

THE TOWN OF
Windermere



MAYOR AND COUNCIL OF THE TOWN OF WINDERMERE

**Mayor Jim O'Brien
Council Members
Andy Williams
Tony Davit
Mandy David
Tom Stroup
Brandi Haines**

Agenda

Agenda

**January 14, 2025
6:00 PM**

**WINDERMERE TOWN HALL
520 MAIN STREET
WINDERMERE, FL 34786**

**JOIN ZOOM MEETING: [HTTPS://US06WEB.ZOOM.US/J/89076846425?](https://us06web.zoom.us/j/89076846425?pwd=WSMDHUBZIMJZYLSBQIXITL1QWASXWK.1)
PWD=WSMDHUBZIMJZYLSBQIXITL1QWASXWK.1**

**MEETING ID: 890 7684 6425
PASSCODE: TOW2024**

ONE TAP MOBILE: +1 (305) 224-1968 - 89076846425# US

PLEASE TURN OFF ALL CELL PHONES AND PAGERS

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

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

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

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

AGENDA

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

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

2. SPECIAL PRESENTATION / PROCLAMATIONS / AWARDS

a. Arbor Day Proclamation (Attached)

3. TIMED ITEMS & PUBLIC HEARING

4. OLD BUSINESS

5. NEW BUSINESS

a. MINUTES

i. Town Council Meeting Minutes November 12, 2024 (Attachments-Staff Recommends Approval)

ii. Virtual Town Hall Public Meeting Minutes November 20, 2024 (Attachments-Staff Recommends Approval)

iii. Town Council Meeting Minutes December 10, 2024 (Attachments-Staff Recommends Approval)

b. RESOLUTIONS / ORDINANCES FOR APPROVAL / FIRST READING

i. Resolution 2025-01: Town Council for the Town of Windermere adopting update to the Town's Tree Mitigation Fee (Attachments-Tree Board Recommends Approval)

c. CONTRACTS & AGREEMENTS

i. Sub-Recipient Agreement 4337-297-A Modification #1 with FDEM for West 2nd Avenue Drainage Improvements (Attachments-Staff Recommends Approval)

ii. Consulting & Retainer Proposal JPF Development Solutions-Amendment #3 (Attachments-Staff Recommends Approval)

iii. Approve RFP 2024-01 Lobbying Services (Attachments-Selection Committee Recommends JEJ & Associates)

c. OTHER ITEMS FOR CONSIDERATION

6. MAYOR & COUNCIL LIAISON REPORTS

7. STAFF REPORTS

8. ADJOURN



PROCLAMATION

WHEREAS, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees in our town increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal, and

WHEREAS, the Town of Windermere proudly celebrates over twenty-seven years as a “Tree City, U.S.A.”,

NOW, THEREFORE, I, Jim O’Brien, Mayor of the Town of Windermere, do hereby proclaim Friday, January 17, 2025 as

ARBOR DAY

in the Town of Windermere, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being for future generations.

DATED this 14th day of January, 2025.

ATTEST:

TOWN OF WINDERMERE

Jim O’Brien, Mayor

Dorothy Burkhalter, MMC, FCRM
Town Clerk

TOWN OF WINDERMERE

Town Council Meeting Minutes

November 12, 2024

CALL TO ORDER:

Present were Mayor Jim O'Brien, Town Council Members Tom Stroup, Andy Williams, Mandy David, Tony Davit, and Brandi Haines. Town Manager Robert Smith, ATM/PWD Tonya Elliott-Moore, Deputy Police Chief Jayson Bonk and Town Clerk Dorothy Burkhalter were also present. Attorney Heather Ramos was absent.

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

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

Mayor O'Brien opened the floor to the public. Mrs. Nancy Bardoe, Mr. Bill Bardoe and Ms. Jane Glance differed until the Lake Bessie discussion is made. Mr. John Spears of 406 Forest Street introduced himself. He then commented on an issue with the church gate that faces Forest Street. Mr. Spears explained that there is an agreement with the church to only allow the gate to be open on Sundays and for special approved events. Some discussion followed. Manager Smith stated he will set up a meeting with Mr. Spears, representatives from the church and himself regarding this issue. Next to speak was Mrs. Liz Andert of 60 Oakdale Street. Mrs. Andert commented on the need for a beacon crosswalk at the roundabout located at Park Avenue and Maguire Road. She explained that safety is a concern due to the increased number of rowers and getting darker earlier. Mrs. Andert requested that if funding is available, this project be moved to the forefront. Discussion followed regarding lighting, costs, funding, fundraising by OARS, and working together for a solution. Ms. Sue Ellen Doty of 328 Forest Street introduced herself. She also commented on the church gates and issues with the gate being open. She commented on the number of cars from the church on a residential road, and speeding. Member Stroup stated that he would also talk with someone at the church. Ms. Renee Cingolani of 412 Forest Street introduced herself. She then gave a history of the church gate and the agreement. Ms. Cingolani commented on discussions with Mr. Chuck Carter from the church. She further commented on speeding cars and the number of cars on the residential road.

2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS:

3. TIMED ITEMS & PUBLIC HEARING

4. OLD BUSINESS

5. NEW BUSINESS

a. RESOLUTIONS/ORDINANCES FOR APPROVAL/FIRST READING

i. Resolution 2024-08 – Windermere Trail Project – Town of Windermere Safe Routes to School Project Phase 1

Mayor O'Brien introduced this item. He then turned the floor over to Mr. Mike Woodward with Kimley Horn. Mr. Woodward explained that approval of the Resolution is needed for the FDOT agreements to be signed so the funds can be received. He then gave a review of the project and timeframes. Member Haines questioned the width and elevation of the path for golf carts. Mr. Woodward explained that there will be enough space so there will not be any hazards. After discussion was made regarding golf carts, accessibility, school access for golf carts, and trees, Member Davit made a motion to approve Resolution 2024-08. Member David seconded the motion. Roll call vote was as follows: Haines – aye, Davit – aye, David - aye, Williams – aye, and Stroup – aye. Motion carried 5-0.

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- ii. **Approve FDOT Agreement FPN 451987-1-58-01/02 & 451987-2-62-02 (FY25), LPA, LFA & Escrow Agreements for The Town of Windermere Safe Route to School Project Phase 1, Windermere Trail**

Mayor O'Brien introduced this item. Member Davit made a motion to approve the FDOT Agreement FPN 451987-1-58-01/02 and 451987-2-62-02 (FY25), LPA, LFA & Escrow Agreement. Member Williams seconded the motion. Roll call vote was as follows: Stroup – aye, Williams – aye, David – aye, Davit – aye, and Haines – aye. Motin carried 5-0.

- iii. **Ordinance No. 2024-01 Annexation**

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA, PERTAINING TO TOWN BOUNDARIES; EXPANDING THE TOWN'S BOUNDARIES BY ANNEXING INTO THE TOWN'S CORPORATE LIMITS CERTAIN LANDS KNOWN AS THE CHAINE DU LAC COMMUNITY WHICH IS COMPRISED OF THE PLATTED SUBDIVISION OF CHAINE DU LAC, PARK AVENUE WEST, AND UNPLATTED LOTS ALONG LAKE BUTLER CONSISTING OF APPROXIMATELY 102 ACRES; REDEFINING THE BOUNDARY LINES OF THE TOWN; CALLING A SPECIAL ELECTION FOR THE PURPOSE OF HOLDING A REFERENDUM, BY MAIL BALLOT, OF THE REGISTERED VOTERS IN THE AREA TO BE ANNEXED ON WHETHER THE ANNEXATION SHOULD BE APPROVED; PROVIDING FOR SEVERABILITY; PROVIDING EFFECTIVE DATES.

Mayor O'Brien introduced this item. He then turned the floor over to Mr. Brad Cornelius. Mr. Cornelius gave a summary of the proposed annexation, public workshops, Town Council workshops, services, taxes and assessments. Member Stroup questioned if the referendum is town wide or proposed area only. Mr. Cornelius explained that the Ordinance is written for the residents of Chaine du Lac only. Discussion followed regarding the referendum for the proposed area only or Town wide, and costs. Mayor O'Brien closed the Town Council meeting at 7:05pm and opened the Public Hearing. He then read the title of proposed Ordinance 2024-01 for the record. There being no public comments, Mayor O'Brien then closed the Public Hearing and reconvened the Town Council meeting at 7:06pm. He then stated that the second reading/public hearing will be held December 10th at 6:00pm in the Town Hall.

- b. **APPOINTMENTS**

- i. **WAYS Committee Appointments**
 - 1. Anna Andert
 - 2. Claire O'Malley
 - 3. Emerson Elliott
 - 4. Mily Schurr
 - 5. Loren Williams
 - 6. Maija Andert
 - 7. Sophia Arndt

Mayor O'Brien introduced this item. Member David made a motion to appoint the WAYS Committee members. Member Davit seconded the motion. Roll call vote was as follows: Stroup – aye, Williams – aye, David – aye, Davit – aye, and Haines – aye. Motion carried 5-0.

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ii. **Long Range Planning Committee**
1. **Paul M. Pantozzi II**

Mayor O'Brien introduced this item. Member Davit made a motion to appoint Mr. Pantozzi to the Long-Range Planning Committee. Member Williams seconded the motion. Roll call vote was as follows: Haines – aye, Davit – aye, David – aye, Williams – aye, and Stroup - aye. Motion carried 5-0.

c. **CONTRACTS & AGREEMENTS**

i. **Approval of 3rd Avenue and Magnolia Street, Bessie Drainage – Phase II Subrecipient Agreement 4337-443-A with FDEM**

Mayor O'Brien introduced this item. He then turned the floor over to Mr. Hao Chau with Kimley Horn. Mr. Chau reviewed the project in its entirety, including the different phases, the purpose of the project – drainage control, regrading improvements, benefit cost analysis, and funding. Member Haines commented on confusion with costs. Mr. Chau commented on engineering, design and construction costs. Member Haines commented on the elevation of the road. Mr. Chau explained the procedure that will take place for the road. Much discussion followed regarding the road, elevation, water flow, retention ponds, trees, rain gardens, mulch types, and potable water system price increases/no funding. Mayor O'Brien opened the floor to the public. First to speak was Mr. Bill Bardoe, 225 E 9th Avenue. Mr. Bardoe commented on his displeasure/opposition with the project. He then gave a brief history of past engineering plans that were made by Mr. Charlie True, which were then implemented and worked well. Mr. Bardoe continued to speak on concerns with the proposed project. He then commented on a past presentation regarding swales, roads and maintenance. Discussion ensued. Next to speak, Mrs. Nancy Bardoe of 225 E 9th Avenue. She commented on Phase II which does not indicate water utilities. Much discussion followed regarding past projects, proposed projects, swales, roads, maintenance, project splits/together, drawing sets, better transparency, funding deadlines, and phases. Mr. Joe Tenczar of 327 E 8th Avenue introduced himself. He then questioned how he would access his home once the project begins. Mr. Fitzgibbon stated that they will work with the owner. Member Davit suggested that Public Works Director Elliott-Moore a review the “level of maintenance for the investment”. He then stated that there seems to be confusion about the project which needed to be clarified. After minimal discussion was made, 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 Haines – nay. Motion carried 4-1.

d. **FINANCIAL**

i. **Approve Laub's Drainage & Flexi Pave for Centennial Walkway at Central Park – Parks and Recreation Committee – Flexi Pave is a proprietary sole source and Laub's is the approved installer for our area**

Mayor O'Brien introduced this item. He then turned the floor over to ATM/PWD Elliott-Moore. ATM/PWD Elliott-Moore explained that this request was made by the Parks and Recreation Department for the Centennial project. She stated that the existing walkway needs repair. Some discussion followed. Member Williams made a motion to approve the Flexi Pave walkway. Member David seconded the motion. Roll call vote was as follows: Haines – aye, Davit – aye, David – aye, Williams – aye, and Stroup - aye. Motion carried 5-0.

ii. **Approve Rep Services, Inc purchase for Memorial Bench Program – Centennial Celebration – Piggyback School District of Manatee County Contract #21-0053-MR**

Mayor O'Brien introduced this item. He then turned the floor over to ATM/PWD Elliott-Moore. ATM/PWD Elliott-Moore explained that this is another Parks and Recreation Centennial project. Member David made a motion to approve Rep Services, Inc. Member Davit seconded the motion. Roll call vote was as follows: Stroup – aye, Williams – aye, David – aye, Davit -aye, and Haines – aye. Motion carried 5-0.

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6. MAYOR & COUNCIL LIAISON REPORTS:

Mayor O'Brien thanked all for their assistance with the Veterans Day celebration and the car show. Member David's report is attached. Member Davit reported on meetings he attended. Member Williams reported on the upcoming Holiday Hoopla, and the upcoming Elders Luncheon. Member Haines reported on the past Tree Board, SAC, and Butler Chain Advisory Committee meetings. Member Davit commented on a message he received from Mrs. Kren Fay regarding the past election turnout. Member Williams also thanked Mrs. Fay for getting the survey out to the residents on election day. Some discussion followed.

7. STAFF REPORTS:

a. TOWN MANAGER ROBERT SMITH – Manager Smith reported on past and upcoming meetings/workshops. He then stated that he was elected to the Board of Directors for the West Orange Chamber.

b. ATM/PWD TONYA ELLIOTT-MOORE – ATM/PW Director Elliott-Moore reported that her team has been working on the holiday lighting.

c. TOWN ATTORNEY HEATHER RAMOS – Absent

d. DEPUTY CHIEF JAYSON BONK – Deputy Chief Bonk reported on upcoming training that will take place at WPD.

e. TOWN CLERK DOROTHY BURKHALTER – Clerk Burkhalter reported on upcoming qualifying.

8. ADJOURN:

Mayor O'Brien adjourned the meeting at 8:51 pm

Dorothy Burkhalter, MMC, FCRM
Town Clerk

Jim O'Brien, Mayor

Good evening, Council Members.

I'm pleased to announce that earlier this evening, the Town Council officially approved the Legacy Bench program as part of our ongoing celebration of the Town of Windermere's centennial. This initiative will allow members of our community to contribute to the town's legacy by adopting benches, which will be placed in key areas throughout our public spaces.

Additionally, I bring a message from our Parks and Recreation Committee. They wanted to inform the Council of their goal to eventually replace some of the swings in two of our parks. These improvements reflect our ongoing commitment to creating safe, welcoming, and well-maintained recreational areas for our residents.

In a special gesture of gratitude, the committee is looking at adopting the new swings in honor of two long-serving retired members, Nora Brophy and Tracy Mitchell. Both Nora and Tracy have contributed so much to our community through their dedication and hard work. Honoring their legacy in this way feels like a fitting tribute to their enduring impact on our parks and our town as a whole.

Thank you to the Parks and Recreation Committee for their vision and commitment to making Windermere a wonderful place for all residents.

TOWN OF WINDERMERE

Virtual Public Outreach Town Hall Restrooms/Charrette

November 20, 2024

PRESENT:

Mayor Jim O'Brien Town Council Members Tom Stroup, Tony Davit, and Brandi Haines were present. Town Manager Robert Smith, ATM/PWD Tonya Elliott-Moore, Town Clerk Dorothy Burkhalter, Mr. John Fitzgibbon, and Mr. Brad Cornelious were also present.

ATM/PWD Elliott-Moore called the public information workshop to order at 6:00pm

- 1. Public Review of Town Hall Restrooms Facility with Family Bathroom Concept**
- 2. Town Square Public Charrette and Survey as of 11/11/24**

ATM/PWD Elliott-Moore gave a brief history of past workshops/public sessions regarding the above items. She then turned the floor over to Mr. John Fitzgibbon. Mr. Fitzgibbon explained that at the direction of the Town Council, the family restrooms were to be revisited. He reviewed the proposed plan which shows the proposed family restrooms that have been shifted to allow maintenance. Mr. Fitzgibbon explained the process that will need to take place to final design. ATM/PWD Elliott-Moore commented that Mr. Fitzgibbon worked with Mr. Stephen Withers and an Architect after the past meeting regarding the new version. Manager Smith requested that ATM/PWD Elliott-Moore explain the location and cost of stand-alone restrooms. ATM/PWD Elliott-Moore reviewed the location, phasing and costs. Mr. Fitzgibbon stated that ADA parking and access are very close in this location. He also commented that since utilities are very close, there would not be a need to have new utility lines and plumbing/septic installed. Mr. Haas questioned the bidding. ATM/PWD Elliott-Moore explained that bidding has not taken place. She then turned the floor over to Mr. Brad Cornlius to comment on the Charrette. Mr. Cornelius gave an update of the October 30th Charrette which included attendees, exercises, comments and survey responses. ATM/PWD Elliott-Moore opened the floor to the public. Ms. Thellie Roper stated that the Town Hall needed to be renovated prior to bathrooms. Some discussion followed regarding access to restrooms, utilities, slope needed for ADA compliance ramps, open space and bathrooms. Mr. Stephen Withers commented on the location of the proposed bathrooms, ideal site for the bathrooms, fire concerns with outsiders having access through the Town Hall, building bathrooms out of concrete and the need for the Town Hall renovations. Ms. Pam "S" spoke on moving the bathrooms to the other side of the building. She also stated she would like to see a professional's advice for the location. Mayor O'Brien commented on the need to work on the bathrooms. Ms. Vicki Hurst questioned why seven outside bathrooms are needed. Mr. Fitzgibbon explained the design efforts of the bathrooms. Mayor O'Brien commented on an additional bathroom that could be locked. Mrs. Karen Fay questioned why the discussion is being held without the survey being complete. She then commented on the location and proposed locations. Much discussion followed regarding location of restrooms, the previous pavilion, Town Hall restoration, charrette, complete town square (not just the Town Hall), Forest Street residents' comments, funding, accessibility, and Port-O-Lets. Mrs. Theresa Schretzman-Myers commented on the bump-outs, altering of the historical structure, move the bathrooms to the old community building space, maintenance issue – not enough space, stabilizing of the town hall, adding of the metal roof, and kitchen upgrades. Mr. Fitzgibbon commented that the restrooms will be moved 3-4 feet from the building/porch. Ms. Jangi Borhi stated she agreed with Mrs. Schretzman-Myers. Mayor O'Brien commented on the process and need for the charrette. Ms. Borhi commented on keeping the bathrooms away from the Town Hall, as well as restoration needs of the Town Hall. Ms. Pam S. questioned if the areas could be staked out for visualization. ATM/PWD Elliott-Moore stated it could. Mrs. Foglia suggested having another meeting regarding the most cost-effective location. Ms. Renee Cingolani resident of Forest Street stated her personal choice is to have the restrooms near the library. She also stated that the Town Hall needed renovation. Mayor O'Brien thanked all for their participation. ATM/PWD Elliott-Moore explained the next steps in this process which will come from the Town Council. Chat comments attached.

3. ADJOURN:

The Public session adjourned at 7:30pm.

Dorothy Burkhalter, MMC, FCRM
Town Clerk

Jim O'Brien, Mayor

00:10:18 David Haas: Where is this standalone restroom building located in the park? Can't read any text on the shared screen
00:11:18 Karen Fay: I thought that at the Charette we had many discussions about the bathrooms being moved away from the TH.
00:11:42 Karen Fay: Are the bathrooms 'attached' to the TH 'set in stone'?
00:20:24 Karen Fay: How much are the portalets 'costing' us and for how long is that contract?
00:20:30 David Haas: Can you provide a link to the survey?
00:25:09 Karen Fay: I don't see any renovations on the actual kitchen. Am I correct?
00:26:14 Karen Fay: I'm curious as to why we are having this workshop when Brad hasn't completed his 'findings'.
00:33:53 Robert Smith: The survey isn't closed yet
00:34:26 David Haas: Replying to "The survey isn't clo..."

do you have a link to the survey?

00:36:04 jim.o'brien: SURVEY-QR-CODE.gif (698x605)
00:36:25 jim.o'brien: <https://town.windermere.fl.us/wp-content/uploads/2024/11/SURVEY-QR-CODE.gif>
00:40:02 David Haas: Reacted to "https://town.winderm..." with 👍
00:58:13 Jangi Borhi: How about putting the bathrooms by the library, where most of the groups suggested during the town square charrette earlier this month.
01:03:49 Renee Cingolani: mic isn't working
01:04:31 jim.o'brien: Renee, we will come back to you
01:08:27 Renee Cingolani: Sorry my mic isn't working. The north side of the Library seems to be a good place. Why not place it there?
01:10:36 Theresa Schretzmann-Myers: Please do not put the extra bathrooms anywhere near the National Register Historic Town Hall building. Please put the extra bathrooms out away from the Historic Town Hall where there is an existing drain field near the Library. Adding the additional bathrooms in the corner alter the historic look of the National Register Historic Town Hall.
01:12:11 Renee Cingolani: Yes, I don't want the town hall to be the destination for bathroom visits. The north side of the library would be my choice.
01:12:21 Theresa Schretzmann-Myers: When we did the Town Hall Square charrette, the majority of folks who spoke up had no problem with putting the additional public bathrooms out near the existing drainfield near the Library.
01:14:42 Pam S: Would it be possible to stake out where the proposed bathrooms would be?
It is difficult to see the plans on Zoom.
01:16:00 Hannah London: Reacted to "Would it be possible..." with 👍
01:16:15 Theresa Schretzmann-Myers: I would like to see another Public, In Person Charrette for the additional public bathrooms because most folks are at Windermere Elementary School for the Grandparents Thanksgiving Night. You are ignoring the public input from the Town Hall Green Space charrette. Folks were okay with putting bathrooms near the 2nd existing drain field.
01:32:14 Hannah London: Would just love to know if there is a plan to "walk the space" or mark out the suggested locations - that was a great suggestion from

Pam.

01:34:34 Theresa Schretzmann-Myers: There are ADA sidewalks that go from the parking lot to the North side of the Library near the second drainfield. The ADA bathrooms could go in that area.

01:36:00 Hannah London: Thank you!

01:36:02 Pam S: Well done

TOWN OF WINDERMERE

Town Council Meeting Minutes

December 10, 2024

CALL TO ORDER:

Present were Mayor Jim O'Brien, Town Council Members Tom Stroup, Andy Williams, Mandy David, Tony Davit, and Brandi Haines. Town Manager Robert Smith, ATM/PWD Tonya Elliott-Moore, Police Chief Dave Ogden and Town Clerk Dorothy Burkhalter were also present. Attorney Heather Ramos was absent.

Mayor O'Brien called the meeting to order at 6:00 pm 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. First to speak was Ms. Thellie Roper of 610 W 2nd Avenue. She spoke about potable water, restrooms and considering Town Hall renovations first. Mrs. Thersa Schretzmann-Myers of 2713 Tryon Place commented on guidance from the Secretary of Interior, Town Hall renovations first before bathrooms, preservation, stabilization, and roof top priority, and locating restrooms where temporary office trailers were. Mrs. Liz Andert of 60 Oakdale Street commented on golf cart/crosswalks, approved of Town Hall restrooms, and the referendum for proposed annexed area only. Mr. Stephen Withers of 712 Main Street spoke regarding checking of the HOA rules and conditions for Chaine du Lac, and he is in favor of the restrooms. Ms. Joan Foglia of 215 Butler Street spoke on the exterior and elevations of the Town Hall, bathrooms not in Phase I, and beginning with Phase II and III and tabling Phase I. Ms. Sara Beth Glausier of 224 E 7th Avenue commented that the restrooms needed to be tabled, the need for another location for the port-o-lets, businesses need to provide restrooms for customers, move restrooms near the library, and annexation should be town vote. Mr. Bob McKinley of 536 Magnolia Street on commented on the Town Hall exterior and restrooms. He then stated that cross walks and golf carts needed to be addressed, 6th Avenue and Magnolia Street crosswalk needed to be installed, and a decision for the annexation needed to be made by the elected officials. Mr. Steve Lewis of 936 Oakdale Street stated he agreed with Mr. McKinley. He also commented on golf carts and consistency of enforcement, and the restrooms are most important in the proposed location.

2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS:

3. TIMED ITEMS & PUBLIC HEARING

4. OLD BUSINESS

5. NEW BUSINESS

a. MINUTES

i. Town Council Meeting Minutes October 22, 2024

Mayor O'Brien introduced this item. Member Davit made a motion to approve the minutes of October 22, 2024. Member Williams seconded the motion. Roll call vote was as follows: Stroup – aye, Williams – aye, David – aye, Davit – aye, and Haines -aye. Motin carried 5-0.

b. RESOLUTIONS/ORDINANCES FOR APPROVAL/FIRST READING

i. Resolution #22024-09: A Resolution Amending the General Fund for the Budget year 2023/2024

Mayor O'Brien introduced this item. Member Williams made a motion to approve Resolution 2024-09. Member David seconded the motion. Roll call vote was as follows: Haines – aye, Davit – aye, David – aye, Williams – aye and Stroup – aye. Motion carried 5-0.

TOWN OF WINDERMERE

Town Council Meeting Minutes

December 10, 2024

ii. Ordinance #2024-01: Chaîne du Lac Annexation

AN ORDINANCE OF THE TOWN OF WINDERMERE, FLORIDA, PERTAINING TO TOWN BOUNDARIES; EXPANDING THE TOWN'S BOUNDARIES BY ANNEXING INTO THE TOWN'S CORPORATE LIMITS CERTAIN LANDS KNOWN AS THE CHAINE DU LAC COMMUNITY WHICH IS COMPRISED OF THE PLATTED SUBDIVISION OF CHAINE DU LAC, PARK AVENUE WEST, AND UNPLATTED LOTS ALONG LAKE BUTLER CONSISTING OF APPROXIMATELY 102 ACRES; REDEFINING THE BOUNDARY LINES OF THE TOWN; CALLING A SPECIAL ELECTION FOR THE PURPOSE OF HOLDING A REFERENDUM, BY MAIL BALLOT, OF THE REGISTERED VOTERS IN THE AREA TO BE ANNEXED ON WHETHER THE ANNEXATION SHOULD BE APPROVED; PROVIDING FOR SEVERABILITY; PROVIDING EFFECTIVE DATES.

Mayor O'Brien introduced this item. He then closed the Town Council meeting at 6:24pm and opened the Public Hearing for proposed Ordinance 2024-01. Mayor O'Brien read the title of proposed Ordinance 2024-01 for the record. Mayor O'Brien opened the floor for public comments. Mrs. Theresa Schretzmann-Myers of 2713 Tryon Place stated she agreed with Mr. Withers' previous comments regarding the HOA Covenants and By-laws. Ms. Jennifer Roper of 425 Magnolia Street questioned the paving of Park Avenue. After minimal discussion was made, Mayor O'Brien closed the Public Hearing and reconvened the Town Council meeting at 6:28pm. Discussion followed regarding the ballot, population city vs town, which is established in the Charter, public to be heard, and making decisions. Member Williams made a motion to approve Ordinance 2024-01 as presented. Member Davit seconded the motion. Roll call vote was as follows: Stroup – aye - Williams – aye, David – aye, Davit -a ye, and Haines – nay. Motion carried 4-1.

c. OTHER ITEMS FOR CONSIDERATION

i. Approve Town Hall Restroom and Renovation Project

Mayor O'Brien introduced this item. He then opened the floor to the Town Council members. Member Haines commented on the past Charrette, comments made at the Charrette, renovation of Town Hall first, the survey and needing of the final results, impacted trees, drain field/septic tanks, location, and landscaping. Member Williams commented on the flat drain field, rehashing of the bathroom location, pavilion, and moving forward with the project. Much discussion regarding the proposed bathrooms, location, renovations of Town Hall, and the upcoming centennial celebration was made. Member Davit questioned the design phase. ATM/PWD Elliott-Moore explained that the architect needs to complete the design, complete the full set of plans, and then go to bid. Member Davit stated that it's time to forward, as this item has been discussed for over the past two years. Member Haines commented on the Charrette and the proposed designs. Member Williams commented that there was a good turnout for the charrette, but not a true representation of all ages in the Town. Member Haines stated that more comments are needed from the younger generation. Member Stroup stated that the bathrooms are needed, and he likes the green space. Mayor O'Brien commented on the ADA compliance that will be needed. Member Haines questioned if the Historic Board has issued a "Certificate of Appropriateness". Mayor O'Brien commented that the Bathrooms will not be attached to the Town Hall. Member Haines requested that Mr. Cornelius explain the Certificate. Member Davit stated that the explanation would not be needed. He then stated that there is not sufficient information to present to the Historical Board to issue the Certificate. Further discussion ensued. Member Haines questioned what was up for approval. Mr. Fitzgibbon commented on past discussions to come up with the schematic design and program. He stated that until

TOWN OF WINDERMERE

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the schematics are worked out, the design cannot move forward. Member Davit made a motion to approve moving forward with the town hall restrooms and renovation project. Member Williams seconded the motion. Roll call vote was as follows: Haines – nay, Davit – aye, David – aye, Williams- aye and Stroup -aye. Motion carried 4-1.

ii. Discussion on Golf Carts and Pedestrian Crossings within the Town

Mayor O'Brien introduced this item. He then turned the floor over to ATM/PWD Elliot-Moore. ATM/PWD Elliot-Moore stated that Mr. Mike Woodard is present due to the issues of golf carts. She then turned the floor over to Mr. Woodward. Mr. Woodward explained what is in the Statutes and what would be needed to move forward with an IPO. He explained that if the speed, volume, and character of the motor vehicle is appropriate, the road can be designated for golf cart use. Mr. Woodward questioned what the Town is looking to do so that he has a better understanding of what's needed. Mayor O'Brien commented on the existing bridge and the future renovation. He then questioned the current regulations and carts on a roadway with a 30MPH speed limit. Mr. Woodward explained that there are specifications for 30 mph roads, 35 mph roads, etc. Mayor O'Brien questioned if it's illegal for a nontagged vehicle to cross the bridge. Chief Ogden stated it would be illegal on Main Street. He then commented on recent issues with golf carts. Discussion followed regarding Florida Statutes, a rule to allow bridge crossing with a golf cart, and connector roads for golf carts to the school. Mr. Woodward stated he would not recommend golf carts due to consistent speed, volume, and traffic. Member Davit commented on previous discussion which golf carts would be readdressed once the new bridge has been completed. Discussion regarding golf carts, crosswalks, and the installation of the bridge was made. Member Haines suggested discussing the proposed bridge and golf carts now, not waiting until the bridge is complete. She then reviewed her proposed plan. Proposed crossings were discussed. Member Williams stated that for the downtown area/Main Street, a study has been done previously and this request would only duplicate that study. Discussion followed regarding a survey of locations (school and downtown) and access. Mayor O'Brien questioned if the Town Council were amenable to have an IPO that covers the proposed new bridge to the school along with downtown crossings. Member Stroup suggested waiting until the bridge is built. Member Williams was in favor of reviewing the past data. Mayor O'Brien thanked all for their input.

6. MAYOR & COUNCIL LIAISON REPORTS:

Mayor O'Brien thanked all for their efforts with the Holiday Hoopla. He then advised all of the upcoming Nutcracker performance. Mayor O'Brien wished all a Merry Christmas and Happy Holidays. Member Davit stated that the Historical Board did not meet. He commented on the MetroPlan meeting he attended. Member Haines reported on the Tree Board Sub-committee, Tree Board and the Butler Chain Advisory Committee. Member Stroup reported that the Long-Range Planning Committee had met and discussed the Comp Plan re-write. He then commented on the Elder Luncheon.

7. STAFF REPORTS:

a. **TOWN MANAGER ROBERT SMITH** – Manager Smith commented on the Holiday Hoopla and the great event. He then reported on the current OCPS SRO contract issue. Chief Ogden commented on the negotiations currently ongoing.

b. **ATM/PWD TONYA ELLIOTT-MOORE** – ATM/PW Director Elliott-Moore reported that her team is gearing up for the yearlong Centennial event. She then reported on the Fernwood gate problem.

c. **TOWN ATTORNEY HEATHER RAMOS** – Absent

d. **POLICE CHIEF DAVE OGDEN** – Chief Ogden reported on an upcoming Homicide class, DUI detail, and meeting with Estancia HOA.

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e. TOWN CLERK DOROTHY BURKHALTER – Clerk Burkhalter reported on upcoming candidate qualifying.

8. ADJOURN:

Mayor O'Brien adjourned the meeting at 8:16pm

Dorothy Burkhalter, MMC, FCRM
Town Clerk

Jim O'Brien, Mayor

DRAFT

Town of Windermere

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



Mayor

JIM O'BRIEN

Town Manager
ROBERT SMITH

Clerk

DOROTHY BURKHALTER

To: Mayor and Town Council

From: Brad Cornelius, AICP, Wade Trim, Inc., Contracted Town Planner

Date: January 14, 2025

RE: Resolution 2025-01 – Update To Tree Mitigation Fee – Section 5.01.12(b)(2), Town Land Development Code

Section 5.01.12(b)(2), Town Land Development Code authorizes the Town Council to establish by resolution a tree mitigation fee for trees that are removed and not replaced. The current tree mitigation fee is \$75.00 per diameter at breast height (DBH) inch of tree removed and not replaced. The current tree mitigation fee was approved by the Town Council over 10 years ago and has not been updated.

The Tree Board is in the process of reviewing the Town's current tree ordinance and had identified the need to update the current tree mitigation fee to be more reflective of current costs related to tree replacement. Because the tree mitigation fee can be approved by the Town Council by resolution and does not require a change to the Land Development Code, the Tree Board recommended that the Town Council update the tree mitigation fee by resolution.

The Tree Board evaluated other jurisdiction's tree mitigation fees. The table with the tree mitigation fee comparison, which is attached, was prepared by Tree Board member, Pam Schrimsher. The tree mitigation fees of other jurisdictions range widely and are not consistent.

In addition, Chris Thompson, RLA, ISA Certified Arborist, Wade Trim, Inc., provided the Tree Board with a recommended tree mitigation fee of \$225 per DBH inch removed and not replaced. The \$225.00 tree mitigation fee is calculated as follows:

Two (2)-inch Oak	\$150.00
<u>Installation</u>	<u>\$300.00</u>
<u>Total Cost</u>	<u>\$450.00</u>
Total Cost/2 Inches	\$225.00 per One (1) inch DBH

The \$225.00 per one (1) inch DBH of tree removed and not replaced is the maximum tree mitigation fee that is supportable.

At the Tree Board meeting on December 19, 2024, the Tree Board approved a recommendation that the Town Council update the tree mitigation fee from \$75.00 per DBH inch of tree removed and not replaced to **\$175.00 per DBH inch of tree removed and not replaced.**

The recommended tree mitigation fee of **\$175.00 per DBH of tree removed and not replaced** is less than the maximum supported tree mitigation fee of \$225.00 per DBH inch of tree removed.

Money collected through the tree mitigation fee are placed into a tree replacement trust fund pursuant to Section 5.01.13, Land Development Code.

Tree Mitigation Fee - Local Municipal Comparison

City/County	\$/DBH	Permit Fee	Protected Trees	Other Trees	Other Notes
Town of Windermere	\$75		8" or more		fine can be multiplied
Alachua County	\$130	\$90	8" or more		
Jacksonville	\$80	\$25	6" or more		
Maitland	4X the tree removal permit fee and 4X the tree replacement fee	\$15/lot or acre			
Orlando		\$25/residential	4" or greater	Specimum & heritage trees have additional protections*	
Orange County	\$106	\$121/residential	8" or more	Specimum & heritage trees have additional protections*	
Tallahassee		\$273	depends on species		
Tampa	\$65	\$81.65 for up to 5 acres	5" or more	Grand Oaks have special regulations	
Winter Park	\$110	\$35	9" or more	Specimum & heritage trees have additional protections*	2nd & 3rd inspections: \$25; additional inspections: \$75 each

*Specium and Heritage trees have defined sizes and species. For example, in Orange County, FL, a specimen tree is a live oak or magnolia with a DBH of at least 24". Heritage trees have a DBH of at least 30'.

Recommended tree mitigation fee proposed by Chris Thompson, RLA, ISA Certified Arborist: Wade Trim

\$225 per DBH inch (2-inch oak is \$150 to buy, install is 2-3 times that cost, so \$450 for 2-inch DBH. That's \$225 per DBH inch)

RESOLUTION 2025-01

Town Council
for the
Town of Windermere, Florida
adopting update to the
Town's Tree Mitigation Fees

Whereas, Section 5.01.12(b)(2) of the Town's Land Development Code, authorizes the Town Council to establish a tree mitigation fee by resolution.

Whereas, the current approved Town Council tree mitigation fee is \$75.00 per diameter at breast height (DBH) inch of tree removed and not replaced.

Whereas, the current Town Council approved tree mitigation fee was approved over 10 years ago and has not been updated.

Whereas, the Town Tree Board at their meeting on December 19, 2024, recommended that the Town Council update the tree mitigation fee from \$75.00 to \$175.00 per DBH inch of tree removed and not replaced.

Whereas, the Town Council has determined there is a need to update the tree mitigation fee provided in Section 5.01.12(b)(2) of the Town's Land Development Code to reflect reasonable current tree replacement cost.

Now Therefore, Be It Resolved by the Town Council of the Town of Windermere, Florida, that the tree mitigation fee is updated to be \$175.00 per DBH inch of tree removed and not replaced. This updated tree mitigation fee shall take effect upon approval of this resolution.

Resolved this 14th day of January, 2025.

TOWN OF WINDERMERE, FLORIDA

By: Town Council

By: _____

Jim O'Brien, Mayor

Attest:

Dorothy Burkhalter, MMC,FCRM
Town Clerk

Both FDEM and FEMA have reviewed and approved the revised project documents, including the updated cost and the selected vendor. The vendor, Cathcart Construction Company, had their contract approved by Town Council during the meeting held on September 10, 2024. Following this approval, the agreement was executed in accordance with FDEM requirements.

Recommendation:

Staff recommends that the Town Council approve the updated project documents to allow construction to commence. The proposed start date for construction is on or around February 1, 2025.

Approval of these documents will ensure the timely implementation of this critical infrastructure project, improving drainage along West 2nd Avenue and addressing longstanding concerns in the area.

SUB-RECIPIENT AGREEMENT CHECKLIST
DIVISION OF EMERGENCY MANAGEMENT
MITIGATION BUREAU
FISCAL OPERATIONS UNIT
HMGP

REQUEST FOR REVIEW AND APPROVAL	
SUB-RECIPIENT:	Town of Windermere
PROJECT #:	4337-297-A
PROJECT TITLE:	Town of Windermere, West Second Avenue, Drainage
CONTRACT #:	H1024
MODIFICATION #:	One (1)

SUB-RECIPIENT REPRESENTATIVE (POINT OF CONTACT)	
	Robert Smith

Enclosed is your copy of the proposed contract/modification between **the Town of Windermere** and the Florida Division of Emergency Management (FDEM).

	COMPLETE
<input type="checkbox"/>	This form is required to be included with all Reviews, Approvals, and Submittals
<input type="checkbox"/>	Reviewed and Approved
<input type="checkbox"/>	Signed & Dated Electronic Copy by Official Representative
<input type="checkbox"/>	Copy of the organization's resolution or charter that specifically identifies the person or position that is authorized to sign, if not Chairman, Mayor, or Chief
<input type="checkbox"/>	Attachment I - Federal Funding Accountability and Transparency Act (FFATA) - completed, signed, and dated <input type="checkbox"/> N/A for Modifications or State Funded Agreements
<input type="checkbox"/>	Attachment K – Certification Regarding Lobbying - completed, signed, and dated <input type="checkbox"/> N/A for Modifications or State Funded Agreements
<input type="checkbox"/>	Attachment L – FACTS - completed, signed, and dated <input type="checkbox"/> N/A for Modifications or State Funded Agreements
<input type="checkbox"/>	Attachment M – Foreign County of Concern Affidavit completed, signed, and dated <input type="checkbox"/> N/A for Modifications or State Funded Agreements
<input type="checkbox"/>	Electronic Submittal to the Grant Specialist

If you have any questions regarding this contract, or who is authorized to sign it, please contact your Project Manager at (850) 328-3122 or email me at Rashida.Francis@em.myflorida.com.

Contract Number: H1024
Project Number: 4337-297-A

**MODIFICATION TO SUBGRANT AGREEMENT BETWEEN
THE DIVISION OF EMERGENCY MANAGEMENT AND
THE TOWN OF WINDERMERE**

This Modification Number One is made and entered into by and between the State of Florida, Division of Emergency Management ("the Division"), and the Town of Windermere ("the Sub-Recipient") to modify Contract Number: H1024, dated November 15, 2023, ("the Agreement").

WHEREAS, the Division and the Sub-Recipient have entered into the Agreement, pursuant to which the Division has provided a subgrant to the Sub-Recipient under the Hazard Mitigation Grant Program of \$1,901,985.00, in Federal Funds; and

WHEREAS, the Division and the Sub-Recipient intend to modify the Agreement; and

WHEREAS, the Division and the Sub-Recipient intend to modify the Budget and Scope of Work by increasing the Federal funding by \$1,611,535.50 under the Agreement.

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

1. The Agreement is amended to increase the Federal Funding by \$1,611,535.50, for the maximum amount payable under the Agreement to \$3,513,520.50, Three Million Five Hundred Thirteen Thousand Five Hundred Twenty Dollars and Fifty Cents.
2. The Budget and Scope of Work, Attachment A to the Agreement, are hereby modified as set forth in 1st Revision Attachment A to this Modification, a copy of which is attached hereto and incorporated herein by reference.
3. All provisions of the Agreement being modified and any attachments in conflict with this Modification shall be and are hereby changed to conform with this Modification, effective on the date of execution of this Modification by both parties.
4. All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.
5. Quarterly Reports are due to the Division no later than 15 days after the end of each quarter of the program year and shall be sent each quarter until submission of the administrative close-out report. The ending dates for each quarter of the program year are March 31, June 30, September 30 and December 31.
6. Attachment L – Florida Accountability Contract Tracking System (FACTS) Requirements for Non-Profit Organizations Under Section 216.1366, Florida Statutes, Instructions and Worksheet is hereby incorporated into the Agreement and is required to be completed by the subrecipient and returned to the Division.

IN WITNESS WHEREOF, the parties hereto have executed this Modification as of the dates set out below.

SUB-RECIPIENT: TOWN OF WINDERMERE

By: _____

Name and Title: _____

Date: _____

**STATE OF FLORIDA
DIVISION OF EMERGENCY MANAGEMENT**

By: _____

Name and Title: Kevin Guthrie, Director

Date: _____

Attachment A
(1st Revision)
Budget and Scope of Work

STATEMENT OF PURPOSE:

The purpose of this Scope of Work is to improve drainage along West Second Avenue in Windermere, Orange County, Florida, funded through the Hazard Mitigation Grant Program (HMGP) **DR-4337-297-A**, as approved by the Florida Division of Emergency Management (Division) and the Federal Emergency Management Agency (FEMA).

The Sub-Recipient, Town of Windermere, agrees to administer and complete the project per sealed engineering designs and construction plans as submitted by the Sub-Recipient and subsequently approved by the Division and FEMA. The Sub-Recipient shall complete the work in accordance with all applicable Federal, State and Local Laws, Regulations and Codes.

PROJECT OVERVIEW:

As a Hazard Mitigation Grant Program project, the Sub-Recipient proposes to improve the drainage system along West Second Avenue in Windermere, Florida 34786. The project starts in the intersection of Second Avenue with Main Street and goes westbound along Second Avenue for approximately 4,400 linear feet ending in a cul-de-sac.

The HMGP Phase II – Construction scope of work shall include stormwater piping, curb and gutter along with associated inlets to collect and convey stormwater runoff to the existing dedicated outfall system along Forest Avenue. In other portions of West Second Avenue, new drainage infrastructure shall be constructed, 24-inch and 18-inch reinforced concrete pipe (RCP) and culverts, where none previously existed or where the drainage systems are lacking capacity. This includes the construction of French drain systems under Second Avenue, consisting of 24-inch slotted reinforced concrete pipe (RCP), to collect and impound stormwater runoff and discharge the stormwater to the underlying surficial aquifer. Construction activities also include roadway excavation to install the needed stormwater infrastructure. To return the project area to operation as a roadway, current standards shall be met and involve minimal roadway widening. This is also considered in the project curb and gutter system and inlet layout for drainage mitigation. After the completion of the drainage work, portions of the asphalt shall be milled and Second Avenue, which is an existing paved roadway, shall be repaved. While the roadway excavation is open, water utility piping installation is identified, but this is separate from the mitigation project and shall not be funded by Hazard Mitigation Grant Program (HMGP). Following the disruptive construction activities, driveway repair and necessary grading activities shall be completed to tie grade to existing conditions. The project shall address the lack of capacity of the existing system which historically causes residents to experience repetitive flooding on roads and structural damages.

The project shall be constructed to provide protection against a 25-year storm event. Activities shall be completed in strict compliance with Federal, State and Local applicable Rules and Regulations.

Project Locations:

ID#	Location	Boundary	Coordinates
1)	Orange County, Windermere, Florida 34786	East	(28.499257, -81.536357)
		West	(28.499146, -81.548545)

TASKS & DELIVERABLES:

A) Tasks:

- 1) The Sub-Recipient shall procure the services of a qualified and licensed Florida contractor and execute a contract with the selected bidder to complete the scope of work as approved by the Division and FEMA. The Sub-Recipient shall select the qualified, licensed Florida contractor in accordance with the

Sub-Recipient's procurement policy as well as all federal and state laws and regulations. All procurement activities shall contain sufficient source documentation and be in accordance with all applicable regulations.

The Sub-Recipient shall be responsible for furnishing or contracting all labor, materials, equipment, tools, transportation, and supervision and for performing all work per sealed engineering designs and construction plans presented to the Division by the Sub-Recipient and subsequently approved by the Division and FEMA.

The Sub-Recipient and contractor shall be responsible for maintaining a safe and secure worksite for the duration of the work. The contractor shall maintain all work staging areas in a neat and presentable condition.

The Sub-Recipient shall ensure that no contractors or subcontractors are debarred or suspended from participating in federally funded projects.

The selected contractor shall have a current and valid occupational license/business tax receipt issued for the type of services being performed.

The Sub-Recipient shall provide documentation demonstrating the results of the procurement process. This shall include a rationale for the method of procurement and selection of contract type, contractor selection and/or rejection and bid tabulation and listing, and the basis of contract price.

The Sub-Recipient shall provide an executed "Debarment, Suspension, Ineligibility, Voluntary Exclusion Form" for each contractor and/or subcontractor performing services under this agreement.

Executed contracts with contractors and/or subcontractors shall be provided to the Division by the Sub-Recipient.

The Sub-Recipient shall provide copies of professional licenses for contractors selected to perform services. The Sub-Recipient shall provide a copy of a current and valid occupational license or business tax receipt issued for the type of services to be performed by the selected contractor.

- 2) The Sub-Recipient shall monitor and manage the installation to improve the drainage and provide flood protection.

The project shall be implemented in accordance with sealed engineering designs and construction plans previously presented to the Division by the Sub-Recipient and subsequently approved by the Division and FEMA. The Sub-Recipient shall ensure that all applicable state, local and federal laws and regulations are followed and documented, as appropriate.

The project consists of the general construction and furnishing of all materials, equipment, labor and fees to minimize recurring flooding and reduce repetitive flood loss to structures and roadways.

The Sub-Recipient shall fully perform the approved project, as described in the submitted documents, in accordance with the approved scope of work, budget line item, allocation of funds and applicable terms and conditions indicated herein. The Sub-Recipient shall not deviate from the approved project terms and conditions.

Construction activities shall be completed by a qualified and licensed Florida contractor. All construction activities shall be monitored by the professional of record. The Sub-Recipient shall complete the project in accordance with all required permits. All work shall be completed in accordance with applicable codes and standards.

Upon completion of the work, the Sub-Recipient shall schedule and participate in a final inspection of the completed project by the local municipal or county official, or other approving official, as applicable. The official shall inspect and certify that all installation was in accordance with the manufacturer's

specifications. Any deficiencies found during this final inspection shall be corrected by the Sub-Recipient prior to Sub-Recipient's submittal of the final inspection request to the Division.

Upon completion of Task 2, the Sub-Recipient shall submit the following documents with sufficient supporting documentation and provide a summary of all contract scope of work and scope of work changes, if any. Additional documentation for closeout shall include:

- a) Copy of permits(s), notice of commencement.
 - b) Local Building Official Inspection Report and Final Approval.
 - c) Signed and Sealed As-built project plans (drawings) by the Professional of Record, electronic submittal (via email).
 - d) Letter of Completion:
 1. Affirming that the project was completed in conformance with the approved project drawings, specifications, and scope; and
 2. Certifying Compliance with all applicable codes.
 - e) Letter verifying compliance with the National Historic Preservation Act, to include whether archaeological materials or human remains were encountered during project activities and, if so, how they were handled in accordance with Florida Statutes, Section 872.05.
 - f) Verification of compliance with applicable floodplain permits.
 - g) Verification of compliance with the South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP) #48-106682-P.
 - h) Verification of compliance that construction activities, staging activities, and storage were not located in or impacted any adjacent wetlands.
 - i) Verification letter or documentation showing the fill was obtained either from a commercial source or a privately owned borrow pit where the fill was not obtained by the horizontal expansion of the pre-existing pit.
 - j) Proof of compliance with Project Conditions and Requirements contained herein.
- 3) During the course of this agreement, the Sub-Recipient shall submit requests for reimbursement. Adequate and complete source documentation shall be submitted to support all costs (federal share and local share) related to the project. In some cases, all project activities may not be fully complete prior to requesting reimbursement of costs incurred in completion of this scope of work; however, a partial reimbursement may be requested.

The Sub-Recipient shall submit an Affidavit signed by the Sub-Recipient's project personnel with each reimbursement request attesting to the completion of the work, that disbursements or payments were made in accordance with all agreement and regulatory conditions, and that reimbursement is due and has not been previously requested.

The Sub-Recipient shall maintain accurate time records. The Sub-Recipient shall ensure invoices are accurate and any contracted services were rendered within the terms and timelines of this agreement. All supporting documentation shall agree with the requested billing period. All costs submitted for reimbursement shall contain adequate source documentation which may include but not be limited to cancelled checks, bank statements, Electronic Funds Transfer, paid bills and invoices, payrolls, time and attendance records, contract, and subcontract award documents.

Construction Expense: The Sub-Recipient shall pre-audit bills, invoices, and/or charges submitted by the contractors and subcontractors and pay the contractors and subcontractors for approved bills, invoices, and/or charges. Sub-Recipient shall ensure that all contractor/subcontractor bills, invoices, and/or charges are legitimate and clearly identify the activities being performed and associated costs.

Sub-Recipient Management Costs (SRMC) expenditure must adhere to FEMA Policy #104-11-1 HMGP Management Costs (Interim) signed November 14, 2018. FEMA defines management costs as any: Indirect costs, Direct administrative costs, and other administrative expenses associated with a specific project. Administrative costs are expenses incurred by a Sub-Recipient in managing and administering the federal award to ensure that federal, state requirements are met including: solicitation, development, review, and processing of sub-applications; delivery of technical assistance; quarterly progress and fiscal reporting; project monitoring; technical monitoring; compliance activities associated with federal procurement requirements; documentation of quality of work verification for quarterly reports and closeout; payment of claims; closeout review and liquidation; and records retention.

Any activities that are directly related to a project are not eligible under management costs. For example, architectural, engineering, and design services are project costs and cannot be included under management costs. Similarly, construction management activities that manage, coordinate, and supervise the construction process from project scoping to project completion are project costs. These activities cannot be included under management costs.

Due to Strategic Funds Management (SFM), SRMC Interim Policy requires management costs to be obligated in increments sufficient to cover Sub-Recipient needs, for no more than one year, unless contractual agreements require additional funding. FEMA has established a threshold where annual increments will be applied to larger awards allowing smaller awards to be fully obligated. Obligations will be handled by the size of the total subaward.

The Sub-Recipient shall pre-audit all SRMC source documentation – personnel, fringe benefits, travel, equipment, supplies, contractual, and indirect costs. A brief narrative is required to identify what the funds will be used for. Documentation shall be detailed and clearly describe each approved task performed, hours devoted to each task, and the hourly rate charged including enough information to calculate the hourly rates based on payroll records. Employee benefits and tasks shall be clearly shown on the Personnel Activity Form, and all Personnel or Contractual SRMC shall be invoiced separately from all other project costs.

Project Management Expenses (only applies to disasters prior to August 1, 2017, all others adhere to FEMA Policy #104-11-1 for SRMC): The Sub-Recipient shall pre-audit source documentation such as payroll records, project time sheets, attendance logs, etc. Documentation shall be detailed information describing tasks performed, hours devoted to each task, and the hourly rate charged for each hour including enough information to calculate the hourly rates based on payroll records. Employee benefits shall be clearly shown.

The Division shall review all submitted requests for reimbursement for basic accuracy of information. Further, the Division shall ensure that no unauthorized work was completed prior to the approved project start date by verifying vendor and contractor invoices. The Division shall verify that reported costs were incurred in the performance of eligible work, that the approved work was completed, and that the mitigation measures are in compliance with the approved scope of work prior to processing any requests for reimbursement.

Review and approval of any third-party in-kind services, if applicable, shall be conducted by the Division in coordination with the Sub-Recipient. Quarterly reports shall be submitted by the Sub-Recipient and received by the Division at the times provided in this agreement prior to the processing of any reimbursement.

The Sub-Recipient shall submit to the Division requests for reimbursement of actual construction and managerial costs related to the project as identified in the project application, sealed engineering designs, and construction plans. The requests for reimbursement shall include:

- a) Contractor, subcontractor, and/or vendor invoices which clearly display dates of services performed, description of services performed, location of services performed, cost of services performed, name of service provider and any other pertinent information;
- b) Proof of payment from the Sub-Recipient to the contractor, subcontractor, and/or vendor for invoiced services;

- c) Clear identification of amount of costs being requested for reimbursement as well as costs being applied against the local match amount.

The Sub-Recipient's final request for reimbursement shall include the final construction project cost. Supporting documentation shall show that all contractors and subcontractors have been paid.

B) Deliverables:

Mitigation Activities consist of drainage improvements along West Second Avenue in Windermere, Florida, 34786 to include stormwater piping, curb and gutter along with associated inlets to collect and convey stormwater runoff to the existing dedicated outfall system along Forest Avenue.

The project shall be constructed to provide protection against a 25-year storm event. Activities shall be completed in strict compliance with Federal, State and Local applicable Rules and Regulations.

Provided the Sub-Recipient performs in accordance with the Scope of Work outlined in this Agreement, the Division shall reimburse the Sub-Recipient based on the percentage of overall project completion.

PROJECT CONDITIONS AND REQUIREMENTS:

C) Engineering:

- 1) The Sub-Recipient shall submit to the Division an official letter stating that the project is 100% complete and ready for the Division's Final Inspection of the project.
- 2) The Sub-Recipient shall submit a signed and sealed final copy of the completed project's As-built drawings and all necessary supporting documentation and provide a summary of all contract scope of work changes, if any.
- 3) The Sub-Recipient shall provide a copy of the Notice of Commencement, and any local official Inspection Report and/or Final Approval, as applicable.
- 4) The Sub-Recipient shall submit a certified letter of completion from Engineer of Record. The Sub-Recipient's Engineer of Record shall provide a formal certificate or letter affirming that the project has been completed in conformance with the approved project drawings, specifications, scope, and applicable codes.
- 5) All installations shall be done in strict compliance with the Florida Building Code or any local codes and ordinances. All materials shall be certified to exceed the wind and impact standards of the current local codes.
- 6) The Sub-Recipient shall follow all applicable State, Local and Federal Laws, Regulations, and requirements, and obtain (before starting project work) and comply with all required permits and approvals. Failure to obtain all appropriate Federal, State, and Local permits and clearances may jeopardize federal funding.

D) Environmental:

- 1) Sub-Recipient shall follow all applicable state, local and federal laws, regulations, and requirements, and obtain (before starting project work) and comply with all required permits and approvals. Failure to obtain all appropriate federal, state, and local environmental permits and clearances may jeopardize federal funding.
- 2) Any change, addition or supplement to the approved Scope of Work that alters the project (including other work not funded by FEMA, but done substantially at the same time), regardless of the budget implications, shall require re-submission of the application to FEMA through the Division for National Environmental Policy Act (NEPA) and National Historic Preservation Act (NHPA) re-evaluation before starting project work.

- 3) The Sub-Recipient shall monitor ground disturbing activities during construction, and if any potential archeological resources are discovered, shall immediately cease construction in that area and notify the Division and FEMA.

If human remains or intact archaeological features or deposits (e.g., arrowheads, pottery glass, metal, etc.) are uncovered, work in the vicinity of the discovery shall stop immediately and all reasonable measures to avoid or minimize harm to the finds shall be taken. The Sub-Recipient shall ensure that archaeological discoveries are secured in place, that access to the sensitive area is restricted, and that all reasonable measures are taken to avoid further disturbance of the discoveries.

The Sub-Recipient's contractor shall provide immediate notice of such discoveries to the Sub-Recipient. The Sub-Recipient shall notify the Florida Division of Historic Resources, the Division's State Mitigation Environmental Lead and FEMA within 24 hours of the discovery. Work in the vicinity of the discovery may not resume until FEMA and the Division have completed consultation with SHPO, Tribes, and other consulting parties as necessary.

In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately, and the proper authorities notified in accordance with ***Florida Statutes, Section 872.05***.

- 4) Prior to project commencement, the Sub-Recipient must identify the source and location of fill material and provide this information to the Division and FEMA. If the borrow pit is privately owned, or is located on previously undisturbed land, or if the fill is obtained by the horizontal expansion of a pre-existing borrow pit, FEMA consultation with the State Historic Preservation Officer shall be required. Failure to comply with this condition may jeopardize FEMA funding; verification of compliance shall be required at project closeout.
- 5) The Sub-Recipient must comply with the conditions of the South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP) #48-106682-P. Failure to comply with this condition may jeopardize FEMA funding; verification of compliance shall be required at project closeout.
- 6) The Sub-Recipient must obtain floodplain permit from the local floodplain administrator before work begins. Failure to comply with these conditions may jeopardize FEMA funding; verification of compliance shall be required at project closeout.
- 7) Construction activities, staging activities, and storage shall not be located in or impact any adjacent wetlands. Failure to comply with this condition may jeopardize FEMA funding; verification of compliance shall be required at project closeout.
- 8) Construction vehicles and equipment used for this project shall be maintained in good working order to minimize pollutant emissions.

E) Programmatic:

- 1) A change in the scope of work *must* be approved by the Division and FEMA in advance regardless of the budget implications.
- 2) The Sub-Recipient must notify the Division as soon as significant developments become known, such as delays or adverse conditions that might raise costs or delay completion, or favorable conditions allowing lower costs or earlier completion.
- 3) The Sub-Recipient must "obtain prior written approval for any budget revision which would result in a need for additional funds" [44 CFR 13(c)], from the Division and FEMA.
- 4) Project is approved with the condition that the enclosed list of deliverables shall be submitted, 30 days prior to the Period of Performance date, for review and approval by the Division, for submittal to FEMA for closeout.
- 5) Any extension of the Period of Performance shall be submitted to FEMA 60 days prior to the expiration date. Therefore, any request for a Period of Performance Extension shall be in writing and submitted, along with substantiation of the new expiration date and a new schedule of work, to the Division a minimum of seventy (70) days prior to the expiration date, for Division processing.

- 6) A copy of the executed subcontract agreement must be forwarded to the Division within 10 days of execution.
- 7) The Sub-Recipient must avoid duplication of benefits between the HMGP and any other form of assistance, as required by Section 312 of the Stafford Act, and further clarification in 44 CFR 206.191.
- 8) If the Sub-Recipient is not the current title holder of the affected properties, the Sub-Recipient shall provide documentation confirming the property acquisition and easement rights were obtained voluntarily. If condemnation or eminent domain is used to obtain easement rights, FEMA shall not pay for any associated costs or payments to the property owner. Furthermore, FEMA shall not consider it an eligible contribution to the non-Federal cost share requirement and shall not financially participate in that component of a project if land or easements are obtained involuntarily.
- 9) Special Conditions required on implementation of project:
 - a) **EO 11988 CONDITION:** The subrecipient must obtain floodplain permit from the local floodplain administrator before work begins. Failure to comply with these conditions may jeopardize FEMA funding; verification of compliance shall be required at project closeout. **Source of Condition:** Executive Order 11988 – Floodplains **Monitoring required: No**
 - b) **EO 11990 CONDITION:** Construction activities, staging activities, and storage shall not be located in or impact any adjacent wetlands. Failure to comply with this condition may jeopardize FEMA funding; verification of compliance shall be required at project closeout. **Source of condition:** Executive Order 11990 – Wetlands **Monitoring Required: No**
 - c) **CZMA CONDITION:** The Sub-Recipient must comply with the conditions of the SFWMD ERP, #48-106682-P. Failure to comply with this condition may jeopardize FEMA funding; verification of compliance will be required at project closeout. **Source of condition:** Coastal Zone Management Act (CZMA) **Monitoring Required: No**
 - d) **NHPA CONDITION:** If human remains or intact archaeological features or deposits (e.g., arrowheads, pottery, glass, metal, etc.) are uncovered, work in the vicinity of the discovery will stop immediately and all reasonable measures to avoid or minimize harm to the finds will be taken. The Sub-Recipient will ensure that archaeological discoveries are secured in place, that access to the sensitive area is restricted, and that all reasonable measures are taken to avoid further disturbance of the discoveries. The Sub-Recipient's contractor will provide immediate notice of such discoveries to the Sub-Recipient. The Sub-Recipient shall contact the Florida Division of Historic Resources and FEMA within 24 hours of the discovery. Work in the vicinity of the discovery may not resume until FEMA has completed consultation with SHPO, Tribes, and other consulting parties as necessary. In the event that unmarked human remains are encountered during permitted activities; all work shall stop immediately, and the proper authorities notified in accordance with Florida Statutes, Section 872.05. **Source of condition:** National Historic Preservation Act (NHPA) **Monitoring Required: No**
 - e) **NHPA CONDITION:** Prior to project commencement, the Sub-Recipient must identify the source and location of fill material and provide this information to FDEM and FEMA. If the borrow pit is privately owned, or is located on previously undisturbed land, or if the fill is obtained by the horizontal expansion of a pre-existing borrow pit, FEMA consultation with the State Historic Preservation Officer will be required. Failure to comply with this condition may jeopardize FEMA funding; verification of compliance will be required at project closeout. **Source of condition:** National Historic Preservation Act (NHPA) **Monitoring Required: No**

This is FEMA project number **4337-297-R**, and shall be reported under **4337-297-A**. It is funded under HMGP, FEMA-4337-DR-FL and must adhere to all program guidelines established for the HMGP in accordance with the PAS Operational Agreement for Disaster 4337.

FEMA awarded this project on June 1, 2023; this Agreement was executed on November 15, 2023, and the Period of Performance for this project shall end on **September 30, 2025**.

F) FINANCIAL CONSEQUENCES:

If the Sub-Recipient fails to comply with any term of the award, the Division shall take one or more of the following actions, as appropriate in the circumstances:

- 1) Temporarily withhold cash payments pending correction of the deficiency by the Sub-Recipient.
- 2) Disallow all or part of the cost of the activity or action not in compliance.
- 3) Wholly or partly suspend or terminate the current award for the Sub-Recipient’s program.
- 4) Withhold further awards for the program; or
- 5) Take other remedies that may be legally available.

SCHEDULE OF WORK

Phase II–

State Contracting:	3 Months
Construction Plan/Technical Specifications:	2 Months
Bidding / Local Procurement:	2 Months
Construction / Installation:	12 Months
Local Inspections / Compliance:	3 Months
State Final Inspections / Compliance:	3 Months
Closeout Compliance:	2 Months
Total Period of Performance:	27 Months

BUDGET

Line Item Budget*

Phase II	Project Cost	Federal Cost	Non-Federal Cost
Materials:	\$3,329,815.00	\$2,497,361.25	\$832,453.75
Labor:	\$1,302,199.00	\$976,649.25	\$325,549.75
Fees:	\$52,680.00	\$39,510.00	\$13,170.00
Initial Agreement Amount:	\$4,684,694.00	\$3,513,520.50	\$1,171,173.50
***Contingency Funds:	\$0.00	\$0.00	\$0.00
Project Total:	\$4,684,694.00	\$3,513,520.50	\$1,171,173.50

**Any line item amount in this Budget may be increased or decreased 10% or less, with the Division’s approval, without an amendment to this Agreement being required, so long as the overall amount of the funds obligated under this Agreement is not increased.*

***** This project has an estimated \$0.00 in contingency funds. Per FEMA Hazard Mitigation Assistance Guidance Part VI, D.3.4 – Contingency funds are not automatically available for use. Prior to their release, contingency funds must be re-budgeted to another direct cost category and identified. Post-award changes to the budget require prior written approval from the Division (FDEM). The written request should**

demonstrate what unforeseen condition related to the project arose that required the use of contingency funds.

Project Management costs are included for this project in the amount of \$0.00.

Funding Summary Totals

Federal Share:	\$3,513,520.50	(75.00%)
Non-Federal Share:	\$1,171,173.50	(25.00%)
Total Project Cost:	\$4,684,694.00	(100.00%)

Attachment L
Florida Accountability Contract Tracking System (FACTS)
Requirements for Non-profit Organizations Under Section 216.1366, Florida Statutes
Instructions and Worksheet

PURPOSE: Section 215.985, Florida Statutes (F.S.), amended in 2023, requires that each contract for which a state entity makes a payment pursuant to a contract executed, amended, or extended on or after July 1, 2023, the Division shall post any documents submitted pursuant to s. 216.1366, F.S., which indicates the use of state funds as remuneration under the contract or a specified payment associated with the contract on the contract tracking system.

CONTRACT DOCUMENTATION REQUIREMENTS

Section 216.1366, F.S., amended in 2023, establishes new documentation requirements for any contract for services executed, amended, or extended on or after July 1, 2023, with non-profit organizations as defined in s. 215.97 (2)(m). F.S. The contract must require the contractor to provide documentation that indicates the amount of state funds:

- Allocated to be used during the full term of the contract for remuneration to any member of the board of directors or an officer of the contractor.
- Allocated under each payment by the public agency to be used for remuneration of any member of the board of directors or an officer of the contractor. The documentation must indicate the amounts and recipients of the remuneration.

Such information must be included in the contract tracking system maintained pursuant to s. 215.985 F.S. and must be posted on the contractor’s website if the contractor maintains a website.

- As used in this subsection, the term:
 - o “Officer” means a Chief Executive Officer (CEO), Chief Financial Officer (CFO), Chief Operating Officer (COO), or any other position performing an equivalent function.
 - o “Remuneration” means all compensation earned by or awarded to personnel, whether paid or accrued, regardless of contingency, including bonuses, accrued paid time off, severance payments, incentive payments, contributions to a retirement plan, or in-kind payments, reimbursements, or allowances for moving expenses, vehicles and other transportation, telephone services, medical services, housing, and meals.
 - o “State funds” means funds paid from the General Revenue Fund or any state trust fund, funds allocated by the Federal Government and distributed by the state, or funds appropriated by the state for distribution through any grant program. The term does not include funds used for the state Medicaid program.

Note: This “Instructions and Worksheet” is meant to explain the requirements of the Section 216.1366, F.S., amended in 2023, and give clarity to the attached form distributed to recipients and sub-recipients for completion. All pertinent information below should be filled out, signed, and returned to the project manager.

NON-PROFIT ORGANIZATION REMUNERATION INFORMATION

1. Is your business or organization a non-profit organization as defined in s. 215.97 (2)(m). F.S.?
Yes No

If the answer to Question 1 is “Yes,” continue to Question 2. If the answer to Question 1 is “No”, move to the signature block below to complete the certification and submittal process.

2. Will state funds be used as remuneration to any member of the board of directors or an officer in your business or organization?
Yes No

If the answer to Question 2 is “Yes,” provide the information required in the “Total Compensation Paid to Non-Profit Personnel Using State Funds” form below. A separate form should be completed for each member of the board of directors or officer being compensated using state funds. If the answer to Question 2 is “No”, move to the signature block below to complete the certification and submittal process.

Total Compensation Paid to Non-Profit Personnel Using State Funds

Name:		
Title:		
Agency Agreement/Contract #		
Total Contract Amount		
Contract Term:		
Line Item Budget Category	Total Amount Paid	Amount Paid from State Funds
Salaries		
Fringe Benefits		
Bonuses		
Accrued Paid Time Off		
Severance Payments		
Retirement Contributions		
In-Kind Payments		
Incentive Payments		
Reimbursements/Allowances		
Moving Expenses		
Transportation Costs		
Telephone Services		
Medical Services Costs		
Housing Costs		
Meals		
CERTIFICATION: I certify that the amounts listed above are true and accurate and in accordance with the approved budget.		
Name:		
Signature:		
Title:		
Date:		

**AMENDMENT #3
TO THE
CONSULTING & RETAINER AGREEMENT
BETWEEN THE
TOWN OF WINDERMERE AND JPF DEVELOPMENT SOLUTIONS LLC**

This Amendment #3 to the Consulting & Retainer Agreement between the Town of Windermere (“Client”) and JPF Development Solutions LLC, a Florida limited liability company (“Consultant”) is entered into as of January 1, 2025 (the “Effective Date”) and amends the Consulting & Retainer Agreement entered into by the parties on August 26, 2015, as amended by Amendment #1 and Amendment #2 (collectively the “Agreement”).

1. The parties hereby amend paragraphs 3 and 6 of the Agreement as follows:

3. RETAINER/PAYMENT. Client will pay a monthly retainer to the Consultant for the Services in the amount of \$6,050.00. This monthly retainer fee shall be payable at the beginning of each month for a period of one year or until revised by the parties, whichever comes later, beginning on the Effective Date. This retainer is non-refundable. The retainer is based on the Consultant working 55 hours per month at a rate of \$110.00/hr. The Consultant will be paid hourly for work in excess of 55 hours per month. Work exceeding 55 hours a month shall be approved in advance by the Town Manager or his designee.

6. TERM/TERMINATION. The Term of this Agreement ends on December 31, 2025, and this Agreement may thereafter be extended for one-year periods by mutual written agreement by both parties. Either party may terminate this Agreement for convenience without cause upon providing the other party with seven days written notice. Upon any termination regardless of cause, as Consultant’s sole remedy for any such termination, Consultant shall be paid for all Services properly performed as of the date of the termination. Consultant waives and releases Client from any other claims or damages of any kind.

2. The parties hereby add the following paragraphs 20 through 23 to the Agreement:

20. PROHIBITION AGAINST CONSIDERATION OF SOCIAL, POLITICAL, OR IDEOLOGICAL INTERESTS. The Consultant is hereby notified of the provisions of section 287.05701 of the Florida Statutes, as amended, that the Client will not request documentation of or consider the Consultant’s social, political, or ideological interests when determining if the Consultant is a responsible company. The Consultant is further notified that the Client’s governing body may not give preference to a consultant based on the Consultant’s social, political, or ideological interests.

21. UNAUTHORIZED ALIENS. Client shall consider the knowing employment of unauthorized aliens, as described in Section 274A(e) of the Immigration and Nationality Act (codified at 8 U.S.C. §1324a), and Section 448.09 of the Florida Statutes by the Consultant or any subcontractor cause for termination of this Agreement.

22. SCRUTINIZED COMPANIES LIST.

- a. By executing this Agreement, the Consultant certifies that it is not: (1) listed on the Scrutinized Companies that Boycott Israel List, created pursuant to Section 215.4725 of the Florida Statutes, (2) engaged in a boycott of Israel, (3) listed on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Terrorism Sectors List, created pursuant to Section 215.473 of the Florida Statutes, or (4) engaged in business operations in Cuba or Syria. Pursuant to Section 287.135(5) of the Florida Statutes, the Client may immediately terminate this Agreement for cause if the Consultant is found to have submitted a false certification as to the above or if the Consultant is placed on the Scrutinized Companies that Boycott Israel List, is engaged in a boycott of Israel, has been placed on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Terrorism Sectors List, or has been engaged in business operations in Cuba or Syria, during the term of the Agreement. If the Client determines that the Consultant has submitted a false certification, the Client will provide written notice to the Consultant. Unless the Consultant demonstrates in writing, within 90 calendar days of receipt of the notice, that the Client’s determination of false certification was made in error, the Client shall bring a civil action against the Consultant. If the Client’s determination is upheld, a civil penalty equal to the greater of \$2 million or twice the amount of this Agreement shall be imposed on the Consultant, and the Consultant will be ineligible to bid, submit a proposal for, or enter into or renew a contract with the Client or a Florida agency or local governmental entity for three years after the date of the Client’s determination of false certification by the Consultant.
- b. If federal law ceases to authorize the states to adopt and enforce the contracting prohibition in this Section 22, this Section 22 shall be null and void without further action of the parties.

23. Human Trafficking Attestation. In compliance with Subsection 787.06(13) of the Florida Statutes, the affidavit attached hereto as **Attachment A** must be completed by an officer or representative of a nongovernmental entity that is executing, renewing, or extending a contract with the Client or any of its direct support organizations (the “Governmental Entity”).

3. All provisions of the Agreement not specifically amended herein shall remain in full force and effect.

The parties are signing this Amendment #3 as of the Effective Date in the introductory clause.

Town of Windermere

JPF Development Solutions LLC

By: _____
Robert Smith, Town Manager

By: _____
John Fitzgibbon, Managing Member

Attachment A

**NONGOVERNMENTAL ENTITY HUMAN TRAFFICKING AFFIDAVIT
Section 787.06(13), Florida Statutes**

I, the undersigned, am an officer or representative of JPF Development Solutions LLC and attest that JPF Development Solutions LLC does not use coercion for labor or services as defined in section 787.06, Florida Statutes. Under penalties of perjury, I declare that I have read the foregoing statement and that the facts as stated in it are true and correct.

Print Name: John Fitzgibbon

Title: Managing Member of JPF Development Solutions LLC

Signature: _____

Date: _____



**TOWN OF WINDERMERE
EXECUTIVE SUMMARY**

SUBJECT: Approve RFP 2024-01 Lobbying Services – JEJ & Associates

REQUESTED ACTION: Approval

Work Session (Report Only) **DATE OF MEETING:** January 14, 2025
 Regular Meeting Special Meeting

CONTRACT: N/A Vendor/Entity: _____
Effective Date: _____ Termination Date: _____
Managing Division / Dept: Public Works

BUDGET IMPACT: \$33,600
 Annual **FUNDING SOURCE:** _____
 Capital **EXPENDITURE ACCOUNT:** _____
 N/A

HISTORY/FACTS/ISSUES:

The Town issued Request for Proposals (RFP 2024-01) for State Lobbying Services, receiving submissions from five qualified firms:

- **Corcoran Partners**
- **Gray Robinson**
- **Greenberg Traurig**
- **JEJ & Associates**
- **The Vogel Group**

Evaluation Process:

A selection committee was formed to evaluate the proposals, consisting of:

- **Mayor Jim O'Brien**
- **Town Manager Robert Smith**
- **Assistant Town Manager/Public Works Director Tonya Elliott-Moore**

The committee assessed each proposal using the following criteria:

1. Experience, approach, and results
2. Specialized expertise of team members

3. Total compensation
4. List of references

At the selection committee meeting, members reviewed scoring sheets, deliberated on the merits of each proposal, and identified a firm to recommend to the Town Council.

Recommendation:

Based on the evaluation, the selection committee recommends **JEJ & Associates** for State Lobbying Services. The decision was informed by the firm’s competitive pricing, extensive team experience, and a boutique service approach that aligns well with the Town's needs.

Scoring Results:

Firm	Jim O'Brien	Robert Smith	Tonya Elliott Moore	Cumulative Totals
JEJ & Associates	85	92	93	270
Gray Robinson	82	90	89	261
Corcoran Partners	80	82	81	243
Greenberg Traurig	65	84	76	225
The Vogel Group	75	80	42	197

Fiscal Impact:

The cost of services provided by JEJ & Associates is \$33,600 Annually.

Action Requested:

The Town Council is requested to approve the selection of **JEJ & Associates** for State Lobbying Services as recommended by the selection committee.

Response to State Lobbying Services

Proposal No. RFP #2024-01

due October 28, 2024



THE TOWN OF
Windermere

Lena Juarez, President

JEJ & Associates, Inc.

Post Office Box 10390

Tallahassee, Florida 32302

850-212-8330

105 East Robinson Street, Suite 300

Orlando, Florida 32801

407-723-8133

lena@jejassoc.com

www.jejassociates.com

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REQUIRED FORMS

October 25, 2024

The Honorable Jim O'Brien & Council Members
Town of Windermere
614 Main Street
Windermere, Florida 34786

Dear Mayor and Council Members:

JEJ & Associates, which has provided lobbying services since 1999, is pleased to submit this proposal in response to the Town of Windermere's RFP 2024-01 for Professional State Lobbying Services. Our experienced team of professionals looks forward to developing a strong working relationship with the Town as we together achieve the Town's legislative priorities.

As we prepare this response, we are confident that JEJ & Associates is the most qualified firm ready to represent the Town as its state lobbying team. While that may seem a bold statement, our team takes great pride in the accomplishments for its public and private sector clients. Our reputation has been built not through the individual achievement of our consultants, but through the hard work of the team to benefit our clients. Our success can be traced to a dedication in seeing goals realized, a commitment to provide individualized service to clients, responsiveness to the client, an ability to think outside the box, and continuous efforts to track the pulse of Florida politics.

We are **full time lobbyists**. We are not a law firm with governmental relations being one aspect of our services. We work full-time advocating on behalf of our clients and we offer very specialized services that involve relationships with the legislative and executive branches to benefit our clients. We get the job done because of these relationships and our knowledge of how to access resources in government.

Our proposal includes a diverse set of current and past clients, each of whom have contributed to our expertise and ability to tackle all aspects of legislative priorities. For over our twenty-five years we have represented towns and counties throughout the State, some small communities and some larger cities. . Our approach to each remains the same – get the job done. Among the local governments we have represented either directly, or through a subcontract, include - the City of Orlando, the City of Longwood, the City of St. Petersburg, the City of Longwood, Leon County, Orange County, the Central Florida Regional Transportation Authority, the City of Pembroke Park, and Hillsborough County. Our current municipal clients include the City of St. Augustine, the City of Tallahassee, and the Village of Estero.

We would like to note that towns and cities have hired JEJ & Associates to represent their interests in Tallahassee when they had never had representation and/or had not engaged a government relations firm in quite some time. Knowing this is the case with the Town of Windermere, we are confident that JEJ & Associates can quickly and effectively guide the Town and make an impact for its residents through our work during the 2025 Session.

We have carefully reviewed the Scope of Services as contained within the RFP and are confident that we will not only meet, but will exceed, the expectations and requirements contained therein. We have extensive experience in all aspects of working with state government on behalf of local governments, from developing priorities and identifying opportunities, to securing budget appropriations, passing local bills and pursue the Governor's signature on legislation.

Taken together, these attributes ensure that JEJ & Associates not only will meet the requirements of the Town of Windermere but exceed its expectations. We urge you to review the balance of this response for specific success examples. Please be aware that these represent a cross section of our work and are not intended to reflect all our areas of expertise, nor the extent of our successes.

Thank you for the opportunity and your consideration of JEJ & Associates as a consultant to the Town. The contact information, and authorized person, for JEJ & Associates, Inc., a Florida corporation, is as follows.

Lena Juarez, President
JEJ & Associates, Inc.
Post Office Box 10390
Tallahassee, Florida 32302
850-202-8330
lena@jejassoc.com

Please do not hesitate to contact us with any questions you may have regarding our proposal. We would be honored to represent you.

Sincerely,

Lena Juarez

Lena Juarez, President
JEJ & Associates, Inc.

Tab 1

Executive Summary

JEJ & Associates, Inc., founded by Lena Juarez, is a Florida governmental relations consulting firm that has been delivering results for clients, including multiple local governments, for twenty-five years. The firm is certified as a minority business with the State of Florida. We have wide-ranging experience collaborating with the Florida Legislature, Cabinet and Executive Branch and are confident that we will provide unmatched professional services on behalf of Windermere. Since its inception in 1999, JEJ & Associates has represented clients in the areas of transportation, local government, the judiciary, finance and tax, economic development, health care, education, regulated industries, and agriculture, among other issues. JEJ & Associates has proved itself to be an effective advocate for its clients and has earned a well-deserved reputation in Tallahassee for providing superior personalized services.

Ms. Juarez chose to establish her own firm for several compelling reasons: (a) she understands that so-called “boutique” firms provide **the best personalized services** to clients; (b) the firm consists of full time lobbyists working for clients, rather than full-time attorneys working as part-time lobbyists; (c) she insists on being **partners with her firm’s clients**, not determining what can and cannot be accomplished; and (d) she, and the entire firm, want to develop client relationships that stand the test of time because clients realize that dedication, hard work, and ability get things done.

Since its establishment, Lena Juarez and the JEJ & Associates team, has represented local governments, including the City of Orlando, City of St. Augustine, City of Tallahassee, Village of Estero, and the City of Pembroke Park, among others. Former counties represented include Orange, Leon and Hillsborough. She has also previously served as the Central Florida Regional Transportation Authority’s, d.b.a. LYNX, sole or lead consultant.

Other groups with whom we have developed ongoing relationships include the Florida League of Cities, the Florida Association of Counties, the Florida Metropolitan Planning Organization Advisory Council, local metropolitan planning organizations, and water management districts. All these contacts have contributed to our understanding of local government’s priorities and challenges.

JEJ & Associates will be an excellent partner with the Town because we **know and understand the political and governmental environment of the State of Florida**, and we will bring our lobbying experience and understanding of the legislative process to get results. We are the team with statewide connections and local government experience.

Conflicts of interest are always a concern for clients. Larger firms typically have multiple, if not dozens, of municipal clients, often in the same geographic area or county. In such a scenario, conflicts of interest are bound to develop when conflicting issues, including competitive funding opportunities, become part of the equation. JEJ

& Associates is not searching for dozens of local government clients; rather, we search for **complimentary clients and limit their number to provide better individualized attention**. Our team pledges to honor full disclosure and ensure there are no conflicts of interest.

With **staffed offices in Tallahassee and Orlando**, we can quickly respond to the Town as its representative. During legislative committee weeks, and the corresponding session, our team is working in Tallahassee to accomplish our clients' legislative priorities. During the balance of the year, we remain in contact with our clients regarding legislative and political issues to ensure both sides are kept abreast of developments. We also meet with legislators, legislative staff, committee staff, pertinent executive branch departments, and other relevant stakeholders on a regular basis to ensure we are aware of all significant events.

Ms. Juarez will be the primary lobbyist and principal point of contact for the Town of Windermere during the term of the contract. Robert Miller will serve as the secondary lobbyist and point of contact. Our team is supported by full-time administrative staff. Additional staff are available on an as needed basis. There is no current litigation, nor outstanding judgments or liens against the firm or its staff.

Our firm will adhere to the requirements and scope of work outlined in the solicitation and will abide by the lobbying rules as established by the Florida Legislature.

“JEJ & Associates has made a difference on our community’s quality of life. I would recommend JEJ & Associates to any government, institution or person that needs help in Tallahassee. The relationship with the City of St. Augustine continues to thrive today due to the professionalism, hard work, and care Ms. Juarez puts into her clients. It is the best decision you can make for your organization.”

John Regan, Former City Manager
City of St. Augustine

Qualifications & Experience

The following represents a sampling of issues for which JEJ & Associates have lobbied during the last five (5) years. This represents a small, but wide range, sampling of issues pursued.



City of St. Augustine

Having represented the City of St. Augustine for eleven years, JEJ, & Associates has been involved with many issues on behalf of the City. Outlined below is a brief selection of successes.

A **resiliency grant** was high on the priority list for the 450-year-old city. Being a coastal community, and with infrastructure built centuries ago, the city had long suffered with flooding issues. Flooding was a constant concern not just during hurricane season, but also by more regular nor'easter storms. The city sought a Resilient Florida grant from the Florida Department of Environmental Protection. JEJ & Associates worked through the application process and secured support for the grant from FDEP and the Legislature. We were successful in securing a \$10 million grant in 2023. This grant provided the funding to finish the current design that was underway for the project and complete permitting. It allowed the city to construct stormwater utilities, a pump station, elevated streets, replace impacted utilities, install tide check valves and build bulkheads to protect the historic core of St. Augustine from storm surges, tidal flooding and unforeseen environmental changes.

Appropriations remain an important aspect of local governmental priorities. During the 2018, 2019, 2020, 2021, 2022, 2023 and 2024 Sessions, Lena Juarez sought member appropriations for the City of St. Augustine. The City was working during this period to secure water project funding from the state. Ms. Juarez successfully secured \$25,614,000 in funding during this seven-year period within the legislative budgets. To secure this funding, the necessary Legislative sponsors and committee hearings, when required, for these requests were secured by JEJ & Associates. The team then lobbied the Appropriations Committee chair as well as the Subcommittee chair in both chambers to ensure inclusion within the final budget.

Firefighter disability payments was another issue concerning the City, who made it a top priority for the 2019 Session. The legislation included benefits, which would provide necessary help for first responders and subsequently, to their families, who receive a cancer diagnosis. JEJ & Associates assisted the City as they lobbied the Legislature on behalf of this bill through organized testimony during committee hearings. The bill was passed and signed by the Governor.



City of Orlando

Local bills play a critical role for local governments. These are means to seek exemptions to current Florida law. To qualify for a special food service license, which allows restaurants to serve alcohol without a quota liquor license, Florida requires the eating establishment to have a minimum floor area of 2,500 square feet, be able to serve 150 patrons simultaneously, and have at least 51% of gross sales be attributable to food and non-alcoholic beverages. The City of Orlando created the Orlando Main Street Small Restaurant Incentive Area to encourage the establishment of restaurants in certain corridors of the city. Orlando sought to reduce the requirements for a special food service license by reducing the square foot area to 1,800, the number of patrons to 80, but maintain the 51% food/alcohol ratio. JEJ & Associates worked to identify a sponsor for the local bill, lobbied on behalf of the bill with the local delegation, worked with committee chairs to ensure that the bill would be heard, and the leadership to make sure the bill received a floor vote. Ultimately, each of these items was successfully accomplished and the bill was approved by the Governor leading to the enhancement of the Incentive Area.



Greater Orlando Aviation Authority

Amending legislation represents a key component of our work. During the 2020 Session, a bill was filed that was designed to increase transparency and accountability for large hub airports, including Orlando International Airport. The original bill contained several provisions that were considered onerous by the Airport. Prior to the first committee hearing, we met with legislative staff, committee chairs, and leadership to convey the airport's requests. We were successful in that the sponsor agreed to amend the bill language which reduced the time period between required audits, loosened the requirements for posting information on airport websites, among others. There was one item, concerning the dollar threshold before a bid was required, which was not removed. However, by working with the then-incoming Senate President Wilton Simpson we secured his agreement that the threshold would be increased from \$65,000 to \$100,000 during the 2021 Session. President Simpson kept his word, and the threshold was raised.

Killing legislation is a tried-and-true method to securing positive outcomes for clients. Bills were filed that would have eliminated the aviation fuel tax which would have significantly financially impacted airports. JEJ & Associates were part of a team which fought against these bills. The strategy was to secure a commitment from a committee chair to not hear the bill, which would effectively kill it for the Session. By mounting pressure on Senators, we were able to secure the commitment and the bills died in committee.

Remaining up to date on late filed bills and amendments is another key component of lobbying work. It is necessary to have real-time access to bills and amendments. JEJ & Associates subscribes to a web-based service which provides such up-to-date information. The importance of this near instant access is that we were able to discover an attempt to lower the aviation fuel tax (rather than repeal it as outlined above) after the above bills were killed. Our team immediately sought out the Appropriations Committee chair prior to the committee's hearing to discuss the situation. We were able to convince her that there was no need to lower the tax rate since it had just been lowered the previous year.



Member project funding has been the top priority for Estero during the tenure of JEJ & Associates' representation. During the 2022 Session, Estero requested funding for expansion of bicycle lanes, park improvements, and a utility expansion project. Our team successfully secured sponsors for the member requests and ensured that all three items were included in Fiscal Year 2022-2023. A total of \$1,730,000 was funded by the State for the three projects. The 2023 Session was focused on a utility expansion project. The Village team was successful in securing \$7,400,000 for this single project. During our third year of representation, Estero sought funding for a road design, a water project, and a septic-to-sewer project. These totaled \$8,400,000. JEJ & Associates successfully placed them in the legislative budget working with legislative sponsors.

Specific Expertise

The following represents a sampling of issues of which JEJ & Associates monitored and/or advocated during the 2024 Florida Legislative Session.

Environment

- Areas of Critical State Concern
- Public Works Projects
- Environmental Management
- Ratification of the Department of Environmental Protection's Rules Relating to Stormwater
- Department of Agriculture and Consumer Services
- Mangrove Replanting and Restoration
- Regulation of Auxiliary Containers
- Energy Resources
- Preventing Contaminants of Emerging Concern from Discharging Into Wastewater Facilities and Waters of the State
- Funding for Environmental Resource Management
- Department of Environmental Protection

Land Use

- Land Use and Development Regulations
- Affordable Housing
- Mitigation
- Agritourism
- Land and Water Management
- Expedited Approval of Residential Building Permits
- Alternative Mobility Funding Systems and Impact Fees
- Local Government Actions
- Land Development
- Local Regulation of Nonconforming and Unsafe Structures

Home Rule Issues

- Unauthorized Public Camping and Public Sleeping
- Business Impact Statements Prior to Ordinance Adoption
- Local Business Tax Fee Caps
- Reduced Parking Requirements Under Live Local Developments
- Local Government Impact Fee Restrictions
- Sovereign Immunity Liability Limits
- Traffic Camera Restrictions

Miscellaneous Issues

- Live Local Act
- Housing for Legally Verified Agricultural Workers
- Continuing Contracts Revisions
- Employment Restrictions for Minors
- Left Hand Lane Driving Restrictions
- Government Accountability
- Electric and Hybrid Vehicle License Fees

Current Client List

- City of St. Augustine
- City of Tallahassee
- Leon County Board of County Commissioners
- Village of Estero
- Capitol Alliance Group
- ChargePoint Inc.
- Florida Agritourism Association
- Florida Beekeepers Research Foundation
- Florida Humanities Council
- Molina Healthcare
- Tallahassee Symphony Orchestra

Conflicts of Interest

As previously indicated, JEJ & Associates' policy ensures that the real-world risk of conflicts is minimized and virtually eliminated.

We will continue our long-standing policy of keeping clients informed of developments that may impact them. In the unlikely event that two clients have competing itineraries, we would immediately disclose the issue to both clients and work amongst all of us as to how best to proceed.

The required notarized statement follows.

CONFLICT OF INTEREST

I, Lena Juarez, President of JEJ & Associates, Inc., hereby affirms that as the sole member of JEJ & Associates ownership, I do not have a vested interest which might be considered a conflict of interest in regard to the Town of Windermere. Further, no member of the firm's management, or staff, has a conflict of interest in regard to the Town of Windermere.



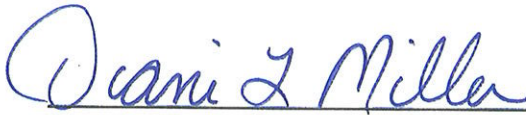
Lena Juarez, President
JEJ & Associates, Inc.



Robert P. Miller
Witness

STATE OF FLORIDA
COUNTY OF ORANGE

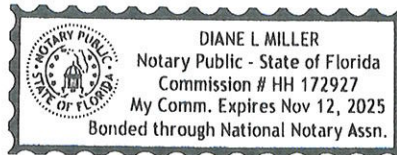
Sworn to (or affirmed) and subscribed before me this 22nd day of October, 2024 by Lena Juarez.



Notary Public

Personally known to me.

My Commission Expires:



Approach

In previous sections, we have conveyed our expertise and demonstrated our successes within the field of local government representation. We will now focus on the approach JEJ & Associates will utilize to advance the Town of Windermere's legislative platform and the efforts we will employ to keep the Town informed as to the activities of the Legislative and Executive branches of Florida government as well as the Cabinet as it relates to our efforts.

Initial Contact with Windermere

The JEJ & Associates team, working in conjunction with Town staff, will be an initiative-taking advocate for Windermere. We understand that the Town Council will be developing its 2025 legislative platform and will make the tough decisions about future objectives. We will offer our advice and recommendations on this agenda based on our experience and knowledge of the legislative process and political developments. Overall, the Town's key focus is to fund water project programs and secure grants; boost water quality; work to improve parks and recreation opportunities; maintain local government autonomy; limit the preemption of governmental authority; protect trust funds; ensure the Town receives its fair share of tax dollars and secure appropriations for Windermere's priorities, among others. Throughout these processes we will **maintain open and constant communications amongst our team and the Town** and continually advocate and promote Windermere.

Good communication between the client and the consultant is of the utmost importance as we work towards solutions. Ms. Juarez will remain available, whether in person, or by telephone, electronic mail or text, throughout the term of the contract to discuss issues concerning the Town. This includes **24-hour availability during legislative committee weeks, the regular, extended and/or any special sessions** as needs arise.

2025 Session Dates	
Organization Session	November 19, 2024
Proposed Interim Committee Weeks	December, 2024 January, February 2025
Session Convenes	March 4, 2025
End of Regular Session	May 2, 2025

Upon award of a contract, JEJ & Associates will, in conjunction with the primary firm, schedule appointments with the Mayor and Council members, as needed, the Town Manager Robert Smith, and other suggested staff members to discuss tasks to prepare for the 2025 Legislative Session. During these meetings, Ms. Juarez will review past and future issues and help develop strategies to achieve that portion of the priorities to which it is assigned. Responsiveness to the Town and its staff will be of the utmost concern to all of JEJ & Associates' team.

Pre-Session Work

JEJ & Associates will help shape Windermere's legislative agenda. We will always be available to advocate on any additional issue as needed. Further JEJ & Associates will maintain communication with the county delegation and seek their guidance.

Our approach is to **work year-round with legislators**, their staff and key agency contacts in order to maintain good working relationships and bring issues to their attention early so that solutions may be quickly realized. We will select a strategy or strategies in consultation with the Town that achieves goals based on resources, time and degree of difficulty.

Prior to the start of any legislative activities, our firm will be reviewing the various funding programs the State offers local governments for any relevant resiliency opportunities the Town may have. We will be especially searching for grant programs that may involve environmental protection, clean water, and transportation, to name a few. Our staff has experience with assisting clients with their applications for these types of funding sources.

Additionally, JEJ & Associates will be conducting research on Windermere's legislative platform and preparing the necessary background pieces. **All filed bills**, which total nearly 2,000 annually, **will be reviewed**, using our subscription to the leading legislative news and information service, for their **relevancy to the Town's issues we are following**. We will develop information sheets which outline issue(s) and explain solutions as required. Our firm will solicit and provide drafts of letters of support for issues as needed, work with staff to prepare and submit any grant applications and assist in preparing any required appropriation requests with both chambers. This groundwork will organize the team for its upcoming meetings with decision makers.

During the course of the session, we will be regularly coordinating the scheduling of meetings with new and seasoned legislators, staff, and others for Windermere officials.

JEJ & Associates will be available for strategy calls with our points of contact at the Town; monitor the budget process and report developments; submit weekly briefings and/or reports during legislative committee weeks and session; prepare an inclusive report upon completion of the legislative session; be available for Board presentations as requested; and respond to any other items required or needed by the Town as requested in the Scope of Work outlined in the Request for Proposals.

Session Work

Our firm will continue to conduct research and background on developments, including bill status and budgetary issues. As during committee weeks, we will monitor, attend, and report relevant developments from committee hearings. We will meet with individual legislators to discuss priorities. It would be beneficial if staff or board members could accompany us during some meetings to establish a rapport between the Town and legislators. This can be done before or during the session.

JEJ & Associates develops multiple solutions for priorities. With so many bills being filed, we recognize that all of them will not be heard in committees. Oftentimes, this involves the identification of alternative bills to which our issues can be attached through the amendment process. We have been successful many, many times through this secondary or even tertiary alternative.

During the legislative session, we will be submitting weekly status reports, and participate in, as a minimum, weekly strategy meetings with the primary firm and staff. JEJ & Associates will be submitting monthly reports to the Town during the term of the contract outlining our activities the previous month. We will also be available to attend Board meetings to provide in-person updates as required, and as needed. As mentioned previously, **we anticipate a great level of communication between Windermere's staff and our team.** We will ensure our availability by text, phone, and email.

JEJ & Associates is **not a firm to stand on the sidelines and wait for unexpected crises.** We will enter the fray to fight on behalf of our clients. Part of that fight involves acting on a timely basis as legislation develops. We do not view our job as done once bills have been written or appropriations have been sponsored. As the legislation and budget moves through the process, we will begin enlisting the support of the executive branch agencies and the Governor's office. Our experience tells us that nothing is safe until the final vote has been taken and the Governor signs it into law.

Post Session Work

Many firms see the end of Session as the end of their work. JEJ & Associates does not adhere to this philosophy. Rather, **we see post-session time as a continuation of the process to develop relationships on behalf of our clients. No one can say our team is out of sight, out of mind.** Throughout the remainder of the year Ms. Juarez travels the State to keep legislators apprised of client developments and issues which may be arising.

In the weeks after the conclusion of the 2025 legislative session, JEJ & Associates will monitor when the Legislature sends bills of interest to the Governor for his consideration, particularly the appropriation bills. We will advocate the Town's priorities with the Governor's Office, the Office of Policy and Budget, the state agencies and/or other organizations during this time. Gathering a coalition of supporters for these priorities might be one strategy to pursue as well.

JEJ & Associates will submit a session summary of our issues final outcome and participate in Council meetings as outlined in the Scope of Work.

JEJ & Associates will adhere to all requirements of the State of Florida regarding lobbying, including registration, the submittal of financial reports and other rules and regulations propagated by either chamber.

Our firm, in conjunction with Windermere's input, will put this plan into action. **Together we will work towards successful outcomes for the 2025 legislative session.**

Tab 2

Proposed Project Manager and Project Leaders

Lena Juarez, an Orlando native, is the president and founder of the twenty-five-year-old lobbying firm, JEJ & Associates, and will serve as the firm's lead lobbyist and principal liaison to the Town. Prior to establishing her own firm, she worked with Juarez & Associates, an Orlando consulting firm founded in 1979 by her father Oscar Juarez, who has been a fixture in Orange County politics for nearly sixty years. It was under his mentorship that she honed her skills and developed the ethic under which she has become one of the most respected and successful Tallahassee consultants. Another mentor to Ms. Juarez is Lieutenant Governor Toni Jennings, the former, and only, two-time Senate President. Governor Jennings is a lifelong friend who possesses unmatched knowledge of Florida government and who can rightly provide guidance, when necessary, on behalf of clients. Ms. Juarez is registered with the Office of Lobbyist Registration as a lobbyist and by the State of Florida as a minority business owner.

Since childhood, **Ms. Juarez has been involved and has the knowledge and understanding** of the political and economic history of the community and our state. We have consulted and assisted candidates running for local offices, including city and county commissions, property appraiser, tax collector, sheriff, clerk of the courts, and state legislators.

Robert Miller, who prior to joining JEJ & Associates in 2003, had over **twenty years** of consulting work, will also be working on behalf of Windermere. He is also a Central Florida native familiar with the business community and local government developments.

JEJ & Associates has administrative staff which supports Ms. Juarez and Mr. Miller throughout the year. In addition, the firm **publishes a free eNewsletter** which keeps its readers informed on happenings related to state government and political developments. This eNewsletter, with readership of several hundred that began with a readership in the teens, is respected for its depth and comprehensiveness. We are constantly amazed at how it is forwarded by our readers to their coworkers, friends and acquaintances.

Ms. Juarez, and her team, will be the Town's lobbyists before Florida's legislative branch, the Florida Cabinet, as well as the Governor's Office and its state agencies. The JEJ Team is familiar with legislative, regulatory, rulemaking and appropriation aspects of laws, policies and related issues that impact local governments in Florida. We invite you to visit our website, www.jejassociates.com, for further information about the firm and its story.

JEJ & Associates is committed to providing the highest quality lobbying service to our clients. Our firm and its mission are concerned with **individualized attention to those we serve**. Personal service means that our principal, Ms. Juarez, will be available, and will **always promptly respond to client needs and requests**.



LENA JUAREZ

Lena Juarez, founder of JEJ & Associates, has delivered results since 1997 for a diverse set of clients, ranging from Fortune 500 companies, to local governments, to trade associations, and to not-for-profit groups. She has built a successful government consulting practice through her tenacity, ability to collaborate and strategically solve problems on behalf of her clients.

By truly understanding her clients' needs and communicating them successfully to the right decision-makers, Ms. Juarez develops strategies to obtain both funding

and policy changes her clients need to achieve their goals.

Since its inception, JEJ & Associates has represented clients in the areas of healthcare, education transportation and economic development, regulated industries, agriculture, finance and tax, the judiciary, and local government. Ms. Juarez has also secured millions of dollars for clients through the annual state appropriations process.

A graduate of Sophie Newcomb Memorial College of Tulane University and the Reubin O'D. Askew School of Public Administration and Policy at the Florida State University, she has been active in politics since a very young age and has served on many local and statewide boards. Ms. Juarez has been appointed to numerous state-wide boards by current and former Senate Presidents and House Speakers. She is a graduate of Leadership Tallahassee and Leadership Florida, which are programs of the local and state Chamber of Commerce.

LENA JUAREZ

845 Circle Drive, Tallahassee, FL 32301 | 850-212-8330 | Email: Lena@JEJAssoc.com

GOVERNMENT AFFAIRS EXPERT AND LOBBYIST

Government Consulting | Government Relations | Political Consulting

CORE COMPETENCIES AND STRENGTHS

Persuasive Influencer	Funds Development	Public Speaking
Securing Appropriations	Coalition-Builder	Strategic Planning
Public Relations	Grassroots Advocacy	Strong Negotiator

PROFESSIONAL EXPERIENCE

JEJ & Associates, Inc., Tallahassee and Orlando, Florida February 1999 - Present
President

Founder of a full-service governmental relations consulting firm with offices in Tallahassee and Orlando, Florida, working with Fortune 500 companies, local government entities, not-for-profit groups, trade associations and small businesses

- Collaborate closely with clients to create and implement aggressive action plans to obtain funding and/or policy changes
- Develop and implement creative strategic planning processes for clients to ensure alignment of government relations strategy with desired business goals
- Represent clients in areas of economic development, transit, transportation, local government, regulated industries, the judiciary, agriculture, healthcare, finance and tax, natural resources and education
- Secured millions of dollars for clients through the state appropriations process
- Track, analyze and interpret proposed legislation and regulations, including state budget
- Monitor and analyze legislative, administrative, regulatory and political activity to assess potential impacts
- Actively lobby the State Legislature on behalf of client's interests to achieve funding and/or policy changes
- Developed strong network of key relationships in Florida government by addressing client regulatory and business issues

Key Highlights:

- Secured over \$20 million in funding for the Orlando Sanford International Airport 4 years in a row
- Secured over \$5.3 million in new funding for municipal projects throughout the State of Florida
- Inserted an annual \$5 million budgetary allocation to benefit transportation disadvantaged riders beginning in 2009
- Worked with legislators to pass historic legislation impacting the telecommunications industry
- Worked with healthcare lobbyists to pass legislation privatizing Florida's \$22 billion Medicaid program

Juarez & Associates, Orlando, Florida 1997 - Present
Vice President

- Represent clients as a member of full-service governmental and political consulting firm
- Coordinated local and statewide campaigns for Mayor of Orange County, Central Florida County and City Commissioners, and Florida Chief Financial Officer

Florida Board of Regents, Tallahassee Florida 1996 - 1999
Coordinator of External Affairs, Office of the Executive Vice Chancellor

- Served as the ombudsperson to the 10 State universities in Florida
- Wrote academic affairs program reviews for pending degree offerings at the public universities in Florida

EDUCATION

Florida State University

Askew School of Public Administration and Policy, Tallahassee, FL
Master of Public Administration, 1995

Tulane University, Newcomb College, New Orleans, LA
Bachelor of Arts, History and Spanish, 1991



ROBERT MILLER

Robert Miller joined JEJ & Associates in 2003 and is currently vice president. With over thirty-four years of governmental and political experience, he has represented a wide range of clients before local governments and the Florida Legislature. His expertise is in municipal and legislative issues, as well as working with regulatory agencies.

As part of the JEJ & Associates team, Mr. Miller has worked with city and county commissioners, state legislators, local and state agency staff to develop multi-level solutions for client priorities in the areas of public transportation, transportation disadvantaged, fiscal advocacy, growth

management, and environmental issues.

In addition to governmental consulting, he has extensive experience in writing reports, developing advocacy materials for clients, writing newsletters, and designing multimedia presentations. As a client representative, Mr. Miller has appeared before numerous boards and committees to present advocacy testimony for his clients.

A Central Florida native, Robert has served on several statewide and local community boards including the Florida Task Force on the Availability and Affordability of Long-Term Health Care, and the Orlando FIRST Regional Committee. In addition, he is regularly engaged in political campaigns at the federal, state, and local levels.

Robert is a graduate of the University of Florida, with degrees in political science and history, and earned a master's degree from Georgetown University's Institute of Comparative Political and Economic Systems.

ROBERT P. MILLER

105 East Robinson Street, Suite 300, Orlando, FL 32801 | 407-257-1749 | Email: robert@jejassoc.com

GOVERNMENT AFFAIRS LOBBYIST

Government Consulting | Researcher

CORE COMPETENCIES AND STRENGTHS

Researching
Proactive Problem Solving
Public Relations

Effective Writer
Technology
Strong Communicator

Public Speaking
Strategic Planning
Collaboration

PROFESSIONAL EXPERIENCE

JEJ & Associates, Inc., Tallahassee, Florida

2003 - Present

Vice President

After eighteen years of political experience involving consulting, campaigns and business, I joined JEJ & Associates, Inc. as its Vice President responsible for lobbying, research, grant and appropriations writing, and running the firm's Central Florida office.

- Monitor legislative actions on behalf of clients to determine effects of proposed bills, amendments and regulations
- Develop information cut sheets outlining client issues and proposed solutions
- Researched issues related to legislative bills and amendments and prepared wording for such bills and amendments
- Organize legislative advocacy days at the Capitol for clients
- Tracked and analyzed the state budgetary process, including monitoring client appropriations and proviso language effecting clients
- Make presentations before governmental bodies on behalf of various clients

Key Highlights:

- Worked with local governments to implement the Property Assessed Clean Energy Program (PACE)
- Worked extensively as part of team to pass the Charter County and Regional Transportation System Surtax, allowing charter counties to levy an up to 1% surtax to fund transportation and transit projects.
- Advocated successfully for state funding to client municipalities, including "Main Street" improvements, recreation facilities, and water/sewer projects.
- Worked to exempt an Orange County, Florida municipality from inclusion in the Wekiva River Basin Management Area and its proposed septic tank regulations.
- On behalf of the Florida Beekeepers Association, secured a \$2,000,000 appropriation for apiary research and extension laboratory.
- Secured an appropriation of \$1,000,000 for the Central Florida Regional Transportation Authority to mitigate costs associated with the I-4 Ultimate construction project in Central Florida.

Juarez & Associates, Orlando, Florida

1984 - Present

Consultant

- Served as State field coordinator for presidential campaign
- Worked with clients to maneuver projects through municipal and county governments
- Developed and managed a commercial office building in downtown Orlando
- Worked on behalf of clients to vacate public right-of-ways; rezone property; annex properties into municipalities
- Negotiated with the St. Johns River and South Florida Water Management Districts on behalf of clients.

EDUCATION

University of Florida, College of Liberal Arts & Sciences, Gainesville, FL

Bachelor of Arts, Political Science

Georgetown University, Washington, D.C.

Graduate/Institute Fellow

Appropriations

The following table outlines municipal appropriations in legislative budget proposals over the past four years.

2024 Session	ITEM	REQUESTED	IN BUDGET
Village of Estero	Estero Phase 2 Septic -Sewer	\$ 4,600,000	\$ 4,600,000
Village of Estero	Broadway Ave West Improvements Design	\$ 1,300,000	\$ 1,300,000
Village of Estero	River Oaks Preserve Improvements	\$ 2,500,000	\$ 2,500,000
City of St. Augustine	West Augustine Septic to Sewer 24-25 Four Mile Road Area	\$ 5,000,000	\$ 5,000,000
Leon County	Fords Arm	\$ 250,000	\$ 250,000
Leon County	Backup Generator Branch Libraries	\$ 250,000	\$ 250,000
2023 Session			
City of St. Augustine	St. Augustine Affordable Housing Sewer Force Main Extension and Lift Station	\$ 2,300,000	\$ 2,300,000
City of St. Augustine	St. Augustine Resiliency Initiative Lake Maria Sanchez	\$ 10,000,000	\$ 10,000,000
City of St. Augustine	Historic St. Augustine Buildings Restoration	\$ 3,620,000	\$ 3,620,000
City of St. Augustine	Anastasia Island Fire Station	\$ 750,000	\$ 750,000
Village of Estero	Estero River Heights and Cranbrook Harbor Utility Expansion Project	\$ 7,400,000	\$ 7,400,000
Florida Humanities Council	Program Grants	\$ 500,000	\$ 500,000
2022 Session			
City of St. Augustine	West St. Augustine Septic to Sewer Program West 3rd Street	\$ 2,300,000	\$ 2,300,000
City of St. Augustine	St. Augustine Fire Station 2 Design	\$ 500,000	\$ 500,000
Leon County	Fred George Wetlands Restoration	\$ 300,000	\$ 300,000
Leon County	Leon Works Expo and Junior Apprenticeship	\$ 50,000	\$ 50,000
Village of Estero	Sandy Lane Bicycle and Pedestrian Improvements	\$ 450,000	\$ 450,000
Village of Estero	Estero on the River	\$ 750,000	\$ 750,000
Village of Estero	Estero Utility Expansion Phase 1	\$ 530,000	\$ 530,000
Florida Humanities Council	Program Grants	\$ 500,000	\$ 500,000
2021 Session			
City of St. Augustine	West St. Augustine Septic to Sewer Program West 3rd Street	\$ 450,000	\$ 300,000
City of St. Augustine	St. Augustine Beach Resiliency Improvements Ocean Walk Subdivision Flood Protection	\$ 347,000	\$ 694,000
Leon County	Leon Works Expo and Junior Apprenticeship	\$ 50,000	\$ 50,000
Leon County	Backup Generator - Secondary Special Needs Shelter	\$ 150,000	\$ 150,000
Florida Humanities Council	Program Grants	\$ 500,000	\$ 500,000

In addition to the above legislature member appropriation requests, JEJ & Associates has **worked closely with each of its clients** to apply for state agency grant opportunities.

Florida Government

Governmental consulting is all about knowing the issues, engaging the necessary officials who can provide the help to achieve goals, following through to keep items moving, doing the administrative work to keep track of both efforts and tasks to be completed, working with the client and other team members to facilitate action, and finally, relishing the successes.

Ms. Juarez develops **relationships with the widest range of governmental officials and staff**. Her philosophy is to have relationships before issues arise, rather than try to develop a relationship based on client priorities. Whether advocating for funding, legislative changes, new legislation, or administrative rules, JEJ & Associates has excelled at every step of the process because of the trust these relationships have created.

Legislative Branch



JEJ & Associates has strong relationships with members of the Legislature, including incoming Senate President Ben Albritton (R-Wauchula). Ms. Juarez has **worked successfully with President-Elect Albritton since he began his career** in the Florida House of Representative in 2010 and moved subsequently to the Senate in 2018. Senator Albritton is replacing the current Senate President Kathleen Passidomo, who will remain in the Senate for the balance of her current term.



Likewise, current House Speaker Paul Renner (R-Palm Coast) will be termed out of office this year and will be succeeded by Speaker Elect Daniel Perez (R-Miami). Ms. Juarez has maintained a good working relationship with Representative Perez since his arrival in the House.

Senate President-Elect Albritton and Speaker-Elect Perez will be forming their respective leadership teams and announcing committee chairs after the November elections and the November 19th Organization Session of the Florida Legislature.



The Town of Windermere would look to the **Orange County legislative delegation** for support of its priorities. The County is represented by ten State Representatives, including four Republicans and six Democrats. All incumbents are up for reelection this cycle. Each of the incumbents has drawn opposition, either in the primary or general election.

The makeup of the Orange County Delegation for the 2025 Legislative Session will see **significant changes**. Three of the five state senators are termed out of office this year and will be replaced. Windermere is located in Senate District 13, which was previously represented by the termed-out Senator Dennis Baxley (R-Lady Lake). The 2024 General Election will feature current **Representative Keith Truenow** (R-Tavares) versus Democrat Stephanie Dukes. District 17's race has been settled since former House member Carlos Guillermo Smith is unopposed. District 15's race was settled in the primary with incumbent Senator Geraldine Thompson emerging victorious. District 25 features Representative Kristen Arrington (D-Kissimmee) against Republican Jose Martinez. Senator Jason Brodeur of District 10, the last Senator in Orange County, is not up for reelection this election cycle.

Meanwhile, in the House, all ten County districts will be contested, but the incumbents in all ten races are seeking reelection. Windermere is served by current Representative Carolina Amesty (R-Orlando). She is in a **tight race** with Democratic challenger Leonard Spencer. The primary settled two of the races, and the remaining eight will be on the General Election ballot.

Representative Anna Eskamani of District 42 was elected as Chair of the delegation in 2023 but will, as per custom, will be stepping down after the 2024 election cycle. It is likely that Democrats will continue to hold the majority of the seats and will elect a Democrat as delegation chair. The Florida Legislature is **dominated, with significant majorities, by Republicans**. Because of this current state, it would require legislators geographically located outside the County to boost legislative successes. Lena Juarez has spent her entire career developing relationships with legislators from all areas of the state. These connections could prove to be vital moving forward.

Executive Branch



Governor Ron DeSantis is currently in his sixth year as Florida's 46th Governor and former Representative Jeanette Nuñez is our Lieutenant Governor. From the point of view of the Town, two of the most important members of the Governor's staff are the Chief of Staff and the Office of Policy and Budget Director. **James Uthmeier** returned as Chief of Staff, but the Policy and Budget Directed position remains unfilled with former Budget Director Chris Spencer leaving to become the Executive Director of the State Board of Administration. Ms. Juarez has historically been able to work with these individuals and/or their key surrogates over multiple administrations with a great deal of success.

Executive branch agencies that would be of interest to Windermere include the Department of Transportation, the Department of Environmental Protection, which oversees the water management districts, the Florida Finance Housing Corporation, and, especially, Florida Commerce (the former Department of Economic Opportunity). Ms. Juarez has strong relationships with the agency secretaries, executive directors, and/or staff.

While this section highlights relationships that Lena Juarez has with key state agency secretaries and staff, it is by no means a complete list of contacts.

At this point in most RFQ responses, the responder will add an extensive list of Tallahassee movers and shakers they know. However, knowing someone does not get the job done. Suffice it to say that JEJ & Associates, regardless of any executive agency or committee of the Legislature from which help is needed, we will have a contact to reach on behalf of the Town.

What matters in the evaluation of anticipated success is, of course, knowing people. **Knowing the right person is the key**, whether it be a member of the leadership team, the chair of the committee involved in the decision, the committee staffer who may have the ear of the decision maker, another lobbyist who may provide insight, or the legislative staffer who works for a member.

Lena Juarez, and JEJ & Associates, are tuned into the legislators, the all-important committee and legislative staff, agencies, and the Governor's office which undoubtedly will benefit the Town of Windermere. This **positions Windermere for success**.

Town of Windermere

The Town of Windermere is the **sixth oldest town in Orange County** out of a total of thirteen incorporated towns and cities. It is currently ninth in total population as of the 2020 census. Next year, the Town will be celebrating its **100th anniversary** and will commemorate the event on May 19, 2025.

It is a tribute to the leadership and the staff of Windermere that the town has been **successful in recent years** in securing funding from the state. For Fiscal Year 2023-2024, the Town submitted seven-member appropriation requests in the House of Representatives and six requests in the Senate. Out of those, five were funded (one of which was unfortunately vetoed by Governor DeSantis). **Compare this level of achievement to other Orange County cities** – Apopka received funding for one project, Ocoee received funding for one project, and Winter Garden did not receive any funding.

For Fiscal Year 2024-2025, four member projects were requested and two were funded by the Legislature (one at 50% of the request). Unfortunately, both projects were vetoed by the Governor. This past Session proved to be a difficult one, especially with water project requests. The Governor's veto pen was heavily used resulting in less than 50% of water projects being approved statewide.

Looking forward to the 2025 Legislative Session, we can assume that the Town will be seeking funding for the four projects from 2024. The Governor prefers that local governments should seek funding for water projects through the agency grant program application process. It would be advisable for Windermere to double down on its chances for funding through both funding avenues (grants and member projects). JEJ & Associates has significant experience with helping clients to pursue funding from agencies and the Legislature.

JEJ & Associates can also assist the Town **secure funding for its Centennial**. Lena Juarez is involved with several cultural entities and is familiar with opportunities. For the 500th anniversary of St. Augustine, for example, we were able to secure funding for the celebration. Another example is funding we secured for the Village of Estero benefiting bike and pedestrian sidewalks/trails and well as the construction of bathroom facilities for a riverside park.

Small municipalities are often challenged to find funding for projects that meet the needs and expectations of their communities. Windermere is not shortsighted in that the pursuit of state, and federal, dollars has been made a priority.

Whatever the needs, and requests, of the Town of Windermere, **JEJ & Associates will diligently work** with the Council, its staff, local members of the legislative delegation, state agencies and the Legislature to identify opportunities and fulfill those requests.

Tab 3

References

City of St. Augustine
75 King Street
St. Augustine, Florida 32084
Mayor Nancy Sikes-Kline
904-837-6789
NSikesKline@citystaug.com
Principal Lobbyist to the City

Village of Estero
9401 Corkscrew Palms Circle
Estero, Florida 33928
Katy Errington, Former Mayor
513-236-8037
katy.errington@protonmail.com
Co-Lobbyist to the Village

City of Orlando
400 South Orange Avenue
Orlando, Florida 320801
Kyle Shephard
Director of Intergovernmental
Relations
407-246-3475
Kyle.shephard@orlando.gov

City of St. Augustine
John Regan
City Manager, Retired
Regan Strategies
904-669-1873
johnregan@reganstrategies.com

Village of Estero
9401 Corkscrew Palms Circle
Estero, Florida 33928
Steve Sarkozy, Village Manager
239-221-5035
sarkozy@estero-fl.gov

Florida League of Cities
301 South Bronough Street
Suite 300
Tallahassee, Florida 32301
Casey Cook
Director of Legislative Affairs
850-228-8559
CCook@flcities.com

State of Florida

Minority Business Certification

JEJ & Associates, Inc.

Is certified under the provisions of
287 and 295.187, Florida Statutes, for a period from:
05/12/2023 to 05/12/2025



J. Todd Inman
Florida Department of Management Services

Office of Supplier Diversity
4050 Esplanade Way, Suite 380
Tallahassee, FL 32399
850-487-0915
www.dms.myflorida.com/osd



Tab 4

Fee For Services

JEJ & Associates, Inc. submits the following all-inclusive fixed annual price for services relative to the Town of Windermere's Request for Proposal #2024-01 for Professional State Lobbying Services:

\$33,600.00 (Thirty-three thousand six hundred dollars)

payable in four equal quarterly payments of \$8,400.00 (Eight thousand four hundred dollars).

Tab 5

DRUG FREE WORKPLACE CERTIFICATION

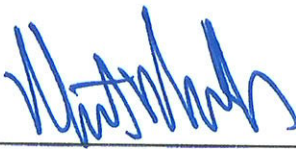
In order to have a drug-free workplace program, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against an employee for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug free workplace, available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees from drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under this solicitation a copy of the statement specified in subsection (1) above.
4. In the statement specified in subsection (1), notify the employees that, as a condition of working in the commodities or contractual services that are under this solicitation, the employee will abide by the terms of the statement and will notify the employee of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the work place no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in, a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.



Signature of Respondent



Witness

RFP #2024-01 STATE LOBBYING SERVICES

NON-COLLUSION AFFIDAVIT

I Lena Juarez (Respondent) of the firm of JEJ & Associates, Inc. (Respondent Firm Name) responded to the notice for calling for qualification for State Lobbying Services for the Town of Windermere. This proposal has been executed with full authority to do so. This response has been arrived at independently without collusion, consultation, communication or agreement for the purposes of restricting competition, as to any matter relating to qualifications or responses of any other responder or with any competitor, and no attempt has been made or will be made by the Responder to induce any other person, partnership or corporation to submit, or not to submit, a response for the purpose of restricting competition;

The Statements contained within this affidavit are true and correct, and made with full knowledge that the Town of Windermere relies upon the truth of the statements contained in this affidavit in awarding contracts for said services.

Lena Juarez
Signature of Respondent

[Signature]
Witness

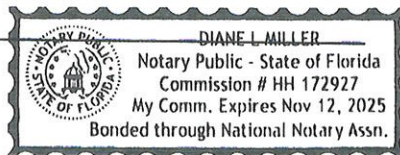
STATE OF FLORIDA
COUNTY OF Orange

Sworn to (or affirmed) and subscribed before me this 1st day of October 2024, by LENA JUAREZ (name of person making statement).

Diane L Miller
Notary Public

Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

My Commission Expires _____



RFP #2024-01 STATE LOBBYING SERVICES

HOLD HARMLESS AGREEMENT

I Lena Juarez (Respondent) agrees to indemnify and hold the Town harmless for any and all claims, liability, losses and causes of action which may arise out of its fulfillment of the contract awarded pursuant to this RFP. It agrees to pay all claims and losses, including related court costs and reasonable attorneys' fees, and shall defend all suits filed due to the negligent acts, error or omissions of Respondent or employees and/or agents of Respondent.

In the event the completion of a project awarded pursuant to this RFP (to include the work of others) is delayed or suspended as a result of the Respondent's failure to purchase or maintain the required insurance, the Respondent shall indemnify the Town from any and all increased expenses resulting from such delay.

[Signature]
Signature of Respondent

[Signature]
Witness

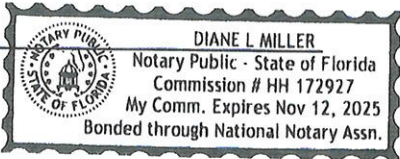
STATE OF FLORIDA
COUNTY OF Orange

Sworn to (or affirmed) and subscribed before me this 1st day of October 2024, by LENA JUAREZ (name of person making statement).

[Signature]
Notary Public

Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

My Commission Expires _____



RFP #2024-01 STATE LOBBYING SERVICES

RESPONSE TO: RFP 2024-01 STATE LOBBYING SERVICES
TONYA ELLIOTT MOORE, PUBLIC WORKS DIRECTOR
614 MAIN ST. WINDERMERE, FL 34786

I acknowledge receipt of any/all Addenda: _____

I have included:

- Hold Harmless Agreement
- Certificate of Insurance
- Non Collusion Affidavit
- Drug Free Workplace Form

Mailing Address:

Post Office Box 10390 _____ TELEPHONE 850-212-8330
 Tallahassee, Florida 32302 _____ FAX: NA
 _____ DATE October 1, 2024

BY signing and submitting this proposal, I am certifying that (a) I am a citizen of the United States; (b) I am not a member or an employee of any taxing authority; and (c) I do not represent any property owner in an administrative or judicial review of property tax issues.

Lena Suarez
Signature of Respondent

[Signature]
Witness

STATE OF FLORIDA
COUNTY OF Orange

Sworn to (or affirmed) and subscribed before me this 1st day of October 20²⁴, by LENA SUAREZ (name of person making statement).

Diane L Miller
Notary Public

Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

My Commission Expires _____
