

**RESOLUTION OF THE WAKE COUNTY BOARD OF COMMISSIONERS TO ADOPT
THE WAKE COUNTY TRANSIT PLAN AND TRANSIT GOVERNANCE
INTERLOCAL AGREEMENT**

WHEREAS, the North Carolina General Assembly enacted the Local Government Public Transportation Sales Tax Act ("Act") in Chapter 105, Article 43 of the North Carolina General Statutes which authorizes counties and regional public transportation authorities created pursuant to Article 26 of Chapter 160A of the General Statutes to create a special district for the purpose of holding a local election on the adoption of a sales and use tax for financing local public transportation systems within the special district; and

WHEREAS, the Research Triangle Regional Public Transportation Authority d/b/a/ Triangle Transit, also known as GoTriangle ("GoTriangle") is a regional public transportation authority created pursuant to Article 26 of Chapter 160A of the North Carolina General Statutes with the authority to create a special district on behalf of its member counties, which includes the counties of Durham, Orange, and Wake; and

WHEREAS, GoTriangle, Capital Area Metropolitan Planning Organization (CAMPO), Wake County, Town of Cary, City of Raleigh, Raleigh-Durham Airport Authority, N.C. State University, and the Research Triangle Foundation have worked in partnership to prepare the Recommended Wake County Transit Plan ("Wake County Transit Plan"); and

WHEREAS, on December 8, 2015, the Wake County Transit Plan which includes the financial plan ("Financial Plan") required pursuant to N.C.G.S. § 105-508.1 was unveiled; and

WHEREAS, the Wake County Transit Plan creates stronger regional connections, establishes connections to all Wake County communities, improves frequent and reliable service in the urban areas, and enhances access to transit across Wake County; and

WHEREAS, GoTriangle, Wake County, and CAMPO desire to enter into an interlocal agreement ("Transit Governance Interlocal Agreement") that assigns roles and responsibilities related to the planning, implementation, finance, and governance of the Wake County Transit Plan and to ensure transparency and accountability for the Wake Transit Plan; and

WHEREAS, implementation of the Wake County Transit Plan and the Transit Governance Interlocal Agreement are both contingent upon financing derived from the levy of the additional one-half percent (1/2%) local sales and use tax pursuant to N.C.G.S. § 105-508, *et seq.*, for which the Board of Commissioners will hold a separate public hearing to consider whether an advisory referendum should be held on the question of whether to levy this additional tax; and

WHEREAS, pursuant to a resolution dated May 2, 2016, the Wake County Board of Commissioners ("Board") requested GoTriangle to expand the Western Triangle Tax District by adding the entire jurisdiction of Wake County and rename it the "Triangle Tax District" ("Special District") for the contemplated purpose of holding an advisory referendum on the levy of an additional one-half percent (1/2%) local sales and use tax pursuant to N.C.G.S. § 105-508, *et seq.* to fund the Wake County Transit Plan, subject to certain conditions by the Board; and

WHEREAS, one of the conditions imposed by the Board in its May 2, 2016 Resolution was the approval of the Wake County Transit Plan and execution of the Transit Governance Interlocal Agreement between Wake County, GoTriangle and CAMPO; and

WHEREAS, GoTriangle and CAMPO held a joint public meeting on May 18, 2016 to receive public comments on the Wake County Transit Plan and the proposed Transit Governance Interlocal Agreement; and

WHEREAS, on May 18, 2016, pursuant to authorizing resolution, the CAMPO Executive Board approved the Wake County Transit Plan inclusive of the Financial Plan, and the Transit Governance Interlocal Agreement; and

WHEREAS, on May 25, 2016, pursuant to authorizing resolution, the GoTriangle Board of Trustees expanded the Western Triangle Tax District to include the entire territory of Wake County, renamed the district the "Triangle Tax District", approved the Wake County Transit Plan inclusive of the Financial Plan, and the Transit Governance Interlocal Agreement, and at such time as Wake County conducts a public hearing and authorizes the Board to hold an advisory referendum on the levy of an additional one-half percent (1/2%) local sales and use tax for public transportation, directed the Board of Elections to call a special election for a referendum to be held in accordance with N.C.G.S. §163-287; and

WHEREAS, on May 26, 2016, GoTriangle filed a copy of the aforementioned May 25, 2016 resolution with the North Carolina Secretary of State in accordance with N.C.G.S. § 105-508, *et seq.*; and

WHEREAS, the Board of Commissioners has held a public hearing concerning the Wake County Transit Plan, including the Financial Plan and the proposed Transit Governance Interlocal Agreement and has additionally considered public comments submitted regarding the same; and

WHEREAS, a separate agreement setting forth a mutual understanding between GoTriangle, Durham County, Orange County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC-MPO), Burlington-Graham Metropolitan Planning Organization (BG-MPO) and CAMPO as to the relationship of multi-county transit plans and jointly approving the financial plan for the Special District will be considered at a future date.

NOW THEREFORE, the Board of Commissioners of Wake County resolves that:

1. The Recommended Wake County Transit Plan which includes the Financial Plan, is hereby approved.
2. The Transit Governance Interlocal Agreement is hereby approved substantially in the form attached and the County Manager is authorized and directed to execute the Transit Governance Interlocal Agreement.

3. The Clerk to the Board is hereby authorized and directed to mail or deliver a certified copy of this Resolution to GoTriangle, CAMPO and to file a copy of the same with the North Carolina Secretary of State within three days after the passage hereof.
4. This Resolution shall take effect upon its passage.

Adopted this 6th day of June, 2016.

Chairman
James West

ATTEST: _____
Denise Hogan
Clerk to the Board