

Item Title: Agreement to Scope and Content of Wake Transit Financial Plan

Specific Action Requested:

That the Board of Commissioners authorizes the County Manager to enter into, subject to terms and conditions acceptable to the County Attorney, a Financial Plan Agreement setting forth the mutual understanding of the parties as to the scope and content of the financial plan between Research Triangle Public Transportation Authority (GoTriangle); Durham County; Orange County; Wake County; Capital Area Metropolitan Planning Organization; Durham, Chapel-Hill, Carrboro Metropolitan Planning Organization; and Burlington-Graham Metropolitan Planning Organization.

Item Summary:

On June 6, the Wake County Board of Commissioners voted to officially adopt the recommended Wake County Transit Plan, the interlocal agreement that guides the ongoing planning funding, expansion and construction of the plan, and the authorization of an advisory referendum for a ½ cent sales tax for transit, a key source for funding implementation of the plan. The advisory referendum is scheduled for November 8, 2016.

If the sales tax is approved by the voters, proceeds would be allocated to the multi-County special tax district inclusive of Wake, Durham and Orange Counties. Although Wake County would be part of a multi-County district, it is important to know that the Transit Governance Interlocal Agreement between Wake County, GoTriangle and the Capital Area Metropolitan Planning Organization creates strict requirements related to accounting and reporting of revenues and expenditures for the Wake County Transit Plan. The expenditure of sales tax dollars collected in Wake County must be used solely and explicitly for implementation of the Wake County Transit Plan. Additionally, no Wake County tax revenue or Wake Transit Plan revenue shall be pledged or appropriated to cover debt service, encumbrances, or operating or other expenses that do not arise from the Wake County Transit Plan. However, this does not preclude support for regional projects in which agencies may partner with others to accomplish key elements of the Wake County Transit Plan.

The County's entry into the special district was conditioned upon the execution of an agreement between GoTriangle, Durham County, Orange County, CAMPO, DCHC-MPO, and BG-MPO, approving the Wake County Financial Plan as required by GS 105-508.1, and defining the terms governing the collection and expenditure of revenues for transit systems within the special district.

The attached agreement acknowledges that the transit plans within the Special District are parallel and separate. To that end, the Agreement provides that 100 percent of all transit revenues collected on behalf of Durham and Orange counties will remain solely dedicated and segregated for the benefit of the Durham-Orange Transit Plan. Likewise, all transit revenues collected on behalf of Wake County will be segregated and solely dedicated to fund the Wake Transit Plan. Accordingly, the agreement defines equitable

use of net proceeds for each respective financial plan. To the extent that there are regional transit projects crossing the jurisdictional boundaries of Wake, Durham, or Orange counties, the Agreement clarifies that nothing restricts the parties from entering into Cost Sharing Agreements for the same.

The agreement also clarifies the independence of the transit plans such that Durham County, Orange County, DCHC-MPO, and BG-MPO acknowledge that they do not have input on the administration, finance, and governance of the Wake Transit Plan neither does Wake County has input on the administration, finance, and governance of the Durham-Orange Financial Plan, with the acknowledgement that the GoTriangle Board of Trustees has membership from both Orange, Durham, and Wake counties.

This attached agreement was approved in June by the Orange County Board of Commissioners, and in July by the Durham County Board of Commissioners. In August, DCHC-MPO, CAMPO MPO, Burlington-Graham MPO and the GoTriangle Board of Trustees approved the Financial Plan Agreement. It is the final component of the governance framework, established with the Boards approval of the Interlocal Agreement for the Wake Transit Plan.

Attachments:

1. Financial Plan Agreement