

## ATTACHMENT D

# WAKE COUNTY TRANSIT PLAN: IMPLEMENTATION

**From:** Bret Martin, Wake Transit Program Manager, Capital Area MPO

**To:** Wake County Transit Planning Advisory Committee (TPAC)

**Date:** 10/5/2020

**Re:** Summary of Requested FY 2021, 1st Quarter Work Plan Amendment

One (1) amendment request that impacts the Fiscal Years (FY) 2020 and 2021 Wake Transit Work Plans was submitted for consideration of approval in the 1<sup>st</sup> quarter of FY 2021. The amendment request was reviewed by CAMPO staff to determine the appropriate amendment type classification (major versus minor) as outlined in the Wake Transit Work Plan Amendment Policy. The amendment request is categorized as a 'Major Amendment' for the following reasons:

- 1) The requested amendment requires a change in budgeted reserves to allocate the requested funding to a specific project sponsor; and
- 2) The requested amendment involves the creation of a new project with a scope that goes beyond the scope of the original reserve allocation.

The amendment request was released for public comment from August 7, 2020, through September 6, 2020. No public comments were received.

The requested amendment, if approved, would allocate \$1.1 million from Project TC004-A (Project Development for Commuter Rail from Garner to Western Durham – Wake Share) to GoTriangle to reimburse the Federal Transit Administration (FTA) for its financial interest in five (5) parcels along the planned commuter rail corridor in Wake County. Also included in the scope of the request is the demolition of a structure on one of the parcels and a small contingency for additional potential expenses. The request originally submitted by GoTriangle was for \$1.4 million but was subsequently reduced to an updated requested amount of \$1.1 million. The parcels were previously purchased by GoTriangle with FTA funds in support of a rail project under development in prior years. The FTA's ownership share in the parcels is 55.7 percent. This reimbursement would give GoTriangle a 100 percent ownership interest in the subject parcels. GoTriangle plans to maintain the parcels for project-related uses, such as station facilities and laydown areas for construction and contractor access, should construction of a commuter rail project proceed.

Attached to this memorandum are the following:

- Proposed FY 2021 Q1 Amendment List (released for public comment)
- Completed Amendment Request Form (released for public comment)
- Joint Budget & Finance/Planning & Prioritization Subcommittee Disposition Memo and Voting Record
- Maps Identifying the Subject Parcels and Relevance to the Commuter Rail Corridor

A scope and financial disposition for the amendment request was developed by the Planning & Prioritization and Budget & Finance Subcommittees and recommended to the TPAC at a joint meeting held on August 25<sup>th</sup>. The amendment request was first considered for recommendation of approval to the Wake Transit governing boards by the TPAC at its September 9<sup>th</sup> regular meeting, but the TPAC took action to table the request and cited the need to receive further supporting information identifying the locations of the subject parcels for evaluation of their relevance to the commuter rail corridor. Subsequent to the TPAC's September 9<sup>th</sup> meeting, GoTriangle provided this

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information and additional background information on the history of the subject parcels. Following is the additional information GoTriangle provided on the history of the subject parcels:

'GoTriangle has worked closely with the FTA on the utilization and disposition of properties acquired with New Starts funding in 2003 and 2004 for a regional rail project that did not advance to a full funding grant agreement. The FTA classified the parcels into four groups and issued written guidance in 2015 providing disposition instructions and conditions to be met in order to retain certain properties. GoTriangle provided a disposition and utilization plan to the FTA in 2016 and continues to provide regular updates. FTA agreed to allow GoTriangle to retain parcels on Lane Street for transit amenity storage as well as the parcels needed for the Raleigh Union Station Bus Facility (RUS Bus).

In order to retain the properties needed for the Greater Triangle Commuter Rail (GTCR) project, GoTriangle had to be in project development by the end of 2019. When the project did not advance to PD, the FTA directed GoTriangle to reimburse the federal interest in five parcels located in Wake County in a manner consistent with FTA C 5010.1E. Accordingly, GoTriangle may either sell the properties and return 55.7% of the proceeds to the FTA or retain the properties and reimburse the FTA 55.7% of the fair market value. These are the only remaining properties in Wake County owned by GoTriangle with a federal interest in them. GoTriangle strongly recommends retaining the parcels as they are needed for the GTCR.

The alternative to paying back the federal share would be to sell the properties, but then we run the risk of needing to buy them back in the future at a higher price or not being able to repurchase them at all.

We feel that these properties are important for the commuter rail project and potentially other Wake Transit projects. We request that the governing boards authorize the Wake Transit Plan to pay \$1.1 million dollars to buy out the federal shares of these five parcels.'

## FY 2021, Quarter 1, Requested Wake Transit Work Plan Amendment

### REQUESTED MAJOR AMENDMENT

Project ID #	Agency	Project Title	FY20 Original Funding Allocation	FY 21 Original Funding Allocation	FY21 Requested Funding Allocation	FY 21 Funding Impact	Reason for Major Amendment Status
Capital Budget Amendment Request							
TC004-A	GoTriangle	Commuter Rail from Garner to Western Durham (Wake County Share)	\$ 39,360,371.00	\$ -	\$ 1,100,000.00	\$ -	The original \$39,360,371 allocation for project TC004-A was placed in reserves in the Adopted/Amended FY 2020 Wake Transit Work Plan. This amendment request requires a change in budgeted reserves to allocate the requested funding to a specific project sponsor for a new but related project with an expanded scope beyond the scope of the original allocation.

Distributed for Public Comment on 8/7/2020

Public Comments Accepted Through 9/6/2020

Submit all comments to Bret Martin, Wake Transit Program Manager - Bret.Martin@campo-nc.us or 919-996-4410

<b>Wake Transit Project ID #</b>
TC004A2

**FY 2021  
Wake Transit Work Plan  
Project Amendment Request Form  
Operating and/or Capital**

<b>FY START DATE</b>
7/1/2020

Type of Amendment      **Minor**                       **Major**

Minor amendment – Required when there is:  
 A transfer of funds between budget ordinance appropriations but requires less than a 20% change to a project appropriation for projects equal to or greater than \$500,000  
 A transfer of funds between budget ordinance appropriations but requires less than a \$100,000 change to a project appropriation for projects less than \$500,000  
 Any change that does not meet any criteria of a major amendment

Major amendment - Required when there is:  
 A project requested to be added to the Work Plan  
 A project requested to be removed from the Work Plan  
 Significant changes in scope of funded project  
 A transfer between budget ordinance appropriations that requires equal to or greater than a 20% change to a project appropriation for projects greater than \$500,000  
 A transfer between budget ordinance appropriations that requires equal to or greater than a \$100,000 change to a project appropriation for projects less than \$500,000  
 Any change that requires a change in budgeted reserves or fund balance

New/Amended Project Name	Requesting Agency	Project Contact	Estimated Operating Cost	
CRT Related - Wake County Property	GoTriangle	Gary Tober - Director of Real Estate	Base Year	\$ -
		<a href="tel:919-485-7577">919-485-7577</a>	Recurring	\$ -
Estimated Start Date	Estimated Completion	Notes	Estimated Capital Cost	
11/01/20	TBD	Wake Transit Plan - Adopted Funding Cost Neutral	Base Year	\$ -
			Cumulative	\$ -

**Project Description**      Enter below a summary of the project amendment and impact on approved plan.

Appraisals for five (5) parcels have been ordered that are instrumental in connection with the Commuter Rail Project. The Federal interest of these parcels are due by the end of calendar year 2020 to retain their availability in the overall Commuter Rail project. Representatives from Wake County have indicated that they wish to retain the parcels for future use. GoTriangle desires to utilize previously approved Wake Transit funding associated with the Commuter Rail (currently in reserve) to reimburse the federal portion of the parcels. The cost neutral amendment will guarantee that the parcels will be available for future use. The parcels are within Wake County adjacent to the proposed commuter rail corridor, and would be used for project-related purposes including construction of station facilities and/or for contractor access and laydown areas during construction. The FY21 Durham Transit Work Plan includes funding for repayment of the federal share of similar parcels along the commuter rail corridor in Durham County.

**1. Enter Wake Transit Project ID(s) to Increase**

Project ID	Project	Appropriation Category	Amount	Recurring Amount	Notes
TC004A2	Wake County - CRT Related Properties	CRT - GoTriangle	\$ 1,100,000	\$ -	Reallocate funds currently in reserve to GoTriangle. This amendment is cost neutral.
<b>TOTAL</b>			<b>\$ 1,100,000</b>	<b>\$ -</b>	

**2. Wake Transit Project ID(s) to Reduce**

Project ID	Project	Appropriation Category	Amount	Recurring Amount	Notes
TC004A	Commuter Rail from Garner to Western Durham	CRT - Reserve	\$ 1,100,000.00	\$ -	Reallocate funds currently in reserve to GoTriangle. This amendment is cost neutral.
<b>TOTAL</b>			<b>\$ 1,100,000</b>	<b>\$ -</b>	

**3. Impact on Transit Plan Project Costs**

From above, indicate whether amounts impact operating or capital budgets in Wake Transit Plan.	Estimated Operating Cost	Current Year	\$ -
		Recurring	\$ -
	Estimated Capital Cost	Base Year	\$ -
		Cumulative	\$ -

**Project Justification / Business Case**      Provide responses to EACH of the questions below. Answer the questions as fully as possible. Enter Non-Applicable (N/A) as appropriate.

4. Is this New/Amended project Operating, Capital or Both?      **Operating**       **Capital**       **Both**

5. What is the timeframe for the request? Are you requesting a full year of funds or a partial year to be annualized in future fiscal years?

The amendment has zero financial impact to the Wake Transit Plan. The requested amount (from reserve) will impact FY21 Q2 as the payment is anticipated to be disbursed to the FTA (Federal Transit Administration) during the quarter.

6. What is the expected outcome(s) if this request is funded? What is the alternative if the request is not funded?

Possession of many key parcels that are needed for the CRT project will be surrendered. GoTriangle anticipates the price to reacquire the parcels will increase substantially if needed for a future project.

7. List below the Key Performance Indicators (deliverables) while this project is in progress. These performance measures will be reported quarterly. Are these the same measures as currently being reported?

a)	Appraisals Completed
b)	Payment Submitted to FTA
c)	Payment Accepted by FTA

8. List any other relevant information not addressed.

9. Please enter estimated appropriations to support expenses identified above. Enter FY 2021 and the estimated annualized cost in FY 2022 using the 2.5% growth factor, if applicable. The spreadsheet will calculate 2023 and beyond by 2.5%. If your project is not expected to have recurring costs in FY 2023 and/or beyond, delete the calculation(s) in columns E-H.

Cost Break Down of Project Request							
OPERATING COSTS	FY21	FY22	FY23	FY24	FY25	FY26	FY27
Growth Factors		2.50%	2.50%	2.50%	2.50%	2.50%	2.50%
Salary & Fringes			-	-	-	-	-
Contracts			-	-	-	-	-
Bus Operations:							
Estimated Hours			-	-	-	-	-
Cost per Hour			-	-	-	-	-
Estimated Operating Cost	-	-	-	-	-	-	-
Bus Leases			-	-	-	-	-
Park & Ride Lease			-	-	-	-	-
Other			-	-	-	-	-
Other			-	-	-	-	-
Subtotal: Bus Operations	-	-	-	-	-	-	-
Other: Administrative							
Other: Database Hosting			-	-	-	-	-
Other: Supplies and Materials			-	-	-	-	-
<b>TOTAL OPERATING COSTS</b>	-	-	-	-	-	-	-

10. Please enter estimated appropriations to support contractual commitments and other expenses related to proposed capital projects identified above.

CAPITAL COSTS	FY21	FY22	FY23	FY24	FY25	FY26	FY27
Design/NEPA	\$ -	-	-	-	-	-	-
Equipment	-	-	-	-	-	-	-
Land - Right of Way	-	-	-	-	-	-	-
<b>TOTAL CAPITAL COSTS</b>	-	-	-	-	-	-	-

Assumptions for Costs and Revenues Above:

11. Please state any assumption(s) used to calculate the capital and operating dollars and revenues shown above.

\$1.1M is anticipated to be the amount needed. The amendment is cost neutral as GoTriangle desires the utilization of approved previous year CRT funding that is currently in reserve. Financial assumption is based on discussions with the FTA and preliminary results from the appraisals performed on the parcels.

# WAKE COUNTY TRANSIT PLAN: IMPLEMENTATION

## **Joint Disposition and Voting Record**

### Joint Meeting of the Planning & Prioritization and Budget & Finance Subcommittees

August 25, 2020 – 1:30pm-2:00pm

Per the Wake Transit Plan Amendment Policy, the TPAC Budget & Finance and Planning & Prioritization Subcommittees are tasked with jointly reviewing the quarterly Work Plan draft amendment list and amendment request forms when Major Amendment requests are submitted. The subcommittees consider appropriateness of changes in scope and, if applicable, financial choices and tradeoffs associated with the proposed amendments and create a disposition for TPAC consideration. Upon review of the disposition and related amendment requests, the TPAC will make recommendations to the GoTriangle Board of Trustees and CAMPO Executive Board for approval or disapproval of requested amendments to the Work Plan. Following is the voting record and disposition from the joint meeting of the Budget & Finance and Planning & Prioritization Subcommittees held on August 25<sup>th</sup>, where the requested amendment was reviewed.

#### **Voting Members for Budget & Finance**

CAMPO, Bret Martin  
Wake County, Chris Dillon  
City of Raleigh, Shavon Tucker  
Town of Cary, Christine Sondej  
GoTriangle, Steven Schlossberg  
Town of Apex, Jenna Shouse  
Town of Garner, Gaby Lawlor  
Town of Fuquay-Varina, Allyssa Stafford

#### **Voting Members for Planning & Prioritization**

CAMPO, Bret Martin  
Wake County, Chris Dillon  
Town of Cary, Christine Sondej  
City of Raleigh, David Walker  
GoTriangle, Sharon Chavis  
Town of Apex, Jenna Shouse  
Town of Garner, Gaby Lawlor  
Town of Fuquay-Varina, Allyssa Stafford

#### **Other Attendees**

CAMPO (TPAC), Stephanie Plancich  
CAMPO, Evan Koff  
Town of Cary, Tony Wambui  
TJCOG, John Hodges-Copple

**Amendment Request Description:** The requested amendment, if approved, would allocate \$1.4 million [later changed to \$1.1 million] from Project TC004-A (Project Development for Commuter Rail from Garner to Western Durham – Wake Share) to GoTriangle to reimburse the Federal Transit Administration (FTA) for its financial interest in five (5) parcels along the planned commuter rail corridor in Wake County. GoTriangle has asserted that reimbursement of FTA's interest in these parcels is due by the end of calendar year 2020 to retain the parcels' availability to use for the planned commuter rail project. The parcels were previously purchased by GoTriangle with FTA funds in support of a rail project under development in prior years. The FTA's ownership share in the parcels is 55.7 percent. This reimbursement would give GoTriangle a 100 percent ownership interest in the subject parcels. GoTriangle plans to maintain the parcels for project-related uses, such as station facilities and laydown areas for construction and contractor access, should construction of a commuter rail project proceed.

# WAKE COUNTY TRANSIT PLAN: IMPLEMENTATION

## Joint Disposition and Voting Record

### Joint Meeting of the Planning & Prioritization and Budget & Finance Subcommittees

August 25, 2020 – 1:30pm-2:00pm

**Subcommittees' Disposition:** The Planning & Prioritization and Budget & Finance Subcommittees found that the scope for the project requested to be funded is appropriate for the continued implementation of commuter rail as envisioned in the Wake County Transit Plan and that funding the request does not involve an unwarranted re-appropriation of funds. The allocation of funding to the requested project would come from a reserve allocation set aside for commuter rail project development (Project TC004-A) in the FY 2020 Wake Transit Work Plan. While the scope of the project requested to be funded does not fall within the original scope of Project TC004-A, moving funds from the original allocation in reserve was found to be an appropriate use of that funding as GoTriangle continues to plan for implementation of commuter rail.

**Discussion:** In the subcommittees' discussion of the amendment request, it was further discussed that this amendment request would remove FTA's financial interest in all properties in Wake County for which it had previously established an interest. It was also noted that the reimbursement to FTA of its financial interest in both Wake and Durham Counties should be tracked and accounted for when discussions on cost share for a commuter rail project occur between the two counties. In the subcommittees' discussion on the item, GoTriangle noted that it would reimburse Wake Transit as revenue to the Wake Capital Fund should a commuter rail project not proceed and that this particular provision will be detailed in GoTriangle's agreement with the tax district. CAMPO mentioned that GoTriangle will need to provide identifying information for the five (5) parcels, such as addresses, to attach to the scope to be included for the requested project in an amended Work Plan. Many subcommittee members requested that the TPAC and its subcommittees take a closer look at establishing rules and expectations for Wake Transit's involvement in real estate interests, including rules for disposal of real property assets, if necessary.

**Vote:** A motion was made by David Walker (City of Raleigh) and seconded by Bret Martin (CAMPO) to forward this disposition to the TPAC. The subsequent vote was unanimous.

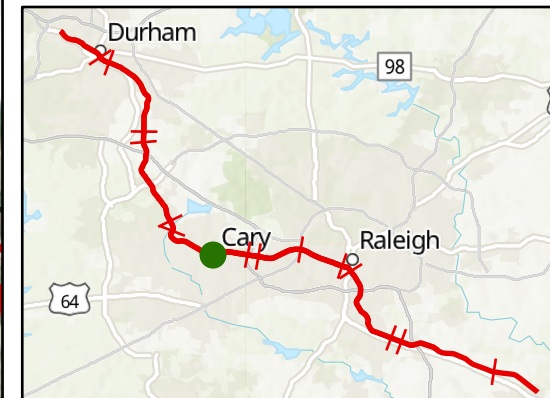
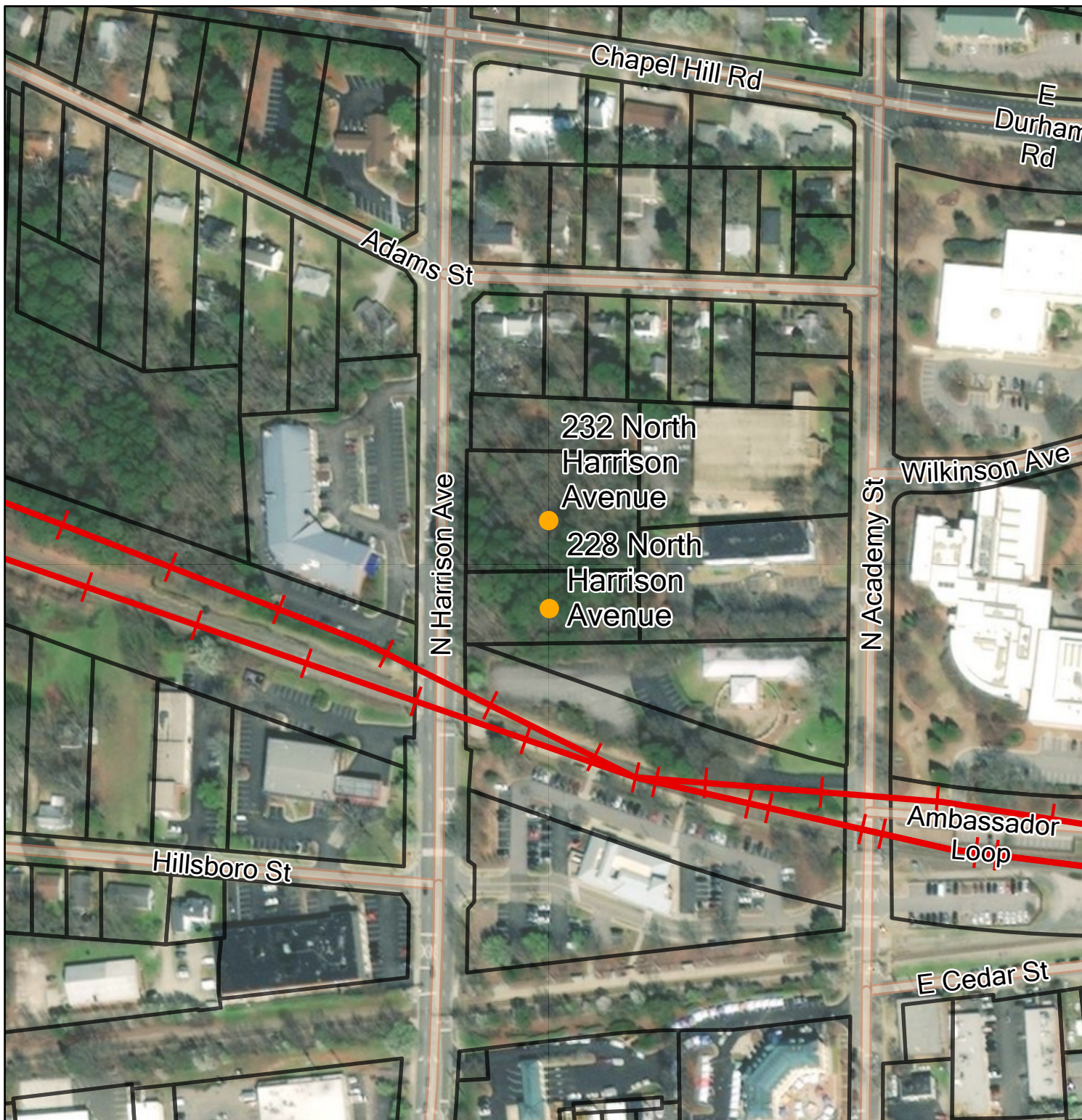


# FTA-assisted Parcels (Cary)

**Anticipated commuter rail use:**  
construction laydown, park and ride

**Potential other transit uses:**  
additional parking to support proposed Downtown Cary multi-modal facility including park and ride for BRT and other bus services and potential longer-term joint development

**Potential other non-transit uses:**  
affordable housing, mixed-use development, public facility, parkland, municipal parking



- Streets
- Parcels
- NCR Corridor

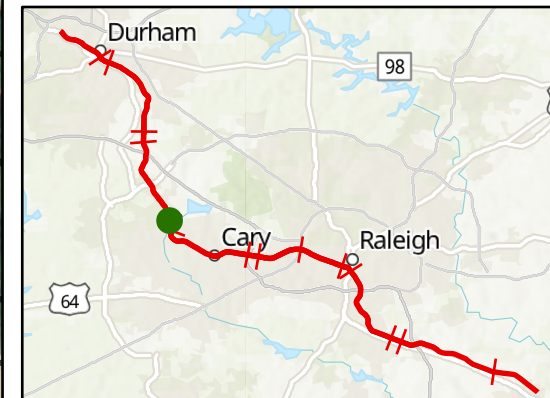
1" = 200'



# FTA-assisted Parcels (Morrisville)

**Anticipated commuter rail use:**  
construction access, possible street  
access to adjoining parcel

**Potential other non-transit uses:**  
parkland, open space



- Streets
- Parcels
- NCCR Corridor

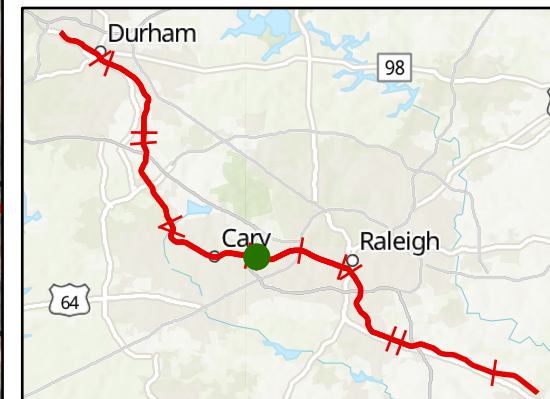
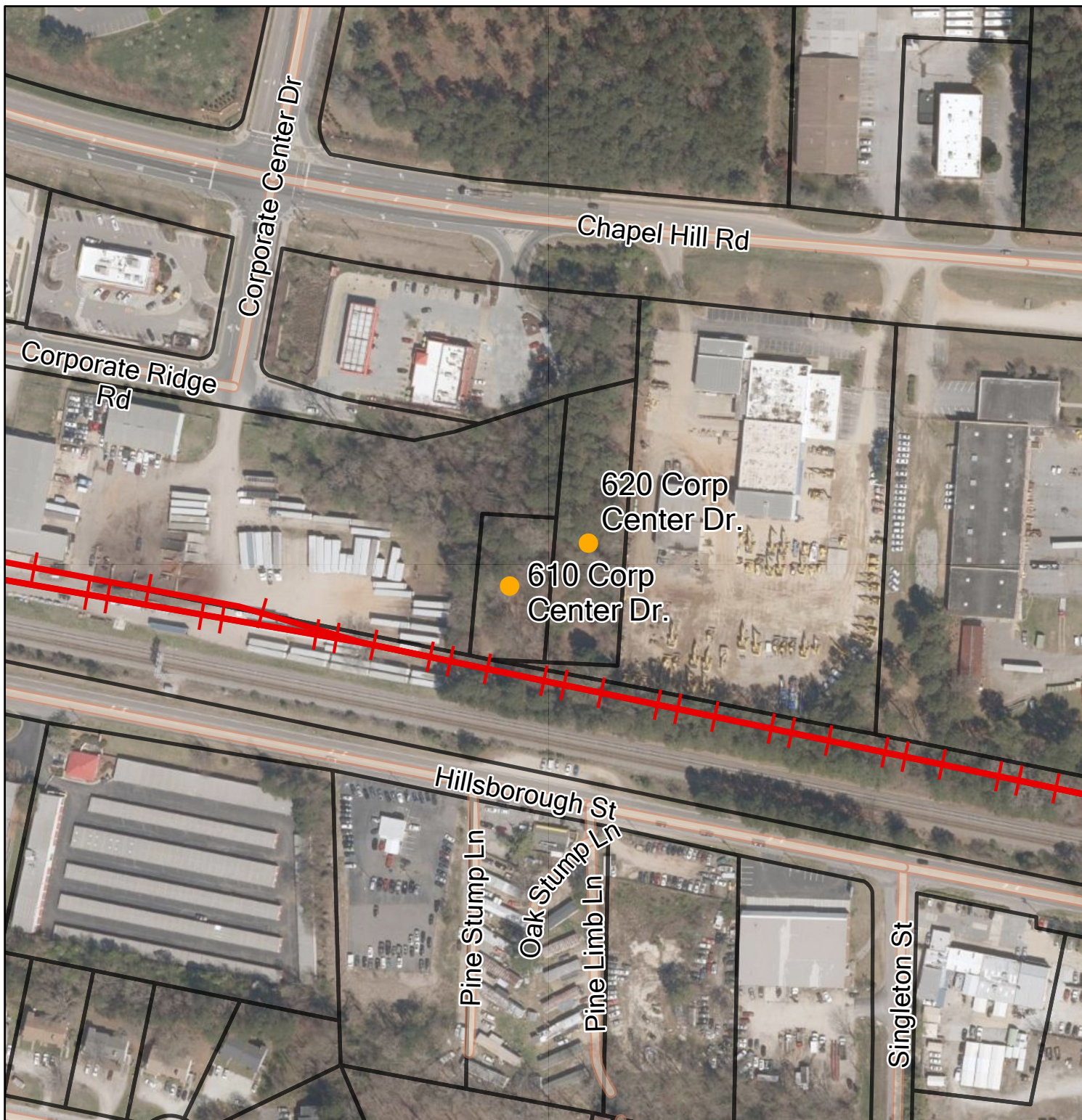
1" = 200'



# FTA-assisted Parcels (Raleigh)

**Anticipated commuter rail use:**  
station access, park and ride,  
possible construction laydown/access

**Potential other non-transit uses:**  
light industrial development



- Streets
- Parcels
- NCR Corridor

1" = 200'

