



WILMINGTON URBAN AREA Metropolitan Planning Organization

P.O. Box 1810
Wilmington, North Carolina 28402
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Members:

City of
WILMINGTON
Lead Planning Agency

Town of
CAROLINA BEACH

Town of
KURE BEACH

Town of
WRIGHTSVILLE BEACH

NEW HANOVER
County

Town of
BELVILLE

Town of
LELAND

Town of
NAVASSA

BRUNSWICK
County

PENDER
County

CAPE FEAR PUBLIC
Transportation
Authority

North Carolina
BOARD OF
TRANSPORTATION

Meeting Agenda

Wilmington Urban Area MPO
Transportation Advisory Committee

TO: Transportation Advisory Committee Members
FROM: Mike Kozlosky, Senior Transportation Planner
DATE: May 23, 2008
SUBJECT: May 28th Meeting

A meeting of the Wilmington Urban Area MPO Transportation Advisory Committee will be held on **Wednesday, May 28th** at 4pm. The meeting will be held in the Lord Spencer Compton Conference Room at 102 N. Third Street in downtown Wilmington.

The following is the agenda for the meeting:

- 1) Call to Order
- 2) Approval of Minutes:
 - a. 3/26/08
- 3) Public Comment Period
- 4) Presentation- NC Ports Authority- Bill Bennett
- 5) Old Business
- 6) New Business
 - a. Municipal Agreement with NCDOT for the Market Street Corridor Plan
 - b. Resolution requesting NCDOT consider Safe Routes to School funding for bicycle/pedestrian improvements at Independence Boulevard/Park Avenue
 - c. Resolution discouraging the use of the Adrian B Rhodes Reserve Center as a transitional housing and service center for the tri-county region
- 7) Discussion
- 8) Project Updates
 - a. Dow Road widening and extension
 - b. Monkey Junction Collector Street Plan
 - c. NCDOT Project Update
- 9) Announcements
 - a. NC Public Transportation Meeting- June 2nd-4th
 - b. NC SITE Mid-year Meeting- June 12th-13th
 - c. Wilmington Bike/ Pedestrian Committee Meeting- June 12th
- 10) Adjournment -- Next Meeting – June 25, 2008

Attachments:

- Minutes from 3/26 Meeting
- Municipal Agreement with NCDOT for the Market Street Corridor Plan
- Resolution supporting the Municipal Agreement with NCDOT for the Market Street Corridor Plan
- Resolution requesting NCDOT consider Safe Routes to School funding for bicycle/pedestrian improvements at Independence Boulevard/Park Avenue
- Resolution discouraging the use of the Adrian B Rhodes Reserve Center as a transitional housing and service center for the homeless
- NCDOT Project Update

Meeting Minutes
Wilmington Urban Area Metropolitan Planning Organization
Transportation Advisory Committee
Date: March 26, 2008

Members Present:

Lanny Wilson, Chairman, NCBOT
Laura Padgett, Vice-Chair, City of Wilmington
Bill Blair, Town of Wrightsville Beach
Bill Kopp, New Hanover County
Mac Montgomery, Town of Kure Beach
Bill Saffo, City of Wilmington
Bill Sue, Brunswick County
Tommy Wallace, Town of Leland
Mike Ballard, Town of Navassa
Nancy Pritchett, Cape Fear Public Trans. Authority
Allen Gilbert, Town of Carolina Beach

Staff Present:

Mike Kozlosky, Senior Planner
Lawless Bean, TDM Coordinator
Joshuah Mello, Transportation Planner
Anthony Prinz, Transportation Planner

1. Call to Order

Mr. Wilson called the meeting to order at 4:00 PM.

2. Approval of Minutes

The motion to approve the minutes from the February 27th meeting carried unanimously.

3. Public Comment Period

Mr. Wilson asked if anyone would like to make any comments. No one wished to speak.

4. Old Business

None

5. New Business

a. Resolution adopting the Cape Fear Historic Byway Corridor Management Plan

Mr. Kozlosky introduced Mr. Chuck Flink, with Greenways Inc. who gave a presentation on the recommendations for the Cape Fear Historic Byway Corridor Management Plan. The recommendations made were to: 1. create a Byway Corridor Advisory Committee, 2. market and promote the Cape Fear Historic Byway as a national scenic byway, and 3. begin the key physical corridor improvements that were recommended in the plan. Following the presentation, Ms. Padgett made the motion to approve the resolution adopting the Cape Fear Historic Byway Corridor Management Plan. Mr. Ballard seconded the motion and the motion carried unanimously.

b. Resolution supporting the efforts to secure byway grant funding for S. 3rd Street

Mr. Kozlosky told members staff submitted an application in the amount of \$887,000 to Federal Highway Administration for streetscape improvements to the S. 3rd Street corridor from Market Street to Castle Street. The grant was due Friday, March 21st but the NCDOT agreed to accept the resolutions after it was approved by this board. Ms. Padgett made a motion to approve the resolution in support of efforts to secure grant funding for the S. 3rd Street streetscape improvements. Mr. Sue seconded the motion and it passed unanimously.

c. Resolution adopting the Blue Clay Road Bicycle Corridor Plan

Mr. Flink gave a presentation on the feasibility study recommendations for a suitable route and alignment to connect bicyclist from the downtown area to Holly Shelter Road. He told members the goal was to come up with the most suitable alignment to build an on-road/off-road trail. The preferred route recommended in the study were components from all three alignments studied. The corridor will likely be part of the East Coast Greenway. Following the presentation, Ms. Padgett made the motion to approve the resolution adopting the Blue Clay Road Bicycle Corridor Plan. Mr. Ballard seconded the motion and it passed unanimously.

d. Resolution amending the 2007-08 Unified Planning Work Program

Mr. Kozlosky told member staff has until March 31st to amend the Planning Work Program (PWP) for the current fiscal year's budget. Staff is proposing to reduce funds in the travel time studies forecast of the data to the horizon year, forecast of future travel plans, financial planning and special studies line items. Staff recommends increasing funds in the dwelling unit and population changes, mapping, travel model updates, bicycle and pedestrian planning, collector street planning, public involvement and management/operations line items. Staff proposes to make those modifications because of projected expenditures in those line items and in order to balance the PWP. Ms. Sue made the motion to amend the 2007-2008 Unified Planning Work Program and Mr. Montgomery seconded the motion. The resolution carried unanimously.

e. Adoption of the 2008-09 Unified Planning Work Program

Mr. Kozlosky told members this item is to consider the proposed budget for the Wilmington MPO for the next fiscal year. The budget includes funding to complete a collector street plan for northern New Hanover County, funding to assist the Town of Wrightsville Beach in the development of a Bicycle Plan (cost sharing with the Town of Wrightsville Beach), funding for on-call engineering services and funding for the Dow Road widening and extension corridor study. There is also funding to continue to operate our traffic count program, as well as funding for the update of the Long Range Transportation Plan. Mr. Kozlosky told members there is also a resolution that certifies that the MPO is conducting transportation planning in a continuing, cooperative and comprehensive manner which is required by the Federal Highway Administration. Mr. Sue made a motion to adopt the 2008-2009 Unified Planning Work Program, as well as the resolution that identifies that the Wilmington MPO is performing the transportation planning in a continuing, cooperative and comprehensive manner. Ms. Wallace seconded the motion and it carried in a unanimous vote.

f. Resolution encouraging the North Carolina General Assembly to amend the General Statute 20-97 to permit counties to impose a vehicle tax and encouraging the New Hanover County Board of Commissioners to impose a \$5 county-wide registration fee for public transportation

Mr. Kozlosky told member at the last meeting there was discussion regarding the \$5.00 county-wide registration fee. In evaluating the statutes, counties do not have the authority to impose the registration fee, only municipalities have that authority. The resolution before the board is a request for the General Assembly to amend the General Statue 20-97 to allow counties to have that authority, as well as request New Hanover County to impose this registration fee if the statue is amended.

Mr. Wilson suggested that we get the legislation approved by the General Assembly before asking the county to implement the registration fee. The first step should be to get the request through the General Assembly.

Mr. Sue asked who requested the amendment to the statute. Ms. Pritchett said the Public Transportation Authority made the request. Mr. Sue said he thinks the county commissioners should act on it first. Mr. Wilson asked if we shouldn't wait for to see what the General Assembly's ruling will be then come back to ask New Hanover to consider imposing the registration fee.

Mr. Kozlosky said staff could modify the resolution. Mr. Wilson suggested we send the request to Gerry Cowen, who is in charge of bill drafting and ask if he would consider adding it to what he is proposing to the General Assembly.

Mr. Kopp pointed out that this request will allow all 100 counties to impose the registration fee, not just New Hanover County. Mr. Wilson said the request is for counties to have that option.

Mr. Gilbert asked if the City of Wilmington has the authority to impose the \$5.00 registration fee. Ms. Padgett said yes, they currently collect a \$5.00 fee but it is not used for public transportation. Mr. Kopp pointed that if this new registration fee is approved, city residents will be paying \$10.00 and county residents will pay \$5.00.

Mr. Gilbert asked what percent of the New Hanover County tax goes to public transportation. Ms. Padgett said less than 1% and the contribution to public transportation comes from the Social Services programs.

Mr. Montgomery told members he agreed that counties should be able to impose a registration fee but until the matter is decided by the General Assembly, it is not an option.

Mr. Wilson said he agreed with Mr. Montgomery. We should ask the General Assembly to include our request that counties be given the option to impose the registration fee in the legislation they are going to submit in the short session. He told members he thought this is the right time to make the request and it would be wise to include it along with the next item on the agenda. Counties don't have to necessarily impose the fee.

Mr. Gilbert said he agreed that all we are doing is making a recommendation to the legislators and we are not telling county commissioners what they must do.

Mr. Kopp said he could support asking for this legislation if we separated it out. Mr. Sue said he would make a motion if we would revise the resolution to reflect only requesting the State Legislators to consider giving counties the right to impose the registration fee.

Mr. Kozlosky said he would change the resolution to reflect that this board supports a local act authorizing counties to levy a five-dollar vehicle registration fee county-wide for public transportation. Mr. Sue agreed to the revisions and said he would make that a motion. Mr. Montgomery seconded the motion. The motion carried unanimously.

g. Resolution encouraging New Hanover County to hold a referendum for a ¼ cent sales tax for transportation infrastructure improvements

Mr. Kozlosky told members staff was instructed to draft a resolution requesting that New Hanover County hold a referendum for a ¼ cent sales tax for transportation infrastructure improvements. At their last meeting, the Wilmington City Council endorsed a resolution requesting the New Hanover County Commissioners to put on a referendum for the ¼ cent sales tax for Independence Boulevard extension, Dow Road widening and extension and 1/10 going for public transportation. Mr. Kozlosky told members the resolution before this board today does not include the 1/10 because it was not requested in previous discussions at the

last meeting. Included in the resolution today is the request for a “sunset” and also that the funding not have a detrimental impact on TIP funds to New Hanover County.

Mr. Kopp asked if a “sunset” was included in this resolution. Mr. Kozlosky said yes. Mr. Kopp told members the county commissioners cannot do that. The legislation setting up the authority for counties to levy a ¼ cent sales tax does not allow you to put on the ballot that you “sunset”, it is only for or against a ¼ cent sales tax. To “sunset” it, you have to go back to the citizens with another referendum asking for it to be taken off. The legislation does not allow you to identify purposes for which you are going to use the proceeds. A board of commissioners in the 100 counties can, by resolution, say what they are going to do, but a future board can change that. So therefore, we cannot say where the dollars are going to be spent.

Mr. Wilson told members he agreed with Mr. Kopp. Right now, there is not authority to “sunset” and/or identify the projects. It was passed at the end of the session and all the ramifications were not thought out. There is room for improvement. He said he had this discussion with Gerry Cowen and he said if this resolution is approved by this board, he will help us draft the language to request what we want in the short session.

Mr. Kopp said he cannot agree to put this ¼ cent sales tax authorization on the ballot and pass a resolution designating the proceeds for transportation. He said he feels it should go to education. He told members if we could get local legislation or state-wide legislation in the 21st Century Committee, letting counties have the option, like York County, SC, to fund projects and then “sunset” it after the projects are completed, he could go along with that. You will then have transparency and the people will see where the money is going.

Ms. Padgett asked how that is different. They are calling theirs “Pennies for Progress” and when those projects are done, they build what they can and then they’re done.

Mr. Gilbert reminded members that the last time this came before this board requesting ½ cent sales tax, this board supported that initiative. He asked how this is different. Mr. Wilson said we are asking for ¼ cent and we will have to have changes to the statute to allow the “sunset” and to designate projects. It is similar to the other resolution; but, what we need in the short session is to either do it as a local bill or to clarify the statute that went through at the very end of the last session that allows counties statewide to have an option to “sunset” and specifically designate projects.

Mr. Kopp told members the NC Association of County Commissioners lobbied hard with the League of Municipalities for the option of the ¼ cent sales tax; but, there was never any mention of using the monies for transportation. It was for infrastructure Counties needed to recoup some of the losses that they had realized because of funds going to Medicaid. They were talking about schools, community colleges and even sewer infrastructure. He told members he cannot in good conscience agree to spend that ¼ cent for transportation exclusively.

Mr. Wilson told members NCDOT is more than \$60 million over-programmed for just the few projects we have in New Hanover County. He said this is a very serious issue because we are one of the most over-programmed divisions in the state of North Carolina.

Ms. Padgett told members we are going to have to be a partner at the state and federal level and there is no other way. The Federal Highway Trust Fund is indicating a deficit of \$3.5 million and if local governments don’t start coming up with the money for a partnership, then this country is going to be a third world country in a few years.

Mr. Gilbert told members he would like to ask a county commissioner how are we to fund the transportation initiatives that we need. Mr. Kopp stated that since 1933 the state of North Carolina has been responsible for transportation needs. If that's going to be changed, the General Assembly needs to change it. He said he is in hopes that the 21st Century Committee is going to recommend how we change the structure. Until then, we are jumping ahead of ourselves.

Mr. Gilbert asked if that means we are just to sit on our hands and wait for the General Assembly to give some authority or direction to the county. Mr. Gilbert pointed out that transportation costs are continuing to rise as we sit back and let someone else lead the way. Ms. Padgett told members, as local governments, we're going to have to come up with part of the money if we want to control what projects we get, how they are built and how they are prioritized. We're going to have to go to the state and say we want to create the partnership and here is what we have done and here's what we are willing to do. Otherwise they are going to tell us. It's a whole lot better if we tell them and then we can ask for the dollars to match it. That's what Charlotte did for their light rail program and they are number one when the money gets passed out because they have a match. We must fund some of our transportation.

Mr. Wilson told members this ¼ cent sales tax is important right now, and all we are asking from the General Assembly, is to make the modifications necessary so voters can decide. If it doesn't look like it will go through for all 100 counties, then we would ask for it in terms of a local act.

Mr. Gilbert suggested we challenge ourselves to look for all the reasons we can do something rather than why we can't do something. He said this board should look at how we can actually make this a reality. He told members, he would like to make the motion to pass a resolution requesting a referendum for a ¼ cent sales tax increase in New Hanover County supporting the tax to generate revenue for the construction of Independence Boulevard extension and Dow Road widening and extension. Ms. Padgett reminded him of the 1/10 for public transportation. He added the 1/10 to go to public transportation to his motion. He said this resolution will give legislators a reason to visit this in the short session. Ms. Pritchett said with that addition, she will second the motion.

Mr. Wilson told members the only problem he has, with respect to the motion, is the portion for public transportation because you're talking about paying for two projects and with a "sunset". He said he thinks the \$5.00 registration fee is a better way to go for public transportation.

Mr. Wilson called for the vote on Mr. Gilbert's motion. The resolution failed in a 7 to 4 vote with Mr. Gilbert, Ms. Padgett, Ms. Pritchett and Mr. Saffo voting in favor of the resolution.

Mr. Kopp told members he would suggest that Mr. Wilson, as a member of the 21st Century Transportation Committee, see if some recommendations can come out of that committee in the short session to do the very thing that this MPO would like to see. He said maybe by changing the law as to the ¼ cent tax, you could put it on the ballot for a specific purpose and that you can "sunset" it after that purpose has been completed.

6. Discussion Items

a. Regional Transportation Authority

Mr. Kozlosky told members there was discussion regarding establishing a Regional Transportation Authority at the last meeting. Staff compiled information from Tucson, AZ. on their Regional Transportation Authority. Mr. Kozlosky said Tucson has a \$2.1 billion, 20-year

plan that is much like what they are doing in York County, SC. Jacksonville, FL is also using a similar approach for transportation needs. He told members legislation will have to be changed in order create a regional transportation authority to deal with roadways. Ms. Padgett said she believes we should move forward with the investigation on how we can establish a transportation authority.

7. Project Updates

a. Dow Road Widening and Extension

Mr. Kozlosky said the Wilmington City Council endorsed a contract at their March meeting. He told members a steering committee will be assembled in April to begin the planning process in the hope that funding can be identified in the near future for construction of this important project.

b. Monkey Junction Collector Street Plan

Mr. Kozlosky told member the first public informational meeting was held in February. He said staff is evaluating the input received from citizens. Staff is in the process of developing a plan. They will present the revised plan at another public meeting. Staff will then bring the plan to the TAC for endorsement.

c. Market Street Corridor Study

Mr. Kozlosky told members the Wilmington Metropolitan Planning Organization and the City of Wilmington were awarded \$275,000 at the March 6th BOT Meeting to complete the corridor study on Market Street from Colonial Drive to the Pender County line. Staff is developing a request for proposals and it should be out in the next month.

d. NCDOT Project Update

attached

8. Announcements

a. Oleander Drive Resurfacing Meeting – March 27th

9. Adjournment

With no further business, the meeting was adjourned at 5:40pm

Respectfully submitted

Mike Kozlosky
Senior Transportation Planner

NORTH CAROLINA
NEW HANOVER COUNTY

Draft 4/21/08

NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION

MUNICIPAL AGREEMENT
WBS: 34263.1.1

AND

CITY OF WILMINGTON

THIS AGREEMENT, made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the Department; the City of Wilmington, hereinafter referred to as the Municipality.

WITNESSETH:

WHEREAS, the City of Wilmington serves as the host government for the Lead Planning Agency of the Wilmington Urban Area Metropolitan Planning Organization, hereinafter referred to as the MPO; and

WHEREAS, the MPO is responsible for carrying out a transportation planning process that is continuing, cooperative, and comprehensive for the purpose of providing a safe and efficient surface transportation system for the MPO's member governments, thereby fulfilling requirements of applicable state and federal law; and,

WHEREAS, the parties hereto have determined the need to conduct a transportation corridor planning study on Market Street (US 17 BUS) from Colonial Drive to the Pender County line for ways to better integrate transportation and land use planning in an effort to improve safety and mobility along the Market Street corridor; and,

WHEREAS, the Department has agreed to participate in the cost of the study and the Municipality has agreed in its role as lead planning agency for the MPO shall serve as the lead agency to coordinate and oversee the development of the plan in accordance with the provisions hereinafter set forth.

NOW, THEREFORE, the parties hereto, each in consideration of the promises and undertakings of each other as herein provided, do hereby covenant and agree, each with the other, as follows:

1. The Municipality, acting on behalf of the MPO, and/or its consultant shall perform the Corridor Study. The study will focus on ways to better integrate transportation and land use planning by analyzing and providing recommendations for access management, inter-connectivity, improved development standards, collector streets and conceptual design to help to help improve mobility and safety along the corridor.

2. If the Municipality, acting on behalf of the MPO, and/or its consultant causes the professional engineering services required by this Agreement to be performed by contracting with a private engineering firm and seeks reimbursement for said services under this Agreement, it is agreed as follows:

(A) The Municipality, acting on behalf of the MPO, shall ensure that an engineering firm is obtained through an equitable selection process and that prescribed work is properly accomplished in a timely manner, at a just and reasonable cost.

(B) The Municipality, acting on behalf of the MPO, when procuring architectural, professional and engineering services, must adhere to Title 23 of the Code of Federal Regulations (CFR), Part 172. The Municipality shall comply with the policies and standards for negotiated contracts as contained in the Federal-Aid Policy Guide, Part 172; said policies and standards being incorporated in this Agreement by reference, and currently available at <http://www.fhwa.dot.gov/legsregs/directives/fapgtoc.htm>.

(C) The Municipality, acting on behalf of the MPO, shall submit all professional services contract proposals to the Department's Transportation Planning Branch. The Department's Transportation Planning Branch shall be responsible for the review and approval of the professional services contract prior to execution by the Municipality. In the event that the professional services contract proposal (engineering) exceeds \$30,000, a pre-negotiation audit must be requested from the Department's External Audit Branch.

(D) The Tasks shall be performed in accordance with Departmental and Federal

policies, procedures and specifications, and shall be performed as specified in the attached Scope of Services established by the parties to this Agreement and the Department's Transportation Planning Branch.

4. The Department shall participate in the actual costs of the study in an amount not to exceed \$275,000. The Municipality, acting on behalf of the MPO, may invoice the Department quarterly based on the actual cost of the study by submitting an itemized invoice along with proper supporting documentation, in duplicate, to the Department's Transportation Planning Branch. The designated representative of the Transportation Planning Branch and the Department's Financial Management Division may make reimbursement to the Municipality based upon review and approval of said invoice. Unless this agreement is amended by the above parties, the cost of the study will not exceed \$275,000.

(A) If the work is performed by Municipal force account, said invoices shall show an itemization of labor, labor additives, equipment, materials and other qualifying costs accompanied by supporting documentation, such as copies of time records for labor and equipment, material inventory records and/or vendor invoices or other suitable documentation. Reimbursement for rates of equipment owned by the Municipality cannot exceed the Department's rates in effect for the time period in which the work is performed. If the work is performed by a contractor, said invoices shall show the contract cost accompanied by copies of the contractor's invoice, cancelled checks to verify payments to contractor, and a sales tax statement from the contractor stating the amount of sales tax paid on materials furnished.

(B) In accordance with OMB Circular A-133, "Audits of States, Local Governments and Non-Profit Organizations" (www.whitehouse.gov/wh/eop/omb), dated June 27, 2003 and the Federal Single Audit Act Amendments of 1996, the Municipality shall arrange for an independent financial and compliance audit of its fiscal operations. The Municipality, acting on behalf of the MPO, shall furnish the Department with a copy of the independent audit report within thirty (30) days of completion of the report, but not later than nine (9) months after the Municipality's fiscal year ends.

(C) The Municipality, acting on behalf of the MPO, shall maintain all books,

documents, papers, accounting records, and such other evidence as may be appropriate to substantiate costs incurred under this Agreement. Further, the Municipality shall make such materials available at its office at all reasonable times during the contract period, and for five (5) years from the date of final payment under this Agreement, for inspection and audit by the Department's Fiscal Section.

(D) The Municipality, acting on behalf of the MPO, agrees that it shall bear all costs for which it is unable to substantiate actual costs.

(E) Failure on the part of the Municipality, acting on behalf of the MPO, to comply with any of these provisions will be grounds for the Department to terminate participation in the costs of the project.

(F) All invoices associated with the Project must be submitted within one year of the completion of the Project to be eligible for reimbursement by the Department.

5. Any contract entered into with another party to perform work associated with the requirements of this agreement shall contain appropriate provisions regarding the utilization of Minority Businesses, Women Businesses, or Small Professional Services Firms (SPSF) as required by GS 136-28.4 and the North Carolina Administrative Code. The Department will provide the appropriate provisions to be contained in those contracts. Those provisions are available on the Department's website at: <https://apps.dot.state.nc.us/quickfind/forms/Default.aspx>.

(A) No advertisement shall be made nor any contract be entered into for services to be performed as part of this agreement without prior written approval of the advertisement or contents of the contract by the Department.

(B) Failure to comply with these requirements will result in funding being withheld until such time as these requirements are met.

6. It is the policy of the Department not to enter into any agreement with another party that has been debarred by any government agency (Federal or State). The Municipality certifies, by signature of this agreement, that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Department or Agency and that it will not enter into agreements with

any entity that is debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction.

7. All terms and conditions of this Agreement are dependent upon, and, subject to the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

8. To the extent authorized by state and federal tort claims statutes, each party shall be responsible for its respective actions under the terms of this Agreement and shall save harmless the other party from any claims arising as a result of such actions.

IT IS UNDERSTOOD AND AGREED that the approval of the Project by the Department is subject to the conditions of this Agreement, and that no expenditures of funds on the part of the Department will be made until the terms of this Agreement have been complied with on the part of the Municipality.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department, Municipality by authority duly given.

L.S.

ATTEST:

CITY OF WILMINGTON

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

(SEAL)

Federal Tax Identification Number

City of Wilmington

Remittance Address:
City of Wilmington
P. O. Box 1810
Wilmington, NC 28402-1810

DEPARTMENT OF TRANSPORTATION

BY: _____
STATE HIGHWAY ADMINISTRATOR

DATE: _____

PRESENTED TO THE BOARD OF TRANPORTION ITEM O: March 6, 2008

Approved by City Council of the City of Wilmington as attested to by the signature of _____, Clerk of the City Council on _____

Date:

**WILMINGTON URBAN AREA METROPOLITAN PLANNING ORGANIZATION
TRANSPORTATION ADVISORY COMMITTEE**

**RESOLUTION SUPPORTING THE MUNICIPAL AGREEMENT FOR THE MARKET STREET
CORRIDOR STUDY**

WHEREAS, Market Street (US 17 Business) is one of the main arterial routes that carries traffic within the City of Wilmington and New Hanover County; and

WHEREAS, Market Street is currently a five-lane cross section from Colonial Drive to Porters Neck Road; and

WHEREAS, the Market Street corridor currently functions at levels of service ranging from D to F between Colonial Drive and Porters Neck Road; and

WHEREAS, there is a documented crash history for left-turning movements along this corridor; and

WHEREAS, the North Carolina Department of Transportation has funded a TIP project (U-4902) that will implement access management strategies on Market Street between Colonial Drive and Porters Neck Road; and

WHEREAS, as these development opportunities occur, the integration of land use and transportation planning becomes more and more essential to accommodate the regional growth; and

WHEREAS, a Market Street Corridor Overlay District will help to guide development and ensure that the development patterns are consistent with good planning principles, and

WHEREAS, on September 26th the Wilmington Urban Area Metropolitan Planning Organization Transportation Advisory Committee recognized the importance of a Market Street Corridor Study and recommended staff from the Wilmington MPO partner with NCDOT, City of Wilmington and New Hanover County to prepare a study that will promote development patterns that provide for the safe and efficient movement of traffic while improving the aesthetics of the community along the Market Street corridor.

WHEREAS, on March 6, 2008 the North Carolina Department of Transportation approved funding in the amount of \$275,000 for a corridor study on Market Street with the goal of better integrating transportation and land use planning.

NOW THEREFORE, be it resolved that the Wilmington Urban Area Metropolitan Planning Organization Transportation Advisory Committee hereby supports the municipal agreement by the City of Wilmington for the completion of the Market Street Corridor Study.

ADOPTED at a regular meeting of the Transportation Advisory Committee on May 28, 2008.

Lanny Wilson, Chair
Transportation Advisory Committee

Mike Kozlosky, Secretary

**WILMINGTON URBAN AREA METROPOLITAN PLANNING ORGANIZATION
TRANSPORTATION ADVISORY COMMITTEE**

**RESOLUTION IN SUPPORT OF USING SAFE ROUTES TO SCHOOL FUNDING TO IMPROVE
THE BICYCLE AND PEDESTRIAN CROSSING AT INDEPENDENCE BOULEVARD AND PARK
AVENUE**

WHEREAS, the Wilmington Urban Area Metropolitan Planning Organization provides multi-modal transportation planning services for the City of Wilmington, Town of Carolina Beach, Town of Kure Beach, Town of Wrightsville Beach, Town of Belville, Town of Leland, Town of Navassa, New Hanover County, Brunswick County, Pender County, Cape Fear Public Transportation Authority and the North Carolina Board of Transportation; and

WHEREAS, NCDOT Bicycle Route #1 (River to the Sea Bikeway) is promoted and marketed as a continuous bicycling trail from the shore of the Cape Fear River to Wrightsville Beach; and

WHEREAS, this bikeway is the WMPO-recommended route for the East Coast Greenway - NC Coastal Corridor; and,

WHEREAS, this bikeway provides an important alternative to bicycling and walking along Oleander Drive and Wrightsville Avenue; and

WHEREAS, the crossing at Independence Boulevard has been continually identified as an unsafe location by local bicyclists and area pedestrians; and

WHEREAS, this unsafe crossing is a barrier to the use of the River to the Sea Bikeway by both bicyclists and pedestrians; and

WHEREAS, this crossing is also a barrier for citizens in the Forest Hills neighborhood that wish to utilize Empie Park; and

WHEREAS, the North Carolina Department of Transportation Division 3 budgets \$200,000 per year for bicycle and pedestrian safety improvements under the Safe Routes to School program.

NOW, THEREFORE, BE IT RESOLVED the Wilmington Metropolitan Planning Organization requests NCDOT consider the use of Safe Routes to School funding to make bicycle and pedestrian safety improvements to the existing River to the Sea Bikeway crossing at Independence Boulevard and Park Avenue.

ADOPTED at a regular meeting of the Wilmington Urban Area Metropolitan Planning Organization Transportation Advisory Committee on May 28, 2008.

Lanny Wilson, Chair
Transportation Advisory Committee

Mike Kozlosky, Secretary

**WILMINGTON URBAN AREA METROPOLITAN PLANNING ORGANIZATION
TRANSPORTATION ADVISORY COMMITTEE**

**RESOLUTION DISCOURAGING THE USE OF THE ADRIAN B. RHODES AFRC AS A LOCATION OF
TRANSITIONAL HOUSING AND SERVICE CENTER FOR THE HOMELESS**

WHEREAS, the Cape Fear Historic Byway was designated as a North Carolina Scenic Byway in April 2007; and

WHEREAS, the Cape Fear Historic Byway is the first entirely urban scenic byway in the State of North Carolina and one of only a handful in the United States of America; and

WHEREAS, the Cape Fear Historic Byway offers visitors an abbreviated tour of the beautiful Cape Fear riverfront, an 18th-century seaport, a premier National Register Historic District, and one of the nation's most attractive and unique urban parks, with additional opportunities to park, walk and even bike to a multitude of other attractions, and

WHEREAS, the *Cape Fear Historic Byway Corridor Management Plan* was prepared and adopted by the Wilmington MPO's Transportation Advisory Committee on March 26, 2008 and Wilmington City Council on April 8, 2008; and

WHEREAS, the *Cape Fear Historic Byway Corridor Management Plan* provides recommendations for corridor improvements that will be used to as a guide to improve the visitor experience along the byway; and

WHEREAS, with the Base Realignment and Closure (BRAC), the Adrian B. Rhodes AFRC base located on East Lakeshore Drive facing Greenfield Lake is scheduled for closure; and

WHEREAS, the Adrian B. Rhodes AFRC is federal property adjacent to City owned Legion Stadium and adjacent to the Cape Fear Historic Byway on East Lakeshore Drive; and

WHEREAS, a proposal for the Adrian B. Rhodes AFRC is to provide a location for transitional housing and service center for the homeless in the tri-county region; and

WHEREAS, the *Cape Fear Historic Byway Corridor Management Plan* recognizes Greenfield Park and Gardens as a "lush oasis in an urban environment that offers a multitude of recreation activities and provides habitat for numerous bird species and other wildlife. The byway traverses the parameter of Greenfield Lake and includes a paved multi-use trail that is part of the East Coast Greenway"; and

WHEREAS, the *Cape Fear Historic Byway Corridor Management Plan* acknowledges "Loitering is a problem in the park, creating an unsafe feeling among visitors"; and

WHEREAS, the *Cape Fear Historic Byway Corridor Management Plan* also recommends "the integration of the City owned Legion Sports Complex and Greenfield Park and Gardens should be further studied"; and

NOW THEREFORE, be it resolved that the Wilmington Urban Area Metropolitan Planning Organization Transportation Advisory Committee hereby discourages the use of the Adrian B. Rhodes AFRC as a transitional housing and service center for the homeless and encourages a use that would be consistent with the recommendations to implement the Cape Fear Historic Byway Corridor Management Plan.

ADOPTED at a regular meeting of the Transportation Advisory Committee on May 28, 2008.

Lanny Wilson, Chair
Transportation Advisory Committee

Mike Kozlosky, Secretary



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

DIVISION OF HIGHWAYS

LYNDO TIPPETT
SECRETARY

May 21, 2008

TIP Projects:

1. Memorial Bridge:

2. **B-4223:** replace Bridge # 21, over the Northeast Cape Fear River. Under construction
Contract Completion Date December 31, 2009
3. **R-2245:** Second bridge to Oak Island over the intercoastal waterway. Under construction
Contract Completion Date December 31, 2009
4. **B-0682:** Bridge to Sunset Beach over the intercoastal waterway. Project has been awarded.
Estimated Contract Completion Date December of 2010
5. **U-4903:** resurfacing of US 76 (Oleander Drive) from 16th & 17th Streets to Independence Boulevard. Work to be completed at night. Additional work will be let with this contract; milling and resurfacing of Oleander Drive, from Independence Boulevard to 44th Street.
Letting Date 7/15/2008

Prior to the resurfacing, the storm drainage pipe under Oleander Drive, from Country Club Drive to Acacia Drive, we will repair this with a pipe liner system. This repair work will be let in May 13, 2008 and work complete by June 30, 2008.

6. **U-4733:** intersection improvements for SR 2313 (Wilshire Boulevard) to Forest Hills Drive.
Letting Date 7/15/2008
7. **R-4002:** widen SR 1472 (Village Road) from SR 1437 (Old Fayetteville Road)/SR 1435 (South Navassa Road) to east of US 17 Interchange ramps with dual left turn lanes on north ramp to US 17. Also, construct dual left turn lanes on Village Road turning onto US 17 NB ramps. **Letting date 4/21/2009**
8. **U-3462:** Town of Shallotte, SR 1357 (Smith Avenue) extension from West of US 17 Business to NC 130. **Letting date 12/16/2008**
9. **R-3324:** Long Beach Road extension, two lane road on new location, from NC 211 to SR 1525 (Bethel Road) **Letting date 7/21/2009**

10. **Military Cutoff Road Extension (U-4751) and Hampstead Bypass (R-3300):** extending Military Cutoff Road from Market Street to the Wilmington Bypass, with an interchange at the Bypass. NCDOT and the merger team are scheduled to have selected a preferred alternative by Spring 2009 and complete the final environmental impact statement by fall 2009. Right of way is scheduled for 2012.
11. **R-3601 US 17/74/76:** Widening across the “causeway”, between Leland and Wilmington. Just beginning the planning process. We will move into the merger process afterwards and then to design. A scoping meeting will be held in the next couple of months. The TIP schedule has R/W for 2011 and Construction for 2012
12. **U-4902 B:** construct a concrete median island from SR 1402 (Porter’s Neck Road) to Colonial Drive (non-system road). Project is in the planning process.
13. **R-5021:** NC 211 widening, from NC 87 to SR 1500 (Midway Road). Right of Way 2012 tentative. Public workshop in February or March 2008. Right of Way 2013
14. **R-4063:** widen SR 1472 (Village Road) from SR 1435 (South Navassa Road) to SR 1438 (Lanvale Road). Right of Way 2012 and Construction 2013
15. **U-5017:** Wilmington computerized signal and ITS system. (PBS&J – Todd Brooks)
16. **Feasibility Studies for NC 211 & NC 904:**
NC 211 – from SR 1500 (Midway Road) to US 17
NC 904 – from NC 179/904 (Beach Drive) to US 17
Scoping Meeting March 31, 2008
17. **FS-0203C Feasibility Study for College Road:** from SR 1327 (Gordon Road) to US 17 (Market Street).

Division Projects:

NC 132 (North College Road), SR 1322 (Murrayville Road), SR 1327 (Farley Street) and SR 1322 (Bavarian Drive): roadway improvements for better flow of traffic. Additional work; construction of an additional left turn on College Road, onto New Center Drive. Project has been awarded to S. T. Wooten

Availability Date April 21, 2008

Estimated Contract Completion Date December 1, 2008

NC 133 (River Road) from SR 1551 (Blackwell Road/Main Street) to the intersection with US 74/76 eastbound on ramp, in Belville, convert the existing thru lane to a right turn lane which will establish a dual right turn at the intersection with US 74/76 on ramp. Install a concrete island to convert the intersection with SR 1551 to directional left turns.

Public Workshop March 18, 2008 @ Belville Elementary School

Resurfacing Projects:

These roads are in the same contract:

NC 210 in Pender County from US 117 to 0.2 miles west of US 17, near Hampstead, resurface w/ 2.5" Intermediate course and 1.5" surface course).

US 76 in New Hanover County from US 74 (Eastwood Road) to 0.16 miles Southerly. (Mill 4" and resurface w/ 4" surface course)

Estimated Contract Completion Date November 28, 2008

These roads are in the same contract: Contractor has not begun work...Division has begun Dilatory Process

NC 133 in Brunswick County from Jackey's Creek bridge to south 6.45 miles. (Construct spiral widening)

US 17 and SR 1130 (Mt. Pisgah Road) intersection, install directional crossovers.

NC 211 extend the right turn lane onto NC 133 (Long Beach Road)

SR 1112 (Sunset Harbor Road) construct spiral widening.

Estimated Contract Completion Date May 2, 2008: July 2, 2008

These roads are in the same Pender County contract: Let Date 3/11/2008

SR 1400 (Highsmith Road) from NC 210 to SR 1409 (Little Kelly Road), mill patching.

SR 1402 (Fennell Town Road) from SR 1400 to SR 1404 (Herrings Chapel Road), mill patching.

SR 1404 (Herrings Chapel Road) from SR 1120 (Malpass Corner Road) to SR 1402, mill patching.

SR 1427 (Clarks Landing Road) from NC 133 to SR 1408 (Clark's Landing Road), mill patching.

SR 1318 (Croombsbridge Road) from US 117 to NC 53, mill patching.

NC 11 from US 421 to US 117, mill patching (Int. Comp. Date 5/30/2008)

Estimated Contract Completion Date June 25, 2008

These roads are in the same Brunswick and New Hanover Counties contract:

Let Date 4/15/2008

SR 1551 (Blackwell Road) from NC 133 to US 17, resurfacing.

SR 1566 (Ploof Road) from SR 1551 to SR 1524 (Chapell Loop Road), resurfacing.

SR 1524 (Chapell Loop Road) from SR 1551 to SR 1566, resurfacing.

US 17 Business (in Shallotte) from US 17 Bypass to US 17 Bypass, mill patching.

US 117 NBL & SBL (Shipyard Boulevard) from SR 1100 (River Road) to US 421, resurfacing.

US 17 and SR 1184 (Ocean Isle Beach Road) construct a super-street design.

Estimated Contract Completion Date December 5, 2008

New Hanover Maintenance Project:

Sanders Road will be closed for pipe replacement and repair of the shoulders for the roadway. This work will take place within a 400' section, approximately from the Harris Teeter entrance to US 421. The window for work will begin between mid-May to end of June. The work should take approximately a week.

Division Bridge Maintenance Project:

US 421 over US 74/76 – grouting work on the approaches, southbound lane will be closed from 10:00 PM, on 5/14, to 5:00 AM 5/15 and from 10:00 PM 5/15 to 5:00 AM 5/16.

Memorail Bridge Repairs to lift span...Greg to provide further information.

Ferry Division Project:

F-5002