



HUMAN SERVICES COMMITTEE

Monday December 3, 2018

7:30 p.m.

Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Evanston IL, Council Chambers

AGENDA

I. **CALL TO ORDER / DECLARATION OF QUORUM**

II. **APPROVAL OF MEETING MINUTES OF November 5, 2018**

Citizen Comments

III. **ITEMS FOR CONSIDERATION**

(HH1) **Resolution 105-R-18 Adoption of the Climate Action and Resilience Plan**

Staff recommends approval of Resolution 105-R-18 Adoption of the Climate Action and Resilience Plan and the goals therein and forward to City Council.

(HH2) **Resolution 103-R-18, Designating the Portion of Emerson Street between Wesley Avenue and Asbury Avenue with the Honorary Street Name Sign, "Nathan Haliburton, Jr. Way"**

The Parks, Recreation and Community Services Board recommend adoption of Resolution 103-R-18, naming the portion of Emerson Street between Wesley Avenue and Asbury Avenue with the Honorary Street Name Sign, "Nathan Haliburton, Jr. Way"

(HH3) **Presence Behavioral Health FY19 Contract Renewal**

Staff recommends that City Council authorize the City Manager to renew the Service Provider Agreement between Presence Behavioral Health (Presence Health) and the City of Evanston for the provision of 24-hour Crisis Line Access, Mental Health Crisis Intervention and various community outreach and education services at a cost of \$143,333.00. The Agreement is dated January 1, 2019 to December 31, 2019.

(HH4) **2019 Meeting Schedule**

Staff recommends approval of the proposed 2019 Human Services Committee Meeting Schedule

(HH5) **Ordinance 152-O-18 Amending Title 8, Chapter 6, "Food Service and Retail Food Store Sanitation"**

Staff recommends the City Council's adoption of Ordinance 152-O-18, amending Title 8, Chapter 6 of the Evanston City Code. This action will align the City Code to the State's amendment to the Illinois Food Service Sanitation Rules and Regulations which mandates the adoption of the 2017 U.S Food and Drug Administration Code, FDA, and all subsequent editions and amendments for all Illinois local health departments. The State's amendment will be effective January, 2019, requiring Inspectors to conduct FDA based inspections at Evanston's licensed food establishments.

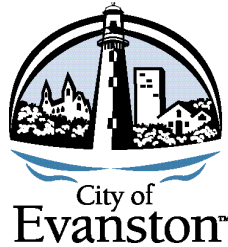
- (HH6) **Citizen Police Complaint Advisory Committee Report**
The Committee recommends that the Human Services Committee (HSC) accept the following recommendations and move to City Council for approval.

IV. ITEMS FOR DISCUSSION

- (HH7) **Police Complaint Review Report**

V. ITEMS FOR COMMUNICATION

VI. ADJOURNMENT



HUMAN SERVICES COMMITTEE

Monday November 5, 2018

6:00 p.m.

Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Evanston IL, Council Chambers

Members Present: Alderman Fleming, Alderman Revelle, Alderman Rue-Simmons, Alderman Fiske Alderman Braithwaite- 6:41 p.m.

Members not Present:

Staff Present: Nicola Whyte, Wally Bobkiewicz, Lawrence Hemingway, Victoria Benson

Presiding Member: Alderman Fleming

CALL TO ORDER / DECLARATION OF QUORUM

Ald. Fleming called the meeting to order at 6:12 p.m.

APPROVAL OF MEETING MINUTES OF September 5, 2018

Alderman Fleming moved approval, Alderman Rue Simmons seconded; approved 4-0

Citizen Comments

Junan Ritski spoke on the police department and the budget process.

Betty Sue Ester felt the Hillard Heintze Review of the Evanston Police Department did not have any response form the committee which in her opinion is another instance of the City thrusting ideas upon the community without their input.

ITEMS FOR DISCUSSION

Debra Kirby, Chief Legal officer Hillard Heintze summarized the report and highlighted the six "high-level issues that indicated a need for further assessment and data analysis, as warranted".

Ike Ogbo Public Health Manager stated the current vendor used for pest control is doing well.

ADJOURNMENT

Unanimously approved, meeting adjourned at 6:57 p.m.

Respectfully Submitted,
Nicola Whyte
Administrative Lead



Memorandum

To: Chair Alderman Cicely Fleming
Members of the Human Services Committee

From: Kumar Jensen, Sustainability Coordinator

Subject: Resolution 105-R-18 Adoption of the Climate Action and Resilience Plan

Date: November 27, 2018

Recommended Action:

Staff recommends approval of Resolution 105-R-18 Adoption of the Climate Action and Resilience Plan and the goals therein and forward to City Council.

Summary:

Evanston has a long-standing history of bold climate action and a track record of making consistent reductions in carbon emissions. This strong history, begun by Mayor Lorraine H. Morton and elevated by Mayor Elizabeth Tisdahl, is being taken to the next level under Mayor Stephen H. Hagerty. The Climate Action and Resilience Plan (CARP) calls for ambitious reductions in carbon emissions and, for the first time, establishes goals to ensure Evanston is prepared for the daunting impacts of climate change.

Even with Evanston's significant and proactive history of leading on climate, dire warnings and new reports continue to indicate the increasing immediacy of the threat of climate change. The Fourth National Climate Assessment (NCA4), released in November, 2018, calls for immediate action at all levels of government. CARP charts Evanston's path forward in fighting climate change and preparing for its impacts locally.

The Climate Action and Resilience Plan calls for carbon neutrality by 2050, 100% clean and renewable electricity by 2030, zero waste by 2050, and much more. These ambitious goals were developed by a community working group established by Mayor Hagerty in late 2017. The working group had 17 members and convened dozens of times in smaller task forces and as a whole from November 2017 to November 2018.

The plan and its recommended actions will be implemented utilizing three Guiding Principles: **Equity-Centered**, **Outcome Focused**, and **Cost-Effective and Affordable** (p. 7). Those principles strive to ensure that all actions associated with the plan center

the needs of vulnerable populations while achieving the ambitious goals established by the plan.

The plan is divided into five sections: Municipal Operations, Climate Mitigation, Climate Resilience, Implementation, Accountability and Partnerships, and Commitments. It also contains two appendices: Community Greenhouse Gas Emissions Inventory and a Glossary of Terms. **Municipal Operations** focuses on City-controlled operations and operations that relate to City services such as facilities, infrastructure, parks, contracts for services, etc. The **Climate Mitigation** and **Climate Resilience** sections contain the bulk of the goals, recommended actions, and performance metrics. **Implementation, Accountability and Partnerships** provides guidance to the City and other implementation partners on measuring progress, leveraging partner resources and staying accountable to the community. **Commitments** include letters submitted by 8 of the largest employers in Evanston, outlining their support for the plan and its goal and specific actions they will take to help the City achieve those goals.

City staff extends thanks and gratitude to the Mayor's Climate Action and Resilience Plan Working Group members for their tremendous effort and dedication, listed below, alphabetically: Likwan Cheng, Jack Darin, Robert Dean, Henry Eberhart (ETHS Representative), Joel Freeman (Co-chair), Jerri Garl, Vickie Jacobsen, Dr. Christopher Kucharczyk, Emily Lawrence, Sarah Lovinger, MD, Lauren Marquez-Viso (Co-chair), Gabriela Martin, John Moore, Mariana Oliver, Judy Pollock, Dr. Gaj Sivandran and Lonnie Wilson.

Attachments

- Resolution 105-R-18 Adoption of the Climate Action and Resilience Plan
- Climate Action and Resilience Plan
- CARP Working Group Member Bios

105-R-18

A RESOLUTION

Adopting the City of Evanston Climate Action and Resilience Plan

WHEREAS, the City recognizes climate change as a major threat locally and globally and that aggressive action is required locally to contain warming to 1.5° Celsius, which is the believed threshold to provide a reasonable chance for the survival of human civilization and other complex life forms on this planet; and

WHEREAS, the primary local climate hazards Evanston is projected to experience include: significant increase of instances of extreme heat, extreme weather events including more intense precipitation, and fewer days below freezing; and

WHEREAS, the City believes it is imperative to have coordinated regional and national action to address the challenges of climate change and implement consistent sustainability practices throughout the region; and

WHEREAS, Evanston has a longstanding history of climate action and planning dating back to 2005 with Mayor Morton's signing onto the U.S. Conference of Mayors Climate Protection Agreement; and

WHEREAS, the City has successfully implemented two previous climate action plans, Evanston Climate Action Plan (2008 – 2012) and the Livability Plan (2014 – 2016): and

WHEREAS, Evanston's greenhouse gas emissions peaked in 2008 and have been reduced by 24% overall since 2005, and;

WHEREAS, the City is a regional and national leader in sustainability as evidenced by the 4-STAR Community Rating, the Mayor's Climate Protection Award, the EPA Green Power Partnership, and the 2015 U.S. Earth Hour Capital Award; and

WHEREAS, the City and Mayor Stephen H. Hagerty have made commitments to take meaningful and immediate action in reducing greenhouse gas emissions and preparing for the impacts of climate change through We Are Still In, Climate Mayors, Global Covenant of Mayors for Climate and Energy, STAR Community Rating System, Sierra Club's Mayors for 100% Clean and Renewable Energy and the Greenest Region Compact 2; and

WHEREAS, in September, 2017, Mayor Hagerty appointed seventeen (17) community members to the Climate Action and Resilience Plan Working Group to develop a community plan to aggressively reduce greenhouse gas emissions and prepare for the impacts of climate change locally.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are found as fact and incorporated herein by reference.

SECTION 2: The City Council adopts the Climate Action and Resilience Plan and the goals within, including specifically:

- Community-wide carbon neutrality by 2050;
- 28% reduction in community-wide greenhouse gas emissions by 2025 in line with the U.S.'s commitment to The Paris Agreement;
- Community-wide Zero Waste by 2050;

- 100% Clean and Renewable Electricity by 2030;
- 100% Clean and Renewable Energy for Municipal Operations by 2020;
- Adoption of the Illinois Sierra Club’s definition of “Clean and Renewable Energy”;
and
- Incorporation of up-to-date climate science and projections into relevant City planning and policy decisions such a building codes, stormwater management and facility maintenance.

SECTION 3: The City Council directs the City Manager to implement the Climate Action and Resilience Plan beginning on January 1, 2019 and provide an annual progress update in the first quarter of each year between 2019 and 2025.

SECTION 4: The City Manager and their designee are hereby authorized and directed to sign, and the City Clerk hereby authorized and directed to attest, any documents necessary to implement the terms of this resolution.

SECTION 5: This resolution shall be in full force and effect from and after the date of its passage and approval in the manner required by law.

Stephen Hagerty, Mayor

Approved as to form:

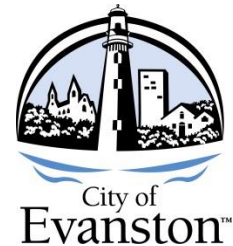
Attest:

Devon Reid, City Clerk

Michelle L. Masoncup, Corporation Counsel

Adopted: _____, 2018

Mayor Hagerty's Climate Action and Resilience Plan Working Group



Member Bios (17 in total)

Vickie Jacobsen A professional transportation planner with 15-years' experience in helping communities find sustainable solutions to mobility, focusing on multimodal and context-sensitive approaches. A graduate of the University of Colorado in Urban and Regional Planning. Founding member of Go Evanston in 2016, an organization committed to making our transportation system work for all users, regardless of age, income, ability or mode of travel. Dedicated to teaching and training children about active transportation to foster healthier and happier lives. Evanston resident since 2006; loves raising her three daughters here with husband Steve, as well as riding her bicycle, cooking and traveling whenever possible.

Sarah Lovinger, MD is an internal medicine physician and climate change activist. As director of the Chicago chapter of Physicians for Social Responsibility (ChicagoPSR) since 2009, Sarah has lead public health advocacy to help shut down Chicago's coal-fired power plants, work with Northwestern students to create a Climate Change and Health Resilience Plan for Cook County and start and help manage five medical student PSR chapters in the Chicago area. A graduate of Barnard College, Columbia University and Rush Medical College, Sarah speaks French and medical Spanish, and designed and taught a course on climate change and public health in the global health program at Northwestern for several years.

Mariana Oliver Urban planner, specializing in housing and economic development, and current PhD candidate in Sociology at Northwestern University. Urban planning master's degree from NYU Wagner School for Public Service, and work experience including Research Assistant for the Furman Center for Land Use and Real Estate Policy and policy intern for the NY State Empire Development Corporation's Real Estate Department. Graduate of Washington University in St. Louis with a background in International and Area Studies, with a focus on Latin America. Language skills include fluent Spanish and some Portuguese. Mariana has been a resident of Evanston since 2015 and enjoys finding great coffee shops, cycling, film, and traveling.

Lonnie Wilson Lonnie has worked in the green energy field for 15 years as a Geothermal driller and tech as an employee of indie energy and has solar installation experience also.

Lauren Marquez-Viso (CARP Co-Chair) Conscientious global citizen, activist, and non-profit management professional with over 9 years of experience in international

humanitarian and educational grant management at The Rotary Foundation. A graduate of the University of Michigan with academic background in Anthropology, Religious Studies, and International Studies. Currently a member of the Climate Reality Leadership Corps and board member of Citizens' Greener Evanston. Additional language skills include Spanish and some Japanese. Lauren has been an Evanston resident since 2011 and enjoys connecting with nature, volunteering, doing photography, traveling, yoga, and spending time with her family and dogs.

John Moore is Director of The Sustainable FERC Project, a coalition based initiative housed within Natural Resources Defense Council. (The Project promotes the transition to a cleaner, lowcarbon, and sustainable energy future through reforms to wholesale electricity markets, operations, and planning across the country.) Mr. Moore previously was a Senior Attorney at the Environmental Law and Policy Center in Chicago, and he started his career in Washington, DC as an environmental attorney at the firms Akin Gump and Squire Patton Boggs. He has resided in Evanston since 2005 and enjoys hiking, sailing, fiddle playing, and travel.

Joel Freeman (CARP Co-Chair) Licensed Professional Engineer with the engineering consulting firm of Grumman/Butkus Associates in Evanston for over 30 years in technical work related to analysis and design of building mechanical and electrical systems. A graduate of the University of Illinois at Urbana-Champaign in Mechanical Engineering with post graduate studies and professional affiliations that include the Association of Energy Engineers (AEE) and LEED AP. Previous Evanston activities include membership on the Mayor's Wind Farm Committee, chair of the Utilities Commission, and convener of Evanston's Energy Future (an early predecessor of Citizens' Greener Evanston). Joel has been an Evanston resident since 1991 and enjoys canoeing, camping, history, astronomy and raising two daughters.

Jerri Garl is Chief of the Materials Management Branch at U.S. EPA Region 5 in Chicago. She is responsible for the sustainable materials management program, including efforts to minimize waste generation, foster efficient materials use across their lifecycle and increase recycling. She also manages the pollution prevention program as well as efforts to assist states with municipal solid waste disposal issues. During the previous administration she worked on climate change mitigation from a materials management perspective and served on the Region's climate adaptation committee for the past 5 years. A member of Environmental Justice Evanston since 2014, Jerri plans to represent EJ issues on the CARP working group. She is also a member of the Evanston Environment Board. She and her husband have been Evanston residents for the past 34 years and have two grown children.

Henry Eberhart is a 15 year-old sophomore at Evanston Township High School, where he participates in Speech & Debate, wrestling, baseball, and the Emerge program. His

concern for environmental issues is connected to conversations at home with parents, his involvement at First United Methodist Church, and his research focus in debate on indigenous worldviews. In particular, he is interested in how climate change and other forms of environmental harm are linked with histories of colonialism, white racism, and modern Western thought. Henry, his parents, and younger brother and sister have lived in Evanston for over 7 years after moving from Nashville, TN. He is currently thinking about studying environmental engineering and indigenous studies in college.

Emily Lawrence As a specialist in Environmental, Social and Governance (ESG) investing with the Northern Trust Company, Emily works with institutional and individual investors to support their education and adoption of sustainability and ESG investment strategies and tools. Emily was appointed to the Principles for Responsible Investment working group on Sustainable Development Goals and active ownership in 2017. A recent transplant to Evanston, Emily and her family enjoy spending their free time discovering the different family friendly amenities the community has to offer, including the beach, bike trails and playgrounds.

Likwan Cheng Likwan Cheng is a teacher and researcher at the City Colleges of Chicago. Previously, Likwan was a staff member in the Laboratory for Planetary Studies at Cornell University, and a postdoctoral fellow in the Environmental Research Division at Argonne National Laboratory. Combining academic trainings in science and sustainability management, Likwan has worked in both basic science and policy actions. He has presented invited lectures at leading research institutions in Europe, Asia, Latin America, and the United States. His publications have been cited over 2,000 times in the peer-reviewed scientific literature. Mr. Cheng received a Ph.D. in materials science and engineering from Northwestern in 1998. He is a naturalized U.S. citizen and a former member of the City's Environment Board.

Chris Kucharczyk Ph. D. Candidate in Materials Science enrolled at the California Institute of Technology and completing his doctoral work at Northwestern University. His thesis research focuses on improving the power and efficiency of solid oxide fuel cells for use as a clean energy technology. A graduate of Stanford University with an academic background in Physics and Computer Science. Currently a member of the Evanston Environment Board. Chris has lived in Evanston's fifth ward since 2015, where he resides with his wife Danielle and their two cats.

Judy Pollock Former Director of Bird Conservation at Audubon Chicago Region and founding president of the Bird Conservation Network, Judy finds joy in collaborating and organizing at the intersection of birds, plants and community. Her work has resulted in well documented increases in bird populations. Her project locations include North Shore Channel, Gillson Park, LaBagh Woods, Clark Street Beach Bird Sanctuary, the Obama Presidential Center, Bartel Grassland/Killdeer Wetland, and others. She is a

part of Bird Friendly Evanston, which is working to reduce bird mortality due to windows and lights, and organizer of the BCN Survey, a citizen science monitoring project. Judy believes that habitat restoration and landscape solutions for birds can engage citizens and landowners, both large and small, in meaningful conservation work in urban areas.

Bob Dean is the Deputy Executive Director for Planning with the Chicago Metropolitan Agency for Planning (CMAP). He oversees CMAP's programs that provide assistance to local governments, covering topics including transportation, land use, sustainability, housing, economic development, and many others. Before holding this position, he was the project manager for GO TO 2040, the long range comprehensive plan for the Chicago metropolitan area, and previously worked in transportation and land use planning for the City of Naperville and the DuPage Mayors and Managers Conference. Bob has lived in Evanston for a little more than a year, and this is his first volunteer experience with the City.

Gabriela Martin Program Director at the Illinois Clean Energy Community Foundation, where she oversees energy grants, including efforts to promote net zero energy buildings and net zero energy wastewater treatment plants. Has over 25 years of experience in policy, research, analysis, energy modeling, program and product development in the fields of renewable energy, energy efficiency and greenhouse gas emissions. She is a Fellow of the American Solar Energy Society (ASES), has served on the ASES Board of Directors and chaired the Magazine Advisory Council for Solar Today magazine. Gabriela received her MS in Environmental Management and Policy at the University of Pennsylvania and BA in Economics and French at the College of William and Mary. She has lived in Evanston since 1999.

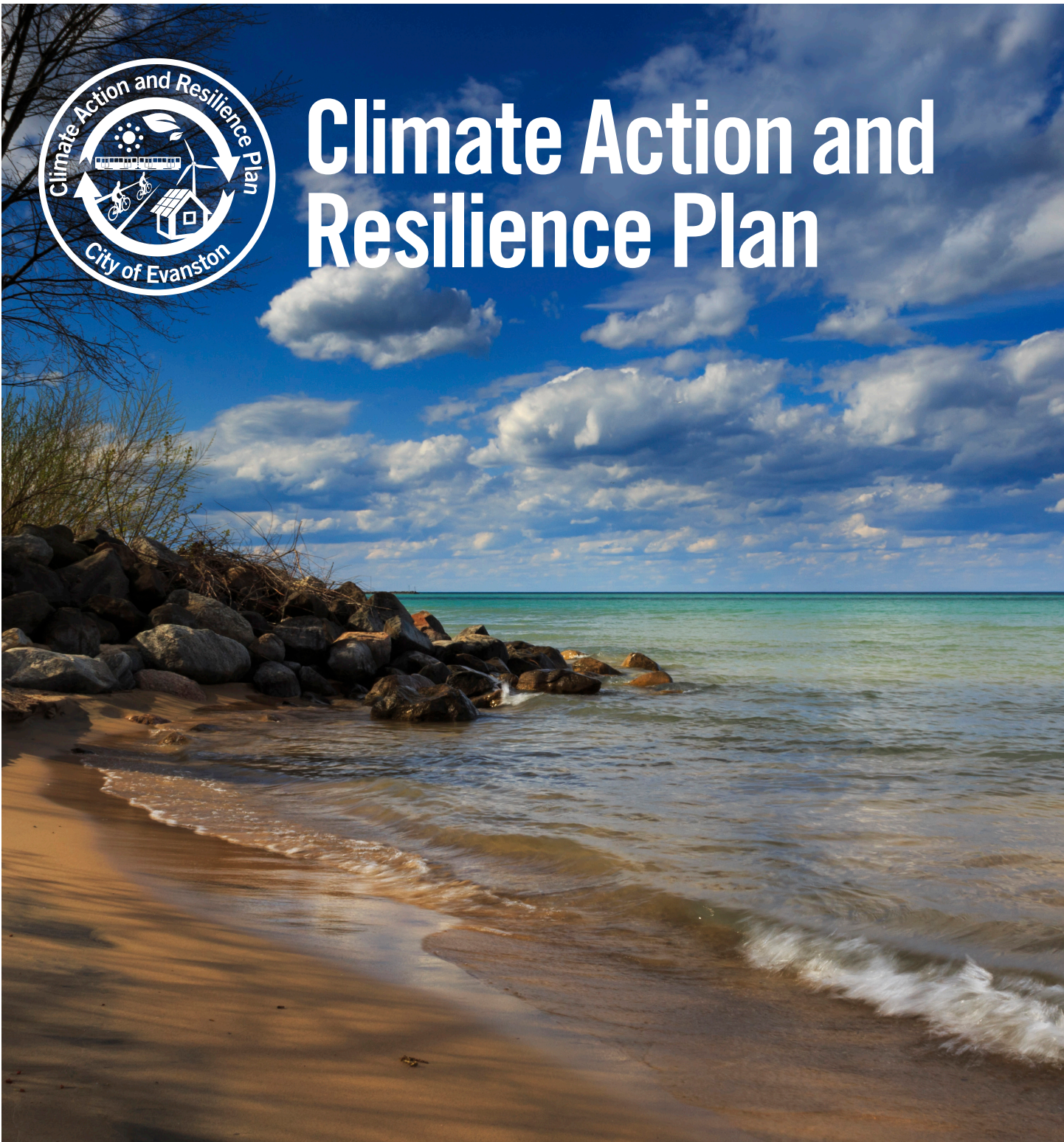
Gajan (Gaj) Sivandran Joined the Engineering Science Department at Loyola University of Chicago in 2016 as a Clinical Assistant Professor of Environmental Engineering. After graduating from the Environmental Engineering Department of the University of Western Australia (2002), conducted environmental impact assessment and emergency response plans for the oil and gas industry. After the 2005 Indian Ocean tsunami, volunteered with the International Federation of the Red Cross and Red Crescent Societies in Indonesia as a water and sanitation delegate. Completed a PhD at Massachusetts Institute of Technology in 2012 incorporating vegetation water interactions into climate models. Gaj has been an Evanston resident since 2016 and enjoys being outside as much as possible with his dog and daughter and engaging students in environmental issues.

Jack Darin serves as the Executive Director of the Illinois Chapter of Sierra Club. Jack works with volunteer leaders and staff to set priorities, hold elected officials accountable, build new alliances, and makes sure Sierra Club has the financial and

other resources needed to protect the Prairie State for future generations. Jack is an 18 year resident of Evanston and has been involved locally as a volunteer board member for local organizations.



Climate Action and Resilience Plan



Carbon Neutral by 2050

Letter from the Mayor

Evanston has a long track record of success when it comes to climate action. Since the City Council's unanimous decision to support participation in the U.S. Conference of Mayors Climate Protection Agreement in 2006, our City has successfully implemented two climate action plans under the leadership of Mayor Lorraine H. Morton and Mayor Elizabeth Tisdahl, received certification and recertification as a 4-STAR sustainable community, been named the U.S. Earth Hour City Capital, and achieved a 24 percent reduction in greenhouse gas emissions relative to 2005 baseline levels. Still, there's more work to be done.

That's why, in 2017, I formed a resident-led working group to chart a path forward. The group, comprised of 17 community members with a wide array of backgrounds and expertise, has been hard at work over the last year developing a plan to not only continue reducing Evanston's impact on climate change, but to also prepare the city and its residents for its effects.

I am pleased to announce the culmination of their efforts with the release of **Evanston's Climate Action and Resilience Plan (CARP)**. Detailed on the following pages, the plan lays out a bold vision that "by 2050, Evanston will be a climate ready and resilient city that has successfully prioritized the needs of its most vulnerable while combating climate change."

To achieve that vision, the Climate Action and Resilience Plan sets a goal of achieving carbon neutrality by 2050, while reaching ambitious greenhouse gas reduction targets along the way. Other goals include securing 100 percent renewable energy for all Evanston properties by 2030, achieving zero waste by 2050, shifting to low- or non-polluting transportation methods, enhancing Evanston stormwater systems, and, for the first time, ensuring that all residents, including our most vulnerable, are prepared for the impacts of a changing climate.

Achieving these goals will require a community-wide effort, and the City can't do it alone. That's why our plan includes commitments from some of Evanston's largest institutions, including the Evanston Community Foundation, NorthShore University HealthSystem, Northwestern University, Presbyterian Homes, Presence Saint Francis Hospital, Rotary International, Evanston/Skokie School District 65, and Evanston Township High School.

From our residents, to our businesses, to our schools and hospitals, Evanston is united in its efforts to mitigate the far-reaching effects of climate change through bold action. While our city will likely undergo many changes on the way to 2050, this plan ensures that our commitment to climate action will remain.



Evanston Mayor
Stephen H. Hagerty

Acknowledgements

City Council and Mayor

Mayor Stephen H. Hagerty
1st Ward Judy Fiske
2nd Ward Peter Braithwaite
3rd Ward Melissa A. Wynne
4th Ward Donald N. Wilson
5th Ward Robin Rue Simmons
6th Ward Thomas M. Suffredin
7th Ward Eleanor Revelle
8th Ward Ann Rainey
9th Ward Cicely L. Fleming

Climate Action and Resilience Plan Working Group

Likwan Cheng
Jack Darin
Robert Dean
Henry Eberhart (ETHS Representative)
Joel Freeman (Co-chair)
Jerri Garl
Vickie Jacobsen
Dr. Christopher Kucharczyk
Emily Lawrence
Sarah Lovinger, MD
Lauren Marquez-Viso (Co-chair)
Gabriela Martin
John Moore
Mariana Oliver
Judy Pollock
Dr. Gaj Sivandran
Lonnie Wilson

Technical Advisors

Karen Bireta
Rebecca Cacayuran
Dr. Dick Co
McCamie Cole
Ellen Fierer
Judy Freitag
Dr. Matthew Katcher
Stephen McComb
Jonathan Nieuwsma
Edmund Post
Dr. Mark Potosnak
Leonard Sciarra
Fred Wittenberg

Other Contributors

Citizens' Greener Evanston
District 65 Green Teams
Evanston Environment Board
Utilities Commission
Evanston Community Foundation
Experience Climate Change Collaborative
(Chris Essex, Sam Carroll, Jason Brown and Clare Tallon Ruen)
Urban Sustainability Directors Network
(USDN)
Great Lakes Integrated Sciences and Assessments (GLISA)
Sierra Club Illinois Chapter

City Staff

Lara Biggs, *Capital Planning and Engineering Bureau Chief*
Paul D'Agostino, *Environmental Services Coordinator*
Patrick Deignan, *Community Engagement Coordinator*
Dr. Patricia Efiom, *Chief Equity Officer*
Lisa Frye, *Art Design Coordinator*
Kelly Hutchins, *Administrative Assistant*
Kumar Jensen, *Sustainability Coordinator*
Martha Logan, *Community Engagement Manager*
Audrey Thompson, *Longterm Care Ombudsman*

Executive Summary

Dire warnings and new reports continue to fill news headlines that demand immediate and decisive action at all levels of government and throughout society, including local government. On October 8, 2018, the Intergovernmental Panel on Climate Change (IPCC), the leading scientific body responsible for climate research, issued a dire warning indicating that in order to limit global warming to 1.5 C, “net human-caused emissions from carbon dioxide (CO₂) would need to fall by about 45 percent from 2010 levels by 2030, reaching ‘net-zero’ around 2050.”* With nine of the 10 hottest years on record having occurred since 2005, precipitation continues to occur in more intense and less frequent storms, and wildfires and hurricanes have ravaged large swaths of the United States. This warning reflects the need for action.

In Evanston, the question is not whether or not climate change exists. The question remains, how do the City and community take actions that reflect the immediacy of the situation while centering the needs of those who will be most severely impacted locally? Although Evanston, as a Great Lakes city, is relatively insulated from threats such as hurricanes, sea level rise and wildfires, it is not insulated from increasingly intense storms, the influx of invasive species, hotter temperatures, drought-like conditions, human migration, threats to water quality and the relative instability of energy prices. Vulnerable communities and individuals will experience disproportionately negative impacts from climate change in the coming years and decades.

Evanston has a long-standing history of bold climate action and a track record of making consistent reductions in carbon emissions. This strong history, begun by Mayor Lorraine H. Morton and elevated by Mayor Elizabeth Tisdahl, is being taken to the next level under Mayor Stephen H. Hagerty. The Climate Action and Resilience Plan (CARP) calls for ambitious reductions in carbon emissions and, for the first time, establishes goals to ensure Evanston is prepared for the daunting impacts of climate change.

The Climate Action and Resilience Plan calls for carbon neutrality by 2050, 100% clean and renewable electricity by 2030, zero waste by 2050, and much more. These ambitious goals were developed by a community working group established by Mayor Hagerty in late 2017. The working group had 17 members and convened dozens of times in smaller task forces and as a whole from November 2017 to November 2018.

The plan is divided into five sections, with two major sections: Climate Mitigation and Climate Resilience. Climate Mitigation explores the far-reaching ways in which many daily routines are tied to larger systems that account for much of the City’s emissions, namely buildings, which account for 80% of Evanston’s emissions. Climate Resilience focuses on preparing social, ecosystem and built environments for the impacts of climate change. Many recommended actions improve climate resilience as well as reduce carbon emissions; the plan seeks to amplify those actions as especially critical.

Thirteen years after Mayor Morton signed the U.S. Mayors Climate Protection Agreement, Evanston has reduced its overall emissions by 24% and leads the region in climate-related planning and progress. The Climate Action and Resilience Plan builds on the foundation of community-driven planning and calls for another round of ambitious action.

** Global Warming of 1.5°C, an IPCC special report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty.*

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Introduction

Evanston 2050 Vision

The City of Evanston’s Climate Action and Resilience Plan Working Group has a vision for the future and has set forth a path to reach that vision. This is what they foresee:

By the year 2050, Evanston has achieved carbon neutrality; all buildings are “high-performing” in terms of energy and water efficiency; all energy produced and consumed is from clean and renewable sources; a Zero Waste Strategy has been implemented and achieved; half of all trips made in Evanston are by transit, walking or bicycling; all vehicles and equipment rely on zero-emission technology; and the urban canopy is healthy and growing in size, adapted to the 2050 climate.

Green infrastructure is distributed equitably throughout the community, increased precipitation is captured by rain gardens and naturally filtered into the soil, the transition to zero emissions vehicles has improved air quality, the boom in renewable energy installations has solidified Evanston as a regional leader and expert in renewable energy and local food options are accessible and affordable to residents in every neighborhood. By 2050, Evanston will be a climate-ready and resilient City that has successfully prioritized the needs of its most vulnerable while combating climate change.

To realize this vision, the City of Evanston (City) is committed to taking immediate and decisive action to reduce the community’s impact on climate change and to prepare the community to adapt and become more resilient to the changing climate and its effects. The City has set ambitious targets to combat the effects of climate change, achieve carbon neutrality by 2050 and make significant reductions in greenhouse gas (GHG) emissions in the short term. The Climate Action and Resilience Plan (CARP) will chart a path forward to meet those commitments and targets. The plan is divided into five sections with two supporting appendices.

Sections

1. Municipal Operations
2. Climate Mitigation*
3. Climate Resilience**
4. Implementation, Accountability and Partnerships
5. Commitments

Appendices

1. Appendix A: Community Greenhouse Gas Emissions Inventory
2. Appendix B: Glossary of Terms

* *Climate Mitigation describes actions that limit climate change through reducing the release of greenhouse gases (GHGs) such as carbon dioxide and methane.*

** *Climate Resilience or Adaptation is the task of evaluating the changing climate and its impacts and preparing the community to adapt and adjust to new climate conditions and the effects they will have on its assets, including people, ecosystems and infrastructure (social, health, natural and built).*

Guiding Principles

The development and implementation of an ambitious climate action plan requires recognizing and understanding Evanston’s historical, current and future context. To ensure that the goals developed within this plan meet Evanston’s vision of becoming the “Most Livable City in America” and align with the comprehensive livability guidelines of the STAR Community Rating System, the plan relies on three core guiding principles: Equity-Centered, Outcome-Focused and Cost-Effective and Affordable.

Equity-Centered

Climate change affects everyone. However, not all people are equally impacted. People of color, immigrants, refugees and lower-income populations experience increased exposure and sensitivity to environmental and climate hazards and a reduced capacity to adapt. To ensure that actions within this plan align with equity principles in Evanston, this plan will employ an equity-centered lens that is approved by City Council and implemented by the Office of Equity and Empowerment with advisory support from the Equity and Empowerment Commission. In the absence of a City definition of equity-centered, guidance will be sought from external leaders within the urban sustainability and equity fields throughout implementation of the plan. By following an equity-centered approach, the City seeks to achieve environmental justice for all its community members, which includes fair treatment and meaningful involvement with respect to environmental decisions and policies, regardless of race, color, national origin or income.

** Language taken from the USDN
Guide to Equitable Community-Driven
Climate Preparedness Planning*

Outcome-Focused

Meaningful progress toward reducing Evanston’s contribution to climate change and increasing resilience to climate change impacts are most effectively demonstrated through measurable outcomes. Identified within the plan are measurable outcomes that reflect the goals of the plan. Example outcomes include reducing greenhouse gas emissions, increasing the use of renewable energy, increasing building efficiency, and reducing waste. Although there are actions within the plan that focus on behavior change, education and improving community awareness and understanding, those actions are anticipated to support the achievement of improved measurable outcomes.

Cost-Effective and Affordable

There is a perception that being “green” or “sustainable” comes with a price or cost premium. Although this may be the case in some instances, many of the recommended policies and programs, if properly implemented, could lead to cost savings as well as economic growth and job creation. Sustainable actions and solutions are not inherently costlier than unsustainable ones. In evaluating the cost-effectiveness and affordability of actions, the City will work to incorporate the cost of inaction as well. The social and economic cost of climate and resilience inaction is considerable. All policies and programs implemented will consider the cost-effectiveness for the City to implement as well as the impact on affected parties and affordability in Evanston.

Municipal Operations

The City of Evanston will continue to lead by example by setting ambitious goals for municipal operations. Although municipal operations account for less than one percent of Evanston’s emissions, the City can play an outsized role in bringing together coalitions, partnerships and the wider community to meet the goals of the Climate Action and Resilience Plan.

Municipal Goals

2020 – 100% Renewable Electricity for Municipal Operations

2030 – Achieve Zero Waste for Municipal Operations

2035 – Carbon Neutrality for Municipal Operations

Purchasing and Planning

- Update the Environmental Sustainability and Best Practices document to align with CARP goals.
- Conduct a GPC-compliant emissions inventory for all municipal operations in 2019.
- Create a CARP checklist to provide to developers submitting projects to the Design and Project Review Committee (DAPR).

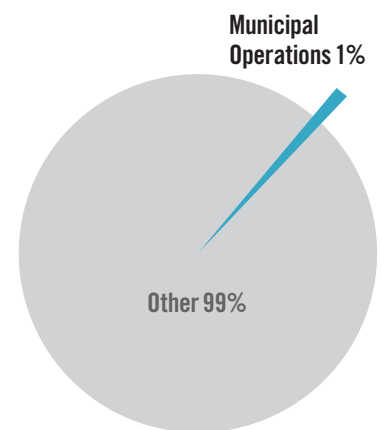
Energy

- Develop a Net Zero greenhouse gas emissions policy for new municipal buildings in 2019.
- Host a shared solar project/serve as an anchor subscriber to a shared solar project and allow residents and businesses to subscribe to the project.
- Install LED lighting for all lighting on city properties, street lights, and traffic lights by 2025. Install 100% LED lighting on all City projects, facilities and infrastructure with lighting needs by 2025 (exceptions may be made if technology is not available to meet project requirements).
- Complete a feasibility study in 2020 to determine the best opportunities for installation of renewable energy installations on municipal properties.
- Retrofit all municipal facilities with water-efficient features to reduce potable water use.
- Develop a zero emissions vehicle purchasing strategy for the municipal vehicle fleet.

Waste

- Require that capital projects divert construction and demolition debris from the landfill and incorporate a percentage of reclaimed material into projects where practicable.
- Ensure that recycling receptacles are located at all City properties including parking garages, parks and community centers.
- Expand compost collection service to public spaces and city facilities.
- Work with waste haulers to ensure that our city’s garbage ends up in landfills that are managed responsibly and use methane gas capture technology to generate energy.
- Require waste haulers to complete regular waste characterization studies for each waste stream.

2017 Municipal GHG Emissions



Green Infrastructure

- Prioritize replacing trees on public property and focus on maintaining tree health to increase longevity. Policies that will improve the overall health of the urban tree canopy include:
 - o Maintain a cyclical pruning process for public trees
 - o Diversify tree planting selection to take into account anticipated future climate zone shifts due to a warming climate
- Maintain skilled forestry staff
- Develop a definition of natural and open spaces in Evanston.
- Increase natural landscaping on public property and expand no-mow areas in parks and other public spaces.
- Prioritize planting and preservation of native species of plants and trees on public property.
- Achieve and maintain the National Wildlife Federation Community Wildlife Habitat Certification
- Achieve all goals laid out in the Mayors Monarch Proclamation and maintain active support of the goals.
- Expand the geographic distribution of green infrastructure throughout the City.
- Efficiently utilize public land to increase stormwater infiltration and detention while enhancing the primary use of the property.

Investments

- Align investment strategies and advocacy initiatives with CARP goals through a City Council-adopted resolution:
 - a. Define and implement an approach to sustainable investing that considers the risks associated with climate change and fully integrates environmental, social and corporate governance considerations into the City's investment decision-making process. This investment philosophy should be adopted with a clear, thoughtful approach to considering the long-term environmental and social sustainability of the entities in which the City invests.

Advocacy

- Support local and national strategies for instituting limits on carbon, including market strategies such as a price on carbon
- Advocate at the state level for legislation and policies that support the goals of CARP; oppose legislation that overturns municipal home rule
- Encourage key institutions such as the school districts and large employers to serve as anchor subscribers to community solar projects.

Climate Mitigation

Climate Mitigation describes actions that reduce the release of greenhouse gas emissions in order to limit climate change. Climate mitigating actions at the local level is imperative if Evanston is to play its part in holding average global temperature increases to below 2 degrees Celsius (3.6 degrees Fahrenheit) and preferably below 1.5 degrees Celsius (2.7 degrees Fahrenheit).

Research compiled by the Intergovernmental Panel on Climate Change (IPCC) indicates that if global temperatures are allowed to increase by 2 degrees Celsius, the consequences will be much more catastrophic than if we can limit warming to 1.5 degrees Celsius or below. The average global temperature has already increased by 1 degree Celsius (1.8 degree Fahrenheit) since pre-industrial levels. Warming greater than the global average is already occurring in many land regions, such as the Arctic, where it is occurring two to three times faster. Global warming is likely to reach 1.5 degrees Celsius by mid-century if trends continue at the current rate. Limiting the increase to 1.5 degrees Celsius as opposed to 2 degrees would mean the difference between a world with Arctic summer sea ice and coral reefs and one without them. More information on the IPCC and climate data can be found at www.ipcc.ch.

Greenhouse Gas Reduction Targets

This plan calls for ambitious and immediate reductions in greenhouse gas emissions, building upon the success of the 2008 Evanston Climate Action Plan (ECAP) and the 2014 Livability Plan. The 2017 community greenhouse gas emissions inventory (Emissions Inventory) showed a 24% reduction in emissions from the 2005 baseline, which demonstrates significant progress towards carbon neutrality. To build off of this progress, the City has established the following community reduction targets:

- ↓ 2025 – 50% reduction
- ↓ 2035 – 80% reduction
- ↓ 2050 – Carbon Neutrality

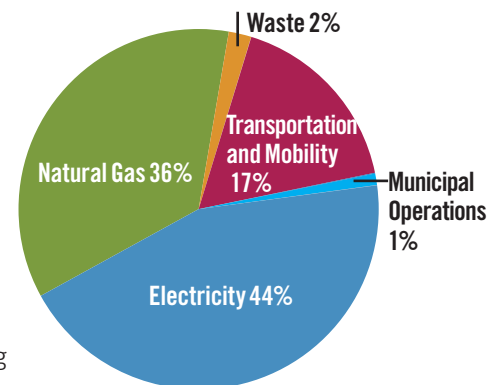
To evaluate and measure the community’s progress towards these targets, the City has developed an Emissions Inventory that is compliant with the internationally accepted best practices put forth in the global protocol for community-scale greenhouse gas emissions (GPC). The Emission Inventory identifies emissions by sector and illustrates changes in emissions over time. An inventory makes it possible to evaluate the City’s progress in reducing emissions and the impact of emission reduction policies.

The Emissions Inventory accounts for emissions attributed to activities taking place within the City’s municipal boundaries. The Emissions Inventory is measured in metric tons of carbon dioxide equivalent (MTCO₂e), which is the standard measurement of greenhouse gas (GHG) emissions. The 2005 baseline of emissions attributed to the community totaled 1,056,169 MTCO₂e. The 2017 Emissions Inventory revealed total net emissions of 793,266 MTCO₂e from the following sectors:

1. Electricity (44%)
2. Natural Gas (36%)
3. Waste (2%)
4. Transportation (17%)
5. Municipal Operations (1%)

A detailed Emission Inventory is available in *Appendix A: Emissions Inventory*.

2017 GHG Emissions by Source



Target Years

Achieving the goals put forward in this plan requires immediate and ambitious action by the City and everyone who lives, works, and plays in Evanston. The target years of 2025, 2030, 2035 and 2050 provide specific milestones for action and achievements. The measure of success between now and 2050 may shift considerably as metrics evolve, and as new technologies and trends emerge. For this reason, the 2050 targets indicated in the plan are limited by current knowledge, but align with the vision for Evanston in that year.

Some of the goals outlined in this section are straight-forward outcomes of policies and programs that start at the City government level. Others require innovative partnerships, broad-reaching education programs, incentives, creative funding strategies and a culture shift in how we live, work, travel and consume today. Staying on track to meet our 2025, 2030, 2035 and 2050 targets will require adapting, adjusting and innovating future iterations of this plan and its metrics. Therefore, the plan will be regularly updated to ensure it is relevant and at the cutting-edge of technology, innovation and environmental and social justice.

The Climate Mitigation section of the plan is split into six Focus Areas with corresponding Goals, Actions and Performance Metrics.

Focus Areas	Goals
Building Efficiency	Reduce building energy consumption by 35% by 2035 (from 2005 levels).
Renewable Energy	Achieve 100% renewable electricity supply for all Evanston accounts by 2030.
Zero Waste	Increase the community waste diversion rate to 50% by 2025, 75% by 2035 and Zero Waste by 2050 (from 2017 levels).
Transportation and Mobility	Reduce vehicle miles traveled; increase trips made by walking, bicycling and transit.
	Increase use of electric vehicles; decrease carbon emissions from vehicles and equipment.
Urban Canopy and Green Space	Preserve and restore Evanston's urban canopy, natural areas, native vegetation and green space to maintain and increase carbon sequestration, improve stormwater runoff detention, improve air quality, energy efficiency and livability and reduce adverse urban impacts on humans and key species such as birds and pollinators.
Outreach, Education and Behavior Change	Educate, motivate and empower Evanston residents, institutions and businesses to take meaningful action to fight climate change and improve community resilience.

Electricity Aggregation:

Since 2012, the City has provided 100% renewable energy to participating residents in the City's electricity aggregation program. This program has resulted in a reduction of 445,154 MTCO₂e of emissions, which is equivalent to 95,322 passenger vehicles driven for one year.

Goal

Reduce building energy consumption by 35% by 2035 (from 2005 levels).

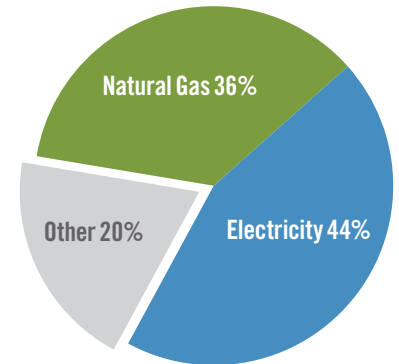
Building energy consumption is the largest source of greenhouse gas emissions in Evanston and accounts for roughly 80% of the community's emissions. Overall electricity emissions decreased significantly since 2005, however, this reduction is primarily the result of the purchase of renewable energy credits as part of Community Choice Electricity Aggregation (Aggregation) as well as the overall improvement in emission factors for the regional power grid (i.e. coal generation being replaced with less carbon-intensive generation such as natural gas and renewable energy sources). A detailed explanation of electricity consumption and corresponding emissions calculations is located in *Appendix A*.

Actions in this section will improve building efficiency and reduce energy consumption. Decreasing energy consumption can lead to cost-savings, reduced strain on systems and infrastructure and improved public health outcomes.

Actions

1. Develop a strategy to transition to net-zero greenhouse gas emissions (NZE) building standards in 2019. Implement strategy via building code update effective starting in 2020.
 - a. Use best practices in each category of green building standards, including aspects of LEED Platinum, Passive House (PHIUS), Green Globes, Living Building Challenge, American Institute of Architects (AIA) 2030, and Enterprise Green Communities. Address all aspects of the building, including construction, energy use, water use, impacts on nature and wildlife (e.g. birds), and on the community (e.g. transportation).
 - b. Require NZE building codes for residential and commercial new construction and retrofits by 2030.
 - c. Include energy audits as part of the building permit approval process for residential, commercial and industrial modifications and additions.
2. Update the energy and water benchmarking ordinance to gather information on renewable energy purchases, renewable energy on-site generation, energy efficiency upgrades, waste management data (recycling, composting) and other relevant information.
3. Adopt policies that require retro-commissioning for larger buildings and building energy audits for smaller buildings.
4. Create a Property-Assessed Clean Energy (PACE) financing program to support residential and non-residential energy efficiency initiatives.
5. Increase water efficiency and reduce daily per capita water usage.
 - a. Update and implement the Evanston Water Conservation and Efficiency Plan developed by CMAP in 2014.
 - b. Facilitate reduction of water use by top 20 customers. Request large institutions and businesses to identify specific opportunities for employees or customers to conserve water and incorporate water efficiency into internal operations.
6. Institute a residential energy performance transparency program to help homebuyers understand the energy performance of homes they are considering for purchase.
7. Create an education and incentive program to empower and encourage residents, businesses and building-owners to reduce energy consumption.

2017 Building GHG Emissions



Northwestern University Reduction in building energy consumption by 20% by 2020:

Northwestern has been an active partner of the US Environmental Protection Agency's ENERGY STAR® program since 2015. Northwestern follows the program's Guidelines for Energy Management and uses its Portfolio Manager software to benchmark and track University energy, water and waste performance.

Rotary International to Pursue LEED Platinum by 2022:

Headquarters, located in Evanston, achieved LEED Gold certification in 2012 and 2017 and is EPA Energy Star-certified. Rotary has committed to having 100% of their facility electricity come from renewable sources, to pursue LEED Platinum certification, and reduce building energy costs by using less energy.

Focus Area Impact and Performance Metrics

Building energy consumption accounts for the largest single source of greenhouse gas emissions in Evanston. Completing actions to reduce energy consumption will take time, but ultimately could lead to the largest reduction in emissions.

Target year	Metric Description
2025	Reduce building energy consumption by 25% from 2005 levels
2035	Reduce building energy consumption by 35% from 2005 levels
2050	Reduce building energy consumption by 50% from 2005 levels
Annual	Total energy consumed in applicable units
Annual	Average daily water consumption per capita
Annual	Number, type and energy-use intensity of buildings participating in implemented programs (i.e. benchmarking, retro-commissioning, etc.)
Annual	Number of high performance residential and commercial buildings

Outreach and Engagement

1. Identify strategies and funding to support residents and businesses in implementing energy efficiency improvements and energy usage reductions.
2. Educate the community about existing incentive programs through Nicor Gas and ComEd and other entities and prioritize connecting eligible properties with utility rebate and efficiency programs.
3. Pursue utility investments and benefits for Evanston residents, particularly those that benefit low-income residents.
4. Encourage buildings to pursue third-party sustainable building certifications such as Green Globes, Passive House (PHIUS), LEED, etc.

Goal

Achieve 100% renewable electricity supply for all properties in Evanston by 2030.

In 2017, Mayor Hagerty joined the Sierra Club’s Mayors for 100% Clean Energy. Although purchasing renewable energy credits (RECs) has played a large part in working toward this goal, the City also values onsite generation of renewable energy through sources such as wind, solar and geothermal installations within Evanston and the region. The included actions seek to provide competitive renewable energy options to all Evanston customers.

Shifting to renewable energy sources can result in cost-savings to residents and businesses. It will grow demand for renewable energy and stimulate job growth in related fields. As more renewable energy sources replace carbon-based sources, overall air quality will improve and there will be a reduction in carbon-based environmental contaminants in the air, water and soil nationally.

Actions

1. Continue Community Choice Electricity Aggregation (Aggregation). Explore expanding the reach of the Aggregation program and tighten sourcing requirements to encourage/require energy suppliers to directly invest in renewable energy.
2. Increase renewable energy supply options beyond Aggregation by supporting community solar and other renewable energy generation projects.
3. Create an educational program to inform commercial properties about renewable energy opportunities. Incentivize businesses to purchase renewable energy (such as through a sustainable business recognition program).
4. Evaluate the options available for the City to increase the supply of renewable energy to Evanston customers not eligible for Aggregation, such as Community Solar Subscriptions, development of a municipal alternative retail electric supplier (ARES), Power Purchase Agreements, etc.

Focus Area Impact and Performance Metrics

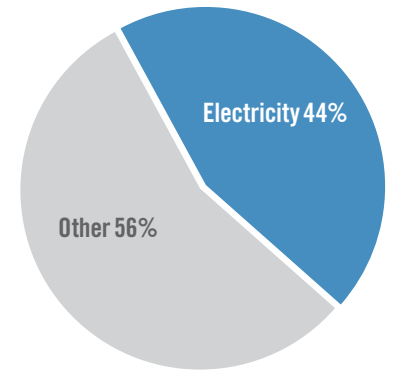
Switching to renewable sources of electricity and purchasing renewable energy either directly or through Renewable Energy Credits (RECs) and offsets would eliminate greenhouse gas emissions from electricity consumption in Evanston.

Target year	Metric Description
2025	75% renewable electricity supply for all Evanston accounts
2030	100% renewable electricity supply for all Evanston accounts
Annual	Number, size and output of onsite renewable energy installations in Evanston
Annual	Total megawatt hours (MWh) of renewable energy supplied to Evanston customers

Outreach and Engagement

1. Implement a sustainable business recognition program focused on increasing access to renewable energy supply options, reducing energy consumption and improving energy efficiency, waste reduction and diversion strategies, resource efficiency, sustainable purchasing and cost-savings.
2. The City, in partnership with local non-profits, will provide information and resources on the installation of onsite renewable energy systems.

2017 Electricity GHG Emissions



Evanston Hospital:

NorthShore University HealthSystem has pledged to achieve 50% of their entire energy portfolio from renewable sources by 2025, reach a 30% recycling rate across NorthShore campuses by 2020, and obtain an Energy Star score above 75 for Evanston Hospital 2025.

Goal

Increase community waste diversion rate to:

- ↑ 50% – by 2025
- ↑ 75% – by 2035
- ↑ 100% – Zero Waste

All diversion rates measured from a 2017 baseline (*see Appendix A for details*).

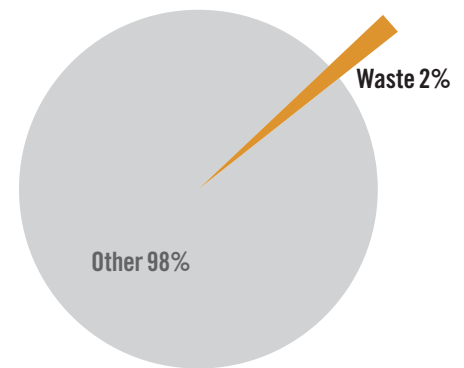
Disposal of waste only accounts for 2% of community emissions, yet material consumption and corresponding waste systems have significant environmental and climate impacts that are not included in calculations of community greenhouse gas emissions data. Given that measurements of these consumption and waste systems have yet to be refined and the significant impact of food waste, plastic pollution and demolition waste on the environment, developing a Zero Waste Strategy is considered a primary action within the plan. Furthermore, Evanston’s 2017 community-wide waste diversion rate was 21% and has held steady at around 20% since 2012, which is far below its potential.

Actions in this category seek to meaningfully reduce the amount of waste generated, encourage more sustainable consumption behaviors, support the circular economy and develop and implement a Zero Waste Strategy. Additional benefits of actions in this section include reduced environmental and social impacts of waste disposal, improved air and water quality, improved public health, cost-savings, and potential job growth in related sectors.

Actions

1. Create and Implement a Zero Waste Strategy
 - a. Combat food waste by requiring retailers and restaurants to donate, reduce, reuse, or compost their unsold food, creating “zero-waste sections” where products are sold close to their expiration dates, and designating “zero-waste coaches” to raise awareness among staff and help manage products reaching the end of their marketable life. Edible unsold products shall be donated. When not edible, organic waste shall be composted through a City-approved vendor.
 - b. Eliminate petroleum-based, single-use products through phasing out the use of single-use plastics by 2025. Require food service retailers to use biodegradable, compostable or recyclable packaging (per City of Evanston recycling specifications). Explore the feasibility of establishing a reusable takeout container service.
 - c. Implement a plastic straw and stirrer-free or opt-in policy for businesses that provide food and/or beverage services, with appropriate options for people with disabilities.
 - d. Reduce construction and demolition waste by ensuring that strong recycling and reuse requirements are met for all building-related permits. Require that all real estate developments that receive financial assistance from the City or special zoning approval adhere to a higher standard of recycling and reuse.
2. Require recycling at all properties. Adopt policies that provide all properties equal access to waste diversion services such as recycling and composting. Require that all properties make recycling receptacles clearly accessible to tenants, patrons and visitors. Facilitate, encourage and incentivize all properties to engage in a composting program.
3. Update and revise the disposable plastic shopping bag ban to achieve its intended outcome.
4. Enforce the Cook County Demolition Debris Diversion Ordinance and strive to exceed minimum requirements in the revised building code.
5. Support the preservation, reuse, repurposing and retrofit of existing structures to reduce demolition waste, preserve the embodied energy and materials, while avoiding the energy usage related to demolition.

2017 Waste GHG Emissions



Composting:

In 2017, the City launched the largest municipal compost collection program in Illinois. The program provides service options to all properties in Evanston in partnership with Collective Resource, an Evanston and woman-owned business. Diverting food from the landfill can reduce methane generation and allow waste food to be turned into a nutrient-rich soil amendment.

Focus Area Impact and Performance Metrics

Achieving the ambitious goal of Zero Waste will have numerous and significant positive impacts beyond the direct reduction in greenhouse gas emissions. Achieving Zero Waste has the potential to change local consumption habits, reduce costs associated with landfilling material, create jobs and energize circular economy practices throughout the community.

Target year	Metric Description
2025	Community waste diversion rate of 50% from 2017 levels
2035	Community waste diversion rate of 75% from 2017 levels
2050	Community waste diversion rate of 100% from 2017 levels
Annual	Total weight of material disposed of within the community by month and type
Annual	Number of active accounts per waste service
Annual	Number of deconstruction projects in Evanston annually
Annual	Total weight of reclaimed material utilized in projects, renovations and new construction

Outreach and Engagement

1. Educate the community on waste management strategies starting with reducing consumption, followed by reusing, repurposing, recycling, and composting.
2. Participate in the “Love Food Hate Waste” campaign or a similar program to encourage food waste reduction on a community-wide scale.
3. Conduct a Zero Waste campaign.
4. Encourage schools to establish Zero Waste lunchrooms and classrooms.
5. Encourage grocery stores to offer bulk food sales to reduce packaging.
6. Encourage and support creative solutions to consumption reduction: reuse, repair, and repurposing initiatives, including tool libraries, library of things, swap events, food-share opportunities, repair clinics, etc.
7. Promote the purchase of compost made in Illinois.
8. Provide a copy of the Cook County Demolition Debris Diversion ordinance with appropriate City permit materials.

Goal 1

Reduce vehicle miles traveled; increase trips made by walking, bicycling and transit.

Goal 2

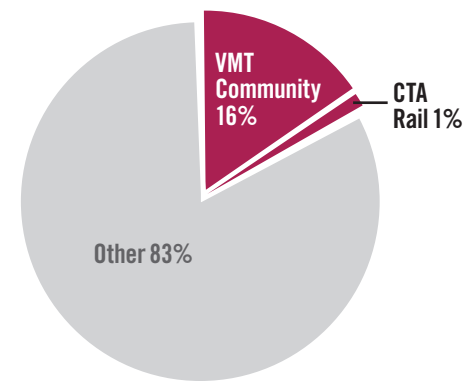
Increase use of electric vehicles; decrease carbon emissions from vehicles and equipment.

Transportation systems accounted for 17% of Evanston's emissions in 2017. Transportation-related emissions and transportation activity in Evanston are difficult to measure, thus the data included in the inventory is modeled data from the Chicago Metropolitan Agency for Planning (CMAP)'s regional transportation model scaled down for Evanston (*details in Appendix A*). Given the limited local data on all forms of transportation and mobility, it is recommended that the first step in taking meaningful action to reduce transportation and mobility emissions is to *develop and implement a comprehensive multimodal transportation data collection program that includes vehicle-miles-traveled (VMT)*. This program, once established, will be used to evaluate the impact and effect of policies on Evanston's transportation systems by mode.

Actions in this section focus on helping the community to shift to low- or non-polluting transportation modes such as walking, bicycling, and using public transit. Additionally, the actions support the expansion of the use of electric vehicles or other zero-emission vehicles (ZEVs) in the public and private sector and the infrastructure necessary to support this expansion. Shifting to low- and non-polluting modes of transportation while also increasing the use of zero-emission vehicles and equipment, and decreasing the use of combustion-engine vehicles and equipment, will have positive effects on public health through increased active lifestyle habits and improved air quality.

The transition from petroleum-powered vehicles to electric vehicles will require changes (upgrades) in fleets, personal vehicle purchases, and perhaps most importantly, electric vehicle infrastructure, namely charging stations for commercial and personal use. This section identifies the top priorities in each of these areas.

2017 Transportation GHG Emissions



Preliminary Step

Develop and implement a comprehensive multimodal transportation data collection program that includes vehicle-miles-traveled (VMT), the mode-share for each (walking, bicycling, transit, driving alone and carpooling), and route selection through routine traffic counts for both roadways and key bicycle routes. The data collected should be able to assess the impacts of infrastructure improvements, increased development and other related policy changes on travel behavior. This data collection effort should include ride-share data provided by ride-share operators and commercial VMT attributed to trucks and delivery vehicles to better understand the impacts on overall community VMT. The process of developing a regular and comprehensive transportation data collection program may initially require external resources. The City will explore potential partnerships with local institutions and organizations to accomplish this preliminary step.

Goal 1 Actions

1. Continue implementation of transportation-related City plans, including the Multimodal Transportation Plan, the 2014 Bike Plan Update, the Health Department’s EPLAN, and the Complete Streets Policy.
 - a. Expand safe, convenient and complete networks in Evanston for pedestrians, bicycles and transit; facilitate the expansion of strong bicycle and transit connections between Evanston and neighboring communities.
2. Foster active transportation habits in Evanston residents by:
 - a. Providing bicycle and pedestrian safety and skills training to all school-aged children in Evanston with an accompanying program to educate parents and all interested adults. Conduct a “share-the-road” public education campaign to educate drivers about safe and respectful driving behavior mindful of pedestrians and bicyclists.
 - b. Conduct Safe Routes to Schools audits for all Evanston elementary and middle schools to identify infrastructure improvements that would enhance pedestrian and bicycle safety and encourage trips to school on non-polluting modes of transportation.
3. Through revision of the building code, ensure that developers undertaking new development or redevelopment projects adopt practices and include infrastructure that encourages trips by walking, bicycling and on transit through:
 - a. Reducing the amount of parking.
 - b. Providing incentives such as density bonuses or expedited review for development projects that have mixed-used zoning (residential, retail and office uses) and commit to sustainable transportation practices. For example, prioritizing access by pedestrians and bicyclists, providing electric vehicle charging stations and discounted transit passes, as well as fee-appropriate parking.
4. Monitor impacts of ride-sharing services and work with ride-share operators to determine appropriate strategies to reduce unnecessary VMTs and incentivize the use of electric and hybrid vehicles. Assess fees relative to the impacts identified and earmark them for investments in transit, bicycle and pedestrian networks.

Performance Metrics

Target year	Metric Description
2025	Reduce community vehicle miles traveled by 20% from 2005 levels
2035	Reduce community vehicle miles traveled by 35% from 2005 levels
2050	Reduce community vehicle miles traveled by 50% from 2005 levels
Annual	Number of trips made by walking
Annual	Number of trips made by bicycling
Annual	Number of trips made by public transit

Goal 2 Actions

1. Incentivize electric vehicle infrastructure (charging stations).
 - a. Work with neighboring communities to incentivize electric vehicle infrastructure by identifying appropriate locations that are convenient to residents of multiple communities.
 - b. Establish an expedited process through the City’s zoning and building code for electric vehicle charging infrastructure.
2. Partner with fleet operators and transit providers to work towards a goal that buses and fleets based and operating in Evanston, including school buses, be 100% electric by 2035 (50% electric by 2025). Work with transit agencies and bus companies to take advantage of federal transit grant opportunities to purchase new electric vehicles.
3. Educate fleet operators and residents about the no idling law and enforce it consistently, as well as create steeper fines for diesel vehicles, such as buses and construction vehicles and equipment.
4. Phase out the use of gas- and propane-powered leaf blowers, lawn mowers and construction equipment; provide a timeline by which they need to be replaced with electric or battery-powered options.

Performance Metrics

Target year	Metric Description
2025	Buses and fleets based and operating in Evanston are 50% electric
2035	Buses and fleets based and operating in Evanston are 100% electric
Annual	Number of electric vehicles registered in Evanston
Annual	Number of public charging stations located in Evanston
Annual	Percentage of city-owned fleet converted to electric vehicles

Focus Area Impact

Mode shifts, electrification of transit and private vehicles, as well as the impending proliferation of autonomous vehicles, will change the transportation and mobility landscape in Evanston. These changes will likely lead to an increase in electricity consumption, which can and will be purchased renewably, thus reducing emissions from transportation.

Outreach and Engagement

1. Implement initiatives to educate residents about electric vehicles and related infrastructure.
2. Explore the use of a mobile app to educate Evanston residents about travel mode options and routes, and encourage, possibly through incentives, more trips using non- and low-polluting modes of transportation.
3. Advocate at the regional and state levels to maintain or expand the bus transit network in Evanston.
4. Partner with the Active Transportation Alliance and School District 65 to do safety audits of the walking and bicycling routes to all Evanston elementary and middle schools.
5. Explore funding opportunities through the Illinois Safe Routes to Schools grant program to make safety improvements on school walking and bicycling routes.
6. Develop a strategy to work with landscaping and construction industry contractors to eliminate the use of gas- and propane-powered equipment prior to the phase-out.

Urban Canopy, Natural Areas and Green Space Preservation and Restoration for Mitigation and Resilience

Goal

Preserve, restore, and expand Evanston's urban canopy, natural areas, native vegetation and green space to maintain and increase carbon sequestration, improve stormwater runoff detention, improve air quality, energy efficiency and livability and reduce adverse urban impacts on humans and key species such as birds and pollinators.

The presence of an urban canopy, natural areas, and green space provide a multitude of habitat, mitigation and resilience benefits to the community. A healthy urban canopy provides demonstrable carbon sequestration, improved air quality, stormwater absorption, and cooling and shading benefits to the community. Evanston's trees sequester approximately 24,985 MTCO₂e. Continuing to invest resources into maintaining and improving the health of the canopy will increase carbon sequestration, improve stormwater absorption and increase shading and cooling benefits. In addition, many forms of fauna rely on natural and green spaces in Evanston for food and shelter. Supporting these habitats and improving their resilience in the face of climate change is imperative to supporting local ecosystems.

The actions in this section seek to support and protect Evanston's urban canopy, green space, natural areas and overall ecosystems. The additional benefits related to the initiatives in this section include enhanced public health and livability through improved air and water quality, cost-savings related to the cooling and shading effects of trees, and healthier ecosystems.

Actions

1. Prioritize replacing and planting additional trees on public property and assist residents with replacing trees on private property. Consult the Trees for 2050 publication developed by the Chicago Botanic Garden to guide tree selection for climate resilience.
2. Commit to protect, conserve, and expand natural areas throughout the city such as Isabella Woods, Clark Street Beach Bird Sanctuary, the North Shore Channel, Perkins Woods, existing habitat, etc.
3. Adopt a tree preservation ordinance that requires obtaining a permit for tree removal on private property; include exceptions for diseased and nuisance trees; develop a fee structure that does not overburden income-constrained property owners.
4. Prioritize planting and preservation of native species of plants and trees on public and private property through education, incentives and other promotional programs. Ensure that landscaping requirements articulated in the zoning code include the preservation of the maximum possible number of existing trees, the use of native plantings and the preservation of natural areas whenever possible.
5. Reduce pesticide (insecticides and herbicides) and chemical fertilizer use community-wide through City policy and community education.

I Heart Evanston Trees and RePlant Express:

Since 2006, the invasive emerald ash borer, Dutch Elm disease, and intense weather events have claimed as many as 400 trees per year in Evanston! Trees clean the air, sequester carbon, absorb and filter stormwater, provide shade, help cool surrounding areas through evapotranspiration, and can increase property values. To combat these losses, the I Heart Evanston Trees and RePlant Express programs were created to raise funds to plant replacement trees.

Focus Area Impact

Quantifying emissions reduction and sequestration values is a challenging measurement process at the local level for urban canopy and green spaces. Maintaining green space, natural areas and the urban canopy in healthy and thriving condition improves Evanston’s resilience to climate change and supports incremental reductions in greenhouse gas emissions.

Performance Metrics

Target year	Metric Description
2025	500 net new trees planted
2035	1,000 net new trees planted
2050	2,000 net new trees planted
Annual	Number of properties with Natural Wildlife Federation Wildlife Habitat Certification
Annual	Number of pesticide-free public parks and other properties

Outreach and Engagement

1. Review and enhance the City’s public health procedures, information and messaging to encourage local gardening, composting, leaving leaves, and reducing chemical fertilizers and pesticides.
2. Support community volunteers such as participants in Openlands TreeKeepers program.
3. Post information about the City pesticide policy at City properties, include the policy in the City’s annual mailing to landscapers, and encourage voluntary steps to reduce pesticides.

Goal

Educate, motivate and empower Evanston community members, institutions and businesses to take meaningful action to fight climate change and improve community resilience.

Collective and decisive action by all residents, institutions and businesses is needed for Evanston to meet its climate action and resilience goals. Educating all members of the community about climate change, its impacts and solutions is critical. Actions in this section aim to educate, motivate and empower all community members to play a part in the Climate Action and Resilience Plan.

Strategic action is needed at all levels, including the individual level. The average annual carbon footprint of a person living the U.S. is 16.2 MTCO₂e*. This is greater on average than any other nation in the world—twice as much as the average person in Europe or Japan and ten times as much as the average person in India. Every resident should aim to reduce their own carbon footprint and adopt behaviors that are more sustainable, reduce climate change, and increase resilience.

* World Development Indicators 11/13/2018 <https://data.worldbank.org/indicator/EN.ATM.CO2E.PC>.

Actions

1. Engage both school districts and private schools to explore the possibility of developing and implementing an environmental education-integrated curriculum
2. Expand environmental education locations and programming within Evanston specifically to raise awareness about climate change and its effects on the community and the world
3. Establish a carbon footprint data collection program through surveys to community members and businesses
4. Establish a “MyCARP” program for residents to build their own climate action and resilience plans to empower them to take meaningful actions to reduce their own carbon footprint and increase their resilience
5. Implement a “Green Me, Green E” publicity campaign to build awareness, create buy-in and possibly raise funds for climate mitigation and resilience efforts
6. Implement a sustainable business recognition program to publicly recognize businesses with a commitment to sustainable practices
7. Protect and expand community garden programs to encourage local food production, through dedicated space and increased education efforts.

Focus Area Impact

Individual awareness about the impacts of climate change and what can be done to reduce Evanston’s impact and prepare for changes are prerequisites for the success of all of the focus areas within this plan. Empowering community members to take meaningful action will lead to larger systems change.

Performance Metrics

Target year	Metric Description
2025	Each resident reduces their carbon footprint by at least 10%
2035	Each resident reduces their carbon footprint by at least 25%
2050	Each resident reduces their carbon footprint by at least 50%
Annual	Number of businesses recognized by the sustainable business recognition program
Annual	Number of residents participating in the “MyCARP” initiative
Annual	Number of public events held to educate, motivate and empower residents and businesses to learn about climate change and climate solutions

Climate Resilience

Climate resilience is the task of evaluating the changing climate and preparing the community for anticipated changes and the impact they will have on the community and its infrastructure.

The local impacts of climate change in Evanston were identified through the City’s participation in the Urban Sustainability Directors Network (USDN) Socioeconomic Climate Mapping Tool Project. The resulting Climate and Socio-economic Vulnerability Assessment helped City staff understand local climate data. The primary local climate hazards and their impacts identified are:

Evanston Climate Hazards

Climate Hazard	By Mid-Century 2050	By End-Century 2075	Summary
Extreme Heat	↑	↑↑	Increase in extremely hot days, over 95°F and 100°F
Shorter Winters	↓	↓↓	Decrease in number of days below freezing
Storms	↑	↑↑	Increase in extreme precipitation events
Drought	?	↑	Increase in drought conditions

Evanston Climate Impacts

Climate Impact	By Mid-Century 2050	By End-Century 2075	Summary
Infrastructure Stress	↑	↑↑	With increased heat and sever storms physical infrastructure will be tested
Human Migration	?	?	The Chicago region may see an influx of climate refugees
Flooding	↑	↑↑	Higher risk of flooding and associated damage
Invasive Species/ Pests	↑	↑	Increase in invasive species and pests
Air Pollution	↑	↑	Poor air quality and increase in aeroallergens

In order to respond to these threats six Focus Areas have been identified that demand policy and program solutions to ensure that Evanston remains a resilient community in the face of climate change.

Climate Resilience Focus Areas
Green Infrastructure
Health Impacts of Extreme Heat
Resilience Regulations
Community Networks and Education
Emergency Preparedness and Management
Vulnerable Populations

“Green infrastructure is a product, technology, or practice that uses natural systems or engineered systems that mimic natural processes to enhance overall environmental quality and provide utility services. Green infrastructure techniques apply to the use of soils and vegetation for infiltration, evapotranspiration, and/or recycling of stormwater runoff.”
—Federal Environmental Protection Agency (EPA).

In Evanston, there is a long history of investing in stormwater infrastructure primarily through the implementation of grey infrastructure such as: sewer pipes, pumps, detention ponds, and other human-made infrastructure. The implementation of green infrastructure in appropriate locations throughout Evanston can reduce potential flooding risks and potential capital expenses associated with grey infrastructure.

Based on available data, there is a high probability of an increase in the number and impact of damaging floods in Evanston in the future. Most impacts will be moderate (since riverine flooding is not a threat in Evanston), such as overland flooding of homes and sewer system backups. Additionally, depending on the severity of increased precipitation, flooding could negatively impact the water quality in Lake Michigan through the release of contaminants. Although this is a remote possibility, it would be very severe if it occurred, and climate change can lead to unpredictable outcomes (see, for example, the algae blooms that caused toxic drinking water contamination in Toledo, Ohio).

Actions

1. Contribute to zero occurrences of combined sewer overflows (CSOs) which can result in the opening of the Wilmette locks to release untreated wastewater into Lake Michigan.
2. Enhance stormwater systems to handle an increase in severe weather events.
3. Prioritize managing stormwater before it enters the sewer system through a combination of overland flow, detention, and infiltration strategies (for example, permeable surfaces).
4. Target specific types of infrastructure to implement green infrastructure including: parking lots, alleys, parks, vacant lots, parkways, and grading near sidewalks. In addition, identify property owned by other public entities that have a high potential for improved ecological management to improve stormwater management functions (school districts, Metra, Chicago Transit Authority (CTA), and Metropolitan Water Reclamation District (MWRD)).
5. Promote native landscaping, restore and conserve habitat; encourage rain gardens on private property, avoid turf grass, and convert City-owned space to include stormwater absorption features. Tree selection should consider those on the “Adaptive Planting List” which will thrive in our future local climate (refer to Chicago Botanic Garden’s “Trees for 2050” and other related assessments).
6. Prioritize tree planting and maintenance on public property.
7. During and immediately after major rainfall events, deploy an education and communication plan in coordination with the appropriate partners such as MWRD and Friends of the Chicago River to alert residents, businesses and institutions to delay activities that will contribute wastewater (such as doing laundry) until the treatment process can catch up with the overloaded combined sewer system.
8. Reduce water consumption.
9. Develop a program to provide incentives to property owners for improved stormwater management to be paid for in part by a stormwater utility fee assessed based on the amount of stormwater generated by a property. Include an evaluation of a stormwater utility fee on lower- and moderate-income residents and property owners.
10. Prepare a comprehensive plan for stormwater management that goes beyond baseline regulatory requirements and includes green infrastructure with the goal of eliminating CSOs.

An increase in number of hot days annually and temperature increases overall can cause negative health impacts, particularly to community populations and ecosystems that are already susceptible to temperature increases. The elderly, children, workers who perform outdoor labor and individuals involved in outdoor recreational activities will be most impacted. Primary health impacts include increased risk of heat stroke and exhaustion and a decrease in overall air quality. These conditions can exacerbate existing health conditions such as cardiovascular disease, allergies, respiratory illness, etc.

Extreme heat, together with related air quality problems, poses an immediate and severe threat to human health, particularly for vulnerable populations. The following actions seek to reduce the adverse impacts of extreme heat.

Actions

1. Establish cooling centers and provide information to the community to ensure vulnerable residents are aware of these services, including direct messaging at community facilities and through health providers.
2. Provide guidance through resource material to social service providers so they are aware of best practices in treating client needs during an extreme heat event.
3. Develop materials instructing residents how to reduce exposure to ground level ozone. (Promote improvements to indoor air quality for homes, schools, childhood learning centers, institutions, and businesses, such as requiring healthy Indoor Environment and Indoor airPLUS protocols for all new construction.)
4. Plant shade trees to limit the need for indoor cooling and reduce temperatures at parks, playgrounds, and other outdoor spaces.
5. Investigate programs to reduce cost barriers that limit access to cooling assets such as Evanston beaches and pools during extreme heat events.

New construction and modification to existing buildings are highly influenced by City zoning and building codes. Building codes, zoning ordinances, minimum parking requirements, landscaping regulations, and other requirements must support climate resilience strategies. Ensuring that new construction and renovations incorporate sustainable practices will improve climate resilience.

Actions

1. Conduct a review of relevant City regulations, policies and practices and determine how climate resilience strategies can be incorporated.
2. Reduce vulnerability to flooding through provisions for locating mechanical and electrical equipment in above-ground building areas, and encourage alternative energy generation and energy storage systems.
3. Revise or implement building codes that reduce threats to vulnerable wildlife species, particularly birds (migratory and local).
4. Update plumbing codes to allow for non-potable water reuse for irrigation and other domestic uses.

Community awareness and preparedness for climate change and its impacts is fundamental, and an educated community is necessary for many of the City's actions to be effective. City programs to improve resilience will not be effective unless residents and businesses participate.

Actions

1. Educate residents about the impacts of climate change and develop messages that inspire action. Identify areas (physical places or regular public service announcements) to communicate City efforts, call for volunteers, and raise general awareness.
2. Improve resilience through education at public events (street fairs, farmers' markets, and festivals). Increase awareness of climate change impacts and emphasize the need for household and neighborhood preparation. Create activities and messages that capture public interest.
3. Improve awareness among residents of the impacts of their actions on the environment, water quality, and waste generation. Educate residents and businesses on proper disposal methods for cosmetics, medications, and other products that contain potentially harmful chemicals.
4. Emphasize steps individuals can take to improve emergency preparedness. Increase awareness of City and other alert systems.
5. Provide education around vegetation management of trees and how proper management can reduce storm-related power outages.
6. Identify funding sources to facilitate a financial aid arrangement to assist property owners in conducting preventive vegetation management and assist with costs related to post-storm, tree clean-up.
7. Enhance community networks and connections for those who require special attention, such as the elderly, homebound, disabled, isolated, or those likely to be in need of financial assistance during or after extreme weather events (heat, cold and heavy precipitation).
8. Facilitate education about, and membership in, the existing North Shore Village organization.
9. Establish a "Neighbors Helping Neighbors" program.
10. Partner with local sustainability organizations to foster public volunteer efforts to maintain and grow park systems and green infrastructure, through tree plantings and integrated invasive species control. These programs could help contain costs and foster public involvement. Potentially hold partnered events on environmentally focused holidays such as May Day, Arbor Day, Earth Day, solstices, Mother's Day, Father's Day, etc.

Presbyterian Homes:

This independent, not-for-profit organization will encourage carpooling among employees, upgrade lighting to LEDs, increase native plant species on their property, and purchase the most up-to-date HVAC systems. Future goals include developing a certified garden habitat at Westminster Place, one of their Evanston properties, and obtaining 100% of their energy from renewable sources by 2028.

In addition to an educated and prepared community, the City also needs to use best practices in emergency preparedness, management and response. The City is a front-line responder to the extreme weather events associated with climate change, and must have effective systems and processes in place to manage and respond to emergencies as they occur.

Actions

1. Update or develop a community resilience plan to prioritize and prepare for responses in the event of a disaster and extreme weather events. Identify the location of critical facilities including hospitals, medical service providers, senior homes, childcare facilities, shelters, major and alternate transportation routes, public transit facilities and locations where hazardous chemicals are used or stored.
2. Improve the resilience of emergency response and communications systems. The City Manager's Office will work with the Health and Human Services Department (HHS) Emergency Response Coordinator (ERC) and the City's Emergency Manager for employee and resident emergency communications. They will routinely test and utilize communications systems and build in notifications and alerts for extreme environmental situations.
3. Continue to involve key community partners, such as hospitals, in emergency preparedness and management. Include the impacts of climate change as emerging threats in future response planning.
4. Ensure that facilities that serve vulnerable populations are resilient to climate hazards. Develop model procedures for ensuring both City and non-City facilities employ best practices in the event of an emergency such as flooding, power outages, extreme heat, etc.
5. Update the City emergency plans with specific climate change-related emergency materials. These could include press release templates, information on cooling/heating centers, specific plans for populations requiring mobility assistance, and steps to identify and help populations affected by extended power outages, flooding, etc.
6. Develop a debris management plan to support response to severe storm events and flooding.

The City has developed the following working definition for vulnerable populations relative to climate change hazards: community members who are placed at a disadvantage in preparing for and/or responding to climate hazards. These community members include, but may not be limited to: lower-income residents, people of color, immigrants, refugees, the elderly, children, people with disabilities, historically marginalized communities, renters, and those without access to cars. Different vulnerable populations will be affected depending on the climate hazard being experienced. It is expected that other populations will become vulnerable as a result of increasing climate hazards due to climate change.

Many climate hazards result in negative effects, which may include higher utility bills, increased probability of flooding, higher food costs, and other financial stresses. Vulnerable populations, by definition, are placed at a disadvantage when responding to and preparing for these effects. Addressing their needs is a matter of environmental and climate justice. A proactive approach to climate change is essential in protecting the community's most valuable assets, its residents.

Actions

1. Identify current and future vulnerable populations.
2. Conduct targeted outreach with vulnerable populations to understand their needs and how the City can best assist them in preparing to meet those needs.
3. Assess City infrastructure and prioritize support for properties that provide services to vulnerable populations to ensure they are accessible.
4. Establish a protocol for providing assistance to populations that may face financial strain caused by climate hazards, such as higher utility bills, and identify funding sources to support those populations.
5. Investigate building improvement programs that would reduce energy consumption through added insulation, air sealing, passive energy systems, and higher efficiency equipment.
6. To buffer low-income residents from fuel price spikes, support alternative transportation modes such as transit, biking, and walking. Support renewable energy sources to provide resilience to energy price spikes.
7. Adopt an environmental justice ordinance, building on the work of Environmental Justice Evanston and the Equity and Empowerment Commission.

Implementation, Accountability and Partnerships

The Climate Action and Resilience Plan Working Group recognizes that in order to achieve goals within the plan there must be robust implementation, external accountability and strong partnerships. The City will play a central role in coordinating partnerships, leading overall implementation and providing necessary information to allow accountability from external stakeholders such as relevant Boards, Committees, and Commissions and local stakeholder organizations.

Implementation and Accountability

1. Increase City personnel dedicated to Sustainability to ensure that the City is able to implement the plan effectively.
2. Request that the CARP working group continue as an independent task force to assist with implementing plan actions, to identify projects or programs that could be carried out by interested volunteer residents, such as education campaigns, fundraising, etc.
3. The City should prepare an annual report on the status of implementing the plan. Ensure systems are in place to effectively implement, monitor and measure the plan and the outcomes of the actions.
4. Explore the feasibility of instituting a climate action tax/fee to be paid by the largest producers of GHGs to pay the costs of implementing the actions of the plan. Such funds could be used to create low-cost loans or small grants to encourage residential energy efficiency improvements, particularly for income-qualified residents.
5. Follow the Guiding Principles with a specific focus on centering equity in implementing and evaluating the plan.

Partnerships

1. Partner with Citizens' Greener Evanston to implement CARP strategies and continue community engagement and education programs.
2. Partner with the Evanston Public Library system to develop community education and outreach efforts.
3. Partner with ComEd and Nicor Gas on CARP initiatives and maximize incentive programs for residents and businesses.
4. Partner with energy service providers on energy efficiency strategies for residents.
5. Partner with the Solid Waste Agency of North Cook County (SWANCC) and the Evanston Rebuilding Warehouse to achieve Zero Waste goals.
6. Partner with all major employers to collectively implement CARP actions.
7. Partner with relevant Boards, Committees and Commissions (Transportation and Parking, Environment Board, Utilities Commission, Equity and Empowerment, etc.) to draft and send appropriate policies to the City Council and its committees.
8. Partner with local religious, spiritual and faith communities to further develop resident education and outreach efforts.

Commitments from Large Employers

Achieving ambitious goals such as Zero Waste, zero combined sewer overflows, 100% renewable energy and ensuring Evanston is a prepared and resilient community in the face of climate change, cannot happen without community leadership. Evanston is fortunate to have employers and organizations that are also civic leaders. Throughout the planning process the City worked with the following organizations to showcase their current and future contributions and commitments to sustainability and climate action.”

Evanston Community Foundation (ECF)

- Educating the nonprofit community on actions they can take to reduce their impact on climate change and support the plan.
- Review the guidelines of ECF’s Climate Action Fund for opportunities to create long-term funding streams for this local carbon offset program.
- Explore opportunities to partner with the City of Evanston on joint grant ventures such as Partners for Places.

evanston!communityfoundation

NorthShore University HealthSystem

- Achieve 50% of entire energy portfolio from renewable sources (RECs) by 2025.
- Achieve 30% recycling rate across NorthShore campuses by 2020.
- Increase the percentage of meat/poultry raised without the use of routine non-therapeutic antibiotics to 20% by 2020.

NorthShore
University HealthSystem

Northwestern University

- Reduce energy use intensity (energy use per square foot of space) 20% below 2010 levels by 2020.
- Increase landfill diversion rates to 50% of total waste generated by 2020.
- Achieve net zero emissions by 2050 from 2012 baseline (Reduce Scope 1 and 2 emissions by 30% by 2030).


NORTHWESTERN
UNIVERSITY

Presbyterian Homes

- Westminster Place will commit to establishing a certified garden habitat and developing a pesticide management program by 2020.
- Pending resident support, Presbyterian Homes will develop a renewable energy program that will outline incremental increased commitments to renewable energy sources, resulting in a 100% utilization by 2028.

 Presbyterian Homes
EVANSTON • ARLINGTON HEIGHTS • LAKE FOREST

Presence Saint Francis Hospital

- Reduce GHG emissions levels 50% by 2025.
- Expand use of ENERGY STAR Portfolio Manager to track and reduce water usage and adopt US EPA WaterSense Program.
- Reduce, divert and reuse 35% of construction and demolition material by 2025.



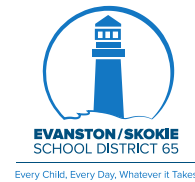
Rotary International

- Pursue LEED Platinum status by 2022.
- Source 100% of electricity from renewable sources.
- Reduce building energy costs by continuously improving systems' efficiencies and reducing energy usage
 - Switch to LED lighting
 - Install hydronic economizer
 - Update boiler system controls
 - Replace variable frequency drives on chillers



Evanston/Skokie School District 65

- Adopt the Next Generation Science Standards (NGSS), which introduce global climate change, to middle school students.
- Replace existing fluorescent lighting with LED lighting, which could cut electric consumption by 50% by 2028.
- Eliminate Styrofoam™ trays in school cafeterias and replace with compostable trays that will be picked up and composted by a third party. Implement recycling in all school cafeterias.



Evanston Township High School District 202

- Continue conversion of standard lighting to LED lighting
- Expansion of urban agriculture class
- Continue to make own power, which allows ETHS to exit the ComEd power grid during peak demand periods



Appendix A: Community Greenhouse Gas Emissions Inventory

A greenhouse gas emissions inventory is an assessment of all the greenhouse gases that can be attributed to a given organization or jurisdiction in a given time period. Evanston’s greenhouse gas emissions inventory (Emission Inventory) is completed annually. The first year for which data is available is 2005.

Purpose

The purpose of the inventory is to demonstrate the primary areas in which emissions are occurring in order to direct and prioritize actions to reduce those emissions over the long term. In addition, the Emissions Inventory allows the City to track compliance with external commitments such as the Paris Climate Agreement, the Chicago Climate Charter, We Are Still In, STAR Community Rating System and participation in consortiums such as Climate Mayors.

Global Protocol

To ensure that Evanston’s Emissions Inventory is accurate, comparable and rigorous, the City follows the Global Protocol for Community-Scale Greenhouse Gas Emissions Inventories (GPC). GPC has two levels of protocol: BASIC and BASIC +. Evanston’s Emissions Inventory achieves the BASIC level. BASIC + includes emissions sources that are generally more difficult to track down. The City will evaluate achieving BASIC + in future years as more data is made available. In 2018, the City began disclosing its Emissions Inventory findings publicly through the CDP platform in accordance with The Global Covenant of Mayors for Climate and Energy (GCoM) requirements. The City will continue to disclose its Emissions Inventory data annually.

Emission scopes

According to the GPC protocol, emissions can be broken down into three different scopes (1, 2, and 3). Each of these scopes indicates the nature in which those emissions are generated.

Scope 1 accounts for emissions occurring within Evanston’s municipal boundaries.

Scope 2 is exclusively for electricity generated and supplied to accounts within Evanston’s municipal boundaries.

Scope 3 captures emissions caused by actions within Evanston’s boundaries but occurring outside its boundaries, such sending waste to a landfill outside of Evanston.

Global Protocol for Community-Scale Greenhouse Gas Emissions Inventories (GPC):

Created by the National League of Cities, this protocol provides a “robust framework for accounting and reporting city-wide greenhouse gas emissions” in a standardized comparable format.

BASIC and BASIC+:

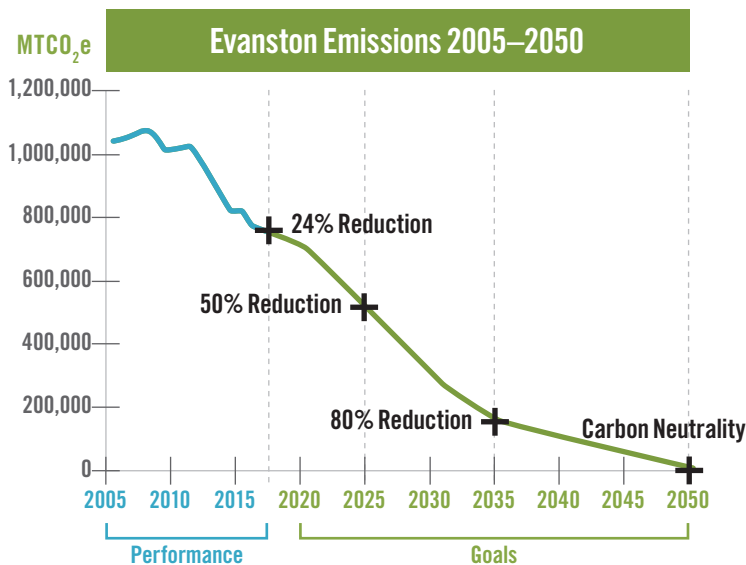
The two levels of reporting through the GPC Protocol

1. **BASIC:** “BASIC level covers scope 1 and scope 2 emissions from stationary energy and transportation, as well as scope 1 and scope 3 emissions from waste”

2. **BASIC+:** “involves more challenging data collection and calculation processes”

CDP Platform: *Is a platform for reporting and disclosing publicly Evanston’s climate data, risks and strategies to mitigate those risks. The Global Covenant of Mayors for Climate and Energy requires data to be reported through CDP for compliance.*

Figure 1



Emission data

In order to provide detailed information on the data that impact emissions in Evanston, this Emissions Inventory includes three types of data for each emissions source: Source Data, Activity Metrics and Emissions Data.

Source Data is data used for calculating overall emissions, such as electricity consumption, tons of waste or vehicle miles traveled.

Activity Metrics are data within each emissions category that help contextualize the Source Data such as the number of registered vehicles in Evanston, number of electric accounts, or number of jobs.

Emissions Data are the emissions amounts in metric tons of carbon dioxide equivalent (MTCO₂e). The tracking and combination of these three sets of metrics allows for a contextualized and comprehensive understanding of the trends within the Emissions Inventory.

Table 1: Community Greenhouse Gas Emissions Inventory

Table 1 is the Community Greenhouse Gas Emissions Inventory, which includes the major Source Data categories. City staff have also created emissions categories that are made up of groupings of Source Data in order to show trends more clearly. Emissions categories include: Building Energy Consumption, Mobility and Transportation, Waste and Offsets and Renewable Energy Credits (RECs). As the detail below will demonstrate, there are numerous other ways to group and categorize the available data, but the current configuration has been determined most appropriate. As new data or better resolution data are made available, the categories may change to provide deeper insight into emissions trends and possible solutions.

Table 1: Community Greenhouse Gas Emissions Inventory

Emissions Scope	Category	Year	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
		Units	MTCO ₂ e												
2	Building Energy Consumption	Residential Electricity (all classes)	154,524	149,040	150,400	147,120	135,831	149,812	147,949	153,490	140,299	139,642	121,408	114,335	111,096
2	Building Energy Consumption	Small Commercial Electricity	366,025	380,907	385,988	374,123	364,908	377,846	368,431	372,696	358,954	350,347	325,850	137,478	138,849
2	Building Energy Consumption	Large Commercial Electricity												151,289	149,842
2	Building Energy Consumption	Government non-City-owned	641	641	641	641	641	641	641	641	641	641	641	641	730
1	Building Energy Consumption	Residential Gas Consumption	114,674	116,791	119,144	127,295	118,762	114,717	120,070	120,070	122,458	114,322	118,433	106,071	109,489
1	Building Energy Consumption	Industrial Gas Consumption	224,266	221,954	234,950	245,586	218,672	198,521	4,284	4,284	4,402	4,108	3,895	3,412	3,482
1	Building Energy Consumption	Commercial Gas Consumption							207,016	207,016	217,132	181,887	217,779	209,169	209,463
1	Building Energy Consumption	Fugitive Gas Emissions	1,017	1,016	1,062	1,119	1,012	940	994	994	1,032	901	1,020	956	967
1	Transportation and Mobility	VMT Community	121,736	121,736	121,736	121,736	121,736	118,084	118,084	118,084	118,084	118,084	118,556	122,148	142,925
2	Transportation and Mobility	CTA Rail	18,785	17,659	18,698	19,321	14,916	19,366	21,536	19,979	22,085	21,416	13,396	11,263	11,708
3	Waste	Waste	17,000	17,000	17,000	17,000	17,000	17,709	17,709	17,709	17,709	17,709	16,226	18,216	18,475
		Total Pre-Renewable Energy Credits	1,018,668	1,026,744	1,049,621	1,053,941	993,478	997,635	1,006,713	1,014,962	1,002,796	949,057	937,205	874,977	897,026
2	Renewable Energy Credits	Renewable Energy Credits	-					-	-	-76,801	-131,383	-144,841	-128,267	-119,418	-111,904
		Total-Community	1,018,668	1,026,744	1,049,621	1,053,941	993,478	997,635	1,006,713	938,162	871,412	804,216	808,937	755,560	785,122
	Municipal Operations	Municipal Operations	24,559	24,559	24,559	24,559	24,559	19,251	19,251	19,251	19,251	19,251	10,689	8,144	8,145
		Combined Total	1,043,227	1,051,303	1,074,180	1,078,500	1,018,037	1,016,886	1,025,964	957,413	890,664	823,467	819,626	763,703	793,266
		% Reduction	0.0%	-0.8%	-3.0%	-3.4%	2.4%	2.5%	1.7%	8.2%	14.6%	21.1%	21.4%	26.8%	24.0%

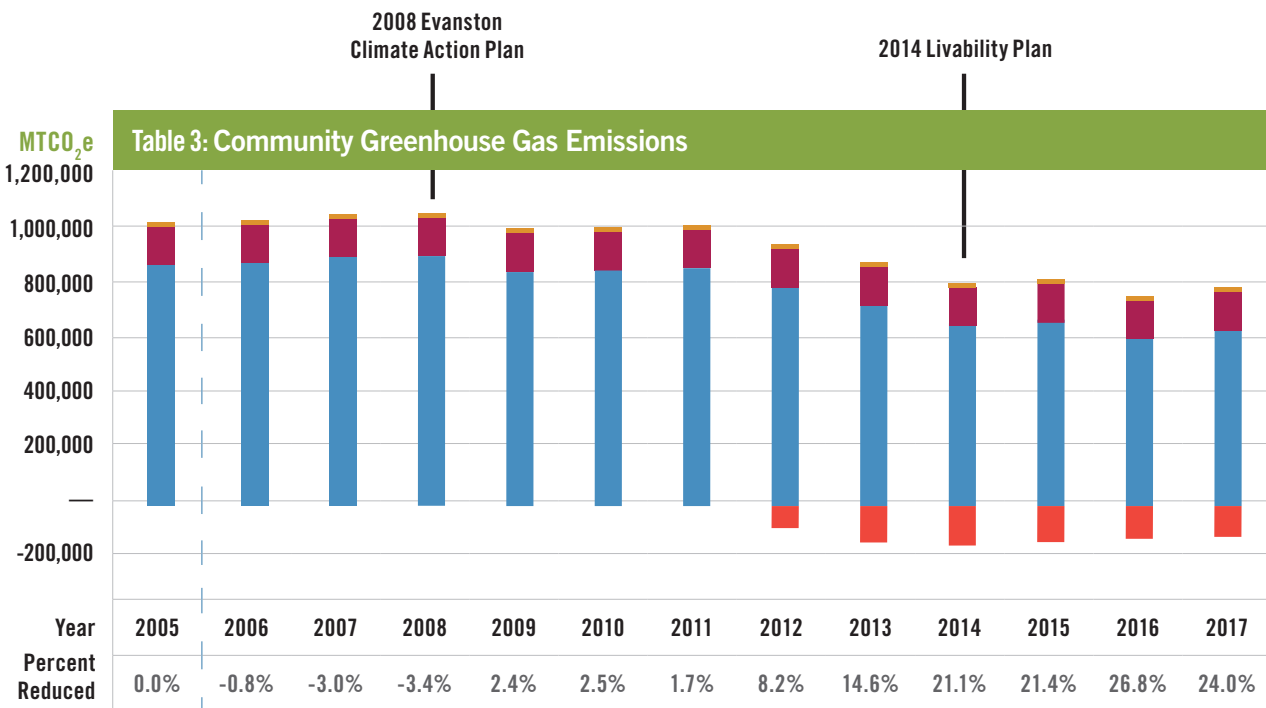
Since 2005, overall community-wide emissions have decreased by 24%. Over the same period, however, emissions proportion by category has not changed significantly, see Table 2.

Table 2: Emissions Proportion by Category Over Time

Category	Portion of Overall Emissions	
	2005	2017
Municipal Operations	2%	1%
Waste	3%	2%
Transportation and Mobility	13%	16%
Building Energy Consumption	83%	81%

Overall community emissions in Evanston peaked in 2008, at which point emissions began a steady decline. The vast majority of reductions can be attributed to a cleaner power grid and significant purchases of renewable energy by Evanston residents, the City of Evanston, Northwestern University and NorthShore University HealthSystem. See Figure 1 for details.

Factors such as a rapidly decarbonizing electric power grid and an increase in the use of electric vehicles will likely impact these proportions, although no local projections are available at this time.



- Renewable Energy Credits-RECs
- Waste (sent to a landfill)
- Transportation and Mobility
- Building Energy Consumption

Building Energy is made up of two data sources: electricity consumption and natural gas consumption. See Table 4 for historical detail on these Source Data.

Table 4: Building Energy Source Data and Emissions Comparison

Year	Annual MWh*	MTCO ₂ e	Therms	MTCO ₂ e*
2005	781,430,715	521,189	64,691,231	339,957
2006	756,747,811	530,587	64,599,505	339,762
2007	798,961,428	537,029	64,498,321	355,157
2008	782,062,363	521,884	67,331,533	374,000
2009	747,226,840	501,379	70,906,768	338,447
2010	785,031,309	528,299	59,831,587	314,177
2011	773,258,343	517,020	62,479,154	332,364
2012	777,542,932	526,826	62,479,153	332,364
2013	762,912,199	499,894	64,858,783	345,023
2014	748,574,297	490,630	56,688,584	301,217
2015	721,176,990	447,899	63,392,116	341,128
2016	740,970,210	403,742	60,173,383	319,608
2017	735,999,431	400,517	60,887,490	323,401

*MWh=Megawatt hours

*MTCO₂e= metric tons of CO₂ equivalent



Through generous support from Citizens' Greener Evanston (CGE), a local sustainability non-profit, the City was able to have the ICLEI—Local Governments for Sustainability, perform a quality control check on the inventory to correct any inconsistencies or errors.

Since 2005, electricity consumption and natural gas consumption have decreased by 5.8% and 5.9% respectively. In contrast, metric tons of CO₂ equivalent have dropped 23.3% and 5.9% respectively.

Electricity

The precipitous drop in electricity emissions is due partially to changes in the makeup of Evanston's regional electric power grid. The U.S. is divided into different grid regions, each with their own operator and supply mix (sources of power generation such as coal generation, natural gas, nuclear, wind, hydro, solar, etc.). As the supply mix changes over time, the emissions intensity changes. For instance, as more renewable energy is brought in and older, dirtier forms of power generation are retired (coal and natural gas), emissions from electricity decrease. This change in power supply shows up in the City's calculations through a factor set provided by the Federal EPA called eGRID. This factor set has historically been updated every two years. The last update was for the 2016 calendar year. The City anticipates a release of a new set in 2019, which will be applied to the 2018 Emissions Inventory.

(eGRID)

The Emissions and Generation Resource Integrated Database (eGRID) is a comprehensive source of data on the environmental characteristics of almost all electric power generated in the United States. eGRID values are developed by the U.S. Environmental Protection Agency and updated periodically.

Electricity Offsets

The other significant factor in the drop in electricity emissions is the result of the City, as well as a few community organizations, including Northwestern University and NorthShore University HealthSystem, purchasing Renewable Energy Credits (RECs) to offset electricity consumption. Electricity offsets have been purchased and tracked in the Emissions Inventory since 2011. RECs support investment in renewable energy. Since 2011, the largest single source of RECs has been secured through the City's Electricity Aggregation Program for residents and small businesses. In 2017, the combination of all RECs purchased in Evanston offset 15% of Evanston's community-wide emissions.

Diminishing Impact of RECs

In order to calculate the offset amount for each REC that is purchased, 1 REC is equivalent to 1 MWh of electricity. The City follows industry practice by using the same eGRID emissions factors to evaluate the impact on emissions. The same eGRID factor is used for electricity and for calculating REC impact. In this way, the reduction in eGRID values means that each new REC purchased becomes less impactful as the grid becomes cleaner. Although the cleaner grid is a good thing, it means that, depending on the future price of RECs, their cost to impact the ratio may increase. This does not mean that RECs should not continue to be a tool to reduce emissions, but indicates that RECs remain a short-term strategy to reduce emissions and that reliance on them should be evaluated regularly.

Natural Gas

As stated above, the reduction in emissions associated with natural gas consumption are directly proportional to natural gas consumption. The City has not pursued policies to directly reduce natural gas consumption and, as prices have stayed low, it is unsurprising that consumption and emissions have not decreased significantly. This plan, as well as the existing Energy and Water Benchmarking Ordinance, are crucial next steps in setting the groundwork for future reductions in natural gas consumption and emissions.

Consumption of natural gas is split into four different categories as indicated in Table 1. Those categories are: Residential, Commercial, Industrial and Fugitive. Consumption breakdown is roughly 33% residential, 65% commercial, 1–2% Industrial and less than 1% fugitive. This breakdown has stayed the same since 2005.

Obtaining local transportation and mobility data has been a challenge for the City for numerous years and is an obstacle that many smaller jurisdictions face. As indicated in the Climate Mitigation section of the plan, data collection is listed as a “preliminary step” in order to make measurable improvements in mobility and transportation metrics.

The Mobility and Transportation section of the Emissions Inventory is made up of three parts: 1) Vehicle Miles Traveled (VMT) analysis, 2) Fuel Sales Factor, and 3) Chicago Transit Authority (CTA) Rail electricity consumption. Additional factors may be added in the near future, as the City evaluates how to capture emissions from alternative fuel vehicles, such as compressed natural gas and electric/hybrid electric.

1. Vehicle Miles Traveled (VMT)

The Chicago Metropolitan Agency for Planning (CMAP) conducts a regional VMT study every five years. They were able to perform an additional layer of analysis to extract Evanston’s proportional contribution to the regional VMT. Thus, the included data does not reflect actual activity in Evanston, but rather serves as a placeholder for locally generated data. Given that the regional analysis is only completed every five years, there is only “actual” data for 2005, 2010 and 2015. Years 2016 and 2017 show different values, as will future years, because fuel sales are used as a factor to provide local “tempering” of the VMT data. See below for a complete explanation.

2. Fuel Sales Factor

In previous emissions inventories, the City relied exclusively on fuel sales to account for the transportation portion of emissions. The City still recognizes the value that fuel sales can provide in terms of providing a locally specific data point to evaluate changes in local behavior. As a result, the City has established a methodology where the annual percentage change in fuel sales is applied to the most recent year that VMT data is available, in this case 2015. This factoring or “tempering” allows for local activity to be expressed on an annual basis in the inventory.

3. CTA Rail

In 2005, CTA Rail accounted for 13.5% of transportation emissions and in 2017 that proportion had shrunk to 8%. Given that emissions and electrical consumption used by CTA Rail is outside of the City’s direct control and oversight, there is not much attention paid to this emissions area. Efforts to influence this area of emissions would likely have to take the form of advocacy to the CTA to purchase renewable energy or install onsite generation for their usage.

Zero Waste

Collecting comprehensive material recovery data for the community and calculating the associated emissions has proven to be quite difficult. Complicating factors include: lack of access to data, numerous data sources, incompatible data formats, insufficient information on waste characterization, variable contractor compliance, etc. Despite these challenges, the City has developed a comprehensive material recovery dataset that is divided into numerous material recovery types. The City does not have data prior to 2011, so emissions from 2005–2010 is estimated and some data beginning in 2011 is incomplete. Given those gaps in data, the City has selected 2017 as the official baseline year for measuring material recovery performance moving forward, including progress towards achieving Zero Waste by 2050.

Access to data is just one challenge in evaluating and calculating the emissions from material recovery. In the GPC BASIC protocol emissions, impact is not calculated for recycled items or material that is otherwise diverted from the landfill (except compost). Instead, the emissions for landfilled and composted material is calculated. Landfill management and methane capture are both factored into the calculations of emissions. Presently, material generated in Evanston is sent to landfills that are capturing, flaring or using for energy at least 95% of methane released. Additional factors that impact material recovery emissions include the characterization or make up of disposed of material. For example, the amount of paper vs. organics in Evanston’s disposed of impacts the emissions profile. If greenhouse gas-intensive materials would be prioritized for diversion, such as food scraps and organics, that could have an impact on material recovery-related emissions.

Progress will be measured against 2017 baseline data.

Table 5: 2017 Community Waste Breakdown. All values shown in tons

Service Category	Garbage	Recycling	Compostable Material	Miscellaneous Diversion	Total
Commercial	30,342	3,111	54		33,508
Residential	16,717	7,337	2,751		26,805
Northwestern	3,197	1,432	681		5,311
City Collected	3,153				3,153
Other				282	282
Total	53,410	11,881	3,487	282	69,062

Material Types

Commercial includes all material collected through the City’s Commercial Franchise, Food Waste Service by Collective Resource and collection that is exempt from the Commercial Franchise. Residential services combines both condominium buildings and residential buildings up to four units. Northwestern data is provided by SustainNU and includes all material collected at the Evanston campus. City Collected Garbage includes material collected through special pick-ups, special collections, bulk -pick-up, street sweeping, construction projects, etc.

Table 6: 2017 Categorical Material Diversion Rates

Waste Category	Diversion Rate	
	Recycling	Overall
Commercial	8.9%	9.0%
Residential	25.6%	36.2%
Northwestern University	27.0%	39.8%
Community	17.2%	22.7%

Trends

Commercial material collection accounts for just under 50% of the community’s overall material generation. Any change within the commercial service category will have a significant impact on the overall community diversion rate. In order to achieve a community diversion rate of 50% by 2025 significant progress will need to be made in increasing commercial diversion. It is worth noting that residential diversion must increase from its current level of just under 40%. The impact of the Food and Yard Waste and Food Waste by Collective Resource services will begin to show up in data for 2018 and onward.

Compostable Material Recovery

In late 2017, the City implemented new residential and condo waste hauling contracts and was able to do three things that should lead to a reduction in waste-related emissions: waste characterization studies, reporting quarterly transportation related emissions, and implementing food waste composting services.

Table 7: 2017 Community Diversion Rate Comparison

City	Overall Diversion Rate
Columbia, MO	18%
Evanston, IL	22%
Ann Arbor, MI	50%
Louisville, KY	58%
Santa Monica, CA	78%
Palo Alto, CA	82%

Zero Waste

In order to achieve the Zero Waste by 2050 goal and 50% diversion by 2025, Evanston must make strides in decreasing the amount of overall material generated as well as continue to implement programs that target high potential and low performing service areas such as commercial entities. In addition, the City needs improved data in order to better track trends impacting material recovering within each service type. Improved data will allow for stronger contracts and policies to be implemented that make meaningful progress towards decreasing overall material generation.

Appendix B. Glossary of Terms

Carbon Emissions

The release of carbon dioxide into the atmosphere. Primary human sources of the release of carbon dioxide occur from burning oil, coal, and gas for energy use.

Carbon Disclosure Project (CDP)

An international organization that administers a platform for organizations and cities to publicly disclose their environmental impacts, such as climate risk. CDP is one of the approved disclosure platforms utilized by GCoM. Evanston began disclosing climate risk in compliance with GCoM requirements with CDP in 2017 and plans to continue disclosing annually.

Carbon Neutrality

For the purposes of the Climate Action and Resilience Plan, Carbon Neutrality refers to the point at which Evanston's net greenhouse gas emissions reach 0. This will likely be achieved through a combination of reducing emission sources and offsetting and sequestering any remaining emissions.

Carbon Sinks

A forest, ocean, or other natural environment viewed in terms of its ability to absorb carbon dioxide from the atmosphere.

Chicago Metropolitan Agency for Planning (CMAP)

A regional planning organization created in 2005 for the northeastern Illinois counties of Cook, DuPage, Kane, Kendall, Lake, McHenry, and Will. The agency develops and guides implementation of comprehensive regional planning and is based in Chicago, Illinois. Evanston's Vehicle Miles Traveled (VMT) data is derived from a regional transportation study developed by CMAP.

Circular Economy

An alternative to a traditional linear economy (make, use, dispose) in which an economy is a regenerative system where resource input and waste are minimized. This is achieved through long-lasting product design, repair, reuse, remanufacturing, and recycling. Circular economy strategies are often cited as systems level approaches to reducing waste generation through product and system design.

Clean and Renewable Energy Sources

Refers to the definition of "renewable energy resources" provided by the Illinois Power Agency Act and utilized by the Illinois Sierra Club. The definition includes energy and its associated renewable energy credits or renewable energy credits from wind, solar thermal energy, photovoltaic cells and panels, biodiesel, anaerobic digestion, crops and untreated and unadulterated organic waste biomass, tree waste, and hydropower that does not involve new construction or significant expansion of hydropower dams. For purposes of this Act, landfill gas produced in the State is considered a renewable energy resource. "Renewable energy resources" does not include the incineration or burning of tires, garbage, general household, institutional, and commercial waste, industrial lunchroom, or office waste, landscape waste other than tree waste, railroad crossties, utility poles, or construction or demolition debris, other than untreated and unadulterated waste wood.

Climate Change

Any significant change in the measures of climate lasting for an extended period of time. Major changes include changes in temperature, precipitation, or wind patterns, among others, that occur over several decades or longer. For this plan, the term specifically references anthropogenic climate change initiated and exacerbated by the burning of fossil fuels.

Climate Hazard

An extreme climate event or condition that can harm human health, livelihoods, or natural resources. It can include abrupt changes to the climate system such as extreme precipitation, storms, droughts, and heat waves.

Climate Mitigation

The efforts to reduce or prevent the consequences of climate change. It generally involves reducing emissions of heat-trapping gases or removing them from the atmosphere.

Climate Resilience or Adaptation

The capacity of a natural environment to prevent, withstand, respond to, and recover from a disruption. The process of adjusting to new climate conditions in order to reduce risks to valued assets.

Climate Vulnerability Assessment

A report used to identify and define the risks posed by climate change and inform adaptation measures needed to combat climate change. Reports can be about a wide range of fields including food security, poverty analysis, and sea-level rise.

ComEd

The largest electric utility in Illinois (based in Chicago). ComEd delivers electricity to homes and businesses and manages four million customers across Northern Illinois, including Evanston.

Community Choice Electricity Aggregation (Aggregation)

Allows local governments the option to bundle together residential and small commercial retail electric accounts and seek proposals for potentially cleaner, cheaper sources of power. The City of Evanston provides 100% renewable energy to residents enrolled in its Aggregation program. This program has been in place since 2012; more information can be found at www.cityofevanston.org/cca.

Community Solar

Solar facilities shared by multiple community subscribers who receive credit on their electricity bills for their share of the power produced. Community solar allows members of a community to share the benefits of solar power on their property without installing it on their own property. Electricity generated by the community solar farm typically costs less than the price from utility companies. In 2016, the State of Illinois passed robust tax incentives and accompanying legislation to incentive community solar programs throughout the state.

Combined Sewer Overflow (CSO)

Combined sewers are designed to collect rainwater runoff, domestic sewage, and industrial wastewater in the same pipe. During periods of heavy rainfall or snowmelt, wastewater volume can exceed the capacity of the sewer system and overflow into nearby streams, rivers, or other bodies of water, thereby creating a Combined Sewer Overflow. Unfortunately, the overflow can also contain untreated human and industrial waste, toxic materials, and debris. Evanston works with the regional stormwater utility, the Metropolitan Water Reclamation District (MWRD) to manage stormwater and prevent CSOs.

Deconstruction

The process of systematically dismantling a structure in an environmentally, economically, and socially responsible manner to maximize recovery of materials for reuse and recycling.

Emission Scopes

The GPC breaks down greenhouse gas emission sources into different categories; one of these categories is Emission Scopes. Emission Scopes are primarily useful when combining emissions inventories from multiple cities or jurisdictions to ensure no double-counting is taking place. The three standard Emissions Scopes are:

- Scope 1:** direct emissions from owned or controlled sources
- Scope 2:** indirect emissions from generation of purchased energy
- Scope 3:** indirect emissions that occur in the supply chain, both upstream and downstream

Environmental Justice

The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies.

U.S. Environmental Protection Agency (EPA)

A federal agency, with state and local affiliates, established in 1970 to consolidate research, monitoring, standard-setting and enforcement activities a mission to protect human health and the environment.

Global Covenant of Mayors for Climate and Energy (GCoM)

An international coalition of cities and local governments with a shared long-term vision of promoting and supporting voluntary action to combat climate change and foster a resilient society.

Global Protocol for Community-scale Greenhouse Gas Emissions (GPC)

Created by the National League of Cities, this program promotes a “robust framework for accounting and reporting city-wide greenhouse gas emissions” to help cities lessen their greenhouse gas emissions. Evanston’s GPC-compliant Emissions Inventory allows Evanston to effectively track emissions changes overtime and compare progress to comparable communities.

Greenhouse Gas

Any gas that absorbs infrared radiation and traps heat in the atmosphere. Common greenhouse gases include carbon dioxide, methane, nitrous oxide, and fluorinated gases. Carbon dioxide and methane are commonly referenced as having the largest impact on anthropogenic climate change.

Greenhouse Gas Emissions

The release of greenhouse gases into the atmosphere. Sources of greenhouse gas emissions include electricity, transportation, industry, commercial and residential properties, agriculture, and land use.

Greenhouse Gas Emissions Inventory

A report that provides a comprehensive accounting of total greenhouse gas emissions for all human-made sources and removed from the atmosphere by carbon sinks. Evanston’s greenhouse gas emissions inventory can be found in Appendix A: Emissions Inventory.

Green Infrastructure

An approach to managing precipitation by reducing and treating stormwater at its source while delivering environmental, social, and economic benefits. Stormwater runoff can carry trash, bacteria, and other pollutants and is a major cause of water pollution in urban areas.

Indoor Environment and Indoor airPLUS

A voluntary EPA program for new home builders aimed at improving the quality of indoor air. The program requires certain construction practices and products to minimize exposure to airborne pollutants and contaminants.

International Panel on Climate Change (IPCC)

The leading international body for the assessment of climate change. The IPCC was established in 1988 to provide the world with a clear scientific view on climate change and its potential environmental and socio-economic impacts.

Kilowatt Hours (kWh)

The most common unit of measurement for quantifying electricity generation and consumption. Evanston’s uses kWh and MWh in its tracking and calculations of electricity consumption and generation. Individual homeowner electric bills, such as those from ComEd, are typically measured in kWh.

Megawatt hours (MWh)

The second most common unit of measurement for quantifying electricity generation and consumption. Evanston uses kWh and MWh in its tracking and calculations of electricity consumption and generation. A megawatt hour is equal to 1,000 kilowatts of electricity used continuously for one hour.

Metric Tons of CO₂ Equivalent

A measure used in comparing emissions from different greenhouse gases on the basis of their global warming potential (how long a gas remains potent and active in the atmosphere), used by converting amounts of various gases to the equivalent amount of carbon dioxide’s global warming potential.

Metropolitan Water Reclamation District (MWRD)

Is the storm- and waste-water utility serving Evanston and most of Cook County. The MWRD is governed by an elected Board of Commissioners created by the state government tasked with reclamation and treatment of wastewater and flood water abatement. The District must protect the health and safety of the public and protect and manage water as a vital resource.

Mode Share

The percentage of travelers using a particular type of transportation. Modal share is an important component in developing sustainable transport within a city or region because it reveals the level of utilization of various transportation methods. The percentage reflects how well infrastructure, policies, investments, and land-use patterns support different types of travel.

Municipal Alternative Retail Electric Supplier (mARES)

An Alternative Retail Electric Supplier (ARES) is an energy services company that supplies electric power to customers. ARES typically have more control over their electric power source, such as purchasing renewable energy, and can lock-in longer term prices for customers. A municipal ARES would allow the City to act as an alternative electric supplier to Evanston customers.

Net-zero Emissions (NZE)

Building A building or property that generates or offsets all energy consumed. If the City develops a NZE building code, this definition will have to be refined to provide additional guidance on calculating emissions and offsets to achieve net-zero emissions.

Nicor Gas

An energy company that delivers natural gas to 650 communities throughout Northern Illinois, including Evanston.

North Shore Village

A non-profit organization in Evanston that offers older adults support and connections to each other as they age. It is a member-driven organization that helps older adults stay in their homes for as long as they can while being active, vital, and contributing members to the community.

Pre-industrial

The multi-century period prior to the onset of large-scale industrial activity around 1750, typically associated with the beginning of intensive fossil fuel extraction and burning and the subsequent release of greenhouse gases into the atmosphere.

Power Purchase Agreement (PPA)

A power purchase agreement (PPA), or electricity power agreement, is a contract between two parties; one party generates electricity (the seller) and the other party looks to purchase electricity (the buyer). Individual customers and organizations may enter into PPAs with individual developers or may join together to seek better prices as a group. PPAs can allow longer term commitments to renewable energy as well as a form of “direct” investing in new renewable energy generation.

Property-Assessed Clean Energy (PACE)

A program created for financing energy efficiency and renewable improvements on private property. Private property can include residential, commercial or industrial properties. Improvements can include energy efficiency, renewable energy and water conservation upgrades to a building. The State of Illinois has passed legislation allowing PACE programs at the municipal and county-level throughout the state.

Renewable Energy

Energy resources that are naturally replenishing such as solar, wind, hydro and geothermal energy.

Renewable Energy Credits (RECs)

A market-based instrument that represents the property rights to the environmental, social and other non-power attributes of renewable electricity generation. RECs are issued when one megawatt-hour (MWh) of electricity is generated and delivered to the electricity grid from a renewable energy resource. The single largest category of reductions in Evanston’s emissions has been through the purchase of RECs.

Retro-commissioning

The systematic process to improve an existing building’s performance ensuring the building controls are running efficiently and balancing the designed use and the actual use of the building.

Ride-share

The practice of sharing transportation in the form of carpooling or vanpooling. It is typically an arrangement made through a ride-matching service that connects drivers with riders.

Urban Tree Canopy

Describes the makeup and characteristics of trees within the urban environment. Evanston has a “robust” urban tree canopy that is made up of trees on public property and trees on private property.

Vehicle Miles Traveled (VMT)

A measurement used to estimate the total annual miles of vehicle travel. It is typically calculated by measuring the total non-freight vehicle miles traveled divided by the total population. Evanston does not conduct its own local VMT study; it relies on modeled data provided by CMAP. VMT is standard method of transportation-related emissions.

Zero Emission Vehicles (ZEV)

A vehicle that does not emit harmful emissions during operation. Harmful emissions can have a negative impact on human health and the environment. Electric (battery-powered) cars, electric trains, hydrogen-fueled vehicles, bicycles, and carriages are considered to produce zero emissions.

Zero Waste

A cyclical system in which products are designed for reuse, which creates no waste. A zero waste system eliminates the volume and toxicity of waste and materials and conserves current resources through reuse. Evanston’s goal of Zero Waste is calculated based on the percentage of material diverted from a landfill; when that percent reaches 100%, then Evanston will have achieved Zero Waste.



Memorandum

To: Members of the Human Services Committee

From: Parks, Recreation and Community Services Board
Lawrence C. Hemingway, Parks, Recreation and Community Services Director

Subject: Resolution 103-R-18, Designating the Portion of Emerson Street between Wesley Avenue and Asbury Avenue with the Honorary Street Name Sign, "Nathan Haliburton, Jr. Way"

Date: December 3, 2018

Recommended Action:

The Parks, Recreation and Community Services Board recommend adoption of Resolution 103-R-18, naming the portion of Emerson Street between Wesley Avenue and Asbury Avenue with the Honorary Street Name Sign, "Nathan Haliburton, Jr. Way"

Funding Source:

Three street signs are made for the honoree. One sign is installed at each end of the designated one block area and the third sign is given to the honoree. The approximate total cost to create all three signs is \$200. Funds for the honorary street name sign program is budgeted in the Public Works Agency, Public Service Bureau - Traffic Operations' materials fund (Account 100.40.4520.65115).

Livability Benefits:

Education, Arts & Community: Promote a cohesive and connected community

Summary:

The Honorary Street Name Sign program was established in 1996 to allow citizens the opportunity to honor individuals or groups that have made significant contributions to the City. The program is administered by the Parks, Recreation and Community Services Board through the Parks, Recreation and Community Services Department. The request for an honorary designation has to originate with an Alderman and each Alderman may have one honorary designation approved each year. Honorary street name signs are displayed for a period of ten-years and the portion of a street so designated is one block long.

Legislative History:

On November 15, the Parks, Recreation and Community Services Board unanimously approved the Honorary Street Name Sign application submitted by Alderman Robin Rue Simmons in honor of Nathan Haliburton, Jr.

Attachments:

Resolution 103-R-18

Honorary Street Name Sign Application for Nathan Haliburton

103-R-18

A RESOLUTION

**Designating that Portion of Emerson Street
Between Wesley Avenue and Asbury Avenue with the
Honorary Street Name Sign, “Nathan Haliburton Jr. Way”**

WHEREAS, Nathan Haliburton Jr. is a vital member of Evanston’s business, faith-based, social justice and youth outreach communities; and

WHEREAS, the Haliburton Funeral Chapel opened in 1975 at 1317 Emerson Street; for over 43 years he has served as the funeral director of the Chapel. He is a steward to families in the grieving and decision making process; showing compassion, insight, comfort, and helping hands; and

WHEREAS, Nathan Haliburton Jr. serves the faith based community as an active member of the Mount Zion M.B. Church for 35 years, with various governance roles within the church; and

WHEREAS, Mr. Haliburton has also provided leadership and support with an organization devoted to Evanston’s youth, Youth Backers Scholarship Club, as a previous President and Vice-President of the organization that provided support systems for youth as they matriculated through college with scholarships and provided a platform to showcase their talent; and

WHEREAS, he also served his country in the United States Air Force as a radar technician, taught electronics and mathematics, and served as a general foreman in the Chicago Northwestern Railroad,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: The foregoing recitals are hereby found as fact and incorporated herein by reference.

SECTION 2: On behalf of the entire citizenry of the City of Evanston, the City Council hereby expresses appreciation for Nathan Haliburton Jr. as a long-standing member of its community by designating that portion of Emerson Street between Wesley Avenue and Asbury Avenue "Nathan Haliburton Jr. Way."

SECTION 3: This Resolution 103-R-18 will be in full force and effect from and after the date of its passage and approval in the manner provided by law.

Stephen H. Hagerty, Mayor

Approved as to form:

Attest:

Devon Reid, City Clerk

Michelle L. Masoncup, Corporation Counsel

Adopted: _____, 2018



Parks, Recreation and Community Services Department
2100 Ridge Avenue
Evanston, Illinois 60201
T 847.448.4311
TTY 847.448.8064
www.cityofevanston.org

City of Evanston Honorary Street Name Sign Application Form

PURPOSE OF PROGRAM: The Honorary Street Name Sign program was established to allow citizens the opportunity to honor people who have contributed greatly to the City of Evanston through cultural, historic, or humanitarian acts. Request for an honorary designation has to originate with an Alderman and each Alderman may have one honorary designation approved each year. Honorary street name signs are displayed for a period of ten-years and the portion of a street so designated is one block long. The program is administered by the Parks, Recreation and Community Services Board through the Parks, Recreation and Community Services Department. Final approval is granted by the Evanston City Council.

PLEASE FILL OUT THE APPLICATION BELOW:

NAME OF HONOREE: Nathan Haliburton, Jr. Way
(as it would appear on the street sign)

PROPER STREET NAME: 1300 Block of Emerson Street

INTERSECTING STREETS AT EACH END OF THE ONE BLOCK AREA:

Emerson St between Wesley Ave and Asbury Ave

PLEASE CHECK ALL THAT APPLY, AND GIVE A BRIEF EXPLANATION FOR EACH OF THE APPLICABLE CRITERIA. A STREET CAN BE NAMED FOR AN INDIVIDUAL, OR GROUP/DESIGNATION.

X CULTURAL IMPACT TO CITY:

Culture refers to characteristics, patterns of attitudes, values, beliefs, and behaviors shared by members of a society or population. We all believe that when our loved ones (or God forbid we) walk that last mile of the road, and have to face the moment none of us wants to face, we want our loved ones to be treated with respect and dignity. Mr. Haliburton and his staff provide the families of Evanston in their time of need with comfort by providing professional services with care, compassion and helping hands.

X HISTORICAL IMPACT TO CITY

Mr. Haliburton has been a relevant member of the Evanston Community for 43 years. He's been a dedicated supporter of the faith based community and has been a member of Mount Zion M.B. Church for 35 years. He became a Master Mason in 1982. In 1989, he was elected Worshipful Master of Mount Moriah Lodge #28. In 1992, 2000 and 2001 he served as the Worthy Patron of Pride of the North Chapter #61, Order of the Eastern Star.

He has been an ardent supporter and benefactor of the youth of Evanston. He was an advisor to the Youth Backers Scholarship Club in the 1970's. In addition, he also served as President and Vice President until the turn of the century. This organization's mission was to provide a support system and encourage young Evanstonians as they matriculated through college by awarding scholarships and providing a platform for youth to showcase their talent in nurturing environment. In the mid nineties, he worked on the advisory committee for "Teen Cuisine" at Family Focus for four to five years. He provided young teen parents with transportation to cultural events. In addition, he worked with the City of Evanston, planning community picnics, the downtown market and the west end market. We'll never know just how much each life touched was impacted!

X HUMANITARIAN EFFORTS:

Nathan Haliburton has been "a port in a storm" for many a friend and a few foes too. He has "adopted" many children and also been adopted by many children and a few adults as well. He has played Santa Claus to many children. His acts of altruism are too numerous to mention. Whether helping someone that is down and out or just lending a listening ear, it can truly be said that "he has never met a stranger". He always has a kind word or two or mover for a friend. Not many people can do what Mr. Haliburton does, he doesn't just have a tough job-he has a calling.

X CLOSE ASSOCIATION WITH EVANSTON:

Funeral Directors have always been valued members of the community. The important that they do is often feared, misunderstood or even over looked, but by no stretch of the imagination does it mean that the work they do is insignificant. The profession is very demanding. Nathan has been a steward to the families of Evanston guiding them through an array of difficult choices and decisions. He provides insight, comfort and compassion. As a small business owner, Mr. "H" is an awesome example for community members that want to start their own businesses can look to for inspiration.

X DISTINGUISHED CAREER BROUGHT TO THE CITY

Haliburton Funeral Chapel has been in business since 1975. Nathan was involved in the funeral business as a young boy. He worked closely with his grandfather who was a Funeral Director in the state of Georgia. He graduated from Worsham College of Mortuary Science in 1971. He completed his apprenticeship in Evanston. Prior to the inception of his ownership of Haliburton Chapel he serviced funeral home products in Illinois and five other states. Prior to his professional career, Nathan proudly served in the Air Force, taught electronics and mathematics, was a radar technician and was a general foreman at Chicago Northwestern Railroad.

X GEOGRAPHICAL RELATIONSHIP OF STREET TO FOCUS OF INTEREST

Nathan opened his business in April,1975 at 1317 Emerson Street. He has operated his establishment since that date and is still serving the fine citizens of Evanston at this location.

X A LIVING INDIVIDUAL (EXCLUSIVE OF CITY OF EVANSTON STAFF)

General Information

Chairperson of Mt. Zion M.B.C., Deaconate Board
Assistant Sunday School Teacher, Mt. Zion, M.B.C.
Mt. Zion M.B.C, Financial Committee
Member of Evanston Branch, NAACP Executive Board
Life Member of NAACP
Past, Most Wise Master of North Shore Consistory #91
President and Vice President, Millennium Prosperity Group, NAIC Investment Club
Inductee in the Black Civil Rights Hall of Fame

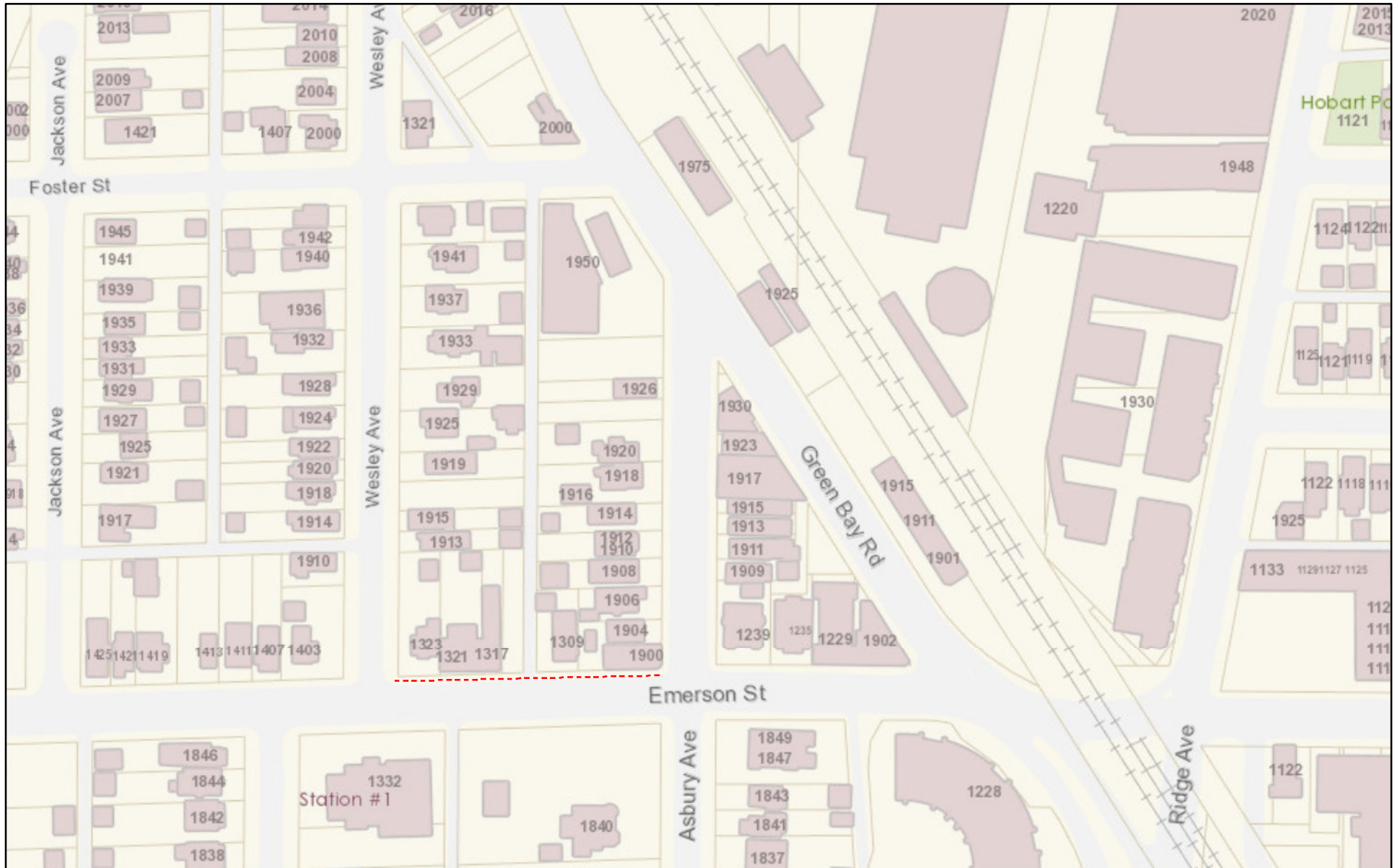
Signature of Applicant: Alderman Robin Rue Simmons Date: _____
(Aldersperson)

Applicant's Address: _____ Phone _____
Email: Rsimmons@cityofevanston.org

Signature of Applicant: _____ Date: _____
Applicant's Address: _____ Phone _____
Email: _____

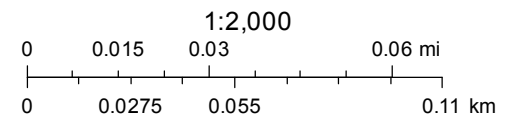
Submit completed form to:
City of Evanston
Parks, Recreation and Community Services Department
2100 Ridge Ave., Evanston, IL 60201
Fax: 847-448-8051
pbelcher@cityofevanston.org

Honorary St Name Sign - Nathan Haliburton, Jr. Way



November 9, 2018

----- User drawn lines





Memorandum

To: Members of the Human Services Committee

From: Evonda Thomas-Smith, Director, Health and Human Services

Subject: Renewal of the Service Provider Agreement with Presence Behavioral Health

Date: November 13, 2018

Recommended Action:

Staff recommends that City Council authorize the City Manager to renew the Service Provider Agreement between Presence Behavioral Health (Presence Health) and the City of Evanston for the provision of 24-hour Crisis Line Access, Mental Health Crisis Intervention and various community outreach and education services at a cost of \$143,333.00. The Agreement is dated January 1, 2019 to December 31, 2019.

Due to the timing of the Agreement and to assure no interruption of services staff seeks approval of the Service Provide Agreement.

Funding Source:

Funding is provided by the Health and Human Services Department Account 176.24.4651.62491.

Livability Benefits:

Health & Safety: Support strong and safe communities: Improve Health outcomes, Improve emergency prevention and response.

Summary:

On March 1, 2013 the City of Evanston and Presence Behavioral health entered into an Agreement for Presence Health to provide 24-hour Crisis Line Access, Mental Health Crisis Intervention and various community outreach and education services to the residents of the City of Evanston. The Agreement was amended February 2014 to extend the Agreement until December 31, 2014. The amendment added \$73,333.00 to the original cost of \$55,000. In 2017 \$66,000 was added to cover one licensed clinician to work at the Evanston Public Library. \$143,333.00 is the maximum total payable under the renewal Agreement.

Attachments:

Service Provider Agreement

POLICY GUIDELINES GOVERNING SERVICE PROVIDER AGREEMENT

This Service Provider Agreement (the “**Agreement**”), is made on this 1st day of January 2019 (the “**Effective Date**”), by and between The City of Evanston, an Illinois home rule municipality (“**City**”), whose main business office is located at 2100 Ridge Avenue, Evanston, Cook County, Illinois, and Presence Behavioral Health, a not-for-profit Illinois corporation (“**Provider**”). City and Provider may be referred to as a “**Party**” and collectively as the “**Parties**”.

1. PROVIDER RESPONSIBILITIES FOR LEVEL OF SERVICE:

1.1 Provider shall provide outreach to the Evanston Police and Fire Department, through three separate training exercises during the term for emergency responders in behavioral health issues. In addition, Provider will work with the Police and Fire Department personnel to identify chronic 911 callers that are often dropped off at the hospital emergency room.

1.2 Provider currently operates a Crisis Line, which operates 24 hours a day/7 days a week and Provider will make the Crisis Line available to Evanston residents.

1.3 Provider will assign one .5 FTE licensed Community Support and Social Work specialist staff member to be assigned to work on solely Evanston focused efforts, including but not limited to case management, community support outreach for those that have been identified as chronic 911 callers, initiating psychiatric hospitalization of involuntary patients, provide daily contact with the crisis line, in-home assessment, therapy, counseling, provide linkage to other mental health organizations, and the services outlined in 1.1 and 1.2 (the “**Provider Staff Member**”). The Provider Staff Member will be located at the St. Francis Hospital, 355 Ridge Avenue, Evanston, Illinois 60202. In the recruitment of the Provider Staff Member, priority will be given to candidates who are residents of Evanston. In the event that no qualified Evanston residents present themselves for consideration, the Provider Staff Member will be recruited from outside the City of Evanston, so as to avoid interruption of services to the community. Lastly, the Provider Staff Member will be an Evanston resident.

1.4 Agreement Term for Services: The services outlined in Paragraphs 1.1 – 1.3 (collectively “**Services**”) shall be performed by Provider from January 1, 2019 and December 31, 2019 (“**Term**”). The Term shall not be renewed, except by written agreement of the Parties and by approval of the City Council.

1.5 The Agreement shall be used to serve solely residents of the City of Evanston (the “**Recipients**”). No Recipients shall, on the grounds of their race, age, creed, color, sex, national origin, religious creed, financial status, source of income, marital status, sexual orientation, economic status or disability be excluded from participation in, or denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Provider receives financial assistance from or through the City. The Provider may expend funds received under this Agreement only for those parts of the Provider’s program expenses directed to the Recipients and services specified in the Agreement.

1.6 Provider will provide 1FTE-Licensed Clinician to be assigned to work at designated Evanston Public Library locations. FTE will provide immediate access to critical services. Along with supporting and training staff, the Social worker can connect patrons in need with a continuum of services including crisis intervention/de-escalation, support, outreach, education, and assessments to determine if a higher level of care is needed up to and including hospitalization. Finding effective ways to quickly meet immediate needs will be an important new tool at the Evanston Public Library.

2. FEE POLICIES:

- 2.1 No persons may be refused services due to the inability to pay for services rendered. However, when fees are charged for a service all persons receiving said service are expected to contribute to the cost of the service per agency guidelines to the extent that they are able.
- 2.2 The Provider shall submit agency fee guidelines to the City. The grant money can be used to subsidize services rendered to Evanston residents after fees are collected. Provider represents and warrants that it will not be seeking any payments from the City above the funding amount to recover any loss due to non-payment or under payment for services rendered.
 - 2.2.1 The City approved funding in the principal amount of Seventy Three Thousand, Three Hundred and Thirty Three and 00/100 Dollars (\$73,333.00) for the Term of the Agreement. Funding will be paid through a monthly invoice process and payment will be disbursed in accordance with the Illinois Local Government Prompt Act. Invoices shall be submitted to the Director of Health and Human Services, 2100 Ridge Avenue, Evanston, IL 60201 payroll.
 - 2.2.2 The City approved funding in the principal amount of Seventy Thousand 00/100 Dollars (\$70,000.00): 12 month Salary for Social Worker and indirect cost reimbursement to Presence for recruiting, managing and directing Social Worker and processing payroll. Funding will be paid through a monthly invoice process and payment will be disbursed in accordance with the Illinois Local Government Prompt Act. Invoices shall be submitted to the Director of Health and Human Services, 2100 Ridge Avenue, Evanston, IL 60201 payroll Contractual total \$143.333.00

3. RECORD KEEPING:

- 3.1 The Provider shall keep and maintain individual cumulative case records, including a specific service plan for each Recipient with the agency's goal(s) for the Recipient and measurable objectives within time frames specified by the professional staff involved, when applicable.
- 3.2 The Provider shall maintain confidentiality of individual Recipient records and share such information in accordance with the amended Mental Health Code of the State of Illinois or after the appropriate authorization for release of information has been obtained from the Recipient when applicable.
- 3.3 The Provider shall maintain all records related to this Agreement for a minimum of three years, or longer if other applicable laws or regulations so require.
- 3.4 The Provider shall permit on-site inspection of relevant records by the Director of the Health and Human Services (“**Director**”) at all reasonable times, subject to conditions specified in Section 3.2 regarding confidentiality.
- 3.5 The Provider shall have on file and maintain a policy and procedure for determining the residency of Recipients related to the conditions specified in Section 1.

4. COMMUNITY PLANNING AND COORDINATION:

- 4.1 The Provider will meet with the Director to discuss general and/or specific issues of this Agreement. Either party may initiate such meetings.
- 4.2 The Provider will notify the Director about any and all information which is pertinent to the future of the agency and its operations in the community, e.g., staffing problems, loss of funding, lawsuits, and/or deficiencies cited in a review for license or certification.

- 4.3 The Provider will participate in Health and Human Services meetings, as designated by the Director to develop a comprehensive human service program for Evanston.
- 4.4 When it is appropriate to the Provider's mission the Provider will mutually cooperate with other network services in the provision of treatment services and discharge planning for people who have mental disorders and/or developmental disabilities.

5. MONITORING AND EVALUATION:

- 5.1 The Provider's agency and program performance statistics, Agency Quarterly Narrative Report, and report on outcome measures will be submitted to the Director in a timely manner using the forms specified by the Director.
- 5.2 If the Provider is funded by the Illinois Department of Human Services (IDHS), the Provider shall furnish the City with financial and budget reports prepared for and submitted to IDHS upon request of the City. It is understood that the City may receive and/or may request directly from IDHS all monthly and quarterly summary data printouts about these agencies.
- 5.3 Limited to this Agreement, on a quarterly basis, the Provider shall furnish the Director a summary report of all grant-in-aid, purchase of service, or other grant and funding requests by the Provider, regardless of whether local, state, federal or private foundation monies are requested for facilities or services.
- 5.4 One copy of the Provider's most recent audit must be submitted to the City within two weeks of having been accepted on behalf of the Provider's Board of Directors.
- 5.5 Per City Council Public Policy Resolution 24-PR-79, the Provider shall:
 - 5.5.1 Submit to the Director a copy of its policy on equal opportunity employment and a copy of its most current affirmative action plan.
 - 5.5.2 Conduct meetings of its board of directors, or policy-setting body, in such a manner that whenever City funds are discussed, the meetings shall be open to the public.
 - 5.5.3 Submit to the Director the names and addresses of the current members of its board of directors or policy-setting body.

6. INSURANCE AND INDEMNITY:

- 6.1 The Provider shall not commence work under this Agreement until it has obtained Commercial General Liability insurance approved by the City of Evanston, and endorsed to provide coverage for Broad Form Property Damage and Blanket Broad Form Contractual Liability.
- 6.2 The Provider shall furnish two copies of the Certificate of Insurance naming the City of Evanston as an additional insured. The Certificate shall also recite that any cancellation shall require thirty (30) days advance notice, with notice to all named or additional insured. The Provider shall maintain Personal Injury and Property Damage coverage for a minimum of \$1,000,000 for each occurrence.
- 6.3 The Provider Certificate of Insurance shall include the following indemnity provision:

"The Provider agrees to indemnify, save harmless and defend the City of Evanston, its agents, servants, and employees, and each of them against and hold it and them harmless from any lawsuits, claims, demands, liabilities, losses and expenses, including court costs and attorneys' fees, for or on account of any injury, or

any damage to any property, which may arise or which may be alleged to have risen out of or in connection with the work covered by this contract."

- 6.4 In case of any conflict between the language of the Provider's General Liability Insurance policy(s) and the indemnity provision cited in Section 6.3, the indemnity provision shall govern.
- 6.5 The Provider shall designate to the Director of Health or his/her designee a staff person to be responsible as the Provider's contact person for insurance and indemnity matters. The designation shall be in writing, and provide the name, title, telephone number, and if available, an email address of the person designated.

7. CONTRACT CHANGES:

- 7.1 Any amendments to this Agreement shall be valid only when they have been reduced to writing, duly signed by both parties, and attached to the original of this Agreement.

8. TERMINATION AND OTHER RIGHTS OF THE CITY:

- 8.1 The CITY maintains the right in the event of a failure by the Provider to perform any of its obligations under this Agreement to terminate this Agreement and payments thereunder, or to withhold funding for any one or more payment periods. With the exception of those issues identified in Section 8.2, the CITY must notify the Provider in writing of such impending action at least thirty calendar days before such action goes into effect. Such notice shall specify the reasons for which the action is taken, and the conditions, if any, under which payments may be reinstated.
- 8.2 The CITY shall waive its responsibility for payment of any and all bills for expenditures received over 45 calendar days after the last day of the month in which the services were provided.
- 8.3 The awarding of this Agreement in no way implies the continued financial support of programs or services of the Provider by the CITY beyond the specific period of this Agreement. Future funding by the CITY will be determined by an annual program review and allocation process.
- 8.4 This Agreement and its rights, responsibilities and proceeds may not be awarded or assigned by the Provider to any other individual(s) or party(s) for the purpose of fulfilling the obligations of this Agreement. In the event of the inability of the Provider to complete the terms of this Agreement, the CITY maintains the sole responsibility to determine the disposition of the balance of funds remaining under the terms of this Agreement.

IN WITNESS WHEREOF, the Parties have fully executed this Agreement on the date set forth above.

CITY OF EVANSTON:
an Illinois home rule corporation

PRESENCE BEHAVIORAL HEALTH
an Illinois not-for-profit corporation

By: Wally Bobkiewicz, City Manager
Date: _____, 2019

By: Frank Perham, Vice-President
Date: _____, 2019

By: Evonda Thomas-Smith, Director
Date: _____, 2019



Memorandum

To: Members of the Human Services Committee

From: Lawrence Hemingway, Director
Nicola Whyte, Administrative Lead

Subject: 2019 Human Services Committee Meeting Schedule

Date: November 27, 2018

Recommended Action:

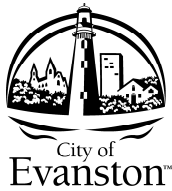
Staff recommends approval of the proposed 2019 Human Services Committee Meeting Schedule.

Summary:

The Human Services Committee meeting is held on the first Monday of each month (except where noted) at 6:00 p.m. in the Jay C. Lytle Council Chambers of the Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Evanston, IL.

The 2019 dates are as follows:

Monday, January 7, 2019
Monday, February 4, 2019
Monday, March 4, 2019
Monday, April 1, 2019
Monday, May 6, 2019
Monday, June 3, 2019
Monday, July 1, 2019
Monday, August 5, 2019
Wednesday, September 4, 2019 (Monday, September 2 – Labor Day)
Monday, October 7, 2019
Monday, November 4, 2019
Monday, December 2, 2019



Memorandum

To: Honorable Members of the Human Services Committee

From: Evonda Thomas-Smith, Director, Health and Human Services
Ike C. Ogbo, Public Health Manager, Health and Human Services

Subject: Ordinance 152-O-18, Amending Title 8, Chapter 6, Food Service and Retail Food Store Sanitation

Date: November 27, 2018

Recommended Action:

Staff recommends the City Council's adoption of Ordinance 152-O-18, amending Title 8, Chapter 6 of the Evanston City Code. This action will align the City Code to the State's amendment to the Illinois Food Service Sanitation Rules and Regulations which mandates the adoption of the 2017 U.S Food and Drug Administration Code, FDA, and all subsequent editions and amendments for all Illinois local health departments. The State's amendment will be effective January, 2019, requiring Inspectors to conduct FDA based inspections at Evanston's licensed food establishments.

Funding Source: N/A

Livability Benefit

Support Strong and Safe Communities: Improve health outcomes

Summary:

The State of Illinois amended the Illinois Food Service Sanitation Rules and Regulations by repealing the Administrative Code, Title 777, Part 750 of the 2008 Illinois Food Sanitation Code to adopt the 2017 FDA Code and all subsequent editions and amendments. This action assures the most up-to-date food safety guidelines for inspections based on science and research.

Staff of the Health and Human Services Department inspects 442 licensed food establishments in Evanston with an average of over 1,100 inspections per year. Under the amendment, all 442 establishments will continue to be inspected at the same frequency using the FDA Code

Attachment:

The Repealed Illinois Administrative Code, Title 777, Part 750
Ordinance 152-O-18, Amending the Title 8, Chapter 6, Food Service and Retail Food Store Sanitation.

152-O-18

AN ORDINANCE

Amending Title 8, Chapter 6, "Food Service and Retail Food Store Sanitation"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: Title 8, Chapter 6, "Food Service and Retail Food Store Sanitation" of the Evanston City Code of 2012, as amended, is hereby further amended to read as follows:

CHAPTER 6 - FOOD SERVICE AND RETAIL FOOD STORE SANITATION

8-6-1. - ADOPTION BY REFERENCE.

- (A) Pursuant to the authority granted by 65 ILCS 5/1-3-4 and pursuant to its home rule powers, the City hereby adopts by reference and incorporates herein the following:
1. ~~The 2008 2017 and all subsequent editions or amendments to the Illinois Department of Public Health's publication currently titled "Food Service Sanitation Rules And Regulations," on file with the Secretary of State U.S. Food and Drug Administration Code mandated by the Illinois Department of Public Health which sets standards for the prevention of food borne illnesses in public eating establishments.~~
 2. ~~The 1996 and all subsequent editions or amendments to the Illinois "Retail Food Store Sanitation Rules And Regulations" on file with the Secretary of State which sets standards for the prevention of food borne illnesses in retail food stores.~~
- (B) All references in the ~~"Food Service Sanitation Rules and Regulations"~~ U.S. Food and Drug Administration Code and in this Chapter to any "regulatory authority" shall be read as "Public Health Director and/or his or her designee." Any reference to "Municipality" or "City" shall mean the City of Evanston.

8-6-2. - DEFINITIONS.

As amendments to the state rules and regulations the following definitions are in addition to those definitions enumerated in Section ~~750.10~~ 1-201.10 of the ~~Illinois Department of Public Health Food Service Sanitation Code.~~ of the U.S. Food and Drug Administration Code.

<i>ADULTERATED.</i>	The condition of any food:
	(A) If it bears or contains any poisonous or deleterious substance in a quantity which may render it injurious to health.
	(B) If it bears or contains any added poisonous or deleterious substance for which no safe tolerance has been established by regulation or is in excess of such tolerance if one has been established.
	(C) If it consists in whole or in part of any filthy, putrid, or decomposed substance or if it is otherwise unfit for human consumption.
	(D) If it has been processed, prepared, packed or held under unsanitary conditions whereby it may have been contaminated with filth or whereby it may have been rendered injurious to health.
	(E) If it is in whole or in part the product of a diseased animal or animal which has died otherwise than by slaughter.
	(F) If its containers are composed in whole or in part of any poisonous or deleterious substance which may render the contents injurious to health. <u>As defined in the Federal Food, Drug and Cosmetics Act §42.</u>
<u>CFR.</u>	<u>Code of Federal Regulations. Citations in this Code to the CFR refer sequentially to the Title, Part, and Section numbers, such as 40 CFR 180.194 refers to Title 40, Part 180, Section 194.</u>
<i>CRITICAL ITEM.</i>	A provision of this Chapter, that, if in noncompliance, is more likely than other violations to contribute to food contamination,

	illness, or environmental health hazard.
<i>FOOD ESTABLISHMENT.</i>	An operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption such as a restaurant; satellite or catered feeding location; catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people; market; vending location; conveyance used to transport people; institution; or food bank; and that relinquishes possession of food to a consumer directly, or indirectly through a delivery service such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carriers.
	(A) A food establishment includes:
	1. An element of the operation such as a transportation vehicle or a central preparation facility that supplies a satellite feeding location; and
	2. An operation that is conducted in a mobile, stationary, temporary, or permanent facility or location; where consumption is on or off the premises; and regardless of whether there is a charge for the food.
	(B) A food establishment does not include:
	1. An establishment that offers only prepackaged foods that are not potentially hazardous ; <u>time/temperature control for safety foods.</u>
	2. A produce stand that offers only whole, uncut fresh fruits and vegetables;
	3. A food processing plant;
	4. A kitchen in a private home if only food that is not potentially hazardous is prepared for sale or service at a function such as a religious or charitable organization's bake sale if the consumer is informed by a clearly visible placard at the sale or service location that the food is prepared in a kitchen that is not subject to

	regulation and inspection by the public health director;
	5. An area where food that is prepared in Subsection (B)4 of this definition is sold or offered for human consumption;
	6. A kitchen in a private home, such as a small family daycare provider; or a bed and breakfast operation that prepares and offers food to guests if the home is owner occupied, the number of available guest bedrooms does not exceed six (6), breakfast is the only meal offered, the number of guests served does not exceed eighteen (18), and the consumer is informed by statements contained in published advertisements, mailed brochures, and placards posted at the registration area stating the food is prepared in a kitchen that is not regulated and inspected by the public health inspector; or
	7. A private residential structure not open the public that receives catered or home delivered food or is leased to more than one (1) person and contains a communal kitchen used by the lessees and guests of the lessees.
	(C) Category I Facility: A food establishment that presents a high relative risk of causing food borne outbreaks and/or the type of population served by the facility. Category I facilities include those where the following operations occur:
	1. Cooling of potentially hazardous <u>time/temperature control for safety foods</u> as part of the food handling operation at the facility;
	2. Potentially hazardous <u>Time/temperature control for safety foods</u> that are prepared hot or cold and held hot or cold for more than twelve (12) hours before serving;
	3. Potentially hazardous <u>Time/temperature control for safety foods</u> cooked and cooled food that must be reheated;
	4. Potentially hazardous <u>Time/temperature control for safety foods</u> that are prepared for off premises service for which time-temperature requirements during transportation, holding and

	service are relevant;
	5. Complex preparation of food or extensive handling of raw ingredients with hand contact for ready to eat foods that occurs as part of the food handling operations at the facility;
	6. Vacuum packaging and/or other forms of reduced oxygen packaging are performed at the retail level; or
	7. Where immunocompromised individuals (the elderly, children under age four (4), or pregnant women) comprise the majority of the consuming population.
	(D) Category II Facility: A food establishment that presents a medium relative risk of causing food borne illness based upon a few food handling operations typically implicated in food borne illness outbreaks. Category II facilities include those where the following operations occur:
	1. Hot or cold foods are held at required temperatures for no more than twelve (12) hours and are restricted to same day service;
	2. Food prepared from raw ingredients that requires only minimal assembly; or
	3. Food that requires complex preparation (fresh, canned or frozen) is obtained from approved food processing plants, category I food establishments or retail food stores.
	(E) Category III Facility: A food establishment that presents a low relative risk of causing food borne illness based upon few or no food handling operations typically implicated in food borne illness outbreaks. Category III facilities include those where the following operations occur:
	1. Only prepackaged foods are available or served in the facility and any potentially hazardous <u>time/temperature control for safety foods</u> are commercially prepackaged in an approved processing

	plant;
	2. Only limited preparation of non-potentially hazardous foods and beverages (snack foods and carbonated beverages) occurs at the facility; or
	3. Only beverages (alcoholic or nonalcoholic) are served at the facility.
<i>PERSON.</i>	An individual, or a firm, partnership, company, corporation, trustee, association, or public or private entity.
<i><u>PRIORITY ITEM</u></i>	<p><u>(1) A provision in this Code whose application contributes directly to the elimination, prevention or reduction to an acceptable level, hazards associated with foodborne illness or injury and there is no other provision that more directly controls the hazard.</u></p> <p><u>(2) Includes items with a quantifiable measure to show control of hazards such as cooking, reheating, cooling, handwashing; and</u></p> <p><u>(3) An item that is denoted in this Code with a superscript P^P.</u></p>
<i><u>PRIORITY FOUNDATION ITEM:</u></i>	<p><u>(1) A provision in this Code whose application supports, facilitates or enables one or more Priority Items.</u></p> <p><u>(2) Includes an item that requires the purposeful incorporation of specific actions, equipment or procedures by industry management to attain control of risk factors that contribute to foodborne illness or injury such as personnel training, infrastructure or necessary equipment, HACCP plans, documentation or record keeping, and labeling; and</u></p> <p><u>(3) An item that is denoted in this Code with a superscript Pf^{Pf}.</u></p>
<i>SEASONAL FOOD ESTABLISHMENT.</i>	A food establishment which operates for no more than six (6) months out of the calendar year. The menu of a seasonal food establishment will be limited based on the City of Evanston's Department of Health review of the establishment and its operations. All seasonal food establishments must be operated in

	compliance with the Evanston retail food service code, and will be charged according to the fee schedule set out in Section 8-6-7, "License And Other Fees," of this Chapter.
<i>SQUARE FOOTAGE.</i>	The gross area of the entire food establishment premises, including the food service, storage and preparation areas.
<i>TEMPORARY FOOD ESTABLISHMENT.</i>	A food establishment that operates at a fixed location for a period of time of not more than fourteen (14) consecutive days in conjunction with a single event or celebration.
<u><i>TIME/TEMPATURE CONTROL FOR SAFTEY FOOD (FORMERLY "POTENTIALLY HAZARDOUS FOOD" (PHF)):</i></u>	<u>A food that requires time/temperature control for safety (TCS) to limit pathogenic microorganism growth or toxin formation.</u>

8-6-3. - LICENSE REQUIRED; APPLICATION.

- (A) It shall be unlawful for any person to operate within the City a "food establishment," as defined in this Chapter, without first having obtained a license for that purpose.
- (B) Any person desiring to operate a food establishment shall make written application for such license to the Public Health Director. The application for such license shall be on forms provided by the Public Health Director and shall include:
1. The name, signature and address of each applicant; each corporate officer; and the name, location and type of proposed food establishment.
 2. The proposed scope of operations and a description of the premises where such food operation is to be conducted.
- (C) The licensee shall notify the health department in writing of any changes in the license application information within thirty (30) days of such change.
- (D) A valid license to operate a food establishment shall be posted at all times so as to be clearly visible to all patrons.
- (E) It shall be unlawful to transfer any such license from one person to another.

8-6-4. - ISSUANCE OF LICENSE.

- (A) Prior to issuance of a license, the Public Health Director shall cause to be made an inspection of the premises described in such application to determine whether said premises is in compliance with the requirements of this Chapter.
- (B) Prior to issuance of a license, the Director of Community and Economic Development shall cause an inspection to be made to ascertain that the premises may be used for the purpose in conformity with the zoning regulations and other ordinances of the City applicable thereto.
- (C) Prior to issuance of a license, the Fire Chief shall cause an inspection to be made to ascertain that the premises conforms with the requirements of the municipal codes and ordinances for fire and life safety.
- (D) The Public Health Director may issue a license to operate a food establishment if the proposed food establishment complies with the requirements of this Chapter and all other applicable ordinances.
- (E) The Public Health Director may deny a license to operate a food establishment if the proposed food establishment fails to comply with the requirements of this Chapter and all other applicable ordinances.
 - 1. The Public Health Director may deny a license based on:
 - a. Consistent documented poor performance on routine sanitation inspections;
 - b. Persistent sanitation complaints and/or illness outbreaks linked to the establishment; or
 - c. Violations of other applicable codes that negatively affect the health and welfare of Evanston residents.

8-6-5. - TRANSFER OF OWNERSHIP.

Whenever ownership of a food establishment is to be transferred from the licensee named in the license to a new owner who is applying for a license:

- (A) The transferee must obtain a new license. The transferee shall notify the Evanston health department in writing of the transfer and apply for a new license at least thirty (30) days prior to final transfer.
- (B) The transferor shall notify the department in writing at least thirty (30) days prior to final transfer. The transferor shall remain responsible for the operation of the food establishment until such time as a license is issued to the transferee.
- (C) The transferor and transferee shall remain jointly and severally liable for all penalties, except monetary fines, assessed against the food establishment which ~~are~~ were imposed for violations occurring prior to transfer of ownership. The

transferor shall remain liable for all monetary penalties imposed on the food establishment prior to transfer of ownership.

8-6-6. - TERM OF LICENSES; RENEWAL.

All licenses provided in this Chapter shall expire on December 31 following the date of issuance. Failure to comply with all the provisions of this Chapter shall constitute grounds for nonrenewal.

8-6-7. - LICENSE AND OTHER FEES.

(A) License Fees.

1. Category I food establishment:	
a. Less than 5,000 square footage	\$538.00 per year
b. 5,000 square footage or more	1,194.00 per year
2. Category II food establishment	418.00 per year
3. Category III food establishment	239.00 per year
4. Homeless shelters	58.00 per year
5. Soup kitchens	58.00 per year
6. Women's shelter	58.00 per year
7. Daycare centers:	
a. Category I food establishments	144.00 per year
b. Category II food establishments	104.00 per year

c. Category III food establishments	58.00 per year
8. Temporary food establishments (other than those licensed in Subsections (A)1 through (A)3 of this Section)	100.00 per event
9. Beverage dispensing vending machines	57.00 per machine
10. Concession/snack dispensing vending machines	57.00 per machine
11. Food dispensing vending machines	57.00 per machine
12. Seasonal food establishments	225.00 per season

- (B)** Other Fees. Plan review per Section 8-6-18 of this Chapter, three hundred fifty seven dollars (\$357.00).
- (C)** Proration Of Fees. The fee to be paid for any license which shall expire less than six (6) months from the date such license was required to be issued shall be one-half ($\frac{1}{2}$) the annual fee provided by this Section.
- (D)** Late Payment Penalty. Failure to pay the annual renewal fee on any business license within six (6) weeks of license expiration shall result in an additional late charge of thirty percent (30%).
- (E)** Re-inspection Fees. A one hundred dollars (\$100.00) re-inspection fee shall be assessed to the licensee of any establishment for each re-inspection conducted by the ~~City Manager~~ Public Health Director or his/her designee to address a violation(s) not corrected on the first re-inspection.
- (F)** Increases. All fees will be increased annually based on the Cook County consumer price index. The fee schedule for each year will be available from the ~~City Manager~~ Public Health Director or his/her designee on or before December 1 of the year prior to it becoming effective.
- (G)** Exempt From License Fees.
1. Licensed long term care facilities;
 2. Licensed child residential care homes;

3. Licensed child daycare homes.

8-6-8. - SUSPENSION OF LICENSE.

- (A) The ~~City Manager~~ Public Health Director or his/her designee may, upon written notice, without prior warning, notice, or hearing, suspend any license to operate a food establishment if the holder of the license does not comply with the requirements of this Chapter, or if operation of the establishment otherwise constitutes a substantial hazard to the public health. When a license is suspended, food service operations shall immediately cease.
- (B) Whenever a license to operate a food establishment is suspended, the holder of the license to operate the food establishment, or the person in charge, shall be notified in writing that the license to operate the food establishment is, upon service of the notice, immediately suspended and that an opportunity for a hearing will be provided if a written request for a hearing is filed with the City Manager or his/her designee by the holder of the license within ten (10) days. If a written request is filed within ten (10) days, an opportunity for a hearing with the – Public Health Director or his/her designee shall be afforded within twenty (20) days of receipt of the request. If no written request for a hearing is filed within ten (10) days, the suspension is sustained. -Public Health Director or his/her designee shall end the suspension if the reasons for the suspension no longer exist.

8-6-9. - REVOCATION OF LICENSE.

- (A) The -Public Health Director or his/her designee may, after providing opportunity for a hearing, revoke a license for:
1. Serious violations of this Chapter or State of Illinois or federal law; or
 2. Repeated violations of this Chapter found in consecutive inspections; or
 3. Interference with the City Manager or his/her designee in the performance of his/her duty to enforce or administer this Chapter.
- (B) Before revocation, -Public Health Director or his/her designee shall notify the holder of the license to operate the food establishment, or the person in charge, in writing, of the reasons for which such license is subject to revocation. The license to operate the food establishment shall be revoked at the end of the five (5) days following service of such notice unless a written request for a hearing is filed with the -Public Health Director or his/her designee by the holder of the license within such five (5) day period. If no request for hearing is filed within the five (5) day period, the revocation of the license to operate the food establishment becomes final.

8-6-10. - SERVICE OF NOTICE.

A notice provided for in this Chapter is properly served when it is delivered to the holder of the license to operate the food establishment, or when it is delivered to the person in charge, or when it is sent by registered or certified mail, return receipt requested, to the last known address of the holder of such license to operate a food establishment. A copy of the notice shall be filed in the records of the -Public Health Manager or his/her designee.

8-6-11. - HEARINGS.

As provided in Sections 8-6-8 and 8-6-9 of this Chapter, a hearing shall be conducted by the City Manager or his/her designee affording the licensee an opportunity to appear and defend against the charges. The -Public Health Director or his/her designee shall make a final decision in writing, including the reasons for such decision, and shall serve said decision on the licensee within ten (10) days after conclusion of the hearing. At all times, it shall be the licensee's burden to show cause why any license should not be revoked.

8-6-12. - APPLICATION FOR LICENSE AFTER REVOCATION.

Whenever a revocation of a license to operate a food establishment has become final, the holder of such revoked license may make written application for a new license to operate a food establishment as provided in this Chapter.

8-6-13. - INSPECTION FREQUENCY.

The inspection frequency of a food establishment shall be determined by the category of the food establishment.

8-6-14. - ACCESS.

- (A) The Public Health Director or his/her designee, after proper identification, shall be permitted to enter any food establishment at any reasonable time for the purpose of making inspections to determine compliance with this Chapter.
- (B) The Public Health Director or his/her designee shall be permitted to examine records of the establishment, wherever maintained, to obtain information pertaining to food and supplies purchased, received, or used. Denial of access as herein provided shall be deemed an interference with the City Manager or his/her designee in the performance of his/her duties, provided that the - Public Health Director or his/her designee has presented proper identification, if requested.

8-6-15. - REPORT OF INSPECTIONS.

Whenever an inspection is made of a food establishment, the findings shall be recorded in writing on an inspection report form provided for that purpose. The inspection report shall state the specific violations found and establish a reasonable time period within which such violations shall be corrected.

8-6-16. - CORRECTION OF VIOLATIONS.

- (A) Correction of the reported violations shall be accomplished within the period specified on the inspection report form in accordance with the following provisions:
1. If the - Public Health Director or his/her designee determines that an imminent health hazard exists including, but not limited to, those as may be created by an extended loss of water supply, significant lack of refrigeration, significant vermin infestation, an extended power outage, or a sewage backup into the establishment, the establishment shall immediately cease affected food establishment operations. Such operations shall not be resumed until authorized by the City Manager or his/her designee.
 2. When ~~critical items~~ priority items and priority foundation items, as defined in this Chapter, are identified, corrective action shall be taken immediately. All violations of ~~critical items~~ priority and priority foundation items shall be corrected as soon as possible, but in any event, not to exceed ten (10) days following inspection.
 3. Within fifteen (15) days after the inspection, the licensee shall submit a written report to the -Public Health Director or his/her designee stating the action taken to correct the ~~critical items~~ priority and priority foundation items and verifying that said violations have been corrected. Purchase orders of work contracts with a work completion date satisfactory to the - Public Health Director or his/her designee may be accepted as interim corrective action. A follow-up inspection shall be conducted to confirm correction.
 - ~~4. All one or two (2) point weighted items shall be corrected as required on the inspection report.~~
 - ~~5.~~ 4. In the case of temporary food establishments, all violations shall be corrected immediately. If these violations are not corrected, the establishment shall immediately cease food operations until authorized to resume by the - Public Health Director or his/her designee.
- (B) Failure to comply with Subsections (A)1 through ~~(A)5~~ (A)4 of this Section shall result in suspension of the license to operate the food establishment.

- (C) Whenever a food establishment is required under any of the provisions of this Chapter to suspend operations, it shall not resume operations until the establishment passes a re-inspection. Opportunity for re-inspection shall be offered within a reasonable time.

8-6-17. - EXAMINATION AND CONDEMNATION OF FOOD.

Food may be examined or sampled by the -Public Health Director or his/her designee as often as necessary for enforcement of this Chapter. The -Public Health Director or his/her designee may, upon written notice to the owner or person in charge, specifying with particularity the reasons therefor, place a hold order on any food which he/she believes is improperly labeled or adulterated or is in violation of any other Section of this Chapter. The -Public Health Director or his/her designee shall tag, label, or otherwise identify any food subject to the hold order. No food subject to a hold order shall be used, served, or moved from the establishment. The -Public Health Director or his/her designee shall permit storage of the food under conditions specified in the hold order, unless storage is not possible without risk to the public health, in which case immediate destruction shall be ordered and accomplished. The hold order shall state that a request for hearing may be filed per Section 8-6-11 of this Chapter. On the basis of the evidence produced at that hearing, the hold order may be vacated, or the owner or person in charge of the food may be directed by written order to denature or destroy such food or to bring it into compliance with the provisions of this Chapter.

8-6-18. - SUBMISSION OF PLANS.

Before construction or major remodeling of a food establishment, and whenever an existing structure is converted to use as a food establishment, properly prepared plans and specifications for such construction, major remodeling, or conversion shall be submitted to the -Public Health Director or his/her designee for review and approval. The plans and specifications shall be drawn to scale and indicate the proposed layout, arrangement, mechanical plans, construction materials of work areas, the type and model of proposed fixed equipment and facilities. The -Public Health Director or his/her designee shall approve the plans and specifications if they meet the requirements of this Chapter. No food establishment shall be constructed, extensively remodeled, or converted except in accordance with plans and specifications approved by the -Public Health Director or his/her designee.

A fee shall be charged for food establishment plan examination as provided in Section 8-6-7 of this Chapter.

8-6-19. - PREOPERATIONAL INSPECTION.

Whenever plans and specifications are required by this Chapter, the -Public Health Director or his/her designee shall inspect the food establishment prior to the start of operations to determine compliance with the approved plans and specifications and with the requirements of this Chapter.

8-6-20. - PROCEDURE WHEN INFECTION IS SUSPECTED.

When the -Public Health Director or his/her designee has reasonable cause to suspect possible disease transmission from any food establishment employee, he/she may secure a morbidity history of the suspected employee, or make any other necessary investigation and shall take appropriate action. The -Public Health Director or his/her designee may require any or all of the following measures:

- (A) The immediate exclusion of the employee from employment in food establishments;
- (B) The immediate closing of the food establishment concerned until, in the opinion of the -Public Health Manager or his/her designee, no further danger of disease outbreak exists;
- (C) Restriction of the employee's services to some area of the establishment where there could be no danger of transmitting disease;
- (D) Adequate medical and laboratory examination of the employee, of other employees, and of the body discharges of all employees.

8-6-21. - ADDITIONAL REGULATIONS.**(A) Refuse, Litter, And Debris.**

1. Disposal Of Refuse, Litter And Debris. Each food establishment shall at least once in each twenty four (24) hour period, dispose of all paper, cups, plates, napkins, garbage and all other waste material accumulated upon the premises. Disposal shall be to a lawful location. It shall also be the duty of the owner, manager, or person in charge of said establishment to, at all times, keep the premises indoors, the premises outdoors, and within a two hundred fifty foot (250') radius of all property lines on which said establishment is located, free from rubbish, litter, and other waste materials and debris including food, beverages, napkins, straws, containers, bags, utensils, cups, plates, cans and other waste materials emanating from the establishment, its patrons, or from the outside waste receptacles used by such food establishment, or from any other source. Where the above two hundred fifty foot (250') radius encompasses private property, permission to encroach on said private property shall be obtained from the property owner.
2. Waste Receptacles And Required Signage For Type 2 Restaurants, As Defined In This Code. A waste receptacle shall be placed at each pedestrian exit from the restaurant building and each vehicular exit from the restaurant parking area. Conspicuous signage complying with the sign

ordinance shall be posted within the building and at each waste receptacle location required above describing the requirements and penalties of the City ordinance applicable to litter.

3. Type 2 Restaurant Collection Plan Posted. Each Type 2 restaurant shall have its litter collection plan posted in conspicuous signage in its employee and public areas.
- (B) Operating Subject To Other Ordinances. Every owner, manager, or person in charge of a food establishment shall be subject, in the operation of said establishment, to any and all other applicable ordinances including, but not limited to, zoning ordinance requirements and other requirements that may be imposed by the City Council as a condition of special use approval.
- (C) Unnecessary Noise. No patron of a food establishment or any other person, shall make or cause to be made any loud or unnecessary noise or disturbance upon said premises in violation of Section 9-5-20 of this Code. The licensee of the restaurant shall be deemed responsible where repeated violations of Section 9-5-20 of this Code occur on the premises or frequent complaints are made of such violations, and the licensee has failed to make reasonable efforts to control the noises and disturbances.

8-6-22. - PENALTIES AND REMEDIES.

- (A) Any person who violates or fails to perform any duty imposed by this Chapter shall be guilty of an offense punishable by a fine of not less than five hundred dollars (\$500.00). A separate offense shall be deemed committed for each day that a violation continues.
- (B) The City Manager or his/her designee may seek to enjoin violations of this Chapter.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 4: Ordinance 152-O-18 shall be in full force and effect on January 1, 2019, after its passage, approval, and publication in the manner provided by law.

SECTION 5: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: _____, 2018

Approved:

Adopted: _____, 2018

_____, 2018

Stephen H. Hagerty, Mayor

Attest:

Approved as to form:

Devon Reid, City Clerk

Michelle L. Masoncup, Corporation Counsel

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER m: FOOD, DRUGS AND COSMETICS

PART 750
FOOD SERVICE SANITATION CODE

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750.189	Microwave Cooking (Repealed)
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SUBPART M: FOOD HANDLER TRAINING

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SUBPART N: FARMERS' MARKETS

Section

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750.4300 Food Product Sampling Handler Certificate for Farmers' Markets

750.APPENDIX A Food Establishment Inspection Report
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- 750.APPENDIX C Class Enrollment Form (Repealed)
750.APPENDIX D Permission to Retake Certification Examination Form (Repealed)
750.APPENDIX E Monitor's Agreement Form (Repealed)

AUTHORITY: Implementing the Illinois Food, Drug and Cosmetic Act [410 ILCS 620] and the Sanitary Food Preparation Act [410 ILCS 650] and authorized by Section 21 of the Illinois Food, Drug and Cosmetic Act [410 ILCS 620/21], Section 11.1 of the Sanitary Food Preparation Act [410 ILCS 650/11.1] and the Food Handling Regulation Enforcement Act [410 ILCS 625].

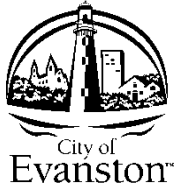
SOURCE: Adopted December 23, 1975; amended at 2 Ill. Reg. 19, p. 180, effective May 13, 1978; old rules repealed, new rules adopted and codified at 7 Ill. Reg. 1336, effective January 25, 1983; amended at 7 Ill. Reg. 16415, effective November 23, 1983; amended at 11 Ill. Reg. 2345, effective February 1, 1987; amended at 11 Ill. Reg. 18735, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 14380, effective September 2, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 17918, effective December 1, 1988; amended at 13 Ill. Reg. 1819, effective January 30, 1989; amended at 13 Ill. Reg. 18888, effective December 1, 1989; amended at 14 Ill. Reg. 19975, effective January 1, 1991; amended at 14 Ill. Reg. 20535, effective January 1, 1991; amended at 16 Ill. Reg. 15995, effective October 1, 1992; amended at 17 Ill. Reg. 18588, effective October 15, 1993; amended at 20 Ill. Reg. 2171, effective January 20, 1996; amended at 20 Ill. Reg. 3210, effective February 5, 1996; amended at 22 Ill. Reg. 19009, effective October 1, 1998; amended at 32 Ill. Reg. 11980, effective July 10, 2008; amended at 37 Ill. Reg. 20365, effective December 6, 2013; amended at 38 Ill. Reg. 11775, effective May 21, 2014; amended at 38 Ill. Reg. 23109, effective November 20, 2014; amended at 39 Ill. Reg. 5006, effective March 17, 2015; amended at 39 Ill. Reg. 10619, effective July 15, 2015; amended at 40 Ill. Reg. 9532, effective June 29, 2016.

SUBPART A: GENERAL PROVISIONS

Section 750.5 Incorporated and Referenced Materials

- a) The following State statutes are referenced in this Part:
- 1) Bed and Breakfast Act [50 ILCS 820]
 - 2) Good Samaritan Food Donor Act [745 ILCS 50]
 - 3) Federal Food, Drug, and Cosmetic Act (21 USC 301)
 - 4) Illinois Food, Drug and Cosmetic Act [410 ILCS 620]
 - 5) Meat and Poultry Inspection Act [225 ILCS 650]
 - 6) Sanitary Food Preparation Act [410 ILCS 650]

- 7) Food Handling Regulation Enforcement Act [410 ILCS 625]
 - 8) Illinois Plumbing License Law [225 ILCS 320]
- b) The following State administrative rules are referenced in this Part:
- 1) Control of Communicable Diseases Code (77 Ill. Adm. Code 690)
 - 2) Illinois Plumbing Code (77 Ill. Adm. Code 890)
 - 3) Public Area Sanitary Practice Code (77 Ill. Adm. Code 895)
 - 4) Drinking Water Systems Code (77 Ill. Adm. Code 900)
 - 5) Private Sewage Disposal Code (77 Ill. Adm. Code 905)
 - 6) Water Well Construction Code (77 Ill. Adm. Code 920)
 - 7) Certified Local Health Department Code (77 Ill. Adm. Code 600)
- c) The following materials are incorporated in this Part:
- 1) The Food Code 2013, Chapters 1 through 7 (except the terms "food employee" and "food establishment" in Section 1-201.10, Sections 2-102.12, 2-102.20 and 2.2 in their entirety, and the terms "plumbing fixture" and "plumbing system" in Sections 5-2 (except that 5-202.12(B) and (C), 5-203.11 and 5-204.11 remain applicable)), U.S. Public Health Service, Food and Drug Administration (FDA), U.S. Department of Commerce, National Technical Information Service, 5301 Shawnee Road, Alexandria VA 22312, report number PB2013-110462.
 - 2) Conference for Food Protection – "Standards for Accreditation of Food Protection Manager Certification Programs" (May 2014) (available online at <http://www.foodprotect.org/media/managercert/CFP%20FPMCC%20Standards%20Final%20Approved%20May%202014.pdf>).
- d) All incorporations by reference of federal regulations and the standards of nationally recognized organizations refer to the regulations and standards on the date specified and do not include any amendments or editions subsequent to the date specified.



Memorandum

To: Members of the Human Services Committee

From: Kimberly Richardson, Deputy City Manager
Richard Eddington, Chief of Police

Subject: Citizen Police Complaint Advisory Committee

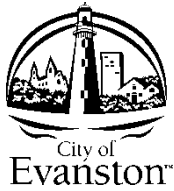
Date: November 29, 2018

Summary

The Mayor appointed a special council committee called the "Citizen Police Complaint Advisory Committee" (CPCAC) to conduct a review and provide recommendations to the Human Services Committee.

Background

CPCAC was charged with reviewing the Evanston Police Department civilian police complaint process. The final recommendations from the special council committee are enclosed for your review. City staff will provide initial verbal comments on the recommendations at the Human Services meeting and can return with more substantive written comments to the proposed recommendations put forth by the group.



Memorandum

To: Human Services Committee Chair, Alderman Cicely Fleming
Members of the Human Services Committee

From: Members of Citizen Police Complaint Assessment Committee

Subject: Citizen Police Complaint Assessment Committee Final
Report and Recommendations

Date: December 3, 2018

Recommended Action:

The Committee recommends that the Human Services Committee (HSC) accept the following recommendations and move to City Council for approval.

1. Implement new intake process for formal complaints within 90 days.
2. Dissolve the Citizen Police Advisory Committee (CPAC) and implement new Citizen Review Board (CRB) within 90 days.
3. Create a RFP for a consultant to craft an ADR mediation program within 90 days.
4. Craft scope of work for Police Auditor by CRB and City staff (upon completion of CRB implementation).
5. Create an RFP for a Police Auditor position.

Background:

The City of Evanston's Citizen Police Complaint Assessment Committee (CPCAC) was established by the City of Evanston Resolution 51-R-1 approved on 05/22/2017. Committee members were appointed by Mayor Haggerty and approved by the Evanston City Council in September 2017. The Committee's first meeting was October 12, 2017.

The original proposed date of completion was May 2018. After meeting and beginning work the Committee requested to extend their deadline to complete the full report to the HSC in December 2018 and to submit a status report by May 2018. The CPCAC has spent the last year researching the complaint process in Evanston along with information on best practices and issues surrounding police complaint systems.

CPCAC has conducted a community survey of citizens experiences with the current complaint system and worked with the Evanston Police Department (EPD) and other stakeholders involved in the current process.

CPCAC was tasked with evaluating and critiquing the current process and recommending changes. This report begins with an overview of police complaint process models (see pages 2-3), outlines the current process in Evanston (see pages 3-8), and evaluates and critiques that process (see pages 8-11). Finally, the report provides recommendations (see pages 12-19) based based on best practices and meant to address specific structural concerns.

Current Best Practices

There has been a trend since the 1960s in the United States to have more civilian oversight of police departments. Different models of civilian oversight have arisen over time. There is not a recognized singular best practice for handling civilian complaints against police officers. The consensus is that different communities should enact different systems to address concerns particular to their community. However, there are three recognized police oversight models that most systems adhere to. These are: review/appellate models, investigative/quality assurance model, and evaluative/performance based models.

1) Review/appellate model: The police department investigates all complaints against police officers and an outside board reviews the police leadership's decision regarding a finding and any appropriate discipline. The board in this model usually has non-binding recommendation authority after reviewing the police investigation and finding. Evanston's current structure most closely aligns with this review/appellate model. Other cities with similar models include Urbana, IL, Indianapolis, IN and Albany, NY.

2) Investigative/ quality assurance model: There is an oversight body outside of the police department that receives and investigates complaints against police officers. That independent entity has binding authority to impose discipline arising out of police misconduct. Berkeley, CA was an early adopter of this model and San Francisco now has one of the strongest independent oversight boards in the country.

3) Evaluative/performance based models: Police retain control over investigation of civilian complaints of police conduct, but report their findings to a neutral auditor who oversees the complaint process in the police department. The auditor is responsible for reviewing widespread police issues not just individual complaints.

It is common for communities to enact hybrid models to address the needs of the particular community. While there is no consensus as to a model that is a universal best practice, key attributes of best practices of police oversight include: credibility, integrity, fairness, due process, transparency, personal accountability and structural accountability. The most common role of civilian oversight of police in most communities is handling citizen complaints against police officers.

Evanston Police Department's Current Policy For Investigating Complaints

The Evanston Police Department has a very clear procedure for the processing of complaints against police officers. It is detailed in EPD General Order 4.1 "Internal Investigation and Disciplinary Process" dated June 26, 2013. (Attached) The Order provides for a clear investigation of suspected misconduct by police officers arising out of a citizen complaint. The order complies with the State of Illinois' Uniform Peace Officers' Disciplinary Act statute, 50 ILCS 725. (Attached)

The stated objective of the order is "to provide citizens with a fair and effective avenue for redress; to protect officers and civilian members from false charges of misconduct or wrongdoing; and to provide an accused member with due- process."

The Office of Professional Standards (OPS) is responsible for investigating allegations of misconduct against members of the police department. There are four types of OPS investigations:

1. Departmental Inquiry (D.I.) - An investigation into an incident requested by a citizen who does not wish to file a C.R. investigation.
2. Complaint Register (C.R.) - An investigation into an incident where the citizen files a sworn affidavit in writing and under oath against the Department or any of its members.
3. Administrative Review (A.R.) - An internal investigation based on an allegation of misconduct made by a member against the Department or any of its members.
4. Other Investigations - OPS will review reports submitted by members regarding the Use of Force, Resisting Arrest, Obstructing, and any other reports, or investigations as directed by the Chief of Police.

EPD's relevant policies for the intake process for Citizen Complaints is as follows:

EPD General Order 4.1 Internal Investigation and Disciplinary Process

V. Intake Process for Civilian Complaints

A. A member who receives a report of a complaint from a citizen will immediately refer the complainant to the accused member's on-duty supervisor [usually a Sergeant]. If no supervisor is available in that member's bureau or division, the on-duty field operations supervisor will be contacted.

B. The on-duty supervisor will interview the complainant and any available witnesses to ascertain the nature of the complaint. The on-duty supervisor may direct the accused member(s) to prepare a written report of the incident. Oral interviews may be conducted of the accused member for initial clarification of an incident.

C. Based on the findings of the supervisor's initial investigation, the supervisor will take the appropriate action as follows:

1. Address the complaint and attempt to resolve/mediate the issue with the complainant within a reasonable timeframe.

2. If the complainant is not satisfied with this resolution of the complaint, or the complaint is of a serious nature (formal investigation), the supervisor will inform and explain the complaint register (C.R.) process to the complainant. The supervisor will provide the complainant with the OPS information sheet to facilitate contacting OPS.

D. The supervisor will document any action taken, as well as the nature and extent of the complaint. The report will be forwarded through the chain of command to OPS. Incidents handled at the supervisory levels will be logged as Departmental Inquiries.

VII. MINOR INCIDENTS

Procedures outlined in Sections V are not necessary for routine corrective action taken by a supervisor in order to correct minor behavioral deficiencies.

X. DISPOSITIONS

A. Classification - Dispositions of allegations of misconduct will be classified as one of the following:

1. Unfounded - the allegations were proven false or there was not credible evidence to support them.

2. Withdrawn - the complainant withdrew the complaint.
3. SOL - the complainant failed to cooperate further.
4. Not Sustained - there was insufficient evidence to prove or disprove the allegations.
5. Exonerated - the incident occurred, but was lawful or proper.
6. Policy Failure - the allegation was true, and although the action of the Department or the member was not inconsistent with the Department's policy, the complainant suffered harm.
7. Not City Related - the complaint was not related to any official conduct and was outside the jurisdiction of the Department and the City of Evanston.
8. Sustained - the allegation was supported by sufficient evidence to justify a reasonable conclusion of guilt.

B. Recommendations

The accused member's Deputy Chief or supervisory member in charge will be responsible for making a recommendation in writing to the Chief of Police regarding the classification of an investigation's disposition within a reasonable period of time after receipt of a complaint. The Deputy Chief will consult with the appropriate supervisor of the accused officer prior to making a recommendation.

C. Determination

The Chief of Police will determine the final disposition of all allegations of misconduct.

XVII. COMPLAINANTS

- A. Known complainants will be informed that their complaint has been received.
- B. If necessary, periodic status reports will be provided the complainant.
- C. Known complainant will be informed of the results of the investigations

Current Civilian Oversight of the Complaint Process

The City of Evanston currently has two levels of civilian involvement in the civilian complaints against police officers process: Civilian Police Advisory Committee (CPAC) and Human Services Committee (HSC) of the Evanston City Council.

CPAC

CPAC's stated purpose is:

To review all formal and informal citizen complaints against sworn and non-sworn members of the Police Department; that review to include details of the incident, allegations and statements made by the complainant, witness statements, officer statements and reports, and any relevant audio/video evidence. Committee members who review these materials weigh their findings in the content of departmental policies and general orders with which they are thoroughly conversant, and past decisions of the Chief of Police. Committee members then recommend a disposition of the matter to the Chief of Police, for approval/modification as final arbiter.

CPAC is made up of ten Evanston residents appointed by the Mayor and approved by the City Council. CPAC is scheduled to meet once a month but does not meet if there are no complaints to review. CPAC is staffed by an OPS officer, and a member of the Law Department. Alderman Fleming attends CPAC meetings as a liaison of the HSC. CPAC members receive a summary report of the investigation and ask follow up questions of OPS regarding the investigation. Complainants and accused police officer/employees names are redacted in all reports available to CPAC and the individuals remain anonymous throughout the CPAC and HSC process. If there are relevant audio or video recordings regarding the incident they are viewed by CPAC members in Executive Session pursuant to the personnel exception of the Open Meetings Act. CPAC meetings are subject to the State of Illinois' Open Meetings Act and are open to members of the public.

CPAC votes on the disposition of each rule violation alleged in every complaint from the possible dispositions: Unfounded, Withdrawn, Stricken Off Leave (SOL), Not Sustained, Exonerated, Policy Failure, Not City Related, and Sustained. CPAC's vote is a non-binding recommendation to the Chief of Police. The Chief of Police makes the final disposition of the Complaint.

Human Services Committee of Evanston City Council

"The Human Services Committee receives a report from the EPD on citizen police complaints at its monthly meetings [after the case has been reviewed by CPAC.] The

report provides the HSC with a method to transparently address Police policy and procedure issues that affect the entire community. Commonly, HSC members request the EPD and/or other City staff to provide further information about Police policy, procedures, statistics, and rules (e.g., use of force; audio and video recording methods; arrest statistics; City ordinance violation statistics).” (August 27, 2017 Law Department Memo to HSC) (Attached).

“Section 9.5 of the City’s Rules and Organization of the City Council (“Council Rules”) identifies the duties of the HSC. The duties of the HSC include liaison with human service-related boards and commissions, and matters relating to Police services. The Council Rules are silent on the HSC’s specific role in relation to the outcome of citizen Police complaints or whether the HSC can overrule the Police Chief’s finding on a Complaint.” (August 27, 2017 Law Department Memo to HSC).

“Under applicable statute and City policy, the HSC is precluded from issuing discipline to a Police Officer, because of conflicts with the City’s Personnel Manual, Collective Bargaining Agreements/Union Contracts, and Illinois Law. However, the HSC may play a role in obtaining information and transparency concerning Police procedures that are related to complaints.” (August 27, 2017 Law Department Memo to HSC).

One of the adopted goals of the 2018 Evanston City Council is to “Further Police/Community Relations Initiatives.” The oversight role of HSC can be a tool to further the stated goal.

CPCAC’s Evaluation of the Current Complaint Process

CPCAC worked with the City and the Evanston Police Department to gather all of the relevant information about the current complaint process.

CPCAC solicited feedback from the community regarding the complaint process in two steps. The first was a community focused survey. The survey was disseminated both electronically and on paper. It was available in Spanish and English. It was available online at the City’s website, at churches, schools, community centers throughout Evanston, and at organizations such as the YWCA and the Moran center. In total 125 surveys were completed and returned.

The feedback gathered from the survey was helpful to gain an understanding about concerns in the community about the current complaint process. See the critique section below and the attached survey report for a more detailed discussion of the survey results.

In the second step, committee members met with members of the Evanston community affected by the current process. From these one-on-one discussions the committee received a broader understanding of people's perception of the complaint process. Members of CPCAC have also had individual conversations with community members and organizations, including: the Moran Center, Citizens Network of Protection, the Center for Conflict Resolution, Resolution Systems Institute, National Association for Civilian Oversight of Law Enforcement, and the US Department of Justice.

The Evanston Police Department has been very cooperative with the work of CPCAC. The Committee has met with: Chief Richard Eddington, Deputy Chief Aretha Barnes, Commander Jodi Wright, Commander Dennis Leaks, and Sergeant Jason Garner. CPCAC has met with Evanston Police Officers and Sergeants and their Fraternal Order of Police representatives. In addition, members of OPS have regularly attended our monthly meetings.

Members of the Committee attended a number of Citizen Police Advisory Committee meetings and met with CPAC members individually. Committee members attended Human Services Committee meetings and met with members of the HSC committee. The Committee Chair met with members of the City's Law Department.

Critique of Current System

The current complaint system was created over time and suffers from being a patchwork of different approaches rather than a unified process. This lack of structure results in a variety of concerns. Below are some of the biggest concerns with the current complaint system.

1. In a survey completed by CPCAC, 66% of respondents were not aware that there was a complaint process. No matter how good the complaint process is, if the majority of civilians do not know it exists, it cannot be effective.
2. Complaint intake is currently performed by EPD Sergeants who are not given any formal training on how to do a complaint intake. They report they learn from their superiors how to do intake, however no best practices have been established or taught. This can result in civilians not feeling heard when Sergeants inform them that their complaint is not a rule violation. The CPCAC survey findings indicate that 20% of those who had initiated a complaint felt they were dissuaded from doing so, or had their complaint refused.

There can communication disconnect between police and civilians during the intake process. A civilian reported in their survey *“The supervisor with whom I spoke talked me out of filing a complaint through the formal process, and told me that he would make a note in the officer’s file instead.”* Sergeants are given a lot of discretion regarding the intake of complaints. By all accounts most complaints are dealt with at the sergeant level. This is efficient but has some inherent weaknesses. First, there is a perception of a lack of impartiality by sergeants when taking complaints about EPD officers who report directly to them. Two, there is a lack of oversight or ability to track complaints made to sergeants that do not escalate to OPS. Third, there is a lack of uniformity in how different sergeants approach the complaint process. Fourth, there is a lack of uniform training for sergeants of complaint intake. Finally, there is no guidance for sergeants on how to proceed if there is not an allegation of a rule violation but the complainant had a bad interaction with an EPD officer. By all accounts EPD takes serious complaints seriously and OPS thoroughly investigates all complaints that are assigned to them.

CPCAC's recommendations around intake are tailored to address the weaknesses of the current system.

3. One of the recognized problems with the investigative model utilized in Evanston is that there can be the perception of bias when the police investigate police misconduct. In our survey and interviews, we found this concern expressed. Some civilians in Evanston reported that they do not file complaints because they did not trust the process. The EPD prides itself on a low number of complaints. However, this number could be low, in part, due to civilians not trusting the police enough to participate in the complaint process. Our recommendations for independent intake and for a Police Auditor address these concerns.

4. Some civilians are comfortable presenting at the police station to file a complaint. However, many civilians are not comfortable filing a formal complaint at the police department. Some fear retaliation for filing a complaint and having to present at the police station discourages them from complaining. Even if an alternate location was provided, civilians reported a preference for not having to report their complaint directly to a police officer. It is considered a best practice to have an independent intake procedure.

5. For the few people who do file a complaint, they report not having sufficient feedback and updates on their complaint. A thorough investigation of a complaint can take months. Scheduling interviews with all parties can take time and prevent the process

from being resolved quickly. Complainants would like more communication about the ongoing nature of their investigation.

6. CPAC is not structured in a way to bring effective oversight or transparency of the complaint process. It has no Chair which makes communicating with or addressing the committee difficult. The committee is not staffed by a City employee outside of the Law Department and OPS, which it can both be viewed as having conflicts of interest.

CPAC has no bylaws and no charter and until recently did not comply with the Open Meetings Act. Furthermore, it is unique in the city committees in that it has no term limits. The lack of a fresh perspective can be harmful to the committee's work. A number of committee members have been members since the inception of CPAC.

The greatest benefit of a review and appellate model of oversight is to make the process transparent to the public. The current CPAC is not structured to do a good job of bringing transparency to the review process. The summary report is not released to the public at CPAC meetings and the reports released by CPAC are generally only a vote on whether or not they agree or disagree with the Police Chief's disposition of a case. Members of the public have very little information about complaints heard by CPAC even if they attend meetings in person.

Finally, CPAC has no structural power to offer any further information besides a non-binding recommendation of a disposition to the police chief.

7. HSC receives notice of the Chief of Police's disposition of a complaint. While HSC may make a post-decision comment it has no power to change the disposition itself.

Recommendations for Improvement

CPCAC means to address specific concerns for with specific recommendations to improve the process through which Evanston deals with police complaints.

1. Intake Process Recommendations:

The goal of amending the intake process is to make the complaint process independent of the police department. We mean to address the perception of impartiality and the perceived fear of retaliation by taking complaints outside of the police department.

City staff, independent of the Police Department, would receive in-person complaints at the Morton Civic Center during business hours. Training would be required for this role. The intake employee would be professional and neutral. The skill set would include: active listening skills, withholding judgement, and asking clarifying questions. It could be possible to integrate this role with the victim services advocates or other social worker currently employed by the City.

CPCAC recommends that the City of Evanston purchase and implement universal case management software. Only complaints made through the new intake process would be entered into the software system. Each complaint would receive a unique case number. The software would allow for complaints to be tracked individually by complainants. The universal software would allow for uniformity through the process and could be accessed by the civilian oversight representatives throughout the process. This recommendation could be integrated into the October 16, 2018 Hillard Heintz Review of the Evanston Police Department Key Finding #4 regarding the use of technology and the associated recommendations to update the record/case management system.

Evanston Police officers would carry succinct business cards to distribute to citizens with clear instructions for making a complaint.

Most in-person complaints would be made at the Civic Center but complaints could be taken at a variety of facilities, keeping in mind reasonable accommodations for the complainant. Complaints should be able to be made in English and Spanish and reasonable accommodations should be made for all others to make a complaint in their native language.

There would be a Web-based intake option. It would replace the current online intake system with a new online system that is secure and can track complaints. It would be integrated with the case management software. The web-based intake must be clearly marked and easily located on the City's website.

CPCAC has worked with OPS to implement a new complaint form. The new form complies with the needs of the police department and conforms to state statute. We recommend replacing the current in-take form with the new form, which includes a request for demographic information. (Attached). The online form will ask identical questions.

If civilians want to make a complaint to an officer or, a sergeant, or command staff we do not mean to prevent that from happening. Police officers should be able to address

citizen concerns directly. Citizens should be able to speak with sergeants regarding interactions with police officers. However, we recommend that all citizens be given written detailed information on how to file a formal complaint. Sergeants should also be given additional uniform training on how to manage complaints.

2. Investigation and Police Auditor Recommendations:

CPCAC recommends that the Evanston Police Department's Office of Professional Standards (OPS) continue to investigate citizen complaints against police officers. There could be value in an independent investigator but the costs would likely outweigh the benefits at this time. There are not allegations or evidence of serious police misconduct in the Evanston Police Department. Upon review of the OPS investigative case files of civilian complaints, we find that they do a professional and thorough job.

To address the potential of bias and appearance of a conflict of interest with the police investigating allegations of police misconduct, CPCAC recommends an Independent Police Auditor be hired as an independent contractor by the City to oversee all complaints. Recognizing the current low number of complaints and the City's current budget concerns, we recommend a contractor model for employing the Police Auditor. The contractor model would allow for the City to have the auditor do as much work as necessary without the need for a full-time employee. Having the Auditor as a contractor and not an employee can also be viewed as a layer of independence outside of the internal politics of the City.

The police auditor would review and oversee the process of civilian complaints against police officers. The Police Auditor would evaluate initial complaints and would be able to direct the investigation in cooperation with the Police Chief by OPS. The Auditor would have investigative authority although would primarily review the investigative work of OPS. The auditor, along with EPD, would screen cases for suitability to the Alternative Dispute Resolution program. The scope of work and qualifications of the Police Auditor would be developed by City staff and the CRB. The auditor would be contracted by the City Manager's Office through a Request For Proposal process.

The auditor would attend CRB meetings and would act as a liaison to the CRB. The Police Auditor would make an independent written and oral report to HSC regarding all complaints against police officers. The Auditor would make a yearly report to HSC regarding citizen complaints against police officers in Evanston.

The Police Auditor would follow a complaint from intake through the final HSC response to the Police Chief's disposition. They would act as an independent civilian oversight

check of specific allegations of police misconduct. Having the familiarity of the complaints against the police department also puts the Auditor in a good position to make police policy recommendations. The Auditor would be empowered to make formal written police policy recommendations to HSC to forward to the Chief of Police at their discretion.

This Auditor model is one of the three most recognized models of police oversight in the United States today and falls under the category of evaluative and performance-based models.

In an evaluative and performance-based model police retain control over the investigation of civilian complaints of police misconduct, but report their findings to a neutral auditor who oversees the complaint process and the investigation in the police department. The recognized benefits of an evaluative and performance-based model are: the ability to hold police leadership accountable for police misconduct because police leadership maintains disciplinary authority; the Auditor acts as an independent check of police investigations; the Auditor has experience or expertise in law enforcement; the Auditor adds a layer of transparency to the process; and the Auditor is able to address systemic problems outside of specific complaints.

The Auditor model has been implemented with success in other communities, such as: Fairfax County, VA; Eugene, OR; Portland, OR; and San Jose, CA.

<https://www.fairfaxcounty.gov/policeauditor/>
<https://www.eugene-or.gov/1039/Police-Auditor>
<https://www.portlandoregon.gov/ipr/>
<https://www.sanjoseca.gov/ipa/>

3. Alternative Dispute Resolutions Recommendation:

The CPCAC recommends that the City of Evanston implement an Alternative Dispute Resolution (ADR) mediation program that can handle certain conflicts between community members and police officers. The ADR program would incorporate a facilitative mediation model by trained volunteer mediators.

The Police Auditor, in consultation with EPD, would screen cases for suitability to the Alternative Dispute Resolution program. The Police Auditor along with the CRB will develop standards and guidelines for officers and complainants' eligibility for ADR. Cases of alleged serious misconduct would not be eligible for mediation. Mediation requires the voluntary participation of both the complainant and police officer involved. If either party chooses not to use the mediation process, the case will revert to the

formal investigative process. Cases which proceed to mediation will not proceed to a formal investigation.

Mediation must be confidential and compliant with the State of Illinois' Uniform Peace Officers' Disciplinary Act. Police officers would have the opportunity to initiate the ADR process to mediate with members of the community outside of the complaint process.

CPCAC recommends that the City of Evanston hire an ADR consultant to create a program unique to Evanston with stakeholder cooperation. Without stakeholder investment in the process, the ADR program will not be successful. It will be important to structure the program with input from community members and members of the police department and their union representatives.

Many communities incorporate alternative dispute resolution systems into the complaint process and the use of alternative dispute resolution systems is often considered a "best practice." Alternative dispute resolution can include: mediation, conciliation, restorative justice, and arbitration. Many communities have incorporated alternative dispute resolution into their police complaint process with significant success and high levels of satisfaction both from police and community members. There are a number of good examples of successful community-police mediation programs in the U.S. including: New Orleans, LA; Austin, TX; Portland, OR; and Washington D.C.

<http://communitypolicemediation.org/>

https://austintexas.gov/sites/default/files/files/OPM_IAD_Mediation_Brochure_Picture_Update_City_Hall_01252016.pdf

<https://www.portlandoregon.gov/ipr/29387>

<https://policecomplaints.dc.gov/service/mediation-service>

4. Civilian Review Board (CRB) Recommendations

CPCAC recommends that the City of Evanston dissolve the Citizen Police Advisory Committee (CPAC) and replace it with a new citizen review board with: more authority, a stronger role in making police policy recommendations, and a goal of bringing transparency to the process.

The new Board would take an engaged role in the complaint process. City Council would create a clear charter for the CRB and the CRB would establish bylaws congruent with the City's rules for committees. The Board would be composed of 7-9 members who are Evanston residents with one member selected by the Board as rotational Chair on annual basis. Board members would be appointed by the Mayor with City Council approval. Strong consideration should be given to applicant's character and experience, rather than specific professional skills, education, or residency in a given ward. There should be an emphasis on creating a board representing the diversity of the community. No City employees, current union-represented police officers, or anyone else with a clear conflict of interest would be eligible for the CRB. The CRB should have three-year term limits with a two-term maximum eligibility. Terms should be staggered for the established Board. Current members of CPAC would be eligible to apply to the CRB. CRB members would be trained in police policy and procedures. The CRB would be staffed by a member of the City Manager's office. The Police Auditor would attend all CRB meetings and would act as a liaison to the committee.

CRB meetings would convene monthly and review all completed investigations of complaints made against police officers. Complainants and officers would remain anonymous to the CRB and all identifying information would be redacted from available material. CPCAC recognizes the strong privacy concerns that are raised by the complaint process. CRB would have ready access, in advance of meetings, to primary investigative documentation redacted for privacy. These investigative documents would be reviewable by the CRB members but EPD would retain possession of the documents. The CRB will be able to review audio and video recordings relevant to the complaint and investigation. The CRB would include in their bylaws and publish in their monthly agendas their clear policy for using Executive Session.

Complainants would be notified by the Police Auditor that their complaint is being heard by the CRB. The CRB would write a report on their opinion of the disposition of each complaint and the report will be forwarded to HSC for their review of the complaint. The Board will be empowered to provide police policy recommendations in their report, which will be presented to HSC. If the policy recommendation arises from a specific complaint, the recommendation will also be sent to the complainant and involved officers.

If there are no complaints to be heard, the Board would meet and address other topics under their purview. These other topics include but are not limited to: crafting the scope of work for the auditor (see above for discussion of the auditor), consult on the

hiring of the auditor, involvement in the oversight of the ADR process, and working with police to craft scope of police training for the complaint process.

In an effort to address the transparency of the process, the CRB would make a draft of the case summary available to the public in advance of each meeting. This is not currently done in CPAC and so members of the public do not know what is being discussed. There would be an opportunity for public comment at all CRB meetings. The public comment could include citizen suggestions for police policy recommendations.

At the conclusion of the review of the cases, the CRB would vote on the disposition of cases and submit their written report to HSC. The CRB would have the option of presenting their report in person to the HSC at the regularly scheduled HSC meeting.

5. Human Services Committee Recommendation

The Evanston City Council through the Human Services Committee would provide the final civilian oversight role of the complaint process.

CPCAC recommends that Police Chief, the CRB and the Police Auditor make independent written and oral report to HSC regarding complaints against police officers.

Upon review of the reports, HSC would approve or disapprove of the Police Chief's final disposition. If HSC disagrees with the Chief's disposition they would notify the Chief in writing and would submit their alternative disposition. The Chief will address the concerns of the HSC in writing and in person. In the event of an unresolvable disagreement between HSC and Chief, the Chief's disposition would prevail. HSC would also have the ability to make specific police policy recommendations in writing separate from individual disciplinary issues. The recommendations would be responded to in writing by the Chief.

The Chief of Police serves at the pleasure of the City Manager (Evanston City Code § 1-8-3 (b)). The City Manager may, at any time, be removed from office by a majority vote of the members of the City Council. (Evanston City Code § 1-8-1). City Council's ultimate and extraordinary recourse in a dispute with the Chief of Police over a disciplinary issue arising out of a citizen complaint is taking steps to terminate the employment of the Chief of Police, through the City Manager. This power already exists but should be acknowledged as part of the City Code.

Attachments:

EPD General Order 4.1 Internal Investigation and Disciplinary Process

State of Illinois' Uniform Peace Officers' Disciplinary Act (50 ILCS 725)

August 27, 2017 Law Department Memo to HSC

CPCAC's Citizen Survey Report

Updated Citizen Police Complaint Form

Committee Status Report to HSC, May 7, 2018

DEPARTMENTAL GENERAL ORDER

CITY OF EVANSTON, ILLINOIS			POLICE MANUAL		
Subject: Internal Investigation and Disciplinary Process	Number GO 4.1	Rev. June 26, 2013	Effective Date June 26, 2013	Page 1	of 15
Index As: citizen complaints, disciplinary process, internal investigations, OPS investigation, relief from duty			Prepared By Richard Eddington Chief of Police		

POLICY: THE DEPARTMENT WILL PROVIDE THE HIGHEST QUALITY POLICE SERVICE AND INTEGRITY TO THE CITY OF EVANSTON. BOTH SWORN AND CIVILIAN MEMBERS ARE REQUIRED TO COMPLY WITH ALL CITY AND DEPARTMENTAL DIRECTIVES, ORDERS, AND RULES IN THE PERFORMANCE OF THEIR ASSIGNED DUTIES, AND WILL BE HELD ACCOUNTABLE FOR THEIR ACTIONS.

Sworn personnel are expected to maintain the highest standards of official conduct in the performance of their duties and, in order to protect the fundamental rights of all individuals, will be held strictly accountable for the proper use of their police authority and discretionary powers.

To accomplish these goals, the Department (1) will accept and investigate all complaints from any citizen or Department member regarding misconduct or wrongdoing of any sworn or civilian member of the Department, (2) will conduct a thorough, timely, and impartial examination of available factual information, (3) will dispose with the appropriate finding, and (4) will fairly and appropriately discipline members found guilty of misconduct.

This order establishes the following:

- A meaningful and effective complaint process for citizens to redress their legitimate grievances against the Department,
- The investigation of charges of misconduct against the Department or any of its members, and
- A just and effective disciplinary process for members of the Department who fail to comply with the Department's directions, rules, or procedures.

The objective of this order is to provide citizens with a fair and effective avenue for redress; to protect officers and civilian members from false charges of misconduct or wrongdoing; and to provide an accused member with due- process.

The Department will maintain a policy of effective discipline, intended to be positive in nature, in order: to promote compliance with the Department's policies and procedures, as well as its goals and objectives. Thus, the Department will attempt to correct unacceptable conduct through positive action, such as counseling, training, referral to the Employee Assistance Programs, or such other positive action as may effect improvement in the behavior, efficiency, and effectiveness of the employee. At the same time, the Department will not hesitate to impose disciplinary actions on members found guilty of misconduct or to remove from employment those members who prove unfit.

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Furthermore, the complaint and disciplinary process may be used to identify unclear or inappropriate procedures of the Department.

The policy and procedures contained in this order apply to all members of the Department, sworn and civilian, unless otherwise stated. Thus, as used in this order, the word "members" refers to all sworn and civilian members of the Department.

I. SCOPE

- A. Incidents covered by the provisions of this order include any alleged or suspected violations of (a) city rules, departmental rules and regulations, directions, general orders, special orders, standard operating procedures, (b) other authorized written or verbal orders or directives or (c.) any federal, state, or local laws. (d) complaints about the Department's response to the community's needs, or (e) any activity related to the member's employment as a member of the Department either on or off duty by any member (or temporary employee) of the Evanston Police Department.
- B. Such incidents may include, but are not limited to, the following:
 1. Incidents reported to supervisory or command officers by a member of this Department, either orally or in writing
 2. Incidents reported to any member by any person, or any anonymous person, either orally or in writing
 3. Observed misconduct, violation of any rule, regulation, or order, any criminal act, and the like
 4. Acts of misconduct uncovered during an inquiry conducted by the Office of Professional Standards
- C. Each member will cooperate with the personnel assigned to the Office of Professional Standards, or any other authorized individual conducting an investigation covered in this order.
- D. Any member who has, or is alleged to have, knowledge of circumstances relating to a complaint investigation or member misconduct is required to submit a written report to his/her immediate supervisor, upon request. The report will be accurate and will include all facts relating to the incident known or reported.

II. OFFICE OF PROFESSIONAL STANDARDS

- A. The Office of Professional Standards (OPS) is directly responsible for conducting and supervising investigations of alleged misconduct against members of the Department.
- B. The supervisor in charge of the Office of Professional Standards:

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1. Is on-call to handle any emergency or critical incident relating to member misconduct
 2. Exercises authority on behalf of the Chief of Police in handling these investigations, and reports directly to the Chief of Police
- C. OPS will maintain all forms relating to these investigations.
- D. OPS will administer any laws enacted to cover these investigations, e.g., Police Officer Bill of Rights.

III. TYPES OF INVESTIGATIONS

- A. Departmental Inquiry (D.I.) - An investigation into an incident requested by a citizen who does not wish to file a C.R. investigation. Examples may include letter of complaint, traffic citation, the matter in which a call was handled, officer attitude, etc.
- B. Complaint Register (C.R.) - An investigation into an incident where the citizen files a sworn affidavit in writing and under oath against the Department or any of its members. Examples may include excessive force, illegal search, etc.
- C. Administrative Review (A.R.) - An internal investigation based on an allegation of misconduct made by a member against the Department or any of its members. Examples may include late for work, court miss, failure to follow radio procedures, etc.
- D. Other Investigations - OPS will review reports submitted by members regarding the Use of Force, Resisting Arrest, Obstructing, and any other reports, or investigations as directed by the Chief of Police.

IV. UNIFORM PEACE OFFICERS' DISCIPLINARY ACT - STATUTORY RIGHTS

This act (Public Act. 83-981) sets forth certain rights that are guaranteed to sworn law enforcement officers in disciplinary procedures.

- A. Application
1. The Uniform Peace Officers' Disciplinary Act applies to all sworn ranks, from officers on probation through the Chief of Police, when a formal investigation is being conducted.
 2. Formal Investigation (defined): An investigation during which an officer is questioned with the intent to gather evidence of misconduct that may lead to the officer's removal, discharge, or suspension in excess of three days.

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3. If it is not a formal investigation, the Uniform Peace Officers' Disciplinary Act does not apply. Furthermore, this act does not apply to civilian members.
4. The determination of whether or not the Uniform Peace Officers' Disciplinary Act is applicable will be made by the Chief of Police or Command/Supervisory Staff members during preliminary stages of the investigation.

B. Requirements

1. The act provides that prior to a formal investigation an officer will be given reasonable notice and will be provided in writing with the following information:
 - a. The nature of the investigation and the name of the commanding officer in charge of the investigation.
 - b. A written advisement of rights, including:
 - 1) An admonition that anything stated during the interrogation may be used as evidence against the officer as a basis for seeking removal, suspension, or discharge.
 - 2) That the accused officer has a right to counsel of his/her own choosing, and to have that counsel present during the interrogation.
 - 3) That the accused officer has a right to have a collective bargaining agent present during the interrogation. This does not apply to witness officers.
2. No officer will be admonished or punished for exercising rights provided by this act.
3. The act does not preclude informal inquiries, such as meetings between a supervisor and/or command staff member and an officer concerning allegations of misconduct, when the purpose of the meeting is to mediate a citizen complaint or discuss the facts to determine whether a formal investigation should be commenced.

C. Notification to Accused Member

1. Notice of Investigation
 - a. Any member under a formal investigation will be notified in writing by OPS of the nature of the allegation(s) and the name of the complainant, if known. Notification to the accused will be accomplished as soon as it is reasonably possible to do so.
 - b. OPS may provide notification during informal investigation.

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2. Statutory Rights - Formal Investigation

As provided by the Uniform Peace Officers' Disciplinary Act (Public Act 83-981), an officer will be notified in writing when an investigation of that officer indicates that the case may result in a recommendation for removal, discharge, or a suspension in excess of three days. The written notification will include the specific alleged improper or illegal act(s) and the statutory protections that apply.

3. Statutory Rights - Criminal

When an investigation indicates that a criminal prosecution may result, the accused member will be notified in writing that the investigation has been referred to another agency, naming the agency that is reviewing the matter under investigation. The notification shall also advise the member of any change in their official status. When the agency with jurisdiction in the case makes a determination as to whether criminal charges are to be filed, the member shall be notified in writing of that decision.

4. Right to Counsel

a. If an accused member waives the right to counsel, the investigating officer will renew the right-to-counsel offer at each subsequent stage of the investigation. A written record of the waiving of counsel or demand for counsel (EPD form entitled "Statutory Rights - Formal Investigation") will be made by the investigator at each interrogation session.

b. If an accused member elects to have an advisor or counsel present during the investigation, the member will complete EPD form entitled "Request for Continuance to Secure Advice or Legal Counsel."

5. Thirty-Day Notice

Every attempt will be made to complete an internal investigation within thirty days. Should this not be possible, the accused officer will be notified in writing every thirty days after the initial notification thereafter until completion of the investigation, except when such notification would jeopardize the investigation. Failure to provide second and subsequent status reports within the thirty-day period will not limit or void the Department's right to take disciplinary action.

6. OPS will maintain forms relating to this notification.

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V. INTAKE PROCESS FOR CITIZEN COMPLAINTS

- A. A member who receives a report of a complaint from a citizen will immediately refer the complainant to the accused member's on-duty supervisor. If no supervisor is available in that member's bureau or division, the on-duty field operations supervisor will be contacted.
- B. The on-duty supervisor will interview the complainant and any available witnesses to ascertain the nature of the complaint. The on-duty supervisor may direct the accused member(s) to prepare a written report of the incident. Oral interviews may be conducted of the accused member for initial clarification of an incident.
- C. Based on the findings of the supervisor's initial investigation, the supervisor will take the appropriate action as follows:
 1. Address the complaint and attempt to resolve/mediate the issue with the complainant within a reasonable timeframe.
 2. If the complainant is not satisfied with this resolution of the complaint, or the complaint is of a serious nature (formal investigation), the supervisor will inform and explain the complaint register (C.R.) process to the complainant. The supervisor will provide the complainant with the OPS information sheet to facilitate contacting OPS.
- D. The supervisor will document any action taken, as well as the nature and extent of the complaint. The report will be forwarded through the chain of command to OPS. Incidents handled at the supervisory levels will be logged as Departmental Inquiries.

VI. INTAKE PROCESS FOR ADMINISTRATIVE REVIEW

- A. A member who observes or has knowledge of an alleged violation involving any member of the Department will immediately inform their on-duty supervisor or any on-duty supervisor.

If the allegation involves a supervisor, the next ranking supervisor or command level officer will be notified.
- B. Upon receiving the initial complaint or report, the supervisor will interview the complaint and available witnesses to ascertain the nature of the complaint. The supervisor may direct the accused member to prepare a written report of the incident in question. Oral interviews may be conducted of the accused member for initial clarification of an incident.
- C. Based on these initial findings of the supervisor's preliminary investigation, the supervisor may determine if the incident is an informal or formal investigation as indicated in the Police Officers Bill of Rights.

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- D. The supervisor will document any action taken. Informal investigations may be handled at the supervisory level. Formal investigations will be immediately forwarded through the chain of command to OPS.
- E. The supervisor will document any action taken and immediately forward it through the chain of command to OPS.

VII. MINOR INCIDENTS

Procedures outlined in Sections V and VI are not necessary for routine corrective action taken by a supervisor in order to correct minor behavioral deficiencies. However, any action taken will be documented by the supervisor, and the report kept in the member's shift or bureau file.

VIII. IMMEDIATE RELIEF FROM DUTY

- A. Immediate relief from duty is the removal from duty of any member who fails to conform to reasonable standards of conduct or whose physical, mental, or emotional state causes the reasonable belief that the member is unfit for duty and that the member's continued on-duty status will jeopardize effective service or the safety of the public.
- B. Immediate relief from duty may be imposed by any sworn supervisor, Deputy Chief, or sworn member acting in a supervisory capacity. Civilian supervisors may only release civilian members.
- C. Immediate relief from duty is limited to excusing the member for that day, or a short period of time if the member is unfit for duty.
- D. Immediate relief from duty does not relieve the member of the responsibility for following additional orders or instructions from supervisors and commanders.
- E. Notification: When a member is relieved from duty, that member's immediate supervisor will be notified by the supervisor enacting the removal. The member's supervisor will notify the appropriate command staff member who will notify the Chief of Police.
- F. When a member is relieved from duty, the supervisor making the removal will report the circumstances in a written memo. These reports will be forwarded through the chain of command to the Chief of Police.
- G. The Chief of Police or a designee will immediately review the incident and determine the necessary course of action. The member will not return to work until authorized by the Chief of Police or the Chief's designee.

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IX. OPS INVESTIGATIVE PROCESS

- A. Upon receipt of a complaint, a member of the Office of Professional Standards will conduct an investigation to include, when appropriate, the gathering of the following items:
- Physical evidence;
 - Statements or interviews from all complainants;
 - Statements or interviews from all witnesses; other people able to verify or substantiate the allegation;
 - Statements or interviews from all parties of specialized interest, such as doctors, employers, lawyers, teachers, legal advisors, parents, etc.;
 - Investigative aids, such as various reports, activity sheets, complaint cards, dispatcher's forms, etc.
- B. Investigators from the Office of Professional Standards may require Department members to appear for interviews at a given time and place. If the appointment is not scheduled during a member's tour of duty, the member will be compensated according to the labor agreement.
- C. Prior to interviewing the accused member, it will be determined whether or not certain statutory rights are applicable. This determination will be made by the Chief or Deputy Chief in charge of the members, regarding application of-the Uniform Peace Officers' Disciplinary Act.
- D. Investigative Procedures
1. During the course of an internal investigation, and when the action is material to a particular investigation, an accused member will be required to cooperate in and/or submit to certain investigative processes. Such process may include:
 - Submission of a financial disclosure statement;
 - Medical, physical, and/or psychiatric examinations;
 - Laboratory analysis;
 - Posing for photographs; or
 - Standing in line-ups.

No member will be required to submit to a polygraph test without the member's express consent.
 2. When deemed necessary, the appropriate ranking member will order the accused member to submit to an investigative process or examination. Any

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such examination or process will be specifically directed and narrowly related to a particular internal investigation conducted by this Department.

3. Should the member refuse to submit to such an order:

The supervisor issuing the order will advise the member that a direct order is being given, and that refusal to submit will constitute insubordination, as stated in the Evanston Police Department Rules and Regulations.

Having so advised, the supervisor will again order the member to submit.

4. Should the member still refuse to submit to the order, the supervisor will report the refusal in writing (e.g., memo, C.R. or A.R. cover sheet, as appropriate) through the chain of command to the Chief of Police, along with all other reports.

X. DISPOSITIONS

- A. Classification - Dispositions of allegations of misconduct will be classified as one of the following:

1. Unfounded - the allegations were proven false or there was not credible evidence to support them.
2. Withdrawn - the complainant withdrew the complaint.
3. SOL - the complainant failed to cooperate further.
4. Not Sustained - there was insufficient evidence to prove or disprove the allegations.
5. Exonerated - the incident occurred, but was lawful or proper,
6. Policy Failure - the allegation was true, and although the action of the Department or the member was not inconsistent with the Department's policy, the complainant suffered harm.
7. Not City Related - the complaint was not related to any official conduct and was outside the jurisdiction of the Department and the City of Evanston.
8. Sustained - the allegation was supported by sufficient evidence to justify a reasonable conclusion of guilt.

- B. Recommendations

The accused member's Deputy Chief or supervisory member in charge will be responsible for making a recommendation in writing to the Chief of Police regarding the classification of an investigation's disposition within a reasonable period of time after receipt of a complaint. The Deputy Chief will consult with the appropriate supervisor of the accused officer prior to making a recommendation.

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C. Determination

The Chief of Police will determine the final disposition of all allegations of misconduct.

D. Notification

1. Accused

When a formal CR or AR investigation has been concluded and final action has been determined by the Chief of Police, the accused member will be notified in writing of the disposition.

a. Sustained

If the allegation is sustained, the accused will be notified of the discipline through the City of Evanston Disciplinary Action Form, or by memo if that is required by other procedures.

b. Other Than Sustained

If the allegation is given a classification other than sustained, the accused member will receive a Complaint Disposition Form. If other reminders are required, a memo may be attached.

2. Complainant

After the accused member has been notified of the disposition, the complainant will be notified of the disposition by official letter from the Chief of Police and will be personally contacted by the supervisor in charge of the Office of Professional Standards. Complainants in formal CRs and ARs will be informed of the disposition by OPS. DI investigation notification will be handled by the investigating supervisor.

E. Records

1. Completed Office of Professional Standards investigations records will be maintained in the confidential files of the Office of Professional Standards.

2. Disciplinary actions will be recorded and securely maintained in the confidential discipline history file in the Office of Professional Standards.

XI. LEVELS OF DISCIPLINE

A. Formal disciplinary actions for sustained allegations will be categorized as follows:

1. Oral Reprimand: An oral reprimand is the lowest level of discipline. While oral in nature, it must be documented in the member's personnel file.

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2. Written Reprimand: A written reprimand may follow one or more oral reprimands. However, it may be used as initial discipline (i.e., without requiring a previous oral reprimand) in situations of a more serious nature.
3. Suspension:
 - a. A suspension is the temporary removal of the employee from duty and/or pay. There is no limit to the number of days for which a suspension may be imposed.
 - b. When a sworn member receives a suspension without options, the suspended member will surrender to the member's immediate supervisor the following equipment:
 - Service Weapon
 - Police Star
 - Hat Shield
 - Police I.D./City I.D.

The supervisor will turn all over to OPS.
 - c. Suspension of Authority

Sworn members are forbidden from carrying any weapon or exercising any police authority or departmental duties while under suspension. Correspondingly, a member on suspension will not be bound by any rule, regulation, or order that requires the exercise of direct law enforcement action. However, prior to starting a suspension leave, a member with any court cases or other departmental appointments scheduled during the suspension period will take steps to cancel these scheduled appearances.
 - d. Options for Suspensions
 - 1) If the member is not a repeat offender and the misconduct does not involve moral turpitude, serious violations of the law, or the willful violation of a direct order, the accused may be allowed by the Chief to satisfy all or part of a suspension by:
 - a) Forfeiting days of accumulated time-due (comp-time or holidays)
 - b) Forfeiting days of accumulated vacation time

NOTE: The division Deputy Chief must determine that the member has sufficient time due to satisfy these options.

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- 2) When granted options to suspension, the member will clearly state the options taken on the Department Form "Optional Forms of Punishment."

4. Demotion:

A demotion is the assignment of an employee to a vacant position in a class having a lower maximum permissible salary than the class from which the demotion is made. The Department may initiate demotion of an employee for cause by following procedures set forth in the City of Evanston Personnel Policy Manual.

5. Any combination of the levels listed above.

6. Discharge:

Discharge may be recommended when previous disciplinary steps have failed to correct a member's improper conduct or when the improper conduct is of a serious nature, such as, but not limited to the illegal use or possession of alcohol and or drugs; willful destruction of City property; gross insubordination; fighting on the job; theft of City property or funds; abandonment of position; lying; dishonesty; falsification of records; failure to perform a duty or provide an essential service; engaging in any act or conduct prohibited by state or federal statutes or municipal ordinance that is related to the member's position and/or impacts upon the member's ability to perform in his/her position.

- B. Positive Disciplinary Action

Positive steps to correct unacceptable behavior may be considered as part of the disciplinary action. These steps may include training, counseling, referral to Employee Assistance Programs, and the like. Some procedures and criteria are as follows:

1. Training

Prior to using training, the supervisor should review the incident and determine if it is appropriate for training. The supervisor should consider if the training will have an impact on the behavior. The supervisor should consult with the Training Bureau to determine if such training is available and examine the member's training record to determine if training has already been given. Document the training.

2. Counseling/Shift Level Reprimand

Prior to using counseling, the supervisor should review the incident and determine if it is appropriate for counseling. The supervisor should consider if counseling will have an impact on the behavior. The supervisor should

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review the member's shift file to determine if counseling was already given in this matter. The supervisor should document the counseling session.

XII. INTERNAL ADMINISTRATIVE REVIEW

- A. Before certain disciplinary actions are taken, the system of Internal Administrative Review, as set forth by City of Evanston Personnel Rules, will be followed to insure that the disciplinary system is used in a uniform and equitable manner. Disciplinary actions covered by the internal review process are the following: suspensions of three or more working days, a second suspension of any length occurring within a six-month period, a demotion, or a discharge.
- B. **Due-Cause Meetings**
- Due-cause meetings are held with a representative from the city manager's office, the director of human resources, a law department representative, the Chief of Police (or a designee), and the accused member's commanding officer and/or other police department supervisors as needed. The purpose of the due-cause meeting is to review the results of the investigation and the recommended level of discipline. A maximum level of discipline will be set in the due-cause meeting.
- C. **Written Notice to Accused Member**
- The accused member will be informed of the charges, in writing, by the investigator(s) from the Office of Professional Standards and the Chief of Police. The member will be informed of his/her rights; the date, time, and place of a predisciplinary meeting; and results of the due-cause meeting.
- D. **Predisciplinary Meeting**
1. The purpose of a predisciplinary meeting is to provide an opportunity for the accused member to present testimony and evidence on his/her behalf to refute the allegations of misconduct or to clarify the member's actions regarding the incident in question.
 2. Predisciplinary meetings are conducted by the Chief of Police (or a designee), the supervisor of the accused (if available), the member under investigation, a representative of the member's choosing, and others designated by the Chief.
 3. Witnesses may be called by both the Department's representatives and the accused member. Ample time will be allowed for a complete presentation of charges, as well as for rebuttal and defense by the accused member.
 4. The meeting is optional and can be waived by the accused member.
- E. **Results of the Predisciplinary Meeting**

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1. The Chief of Police, or a designee, may consider the discussion, facts, and material presented in the predisciplinary meeting for no longer than two working days, and then will take one of the following actions:
 - a. Administer the disciplinary action as determined in the due-cause meeting.
 - b. Reduce the level or revise the type of disciplinary action determined in the due-cause meeting.

NOTE: The level of disciplinary action taken will not be greater than the maximum determined in the due-cause meeting.

2. When the action to be taken is discharge of the accused member, the Chief will initiate the action in accordance with city personnel rules or Labor Agreement.
3. Within two working days, the member will be notified by the Office of Professional Standards, in writing, of the results of the predisciplinary meeting. This requirement may be waived if agreed by both parties.

XIII. APPEAL PROCESS

- A. A member may file with the Civil Service Commission (if within labor agreement) an appeal of the following dispositions, providing such appeal is filed within fourteen calendar days of notice of such action.
 1. Suspension for six or more working days
 2. A second suspension of any length occurring within a six-month period
 3. A demotion
 4. Discharge for abandonment of position
- B. Appeals will be conducted as set forth in current City of Evanston personnel rules, Civil Service Commission procedures, or current labor agreement.

XIV. COMPENSATION FOR OPTIONAL STAGES OF THE DISCIPLINARY PROCESS

Members attending or participating at optional stages of the disciplinary process, i.e., the predisciplinary meeting and the appeal process, will be compensated according to the current labor agreement when meetings occur during their off-duty hours or days. However, if a meeting is scheduled while a member is on duty, the member will be given time and allowed to attend these proceedings without loss of pay. If not covered in a labor agreement, members will not be compensated, but reasonable attempts will be made to schedule it on duty time.

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XV. DISCIPLINARY FORMS

The Office of Professional Standards will maintain all forms in reference to this order.

XVI. DISMISSAL NOTICE INFORMATION

When a member is dismissed from the Department, the member will receive information on the following:

- A statement citing the reason for dismissal;
- The effective date of the dismissal; and
- A statement of the status of fringe and retirement benefits after dismissal.

XVII. COMPLAINANTS

- A. Known complainants will be informed that their complaint has been received.
- B. If necessary, periodic status reports will be provided the complainant.
- C. Known complainant will be informed of the results of the investigations

(50 ILCS 725/) Uniform Peace Officers' Disciplinary Act

(50 ILCS 725/1) (from Ch. 85, par. 2551)

Sec. 1. This Act shall be known and may be cited as the "Uniform Peace Officers' Disciplinary Act".

(Source: P.A. 83-981.)

(50 ILCS 725/2) (from Ch. 85, par. 2552)

Sec. 2. For the purposes of this Act, unless clearly required otherwise, the terms defined in this Section have the meaning ascribed herein:

(a) "Officer" means any peace officer, as defined by Section 2-13 of the Criminal Code of 2012, who is employed by any unit of local government or a State college or university, including supervisory and command personnel, and any pay-grade investigator for the Secretary of State as defined in Section 14-110 of the Illinois Pension Code, including Secretary of State sergeants, lieutenants, commanders, and investigator trainees. The term does not include crossing guards, parking enforcement personnel, traffic wardens or employees of any State's Attorney's office.

(b) "Informal inquiry" means a meeting by supervisory or command personnel with an officer upon whom an allegation of misconduct has come to the attention of such supervisory or command personnel, the purpose of which meeting is to mediate a citizen complaint or discuss the facts to determine whether a formal investigation should be commenced.

(c) "Formal investigation" means the process of investigation ordered by a commanding officer during which the questioning of an officer is intended to gather evidence of misconduct which may be the basis for filing charges seeking his or her removal, discharge or suspension in excess of 3 days.

(d) "Interrogation" means the questioning of an officer pursuant to the formal investigation procedures of the respective State agency or local governmental unit in connection with an alleged violation of such agency's or unit's rules which may be the basis for filing charges seeking his or her suspension, removal, or discharge. The term does not include questioning (1) as part of an informal inquiry or (2) relating to minor infractions of agency rules which may be noted on the officer's record but which may not in themselves result in removal, discharge or suspension in excess of 3 days.

(e) "Administrative proceeding" means any non-judicial hearing which is authorized to recommend, approve or order the suspension, removal, or discharge of an officer.

(Source: P.A. 97-1150, eff. 1-25-13.)

(50 ILCS 725/3) (from Ch. 85, par. 2553)

Sec. 3. Whenever an officer is subjected to an interrogation within the meaning of this Act, the interrogation shall be conducted pursuant to Sections 3.1 through 3.11 of this Act.

(Source: P.A. 83-981.)

(50 ILCS 725/3.1) (from Ch. 85, par. 2554)

Sec. 3.1. The interrogation shall take place at the facility to which the

investigating officer is assigned, or at the precinct or police facility which has jurisdiction over the place where the incident under investigation allegedly occurred, as designated by the investigating officer.
(Source: P.A. 83-981.)

(50 ILCS 725/3.2) (from Ch. 85, par. 2555)

Sec. 3.2. No officer shall be subjected to interrogation without first being informed in writing of the nature of the investigation. If an administrative proceeding is instituted, the officer shall be informed beforehand of the names of all complainants. The information shall be sufficient as to reasonably apprise the officer of the nature of the investigation.
(Source: P.A. 83-981.)

(50 ILCS 725/3.3) (from Ch. 85, par. 2556)

Sec. 3.3. All interrogations shall be conducted at a reasonable time of day. Whenever the nature of the alleged incident and operational requirements permit, interrogations shall be conducted during the time when the officer is on duty.
(Source: P.A. 83-981.)

(50 ILCS 725/3.4) (from Ch. 85, par. 2557)

Sec. 3.4. The officer under investigation shall be informed in writing of the name, rank and unit or command of the officer in charge of the investigation, the interrogators, and all persons who will be present on the behalf of the employer during any interrogation except at a public administrative proceeding. The officer under investigation shall inform the employer of any person who will be present on his or her behalf during any interrogation except at a public administrative hearing.
(Source: P.A. 94-344, eff. 1-1-06.)

(50 ILCS 725/3.5) (from Ch. 85, par. 2558)

Sec. 3.5. Interrogation sessions shall be of reasonable duration and shall permit the officer interrogated reasonable periods for rest and personal necessities.
(Source: P.A. 83-981.)

(50 ILCS 725/3.6) (from Ch. 85, par. 2559)

Sec. 3.6. The officer being interrogated shall not be subjected to professional or personal abuse, including offensive language.
(Source: P.A. 83-981.)

(50 ILCS 725/3.7) (from Ch. 85, par. 2560)

Sec. 3.7. A complete record of any interrogation shall be made, and a complete transcript or copy shall be made available to the officer under investigation without charge and without undue delay. Such record may be electronically recorded.
(Source: P.A. 83-981.)

(50 ILCS 725/3.8) (from Ch. 85, par. 2561)

Sec. 3.8. Admissions; counsel; verified complaint.

(a) No officer shall be interrogated without first being advised in writing that admissions made in the course of the interrogation may be used as evidence of misconduct or as the basis for charges seeking suspension, removal, or discharge; and without first being advised in writing that he or she has the right to counsel of his or her choosing who may be present to advise him or her at any stage of any interrogation.

(b) Anyone filing a complaint against a sworn peace officer must have the complaint supported by a sworn affidavit. Any complaint, having been supported by a sworn affidavit, and having been found, in total or in part, to contain knowingly false material information, shall be presented to the appropriate State's Attorney for a determination of prosecution.

(Source: P.A. 97-472, eff. 8-22-11.)

(50 ILCS 725/3.9) (from Ch. 85, par. 2562)

Sec. 3.9. The officer under investigation shall have the right to be represented by counsel of his or her choosing and may request counsel at any time before or during interrogation. When such request for counsel is made, no interrogation shall proceed until reasonable time and opportunity are provided the officer to obtain counsel.

If a collective bargaining agreement requires the presence of a representative of the collective bargaining unit during investigations, such representative shall be present during the interrogation, unless this requirement is waived by the officer being interrogated.

(Source: P.A. 83-981.)

(50 ILCS 725/3.10) (from Ch. 85, par. 2563)

Sec. 3.10. Admissions or confessions obtained during the course of any interrogation not conducted in accordance with this Act may not be utilized in any subsequent disciplinary proceeding against the officer.

(Source: P.A. 83-981.)

(50 ILCS 725/3.11) (from Ch. 85, par. 2564)

Sec. 3.11. In the course of any interrogation no officer shall be required to submit to a polygraph test, or any other test questioning by means of any chemical substance, except with the officer's express written consent. Refusal to submit to such tests shall not result in any disciplinary action nor shall such refusal be made part of his or her record.

(Source: P.A. 83-981.)

(50 ILCS 725/4) (from Ch. 85, par. 2565)

Sec. 4. The rights of officers in disciplinary procedures set forth under this Act shall not diminish the rights and privileges of officers that are guaranteed to all citizens by the Constitution and laws of the United States and of the State of Illinois.

(Source: P.A. 83-981.)

(50 ILCS 725/5) (from Ch. 85, par. 2566)

Sec. 5. This Act does not apply to any officer charged with violating any provisions of the Criminal Code of 1961, the Criminal Code of 2012, or any other

federal, State, or local criminal law.
(Source: P.A. 97-1150, eff. 1-25-13.)

(50 ILCS 725/6) (from Ch. 85, par. 2567)

Sec. 6. Except as otherwise provided in this Act, the provisions of this Act apply only to the extent there is no collective bargaining agreement currently in effect dealing with the subject matter of this Act.
(Source: P.A. 100-911, eff. 8-17-18.)

(50 ILCS 725/7) (from Ch. 85, par. 2568)

Sec. 7. No officer shall be discharged, disciplined, demoted, denied promotion or seniority, transferred, reassigned or otherwise discriminated against in regard to his or her employment, or be threatened with any such treatment as retaliation for or by reason of his or her exercise of the rights granted by this Act.
(Source: P.A. 83-981.)

(50 ILCS 725/7.2)

Sec. 7.2. Possession of a Firearm Owner's Identification Card. An employer of an officer shall not make possession of a Firearm Owner's Identification Card a condition of continued employment if the officer's Firearm Owner's Identification Card is revoked or seized because the officer has been a patient of a mental health facility and the officer has not been determined to pose a clear and present danger to himself, herself, or others as determined by a physician, clinical psychologist, or qualified examiner. Nothing in this Section shall otherwise impair an employer's ability to determine an officer's fitness for duty. On and after the effective date of this amendatory Act of the 100th General Assembly, Section 6 of this Act shall not apply to the prohibition requiring a Firearm Owner's Identification Card as a condition of continued employment, but a collective bargaining agreement already in effect on that issue on the effective date of this amendatory Act of the 100th General Assembly cannot be modified.
(Source: P.A. 100-911, eff. 8-17-18.)

(50 ILCS 725/7.5)

(Section scheduled to be repealed on December 31, 2018)

Sec. 7.5. Commission on Police Professionalism.

(a) Recognizing the need to review performance standards governing the professionalism of law enforcement agencies and officers in the 21st century, the General Assembly hereby creates the Commission on Police Professionalism.

(b) The Commission on Police Professionalism shall be composed of the following members:

(1) one member of the Senate appointed by the President of the Senate;

(2) one member of the Senate appointed by the Senate Minority Leader;

(3) one member of the House of Representatives appointed by the Speaker of the House of Representatives;

(4) one member of the House of Representatives appointed by the House Minority Leader;

(5) one active duty law enforcement officer who is a member of a certified collective bargaining unit appointed by the Governor;

(6) one active duty law enforcement officer who is a member of a certified collective bargaining unit appointed by the President of

the Senate;

(7) one active duty law enforcement officer who is a member of a certified collective bargaining unit appointed by the Senate Minority Leader;

(8) one active duty law enforcement officer who is a member of a certified collective bargaining unit appointed by the Speaker of the House of Representatives;

(9) one active duty law enforcement officer who is a member of a certified collective bargaining unit appointed by the House Minority Leader;

(10) the Director of State Police, or his or her designee;

(10.5) the Superintendent of the Chicago Police Department, or his or her designee;

(11) the Executive Director of the Law Enforcement Training Standards Board, or his or her designee;

(12) the Director of a statewide organization representing Illinois sheriffs;

(13) the Director of a statewide organization representing Illinois chiefs of police;

(14) the Director of a statewide fraternal organization representing sworn law enforcement officers in this State;

(15) the Director of a benevolent association representing sworn police officers in this State;

(16) the Director of a fraternal organization representing sworn law enforcement officers within the City of Chicago; and

(17) the Director of a fraternal organization exclusively representing sworn Illinois State Police officers.

(c) The President of the Senate and the Speaker of the House of Representatives shall each appoint a joint chairperson to the Commission. The Law Enforcement Training Standards Board shall provide administrative support to the Commission.

(d) The Commission shall meet regularly to review the current training and certification process for law enforcement officers, review the duties of the various types of law enforcement officers, including auxiliary officers, review the standards for the issuance of badges, shields, and other police and agency identification, review officer-involved shooting investigation policies, review policies and practices concerning the use of force and misconduct by law enforcement officers, and examine whether law enforcement officers should be licensed. For the purposes of this subsection (d), "badge" means an officer's department issued identification number associated with his or her position as a police officer with that Department.

(e) The Commission shall submit a report of its findings and legislative recommendations to the General Assembly and Governor on or before September 30, 2018.

(f) This Section is repealed on December 31, 2018.

(Source: P.A. 100-319, eff. 8-24-17. P.A. 100-808 contained an extension of the internal repealer and changes to the Section, but does not take effect until 1-1-19.)

(50 ILCS 725/8)

Sec. 8. (Repealed).

(Source: P.A. 99-494, eff. 12-17-15. Repealed internally, eff. 4-1-16.)



Memorandum

To: Honorable Chair and Members of the Human Services Committee
Wally Bobkiewicz, City Manager

From: Henry J. Ford, Jr., Assistant City Attorney

Date: August 29, 2017

Subject: Review of Citizen Police Complaints

Introduction

Pursuant to Alderman Fleming's request, this memo provides background and information on the Human Services Committee's ("HSC") role in the review of citizen complaints to the Evanston Police Department's ("EPD") Office of Professional Standards ("OPS").

Section 9.5 of the City's Rules and Organization of the City Council ("Council Rules") identifies the duties of the HSC. The duties of the HSC include liaison with human service-related boards and commissions, and matters relating to Police services. The Council Rules are silent on the HSC's specific role in relation to the outcome of citizen Police complaints or whether the HSC can overrule the Police Chief's finding on a complaint.

Under applicable statute and City policy, the HSC is precluded from issuing discipline to a Police Officer, because of conflicts with the City's Personnel Manual, Collective Bargaining Agreements/Union Contracts, and Illinois Law. However, the HSC may play a role in obtaining information and transparency concerning Police procedures that are related to complaints.

Illinois Law

The Uniform Peace Officers' Disciplinary Act ("Act"), 50 ILCS 725/1 *et seq.*, provides the procedure by which Police officers must be investigated for informal and formal allegations of misconduct. Investigations under the Act may lead to the filing of charges seeking the officer's removal, discharge, or suspension. For example, Section 3.2 of the Act provides that "[n]o officer shall be subjected to interrogation without first being informed in writing of the nature of the investigation." 50 ILCS 725/3.2.

"The officer under investigation shall have the right to be represented by counsel of his/her choosing and may request counsel at any time before or during interrogation."

50 ILCS 725/3.9. The Act requires that the Police maintain a complete record of any interrogation and a transcript of the same shall be made available to the officer under investigation. 50 ILCS 725/3.7.

The Act does not apply to any officer charged with violating the Criminal Code of 1961, the Criminal Code of 2012, or any other federal, State, or local criminal law. 50 ILCS 725/5. The Act applies “only to the extent **there is no collective bargaining agreement currently in effect** dealing with the subject matter of this Act.” 50 ILCS 725/6.

The City’s Personnel Manual and Collective Bargaining Agreements

Section 1-8-2(b) of the City Code grants the City Manager the authority to hire and discharge all employees subject to applicable civil service laws.

The City’s Personnel Manual (eff. January 1, 2016) identifies the role that the various Department Directors and the City Manager play in employee discipline. The Personnel Manual does not identify the role of City Council when it comes to employee discipline.

Section 2 of the City’s Personnel Manual provides that the discipline action levels identified in that section are available to the **Department Director**. Section 2 of the Personnel Manual also provides that, “[n]othing in the discipline policy limits the **Department Director** from utilizing or the **City Manager** from approving, disciplinary action which varies from the sequence of disciplinary action levels...”

Section 2.3 of the City’s Personnel Manual addresses the procedures to be followed for suspensions. This section states:

Department Directors may issue suspensions of up to five days to non-sworn non-union employees, documented on the disciplinary action form, with the prior approval of the Human Resources Division Manager or designee without a pre-disciplinary meeting. **Suspensions for union employees must be consistent with the City’s collective bargaining agreements. Police and Fire Chiefs may issue up to 24 hours of suspension to sworn employees, documented on the disciplinary action form, with the prior approval of the Human Resources Division Manager or designee.**

The Personnel Manual references the City’s adherence to the suspension procedures contained in the City’s collective bargaining agreements. Section 6 of the EPD’s Employee Manual provides that employees found in violation of the City’s Code of Ethics may be disciplined in accordance with the existing procedures in union contracts and/or the Civil Service and Personnel Rules, as applicable.

The City’s Union Contract with the Fraternal Order of Police for Sergeants for January 1, 2015 through December 30, 2017 provides explicit direction for the handling of “disciplinary grievances.” Section 4.6 of that contract provides:

Section 4.6 Disciplinary Grievances Grievances may be filed with respect to the just cause of any disciplinary action taken against an employee. Any grievance concerning a suspension or discharge shall be filed directly at Step 2 of this grievance procedure within fourteen (14) calendar days of the imposition of the discipline. If an employee is transferred for disciplinary reasons, the employee may grieve the transfer pursuant to the provisions of this Section. Discharge and disciplinary action shall be subject to review under the grievance procedure up to and including arbitration, provided that oral reprimands may not be appealed to arbitration. Disciplinary actions shall be subject to review under the grievance procedure only. Such review procedures are in lieu of and expressly supersede and preempt the employee notification and appeal procedures of the City Civil Service Commission. Such contractual review procedure shall be the sole and exclusive method of reviewing all disciplinary action.

Section 4.2 of the Union Contract for Sergeants identifies the disciplinary grievance procedure as follows:

STEP 2: Appeal To Chief of Police If the grievance is not settled in Step 1, the grievant or Association may, within fourteen (14) calendar days following receipt of the immediate supervisor's answer, file a written appeal to the Chief of Police. The grievant, an Association representative and the Chief will discuss the grievance at a mutually agreeable time within fourteen (14) calendar days. If no agreement is reached in such discussion, the Chief will give his answer in writing to the grievant and the Association representative within fourteen (14) calendar days of the discussion.

STEP 3: Appeal to City Manager If the grievance is not settled in Step 2, the Association may, within fourteen (14) calendar days following receipt of the Chief's answer, file a written appeal to the City Manager. A meeting between the City Manager and his/her designee and the grievant and Association representatives, if agreed to, will be held at a mutually agreeable time within fourteen (14) calendar days of the meeting. If the City Manager determines there will be no Step 3 meeting, the City Manager will advise the Association representative within fourteen (14) calendar days in writing and the City Manager's written communication shall be deemed to be a Step 3 denial of the grievance.

STEP 4: Arbitration If the grievance is not settled in accordance with the foregoing procedure, the Association may refer the grievance to arbitration by giving written notice to the City Manager within twenty-one (21) calendar days after receipt of the City's answer in Step 3. The parties shall attempt to agree upon an arbitrator promptly. In the event the parties are unable to agree upon an arbitrator, they shall jointly request the Federal Mediation and Conciliation Service to submit a panel of seven (7) arbitrators. Before striking any names, each party shall have the right to reject one (1) panel of arbitrators. The parties shall determine by a toss of a coin who shall strike first, then alternately strike names one at a time until only one name remains, who shall be the arbitrator. The arbitrator shall be notified of his selection by a joint letter from the City and the Association requesting that he set a time and place for the hearing, subject to the availability of the City and Association representatives. The arbitrator shall have no right to amend, modify, nullify, ignore, add to, or subtract from the provisions of this Agreement. He shall consider only the specific issue submitted to him and his decision and award shall be based solely upon his interpretation of the meaning or application of the terms of this Agreement to the facts of the grievance presented. The decision and award of the arbitrator, which conforms to his authority, shall be final and binding upon the City, the Association and the employee or employees involved. The costs of the arbitration, including the fee and expenses of the arbitrator and the cost of a written transcript, if any, shall be divided equally between the City and the Association; provided, however, that each party shall be responsible for compensating its own representatives and witnesses.

The City's Union Contract with the Fraternal Order of Police for Patrol Officers for January 1, 2014 through December 30, 2016 provides explicit direction for the handling of "disciplinary grievances." Section 5.7 of that contract provides:

Section 5.7: Disciplinary Grievances. Grievances may be filed with respect to the just cause of any disciplinary action taken against an employee. Any grievance concerning a suspension or discharge shall be filed directly at Step 3 of the grievance procedure within ten (10) calendar days of the imposition of discipline.

If an employee is transferred for disciplinary reasons, the employee may grieve the transfer pursuant to the provisions of this Section.

Discharge and disciplinary action shall be subject to review under the grievance procedure up to and including arbitration, provided that oral reprimands may not be appeal to arbitration. Disciplinary actions shall be subject to review under the grievance procedure only. Such review procedures are in lieu of and expressly supersede and preempt the employee notification and appeal procedures of the City Civil Service Commission. Such contractual review procedure shall be the sole and exclusive method of reviewing all disciplinary action.

Section 5.3 of the Patrol Union Contract below identifies the disciplinary grievance procedure:

STEP 3: Appeal to the Chief. If the grievance is not settled in Step 2 and the employee or Union representative decide to appeal, the appeal shall be submitted in writing and signed by the Union steward to the Chief within seven calendar days from receipt of the Step 2 answer. The Grievant, up to two Union representatives and the Chief/designee will discuss the grievance at a mutually agreeable time during the grievant's duty hours within seven (7) calendar days of the filing of the appeal. If no agreement is reached in such discussion, the Chief/designee will give his answer in writing within seven (7) calendar days of the discussion. The City may join the Step 3 and Step 4 meetings if it so desires, by having in attendance both the Chief and the City Manager or their designee(s).

STEP 4: Appeal to City Manager. If the grievance is not settled in Step 3 and the employee or Union representative decide to appeal, the employee or Union representative shall, within seven (7) calendar days after receipt of the Step 3 answer, file a written appeal signed by the Union steward to the City Manager. A meeting between the City Manager or his designee, the Grievant and up to two (2) Union representatives will be held at a mutually agreeable time within fourteen (14) calendar days of the filing of the appeal. If no settlement is reached at such meeting, the City Manager, or his designee, shall give his answer in writing within fourteen (14) calendar days of the meeting.

STEP 5: Arbitration. If the grievance is not settled in accordance with the foregoing procedure, the Union may refer the grievance to arbitration by giving written notice to the City Manager within twenty-one (21) calendar days after receipt of the City's answer in Step 4. The parties shall attempt to agree upon an arbitrator promptly. In the event the parties are unable to agree upon an arbitrator, they shall jointly request the Federal Mediation and Conciliation Service to submit a panel of seven (7) arbitrators from Illinois, Indiana or Wisconsin who are members of the National Academy of Arbitrators. The order of striking names from the panel shall be determined by a coin toss. Before striking any names, each party shall have the right to reject one (1) panel of arbitrators. The arbitrator shall be notified of his selection by a joint letter from the City and the Union requesting that he set a time and place for hearing, subject to the availability of the City and Union representatives. The arbitrator shall have no right to amend, modify, nullify, ignore, add to, or subtract from the provisions of this Agreement. He shall consider and decide only the specific issue submitted to him, and his decision and award shall be based solely upon his interpretation of the meaning or application of the terms of this Agreement to the facts of the grievance presented. The decision and award of the arbitrator which conforms to his authority shall be final and binding upon the City, the Union and the employee or employees involved. The costs of the arbitration, including the fee and expenses of the arbitrator, shall be divided equally between the City and the Union.

The Union Contracts do not identify roles that the City Council and/or the HSC may play in the determination of discipline of Police Officers.

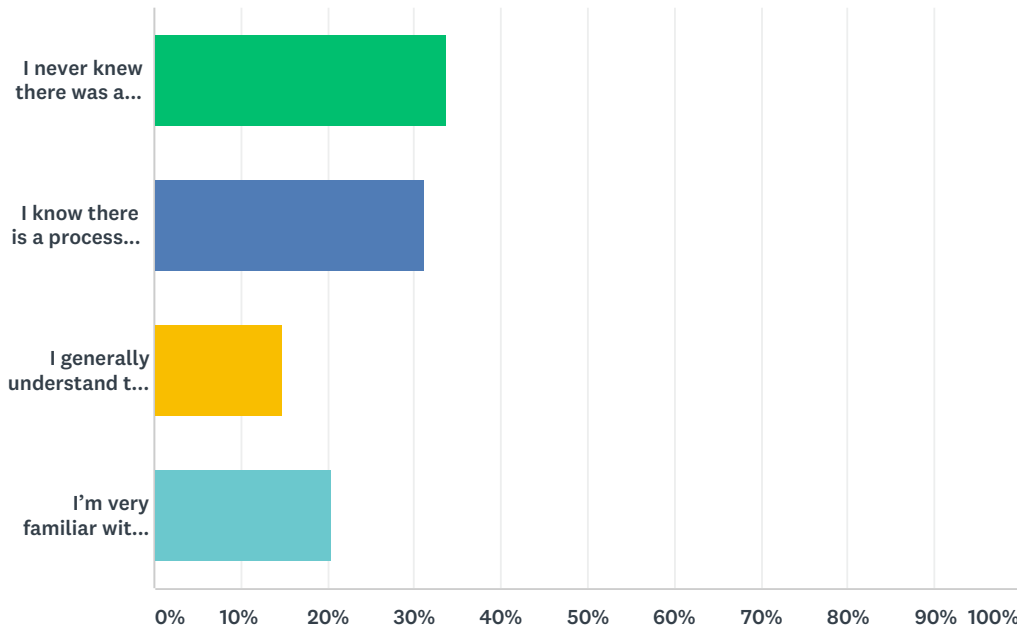
Human Services Committee

Based on a review of the Act, the City's Personnel Manual, EPD's Personnel Manual, and the Union Contracts for Sergeants and Patrol Officers, the HSC lacks legal authority to overrule the discipline imposed by the Police Chief and recommended by the Citizen Police Advisory Committee.

The HSC at its monthly meetings receives a report from the EPD on citizen police complaints. The report provides the HSC with a method to transparently address Police policy and procedure issues that affect the entire community. Commonly, HSC members request the EPD and/or other City staff to provide further information about Police policy, procedures, statistics, and rules (e.g., use of force; audio and video recording methods; arrest statistics; City ordinance violation statistics).

Q1 Evanston has a formal process for making a complaint against any member of the Evanston Police Department. How familiar are you with this process?

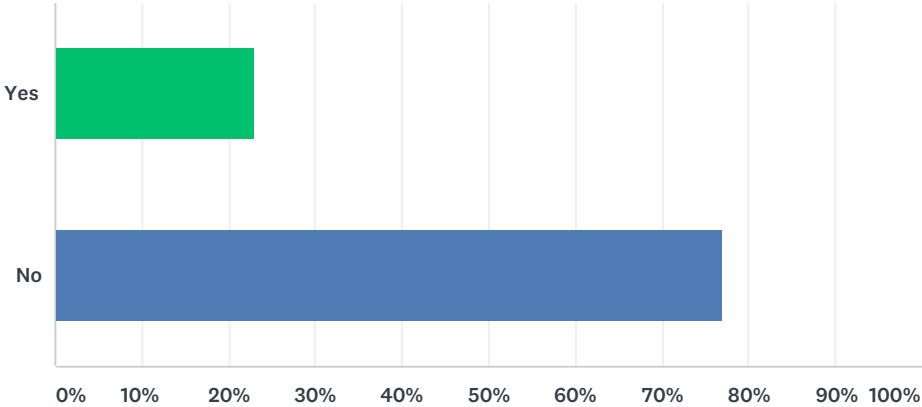
Answered: 122 Skipped: 0



ANSWER CHOICES	RESPONSES	
I never knew there was a process	33.61%	41
I know there is a process, but don't know anything about it	31.15%	38
I generally understand the complaint process	14.75%	18
I'm very familiar with the complaint process	20.49%	25
TOTAL		122

Q2 Have you ever made a complaint with the Evanston Police Department?

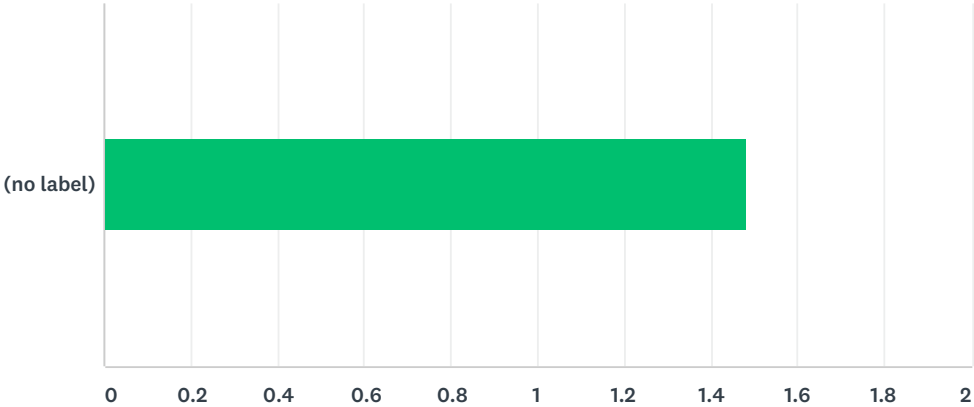
Answered: 122 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	22.95%	28
No	77.05%	94
TOTAL		122

Q3 How satisfied were you with how your complaint was handled?

Answered: 23 Skipped: 99



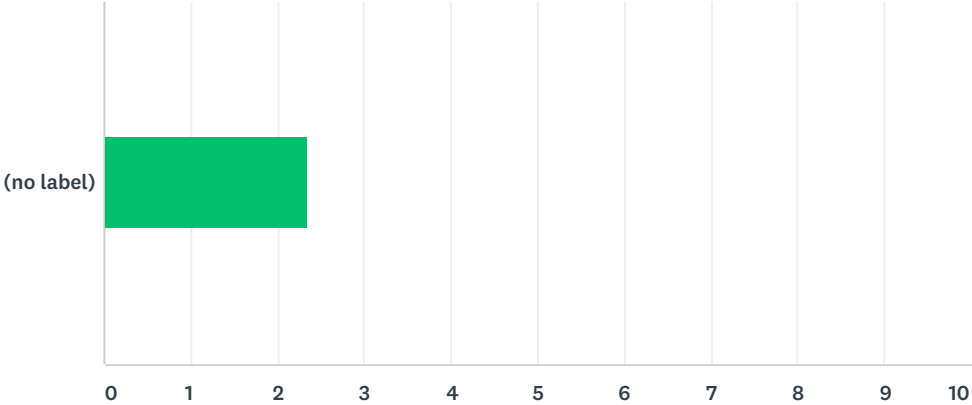
	VERY DISSATISFIED	SOMEWHAT DISSATISFIED	NEITHER SATISFIED NOR SATISFIED	SOMEWHAT SATISFIED	VERY SATISFIED	TOTAL	WEIGHTED AVERAGE
(no label)	69.57% 16	17.39% 4	8.70% 2	4.35% 1	0.00% 0	23	1.48

**Q4 How could the complaint process have been improved in your case?
(If you have not used the complaint process, please enter N/A).**

Answered: 23 Skipped: 99

Q5 How satisfied were you with the clarity of the complaint form?

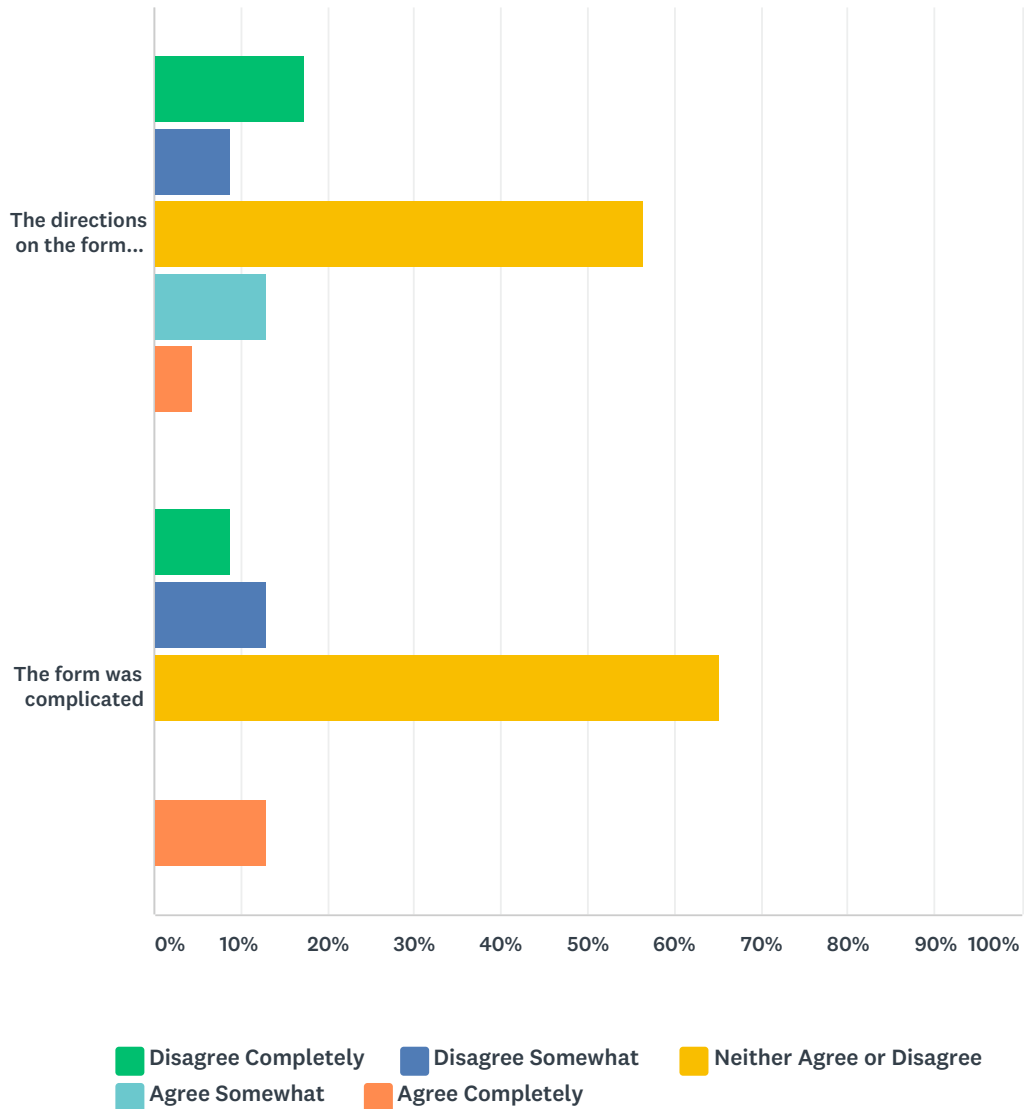
Answered: 23 Skipped: 99



	VERY DISSATISFIED	SOMEWHAT DISSATISFIED	NEITHER SATISFIED NOR DISSATISFIED	SOMEWHAT SATISFIED	VERY SATISFIED	TOTAL	WEIGHTED AVERAGE
(no label)	21.74% 5	30.43% 7	39.13% 9	8.70% 2	0.00% 0	23	2.35

Q6 How much do you agree or disagree with each of these statements?

Answered: 23 Skipped: 99



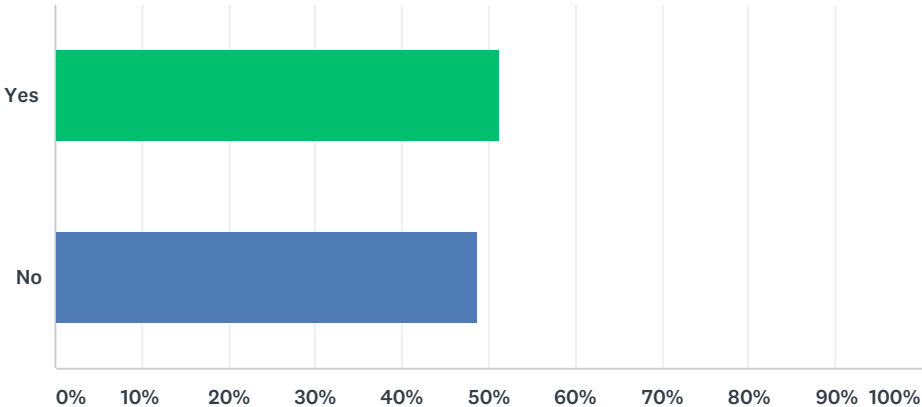
	DISAGREE COMPLETELY	DISAGREE SOMEWHAT	NEITHER AGREE OR DISAGREE	AGREE SOMEWHAT	AGREE COMPLETELY	TOTAL RESPONDENTS
The directions on the form were clear	17.39% 4	8.70% 2	56.52% 13	13.04% 3	4.35% 1	23
The form was complicated	8.70% 2	13.04% 3	65.22% 15	0.00% 0	13.04% 3	23

Q7 How could the complaint form be improved?

Answered: 20 Skipped: 102

Q8 Have you ever had an experience with Evanston Police that caused you to consider making a complaint?

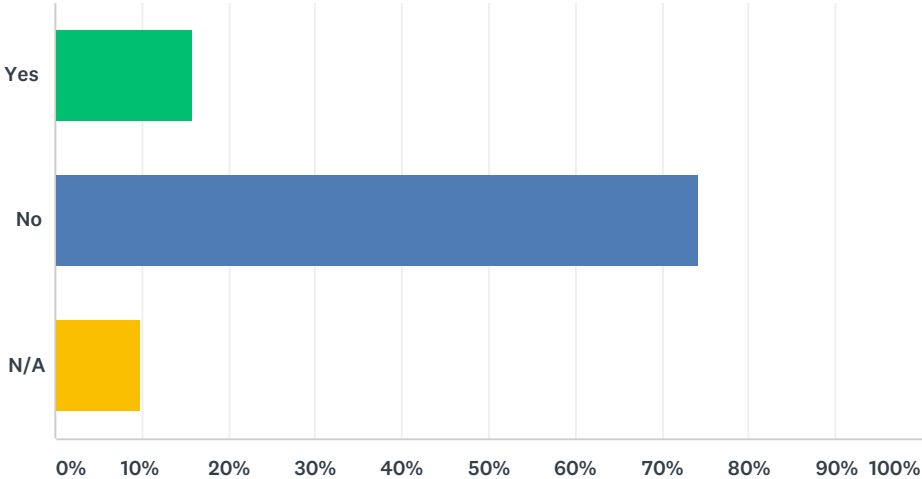
Answered: 113 Skipped: 9



ANSWER CHOICES	RESPONSES	
Yes	51.33%	58
No	48.67%	55
TOTAL		113

Q9 Have you ever gone to the Police Department (or other location) to make a complaint, but did not follow through with the complaint process?

Answered: 113 Skipped: 9



ANSWER CHOICES	RESPONSES
Yes	15.93% 18
No	74.34% 84
N/A	9.73% 11
TOTAL	113

Q10 How or why did you decide not to follow through with filing a complaint?

Answered: 22 Skipped: 100

Q11 What specific things would help you feel comfortable when making a complaint?

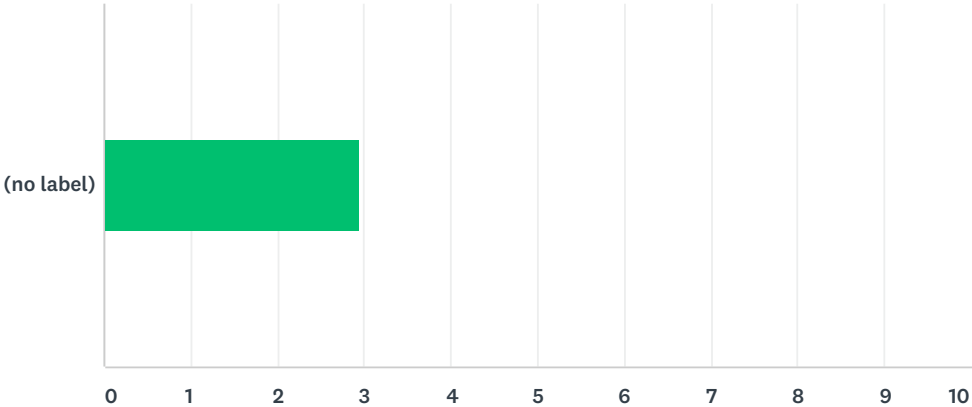
Answered: 78 Skipped: 44

Q12 What would make you feel confident that your complaint will be thoroughly investigated and a good outcome will occur?

Answered: 77 Skipped: 45

Q13 If you wanted/needed to make a complaint, how much does the location where you make the complaint (e.g., police station or at a different location) matter to you?

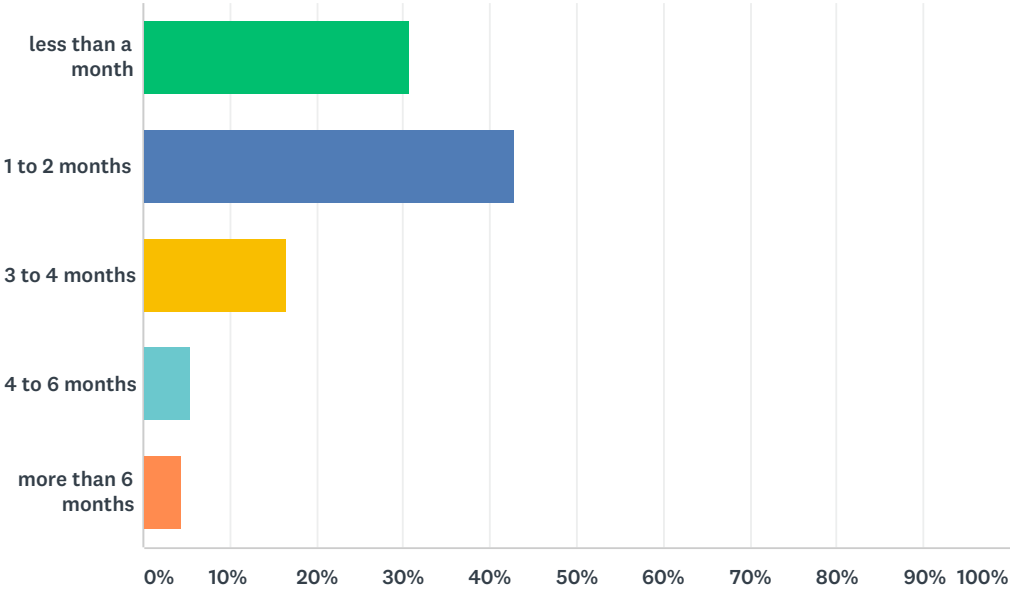
Answered: 91 Skipped: 31



	DOES NOT MATTER AT ALL	MATTERS SLIGHTLY	MATTERS SOMEWHAT	MATTERS MODERATELY	MATTERS A LOT	TOTAL	WEIGHTED AVERAGE
(no label)	30.77% 28	8.79% 8	23.08% 21	8.79% 8	28.57% 26	91	2.96

Q14 What is the appropriate amount of time for a complaint to be resolved?

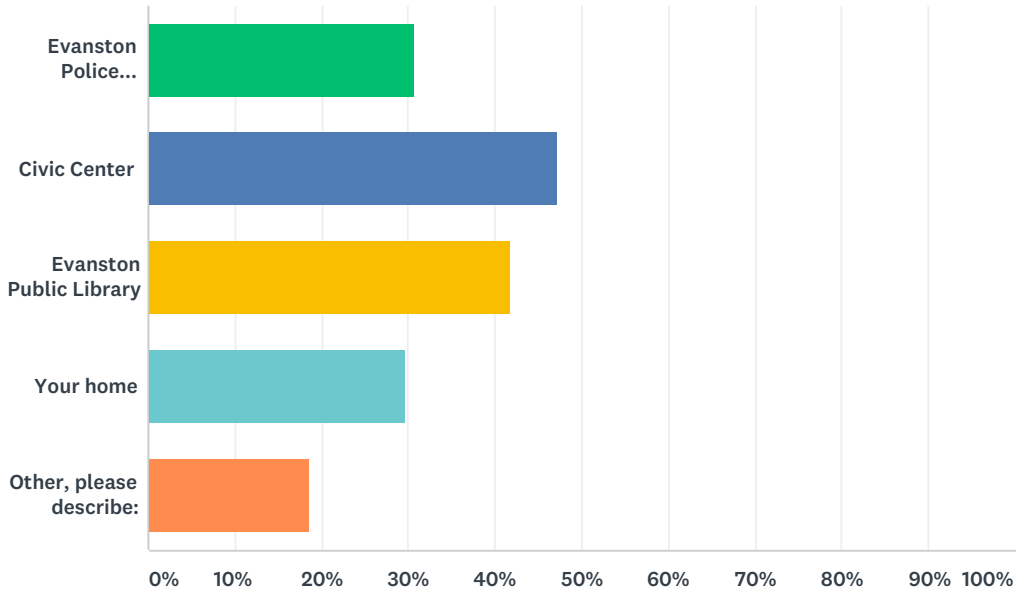
Answered: 91 Skipped: 31



ANSWER CHOICES	RESPONSES	
less than a month	30.77%	28
1 to 2 months	42.86%	39
3 to 4 months	16.48%	15
4 to 6 months	5.49%	5
more than 6 months	4.40%	4
TOTAL		91

Q15 At which of these locations would you prefer to make a complaint about an Evanston Police Department employee? Please select your top two choices.

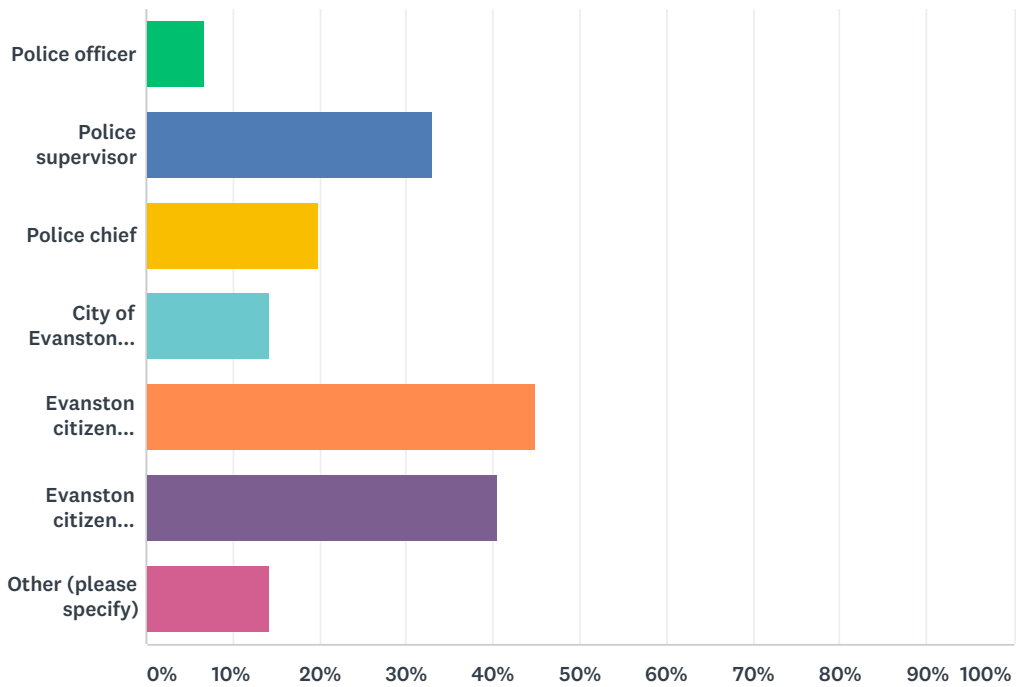
Answered: 91 Skipped: 31



ANSWER CHOICES	RESPONSES	
Evanston Police Department	30.77%	28
Civic Center	47.25%	43
Evanston Public Library	41.76%	38
Your home	29.67%	27
Other, please describe:	18.68%	17
Total Respondents: 91		

Q16 If you wanted/needed to make a complaint, to whom would you like to make your complaint? Please select your top two choices.

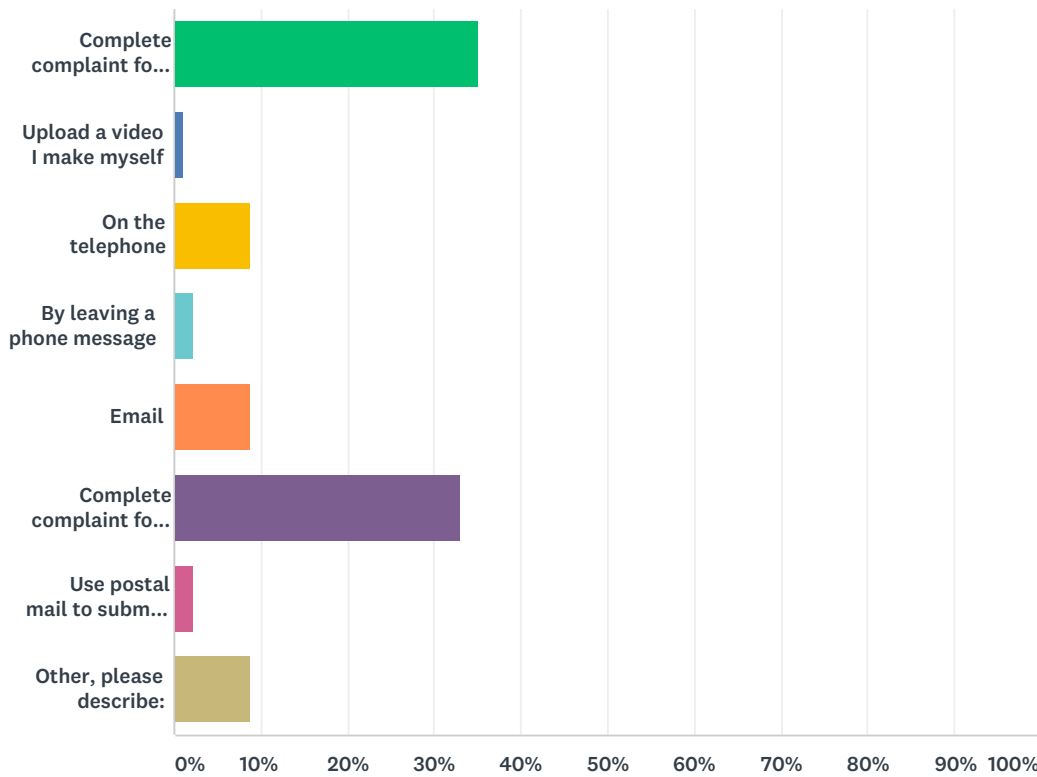
Answered: 91 Skipped: 31



ANSWER CHOICES	RESPONSES	
Police officer	6.59%	6
Police supervisor	32.97%	30
Police chief	19.78%	18
City of Evanston employee	14.29%	13
Evanston citizen volunteer/member of appointed police review committee	45.05%	41
Evanston citizen volunteer/independent of City government	40.66%	37
Other (please specify)	14.29%	13
Total Respondents: 91		

Q17 If you wanted/needed to make a complaint, how would you prefer to make a police complaint? Please select one.

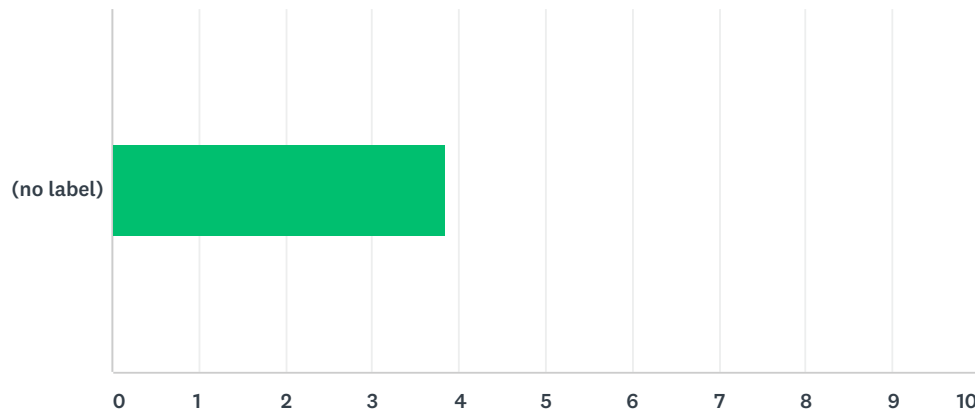
Answered: 91 Skipped: 31



ANSWER CHOICES	RESPONSES	
Complete complaint form in-person at designated location	35.16%	32
Upload a video I make myself	1.10%	1
On the telephone	8.79%	8
By leaving a phone message	2.20%	2
Email	8.79%	8
Complete complaint form online	32.97%	30
Use postal mail to submit the completed complaint form	2.20%	2
Other, please describe:	8.79%	8
TOTAL		91

Q18 How important is it to you to be able to make a complaint in your/your families first language?

Answered: 89 Skipped: 33



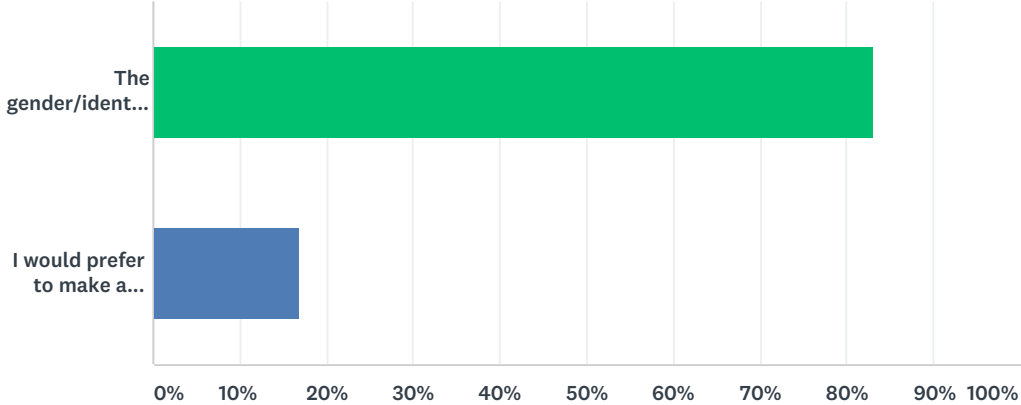
	NOT AT ALL IMPORTANT	SLIGHTLY IMPORTANT	SOMEWHAT IMPORTANT	VERY IMPORTANT	EXTREMELY IMPORTANT	TOTAL	WEIGHTED AVERAGE
(no label)	14.61% 13	1.12% 1	13.48% 12	25.84% 23	44.94% 40	89	3.85

Q19 Please describe what language(s) you speak?

Answered: 88 Skipped: 34

Q20 Which of these choices best describes your opinion?

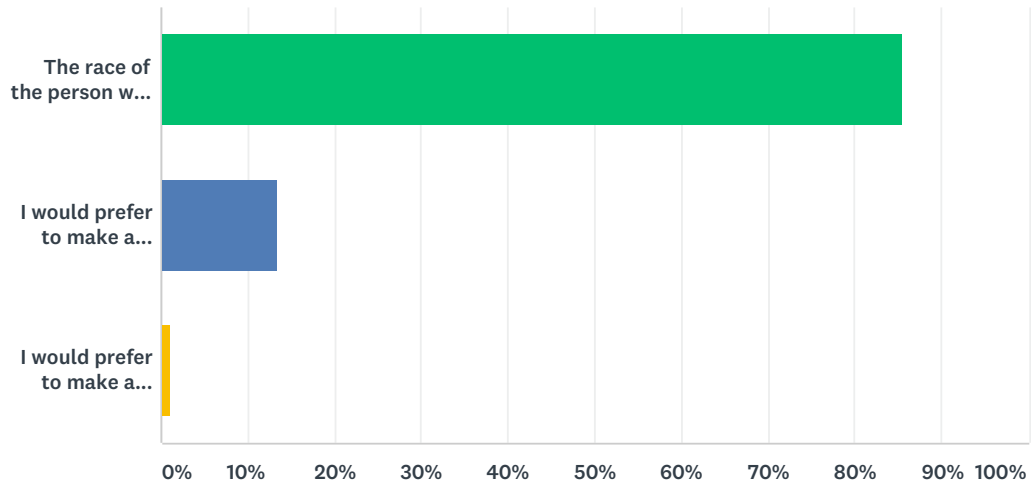
Answered: 89 Skipped: 33



ANSWER CHOICES	RESPONSES	
The gender/identity of the person who takes my complaint is not important	83.15%	74
I would prefer to make a complaint to someone of my own gender/identity	16.85%	15
TOTAL		89

Q21 Which of these choices best describes your opinion?

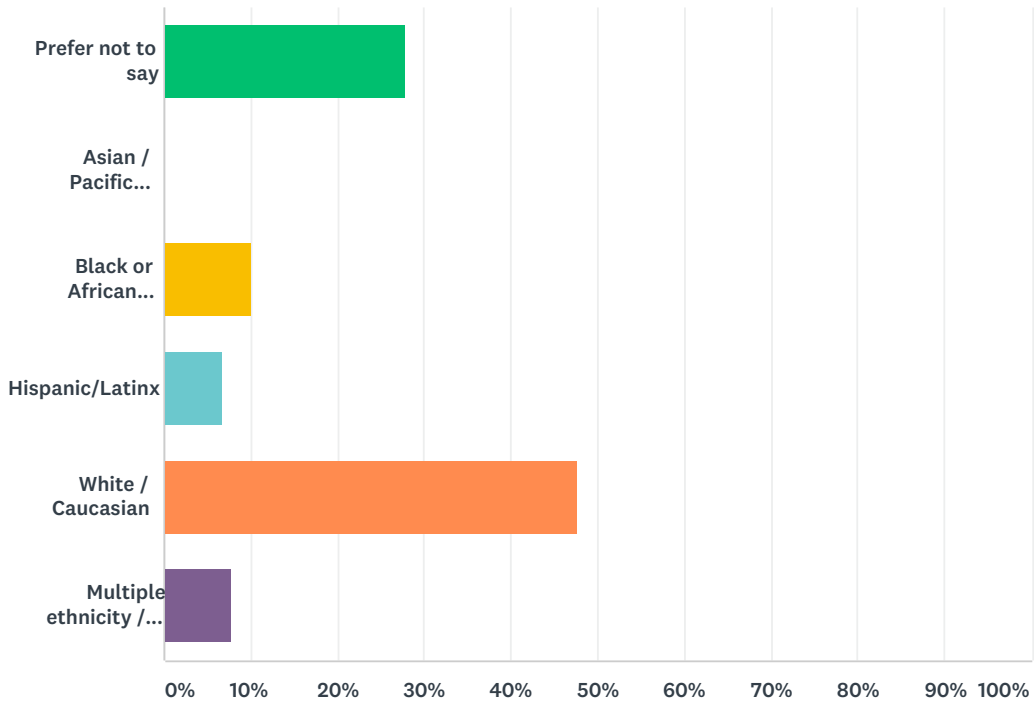
Answered: 90 Skipped: 32



ANSWER CHOICES	RESPONSES	
The race of the person who takes my complaint is not important	85.56%	77
I would prefer to make a complaint to a person of my race	13.33%	12
I would prefer to make a complaint to a person who is not of my race	1.11%	1
TOTAL		90

Q22 Which race/ethnicity best describes you? (Please choose only one.)

Answered: 90 Skipped: 32



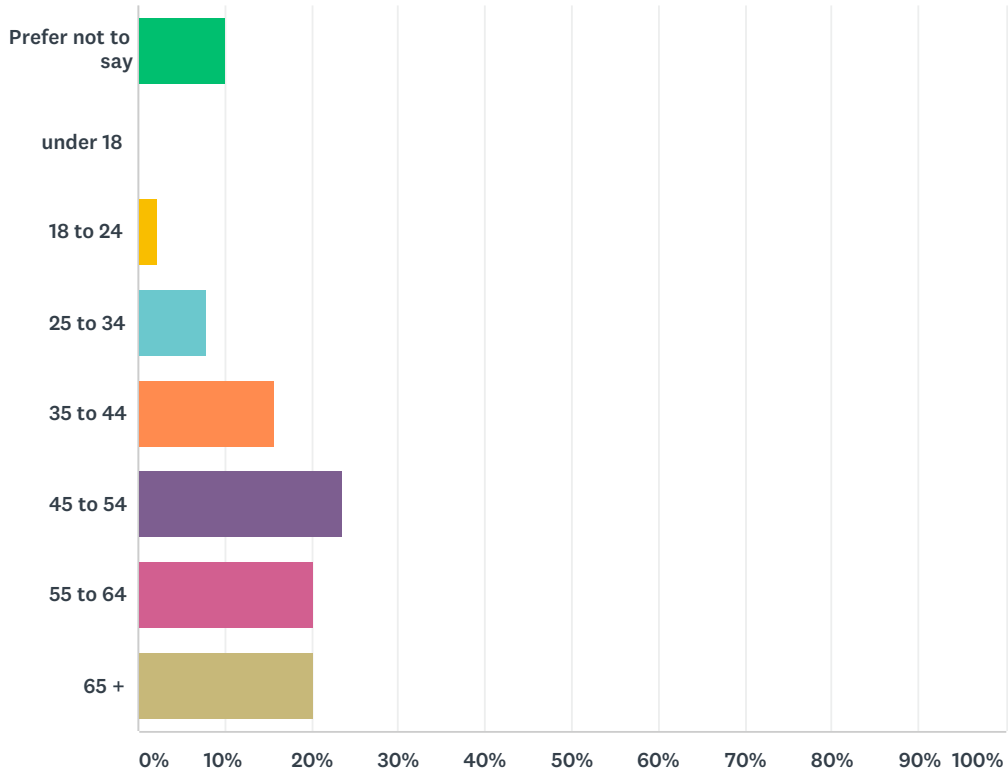
ANSWER CHOICES	RESPONSES	
Prefer not to say	27.78%	25
Asian / Pacific Islander	0.00%	0
Black or African American	10.00%	9
Hispanic/Latinx	6.67%	6
White / Caucasian	47.78%	43
Multiple ethnicity / Other (please specify)	7.78%	7
TOTAL		90

Q23 What gender do you identify with?

Answered: 86 Skipped: 36

Q24 What is your age?

Answered: 89 Skipped: 33



ANSWER CHOICES	RESPONSES	
Prefer not to say	10.11%	9
under 18	0.00%	0
18 to 24	2.25%	2
25 to 34	7.87%	7
35 to 44	15.73%	14
45 to 54	23.60%	21
55 to 64	20.22%	18
65 +	20.22%	18
TOTAL		89

Evanston Police Department employee(s) information (if known):

Employee's name:	Badge or ID #:
Employee's name:	Badge or ID #:

If the name(s) of the officer(s) or employee(s) is/are not known, please provide description(s).

Witness information:

Last name, first name:	Street Address, City, State:	Phone number:
Last name, first name:	Street Address, City, State:	Phone number:

Evidence information:

Occasionally, citizens have evidence or documentation that supports their complaint allegations. If so, please indicate what evidence or documentation you have, and be willing to provide a copy to the Police Department so that a thorough investigation can be completed.

Verification of complaint allegations: (REQUIRED)

Pursuant to 50 ILCS 725/3.8, "Admission; Counsel; Verified Complaint", anyone filing a complaint against a sworn peace officer must have the complaint supported by a sworn affidavit.

By placing a checkmark (✓) in this box,

"I hereby certify that the information in this complaint is true and correct, to the best of my knowledge and belief."

Signature (Required)

Date: ____/____/____
MM DD YYYY

Mail completed form to: Evanston Police Department Attn:
Office of Professional Standards
1454 Elmwood Avenue
Evanston, IL 60201

OR)

Drop completed form off at: **Location 1:** Evanston Police Dept. (same address as above)
(OR)
Location 2: Morton Civic Center, 2100 Ridge Avenue, Evanston, IL



Memorandum

To: Human Services Committee Chair, Alderman Mark Tendam
Members of the Human Services Committee

From: Members of Citizen Police Complaint Assessment Committee
Kimberly Richardson, Acting Administrative Services Director

Subject: Citizen Police Complaint Assessment Committee Status Report

Date: May 7, 2018

Recommended Action:

The Committee recommends that the Human Services Committee receive the status report.

Background:

Resolution 51-R-1 established the Citizen Police Complaint Assessment Committee (CPCAC) on May 22, 2017 with the nine members of the committee was appointed by Mayor Stephan Haggerty and approved by City Council in September 2017. The Committee's first meeting was October 12, 2017 at which Mr. Matthew Mitchell was appointed Chair by Mayor Haggerty.

The Committee organized itself into three working groups to divide and organize our research and workload. The groups are:

- Data Working Group
Comprised of Ms. Karen Courtright, Dr. Meggie Smith and Mr. Jared Davis
- Process Working Group
Comprised of Dr. Peter Demuth, Mr. Randy Foreman and Mr. Jeff Parker
- Best Practices Working Group
Comprised of Ms. Joi Russell, Dr. Vincent Thomas and Mr. Matthew Mitchell

The original proposed date of completion was May 2018. The Committee requested to extend their deadline to complete the full report to the Human Services Committee in October 2018 and to submit this status report in May 2018.

The goal of CPCAC is to present a written recommendation regarding the process of civilian complaints against police officers to the Human Services Committee of the Evanston City Council. In the coming months, the committee plans to address the specific community concerns regarding the current complaint process in Evanston and to get input from all stakeholders regarding possible solutions and recommendations.

Committee Status Update:

The Committee was tasked with answering the following questions. The current responses to each question is as follows.

1. How does Evanston Police Department civilian police complaint process currently work?

A. Key aspects of the civilian police complaint process are:

1. Complaint forms are completed by civilians. They are submitted to the Office of Professional Standards (OPS) of the Evanston Police Department (EPD).
2. OPS conducts an investigation.
3. The EPD chain of command reviews the OPS report and the Chief of police makes a determination (referred to as a disposition). The Chief sends his determination to the Citizens' Police Advisory Committee (CPAC). They vote on whether they agree with the Chief's determination. CPAC's decision is advisory and non-binding. CPAC's decision goes back to the Chief of Police for review.
4. The Chief of police presents EPD's disposition of the complaint to the Human Services Committee (HSC) of the Evanston City Council for review. HSC's review is advisory and non-binding.

B. Process Working Group Response:

The Process working group has begun documenting the end-to-end citizen experience – from the time the complainant decides to fill out a complaint form through the final disposition. On March 1, 2018, the working group submitted its initial inquiries for additional information and clarification on various steps of the process to the EPD. The Process working group has worked extensively with Deputy Chief Barnes and her team at EPD and are appreciative of their cooperation. The Process working group has also been researching the role of CPAC and HSC in the current process.

C. Data Working Group Response:

The Data Working group analyzed police complaint data collected by city staff. The data collected was from 2011 to 2016. The data was organized by rule violation, rank of police staff being complained about and the disposition of the complaint.

2. What issues, if any, are there with the current complaint process?

The current complaint process in Evanston has been created over time, a bit disjointed and lacks a coherent fundamental structure. The citizen complaint policy process is very clear for the EPD through the June 26, 2013 General Order 4.1. Evanston's process becomes less clear at the CPAC and HSC levels from the perspective of the CPCAC.

A. Review of the Complaint Register Form:

The Process Working Group reviewed the all forms of the complaint register form. The form is the first interaction that citizens have with the complaint process and acts as the initial source of information for the investigation. Currently, the form is available online or as a printed. The printed version is available at the Evanston Police Department, City Clerk's Office and lobby of the Civic Center.

In evaluating the form, three objectives were established:

- How to solicit the most useful and necessary information in order to produce effective investigations.
- How to eliminate factors that may discourage potential complainants from using the form.
- How to increase transparency during the complaint process.

Complaint Register Form Feedback (printed version):

- Requested information
- Form formatting
- Use of language
- Lack explanation of the compliant process on the form

Based on all the information collected during this phase of the working group, a revised Complaint Register Form was drafted and submitted to the Committee for review.

B. Community Feedback Survey:

The Committee solicited the feedback of the community regarding the complaint process in two steps. The creation of the survey was overseen by the Data Working Group.

The Group established and employed recognized best practices for the development of the survey. The survey was disseminated both electronically and on paper. It was available in Spanish and English via online at the City's website and in print at community churches, schools, community centers throughout Evanston, and at

organizations such as the YWCA and the Moran center. In total 125 surveys were completed and returned.

The evidence gathered from the survey has been helpful to gain an understanding about concerns in the community about the current complaint process.

C. In Person Interviews Feedback:

Additionally, the Committee conducted in-person interviews with members of the Evanston community. From these one-on-one interviews, the Committee received a broader understanding of people's perception of the complaint process. Members of the Data Working Group, as well as other members of the committee have also had individual conversations with current and former members of the EPD.

D. FOP Outreach:

The Committee has started to work with the FOP to get the impressions and experiences of EPD officers about the current system. From those conversations, the Committee was able to gather information about how the police perceive the process as well as their individual perceptions of its strengths and weaknesses. The Committee will continue to work with the FOP to gather additional information.

3. What is the complaint process for communities similar to Evanston? and 4. Are there any nationally recognized best practices related to how municipalities, similar to Evanston, handle civilian complaints? Are there other best practices the Committee discovered?

There is no recognized singular best practice for handling civilian complaints against police officers. The consensus is that different communities should enact different systems to address concerns particular to their community. However, there are three recognized police oversight models that most systems in the United States adhere to.

Police Oversight Models

A. Review and Appellate model

The police department investigates all complaints against police officers and an outside board reviews the police leadership's decision regarding a finding and any appropriate discipline. The board in this model usually has non-binding recommendation authority after reviewing the police investigation and finding.

B. Investigative and Quality Assurance model

An oversight body outside of the police department receives and investigates complaints against police officers. That independent entity has binding authority to impose discipline arising out of police misconduct.

C. Evaluative and Performance-Based model

The police retain control over investigation of civilian complaints of police conduct, but report their findings to a neutral auditor who oversees the complaint process and the investigation in the police department. The final disposition can be made by the auditor in conjunction with police leadership. The auditor is responsible for reviewing widespread police issues not just individual complaints.

Most communities tailor an oversight model to address the specific concerns of their community and can incorporate mechanisms from different models into a hybrid solution. While there is no consensus as to a model that constitutes a best practice, there are key attributes of best practices of police oversight.

Key attributes of best practices:

- Credibility
- Integrity
- Fairness
- Due process
- Transparency
- Personal accountability and structural accountability

5. What suggested changes can Evanston make to address any issues identified with the current process?

In the coming months the CPCAC will focus on making a final recommendation. Some small changes can be made at this time with the cooperation of OPS and CPAC that could immediately improve the process. There are also some large foundational changes that would require significant buy in from stakeholders but would result in a significantly more independent, transparent and trustworthy process.

We look forward to further discussions about those recommendations. CPCAC intends to submit a final written recommendation to the HSC in October 2018.

Attachment:

Data Working Group Interim Report

Process Working Group – Complaint Form Improvements

Best Practice Working Group – Overview of Police Oversight Models in the United States



Memorandum

To: Honorable Chair and Members of the Human Services Committee
Wally Bobkiewicz, City Manager

From: Henry J. Ford, Jr., Assistant City Attorney

Date: August 29, 2017

Subject: Review of Citizen Police Complaints

Introduction

Pursuant to Alderman Fleming's request, this memo provides background and information on the Human Services Committee's ("HSC") role in the review of citizen complaints to the Evanston Police Department's ("EPD") Office of Professional Standards ("OPS").

Section 9.5 of the City's Rules and Organization of the City Council ("Council Rules") identifies the duties of the HSC. The duties of the HSC include liaison with human service-related boards and commissions, and matters relating to Police services. The Council Rules are silent on the HSC's specific role in relation to the outcome of citizen Police complaints or whether the HSC can overrule the Police Chief's finding on a complaint.

Under applicable statute and City policy, the HSC is precluded from issuing discipline to a Police Officer, because of conflicts with the City's Personnel Manual, Collective Bargaining Agreements/Union Contracts, and Illinois Law. However, the HSC may play a role in obtaining information and transparency concerning Police procedures that are related to complaints.

Illinois Law

The Uniform Peace Officers' Disciplinary Act ("Act"), 50 ILCS 725/1 *et seq.*, provides the procedure by which Police officers must be investigated for informal and formal allegations of misconduct. Investigations under the Act may lead to the filing of charges seeking the officer's removal, discharge, or suspension. For example, Section 3.2 of the Act provides that "[n]o officer shall be subjected to interrogation without first being informed in writing of the nature of the investigation." 50 ILCS 725/3.2.

"The officer under investigation shall have the right to be represented by counsel of his/her choosing and may request counsel at any time before or during interrogation."

50 ILCS 725/3.9. The Act requires that the Police maintain a complete record of any interrogation and a transcript of the same shall be made available to the officer under investigation. 50 ILCS 725/3.7.

The Act does not apply to any officer charged with violating the Criminal Code of 1961, the Criminal Code of 2012, or any other federal, State, or local criminal law. 50 ILCS 725/5. The Act applies “only to the extent **there is no collective bargaining agreement currently in effect** dealing with the subject matter of this Act.” 50 ILCS 725/6.

The City’s Personnel Manual and Collective Bargaining Agreements

Section 1-8-2(b) of the City Code grants the City Manager the authority to hire and discharge all employees subject to applicable civil service laws.

The City’s Personnel Manual (eff. January 1, 2016) identifies the role that the various Department Directors and the City Manager play in employee discipline. The Personnel Manual does not identify the role of City Council when it comes to employee discipline.

Section 2 of the City’s Personnel Manual provides that the discipline action levels identified in that section are available to the **Department Director**. Section 2 of the Personnel Manual also provides that, “[n]othing in the discipline policy limits the **Department Director** from utilizing or the **City Manager** from approving, disciplinary action which varies from the sequence of disciplinary action levels...”

Section 2.3 of the City’s Personnel Manual addresses the procedures to be followed for suspensions. This section states:

Department Directors may issue suspensions of up to five days to non-sworn non-union employees, documented on the disciplinary action form, with the prior approval of the Human Resources Division Manager or designee without a pre-disciplinary meeting. **Suspensions for union employees must be consistent with the City’s collective bargaining agreements. Police and Fire Chiefs may issue up to 24 hours of suspension to sworn employees, documented on the disciplinary action form, with the prior approval of the Human Resources Division Manager or designee.**

The Personnel Manual references the City’s adherence to the suspension procedures contained in the City’s collective bargaining agreements. Section 6 of the EPD’s Employee Manual provides that employees found in violation of the City’s Code of Ethics may be disciplined in accordance with the existing procedures in union contracts and/or the Civil Service and Personnel Rules, as applicable.

The City’s Union Contract with the Fraternal Order of Police for Sergeants for January 1, 2015 through December 30, 2017 provides explicit direction for the handling of “disciplinary grievances.” Section 4.6 of that contract provides:

Section 4.6 Disciplinary Grievances Grievances may be filed with respect to the just cause of any disciplinary action taken against an employee. Any grievance concerning a suspension or discharge shall be filed directly at Step 2 of this grievance procedure within fourteen (14) calendar days of the imposition of the discipline. If an employee is transferred for disciplinary reasons, the employee may grieve the transfer pursuant to the provisions of this Section. Discharge and disciplinary action shall be subject to review under the grievance procedure up to and including arbitration, provided that oral reprimands may not be appealed to arbitration. Disciplinary actions shall be subject to review under the grievance procedure only. Such review procedures are in lieu of and expressly supersede and preempt the employee notification and appeal procedures of the City Civil Service Commission. Such contractual review procedure shall be the sole and exclusive method of reviewing all disciplinary action.

Section 4.2 of the Union Contract for Sergeants identifies the disciplinary grievance procedure as follows:

STEP 2: Appeal To Chief of Police If the grievance is not settled in Step 1, the grievant or Association may, within fourteen (14) calendar days following receipt of the immediate supervisor's answer, file a written appeal to the Chief of Police. The grievant, an Association representative and the Chief will discuss the grievance at a mutually agreeable time within fourteen (14) calendar days. If no agreement is reached in such discussion, the Chief will give his answer in writing to the grievant and the Association representative within fourteen (14) calendar days of the discussion.

STEP 3: Appeal to City Manager If the grievance is not settled in Step 2, the Association may, within fourteen (14) calendar days following receipt of the Chief's answer, file a written appeal to the City Manager. A meeting between the City Manager and his/her designee and the grievant and Association representatives, if agreed to, will be held at a mutually agreeable time within fourteen (14) calendar days of the meeting. If the City Manager determines there will be no Step 3 meeting, the City Manager will advise the Association representative within fourteen (14) calendar days in writing and the City Manager's written communication shall be deemed to be a Step 3 denial of the grievance.

STEP 4: Arbitration If the grievance is not settled in accordance with the foregoing procedure, the Association may refer the grievance to arbitration by giving written notice to the City Manager within twenty-one (21) calendar days after receipt of the City's answer in Step 3. The parties shall attempt to agree upon an arbitrator promptly. In the event the parties are unable to agree upon an arbitrator, they shall jointly request the Federal Mediation and Conciliation Service to submit a panel of seven (7) arbitrators. Before striking any names, each party shall have the right to reject one (1) panel of arbitrators. The parties shall determine by a toss of a coin who shall strike first, then alternately strike names one at a time until only one name remains, who shall be the arbitrator. The arbitrator shall be notified of his selection by a joint letter from the City and the Association requesting that he set a time and place for the hearing, subject to the availability of the City and Association representatives. The arbitrator shall have no right to amend, modify, nullify, ignore, add to, or subtract from the provisions of this Agreement. He shall consider only the specific issue submitted to him and his decision and award shall be based solely upon his interpretation of the meaning or application of the terms of this Agreement to the facts of the grievance presented. The decision and award of the arbitrator, which conforms to his authority, shall be final and binding upon the City, the Association and the employee or employees involved. The costs of the arbitration, including the fee and expenses of the arbitrator and the cost of a written transcript, if any, shall be divided equally between the City and the Association; provided, however, that each party shall be responsible for compensating its own representatives and witnesses.

The City's Union Contract with the Fraternal Order of Police for Patrol Officers for January 1, 2014 through December 30, 2016 provides explicit direction for the handling of "disciplinary grievances." Section 5.7 of that contract provides:

Section 5.7: Disciplinary Grievances. Grievances may be filed with respect to the just cause of any disciplinary action taken against an employee. Any grievance concerning a suspension or discharge shall be filed directly at Step 3 of the grievance procedure within ten (10) calendar days of the imposition of discipline.

If an employee is transferred for disciplinary reasons, the employee may grieve the transfer pursuant to the provisions of this Section.

Discharge and disciplinary action shall be subject to review under the grievance procedure up to and including arbitration, provided that oral reprimands may not be appeal to arbitration. Disciplinary actions shall be subject to review under the grievance procedure only. Such review procedures are in lieu of and expressly supersede and preempt the employee notification and appeal procedures of the City Civil Service Commission. Such contractual review procedure shall be the sole and exclusive method of reviewing all disciplinary action.

Section 5.3 of the Patrol Union Contract below identifies the disciplinary grievance procedure:

STEP 3: Appeal to the Chief. If the grievance is not settled in Step 2 and the employee or Union representative decide to appeal, the appeal shall be submitted in writing and signed by the Union steward to the Chief within seven calendar days from receipt of the Step 2 answer. The Grievant, up to two Union representatives and the Chief/designee will discuss the grievance at a mutually agreeable time during the grievant's duty hours within seven (7) calendar days of the filing of the appeal. If no agreement is reached in such discussion, the Chief/designee will give his answer in writing within seven (7) calendar days of the discussion. The City may join the Step 3 and Step 4 meetings if it so desires, by having in attendance both the Chief and the City Manager or their designee(s).

STEP 4: Appeal to City Manager. If the grievance is not settled in Step 3 and the employee or Union representative decide to appeal, the employee or Union representative shall, within seven (7) calendar days after receipt of the Step 3 answer, file a written appeal signed by the Union steward to the City Manager. A meeting between the City Manager or his designee, the Grievant and up to two (2) Union representatives will be held at a mutually agreeable time within fourteen (14) calendar days of the filing of the appeal. If no settlement is reached at such meeting, the City Manager, or his designee, shall give his answer in writing within fourteen (14) calendar days of the meeting.

STEP 5: Arbitration. If the grievance is not settled in accordance with the foregoing procedure, the Union may refer the grievance to arbitration by giving written notice to the City Manager within twenty-one (21) calendar days after receipt of the City's answer in Step 4. The parties shall attempt to agree upon an arbitrator promptly. In the event the parties are unable to agree upon an arbitrator, they shall jointly request the Federal Mediation and Conciliation Service to submit a panel of seven (7) arbitrators from Illinois, Indiana or Wisconsin who are members of the National Academy of Arbitrators. The order of striking names from the panel shall be determined by a coin toss. Before striking any names, each party shall have the right to reject one (1) panel of arbitrators. The arbitrator shall be notified of his selection by a joint letter from the City and the Union requesting that he set a time and place for hearing, subject to the availability of the City and Union representatives. The arbitrator shall have no right to amend, modify, nullify, ignore, add to, or subtract from the provisions of this Agreement. He shall consider and decide only the specific issue submitted to him, and his decision and award shall be based solely upon his interpretation of the meaning or application of the terms of this Agreement to the facts of the grievance presented. The decision and award of the arbitrator which conforms to his authority shall be final and binding upon the City, the Union and the employee or employees involved. The costs of the arbitration, including the fee and expenses of the arbitrator, shall be divided equally between the City and the Union.

The Union Contracts do not identify roles that the City Council and/or the HSC may play in the determination of discipline of Police Officers.

Human Services Committee

Based on a review of the Act, the City's Personnel Manual, EPD's Personnel Manual, and the Union Contracts for Sergeants and Patrol Officers, the HSC lacks legal authority to overrule the discipline imposed by the Police Chief and recommended by the Citizen Police Advisory Committee.

The HSC at its monthly meetings receives a report from the EPD on citizen police complaints. The report provides the HSC with a method to transparently address Police policy and procedure issues that affect the entire community. Commonly, HSC members request the EPD and/or other City staff to provide further information about Police policy, procedures, statistics, and rules (e.g., use of force; audio and video recording methods; arrest statistics; City ordinance violation statistics).