

RESOLUTION

of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
regarding
**SUPPORT OF THE CENTRAL FLORIDA EXPRESSWAY (CFX)
AUTHORITY PREFERRED ALTERNATIVE FOR THE
OSCEOLA PARKWAY EXTENSION PROJECT
DEVELOPMENT AND ENVIRONMENT (PD&E) STUDY RE-
EVALUATION AND PETITIONING THE FLORIDA
COMMUNITIES TRUST FOR A MODIFICATION OF THE
GRANT AWARD AGREEMENT, INTERAGENCY AGREEMENT,
AND MANAGEMENT PLAN**

Resolution No. 2019-M-50

WHEREAS, Orange County approved an Interagency Agreement for Split Oak Forest Mitigation Park Project (Project) (now known as Split Oak Forest Wildlife and Environmental Area (Split Oak)) with Osceola County and the Florida Game and Freshwater Fish Commission (now known as the Florida Fish and Wildlife Conservation Commission) in December 1991 (Interagency Agreement); and,

WHEREAS, the Interagency Agreement resulted in an application to the Florida Communities Trust (FCT), which resulted in the award of loans and grants to both counties (FCT Recipients) to acquire certain properties for conservation and established funds to help manage the proposed Project; and,

WHEREAS, the FCT Recipients were required to place conservation easements over their respective portions of the Project; and,

WHEREAS, Split Oak is managed by the Florida Fish and Wildlife Conservation Commission, who was required to develop and adopt a Management Plan; and,

WHEREAS, the Grant Award Agreement was issued to Orange and Osceola counties in April 1994 and provides that the Grant Award Agreement may be amended at any time, if agreed to by both the FCT Recipients and FCT; and

WHEREAS, Section 704.06(11), Florida Statutes, provides that the owner of a conservation easement over land may allow for the operation of linear facilities, including public transportation corridors; and,

WHEREAS, Rule 62-818.015, Florida Administrative Code, acknowledges that the FCT “periodically receives requests for Management Plan modifications to allow linear facilities and related appurtenances on the Trust Project Site” and provides the process for requesting those modifications; and,

WHEREAS, the Osceola County Expressway Authority (OCX) completed the original PD&E Study for an extension of Osceola Parkway that had significant impacts to the environment in May 2017, including portions of the project that were located in Orange County’s portion of the conservation easement; and

WHEREAS, CFX completed the Concept, Feasibility & Mobility Studies for the four OCX Master Plan segments, including Poinciana Parkway Extension, Southport Connector Expressway, Northeast Connector Expressway and Osceola Parkway Extension in March 2018; and

WHEREAS, the CFX Board voted to move forward with the PD&E Studies for the Poinciana Parkway Extension and the Osceola Parkway Extension Re-evaluation in March 2018; and

WHEREAS, CFX, after evaluating all reasonable and foreseeable alternatives and receiving extensive public input, has identified a Preferred Alternative for the Osceola Parkway Extension project as part of the PD&E Re-evaluation study that no longer contains any direct impact to the conservation easement lands located in Orange County; and

WHEREAS, the CFX Preferred Alternative minimizes impacts to existing and planned residences and the environment in the area, and includes the use of approximately 60 acres, more or less, of the Split Oak Property located exclusively within Osceola County for linear facilities as part of the Osceola Parkway Extension project; and

WHEREAS, CFX has a signed agreement with certain landowners to place an additional 1,550 acres into conservation in which approximately 968 acres are located within Orange County and approximately 582 acres are located within Osceola County as part of the Osceola Parkway Extension project; and

WHEREAS, Orange County now petitions the FCT for a modification to the Interagency Agreement, Management Plan, and Grant Award Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. Preferred Alternative. The County approves, based on the minimized impact to residences and the environment in the area, of the use of approximately 60 acres, more or less, of the Split Oak Property with such 60 acres located exclusively within Osceola County for linear facilities, for the Osceola Parkway Extension project.

Section 2. Florida Communities Trust. The County approves the submittal of a request to the Florida Communities Trust for the modification of the Interagency Agreement, Management Plan, and Grant Award Agreement to allow for the use of approximately 60 acres, more or less, of the Split Oak Property with such 60 acres located exclusively within Osceola County for linear facilities as part of the Osceola Parkway Extension project.

Section 3. Additional Conservation Lands. The approvals in Section 1, 2, and 5 are contingent on execution of an interagency agreement and adoption of a management plan, or modification of the existing Interagency Agreement and Management Plan, for the additional 968 acres to be placed into conservation in Orange County.

Section 4. Delegation to Staff. The County approves the delegation to staff for the coordination with Osceola County government and CFX for the submission described above to the Florida Communities Trust.

Section 5. Conveyance of Land. The County approves the conveyance, contingent upon approval by the Florida Communities Trust and the Osceola County Board of County Commissioners, of any and all necessary easements to CFX required for the use of the approximately 60 acres, more or less, of the Split Oak Property with such 60 acres located exclusively within Osceola County for a linear facility as part of the Osceola Parkway Extension project.

Section 6. Effective Date. This Resolution shall take effect immediately upon its adoption.

ADOPTED THIS _____ DAY OF _____, 20____.

DEC 17 2019



ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: *Jerry L. Demings*
for Jerry L. Demings
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: *Craig A. Stopyna*
for Deputy Clerk