



## Legislation Text

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File #: 17-749B, Version: 1

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### CITY COUNCIL AGENDA ITEM

#### **ACTION REQUESTED:**

Pass an Ordinance Repealing and Replacing Section 1-9G-13 of the Naperville Municipal Code pertaining to the Emergency Telephone Systems Board

**DEPARTMENT:** Police Department

**SUBMITTED BY:** Robert Marshall, Chief of Police & Michael DiSanto, City Attorney

#### **BOARD/COMMISSION REVIEW:**

On June 9, 2016, the Naperville ETSB was informed of the potential merger of Aurora's PSAP into Naperville's ETSB. Four members of the ETSB expressed general support and one member expressed opposition to the proposal. On October 3, 2017 City Council held the first reading of this ordinance.

#### **BACKGROUND:**

The Naperville Police Department's Communication Section is responsible for providing any person within the police, fire or utility service jurisdiction of Naperville with a method to rapidly and efficiently report perceived threats of injury to their life or property, or utility services disruptions or requests. It serves as a conduit of information for Police, Fire, Emergency Management Services (EMS), and City Utility Departments.

#### **PSAP**

The City's Communication Section administers its dispatch responsibilities through the operation of its own Public-Safety Answering Point ("PSAP") located in the police station. The PSAP uses telecommunicators, an Enhanced 9-1-1 (E911) system, and Computer-Aided-Dispatch (CAD) system to expeditiously perform its duties.

#### **ETSB**

Illinois law permits the funding of PSAPs through the imposition of E911 surcharges on locally registered landlines and cellular telephones. The E911 surcharges are managed by an Emergency Telephone System Board ("ETSB"). The City created its own local ETSB that funds the City's PSAP via local E911 surcharges. The six-member Board is appointed by the Mayor with the consent of City Council and includes three representatives of the City's 911 public safety agencies, two residents of the local exchange service territory included in the 911 coverage area, and an elected public official (Councilwoman Obarski). The police chief serves as Chairman of the Naperville ETSB.

Naperville is somewhat unique in the state in that it maintains its own ETSB and PSAP. More common are county based ETSBs that support several PSAPs which in turn dispatch for several municipalities. For example, the DuPage County ETSB supports four PSAPs staffed by 154

dispatchers throughout DuPage County which support over 30 municipalities and fire protection districts. Similarly, the Kane County ETSB supports three PSAPs which support most municipalities and fire protection districts in Kane County.

### **Naperville/Aurora Joint ETSB**

In November 2015, the City of Aurora approached the City about creating a joint ETSB. Aurora operates its own PSAP, which dispatches for the City of Aurora as well as the Village of North Aurora, and is funded through Aurora's membership in the Kane County ETSB.

Illinois law, however, does not provide a method for the creation of a new "Joint ETSB." Therefore, legislation was prepared and submitted to the General Assembly to establish a statutory method that would allow Aurora to disconnect its PSAP from its current ETSB and form a joint ETSB with a willing partner.

On December 15, 2015, in support of the pending legislation, Council unanimously adopted the attached memorandum of understanding (MOU) memorializing that the City is interested in the creation of a joint ETSB with Aurora. The MOU did **not** bind the City to enter into an intergovernmental agreement to form a joint ETSB with Aurora, it only obligated the City to negotiate with Aurora if the legislation was enacted. The legislation expired in committee without legislative action.

### **Aurora PSAP Transfer into Naperville ETSB**

In cooperation with the City, Aurora developed an alternate plan whereby, rather than create a "joint Naperville/Aurora ETSB," the Naperville ETSB and Kane County ETSB enter into an intergovernmental agreement in which: (1) Kane County ETSB opts Aurora and North Aurora out of its jurisdiction; (2) Naperville ETSB agrees to accept Aurora and North Aurora as part of its jurisdiction; and (3) Kane County ETSB agrees to distribute to the Naperville ETSB the E911 surcharges attributable to Aurora and North Aurora. Additionally, there a second intergovernmental agreement was needed with the City, Aurora and North Aurora concerning ETSB operational issues. This plan circumvented the obstacles involved in the creation of a joint ETSB and instead just merged Aurora's PSAP under the Naperville ETSB.

The Naperville ETSB discussed the potential merger of Aurora's PSAP into Naperville's ETSB on June 9, 2016. Four members of the ETSB expressed general support and one member expressed opposition to the proposal. A copy of the Naperville ETSB's minutes are attached.

The governing boards for the Kane County ETSB, the City of Aurora, and the City of North Aurora have each approved the respective, applicable intergovernmental agreements and on March 7, 2017, City Council approved an intergovernmental agreement authorizing the transfer of Aurora and North Aurora's 9-1-1 Service from the Kane County 9-1-1 System to the Naperville ETSB and an intergovernmental agreement regarding the operation of the Naperville ETSB once Aurora's PSAP was transferred into the Naperville ETSB.

On September 15, 2017, the Illinois State Police's Office of the Statewide 9-1-1 Administrator approved the modification plans submitted by the Kane County ETSB and Naperville ETSB opting Aurora and North Aurora from the Kane County ETSB to the Naperville ETSB, effective December 1, 2017.

**DISCUSSION:**

The City and Aurora have partnered in the past to save money through cooperative purchase agreements and currently serve as each other's reciprocal backup for PSAP services. That relationship has worked well and been mutually beneficial. Partnering with Aurora by accepting its PSAP into Naperville's ETSB makes sense for both parties, in part, because it will provide additional opportunities for shared communication and resources creating additional ways to save taxpayers money through increased efficiencies.

Council has already authorized, via the intergovernmental agreements approved on March 7, 2017, the removal of the City of Aurora and the Village of North Aurora from the jurisdiction of the Kane County ETSB and the transfer of Aurora and North Aurora to the jurisdiction of the Naperville ETSB as well as how the Naperville ETSB will operate with the addition of the Aurora's PSAP. The Illinois State Police's 9-1-1 Administrator approved the transfer based on those agreements of the parties, effective December 1, 2017.

The next step is to repeal and replace Section 1-9G-13 of the Naperville Municipal Code pertaining to the Emergency Telephone Systems Board to reflect the operational changes to the Board that were negotiated by the City, Aurora, and North Aurora. Key aspects of new Board ordinance include the following:

- Naperville and Aurora will each continue to independently operate their own PSAPs.
- Surcharge funds collected from or attributable to Naperville residents will only be used to support the Naperville PSAP and surcharge funds collected from or attributable to Aurora and North Aurora residents will be used only to support the Aurora PSAP.
- Dispatch services and all other functions of the respective police departments remain separate.
- Change in the member composition of Naperville ETSB to include: Naperville, Aurora, and North Aurora police chiefs, with the Naperville chief serving as chairman. Also on the board will be the Naperville and Aurora fire chiefs, a member of both the Naperville and Aurora city councils, the directors of both the Naperville and Aurora answering systems, two Naperville residents and one Aurora resident. Naperville appointees will constitute a majority on the board.

**Next Steps**

After approval of the text amendment Naperville's Mayor and Aurora's Mayor will make appointments to the Board, subject to the approval of the respective City Councils. Then, the newly formed Board will meet and adopt rules and regulations of organization and procedure necessary to operate the ETSB, consistent with the City's ordinances.

**FISCAL IMPACT:**

There is no anticipated fiscal impact because Naperville and Aurora's PSAPs will remain independently funded. Staff anticipates the partnership may yield cost savings in the future through joint purchasing and increased efficiencies.