



# TOWN OF CHAPEL HILL

Town Hall  
405 Martin Luther King Jr.  
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Chapel Hill, NC 27514

## Legislation Details (With Text)

**File #:** [23-0448]      **Version:** 1      **Name:**

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**File created:** 4/25/2023      **In control:** Town Council

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**Title:** Authorize the Mayor to Execute a Comprehensive Participation Agreement, A Component of the Orange County Transit Governance Interlocal Agreement.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Comprehensive Participation Agreement v.pdf, 2. 2023-03-08 (23-148) Orange County ILA, 3. A RESOLUTION TO AUTHORIZE THE MAYOR TO EXECUTE A COMPREHENSIVE PARTICIPATION AGREEMENT, A COMPONENT OF THE ORANGE COUNTY TRANSIT GOVERNANCE INTERLOCAL AGREEMENT (2023-05-24/R-5)

Date	Ver.	Action By	Action	Result
5/24/2023	1	Town Council	adopted	Pass

### Authorize the Mayor to Execute a Comprehensive Participation Agreement, A Component of the Orange County Transit Governance Interlocal Agreement.

**Staff:**

Brian Litchfield, Director  
Caroline Dwyer, Planning Manager

**Department:**

Transit

**Overview:** The Comprehensive Participation Agreement is a component of the recently updated Orange County Transit Governance Interlocal Agreement (ILA). The Transit Governance Interlocal Agreement (ILA) was originally executed in 2012, following the adoption of Orange County’s half-cent sales tax for transit. The ILA establishes a governance structure for implementing Orange County’s Transit Multi-Year Vision Plan (Transit Plan) and Transit Annual Work Program (Work Program) and is executed by Research Triangle Regional Public Transportation Authority (“GoTriangle”), Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (“DCHC MPO”), and Orange County. The Transit Plan and Work Program describe transit-related projects that will be funded using Orange County Tax District Revenues.

Tax district revenues are collected and disbursed by GoTriangle, as the tax district administrator. A percentage of Orange County’s tax district revenues are allocated to Chapel Hill Transit (CHT), a transit service provider in Orange County. Tax district revenues fund important projects including multiyear systemwide service expansions, the purchase of new transit vehicles, the electrification of CHT’s fleet, and nearly \$30 million dollars of local funding for the North-South Bus Rapid Transit (NSBRT)’s capital improvement grant.

The governing boards of the three ILA Parties (GoTriangle, DCHC MPO, and Orange County) recently adopted a revised version of the ILA. The updated ILA formalizes requirements for allocating, receiving, and distributing transit tax district revenues to eligible project sponsors, including CHT, in a Comprehensive Participation Agreement (CPA). Many of the CPA’s requirements have been followed since the original ILA was adopted in 2012 but were never documented in a formally executed agreement. To

remain eligible to implement projects using transit tax district revenues, the Town of Chapel Hill is required to execute the CPA.

The CPA also provides more specific guidance for roles and responsibilities related to the Staff Working Group (SWG), the body that oversees and approves allocation of Orange County's transit tax revenues through the Work Program each year. Since 2012, Chapel Hill staff have participated in the SWG in an advisory role. The updated ILA allows the Town two voting members on the SWG (one staff member representing the Town, generally; one staff member representing Chapel Hill Transit; and one alternate). Staff members are designated by their respective Department Heads. Staff currently participating in an SWG advisory role include Nick Pittman, Transit Assistant Director; Caroline Dwyer, Transit Planning Manager; and Bergen Watterson, Transportation Planning Manager. This is a meaningful change giving the Town's SWG representatives an opportunity to play a more significant role in how transit tax dollars are spent in Orange County. Other jurisdictions gaining voting power include the Town of Carrboro, the Town of Hillsborough, and the City of Mebane (with one voting member each). Triangle J Council of Governments (TJCOG) and University Of North Carolina, Chapel Hill (UNC Chapel Hill) will continue to participate on the SWG in an advisory role, with no voting members.

Specific provisions of the CPA include:

- Defining eligibility for participating in the development of Orange County's Transit Annual Work Program
- Defining eligibility for receiving funding generated by Orange County's Transit Tax or other Dedicated Local Transit Funding Sources (administered by GoTriangle or Orange County)
- Documenting all Parties' commitment to implementing the most up-to-date Orange County Transit Annual Work Program and participating in the annual update process
- Defining expectations for:
  - Participating in the Staff Working Group (SWG)
  - Executing implementation agreement(s) for projects in the annual Work Program
  - Implementing projects included in the Annual Work Program
  - Reviewing the Work Program each year to assess project status and reallocate funding, if necessary.



### **Recommendation(s):**

That the Council authorize the Mayor to execute the Comprehensive Participation Agreement.

### **Key Issues:**

- The CPA documents and formalizes processes and procedures that have been followed since the original ILA was adopted in 2012
- The CPA defines the Town's new and more meaningful role as a voting member of the Staff Working Group
- Orange County Transit Tax District Revenues fund important transit projects in Chapel Hill

**Fiscal Impact/Resources:** Approximately 13% of Chapel Hill Transit's budget is generated by Orange County Tax District Revenues, including all the NSBRT's local funding match (20% of total capital project cost).



### **Attachments:**

- Resolution
- Comprehensive Participation Agreement
- Transit Governance Interlocal Agreement (ILA) between Orange County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, and Research Triangle Regional Public Transportation Authority

**A RESOLUTION TO AUTHORIZE THE MAYOR TO EXECUTE A COMPREHENSIVE PARTICIPATION AGREEMENT, A COMPONENT OF THE ORANGE COUNTY TRANSIT GOVERNANCE INTERLOCAL AGREEMENT (2023-05-24/R-5)**

WHEREAS, the Research Triangle Regional Public Transportation Authority ("GoTriangle"), Durham-Chapel Hill-Carrboro Metropolitan Planning Organization ("DCHC MPO"), and the County of Orange ("Orange County") adopted the Orange County Transit Governance Interlocal Agreement ("Governance ILA") that creates a governance structure for the implementation of the Orange County Transit Multi-Year Vision Plan by and through the Orange County Transit Annual Work Program; and

WHEREAS, the Governance ILA establishes the Staff Working Group ("SWG"), comprised of staff representatives from the Governance ILA Parties and the Implementation Partners, and charged the SWG with coordinating and recommending the planning and implementation aspects of the Orange County Transit Annual Work Program; and

WHEREAS, Section 2.040 of the Governance ILA formally defines a Comprehensive Participation Agreement ("CPA") establishing standards governing eligibility for inclusion of sponsored Implementation Elements in the Orange County Transit Annual Work Program and receipt of any funding allocation from Orange County Transit Tax Revenue and other Dedicated Local Transit Funding Sources; evidencing acceptance of the most up-to-date Orange County Transit Annual Work Program (now and in the future) and the associated annual update process; and confirming roles in carrying out Staff Working Group (SWG) responsibilities; and

WHEREAS, the Parties to the CPA and the Implementation Partners, have or may have specific roles in public transit implementation and public transit infrastructure support in Orange County, they have determined it is in their best interest and that of their constituents to coordinate future public transit planning, funding, expansion and construction; and

WHEREAS, the Town of Chapel Hill and Chapel Hill Transit require Orange County Transit Tax District revenues to continue providing high-quality transit service now and in the future; and

WHEREAS, to remain eligible to include projects in the Orange County Transit Annual Work Program and receipt of any funding allocation from Orange County Transit Tax Revenue and other Dedicated Local Transit Funding Sources, the Town of Chapel Hill is required to execute the CPA; and

WHEREAS, local Governmental Parties are authorized to enter into this Comprehensive Participation Agreement pursuant to, inter alia, N.C.G.S. 160A-20.1; 160A-312; 160A-313; 160A-610; 153A-275; 153A-276; and 153A-449.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council authorize the Mayor to execute the Comprehensive Participation Agreement, a component of the Orange County Transit Governance Interlocal Agreement, between the Town of Chapel Hill, Research Triangle Regional Public Transportation Authority (GoTriangle), Durham-Chapel Hill-Carrboro Metropolitan Planning organization (DCHC MPO), County of Orange, Town of Carrboro, Town of Hillsborough, and City of Mebane, and in coordination with Triangle J Council of Governments (TJCOG) and University Of North Carolina, Chapel Hill (UNC Chapel Hill), as described in the May 24, 2023 meeting materials.

This the 24<sup>th</sup> day of May, 2023.

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

By adopting the resolution, the Council authorizes the Mayor to execute the Comprehensive Participation Agreement, a component of the Orange County Transit Governance Interlocal Agreement, between the town of Chapel Hill, Research Triangle Regional Public Transportation Authority (GoTriangle), Durham-Chapel Hill-Carrboro Metropolitan Planning organization (DCHC MPO), County of Orange, Town of Carrboro, Town of Hillsborough, and City of Mebane, and in coordination with Triangle J Council of Governments (TJCOG) and University Of North Carolina, Chapel Hill (UNC Chapel Hill).