



## INTEROFFICE MEMORANDUM

### Minutes Roadway Agreement Committee Public Works Main Conference Room & Virtual Component via Webex February 17, 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)  
Ghulam Qadir – 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)  
Stephanie Stone – County Attorney’s Office (virtual)  
Susan Martin – Risk Management Division (virtual)  
Gina Segui – Risk Management Division (virtual)  
Joe Kunkel – Public Works Department (virtual)  
Ken Leeming – Highway Construction 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)  
Nannette Chiesa – Transportation Planning Division (virtual)  
Tammilea Chami – Transportation Planning Division (virtual)  
Heather Brownlie – Transportation Planning Division (virtual)  
Emily Gay – University of Central Florida (virtual)

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

Mr. Weiss introduced Emily Gay who is observing today’s meeting for the Customer First Initiative.

#### **Public Comment**

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

#### **Approval of Minutes**

The Committee re-reviewed the minutes from the December 9, 2020 Roadway Agreement Committee Meeting.

- Page 4, line 170 change “Mr. Bennett” to “Mr. Beckett”

***Mr. Nastasi made a motion, with a second by Mr. Castellero, to reapprove the December 9, 2020 Roadway Agreement Committee Meeting Minutes with the change discussed. Motion carried unanimously.***

The Committee reviewed the minutes from the February 3, 2021 Roadway Agreement Committee (RAC) Meeting.

***Mr. Nastasi made a motion, with a second by Ms. M. Cummings, to approve the February 3, 2021 Roadway Agreement Committee Meeting Minutes as presented. Motion carried unanimously.***

#### **Activity Summary**

Mr. Weiss reviewed the BCC items scheduled for approval.

Ms. Brownlie informed the Committee of the latest request allocating 250 trips to Village H.

#### **RAC CONSENT AGENDA ITEM:**

- None

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

- None

**RAC AGENDA ITEM:**

**Alta Avalon at Core Academy Traffic Signal Design and Funding Agreement**

Road Affected: Avalon Road (C.R. 545) / Phil Ritson Way

Present: Juli James (virtual), Mohammed Abdallah (virtual), Bryan Borland (virtual), Scott Gentry (virtual)

Previous RAC: None

Ms. James introduced the agreement which is primarily a funding agreement. The owner will cause the design to be completed and fund the construction of the traffic signal. Additionally, the development has an approved CEL in place and right-of-way has been conveyed.

Mr. Castellero reviewed the concept plans for the signal and had several comments:

1. The 2019 concept had 4 mast arms (single) – preliminary layout and the 2021 concept has 2 mast arms (double)
  - o Mr. Abdallah responded that the NW corner has challenges and a revised layout needed to be designed.
2. Sidewalks, curb ramps, etc. are not shown on the concept plan. County to insure these are designed appropriately.
3. How is project to be constructed (widening to West deflection). Interim condition vs. ultimate configuration.
4. Vertical clearance needs to be coordinated for final configuration to accommodate ultimate intersection
5. Streetlighting for pedestrian movement is key and needs to be part of the design.
6. Signal if used for construction phasing is a concern and needs to be coordinated with County staff in advance.

Mr. Abdallah stated the applicant intends to design the signal but only fund construction. County to construct.

Mr. Gentry stated the applicant has been coordinating with VHB, the design engineer for Avalon Road for Village H.

Signals are being proposed to the north and to the south so fiber optic connection needed for all signals.

This intersection will have a negative offset with a traffic separator and may have dual lefts in which case one lane may need to be striped. Village H design needs to be coordinated with the applicants design for signal improvements.

Ms. Gines stated the possibility of potentially needing easements so this needs to be contemplated in the agreement. Ms. James did not agree that this applicant should be responsible for any additional right-of-way since the signal is not a requirement of this project. The signal at Phil Ritson Way was contemplated in the Village H agreement.

Mr. Weiss summarized the concerns and if the applicant is willing to prepare the design then that is what is in the agreement before us. Mr. Castellero is willing to go either way on the design but coordination is needed.

Mr. Borland is willing to commit the entire dollar value of impact fees upfront in return for credits so that the County gets the level of coordination needed.

Ms. James stated that right-of-way and pond credits are available and could also be allocated to the signal.

Mr. Castellero stated the amount proposed of \$878,352 would be sufficient for Traffic Engineering to design and construct.

Mr. Nastasi stated any additional easements needed would be the responsibility of the Village H owners. The Committee agreed that the County should undertake design and accept the check upfront and restructure the agreement as a funding only agreement.

The Committee commenced their review of the redline version of Alta Avalon at Core Academy Traffic Signal Design and Funding Agreement Page-by-Page:

Page 1

- Change title to delete “Design And”

Page 2

- Mr. Weiss asked Ms. James to rework the Village H Whereas Clause, and requested a statement that this is not a safe and adequate access issue.
- Ms. Almodovar stated the signal is needed sooner rather than later.
  - o Mr. Abdallah has evaluated the signal and is not yet warranted.

Page 3

- Whereas clauses need to distinguish why this signal is eligible for credits when signals that are required for safe and adequate access are not.
- Ms. Alfonso also wanted the whereas clauses to be reworded so that it clarifies why this project is eligible for credits and others are not.
- Mr. Nastasi stated there was a Preliminary Engineering Study including signals along the corridor that could be needed.
- Signalization is part of the ultimate Village H construction.
- Ms. James to work with Ms. Alfonso on whereas language revisions.

Page 4

- Line 92 check payable to Orange County Board of County Commissioners and delivered to Public Works.
- Section 2(a) needs to be reworded.
- Rework agreement to outline use of amounts paid for design and construction.
- Allocation of all \$878,352 amount of impact fees to be provided for the project less the amount of credits for right-of-way which are credits against future payments.

Page 5

- Line 96 needs to be reworded to be directed to Impact Fee Zone 4 for CIP Projects rather than the general fund for Transportation Improvements.
- Paragraph 2(d) to be reworked into the whereas concepts and remove Certificate of Occupancy – not a trigger.
- Paragraph 2(e) revise to state County will design and construct and remove developer obligation.

Page 6

- Delete section 4 since no longer needed.

Page 7

- Line 152 spell out “FL” as “Florida” for consistency.

Page 11

- Remove comma between “Limited” and “LLC” and provide documentation of signatory authority.

Exhibits A & B

- Need to make exhibits clearer (Ms. James to revise in association with Ms. Alfonso).

Committee will need to review again at the next RAC meeting.

No action taken.

**COMMITTEE DISCUSSION:**

Mr. Weiss is on vacation for the March 17<sup>th</sup> RAC meeting, so the vice-chair (Ms. Almodovar) will conduct the meeting.

Sunshine Issue and Committee Review:

- Cannot have a REPLY TO ALL email by Committee Members especially with Preliminary Reviews/Final Reviews.

Ms. M. Cummings asked why we have Pre-RAC Reviews. Ms. Almodovar agreed the Pre-RAC Reviews are time consuming. Ms. Alfonso also felt that prereview comments are not substantive.

Ms. Brownlie explained the distinction between the Consent Agenda Process for Proportionate Share Agreements vs. other agreements where a pre-review is offered.

Applicant perspective on pre-reviews would be helpful.

Mr. Weiss adjourned the meeting at 10:49 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.**

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.