



Legislation Details (With Text)

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Type: Discussion Item **Status:** Passed

File created: 11/30/2018 **In control:** Town Council

On agenda: 12/5/2018 **Final action:** 12/5/2018

Title: Consider Authorizing the Town Manager to Execute a Cooperative Agreement with GoTriangle on the Durham-Orange Light Rail Transit Project.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution, 2. Revised Cooperative Agreement-Redlined_11-30-18, 3. Revised Cooperative Agreement-Clean_11-30-18, 4. DOLRT Reimbursement Agreement, June 2018, 5. Staff Presentation, 6. Council Questions with Staff Response with Attachments, 7. Emails from the Public, 8. Joan Guilkey Comments

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|---------------------|--------|
| 12/5/2018 | 1 | Town Council | Agreed by Consensus | Pass |

Consider Authorizing the Town Manager to Execute a Cooperative Agreement with GoTriangle on the Durham-Orange Light Rail Transit Project.

Staff:

Ben Hitchings, Director
Judy Johnson, Operations Manager
Bergen Watterson, Transportation Planning Manager

Department:

Planning

Overview: GoTriangle requests a Cooperative Agreement with the Town of Chapel Hill to outline how the two organizations will work together efficiently during the remaining design and construction of the Durham-Orange Light Rail line. The proposed agreement attached describes roles, responsibilities, and procedures to minimize impacts on the Town and help ensure that the light rail project is built in a timely and cost-effective manner. GoTriangle is seeking similar agreements with about a dozen organizations and agencies including the City of Durham, UNC-Chapel Hill, and Duke Energy, as well as right-of-way approvals from the N.C. Department of Transportation (NCDOT). The Town’s legal, planning, and engineering staff have reviewed the agreement and worked with GoTriangle to revise it and provide this final draft.

☆ **Recommendation(s):**

That the Council adopt the resolution authorizing the Town Manager to execute a Cooperative Agreement with GoTriangle to ensure coordination on the design and construction of the light rail line.

Updates: In response to Council direction at the Council meeting on November 28, 2018, staff from the Town and GoTriangle have taken the draft City of Durham Cooperative Agreement with GoTriangle and amended it to include unique elements from the draft Chapel Hill agreement. In addition, staff has added provisions to address the Council’s interest on the following topics, among others:

- Stormwater standards and management;
- Parking lot landscaping;

- Relocation of public utilities;
- Environmental evaluations;
- Opportunities for public input;
- Noise impacts; and
- Cost reimbursement.

An annotated, redlined version of the revised agreement is attached to show how it compares with the Durham agreement.

Background: The Durham-Orange Light Rail Transit Project is a major investment in public transportation infrastructure and is eligible for federal funding through FTA’s Capital Investment Grant (CIG) program. The Project is a light rail transit service with stations located at major activity centers in the Town of Chapel Hill and the City of Durham along a 17.7-mile segment. The Project is currently in the Engineering phase of the CIG program. During this phase, Project sponsors (GoTriangle) must satisfy several requirements, including the completion of selected third party agreements including the Cooperative Agreement with the Town. The Town has already signed a Reimbursement Agreement for GoTriangle to repay the Town for staff time spent reviewing the project plans.

The Cooperative Agreement outlines roles and responsibilities for GoTriangle and the Town to facilitate successful completion of the project, should it move forward. The Agreement outlines how GoTriangle and the Town will work together to cooperatively review and resolve matters related to engineering and design, construction, mitigation, bicycle and pedestrian improvements, operations, and maintenance.







Most of the infrastructure and facilities associated with the Durham-Orange Light Rail line are exempt from local regulation under North Carolina state statutes; however, the Cooperative Agreement would commit GoTriangle to securing an Engineering Construction Permit (ECP) from the Town before beginning construction. The Town issues an ECP after reviewing development and infrastructure projects for compliance with the Town’s Public Works Engineering Design Manual, including construction specifications for site features such as streets and sidewalks, stormwater management facilities, and parking. In addition, GoTriangle has agreed to minimize tree clearing and include replacement landscaping where feasible.

The Agreement does not commit the Town to prioritizing inspection of this project over other development and infrastructure projects.

The Agreement includes a provision noting GoTriangle’s obligation to follow all applicable labor wage laws, such as the Davis-Bacon Act, as well as a commitment to provide for public involvement in the design of the stations, including features such as platforms.

Fiscal Impact/Resources: The project involves a commitment of staff time to conduct review and inspections, similar to other development and infrastructure projects in the Town. The Cooperative Agreement references a separate reimbursement agreement in which GoTriangle agrees to reimburse Town staff time spent on reviewing the engineering plans for the light rail project.

Council Goals:

| | | | | | |
|-------------------------------------|---|------------------------------|-------------------------------------|---|----------------------------------|
| <input checked="" type="checkbox"/> |  | Create a Place for Everyone | <input type="checkbox"/> |  | Develop Good Places, New Spaces |
| <input checked="" type="checkbox"/> |  | Support Community Prosperity | <input checked="" type="checkbox"/> |  | Nurture Our Community |
| <input checked="" type="checkbox"/> |  | Facilitate Getting Around | <input type="checkbox"/> |  | Grow Town and Gown Collaboration |



Attachments:

- Resolution
- Revised Cooperative Agreement-Redlined_11-30-18
- Revised Cooperative Agreement-Clean_11-30-18
- DOLRT Reimbursement Agreement, June 2018

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Bergen Watterson, Transportation Planning Manager, Town of Chapel Hill
John Tallmadge, Interim Durham-Orange Light Rail Transit Project Director

RECOMMENDATION: That the Council adopt the resolution authorizing the Town Manager to execute a Cooperative Agreement with GoTriangle to ensure coordination on the design and construction of the light rail line.