



Interoffice Memorandum

Minutes

Woodbury Road Special Meeting

February 18, 2008

Members Present: Joe Kunkel – Public Works Engineering Division
Brian Sanders for Renzo Nastasi – Transportation Planning Division

County Staff Present: Roberta Alfonso – County Attorney’s Office
Jennifer Cummings – Public Works Department
Abdul Azim – Public Works Engineering Division
Ghulam Qadir - Public Works Engineering Division
Frank Yokiell - Public Works Engineering Division
Sanjiv Chokshi - Public Works Engineering Division
Heather Brownlie – Transportation Planning Division
Rita Gonzalez – Transportation Planning Division

Others Present: Anna Long – Lowndes, Drosdick, Doster, Kantor & Reed
Udo Garbe – College Suites at Woodbury
Andrew Chu – College Suites at Woodbury
Warren Williams – College Suites at Woodbury

The Woodbury Road Extension (College Suites @ Woodbury Road) meeting opened at 11:15 a.m.

A revised version of the Agreement prepared by Tony Cotter was distributed to everyone present.

The version did not include the Force Majeure provision at their option.

The property is under contract for purchase and the property owner will not sign a joinder.

The Roadway Agreement Committee will need to make a decision whether to proceed without a joinder.

Page 2 additional language was deleted. Concerns regarding proportionate fair share and road impact fees were discussed.

Ms. Long stated that what they want to make sure happen is that the credits Mr. Garbe has coming to him for the conveyed lands is credited against impact fees whether or not those impact fees are in the form of a proportionate fair share or other. If once he conveys the land and then column A is subtracted and there is still balance left, they want that balance credited to the other impact fees.

Ms. Alfonso explained that the ordinance does not provide for credits against proportionate share fees.

Mr. Garbe wants the Roadway Agreement Committee to decide this issue.

On Page 3 there were questions about the 120 days after the effective date or 90 days after the Developer obtains title. It was determined to add “the latter of”.

It was stated that the Roadway Agreement Committee will not want an open ended timeframe – need conveyance as soon as possible.

Ms. Long was not happy with the Real Estate Management extension language since only the County has the right to extend the timeframe.

Mr. Garbe stated that they have been ready to move forward for years and now the county needs everything done immediately.

Mr. Williams stated that if College Suites has an option to construct an access road then they will move forward.

Mr. Garbe wants to see deadlines included for the design and construction to be completed.

Ms. Alfonso stated that Section F outlines certain dates for County performance and provides the Developer with the option to construct if the County fails to perform.

On Page 3, comment A6 – conveyance in lieu of condemnation language has been included

Ms. Cummings questioned if the donation area was one large easement as opposed to two halves would a lot split be needed for separating out the pond and easement areas.

Ms. Long stated that they are trying to avoid a lot split, due to long term maintenance easements and may require a bond that the client is not willing to pay.

There were no changes suggested to Page 5 and Page 6.

On Page 7 the property will be conveyed by Special Warranty Deed.

On Page 8 no changes were suggested.

On Page 9 the timeframe for joint submission is in question. Ms. Cummings will research and let Ms. Long know at the next meeting.

Page 9 Section 6 looks okay.

Mr. Kunkel stated that the roadway needs to be 4 lanes and built to County standards. There will be no reimbursements/credits until the roadway connects.

Mr. Garbe is willing to construct 2 lanes if he can get reimbursed for all of the costs.

On Page 10 Section 7 the dates need to be completed.

Mr. Sanders stated that at the design meeting they will determine the timeframes.

Mr. Garbe has been approached by the City of Orlando for easements on the separate Mandt property.

Mr. Kunkel stated that the City of Orlando is going out to bid soon.

Ms. Long will add changes on a separate page and submit to the Roadway Agreement Committee at the next meeting.

With no further discussion the meeting was adjourned at 12:17 p.m.