

by Bill Parsons Vice Chairman, Seven Oaks CDD

Traffic Control Jurisdiction Agreement



Pasco Sheriff's Deputy Bryan Sikes uses radar to check the speed of cars on Ancient Oaks Blvd

All of the roads in the Seven Oaks Community Development District (CDD) are owned by the District. Therefore, Pasco County calls them "private roads". In order for the Pasco County Sheriff's office to enforce traffic laws on the main roads and neighborhood roads, there must be a Traffic Control Jurisdiction Agreement (TCJA) between the county and the CDD. This is required by Florida Statute 316.006 which states,

"A municipality may exercise jurisdiction over any private road or roads, or over any limited access road or roads owned or controlled by a special district, located within its boundaries if the municipality and party or parties owning or controlling such road or roads provide, by written agreement approved by the governing body of the municipality, for municipal traffic control jurisdiction over the road or roads encompassed by such agreement."

When the first people started moving into Seven Oaks in 2003, there was not an agreement between Pasco County and the CDD to enforce traffic laws within the CDD. The residents did not become aware that an agreement was required until the Residents Council started working a safety issue at the Seven Oaks Elementary School in 2005.

At a Residents Council meeting just after the Seven Oaks Elementary School opened in 2005, Beth Eichelberger, Shoregrass representative to the Residents Council, identified a very dangerous situation at Seven Oaks. She explained that there were not any school zone signs, flashing lights, speed reduction signs, or cross-walk markings on Mystic Oak Blvd where the school was located. She pointed out that this created a very dangerous situation for the students to be crossing this four lane road.

The Resident Council immediately adopted this as one of the issues to work. We had discussions with the developer controlled CDD Board but could not get the issue resolved. So, as President of the Residents Council, I invited Commissioner Mulieri to the Residents Council meeting on November 1, 2005 to get help with resolving this issue.

At the November 1 Residents Council meeting, Beth explained this dangerous situation to Commissioner Mulieri. The Commissioner said that she would have the county staff immediately put up 15 mph school signs and have cross walk markings on Mystic Oak Blvd. This was completed prior to the next Residents Council meeting on December 6, 2005.

It was at the November 1 meeting that the Council became aware of the need for a TCJA. Commissioner Mulieri explained a TCJA was required for the Pasco County Sheriff's deputies to enforce the 15 mph speed limit in the school zone on Mystic Oak Blvd. She added that she would get one approved but only for Mystic Oak Blvd as it would take too long to do the entire community while children's safety was an issue.

At the direction of Commissioner Mulieri, the County Attorney prepared a TCJA for Mystic Oak Blvd and had it signed by all the appropriate parties by November 8. This was probably unprecedented for a TCJA to be completed within 8 days. We had our first TCJA at Seven Oaks.

The Residents Council now wanted a TCJA that not only included Mystic Oak Blvd but the other main roads and the secondary road in the neighborhoods in the Seven Oaks CDD. We started working with the developer controlled CDD Board and Pasco County to get this established. All the traffic signs in the district had to be inspected by a certified engineer. Some of the signs had to be changed. On June 5, 2007, Commissioner Ann Hildebrand, Chairman of the Pasco County Commissioners, approved a TCJA that covered Mystic Oak Blvd, Ancient Oak Blvd, Summergate Blvd, and all the neighborhood streets. The streets were listed in an exhibit A attached the TCJA.

During the next seven years, Seven Oaks continued to develop which added new streets. At the November 12, 2014 CDD meeting, I briefed the CDD

Board that the TCJA created in 2007 needed to be updated as it did not include the portion of Eagleston Blvd (i.e. divided highway portion from Ancient Oaks to Bruce B. Downs that goes by Windcrest Dr.) that is in the CDD and the neighborhood streets that have been built since 2007 such as the ones in Sabal Point and Bellafield. The Board directed the District Manager to have our attorney, Mr. Babbar, work with Pasco County to either amend the current agreement or do a new agreement to include the four boulevards (called collector road in TCJA) and neighborhood streets (called secondary roads in TCJA). For the next year, the CDD tried to get the new streets added to the TCJA.

December 10, 2014 CDD meeting: Mr. Babbar briefed that he had requested Pasco County add the following streets to the TCJA: Scarlet Loop, Vermillion Sky Drive, Bellafield Way, Windcrest Drive, Wild Sienna Loop, Autumn Breeze Circle, Juniper Bay Drive, and Pool Stream Lane. He added that he was still waiting to hear from the County Attorney.

February 11, 2015 CDD meeting: Mr. Babbar briefed that Pasco County was still reviewing his request to update the TCJA. Later that month, Mr. Babbar received a letter dated February 24, 2015 from the County Attorney, Mr. Steinsnyder. The County Attorney proposed in this reply that since Seven Oaks had two TCJA the county and the CDD should enter into one restated agreement. In his letter to Mr. Babbar, the county Attorney added, "the CDD must certify, through a licensed engineer, that the signage for the roads with the community meet FDOT standards."

April 8, 2015 CDD meeting: Mr. Babbar updated the Board on the letter he had received from the Pasco County attorney. The Board passed a motion for our engineer to have the roads inspected and identify any signs that needed to be changed.

Our engineer hired Hodge Inspection Services, LLC to do the inspection of the signage in the CDD. On May 13 -15, they inspected the signs and found that the following items needed to be completed:

- Eight signs/posts do not meet height compliance.
- Three stop signs need to be relocated.
- Striping at three locations needs to be painted.
- 70 stop bars need to be installed along all stop signs within the subdivision roads

July 8, 2015 CDD meeting: Our engineer briefed that the above four items needed to be completed for her to certify the signs. Bob Semple, CDD maintenance superintendent, briefed that he had bids for \$9,390 to fix the first three items listed (fourth item that cost \$1,583 was added a few days after the meeting for a total cost of \$10,973). The Board passed a motion for to have these items corrected. Based on the Board approving for these items to be corrected, the engineer provided the certification to our District Manager who had our attorney send it to Pasco County.

August 12, 2015 CDD meeting: Our engineer briefed that Pasco County wants the engineer to provide the county with more detail to include measurements and photos of the location of the signs. She did not agree that she should have to provide this information and would work with the county.

September 9, 2015 CDD meeting: Our Engineer presented a map showing that all of Eagleston Blvd was owned by Pasco County. Our previous engineer had told the us that the divided highway portion of Eagleston Blvd from Ancient Oaks to Bruce B. Downs that goes by Windcrest Dr. was part of the CDD. During the next few months, Mr. Babbar worked with Pasco County to insure their records reflected that Pasco County owned all of Eagleston Blvd. This made them responsible for repaving it, and we do not have to reserve funds for this expense. Since we wanted to continue to maintain landscaping on this portion of Eagleston Blvd, he insured that there was an agreement with the county.

November 11, 2015 CDD meeting: Our engineer briefed the Board that the county said there were signs that needed to be raised. Bob presented cost estimates from Signature Signs to either replace 57 signs at a cost of \$42,130.00 or add a 2 ft extension to the signs at a cost of \$21,722.00.

January 13, 2016 CDD Meeting: Our engineer briefed that she and Mr. Babbar met with representatives from the county who wanted us to spend tens of thousands of dollars on signs to get the few streets added to the TCJA. The Board approved a motion to stop efforts to try to add the six new streets as it had become very expensive due to the county bureaucracy.

Examples of Signs that Were Changed to Obtain Certification

One of the eight signs that had to be replaced because it does not meet height requirements.

Stop sign at Palmetto Bend and Ancient Oaks Blvd that needed to be moved next to the stop bar.

Stop sign at Firebrush Dr and Palmetto Bend Dr. This is one of 70 stop signs where a stop bar had to be added on the street.

Stop bar and stop sign at Willowstone Way and Mystic Oak Blvd needed to be relocated on the other side of the sidewalk.