



ROCKFORD METROPOLITAN AGENCY FOR PLANNING  
POLICY COMMITTEE

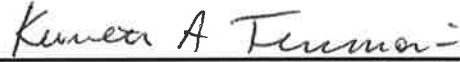
RMAP RESOLUTION 2018-14

- RE:** Rockford Metropolitan Agency for Planning MPO Cooperative Agreement
- WHEREAS** the Federal Highway Act of 1962, as amended, and the Urban Mass Transportation Act of 1964, as amended, provide for an urban transportation planning process; and
- WHEREAS** the Fixing America's Surface Transportation (FAST) Act authorizes funding to improve our nation's transportation system for highways, highway safety, public transit, alternative non-motorized forms of transportation and freight; and
- WHEREAS** the Rockford Metropolitan Agency for Planning (RMAP) is the Metropolitan Planning Organization (MPO) for the Rockford Metropolitan Area, and the MPO Policy Committee has the specific responsibility to direct and administer the 3-C (continuing, cooperative, comprehensive) urban transportation planning process; and
- WHEREAS** the MPO Policy Committee has directed that MPO shall further engage in regional planning efforts on a wider and broader scale than previously seen; and
- WHEREAS** the MPO Policy Committee has directed that the MPO, to achieve the above direction and serve the planning needs of the entire MPO Metropolitan Planning Area (MPA) and greater region, shall become a part of a Region 1 Planning Council (RIPC); and
- WHEREAS** the Region 1 Planning Council was officially created with the adoption of the Region 1 Planning Council Bylaws by the RIPC Board of Commissioners on December 14<sup>th</sup>, 2017; and
- WHEREAS** these above changes require revision to the MPO Cooperative Agreement; and
- WHEREAS** the MPO Cooperative Agreement can be improved by modernizations in an effort to reflect the current and future operating paradigms of the MPO;
- NOW, THEREFORE, BE IT RESOLVED**  
that the MPO Policy Committee adopts the MPO Cooperative Agreement dated August 23<sup>rd</sup>, 2018 as attached to this resolution; **AND BE IT FURTHER**
- RESOLVED** that the MPO Cooperative Agreement dated August 23<sup>rd</sup>, 2018 supersedes all MPO Cooperative Agreements previously adopted by the Metropolitan Planning Organization; **AND BE IT FURTHER**
- RESOLVED** that this MPO Cooperative Agreement, which is the governing constitution of MPO, must be adopted by each of the legislative bodies of the MPO Policy Committee, which will then authorize the chief elected/appointed official to then sign the attached MPO Cooperative Agreement.

Dated this 23<sup>rd</sup> day of August 2018.



Greg Jurek, RMAP Chairman  
Mayor  
City of Loves Park



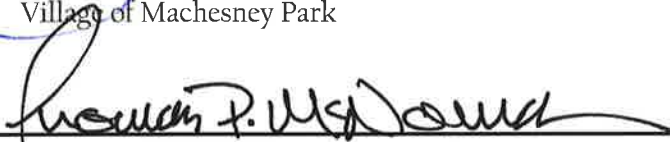
Karl Johnson, RMAP Vice-Chair  
Boone County Board Chairman  
Boone County



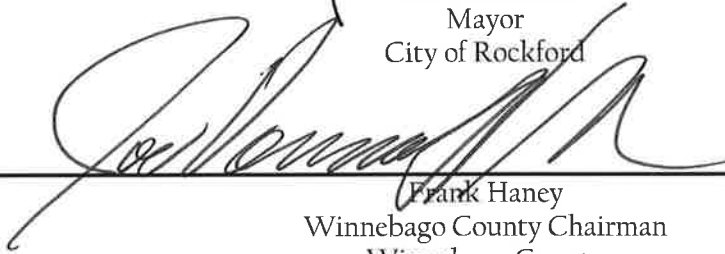
Mike Chamberlain  
Mayor  
City of Belvidere



Steve Johnson  
Mayor  
Village of Machesney Park



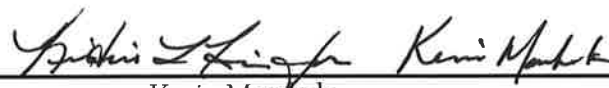
Tom McNamara  
Mayor  
City of Rockford



Frank Haney  
Winnebago County Chairman  
Winnebago County



Pastor Herbert Johnson, Board Chair  
Rockford Mass Transit District



Kevin Marchek  
Deputy Director  
Illinois Department of Transportation, Region 2

**COOPERATIVE AGREEMENT  
FORMING AND EMPOWERING THE  
ROCKFORD METROPOLITAN AGENCY FOR PLANNING  
August 23<sup>rd</sup>, 2018**

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MPO Cooperative Agreement

1 **RECITALS**

2 **WITNESSETH THAT:**

3 **Whereas** The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), the Transportation Equity  
4 Act for the 21st Century (TEA-21), the Safe, Accountable, Flexible, Efficient Transportation  
5 Equity Act - A Legacy For Users (SAFETEA-LU), the Moving Ahead for Progress in the 21<sup>st</sup>  
6 Century Act (MAP-21), and the Fixing America’s Surface Transportation Act (FAST Act) require  
7 that each urbanized area, as a condition to the receipt of Federal capital or operating assistance, have  
8 a continuous, cooperative and comprehensive (3-C) transportation planning process that results in  
9 plans and programs consistent with the comprehensively planned development of the urbanized area;  
10 and

11 **Whereas** It is reasonable and probable to anticipate that Federal action will take place in the near future  
12 that will reaffirm the need for a comprehensive transportation planning process and said  
13 process will be substantially similar to the provisions of the ISTEA, TEA-21, SAFETEA-LU,  
14 MAP-21, FAST Act; and

15 **Whereas** The Rockford Metropolitan Agency for Planning (“MPO”) has performed comprehensive  
16 transportation planning for the Rockford Urbanized Area, in accordance with the above said  
17 Federal laws and their precursors since 1964; and

18  
19 **Whereas** the Governor of Illinois has designated the Rockford Metropolitan Agency for Planning as  
20 the Metropolitan Planning Organization (“MPO”) responsible for carrying out the  
21 federally-required planning requirements for the area, in cooperation with the State; and

22 **Whereas** the laws of the State of Illinois, specifically the Intergovernmental Cooperation Act, 5 ILCS  
23 220/1 et seq., permit two or more governmental units to contract for the purposes set forth; and

24  
25 **Whereas** an identified regional need for coordinated transportation, land use, environmental and  
26 economic development planning has resulted in the creation of the Region 1 Planning Council  
27 (“RPC”): and

28  
29 **Whereas** the RPC and the MPO collaborate to accomplish planning requirements and address regional  
30 planning needs

31  
32 NOW, THEREFORE, IT IS AGREED BY AND AMONG THE PARTIES HEREIN THAT:

33 **ARTICLE 1. NAME**

34 Upon ratification of this cooperative agreement, hereafter referred to as the Agreement or the MPO Agreement, by the  
35 legislative authorities of all participating entities, including the City of Rockford, the City of Loves Park, the City of  
36 Belvidere, the Village of Machesney Park, the County of Boone, County of Winnebago (all in Illinois), and the  
37 State of Illinois, a joint transportation planning organization called the Rockford Metropolitan Agency for  
38 Planning, hereafter referred to by said name or “MPO”, is hereby formed with the purposes, powers and structure  
39 set forth below.

40 **ARTICLE 2. PURPOSE AND DUTIES OF MPO**

41 The MPO is created to perform and carry out a continuing, cooperative, comprehensive transportation planning  
42 process for the Census Defined Rockford Urbanized Area in accordance with applicable Federal laws, policies and  
43 procedures, and with the cooperation and assistance of its members and the U.S. Department of Transportation.  
44 Unless otherwise specified by subsequent amendments to U.S.C. 134 and 49 U.S.C. 1607, the duties of the MPO shall  
45 include:

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- 46 1. The development and maintenance of a long range transportation plan, including strategies to make more  
47 efficient use of existing transportation systems (acronym LRTP).
- 48 2. The development and annual update of a transportation improvement program consistent with the  
49 transportation plan (acronym TIP).
- 50 3. The development and annual update of a unified planning work program which coordinates the area's  
51 transportation planning activities (acronym UWP).
- 52 4. Other planning and project development activities necessary to address transportation and land use issues  
53 in the region including technical assistance to the RPC members.

**ARTICLE 3. ORGANIZATION AND GENERAL POWERS AND DUTIES**

- 55 1. The MPO shall consist of a Policy Committee, a Technical Committee, and other standing or  
56 temporary/special purpose committees as needed to carry out the duties and functions of the MPO.
- 57 2. MPO planning shall be guided by the Policy Committee which shall have final authority over all matters  
58 within the jurisdiction of the MPO.
- 59 3. The Technical Committee shall be established for the purpose of providing technical advice and  
60 recommendations to the Policy Committee, and request and deliberate on the technical planning functions  
61 and duties of the MPO.
- 62 4. Additional MPO Subcommittees shall be established for the purpose of providing professional and  
63 community based ideas on particular issues/topics that come before the MPO Technical Committee and  
64 MPO Policy Committee. Subcommittee assistance and conclusions / recommendations shall be forwarded  
65 to the Technical Committee for further discussions.
- 66 5. For administrative purposes, the RPC shall be the MPO fiscal agent.  
67
- 68 6. Staff of the RPC shall serve as staff to the MPO Policy Committee, under management provided by the  
69 RPC Executive Director and MPO Director of Planning.
- 70 7. The MPO shall be subject to the annual Intergovernmental Agreement (IGA) with the State of Illinois  
71 Department of Transportation.
- 72 8. The State of Illinois Department of Transportation shall assist the MPO in securing data and source  
73 materials necessary for the effective accomplishment of the 3-C transportation planning activities as  
described and outlined in the annual UWP and Intergovernmental Agreement (IGA). If there is conflict,  
the IGA will supersede the UWP.

**ARTICLE 4. POLICY COMMITTEE**

The Policy Committee membership shall be representative of the general purpose units of government and organizations as required by Federal Transportation Law in the planning area (particularly those in the Urbanized Area). The Policy Committee shall consist of the following persons or their duly authorized representatives.

MPO Policy Committee	
Entity	Representative
1 Belvidere	Mayor
2 Boone County	Board Chairman
3 Illinois Department of Transportation	Region Engineer (Region 2)
4 Loves Park	Mayor
5 Machesney Park	Village President

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6	Rockford	Mayor
7	Winnebago County	Board Chairman
8	Rockford Mass Transit District	Board Chairman

80 **ARTICLE 5. TECHNICAL COMMITTEE MEMBERSHIP**

81 Unless otherwise expanded or modified by further action of the Policy Committee, the Technical Committee shall  
 82 consist of one duly authorized representative from the following transportation planning or implementing agencies  
 83 with responsibility in the urban area:

<b>MPO Technical Committee</b>	
<b>Voting Members</b>	
1	Belvidere Public Works Department
2	Belvidere Planning Department
3	Boone County Conservation District
4	Boone County Highway Department
5	Boone County Planning Department
6	Forest Preserves of Winnebago County
7	Greater Rockford Airport Authority
8	Illinois Department of Transportation, Region 2
9	Loves Park Public Works Department
10	Loves Park Community Development Department
11	Machesney Park Planning Department
12	Machesney Park Public Works Department
13	Winnebago County Soil and Water Conservation District
14	City of Rockford Community Development Department, Planning Division
15	Rockford Mass Transit District
16	Rockford Park District
17	City of Rockford Public Works Department
18	Rock River Reclamation District
19	Winnebago County Highway Department
20	Winnebago County Planning and Economic Development Department

84 **ARTICLE 6. POWERS AND DUTIES OF THE POLICY COMMITTEE**

85 1. The MPO Policy Committee and the Illinois Department of Transportation (IDOT) shall jointly share the  
 86 responsibility for developing and maintaining the transportation plans and programs as required by State  
 87 and Federal law. To the extent possible and depending upon State and Federal appropriations, IDOT and  
 88 the local and county units of government shall make funding available to MPO for the purpose of carrying  
 89 out these responsibilities.

90 2. The Policy Committee shall have the authority to determine membership changes or additions on the  
 91 Technical Committee in accordance with the terms set forth.

92 3. The Policy Committee shall have the authority to establish and participate in alternate board structures for  
 93 regional planning purposes other than those defined by federal or state law for Metropolitan Planning  
 94 Organizations. These alternate board structures may resemble a Council of Governments, Regional  
 95 Planning Commission, Regional Council or Regional Planning Board. The alternate board structure may  
 96 be established by Intergovernmental Agreement and may require compliance with the provisions of 50  
 97 ILCS 10/0.01 et seq. Regional Council Act or 50 ILCS 15/0.01 et seq. Regional Planning Commission Act.

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- 98 4. The Policy Committee shall have the power to establish and appoint members to other temporary or special  
99 purpose committees as needed to carry out the duties of the MPO. Membership on these committees may  
100 consist of individuals or come from organizations not otherwise represented on the Technical or Policy  
101 Committees. The business of said temporary or special purpose committee shall be conducted in a manner  
102 similar to that outlined for the Technical Committee and as further directed by the Policy Committee.
  
- 103 5. The Policy Committee shall annually elect a Chairman and a Vice Chairman from its membership, said  
104 election to occur at the Policy Committee meeting in June, or the nearest meeting thereafter, of each year.  
105 The Chairman of the Policy Committee shall not be the Illinois Department of Transportation Deputy  
106 Director of Region 2.
  
- 107 6. The Policy Committee shall have the authority to enact by-laws further governing or directing the activities  
108 and procedures of the MPO and expanding upon the terms of this Agreement, provided such by-laws do not  
109 conflict with the terms of this Agreement.
  
- 110 7. The Policy Committee is empowered to enter into contracts and agreements with units of Federal, State and  
111 local government, private corporations, not-for-profit organizations, partnerships and individuals for  
112 purposes within the authority of the MPO.
  
- 113 8. The Policy Committee is empowered to receive grants, loans, gifts, bequests and funding from Federal,  
114 State, and local units of government, and from public and private sources.
  
- 115 9. The Policy Committee shall approve and maintain the Transportation Plan, and shall annually review and  
116 approve the Transportation Improvement Program and the Unified Planning Work Program.
  
- 117 10. The Policy Committee shall direct and oversee the planning process to ensure the following in accordance  
118 with applicable Federal laws: involvement of appropriate public and private transportation providers;  
119 nondiscrimination on the basis of age, race, color or national origin; appropriate involvement of minority  
120 business enterprises; adequate plans and provisions for the transportation-handicapped; adequate plans and  
121 provisions to control and reduce air pollution; and adequate plans, programs and measures to assure  
122 compliance with the terms of other duly enacted State and Federal laws related to the transportation  
123 planning / implementation process including but not limited to environmental justice, intelligent  
124 transportation systems, transportation safety and service to persons traditionally underserved.

125 **ARTICLE 7. POWERS AND DUTIES OF THE TECHNICAL COMMITTEE**

- 126 1. The Technical Committee shall provide technical advice and recommendations to the Policy Committee  
127 on all matters pertaining to the technical planning functions of the MPO and on other related matters  
128 referred to them by the Policy Committee.
  
- 129 2. The Technical Committee shall establish and appoint members to other temporary or special purpose  
130 committees as needed to carry out the duties of the Technical Committee. Membership on these  
131 committees may consist of individuals or come from organizations not otherwise represented on the  
132 Technical or Policy Committees. The business of said temporary or special purpose committees shall be  
133 conducted in a manner similar to that outlined for the Technical Committee and as further directed by the  
134 Technical Committee.

135 **ARTICLE 8. POWERS AND DUTIES OF THE RPC EXECUTIVE DIRECTOR, RPC DEPUTY**  
136 **DIRECTOR / MPO DIRECTOR OF TRANSPORTATION PLANNING AND THE FISCAL AGENT**

- 137 1. The RPC Executive Director shall supervise and coordinate the activities of the MPO and coordinate the  
138 fiscal affairs of the MPO with the RPC and any fiscal agency hierarchy.
  
- 139 2. The RPC Executive Director shall have the responsibility to direct the work of RPC staff for MPO activities.
  
- 140 3. The RPC Executive Director shall designate the RPC Deputy Director/MPO Director of Planning as the

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- 141 Chairman of the MPO Technical Committee and shall designate alternates to act as Technical Committee  
142 Chairman in the MPO Director of Planning's absence.
- 143 4. The RPC Executive Director and RPC Deputy Director/MPO Director of Planning shall be responsible for  
144 the administrative functions of the MPO including record keeping, correspondence, document maintenance,  
145 website, general information dissemination to the public, other supportive services to the MPO member  
146 agencies, and to financial record keeping in coordination with the RPC.
- 147 5. The RPC Executive Director, RPC Deputy Director/MPO Director of Planning and RPC staff shall schedule  
148 meetings, prepare agendas, issue notices, prepare minutes and generally ensure that all meetings are  
149 conducted in accordance with the Illinois Open Meetings Act.
- 150 6. The RPC shall provide preliminary assurance, as needed, of matching funds sufficient to capture available  
151 Federal and State subsidies available for transportation and related regional planning purposes. The actual  
152 matching fund amounts shall be determined by the RPC Executive Director in consultation with the MPO  
153 Policy Committee and will be provided to the MPO by the MPO Policy Committee member jurisdictions.
- 154 7. After approval by the Policy Committee, the MPO shall enter into contracts, as needed, with the State of  
155 Illinois Department of Transportation to capture and utilize subsidies available for transportation and related  
156 regional planning purposes.

157 **ARTICLE 9. MEETINGS, VOTING, MISCELLANEOUS**

- 158 1. The MPO Policy Committee shall meet on the same day as the scheduled meetings of the RPC Governing  
159 Board. In regard to Policy Committee meetings, the Policy Committee Chairman or, in the absence of the  
160 Chairman, the Vice Chairman shall have the authority to cancel or reschedule meetings, to call special or  
161 emergency meetings, to continue meetings, or to change the schedule of regular meetings, as needed to  
162 conduct the business of the MPO.
- 163 2. The MPO Technical Committee shall meet regularly on the Thursday following the third Tuesday of each  
164 month. In regard to Technical Committee meetings, the Chairman of the Technical Committee shall have  
165 the authority to cancel or reschedule meetings, to call special or emergency meetings, to continue meetings  
166 or to change the schedule for regular meetings, as needed to conduct the business of the MPO.
- 167 3. A quorum of the MPO Policy or Technical Committees and/or any other temporary or special purpose  
168 committee established under the powers established herein shall consist of a majority of the committee's  
169 members, respectively, unless otherwise determined by the Policy or Technical Committee.
- 170 4. The MPO Policy Committee actions on issues which determine the use or allocation of Federal funds shall  
171 require a majority vote of not less than two-thirds (2/3rds) the total number of Policy Committee members.  
172 Unless otherwise more strictly specified in other parts of this Agreement, all other issues shall be decided by  
173 a simple majority vote of the quorum present for the meeting.
- 174 5. Formal minutes shall be kept of all meetings of the MPO Policy Committee, Technical Committee and other  
175 special standing or temporary committees.
- 176 6. All meetings shall be open to the public, held in places accessible to persons with disabilities, and conducted  
177 in accordance with the Illinois Open Meetings Act.
- 178 7. Voting and representation through another person authorized to act for a member (proxy) is permitted on the  
179 Policy Committee. Authorization must be in the form of a written statement from the official member  
180 giving proxy. Such authorization may be permanent or limited at the discretion of the official member  
181 granting proxy. Absentee voting is not allowed.
- 182 8. Proxy voting and representation is permitted on the MPO Technical Committee, to the extent needed.  
183 Written authorization is not required, but new persons or persons not normally representing member  
184 agencies shall announce which member agency they are authorized to represent at the start of the meeting.



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185 Absentee voting is not provided for and no single person may represent or vote for more than one member  
186 agency at any given meeting.

187 9. The business of the MPO Policy and Technical Committee meetings shall be conducted in accordance  
188 with the following and in the same order of priority to avoid conflict: (1) the terms of this Agreement, (2)  
189 applicable by-laws of the MPO, if any, and (3) Roberts Rules of Order.

190 10. Major MPO Policy Committee actions shall be made in the form of written resolutions approved or denied  
191 through formal motions at the meetings. At the discretion of the Policy Committee Chairman, more  
192 routine MPO Policy Committee actions or directions to the Technical Committee, RPC Executive Director  
193 or staff may be made in the form of motions. At the discretion of the Policy Committee Chairman a  
194 Consent Agenda may be used for routine functions of the Policy Committee. All official actions and the  
195 votes thereon shall be recorded in the minutes. Most Technical Committee actions will be in the form of  
196 motions which make recommendations or deliver information to the Policy Committee.

197 **ARTICLE 10. MEMBERSHIP CRITERIA AND TERMS - POLICY COMMITTEE**

198  
199 An entity desiring membership to the MPO Policy Committee should make a formal written request to the Policy  
200 Committee. The Policy Committee will review and evaluate all such requests and respond in a timely manner.  
201 New members may be added to the Policy Committee without re-ratification of this agreement by the legislative  
202 bodies of the existing members if (a) the new member entity is required by Federal Transportation Law, or (b) the  
203 new member entity is unanimously endorsed by existing MPO Policy Committee members and all of the following  
204 criteria and conditions are met.

205 1. The new entity is an incorporated village or city within the Census Defined Rockford Urbanized Area or a  
206 County encompassing part of the Census Defined Rockford Urbanized Area.

207 a. If the new entity is a County, it shall contain a population of at least 7,500 persons located within  
208 the Census-defined Rockford Urbanized Area, with said 7,500 persons not residing within a city  
209 or village having representation on the Policy Committee, according to the most recent U.S.  
210 Census of Population.

211 b. If the new entity is a city or village, it shall contain at least five (5) percent of the population of  
212 the Census-defined Rockford Urbanized Area, according to the most recent U.S. Census of  
213 Population.

214 2. The entity has responsibility (ownership or maintenance) for three (3) road miles or more with Federal route  
215 designation on the latest Federal Aid Five-Year Classification Map.

216 3. The entity has responsibility, including significant financial participation, for substantial public transit  
217 service, fixed route and/or demand-response.

218 4. The legislative body of the new entity adopts/ratifies this agreement (altered only to include their entity  
219 in the list of Policy Committee members).

220 5. The existing Policy Committee members unanimously agree to admit the requesting member.

221 **ARTICLE 11. NEW MEMBERSHIP CRITERIA AND TERMS - TECHNICAL COMMITTEE**

222 Technical Committee membership may occasionally need to be changed or added to in response to changes in local  
223 government structure or transportation planning emphasis or enlargements of the MPO Metropolitan Planning Area  
224 (MPA). The Policy Committee, by unanimous agreement of its members, shall have the authority, without  
225 qualification, to change or add Technical Committee members. The Policy Committee may also appoint new  
226 Technical Committee members by simple majority vote if the entity meets all of the following criteria:

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- 227 1. The entity is a local unit of government that has a relationship to the 3-C (continuing, cooperative,  
228 comprehensive) transportation planning activities totally or partially within the MPO Metropolitan  
229 Planning Area.
- 230 2. The entity is eligible to receive, directly or indirectly, Federal funds from the U.S. Department of  
231 Transportation and/or the U.S. Environmental Protection Agency, U.S. Department of Agriculture, U.S.  
232 Department of the Interior
- 233 3. The entity is able to contract with other entities, either as an autonomous entity itself or as an empowered  
234 department or agency of an autonomous entity.
- 235 4. The entity is: (a) a special purpose unit of government; or (b) a county, city or village that provides  
236 transportation services or facilities as part or all of its functions; or (c) a not-for-profit corporation  
237 whose chartered function under the laws of the State is to provide transportation services.

### 238 **ARTICLE 12. EQUAL OPPORTUNITY ASSURANCE – TITLE VI AND ENVIRONMENTAL JUSTICE**

239

240 The participants of this Agreement hereby certify that as a condition of receiving Federal financial assistance to  
241 conduct transportation planning activities, the participants will ensure that:

- 242 1. No person in the United States shall, on the ground of race, color, or national origin, be excluded from  
243 participation in, be denied the benefits of, or be subjected to discrimination under any program or activity  
244 receiving Federal financial assistance.
- 245 2. The MPO will compile, maintain and submit in a timely manner Title VI and Environmental Justice  
246 information required by FTA Circular 4702.1B et seq., and FTA Circular 4703.1 and in compliance  
247 with the U.S. Department of Transportation's Title VI regulation, 49 CFR Part 21.9.
- 248 3. The MPO will make it known to the public that the person or persons alleging discrimination on the basis  
249 of age, race, color, or national origin, as it relates to the provision of transportation services and  
250 transit-related benefits, may file a complaint with the Federal Transit Administration and/or the U.S.  
251 Department of Transportation.

### 252 **ARTICLE 13. SEVERABILITY**

253 If any one or more of the provisions of this Agreement, or subsequent by-laws which may be added to direct or  
254 govern the activities of the MPO, or subsequent application thereof are declared unconstitutional or contrary to  
255 law by a court of competent jurisdiction, such ruling shall not affect any other provision of this Agreement not  
256 specifically included in such ruling or which can be given effect without the unconstitutional or invalid provision or  
257 application; and to this end, the provisions of this Agreement are declared severable.

### 258 **ARTICLE 14. RATIFICATION, AMENDMENT AND TERMINATION**

- 259 1. Ratification of this Agreement shall be made by the Mayors, President, Chairman, or Director of the  
260 Cities, Village, Counties, or Department of Transportation, as appropriate, when so empowered by formal  
261 action of the appropriate member organization.
- 262 2. Amendment to this Agreement shall be made in the same manner as initial ratification.
- 263 3. Additional parties of this Agreement may participate through adoption of an authorizing resolution or  
264 ordinance similar to those adopted by the original members.
- 265 266 4. This Agreement shall become effective upon ratification and shall supersede all prior agreements for  
267 cooperative transportation planning in the Census Defined Rockford Urbanized Area.
- 268 5. This Agreement shall remain in force continuously and shall be automatically renewed on each succeeding  
269 June 30th following initial ratification unless a member presents written notice of intention to terminate

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270 the Agreement at least six months prior to the annual automatic renewal date. Regardless of the above,  
271 this Agreement may be terminated or amended at any time upon unanimous mutual consent of the  
272 members.

### 273 **ARTICLE 15. EFFECT ON PREVIOUS ACTIONS, POLICIES, AND PLANS**

274 In as much as the MPO has been in existence and has conducted transportation planning for the Rockford  
275 Urbanized Area since 1964, this Agreement is intended to establish the authority of the MPO to continue said  
276 transportation planning. This agreement shall supersede the MPO Cooperative Agreement previously adopted by  
277 Rockford, Loves Park, Machesney Park, Belvidere, Winnebago County, Boone County, Rockford Mass Transit  
278 District and the Illinois DOT on August 28<sup>th</sup>, 2014. With regard to all other plans, policies, procedures, studies,  
279 resolutions and other official actions previously adopted or established by and through the RATS organization in  
280 existence prior to this Agreement, and not in conflict with this Agreement, those official actions shall continue  
281 to remain in effect until further definitive action is taken by the MPO to add to, alter, or nullify all or any part of  
282 said previous official actions. Further, any policies, resolutions or official actions or parts thereof in conflict with  
283 the terms of this Agreement are hereby repealed to the extent of their conflict or inconsistency.

### 284 **ARTICLE 16 – OTHER PERMITTED CHANGES TO THIS AGREEMENT**

285 After the initial ratification of this Agreement by the legislative bodies of the parties herein, the Policy Committee is  
286 authorized to make the following non-substantive, technical changes to this Agreement without further ratification  
287 by the legislative bodies:

- 288 1. Technical clarifications necessary to keep this document current with changes in Federal law and guidance  
289 pertaining to the Federally-required metropolitan planning process.
- 290 2. Codifications that update this document pursuant to actions taken by the MPO Policy Committee in  
291 accordance with the powers granted to the MPO Policy Committee in previous portions of this document  
292 – such as the addition of new members to the MPO Policy Committee or Technical Committee,  
293 changes regarding the RPC Executive Director or fiscal agent, and/or the creation of special subcommittees,  
294 said changes concordant with all other provisions herein.
- 295 3. Clarifications that do not substantively alter the terms or spirit of this Agreement but serve to clear up  
296 ambiguities of this Agreement.
- 297 4. Changes to prescribed meeting times and places as long as the opportunity for public involvement and  
298 comment is not impaired.

### 299 **ARTICLE 17. LOCAL MATCH PAYMENTS**

300 The necessary local funds needed for the MPO planning dollars from the Federal Highway Administration (FHWA),  
301 Federal Transit Administration (FTA) and State of Illinois – Department of Transportation (IDOT) shall be split (by  
302 percentage) among the local and county units of government on the MPO Policy Committee based upon the most  
303 recent urbanized area population and their respected percentage for the Rockford Urbanized Area according to the  
304 Census of Population issued by the Bureau of the Census. IDOT and the Rockford Mass Transit District shall be  
305 exempt from these local funds payments. The total local fund amount shall be determined by the RPC Executive  
306 Director in consultation with the MPO Policy Committee when the annual Unified Work Program is prepared and  
307 adopted by the same Committee. The RPC Executive Director shall prepare quarterly invoices to each of the local  
308 and county units of government and transmit formal invoices. All agencies shall comply with the Governmental  
309 Prompt Payment Act. Failure to submit payment to the MPO in a timely manner shall be reported to the Policy  
310 Committee. Suspension or termination of membership shall be decided by the Policy Committee on a case by case  
311 basis.

### 312 **ATTESTATION**

MPO Cooperative Agreement

313 The undersigned officials hereby attest that they have been duly authorized by their legislative authorities  
314 to enter into this Agreement

315  10/25/2018  
\_\_\_\_\_  
Frank Haney, Winnebago County Board Chairman, Winnebago County Date

316  11/29/18  
\_\_\_\_\_  
Karl Johnson, Boone County Board Chairman, Boone County Date

317  11-27-18  
\_\_\_\_\_  
Steve Johnson, Mayor Village of Machosney Park Date

318  10/25/2018  
\_\_\_\_\_  
Thomas McNamara, Mayor, City of Rockford Date

319  11/06/2018  
\_\_\_\_\_  
Greg Jury, Mayor, City of Loves Park Date

320  25 OCTOBER 2018  
\_\_\_\_\_  
Mike Chamberlain, Mayor, City of Belvidere Date

321  10/29/2018  
\_\_\_\_\_  
Herbert Johnson, Board Chairman, Rockford Mass Transit District Date

322  11-16-18  
\_\_\_\_\_  
Kevin Marchek, Director, Illinois Department of Transportation, Region 2 Date

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