



Interoffice Memorandum

June 25, 2020

AGENDA ITEM

TO: Mayor Jerry L. Demings
-AND-
Board of County Commissioners

THRU: Lonnie C. Bell, Jr., Director *Lonnie C Bell*
Community and Family Services Department

FROM: Matt Suedmeyer, Manager
Parks and Recreation Division
(407) 836-6202

SUBJECT: **Consent Agenda Item – July 7, 2020**
Memorandum of Understanding between Orange County, Florida and
City of Ocoee, Florida

The Parks and Recreation Division and the City of Ocoee seek to enter into a Memorandum of Understanding regarding the design, construction, and long-term maintenance of the Lake Apopka Connector Trail through a City-owned Right of Way tract. The Tract, located in the City of Ocoee and legally described as BRYNMAR PHASE 1 78/38 TRACT I (Road Right of Way) and identified as TAX ID 32-21-28-0945-00-009, starts at the corner of Ingram Road and McCormick Road and runs east along McCormick Road on the northern boundary of the Brynmar Subdivision.

The overall Lake Apopka Connector Trail is planned to run from the terminus of the existing Lake Apopka Loop Trail in Magnolia Park and end at existing West Orange Trail near the Clarcona Horseman Park. The project design phase is nearing initiation and will include a 10' – 14' concrete, multi-use trail. All phases of the project, including design, construction, and any necessary reconstruction, are being funded in part by the Florida Department of Transportation (FDOT).

FDOT requires the executed memorandum approving the agreement, prior to awarding construction, which is anticipated to go out to bid in state Fiscal Year 2022/2023. The memorandum outlines the responsibilities of participating agencies. The memorandum has been reviewed, revised, and approved by the County Attorney's Office.

Consent Agenda Item – July 7, 2020

Memorandum of Understanding with City of Ocoee - Lake Apopka Connector Trail
Lake Apopka Connector Trail

ACTION REQUESTED: Approval and execution of Memorandum of Understanding between Orange County, Florida and City of Ocoee, Florida for use of City of Ocoee owned and maintained property for the Lake Apopka Connector Trail.

MS/cm:jam

Attachment

c: Randy Singh, Deputy County Administrator

BCC Mtg. Date: July 7, 2020

**MEMORANDUM OF UNDERSTANDING BETWEEN ORANGE COUNTY, FLORIDA
AND CITY OF OCOEE, FLORIDA
FOR USE OF CITY OF OCOEE OWNED AND MAINTAINED PROPERTY FOR THE
LAKE APOPKA CONNECTOR RECREATIONAL TRAIL**

THIS MEMORANDUM OF UNDERSTANDING (“MOU”), effective as of the latest date of execution, is made and entered into by and between the ORANGE COUNTY, FLORIDA, a charter county and political subdivision of the State of Florida, (“County”) and the CITY OF OCOEE, FLORIDA, a Florida municipal corporation (“City”).

RECITALS:

WHEREAS, the City owns certain real property located in Orange County and legally described as the BRYNMAR PHASE 1 78/38 TRACT I (ROAD RIGHT OF WAY), and identified as Tax ID No. 32-21-28-0945-00-009 (“Tract I”); and

WHEREAS, the City is the maintenance agency for Tract I; and

WHEREAS, the County Parks and Recreation Division is pursuing the design and construction of the Lake Apopka Connector Trail (“Trail”) to connect the existing Lake Apopka Loop Trail and the existing West Orange Trail; and

WHEREAS, the design of the Trail is scheduled for funding in state Fiscal Year 2020/2021 which runs from 1st day of July 2020 to 30th day of June 2021; and

WHEREAS, the construction of the Trail is scheduled for funding in state Fiscal Year 2022/2023 which runs from the 1st day of July 2022 to the 30th day of June 2023; and

WHEREAS, the Trail will run from the intersection of the existing West Orange Trail and McCormick Road, along the southern side of McCormick Road west to Ingram Road, through Tract I; and

WHEREAS, the general area and path of the Trail through Tract I is depicted in Exhibit “A,” attached hereto and incorporated herein; and

WHEREAS, the City agrees that, upon the final design of the Trail, it will grant a Recreational Trail Easement over the path of the Trail in Tract I as legally described in the final design; and

WHEREAS, City agrees to grant access to Tract I to the County as needed to design and construct the Trail. This access extends to the any outside consultants and contractors awarded contracts for design, construction, and construction engineering and inspection (CEI) services; and

WHEREAS, the County Parks and Recreation Division will have sole responsibility to maintain the finished Trail, which will be typically fourteen (14) foot wide, concrete as depicted in Exhibit “B,” attached hereto and incorporated herein; and

WHEREAS, the County will forward design plans for the relevant segment(s) of the Trail to the City for review; and

WHEREAS, the parties acknowledge that the City maintains a reclaimed water line running under the Trail. In the event the reclaimed water line requires repair by the City and the repair of the water line results in damage to the finished Trail, the parties agree that the City will not be responsible for repairs to the trail resulting from said damage to the finished Trail.

IN WITNESS WHEREOF, the parties have caused this MOU to be executed and delivered on the day(s) and year(s) set forth below.

CITY OF OCOEE, a Florida municipal corporation

By: [Signature]
RUSTY JOHNSON
Mayor

Attest: [Signature]
Melanie Sibbitt, City Clerk

FOR USE AND RELIANCE ONLY BY THE CITY OF OCOEE, FLORIDA; APPROVED AS TO FORM AND LEGALITY this 2nd day of June, 2020.

APPROVED BY THE OCOEE CITY COMMISSION AT A MEETING HELD ON June 2, 2020, UNDER AGENDA ITEM NO. 5.

SHUFFIELD LOWMAN & WILSON, P.A.
By: [Signature]
City Attorney

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners
By: [Signature]
for Jerry L. Demings,
Orange County Mayor

Date: JUL 07 2020, 2020

Attest: Phil Diamond, CPA, County Controller, as Clerk of the Board of County Commissioners
By: [Signature]
Deputy Clerk

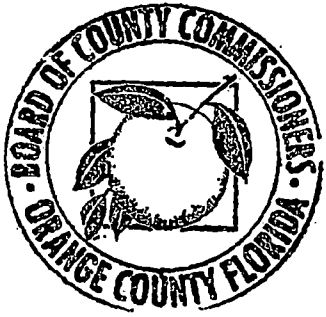


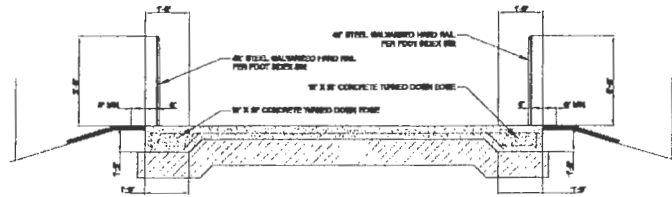
EXHIBIT "A"

NORTHWEST RECLAMATION
FACILITY

CITY of GLOUCESTER
OWNED "TRACT"

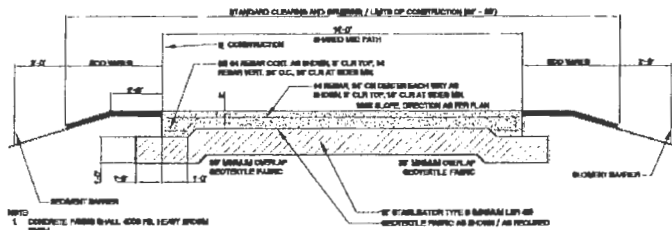


EXHIBIT "B"



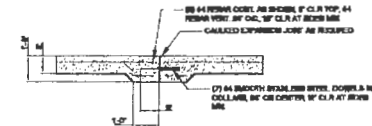
HANDRAIL AT TYPICAL SECTION

SCALE: 1/2" = 1'-0"



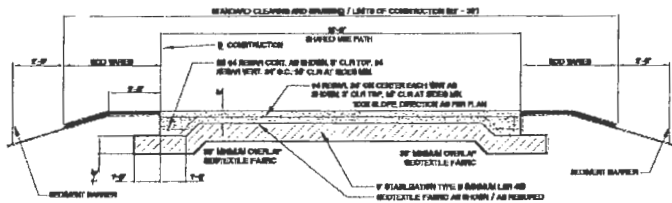
TYPICAL TRAIL UTILITY CROSSING SECTION

SCALE: 1/2" = 1'-0"



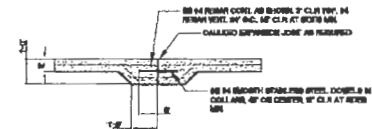
UTILITY EXPANSION JOINT SECTION

SCALE: 1/2" = 1'-0"



TYPICAL STANDARD TRAIL SECTION

SCALE: 1/2" = 1'-0"



STANDARD EXPANSION JOINT SECTION

SCALE: 1/2" = 1'-0"

TYPICAL CONCRETE GREENWAY AND TRAIL SECTIONS ORANGE COUNTY PARKS AND RECREATION

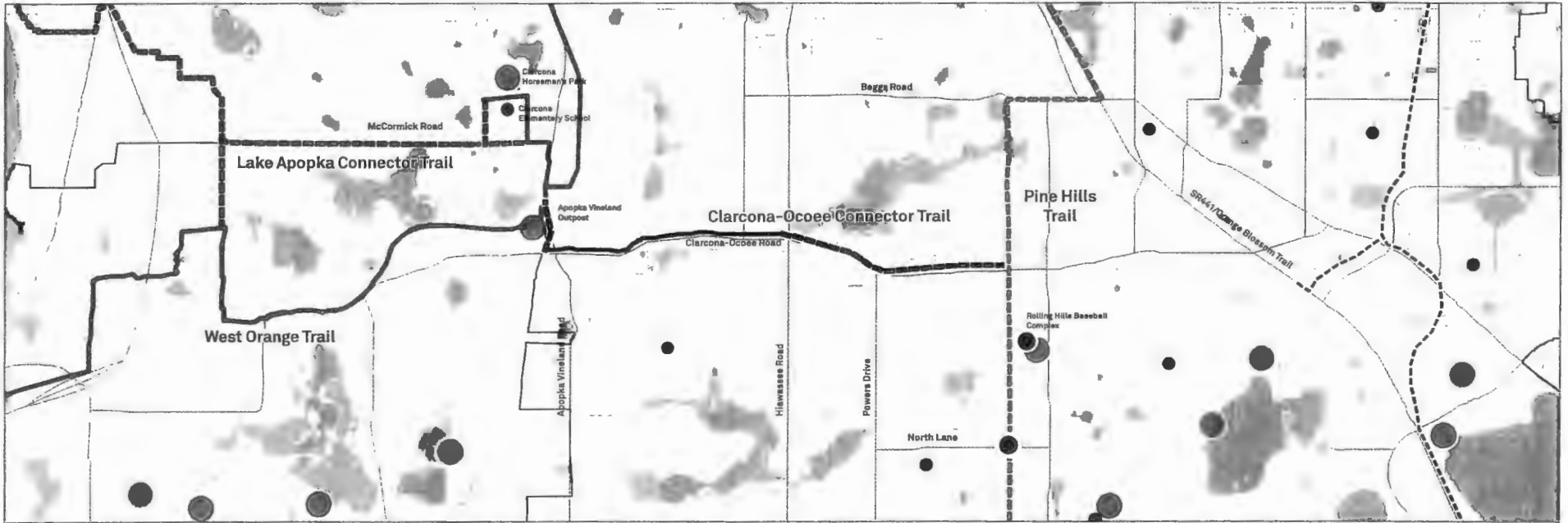
ORANGE COUNTY, FLORIDA



SCALE: 1/2" = 1'-0" PAGE 1 OF 1
DECEMBER 18, 2019 MS



4 Clarcona-Ocoee Connector Trail



Legend

- | Existing | Proposed | |
|----------|----------|--------------------------------|
| | | Clarcona/Ocoee Connector Trail |
| | | Lake Apopka Connector Trail |
| | | West Orange Trail |
| | | Pine Hills Trail |
| | | Trail (by others) |
| | | Schools |
| | | Trailhead Opportunity |
| | | Parks and Trailheads |
| | | Wetlands |

