

1 **TRANSIT FUNDING AGREEMENT BETWEEN THE ROCKFORD MASS TRANSIT**
2 **DISTRICT, THE BOONE COUNTY BOARD, THE CITY OF BELVIDERE AND THE**
3 **ROCKFORD AREA TRANSPORTATION STUDY – (May 26, 2005 Version)**

4 **WITNESSETH THAT:**

5 **WHEREAS** The Boone County Council on Aging (BCCA), acting on behalf and under the authority
6 of Boone County, has been providing public transit services to the citizens of Boone
7 County; and

8 **WHEREAS** Portions of Boone County have been redefined as “urbanized” by the U.S. Census
9 Bureau and said redefinition has changed the fundamentals of funding eligibility under
10 pertinent Federal and State programs that provide funding assistance for public transit
11 in Boone County; and

12 **WHEREAS** An interim arrangement has been formulated that will allow the continuation of public
13 transit services in Boone County without interruption, without irreversible changes to the
14 current structure of service delivery (i.e., services can continue to be provided by the
15 BCCA), and without significantly increasing the expense to Boone County taxpayers;

16 **WHEREAS** Said interim arrangement necessitates the cooperation and involvement of the Rockford
17 Mass Transit District (RMTD) the Rockford Area Transportation Study (RATS), the
18 County of Boone and the City of Belvidere; and

19 **WHEREAS** the laws of the State of Illinois, specifically the Intergovernmental Cooperation Act, 5
20 ILCS 220/1 et seq., permit two or more governmental units to contract for the purposes
21 set forth; NOW, THEREFORE, IT IS AGREED BY AND AMONG THE PARTIES
22 HEREIN THAT:

23 **1. THE PURPOSE OF THIS MEMORANDUM IS TO SET FORTH AN AGREEMENT AND**
24 **MECHANISM WHEREBY**

- 25 A. The citizens of Boone County and Belvidere can continue receiving public transit services though
26 an interim arrangement between Boone County, BCCA and RMTD; and
- 27 B. The costs of said services (in total) and the costs of said services (to the taxpayers of Boone
28 County) will not significantly exceed the cost as incurred in the past; and
- 29 C. The BCCA, acting as the agent of Boone County, will continue to provide the public transit services
30 in a manner consistent with the past; and
- 31 D. RMTD will apply and can receive funding assistance through the State Downstate Operating
32 Assistance Program (DOAP) to fund this service within the Rockford Urbanized Area.

33 **2. THIS AGREEMENT WILL BE BETWEEN AND PARTY TO:**

- 34 A. Boone County, Illinois (hereafter, the **County**) and its agent, the
- 35 B. Boone County Council on Aging (hereafter, the **BCCA**), and between the
- 36 C. Rockford Mass Transit District (hereafter, **RMTD**) and with the consent of the
- 37 D. Rockford Area Transportation Study (hereafter, **RATS**) the Metropolitan Planning Organization
38 (hereafter, the MPO), and the consent of the
- 39 E. City of Belvidere, Illinois.

40 **3. THIS AGREEMENT / MECHANISM WILL BE AN INTERN ARRANGEMENT UNTIL:**

41 A. June 30, 2009, or

42 B. Until such time as the evaluation of other options is completed and another option is determined
43 to be more beneficial to all of the parties concerned (Boone County, City of Belvidere, BCCA,
44 RMTD and RATS) for the citizens of Boone County and the City of Belvidere for the need of
45 public transit services.

46 **4. BACKGROUND SITUATION PRECIPITATING THIS AGREEMENT**

47 RATS is the State/Federally designated MPO for the Rockford Metropolitan Area (hereafter, the Metro
48 Area). This MPO is charged with the responsibility of coordinating all major public transportation
49 planning and programming throughout the Metro Area. The MPO coordinates the use of Federally-
50 funded public mass transportation grants and subsidies throughout the Rockford Metropolitan Area.

51 The Metro Area is comprised of the Rockford Urbanized Area (hereafter, the Urbanized Area), as
52 defined by the U.S. Census Bureau, plus those lands forecasted to become urbanized (i.e., developed
53 into intense industrial, commercial, or residential uses) in the next 25 years.

54 Many Federal programs target their funding assistance between Census-defined "Urbanized" and
55 "Rural" areas. Specific to this issue are two Federal assistance programs and one State of Illinois
56 program aimed at promoting public transportation: (1) the Federal 5311 (hereafter, 5311) funding
57 program is targeted to rural areas, (2) the Federal 5307 (hereafter, 5307) funding program is targeted
58 to urbanized areas, and (3) the Illinois Downstate Operating Assistance Program (hereafter, DOAP) is
59 targeted to urbanized areas. The Federal 5307 program is jointly administered by the Federal Transit
60 Administration (hereafter, FTA) and the Illinois Department of Transportation (hereafter, IDOT). The
61 Federal 5311 program and the DOAP program are administered by IDOT.

62 The boundary of the Urbanized area, as defined by the Census, is not coterminous with municipal,
63 township, or county boundaries but is based on strictly prescribed population and population density
64 criteria applied to census blocks or block groups. Consequently, the Urbanized area can shrink or
65 expand with each new Census. Specifically, prior to the Year 2000 Census all of Boone County was
66 defined as Rural – but as a result of that Census a large central part of Boone County, including the City
67 of Belvidere, is now included as part of the Urbanized Area.

68 This change in Census geography profoundly affects the funding arrangement for the demand-
69 response public transit services provided by Boone County through the BCCA. In particular, the
70 transportation services to the part of Boone County now within the Urbanized area can no longer be
71 funded with 5311 funds but can be made eligible for 5307 funds and DOAP funds.

72 **5. AGREEMENT**

73 **In light of the above facts and concerns the following is agreed upon by Boone County, City of**
74 **Belvidere, RMTD and RATS.**

75 A. RMTD agrees to extend its service area into the Urbanized portions of Boone County, including the
76 City of Belvidere, with the intent of assisting the County and the BCCA in providing public transit
77 services in essentially the manner currently provided, from FY 2006 to FY 2009 (July 1, 2005
78 through June 30, 2009). RMTD will file this annexation and amend its service area with the State
79 of Illinois Secretary of State.

80 B. RMTD agrees that it will make application for and administer DOAP funds in amounts eligible for and
81 pursuant to maintaining the services in the Urbanized portion of Boone County.

82 C. RMTD will endeavor to qualify for the maximum eligible amounts of DOAP funding on behalf of

- 83 Boone County. However, RMTD will not be held responsible for any costs of service in Boone
84 County that exceed the amounts obtained through the DOAP programs.
- 85 D. BCCA and RMTD will develop a mutually agreeable budget (for each of the four fiscal years)
86 showing all anticipated costs, including administrative costs, and revenues pertaining to the
87 urbanized service in Boone County. Said budget will be submitted to the Boards of Boone County
88 and RMTD for review and approval. Said budget must be prepared and submitted annually to
89 RMTD by April 1st for this public transit service. (RMTD fiscal year is July 1st to June 30th.)
90 Subsequent modifications to said budget will be made only by mutual agreement of BCCA and
91 RMTD.
- 92 E. RMTD agrees to accept BCCA as a sole source provider and to enter into a four year contract with
93 BCCA for the purpose of delivering the public transit services in the Urbanized portions of Boone
94 County including the City of Belvidere contingent on the Federal Transit Administration (FTA) and
95 the Illinois Department of Transportation (IDOT) concurrence.
- 96 F. BCCA agrees to keep records of all services provided to the urbanized portions of Boone County
97 sufficient for RMTD to apply for and administer the applicable DOAP grants.
- 98 G. RMTD agrees to administer all aspects of the DOAP grants including the State of Illinois regulations
99 and reporting requirements.
- 100 H. RATS agrees to sanction this agreement, to reference it in the FY 2005 Transportation Improvement
101 Program, and enter related items in appropriate places in the TIP to qualify for DOAP funding
102 assistance in conjunction with the Boone County transit service.
- 103 I. Over the next four years, Boone County, Belvidere, RMTD and RATS, with assistance from IDOT
104 and professional services provided by IDOT, agree to review the current and proposed transit
105 service between BCCA and RMTD and, if feasible, pursue a more long-term and comprehensive
106 solution to providing and funding public transit services in the Rockford Urbanized Area in Boone
107 County and the City of Belvidere.
- 108 J. The City of Belvidere acknowledges this agreement, concurs with the interim arrangement between
109 RMTD and the Boone County for the purpose of extending the service district of the Rockford Mass
110 Transit District into Boone County and the City of Belvidere, and agrees to cooperate and participate
111 in future studies to determine the best long-range future course of providing and delivering public
112 transit services to the citizens of Belvidere and Boone County.
- 113 K. Boone County, Belvidere, RMTD and RATS agree that this agreement shall remain in effect through
114 FY 2009 (through June 30, 2009) only, unless it is mutually agreed by all parties to extend this
115 agreement longer or terminate it sooner.
- 116 L. All parties agree to provide a ninety (90) day written notice of any intent to extend or terminate this
117 agreement. Said notice shall also to be sent to RATS.
- 118 M. Over the next four years, RMTD and Boone County will prepare and execute a separate
119 Intergovernmental Agreement annually to provide this public transit service.

120 **6. NOTICE:**

121 Any notice required under this Agreement shall be in writing and delivered to:

122 **Boone County**
123 Ms. Susan Anderson
124 County Board Chairman
125 Boone County Court House
126 601 North Main St.
127 Belvidere, Illinois 61008

Rockford Mass Transit District
Mr. Rick McVinnie
Executive Director
520 Mulberry Street
Rockford, Illinois 61101-1016

128 **Rockford Area Transportation Study**
129 Mr. Steve Ernst
130 Study Director
131 425 E. State Street
132 Rockford, Illinois 61104

City of Belvidere
Mr. Frederic C. Brereton
Mayor
119 S. State Street
Belvidere, Illinois 61008

133 **7. SUCCESSORS AND ASSIGNS:**

134 **A. BOONE COUNTY, ILLINOIS**

135 By: Susan L. Anderson

136 Attest: Gary W. McIntyre Date: 5-26-2005

137 **B. ROCKFORD MASS TRANSIT DISTRICT**

138
139 By: Richard W. [Signature]

140 Attest: Gary W. McIntyre Date: 5-26-2005

142 **C. ROCKFORD AREA TRANSPORTATION STUDY**

143
144 By: David F. Lindberg

145 Attest: Gary W. McIntyre Date: 5-26-2005

146 **D. CITY OF BELVIDERE, ILLINOIS**

147
148 By: Frederic C. Brereton by [Signature]

149 Attest: Gary W. McIntyre Date: 5-26-05