

**COOPERATIVE AGREEMENT FORMING
THE DEKALB-SYCAMORE AREA TRANSPORTATION STUDY (DSATS)**

This cooperative agreement is entered into by and between the City of DeKalb, the City of Sycamore, the Town of Cortland, DeKalb County, the Board of Trustees of Northern Illinois University, and the State of Illinois acting by and through the Illinois Department of Transportation. This agreement establishes a cooperative intergovernmental framework for the DeKalb-Sycamore Area Transportation Study (DSATS), which is charged with providing continuing, cooperative and comprehensive transportation planning in and around the DeKalb-Sycamore Urbanized Area.

WHEREAS 23 USC Section 134, and Section 1203 of the Transportation Equity Act for the 21st Century (TEA-21), require that each urbanized area with a population of 50,000 or more, as a condition to the receipt of Federal capital or operating assistance for transportation, have a continuing, cooperative and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area; and

WHEREAS Article VII, Section 10A of the Constitution of the State of Illinois and the Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq., enable parties hereto to enter into agreements among themselves and provide authority for intergovernmental cooperation; and

NOW, THEREFORE, The undersigned agencies create the DeKalb-Sycamore Area Transportation Study (DSATS) as a transportation planning body serving as the forum for cooperative transportation decision making for the DeKalb urbanized area to fulfill requirements of Title 23 U.S.C., Section 134 and Title 49 U.S.C., Section 5303, and

THEREFORE, The signatories to this agreement recommend to the Governor of Illinois that the Policy Committee of the DeKalb-Sycamore Area Transportation Study be the Metropolitan Planning Organization for the area.

Article I. Purpose And Duties of the DSATS

DSATS is created to perform and carry out a continuing, cooperative and comprehensive transportation planning process for the DeKalb-Sycamore Urbanized Area in accordance with applicable Federal laws, policies and procedures, and with the cooperation and assistance of its members and the U.S. Department of Transportation. Unless otherwise specified by subsequent amendments to U.S.C. 134 and 49 U.S.C. 1607, the duties of DSATS shall include:

- A. The establishment and continued functioning of the DSATS Policy Committee, to oversee and coordinate the process for the area in a manner that will insure that the transportation planning and programming decisions are reflective of the needs of local and state governments, transit operations, and the general public.
- B. The development and maintenance of a Long Range Transportation Plan ("LRTP") for the DeKalb-Sycamore urbanized area, including strategies to make more efficient use of existing transportation systems and to integrate local land use/development decisions and regional transportation investments.
- C. The development and annual update of a Transportation Improvement Program ("TIP"), which reflects the Policy Committee's priorities for federal and state investments in the urbanized area's transportation systems, to be developed in accordance with the Long Range Transportation Plan and other pertinent policies adopted by the DSATS Policy Committee.
- D. The development and annual update of a Unified Planning Work Program ("UPWP"), which coordinates the area's transportation planning activities and establishes the priorities for planning initiatives to be undertaken by DSATS.
- E. Other planning and project development activities necessary to address transportation issues in the area.

Article II. General Organization and Duties

- A. DSATS shall consist of a Policy Committee, a Technical Advisory Committee, and other standing or temporary/special purpose committees as needed to carry out the duties and functions of DSATS.
- B. 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.

- C. The Technical Advisory Committee (“TAC”) shall be established for the purpose of providing professional technical advice and recommendations to the Policy Committee, and conducting or overseeing the technical planning functions and duties of DSATS.
- D. For administrative purposes, a local Lead Agency shall be designated to act as the fiscal agent for and provide staff support to the DSATS. Unless otherwise changed by the approval of three-fourths of the DSATS Policy Committee membership, the Lead Agency for DSATS shall be the City of DeKalb.
- E. The State of Illinois Department of Transportation shall assist the Lead Agency in securing data and source materials necessary to the effective accomplishment of the transportation planning process.

Article III. Policy Committee Structure

- A. The DSATS Policy Committee membership shall be comprised of a total of eight (8) 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 DeKalb: *representative appointed by the Mayor*
 - 5. City of Sycamore: *Mayor*
 - 6. DeKalb County: *Chairman of the County Board*
 - 7. Northern Illinois University: *President*
 - 8. State of Illinois: *IDOT*
- B. In addition to the voting membership, the Mayor of the Town of Cortland shall have one (1) non-voting seat on the DSATS Policy Committee.
- C. Any member of the DSATS Policy Committee may select a designated voting representative to represent them at the meeting in their absence. A written statement designating an official proxy for each Committee member will be kept on file by the DSATS Study Director.
- D. A quorum of the DSATS Policy Committee shall consist of a simple majority of the voting members of the Committee.

Article IV. Policy Committee Responsibilities

- A. The DSATS Policy Committee and IDOT shall jointly share the responsibility for developing and maintaining the transportation plans and programs as required by State and Federal law.

- B. The DSATS Policy Committee shall have the authority to determine membership changes or additions on the Technical Advisory Committee, or any sub-committee, in accordance with the terms set forth in this Agreement.
- C. The DSATS Policy Committee shall have the authority to enact bylaws governing the activities and procedures of DSATS, to amend the terms of this Agreement, or to establish policies or agreements pertaining to the functioning of the DSATS.
- D. Decisions by the DSATS Policy Committee shall be carried by the approval of a majority of the Policy Committee members present at a meeting at which quorum is achieved, except that approval by three-fourths of the total Policy Committee membership shall be required for the following:
 - 1. approval of the Transportation Improvement Program (TIP);
 - 2. approval of the Unified Planning Work Program (UPWP), including its accompanying budget;
 - 3. changing the designated Lead Agency;
 - 4. approval of changes to the Policy Committee membership or allocation of representation.
 - 5. approval of amendments to the text of this Agreement.
- E. Unless otherwise amended by the adoption of bylaws, the DSATS Policy Committee meetings shall be governed under the Roberts Rules of Order.

Article V. Technical Advisory Committee Structure

- A. 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, specifically the following representatives, each enumerated jurisdiction, agency or association having one vote:
 - 1. City of DeKalb: *City Manager, Public Works Director, Community Development Director*
 - 2. City of Sycamore: *City Administrator, City Engineer*
 - 3. DeKalb County: *County Administrator, County Engineer, County Planning Director/Regional Planning Commission Director*
 - 4. Northern Illinois University: *Executive Vice President-Business & Finance, Staff Architect*
 - 5. Northern Illinois University Student Association (Huskie Bus): *SA President*
 - 6. Voluntary Action Center (TransVAC): *Executive Director*
 - 7. Illinois Department of Transportation: *representative*
- B. In addition to the voting membership, the Illinois Department of Transportation Office of Planning and Programming shall have one (1) non-voting seat on the DSATS TAC.

- C. Any member of the DSATS TAC may select a designated voting representative to represent them at the meeting in their absence.
- D. A quorum of the DSATS TAC shall consist of a simple majority of the voting jurisdictions represented on the TAC.
- E. Unless otherwise amended by the adoption of bylaws, the DSATS Technical Committee meetings shall be governed under the Roberts Rules of Order.

Article VI. Technical Advisory Committee Responsibilities

- A. The DSATS Technical Advisory Committee (TAC) shall provide professional and technical advice and recommendations to the Policy Committee on all matters pertaining to the technical planning functions of DSATS and on other related matters referred to them by the DSATS Policy Committee.
- B. The TAC shall be responsible for preparing annually a draft Transportation Improvement Program (TIP), to be submitted for approval by the DSATS Policy Committee.
- C. In coordination with MPO staff, the TAC shall be jointly responsible for preparing and maintaining a Long Range Transportation Plan (LRTP), to be submitted for approval by the DSATS Policy Committee.
- D. The TAC shall be responsible for forwarding a recommendation to the DSATS Policy Committee on the annual draft Unified Planning Work Program (UPWP) prepared by the MPO staff.
- E. The TAC shall provide to MPO staff technical advice concerning special transportation studies.
- F. The TAC shall perform other duties as assigned by the Policy Committee.

Article VII. Lead Agency Responsibilities

- A. As established by this Agreement and by the DSATS Policy Committee, the local Lead Agency shall be designated to act as the fiscal agent for and provide staff support to the DSATS. The Lead Agency shall be the recipient of the Federal Highway Administration (FHWA) Planning (PL) and Federal Transit Administration (FTA) Section 5303 Planning funds, and shall serve as staff to the DSATS. Depending upon the availability of State and Federal appropriations for Planning (PL) and Section 5303 funds, and subject to IDOT's MPO Distribution Agreement, IDOT shall make funds available to the MPO for the purpose of carrying out these responsibilities.

- 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 to capture and utilize subsidies available for transportation planning purposes.
- C. 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.
- D. For further administrative, coordinating and supervisory purposes, the City Manager of the City of DeKalb shall appoint a Study Director from within the Lead Agency, conditional upon the approval of the appointment by three-fourths 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 for direction.
- E. The Study Director shall be responsible for preparing a draft Unified Planning Work Program (UPWP), to be submitted to the Technical Advisory Committee for their recommendation and to the Policy Committee for adoption.
- F. The Study Director shall be responsible for preparing a draft Long Range Transportation Plan (LRTP), to be submitted to the Technical Advisory Committee for their recommendation and to the DSATS Policy Committee for adoption. Once adopted, the Study Director and the Technical Advisory Committee will be jointly responsible for the timely updating of the Long Range Transportation Plan.
- G. The Study Director shall be responsible for facilitating the Technical Advisory Committee's annual draft Transportation Improvement Program (TIP), to be submitted for approval by the DSATS Policy Committee.
- H. The Study Director shall be responsible for the administrative and planning services of DSATS, including record keeping, correspondence, local funding disbursement and management, document maintenance, general information dissemination to the public, and other supportive services to and directed by the DSATS Committees.
- I. The Study Director, with direction from the Policy Committee 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.

Article IX. Equal Opportunity Assurance

The parties involved in this Agreement hereby certify that as a condition of receiving Federal financial assistance to conduct transportation planning activities, they will ensure:

- A. That the intent of Title VI of the 1964 Civil Rights Act (42 USC 2000d-1) which states “No person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance” is met.
- B. That the DSATS will compile, maintain and submit in a timely manner Title VI information required by FTA Circular 4702.1 and in compliance with the U.S. Department of Transportation Title VI regulation 49 CFR Part 21.9.
- C. That the DSATS will make it known to the public that the person or persons alleging discrimination on the basis of age, race, color or national origin, as it relates to the provision of transportation services and transit-related benefits, may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.
- D. All meetings shall be open to the public and conducted in accordance with the Illinois Open Meetings Act.

Article X. Amendments & Severability

- A. If any one or more of the provisions of this Agreement is declared unconstitutional or contrary to law, the validity of the remainder of the Agreement shall not be affected thereby.
- B. This Agreement is subject to amendment with the approval of three-fourths of the voting DSATS Policy Committee members representing the original parties to this Intergovernmental Agreement, i.e., the City of DeKalb, the City of Sycamore, the Town of Cortland, DeKalb County, the Board of Trustees of Northern Illinois University, and the State of Illinois acting by and through the Illinois Department of Transportation, and any future parties who may be admitted to the DeKalb-Sycamore Area Transportation Study pursuant to Article XI, Paragraph C.

Article XI. Ratification & Termination

- A. This cooperative Agreement shall become effective upon approval by all signatory parties.
- B. Designation of the MPO by the Governor and approval of the Agreement by the State of Illinois shall be considered acceptance of the provisions and objectives contained herein and shall constitute an agreement between the jurisdictions heretofore mentioned to cooperate in the continuing, cooperative and comprehensive transportation planning process for the DeKalb-Sycamore Urbanized Area.
- C. A jurisdiction which is eligible and wishes to be part of this Agreement may do so by adoption of a resolution; said resolution agreeing to the provisions of this Agreement shall be delivered to the DSATS Policy Committee. Approval by three-fourths of the voting members of the Policy Committee membership shall be required.
- D. This Agreement shall remain in force continuously and shall automatically be renewed on each succeeding June 30th following initial ratification.
- E. Any party to this Agreement may withdraw by giving written notice to the DSATS Policy Committee, not less than sixty (60) days prior to the effective date of termination. Termination from this agreement shall not relieve the withdrawing party from compliance with federal requirements for cooperative transportation planning and programming.

ATTEST:

Wonna S. Johnson
City Clerk



Greg Sparrow
GREG SPARROW, Mayor
City of DeKalb

Candy Smith
City Clerk



John Swedberg
JOHN SWEDBERG, Mayor
City of Sycamore

Sharon R. Holmes
County Clerk

Robert Pritchard
ROBERT PRITCHARD,
Board Chairman
DeKalb County

Kenneth L. Dardson
General Counsel & BOT Parliamentarian
Northern Illinois University

Eddie J. Wille
for MANUEL SANCHEZ
Chairman, Board of Trustees
Northern Illinois University

Timothy W. Martin

TIMOTHY W. MARTIN, SECRETARY
Illinois Dept. of Transportation