



## INTEROFFICE MEMORANDUM

### Minutes Roadway Agreement Committee Public Works Main Conference Room & Virtual Component via Webex January 20, 2021

Members Present: Jon Weiss – Planning, Environmental & Development Services Department (Chair) (virtual)  
Diana Almodovar – Development Engineering Division (Vice-Chair) (in-person)  
Renzo Nastasi – Transportation Planning Division (in-person)  
Raymond Williams – Engineering Division (in-person)  
Humberto Castellero – Traffic Engineering Division (in-person)  
Mindy Cummings – Real Estate Management Division (virtual)  
Eric Raasch – Planning Division (virtual)

County Staff Present: Roberta Alfonso – County Attorney’s Office (virtual)  
Joy Carmichael – County Attorney’s Office (virtual)  
Gina Segui – Risk Management Division (virtual)  
Susan Martin – Risk Management Division (virtual)  
Jennifer Cummings – Public Works Engineering Division (virtual)  
Yahaira Gines-Rios – Public Works Engineering Division (virtual)  
Jeff Dunn – Planning, Environmental & Development Services Department (virtual)  
Brian Sanders – Transportation Planning Division (virtual)  
Mirna Barq – Transportation Planning Division (virtual)  
Nannette Chiesa – Transportation Planning Division (virtual)  
Tammilea Chami – Transportation Planning Division (virtual)  
Heather Brownlie – Transportation Planning Division (virtual)

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 January 6, 2021 Roadway Agreement Committee (RAC) Meeting.

Page 1

- Place contact name above the entity name in the prepared by section
- Line 47 replace “Ms. Williams” with “Mr. Williams”

Page 2

- Lines 62-64 delete since only one motion was made, and rephrase consent agenda items motion

Page 3

- Line 112 after “must” delete “to”

***Ms. Almodovar made a motion, with a second by Mr. Nastasi, to approve the January 6, 2021 Roadway Agreement Committee Meeting Minutes with changes. Motion carried unanimously.***

The Committee reviewed the minutes from the January 5, 2021 Special Roadway Agreement Committee (RAC) Meeting.

- Correct typo in last paragraph

***Ms. Almodovar made a motion, with a second by Mr. Nastasi, to approve the January 6, 2021 Special Roadway Agreement Committee Meeting Minutes with changes. Motion carried unanimously.***

The Committee reviewed the minutes from the January 15, 2021 Special Roadway Agreement Committee (RAC) Meeting.

***Mr. Nastasi made a motion, with a second by Ms. Almodovar to approve the January 15, 2021 Special Roadway Agreement Committee Meeting Minutes as presented. Motion carried unanimously.***

**Activity Summary**

Mr. Weiss reviewed the agreement items going to the BCC on upcoming agendas.

Ms. Brownlie informed the Committee that the Reserve at Park Manor Proportionate Share Agreement is pending Final Review.

**RAC CONSENT AGENDA ITEM:**

- None

**RAC NON-CONSENT PROPORTIONATE SHARE ITEM:**

**Eagles Landing at Rio Pinar Proportionate Share Agreement**

Road Affected: Lake Underhill Road

Present: Marcos Marchena (virtual)

Previous RAC: None

- Ms. M. Cummings with Real Estate Management discussed REM’s comments which were provided to staff:
  - Add “at Rio Pinar” to the table in Exhibit C
  - Revision needed to signature block and acknowledgement block
- Ms. Alfonso asked for Mr. Rey’s name to be included above Infiniti Housing, LLC.
- Exhibit B title to be moved to the top of page 11

*Mr. Castellero made a motion, with a second by Mr. Williams, to approve the Eagles Landing at Rio Pinar Proportionate Share Agreement with changes discussed, subject to final review by the Committee. Motion carried unanimously.*

**RAC AGENDA ITEM:**

**Horizon West–Town Center Horizon Vue PD Road Network Agreement**

Road Affected: Avalon Road

Present: Juli James (virtual), Keith Trace (virtual), Marc Stehli (virtual), Sid Gautam (virtual), Rick Ortiz (virtual)

Previous RAC: None

Ms. James introduced the changes discussed between the last meeting and this meeting, and has provided a list of changes needed to the draft submitted last week.

The Committee commenced their review of the redline version of Horizon West–Town Center Horizon Vue PD Road Network Agreement Page-by-Page:

Page 1 no changes

Page 2 no changes

Page 3

- Change acreage in Recital M from “3.31” to “3.28”
- Line 92 change “16.87” to “16.72 for “net developable acreage”
- Line 94 change “2.08” to “2.23”
- Line 95 change “1.23” to “1.05”
- Line 110 change “November 11, 2020” to “November 2020”
- Line 111 change “January 4, 2021” to “January 6, 2021”

Page 4 no changes

Page 5

- Section 6.2 acreage from “0.85” to “1.00”

Ms. J. Cummings stated she calculated different drainage numbers, and informed Ms. James that she needs to pull out certain areas which are not included in the overall values. Per Ms. James’s email values are to change in the last paragraph. Total acreage should be 10.95 acres.

Ms. J. Cummings to provide updated changes to the agreement language per what she displayed on the screen. The contributing area is not to be included in the total pond area.

Page 6

- Section 7 line 177 change “2.08” to “2.23” and “1.23” to “1.05”
- Section 8 line 180 change both instances of “1.23” to “1.05”
- Section 8 line 182 change “\$56,094.15” to “\$47,885.25”

Page 7

- Section 9.2 line 220 add language as reflected in the changes emailed by Ms. James to further define the southern boundary of the SMA tract.
- Ms. Almodovar objected to the POA being established at a later date (must be established now). Mr. Trace stated that POA is not yet established but would welcome a trigger linked to apartment site. Ms. Almodovar to add as a Condition of Approval to the apartment site.

Page 8

- Lines 280-286 refers to a future amendment however page 9 provides for conveyance of right-of-way, need to rephrase to award credits upon conveyance of right-of-way.
  - Credit for right-of-way was supposed to offset against future Fair-Share obligation.
  - Credits to be awarded at time of conveyance and to be applied at a later date to Fair-Share Payment obligation.
  - Ms. James to work with Ms. Alfonso to revise lines 273-286.

Pages 9-20 no changes

Page 21

- Exhibit B not clear needs to be cleaned up for final review version

Pages 22-24 no changes

Page 25

- Lines 733-740 rights of Grantee need to be provided
- Self-Help provision does not give County the right to enter the property in case of an emergency. County must have right to do so.
  - County will need to construct inlet pipes to access the pond so need ability to do so.

Ms. James stated this language is to protect owner against the County coming back and asking for a larger pond at a later time. County needs right to construct, install and connect to pond. Mr. Stehli spoke to pond being constructed with apartment site so pond will be in place prior to road construction. Timing of construction of the pond was discussed also. Ms. Alfonso to work with Ms. James to further revise this paragraph regarding Self-Help Provision and finalize Drainage Easement.

Mr. Weiss suggested adding a Condition of Approval to the Apartment DP requiring construction of the pond, but this will not be sufficient if apartment fails to move forward.

Responsibility of in-flow pipe from CR 545 to pond falls to County so need right to inspect, maintain, and construct.

Ms. J. Cummings suggested looking at Wildwood Agreement for Drainage Easement Language.

Discussion of Temporary Construction Easement being included within drainage easement.

Mr. Weiss discussed the proposed revisions to the agreement and instructed Ms. James to bring the agreement back to the next RAC meeting on February 3, 2021 for additional review, and asked Mr. Raasch to schedule it for a future BCC agenda (possibly March).

No Action taken by Committee.

Mr. Weiss adjourned the meeting at 12:06 p.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.