



Official Agenda

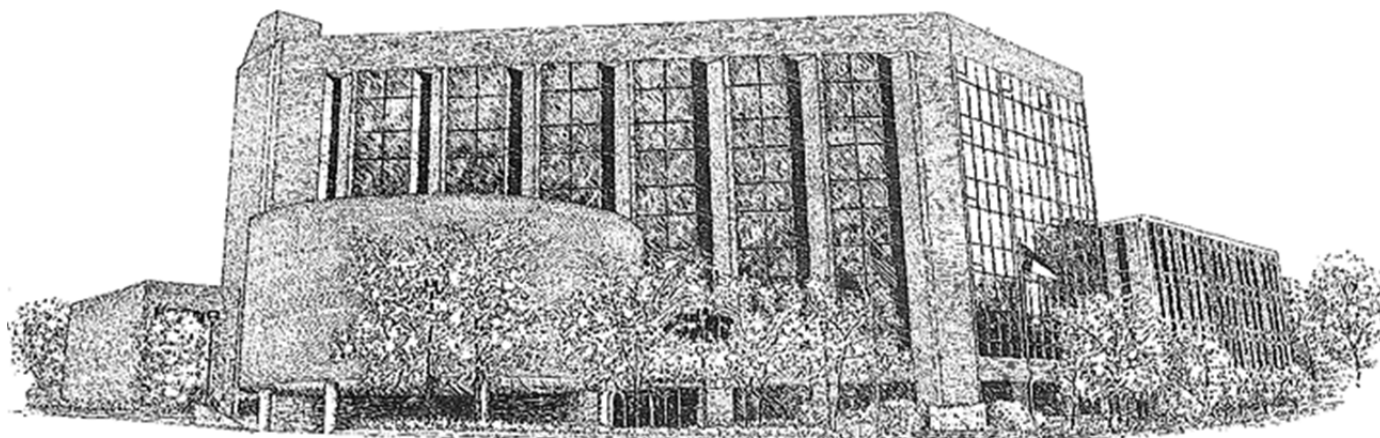
RALEIGH CITY COUNCIL

Nancy McFarlane, Mayor
Kay C. Crowder, Mayor Pro Tem
Mary-Ann Baldwin
Corey D. Branch
David N. Cox
Bonner Gaylord
Russ Stephenson
Dickie Thompson

4:00 P.M. WORK SESSION

TUESDAY, JANUARY 10, 2017
CONFERENCE ROOM 305

Avery C. Upchurch Government Complex



222 West Hargett Street, Raleigh, North Carolina 27602

A. MEETING CALLED TO ORDER BY THE MAYOR**B. AGENDA****1. Wake County Transit Referendum Update**

Eric Lamb, Transportation
David Eatman, Transportation

Staff will provide an update on current and future activities associated with the Wake County Transit Plan. Staff will review future agreements that will be required to implement elements of the Wake Transit Plan as well as an initial review of the capital, planning and operating funds and services anticipated in FY2018.

2. Highwoods Sidewalk Public/Private Proposal

Eric Lamb, Transportation

During the June 21 Council work session, staff reviewed a proposal from Highwoods Properties to enter into a public-private partnership for the purpose of constructing sidewalks along Highwoods Boulevard from Atlantic Avenue to Capital Boulevard. An update was provided during the December 6 regular Council meeting. Staff has since received revised agreement terms regarding this proposed partnership that require input and direction from the City Council.

3. Oberlin Road Roundabouts

Eric Lamb, Transportation

During the October 18 Council work session, staff was requested to engage in discussions with representatives of Kimberly Development Group regarding the potential for a public-private partnership to construct a roundabout at the intersection of Oberlin Road and Van Dyke Avenue.

Staff has conducted an evaluation of this roundabout in conjunction with a second roundabout at Mayview Road as options to avoid widening this section of Oberlin Road. Staff will provide an overview of the operational and cost elements of a dual-roundabout scenario compared to a typical street widening with reference to guidelines associated with the 2030 Comprehensive Plan.

4. Public Private Partnership (P3) Framework

Michael Rogers, Transportation

Staff will provide an update on a policy framework for Public Private Partnerships (P3). The discussion will consider investment partnerships that meet the desirability and feasibility criteria set forth in the proposed policy. The proposed policy will not be an entitlement of any City funds even if the project meets the criteria set forth within the policy. The P3 proposed policy will be a flexible means for the City to enter into cost sharing agreement with developers that meet the qualifying requirements.



City of Raleigh North Carolina

January 4, 2017

MEMORANDUM

TO: Ruffin Hall
City Manager

FROM: Eric J. Lamb, PE
Transportation Planning Manager

SUBJECT: Highwoods Sidewalk Public/Private Partnership Proposal Update

The City has received a counterproposal from Highwoods Properties representing the Highwoods Property Owners Association for the proposed sidewalk along Highwoods Boulevard from Atlantic Avenue to Capital Boulevard. There are several important changes proposed by Highwoods in this counterproposal; a summary of those changes are attached.

The major sticking points associated with this current proposal are 1) their proposed participation cap at \$300,000; and 2) their inability to guarantee dedications of right-of-way or easements to construct the sidewalks. This last item is significant as it introduces an open ended cost element that could complicate this project.

With respect to funding, the Office of Budget and Management has evaluated several options for using existing CIP accounts to provide the City's match. Their staff recommends utilizing the Sidewalk Petition account, which is used for funding petition-based sidewalk projects on neighborhood streets. This program has sufficient fund balance to potentially absorb these costs in the short term.

If you have additional questions about this item, please advise.

Attachments

Cc: Tansy Hayward
Michael Rogers
Ben Canada

Highwoods Sidewalk P3 - Terms Comparison 1-3-17

City's Terms	Highwoods Terms	Recommended Resolution
Agreement Structure		
Two-party agreement (City + Highwoods Property Owner's Association)	Three-party agreement (City, Highwoods Property Owner's Association, and Dean Debnam)	Proceed with three-party agreement
Scope		
Sidewalks on Highwoods Blvd.	Sidewalks on Highwoods Boulevard, Smoketree Court and Poplarwood Court	Include all three streets
Design Funding + Schedule		
City to provide 100% design (Estimated at additional \$120k - \$150k, but subject to procurement process) with no specific dates	Design complete by 3/31/17. Design costs to be shared, but included under \$300,000 participation cap	Highwoods to procure engineering firm to accelerate project delivery, subject to \$300,000 participation cap
Easements & Right-of-Way		
Highwoods to provide 100% of all required property to construct sidewalks	Highwoods to share costs of right-of-way and easement acquisition 50/50	Sign relocation costs to be covered; Highwoods to explore easement donation by adjacent property owners
Funding		
Highwoods to front 100% of all project costs, with payback of 50% by the City, with payback by the City within 10 years	Highwoods to provide 50% of the project costs not to exceed \$300,000. Debnam will front the remaining cost of the project, with payback by the City within 5 years	To be determined
Project Completion		
No request	Construction complete by 3/31/18	To be determined

Highwoods Sidewalk Public/Private Agreement Terms

Draft 11/18/16

Association and Debnam Response: 12/5/16

Scope:

Party 1: The City of Raleigh (“The City”)

Party 2: Highwoods Property Owners Association (“The Association”)

Party 3: Dean Debnam, or affiliated entity to be determined (“Debnam”)

The Project: The City shall be responsible for constructing~~Construct~~ 6' sidewalks along both sides of Highwoods Boulevard from Atlantic Avenue to Capital Boulevard as well as along both sides of Smoketree Court and Poplarwood Court.

Terms:

The City will be responsible for covering the cost of the design of The Project, which design will be finalized on or before March 31, 2017.

The Association will help coordinate obtaining~~be responsible for providing 100% of~~ all easements required to build The Project provided that any cost associated with such easements shall be shared equally between the Association and the City as a cost of the Project.

The Association shall provide ~~100~~50% of the costs required to construct The Project, up to a total of \$300,000, including engineering costs, costs to obtain necessary easements, and costs associated with construction administration. Debnam shall provide 50% of the costs required to construct the Project initially provided that the City shall reimburse Debnam all such costs upon City-approved funding for the Project but in no event later than the date which is five (5) years from the date of the Definitive Agreement (defined below). The cost of The Project is currently estimated to be \$600,000. The Project will be completed on or before March 31, 2018.

~~The City shall reimburse the Association for 50% of the actual cost of construction and construction administration. The timing of the reimbursement shall be at such time that The Project is prioritized for funding as part of the city’s adopted sidewalk program, or within 10 years, whichever is less.~~

Documentation:

The parties will enter into a three-party agreement (the “Definitive Agreement”) on or before December 31, 2016 to document the terms outlined herein along with other commercially reasonable terms and conditions associated therewith.

