



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Administrative Division*

### **m e m o r a n d u m**

**TO:** Bruce K. Walden, Chief Administrative Office

**FROM:** Elizabeth H. Tyler, AICP, City Planner/Director

**DATE:** November 18, 2004

**SUBJECT: Intergovernmental Agreement With the Champaign-Urbana Mass Transit District Regarding Cooperation in Annexations**

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### **Description**

This Memorandum presents a Draft Intergovernmental Agreement between the City of Urbana and the Champaign-Urbana Mass Transit District (MTD) Regarding Cooperation in Annexations. The purpose of the agreement is to promote efficiency in the provision of urban services by ensuring that all properties that are annexed into the City are subsequently annexed into the District boundaries in a timely and coordinated fashion.

### **Issues**

The Agreement has been prepared in response to concerns of the MTD that urbanized areas within the metropolitan area be annexed into the MTD boundaries in a timely manner once they have been annexed into a municipality in order to promote an efficient and coordinated regional transit system. Adoption of similar agreements by the City of Champaign and Village of Savoy has also been requested by the MTD. Through regular coordination of annexations it is hoped that the MTD will be better able to plan for and provide mass transit service within all portions of the urbanized area.

### **Background**

Coordinated annexation of newly incorporated territories within the City of Urbana into relevant service-providing districts has long been the policy and practice of the City and other districts. For example, newly annexed City properties are annexed into the Urbana Park District on a regular basis. The Sanitary District similarly adjusts its boundaries to match service needs and new corporate annexations on a routine basis. In addition, under the terms of an existing intergovernmental agreement with the Sanitary District, annexation into the corporate limits or execution of an annexation agreement for noncontiguous properties are required for properties desiring connection to sanitary sewers within the City's Extra-Territorial Jurisdictional Area (some subdivisions are exempt). The City provides these service districts with relevant information on annexations as a part our internal annexation policies. By keeping pace with corporate annexations, service providers are better able to plan for and provide urban services.

Provision of mass transit services to the residents of the City of Urbana is consistent with the general transportation goals of the City's Comprehensive Plan and with steering committee and citizen direction received during the Comprehensive Plan Update process. Expansion of transit opportunities is also addressed in detail in the policies and preferred alternative set forth in the Draft Long Range Development Plan, recently presented to and reviewed by City Council.

The MTD is interested in pursuing a more cooperative and coordinated approach to annexation of urban areas into the district boundaries. In November 2000, the MTD Board adopted a policy regarding its Planning Service Area Boundaries to provide a logical framework regarding annexation. This document states that:

- a. *MTD will engage in sound transit planning, in cooperation with other transportation and mobility stakeholders. As development outside the District boundary often impact travel requirements and demands within the boundary, MTD will on a routine basis examine an expanded urban boundary for planning purposes. In an effort to maximize coordination among public agencies responsible for transportation, MTD will use a planning area contiguous with other planning boundaries (e.g., CUUATS).*
- b. *MTD's service area boundary policy strives to extend service areas to become co-terminus with the boundaries of the local jurisdiction it serves, consistent with local support. MTD will extend District boundaries to be co-terminus with the cities of Champaign, Urbana, and Savoy, and will automatically annex areas consistent with future municipal annexations. MTD will strive over time as resources and conditions permit, to extend service boundaries to match planning boundaries, subject to annexation regulations.*

Illinois State law provides that transit districts can annex "... any territory, except property classified as farmland, which (1) lies within the corporate limits of a municipality as defined in this Act, (2) is contiguous to a local mass transit district organized under this Act, and (3) is not a part of another local mass transit district ... after a public hearing has been held thereon by the board of trustees of the district at a location within the territory sought to be annexed, or within 1 mile of any part of the territory sought to be annexed." The MTD may also annex land by petition of the property owners and registered voters in an area.

## **Options**

City Council should review the attached Draft Agreement and offer any suggestions for modifications. If the Draft Agreement is found acceptable, City Council should adopt the attached Ordinance authorizing the Mayor to execute the agreement. As a two-party document, the Agreement will also require the review and acceptance by the MTD Board.

## **Fiscal Impacts**

The proposed Agreement would have no fiscal impacts upon the City. Staff time and resources to notify District staff regarding annexation activity is negligible.

Properties that are annexed into the MTD boundaries would have an increase in property tax consistent with the District's tax rate.

## **Recommendations**

Staff recommends adoption of the Intergovernmental Agreement as attached.

Attachments:

1. Resolution
2. Draft Intergovernmental Agreement Between the City of Urbana and the Champaign-Urbana Mass Transit District

Cc: William Volk, CUMTD  
CUMTD Board Chair

RESOLUTION NO.2004-11-026R

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL  
AGREEMENT WITH THE CHAMPAIGN-URBANA MASS TRANSIT DISTRICT  
(Cooperation in Annexations)

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
URBANA, ILLINOIS, as follows:

Section 1. That An Intergovernmental Agreement Between the City of  
Urbana and the Champaign-Urbana Mass Transit District, in substantially the  
form of the copy of said agreement attached hereto and hereby incorporated by  
reference, be and the same is hereby authorized and approved.

Section 2. That the Mayor of the City of Urbana, Illinois, be and the  
same is hereby authorized to execute and deliver, and the City Clerk of the  
City of Urbana, Illinois, be and the same is authorized to attest to said  
execution of said agreement as so authorized and approved for and on behalf  
of the City of Urbana, Illinois.

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_,  
2004.

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Tod Satterthwaite, Mayor

**INTERGOVERNMENTAL AGREEMENT**

THIS AGREEMENT by and between the City of Urbana (hereinafter referred to simply as “City”) and the Champaign-Urbana Mass Transit District (hereinafter referred to simply as “CUMTD”), is an effort to promote efficiency in urban services as the City continues to grow and develop.

WHEREAS, the City has previously entered into various cooperative agreements to avoid wasteful duplication of effort and/or conflicting regulations; and

WHEREAS, transportation planning is one of the key elements to maintaining accessibility not only to the University, but to the other services offered in the City and employment opportunities within the metropolitan area; and

WHEREAS, the CUMTD plays a key roll in providing such services; and

WHEREAS, the parties recognize that it is in their mutual interest to coordinate adjustments in their corporate boundaries pursuant to annexation with the corresponding adjustment of the service areas of the CUMTD so that adequate planning may be achieved.

NOW, THEREFORE, IT IS HEREBY AGREED as follows:

1. That the City agrees to provide to the CUMTD, within sixty (60) days after adoption thereof, certified copies of all annexation ordinances, together with accurate maps depicting and describing the parcels so annexed and certified copies of all annexation agreements entered into by the City.

2. The CUMTD agrees to annex, in accordance with applicable State law, any area so annexed by the City.

3. That this Agreement shall be binding on the parties on the date of the last of the parties to approve this Agreement.

4. The parties may terminate this Agreement at any time, but only after the party choosing to terminate shall provide at least ninety (90) days' written notice to the other party.

5. All notices shall be sent by U.S. mail, 1<sup>st</sup> class postage, postage prepaid, or delivered personally as follows, or such other address as the parties notify other of:

City

Mayor  
City of Urbana  
400 South Vine Street  
Urbana, IL 61801

CUMTD

Executive Director  
Champaign-Urbana Mass Transit District  
801 East University  
Urbana, IL 61801

CITY OF URBANA

CHAMPAIGN-URBANA MASS  
TRANSIT DISTRICT

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
Chair

ATTEST:

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney