

## ADDENDUM A

### JOINT COOPERATIVE AGREEMENT

between the

South Dakota Department of Transportation, the City of Rapid City, the City of Box Elder, Ellsworth Air Force Base, Pennington County Commission, Rapid City Growth Management Department, Meade County Commission, in cooperation with the Federal Highway Administration and the Federal Transit Administration.

#### Section I. Introduction

This Joint Cooperative Agreement entered into as of this \_\_\_\_ day of \_\_\_\_\_, 2007 by and between the South Dakota Department of Transportation, the City of Rapid City, the City of Box Elder, Ellsworth Air Force Base, Pennington County Commission, Rapid City Growth Management Department, Meade County Commission, in cooperation with the Federal Highway Administration and the Federal Transit Administration.

#### WITNESSETH:

WHEREAS, the parties of this agreement recognize the need for transportation planning within an area encompassing the Rapid City Urbanized Area; and,

WHEREAS, the Cooperative, Continuing and Comprehensive Transportation Planning Process for the Rapid City Study Area is consistent with state and federal policies as expressed in 23 CFR Part 450, Subpart C, with the purpose of implementing 23 U.S.C. 134 and Title 49 U.S.C., Chapter 53, Section 5303, as amended.

NOW, THEREFORE BE IT RESOLVED that the parties to this document do mutually agree to the statements and provisions set forth in this document.

The parties of this agreement do hereby delegate the authority for transportation planning for the Rapid City area to the Executive Policy Committee of the Rapid City Area Metropolitan Planning Organization. The Executive Policy Committee is the designated Metropolitan Planning Organization and policy board as identified in 23 CFR Subpart C, Section 450.306. This Transportation Planning Process as developed by the Executive Policy Committee shall be the recognized Transportation Planning Process for Section 134 of Title 23, United States Code and, Section 5303 (49 U.S.C. Chapter 53) requirements. The membership of the Executive Policy Committee for transportation planning purposes shall be as per Article I, Section 1 of the Bylaws of the Executive Policy Committee.

The Rapid City Urbanized Area includes the City of Rapid City, the City of Box Elder, Ellsworth Air Force Base, and those portions of Pennington County and Meade County inside the study area. This area includes not only the existing urbanized area

but also sufficient area that may become urbanized within that period of time covered by the long range transportation plan.

The delegation of authority for the Transportation Planning Process in the Rapid City Study area to the Executive Policy Committee by the parties of this agreement carries a commitment to cooperatively take part in the Transportation Planning Process and other activities, including the preparation of an Operations Plan and a Unified Planning Work Program. The basic study staff for the Transportation Planning Process within the Rapid City Study Area will include personnel from the participating agencies signing this Joint Cooperative Agreement.

The MPO, the State(s), and the public transportation operator(s) shall cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process. These responsibilities shall be clearly identified in written agreements among the MPO, the State(s), and the public transportation operator(s) serving the MPA. To the extent possible, a single agreement between all responsible parties should be developed. The written agreement(s) shall include specific provisions for cooperatively developing and sharing information related to the development of financial plans that support the metropolitan transportation plan (see §450.322) and the metropolitan TIP (see §450.324) and development of the annual listing of obligated projects (see §450.332).

An Operations Plan shall be maintained cooperatively by the participating agencies to this agreement to describe the Transportation Planning Process in the Study Area. The Operations Plan shall be recognized by the participating agencies to this agreement as the description of the planning process to be followed and such parties shall be bound to the contents of said document. The Operations Plan shall be updated cooperatively by the participating agencies when sufficient changes in the planning process or in organizational structure of the study warrants modification. The Executive Policy Committee shall make final approval of the Operations Plan.

The Unified Planning Work Program shall be prepared cooperatively by the participating agencies to this agreement to describe the work planned for the upcoming year. This work program, which is approved by the Executive Policy Committee, shall include a description of the transportation planning work which is to be accomplished during the fiscal year. The Unified Planning Work Program shall, for each local participant, identify the cost, estimated manpower requirements, and the proposed funding sources to accomplish the work. The Unified Planning Work Program in combination with the Operations Plan specifies the procedures for controlling and directing the accomplishments of the work, the duties and responsibilities of each agency, including any provisions for the exchange of funds and services required. The Unified Planning Work Program shall be prepared so as to fulfill the requirements of 23 CFR part 420, subpart A; Title 49 U.S.C., Chapter 53, Section 5303.

## Section II. Goals and Objectives

The primary goals of the Rapid City Area Transportation Planning Process are to develop a long-range transportation plan, a short-range transportation plan, a

transportation improvements program, and a service which is responsible to the needs of public officials and private individuals concerned with making transportation decisions. The successful operation of a Continuing, Cooperative and Comprehensive Transportation Planning Process will insure the accomplishing of the aforementioned goals.

The Transportation Planning Process shall be cooperative in order that each jurisdiction have an adequate voice in the area planning decisions and that these decisions are reflective of and responsive to both the policies and programs of the study area jurisdictions and the South Dakota Department of Transportation. This cooperative input into the planning process is outlined in part in the Operations Plan and the Unified Planning Work Program, but input into the planning process may also be introduced through participating in committee action such as the Citizens Advisory Committee, the Technical Coordinating Committee, or the Executive Policy Committee.

The Transportation Planning Process shall be comprehensive in that all practical modes of transportation within the study area are considered in the planning process. This includes conducting basic inventories and analysis on all elements deemed necessary for the Transportation Planning Process, projections made of this data, estimates of future demands on the transportation facilities and that this process shall cover all the area which is expected to be urbanized within that period of time covered by the long-range transportation plan. The purpose of the Comprehensive Planning Process is to provide factual information, forecasts, plans and other data so that full value of this planning information can be effectively utilized in day-to-day decision making. It is intended that the Transportation Planning Process be an integral part of the Comprehensive Planning Process.

The Transportation Planning Process shall be maintained and operated on a continuing basis. Current valid data on land use, travel and transportation and related facilities will be maintained by staff at state and local level to provide for updating and reevaluating the transportation plan as conditions change from those initially analyzed and forecasted. The operation will insure that land use changes differing from those forecasted will be recorded in a manner that will permit a ready evaluation of their significance with respect to the transportation plan.

The Continuing Planning Process includes several principle planning objectives as follows:

- (1) To provide for appropriate integration of the Transportation Plan efforts with the other elements of the Comprehensive Plan effort.
- (2) To meet the planning requirements of 23 USC, Chapter 134 and 49 USC, Chapter 53, Section 5303 as amended, and all other state and federal legislation and requirements pertaining to urban development so as to continue to qualify the agencies in the area for federal aid.
- (3) To maintain land use, socioeconomic data and transportation system characteristics on a current basis in order to properly compare and

evaluate the existing conditions in relation to the forecasts made in developing the recommended plans and programs.

- (4) To maintain the long range element of the transportation plan by monitoring changes and updating the plan appropriately (required every five years).
- (5) To develop new techniques for transportation and land use planning in order that better estimates of future conditions can be realized.
- (6) To maintain a continuing long range comprehensive transportation planning capability designed to serve and guide land development, meet future travel demands and in general serve the transportation planning needs of the area.
- (7) To develop a Transportation Systems Management Element to enhance the efficiency of the present transportation system by implementing low cost Capital Improvements.
- (8) To prepare a Transportation Improvements Program based upon the official transportation plan and Transportation Systems Management Element. This capital improvements plan is designed to assist and inform private individuals and agencies and officials in all levels of government as to the immediate transportation needs of the area. Proposals for annual construction programs will be based upon the Transportation Improvements Program.
- (9) To provide needed planning data, other information and assistance to those responsible for plan implementation. This service function will not be limited just to the study participants, but will also be available to other public and private sectors involved in community and regional development and in implementation programs.
- (10) To prepare publications that include a summary of analysis and inventory items and also summarize the degree to which the Transportation Planning Process has been successful. These publications should provide the Transportation Planning Process with public exposure and provide information to the general public to the accomplishments of the planning process and the anticipated projects for the future.

These 10 transportation planning objectives for the Continuing Planning Process are in reference to the Operations Plan and the Unified Planning Work Program.

### Section III. Agency Responsibility

The Operations Plan describes the work involved in conducting the Transportation Planning Process for the Rapid City Study Area. The Unified Planning Work Program will state the specific responsibilities of the participating agencies in

conducting the planning process. Due to changes in staffing and sources of information, the work responsibilities of the participating agencies may change from year to year.

#### Section IV. Coordination and Control

The Transportation Planning Process is directed and subject to the control of the Executive Policy Committee of the Rapid City Area Metropolitan Planning Organization. The Executive Policy Committee has the authority to approve the Operations Plan, the Unified Planning Work Program and also has the authority to develop the Long Range Transportation Plan, Transportation Improvements Plan and any other transportation planning policies relating to the Rapid City Area Metropolitan Planning Organization Study Area.

A transportation Technical Coordinating Committee has been formed and includes technical personnel of agencies responsible for, or affected by, implementation of transportation plans. Members of the Technical Coordinating Committee are invited to serve by the Executive Policy Committee. The Technical Coordinating Committee adopts bylaws subject to the approval of the Executive Policy Committee.

The Technical Coordinating Committee assists and advises the Executive Policy Committee in matters of technical nature related to the elements of the Transportation Planning Process.

Any transportation plan must have the support and endorsement of the public if such a plan is going to fulfill the purposes for which it was initiated. The Citizens Advisory Committee, plus the Public Hearing and Public Notice Process provide a means for achieving the public input and support for plans and programs. The Citizen Advisory Committee adopts bylaws subject to the approval of the Executive Policy Committee.

All committee meetings are open to the public in order that public participation can occur and assist the planning process at any committee level.

#### Section V. Changes in the Joint Cooperative Agreement

Any alterations, extensions, supplement or modification of the terms of this agreement as detailed herein shall be agreed to in writing by the parties of this agreement.

It is understood that this agreement supersedes all other agreements relative to the Continuing Planning Process for the Rapid City Area Metropolitan Planning Organization. This Joint Cooperative Agreement nullifies and declares void any previous Joint Cooperative Agreement executed prior to the execution of this agreement.

Section VI. Termination of the Joint Cooperative Agreement

This Joint Cooperative Agreement is entered into by the parties because of the mutual accord that the Comprehensive, Continuing and Cooperative Transportation Planning Process provided herein is necessary. Any party may terminate its interest and its obligation under this agreement by giving at least sixty (60) days notice in writing to the other parties.

Recommended for Approval this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

APPROVED AS TO FORM

STATE OF SOUTH DAKOTA  
DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
Asst. Attorney General  
S.D. Dept. of Transportation

\_\_\_\_\_  
Secretary of Transportation

ATTEST:

EXECUTIVE POLICY COMMITTEE

By: Juan M. Nicholson  
Notary Public  
Commission Expiration 5-25-08

Curtis O. Meyer  
Chairman

SEAL:

ATTEST:

CITY OF RAPID CITY

By: \_\_\_\_\_  
Notary Public  
Commission Expiration \_\_\_\_\_

\_\_\_\_\_  
Mayor

SEAL:

ATTEST:

CITY OF BOX ELDER

By: \_\_\_\_\_  
Notary Public  
Commission Expiration \_\_\_\_\_

\_\_\_\_\_  
Mayor

SEAL:

ATTEST:

PENNINGTON COUNTY COMMISSION

By: \_\_\_\_\_  
Notary Public  
Commission Expiration \_\_\_\_\_

\_\_\_\_\_  
Chairman

SEAL:

ATTEST:

MEADE COUNTY COMMISSION

By: \_\_\_\_\_  
Notary Public  
Commission Expiration \_\_\_\_\_

\_\_\_\_\_  
Chairman

SEAL:

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Assistant City Attorney