



INTEROFFICE MEMORANDUM

Minutes

Roadway Agreement Committee

Public Works Main Conference Room & Virtual Component via Webex

November 11, 2020

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)
Jeff Sponenburg – Real Estate Management Division (virtual)
Eric Raasch – Planning Division (virtual)

County Staff Present: Roberta Alfonso – County Attorney’s Office (virtual)
Stephanie Stone – County Attorney’s Office (virtual)
Susan Martin – Risk Management Division (virtual)
Gina Segui – Risk Management Division (virtual)
Yahaira Gines-Rios – Public Works Engineering Division
Jeff Dunn – Planning, Environmental & Development Services Department (virtual)
Hazem El-Assar – Traffic Engineering Division (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)
Anfernee Rodriguez –UCF Student (virtual)

Mr. Weiss called the meeting to order at 1:31 p.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 October 28, 2020 Roadway Agreement Committee (RAC) Meeting.

Page 2

- Line 71 change “retention” to “run-off”

Page 3

- Line 128 add “CPI value will change for the APF Deficient fee”
- Line 130 after “concept” add “for a true-up of any additional right-of-way needed”
- Line 135 “at the end of design for any additional right-of-way, easements, corner clips, etc. which may be required, similar to how this was addressed in the Silverleaf agreement.”

Page 4

- Lines 170-171 replace with “Mr. Williams requested that language be added to require that easements, encumbrances recorded subsequent to the recording of this agreement be subordinate to the Conveyed Lands
- Line 177 add “Return to In-Person Quorum Meeting Format” to the title.
- Line 178 indent and bullet
- Line 178 add “The Committee briefly discussed returning to an in-person minimum quorum beginning with the November 11, 2020 meeting date.”

[Issue with sound quality in the first floor main conference room] [Mr. Weiss suggested that Ms. Almodovar call-in for the next meeting]

Mr. Williams made a motion, with a second by Ms. Almodovar, to approve the October 28, 2020 Roadway Agreement Committee Meeting Minutes with changes. Motion carried unanimously.

The Committee reviewed the minutes from the November 5, 2020 Special Roadway Agreement Committee (RAC) Meeting.

Mr. Nastasi made a motion, with a second by Ms. Almodovar to approve the November 5, 2020 Special Meeting minutes as presented. Motion carried unanimously.

Activity Summary

- Waterford Lakes Multifamily rescheduled from the 11/10/20 BCC to the 12/1/20 BCC
- Horizon Vue – Continuing to work through several issues at staff level
- Poinciana Supplemental – Ms. Alfonso and Mr. Sponenburg agreed to additional language to be included
- Ms. Alfonso to present new template language relating to the impact fee increase in the near future

RAC CONSENT AGENDA ITEM:

Collegiate Village CVC – West Parcel Proportionate Share Agreement

Road Affected: Alafaya Trail and University Boulevard

Present: Sarah Davenport (virtual)

Previous RAC: None

- Page 15 (Exhibit C) in the bottom table replace “Union at Collegiate Village” with “Collegiate Village CVC – West”

Ms. Almodovar made a motion, with a second by Mr. Castellero, to approve the Collegiate Village CVC – West Parcel Proportionate Share Agreement with changes discussed. Motion carried unanimously.

Collegiate Village CVC – East Parcel Proportionate Share Agreement

Road Affected: Alafaya Trail and University Boulevard

Present: Sarah Davenport (virtual)

Previous RAC: None

Mr. Sponenburg made a motion, with a second by Mr. Raasch, to approve the Collegiate Village CVC – East Parcel Proportionate Share Agreement as presented. Motion carried unanimously.

O’Reilly Auto Parts Store – Bithlo (BTH) Proportionate Share Agreement

Road Affected: Colonial Drive (SR50) and Chuluota Road

Present: None

Previous RAC: None

- Page 1, 2nd Whereas change “Colonial Road” to “Colonial Drive”

Ms. Almodovar made a motion, with a second by Mr. Castellero, to approve the O’Reilly Auto Parts Store – Bithlo (BTH) Proportionate Share Agreement with changes discussed. Motion carried unanimously.

RAC NON-CONSENT PROPORTIONATE SHARE ITEM:

- None

RAC AGENDA ITEM:

Fifth Amendment to Village H Horizon West Road Network Agreement

Road Affected: Avalon Road

Present: Jim Cooper (virtual), Miranda Fitzgerald (virtual)

Previous RAC: None

County Staff Present: Joe Kunkel (virtual), Shawn Kennedy (in-person), Dale Mudrak (in-person)

Ms. Fitzgerald was temporarily unavailable due to some technical difficulties.

Mr. Cooper provided an overview of the Village H construction of Segments 2, 3, and 4 with Segment 2 to be finished first and Segment 4 last. Segment 1 cannot start construction until Orange County completes acquisition of right-of-way. An adjustment of 180 trips from Threshold 3B to Threshold 3A requested for the purpose of funding

Segment 1 construction. County approval of Segment 1 Construction Plans and the submitted bid/construction contract is needed prior to the release of additional trips.

Mr. Sponenburg indicated two of the Segment 1 right-of-way parcels were ready to be closed potentially this week.

Ms. Gines provided an update that the remaining parcel will have an offer made in the near future.

Ms. Fitzgerald re-joined the meeting and asked a follow-up question regarding the conveyance documents. Mr. Cooper asked how much the offer will be for the remaining parcel and Ms. Alfonso stated the information can be provided after the meeting.

Ms. Almodovar asked about the Old YMCA Traffic Signal and whether the signal could be constructed with Segments 2, 3, and 4 instead of waiting for Segment 1 to commence. Mr. Cooper responded that he has requested additional bids and will add the Old YMCA Traffic Signal as a change order to Segments 2, 3, and 4 instead of waiting for the commencement of Segment 1.

The Committee commenced their review of the redline version of Fifth Amendment to Village H Horizon West Road Network Agreement Page-by-Page:

Page 1 no comments

Page 2 no comments

Page 3

- Ms. Gines requested to add “but due to participating owners only having recently provided the FDEP Letter requested” at the end of the last sentence in page 3.
- Recital B replace “but the County has not yet completed the acquisition of one (1) right-of-way parcel (the “**Final Road Segment 1 Parcel**”) that” with “but the acquisition of one (1) right-of-way parcel (the “**Final Road Segment 1 Parcel**”) has not yet been completed but is in the process and”

Page 4 no comments

Page 5 no comments

Page 6

- Insert a new paragraph 3 to modify language in the 4th Amendment regarding change orders to assist Highway Construction.

Page 7 no comments

Page 8

- Tables in Section 3A – increase of 180 trips
- Tables in Section 3B – decrease of 180 trips

Page 9

- Indemnification language previously utilized in the Fourth Amendment to be included in the Fifth Amendment. Real Estate Management and County’s Attorney’s Office are okay with language.

Page 10-11 no comments

Page 12

- Zanzibar address will change per Ms. Fitzgerald

Page 13-14 no comments

Ms. Almodovar pointed out that any reference to 2020 needs to change to 2021.

Mr. Nastasi made a motion, with a second by Ms. Almodovar, to approve the Fifth Amendment to Village H Horizon West Road Network Agreement with changes discussed, subject to final review by the Committee. Motion carried unanimously.

Mr. Weiss adjourned the meeting at 3:02 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.