



INTEROFFICE MEMORANDUM
Minutes
Roadway Agreement Committee
Public Works Main Conference Room
May 4, 2022

Members Present: Jon Weiss - Planning, Environmental & Development Services Department (Chair)
Diana Almodovar – Development Engineering Division
Renzo Nastasi – Transportation Planning Division
Raymond Williams – Public Works Engineering Division
Hazem El-Assar – Traffic Engineering Division
Tamara Pelc – Real Estate Management Division

County Staff Present: Roberta Alfonso – County Attorney’s Office
Joy Carmichael – County Attorney’s Office
Susan Martin – Risk Management Division
Jennifer Cummings – Public Works Engineering Division
William Blackham – Public Works Engineering Division
Matthew Kalus – Development Engineering Division
Shawn Kennedy – Highway Construction
Brian Sanders – Transportation Planning Division
Blanche Hardy – Transportation Planning Division
Matthew Ulmer – Development Services Department
Tammilea Chami – Transportation Planning Division
Nannette Chiesa – Transportation Planning Division

Mr. Weiss called the meeting to order at 9:04 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 April 20, 2022 Roadway Agreement Committee (RAC) Meeting.

- Page 2, Line 65 – delete sentence and replace with “Trips to be awarded primarily at construction commencement of the segments with some trips awarded at completion of the construction (65%/35%).”

Ms. Almodovar was concerned over the trip release associated with the Second Amendment of Town Center West (Silverleaf) Road Network Agreement.

Mr. Nastasi had suggested that the minutes get voted upon and take up Ms. Almodovar’s concerns as a discussion item later in the meeting and Mr. Weiss agreed.

Mr. Nastasi made a motion, with a second by Mr. Williams to approve the April 20, 2022 Roadway Agreement Committee Meeting Minutes with the change discussed. Motion approved with Ms. Almodovar abstaining due to not being at the 4/20/2022 meeting.

Activity Summary

Mr. Weiss went over the Activity Summary and informed the committee that there are numerous Proportionate Share Agreements lined up for the May 10th BCC meeting and the Second Supplement to Hartzog Road Agreement currently in final review was removed from the May 10th BCC and is now tentatively scheduled for the May 24th BCC. He also updated the Committee on the two Transportation Credit accounts that received credits. The first one was the Village I Escrow account receiving credits for the completion of the PDS and the second one was the Poinciana Extension credit account for completion of the roadway that is now open to the public.

Mr. Nastasi asked the Committee if there has been any movement on Fieldstream. Mr. Weiss responded that there has been no movement, but there are continuing discussions with County Administration on the timing aspects, but he is not aware of any dates. Mr. Weiss is of the understanding that they do not plan to have any fully negotiated Agreements concurrent with the LUP change, but the intent would be to have a Term Sheet that has been reviewed by RAC to accompany the LUP request to the BCC.

RAC CONSENT AGENDA ITEMS:

Eastland Baptist Church Activity Center Proportionate Share Agreement

Road Affected: Lake Underhill Road
Previous RAC: None
In Attendance: Suzanne Mix

Chima Steakhouse Proportionate Share Agreement

Road Affected: Apopka Vineland Road, Sand Lake Road, and Turkey Lake Road
Previous RAC: None
In Attendance: Carolyn Haslam

Wekiva Reserve Proportionate Share Agreement

Road Affected: Wekiva Springs Road
Previous RAC: None
In Attendance: Sarah Davenport

Lake Sheen Sound Proportionate Share Agreement

Road Affected: Winter Garden-Vineland Road
Previous RAC: None
In Attendance: David Stokes

Ms. Pelc made a motion, with a second by Mr. El-Assar, to approve the Proportionate Share Agreements for Eastland Baptist Church Activity Center, Chima Steakhouse, Wekiva Reserve, and Lake Sheen Sound Proportionate Share Agreements as presented. Motion carried unanimously.

RAC NON-CONSENT PROPORTIONATE SHARE ITEM:

- None

RAC AGENDA ITEMS:

COMMITTEE DISCUSSION: Hartzog Road

In Attendance: Greg Lee, Paul Sladek, Paul Denning, Carl Jacobs, Doug Hoffman, Jeremy Camp, Elesa Sowell

Mr. Weiss stated that the Hartog Road Second Supplement is under review and the purpose of the Second Supplement is to change the ownership of ponds 3 and 4 with other minor provisions in regard to that change.

Mr. Weiss asked the committee for the status of their reviews as it pertains to the Second Supplement.

Ms. Pelc explained that an internal meeting took place and several items have been discovered. The first is that there is an additional portion of pond 4 (an outfall) that is needed and that portion is not owned by Holiday Inn Vacation Club. Reference to that entity will need to be included within the Agreement.

Mr. Lee asked if the owner of the outfall portion needed to be added to the Second Supplement or the conveyance process. Ms. Alfonso advised the applicant to add the owner unless there will be some issue getting the owner to sign, if there is an issue, then add language that states, “to convey or cause to be conveyed” along with the caveat that the pond will need to be conveyed at the same time as the outfall area.

Ms. Pelc stated the second issue on the Shared Use Pond Agreement on Page 2, line 472 that references pond 3 and 4; pond 3 needs to be removed as it is not being shared.

Ms. Pelc then questioned the parcel numbers on page 2 of the Agreement, the outfall parcel numbers are not included and would need to be. Line 54 includes parcel numbers ending in 011 and 014 and asked how they are to be listed.

Mr. Sladek explained that those parcels are not affected by this Agreement, and are on the northern end of the road adjacent to Flamingo Crossings property; the parcels are historical to the original Road Agreement and were included to maintain consistency in the Agreements.

Ms. Pelc asked for the language to be clarified or to remove the two parcel identification numbers entirely.

On Page 3 the outfall parcel needs to be added.

Mr. Sladek asked Ms. Pelc for clarification on the Pond Agreement as it relates to the outfall structure, the Agreement will just have the outfall structure as an exhibit. Ms. Pelc agrees since there is no benefit in the Agreement to the outfall structure owner.

Language in the easement and maintenance easement portion of the Agreement needs to include more information for clarification purposes.

Ms. Pelc asked if the Agreement needed to specifically reference the permanent slope and fill easements. Subparagraph 4, need to add “temporary and permanent slope easements to the extent they are required.”

Page 20 Exhibit for Pond 4 needs to include the outfall structure in the Agreement and in the Shared Pond Agreement.

Mr. Williams stated that there is a wildlife crossing that is impacted by the parcels and he asked Ms. Pelc if they were discussed in last week’s meeting. She replied that it was discussed in the meeting and that they would remain permanent. Ms. J. Cummings stated that the wildlife crossings would just to be included within the language of the Agreement.

Mr. Weiss asked if this was specific to the Second Supplement that the conveyance of the road that remains an outstanding issue? Mr. Sladek stated that the Wildlife Crossing is shown on the Construction Plans and the plans would require it before closing out the road and accepting for maintenance.

Ms. Almodovar stated that the original Agreement on page 15 requires a signal when warranted. She stated the signal is warranted based upon the analysis and that she has written a letter requesting it and will be sending the letter out shortly.

Mr. Nastasi stated the County would be looking for a mast arm signal but, in the interim it will need to be at a minimum a temporary signal, and then replaced by the responsible parties as the mast arm at a later date. Ms. Almodovar stated that she will be putting a time line for the signal in her letter. Mr. Nastasi stated to Ms. Almodovar that some type of safety measure has to be in place before the road is conveyed and opened. She stated that she will be requesting a temporary signal to be installed before the end of the year.

Mr. Weiss asked for clarification purposes that the traffic signal will defer to the provisions of the original Agreement. Ms. Almodovar concurred.

Mr. Weiss requested that Mr. Lee submit a revised draft by the end of the week. He asked the Committee to turn it around by the end of the day next Wednesday.

Mr. Weiss asked Ms. Alfonso if the changes made were non-substantial. She replied that the pond 4 outfall is substantive and action needs to be taken by the Committee.

Ms. Almodovar made a motion, with a second by Ms. Pelc, to approve the changes discussed and approve subject to a final review by the RAC Committee. Motion carried unanimously.

COMMITTEE DISCUSSION: Second Amendment to Town Center West (Silverleaf) Road Network Agreement

The Committee went back to Ms. Almodovar's concerns as to the trip release related to the Second Amendment to Town Center West (Silverleaf) that came up during the review of the April 20, 2022 RAC Meeting Minutes.

Mr. Weiss provided a synopsis of the Agreement.

Ms. Almodovar expressed her concerns due to the existing congestion on C.R. 545 and the upcoming opening of more schools in the area which will further impact the roadway. She stated that the citizens are calling the County and this issue is continually brought up at all neighborhood meetings that are conducted in the area.

The percentage of development completed prior to construction of road segments being completed was discussed.

Mr. Weiss adjourned the meeting at 10:42 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.