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**ARTICLES OF AGREEMENT
OF THE
BI-STATE REGIONAL COMMISSION
F/K/A BI-STATE METROPOLITAN PLANNING COMMISSION**

By virtue of this Agreement made and entered into by the counties and municipalities in a geographic area defined by the five counties of Henry, Mercer, and Rock Island in Illinois and Muscatine and Scott in Iowa, the Bi-State Regional Commission is hereby organized to include county and municipal membership and additional representatives and is designated as the regional planning commission for the counties and municipalities located in the geographic area described above.

**ARTICLE I
TITLE, NAME, AND LOCATION**

- Section 1. This Agreement shall be referred to as the “Articles of Agreement of the Bi-State Regional Commission.”
- Section 2. The name of the regional planning commission shall be the “Bi-State Regional Commission.”
- Section 3. The Bi-State Regional Commission region shall consist of all territory in Henry County, Mercer County, and Rock Island County Illinois, and Muscatine County and Scott County, Iowa.

**ARTICLE II
AUTHORITY**

- Section 1. The county boards, city councils, and village boards enter into this Agreement and designate the Bi-State Regional Commission as the regional planning commission of the region by virtue of the powers granted to them by Chapter 50, Act 15/0.01 et seq.

and Chapter 55, ILCS 5/5-14001 et seq.; Illinois Compiled Statutes, 2012; and Chapters 28E, 28H and 28I Code of Iowa, 2012.

ARTICLE III PURPOSES AND RESPONSIBILITIES

The purposes and responsibilities of the Bi-State Regional Commission shall be:

- Section 1. To serve as a mutual forum to identify, discuss, study, and bring into focus regional challenges and opportunities.
- Section 2. To serve as a vehicle for the collection and exchange of information of regional interest.
- Section 3. To provide a continuing organizational structure to insure effective communication and coordination among governments and agencies.
- Section 4. To foster, develop, and review policies, plans, and priorities for regional growth, development, and conservation.
- Section 5. To facilitate agreements and cooperative action proposals among governments for specific projects or other interrelated developmental needs and for the adoption of common policies and plans with respect to common regional challenges.
- Section 6. To maintain liaison with governmental units, groups, or organizations and to serve as regional spokespersons for local government.
- Section 7. To furnish general and technical aid to area local governments as they direct, and to promote and accomplish approved agreements, policies and plans.
- Section 8. To review and coordinate federal, state, and local programs of regional importance.
- Section 9. To perform other duties and responsibilities now or hereafter consistent with the purposes of the Commission and provided for by law.

**ARTICLE IV
REPRESENTATION**

The Bi-State Regional Commission shall consist of representation from financially contributing member governments and additional representatives from specified program areas, designated constituencies, and diverse interests representation. The local government representation shall be constituted based on certified decennial population figures as follows:

DECENNIAL CENSUS POPULATION	NUMBER OF REPRESENTATIVES
95,000 or more	3
35,000 to 94,999	2
10,000 to 34,999	1
Under 10,000	Caucus as described

Section 1. County Representation

The Chairperson of each member County Board/Board of Supervisors, meeting a minimum population of 10,000, is designated as a representative on the Commission, the term to be coterminous with the elective office.

The member County Board/Board of Supervisors shall appoint other elected members of their County Board/Board of Supervisors to be a representative on the Commission based on their certified decennial Census population, the term to be determined by the appointing political subdivision.

Section 2. Municipal Representatives

The Mayor/Village Board President meeting a minimum population of 10,000, is designated as a representative on the Commission, the term to be coterminous with the elective office.

The member City Council/Village Board shall appoint other elected members of their City Council/Village Board to be a representative on the Commission based on their certified decennial Census population, the term to be determined by the appointing political subdivision.

Section 3. Other Appointed Constituencies

One representative, who is a citizen at-large, to the Commission shall be appointed by the Chairperson of each member County meeting a minimum population of 95,000, subject to approval of the respective County Board/Board of Supervisors and shall represent the diverse interests of the region. The representative shall be appointed for three (3) years and or may continue in the position until resignation or until a successor is duly appointed and qualified. The term of the representative so appointed shall commence on January 1.

One representative, who is a citizen at-large, shall be appointed by the Mayor/Village Board President of each member City/Village meeting a minimum population of 95,000, subject to the approval of the respective City Council/Village Board and shall represent the diverse interests of the region. The representative shall be appointed for three (3) years and or may continue in the position until resignation or until a successor is duly appointed and qualified. The term of the representative so appointed shall commence on January 1.

Section 4. Representatives of Municipalities under 10,000 Population

One (1) mayor of a member municipality under 10,000 population in Rock Island County shall be selected by a caucus of member mayors of municipalities under 10,000 in Rock Island County to be designated as a representative on the Commission. In addition, the caucus shall select a member mayor to serve as a designated alternate. The term of the representative and designated alternate so selected shall be for one (1) year and shall commence upon completion of the caucus process.

One (1) mayor of a member municipality under 10,000 population in Henry or Mercer County shall be selected by a caucus of member mayors of municipalities under 10,000 in Henry and Mercer Counties to be designated as a representative on the Commission. In addition, the caucus shall select a member mayor to serve as a designated alternate. The term of the representative and designated alternate so selected shall be for one (1) year and shall commence upon completion of the caucus process.

One (1) mayor of a member municipality under 10,000 population in Scott or Muscatine County shall be selected by a caucus of member mayors of municipalities under 10,000 in Scott and Muscatine Counties to be designated as a representative on the Commission. In addition, the caucus shall select a member mayor to serve as a designated alternate. The term of the representative and designated alternate so selected shall be for one (1) year and shall commence upon completion of the caucus process.

Section 5. Additional Representatives

Section 5.1 Program Representatives

The following three (3) representatives shall also serve on the Commission, the appointment to be made by the Chairperson of the Commission with the consent of the full Commission. At least one representative shall reside in each state. The representative shall be appointed for three (3) years and or may continue in the position until resignation or until a successor is duly appointed and qualified. The terms of the representatives so appointed shall commence on the date of Commission approval.

1. One (1) representative of the Bi-State Revolving Loan Fund Board.
2. One (1) representative of the Quad Cities Riverfront Council.
3. One (1) representative of an area wide housing group.

Section 5.2 Designated Constituencies

The following three (3) representatives shall also serve on the Commission, the appointments to be made by the chief elected official of the largest member government in the Iowa and the largest member government in Illinois, each, based on decennial population after consultation with each other. The representatives shall be appointed for three (3) years and or may continue in the position until resignation or until a successor is duly appointed and qualified. The terms of the representatives so appointed shall commence on January 1.

1. One (1) representative of business
2. One (1) representative of labor
3. One (1) representative of social services

Section 5.3 Diversity Representative

There shall be one (1) additional representative on the Commission. This representative shall represent the diverse interests of the region. This representative shall be appointed by the Chairperson of the Commission with the consent of the full Commission. The representative shall be appointed for three (3) years and or may continue in the position until resignation or until a successor is duly appointed and qualified. The term of the representative so appointed shall commence on January 1.

Section 6. Chief elected officials may designate an alternate.

Section 7. Vacancies occurring other than through the expiration of terms shall be filled for the balance of the unexpired term in the same manner as the original appointment.

Section 8. All representatives identified in this Article, including the Chairperson and alternates serving on behalf of chief elected officials, shall have the right to vote on all matters before the Commission.

ARTICLE V OFFICERS

Section 1. Each year the Commission shall elect from its members a Chairperson, Vice-Chairperson, Secretary, and Treasurer. The term of these officers shall be for one (1) year with eligibility for reelection to a second term. The officers shall be elected officials. No more than one (1) officer shall be selected from each jurisdiction, and no more than two (2) officers shall be selected from the same state.

Section 2. The Officers shall have duties and responsibilities as the By-Laws shall provide.

ARTICLE VI MEETINGS

Section 1. All meetings of the Commission as a whole shall be open to the public.

Section 2. The Commission shall meet regularly as provided for in the By-Laws.

Section 3. The Executive Committee meetings may coincide at appropriate times with the regular meetings of the Commission as a whole.

Section 4. A majority of the Commission shall constitute a quorum for the transaction of business at any meeting.

ARTICLE VII COMMISSION COMMITTEES

Section 1. In the interest of effective and efficient functioning of the Commission, there shall be up to eleven (11) member Executive Committee consisting of all member counties and five (5) municipal representatives, and one (1) diverse interests representative. The county and municipal representatives shall include the four (4) officers of the Commission. There shall be one representative from each member county board, and each state shall have at least two (2) municipal elected officials. A majority of the Executive Committee shall constitute a quorum. The Executive Committee shall have the duties and responsibilities as the By-Laws shall provide.

Section 2. There shall be a Finance and Personnel Committee to oversee the fiscal and personnel matters of the Commission. The Committee shall be composed of up to nine (9) members, appointed by the Commission Chairperson, and shall have the duties and responsibilities as the By-Laws shall provide. A majority of the Committee shall constitute a quorum.

Section 3. In the interest of effective and efficient functioning of the Commission, delegated authority groups may be established from time to time by the Commission to expedite the functioning of business and activities of specific work areas. The Commission may establish specific guidelines or limits within which the delegated authority group must perform its functions.

ARTICLE VIII FISCAL AFFAIRS

Section 1. The Commission shall establish an annual operating budget. The operating budget shall include estimated income and expenditures for a fiscal year. The Commission

shall establish assessments, proportionally based upon population with a minimum base, against the members in such amounts as will, in the aggregate, supplement and or match the federal, state and other local funds identified in the Commission's budget income. Such budget shall be submitted to the counties and municipalities which participate financially in the programs of the Commission.

- Section 2. The Commission shall not obligate the members for the payment of any indebtedness in excess of that budgeted for repayment out of current revenues within one fiscal year after it is incurred, unless the Commission shall first submit to the members such proposed indebtedness to the counties and municipalities which participate financially in the programs of the Commission, and unless the same shall be approved by a 2/3rds vote of the representatives of members at a specially called meeting of the Commission.
- Section 3. The Commission shall have authority to provide such information and reports as may be necessary to secure financial aid.
- Section 4. The Commission shall deposit funds appropriated by the separate county and municipal boards and any monies received as gifts, donations, or grants in a banking institution or institutions designated by the Commission or the Executive Committee, to be available to draw for expenditures only upon vouchers signed as authorized by the By-Laws.
- Section 5. The Commission shall have authority to accept, receive, and expend funds, grants, and services from the Federal Government or its agencies, and instrumentalities of state and local governments.
- Section 6. The Commission shall have authority to accept, receive, and expend funds, grants, and services from private persons or organizations, including businesses or nonprofit corporations.
- Section 7. The Commission shall have authority to contract with respect to any funds, grants, or services from whatever source derived, within the limits of its budget.

Section 8. The Commission may authorize the members or employees of the Commission to attend conferences or meetings or institutes or hearings upon pending legislation, or to engage in other activities, as official representatives of the Commission, and shall have authority to pay, within the limits of the budget, the reasonable traveling expenses of such representative.

ARTICLE IX STAFF

Section 1. The Commission shall appoint an Executive Director who shall be the administrative officer of the Commission responsible for its records and for carrying out the policies and programs of the Commission in accordance with the Articles of Agreement and By-Laws and the policies of the Commission.

Section 2. The Executive Director shall have the authority to employ, assign, supervise, and release all employees and staff of the Commission with the framework of general limitations approved by the Commission.

ARTICLE X BY-LAWS

Section 1. The Commission shall adopt By-Laws, including rules for the transaction of business, and shall keep a complete record of its findings, resolutions, transactions, and determinations. These shall be a matter of public record.

ARTICLE XI SEPARABILITY

Section 1. If any one or more of the provisions of these Articles of Agreement is declared unconstitutional or contrary to law, the validity of the remainder of these Articles of Agreement shall not be affected thereby.

ARTICLE XII MEMBERSHIP ADOPTION, EFFECTIVE DATE AND AMENDMENT

Section 1. Any county, city, or village within the regional area defined by the five counties of Scott and Muscatine in Iowa and Rock Island, Henry and Mercer in Illinois may become a member of the Bi-State Regional Commission by virtue of adopting a

resolution to do so. Said resolutions agreeing to the provisions of these Articles of Agreement shall be delivered to the Commission for the purpose of enrollment.

Section 2. This Agreement shall become effective upon approval of the Members and proper filing and recording as prescribed in the Illinois Revised Statutes and Code of Iowa cited in Article II and shall remain in effect thereafter unless terminated according to the provisions of Article XIII, Section 5.

Section 3. Amendments to these Articles of Agreement shall become effective upon a majority vote of the Commission representatives at a Commission meeting and as long as the revised Articles of Agreement were provided to Commission representatives at least five (5) days prior to the Commission meeting and the intention to revise the Articles of Agreement was placed on the agenda.

ARTICLE XIII TERMINATION

Section 1. Any party to this Agreement may withdraw from the Agreement by giving a written notice to the Commission at least one hundred twenty (120) days in advance of the date of withdrawal.

Section 2. Termination from this Agreement shall not relieve the withdrawing party of the obligation to pay its share of any operating expenses for the fiscal year in which such withdrawal occurs.

Section 3. Termination from this Agreement shall not relieve the withdrawing party of the obligation to pay its full share of any current expenditures which have been approved by the Board, consistent with this Agreement and the By-Laws, before the termination of such party.

Section 4. Termination from this Agreement shall not relieve the withdrawing party of any liability which may have accrued to the parties of this Agreement prior to the termination of such party.

Section 5. Notwithstanding the withdrawal of one (1) or more parties, this Agreement and the Board established hereunder shall continue among the remaining parties. However,

in the event that all but one (1) party withdraws, the Agreement shall terminate automatically.

Section 6. In the event the Commission is terminated, the material benefits realized from the liquidation of any and all of its assets shall be divided among the participating counties and municipalities on a pro rata share after any and all claims against the Commission have been satisfied. The pro rata share to which each county and municipality is entitled shall be calculated as the percentage of the net liquidation proceeds based on the percentage of the total general support funds the county or municipality has provided to the Commission in the previous ten (10) years compared to the sum of all general support funds provided by all participating counties and municipalities.