECTOR TONYA ELLIOTT-MOORE** – Director Elliott-

**TOWN OF WINDERMERE**

**Town Council Meeting Minutes**

**May 9, 2023**

Moore reported on vegetation removal, road complaints, rip-rap quotes, street sweeping, and drain clean-outs.

e. **TOWN CLERK DOROTHY BURKHALTER** – Clerk Burkhalter reported on the 2024 Presidential Preference Primary and acceptance of Board member for the local ARMA Chapter.

**8. ADJOURN:**

Mayor O'Brien adjourned the meeting at 7:52pm.

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

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

## Dorothy Burkhalter

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**From:** Nora Brophy  
**Sent:** Monday, May 8, 2023 4:01 PM  
**To:** Dorothy Burkhalter  
**Subject:** Lake Down Dock

Dorothy -

I am unable to be at the meeting tomorrow; can you please read this to the council?

Thanks,

Nora

On Friday, I saw the proposal to raise the Lake Down (3rd Street) dock by 18 inches. (Initially it said 18 feet, but I believe this has since been corrected.)

Parks & Rec has not seen this proposal, so I cannot speak on behalf of the current committee, but I can tell you what was done historically.

In 2019, the committee spent \$29,650 to have this dock rebuilt and lowered by 2 1/2 feet. The dock had been so high above the water it was unusable. No one could swim, fish, boat or kayak from the dock. Kids jumped and dove from the pier, making it a hazard. It was also not ADA compliant. Parks & Rec also spent another \$7-\$10k clearing out the lakefront, removing invasive trees, planting a grove of cypress, creating the current small parking area and adding fencing. The dock has been a well-used feature for our residents since then.

The dock is currently 12" above the high water line, which I understand is the standard. I fear making it 30" above the high water line will again render it unusable for recreational activities, and be a real waste of money. I don't see any recommendation to raise the height of the Lake Street dock at 5th Avenue, which was also damaged by the hurricane - as were many of the private docks on Lake Down. While raising the dock 18" may help in the next hurricane, it will not be good for the residents who use this dock regularly. I also fear it will no longer be ADA compliant, as raising it by 18" will require the ramp to be significantly longer and again go over the park.

I would ask the Town Council to please reconsider this dock elevation with the best wishes of the residents in mind.

Thank you,

Nora Brophy  
426 Magnolia St



## TOWN OF WINDERMERE

### Town Council Virtual Workshop Minutes

May 23, 2023

#### CALL TO ORDER:

Present were Mayor Jim O'Brien, Council Members Tom Stroup, Andy Williams, Mandy David, and Tony Davit. Also present were Town Manager Robert Smith, Town Clerk Dorothy Burkhalter, Finance Director Tara Vogel, Public Works Director Tonya Elliott-Moore, and Mr. John Fitzgibbon. Member Molly Rose was absent.

#### 1. WORKSHOP CALLED TO ORDER

Mayor O'Brien called the workshop to order at 6:00pm. He then led everyone with the Pledge of Allegiance.

#### 2. NEW BUSINESS

##### a. Other items for consideration

##### i. Oakdale Street & E 9<sup>th</sup> Avenue Permanent Traffic Diversion Options

Manager Smith turned the floor over to Director Elliott-Moore. Director Elliott-Moore thanked Ms. Vicki Hearst and the Windermere Garden Club for their input regarding the landscaping of the diverter. She then commented on the median ownership (Town), landscaping, and flexible/permanent diverters. Director Elliott-Moore turned the floor over to Mr. Mike Woodward. Mr. Woodward gave an overview of the temporary diverter. He then reviewed residents' opinions/comments that were received at the April 6<sup>th</sup> workshop (temporary barriers, landscaping, golf cart pass through, path width, turnarounds, signage, trellis, and trees). Director Elliott-Moore stated that Mr. Woodward is working with the Town as he is a Traffic Engineer. Mayor O'Brien opened the floor to the Town Council members. Member Davit questioned if options other than the trellis were explored. Mr. Woodward stated he would recommend a type D curb. He then stated that the trellis would be offset to one side. Mr. Woodward then commented on the clear zone and distance needed from the curb. Discussion was made regarding space and visibility. Member Williams suggested a hedge along the southeast side of the golf cart path. Member Stroup stated that he agreed with Member Williams. He then suggested a 1-2-foot brick flower bed structure. Mr. Fitzgibbon stated that he believed the curb would work along with a hedge. Mayor O'Brien questioned if the cart pathway could be moved to the east. Mr. Woodward commented that tree root zones would then become a concern. Director Elliott-Moore commented on concerns with running into swales and the upcoming Bessie Basin project. Member David commented on concerns with adding concrete and impacting swales and drainage in the area. Mayor O'Brien opened the floor to the public. The first to speak was Mr. David Sharpe of 1027 Oakdale Street. Mr. Sharpe stated he appreciated all the work that has gone on with this project. He then commented on the 5' cart path. Ms. Brandi Haines of 835 Oakdale Street introduced herself. She then commented on the southeast corner and her neighbors' concern of a Simpson stopper and the need for shade and trees. Some discussion followed. Ms. Nancy Bardoe thanked Ms. Haines and Ms. Hearst for coordinating the diverter. She then questioned if the planting and curbing will occur before the Bessie Street project. Mayor O'Brien stated that the projects are working in conjunction with one another. Ms. Bardoe stated that the neighbors have agreed that with the landscaping of the diverter, less is more. Mr. Steve Lewis of 936 Oakdale Street introduced himself. He then stated concerns regarding the cart path being reduced to 5'. He stated that he has a six-passenger golf cart and 5' would be too tight. Mayor O'Brien stated that it would be reviewed. Mr. Woodward commented that staff has directed him to look this over. Ms. Betsy Whittington of 935 Main Street introduced herself. She then stated that less is more, and she opposes the diverter. Ms. Haines commented on the cart width of 56". After some discussion, Mayor O'Brien summarized the discussion as to move forward with the design with modifications of the following: potential trees, narrower golf cart passageway with designed curbing and hedge, the least footprint that can be maintained to look nice and take abuse. All agreed.

**TOWN OF WINDERMERE**

**Town Council  
Virtual Workshop Minutes**

**May 23, 2023**

**ii. FY 2022-2023 Budget Analysis Report**

Mayor O'Brien turned the floor over to Manager Smith. He then gave a quick presentation of the past six months of revenues and expenses for the Town.

Mr. Fitzgibbon thanked Manager Smith and Director Elliott-Moore, as well as Kimley-Horn for their hard work for the Town.

Ms. Haines questioned if the diverter could be spray painted for a visual. She then questioned the budget comments Manager Smith had made regarding Parks and Recreation and the Historic Preservation Board. Manager Smith explained that leftover funds rollover into the next fiscal year's budget. Ms. Haines then commented on the painted diverter visual. Director Elliott-Moore stated that Mr. Fitzgibbon will do it, as she has concerns about the rain washing it away. Ms. Haines stated she advise all the neighbors when it is done.

**3. MAYOR AND COUNIL LIAISON REPORTS**

None

**4. STAFF REPORTS**

None

**5. ADJOURN**

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

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

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

00:38:09 Robert Smith: Chat is open  
00:54:36 Stephen Lewis: 6 passenger golf cart measurement - 4'x12.5'.  
00:58:17 Roberta: What's the timing?  
00:58:47 Robert Smith: after TC meeting in June  
00:58:59 Roberta: Reacted to "after TC meeting in ..." with 🍷

# Town of Windermere

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

Mayor  
JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

## Development Review Board May 16, 2023

## Town Council June 13, 2023

**Case No.:** Z23-02

**Applicant/Representative:** Maika & Courtney Maile

**Property Owner:** Maika & Courtney Maile

**Requested Action:** Variance to allow expansion of a nonconforming home by 30.5% with a 24-foot by 23-foot (552 square foot) addition attached to the rear of the existing home, and to allow the proposed addition to have a setback of less than 35 feet (25.4 feet) to the rear property line.

**Property Address:** 803 Main Street, Windermere, FL 34786

**Legal Description:** PLAT OF WINDERMERE G/36 LOT 112

**Future Land Use/Zoning:** Residential/Residential

**Existing Use:** Residential (Single Family)

### Surrounding Future Land Use/Zoning

**North:** Residential/Residential  
**East:** Residential/Residential  
**South:** Residential/Residential  
**West:** Residential/Residential

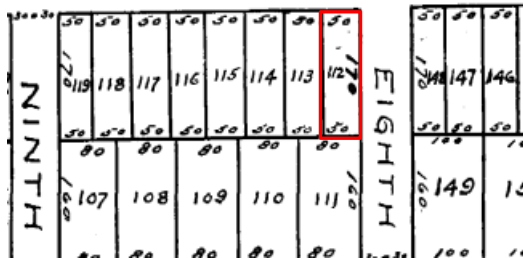
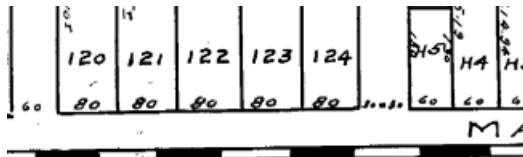
## CASE SUMMARY:

The applicant's home at 803 Main Street is nonconforming with its existing setbacks from E 8<sup>th</sup> Street, (14.8 feet – 15 feet required) and the south side property line (8.6 feet – 10 feet required). According to the Orange County Property Appraiser, the existing nonconforming home has a gross floor area of 1,812 square feet. The 10% limitation on the expansion of a nonconforming home limits the expansion to 181 square feet. The applicant is proposing to construct a 552 square foot addition, which is a 30.5% increase, attached to the rear of the existing home. In addition, due to the subject property being a contiguous corner lot, the required setback to the rear (east) property line is 35 feet. The existing home is 45 feet from the rear property line. The addition proposed to be attached to the rear will reduce the existing rear setback to 25.4 feet, which is non-compliant with the required 35-foot setback.

The proposed addition attached to the rear of the house is compliant with the setbacks from E 8<sup>th</sup> Ave. (15 feet) and from the south property line (10 feet). In addition, the total gross floor area with the proposed addition is compliant with the 38% maximum allowed gross floor area (33.7%). The subject property total impervious surface is also under the 45% maximum allowance with the proposed addition (37.3%). The applicant will have to provide a full property stormwater on-site retention plan with the proposed addition since it is adding more than 125 feet of additional impervious area to the subject property.

The subject property is part of the original plat of Windermere from 1921. The subject property is Lot 112 on the original plat. The platted dimension of the subject property is 170 feet deep and 50 feet wide. At the time of the original plat, the right-of-way width was 105 feet on Main Street, which includes the railroad. Since the original plat in 1921, the right-of-way width on Main Street, including the old railroad in the 40 foot strip between Main Street and Dirt Main Street is 115 feet, which is 10 feet greater than it was platted in 1921. That 10-foot increase in right-of-way width for Main Street results in the actual surveyed depth of the subject property at slightly under 160 feet (159.8 feet), which is 10 feet less than the original plat for the subject property. Below is a picture of the 1921 plat showing the subject property (Lot 112 – red outline) with 170 feet of depth. The aerial provided below is the 2013 image of the subject property (blue outline) showing the current 160 foot dimension.





1921 Windermere Plat

2013 OCPA Aerial

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

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

**CASE ANALYSIS:**

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

1. The need for the variance arises out of the physical surroundings, shape, topographical condition or other physical or environmental conditions that are unique to the subject property. Variances should be granted for conditions peculiar to the property and not the result of actions of the property owner;
2. There are practical or economic difficulties in carrying out the strict letter of the regulation;
3. The variance request is not based exclusively upon a desire to reduce the cost of developing the site;
4. The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire or other hazard to the public;
5. The proposed variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site;

6. The effect of the proposed variance is in harmony with the general intent of this Land Development Code and the specific intent of the relevant subject areas of this Land Development Code; and
7. The variance will not encourage further requests for changes where such a land use would not be deemed appropriate.

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

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

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

**PUBLIC NOTICE:**

Public notices were mailed to property owners within 500 feet of the subject property. As of June 6, 2023, 14 responses were received in support and 0 in opposition.

**DEVELOPMENT REVIEW BOARD RECOMMENDATION:**

On May 16, 2023, the Development Review Board (DRB) reviewed the proposed variance and based on information provided with the agenda item and testimony provided at the DRB meeting, the DRB found that the variance meets the requirements of Section 10.02..02, LDC, for the approval of a variance. The DRB recommends the Town Council approve the variance as presented (Vote 4-2).

April 16, 2023

DOROTHY BURKHALTER, TOWN CLERK  
TOWN OF WINDERMERE  
WINDERMERE, FL 34786  
(407) 876-2563

Re: Variance Request for 803 Main St.

We are writing to request a variance for the construction of an additional structure on our property at 803 Main Street. The potential of an addition was in mind when we bought, but as we have learned of the limitations of our current setbacks, we are only allowed 10% of total current square footage 1812 sq. ft. or a 181 sq. ft. addition. A structure of this size would be smaller than what we would need and would carry a less pleasing appearance than a structure that would appear functional and purposeful.

We are requesting a variance to allow for a 24 x 23 one-story attached structure on the backside of our lot, which would be tucked behind the existing structure and barely visible from Main St. The lot when originally plotted was 170 ft X 50 ft. Some time after 1927 the lot was reduced by the town to 159.82 X 49.02 creating a hardship. Set back code indicates that the rear set back must be 35 ft. which would reduce the room addition size by 10 ft on the length which is about the same amount the lot was reduced by. Therefore, we are asking the backyard setback be allowed a variance to 25 feet.

We purchased our home in 2021 as a newly married couple, fully invested in the beautiful soil, community and surroundings of the town of Windermere with dreams of building our family. Now we are expecting our first child, a baby boy, to be born in August of this year. As we plan to continually grow our family with more children in the future, our existing square footage becomes more and more of an issue for housing us for more than a few years.

Considering the limited inventory available in Downtown Windermere, let alone the inventory market conditions and unfavorable direction interest rates have gone, it would be a hardship to try and seek to buy something suitable. Having now lived here for 2 years, we have fallen in love with the Town of Windermere's unique feel, community and family environment.

With my wife's twin sister living on Main Street as well and both of our families living within ten minutes of us, we long to grow the value and potential of our Windermere property in this post pandemic age. Courtney and I both work primarily from home post-covid which has changed our view of how functional the existing square footage is and has caused us to look at options to expand.

With this additional structure, we would carefully construct this reasonably small addition with a professionally uniform appearance and matching aesthetic to the house.



We would still be far off of our property lines as we look to build the attachment to fit perfectly with the quaintness that Downtown Windermere is known for.

The goal of the project, which will be professionally handled by a trusted contractor, is to make the space aesthetically pleasing and consistent with the charm and style of the existing home and the Town of Windermere, improving the overall visual for ourselves and our neighbors.

There are several houses on Oakdale Street and surrounding Downtown Windermere roads that have beautiful additional structures in the back side of their lot of a similar size. This non-obtrusive build would reside right on our entirely unused and empty back yard area, which would still leave 25 ft. of beautiful yard on the back.

We hope this finds you well and thank you for your consideration as we ask that this request be granted.

Sincerely,

Maika and Courtney Maile

# PERRY SURVEYING

370 Waymont Court • Lake Mary, FL 32746 • VOICE: 407.688.9727 • FAX: 407.688.7691 • frontdesk@perrysurveying.com

## Legal Description

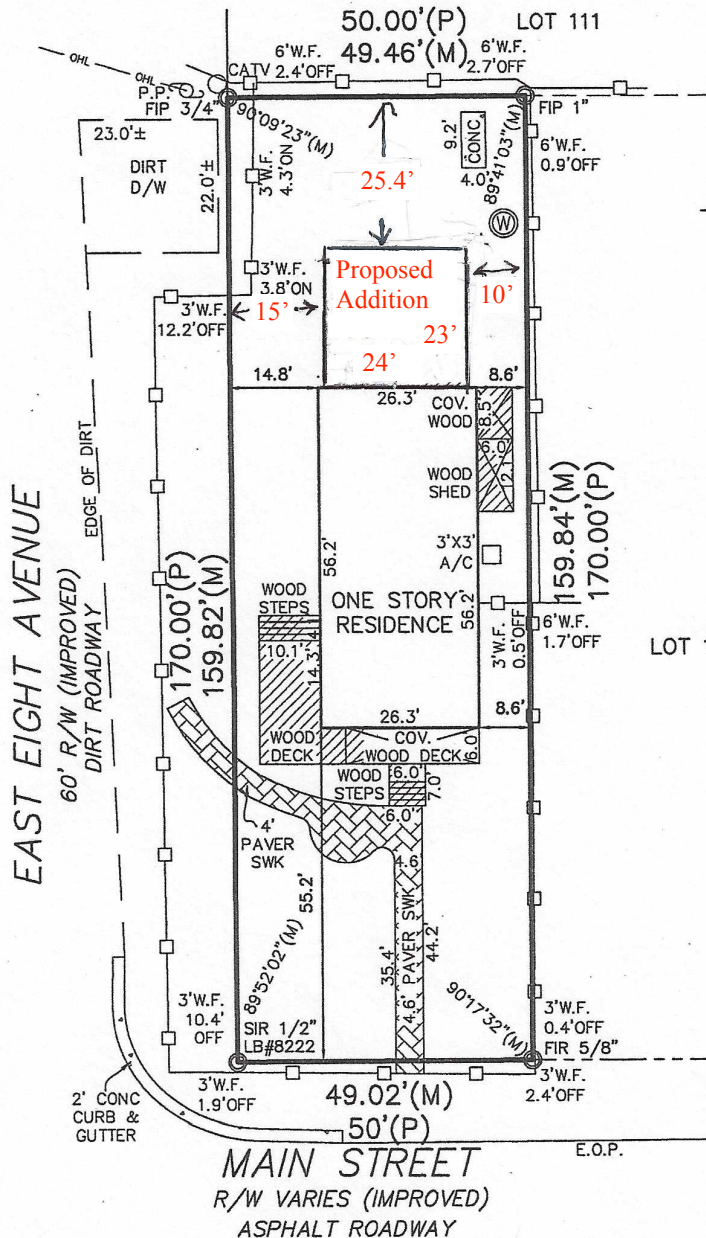
Lot 112, PLAT OF WINDERMERE, according to the plat thereof, as recorded in Plat Book G, Page(s) 36 through 39, inclusive, of the Public Records of Orange County, FL.

Community number: 120381 Panel: 0385  
 Suffix: F.F.I.R.M. Date: 9/25/2009 Flood Zone: X  
 Date of field work: 3/4/2021 Completion Date: 3/4/2021

Certified to:  
 Maika Haini Maile; Courtney Mae Caggiano; Premier Title Insurance Company; First American Title Insurance Company; FBC Mortgage, LLC, its' successors and/or assigns.



LOCATION SKETCH  
 NOT TO SCALE



PER PLAT  
 SCALE: 1"=30'

WELL  
 27.9'± TO HOUSE  
 3.8'± TO BOUNDARY

Property Address:  
 803 Main Street  
 Windermere, FL 34786

Survey number: PS 28215









# 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

April 27, 2023

ALENGHAT JOSEPH P  
812 OAKDALE ST  
WINDERMERE FL 34786

**RE: Public Notice of Variance Public Hearing for 803 Main Street - Z23-02**

Maika and Courtney Maile, owners of 803 Main Street, submitted a request for approval of a variance, pursuant to Division 10.02.00 of the Town of Windermere Land Development Code. The purpose of the variance request is to allow for an expansion of more than 10% of an existing non-conforming home and allow an addition of 552 square feet to the rear of the existing home at a setback of less than 35 feet from the east property line.

Enclosed is additional information regarding this request.

Pursuant to the Town of Windermere Code of Ordinances, you as a surrounding property owner are entitled to comment on this matter. If you wish to comment, this form must be received by the Town of Windermere use of the enclosed stamped envelope to Wade Trim, Inc. or by email to tow@wadetrim.com by **May 11, 2023**.

This matter will be presented to the Development Review Board on **Tuesday, May 16, 2023, at 6:30 p.m.** Their recommendation will be heard by the Town Council on **Tuesday, June 13, 2023, at 6:00 p.m.** You may attend the meetings at Town Hall, located at 520 Main Street. All meetings are open to the public and you are welcome to participate. Feel free to contact me if you have any questions.

Sincerely,  
Brad Cornelius, AICP, Town Planner  
Wade Trim, Inc.  
813.882.4373  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

**RECOMMEND – Z23-02 (803 Main Street)**

APPROVAL:  DISAPPROVAL

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

SIGNATURE: Joseph P. Alenghat - DATE: 5-1-23

ALENGHAT JOSEPH P

# 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

April 27, 2023

HENNEN BARBARA M LIFE ESTATE  
721 MAIN ST  
WINDERMERE FL 34786

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

**RECOMMEND – Z23-02 (803 Main Street)**

APPROVAL: yes DISAPPROVAL \_\_\_\_\_

COMMENTS: If this addition does not interfere with the front of the house I think it is a nice addition & improvement the couple would like to make

SIGNATURE: Barbara M. Hennen DATE: May 2, 2023

HENNEN BARBARA M LIFE ESTATE

# 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

April 27, 2023

KRENS FRANK JOSEPH LIFE ESTATE  
727 FOREST ST  
WINDERMERE FL 34786

**RE: Public Notice of Variance Public Hearing for 803 Main Street - Z23-02**

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Encl.

---

**RECOMMEND – Z23-02 (803 Main Street)**

APPROVAL:  DISAPPROVAL

COMMENTS: \_\_\_\_\_

SIGNATURE:  DATE: 5/3/2023

KRENS FRANK JOSEPH LIFE ESTATE



# 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

April 27, 2023

SIMAAN SIMON T  
812 EAST BLVD  
WINDERMERE FL 34786

## RE: Public Notice of Variance Public Hearing for 803 Main Street - Z23-02

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[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

RECOMMEND - Z23-02 (803 Main Street)

APPROVAL:  DISAPPROVAL:

COMMENTS: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: 5/3/23

SIMAAN SIMON T

# 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

April 27, 2023

RYNN BRENT  
725 OAKDALE ST  
WINDERMERE FL 34786

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813.882.4373  
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Encl.

---

RECOMMEND – Z23-02 (803 Main Street)

APPROVAL:   X   DISAPPROVAL \_\_\_\_\_

COMMENTS:   Make Sense and helps property Value  

---

SIGNATURE:   Rynn Brent   DATE:   5-2-23  

RYNN BRENT

# 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

April 27, 2023

FIOLA ARMAND J  
720 MAIN ST  
WINDERMERE FL 34786

## RE: Public Notice of Variance Public Hearing for 803 Main Street - Z23-02

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Wade Trim, Inc.  
813.882.4373  
tow@wadetrim.com  
Encl.

---

RECOMMEND – Z23-02 (803 Main Street)

APPROVAL: YES DISAPPROVAL \_\_\_\_\_

COMMENTS: \_\_\_\_\_

SIGNATURE:  DATE: 5/2/2023

FIOLA ARMAND J



RECOMMEND - Z23-02 (803 Main Street)

APPROVAL:  DISAPPROVAL

COMMENTS: I hope these neighbors who are requesting this variance will work with their neighbors who are also requesting a variance and become good neighbors

SIGNATURE: Nancy P Bardoe DATE: May 3, 2023

BARDOE WILLIAM G

# 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

April 27, 2023

NURAL LLLP  
8967 SAVANNAH PARK  
ORLANDO FL 32819

## RE: Public Notice of Variance Public Hearing for 803 Main Street - Z23-02

Maika and Courtney Maile, owners of 803 Main Street, submitted a request for approval of a variance, pursuant to Division 10.02.00 of the Town of Windermere Land Development Code. The purpose of the variance request is to allow for an expansion of more than 10% of an existing non-conforming home and allow an addition of 552 square feet to the rear of the existing home at a setback of less than 35 feet from the east property line.

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Pursuant to the Town of Windermere Code of Ordinances, you as a surrounding property owner are entitled to comment on this matter. If you wish to comment, this form must be received by the Town of Windermere use of the enclosed stamped envelope to Wade Trim, Inc. or by email to [tow@wadetrim.com](mailto:tow@wadetrim.com) by **May 11, 2023**.

This matter will be presented to the Development Review Board on **Tuesday, May 16, 2023, at 6:30 p.m.** Their recommendation will be heard by the Town Council on **Tuesday, June 13, 2023, at 6:00 p.m.** You may attend the meetings at Town Hall, located at 520 Main Street. All meetings are open to the public and you are welcome to participate. Feel free to contact me if you have any questions.

Sincerely,  
Brad Cornelius, AICP, Town Planner  
Wade Trim, Inc.  
813.882.4373  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

RECOMMEND - Z23-02 (803 Main Street)

APPROVAL:  DISAPPROVAL

COMMENTS: \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE: Nasirah Madhany DATE: 5/3/23  
NURAL LLLP

# 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

April 27, 2023

SCHMIDT NICHOLAS JAMES III  
815 OAKDALE ST  
WINDERMERE FL 34786

**RE: Public Notice of Variance Public Hearing for 803 Main Street - Z23-02**

Maika and Courtney Maile, owners of 803 Main Street, submitted a request for approval of a variance, pursuant to Division 10.02.00 of the Town of Windermere Land Development Code. The purpose of the variance request is to allow for an expansion of more than 10% of an existing non-conforming home and allow an addition of 552 square feet to the rear of the existing home at a setback of less than 35 feet from the east property line.

Enclosed is additional information regarding this request.

Pursuant to the Town of Windermere Code of Ordinances, you as a surrounding property owner are entitled to comment on this matter. If you wish to comment, this form must be received by the Town of Windermere use of the enclosed stamped envelope to Wade Trim, Inc. or by email to tow@wadetrim.com by **May 11, 2023**.

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Sincerely,  
Brad Cornelius, AICP, Town Planner  
Wade Trim, Inc.  
813.882.4373  
[tow@wadetrim.com](mailto:tow@wadetrim.com)  
Encl.

---

RECOMMEND - Z23-02 (803 Main Street)

APPROVAL: ✓ [Signature] DISAPPROVAL \_\_\_\_\_

COMMENTS: \_\_\_\_\_

SIGNATURE: [Signature] DATE: 5-4-1947

SCHMIDT NICHOLAS JAMES III



RECOMMEND - Z23-02 (803 Main Street)

APPROVAL:

DISAPPROVAL

COMMENTS:

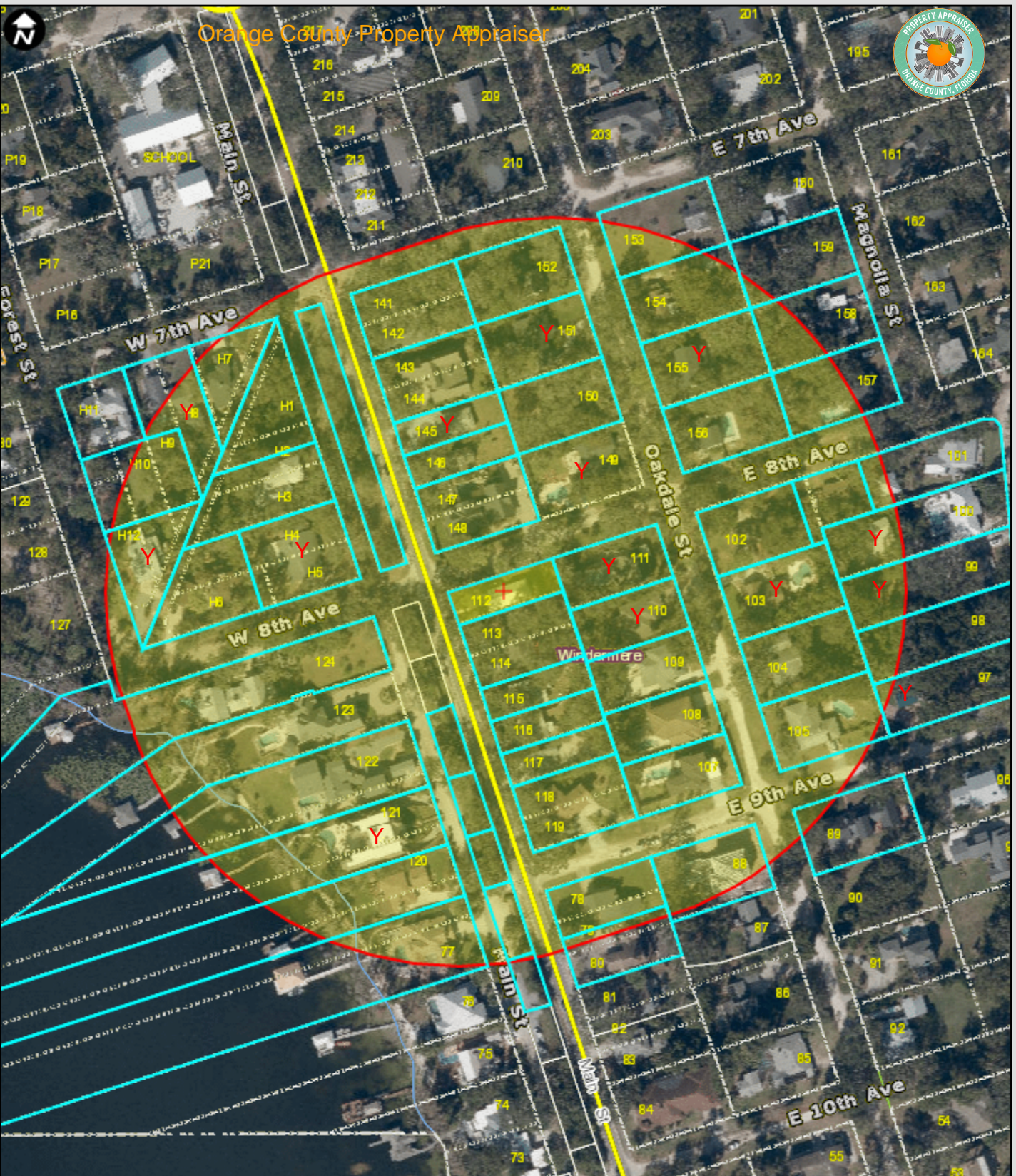
SIGNATURE:

HOBBS CHARLES R JR

DATE: 02 May 2023



**OCA Web Map**

Created: 5/11/2023 1:24

This map is for reference only and is not a survey



# Town of Windermere

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

Mayor

JIM O'BRIEN



Town Manager  
ROBERT SMITH

Clerk  
DOROTHY BURKHALTER

## Development Review Board May 16, 2023

## Town Council June 13, 2023

**Case No.:** Z23-10

**Applicant/Representative:** Marcelino Hoyo

**Property Owner:** William N Simons Sr. Revocable Trust

**Requested Action:** Conditional Use to allow on-site consumption of beer and wine

**Property Address:** 507 Main Street, Windermere, FL 34786

**Legal Description:** PLAT OF WINDERMERE G/36 THE S 24.76 FT OF W 83 FT OF LOT 242

**Future Land Use/Zoning:** Commercial/Commercial/Town Center Design District

**Existing Use:** Paloma Coffee Shop

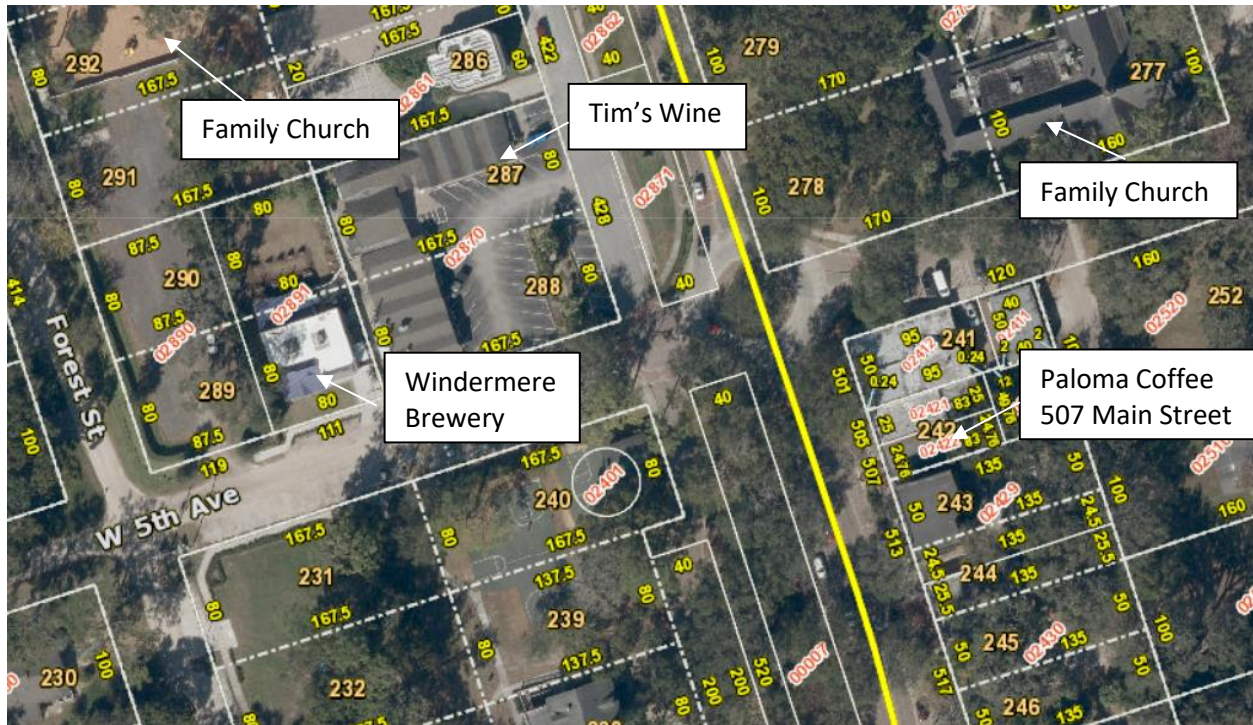
### Surrounding Future Land Use/Zoning

**North:** Commercial/Commercial  
**East:** Commercial/Commercial  
**South:** Commercial/Commercial  
**West:** Public/Public (Town Hall)

**Need for Conditional Use Approval:** The addition of on-site sale and consumption of beer and wine to the existing Paloma Coffee shop requires a Conditional Use approval because it is located less than 1,000 feet from the Family Church and the two other locations with approval for on-site sale and consumption of beer and wine (Tim's Wine and Windermere Brewery)

(Section 8-82, Code of Ordinances). However, Section 8-82, Code of Ordinances, also provides that the Town Council may waive the 1,000 foot separation requirement through the approval of a Conditional Use.

Below is a 2023 aerial from the Orange County Property Appraiser that identifies the subject property and the other uses within 1,000 feet that require the approval of the Conditional Use for the on-site sale and consumption of beer and wine at Paloma Coffee.



2023 Aerial OCPA

Section 8-82, Code of Ordinances, includes the following standards that would result in the revocation of the Conditional Use. These standards for revocation are:

1. Violates conditions of approval;
2. Receives more than two code enforcement violations; or
3. Receives more than two registered police incident reports in a calendar year.

In addition to the standard conditions, the Development Review Board may recommend, and the Town Council may approve, additional conditions or restrictions on the operation to assure compatibility with the surrounding area.

Section 15.00.04 of the Land Development Code provides the standards of review for the DRB and Town Council. The standards of review are:

- Whether the conditional use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area.
- Whether the conditional use will preserve any town, state or federally designated historic, scenic, archaeological, or cultural resources.
- Whether the conditional use will be compatible with adjacent residential development, if any, based on characteristics such as size, building style and scale; or whether such incompatibilities are mitigated through such means as screening, landscaping, setbacks, and other design features.
- Whether the conditional use will have significant adverse impacts on the livability and usability of nearby land due to noise, dust, fumes, smoke, glare from lights, late-night operations, odors, truck and other delivery trips, the amount, location, and nature of any outside displays, storage, or activities, potential for increased litter, and privacy and safety issues.
- Whether the transportation system is capable of safely supporting the conditional use in addition to the existing uses in the area.
- Whether the minimum off-street parking area required, and the amount of space needed for the loading and unloading of trucks, if applicable, has been provided and will function properly and safely.
- Whether generally, the public health, safety and welfare will be preserved, and any reasonable conditions necessary for such preservation have been made.

The applicant provided a plan of operation. The following provides a summary of the plan of operation and review comments where additional information is needed or recommended conditions of operation.

**Proposed Hours of Operation:** Section 8-83, Code of Ordinances, prohibits the sale of alcoholic beverages between the hours of 12:00 am and 7:00 am. The applicant's proposed hours of operation are:

- Monday through Saturday – 7:30 a.m. to 9:00 p.m.
- Sunday – 8:00 a.m. to 8:00 p.m.

Under the Conditional Use, the Town has the ability to regulate the hours of operation and impose other operating hours.

**On-site consumption:** The beer and wine will only be consumed within the existing building or on the existing back patio. The applicant will install a 4-foot aluminum rail type fence at the rear of the patio to prevent access and only allow for access through the entrance on Main Street. No other changes are proposed to the existing building or property.

Paloma Coffee, as with all businesses in the town, is subject to the Town's noise ordinance and other ordinances related to potential nuisance impacts.

There are no other changes or proposed impacts with this conditional use request.

**DEVELOPMENT REVIEW BOARD RECOMMENDATION:**

On May 16, 2023, the Development Review Board (DRB) reviewed the proposed conditional use and based on information provided with the agenda item and testimony provided at the DRB meeting, the DRB found that the conditional use meets the requirements of Section 5.00.04 LDC, for the approval of a conditional use. The DRB recommends the Town Council approve the conditional use (Vote 6-0).

Paloma Coffee Co. located at 507 Main St. would like to apply for a Conditional Use Permit.

Ordinance No. 2014-08 recently approved by the Town Council on September 19, 2014 now allows a 2COP licensee to apply for Conditional use approval that waives the distance separation requirements in Section 8-82 of the Town of Windermere's Code of Ordinances. We would like to apply for a COP license with the State of Florida that would allow us to sell wine and beer "by the glass". This is often referred to as "consumption on premise (COP)".

Paloma Coffee Co is requesting a Conditional Use Permit. Coffee shops similar to ours are trending towards beer and wine to increase their revenues. Obtaining a 2COP license will benefit our family business tremendously. Needless to say these are challenging times for small businesses, but we are very fortunate to have a loyal customer base within the town that supports our coffee shop.

Acquiring a 2COP license will allow us to enrich our town's evening experience; it will allow us to offer our town a place to enjoy evening desserts and wine. A conditional Use permit would allow Paloma Coffee to proceed with the acquisition of a 2COP license - which upon final state approval would allow us to sell beer and wine by the glass or drink. This added flexibility would allow us to offer our customers "by the glass" wine and will also be an opportunity to improve our business.

Paloma Coffee has been serving our town since July 17, 2017, and we have maintained our store and the surroundings areas to the highest levels. Our intention is not to open a wine bar, but to offer a quaint safe place for our community to enjoy. We intend to offer evening deserts, homemade cakes by the slice, chocolates, and maybe cheese platters. Upon approval we do not anticipate that there will be any adverse impacts on our neighbors or usability of nearby business due to any evening operations or activities. Also, we do not anticipate any additional impact to our town's parking; usually there are many spaces available in the evening.

No changes to the appearance of Paloma Coffee.

We are considering the shop's business hours to be Monday through Saturday 7:30 am to 9 pm, Sundays 8:am to 8:am, and of course serve wine in the allotted times governed by the Town's ordinances (Section 1, Section 8-83) and to police customers to stay within private property boundaries (Inside building and backyard patio).

We at Paloma Coffee are always looking for a way to improve our community and our quality of life, by offering a place where neighbors can come together, chat and enjoy each other. This we do already. With the COP2 we will be able to extend the same philosophy for a few more hours into the evening.

Thank you for all your considerations,

Marcelino and Celia Hoyo, 611 Butler St. Windermere.



5/5/23  
507 main

# AGENT AUTHORIZATION FORM

I/WE, (PRINT PROPERTY OWNER NAME) William N. Simons revocable Trust, AS THE OWNER(S) OF THE REAL PROPERTY DESCRIBED AS FOLLOWS, 507 Main Street Windermere, Fl, DO HEREBY AUTHORIZE TO ACT AS MY/OUR AGENT (PRINT AGENT'S NAME), Marcelino Hoyo, TO EXECUTE ANY PETITIONS OR OTHER DOCUMENTS NECESSARY TO AFFECT THE APPLICATION APPROVAL REQUESTED AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS, \_\_\_\_\_, AND TO APPEAR ON MY/OUR BEHALF BEFORE ANY ADMINISTRATIVE OR LEGISLATIVE BODY IN THE COUNTY CONSIDERING THIS APPLICATION AND TO ACT IN ALL RESPECTS AS OUR AGENT IN MATTERS PERTAINING TO THE APPLICATION.

Date: May 12, 2023

Signature of Property Owner

William N. Simons  
Print Name Property Owner

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

Signature of Property Owner

Print Name Property Owner

STATE OF FLORIDA :  
COUNTY OF Orange :

I certify that the foregoing instrument was acknowledged before me this 12 day of May, 2023 by William N Simons. He/she is personally known to me or has produced MA DL as identification and did/did not take an oath.

Witness my hand and official seal in the county and state stated above on the 12 day of May, in the year 2023.



**SERGIO BERBERENA**  
Notary Public  
(Notary Seal)  
Commonwealth of Massachusetts  
My Commission Expires Dec. 12, 2025

[Signature]  
Signature of Notary Public  
Notary Public for the State of Florida

My Commission Expires: 12/12/2025

<b>Legal Description(s) or Parcel Identification Number(s) are required:</b>
PARCEL ID #: <u>17 23 28 9336 02 422 2# 75 WND</u>
<b>LEGAL DESCRIPTION:</b>
<u>Plat of Windermere 9/36 The S 24.76 FT of W 83 FT of Lot 242</u>





**ORDINANCE NO. 2023-03**

**AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA, PERTAINING TO HEALTH, SAFETY AND WELFARE; IMPLEMENTING A TRAFFIC CALMING PROGRAM ON OAKDALE STREET BY INSTALLING A DIVERSION BARRIER AT THE INTERSECTION OF 9TH AVENUE EAST AND OAKDALE STREET FOR TRAFFIC HEADING NORTH AND SOUTH ON OAKDALE STREET; REQUIRING VEHICLES TRAVELING NORTH ON OAKDALE STREET TO TURN LEFT ONTO 9TH AVENUE AND VEHICLES TRAVELING SOUTH ON OAKDALE STREET TO TURN LEFT ONTO 9TH AVENUE; PROVIDING FOR SIGNAGE AND NOTIFICATION TO THE EMERGENCY AGENCIES AND UTILITIES; PROVIDING FINDINGS, SEVERABILITY, AND AN EFFECTIVE DATE.**

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

**Section 1. Legislative Findings and Intent.** The Town Council of the Town of Windermere hereby makes and declares the following findings and statements of legislative intent:

(1) Residents living on Oakdale Street expressed numerous concerns with cut-through traffic, speeding, running of stop signs, and people driving aggressively in the area. In response to the concerns of the Oakdale Street residents, the Town consulted with Town consultants and conducted numerous public meetings and workshops in 2022.

(2) On July 12, 2022, the Town Council adopted Resolution 2022-05 implementing a temporary traffic calming program for Oakdale Street. The Resolution required, in part, the Town to coordinate with emergency services, fire services, and solid waste, and to conduct traffic analysis and hold public input workshops.

(3) Resolution 2022-05 also required that before the Town take permanent action to implement a traffic calming program that the Town obtain support of the residents in the area, approval by emergency agencies and other utilities, and find that the residents are able and willing to incorporate into every-day life the permanent traffic-calming measures.

(4) After discussing and/or implementing several temporary solutions, holding workshops and meetings, and receiving input from the residents and Town consultants, the Town Council has decided to install a permanent diversion barrier at the intersection of 9th Avenue East and Oakdale Street for traffic heading north and south on Oakdale Street which requires vehicles traveling north on Oakdale Street to turn left onto 9th Avenue and vehicles traveling south on Oakdale Street to turn left onto 9th Avenue.

**Section 2. Approval of the Permanent Oakdale Street Traffic Calming Program.** The Town Council hereby approves the installation, maintenance, repair and improvements concerning the permanent Oakdale Traffic Calming Program which will include, but may not be limited to, the following:

- Installing a diversion barrier at the intersection of 9th Avenue East and Oakdale Street for traffic heading north and south on Oakdale Street which requires vehicles traveling north on Oakdale Street to turn left onto 9th Avenue and traveling south on Oakdale Street to turn left onto 9th Avenue.
- Landscaping.
- A dedicated place for golf carts to pass-through the diversion area.
- Signage to minimize people turning around their vehicles and to prevent the standing of delivery and other vehicles.
- Notification to emergency agencies and other utilities and delivery companies of permanent diversion.

**Section 3. Delegation of Authority to the Town Manager.** The Town Manager or his designee is delegated the authority and directed to implement the permanent Oakdale Traffic Calming Program.

**Section 4. Severability.** If any section, sentence, clause or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**Section 5. Effective Date.** This Ordinance shall become effective This Ordinance shall become effective upon adoption at its second reading.

**APPROVED AND ADOPTED** by the Town Council of the Town of Windermere on the \_\_\_\_ day of \_\_\_\_\_, 2023.

Town of Windermere, Florida  
By: Town Council

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

Attest:

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

First Reading: June 13, 2023  
Advertised:  
Second Reading:

# Resolution 2023-04

*of the*

**Town Council**

*for the*

**Town of Windermere, Florida**

*changing and establishing*

## **The 2024 Municipal Election Date, Canvassing Board and Qualifying Dates**

*Whereas*, the Town of Windermere's Code of Ordinances provides that the regular municipal election shall be held on the second Tuesday in March of each election year; however, in a year in which there is a Presidential Preference Primary, the Town Council may move the election date to be concurrent with the presidential preference primary and set the dates to qualify for election to the office of councilmember in that year.

*Whereas*, the second Tuesday in March of 2024 is March 12, 2024, and the Florida legislature has changed the date of the Presidential Preference Primary to March 19, 2024.

*Whereas*, the Orange County Supervisor of Elections has requested that all municipal elections be held on the same day as the presidential primary, and that the Town approve using the Orange County Canvassing Board in place of the Town of Windermere's canvassing board per Sec. 10.05 of the Charter for the 2024 election.

*Whereas*, Section 10-23 of the Town's Code of Ordinances provides that by resolution, the Town Council may move the election date and set the dates to qualify for election to the office of councilmember.

***Now Therefore, Be It Resolved by the Town Council of the Town of Windermere, Florida:***

**Section 1.** The March 2024 municipal election shall be held on March 19, 2024.

**Section 2.** For the March 19, 2024, election, candidates qualifying pursuant to Section 10.02 of the Town's Charter must qualify with the Town Clerk no earlier than noon on November 10, 2023, and not later than noon on December 11, 2023. All other provisions relative to qualifying set forth in the Town's Charter and the Town's Code of Ordinances apply.

**Section 3.** The Town Council approves using the Orange County Canvassing Board in place of the Town of Windermere's canvassing board.

***Resolved this 13th day of June, 2023***

**TOWN OF WINDERMERE, FLORIDA**

By: Town Council

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

Jim O'Brien, Mayor

Attest:

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



**TOWN OF WINDERMERE  
EXECUTIVE SUMMARY**

**SUBJECT:** Installation of Crosswalk Near Windermere Recreation on Park Ave

**REQUESTED ACTION:** Approval

Work Session (Report Only)

Regular Meeting

**DATE OF MEETING:** June 13, 2023

Special Meeting

**CONTRACT:**  N/A

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

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

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

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

Public Works

**BUDGET IMPACT:** \$24,650

Annual

Capital

N/A

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

Wine and Dine Funds

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

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**HISTORY/FACTS/ISSUES:**

At their meeting in October of 2021 the Long-Range Planning Committee selected three areas for crosswalk installation in order of priority:

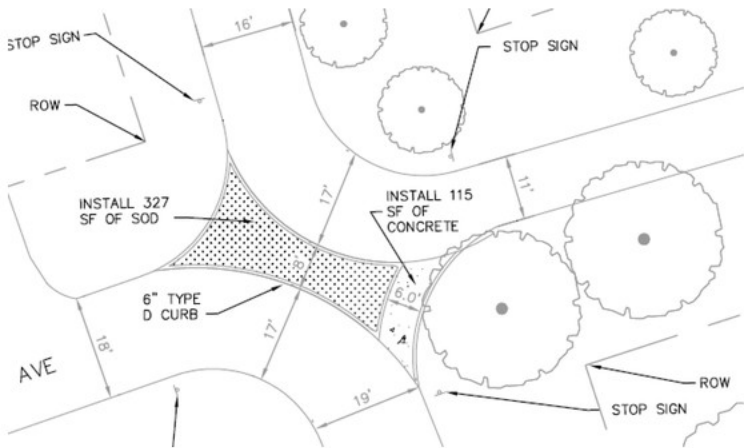
1. Estancia Subdivision at Maguire Road - \$18,700
2. Windermere Recreation Center at Park Ave - \$23,900 + \$750 for Thermoplastic
3. Main Street between 7<sup>th</sup> and 9<sup>th</sup> Avenue - \$23,900

Last year the crosswalk at the Estancia Subdivision was approved and this year we are seeking approval to install priority area number 2.

Staff obtained an estimate for each of the three sites and are recommending approval of the crosswalk near the Windermere Recreation in the amount of \$24,650. The crosswalk will be placed near Windermere Recreation Center to allow residents to cross to and from the park. Due to this higher-traffic roadway location, they will need to apply thermoplastic striping to the roadway.

The Wine and Dine Committee has graciously agreed to cover the cost of this crosswalk which will be a great benefit to those living in that area of Town.

Staff recommends approval of the Windermere Recreation crosswalk for a cost of \$24,650.





# PROPOSAL

910 Charles Street  
 Longwood, FL 32750  
 (407) 261-5446 \* Fax (407) 261-5449

TO Town of Windermere

Attention: Travis

PHONE	FAX	DATE
		05/27/22
PROPOSAL #		22-0414
JOB NAME/LOCATION		
Town of Windermere Various Locations		

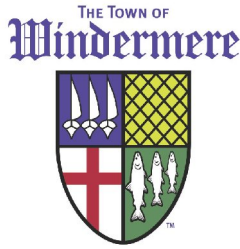
We hereby submit specifications and estimates for:

Item	Description	Quantity	U/M	Unit Price	Amount
<b>8th Ave &amp; Main St</b>					
	Thermoplastic Crosswalk	1	LS	\$ 750.00	\$ 750.00
	RRFB Pedestrian Signs with Push Button Control (Complete Units)	2	EA	\$ 11,950.00	\$ 23,900.00
<b>Windermere Rec Center - 11465 Park Ave</b>					
	Thermoplastic Crosswalk	1	LS	\$ 750.00	\$ 750.00
	RRFB Pedestrian Signs with Push Button Control (Complete Units)	2	EA	\$ 11,950.00	\$ 23,900.00
<b>Maguire Rd &amp; Wonder Lane</b>					
Remove Existing Signs, Poles and Bases					
Install signs removed onto temporary posts					
Powder-coat Black the Existing Poles and Pelco Bases					
Add Carmanah R920-E Solar Wireless RRFB Back-to-Back Light Bar with Push Button					
Add Decorative Black Sign Frames for Back-to-Back Ped Signs and Diagonal Arrows					
Add New Ped Signs and Diagonal Arrow Signs (Back-to-Back)					
	RRFB Pedestrian Signs with Push Button Control	2	EA	\$ 9,350.00	\$ 18,700.00
<b>Main St Just North of 10th Ave</b>					
Remove Existing Signs, Poles and Bases					
Install signs removed onto temporary posts					
Powder-coat Black the Existing Poles and Pelco Bases					
Add Carmanah R920-E Solar Wireless RRFB Back-to-Back Light Bar with Push Button					
Add Decorative Black Sign Frames for Back-to-Back Ped Signs and Diagonal Arrows					
Add New Ped Signs and Diagonal Arrow Signs (Back-to-Back)					
	RRFB Pedestrian Signs with Push Button Control	2	EA	\$ 9,350.00	\$ 18,700.00
<b>Terms:</b> RRFB's are Custom Order and require 50% down payment.				\$ 42,600.00	

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Qualification: In the event that any vaccination requirements are a part of the project, then we withdraw our proposal.	<b>Total:</b>	<b>\$ 86,700.00</b>
	Authorized Signature	<b>Terms: See Above</b>
		Proposal Valid for  90 Days

**Acceptance of Proposal** The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance	Signature
<b>CONTACTS:</b> Estimating Department Phil Fausnight, President/Contracts Administrator John Bruce, Project Coordinator/Scheduling Cris Mercedes, Gen Admin, Insurance, Submittals	<a href="mailto:estimating@fausnight.com">estimating@fausnight.com</a> <a href="mailto:phil@fausnight.com">phil@fausnight.com</a> <a href="mailto:john.bruce@fausnight.com">john.bruce@fausnight.com</a> <a href="mailto:cris@fausnight.com">cris@fausnight.com</a>



## EXECUTIVE SUMMARY

**SUBJECT:** Solid Waste and Recycling CPI Increase

**REQUESTED ACTION:** Board Option

Work Session (Report Only)

Regular Meeting

**DATE OF MEETING:** 6/13/23

Special Meeting

**CONTRACT:**  N/A

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

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

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

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

**BUDGET IMPACT:** 5.41% Increase

Annual

Capital

N/A

**FUNDING SOURCE:**

Solid Waste Assessment

**EXPENDITURE ACCOUNT:**

Finance

---

### HISTORY/FACTS/ISSUES:

Mayor & Council,

The Town of Windermere entered into a renewed contract with Waste Pro after submitting an RFQ in 2021. The contract term is for 5 years ending in September of 2026. As stated in the agreement, the contract amount may be adjusted upward or downward as of October 1 of each year of the agreement upon written request to the Town at least 90 days before the anniversary date. The rate adjustment shall be equal to 100% of the net change in the Consumer Price Index (CPI) for All Urban Customers: Water, Sewer and Trash Collection Services (CUUR0000SEHG) as published by the U.S. Department of Labor, Bureau of Labor Statistics. The adjusted rate of 5.41% as requested is in accordance with the agreement and posted CPI.

#### Current Residential Service:

Solid Waste: \$18.76/Month \$225.12/Year

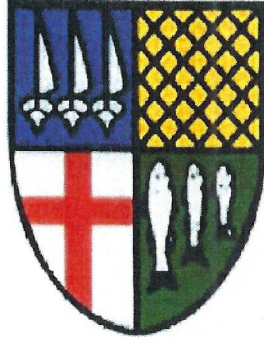
Recycling: \$6.06/Month \$72.72/Year

#### Proposed Increase:

Solid Waste: 19.77/Month \$237.24/Year Increase of \$12.12/Year

Recycling: \$6.39/Month \$76.68/Year Increase of \$3.96/Year

---



## **CONTRACT FOR RESIDENTIAL SOLID WASTE, BULK WASTE, AND RECYCLING SERVICES**

***THIS AGREEMENT***, made and entered into as of October 1, 2021 (the "Effective Date"), between the Town of Windermere, (the "Town"), and Waste Pro of Florida, Inc., (the "Contractor").

***WHEREAS***, the Contractor, in response to the Town's RFP #2021-01, submitted to the Town, in the manner and at the time specified, a sealed proposal in accordance with the terms of RFP #2021-01; and

***WHEREAS***, the Town, in the manner prescribed by law, has publicly opened, and reviewed the proposals submitted and has determined and declared the Contractor to be the successful bidder for said work, and has duly awarded to the said Contractor a Contract for the scope of services prescribed within RFP #2021-01 and this agreement.

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

### ***Article 1: Definitions***

- A. *Bulk Waste* shall mean large discarded items generated from residences and government complexes within the Town, such as pallets, furniture, bedding, refrigerators, stoves, and other household appliances.
- B. *Contractor* shall mean Waste Pro of Florida, Inc.
- C. *Pickup Unit*: one residential family unit/limited commercial unit.
- D. *Performance Bond* shall mean the form of security approved by the Town and furnished by Contractor, as a guarantee that the Contractor will faithfully execute the work in accordance with the terms of the Contract and will pay all lawful claims.
- E. *Recyclable Materials* shall mean newspaper, cardboard, aluminum, and metal beverage and food cans, all colors of glass bottles/jars, and plastic bottles coded 1-7, at the bottom, which previously held liquid (no automotive, food, or toxic chemical bottles), and such other materials or removal of materials as mutually agreed upon in writing by the Contractor and Town Manager or his designee during the term of the contract. Recyclable materials accepted will be limited to those materials accepted by Orange County.



- F. *Solid Waste* shall mean all garbage, dead animals, household trash, and vegetative garden and yard waste as defined below.
- G. *Town* shall mean Town of Windermere, FL.
- H. *Town Manager* shall mean Town of Windermere Town Manager or his designee.
- I. *Vegetative Garden and Yard Waste* shall mean any and all accumulations of grass, palm fronds, leaves, branches, shrubs, vines, trees, and other similar items generated by the homeowner's maintenance of lawns, shrubs, gardens, and trees.

**Article 1.5: Contract Documents**

The following documents are incorporated into by reference and made part of this Agreement (collectively the "Contract Documents"):

- a. The Town's RFP #2021-01 Residential Solid Waste, Bulk Waste and Recycling Services;
- b. The Contractor's response to RFP #2021-01;
- c. The Required Forms which were submitted by the Contractor pursuant to RFP #2021-01.

In the event of a conflict between this Agreement and the Contract Documents or an ambiguity the following priority is established: (i) this Agreement, (ii) the Town's RFP #2021-01, (iii) the Contractor's response to the RFP, and finally, (iv) specific written direction from the Town Manager.

**Article 2: Term**

The CONTRACTOR will provide Residential and limited Commercial Garbage and Trash Service, Recycling and Yard Waste Service in the Town of Windermere for the calendar years beginning October 1, 2021 and ending September 30, 2026. The Town and Contractor by mutual consent may extend this Agreement for two additional terms of two years each, and thereafter for additional terms of one year each.

**Article 3: Scope of Service**

- A. Manner of Collection: The Contractor, its employees and/or agents, shall make all collections with as little noise and disturbance to the residents of the Town of Windermere as possible. The Contractor, its employees and/or agents shall refrain from driving on sidewalks during the course of garbage pickup. In the event the Contractor, its employees and/or agents, destroy or damage a sidewalk or private driveways as a result of driving trucks or other vehicles on same, the Contractor will repair and/or replace that portion of the sidewalk and private driveways damaged.
- B. Time of Collection: All collection activities throughout the Town will be conducted after 7:00 A.M. so as to avoid the creation of a nuisance. All garbage and trash receptacles or vehicles used in the collection of garbage and trash shall be picked up and policed by the Contractor. All garbage and trash receptacles of the property owner must be returned to curbside or door, not on driveways or roadways.

C. Frequency of Collection: Contractor agrees to provide the following frequency of service to Town residential units and Town properties.

- a. Mandatory garbage service roadside twice weekly. Trash shall be picked up curbside/door side from each pickup unit. Curbside shall be defined as "that area which extends Ten feet (10') "houseward" from the road's edge. Door side shall be defined as an area within five (5) feet of the main structure on the premises
  - i. Residential and Town property roadside solid waste service will be every Tuesday and Friday. Residents will provide their own containers. There is no limit as to number of cans or bags per pick up. This schedule may be amended with mutual consent from the Contractor and the Town Manager or his designee.
  - ii. Yard Waste will be picked up on Wednesdays.
    - 1. Metal or plastic containers or bundles. Maximum length of limbs and branches is set at 4 feet. Maximum weight 50 lbs.
    - 2. Open plastic bags or bundles maximum length of limbs and branches is set at 4- feet. Maximum weight 50 lbs.
  - iii. Recyclables will be picked up on Tuesdays. Contractor will provide 64 gallon recycle carts to the residential units and Town properties as requested at no additional cost.
  - iv. Bulk waste will be picked up on Fridays. There is no limit as to number of bulk waste items for pick up.
  - v. Holidays: Should a regular pick-up day fall on a holiday, the Contractor will provide pick up on the next regularly scheduled pickup day.
  - vi. Rear Door Service will be consistent with items i-v above.

D. Parking of Trucks: Trucks shall not be parked in residential or Town owned areas except for loading purposes.

E. Character and Conduct of Workman:

- a. The direction and supervision of refuse collection and disposal and salvage operations shall be by competent, qualified and sober personnel, and the Contractor shall devote sufficient personnel, time and attention to the direction of the operation to assure performance satisfactory to the Town. No person convicted of a crime, crimes and/or repeated non-criminal violations of traffic laws which demonstrate a propensity to unfaithfully fulfill the duties of his/her employment such as, but not limited to, larcenous activity, aggravated battery or other violence, those relating to the operation of a motor vehicles, and any crime for which civil rights have been removed within two (2) years, shall be employed by the Contractor for the services provided in this Agreement.

- b. All subcontracts, superintendents, foreman, and workman employed by the Contractor shall be careful and competent. Contractor shall provide uniforms with either a reflective safety vest or reflective safety shirt and name tag or badge. Contractor employees providing service to the Town shall be in uniform and in a presentable manner.
  - c. All employees utilized by the Contractor during the term of this contract shall be of a standing or affiliation that will permit the Contractors' performance herein to be carried on harmoniously and without delay, and in no case, or in any circumstance, will such employees cause any disturbance, interference or delay to any work or service rendered to the Town or by the Town and in no case or circumstances will the employees conduct themselves negatively, disorderly, or dishonestly in the due and proper performance of the employees' duties. Contractor shall see to it that the employees service the public in a courteous, helpful, and impartial manner. Contractor's employees collecting garbage will be required to follow the regular walk for pedestrians while on private property. No employee shall meddle with property that does not concern them. Care will be taken to prevent damage to property, including shrubs, flowers, and other plants. After emptying the containers, employees shall return them to the same location from which they were taken, in an upright or inverted position, whichever is appropriate.
- F. Condition of Trucks, Containers, and Equipment: Contractor shall ensure that all trucks, containers, and equipment utilized will be washed, painted, maintained, and able to provide service in a presentable and professional manner.
- G. Establishment of Business Office: The Contractor shall maintain a listed, local, Orange County telephone number by company name which shall be manned between 8:30 a.m. and 4:30 p.m., Monday through Friday, by a responsible person (legal holidays not included). Answering services are not acceptable, except after business hours.
- H. Customer Complaints: All customers' complaints shall be resolved within forty-eight (48) hours of notice. Complaint forms shall show the date, time and nature of the complaint and the action taken. These records shall be maintained in writing by consecutive date and shall be open to inspection by the Town during business hours with copies to be furnished to the Town upon request of the Town and at no expense to the Town within a reasonable period of time not to exceed five (5) working days.
- I. Town owned properties and services: The Contractor agrees that it will pick up all garbage and trash at town properties at no charge, and on the same basis as its residential trash pick-ups.
- J. Special Town Sponsored Events: The Contractor agrees to provide waste and recycle containers and services for Town sponsored events at no cost including but not limited to Food Truck Night, Farmers Market, Parks and Recreation Clean-up Days, Annual Arbor Day Event, Fall Festival, Car Show, Windermere 5k Run, and others as mutually agreed upon by the Contractor and Town Manager or his designee.
- K. Disposal: Contractor agrees to dispose of waste products at permitted facilities and in accordance with any and all agreements the Town has with disposal facility providers.



- L. Education: Contractor will assist the Town in educating the public and implementing better practices that encourage recycling to Town residents including but not limited to a Downtown Recycling Program.
- M. Records: Contractor shall be required to maintain records in accordance with local, State, and Federal Public Records Retention Requirements.

**Article 4: Price & Payment**

A. The Town agrees to pay the Contractor \$324,685.40 (the "Contract Amount") in monthly installments of \$27,057.12, payable at the end of each month during the term of this contract. The Contract Amount will be adjusted by the Town and Contractor in writing with reduction or addition of residential units and agreed upon additional services. The Town will provide the Contractor with addresses of new residential units and the Town will pay the Contractor for such new residential units beginning the next full month following notification.

B. Additional Residential Units will be charged the rates:

a. Curbside Service:

i. Curbside Service Rates:

Monthly Total	\$18.00
Annual Total	\$216.00

ii. Recycling Service Rates

Monthly Total	\$5.82
Annual Total	\$69.84

b. Rear Door Service:

i. Curbside Service Rates

Monthly	\$26.82
Annual	\$321.84

ii. Recycling Service

Monthly	\$8.67
Annual	\$104.04

**Article 5: Change in Cost of Doing Business**

A. The Contract Amount may be adjusted upward or downward as of October 1 of each year of the Agreement upon written request to the Town at least 90 days before the anniversary date. If

requested, the rate adjustment shall be equal to 100% of the net change in the Consumer Price Index (CPI) for All Urban Consumers: Water, Sewer and Trash Collection Services (CUUR0000SEHG) as published by the U.S. Department of Labor, Bureau of Labor Statistics. Adjustment will be based upon 12 month average April over April of the current year to April over April of the previous year.

- B. Upon written notification to the Town, the Contract Amount will be adjusted to accommodate landfill cost increases should Orange County amend their current rates. The portion of the collection fee associated with the landfill fee and only that fee shall be increased by the same rate/percentage as the Orange County landfill fee increase.

***Article 6: Performance Bond***

The Contractor shall obtain and maintain at its sole cost and expense, during the entire term of this contract, and file with the Town, a Performance and Payment Bonds as security for the faithful performance and payment of all its obligations under this Contract. These bonds shall be in amounts at least equal to the annual Contract Price. The bonds shall be with such sureties as are licensed to conduct business in the State of Florida and approved by the Town Manager, Town of Windermere.

***Article 7: Emergency Services***

The Contractor shall have a disaster response plan for removal and disposal of excessive amounts of debris or refuse accumulated by reason of a storm of disastrous proportion, natural disaster, severe disturbance, riot, terrorist activity or other calamity.

- a. The Contractor will provide the Town with a detailed plan specifically for the first seventy-two (72) hours of an event as described above and is required to update and review the plan, which will include pricing and terms for work to be performed, with the Town annually before the start of the hurricane season. The Town will agree to pay FEMA rates, if applicable stated at the time of the named event, or a negotiated rate between the Town and Contractor for a non-named event for the first seventy-two (72) hours. The Town has the sole authority of invoking a collection action following such an event listed above. Any additional collection required after the first seventy-two (72) hours of the named event the Contractor will revert to the agreed upon pricing and terms of this contract. The plan submitted by the Contractor must describe in detail the responsibilities of the Contractor.
- b. The Contractor agrees the Town will have total and absolute authority to direct and monitor the Contractor during any such event of how, when and where action must be taken by the Contractor to accomplish the task of clean up and clearing of roads and property, and the Contractor will not be entitled to any reimbursement without the prior written authorization of the Town Manager or his designee for any such action taken.

- c. The Contractor shall have, at all times, written contracts with sub-contractor(s) for collection, hauling and disposal relating to the paragraph above should the Contractor not have sufficient resources of its own to affect a timely clean up. Such contractor(s) should contain operational details and unit pricing for collection and hauling with actual disposal cost to be an add-on charge. The initial sub-contractor contracts are to be an addendum to this contract with annual renewals to be reviewed and agreed to by the Town Manager or his designee. The Contractor's emergency response plan should also have operational details and unit pricing.
- d. Should an event of the above magnitude occur, the Town Manager or his designee and Contractor will meet as soon as possible to formulate and agree upon a cleanup plan.
- e. The Town reserves the option to utilize the Contractor forces, Contractor's sub-contractors, services other than provided by this contract (Town's own contractors), Town forces, mutual aid contracts or any combination thereof.

**Article 8: Independent Contractor**

Contractor is an independent contractor.

**Article 9: Insurance Requirements**

Contractor shall take out and maintain during the term of this Agreement, liability and property damage insurance which will protect Contractor' in the performance of the work covered by this Contract as against any claims for damages for personal injury, property damage, wrongful or accidental death, or otherwise, which may arise from operations under this Contract, whether such incidents result from acts of the Contractor, its employees, agents, subcontractors, or otherwise, and said insurance policy shall name the Town of Windermere as an additional insured. Prior to the effective date of this Contract, and continuously throughout the duration of this Contract, certificates of insurance policies with the endorsements described below shall be furnished by Contractor to the Town Clerk of the Town. Failure to furnish said certificates of insurance and endorsements shall constitute a material breach of this Contract.

- A. Comprehensive General Liability in an amount of at least Five Million Dollars (\$5,000,000.00) for injuries, including but not limited to wrongful and accidental death per person and Ten Million Dollars (\$10,000,000.00) for any one accident, and property damage insurance in an amount of at least One Million Dollars (\$1,000,000.00); and
- B. Comprehensive Automobile Liability in an amount of at least Five Million Dollars (\$5,000,000.00) bodily injury for each person and Ten Million Dollars (\$10,000,000.00) for each occurrence and One Million Dollars (\$1,000,000.00) Property Damage for each accident; and
- C. Workers' Compensation - statutory requirements to include employer's liability in an amount of at least Five Hundred Thousand Dollars (\$500,000.00).



All insurance policies maintained pursuant to this Contract shall contain an endorsement in substantially the following form: It is hereby understood and agreed that this insurance policy may not be modified or canceled by the insurance company nor the intention not to renew be stated by the insurance company until thirty days after receipt by the Town Manager of the Town of Windermere by certified mail, of a written notice of such intention to cancel or not to renew.

#### ***Article 10: Termination of Agreement***

This Agreement may be terminated by the Town upon a finding that the Contractor has failed to adequately perform under the terms and obligations contained herein. If it is determined that the Contractor has failed to perform its obligations under this contract, Contractor shall be notified and given 5 days to cure said failure, or, if by reason of the nature of such default, the same cannot be remedied within 5 days, the Contractor shall have the burden of proof to demonstrate that the default cannot be cured within 5 days; and that the Contractor is proceeding with diligence to cure said default and such default shall be cured within a reasonable period of time as determined by Town Manager. If the Contractor fails to provide such cure, it is understood and agreed that a majority vote of the Town Council to the effect that the Contractor has failed to adequately perform this Agreement shall be conclusive upon the contractor and this Contract shall be thereby canceled; provided, however, the Contractor must be notified in writing not less than ten days prior to any Town Council meeting wherein a vote will be held on this matter and the Contractor shall be given an opportunity at the meeting to present evidence showing that it has adequately performed and/or to show extenuating circumstances justifying inadequate performance. In the event of such termination by the Town, the Town shall not be obligated to make any additional monthly payments hereunder.

#### ***Article 11: Damages for Breach***

- A. If Contractor fails to make any of the designated pick-ups of garbage and/or trash, the Contractor shall be liable to the Town for up to Five Dollars (\$5.00) per such failure.
- B. The failure to make pick-ups from each pick-up unit shall constitute a separate violation and will authorize a separate such deduction from the next monthly payment due to Contractor. Such deduction may be imposed by the Town Manager or his designee, provided, however, notice to the Contractor and an opportunity to present evidence must be given.
- C. The failure of the Town to deduct such amounts shall not constitute a waiver of the Town to sue the Contractor for such damages or to terminate this Agreement.
- D. A written notice mailed by certified mail to the address of the Contractor as shown herein, shall constitute sufficient notice under the contract.

#### ***Article 12: Taxes***

The Contractor shall pay all federal, state, and local taxes, to include sales tax, social security, workman's compensation, unemployment insurance, and other required taxes which may be chargeable against labor, material, equipment, real estate and any other items necessary to and in the performance of this Agreement.



**Article 13: Hold Harmless**

The contractor shall defend, indemnify and hold harmless the Town of Windermere and its agents, officers, volunteers, and employees, both in their official and individual/personal capacities, from and against all claims, damages, losses, and expenses, including but not limited to attorneys' and paralegals' fees and court and witness fees whether in litigation, appeal or as part of settlement negotiations, directly or indirectly arising from: (i) the performance of work under this Contract by Contractor or any person or organization directly or indirectly employed by Contractor to perform work under this Contract; (ii) a breach or default of this Contract by Contractor or any person or organization directly or indirectly employed by Contractor to perform work under this Contract; (iii) violations of applicable law by Contractor or any person or organization directly or indirectly employed by Contractor to perform work under this Contract; (iv) disease or death of third parties; and (v) damage to property to the extent attributable to the negligence or misconduct of the Contractor or any person or organization directly or indirectly employed by Contractor to perform work under this Contract.

**Article 14: Force Majeure**

The performance of any act by the Town or Contractor hereunder may be delayed or suspended at any time while, but only so long as, either party is hindered in or prevented from performance by acts of God, pandemics, the elements, war, rebellion, strikes, lockouts or any other cause beyond the reasonable control of such party, provided, however, the Town shall have the right to provide substitute service from a third party and in such event the Town shall withhold payment due Contractors for such period of time. If the condition of force majeure exceeds a period of 14 days, the Town may, at its option and discretion, cancel or renegotiate this Agreement.

**Article 15: Transfer of Control or Ownership**

The Contract, or any portion thereof, shall not be assigned, transferred, leased, sold, or sublet except with the prior written consent of the Town Council, which may be withheld for any reason or no reason. No such consent will be construed as making the Town a party of or such subcontract shall, under any circumstances, relieve the Contractor of his liability and obligation under this Contract, and despite any such subletting; the Town shall deal through the Contractor. Subcontractors will be dealt with as workman and representatives of the Contractor, and as such will be subject to the same requirements as to character and competence as other employees of the Contractor. The Contractor shall promptly notify the Town of any actual or proposed change in, or transfer of, or acquisition by any other party of, control or ownership of the Contractor. The Town may terminate this Contract unless such proposed change, transfer, or acquisition is approved by the Town Council.

**Article 16: Public Records.**

- a. To the extent the Contractor is acting on behalf of the Town as provided under Subsection 119.011(2) of the Florida Statutes, the Contractor shall:
  - i. Keep and maintain public records required by the Town to perform the services under this Agreement.
  - ii. Upon request from the Town's custodian of public records, provide the Town with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119 of the Florida Statutes or otherwise provided by law.

- iii. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the Agreement term and following completion of the Agreement if the Contractor does not transfer the records to the Town.
- iv. Upon completion of the Agreement, transfer, at no cost, to the Town all public records in possession of the Contractor or keep and maintain public records required by the Town to perform the service. If the Contractor transfers all public records to the Town upon completion of the Agreement, the Contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Contractor keeps and maintains public records upon completion of the Agreement, the Contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the Town, upon request from the Town's custodian of public records, in a format that is compatible with the information technology systems of the Town.

b. If the Contractor fails to provide the public records to the Town within a reasonable time the Contractor may be subject to penalties under Section 119.10 of the Florida Statutes.

**IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE TOWN'S CUSTODIAN OF PUBLIC RECORDS AT (407-876-2563 x 5323), [dburkhalter@town.windermere.fl.us](mailto:dburkhalter@town.windermere.fl.us) PO Box 770790, 614 Main Street Windermere, FL 34786.**

#### ***Article 17: Most Favored Customer Clause***

All of services provided by the Contractor to the Town pursuant to this Agreement are at least as favorable as the benefits and terms granted by Contractor to any other customer of Contractor in Orange County. Should Contractor enter into any subsequent agreements or contracts with any other municipality during the term of this Agreement for like quantity of services which provides for benefits or terms more favorable than those contained in this Agreement, then this Agreement may be modified to provide the Town with those more favorable benefits and terms.

The Contractor shall notify the Town within 10 calendar days of the existence of such more favorable benefits and terms and the Town shall have the right to receive the more favorable benefits and terms immediately. If requested in writing by the Town, the Contractor shall amend this Agreement to contain the more favorable terms and conditions.

#### ***Article 18: Amendments***

No amendment is binding on the Town or the Contractor unless (i) it is in writing, (ii) it is formally approved by the Town Council of the Town of Windermere, and (iii) signed by all parties hereto.

#### ***Article 19: Notices***

Notices for the purpose of the Contractor as called for under this contract should be forwarded to:

A. Contractor:

Regional Vice President  
Waste Pro of Florida, Inc.  
3705 St. Johns Parkway  
Sanford FL, 32771

B. Town of Windermere

Town of Windermere Town Manager  
614 Main St.  
Windermere, FL 34786

**Article 20: Severability**

If any article, section, provision, sentence, phrase, or word of this Contract or of any supplements or riders thereto, should be held invalid, unenforceable, unconstitutional, by operation of law or by any tribunal of competent jurisdiction, or if compliance with or enforcement of any article or section should be restrained by such tribunal pending a final determination as to its validity, the remainder of this contract and of any supplements or riders thereto or the application of such article or section to person or circumstances other than those to which it has been held invalid, unenforceable, unconstitutional, or as to which compliance with or enforcement of has been restrained, shall not be affected thereby.

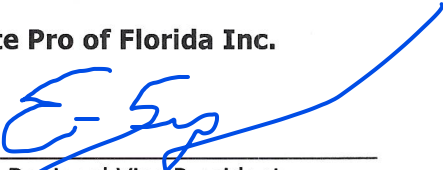
**Article 21: Governing Law**

The laws of the State of Florida shall govern this contract and the venue for any litigation arising out of the Contract shall be in Orange County, FL, or in the U.S. District Court for the Middle District of Florida, Orlando Division.

Authorized Parties are signing this Agreement on the Effective Date.

**Waste Pro of Florida Inc.**

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

  
Regional Vice President  
Waste Pro of Florida, Inc.

**Town of Windermere, Florida**

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

  
Jim O'Brien, Mayor





May 27, 2023

Mr. Robert Smith  
Town Manager  
Town of Windermere  
614 Main St.  
Windermere, FL 34786

Re: Request for Consumers Price Index Adjustment

Dear Mr. Smith,

In accordance with Article 5 Change in Cost of Doing Business, of the Contract for Residential Solid Waste, Bulk Waste, and Recycling Services, Waste Pro of Florida, Inc., respectfully submits this letter, requesting a 5.41% adjustment.

The rate adjustment is equal to 100% of the net change in the Consumer Price Index (CPI) for all urban consumer: Water, Sewer, and Trash Collection Services (CUUR0000SEHG) as published by the U.S. Department of Labor, Bureau of Labor Statistics for the preceding twelve-month period calculating April's index of the current year as compared to April's index of previous year.

Thank you,

Regina Caronia  
Division Manger  
Waste Pro of Florida, Inc.  
[rcaronia@wasteprousa.com](mailto:rcaronia@wasteprousa.com)  
Cell: 407-795-1264

Windermere

Rate Schedule

	Start Date	4.18%	5.41%
<b>2-1-1 Service</b>	<b>Oct-21</b>	<b>Oct-22</b>	<b>Oct-23</b>
Curbside Service	\$18.00	\$18.75	\$19.77
Recycling Service	\$5.82	\$6.06	\$6.39
<b>Total:</b>	<b>\$23.82</b>	<b>\$24.82</b>	<b>\$26.16</b>
<b>Rear Door Service</b>			
Curbside Service	\$26.82	\$27.94	\$29.45
Recycling Service	\$8.67	\$9.03	\$9.52

**CPI for All Urban Consumers (CPI-U)**

Data extracted on: May 13, 2022 (8:10:50 AM)

Series Id: CUUR0000SEHG

Not Seasonally Adjusted

Series Title: Water and sewer and trash collection services in U.S. city average, all urban consumers, not seasonally adjusted

Area: U.S. city average

Item: Water and sewer and trash collection services

Base Period: DECEMBER 1997=100

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	HALF1	HALF2
2013	194.553	195.505	195.981	196.319	196.727	196.989	198.173	198.736	198.804	199.759	200.004	200.203		
2014	201.169	202.149	202.657	203.084	203.124	203.396	205.022	206.171	206.363	207.633	208.562	209.414		
2015	210.243	211.397	211.738	212.153	212.542	212.863	213.873	215.844	216.173	216.38	217.004	217.386		
2016	218.37	219.036	219.649	220.506	221.36	221.396	221.358	222.554	223.111	223.42	224.399	224.745		
2017	226.411	227.277	227.553	228.133	228.396	228.599	229.008	229.772	230.142	230.614	231.522	231.842		
2018	232.977	233.858	234.215	235.141	235.878	236.493	237.186	238.439	238.512	238.936	241.774	242.204	234.76	239.509
2019	241.606	242.011	242.611	243.49	243.774	244.322	244.943	245.549	245.903	246.741	247.364	247.567	242.969	246.345
2020	248.846	249.751	250.359	250.673	250.921	251.435	252.401	253.974	254.266	254.781	255.65	256.456	250.331	254.588
2021	257.722	258.763	259.204	259.581	259.542	260.4	261.706	262.81	263.747	264.278	264.58	265.365	259.202	263.748
2022	268.128	269.521	269.621	270.419	270.844	271.925	273.097	274.984	276.759	276.892	277.824	278.464	270.076	276.337
2023	281.461	283.663	284.166	285.052										

Apr-22 270.419

Apr-23 285.052

0.0541

5.41%

June Projects Meeting

For previous updates on each item please refer to April projects meeting minutes

**Attendees:**

- **Robert Smith, Town Manager**
- **Tonya Elliott-Moore, Public Works Director Town of Windermere**
- **John Fitzgibbon, Town of Windermere**
- Tara Vogel, Finance Director
- **Travis Mathias, Town of Windermere - Not in Attendance**
- **Tony Davit, 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. 3/1/21 Draft – List for violations to be sent out to the Town for review. 5/3/21 Next report in October-November. HC working on violation forms to TC for review. Violations noted by JF and BC in Rosser Reserve. Violations documented by JF. Training will be taped and added to Power DMS. 6/7/21 NPDES budget provided to TC from HC. TM coordinating with PD to train Officers. 7/12/21 KHA tracking vacuum and street sweeping. MG to coordinate with HC on inventory (see previous e-mail from HC). Training sessions completed. JF reported 2 violations' that have since been resolved. Continue tracking NPDES items. 9/13 Ongoing tracking. Annual report due in November. 10/4 Ongoing tracking. Annual report due in November. 12/6/21 Annual report has been

submitted. Received RAI and will respond. 1/10/22 Annual report submitted and approved. 2/14/22 – Ongoing, public outreach via social media, lake cleanup on 2/20. 3/7 Lake cleanup well received. Another lake cleanup scheduled for 3/27. Social media platforms Facebook and Instagram. Town will look to have a clean-up quarterly. TEM provided quantities for NPDES compliance/info. 4/4/22 Submitted Biennial Report and documenting for the annual report. 3/7 and 3/27 lake cleanup conducted by the Town. TEM to document cleanup efforts and quantities to HC. 5/2 NPDES violations noted at 10988 Down Yonder Lane. BC working with owner on resolution of violation. TM Spoke to Brad and issue resolved. JF to note issue on Oakdale 6/6 vacuum and sweeping amounts provided to KHA for reporting purposes. 7/11 Ongoing. HC compiling data from vacuuming and cleaning. 8/1 - Ongoing compiling and documenting. 9/12 Ongoing – Violation 10/10 – Ongoing – violations documentation. 11/7 Ongoing – no violations reported. 12/5 – Ongoing – Hurricane prep emails documented. 2/13 - Ongoing. 3/6 TM reported violation on Lake Butler Boulevard. HC said he will include in next NPDES reporting cycle. **6/5 – Ongoing. Annual report preparation starts in September.**

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. 3/1/21 Butler extension received. DEM agreement for Bessie, extension for Bessie. AIA agreements with KHA executed. 9<sup>th</sup> at 10:00 am – 12:00 am. All extensions from FDEM received. 7/12/21 HC and MG working on quarterly requests and reimbursement packages to Doug Galvan, FDEM. RS and TEM to look at other projects under other funding opportunities (September 1<sup>st</sup> deadline) with a minimum of \$2M. 8/9 All reports submitted. 9/13 MG attended LMS meeting. Meeting focused on upcoming update of County's LMS program and any changes that may need to be done. Doug Galvin is leaving and we are waiting on who will be next point of contact. 10/4 New contact is Brianna Nelson. KH and Galura to work on quarterly reports. 12/6/21 Next quarterly report is for period ending on 12/31. KH and Galura to prepare quarterly reports. Designs to be submitted by end of year and bids projected in January. Design Reimbursements to be submitted as well for last quarter. 1/10/22 DEM is updating project list and policies and will send to Michael Galura. Mike will send to Town staff. February agenda will ask for Resolution adopting policies and procedures. 2/14/22 Resolution to adopt Orange County LMS presented to February TC. Resolution approved 5-0. MG sent signed copy of resolution to John Mulhall, Orange County LMS Administrator. MG attended quarterly LMS meeting (virtual). FDEM was speaker and provided updates to LMS procedures and other applications. 3/7/22 MG to touch base with John Mulhall on acknowledgement of approval of resolution. Meeting on 3/8 to go over priorities and future funding. Staff to attend. 4/4 4<sup>th</sup> and Magnolia potential project. MG to ask John Mulhall about getting project on LMS list. 5/2 LMS meeting on May 11<sup>th</sup> at 10:00 am (Microsoft Teams meeting) Tonya or TM to attend. Include Nora on project numbers. Need reimbursables submitted. JF and TEM to submit application for 4<sup>th</sup> and Magnolia project 6/6 May 11<sup>th</sup> meeting was cancelled. Waiting for rescheduled meeting to address any additional projects. 7/11: Awaiting new Meeting. 8/1 - meeting scheduled on 8/10. 9/12 – MG sent forms to TEM on any potentially new projects to be considered for LMS funding (under disaster declaration). 10/10 – Federal disaster declaration expected for Orange County. 11/7 – MG to coordinate with HC on 4<sup>th</sup> and Magnolia future project. 2 other projects to be presented (retaining wall improvements) – 6<sup>th</sup> and Lake Down, 5<sup>th</sup> and Lake. 12/5 – LMS meeting postponed. MG to submit on two structural projects. Third project is 4<sup>th</sup> and Magnolia at Lake Down Park. FEMA will prioritize projects for Hurricane Ian. 1/09 - Waiting to hear back from FEMA. MG to follow up. Potential projects are two wall projects at 5<sup>th</sup> and Lake and 6<sup>th</sup> and Boat Ramp and one drainage project at 4<sup>th</sup> and Magnolia. 2/13 Mike G to prepare forms for seawalls at 6<sup>th</sup> and 5<sup>th</sup> and Hao to draft one for 4<sup>th</sup> and Magnolia. Once drafted need to send to John Mulhall. 3/6 TM asked if the Town needs a member on the LMS planning committee. MG will ask John. 4/3 – Tonya to attend LMS planning committee meetings. 6/5 - Meeting postponed. Offering a session to help applicants with submittal. Apps submitted by 8/31.

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 and 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. 3/1/21 TC working with MW on concept. Metroplan has large PDE projects and project is unlikely to be funded through this mechanism. Best bet for funding is WO Health Alliance. TM meeting with residents along route for possible interest in property acquisition (1<sup>st</sup> Ave and North). 4/1/21 Submitted to MetroPlan for funding. Set up meeting with West Orange Health Alliance for funding. Property at Second and Dirt Main to be purchased from resident (preliminarily agreed on). Heather Ramos, Gray-Robinson, to prepare agreement. 5/3/21 TM still working on acquiring remaining 4 parcels. Contracts in draft form. TM has two weeks to close deal to move forward with road design. TM updated that Fed \$\$ may be available for pathway. 6/7/21 TM has meeting with Singers June 9<sup>th</sup>. Title searches being conducted on all properties to be acquired for accurate offer and dimensions of taking. TM to have a meeting with West Health Care Alliance this week. July TC may need eminent domain resolution. 7/12/21 TC met with Health Care Alliance. Presentation slated for Health Care District (Ocoee, Winter Garden and Orange County). Discussion on prioritization and distribution of funding. August TC meeting – imminent domain taking powers to the TM. Survey in for Ward Trail. Schedule a walk thru with TEM and JF; and KHA (MW and HC). 8/9 Awaiting from funding from West Health Care Alliance and Feds. Focus on interactivity of trail. Property acquisition to be through imminent domain process (4 of 5 acquired). 9/13 – Massy's requested to exclude hold harmless. TM to meet with Hart. Singers want to close after October 1<sup>st</sup>. Still awaiting responses from Denoyles. TM to reach out to Denoyles again. 10/4 – Harts have signed on. Masseys have updated contact. Working with Singers. Denoyles still waiting for response. We are having neighborhood meeting this month. 12/6/21 Neighborhood meeting has been completed. Gray Robinson still working on closing for 4/5 lots. TM also working with Rose property and King Property for property swaps (10th Ave) 12/16 Public Information Workshop on Ward Tail. West Orange Healthcare Alliance monies to assist in funding. 1/10/22 Ward Trail, working with Arborist. KH to look at saving trees by minor realignments or protection measures. KH to develop landscape plans for public meeting and then Town Council. February 17<sup>th</sup> meeting for government task force for funding prioritization. 2/14/22 Property swap meeting has been rescheduled due to weather. MW looking to adjust trail alignment based on arborist recommendations. TM has West Orange Alliance meeting on 2/17 3/7 Property swap scheduled for Thursday. MW had walk through and will revise plan as needed. West Orange Alliance has committed money for the project – will be prioritized based on jurisdiction. No funding from State anticipated. 4/4 – Town working with residents on South Main adjacent to Ward property (King and Rose). Securing ROW. HC said plans are done for a portion of the project, awaiting on property swaps. Still working on Denoiles property. 5/2 Acquired property on north between 1<sup>st</sup> and North Drive per TM. Massey property closing soon. TM working and negotiating on 8<sup>th</sup> and Dirt Main property. TEM working with Tree Board on landscape concepts. 6/6 TM indicated additional property swaps pending (112 West 8<sup>th</sup> Avenue & 824 Main St. ). TM meeting with Singers and Denoyles this week and next for purchases. 7/11 90% plans presentation 7/11. TC in August. 4 Property swaps on TC agenda for Tuesday night meeting. 8/1 – 90% plans for Ward Trail will be on August TC agenda. Town has closed on Massey Property. 11/7 no updates to date. 12/5 – Steering Committee looking to fund projects but not until 2025. Working with FDOT D5 for LAP certification and funding. Scheduled for Fiscal Year 2023/24 (July 2023). 1/09 - FDOT to send Town training list for Fiscal Year 2024 (begin July 2023) LAP Certification. 2/13 SAME, plus KH responding to DOT RAI, which mainly revolve around ROW. 3/6 Waiting on LAP certification from FDOT District 5 (expect in July). 4/3 – Town staff to start certification process. 6/5 – waiting on confirmation of appropriations, Town to work on LAP Cert.

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-de-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 5<sup>th</sup> 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. 3/1/21 Awaiting PEC on drawing of legal description on Lot 21 from Gray-Robinson title search. HC to send MG copy of OC agreement for the Park Avenue improvements. TM to schedule final round of public input on project. 4/1/21 Conducted additional Public Involvement meetings with Town Residents. Spoke with cul-de-sac residents and will move forward to establish a 20-foot wide right-of-way and Cul-De-Sac radius based new alignment (avoid existing large tree). Upon completion, a legal description and sketches will be prepared and agreements prepared by Heather Ramos, Gray-Robinson. Linear Park R/W purchased for property at 2<sup>nd</sup> Avenue and Dirt Main. Revise roadway alignment to avoid existing large tree at northwest quadrant. MG and HC to coordinate on final roadway alignment. TM to discuss project with Ms. McCarthy (Andrew McCarthy's grandmother) to get concurrence on design. 5/3/21 Gray Robinson and third-party attorney working on agreement with the residents at end of West Second Ave. Should have ready for June meeting. 6/7/21 MG reconfigured the roadway alignment to closely match the existing pavement. The project will be strictly a drainage project with the pavement to be reconstructed to the same dimension. JF and TEM to meet with the residents to get concurrence before preparing the right-of-way agreement (third party). 30% Water Main Improvement plans submitted to Christina Crosby (Orange County Utilities Division). 7/21/21 JF had last meeting on cul-de-sac, get concurrence in writing. MG awaiting concurrence from all residents prior to having PEC prepare legal description and sketches to accompany easement agreement to transfer road right-of-way to Town. MG to check on status of 30% water main plan review from Orange County Utilities (Christina Crosby). MG to coordinate with HC at intersection of West Second Avenue and Dirt Main on intersection configuration. 8/9 MG met with JF on alignment. MG to revise right-of-way alignment pursuant to field review and discussions. JF to coordinate with HR on draft agreement. Awaiting concurrence with Andrew McCarthy's grandmother. Received initial comments on water main plans from County (Christina Crosby). OC wants plans on 11x17 plan set format (currently on 24x36 plan set format). Meeting with Ed Torres (OC Utilities Division) scheduled later in month. 9/13 – Right-of-way limits for Aladar Replat cul-de-sac finalized between MG, JF and TEM. ROW and temporary construction limits (TCE) submitted to PEC for preparation of legal description and associated sketches. Expect completion by end of week or early next week. Reimbursement request for design fees submitted to Doug Galvan (Reimbursement request No. 3 for invoices through period ending 5/31/2021). 10/4 – Waiting on PEC for final legal & sketch. Robert and John to meet with property owner. KH provided 60% OCU submittal peer review comments. 12/6/21 Michael Galura to provide update. Public Workshop moved until 12/13/21. 1/10/22 Requested and received HMGP grant extension. Submitted 90% plans to Town staff. On TC agenda for 1/11. Then will submit for SFWMD permit. Still waiting on some residents to sign easement agreement. . 2/14/22 SFWMD ERP Application submitted 2/1/22. Proceeding with modifications to Orange County Utilities water main plans (KHA peer review). Preparing reimbursement request to be submitted to FDEM. 3/7 MG issued Response to Comments to SFWMD for ERP. RS and JF working on easement agreements – MG will need for FDEM deliverables. MG to discuss extension with FDEM due to delay from SFWMD review. 4/4/22 MG submitted the Phase I deliverables (less the SFWMD ERP and the FDEP NPR, both which are pending) to Lourdes Vargas on 3/30/22. Mike is working on the quarterly report and reimbursement request. MG to review the OCU peer review comments from KHA and incorporate into 60% submittal to OC. 5/2 MG addressed FDEM comments and submitted per FDEM timeline. Addressed building replacement value issue per OCPA website. TM submitted potable water design to ARPA. JF to send easement agreements to MG. 6/6 MG addressed additional comments from Ed Warren, FDEM. Ed indicated that his engineering review is complete and that he has determined a BCR of 1.3 for the project, indicating that it is eligible for the FEMA funds under Hurricane Irma. He said that additional comments may come from other departments but engineering is complete with their review. MG also submitted the reimbursement request #4 to Lourdes Vargas, FDEM, for review. Lourdes had comments to remove any costs associated with administering the Phase I contract (quarterly reporting,

reimbursement requests, etc.). These cost are to be removed from subsequent reimbursement requests. 7/11 MG provided responses to Environmental RFI from Amanda Chin, FDEM. MG also received request from Amanda Chin for a DRAFT of the Public Notice to be published by the Town for the Phase II funding of the project by FEMA. Any public objections during Public Noticing will need to be addressed before funding contract can be issued. POP extension requested to 10/31/22 and submitted (per recommendation by Lourdes Vargas, FDEM) to allow time to address current and future RAI's. 8/1 – Updated POP extension for FDEM review period. Extended to October 2022. Waiting to hear back from FDEM on draft public notice. Reviewing WM plans for consistency with recently approved MUP. Public Notice revised and sent to TEM per Amanda Chinn, FDEM. Public Notice to be published per approved FDEM methods of delivery. MG to provide electronic and hard copy of 100% plans to the Town for observation. Public notice to be published in Orlando Sentinel. 10/10 MG to update plans an submit to TM. Awaiting if any objections to Public Notice (30-day appeal period) has been filed. Any objections to be documented and addressed satisfactorily per FDEM. Provide FDEM with affidavit regarding publication of Public Notice in newspaper of general circulation. 11/6 Awaiting on status of Public Notice (any filed objections). Updating plans, quantities and specifications. 12/5 – Submitted to FDEP information requested for No Permit Required Letter. Public Notice completed with no public comment. 1/09 - Waiting on No Permit Required Letter from FDEP and Period of Performance Extension Date for HMGP Grant. 2/13 received NPR from DEP on this project. Mike is hoping construction can begin in the 3<sup>rd</sup> or 4<sup>th</sup> quarter. 3/6 MG provided update. Revised plans, engineer's estimate, response to comments and FDEP permit application to OCU submittal portal. 4/3 Waiting for FDEM and Orange County approval and agreement. **6/5 Grant funds approved. Using ARPA funds for water lines. Mike to send fees over to TAEM and John to pay these.**

6. **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. 3/1/21 Change guideline on font use to match the Town Facility. 4/1/21 Tonya will check on expenditures for signage for the year. 5/3/21: \$\$ Spent for this FY. Tonya creating signage maintenance plan within road maintenance plan. Will create CIP for remaining areas of Town to create consistent signage. 6/7/21 PW for signage will be budgeted for next FY with exception to emergency signage (alcohol-related signage) and NO RIGHT TURN per TEM. 7/12/21 NO RIGHT TURN signs have been installed. NO MOTORIZED VEHICLES signage to be installed at Lake Down. TC workshop in August to discuss Fernwood transition from a public park to a private boat ramp (Town Residents only). Issues are enforcement of parking at various locations. 8/9 TM to discuss action items with TC. 9/13 – NO PARKING on the weekend signs. To be deferred until ordinance has been approved by TC, 10/4 – Robert working on ordinance. 12/6/21 Robert and Tonya to provide update. Once Fernwood Comp Plan approved, Fernwood would then become boat ramp. Still waiting on Department of Economic Opportunity input. Changes to gate and fencing as well on hold pending DEO review. Once parking ordinance is approved in December, additional signage with ordinance numbers can go up as well. 1/10/22 Staff is reviewing sign language and gate types and operating systems. 2/14 PD, PW and TM met and will be moving gate and installing card reader at Fernwood Park. Will take to TC in March. Also reworking signage to match new ordinances. PW to look at Manors signage 3/7 TEM working on signage 4/4 TEM working on signage for the parks – Alcohol language for all parks. 5/2 TM issued purchase orders for Manors and Marina Bay. Additional signage for Lake Street Park approved – purchase order approved. 6/6 TEM – new signage installed at Fernwood Park and other parks. TEM to work with PD for NO PARKING WEEKEND signs. Signage for Manors and Marina Bay ordered. TEM send MW options on Oakdale road closures for concurrence. 7/11 Oakdale to be discussed in TC meeting. Manors and Marina Bay signage being erected. 8/1 – Signage getting redone and will get installed. . 11/7 Cross-walks painted per TEM. JF to check on street lighting in front of Town Admin. 12/5 – Currently fixing street lighting in front of Town admin. No other updates. 1/09 - No new updates. 2/13 No new updates 3/6: Nothing Further 4/3 No new update. 6/5 – Crosswalk on June TC agenda.

7. 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). 6/6 JF doing final closeout to determine final payment by end of June. Waiting on final waivers and lien releases with prime contractor and sub-contractors

12/7/20 – JF had meeting with site contractor. Hope to have GNP soon. JF to coordinate with Computer Business, Spectrum and contractor regarding all infrastructure to be installed. Construction timeline is expected to be the same – to be discussed with contractor. 1/6/21 Working on finalizing all GMP contracts paperwork. JF to review changes with Guy Haggard to finalize all forms. 2/1/21 Fully executed contract approved by TC. Contractor is proceeding with submittals. 3/1/21 Work progressing. Foundation poured. Underground utilities relocated. JF working with Town Staff on purchases. Schedule for TC walk-through. TM to review Duke Energy easement agreement. 4/1/21 Budget review pending. Concrete block walls going up. Awaiting inspection at 6' height. 4/22 structural steel expected. Underground work is completed. 5/21 Duke to establish transformer. Stormwater/drainage tie-ins to be conducted. Water lines upsized pursuant to OCU. Meeting on 5/5/21 Tonya will update TC on progress at 5/11 TC meeting 6/7/21 Finalize cut sheets this week. JF to work with TEM regarding furnishings and fixtures for Public works. PW to be dried-in this week and Admin later this month. Electrical rough-in's on going. Meeting with LAG regarding connection to new Town facility. Steel structure for workshop not expected to be received until August. Should not affect schedule and CO for admin building. Currently on time and on budget. 7/12/21 On schedule. FF&E has been ordered. JF to provide monthly updates to TC. 8/9 Facility work on budget and on schedule per JF. Awaiting proposal from Stephanie (Spectrum) for IT services. TM and selection committee to select IT vendor for Town Facility. 9/13 – Signed easement agreement with OCU. Entered into agreement with Spectrum. 10/4 – John provided ppt of monthly update and will provide to TC. Tracking on schedule and temporary CO at end of year. Move in

February. 12/6/21 Robert and Tonya to provide update. Issues with front doors arrival. Dealing with OCU issues relative to chlorination testing. Still on time and on budget, IT equipment to be installed this week and next. 1/10/22 Move is still anticipated for the first of February. John F. to coordinate FDLE move and comm design. Staff to coordinate grand opening and walking tours. 2/14/22 – Staff has moved into new facility. Punch list essentially completed. All exterior signage to be installed this week. Building to be pressure washed and cleaning – week after Spring Break expected for ribbon cutting ceremonies. 3/7 Roofing issues being resolved. Project under budget. Lightning protection repairs being installed. JF working on punch list towards final close-out. JF to reconcile on ODP. 4/4 – Grand opening 4/7/22 – 5:00 pm for opening. Punch list items being addressed. JF working with PD on accreditation – CCTV, card readers, etc. 95% closed out to the GC. 5/2 JF finalizing ODP changes – minor punch list items to be addressed (expected this week). Final walk with roofing contractor – address minor issues. 7/11 Address minor flooding in back parking lot. Awaiting final waivers. 8/1 – 100% closed out, final paid. Waiting on final releases from subcontractors for main building. Swept analysis completed for turning movement. 9/12 JF to meet with HJH on doors. Dedication plaque pending (Steven Withers has final design). Review latest version and finalize for approval by TM. 10/10 Minor punch list to be addressed by JF. 11/7 JF suggested final walk-thru with regards to warranties. 12/5 – mid to Late January for walk-thru punch list. 1/09 - No new updates, finishing punch list items. 2/13 – SAME 3/6 1-year warranty walk conducted. 15 items to be completed (9 completed) per JF. 4/3 – Completed. Can be removed from projects list. **6/5 - Admin break room door as debris is getting blown into the building.**

8. Fernwood Park Improvements: \$50,000 Awarded for Fernwood Park improvements. 10/18 SB working on RFP for Park Improvements for Fernwood. Project will match IDG approved plans. All contracts have been signed and waiting work from Andy Easton. All contracts signed. SB getting surveys done for site. Have not received Notice to Proceed. Awaiting boundary survey which is required per FRDAP. All commitment documents submitted to FDEP. Title search kicked back by FDRP (prepared by Gray-Robinson). Awaiting Notice to Proceed from FDEP. Notice of Commencement received from FDEP. 5-year CIP list to be built (SB to coordinate). TM requested items to be put on March/April TC agenda. Got Notice of Commencement. Come up with priority list for capital projects. PR to have a CIP list for SB. Central and Fernwood to be priority for FRDAP. SB has received cost estimates for drinking water fountains and butterfly garden. Dock quotes to be solicited by SB. Shoreline clearing will be in next FY budget. SB awaiting prices to remove invasive species from vendors. Dobson has removed invasive species in upland areas. Trees will also need to be removed. Aquatics company will continue to treat vegetation in waters. FWC and Orange County EPD permits have been amended. Invasive species being removed. Boardwalk concept pending based on removal of additional vegetation along projected alignment. SB stated approximate ETA for design is 6-months. Took down some large invasive trees. SB met with PR on footprint for trail and walkway. Obligation for boat ramp repair. Deadline to complete in 14 months under FRDAP conditions. Contractor is developing draft footprint and estimated cost for the boardwalk. Contractor provided SB with quote for the design, engineering and permitting of elevated nature walk. Nature trail in design phase by Contractor. Final concept drawings completed. Moving into construction plans and scope of work. 2/3 Final concept prepared including elevated nature trail. Sent to PR for review. Concept in design. FRDAP schedule through April 2021. TM and David Hansen to coordinate on driveway within the park. Partnership with OC, FWC and TOW. Need to stabilize the driveway and launch area. David Hansen to help guide Town through OC permitting and variances. Video conference with SFWMD – will require a permit for the boardwalk. Meeting with Orange County EPD – 2 permits required including tree survey and wetland delineation. Draft concept prepared, beginning preparation of construction plans. 4-6-months estimated for design. FRDAP grant deadline April 2021. 5K run has been postponed, but not canceled. SB working with OC EPD on wetland delineation. Surveyors are picking up



wetland flagging. Also virtually met with SFWMD on permit submittal. FRDAP forms sent to TM for execution. TM coordinating with FDEP regarding parking configuration. SB said that the SFWMD is requesting an individual permit for the boardwalk due to encroachments to Sovereign submerged lands. FRDAP grant application withdrawn. Meeting tonight at 5:00 pm to discuss. Town to conduct a charette for presentation (to be conducted on Zoom). Coordinate with Councilman McKinley on P&R input. No changes. Getting charettes and scheduled for the residents. TM to discuss with Councilman McKinley on opening of Lake Street Park. TM to as PR to complete and close-out. PR to determine what to do with boardwalk. 11/2/20 PR to determine what to do with boardwalk. 12/7/20 – Pending. 1/6/21 On hold until we get RFQ completed. Travis M. to contact companies and get quotes for dock fix. 2/1/21 JF to get three numbers from separate vendors for dock fix. JF to look into dock inspections checklist and schedule. 3/1/21 TM needs third quote for dock fix pursuant to Town procurement procedures. JF and TrM will review and recommend quote. 3/12/21 TM approved dock replacement. Waiting on schedule from vendor. Once there is a time frame scheduled, TM will post. 4/5/21 Await dock replacement until Butler design completed. TrM spoke with Peter Fleck regarding the dock. No permit required since it is a maintenance activity on existing dock. 5/3/21: Dock fixed. Remining improvements to be determined at time of Butler Basin design completion. Tonya looking into cameras at dock. 6/7/21 Looking to install security cameras. 7/12/21 Boardwalk to be dealt with after the 100-perenct plans for Butler Basin. P&R recommends transitioning park into boat ramp only. TM to work with TC to set up workshop. 8/9 Boat ramp conversion will provide the Town more enforcement powers. TEM awaiting quotes for fencing and gates. Going with wrought iron for structural stability and will not affect stormwater design . 9/13 – Redesignated to boat ramp in October. Continue working with OCEPD if Town can get no wake zone or no motorized water craft at Lake Street and Lake Down. 10/4 – Working with EPD on no wake and on Lake Street and Lake Down Park. 12/6/21 Waiting on Comp plan amendment. Robert to touch base with Orange County EPD on Bird Island Ordinance. 1/10/22 Robert to work with Tonya on signage and gate systems. First reading of comp plan amendment on 1/11 TC meeting and second reading in February. 2/14 PD, PW and TM met and will be moving gate and installing card reader at Fernwood Park. Will take to TC in March. 3/7 Plan on TC agenda. 4/4 Fencing slated for fall 2022. 5/2 All fencing and appurtenances ordered per TEM. Additional request for signage. 6/6 TEM – supplier indicated gates to be received by July. By August anticipate everything to be installed. 7/11 August slated for park improvements. 8/1 – Electric installation will be this week/next week and fence installation in the next couple of weeks. 9/12 Fencing completed, Gate post completed. Issuance of keys for locked gate pending (TEM coordinating). 10/10 Gate locking system to be installed (pending). 11/7 TEM to get with installer regarding access. Fence was fixed due to tree falling. 12/5 – Gate system installed and waiting on instructions from installer. 1/09 - Contractor needs one more USB drop and it is in progress. 2/13 Staff received training on the new access system and drafted a process. Town Attorney reviewed and sent back the acknowledgment forms. A date can be derived for gate closure to allow two weeks of outreach before the gates close. 3/6 TEM waiting on closing gates (coordinate with TM). Diane to publish once finalized. **4/3 Final stages of getting this closed out. 6/5 Gates to be looked at by contractor on Wednesday, 6/7 due to gate sensor issues. Contactor coming to Install a mag lock so gate can't be pushed open,**

9. 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. 4/5/21 Taking to LRP. 5/3/21 No LRP in April so taking up in May. 6/7/21 Cross-walks will be discussed at TC meeting. Will be part of proposed share agreement. 7/12/21 Still waiting on monies and property share agreement with the 500 block. 8/9 Considering postponing event due to Covid. Decision to be made in October. 9/13 – Windermere Wine & Dine moved to February 2022. Business as usual in late September. Food truck event to be held in September. 10/4 – Wine and Dine event in February 2022. 12/6/21 Priority of crosswalks established. TM to provide list from LRP: 1. Estancia 2.WRC. 3 9/Main. 1/10/22 LRP made suggestions and Town staff has priorities. 2/14 – Working on grant for additional crosswalk. TM to talk to WW&D regarding funding for crosswalk. JF working on park bench additions by WW&D. TM working with W&D on funding. JF working with W&D on benches, 5/2 TM working with W&D and get on TC agenda. 6/6 TEM got quotes on all cross-walks (average \$20,000 apiece). TM to coordinate with WWD on funds and present to TC in June 7/11 TEM sent purchase order to contractor – delays in receiving materials. 8/1 – Ordered and waiting for install. 9/12 Awaiting cross-walk assembly. 10/10 TEM to provide update. 11/7 Cross-walks being installed this week. 12/5 – Crosswalk has been installed. 1/09 - No new updates. 2/13 Awaiting details on how much Wine and Dine can spend to fund the next cross walk which is Windermere Recreation Center at Park Ave - \$23,900 3/6 Finalizing numbers from WWD. 4/3 John F is working on power. **6/5 - Crosswalk at WRC going on June TC agenda for approval.**

10. **Street Sweeping:** Best Management Practice (BMP) under the stormwater NPDES program. 10/18 Ongoing. MG has article to send to TM, SB and JF. Ongoing. HC to consider street sweeping article for Gazette. No change. Ongoing. KH to prepare article in Winter Gazette about street sweeping. Due date is 11/22. MG to get street sweeping quantities from SB and determine TN (Total Nitrogen) and TP (Total Phosphorous) and submit the removals to DEP under their STAR program (State Annual Report). HC to provide MG with quantities. MG to submit as part of STAR to the FDEP doe pollutant load reduction reporting. 2/3 MG received quantities from HC. Will combine with NPDES section. Ongoing. SB and KHA submitted street sweeping volumes to FDEP. KHA and USA Services documenting quantities. Continuing to document. Quantities are continuing to be documented. Still documenting on monthly basis. Ongoing. 12/7/20 – Ongoing. 1/6/21 Coming out once a month. Travis to get paperwork and send to Hao. 2/1/21 Ongoing on obtaining reports. 3/1/21 Ongoing with reporting. 4/5/21 Ongoing. 5/3/21 Tonya and Hao to work with vendor on quantities to report for NPDES compliance 6/7/21 Reporting scheduled for every 3<sup>rd</sup> Wednesday for every Month per TEM. 7/12/21 Ongoing. TEM to put together schedule for street sweeping and vacuuming (3<sup>rd</sup> Wednesday of each month) 8/9 TEM has set up regular schedule. 9/13 – Street sweeping to commence every 3<sup>rd</sup> Wednesday of the month. TEM to get latest report from vendor. 10/4 – Ongoing and documenting for NPDES Annual Report. 12/6/21 Ongoing and NPDES Annual Report submitted. 1/10/22 Ongoing and providing information to KH for next NPDES Annual report in two years. They are coming at scheduled times. Need to include in STAR report. 2/14 – Ongoing, services being provided on schedule and data sent to KH. 3/7 Ongoing. 4/4/22 Street sweeping ongoing. 5/2 Ongoing. 6/6 TEM – provide HC with street sweeping quantities. 7/11 Ongoing. 8/1- Ongoing and documenting. 9/12 Street sweeping last week. 10/10 Ongoing and documenting. Post-storm documentation to be sent to KHA. 11/7 Ongoing. TEM sent documentation to HC. 12/5 – Ongoing. 1/09 - Ongoing. 2/13 – Ongoing 3/6 info sent to HC. **6/5 - Ongoing**



12. 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. 4/5/21 Ongoing. 6/7/21 TEM and HC have been working with the street sweeping vendor on structure inventory. 7/12/21 Ongoing. TEM to put together schedule for street sweeping and vacuuming (3<sup>rd</sup> Wednesday of each month). Solids to be transported offsite. TEM waiting on quote for cleaning of all storm drains. 8/9 TEM to reconsider vacuum-truck vendor services (current vendor un-responsive). 9/13 – Ongoing. Lake management consultant to help coordinate when they come onboard. 10/4 – Ongoing and documenting for NPDES Annual Report. 12/6/21 Ongoing and NPDES Annual Report submitted. Tonya is looking at some options for contracts with other companies for this work. 1/10/22 Tonya met with Shenandoah and they will provide quote for vacuum services. Atlantic pipe has already sent Tonya a quote. Tonya to establish baseline of how often structures need to be cleaned. Need to include in STAR report. 2/14 – New vendor will be contracted with this week. 3/7 Horizon Land Management is new vendor. TEM to send agreements over for execution. 4/4/22 – MG provided TEM with data, completion of missing structures and pipes to be cleaned. 5/2 TEM met with vendor. Ongoing 6/6 TEM discussed difficulty for cleaning structures due to duration when they were last cleaned. 7/11 Ongoing. 8/1 – Ongoing and documenting. Spreadsheet created for schedule and documentation. 9/12 Vendor completed tracking sheet which was forwarded to HC. 10/10 Ongoing and documenting. Post-storm documentation to be sent to KHA. 11/7 Ongoing. TEM sent documentation to HC. 12/5 – Ongoing. 1/09 - Ongoing and will provide vacuum quantities. 2/13 – Ongoing 3/6: Ongoing. Info sent to HC. 6/5 - Ongoing

13. Lakefront Maintenance: TOW to control invasive species along lakefront that is under Town jurisdiction. 10/18: Awaiting Orange County for permits. Once received, invasive plants to be removed by selected contractor. Awaiting Orange County permits. To start in January. Received OC permits. All permits now received. Start herbicide spraying. Pond by Windermere Elementary also maintained. Aquatic Systems has been onsite for a couple of months. SB coordinating with David Hansen, Orange County Environmental Protection Division, regarding limits of herbicide application. Information on cleaning Town's social media pages. Ongoing. Monthly treatment (15 locations). Vegetation cleared at Windermere Rec Center pond. Ongoing. SB to assess Windermere Rec Center pond on water recovery – check lake levels for comparison. Spraying is on a monthly basis on lakeshore and in the parks. Continuing on monthly basis. On Lake Down, 5 cypress trees planted and sent documentation to OCEPD to close out the complaint. Ongoing. SB received quotes to clean up the lakeshore (vegetation removal and tree removal). Continue to construct elevated boardwalk for nature trail. 2/3 DH discussed possibly funding “backyard BMP’s” (swales, rain gardens, planting, etc.). Ongoing. SB to provide TM with budget numbers. Continuing. Continuing. Ongoing. SB to address wax myrtle growth by Lake Bessie boat ramp. Land alteration permit would be required. Ongoing. TrM to check with vendor (Solitude Lake Management) on cycle of lakefront maintenance. Check on maintenance plan and frequency. 1/6/21 Travis M reached out to vendor to get scheduling. Will follow up again to establish a set schedule. 2/1/21 JF and TM working on permit and is in process of resubmitting. 3/1/21 Received Lake Crescent permit. TrM working on schedule. 4/5/21 Ongoing. 5/3/21 Tonya and Hao to work with vendor on quantities to report for NPDES compliance. Will also TV and GIS lines and structures. All will be cleaned out prior to Storm Season. 6/7/21 Town is using Solitude as their vendor and they have been providing reports to TEM. Considering a lakefront maintenance consultant to assist with planning for lake-front and swale maintenance to keep constant tabs of tasks and maintenance schedule. 7/12/21 Ongoing. RFP going out on 7/23/21. 8/9 RFP committee met last week. Got additional information from respondent (JF to meet with TD to discuss and make recommendation for awarding of bid). 9/13 – Lake management consultant RFP to be included in TC agenda for approval. 10/4 – Aquastem will have onboard meeting this week with Staff. 12/6/21 Amy is working with Solitude Lake Management. Will do a State of the Lakes at January TC meeting. 1/10/22 State of Lakes report at TC 1/11 meeting. Things we need to work on and things that are going well. 2/14 Lakes Consultant is good with services being provided by Solitude. Consultant will review 50 ft setback 3/7 On going. Lake consultant provided WT with letter per TEM. 4/4/22 Setbacks relative to pool – workshop with TC (Brad Cornelius of WT to conduct workshop) to evaluate what the Town will adopt. 5/2 WT doing presentation to TC for pool setback. DRB recommend not to amend. 6/6 BC discussing with Winter Park on pool setbacks (to eventually be presented to TC). 7/11 Ongoing. Taking ordinance to DRB in near future. 8/1 – Town looking at new vendor and add swale maintenance treatment. Lakefront impact Ordinance Amendment will go to DRB 8/16. TC on 9/13. 9/12 TC in October and November. 10/10 – TEM waiting on proposal. 11/7 TEM – new vendor (AWC) coming onboard. 12/5 – Aquatic Weed Control just finished first treatment and working with Lakes Consultant. 1/09 - Ongoing and providing documentation for review. 2/13 – Ongoing. Orange County reviewing status of permits for Bessie and Lake Down, should hear from them on 2/17 as to if we can modify the existing permit or need to reapply. Staff met with them virtually on 2/10 and in the field on 2/14. 3/6 TEM – new replanting plan (OC to extend permit). Focus on stormwater pond maintenance. 4/3 Ongoing. Resubmitted planting plan to OC EPD. 6/5 – OC EPD agreed to splitting up the replanting's so it can be done in phases. Phase 1 this fiscal year and phase 2 next fiscal year.

14. 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. 3/1/21 Temporary fix on roof completed. Permanent roof replacement is pending. TrM gathering quotes for fixes from roofing vendors. 4/5/21 TrM getting quotes on roofing from prospective vendors. Bids to be presented to TC for consideration. 5/3/21 TC to approve roof fix on 5/11 6/7/21 Budget increased for Town Hall. Inventory required for Town Hall elements. Next FY targeted to implement improvements. The flat roof did get repaired per TEM. 7/12/21 FY 21-22 funding for full assessment of Town Hall (April-May of 2022 for assessment). Continue cosmetic repairs till full assessment. 8/9 Ongoing. 9/13 – Ongoing. Minor fixes and cleanup continuing. 10/4 – Ramp fixes have been completed. Continuing to monitor and making minor repairs. 12/6/21 Wait for after new facilities are completed and then do an assessment. 1/10/22 Ongoing. 2/14 – AC/heater was previously serviced but Tonya will look into if there is an issue. 3/7 – TEM has new vendor to check AC – coordinate with TM. Look to doing assessment over the summer if funds allow. 4/4/22 Assessment over the summer. 5/2 TEM RFQ for assessment. 6/6 TEM – Draft document completed and RFQ pending. 7/11 RFP submitted – Councilman Williams will be on selection. 8/1 – Received one proposal. Committee will reject proposal and will look at doing study under \$35K and will coordinate with Price architect. 9/12 TEM reached out to Price Architects to help with Town Hall improvements. TEM to receive quotes. 10/10 – JF had meeting with historical architect for proposals. 11/7 – TEM to review proposals. 12/5 – Three quotes obtained and taking to TC on 12/13 to approve working with Mr. Price. 1/09 - Tonya to set up kickoff meeting. 2/13 John and Tonya to review status with Mr. Price and set meeting to include TM. 3/6 Architect to schedule meeting with TM to discuss Town Hall updates (Tom Price). 4/3 Developing preliminary plans based on discussion with Town staff. **6/5 TAEM and John reviewing draft floor plans. Next steps; determine cost estimate, and present to TM before scheduling public input meetings.**

16. 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. 3/12/21 Meeting was cancelled last minute (again). We will continue to advocate for relief. 4/5/21 Issue with Duke. TM discussed with residents. Re-evaluate when school starts back up in the fall to provide a more realistic scenario. 5/3/21 Tonya created speed bump request process similar to stop sign process (resident initiated). TM met with Forest St residents about Left Turn only sign out of 5<sup>th</sup> Ave parking lot. Left Turn only signs not budgeted by PD. TEM reached out to PD for their vendor and received quote of \$4,500 for portable signage. TM to review and consider. 7/12/21: PW, PD and JF working on several locations identified by residents. Need assessment, evaluation, then determinations as to what if any changes will be made (signage, etc.). 8/9 Ongoing. 9/13 – Ongoing. New portable speed detection sign boards currently on Ridgewood Drive. 10/4 – Ongoing. 12/6/21 Ongoing. 1 cent sales tax initiative to be discussed in mid-December and early January. 1/10/22 Portable speed detection sign moved to First and Forest. Robert had meeting with County on 1 cent tax initiative. Will move forward with initiative in November. Town of Windemere share could be at \$367k a year if passed. 2/14 – Town Staff is working on Oakdale. 1 month info ended on 2/11. TM to review stats with PW and PD. Schedule Public Workshop then to LRP then TC workshop 3/7 TM to review Oakdale data. Speeds within 85%. TM to schedule workshop to discuss with stakeholders. 4/4/22 TM preparing presentation to Oakdale residents for 4/13/22. 5/2 TM – 2 cut-thru traffic meeting with residents. Setting up meeting with LRP then Workshop with TC 6/6 Presentation on 6/14 regarding cut-thru traffic. Proposal is to close access points south of 6<sup>th</sup> Avenue and possibly 12<sup>th</sup>/Chase. 7/11 – To be discussed at TC. 8/1 – Strips, signs and flexible diverters are ready to be installed on 8/18. 9/12 Diverter in place. TEM addressed golf cart access. Positive compliments on diverter. 10/10 – Golf cart resolution for next TC agenda. Also 30-day appeal period pending. 11/7 Take to December TC meeting for review. 12/5 – Diverter is going to be discussed at 12/13 TC Meeting. Public meetings anticipated depending on TC direction. 1/09 - KH is working on proposal for diverter island and will include public workshops. 2/13 Mike W to produce three options for the public meeting, will touch base with Mike once he is back in the office. 3/6 TM sent appropriations request. Waiting on Safety Action Plan. 4/3 – 9<sup>th</sup> Ave and Oakdale workshop



on April 6<sup>th</sup>. Get with Heather to update the ordinance – 1<sup>st</sup> reading June TC. Getting costs, need to take to TC once we have costs together.

17. 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. 3/1/21 Sidewalk improvements on 6<sup>th</sup> Avenue to Ridgewood completed. 4/5/21 JF to coordinate with Tonya regarding implementation of various plans. TM to conduct budget review analysis. 5/3/21 Tonya to work with John on creating new CIP based on need and liability. Checking an area at Willows. 6/7/21 Virtual meeting to discuss sidewalk hazards. Looking to conduct pilot project for sidewalk maintenance company. 7/12/21: New company hired by Town will conduct an assessment of the Town sidewalks, prioritize improvement needs and prepare a CIP list for the Town to use for implementing sidewalk improvements. Vendor is 4-6 weeks out. Will start with 4 pilot projects. 8/9 New sidewalk company on board. TEM – 8/9 locations by Town Hall and Willows to be addressed. 9/13 – Work to be finalized this week in front of Tavistock office on 6<sup>th</sup> Avenue. 10/4 – Working on fixing trip hazards. 12/6/21 Tonya getting per square yard quotes based on sidewalk assessment from last year. 1/10/22 Tonya dealing with OC contractor for sidewalks and is waiting on bid. Anticipated February TC agenda. 2/14 – Sidewalk contractor approved by TC. 3/7 TM to send V3 conceptual sidewalk improvements by KHA (developer to construct sidewalk). 4/4/22 – Mayor received comments from residents. Replace first, then shave sidewalks to meet ADA compliancy. 5/2 TEM met with sidewalk contractor and walked problem areas. 1<sup>st</sup> week of June targeted to begin (contractor to coordinate with JF). 6/6 TEM – quote received and reassess sidewalk improvements with staff. 7/11 Ongoing. Re-pour sidewalk in front of Admin building. End of July – Start Park Avenue. 8/1 – Completed, vendor is Condor. 9/12 All sidewalk improvements completed for currently FY. 10/10 – TEM working with contractor on next phase of repairs. 11/7 Park Avenue completed, moving to 6th Avenue. 12/5 – Sidewalk repair at Park and then 6th Avenue. 1/09 - Sidewalk repair to continue on 6th Avenue and then Main and Chase. 2/13 Finishing up 6<sup>th</sup>. 3/6 Finishing up 6<sup>th</sup> Avenue (for this fiscal year). Finished sidewalks damaged in Hurricane Ian. TEM waiting

on reimbursements once work is completed. TEM given go ahead. 4/3 – Waiting to hear back from FEMA on desktop inspection. Repair apron at WRC and sidewalks on Maguire.

18. 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. 3/1/21 AIA agreements executed. Coordinate with Doug Galvan regarding time extension. Surveying on Bessie has been initiated (PEC). HC to review where additional swales and pipes are needed. Town to contact residents regarding surveying for project. 4/5/21 Survey to begin this week (Oakdale/8<sup>th</sup> and Magnolia Street). May delivery date expected for 45% plans. 3<sup>rd</sup> and Magnolia to be included as part of the project per DEM combination of projects. HC to provide separate IPO for water main improvements. 5/3/21 Survey Crews out later this week. Should have 45% plans by end of May. 6/7/21 Awaiting survey for project. HC working on 3<sup>rd</sup> and Magnolia. Workshops to be considered for both projects by end of June/early July. Public workshop followed by TC workshop after receipt of 45% plans. 7/12/21 Preliminary 45% plans and exhibits submitted to TEM and JF. Comments received and Kimley-Horn is updating for resubmittal this week. Public workshop is scheduled for 7/27. 8/9 45% plans on TC 8/10. VG-water main designs underway. 9/13 Pre-Application meeting with SFWMD scheduled for this month. 90% Plans to be prepared for submission for review in October. Water main schematic submitted to TEM for review (to be submitted to OCU). 10/4 – SFWMD submittal and OCU schematic submittal this month. KH working on final plans. 12/6/21 Public meeting completed. 90% plans completed. TC for approval on 12/14. Final plans by end of year. Respond to RAI this week. Water main plans submitted to OCU this week. 1/10/22 WMD permit received. KH working on draft bid package for submittal to Town and DEM. Water main plans to be resubmittal to OCU this week. 2/14 – Compiling documents for submittal to DEM this week. 3/7 Phase I DEM deliverables submitted for review. 4/4/22 - DDF tables submitted to DEM for review of BCA. 5/2 FDEM issued RAI's responses completed by KHA. TM submitted ARPA costs for potable water designs 6/6 FDEM asking for more data on DDF (Existing conditions). 7/11 – RAI responses submitted. Extension for POP to be submitted to cover RAI responses. 8/1 - POP Extension and all Phase 1 reimbursements submitted. Waiting to hear back from FDEM. 9/12 HC working with FDEM on BCA analysis. 10/10 BCA analysis completed and sent to FDEM for review. 11/7 HC remove scope of work that does not have direct benefit. Plans and cost-estimates to be updated and to be resubmitted to FDEM. HC to request POP extension from FDEM. 12/5 – Reduced scope of work sent to FDEM and currently under review to get BCA ratio to one. Pre-app scheduled with FDEP for No Permit Required Letter. 1/09 - Field meeting scheduled with FDEP and KH responding to No Permit Required Letter RAI from FDEP. 2/13 Victor and Tonya met with FDEP on 2/3. They requested we send full set of

plans and permits issued by Water Management District. Those were sent to FDEP on 2/7. Awaiting FDEP determination on wetland impacts. 3/6 HC said Ed Warren, FDEM, updated BCA in favor of the Town. Next step is a public notice and submission of the NPR. 4/3 – KH splitting the plans and submitting to FDEM this week. **6/5 awaiting response from FDEM.**

19. **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. 3/1/21 No additional surveying needed. HC moving to 45% plans. HC provided schedule regarding resident discussions on 45% plans. April-May for Butler; June-July for Bessie. On schedule for delivery 45% for this month, including Fernwood Park. May workshops likely for resident feedback. 5/3/21 KHA working on 45% plans. Once ready will present to TC, residents and LRP. 6/7/21 JF to have a meeting with Mr. Clark to clarify the project intent. TC to consider in July. 7/12/21 TC meeting to approve 45% plans at 7/13 TC meeting. Upon approval KHA will proceed with producing final plans and coordinating the water line permitting with Orange County. 9/13 Pre-Application meeting with SFWMD scheduled for this month. Plans to be prepared for submission for review. Submit water main schematic TEM for review (to be submitted to OCU). 10/4 - SFWMD submittal and OCU plans submittal this month. KH working on final plans. 12/6/21 Public meeting completed. 90% plans completed. TC for approval on 12/14. Final plans by end of year. General permit obtained. Water main plans submitted to OCU this week. 1/10/22 KH working on draft bid package for submittal to Town and DEM. Water main plans to be resubmittal to OCU this week. 2/14 – Compiling documents for submittal to DEM this week. 3/7 Phase I DEM deliverables submitted for review. 4/4/22 – DDF tables submitted to DEM. 5/2 FDEM issued RAI's responses completed by KHA. TM submitted ARPA funds for potable water design. 6/6 FDEM asking for more data on DDF (Existing conditions). 7/11 – RAI response submitted. Extension for POP being prepared and to be submitted. 8/1 - POP Extension and all Phase 1 reimbursements submitted. Waiting to hear back from FDEM. 9/12 HC working with FDEM on BCA analysis. Final calcs signed and sealed and submitted to FDEM. 10/10 BCA analysis completed and sent to FDEM for review. 11/7 Butler approved by FDEM. MG to provide HC with template for Public Notice language. 12/5 - Pre-app scheduled with FDEP for No Permit Required Letter. 1/09 - Field meeting scheduled with FDEP and KH responding to No Permit Required RAI from FDEP. 2/13 Victor and Tonya met with FDEP on 2/3. They requested we send full set of plans and permits issued by Water Management District. Those were sent to FDEP on 2/7. Awaiting FDEP determination on wetland impacts. 3/6 NPR to be sent to Amanda Chin, FDEM, per HC. 4/3 – Waiting on FDEM phase 2 agreement. **6/5 awaiting response from FDEM.**



20. 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. 4/5/21 On Hold (Town working on other CIP projects). 5/3/21 Funding Opportunity up for approval by TC on 5/11 6/7/21 TM spoke with attorneys and contract is to be approved (pending). 7/12/21: Agreement signed. RFP for Project Management Services should be completed by this Wednesday or Thursday. 8/9 TM awaiting comments. 9/13 – Rotary created their own RFQ (did not use Town's boilerplate). Rotary Received 5 respondents and conducted interviews. JF to be Town's independent reviewer. Rotary selected ZHA as PM for Windermere Pavilion. ZHA recommended for project management for pavilion for Rotary Club of Windermere, LLC. Recommendation to be on TC agenda for approval. 10/4 – RFQ response this Friday. 12/6/21 Robert working on bid process with Rotary. Need to contact Rotary Attorney and JF for status. 1/10/22 Look at using design-build AIA form. Town staff to review RFQ package. 2/14 – Town staff to respond to questions on RFQ package. 3/7 Selection committee to be created (including JF) to review submitted responses to the RFQ. Only 2 respondents. Selection process pending. 4/4/22 Committee has made selection to design-build contractor to be presented to TC on 4/12. Asbestos inspection conducted and report expected next week – do not anticipate any issue. 5/2 Initial review of contract with contractor – no asbestos identified. JF recommended site plan for review by TC. 6/6 Surveyors are out to do a site survey for the pavilion site. Once survey is complete, a demolition plan will be prepared. JF will coordinate with Tree Board based on arborist report. 7/11 Received survey over weekend. Preparing site plan for pre-approval by TC. Once site plan is approved, demolition can proceed. 8/1 – John F is working on getting final budget and conceptual site plan to schedule workshop. Arborist report will be completed. 9/12 JF to meet regarding final design of pavilion. JF to coordinate with Andy before a formal TC workshop is scheduled. 10/10 JF to meet with ZHA regarding demolition permit. 11/7 JF to meet regarding the tagging of trees. To be included for December TC meeting. JF to meet with Hunton-Brady and prepare Executive Summary to TC. 12/5 – JF working with arborist and Tree Board. 45% design submittal to TC in January. 1/09 - January 23rd public information workshop scheduled. 2/13, field review of site held 2/9. Public input from this meeting will be brought back to TC for their decision at a to be determined date. 3/6 Money available for this specific project. TM to coordinate on amending scope of work. Amending site plan, conduct public and TC workshops, etc. Plan has been re-scaled to eliminate concession stand. TM to meet with Rotary Inc 3/7 at 4pm. 4/3 – April 17<sup>th</sup> open forum and end of April TC workshop. **6/5 met with Rotary and Board, willing to reduced size and scope. Presented at June workshop.**

21. 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. 3/1/21 JF met with Tree Board, Enviro-Tree to remove tree. JF awaiting Duke on pole relocation. 4/5/21 HC and JF met with Molly Rose 4/2/21 to discuss options for improving drainage improvements. IPO to be prepared for the proposed drainage improvement including design survey. Relocation of Dirt Main design pending relocation of Duke power pole. Tree's trimmed and removed. 5/3/21 Design in progress 6/7/21 Survey underway. End of June/beginning July for 45% plans to JF and TEM. 7/12/21 KHA coordinating with Duke Energy to have existing power pole relocated in mid-August. Topo survey has been completed. Kimley-Horn is currently working on 45% plans design. Anticipated submittal next month. Survey completed. JF working with Duke to relocate power pole. All staff coordinating with property owner and Wade-Trim. Design in Progress. 8/9 Power pole to be relocated within next 2-weeks (Duke Energy). Once pole is relocated, road realignment can be conducted. Stormwater improvements will likely need to be RFP'd. KHA working on plans. 9/13 – KHA to submit % plans to TEM and JF for review. Duke Energy has relocated power pole. 10/4 – KH has completed plans and John and Tonya will meet with Rose property. 12/6/21 John met with property owner. Rose and King property may be open to property swap. KHA to hold until property swap is confirmed. 1/10/22 Waiting on Rose property and 1036 Main Street property swaps. KHA on hold for plans. Power pole relocation will 4/22 be completed and Town staff can temporarily realign road off of private property. 2/14 – On hold until property swaps have been confirmed. 3/7 On Hold until TM meets with Mr. King. Meeting is this week. 4/4/22 – On hold until property swaps are completed. 5/2 awaiting quotes and working with GR. 6/6 Finalizing documents on acquisitions. 7/11 KHA submitting revised IPO with additional properties. 8/1 – IPO for design at additional properties will be on August TC agenda. 9/12 Topo surveying initiated per HC. 10/10 – Topographic survey completed. Road temporarily shifted. 11/7 HC-topographic survey completed, conducted field review with TEM. Roadway to be realigned and shifted to be within Town R/W. Plans to be prepared and submitted for review. 12/5 – Working on 45% plans for December/January submittal and workshop. 1/09 – 45% plans submitted to Town staff for review. 2/13, Mr. Fleming wants a full-size set of plans to review before meeting with John and Tonya on site. KH preparing these. 3/6 HC provided plots to JF. JF provided plans to Bob Fleming to review. HC to update 45% design based on comments. 4/3 – John F to have meeting with Bob Fleming this week to finalize comments. 6/5 Hao to send John the top plan sheet to review change of increased grass area for neighbor at ward Property.

22. Pavement Management Plan: SB working with four (4) professional engineering companies to develop a scope of work and costing for the Town's PMP. The survey/study will evaluate the existing roadway system conditions and provide future recommendations for paving and longevity. SB received no response. Received proposal from QES on budget (\$60,000). On hold for this FY. RFQ slated for next FY (original PMP prepared by QES). SB working on RFQ – pending. SB working on RFQ – next FY. Selection committee to be determined. RFQ is out (TM, JF and Roger Gatlin on selection committee). 12/7/20 Two

respondents on RFQ (QES and PDQ). JF, TM, and Roger Gatlin to be on selection committee). 1/6/21 Robert Smith to look at and discuss pushing out selection to possibly April. 2/1/21 Pushing out to fiscal year 2021/2022. 3/1/21 No change. 4/5/21 RFQ – 2 submittals been received. Move awarding of RFQ till next FY. 5/3/21 Will RFP next FY. Tonya and Councilman Davit to coordinate on drafting scope for RFP 6/7/21 JF to work on RFQ by October of this year. 7/12/21: In FY21/22 Budget. TM, PW, JF and TD to coordinate on drafting scope to advertise in RFP. 8/9 Plan on April FY21/22 for advertisement. 9/13 – On hold until April 2022. 10/4 – On hold until April 2022. 12/6/21 Tonya and staff to work on drafting RFP. 1/10/22 Town staff to review areas that need to be repaved. Tonya has reached out to contractors to see if they are willing to piggy back contract with other municipalities for this work. Town staff will coordinate with Councilman Davit on rehabilitation options. 2/14 – Town staff working with Middlesex. Waiting to get contract back from them. Councilman Davit and staff has reviewed. 3/7 Middlesex proposal on TC agenda (selective pavement repair). All Main Street/6<sup>th</sup> Avenue, partial Maguire Road. 4/4/22 – Middlesex contract approved. TD asked if the project could be done at night. 5/2 TEM working with PD and Middlesex on paving improvements. Looking at week of 6/5 for paving. 6/6 PMP to be held off till next FY. Middlesex conducting pavement improvements. 7/11 Starting night work on Main Street tonight. RFQ for PMP update scheduled for next FY. 8/1 – Middlesex completed their work. Pavement management Plan RFQ scheduled for September. 9/12 RFQ to be issued in new FY. RFQ to be drafted and reviewed between TEM and JF. 10/10 – JF reviewing proposal by QES. 11/7 On agenda for November 14<sup>th</sup> meeting. 12/5 – Approved by TC on 11/14. 1/09 - Kickoff meeting completed with QES and they are starting work. 2/13, QES was in town to perform the survey work on 2/4. 3/6 QES working on the plan based on new data. 4/3 – Updating with projects from the last 9 years.

23. Downtown Brick Restoration Improvements – 3/7 JF and TEM to reach out to brick vendors regarding brick pavement repair. JF and TEM to review repair typical section to determine the best solution. 4/4/22 Cathcart looked at the typical sections – JF had brick contractor looked and provide proposal – wait until after school lets out. 5/2: 6<sup>th</sup> and 4<sup>th</sup> Repaired this weekend. 6/6 TM indicated spot on 6<sup>th</sup> Avenue to be addressed. TEM to ask for quote to do the work. 7/11 TEM purchased order for 6<sup>th</sup> Avenue (between new Admin building and Town Hall). 8-1 Waiting for bricks to be prepared. Town staff is following up with World Class Stone and Tile. 9/12 TEM – section by Town Hall and new Admin building completed. 10/10 Look at other improvement areas. 11/7 area outside of administration building completed. 12/5 – Address tripping hazards and remove broken basketball pole. 1/09 - Tripping hazard and broken basketball pole has been addressed. 2/13, Looking to address an additional spot this FY. 3/6 TEM and JF to schedule time and date for work (likely summer) due to volume of traffic. 4/3 – Ongoing. Town staff is identifying areas for work this summer.

24. 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. 3/1/21 HC finalized road and drainage plan, including sidewalk tie-in. 4/5/21 MG to coordinate with HC on roadway alignment. Masee property has been preliminarily acquired (pending agreement). 5/3/21 TM has two weeks to get properties 6/7/21 HC awaiting on property acquisitions. 7/12/21: TM has commitment from 4 of 5 property owners. Will be working with GR and KHA on acquisition and design. HC moving forward with final design of pavement and ribbon curb alignment per acquisition of properties. HC to coordinate with MG at intersection of West Second Avenue. In FY 21/22 budget. TM, PW, JF and TD to coordinate on drafting scope to advertise in RFP. 8/9 JF and TEM walked site with HC and MW to review design. MW to coordinate with MG at intersection of Dirt Main

and West Second Avenue. 9/13 - 40% plans to be submitted at end of month. KHA walked site with Town staff. Water main schematic to be submitted to TEM, JF and OCU later this month. 10/4 –Public Meeting on 10/18. 12/6/21 Public meeting completed. TC November meeting approved to go to 90% plans. KHA to complete for staff review by end of January. Water main plans submitted to OCU this week. 1/10/22 KH working on 90% roadway and water main plans. 2/14 – Water main plans submitted to OCU. Finalizing 90% design and will be ready for submittal this month for public meeting. 3/7 HC to provide TM cost for pavement from North Street to the canal. KHA submitted exemption from SFWMD – approval pending. 4/4/22 – HC received SFWMD exemption – HC to provide TM with revised costs. 5/2 KHA to finalize design. 6/6 HC – coordinating with MW on Ward Trail improvements. HC to submit 90% plans – TM to set up workshop. 7/11 On hold for funding (due to HMGP projects). HC to complete plans and set up workshops. 8/1 – Ready to schedule for workshops. 9/12 90% of plans on TC agenda. 10/10 – 90% plans approved by TC. KHA to proceed with 100% plans. 11/7 HC-90% plans approved, HC to sign and seal plans. Project to be constructed in the future. 12/5 – Final plans have been submitted. Shelved until funded for construction. 2/13 - No new updates. 3/6 Waiting on funding. 4/3 – No new updates. Still looking for funding

25. Pedestrian Bridge – IPO approved by TC 9/8/20. Survey underway. Elevations to be established. Meeting scheduled week of 11/2/2020. First Zoom meeting to be held 12/7/20. 1/6/21 KH sent Town survey results. Workshop in January with Town Council to decide on type of bridge and colors. Then we can move forward with design. 2/1/21 TC selected Bridge Brothers Bowstring 14-foot width, KH working on getting color palates and height. Will be on February TC. RS asked for appropriation from state. 3/1/21 Proceeding with final design (KHA). Target Healthcare Alliance meeting in April to have concept plan. 4/5/21 KHA (Mike Woodward) completing design. 5/3/21 Waiting on completed design 6/7/21 Surveys to be completed by this month per MW. 7/12/21: Surveying complete. Walk thru to be scheduled next week. 8/9 MW coordinate with bridge designers. MW to get a tentative construction schedule to TEM. 9/13 - MW send conceptual plans to TM for review. Town selected Option #2. Town provided feedback on abutments – electing a shorter bridge with concrete walls and decorative fascia at the edges of the canal. KHA will provide 60% plans by the end of the week for Town review and walk-through by Town selected arborist. Meeting this month with SFWMD to confirm permit status needs. Bridge design by manufacturer is underway. Construction schedule (after NTP to contractor) is estimated to be 6-months. 10/4 – Eric to provide arborist evaluation and then public meeting will be scheduled. 12/6/21 KH submitted for SFWMD permits. Received trail permit. KH Resubmitted RAI for bridge portion. 1/10/22 WMD permit received. Incorporated with overall trail design. 2/14 – Potential realignments to avoid trees and will submit this week. TM to meet with West Orange Alliance 2/17 3/7 MW to discuss with TM on public meeting. MW to revise plan. 4/4/22 – MW discussed that the project will be done with the Ward Trail project. 5/2 KHA 90% plans in 2 weeks per MW. Possibly June TC for approval. 6/6 90% plans submitted. TM to schedule workshop. 7/11 MW coordinating with FDOT on funding. Plans to be discussed tonight at workshop. 8/1 – 90% TC on August 9<sup>th</sup>. 9/12 90% plans approved. MW coordinating with FDOT District 5. 10/10 – 90% plans approved by TC. TM coordinating with FDOT on federal funding. MW indicated TB walk-thru pending. 11/7 Town to be LAP certified – MW working with FDOT on certification. DRMP to be used by Town for CEI services. TM and TEM to work on educational element of certification process. 12/5 – Working with FDOT D5 on LAP funding and certification. 1/09 – KH is addressing comments from FDOT and working on required certifications. 2/13 still awaiting LAP training options for TM and PWD. Sent DOT confirmation we will use their CEI contractor. 3/6 Awaiting on LAP certification. KHA responded to FDOT comments. 4/3 Waiting on LAP certification. Final plans will be submitted next week. 6/5 received the schedule from FDOT. Project lockdown scheduled for December. LAP agreements and signed documents to FDOT by Oct 15. Waiting LAP Cert.

26. TM to budget for wastewater report through infrastructure funding (IPO by KHA). Identify types of projects most eligible and pre-requisites. 8/1 – Town Staff will look at funding opportunities with Orange County. 9/12 On hold. 10/10 No change. 11/7 No change. 12/5 – No change. 1/09 - No change. 2/13 TM completed appropriation requests for these projects. TM and PWD have meeting with KH grant liaison on 2/15 to review additional grant options outside of the appropriations. 3/6 Submitted for State appropriations. **6/5 Waiting on State appropriations. No new updates.**

27. Lake Street Park – move to privatize park. TM to discuss with Commissioner Wilson and OCEPD (Liz Johnson) on swimming zones and watercraft exclusion areas. FRDAP grants would need to be returned (TEM to review). 8/1 – Will go back to TC on August 9<sup>th</sup>. Potential returning of FRDAP grant and fence installation with keypad. 9/12 Meeting this afternoon. TEM reached out to FDEP regarding FRDAP. 10/10 Update to be provided by TEM in November to TC. 11/7 Updated to done in December. 12/5 – Presentation in January. 1/09 - Town staff to coordinate with OCEPD. 2/13, look to hold a workshop in March to continue this discussion. 3/6 Workshop with TC in March on ideas. 4/3 – Workshop last week and received input from TC. **6/5 Town staff is gathering information based on input and TC direction. TAEM to put all costs and info together and then a workshop can be scheduled.**

28. Low level lighting at 5<sup>th</sup> and Forest – Town staff looking into it. 2/13 PWD and ENg Con to meet with electrician to price out the lighting. 3/6 TEM to send quotes to TM. 4/3 – One quote received, waiting on two more quotes. **6/5 Looking for more quotes. Then host public int meeting.**

29. Stormwater Master Plan – Project has been kicked off. MG is coordinating with surveyor and Town staff for inventory. 2/13, SE Surveying 60% done with their work. PW team finalizing two additional swale areas to send to M. Galura. 3/6 MG compiling photo log of structures. MG to finalize swale plan and provide to SESMC for inclusion into the master plan. Will include HOAs and possible inspection timeline requirements. 4/3 – Draft database has been submitted and Tonya is reviewing. **6/5 Mike putting together a survey for public input meetings. Gathering Stormwater utility fee info.**

### Acronyms

**ADG: Architect Design Group**

**BC: Brad Cornelius (Wade-Trim)**

**CIP: Capital Improvement Project**

**CE: Code Enforcement**

**CS: Chris Sapp, Town Councilman (previous 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)**

**FDEM: Florida Division of Emergency Management**

**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**

**LAP: Local Agency Program**

**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)**

**NPR: No Permit Required (under State 404 program, previously USACE jurisdiction)**

**NW: Nora White, Finance Director, Town of Windermere**

**PA: Public Assistance**

**PD: Police Department**

**PMP: Pavement Management Plan**

**PW: Public Works Department**

**PDCS: Town Permitting Consultant**

**RFP: Request for Proposals**

**RFQ: Request for Qualifications**

**RR: Railroad**

**ROW: Right-of-Way**

**SFWMD: South Florida Water Management District**

**STAR: State Annual Reporting (DEP)**

**SW: Stormwater**

**TAC: Transportation Advisory Committee.**

**TB: Tree Board**

**TC: Town Council**

**USACE: United States Army Corps of Engineers**