



Albemarle County

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AGENDA DATE: 12/14/2016

TITLE:

Exploration of Public/Private Partnership to Relocate Courts/County Admin to County Location

SUBJECT/PROPOSAL/REQUEST: Discussion of a potential process to form a public/private partnership to relocate courts and/or County administrative functions to a County location

ITEM TYPE: Regular Action Item

STAFF CONTACT(S): Tom Foley, Doug Walker, Bill Letteri, Lee Catlin, Greg Kamptner

PRESENTER (S): Tom Foley

LEGAL REVIEW: Yes

REVIEWED BY: Thomas C. Foley

BACKGROUND: Albemarle County has been engaged for some time in a thorough analysis and assessment of the County's future court needs and the best way to meet those needs. Given the status of discussions with the City and the results of various studies and analyses since 2011 regarding potential expansion options, the Board of Supervisors scheduled a public review and discussion of potential options with an opportunity for public comment on October 24, 2016. The Board was particularly interested in giving County taxpayers an opportunity to review the identified options and provide comment as the court expansion project reflects a very major investment of County funds and is in fact the most expensive project in the County's Capital Improvement Program budget. This meeting provided an overview of major milestones in the evaluation of options since 2011 and a review of information for each expansion option.

The Board adopted a resolution on November 2, 2016, directing County staff to fully explore and pursue partnership possibilities that deliver the most cost efficient economic benefit to County residents while preserving accessible Court facilities by relocating either Court facilities or County administration offices to an urban area in the County. The resolution also directed that these possibilities should be explored and vetted by the County prior to engaging in additional negotiations with the City about the Court facilities remaining in

their downtown Charlottesville location so that the Board has fully developed options to make an informed decision about the future direction of the Court facilities expansion project. In response to the Board's direction, staff has developed a proposed process for moving forward with the exploration of a public/private partnership to relocate the courts and/or County administration to a site in Albemarle County.

STRATEGIC PLAN: Infrastructure investment, thriving development areas

DISCUSSION: The November 2 resolution emphasized the Board's respect for the fundamental role the Court system plays in our community and the importance of fair and equal administration of justice. The resolution also outlined justifications for exploring partnership possibilities including:

- Potential for significant savings in project costs and debt service
- Opportunity for investment of capital funding into urban development and revitalization to expand the County's commercial and industrial tax base
- Prospect for establishing a new community focal point/catalyst and commercial hub that fully benefits the residents of the County in the most cost efficient manner

The exploration of a public/private partnership requires a variety of skills and expertise to ensure a well thought out and successful process. The initial steps in building the necessary team and moving through the required steps are outlined below:

First Step - Internal preparation - underway

- Education/ongoing dialogue with Board of Supervisors and Economic Development Authority
- Assemble staff work group with required skill sets/functional knowledge to provide capacity to oversee process and identify other resources required for successful project development and implementation

Second Step - Engage legal advisor - Hunton and Williams already available in this role

- Legal advice on transactional elements of the partnership
- Assist in developing scope of work for RFP for development advisor

Third Step - Procure Development advisor - to be procured in open process by County through regular channels

- Act as a technical advisor to the County to analyze proposals and explore viability of project options and opportunities in order to optimize private investment potential
- Help advise on alternative development possibilities- assess market dynamics to understand what benefit various options provide as an economic catalyst
- Assess time and resource effort associated with identified options
- Assist with all technical aspects of non-county owned property that involve redevelopment issues
- Critical skill set required - track record of successfully completing new mixed-use development with multi-use elements including site identification and selection process/site comparisons

Additional Milestones:

- Issue request for proposals (RFP)from property owners/development partners
- Evaluate adoption of Public-Private Education Facilities and Infrastructure Act (PPEA) guidelines, a mechanism that encourages innovative approaches to financing construction and renovation for all types of public ventures
- Board provides direction on geographic location or other terms to include in procuring proposals
- Evaluate proposals for viability - decision point for the Board regarding continued process
- Public engagement/education for selected proposal
- Referendum on ballot if Circuit Court is proposed to be relocated

Roles and Responsibilities for Major Stakeholders

- **Board of Supervisors** - participate in education sessions, monitor process as it moves forward, decide on future direction of project once proposals are received and evaluated
- **Economic Development Authority** - participate with Board in education sessions, be kept informed as process moves forward, active role if proposal is selected and development project commences
- **County Staff** - participate in education sessions, develop detailed milestone schedule, manage process including oversight of contracted advisors, keep elected and appointed stakeholders informed

- *Legal Advisor* - assist with developing scope of work for development advisor RFP, provide legal support as needed
- *Development Advisor* - assist with establishing parameters for issuing invitations for development proposals and evaluation of proposals for viability and potential economic impact, assess market issues, consider alternatives for possible approaches to mixed use development
- *Financial Advisor* - provide insight/guidance in development of funding approaches and financing plan including consideration of any impacts on the County's adopted financial management policies
- *Planning Commission* - be kept informed as process moves forward, active role if proposal is selected and development project commences

BUDGET IMPACT: Potential budget impacts and funding sources will be discussed at the meeting.

RECOMMENDATION:

Staff recommends that the Board provide feedback regarding the proposed approach and direct staff to proceed with procuring legal advisor and development advisor.