

VILLAGE OF DOWNERS GROVE
Report for the Village
4/3/2018

SUBJECT:	SUBMITTED BY:
Memorandum of Understanding between Village and Du-COMM and Notice of Termination of SEDCERN Intergovernmental Agreement	Enza Petrarca Village Attorney

SYNOPSIS

Resolutions have been prepared authorizing a Memorandum of Understanding ("Agreement") between the Village of Downers Grove and Du-COMM regarding the installation, repair and maintenance of the joint public safety communication system equipment on Village property, and authorizing the termination of the Intergovernmental Agreement Between the Villages of Downers Grove, Clarendon Hills, Westmont, Hinsdale and Willow Springs, Tri-State Fire Protection District and Du-COMM for the Southeast DuPage County Communications and Radio Networks.

STRATEGIC PLAN ALIGNMENT

The goals for 2017-2019 include *Exceptional Municipal Services*.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval on the April 3, 2018 consent agenda.

BACKGROUND

As part of the Village's transition to Du-COMM, certain equipment was installed on Village facilities to enhance the joint public safety communication system (System). The System includes both Du-COMM owned equipment, Village owned equipment and jointly owned equipment. This agreement outlines the parties responsibilities related to the operation and maintenance of all the equipment. It also contains an inventory of all the equipment installed on Village facilities.

In 2013, the Village entered into an Intergovernmental Agreement with the Villages of Clarendon Hills, Westmont, Hinsdale and Willow Springs, Tri-State Fire Protection District and Du-COMM ("2013 Agreement") for the sharing of a public safety radio and communications network. Since that time the parties have all transitioned to either Du-COMM or the Addison Consolidated Dispatch Center, and there is no longer a need to maintain this network. The proposed Notice of Termination terminates the 2013 Agreement and distributes the assets amongst the parties.

ATTACHMENTS

Resolutions
 Memorandum of Understanding

Notice of Termination

RESOLUTION NO. ____**A RESOLUTION TERMINATING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGES OF CLARENDON HILLS, DOWNERS GROVE, WESTMONT, HINSDALE, AND WILLOW SPRINGS, THE TRI STATE FIRE PROTECTION DISTRICT, AND DUPAGE PUBLIC SAFETY COMMUNICATIONS (DUJCOMM) FOR THE SOUTHEAST DUPAGE COUNTY COMMUNICATIONS AND RADIO NETWORKS**

WHEREAS, the Mayor and Village Council of the Village of Downers Grove, DuPage County, Illinois, are always striving to improve the public safety of its citizens, while also attempting to keep the costs of public safety as low as possible; and

WHEREAS, the Downers Grove Fire Department previously used a radio communications network (the "Network") together with the Villages of Hinsdale, Westmont, Clarendon Hills, Willow Springs, and the Tri State Fire Protection District (the "Parties") pursuant to an Intergovernmental Agreement dated June 17, 2013 (the "Intergovernmental Agreement"); and

WHEREAS, the Parties have contracted with different dispatch agencies and have also changed radio frequencies and radio systems since the Intergovernmental Agreement was adopted;

WHEREAS, the events of September 11, 2001 in New York City underscored the need for local and regional public safety and emergency response agencies to be able to maintain communications during a disaster and throughout the emergency response; and

WHEREAS, pursuant to the Intergovernmental Cooperation Act, the Parties have negotiated a Notice of Termination of the Intergovernmental Agreement, which is attached hereto as Exhibit "A" and is made a part hereof; and

WHEREAS, the Mayor and Village Council of the Village of Downers Grove have determined that it is in the best interests of the Village to approve the Notice of Termination; and

WHEREAS, in order to provide increased radio communications interoperability, it is now considered desirable to discontinue using the Network and to distribute the assets of the Network according to the Notice of Termination;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Village Council of the Village of Downers Grove, DuPage County, Illinois, as follows:

SECTION 1. The Mayor and Village Council of the Village of Downers Grove, DuPage County, Illinois, approve of the Notice of Termination. The Mayor and Village Clerk, or their designees, are

authorized to execute the Notice of Termination attached hereto as Exhibit "A". The Village releases any interest it has in shared property pursuant to the Intergovernmental Agreement and the Notice of Termination to DU-COMM and/or Addison Consolidated Dispatch Center, as applicable.

SECTION 2. That all resolutions or parts thereof, in conflict with the provisions this Resolution are, to the extent of such conflict, expressly repealed.

SECTION 3. That this Resolution shall be in full force and effect from and after its adoption and approval as provided by law.

Mayor

Passed:

Attest: _____
Village Clerk

NOTICE OF TERMINATION

This notice shall serve as Notice of Termination pursuant to Section 21 of the Intergovernmental Agreement ("IGA") between the Villages of Clarendon Hills, Downers Grove, Westmont, Hinsdale and Willow Springs, the Tri-State Fire Protection District and DuPage Public Safety Communications (DUCOMM) for the Southeast DuPage County Communications and Radio Networks, dated June 17, 2013 (the "IGA").

Upon termination of the IGA the parties agree that the shared equipment and assets will be distributed and maintained as follows:

1. The shared equipment shall be distributed in accordance with Exhibit A, attached hereto and incorporated herein by reference. Each party shall promptly approve a resolution, ordinance or other locally-acceptable authorization to release said shared equipment to DUCOMM and/or Addison Consolidated Dispatch Center ("ACDC").
2. The shared equipment that is transferred to ACDC and/or DUCOMM shall remain in the physical location where it is located on the date of this Notice of Termination for a minimum of ten years, unless ACDC and DUCOMM mutually agree otherwise. After ten years, ACDC or DUCOMM may remove, dispose of or repurpose the shared equipment as it deems appropriate. Each party hereto shall continue to maintain their own physical location where the shared equipment is located (as set forth in Exhibit A) and shall continue to provide site coordination and access to ACDC and/or DUCOMM and shall continue to provide security for said shared equipment.
3. Certain pieces of equipment are to remain the property of individual entities as set forth in Exhibit A. Those pieces of equipment found under individual headers in Exhibit A of this Agreement are considered to be non-shared assets and shall remain the sole property of each respective entity. It may be repurposed or relocated for any public safety purpose in support of agencies within the DuPage Emergency Telephone System Board (hereinafter "DuPage ETSB") as the individual entity, in its sole discretion, deems appropriate.
4. As of the date of this Notice of Termination, ABeep Radio is maintaining a credit of approximately \$20,000 and a spare antenna (worth approximately \$1500) (the "credit") for maintenance and repair of the existing system. Upon the termination of the IGA, the credit shall be equally divided among ACDC and DUCOMM for any costs associated with the modifications or repairs to the microwave system or the shared equipment. The credit shall remain at ABeep as a credit for the future use of ACDC or DUCOMM. This Notice of Termination shall be sent to A Beep as authorization by the parties hereto to transfer the credit equally among ACDC and DUCOMM.
5. ACDC and DUCOMM are authorized to provide access on the radio system that they control to entities who were not parties to the IGA.

Upon termination the IGA shall be declared null and void and all parties shall be relieved of all obligations contained therein.

IN WITNESS HEREOF, the parties have set their hands and seals on the dates shown below.

VILLAGE OF CLARENDON HILLS

Date: _____, 2017

Len Austin
Village President

Attest:

Dawn Tandle
Village Clerk

VILLAGE OF DOWNERS GROVE

Date: _____, 2018

Martin T. Tully
Mayor

Attest:

April Holden
Village Clerk

VILLAGE OF WESTMONT

Date: _____, 2017

Ronald Gunter
Mayor

Attest:

Virginia Szymiski
Village Clerk

VILLAGE OF WILLOW SPRINGS

Date: _____, 2017

Alan Nowaczyk
Mayor

Attest:

Adeena Baskovich
Village Clerk

TRI STATE FIRE PROTECTION DISTRICT

Date: _____, 2017

Eric Habercross

President

Attest:

Bob Jewell

Secretary

VILLAGE OF HINSDALE

Date: _____, 2017

Thomas K. Cauley

Village President

Attest:

Christine Bruton

Village Clerk

DUPAGE PUBLIC SAFETY
COMMUNICATIONS

Date: _____, 2017

Brian Tegtmeyer

Executive Director

Attest:

Christine Keifer

Notary

EXHIBIT "A"

Location/Items	SHARED	ACDC	TRIS	WLSPR	WSTM	DUCOMM	CLHL	DGRV	HINS	Comments
CH Water Tower										
VHF Transmit Antenna and Line						1				CLHL responsible for site*
VHF Transmit Antenna and Line							1			
SE Pre Existing Transmitter (Backup Up)							1			
SE Pre Existing Voter (Backup)		1								Allowed to be relocated, if needed
SE NewVoter Primary							1			
SE Tait Transmitter/Receiver						1				
2 GPS Antennas for Simulcast						1				
SC Tait RSU and Freq Ref						1				
SC Tait Receiver		1								
Microwave	1									
Gates Air Mux	1									
UPS and Batteries	1									
Cabinet/Racks	1									
	29	11	0	0	0	14	3	3	0	
General										
VFDSCENT Frequency								1		Not available
VFDSEAST Frequency							1			Not available
DG SCENT RX Sites (6)								1		
DG SEAST RX Sites (5)								1		
CLHL SEAST RX Sites (2)							1			
HNSDL SEAST RX Sites (3)									1	WSTM permitted to use 57th St.
TRIS SEAST RX Sites (3)			1							
WSTM PD UHF Sites (2)					1					
WLSPR SEAST RX Site (1)				1						
	0	0	1	1	1	0	2	3	1	* Site responsibility includes access and security.