MEMORANDUM OF UNDERSTANDING STATE STREET/IDAHO 44 TRANSIT CORRIDOR IMPLEMENTATION COORDINATION

Between ADA COUNTY ADA COUNTY HIGHWAY DISTRICT CAPITAL CITY DEVELOPMENT CORPORATION CITY OF BOISE CITY OF EAGLE CITY OF GARDEN CITY COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO IDAHO TRANSPORTATION DEPARTMENT VALLEY REGIONAL TRANSIT

This Memorandum of Understanding ("MOU") is entered into this _____ day of ______, 2011, by and between Ada County, Ada County Highway District (ACHD), Capital City Development Corporation (CCDC), City of Boise, City of Eagle, City of Garden City, Community Planning Association of Southwest Idaho (COMPASS), Idaho Transportation Department (ITD), and Valley Regional Transit (VRT). Collectively, these entities are referred to herein as "Agencies" or individually as "Agency."

RECITALS

Whereas, the State Street/Idaho 44 Corridor (the "Corridor") is identified in the 2030 and the 2035 Communities in Motion (CIM) Plan as a regionally significant corridor with a strong transit emphasis; and,

Whereas, the State Street Corridor Strategic Plan Study (the "Study") was completed in February 2004 and defines short-term and long-term implementation strategies. The original boundaries during the development of the Strategic Plan were 23rd Street on the east to Idaho 55 on the west. The following agencies have acted upon the Study as follows:

- ACHD adopted the Study on February 11, 2004,
- Boise City approved the Study on January 20, 2004,
- Garden City reviewed the Study on February 3, 2004,
- Valley Regional Transit ("VRT") endorsed the Study on March 17, 2004; and,

Whereas, the Study recommended the State Street Transit Scenario as the preferred solution for future transit, traffic and land use needs; and,

Whereas, the Study also recognized the need for significant changes in land use policies to accommodate development and redevelopment within the Corridor to support higher use transit operations, including Transit Oriented Development ("TOD"); and,

Whereas, development of the State Street Corridor as set forth in the State Street Transit Scenario will occur in phases, and TODs will be identified through ongoing review; and,

Whereas, the original State Street Corridor Implementation Agency MOU (the "Original MOU") was executed in January 2006 by the following:

- Ada County Commission Chairman,
- ACHD Commission President.
- City of Boise Mayor,
- Garden City Mayor,
- VRT Board Chairman; and,

Whereas, in 2009 the boundaries of the State Street Implementation Project ("State Street Project") were extended, with the Downtown Boise Multi-Modal Center ("MMC") becoming the eastern terminus and State Highway 16 the western terminus; and,

Whereas, with the revised boundaries and inclusion of the future Downtown Boise MMC, a portion of the State Street Project now is within the Westside Downtown Urban Renewal Plan Project Area; and,

Whereas, VRT and the Capital City Development Corporation ("CCDC") have a Memorandum of Understanding defining their roles and responsibilities relative to the development of the MMC, including the use of CCDC funds as a match for the federal grant for the MMC; and,

Whereas, the Agencies support the application of high-capacity transit as determined by adopted existing and future plans, and realize that it cannot be achieved without close cooperation by all the Agencies working together; and,

Whereas, the original MOU expired in December 2010; and,

Whereas, the following significant accomplishments have been made pursuant to the Original MOU:

- Successful inter-agency cooperation to fund and participate in activities defined in the Original MOU (approximately \$1.2 million was allocated to projects from participating agencies),
- Completed Transit Oriented Development Policy Guidelines,
- Completed initial Market Strategy,
- Established initial corridor alignment and right-of-way needs (from Glenwood

Blvd east to 23rd Street) to accommodate the combination of vehicular traffic and a high-capacity transit system (pending),

• Initiated the Transit and Traffic Operational Plan (TTOP) Project; and,

Whereas, the Agencies now desire to enter into this MOU to focus on Agency actions that need to occur in the next five (5) years in order to support the long-term vision of the Corridor; and,

Whereas, it is the primary purpose of this document to ensure that the Agencies which are parties to this MOU continue their cooperation and collaborative efforts in support of the long-range vision of the Corridor. The parties hereto specifically acknowledge that this MOU is not an Interagency Agreement and does not create a separate governmental entity or obligate the parties hereto to commit to funding expenditures; and,

Whereas, the parties hereto recognize and agree that the activities contemplated herein are subject to any applicable federal, state or local law; and,

Whereas, that by entering into this MOU, the parties hereto acknowledge and agree that they are not delegating or otherwise impairing their statutory authority, including the authority to enact rules, regulations or ordinances regulating land use, highways and the general safety and welfare within their jurisdictional borders; and,

Whereas, the Agencies will continue to involve other agencies and stakeholder groups interested in participating in the implementation process of the State Street Implementation Project.

NOW THEREFORE, the signing Agencies, in consideration of the foregoing and the terms and conditions set forth below, agree as follows:

1. FINANCIAL COMMITMENTS; PURPOSE AND TERM; DEFINITIONS.

- A. This MOU does not require the signing Agencies to make any financial commitments or appropriations of specific funds. The parties to this MOU agree that failure of any party to appropriate or otherwise commit to fund any of the activities described herein will not be deemed a violation of this MOU, and no party shall have any legal recourse against another party's failure to make such financial commitments or expenditures.
- B. The purpose of this MOU is to set forth the long-term planning activities for the Corridor, and to delineate the responsibilities and specific assignments between each of the signing Agencies regarding the continued planning and initial implementation of Corridor improvements.
- C. The term of this MOU shall be five (5) years, and will begin on January 1, 2011 and expire December 31, 2016.

D. Capitalized terms used herein shall have the meaning ascribed to them in Attachment 1.

2. ACTIVITY DESCRIPTIONS.

The following activities are expected to be completed during the five-year period of this MOU. The project descriptions below are considered to be a summary of and preliminary to each identified project. When funding for each project is identified, a detailed project plan will be developed as a recommendation to guide the implementation.

A. Implement TTOP Near-Term Plans

The scheduled completion date for the Transit and Traffic Operational Plan ("TTOP") is on or before May 31, 2011. The TTOP will include an Implementation Plan which will define logical time periods when roadway, transit, and land use improvements are needed based on future conditions in the Corridor. The final near-term recommendations for the TTOP implementation are currently being reviewed, and are anticipated to encompass the following areas:

- Financial implementation strategy by project
- Enhanced transit service
- Technology (ITS) solutions (both traffic and transit oriented)
- Park & Ride study (a component of a regional study)
- Roadway, bicycle, and pedestrian improvements
- Master plans, area plans and zoning ordinances to support land use changes

B. Prepare Corridor-Wide Master Plan

The purpose of the Master Plan is to define an integrated approach to land use and transportation on the State Street Corridor, with recommended design standards to achieve the Corridor Transit Vision. The Master Plan is designed to meet new requirements of the federal government to strengthen the connection between land use, housing and transportation decisions and to promote sustainable development. The following deliverables are anticipated:

- Identify development opportunities and necessary public investments at each TOD location;
- Establish cooperative agreements among land use and transportation agencies to implement TOD supportive land uses;
- Prepare development plan for each high priority TOD site, integrating sustainable development features, specific design standards and economic development plans;
- Develop corridor design principles to detail the look and feel of the corridor (medians, landscaping, TOD relationship to the roadway and access, etc.);
- Adopt zoning code changes to accommodate and encourage TODs;
- Define pedestrian and bike path plans for select areas to improve interconnectivity between the TODs and the neighborhoods.

C. Evaluate and Implement Existing Access Management Policies

The viability of State Street to function as a high-volume corridor in the future depends largely on the efficiency of the street itself. The number and design of access points along the Corridor will affect its carrying capacity, safety of pedestrians, motor vehicles, and other travelers, in addition to congestion, intersection density and travel times. An application of appropriate access management policies for the Corridor, and at the TOD sites, is essential.

Initial activities to accomplish this task include taking inventories of existing policies and ordinances, as well as the location and description of existing and approved access points. Examples of supporting documents currently under review include the Idaho 44 Access Management Plan (from Ballantyne Road to I-84) and ACHD policies – Section 7200 (from Glenwood Blvd to 23rd Street). Review of successful access management policies and practices at existing TOD locations, with a comparison to current Corridor policies, will help formulate strategies and steps necessary for affected jurisdictions. Guidelines for access point locations and designs will also be developed for TOD sites, with connections to neighborhoods included, as part of the corridor access management plan.

D. State Street/Idaho 44 Long-Term Public Transportation Investments

Public transportation investments in the Corridor should be significant to achieve the vision of a truly integrated transportation system. A comprehensive and integrated approach to the transportation system will assure successful and effective phasing of the planned improvements over the course of the MOU and beyond.

The following activities should be completed to assure the objectives of the Corridor's strategic vision are achieved:

- Complete a regional high capacity transit systems plan (of which the Corridor is one component), to confirm and prioritize the development of the regional premium (high capacity) transportation services and corridors for the 2035 Communities in Motion and subsequent long-range plans developed and maintained by COMPASS;
- Develop a strategic plan for scheduling, funding and completing the necessary federal requirements including a transit alternative analysis to secure federal funding needed to leverage local investments in development of premium public transportation services in the Corridor;
- Secure a stable and on-going funding source for public transportation capital investments and for the maintenance and operations of public transportation improvements in the Corridor.

E. Conduct Important Supportive Activities

In addition to the key MOU activities listed above, several supportive activities are recommended to enable and facilitate the success of the MOU. These include:

- Dedicated, structured coordination and networking among the Agencies;
- Participation in regularly scheduled State Street Steering Committee meetings;

- Integrating appropriate results from completed, ongoing, and future studies, such as:
 - o Idaho 16 Study (ITD)
 - o Idaho 44 Study (COMPASS/ITD)
 - o Idaho 55 Study (ACHD, COMPASS, ITD)
 - o Northwest Foothills Study (ACHD)
- Researching and documenting recent national experience to help guide future activities;
- Identifying, seeking, and securing funding (from all possible sources);
- Conducting a continuing education campaign to include building an "identity" for the Corridor, staff education, general transit system exposure, description of premium transit service, engaging schools from third grade on, engaging environmental protection agencies, and focused efforts with developers and realtors.

3. AGENCY ROLES AND RESPONSIBILITIES.

Each party to this MOU has a lead role and specific responsibilities, as generally described in the table below. Each party to this MOU agrees to use its best efforts to contribute its support to the activities described in Article 2 herein within the limits of available funds and resources. Specific assignments will be determined when each activity is funded and a work plan is prepared.

Agency	Lead Role	Responsible For
Ada County	Land use and zoning (within unincorporated areas)	 Establish land use and zoning changes within Ada County jurisdiction Coordinate demand management approaches and education with other agencies Public involvement, including outreach to neighborhoods and businesses Support planning process
ACHD	Roadway, bike and pedestrian improvements (Glenwood Blvd east to Boise Downtown Multimodal Center)	 Planning, design and construction of roadway improvements Working with other agencies, integrate roadway design and transit-enhancing features with adjacent land uses and adopted design standards Right-of-way determination and acquisition Public involvement process for roadway improvements Signal systems and system operation including signal priority for transit and access issues Access management policies and implementation Site park and ride facilities Primary contact with businesses adjacent to the roadway Coordinate demand management

		approaches and education with other agencies
Capital City Development Corporation	City of Boise's Urban Renewal Agency	Support the State Street TTOP process. Responsible for potential creation and/or implementation of urban renewal (redevelopment) plans
		 Assist with Development of the Downtown Multimodal Center (MMC), including providing local matching funds for the federal grant.
		May provide leadership or support for design and construction of State Street streetscape improvements within the urban renewal (redevelopment) districts
		 Responsible for planning and facilitation of activities involving the application of redevelopment tools
		 Collaborate with other agencies to integrate land use with various types of transportation facilities, e.g., structured parking, etc.
		 Coordinate development activity and provide assistance subject to the plan provisions and applicable law
		 Coordinate Travel Demand Management (TDM) approaches and education with other agencies
City of Boise	Land use and zoning (within City of Boise area of impact)	 Leadership in land use issues Concentrated planning at TOD sites and implementation of the TOD concept design
		Establish land use and zoning changes within Boise City
		Review development applications within the City's Area of Impact
		 Public involvement, including outreach to neighborhoods and businesses
		 Coordinate demand management approaches and education with other agencies
City of Eagle	Land use and zoning (within City of Eagle area of impact)	Establish land use and zoning changes within City of Eagle jurisdiction
		 Coordinate demand management approaches and education with other agencies
		Public involvement, including outreach to neighborhoods and businesses
		Participate in planning process
City of Garden City	Land use and zoning (within Garden City area of impact)	Establish land use and zoning changes within Garden City jurisdiction
		Coordinate demand management approaches and education with other agencies
		Public involvement, including outreach to neighborhoods and businesses
		Support planning process
COMPASS	Regional transportation	Develop and maintain the regional long

	planning agency	range transportation plan
	planning agency	 range transportation plan Provide leadership to regional collaboration and planning issues
		Research and recommend best practices for successful high capacity transit and TODs
		Responsible for management of the State Street Corridor Transit Alternative Analysis
		 Project management and agency coordination, where appropriate
Idaho Transportation Department	Roadway improvements (Idaho 16 east to Glenwood Blvd)	Planning, design and construction of roadway improvements
		 Working with other agencies, integrate adopted design standards, and transit- enhancing features with adjacent land uses
		Right-of-way determination and acquisition
		Access management policies and implementation
		 Public involvement process for roadway improvements
VRT	Transit improvements	Lead transit operations planning and implementation
		 Coordination of siting of park and ride facilities with transit stops (and with other agencies)
		 Coordinate demand management approaches and education with other agencies
		Lead transit education and marketing efforts

4. FISCAL RESPONSIBILITIES.

Several of the MOU activities described herein are not yet budgeted and will require annual funding by one or more parties to this MOU. Subject to Article 1(A) herein, it is anticipated that each party to this MOU will use its best efforts to take advantage of funding opportunities and pursue funding to execute the activities referenced in this MOU.

In order to facilitate multi-year projects and provide for funding priority, each Agency will support the execution of the MOU activities described herein to the best of their abilities. Funding allocations will consider the MOU schedule illustrated below.

The Corridor is integrated into the region's 2035 Long Range Transportation Plan ("Communities in Motion") and local Comprehensive Plans. The parties agree to apply for funds in the appropriate Capital Improvement Plan or Regional Transportation Improvement Plan ("TIP") in an effort to obtain the necessary funding to execute the projects on or before the MOU schedule. Interagency agreements will be considered, as appropriate, to support the implementation of future projects.

In addition to securing project funding, the parties agree to use their best efforts to dedicate the necessary staff resources to implement the specific assignments as provided

herein.

5. SCHEDULE.

Attachment 2 provides a preliminary schedule of proposed project activities.

6. PROCEDURES AND IMPLEMENTATION OF THIS MOU.

All parties to this MOU agree that the following activities are essential to the success of the State Street Project implementation and will participate in the execution of these activities:

- A. <u>Program Coordination</u>. The Agencies acknowledge that program coordination is needed to ensure the Agencies are working closely together to achieve common project goals and objectives. COMPASS has allocated staff time in the FY 2011 Unified Planning Work Program to provide project management and other interagency coordination and implementation.
- **B.** <u>Periodic Meetings.</u> The Agencies will continue to participate in the State Street Steering Committee. This includes participating in regularly scheduled meetings, approximately once a month, to coordinate assignments and address challenges as they arise. The Committee will also generate monthly milestones to monitor and assure continuing progress on the MOU activities.
- C. <u>Annual Status Report.</u> An annual MOU status report shall be prepared by the Program Coordinator that describes the accomplishments achieved between reports. These reports shall be made available to policy makers of all parties to this MOU as part of regular updates given by COMPASS staff.
- D. <u>Coordination with Other Studies</u>. The Agencies will continue to coordinate with other ongoing and future studies, including but not limited to the State Street Right of Way and Alignment Study, the Land Use Master Plan, a Financial Implementation Strategy by Project, and an Access Management Plan. It is anticipated that this coordination will both make adjustments to the direction of the Corridor implementation and have an impact on the other studies to better incorporate the goals and objectives of the State Street Corridor Program.
- **E.** <u>Initial Steps Following Execution of this MOU</u>. The Agencies agree to immediately begin the following initial activities upon signing the MOU:
 - 1. Begin to pursue funding for the assigned projects and program these projects in the annual Transportation Improvement Program and in the participating Agency's annual budgets as feasible.
 - 2. Prepare detailed work plans, with full participation from appropriate agencies, to support the activities described within and coordinate timing and implementation of specific activities.

WHEREFORE, the Parties have hereunto fixed their signatures as indicated below. Date: Rick Yzaguirre Chairman Board of Ada County Commissioners Date: Rebecca W. Arnold President Ada County Highway District Date:____ Phil Kushlan **Executive Director** Capital City Development Corporation Date:____ David H. Bieter Mayor City of Boise Date: John Evans Mayor City of Garden City Date: Jim Reynolds Mayor City of Eagle

Matthew J. Stoll Executive Director

COMPASS

Date:_____

	Date:	
David Jones		
District 3 Engineer, Idaho Transportation	Department	
Idaho Transportation Department Distric	t 3	
-		
	Date:	
Kelli Fairless	Butc	
Executive Director		
Valley Regional Transit		

Attachment 1: DEFINITIONS.

The following words and phrases when used in this MOU shall have the meanings respectively given herein.

"State Street/Idaho 44 Corridor" (sometimes referred to herein as the ("Corridor")) defines the portion of State Street from Idaho 16 east to Boise Downtown Mobility Center – with the State Street Corridor west of Glenwood Boulevard to Idaho 16 being designated Idaho 44.

"State Street Project" for purposes of this MOU shall mean a coordinated effort by the Agencies to implement various steps to transform State Street/Idaho 44 Corridor into an integrated high capacity transit corridor. This integration requires the implementation of land use policies, roadway and multi-modal improvements, and significant enhancements to the transit system.

"State Street Corridor Strategic Plan Study" (referred to herein as the ("Study")) refers to the Study sponsored by ACHD and Boise City, and prepared by Meyer, Mohaddes Associates, dated February 2004, that defines State Street's future vision as a transit corridor.

"Communities in Motion" is the six county regional long range transportation plan adopted by the COMPASS Board on August 17, 2006. The 2035 update to CIM was adopted by the COMPASS Board on September 20, 2010.

"Transportation Improvement Program" ("TIP") is the regionally approved and fiscally constrained 5-year Program listing transportation projects programmed for the Treasure Valley region. The TIP identifies the Agency responsible for funding the approved projects, with associated funding by year. Potential future projects that are unfunded or scheduled are identified in a category called "Preliminary Development."

"Transit Oriented Development ("TOD") Policy Guidelines" refers to the April 2008 document that defines the following eight principles to guide future transit oriented development in the Corridor:

1. Ensure land uses are transit supportive and sensitive to local communities

Purpose: Ensure State Street corridor-wide land uses encourage high frequency transit use, provide for development nodes that offer a wide range of choices, address local community needs and identity, are appropriate for their specific location, and are focused on market realities.

2. Increase density within the corridor and at specific nodes

Purpose: Increase densities surrounding node developments within the State Street corridor. The densities must support high frequency transit services and provide a base for a variety of residential, employment, retail, and local services/amenities that support future (re)development.

3. Define each node to be a "place" responsive to market needs with a unique design and suitable mix of uses

Purpose: Each development node should be unique to the community, the

market, and the environment and be attractively designed to support an attractive integrated mixed-use hub of activity.

4. Incorporate pedestrian- and bicycle-oriented design features

Purpose: Prioritize convenient, comfortable, direct, and safe pedestrian linkages to and from development nodes to support a walkable area and promote the use of transit. Pedestrian routes and travel are paramount and the highest priority for a successful TOD.

5. Manage parking, bus and vehicular traffic at nodes

Purpose: Provide transit, bus and private automobile facilities that accommodate circulation and parking needs, while maintaining a comfortable pedestrian environment.

6. Optimize corridor traffic/transit operations to function efficiently and safely

Purpose: Prepare and implement State Street corridor operations plans that balance vehicular traffic with optimized high capacity public transportation service using appropriate technology to promote efficient and safe travel within the regional and local areas.

7. Maintain a robust outreach and education program

Purpose: Initiate a focused outreach and education program with key stakeholders, decision makers, developers, and neighborhood associations, and other active groups to improve understanding and increase participation in the realization of these policy objectives for the State Street Corridor.

8. Employ approaches that maximize energy conservation and minimize environmental impacts

Purpose: Encourage wise use of innovative technical advances to conserve resources, provide incentives for energy efficient development and redevelopment, and reduce unnecessary consumption of energy and other limited resources currently and in the future.

"State Street Corridor Market Strategy" refers to a May 2007 market study that provided a high level analysis of the potential future market for residential housing, retail, and employment in the corridor. The study concluded that apartments and townhouses are likely types of higher density housing, transit oriented development will likely be focused in nodes, new development can have a significant impact on retail growth, and employment emphasis will likely be at the west end of the Corridor – with limited expansion within the Corridor and at the development nodes.

"Right-of-Way and Alignment Study" refers to an ongoing project that has preliminarily defined the alignment of the 120 foot cross section needed to implement the Corridor, and the extent and location of the right-of-way required to achieve the complete cross section from 23rd Street west to Glenwood Street. When complete, this information will be used to preserve the needed right-of-way, assist the land use agencies in making land use and development decisions, and eventually purchase the needed land.

"Idaho 44 Corridor Preservation Study" refers to a project under final review which recommends that right-of-way for Idaho 44, from Ballantyne Road west to the I-84 junction in

Canyon County, be purchased for future expansion to a four lane roadway as funding becomes available. Upon approval and adoption, the Idaho 44 Study will become a guiding document for ITD design of this section of the roadway.

"Transit and Traffic Operational Plan ("TTOP")" refers to an ongoing project that is developing:

- a phased implementation plan that defines improvement projects for the roadway, transit systems, and land use;
- a financial strategy to help guide programming of projects and potential sources of funding to support implementation;
- a more comprehensive market analysis that included the potential location of future transit oriented development sites along the corridor;
- Intelligent Transportation Systems (ITS) roadway and transit recommended for implementation;
- Preliminary information that will form the basis for a future project to conduct a high capacity transit alternatives analysis (required by the Federal Transit Administration (FTA) for future funding).

"State Street Corridor Master Plan" refers to a planned future project that will provide a comprehensive framework for understanding, designing, and implementing the land use details, including concentrated mixed-use development, associated with planned transit improvements in the State Street Corridor.

"Access Management Policies" refers to a planned future project that will appropriately apply access management policies specific to the Corridor consistent with the objective to promote the desired land use and mobility plans for State Street.

"Access Management" is the systematic control of the location, spacing, design and operation of driveways, median openings, interchanges, and street connections to a roadway.

"State Street Corridor Transit Alternatives Analysis" refers to a planned future project that will determine the long-term transit solution in the Corridor. This project will evaluate various alternative transit systems. Key outcomes of the alternatives analysis will include:

- Determining long-term transit operations
- Establishing final transit termini and routing
- Prepare the region to apply for federal funding to begin implementation

"Transportation Demand Management ("TDM") refers to the identification of strategies that result in more efficient use of transportation resources by impacting the traffic demand on the transportation network including strategies such as, but not limited to, improved transit options, incentives for car/van pooling, improved bicycle/walking facilities, employer assistance programs, alternate work schedules, and telecommuting.

"Overlay District/Interim Dual Zone District" defines a designated area with specialized design standards directed toward achieving the desired and planned uses on the State Street Corridor. Design standards ensure compatibility with the existing development and the designated purpose of a district. A "Dual Zone" concept provides for two zoning options which may be applied to a particular project.

Attachment 2: SCHEDULE.

Specific project schedules will be prepared following funding allocations and be included in the detailed project plans. The schedules for each project activity identified in Article 2 will reflect the detailed scopes of work, contained in the project plans, at the time funding is available. The preliminary schedule identified below reflects the current understanding of priorities.

State Street Memorandum Of Understanding (2011–2016) Preliminary Schedule

