

## ARTICLES OF AGREEMENT

### Establishing the Dubuque Metropolitan Area Transportation Study

By virtue of this agreement made and entered into by, among, and between the Iowa Department of Transportation, Illinois Department of Transportation, Wisconsin Department of Transportation, East Central Intergovernmental Association, Northwest Illinois Regional Council of Public Officials, Southwestern Wisconsin Regional Planning Commission, County of Dubuque (Iowa), County of Jo Daviess (Illinois), County of Grant (Wisconsin), the City of Dubuque, Iowa and the City of East Dubuque, Illinois and such other units of government as may hereafter become party to this agreement: There is hereby created the Dubuque Metropolitan Area Transportation Study pursuant to and in consideration of the premises and mutual covenants herein agreed:

#### ARTICLE I – AUTHORITY

Section 1: This Agreement is entered into pursuant to authority prescribed in Chapter 28E, Code of Iowa, 1973; Illinois Public Acts 76-193; and Section 66.30, Wisconsin Statutes; as such and other Codes, Acts and Statutes permit the states and units of local government to enter into cooperative agreements, and

Section 2 This Agreement is established according to requirements of Section 134, Title 23, United States Code; requiring to continuing, comprehensive transportation planning process to be carried on cooperatively by the states and local communities in each urban area of more the 50,000 population, and,

Section 3: This Agreement recognizes the unique metropolitan and regional characteristics of the Dubuque Urban Area, and further recognizes the designation of the East Central Intergovernmental Association as the “metropolitan planning organization” as required by 23, USC, 104 (f) (3); and capable of meeting requirements of 49, USC, 1602 (a) (2) and (e) (1), and 49, USC, 1603 (a), and 49, USC, 1604 (g) (1) and (1) and Part 450, CFR, and such other Federal Codes, Rules or Regulations as may now or in the future be required for planning the various modes of transportation in, by, and for urban areas.

## ARTICLE II – PURPOSE

Section 1: To establish a coordinating committee and advisory committee to insure the conduct of and participation in a continuing comprehensive transportation planning process which will provide for the cooperative development, analysis, and agreement on existing conditions and future plans and programs affecting the development of transportation facilities in the Dubuque Metropolitan Area Transportation Study area.

Section 2: To delegate and define the roles and responsibilities of the “Metropolitan Planning Organization” and other regional agencies and establish a mechanism for the coordination of all agency responsibilities in conducting local, state, and federal programs for the transportation planning and allied planning and development matters which will foster and develop cooperation on an interstate, inter-regional, and inter-local basis in the Dubuque Metropolitan Area Transportation Study.

## ARTICLE III – ORGANIZATION

Section 1: Policy Committee: There shall be created a coordinating committee known as the Dubuque Metropolitan Area Transportation Study Policy Committee. Such committee shall consist of the following representatives:

- a. A Commissioner or Secretary of each State Department of Transportation signing this Agreement or their formally designated representatives.
- b. The designated representative of each County Board of Supervisors signing this Agreement, who shall be an elected official residing in or having authority within the Dubuque Metropolitan Area Transportation Study area, and who shall also represent those portions of the transportation study area contained within incorporated areas not otherwise represented on the Policy Committee,
- c. The Mayor and six City Council Members of the City of Dubuque, Iowa,
- d. The chief elected official or formally designated representatives of the governing body of any township, municipality, or village within the transportation study area having a population of more than 2,000 persons but less than 50,000 persons, and having legislated responsibility for transportation policy and development.
- e. The Chair or designated representative of each of the regional planning organizations signing this Agreement,

- f. A formally designated representative of each public transit authority providing transportation services within the Dubuque Metropolitan Area Transportation Study area,
- g. Representatives of federal agencies having transportation related responsibilities, who shall serve without a vote,
- h. A formally designated representative of any other public board or commission having jurisdiction in the operation of transportation facilities; as such board of commission may hereafter become signatory to this Agreement at the consent of the Policy Committee.
- i. One designated representative or chief elected official representing small cities in the DMATS area with population under 2,000.

Section 2: Technical Advisory Committee. There shall be created a Technical Advisory Committee consisting of the following representatives:

- a. The Director or Secretary of each State Department of Transportation signing this Agreement or their formally designated representatives,
- b. The Executive Director of each of the regional planning organizations signing this Agreement, or the Director's formally designated representative(s),
- c. The City and County Engineers or Commissioners responsible for construction or maintenance of transportation facilities within the transportation study area.
- d. The Chief Administrator Officer of any duly constituted municipal or county zoning commission having jurisdiction for land use regulations and plan administration within the transportation study area.
- e. Representatives of federal agencies having transportation related responsibilities, who shall serve without vote,
- f. The Chief Administrative Officer of each public transit authority or any other public board or commission having responsibility for transportation operations within the transportation study area.
- g. Representatives of such other agencies or organizations as the Technical Advisory Committee may nominate, and as such membership shall be confirmed by the Policy Committee upon determination that such representation shall add technical expertise within the scope of particular studies, including but not limited to: air quality control, rail transportation, water transportation, common carrier transport, interstate commerce, environmental impact, or other appropriate concerns.

Section 3: Citizens Advisory Committee. The Policy Committee shall seek the advice and cooperation of citizens and may appoint such committees or may seek advice of existing organizations or interest groups as may be deemed necessary to effectively carry out the purposes set forth herein. Establishment or acknowledgement of advisory committees shall be set forth in writing and approved at a regular meeting of the Policy Committee.

#### ARTIVLE IV – POWERS

Section 1: The Policy Committee shall have the power to define and alter the transportation study area and to formulate and adopt a Comprehensive Transportation Plan for the transportation study area, containing such elements as may be required pursuant to the authority set forth in this Agreement.

Section 2: The Policy Committee may adopt rules to provide for the cooperative review of transportation development plans, land use plans, and other plans and programs having potentially significant impact upon the transportation study area as may hereafter be undertaken by any of the units of local government or their agencies within the transportation study area. Any agency signing this Agreement, who shall prepare plans or programs within the scope of study under this Agreement, shall submit such to the Policy Committee 30 days prior to the next Policy Committee meeting. The Policy Committee shall review and may make recommendations within a 30 day period following that meeting concerning continuity with their studies and programs prior to final action to adopt such plans or programs by the contributing agency. The Policy Committee shall monitor comprehensive plans of participatory agencies and shall attempt to observe goals, objectives, plans and programs of state and regional agencies who have signed this Agreement.

Section 3: The Policy Committee shall promulgate such reports and programs as may be required under authority of this Agreement. The Policy Committee may also, at its discretion, provide for a public information program relating to matters of transportation planning or development.

Section 4: The Policy Committee may formulate and sign cooperative agreements and memoranda of understanding with any and all agencies, public or private, operating within the Dubuque Metropolitan Area Transportation Study area without the consent of the “metropolitan planning organization.”

Section 5: It is the intention of this Agreement that no separate, full time staff be organized in support of this Agreement and that this Agreement reflects the establishment of cooperative staff arrangements. The program of work, work assignments, and budget shall be set forth in an annual Unified Work Program, which shall be recommended to the “metropolitan planning organization” by the Policy Committee. Change in the Unified Work Program shall be mutually agreed upon by the Policy Committee and the “metropolitan planning organization.”

Section 6: The coordination of staff responsibilities shall remain with the chief administrative office of the “metropolitan planning organization” who shall be responsible to the Policy Committee for carrying out their tasks under the Unified Work Program.

Section 7: The “metropolitan planning organization” shall retain the authority to contract for, receive, and expend federal, state, and local monies in order to conduct the programs of the Dubuque Metropolitan Area Transportation Study, which shall be authorized and administered through the Unified Work Program.

Section 8: Each regional planning organization signing this Agreement retains project notification and review system authority as may be designated under authority of OMB Circular A-95 as revised. It is understood herein that such review shall include plans and programs adopted by the Policy Committee created under this Agreement.

#### ARTICLE V – QUORUM AND VOTING

Section 1: A quorum of any of the committees made part of this Agreement shall consist of a majority of the representatives in good standing being present. Proxies may be allowed in the conduct of the affairs of any of the committees herein named by advance written authorization of such representative.

Section 2: It is understood that representatives of agencies or organizations signing this Agreement who serve on committees of the Transportation Study shall: a) vote upon issues, plans, and programs in accordance with the consensus of their respective agency or organization, and b) act as an active liaison between the committee on which they serve and the agency or organization they represent.

Section 3: In the ordinary conduct of the aforementioned committees business, each representative shall have one vote. The majority vote of the representatives present and voting shall decide any question.

#### ARTICLE VI – AMENDMENTS

This Agreement may, from time-to-time, be amended upon recommendations of two-thirds (2/3) of the representatives of the Policy Committee and with the consent of each of the agencies that are made party to and signatories of this Agreement. Any amendment so adopted shall be properly filed with, and become a part of, this Agreement.

## ARTICLE VII – AFFECT AND DURATION

Section 1: This Agreement shall be perpetual and shall take affect upon resolution (or other due authorization) of each party first mentioned herein with duly recorded documentation of such action.

Section 2: This Agreement shall supercede the July 29, 1964, Illinois-Iowa Memorandum of Understanding for the Continuous Comprehensive Transportation Planning Process for the Dubuque, Iowa-East Dubuque, Illinois Urbanized Area.