



**Date:** December 21, 2010

**To:** Thomas J. Bonfield, City Manager  
**Through:** Theodore L. Voorhees, Deputy City Manager  
**From:** Edward R. Venable, Manager of Engineering and Stormwater  
**Subject:** Supplemental Municipal Agreement for Maintenance  
American Tobacco Trail Phase E – I-40 Pedestrian Bridge Project EL-2921 E

### **Executive Summary**

Execution of this Supplemental Municipal Agreement will confirm the maintenance of the ATT pedestrian bridge over I-40 is the responsibility of the City and that NCDOT will assume maintenance responsibilities for the at grade crossing of NC 54, Massey Chapel Road and Scott King Road.

### **Recommendation**

The Department of Public Works recommends that the City Council authorize the City Manager to execute a Supplemental Municipal Agreement with the North Carolina Department of Transportation for Phase E of the American Tobacco Trail (EL-2921 E).

### **Background**

Phase E of the American Tobacco Trail (ATT) consists of a bicycle and pedestrian bridge over I-40 and four miles of greenway trail, between NC 54 and the Chatham County line. It is the last phase of this project in Durham County. When complete, the entire ATT will stretch approximately 23 miles and will connect Durham with Wake and Chatham Counties providing alternative transportation opportunities for commuters as well as regional recreational benefits. This supplemental agreement will confirm the understanding of both the City and NCDOT as to maintenance responsibilities where the ATT crosses NCDOT right of way. Maintenance of the ATT pedestrian bridge over I-40 is the responsibility of the City and NCDOT will assume maintenance responsibilities for the at-grade crossing of NC 54, Massey Chapel Road and Scott King Road.

### **Issues/Analysis**

The terms of this Supplemental Municipal Agreement are identical to the previous Municipal Agreements. This is a clarification as to what maintenance responsibilities are assigned to each agency. The maintenance responsibilities of NCDOT were not specifically stated in the previous Municipal Agreement.

### **Alternatives**

The City Council could choose not to authorize the City Manager to execute the Supplemental Municipal Agreement then NCDOT may choose to not allow the project to move forward.

### **Financial Impact**

There are no additional financial impacts associated with this Supplemental Municipal Agreement

**SDBE Summary**

There are no SDBE impacts associated with this Supplemental Municipal Agreement