

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING AND INTENT (“MOU”) is made and executed this ____ day of _____, 2015, by and between GREENVILLE COUNTY ECONOMIC DEVELOPMENT CORPORATION (“GCEDC”), a nonprofit public benefit corporation, and THE COUNTY OF GREENVILLE, a political subdivision of the State of South Carolina (“County”), by and through its County Council. As a statement of background and intent, GCEDC and the County set forth the following:

I. Findings

WHEREAS, the governing body of the County, the Greenville County Council (“County Council”) established the Greenville County Economic Development Corporation (“GCEDC”) through Enabling Legislation by Resolution No. 890, effective June 1, 1999; and

WHEREAS, the GCEDC is a public benefit non-profit corporation with an Internal Revenue Code (IRC) Section 115 status as it functions on Greenville County’s behalf to perform the functions and purposes of preserving, owning, leasing, constructing, acquiring, and operating transportation services and facilities (including railroad rights-of-way) related to the promotion of economic development of Greenville County; and

WHEREAS, in January 2014, County Council passed Resolution No. 1496 supporting the GCEDC regarding its efforts to encourage preservation of transportation corridors for economic development; and

WHEREAS, County Council, through Resolution 1496, reaffirmed “continuing support of GCEDC efforts and encourages GCEDC to initiate public and private sector partnerships for development of appropriate transportation and recreation opportunities involving GCEDC property, including an initial focus on the southern section of SRT as a part of the trails corridors throughout the County operated by the Greenville County Parks Recreation and Tourism Department;” and

WHEREAS, County Council further encouraged “GCEDC to continue cooperating with other governmental agencies, corporations, individuals, and foundations, and within the scope of its resources and capabilities, work to obtain grants and donations to fund appropriate projects involving its railroad property;” and

WHEREAS, numerous planning studies have demonstrated a growing need for Greenville County to provide multi-modal public transportation options to meet the current and future needs of local citizens and visitors, and there is a growing public and private interest in building an operational Automated Transport Network (ATN) system; and

WHEREAS, GCEDC is organizing the first Greenville Transportation Alliance (“GreenTrans-1” or “Alliance”) (see Exhibit “A”) as a partnership that will provide time, talent and treasure to conduct studies and develop plans for sustainable advanced transportation options

and promote significant economic development and/or re-development along transportation and utility corridors across Greenville County that can generate significant economic impact during construction and operation and create increased real estate sales and a larger tax base for the community.

II. Agreement

In furtherance of their respective objectives (which the parties believe are compatible and mutually beneficial), GCEDC and Greenville County desire to enter into this Memorandum of Understanding to provide a general framework for the creation of the GreenTrans-1 Alliance and the County's participation in the Alliance.

1. GCEDC Intent to Form Greenville Transportation Alliance. As part of its mission, GCEDC intends to form the first Greenville Transportation Alliance. GreenTrans-1 will be established as a partnership to conduct studies and develop plans for sustainable advanced transportation options and promote significant economic development and/or re-development along transportation and utility corridors across Greenville County.
2. Greenville County Commitment to GreenTrans1 Alliance.
 - A. Greenville County commits to join the first Greenville Transportation Alliance and supports GCEDC in its efforts to develop multi-modal transportation options (examples including but not limited to: cars, buses, autonomous taxi (A-Taxi) shuttles, Automated Transport Network systems, bicycles, and walking paths) as well as multi-modal stations or mobility hubs that provide opportunities for GreenVillages economic development in transportation corridors throughout Greenville County and the Upstate.
 - B. Greenville County authorizes GCEDC, as a County entity, with responsibility for:
 - i. Promoting economic development projects related to advanced transportation and personal mobility,
 - ii. Coordinating Greenville County-owned right of way (ROW) for the use of advanced transport and economic development purposes with staff support through the Department of Community Development and Planning,
 - iii. Facilitating necessary environmental, engineering, ridership and feasibility studies,
 - iv. Developing plans for potential transportation projects,
 - v. Discussing and developing intergovernmental agreements regarding usage of ROW owned by other public or private entities,
 - vi. Developing and managing ROW access agreements with entities seeking to build and operate advanced transport systems,
 - vii. Collecting access and encroachment fees for personal mobility and advanced transportation utility projects (excluding all other utility encroachment fees)..
 - viii. Collected encroachment fees will be distributed according to each right-of-way owner policies or pursuant to any executed agreement between GCEDC and a right-of-way owner.

C. As a member of the GreenTrans1 Alliance, Greenville County will join other entities with a strong interest in advancing Automated Transport Network systems in Greenville County, SC, as a model of a significant attractor location employer, citizens group, or public entity.

3. Relationship of the Parties. The parties hereto desire to cooperate in good faith with respect to the achievement of their respective objectives. Each party will be responsible for its own expenses incurred in furtherance of this MOU.

The parties have evidenced their consent to the understandings expressed herein by executing this Memorandum of Understanding on the day and year first above written.

Greenville County Economic Development Corporation:

Fred Payne, President and Chairman

Greenville County:

Joseph M. Kernell
County Administrator

Greenville Transportation Alliance

Purpose: The Greenville Transportation Alliance (“GreenTrans-1”) is a partnership among entities that will provide time, talent and treasure to conduct studies and develop plans for sustainable advanced automated transport network (ATN) options and promote significant economic development and/or re-development along transportation and utility corridors across Greenville County that can generate significant economic impact during construction and operation and create increased real estate sales and a larger tax base for the community.

It is anticipated that GreenTrans-1 Alliance entities will participate in the following ways:

1. Financially support GCEDC efforts to coordinate ATN development;
2. Provide a representative member (and alternate) to the GreenTrans1 Alliance;
3. Identify major attractor locations and possible ATN station locations along potential ATN corridors;
4. Suggest ways to integrate multi-modal transportation options, stations, parking, etc.
5. Help quantify potential ridership in ATN route segments;
6. Recommend rates and estimate potential income from sources such as
 - a. Ridership (based on estimated ticket cost structure per ride, day, week, month, year)
 - b. Station sponsors (naming costs, terms, etc.)
 - c. Vehicle sponsors
 - d. Advertising potential
7. Nominate a qualified person to serve as a member of the Review and Selection Committee to select an ATN company and its investor group to finance, design, build, operate, and maintain an ATN system in Greenville County.

The participation parameters outlined above are subject to approval and modification by the Alliance membership.