



## **Steering/Technical Committee Meeting**

Thursday, May 6, 2010 - 10:00 A.M. to Noon  
COMPASS, Conference Room  
800 S. Industry Way, Suite 100  
Meridian, Idaho

### **AGENDA**

**I. Consent Agenda**

Page 2 \*A. Approval of the February 4, 2010, Meeting Minutes

**II. Discussion Items**

- A. Review March 11, 2010, Consortium Meeting
- B. Review May 17, 2010, COMPASS Board Retreat

**III. Action Items**

- A. Establish Process for Developing Joint Mitigation Strategies
- B. Establish June 10, 2010, Consortium Agenda

**IV Other**

**V. Adjournment**

**\* Attachments**

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## **Steering/Technical Committee Meeting**

Thursday, February 4, 10:00 A.M. to Noon

COMPASS, Conference Room

800 S. Industry Way, Suite 100

Meridian, Idaho

**\*\*Minutes\*\***

### **I. Consent Agenda**

#### **A. Approval of the December 3, 2009, Meeting Minutes**

Nichoel Baird Spencer moved and Sally Goodell seconded approval of the Consent Agenda as presented. Motion passed unanimously.

### **II. Discussion Items**

#### **A. Status Report – Adequate Public Facilities Workgroup**

Sally Goodell provided a status report on the work being done by the Adequate Public Facilities Workgroup on the reporting model for cumulative impacts.

The next step is to run a test on an existing development, which will be done after COMPASS is finished finalizing the future demographic projections and after some of the model update is done

The Workgroup discussed “so what” scenarios, i.e., after reporting the cumulative impacts, what will be the response. If the cumulative impacts are below the level of service thresholds, then go forward. If the impacts exceed the level of service thresholds, what will the response be from ACHD, local governments, etc.?

The Workgroup agreed that reporting potential cumulative impacts is an important and valuable thing to do, but there was a feeling that putting an Adequate Public Facilities Ordinance or other requirement on development, even when we can see that the development is going to adversely impact level of service, is probably not politically feasible. Trying to figure out how to do that is not a good use of time.

It was agreed that the focus should be on strengthening agencies’ communication protocols and how we work together, particularly with a focus on developments with a regional impact, and on adequate funding for the transportation system. Solving the external picture of adequately funding the transportation system to serve the growth that is going to occur is the right place to focus the efforts, as opposed to placing more responsibility on new development.

Patricia Nilsson said Boise is already at the place where they need mitigation strategies.

Sally stated that with the recent development that has been approved, ACHD will be looking at a bigger area of influence and will be reporting on the impacts, which leads to the mitigation question. The challenge is the nexus issue, i.e., how far off-site can mitigation be required?

Nichoel Baird Spencer said the Workgroup's discussion was of political will. The impacts can be reported, but if a community feels the project is going to benefit them, the political will is not going to be there to deny the project, if that is the only remedy there is. This is a discussion that needs to happen at the Consortium level.

Matt Stoll replied that we don't want to jeopardize the partnerships that have been fostered through the BGG process by denying projects through an Adequate Public Facilities Ordinance, but rather focus on how mitigation strategies can be used to help promote the visions of *Communities in Motion* and BGG.

Anna Canning stated that this level of information is something we have never had before. The cumulative impact analysis is the first step in being able to make decisions with the understanding of what the impacts will be, which may lead to an Adequate Public Facilities Ordinance some time down the road, but just not now.

Sally said the Adequate Public Facilities Ordinance wasn't designed to pit entities against one another. It was designed for the cities to tell ACHD what is going on, not for ACHD to tell the cities what to do. All ACHD will tell the cities is what mitigation will be necessary to meet certain goals. Absent an ordinance or some other specific action, what difference it will make in decision making remains to be seen.

Patricia added we still have to get through the variable levels of service standards in TLIP. What has been proposed is a lower level of service than the current adopted ACHD level of service standards.

Sally replied there are a small number of places where it is proposed that a lower level be accepted than what is in the policy today. Level of service plays out in two separate and very distinctly different ways: Infrastructure Investment, by ACHD or a developer and whether the level of service is going to be allowed to drop in an area is pretty straight forward. The concept of setting a very high level of service in the periphery and having a tool that ensures the peripheral development is shouldering enough financial responsibility for its impact, and to push development internally requires something we do not have in place today. The Adequate Public Facilities Ordinance was the tool to implement that.

Charles Trainor said that speaks to the issue of development that may not have an impact in one city, but will impact an area miles away in another city. How does that city get in the process?

Patricia replied that right now there is not a way for the affected city to get in the process. It is up to each city to know what the others are doing. The area of influence will help with this and the subsequent follow up on the TIS will involve all of the affected jurisdictions.

Anna noted that the current process, in a case of competing jurisdictions, is to testify against the change and sue if necessary. It would be nice if ACHD convened a meeting of all the affected jurisdictions so a solution could be reached before the hearing phase.

Sally asked when in the process do the cities see the TIS. At the same time ACHD does?

Nichoel replied sometimes, sometimes not and sometimes just the first draft. It depends on the applicant. Anna noted that sometimes the city never sees it, and it is not fiscally responsible for the cities to spend a lot of time analyzing something that ACHD is doing on the cities' behalf.

Patricia replied the information is available, but the opportunity to work the issues out before a hearing is not there. With the improvement to the TIS process the opportunities will be there for those larger developments and the affected jurisdictions. Right now, the land use agencies don't understand the ACHD process.

Sally said the lack of communication can be a two way street. The question is who is the right convener of all the affected agencies? Nichoel replied that ACHD as the road authority serves an "interdepartmental role" with the cities. Anna agreed that ACHD is the common link to pull everyone into the loop.

The next steps are to facilitate dialogue about the communication protocols, mitigation and the variable level of service question. The Consortium needs to be told that the message from staff is to not worry about an Adequate Public Facilities Ordinance, but to focus on better protocols and how to address mitigation. ACHD already outlines mitigation that is required to meet the level of service within the area of influence where it exceeds ACHD's policy.

Nichoel said that the gap is between what the policy states and how that will be influenced by variable level of service. Will variable level of service become policy?

Justin stated if the focus is on degrading level of service, ACHD might be able to tackle it in a more aggressive way than establishing a higher level of service to discourage development. Sally replied it will need to be made clear that is what ACHD is focusing on. The other element that will unfold is there is still a lot of estimating that goes into putting this together. This will be tightened up so there is greater confidence in being able to impose requirements.

Sally stated that, with concurrence of the Committee, she will draft a statement of what will be presented to Consortium in March. Matt will send it out to the full Steering Committee for their review and input.

Anna thanked Sally for her work with the Adequate Public Facilities Workgroup. Sally added that the Adequate Public Facilities Workgroup is done for now. Anna noted that her Area of Impact Workgroup is also done with its work as well, and asked if the remaining 2010 Steering Committee meetings are needed.

Patricia said the protocols can be developed through the Regional Technical Advisory Committee.

Scott Gurnsey stated that ITD is paralleling ACHD's variable level of service through its access plan. ITD attends the meetings with ACHD and the cities as a side player. There are informal procedures in place, which can be formalized if needed to work with the cities, COMPASS and ACHD.

Sally asked Ray Stark what the private sector thinks about the progress of BGG. Ray replied that, in his opinion, the private sector is going to push back if there is going to be a lot of new requirements to future growth.

Nichoel said that the goals in the original resolution for BGG have been met, which was to provide better communication between transportation and land use planning, better accountability, and a multi jurisdictional process.

Patricia stated that while she loves the master street map and the TIS improvements, she measures success by being able to implement the protocols, and that has not happened yet. One reason is because of the economy; there are no developments to apply them to, but that needs to be done.

Sally replied there are two reasons that has not happened. One, development has slowed down, and the other is the cumulative reporting will take a while longer to roll out.

Patricia said the update to the CIP is where we will get into the choices of where to put our investments. Justin said that update is also the venue to discuss ACHD adopting levels of service concurrently with Boise in downtown Boise.

Sally said looking ahead to that, everyone needs to start thinking creatively because ACHD may find that it does not want to adopt Level of Service F as a policy. But there may be other ways to achieve the goal of a higher level of service, i.e., what are the conditions under which alternatives would be considered.

Nichoel agreed that we do not want Level of Service F, but we want all the elements of a downtown that creates the Level of Service F. You either have to find ways under certain circumstances to ignore it or establish a secondary level of service measurement for downtowns.

Charles said that if we are coming towards the conclusion of BGG, it needs to be noted that while a lot has been produced over the last year, it has not necessarily been in a coherent fashion. There is nothing that wraps the process up. Is there a need to package a report recognizing what has come out of the process and ask where we need to go from here?

Anna said it is more than what this group did. It allowed discussion about looking at things in a different way.

Matt noted the other challenge is that Consortium members have different opinions about how they would define success. Some would focus on the reports and what has been accomplished up until now. For others, the definition of success would be if we have moved towards implementing an Adequate Public Facilities Ordinance. To get the consensus of the Consortium on whether we can conclude the process we have to get them to agree on the definition of success.

Nichoel said we are not ready to ask the Consortium for closure on the process at the March 11th meeting, but we are at the place where we are prepping them for closure as we get the test runs done and the model set up, etc.

Matt added the other element to highlight is that staff time is stretched among all of the activities and committees. There is significant overlap with what is being discussed at the different committees. Also, Ada County is no longer participating at the Steering Committee level, and the question remains as to whether the Commission will participate at the Consortium level in 2010.

Matt encouraged Steering Committee members talk with their Consortium members prior to the March 11<sup>th</sup> meeting to inform them of the Steering Committee's thoughts and recommendations.

## **B. Discuss March 2010 Consortium Agenda**

Matt Stoll outlined the March 11, 2010, Consortium meeting agenda:

- Status Report from the Steering Committee
- Seek direction on the next steps
- Presentation by Clay Carley regarding downtown development
- Presentation by Smart Growth on their infill project
- Presentation by Ed Miller on the ULI Mayor's Forum

## **III. Other**

## **IV. Adjournment**

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**Steering/Technical Committee Meeting  
SIGN-IN SHEET**

Date: February 4, 2010

Name	Representing	Substituting For	Phone #
1. Matt Stoll	COMPASS		
2. Charles Trainor	COMPASS		
3. RAY STARK	Chamber of Commerce		
4. ANNA CANNING	MERIDIAN		
5. Tricia Nilsson	City of Boise		384-3842
6. Michael Baird Spencer	City of Eagle		939-0227
7. Mary Ann	COMPASS		
8. Mary May	M3		939-6263
9. Justin Lucas	ACHD		387-6157
10. Scott Gurnsey	RTD		334-8303
11. Mark Tate	M3		939-6263
12. Miguel Legarreta	Ada County REACTORS		947-7226
13. Nancy Brecher	COMPASS		
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