RESOLUTION NO. R-1012-93

RESOLUTION APPROVING THE ARTICLES OF AGREEMENT ESTABLISHING THE ECIA REGIONAL PLANNING AFFILIATION UNDER THE DIRECTION OF EAST CENTRAL INTERGOVERNMENTAL ASSOCIATION

WHEREAS, the City Council of the City of Manchester, Iowa, has determined that the Iowa Department of Transportation (IDOT) is requiring a continuing, comprehensive transportation planning and process, and the priortizing and programming of Surface Transportation Program (STP) and STP Enhancement funds, to be carried on cooperatively by the state and local communities in each non-urban area of the State of Iowa;

WHEREAS, the City Council has determined that such needs can be provided for in part through a joint policy board and advisory committee and it is in their best interests to join with other counties and cities in the East Central Intergovernmental Association region, within the counties of Clinton, Delaware, Dubuque and Jackson in Iowa, and

WHEREAS, the City Council has reviewed the Articles of Agreement Establishing the ECIA Regional Planning Affiliation (see copy attached hereto) and pursuant to Chapter 28E, Code of Iowa, it specifically delegates its comprehensive transportation planning and process, and the priortizing and programming of Surface Transportation Program (STP) and STP Enhancement funds, in cooperation with the other counties and local communities to the ECIA Regional Planning Affiliation under the direction of East Central Intergovernmental Association and the Mayor and City Clerk are authorized to become signatories to the Articles of Agreement of the ECIA Regional Planning Affiliation in behalf of the City of Manchester, Iowa, establishing the ECIA Regional Planning Affiliation.

NOW, THEREFORE, be it resolved that the City Council of Manchester, Iowa, that the Articles of Agreement of ECIA Regional Planning Affiliation are hereby approved and adopted in all respects, and membership in said Regional Planning Affiliation is approved.

BE IT FURTHER RESOLVED that the Mayor and City Clerk of the City of Manchester, Iowa, are hereby authorized and directed to become the signatories to the Articles of Agreement establishing the ECIA Regional Planning Affiliation in behalf of the City of Manchester, Iowa, and the City Clerk is authorized and directed to execute

FILE No. 1-2151
RECORDING FEE $ 46.00
TRANSFER FEE $
FILED FOR RECORD THE 11 DAY OF January, 19 94 AT 11:20 O'CLOCK A M. BOOK 4 PAGE 150
STATE OF IOWA, DELAWARE COUNTY
Deborah L. Peyton, Recorder
Misc.

necessary certified copies of this Resolution and impress the official seal of this City to such certified Resolutions as are necessary to legally consummate the Articles of Agreement.

PASSED, ADOPTED AND APPROVED this 20th day of December, 1993.

Milton Kramer Mayor

ATTEST:

Karen K. Cole City Clerk

Alan B. Cook
Council Member

Leo K. Monaghan
Council Member

Susan M. Morris
Council Member

Douglas A. Cooper
Council Member

Council Member

CERTIFICATE OF CITY CLERK

STATE OF IOWA)
) ss.
COUNTY OF DELAWARE)

I, Karen K. Cole, do hereby certify that I am the duly appointed, qualified, and acting City Clerk of the City of Manchester, Iowa, and as such Clerk I have in my possession or have access to the records of the proceedings of the City Council. I do further state that the hereto attached Resolution No. R-1012-93 is a correct copy of the original Resolution No. R-1012-93 approved and adopted by the City Council of the City of Manchester, Iowa, at a session held by said City Council on the 20th day of December, 1993.

In Testimony Whereof, I hereunto set my hand and official seal.

Dated at Manchester, Iowa, this 21st day of December, 1993.

Karen K. Cole
Karen K. Cole City Clerk

ARTICLES OF AGREEMENT
ESTABLISHING THE
ECIA REGIONAL PLANNING AFFILIATION

BY VIRTUE OF THIS AGREEMENT MADE AND ENTERED INTO BY, AMONG AND BETWEEN THE COUNTY OF CLINTON (IOWA), THE COUNTY OF DELAWARE (IOWA), THE COUNTY OF DUBUQUE (IOWA), THE COUNTY OF JACKSON (IOWA) THE CITY OF CLINTON, IOWA, THE CITY OF MANCHESTER, IOWA, THE CITY OF MAQUOKETA, IOWA AND SUCH OTHER UNITS OF GOVERNMENT AS MAY HEREAFTER BECOME PARTY TO THIS AGREEMENT; AND THE EAST CENTRAL INTERGOVERNMENTAL ASSOCIATION: THERE IS HEREBY CREATED THE ECIA REGIONAL PLANNING AFFILIATION (ECIA RPA) 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, 1993; permitting the units of local government to enter into cooperative Agreements, and

Section 2: This Agreement is established according to guidelines of the Iowa Department of Transportation (IDOT) requiring a continuing, comprehensive transportation planning process, and the prioritizing and programming of Surface Transportation Program (STP) and STP Enhancement funds, to be carried on cooperatively by the state and local communities in each non-urban area of the state of Iowa, and

Section 3: This Agreement recognizes the unique regional characteristics of the ECIA RPA Area, and further recognizes the designation of the East Central Intergovernmental Association as the regional transportation planning agency responsible for staffing this organization (ECIA RPA).

ARTICLE II - PURPOSE

Section 1: To establish a policy board 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 ECIA RPA area.

Section 2: To delegate and define the roles and responsibilities of the regional transportation agency and establish a mechanism for the coordination of all agency responsibilities in conducting local, state and federal programs for transportation planning and allied planning and development matters which will foster and develop cooperation in the ECIA RPA area.

ARTICLE III - ORGANIZATION

Section 1: Policy Board: There shall be created a coordinating committee known as the ECIA Regional Planning Affiliation Policy Board. Such board shall consist of the following representatives:

a. The designated representative of each County Board of Supervisors approving this Agreement, who shall be an elected official or a formally designated representative residing in or having authority within the ECIA RPA area, and who shall also represent those portions of the area contained within incorporated areas of said county.

b. The Mayor or a formally designated representative of the city council of the cities approving this Agreement with populations of at least 5000.

c. Four (4) Mayors or formally designated representatives of city governments chosen by caucus of cities under 5000 population to represent the small cities (under 5000) within the transportation area. Each county shall have one policy board member, chosen by caucus of the small cities within the county.

d. Representatives of the Iowa Department of Transportation, Federal Highway Administration, and the Federal Transit Administration who shall serve without a vote.

e. A formally designated representative of any other public board or commission having jurisdiction in the operation of transportation facilities; as such board or commission may hereafter become signatory to this Agreement at the consent of the Policy Board.

Section 2: Technical Advisory Committee. The Policy Board shall appoint a Technical Advisory Committee to assist in the development of the Transportation Improvement Program, the Long Range Plan, other plans and programs and to advise on technical matters in general.

ARTICLE IV - POWERS

Section 1: The Policy Board shall have the power to formulate and adopt a Long Range Transportation Plan and establish a Transportation Improvement Program for the ECIA RPA area, containing such elements as may be required pursuant to the authority set forth in this Agreement.

Section 2: The Policy Board shall promulgate such reports, and programs as may be required under authority of this Agreement. The Policy Board will also provide for a public information program relating to matters of transportation planning or development.

Section 3: The Policy Board may formulate and sign cooperative agreements and memoranda of understanding with any and all agencies, public or private, operating within the ECIA RPA area.

Section 4: The program of work and budget shall be set forth in an annual Transportation Work Program, approved by the Policy Board.

Section 5: The coordination of staff responsibilities shall remain with the chief administrative officer of the East Central Intergovernmental Association, who shall be responsible to the Policy Board for carrying out their tasks under the Transportation Work Program.

Section 6: The Transportation Work Program and budget shall be financed by the East Central Intergovernmental Association, who shall have the authority to contract for, receive and expend federal, state, and local monies in order to conduct the programs of the ECIA RPA.

ARTICLE V - QUORUM AND VOTING

Section 1: A quorum of any of the boards or committees made part of this Agreement shall consist of a majority of the voting representatives "in good standing". A representative shall not be "in good standing" if said representative is absent from three consecutive meetings. Alternates may be allowed in the conduct of the affairs of any of the boards herein named by advance written authorization of such representative.

Section 2: It is understood that representatives of local governments signing this Agreement who serve on committees shall, a) vote upon issues, plans and programs on behalf of the their respective agency or organization, and b) act as an active liaison between the board on which they serve and the agency or organization they represent.

Section 3: In the ordinary conduct of the aforementioned board's business, each representative shall have one vote.

ARTICLE VI - AMENDMENTS

This Agreement may from time-to-time be amended upon approval of two-thirds (2/3) of the representatives of the Policy Board in good standing and with the consent of a simple majority of the agencies that are made party to and signatory of this Agreement. Any amendment so adopted shall be properly filed with and become a part of this Agreement.

ARTICLE VII - EFFECT, TERMINATION, and PROPERTY

Section 1: This Agreement shall be perpetual and shall take effect upon resolution (or other due authorization) of any two parties first mentioned herein with duly recorded documentation of such action. Any party approving these articles may withdraw from the ECIA RPA by resolution of the local governing body. Withdrawal of a majority of the parties shall terminate this Agreement.

Section 2: The ECIA RPA shall not hold title or have ownership to any property.

(City Signatory Page)

Pursuant to authority granted to us by the City Council of Manchester, Iowa, in Resolution No. R-1012-93, adopted on the 20th day of December, 1993, we hereby execute in behalf of Manchester, Iowa, the Articles of Agreement establishing the ECIA Regional Planning Affiliation in Clinton, Delaware, Dubuque, and Jackson Counties in the State of Iowa.

Executed at Manchester, Iowa, this 21st day of December, 1993.

Milt L. Kramer Mayor

ATTEST:

Karen K. Cole City Clerk

(SEAL)

RESOLUTION R-1012-93

It was moved by Council Member Morris and seconded by Council Member Cooper to approve R-1012-93 as follows:

RESOLUTION R-1012-93

RESOLUTION APPROVING THE ARTICLES OF AGREEMENT ESTABLISHING THE ECIA REGIONAL PLANNING AFFILIATION UNDER THE DIRECTION OF EAST CENTRAL INTERGOVERNMENTAL ASSOCIATION

WHEREAS, the City Council of the City of Manchester, Iowa, has determined that the Iowa Department of Transportation (IDOT) is requiring a continuing, comprehensive transportation planning and process, and the priortizing and programming of Surface Transportation Program (STP) and STP Enhancement funds, to be carried on cooperatively by the state and local communities in each non-urban area of the State of Iowa;

WHEREAS, the City Council has determined that such needs can be provided for in part through a joint policy board and advisory committee and it is in their best interests to join with other counties and cities in the East Central Intergovernmental Association region, within the counties of Clinton, Delaware, Dubuque and Jackson in Iowa, and

WHEREAS, the City Council has reviewed the Articles of Agreement Establishing the ECIA Regional Planning Affiliation (see copy attached hereto) and pursuant to Chapter 28E, Code of Iowa, it specifically delegates its comprehensive transportation planning and process, and the priortizing and programming of Suraface Transportation Program (STP) and STP Enhancement funds, in cooperation with the other counties and local communities to the ECIA Regional Planning Affiliation under the direction of East Central Intergovernmental Association and the Mayor and City Clerk are authorized to become signatories to the Articles of Agreement of the ECIA Regional Planning Affiliation in behalf of the City of Manchester, Iowa, establishing the ECIA Regional Planning Affiliation.

NOW, THEREFORE, be it resolved that the City Council of Manchester, Iowa, that the Articles of Agreement of ECIA Regional Planning Affiliation are hereby approved and adopted in all respects, and membership in said Regional Planning Affiliation is approved.

BE IT FURTHER RESOLVED that the Mayor and City Clerk of the City of Manchester, Iowa, are hereby authorized and directed to become the signatories to the Articles of Agreement establishing the ECIA Regional Planning Affiliation in behalf of the City of Manchester, Iowa, and the City Clerk is authorized and directed to execute necessary certified copies of this Resolution and impress the official seal of this City to such certified Resolutions as are necessary to legally consumnate the Articles of Agreement.

PASSED, ADOPTED AND APPROVED this 20th day of December, 1993.

ATTEST:

Milt L. Kramer, Mayor

Karen K. Cole, City Clerk

ON CALL OF ROLL: AYES: Morris, Cooper, Monaghan, Cook NAYS: None