



INTEROFFICE MEMORANDUM

Minutes

Roadway Agreement Committee

Public Works Main Conference Room

March 16, 2022

Members Present: Diana Almodovar – Development Engineering Division (Vice-Chair)
Brian Sanders – Transportation Planning Division
Ghulam Qadir – Public Works Engineering Division
Humberto Castillero – Traffic Engineering Division
Tamara Pelc – Real Estate Management Division
Nicolas Thalmueller – Planning Division

County Staff Present: Roberta Alfonso – County Attorney’s Office
Joy Carmichael – County Attorney’s Office
Susan Martin – Risk Management Division
Matthew Kalus – Development Engineering Division
Jennifer Cummings – Public Works Engineering Division
Yahaira Gines-Rios – Public Works Engineering Division
Heather Brownlie – Transportation Planning Division
Tammilea Chami – Transportation Planning Division

Ms. Almodovar called the meeting to order at 9:02 a.m.

Public Comment

Ms. Almodovar inquired as to Public Comment – no members of the public wished to speak.

Approval of Minutes

The Committee reviewed the minutes from the March 2, 2022 Roadway Agreement Committee (RAC) Meeting.

Page 2 Line 67 change “surely” to “surety”

Mr. Sanders made a motion, with a second by Mr. Castillero, to approve the March 2, 2022 Roadway Agreement Committee Meeting Minutes with the changes made at today’s meeting. Motion carried unanimously.

Activity Summary

Ms. Almodovar reviewed the upcoming BCC agenda items scheduled and the various trip allocations cited.

RAC CONSENT AGENDA ITEMS:

Avalon Groves PD Proportionate Share Agreement

Road Affected: Avalon Road (C.R. 545)

Previous RAC: None

In Attendance: Kathryn Smith

Carl Black Chevrolet Building Expansion Proportionate Share Agreement

Road Affected: Avalon Road and U.S. 192

Previous RAC: None

In Attendance: Alex Patton

Ms. Pelc made a motion, with a second by Mr. Qadir, to approve the Proportionate Share Agreements for both Avalon Groves PD and Carl Black Chevrolet Expansion as presented. Motion carried unanimously.

RAC NON-CONSENT PROPORTIONATE SHARE ITEM:

- None

RAC AGENDA ITEMS:

First Amendment to Avalon Pointe Right-of-Way and Proportionate Share Agreement (Information Item Only)

Road Affected: Avalon Road (C.R. 545)

Previous RAC: 2/16/2022

Ms. Alfonso explained that the Joinder and Consent was removed from the First Amendment as the original Agreement contained a Joinder and Consent which was applicable to all amendments. The bank had changed the language of the Joinder form document from what the Committee had approved so the Joinder pages were removed from the First Amendment document approved at RAC.

No action required and the First Amendment will move forward to the 4/5/2022 BCC Agenda without the Joinder.

COMMITTEE DISCUSSION – SUNBRIDGE PARKWAY

Ms. J. Cummings reviewed the Sunbridge issue for discussion. An agreement with OUC is needed and OUC will not work with Tavistock directly. The County will need to enter into an agreement with OUC and Tavistock will need to reimburse the County for all expenses associated with the OUC RR Crossing, which they are willing to do.

The form of an agreement with Tavistock was discussed and whether it would need to be a Reimbursement Agreement or an Escrow Agreement and if an Appraisal (or multiple appraisals) would be needed and if so then legals and sketches are required. Ms. Alfonso believed that an Escrow Agreement is the quickest mechanism.

OUC needs a Transmission Line Easement from Tavistock so there is an interest on the part of OUC to get the agreement(s) finalized. Additional meetings will need to take place with both OUC and Tavistock to proceed.

COMMITTEE DISCUSSION – RAC TEMPLATES

Resumed Committee Discussion with Template #9 Adequate Public Facilities Template document.

Ms. Alfonso reviewed the changes to the APF Template as shown on the blackline in the materials.

Page 4

- Section 5(a) change title from “ninety (90)” to “sixty (60)”

Page 6

- Lines 206-207 Blank for number of units to constitute 5% Threshold

Page 7

- Section 7 Last Paragraph Line 236 remove subsection (i) allowing Owner to pay Fee in lieu of conveyance

Criteria for requiring an amendment to an APF agreement was discussed:

- Any relocation to a different location is a substantial change
- Any deviation of more than 0.5 acres from what was stated in the agreement is substantial
- If the type of APF land to be conveyed is changed that is a substantive change requiring an amendment

Page 15

- Line 568 change “and assigned” to “and/or assigned”
- Update Notary Block

Ms. Alfonso to revise the Template documents and submit updated redline versions for future discussion.

Ms. Almodovar adjourned the meeting at 10:05 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.