



INTEROFFICE MEMORANDUM

Minutes Roadway Agreement Committee Public Works Main Conference Room July 3, 2019

Members Present: Jon Weiss – Planning, Environmental & Development Services Dept. (Chair)
Diana Almodovar – Development Engineering Division (Vice-Chair)
Ghulam Qadir – Engineering Division
Renzo Nastasi/Brian Sanders – 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.
Jeff Dunn – Planning, Environmental & Development Services Dept.
Bertine Lunde – Planning, Environmental & Development Services Dept.
Melissa Strassner – District 5 Commissioner’s Aid
Heather Brownlie – Transportation Planning Division
Nannette Chiesa – Transportation Planning Division

Mr. Weiss called the meeting to order at 9:03 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 19, 2019 Roadway Agreement Committee (RAC) Meeting.

Lines 118-121 strike and replace with “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.”

Mr. Sladek made a motion, with a second by Ms. Almodovar, to approve the June 19, 2019 Roadway Agreement Committee Meeting Minutes with changes discussed. Motion carried unanimously.

The Committee reviewed the minutes for Village I from the June 17, 2019 Special Roadway Agreement Committee (RAC) Meeting.

Mr. Nastasi made a motion, with a second by Ms. Almodovar to approve the June 17, 2019 Special Roadway Agreement Committee Meeting minutes as presented. Motion carried unanimously.

The Committee reviewed the minutes for Vineland Avenue from the June 20, 2019 Special Roadway Agreement Committee (RAC) Meeting.

Mr. Raasch made a motion, with a second by Mr. Nastasi to approve the June 20, 2019 Special Roadway Agreement Committee Meeting minutes as presented. Motion carried unanimously.

Activity Summary

- Village H may bring back a Fourth Supplemental to the July 17th RAC Meeting to change the terms of the agreement in relation to trips, signals, and road credit options.
- Vineland Pointe may also return to the July 17th RAC Meeting for a Third Amendment to their road agreement to obtain credits for the PDS and shift entitlements between phases 2 and 3.
- Discussion of DRC Condition of approval for Flamingo Crossings Intersection.

RAC CONSENT AGENDA ITEMS:

- None

RAC AGENDA ITEMS:

Village I Road Network Agreement

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

Present: Mark Thomson, Lance Bennett, Daniel O’Keefe, Jose Cantero, Vivien Monaco, and Paul Rosenthal

Previous RAC: June 19, 2019

County Staff Present: Brian Sanders, Greg Scott

Mr. Nastasi opened the discussion by stating that landscaping and street lighting are required as part of the road construction for Village I. Traffic signalization will also need to be included in the next draft agreement. Road construction must commence from north to south or south to north.

Review of the Agreement Page-By-Page starting with Page 12:

Page 12

- Section 5.6 remove reference to Exhibit 2 in the term sheet since timetable could be delayed due to ROW acquisition. [After some deliberation the Committee discussed and decided to keep the table in the agreement.]
- Section 5.6(a) add “and design” after “studies”
- Section 5.6(a) change “County-Approved” to “County-Accepted”

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- 5.6(b), strike “by the County” in the fifth line
- Section 5.6(b) strike “the County agrees”
- Section 5.6 (b) add language indicating north to south or south to north in order to make clear
- Section 5.7(a) remove exhibit reference
- Section 5.7(b) strike “impact” in the first line
- Section 5.7(c) remove “transportation” in the third line

Additional Discussions:

- PDS and Design will be reimbursed in credits for missing gap
- Construction will be a cash reimbursement for missing gap
- Connection to Flemings when first two lanes have been constructed

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- Section 6.1(b) strike second sentence entirely
- Lake County committed to constructing roundabout within their municipality
- Section 6.2 Strike everything after “urban facility”
- Section 6.2 tie in section by adding “in accordance with Section 13 below”
- Section 6.3 – Discussion of increased pond size, going from two lanes to four lanes (beyond the 70-ft APF road originally contemplated), and obtaining cash instead of credits for pond increased size beyond the first two lanes sized pond.

- Fair market value needs to be established by a completed appraisal which is submitted to Real Estate Management for verification, and an agreed upon number to be included in the agreement.
- Mr. Sladek requested that before the appraiser starts work the applicants should consult with Real Estate Management for specific scope of work parameters.
- Timing for reimbursement for Flemings needs to be determined so that CIP can budget funds to pay cash for differential required for Flemings Road.
- Conveyance calls for free and clear of all liens and encumbrances.

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- Strike the first sentence of Section 6.3 last paragraph
- Move last sentence of Section 6.3 into Section 6.6, and change “transportation road credits” to “reimbursement”
- Section 6.4(b) need to reference 8.1(a) definition for pre-construction activities required
- Discussion of Segments for Flemings Road:
 - Constructing only the first two lanes of Flemings Road
 - Commence construction of Segment 5, and work from East to West, or partially construct Segment 6 ahead of Segment 5

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- Section 8.1(a) should exclude Segment 1 gap parcel, and also Flemings Road; reflect Segments 1-4 for CR 545. Mr. O’Keefe and Mr. Thomson to clarify between Section 8.1(a) and Section 8.5 “Award of Credits”.
- Section 8.1(a) eleventh line down add “County approved” before “amounts paid”
- Section 8.1(b) value for easements needs to be inserted
 - Discussion of zero dollars for all easements (nothing paid for easements in Village F)
- Section 8.1(e) also reference Signatory Owners
- Section 8.1(e) second to last line delete “transportation”
- Section 8.2 change “Certificate of Commencement” to “Notice to Proceed”

Mr. Nastasi asked Ms. Brownlie to review the exhibits for Village I against the approved Village F and Village H road agreements to confirm all documents needed are included.

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- Section 8.4 repeats information in Section 8.1(b)
- Section 8.5(c) strike “acquisition or” since not all the land is controlled
- Section 8.5(c) needs to be rewritten to remove the “Pre-construction obligation” language

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- Section 8.5(f) add the word “fees” after “impact” in line 2

Page 19

- Section 8.6(c) move “building permits” up one line
- Section 8.6(c) change “as of” to “since”
- Section 8.8(b) delete “as part of a sale of” in the third line
- Section 8.8(b) delete “and/or sold” in the last line

[BREAK 10:28AM TO 10:43AM]

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- Section 8.8(c) & Section 8.8(d) clean up repetitive language
- Section 8.9 will be redrafted in coordination with Mr. Weiss

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- Table 2 outlines the trips as provided in the term sheet, however, values may be adjusted per request from Village I due to a backlog of development waiting on release of trips.

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- Projects will be held up at plat or building permit until new trips are available
- Section 10.1(d) change “release” to “required”

Page 26

- The ending of Section 11.2 needs to address any excess capacity, and how non-participating owners are treated
- Section 12.1 second line change “Constructing” to “Signatory”
- Section 13.1 reword paragraph to start with “For the purpose of this Agreement”
- Section 13.1 in the seventh line from the top add “maintenance and/or operation”

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- Section 13.1 lowercase “p” for “ponds” in the last sentence
- Section 13.2(a) should be combined into Section 13.2(c)
- Section 13.2(c) needs to state no joint use ponds with schools
 - Discussion of joint use ponds commenced (residential vs. commercial). Ms. Cummings asked to meet with Ms. Almodovar to outline definitions for residential and commercial joint use ponds.
- Section 13.2(c) change “County shall approve” to “County may accept”

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- Section 13.2(f) add definition of stormwater management areas
- Section 13.2(g) repetitive concept which needs to be deleted
- Section 13.3(a) change “each land owner” to each “signatory owner”
- Section 13.3(a) remove exhibits H-K, and utilize a generic easement form that is tailored to needs identified in design for schedules (only exhibit to be included in lieu of four)
- Section 13.3(b) strike “other than those Conveyed Lands to be used for stormwater management”

The Committee agreed that at the next RAC Meeting the review will begin on page 29 with Section 13.4 and that the same version will continue to be reviewed before a new redline is generated with changes requested.

Mr. Weiss requested a Special RAC Meeting to further discuss the agreement as an addition to the July 17th RAC Meeting.

Mr. Weiss adjourned the meeting at 12:11p.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.

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.