



INTEROFFICE MEMORANDUM
Minutes
Roadway Agreement Committee
Public Works Main Conference Room
January 5, 2022

Members Present: Jon Weiss – Planning, Environmental & Development Services Department (Chair)
Diana Almodovar – Development Engineering Division (Vice-Chair)
Renzo Nastasi – Transportation Planning Division
Raymond Williams – Public Works Engineering Division
Humberto Castellero – Traffic Engineering Division
Mindy Cummings – Real Estate Management Division
Nicolas Thalmueller – Planning Division

County Staff Present: Roberta Alfonso – County Attorney’s Office
Susan Martin – Risk Management Division
Joseph Kunkel – Public Works Department
Jennifer Cummings – Public Works Engineering Division
Yahaira Gines – Public Works Engineering Division
Ghulam Qadir – Public Works Engineering Division
Ken Leeming – Highway Construction Division
Shawn Kennedy – Highway Construction Division
Brian Sanders – Transportation Planning Division
Heather Brownlie – Transportation Planning Division
Tammilea Chami – Transportation Planning Division
Nannette Chiesa – Transportation Planning Division

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

Mr. Weiss introduced Nicolas Thalmueller who is the interim Planning Administrator service as the Planning Representative at RAC.

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 December 8, 2021 Roadway Agreement Committee (RAC) Meeting.

- Page 3, line 157 change “Mr.” to “Ms.”

Ms. M. Cummings made a motion, with a second by Ms. Almodovar, to approve the December 8, 2021 Roadway Agreement Committee Meeting Minutes with the change discussed. Motion carried unanimously.

Activity Summary

Mr. Weiss reviewed the upcoming BCC agenda items scheduled.

Ms. Brownlie noted the updates to the Trip Allocation Tables for Village I.

Mr. Weiss asked the status of the road construction for Village H.

Ms. J. Cummings provided an update on the Hartzog Road construction and additional right of way required.

RAC CONSENT AGENDA ITEM:

Chick-Fil-A Lake Buena Vista #4907 Proportionate Share Agreement

Road Affected: Vineland Avenue and Winter Garden-Vineland Road

Present: None

Previous RAC: None

County Staff Present: None

Ms. M. Cummings made a motion, with a second by Mr. Nastasi, to approve the Proportionate Share Agreement for Chick-Fil-A Lake Buena Vista #4907 as presented. Motion carried unanimously.

RAC NON-CONSENT AGENDA ITEM:

Hamlin SW Medical Office Building D Proportionate Share Agreement

Road Affected: Avalon Park/CR 545

Present: Jim Willard

Previous RAC: None

County Staff Present: None

Mr. Williams made a motion, with a second by Ms. M. Cummings, to approve the Proportionate Share Agreement for Hamlin SW Medical Office Building D as presented. Motion carried unanimously.

RAC DISCUSSION ITEM:

Fieldstream PD (No Action Required)

Road Affected: Lake Underhill Road

Present: Michael Wright, Angel De La Portilla, Scott Batterson, Dave Brim, Bob Paymayesh

Previous RAC: None

County Staff Present: Joe Kunkel, Shawn Kennedy, Ken Leeming, Brian Sanders, Ghulam Qadir

Mr. Wright provided an overview of the project for redevelopment of the Fieldstream PD.

Community consensus is that road improvements are needed. Webpage created for the project and email blasts sent often.

Mr. Wright is looking to mirror the Kirkman Road Agreement, and is seeking to construct a 4-lane section of Lake Underhill Road while including a financing component. The plan significantly reduces the County's obligation to construct a portion of Lake Underhill Road. MMI is seeking a commitment from the County for funding.

Meetings with County Staff have been held over the course of many months regarding this \$28 Million Dollar Project.

MMI will undertake the risk of excavating the site and reconstructing the roadway and will have an impact fee obligation of \$9 Million Dollars to construct 1500 multi-family units.

MMI to pay upfront costs and County to reimburse at later date (over 10-15 years) through various funding mechanisms.

Mr. Wright has communicated with the various subdivisions surrounding the project and six subdivisions approve of the project if the road is reconstructed. The HOAs are also in favor of roundabout placement along the project and willing to dedicate the necessary right-of-way as needed.

Mr. De La Portilla was uncertain of the need to be before RAC as there are a series of agreements needed to be prepared prior to the Comp Plan Approval Hearing for Rezoning.

Mr. Weiss confirmed RAC is the appropriate forum for the Roadway Agreement since it will outline roadway construction, risk management issues, proportionate share provisions, and right-of-way considerations for the project.

Mr. Castellero stated a temporary roadway needs to be constructed, so Traffic Engineering needs to weigh in on the MOT. No opportunity to detour so construction phasing will impact Community while MOT is underway.

Mr. Weiss stated the agreement may be ready by late Spring/Summer. Mr. Wright stated that the contract to purchase agreement expires at the end of June and would like to see the agreement go through RAC and BCC before then.

Mr. Williams stated that the agreement templates are being updated and are currently under Committee review.

Mr. Williams provided an overview of County obligations on Lake Underhill Road:

- RCA for 4-laning of Lake Underhill Road was completed in 2010
- Current limits of the 60% Design underway are Dean Road to Rouse Road
- \$26 Million budgeted in CIP (\$14 Million of that is for this segment)
- Triple Barrel Culvert and Double Barrel Culvert included

Mr. Williams requested that the applicant design and permit the entire limits of CIP project and then the County will construct the portion of the road segment not included with the Fieldstream MMI proposal. Orange County Engineering approval over the design process is needed and County wants approval of the consultant for the Design.

Roundabouts were not included in the original RCA Study. This would require that the RCA Study be updated as part of the design. Sidewalk design standards have changed over time so the sidewalks need to be wider than in 2010 and need a multi-purpose path on one side and a six-foot sidewalk on the opposite side. Community input and BCC approval will also be required which will take 9-12 months. Additional ROW may be identified through the update to the RCA Study.

Mr. Wright stated they will minimize the right of way needed by lowering the elevation for the roadway.

Mr. Castellero stated roundabouts can be used for traffic calming, but will require a Design Engineer familiar with FDOT guidelines and will need to have FDOT complete a peer review of each roundabout proposed to be constructed.

Mr. Nastasi stated there is a Scope of Services for the RCA Study Update. A requirement for the RCA Study Update will be to have SCALE requirements met if additional right of way is needed. The current Design will require additional right of way so SCALE must be met in order to acquire additional right of way if needed.

Mr. Castellero stated that the project needs to include specific lighting for roundabouts. Additionally, the Econlockhatchee Trail improvement is underway, and will have a bottleneck as the 4-lane ends. This improvement also has bike lanes. Mr. Qadir stated that there is a two-thousand feet gap between Dean Road and Econ Trail which will create a backup of traffic in the two-lane section if a 4-lane is not constructed. Mr. Williams and Mr. Weiss agreed this should be included.

RCA Study Update would need to be from West of Dead Road to West of Rouse Road and will need to include both intersections. Mr. Wright stated his interest in using Dewberry as the Design Consultant. The County would find Dewberry acceptable and provide the current Stantec 60% plans and borings and other background information to Dewberry to utilize. The RCA Study Update will need to be finalized before Orange County can review any Design plans.

Ms. M. Cummings asked a question about the funding. Mr. Wright is working with Fred Winterkamp to acquire bonding.

Transportation Impact Fees to be pipelined into this project and CIP funds would be utilized to repay the Developer. Deal Points need to be worked out. Mr. Weiss requested a calculation page showing potential impact fees and RCA, Design, Construction Cost, and then the Proportionate Share for this project. A CEL application will be required with a revised traffic study.

Form for Agreement to be worked through at RAC and also need ownership documents and Agent Authorization Form. HOA participation and approval will be needed. Ms. M. Cummings stated a review of HOA documents will be required.

Mr. Castellero asked for a Public Information Officer (PIO) to be available for duration of the project. Ms. Almodovar stated it is very important to keep the Commissioner's Office informed and regular reporting is needed. Mr. De La Portilla stated the Commissioner wants to hold a community meeting before adoption of the Comp Plan Amendment.

4 E's needed for Maintenance of Traffic ("MOT") (and MOT must meet the existing capacity of the current roadway):

- Engineering (Access issues with businesses will need to be worked out in advance)
- Education (Community outreach)
- Enforcement (Sheriff's Office to be on site)
- Emergency Management Services (also worked out in advance)

Mr. Williams stated cleanup of landfill and MOT and replacement fill should not be part of roadway costs. Ms. Martin asked that Tisha Pence be involved in clean-up discussions.

Ms. Alfonso suggested a Term Sheet in advance of the agreement draft in order to outline the deal points. Mr. Qadir suggested Utilities be included or have a separate agreement.

Mr. Leeming stated construction costs have increased exponentially so beware that today's cost will rise over time.

Mr. Paymayesh feels cost of roadway will be double the impact fees generated by the project and requested proportionate share be included with the road agreement jointly. Mr. Paymayesh requested to bid the project not as a CIP, but as a sole source design-build concept.

Biddable CIP standard plans required in case project needs to be taken over by County. Specifications, technical provisions, and inspections must remain the same. A Design Scope of Services will be provided.

Mr. Batterson stated the Fieldstream 8-acre parcel to be a pond for the project which reduces profile of the road for safety.

Mr. Weiss outlined next steps:

- Meeting #1 (today) – Introduction of the Project
- Meeting #2 – should be a review of Specific Proposed Terms (Term Sheet Needed)
- Meeting #3 – should be an outline to framework the agreement

A full draft agreement along with exhibits can be presented to the Committee following the third meeting. It is anticipated that the Scope of Services for the RCA and the Design will be included as exhibits.

COMMITTEE DISCUSSION: RAC Templates

Preference of Committee to meet at a later date. Pre-scheduled meeting set for January 14, 2022.

Mr. Weiss adjourned the meeting at 10:56 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.