

DSATS BYLAWS

These are the governing Bylaws of the DeKalb Sycamore Area Transportation Study (DSATS). DSATS is the federally recognized Metropolitan Planning Organization (MPO) for the DeKalb Illinois urbanized area.

Amended: 11/14/2018

Governing DSATS
Bylaws

Effective: January 1, 2019

**THE DEKALB-SYCAMORE AREA TRANSPORTATION STUDY (DSATS)
BYLAWS
Amended: 11/14/2018**

Article I: **Purpose & Responsibilities**

- A.** The following rules and procedures are adopted by the DeKalb-Sycamore Area Transportation Study, hereinafter called “DSATS,” to facilitate the performance of its transportation planning and programming responsibilities as codified in the US Code of Federal Regulations 23 CFR 450.
- B.** The DSATS Policy Committee, hereinafter called the “PC”, shall serve as the primary policy setting body to the DSATS.
- C.** The DSATS Technical Advisory Committee, hereinafter called the “TAC”, shall serve as the primary advisory body to the Policy Committee, forwarding recommendations and providing technical assistance to the DSATS Policy Committee and Staff.
- D.** As the designated Metropolitan Planning Organization, hereinafter called “MPO”, for the DeKalb-Sycamore Urbanized Area, the responsibilities of the DSATS include:
 - 1.** Carrying out a cooperative, continuous, and comprehensive planning process for making transportation investment decisions in the DeKalb-Sycamore area with program oversight from the Federal Highway Administration, Federal Transit Administration, and Illinois Department of Transportation.
 - 2.** Preparing, adopting, and maintaining a long-range multi-modal transportation plan for the DeKalb-Sycamore area, hereinafter known as the “LRTP”.
 - 3.** Preparing, adopting and implementing an annual planning work program, hereinafter known as the “UPWP”.
 - 4.** Preparing, adopting and updating a transportation improvement program, hereinafter known as the “TIP” to prioritize federal transportation investments in the DeKalb-Sycamore area.
 - 5.** Preparing, adopting and updating a public participation plan, hereinafter known as the “PPP” to identify how DSATS and its member organizations shall provide public outreach for all transportation projects and activities.
 - 6.** Preparing, adopting and updating a human services transportation plan, hereinafter known as the “HSTP” to identify how DSATS, area public transportation providers, and member agencies shall provide transportation to lower-income and minority populations in the DSATS region to area human service agencies and medical facilities.
 - 7.** Preparing, adopting and updating plans and regulations, which identify the policies and procedures, which DSATS and its member agencies will follow to ensure federal conformity to all federal transportation regulations.
 - 8.** Solving major transportation issues or problems that affect multiple jurisdictions or agencies within the DeKalb-Sycamore area.

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9. Other duties, as required, to comply with federal and state regulations.
- E. The DSATS Policy Committee shall be the recognized decision-making body for the Metropolitan Planning Organization serving the DeKalb-Sycamore urbanized area. The Policy Committee shall guide and approve all DSATS planning activities, and shall have final authority over all decision-making matters within the jurisdiction of DSATS.

Article II: **Membership**

- A. The DSATS Policy Committee (PC) membership shall be comprised of a total of nine (9) voting members, each having one vote:
1. City of DeKalb: *Mayor*
 2. City of DeKalb: *representative appointed by the Mayor*
 3. City of DeKalb: *representative appointed by the Mayor*
 4. City of Sycamore: *Mayor*
 5. City of Sycamore: *representative appointed by the Mayor*
 6. Town of Cortland: *Mayor*
 7. DeKalb County: *Chairman, County Board*
 8. Board of Trustees of Northern Illinois University: *President of NIU*
 9. State of Illinois: *Illinois Department of Transportation District Three (3) Representative*
- B. In addition to the PC voting membership, the following organizations shall have one (1) non-voting seat each on the DSATS Policy Committee:
1. Illinois Dept. of Transportation – Office of Policy and Planning: *Office of Policy and Planning Representative*
 2. Federal Highway Administration: *FHWA Illinois Representative*
 3. Federal Transit Administration: *FTA Region Five (5) Representative*
- C. At the beginning of each calendar year, the Chief Elected Official or Governing Authority for each participating jurisdiction shall submit a letter on official agency letterhead listing representatives authorized to represent the jurisdiction on both the Policy Committee and the Technical Advisory Committee. The letters of representation shall be kept on file with the DSATS Study Director.
- D. The DSATS Policy Committee shall appoint and direct a DSATS Technical Advisory Committee (“TAC”), composed of professional and technical staff from the jurisdictions represented by the Policy Committee. The following representatives may be designated by their respective jurisdiction as members of the TAC, with each enumerated jurisdiction, agency or association having one vote:

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1. City of DeKalb: *City Engineer, City Manager, Public Works Director, Community Development Director*
 2. City of Sycamore: *City Engineer, City Manager*
 3. Town of Cortland: *Town Administrator, Town Engineer*
 4. DeKalb County: *County Administrator, County Engineer, County Planning Director/Regional Planning Commission Director*
 5. Northern Illinois University: *NIU Staff representative identified by NIU President*
 6. Northern Illinois University Student Association (Huskie Bus): *SA President, Transportation Director*
 7. Voluntary Action Center (TransVAC): *Executive Director, Assistant Director*
 8. Illinois Department of Transportation: *District 3 representative identified by District 3 Director*
 9. Kishwaukee College: *Kishwaukee representative (appointed by Kishwaukee College, approved by Policy Committee)*
- E.** In addition to the voting membership, the following organizations shall have one (1) non-voting seat each on the DSATS TAC:
1. DeKalb Taylor Municipal Airport: *Airport Manager, Public Works Director*
 2. Illinois Dept. of Transportation - Office of Planning and Programming
 3. Illinois Dept. of Transportation - Division of Public & Intermodal Transportation (OPP): *Representative identified by OPP Director*
 4. Federal Highway Administration (FHWA) - *FHWA Illinois Representative*
 5. Federal Transit Administration (FTA) – *FTA Region Five (5) Representative*
- F.** Lengths of terms of Technical Advisory Committee members shall be left to the discretion of the Chief Elected Official or governing authority for each participating jurisdiction, as provided for by their respective rules for such appointments.
- G.** The Chief Elected Official or governing authority of each TAC member agency shall designate their TAC representative and designated proxy representatives to act on behalf of the member agency at any duly called meeting of the TAC. The names and contact information of the designated member and proxy representatives, identified by the Chief Elected Official or governing authority of the member agency in writing on official agency letterhead, will be kept on file with the DSATS Study Director. Should there be any changes in TAC membership or designated proxy representatives, the Chief Elected Official or governing authority of the member

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agency shall submit a letter on agency letterhead to the Study Director, identifying the changes.

- H. A quorum of the DSATS TAC shall consist of a simple majority of the voting jurisdictions represented on the TAC.
- I. The Policy Committee authorizes the TAC to adopt Bylaws for their membership and functioning, provided that such Bylaws are approved by three-fourths (3/4) of the voting jurisdictions represented on the TAC, and provided that such Bylaws do not violate or contradict any provision of the Policy Committee Bylaws. Unless otherwise amended by the adoption of Bylaws, the DSATS Technical Committee meetings shall be conducted in accordance with *Robert's Rules of Order, Newly Revised Edition*.
- J. The Policy Committee Chair, with the confirmation of the majority of the voting Policy Committee members, may establish temporary ad-hoc "task force" committees to consider such matters and perform such tasks as are referred to them by the Policy Committee. Such ad-hoc committees may include Policy Committee members, TAC members, local officials, public citizens, and others as approved by the Policy Committee. The Chair shall designate the chair for an ad-hoc committee, and may set a sunset date for the committee, at which time the committee would be dissolved unless otherwise extended by the Chair or the majority of the voting Policy Committee members.
- K. All Advisory Committee meetings shall be open to the public unless the meeting is authorized to meeting privately with a three-fourths (3/4) majority of the Policy Committee voting membership. Should a closed session be held, all rules and regulations regarding closed session meeting procedures and documentation as outlined in the Illinois Open Meetings Act (5-ILSC-120/1 et seq) will be strictly adhered to.
- L. The Policy Committee authorizes the TAC to establish temporary ad-hoc "task force" committees to consider such matters and perform such tasks as are referred to them by the Technical Advisory Committee. These committees shall operate under the rules set forth in the Technical Advisory Committee Bylaws, provided that such Bylaws do not violate or contradict any provision of the Policy Committee Bylaws. All TAC authorized ad-hoc Committee meetings shall be open to the public unless the meeting is authorized to meeting privately by the Policy Committee with a three-fourths (3/4) majority of the Policy Committee voting membership.
- M. The TAC Chair, with the confirmation of the majority of the voting TAC jurisdictions, may establish temporary ad-hoc subcommittees from within and outside its membership to consider such matters and perform such tasks that are within the TAC's current responsibilities, or as are referred to them by the Policy Committee. Such subcommittees may include Policy Committee members, TAC members, local officials, public citizens, and others as recommended by the TAC or approved by the Policy Committee. All TAC authorized ad-hoc Committee meetings shall be

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open to the public unless the meeting is authorized to meeting privately by the Policy Committee with a three-fourths (3/4) majority of the Policy Committee voting membership. Should a closed session be held, all rules and regulations regarding closed session meeting procedures and documentation as outlined in the Illinois Open Meetings Act (5-ILSC-120/1 et seq) will be strictly adhered to.

- N. If the Chair of an advisory subcommittee was not named by the DSATS TAC Chair, a Chair of the task force or subcommittee shall be selected by the TAC with the approval of the majority of the quorum present.

Article III:

Officers

- A. The DSATS Policy Committee shall choose from among their members authorized representatives a Chair and a Vice-Chair.
- B. The Chair shall be responsible for presiding at Policy Committee meetings; representing the Policy Committee membership, as needed; and perform such other duties as may be agreed to by the Policy Committee membership.
- C. The Vice-Chair shall be responsible for presiding at Policy Committee meetings in the absence of the Chair and perform the duties of the Chair, should the Chair be unavailable to perform said duties, until such time the Chair returns or new officer elections are held.
- D. The terms for the Chair and Vice Chair shall be one year, unless extended by a majority vote of the Policy Committee membership. Election of the Chair and the Vice Chair shall generally take place at the first Policy Committee conducted each calendar year.
- E. In the event that both the Chair and Vice Chair positions are left unfilled due to resignations, loss of office, or other circumstances, the Chair of the Technical Committee shall serve as the Chair Pro-Tem of the Policy Committee until such time that officer elections can be held. The Chair Pro-Tem shall conduct officer elections at the beginning of the first Policy Committee meeting following the adoption of this amendment, and thereafter, at the first Policy Committee meeting at which the two officer positions are unfilled.
- F. The DSATS TAC shall choose from among their members authorized representatives a Chair and a Vice-Chair.
- G. The Chair shall be responsible for presiding at TAC meetings; representing the TAC membership, as needed; and perform such other duties as may be agreed to by the TAC membership.
- H. All DSATS Committee members and their approved proxies must complete the Illinois Attorney General's training on the Illinois Open Meeting Act, hereinafter known as "OMA" (<http://foia.ilattorneygeneral.net/>). All members shall complete this training within 60-days of being appointed to the DSATS PC or TAC as a member or proxy. A Certificate of Completion shall be submitted to DSATS staff, who shall keep on file a record of the completion of the training by all members.

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- I. The Vice-Chair shall be responsible for presiding at TAC meetings in the absence of the Chair and perform the duties of the Chair, should the Chair be unavailable to perform said duties.
- J. The terms for the Chair and Vice Chair shall be one year. Election of the Chair and the Vice Chair shall generally take place at the first TAC meeting conducted each calendar year.
- K. In the event that both the Chair and Vice Chair positions are left unfilled due to resignations, loss of office, or other circumstances, the present members of TAC shall elect by voice vote a Chair Pro-Tem of the Technical Advisory Committee until such time that officer elections can be held. The Chair Pro-Tem shall conduct officer elections at the first TAC Committee meeting at which the two officer positions are unfilled.

Article IV:

Meetings

- A. The Policy Committee (PC) and the Technical Advisory Committee (TAC) shall generally meet on a monthly basis or as required, with the date and location of each meeting to be set by the Chair. Special meetings may be called by the Chair or by petition of four (4) voting members of the Committee. Should there be no items for the agenda, the Study Director, with approval by the Chair, may cancel the regularly scheduled monthly meeting. Any cancelation of meetings must be publicly posted no fewer than forty-eight (48) hours before the scheduled meeting.
- B. For both the PC and TAC, in the absence of both the Chair and Vice-Chair at any meeting, a voting member from those members present shall volunteer or be nominated, and approved by voice vote to preside over the meeting by members present, for the duration of that meeting.
- C. For any approved sub-committee, a voting member from those members present shall volunteer or be nominated, and approved by voice vote to preside over the meeting by members present, for the duration of any active sub-committee.
- D. All DSATS PC, TAC, and approved sub-committee meetings shall be conducted in accordance with *Robert's Rules of Order, Newly Revised Edition*, unless otherwise provided for in these Bylaws.
- E. All DSATS PC, TAC, and approved sub-committee meetings shall be open to the public, and shall be conducted in compliance with the Illinois Open Meeting Act (5 ILCS 120/1 et seq.). Written summaries of Policy Committee meetings, once approved by the Policy Committee at a subsequent meeting, shall be made available by the Study Director to the public upon request. All meetings must be held at a public location, which conforms to the accesses regulations in the US Americans with Disabilities Act.
- F. All DSATS PC, TAC, and approved sub-committee meetings shall conform to the requirements set forth in the DSATS Public Participation Plan hereinafter known as the "PPP", which has been developed to conform to the regulations set forth in the

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2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) legislation and all subsequent federal transportation acts.

- G.** Reasonable effort shall be made to notify affected local governments and the general public of meetings through posting, mailing and/or emailing of notices, news media, or other means, though notice of DSATS meetings shall be publicly posted no fewer than forty-eight (48) hours before the scheduled meeting.
- H.** The PC and TAC reserve the right to enter into closed session for reasons limited to those specified in the Illinois Open Meetings Act section 5-ILSC-120/2. Any closed meeting must be approved by a majority vote of the membership approving the closed meeting. Should a closed session be held, all rules and regulations regarding closed session meeting procedures and documentation as outlined in the Illinois Open Meetings Act (5-ILSC-120/1 et seq) will be strictly adhered to. All closed session meetings must be approved at an open meeting and the exact purpose of the meeting, as identified in the Illinois Open Meetings Act (5-ILSC-120/1 et seq), shall be stated when approving a closed meeting.
- I.** Members shall be allowed to teleconference, video conference or other means of electronic conferencing, hereinafter known as “electronic conferencing”, into any meeting should the meeting location allow for such activities and all regulations in the Illinois Open Meetings Act (5-ILSC-120/1 et seq) regarding electronic conferencing are followed.
 - 1.** A Quorum of the committee membership must be physically present at the location of the meeting.
 - 2.** Any DSATS authorized meeting, where electronic conferencing is made available, may be made available to committee members and/or staff.
 - 3.** All open DSATS meetings can be recorded by committee members, staff, and the public unless specifically prohibited. Any restrictions must be announced to the public by means identified in the DSATS PPP at least 48-hours before the meeting and at the beginning of the meeting and must strictly adhere to all regulations on the recording of public meetings in the Illinois Open Meetings Act section 5-ILSC-120/2. Any person wishing to record a meeting shall announce their intention to record at the beginning of the meeting.

Article V: **Quorum**

- A.** At any DSATS authorized meeting, a quorum shall consist of a simple majority of the total voting members of the Committee.
- B.** Whenever a quorum is not present, those present may adjourn the meeting to another day or hold the meeting for the purpose of considering such matters as are on the agenda. No action taken at such a meeting shall be final or official.

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Article VI:

Voting

- A.** All voting PC and TAC members shall have equal voting rights, and shall vote by voice. Only whether the motion or resolution passed or failed shall be recorded, unless a roll call is requested or a member requests that the votes cast be recorded by number and/or name. All persons will be assumed voting in the affirmative unless they verbally cast a “no” vote or indicate at the time of the vote that they wish to abstain. If there is any question, the Chair will restate the votes cast for record purposes.
- B.** Each voting jurisdiction represented on DSATS Policy Committee shall also have one vote on the TAC. Additional organizations may receive one voting or non-voting jurisdiction membership on the TAC if recommended by the TAC existing members and approved by the Policy Committee. An authorized representative of a voting jurisdiction may vote on his/her jurisdiction’s behalf at any TAC meeting. All voting jurisdictions shall have equal voting rights, and shall vote by voice. Only whether the motion or resolution passed or failed shall be recorded, unless a roll call is requested or a member requests that the votes cast be recorded by number and/or name and jurisdiction. All persons will be assumed voting in the affirmative unless they verbally cast a “no” vote or indicate at the time of the vote that they wish to abstain. If there is any question, the Chair will restate the votes cast for record purposes.
- C.** Decisions by the DSATS Policy Committee shall be carried by the approval of a simple majority of the voting Policy Committee members present at a meeting at which quorum is achieved. Any exceptions where voting regulations may differ shall be identified in the DSATS Public Participation Plan., except that approval by three-fourths (3/4) of the total voting Policy Committee membership shall be required for the following:
1. Approval of the Transportation Improvement Program (TIP) and its amendments;
 2. Approval of the Unified Planning Work Program (UPWP) and its amendments, including its accompanying budget;
 3. Approval of the Public Participation Plan (PPP) or updates (Annual updates of the PPP Appendixes shall only require a simple majority of members present);
 4. Approval of any additional plans or policies, which deal with Federal Conformity issues. Staff shall maintain listing of all plans and policy documents which address Federal Conformity issues;
 5. Changing the designated Lead Agency;
 6. Approval of changes to the Policy Committee membership, allocation of representation, or allocation of the number of votes allocated to each member organization;

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7. Approval of amendments to the Intergovernmental Agreement or to these Bylaws;
- D. The results of votes taken by the TAC will be forwarded to the DSATS Policy Committee for final action in the form of a positive or negative recommendation from the TAC, as indicated by the results of the vote.
- E. A TAC member, if they dissent from the majority opinion of the TAC on any given issue, may submit a minority report to the TAC Chair. The TAC Chair shall forward the minority report to the Policy Committee to accompany the TAC's recommendation and/or report.

Article VII:

Staff

- A. As established by the Intergovernmental Agreement, the County of DeKalb shall serve as the local Lead Agency and is designated to act as the fiscal agent for and provide staff support to the DSATS.
- B. With the approval of the DSATS Policy Committee, the Lead Agency shall enter contracts, as needed, with the State of Illinois Department of Transportation (IDOT) to capture and utilize subsidies available for transportation planning purposes. The Lead Agency shall provide preliminary assurance, as needed, of matching funds sufficient to capture available State and Federal subsidies available for transportation planning purposes, with actual match to be provided by agencies or entities using said funds. . The Board Chairman of the County of DeKalb shall have signatory authority to enter into contracts with the State of Illinois Department of Transportation.
- C. For further administrative, coordinating and supervisory purposes, the County Administrator of the County of DeKalb shall appoint a Study Director from within the Lead Agency, conditional upon the approval of the appointment by three-fourths (3/4) of the Policy Committee voting membership. The Study Director shall act as the lead staff person assigned to work with DSATS, and shall be responsible for the ongoing supervision, management and coordination of the planning and administrative assistance provided to the DSATS. Pertaining to the management of the DSATS program and the completion of assigned tasks, the Study Director shall report to the DSATS Policy Committee Chair for direction.
- D. The Study staff, under the oversight of the Director, shall be responsible for preparing a draft Unified Planning Work Program (UPWP), the draft Long Range Transportation Plan (LRTP), and the draft Transportation Improvement Program (TIP), to be submitted to the Technical Advisory Committee for their recommendation and to the Policy Committee for adoption. Once adopted, the Study Director and the Technical Advisory Committee will be jointly responsible for the timely updating of these and other documents as directed by the Policy Committee.
- E. The Study staff, under the oversight of the Director, shall be responsible for the administrative and planning services of DSATS, including causing the preparation of

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meeting summaries for all DSATS PC and TAC meetings; record keeping; correspondence; funding disbursement and management; document maintenance; general information dissemination to the public, and other supportive services to and directed by the DSATS Policy Committee.

- F.** The Study staff, under the oversight of the Director, with direction from the PC and TAC Chairs, shall schedule meetings, prepare agendas, issue notices, prepare minutes and generally ensure that all meetings are conducted in accordance with the Illinois Open Meetings Act.
- G.** The City of DeKalb agrees to seek approval from the DSATS Policy Committee of the use of all Federal and State of Illinois operational and capital funding for the provision of public transit in the DeKalb Illinois metropolitan region. DSATS staff agrees to include these funds in the annual DSATS budget submitted to the City of DeKalb and in the DSATS UPWP submitted to IDOT.
- H.** The Study Director shall have signatory authority to submit reimbursement requests to IDOT, FHWA, and FTA for expenditures made in the operation of DSATS. The Study Directory shall also have signatory authority to submit any reporting or planning documents required by federal and state laws and FHWA, FTA, and IDOT regulations.
- I.** DSATS fiscal management shall follow the guidelines included in the County of DeKalb Purchasing Policy / Manual with the following provisions:
 - 1.** The DSATS Policy Committee shall submit a balanced budget to The County during the County's budget preparation process. The County shall treat the DSATS Policy Committee as a "quasi-component unit". The County has to include the budget as presented. The County cannot make changes to the budget but may request more information and/or changes be made to the DSATS Policy Committee via the County's representatives on the Policy Committee. The decision by the DSATS Policy Committee is final.
 - 2.** All purchases shall follow the guidelines as included in the County's Purchasing Policy/Manual. Should Federal or State regulations conflict with the County's Purchasing Policy/Manual, priority of regulations shall apply in the following order: 1) Federal, 2) State, 3) County of DeKalb.
 - 3.** DSATS approves all projects that are funded with Federal/State funds. For DSATS projects that require formal RFP's and/or Bids, the RFP/Bid process will follow the requirements of the County of DeKalb's Purchasing Policy/Manual. The County will review and monitor the RFP/Bid process to make sure that it conforms to the County's requirements. The County will not make any changes to the RFP or Bid documents. If the County has an issue with the RFP or Bid document, they will return it to the DSATS Policy Committee along with a detailed explanation of their procedural concerns.

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4. When the DSATS Policy Committee approves the awarding of a contract, they will make that recommendation to the County Board for their approval. The contract that is ultimately issued shall follow the parameters that are included in the County of DeKalb's Purchasing Policy/Manual. If the County has any concerns pertaining to the language of the contract, they should return the contract to the DSATS Policy Committee along with a detailed explanation. The County will not approve a contract that contains language that could ultimately expose the County to adverse risk.

Article VIII:

Federal and State Conformity

- A. The DeKalb Sycamore Area Transportation Study (DSATS) and its member organizations shall agree to conform to all rules and regulations set forth in the US Code of Federal Regulations 23 CFR 450, the Transportation Equity Act for the 21st Century (TEA-21), the Intermodal Surface Transportation and Efficiency Act (ISTEA), the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), and all subsequent transportation acts when using federal funds for any transportation projects or transportation planning within the DeKalb metropolitan region.
- B. DSATS shall maintain and update, as needed, the plans, policies, and regulations to ensure federal and state conformity. DSATS staff shall maintain a list of all plans, policies, and regulations, which have been adopted by the DSATS Policy Committee to ensure federal and state conformity and make those policies and procedures available for public review. Any adoption of new plans and/or regulations or modification of existing plans and/or regulations dealing with federal conformity issues shall be carried by the approval of a three-fourths (3/4) majority of the voting Policy Committee voting membership.
- C. When using any federal FHWA or FTA funds for transportation projects, all DSATS member agencies agree to conform to all federal and state of Illinois laws and regulations. In addition, agencies agree to conform to all policies, plans, and procedures developed by DSATS to ensure Federal and State Conformity.

Article IX:

Bylaws

- A. These Bylaws may be adopted and amended at any time by a three-fourths (3/4) majority of the voting membership of the Policy Committee. If any one or more of the provisions of these Bylaws are found to be unconstitutional or contrary to law, the validity of the remainder of the Bylaws shall not be affected thereby.

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The Bylaws were approved on the 14th day of October 2014 and Amended on this 14th day of November, 2018 by the DSATS Policy Committee to reflect the change of the lead agency from City of DeKalb to DeKalb County effective January 1, 2019.

Approved by:

City of DeKalb: Bill Finucane, Tim Holdeman;

City of Sycamore: Brian Gregory, Curt Lang;

DeKalb County: Gary Hanson;

IDOT District 3: Tom Magolan;

NIU: Jennifer Groce.