



# Denver Region Sustainable Communities Initiative



## Consortium Agreement

May 16, 2012

### Background

The Denver region enjoys a storied history of collaboration, anchored by the Denver Regional Council of Governments (DRCOG), its 56 member governments and more than 50 years of weaving land use, transportation and environmental concerns into a fully integrated regional plan. *Metro Vision*, most recently updated in February 2011, provides the framework that will guide this region into a future of expanded opportunities for people of all ages, incomes and abilities, supporting vibrant communities and a robust regional economy.

In November 2011 the Sustainable Communities Partnership, a federal collaboration of the U.S. Department of Housing and Urban Development (HUD), Department of Transportation (DOT), and Environmental Protection Agency (EPA), awarded the Denver region a \$4.5 million Regional Planning Grant. With this grant funding, a Consortium of municipalities, counties, state agencies, housing authorities, nonprofits, corporate interests, philanthropic and academic organizations will work together to further enhance and implement *Metro Vision*, while addressing one of our region's most pressing and exciting challenges: leveraging the planned \$6.7 billion expansion of the FasTracks transit system.

This document establishes the goals of the Consortium and the conditions under which Consortium members shall participate in the planning and related activities funded by the Sustainable Communities Regional Planning Grant, sometimes referred to herein as the Initiative.

### Goals

The Consortium's overarching goal is to align investments, programs and policies to maximize the benefits that result from the region's investment in transit. We anticipate a region with greater access to job opportunities across the entire income spectrum, lower combined transportation and housing costs, reduced consumption of fossil fuels, reduced strain on our air and water resources, and ultimately the development of concentrated, mixed-use, pedestrian- and bicycle-friendly "urban centers" along transit lines that allow residents to easily access their daily needs without having to get into a car.

### Grant-Funded Activities

The planning process is divided into five main categories. The first three represent distinct but interrelated planning levels – regional, corridor and site-specific (Catalytic Projects). The remaining two – Stakeholder Engagement and Outcomes Assessment and Knowledge Sharing (OAKS) – cut across and



support planning efforts at all three levels. Regional planning activities will focus on further refinements to *Metro Vision*, particularly the issues of access to housing choices and economic opportunity. Detailed execution planning at the corridor level will bring *Metro Vision* closer to implementation, and will focus on the three transit corridors currently under construction as part of the innovative EAGLE P3 public-private partnership (Gold, East, and Northwest rail/US36 BRT). Corridor-level planning will in turn lead to the identification and selection of three Catalytic Projects (one on each corridor) at specific sites that offer the potential for transformational changes. The West Line, which recently completed corridor-wide planning, has also identified a fourth Catalytic Project at the Sheridan Station. Pre-development planning, environmental review and policy changes that catalyze redevelopment at these sites will in turn provide valuable lessons for other transit station areas throughout the region.

## Benefits to Consortium Members

### Participate in regional and corridor planning

*Metro Vision* and the corridor planning provides a framework where Consortium members can find common ground on shared goals the region can collectively work toward. Consortium members can play a role ensuring *Metro Vision* and corridor planning activities reflect and advance the mission of their local government, organization or constituency.

### Recognize the value of communities within the regional context

The physical and cultural diversity of the many communities that comprise the Denver region creates the opportunity for a wide variety of economic development initiatives and living styles. Through participation in *Metro Vision* and corridor planning activities, Consortium members can raise awareness of the unique contribution that each individual community makes toward regional goals. In turn, a stronger, more livable region will serve to strengthen and sustain its individual communities.

### Gain access to tools, data and best practices

A considerable amount of data will be collected and disseminated as part of the *Metro Vision* and corridor planning process. Grant resources will also fund the development of decision-support tools, case studies of best practices, and training opportunities for Consortium members. These resources will increase Consortium members' understanding of the livability principles and capacity to enhance livability within their own communities.

### Foster new partnerships and increased collaboration among entities in the region

The *Metro Vision* and corridor planning process will bring together stakeholders from a wide variety of sectors and disciplines, some of whom may not have worked together previously, and highlight opportunities for Consortium members with similar goals to coordinate efforts and align resources. These relationships will live beyond the grant-funding period and support ongoing collaboration.



## **Access funding opportunities**

In recognition of the Denver region's ongoing commitment to advancing sustainability, HUD has awarded the region Preferred Sustainability Status. Consortium members may therefore be able to claim additional points or receive special consideration when applying for funding through HUD and other agencies affiliated with the Federal Partnership for Sustainability.

## **Responsibilities of Consortium Members**

### **Actively collaborate on regional, corridor, and site-level planning activities**

Consortium members will work together through the *Metro Vision* and corridor planning activities to identify shared goals, values and interests, and to develop consensus on policies and strategies for implementation. Active engagement may include participation in the Corridor Working Groups, stakeholder committees, advisory committees, workshops and trainings, case studies, and other opportunities that arise throughout the planning process to contribute to the overall effort. In contributing to the effort, Consortium members will make good on any commitments of matching resources.

### **Share information and ensure broad participation**

The full Consortium will convene at least twice annually to share information on their collective efforts and address any key issues that arise during the planning process. Consortium members will also serve as ambassadors for the Sustainable Communities Initiative, assisting with outreach both to members of the public and to members of their organization or local government. By raising awareness of the planning activities and identifying potential new partners, Consortium members will help ensure the Initiative is comprehensive in scope and includes a broad diversity of perspectives, particularly from communities that are traditionally underrepresented in the planning process. Consortium members will designate a point person within their organization who will serve as the primary contact for the Initiative and who will be responsible for communicating the activities of the Consortium to their organization and constituents. If the point of contact changes, the Consortium member must provide DRCOG staff with contact information for the new designated contact person.

### **Assist with plan implementation**

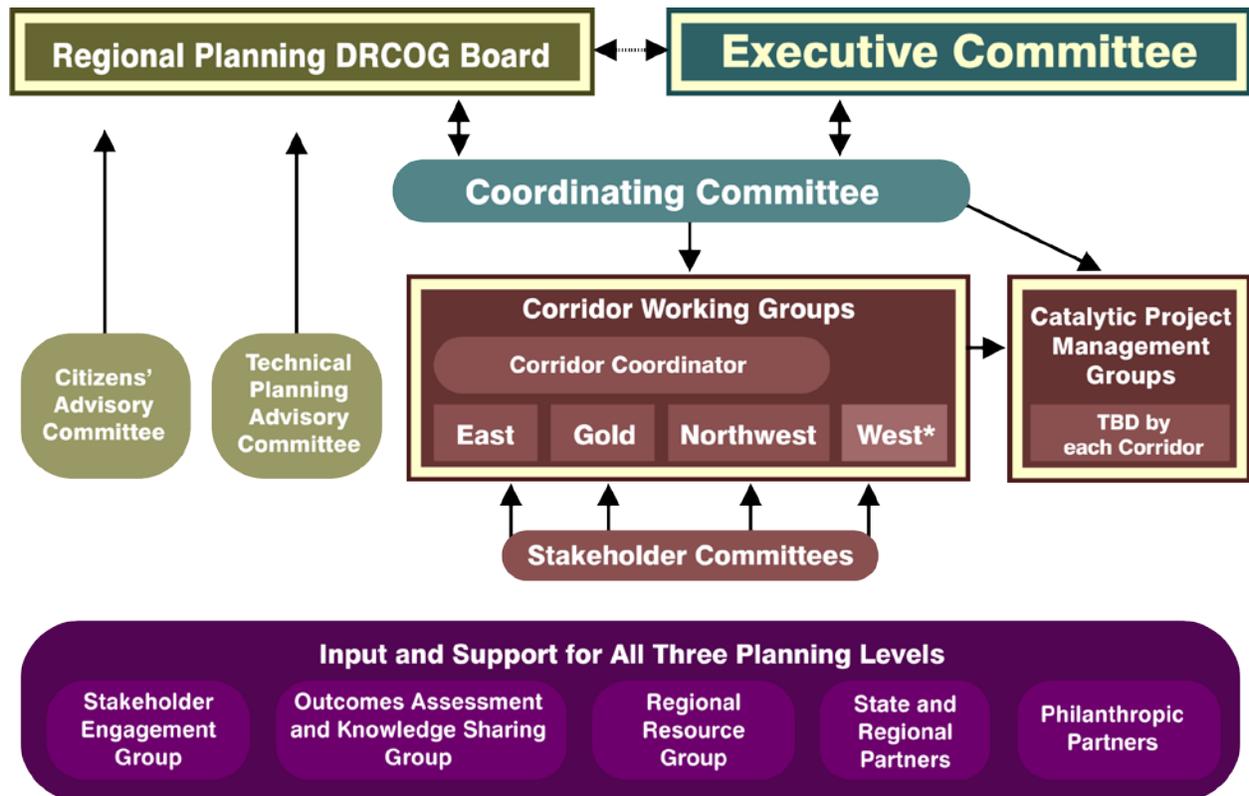
Consortium members will help identify opportunities to implement the projects and strategies identified in *Metro Vision* and the corridor plans. Consortium members will also facilitate any needed revisions to existing plans to ensure consistency with common regional or corridor-level goals.



## Governance Structure

**Figure 1. Consortium Governance Structure**

The Consortium is comprised of the groups below involved in each of the three levels of planning and implementation: regional, corridor, and site (catalytic projects). Rectangles with thick white borders represent decision-making bodies.



\*West Corridor to receive grant funding for catalytic project only; all other corridors to receive funding for both planning and catalytic projects.

The roles, purposes and responsibilities of the various committees and groups are as generally described below. The Executive Committee is authorized to promulgate written guidelines governing the size, membership, removal of members, and procedures of that committee, provided the guidelines are consistent with the provisions below. Each Corridor Working Group is authorized to promulgate such guidelines for their own group, and the Executive Director of DRCOG is authorized to promulgate such guidelines for all other committees and groups.

The **Executive Committee**, comprised of leaders from the public, private, and non-profit sectors, will provide project oversight to ensure the proposed planning efforts meet the objectives set forth in this Agreement and result in implementable strategies that equitably benefit the Denver region. The Committee will work toward consensus when making decisions, but upon the affirmative vote of the majority of members present and voting, the Committee may decide any questions that cannot be resolved by consensus. The Committee will meet quarterly and have the following responsibilities:

- Serve as champions for the Initiative, setting the tone for regional collaboration and advocating for the planning process
- If necessary, resolve conflicts or disputes and redirect any activities not aligned with the Consortium’s objectives
- Approve the initial work plan and any subsequent modifications
- Receive quarterly updates and provide feedback on grant-funded activities, grant fund expenditures and allocation of matching resources
- Educate and inform others about the Initiative
- Provide direction to the Coordinating Committee on how grant-funded activities could be coordinated with and amplify other allied efforts
- Each Executive Committee member will represent the perspective of their particular interest group, while seeking common ground with other interest groups
- As described below, the Executive Committee will provide input to DRCOG throughout the regional planning process, and the DRCOG Board of Directors is the final decision maker on any proposed updates to the *Metro Vision* plan. The Executive Committee may also make recommendations to DRCOG regarding changes to the grant budget.

The ***Coordinating Committee***, comprised of staff from DRCOG and members of Mile High Connects, will provide logistical support and day-to-day project direction, and support the Executive Committee in providing project oversight. Its key functions are ensuring integration of regional, corridor and catalytic project planning efforts, and keeping the Executive Committee informed of grant activities and any related issues. The Committee will make decisions by consensus. Any issues that cannot be resolved by consensus will be elevated to the Executive Committee. Specific responsibilities of the Committee include:

- Ensure coordination among Consortium members and among grant-funded activities
- Develop detailed scopes of work for sub-recipients and contractors as needed
- Attend to HUD requirements for reporting on and managing the grant-funded activities

The ***Denver Regional Council of Governments (DRCOG)***, as the Regional Planning Commission and Metropolitan Planning Organization (MPO) for the Denver region, will lead and coordinate all regional planning efforts, including the potential expansion of regional goals and policies within *Metro Vision*. The DRCOG Board of Directors, comprised of elected officials from each of the member governments, will make all policy-related decisions regarding the update of *Metro Vision*. DRCOG’s Articles of Association detail the Board’s decision-making procedures.

To ensure participation of key stakeholders in regional planning, DRCOG intends to establish the two committees described below. The Executive Committee will also provide input to the DRCOG Board throughout the regional planning process. The DRCOG Board is the final decision maker on any proposed updates to the *Metro Vision* plan.

- The ***Citizens’ Advisory Committee***, comprised of resident leaders from throughout the region, including individuals representing the interests of low-income households, minorities, the elderly



and people with disabilities, will provide recommendations to the DRCOG Board on *Metro Vision* policies and the engagement of community members in the regional planning process, particularly the direct involvement of those typically underrepresented.

- The **Technical Planning Advisory Committee**, comprised of local planning staff and subject-matter experts, will provide technical recommendations to the DRCOG Board on efforts to improve *Metro Vision*.

DRCOG is also serving as fiscal and administrative agent for the grant and will allocate resources to sub-recipients and award consultant contracts as needed. Through its annual budgeting process, the DRCOG Board will approve the grant budget and any subsequent changes. The DRCOG Administrative Committee will approve contracts with sub-recipients and consultants.

The **Corridor Working Groups**, comprised of city and county officials, housing authorities, and subject-matter experts, will direct corridor-level planning activities and establish a vision and goals unique to their corridor. Each Corridor Working Group will either manage its catalytic project directly or delegate that task to another entity. The existing West Line Working Group, having successfully carried out corridor level planning over the past year, will focus primarily on catalytic project planning activities. The other three corridors (East, Gold and Northwest rail/US36 BRT) will establish new Working Groups and create their own governance structures, using the West Line Working Group as a model.

- Reconnecting America will serve as the **Corridor Coordinator** across these new Working Groups to assure alignment with SCRPG objectives, provide training and capacity building, and share best practices among Working Groups.
- Each Working Group will receive direct input from larger corridor-wide **Stakeholder Committees**, which will include local residents. Corridor Working Groups will make all policy-related decisions regarding corridor and catalytic project planning efforts.

The **Regional Resource Group** includes organizations with demonstrated subject-matter expertise in housing, transportation, community and economic development, education, creative businesses and the arts, public health, environmental issues, urban agriculture, issues relevant to older adults, promoting equitable outcomes for low-income populations, and stakeholder engagement. Members of this group are committed and available to provide input and assistance at the behest of regional, corridor and catalytic project leadership needs. Many have committed matching resources and/or offered services at a discounted rate. Each member of the regional resource group will provide information on the types of assistance and services they can offer, which DRCOG will distribute to the full Consortium.

The **Outcomes Assessment and Knowledge Sharing (OAKS) Group** will help evaluate the outcomes of current and previous planning efforts, provide opportunities to share lessons learned and best practices, and ensure these lessons are integrated into ongoing planning efforts through the development of performance measures and decision support tools. The OAKS group includes University of Colorado-Denver, the Colorado Department of Public Health and the Environment, PlaceMatters and Reconnecting America. Activities of this group will support the collection and dissemination of information among participating agencies to ensure that decisions are well-informed and communicated



across jurisdictions. Case study reports will evaluate the existing light rail corridors in the Denver region (Southeast and Southwest lines) as well as the corridor nearing completion (West Line) in terms of their contribution to regional targets. Lessons learned both locally and nationally will be integrated into regional, corridor, and catalytic project planning efforts through the use of cutting-edge decision support tools. DRCOG's online regional data catalog will also make data and information associated with the proposed planning activities widely available.

The **Stakeholder Engagement Group** includes FRESC, The Denver Foundation, Transit Alliance and PlaceMatters. This group will ensure stakeholders have meaningful opportunities to provide input and feedback throughout the proposed planning and implementation activities at the regional, corridor and catalytic project levels, as well as the skills and knowledge required to participate effectively. Activities of this group will include capacity building and stakeholder engagement among traditionally disadvantaged communities; Citizens' Academies that engage a broad range of constituents; and large-scale, interactive meetings. These efforts will help populate the regional Citizens' Advisory Committee and Corridor Stakeholder Committees, particularly with people typically underrepresented in the planning process.

**State and Regional Partners** include the Colorado departments of local affairs, public health and environment, and transportation; the Regional Transportation District; and the Regional Air Quality Council. These partners have committed staff time and technical expertise, and will ensure state and regional efforts are coordinated with and enhance the proposed activities. **Philanthropic Partners** have also committed funding and technical expertise to directly support the proposed activities, as well as funding for a variety of related initiatives that will ensure the benefits gained are widespread and realized for generations to come.

### Accountability Measures

DRCOG is serving as fiscal and administrative agent for the grant and will act in a representative capacity with HUD on behalf of all members of the Consortium with respect to reporting to HUD and ensuring compliance with the requirements of the grant program. In this capacity, DRCOG will administer grant funding, budgeting and accounting, and will be the contracting agent to award and administer sub-recipient contracts and other contracts as needed. DRCOG may establish rules and policies governing the process for award of contracts, including without limitation rules prohibiting actual or potential conflicts of interest.

All Consortium members that have pledged in-kind support or other match requirements will work with DRCOG to document the number of hours spent on the project and the allocation of other matching resources, and will enter into an agreement governing their pledge if required by DRCOG. All Consortium members that will be receiving grant funds (sub-recipients) will enter into a formal contract with DRCOG that outlines the work to be performed and deliverables, and provide progress reports to DRCOG on a regular basis. DRCOG will use these reports to share information on the status of grant-funded activities with the larger Consortium.



## Expansion of Consortium Membership

Any entity supportive of the Consortium's goals may join at any time by becoming a signatory to this Agreement. The Executive Committee, Coordinating Committee, Corridor Working Groups and DRCOG Board may undertake special outreach to engage new partners and underrepresented constituencies as needed.

## Duration of Consortium Agreement

This Agreement shall remain in force for the duration of the Sustainable Communities Regional Planning Grant funding period, which is expected to conclude on February 15, 2015. This Agreement and the Consortium may be continued beyond the grant conclusion date through a writing signed by those members wishing to continue this Agreement beyond the grant conclusion date.

## Withdrawal From Consortium Agreement

Any member may, at any time, provide written notice to DRCOG of their intent to leave the Consortium, which notice shall state the effective date of withdrawal. Upon withdrawal, the member shall no longer be a party to this Agreement and shall no longer receive any benefits of Consortium membership, unless there is a specific written agreement to the contrary. However, a withdrawing member shall remain obligated to satisfy any pledge of in kind support or match requirement that is outstanding at the time of withdrawal. If approved by DRCOG, the member's obligation may be satisfied by working with DRCOG to secure equivalent resources from an alternative source.

## Changes to Terms of Agreement

The Executive Committee may, after consultation with the Consortium members, elect to change the terms of this Agreement at any time and will provide written notification of any changes to the entire Consortium membership.

## Signatures

An entity becomes a member of the Consortium by signing this Agreement and returning its signature page to DRCOG. This Agreement may be signed in any number of copies or counterparts, each of which shall constitute an original and all of which shall constitute one and same document. Signature submitted by facsimile or electronic transmission shall be sufficient and binding.

**Signature Page Follows**



## Member Signature Page

Instruction: This Agreement is to be signed by a representative of each Consortium member who has the authority to enter into an agreement on behalf of that entity. Please return your entity's signed original of this Signature Page to Jill Locantore at DRCOG, 1290 Broadway, Suite 700, Denver, CO 80203. Please keep a signed copy of this Agreement for your records.

By signing this Consortium Agreement, the undersigned party hereby agrees to join the Denver Region Sustainable Communities Consortium effective as of the date of signing and agrees to the provisions of the Consortium Agreement.

EXECUTED this \_\_\_\_ day of \_\_\_\_\_, 2012

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Signature

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Name (please print)

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Title

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Organization

**Primary Point of Contact:**

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Name

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Title

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Phone

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E-mail

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Mailing address



## OPTIONAL Additional Information

Areas of the Sustainable Communities Initiative your organization will participate in:

*Check all that apply*

- |  |   |
|--|---|
| <input type="checkbox"/> Metro Vision Plan Update  | <input type="checkbox"/> Regional Resource Group  |
| <input type="checkbox"/> Boomer Bond   | <input type="checkbox"/> Executive Committee  |
| <input type="checkbox"/> Regional Equity Atlas   | <input type="checkbox"/> Coordinating Committee   |
| <input type="checkbox"/> Stakeholder Engagement <ul style="list-style-type: none"><li><input type="checkbox"/> Citizens' Academies</li><li><input type="checkbox"/> Outreach to traditionally disadvantaged communities</li></ul>          | <input type="checkbox"/> Corridor Planning <ul style="list-style-type: none"><li><input type="checkbox"/> East</li><li><input type="checkbox"/> Gold</li><li><input type="checkbox"/> Northwest Rail/US 36 BRT</li></ul>  |
| <input type="checkbox"/> Outcomes Assessment and Knowledge Sharing <ul style="list-style-type: none"><li><input type="checkbox"/> Case Studies (Existing Transit Lines)</li><li><input type="checkbox"/> Workshops and Trainings</li></ul> | <input type="checkbox"/> Catalytic Projects <ul style="list-style-type: none"><li><input type="checkbox"/> West</li><li><input type="checkbox"/> East</li><li><input type="checkbox"/> Gold</li><li><input type="checkbox"/> Northwest Rail/US 36 BRT</li></ul> |

Details of how your organization anticipates participating in the areas checked above:

Matching resources your organization will commit to the Sustainable Communities Initiative:

- Cash                                       In-Kind                                       Other

Value:

Description:

