

**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** June 16, 2009

**Action Agenda  
Item No.** 4-0

**SUBJECT:** Hillsborough Park-Ride Lot Rental Agreement at North Hills Shopping Center

**DEPARTMENT:** Aging/ Public Transportation  
Program

**PUBLIC HEARING:** (Y/N)

No

**ATTACHMENT(S):**

Agreement

**INFORMATION CONTACT:**

Jerry M. Passmore, Director, 245-2000  
Al Terry, OPT Manager, 245-2008

**PURPOSE:** To approve a Hillsborough park/ride lot agreement between Orange County and the Cates Family Limited Partnership to rent 25 spaces at the North Hills Shopping Center in order to accommodate daily commuters riding the Triangle Transit Public #420 route.

**BACKGROUND:** Orange Public Transportation has operated a public shuttle between Hillsborough and Chapel Hill and has been allowed to use parking spaces at the North Hills Shopping Center (MaxWay) in Hillsborough. This past year the public route was expanded with Orange Public Transportation (OPT) and Chapel Hill Transit now operating the TT420 Public Route under contract on behalf of Triangle Transit (TT). Since beginning the route the ridership has growth by 47.6%. More commuters are now utilizing the Hillsborough North Hills Shopping Center lot (the only parking north of Hillsborough).

In the fall 2008, the Cates Family Limited Partnership requested payment for its continued use. County staff established an agreement to rent 25 park/ride spaces at \$10.00 per space per month for a total of \$3,000 per year beginning July 1, 2009. The Town of Hillsborough supports maintaining the northern park-ride for residents and staff is budgeting \$1,000 for FY2009-10. Orange Public Transportation will bill the Town if the funds are approved as part of the Town's FY 2009-10 budget.

While the North Hills Shopping Center park/ride lot bus stop is not ADA-compliant, Orange Public Transportation meets NCDOT regulations by providing para-transit pick-up service within 3/4 mile of the route for persons with disabilities. In addition, Orange County opened a new ADA-compliant park/ride lot for the #420 Public Route at the Durham Tech Campus in Hillsborough in October 2008.

**FINANCIAL IMPACT:** The \$3000 payment will be made from County general funds. Orange County Public Transportation Program has budgeted the necessary contract rental funds in the proposed OPT budget for FY 2009-10.

**RECOMMENDATION(S):** The Manager recommends the Board authorize the Chair to sign the Agreement to rent park/ride parking spaces for commuters at the Hillsborough North Hills Shopping Center.

5/28/09

**Orange Public Transportation Program**

**Hillsborough Park-Ride Lot Rental Agreement**

This Agreement is entered into this 1st day of July, 2009, between the Cates Family Limited Partnership, owners of the North Hills Shopping Center, hereinafter known as the Cates Family Ltd Partnership, and Orange County on behalf of the Department on Aging's Orange Public Transportation Program, hereinafter known as the County. The period and duration of the Agreement shall be from July 1, 2009 to June 30, 2010.

**WITNESSETH:**

WHEREAS, the County desires to rent parking spaces at the North Hills Shopping Center in Hillsborough, North Carolina from the Cates Family Ltd. Partnership in order to provide public parking for commuters utilizing the Triangle Transit 420 route on the north side of the Town of Hillsborough, hereinafter described, now therefore the parties hereto mutually agree as follows:

**THE COUNTY HEREBY AGREES:**

1. To rent twenty five (25) spaces for park/ride use Monday through Sunday between the hours of 6:00 a.m. – 7:30 p.m. The park/ride spaces are located at the south end of North Hills Shopping Center which is at the corner of Highway 70 and Churton Street. (Attached map)
2. To pay \$10.00 per space per month at a total of \$250.00 per month. If additional spaces are needed, this agreement will be amended to reflect such change.
3. To make payments each month to the Cates Family Ltd. Partnership.
4. To not enter the North Hills Shopping Center property with public route vehicles, therefore, no liability on the part of the County is necessary.
5. To place two signs on the North Hills Shopping Center property that designate the area of the park/ride lot and to place a public route bus stop sign at the entrance to the Shopping Center.

**THE CATES FAMILY LTD PARTNERSHIP HEREBY AGREES:**

1. To provide 25 parking spaces with a minimum width of 9 1/2 feet per space as designated on the attached map.
2. To maintain the park/ride lot spaces for safe use by public commuters.

This agreement may be terminated by the County or by the Cates Family Ltd. Partnership giving the other party 60 days notice of their intent.

All amendments must be submitted in writing and signed by all authorized persons.

**ORANGE COUNTY**

**CATES FAMILY LTD. PARTNERSHIP**

By: \_\_\_\_\_  
Authorized Signature

By: \_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Approved as to technical content: \_\_\_\_\_  
Department Director

Approved as to form and legal sufficiency: \_\_\_\_\_  
County Attorney

"This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act."

\_\_\_\_\_  
Gary Humphreys, Finance Services Director

\_\_\_\_\_  
Date