

AUTHORIZING THE TRANSIT MANAGER TO ACT AS THE AUTHORIZED OFFICIAL TO SUBMIT GRANTS AND SIGN CERTIFICATIONS AND ASSURANCES ON BEHALF OF THE CITY OF DEKALB FOR THE FEDERAL TRANSIT ADMINISTRATION 5307 TRANSIT GRANT.

WHEREAS, the City of DeKalb ("City") is the designated recipient of Urbanized Area Formula Program assistance for the DeKalb-Sycamore Metropolitan Area under 49 U.S.C. § 5307, which provides federal grant funds for the City's transit system; and

WHEREAS, the Federal Transit Administration ("FTA") grant funding and agreements under 49 U.S.C. § 5307 require the City to provide applications, certifications, and assurances to receive such funding; and

WHEREAS, the City's corporate authorities find that approving this resolution is in the City's best interests for the protection of public health, safety and welfare; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DEKALB, ILLINOIS:

SECTION 1: The recitals to this resolution are true, material, adopted and incorporated as Section One to this resolution.

SECTION 2: The City's corporate authorities authorize, approve, and direct that: (1) the City Transit Manager shall file and execute applications, agreements, amendments, assurances, certifications, and all such related documents on the City's behalf with the FTA for federal grant assistance under 49 U.S.C. § 5307 and other applicable laws and regulations; and (2) the City Attorney shall be the Legal Counsel / Attorney for the FTA federal grant assistance under 49 U.S.C. § 5307 and other applicable laws and regulations.

SECTION 3: This resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a Regular meeting thereof held on the 10th day of March 2025 and approved by me as Mayor on the same day. Passed by a 7-0-1 roll call vote. Aye: Larson, Smith, Perkins, Powell, Verbic, Walker, Barnes. Nay: None. Absent: Zasada.




COHEN BARNES, Mayor

ATTEST:

Ruth A. Scott, Executive Assistant



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**Urbanized Area Formula Program Assistance Authorized by 49 U.S.C. 5307
Opinion of Counsel**

Applicant: City of DeKalb

Address: 164 E Lincoln Hwy., DeKalb, IL 60115

I, the undersigned, am an attorney, licensed by and duly admitted to practice law in the State of Illinois and counsel for and attorney for the City of DeKalb, Illinois. In this capacity, my opinion has been requested concerning the eligibility of the City of DeKalb for federal transportation assistance authorized by 49 U.S.C. Chapter 53; title 23, United States Code; and other federal statutes authorizing activities administered by the Federal Transit Administration. You are hereby advised as follows:

1. The City of DeKalb is an eligible recipient as defined in state and federal regulations.
2. The City of DeKalb is the designated recipient of Federal Transit Administration (FTA) authorized assistance as defined at 49 U.S.C. 5307(a)(2).
3. There are no provisions in the City of DeKalb's charter or by-laws or in the statutes of the State, the United States of America, or any other local ordinances that preclude or prohibit the City of DeKalb from making said applications for or entering into grant agreements with the Federal Transit Administration.
4. The City of DeKalb is fully empowered and authorized to enter into grant agreements and that agreements, when executed by both parties, will be legally binding upon the Grantee and its successors and assigns.
5. The undersigned has no knowledge of any pending or threatened litigation, in either Federal or State courts which would adversely affect this application, or which seeks to prohibit the City of DeKalb from contracting with the Federal Transit Administration for the purpose of receiving Federal Transit Administration grant assistance.

Based upon the foregoing, I am of the opinion that the City of DeKalb is an eligible recipient under the provisions of the Act, and that it is fully empowered and authorized to apply for and to accept the grant from the State.

Signature: Matthew D. Rose
Matthew Rose
Attorney for: City of DeKalb

Date: March 11, 2025