



INTEROFFICE MEMORANDUM

**Minutes
Special Roadway Agreement Committee
Public Works via Webex
April 23, 2019**

Members Present: Jon Weiss – Planning, Environmental & Development Services Dept. (Chair)
Diana Almodovar – Development Engineering Division (Vice-Chair)
Renzo Nastasi/Brian Sanders – Transportation Planning Division
Raymond Williams – Engineering Division
Humberto Castillero – Traffic Engineering Division
Paul Sladek – Real Estate Management Division
Eric Raasch – Planning Division

County Staff Present: Roberta Alfonso – County Attorney’s Office
Stephanie Stone – County Attorney’s Office
Susan Martin – Risk Management Division
Jennifer Cummings – Public Works Engineering Division
Yahaira Gines-Rios – Public Works Engineering Division
Jeff Dunn – Planning, Environmental & Development Services Dept.
Heather Brownlie – Transportation Planning Division
Nannette Chiesa – Transportation Planning Division
Tammilea Chami – Transportation Planning Division

Mr. Weiss called the meeting to order at 9:01 a.m.

Public Comment

Mr. Weiss inquired as to Public Comment - no members of the public wished to speak.

Approval of Minutes

The Committee reviewed the minutes from the March 4, 2020 Roadway Agreement Committee (RAC) Meeting.

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- Add an “s” to “Rio” in Gines-Rios under the Activity Summary section

Ms. Almodovar made a motion, with a second by Mr. Sladek, to approve the March 4, 2020 Roadway Agreement Committee Meeting Minutes with changes discussed. Motion carried unanimously.

Activity Summary

Discussion of approved RAC agreements pending BCC approval:

- Developco going to BCC on May 5 with PD/LUP
- Silverleaf must go to P&Z before BCC
- Gem Groves must go to P&Z before BCC.

Prior to reviewing agenda items Mr. Weiss announced that he is pulling Prime Logistics Center and Creative World School from the Consent Agenda.

RAC CONSENT AGENDA ITEMS:

- Jaguar Land Rover Proportionate Share Agreement
 - Committee Comments: None

Ms. Almodovar made a motion, with a second by Mr. Williams to approve the Jaguar Land Rover Proportionate Share Agreement as presented. Motion carried unanimously.

Prime Logistics Center Proportionate Share Agreement (Pulled of Consent Agenda)

Road Affected: Taft-Vineland Road

Present: Greg Lee, Stephen Whitley, Mohammed Abdallah

Previous RAC: 11/13/2019

Mr. Weiss wanted to discuss this item since the project requires right-of-way, and questioned if ROW language should be included in the prop-share agreement.

Mr. Lee explained that he originally was seeking to combine the two into a single agreement. He informed the Committee that the value of ROW will exceed the proportionate share amount. However, there are still issues with the ROW, and an appraisal is still being work on. Pinel & Carpenter should have the appraisal completed by the first of May.

In an email from Mr. Lee, he suggested two potential conditions of approval:

- 1) A requirement to coordinate with County for ROW needed
- 2) No design or permit application in ROW area identified by OC

In order for the prop-share to move forward Mr. Weiss suggested whereas clauses to cover the two conditions. Amend Condition #1 proposed to contemplate credits only. Mr. Lee indicated a willingness to accept the credits for the conveyance (no cash).

Discussion of setbacks and design requirements and how to handle.

- Mr. Sladek stated original appraisal was not an MAI appraiser. New appraisal would need to meet Orange County code 23-95 requirements.
- Compensation needs to be in credits not cash under 23-95.
- ROW requirements may include the L&S reviewed to date. Mr. Williams to review the parcels.

Ms. Gines-Rios had a question on one of the conditions. She wondered if the first condition can be tied to the construction plan approval. Mr. Lee did not want to modify the language in the conditions and did not want to go beyond the parameters of the draft. County would have the opportunity to deny any application showing improvements within the proposed ROW.

Ms. Alfonso wanted the opportunity to work on the language and asked a question regarding the definition of construction plan approval. Mr. Lee and Ms. Alfonso to work together to formulate language. Ms. Alfonso suggested a whereas clause and then additional language in the body of agreement.

Ms. Alfonso asked if the ROW issues were worked out could we combine the prop-share with a ROW agreement component.

Ms. Almodovar stated issues with a property on same roadway. Certificates of Occupancy were held until ROW issues resolved and suggested a similar approach for this parcel.

Mr. Sladek asked to amend the condition language to have setbacks for project as if ROW was conveyed.

Mr. Sladek made a motion, with a second by Mr. Nastasi, to approve the Prime Logistics Center Proportionate Share Agreement with the changes discussed to be incorporated, subject to Ms. Alfonso working on the language with Mr. Lee, subject to final review of exhibits by County Survey, and subject to final review by the committee. Motion carried unanimously.

Creative World School Proportionate Share Agreement (Pulled of Consent Agenda)

Road Affected: Dean Road
Present: Jay Gill, Steve DeWitt
Previous RAC: None

Mr. Weiss stated the traffic study was completed in house and included two deficient road segments. \$170,000 prop-share vs. \$70,000 in fees potentially due. Mr. Weiss wanted to make sure the applicant had the opportunity to hire their own consultant to conduct a peer review County's work.

Mr. Gill the engineer of the project has been working with Transportation Planning and has reviewed the work performed.

Mr. Weiss stated on page 1 failing roadway is University Boulevard from Dean Road to Rouse Road which is then applied to the East West Road. The title of the agreement should also be changed.

Ms. Alfonso will mirror the language from Dean Road Apartments and forward to the applicant.

Mr. Sladek had requested revisions to the signature pages which were made.

Ms. Almodovar made a motion, with a second by Mr. Castellero, to approve the Creative World School Proportionate Share Agreement with the changes discussed to be incorporated, subject to Ms. Alfonso working on the East West Road language with Mr. DeWitt, subject to final review of exhibits by County Survey, and subject to final review by the committee. Motion carried unanimously.

RAC NON-CONSENT PROPORTIONATE SHARE ITEM:

- Hamlin SWC COM (BLDG J) Proportionate Share Agreement (Present: Jim Willard)
 - Committee Comments: None

Mr. Sladek made a motion, with a second by Ms. Almodovar to approve the Hamlin SWC COM (BLDG J) Proportionate Share Agreement as presented. Motion carried unanimously.

Horizon West – Village I Karr PD Adequate Public Facilities Agreement

Road Affected: Avalon Road
Present: Juli James, Justin Allen
Previous RAC: None

Mr. Weiss raised a potential conflict with the Master Village I Road Network Agreement.

- Page 5, Paragraph F and Page 7, Section 8 conflict in terms of obtaining credits to owners rather than Escrow Agent

Ms. James offered to change Section 8 language to reference Village I Road Network Agreement, but notated that the Karr PD is also subject to the Hartzog Road Agreement.

Page 3, Stormwater Treatment and Attenuation. Joint Use Ponds to be treated the same as the Village I Road Network Agreement. Ms. James clarified that the Hartzog Agreement treats stormwater differently. Need to make sure there are no conflicts between the existing agreements and this new agreement.

Ms. James to revise and include new language to prevent conflicts and work with Ms. Alfonso to revise the agreement.

[Mr. Nastasi stated he is logging off at 10:43am. Mr. Sanders will take his place for remainder of meeting.]

Mr. Raasch referenced the Land Use Plan and the APF acreages. LUP needs to change total acreage for APF (may be a rounding error 0.18 vs. 0.17) correct number is 0.17.

Mr. Sladek found an error on page 8, Section 10(b) “Owner’s” should be “Owners’ ”

Mr. Sanders stated the CR 545 study has not yet been started, and could not confirm any stormwater acreages or locations.

Revisions to acreages will occur during PSP/DP process per Section 6.

Mr. Sladek made a motion, with a second by Mr. Raasch, to approve the Adequate Public Facilities Agreement for Horizon West – Village I Karr PD with changes discussed, subject to Ms. Alfonso working with Ms. James on revisions, subject to final review of exhibits by County Survey, and subject to final review by the committee. Motion carried unanimously.

First Amendment to Transportation Impact Fee Agreement for The Registry on Grass Lake

Road Affected: Avalon Road / CR 545

Present: Robert Reese

Previous RAC: None

Mr. Reese explained the need for the time extension to finalize the conveyance.

No Committee Discussion/no page-by-page review since previously routed to the Committee for a pre RAC review. Mr. Reese still fixing REM comments.

Mr. Williams made a motion, with a second by Ms. Almodovar, to approve the First Amendment to Transportation Impact Fee Agreement for The Registry on Grass Lake, with pre RAC review comments to be incorporated, subject to final review of exhibits by County Survey, and subject to final review by the committee. Motion carried unanimously.

Mr. Weiss adjourned the meeting at 11:03 a.m.

Section 286.0105, Florida Statutes states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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