



## INTEROFFICE MEMORANDUM

### Minutes Roadway Agreement Committee Public Works Main Conference Room June 19, 2019

Members Present: Jon Weiss – Planning, Environmental & Development Services Dept. (Chair)  
Diana Almodovar – Development Engineering Division (Vice-Chair)  
Ghulam Qadir – Engineering Division  
Renzo Nastasi – Transportation Planning Division  
Christine Lofye – Traffic Engineering Division  
Paul Sladek – Real Estate Management Division  
Eric Raasch – Planning Division

County Staff Present: Roberta Alfonso – County Attorney’s Office  
Susan Martin – Risk Management Division  
Jennifer Cummings – Public Works Engineering Division  
Yahaira Gines-Rios – Public Works Engineering Division  
Brandy Driggers – Planning, Environmental & Development Services Dept.  
Heather Brownlie – Transportation Planning Division

Mr. Weiss called the meeting to order at 9:08 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 June 5, 2019 Roadway Agreement Committee (RAC) Meeting.

No changes were requested.

*Mr. Sladek made a motion, with a second by Ms. Almodovar, to approve the June 5, 2019 Roadway Agreement Committee Meeting Minutes as presented. Motion carried unanimously.*

#### **Activity Summary**

- Lake Reams Neighborhood PD/Developco was continued to the August 20, 2019 BCC Meeting.

#### **PROP-SHARE PROCESS COMMITTEE DISCUSSION**

The Committee reviewed a blackline of the RAC Instruction page for changes to the RAC Process.

#### **PROP-SHARE COSTS ON CONSTRAINED ROADWAYS COMMITTEE DISCUSSION**

- For 6-lane failing roads a full 6-lane reconstruction is assumed since the road is constrained
- Possible Solutions: Review a parallel facility or come up with a more reasonable cost-FDOT
- There is a pending project on University Boulevard which has a high proportionate share cost
- The road cannot be widened as it is constrained – a parallel facility would be East-West Road
- Prop Share payment based on specific impacts on specific roadways - no parallel mechanism
- A review of the Comprehensive Plan Policy is needed with the County Attorney’s Office
- Mr. Abdallah requested clarification from the Committee on this issue
- Mr. Nastasi to meet with Ms. Barq, Ms. Alfonso, Ms. Brownlie and Mr. Weiss on this issue

**RAC CONSENT AGENDA ITEMS:**

Orlando Montessori Bilingual School (Dean Road) – Present: Joseph Neal

- The project name appears four different ways including 3 different ways within Exhibit C
- Exhibit C needs to be presented in Landscape format instead of portrait
- Add the word “Less” which is missing in Exhibit B
- Need to re-execute agreements with the signatory identified as the CEO rather than Owner

***Ms. Almodovar made a motion, with a second by Ms. Lofye, to approve the Proportionate Share Agreements for the Orlando Montessori Bilingual School subject to the changes requested. Motion carried unanimously.***

Cypress Springs Landings (Dean Road) – Present: Mohammed Abdallah

- Exhibit A highlights more than one parcel – need a better map to highlight just that one parcel

***Ms. Almodovar made a motion, with a second by Mr. Sladek, to approve the Proportionate Share Agreement for Cypress Springs Landings subject to the changes requested. Motion carried unanimously.***

Parcel 4 @ Nadeen Tanmore II PD Proportionate Share Agreement – Present: Mohammed Abdallah

- Exhibit C states “Martini” instead of project name – Ms. Barq to revise the table

***Ms. Almodovar made a motion, with a second by Mr. Sladek, to approve the Proportionate Share Agreement for Parcel 4 @ Nadeen Tanmore II PD subject to the changes requested. Motion carried unanimously.***

**RAC NON-CONSENT AGENDA ITEMS:**

Suntrust Bank at Hamlin Proportionate Share Agreement (CR 545/Avalon Road) – Present: Jim Willard

- There is a sentence missing from the template which needs to be re-inserted
- Numbers on Page 1 needs to be spelled out in last Whereas clause
- Mr. Willard to draft and include termination language so agreement can self- terminate at a point
- Revised Exhibit C Logs of Project Contribution need to be attached
- In Section 2(b) of the text “Community” needs to be changed to “Planning”

***Mr. Sladek made a motion, with a second by Ms. Almodovar, to approve the Proportionate Share Agreement for Suntrust Bank at Hamlin subject to the changes requested. Motion carried unanimously.***

Taco Bell/Pizza Hut at Hamlin Proportionate Share Agmt (CR 545/Avalon Road) – Present: Jim Willard

- There is a sentence missing from the template which needs to be re-inserted
- Numbers on Page 1 needs to be spelled out in last Whereas clause
- Mr. Willard to draft and include termination language so agreement can self- terminate at a point
- Revised Exhibit C Logs of Project Contribution are needed to be attached
- In Section 2(b) of the text “Community” needs to be changed to “Planning”

***Mr. Sladek made a motion, with a second by Ms. Almodovar, to approve the Proportionate Share Agreement for Taco Bell/Pizza Hut at Hamlin subject to the changes requested. Motion carried unanimously.***

**RAC AGENDA ITEMS:**

**Fourth Amendment to Village H Roadway Network Agreement**

Road Affected: C.R. 545 (Avalon Road)

Present: Miranda Fitzgerald, Jim Cooper, John Prowell

Previous RAC: None

County Staff Present: Brian Sanders, Greg Scott

Mr. Cooper framed the discussion of the request from the County to include design and construction for 5 future traffic signals at intersections in Village H along CR 545/Avalon Road.

The Village H Owners wish to eliminate the Phil Ritson traffic signal since it is close to another intersection. Ms. Lofye has reviewed the spacing and there is sufficient distance to install two signals. Traffic Engineering would like to have mast arms designed to accommodate a full signal, but initially installed with single-section signal heads to operate as overhead flashing beacons at the intersections of Schofield Road, Phil Ritson, and Old YMCA Road until warranted for full signals at some point in the future. The Village H Owners have already agreed to design and construct a full signal at the intersection of Flamingo Crossings. The current design only provides for signalization at the intersection of Seidel Road.

The Village H Owners are concerned that adding the design and construction of the traffic signals will delay receiving a certificate of completion for the segments currently under construction.

The Village H Owners wish to obtain entitlements for each segment at Substantial Completion rather than Certificate of Completion. Ms. Almodovar said there could be a possibility for partial trips at substantial completion.

Other items discussed:

- Status of Segment 1 ROW Acquisition
- Discussion of how to advance trips/credits in Segment 1 without acquisition being completed
- Corner Clips must be dedicated free and clear with no encumbrances and no Duke easements
- Title issues – impossible to provide title for all individual owners-could be a Supplemental instead

Ms. Almodovar to hold a follow-up Special Posted RAC Meeting to discuss traffic signal improvements at Flamingo Crossings and how this impacts the Titan Property Development.

No action taken.

[Break 10:46 a.m. – 10:55 a.m.]

**Supplemental Road Agreement to Hartzog Road Right-of-Way Agreement**

Road Affected: Hartzog Road

Present: Natalie Prager, Randy June

Previous RAC: None

County Staff Present: Brian Sanders, Greg Scott

Ms. Prager has provided a draft Supplemental Agreement for Committee review. There is a requirement that the construction of Hartzog Road be completed within 16 months of the commencement of construction.

The Committee reviewed the draft Supplemental Agreement page-by-page:

Page 1

- Add Prepared By Statement
- Add Parcel ID #s
- Strike Note at the top of Page 1
- Entity to the agreement no longer a Florida corporation – converted to Delaware corporation
- First Whereas Clause – the area described exceeds what was included in the original agreement
- Delete Exhibit A in its entirety and refer back to original agreement Exhibit A to describe property

Page 2

- Add entity name into the header on Page 2 and following
- Change “Herzog” to “Hartzog” in header on Page 2 and following
- Line 33 add “anticipated to be” before the word “awarded”
- Line 33 add “to Owner” after the word “Awarded”
- Line 33 add “it’s applicable” after the word “requested”
- Section 2 strike first clause and insert “pursuant to Section 3(h) in the original agreement”
- Strike lines 52-53 since no longer needed

Page 3

- Delete lines 54-55
- Line 65 add the word “Memorial” before “Highway”

Page 4

- Last sentence of Section 4 missing from template – add back in standard language

Page 7

- Corporate State should be Delaware rather than Florida in the signature block

Page 8

- Delete Exhibit A

***Ms. Almodovar made a motion, with a second by Mr. Raasch to approve the Supplemental Road Agreement to Hartzog Road Right-of-Way Agreement, subject to the changes requested, and subject to final review and approval by the RAC Committee before scheduling to BCC. Motion carried unanimously.***

**Village I Road Network Agreement**

Road Affected: C.R. 545 (Avalon Road) and Flemings Road

Present: Mark Thomson, Lance Bennett, Sean Ells, Mohammed Abdallah, Jose Cantero, Vivien Monaco, and A. Kurt Ardaman

Previous RAC: June 5, 2019

County Staff Present: Brian Sanders, Greg Scott

The Committee reviewed the topic of discussion at a Special RAC Meeting regarding the need for a Design Scope. The County is proposing a Modified Design Scope for applicable areas. A separate meeting has been set for July 9 for Mr. Bennett to meet with Engineering staff to discuss further.

Mr. Thomson distributed the requested map of ownership parcels and a table of vested trips needed for each development. The map needs to be updated to remove Parcel 18 as participating and to update the table to remove some of the Cantero trips already vested through a 2001 Developer’s Agreement.

Discussion regarding the typical section for Flemings Road was held. A temporary slope easement may be required outside of the 112-foot right-of-way contemplated. Potential utility conflicts were discussed. The intersection of Flemings Road and Western Way will need to be larger than the anticipated 112-foot cross section to accommodate turn lanes needed.

Review of the Agreement Page-By-Page starting with Page 11:

Page 12

- Section 5.2 change ROW to “Conveyed Lands” and throughout as applicable
- Line 14 delete the last three sentences of the paragraph
- Add language provided from the Randall Agreement to account for ROW acquisition
- Section 5.3 change title to “Compensation for ROW&E”
- Section 5.5 change “compensated” to “credited”

Joint Use Ponds were discussed. No impact fee credits will be provided for joint-use ponds. There will be no joint-use ponds on any property for a school.

At the next RAC Meeting, the Committee will start with the review of the revised map of signatory owners. The Committee agreed that at the next RAC Meeting the review will begin on page 12 with Section 5.6 and that the same version will continue to be reviewed before a new redline is generated with changes requested.

Mr. Weiss adjourned the meeting at 12:33p.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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In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact the Orange County Communications Division at (407) 836-5631.

Para mayor información en español, por favor llame al (407) 836-3111.