

RESOLUTION

WHEREAS, there exists a need to obtain school sites to be used by the Wake County Board of Education ("Board") and the Wake County Public School System to serve the citizens of Wake County; and

WHEREAS, the Board has identified a specific need for a new elementary school in the southeastern Raleigh area to provide instruction to the public school students in Wake County; and

WHEREAS, on June 21, 2016, the Board entered into a Memorandum of Understanding with the The YMCA of the Triangle Area, Inc. (YMCA) to memorialize their desire to collaboratively explore a proposed partnership between the Board and YMCA for development of a facility that includes an elementary school and a YMCA upon YMCA-owned property located at 1436 and 1440 Rock Quarry Road in southeastern Raleigh; and

WHEREAS, the proposed site lies within the planned E-46 future elementary school target area as included in CIP 2017-2023; and

WHEREAS, as the real property upon which the project would be located is not owned by the Board, following consideration of alternative delivery methods for the project by Board counsel and YMCA together with staff input, approval of utilization of a Public Private Partnership delivery method pursuant to N.C.G.S.143-128.1C and 160A-20 for this unique project is recommended; and

WHEREAS, it is in the Board's best interest to proceed at this time with a public-private project pursuant to N.C.G.S.143-128.1C; and

WHEREAS, pursuant to statutory requirements, a Request for Qualifications was issued seeking qualifications from developers, and following due consideration of the qualifications packages submitted by private developers and other relevant information, Board staff recommends selection of YMCA as developer to perform the public-private project; and

WHEREAS, material terms and conditions of a Development Agreement have now been reached with YMCA to memorialize the intended process for a proposed public private partnership project regarding the funding structure, design, development, lease and joint use of facilities that include an elementary school and YMCA; and

WHEREAS, in accordance with N.C.G.S.143-128.1C, the Board must advertise the terms of a proposed development contract in a newspaper having general circulation within the county in which the Board is located at least 30 days prior to entering into the Development Agreement; and

WHEREAS, in accordance with N.C.G.S.143-128.1C the Development Agreement shall be considered in an open meeting of the Board following a public hearing on the proposed Development Agreement, and notice of the public hearing must be published in the same notice as the advertisement of the terms.

NOW THEREFORE, BE IT RESOLVED:

1. That the Board hereby determines and finds as fact that it has a critical need for the capital improvement project described herein.
2. That it is in the Board's best interest to proceed at this time with a public-private project pursuant to N.C.G.S.143-128.1C and authorizes the following:
 - a. The Board approves the selection of YMCA as developer of the capital project.
 - b. A public hearing regarding the proposed Development Agreement shall be had on December 20, 2016, at the Board's regularly scheduled meeting
 - c. The Board intends to consider approval of the terms of the proposed Development Agreement following the public hearing at its regularly scheduled meeting.
 - d. The Board authorizes and directs that the public hearing date, the terms of the proposed Development Agreement, and the Board's intent to consider approval of the Development Agreement following the public hearing be advertised at least 30 days in advance of the public hearing date.

Resolved this 15th day of November, 2016.

WAKE COUNTY BOARD OF EDUCATION

By: _____
Thomas C. Benton, Board Chair

Attest: _____
James G. Merrill, Secretary