

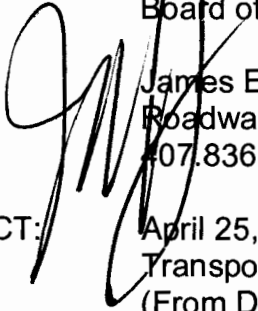


## Interoffice Memorandum

## AGENDA ITEM

April 3, 2017

TO: Mayor Teresa Jacobs  
—AND—  
Board of County Commissioners

FROM:  James E. Harrison, Esq., P.E., Chairman  
Roadway Agreement Committee  
407.836.5610

SUBJECT: April 25, 2017 – Consent Item  
Transportation Agreement for Sunbridge Parkway  
(From Dowden Road to Osceola County Line)

On October 29, 2016, the Board of County Commissioners approved the Sunbridge PD Road Term Sheet for the proposed construction of a road network related to the Sunbridge PD-RP. Principally, this Term Sheet provided for the construction of Sunbridge Parkway from Dowden Road to the Osceola County Line and addressed other development-related matters including vested rights, traffic monitoring, and access to adjoining communities.

The Transportation Agreement for Sunbridge Parkway (From Dowden Road to Osceola County Line) ("Agreement") by and between Tavistock East Holdings, LLC ("Tavistock") and Orange County provides for the construction of Sunbridge Parkway between Dowden Road and the Osceola County Line in four segments. The initial road improvements for Sunbridge Parkway from Dowden Road to the Osceola County Line are planned as follows:

- (i) Segment 1 – design and construct as 4-lane urban roadway
- (ii) Segment 2 – design and construct initially as 2-lane rural roadway
- (iii) Segment 3 (a) + (b) – design and construct initially as 2-lane rural roadway
- (iv) Segment 4 – design and construct initially as 2-lane rural roadway

A Preliminary Design Study ("PDS") for Segments 2, 3 and 4 of Sunbridge Parkway will be performed by Tavistock. One proposed deviation from the Term Sheet is the removal of Segment 1 from the PDS, allowing Segment 1 to advance straight into design and construction of all four lanes.

Under the Agreement, Tavistock will also complete Design, Engineering and Permitting ("DEP") work and construction for all four segments, and provide for the conveyance of ROW for the future four-lane facility, including ponds. The Agreement identifies a requirement that the DEP work is to commence within 180 days of the completion of the PDS, a provision not originally anticipated in the Term Sheet. When warranted by development, as outlined in the Agreement, the rural roadways will be reconstructed to urban roadways. If improvements to Sunbridge Parkway are required earlier by the County, Tavistock shall be responsible for the additional incremental costs for re-design from a rural to urban cross-section. The Agreement also adds timeframes to advance from the completion of DEP to a construction contract, and from a construction contract to commencing construction, both provisions not in the Term Sheet.

Tavistock shall be entitled to Transportation Impact Fee Credits for the DEP work, the value of right-of-way associated with the 3<sup>rd</sup> and 4<sup>th</sup> lanes of Sunbridge Parkway, and the roadway construction costs proportional to the excess capacity created beyond the needs of the Sunbridge development.

Additional language was included by Tavistock noting that the improvement schedule for Sunbridge Parkway may be delayed due to unresolved issues associated with the Orange County Gun Range and the Orange County School Board. The language states this delay may only occur until the gun range provisions of a portion of the property referenced in Tavistock's Capacity Enhancement Agreement (CEA) with the School Board are waived, modified, or satisfied.

The Roadway Agreement Committee has determined that the Transportation Agreement for Sunbridge Parkway is generally consistent with the BCC-approved Sunbridge PD Road Term Sheet with the additional provisions identified above. The Roadway Agreement Committee approved the Transportation Agreement for Sunbridge Parkway (From Dowden Road to Osceola County Line) on March 24, 2017. The Specific Project Expenditure Report and Relationship Disclosure Forms are on file with the Transportation Planning Division.

**A file labeled "BCC Agenda Backup" and all supporting documentation are in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson's office.**

**ACTION REQUESTED: Approval and execution of Transportation Agreement for Sunbridge Parkway (From Dowden Road to Osceola County Line) by and among Tavistock East Holdings, LLC and Orange County to provide for the construction of Sunbridge Parkway from Dowden Road to the Osceola County Line. District 4**

JEH|HEGB:rep  
Attachments