Passed 9-0

RESOLUTION 17-40

TO APPROVE AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF BLOOMINGTON AND MONROE COUNTY, INDIANA IN REGARDS TO THE 2017 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)

WHEREAS, the City of Bloomington and Monroe County are authorized by I.C. 36-1-7-1, *et seq.*, to enter into agreements for the joint exercise of their powers for the provision of services to the public; and

WHEREAS, this Interlocal Cooperation Agreement reflects the commitments and understandings agreed to by the governmental entities in order to efficiently and effectively utilize proceeds received from the 2017 Edward Byrne Memorial Justice Assistance Grant (JAG);

NOW, THEREFORE BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. The Interlocal Cooperation Agreement between the City of Bloomington and Monroe County, Indiana in regards to the 2017 Edward Byrne Memorial Justice Assistance Grant, a copy of which is attached hereto and made a part hereof, is hereby approved.

SECTION 2. If any sections, sentences or provisions of this resolution, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 3. This resolution shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 1st day of November, 2017.

SUSAN SANDBERG, President
Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 2nd day of November, 2017.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 6th day of November, 2017

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This resolution approves the interlocal agreement between the City and the County for 2017 JAG funds. JAG funds are divided between the City and the County based on violent crime statistics reported to the FBI through the Uniform Crime Report. A three year review of violent crime statistics shows that the City is entitled to 78% of the grant funds, and the County is entitled to the remaining 22%. The overall JAG award for 2017 is $27,691. The City shall receive $21,598 and the County will receive $6,093. The City shall use all of its award towards the purchase security cameras in the downtown area. The County shall use all of its award towards the purchase of tire deflation devices that are used in vehicle pursuit interventions.

Distributed to: Mayor, Clerk, Council Administrator, Legal, Controller

ORDINANCE 2017-45

An Ordinance Approving the Interlocal Cooperation Agreement between the City of Bloomington and Monroe County, Indiana, regarding the 2017 Edward Byrne Memorial Justice Assistance Grant (JAG).

WHEREAS, the City of Bloomington, Indiana ("City") and the County of Monroe, Indiana ("County"), desire to enter interlocal agreement ("Agreement") which authorizes the purchase of body worn cameras or in car audio video systems; and

WHEREAS, the form of the Agreement has been developed and is attached to this Ordinance as Exhibit A;

WHEREAS, the County, acting by and through its Board of Commissioners, hereby finds that the Agreement promotes the public interest and should be approved;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Monroe County, Indiana, that the Exhibit A Agreement shall be, and hereby is, approved.

Approved this 1st day of November, 2017, by the Board of Commissioners of Monroe County.

MONROE COUNTY BOARD OF COMMISSIONERS

"AYES"	"NAYS"
Julie Thomas, President	Julie Thomas, President
Amanda Barge, Vice President	Amanda Barge, Vice President
Patrick Stoffers, Commissioner	Patrick Stoffers, Commissioner

ATTEST:

Catherine Smith, Auditor

INTERLOCAL COOPERATION AGREEMENT
BETWEEN
THE CITY OF BLOOMINGTON AND
MONROE COUNTY, INDIANA
IN REGARDS TO 2017 EDWARD BYRNE MEMORIAL
JUSTICE ASSISTANCE GRANT (JAG)

WHEREAS, Indiana Code § 36-1-7-1 *et seq.* permits governmental entities to jointly exercise powers through Interlocal Cooperation Agreements; and

WHEREAS, each governmental entity, in performing their governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governmental entity finds that the performance of this Interlocal Cooperation Agreement is in the best interests of both entities, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this Interlocal Cooperation Agreement; and

WHEREAS, this Interlocal Cooperation Agreement reflects the commitments and understandings agreed to by the governmental entities in order to efficiently and effectively utilize proceeds received from the 2017 Edward Byrne Memorial Justice Assistance Grant (JAG); and

WHEREAS, the funds from the JAG are to be divided between the two governmental entities based on violent crime statistics reported to the Federal Bureau of Investigation through the Uniform Crime Reports; and

WHEREAS, an agreement between the Sheriff and Chief of Police based partially upon a three (3) year review of the violent crime statistics for both governmental agencies indicates that the Bloomington Police Department is to receive eighty percent (78%) of the total JAG funds and that the Monroe County Sheriff's Department is to receive the remaining twenty percent (22%) of the JAG funds.

NOW, THEREFORE, City of Bloomington and Monroe County, Indiana, hereby agree as follows:

Section 1. Payment

The City shall receipt in all of the $27,691.00 associated with the 2017 JAG and thereafter disburse $6,093.00 (22% of the total JAG funds) to the Monroe County Sheriff's Department, while retaining $21,598.00 for use by the City of Bloomington Police Department.

Section 2. Use of Funds

The City shall use all of the $21,598.00 it is allocated from the JAG funds towards the purchase of security cameras for use in the downtown and near downtown areas.

The County shall use all of the $6,093.00 it is allocated from the JAG funds towards the purchase of tire deflation devices for use as intervention devices during vehicle pursuits.

Section 3. Liability

Nothing in the performance of this Interlocal Cooperation Agreement (hereinafter, "Agreement") shall impose any liability for claims against either governmental entity other then claims for which liability may be imposed by the Indiana Tort Claims Act.

Section 4. Responsibility

Each entity to this Agreement shall be responsible for its own actions in providing services under this Agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 5. Commitment

The entities shall communicate and cooperate with one another to ensure that the purposes of this Agreement are achieved on behalf of and to the benefit of the publics they serve.

Section 6. Third Parties

The entities to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 7. Intent

By entering into this Agreement, the entities do not intend to create any obligations express or implied other than those set out herein. Further, this Agreement shall not create any rights in any party not a signatory hereto.

Section 8. Severability

If any provision of this Agreement is declared, by a court of competent jurisdiction, to be invalid, null, void or unenforceable, the remaining provisions shall not be affected and shall have full force and effect.

Section 9. Appropriation of Funds

The entities acknowledge and agree that the performance of this Agreement is subject to the appropriation of sufficient funds by JAG. The parties agree to make a good faith effort to obtain all necessary appropriations and to comply with all provisions of this Agreement to the extent feasible under current or future appropriations.

Approved this 1 day of November, 2017, by the Monroe County, Indiana Commissioners:

MONROE COUNTY, INDIANA

Julie Thomas, President
Monroe County Commissioners

ATTEST:

Catherine Smith, Auditor

Amanda Barge, Vice President
Monroe County Commissioners

Patrick Stoffers, Commissioner
Monroe County Commissioners

Approved this 1st day of November, 2017, by the City of Bloomington Common Council.

Susan Sandberg, President
Bloomington Common Council

ATTEST:

Nicole Bolden, Clerk

Approved this 6th day of November, 2017, by the City of Bloomington.

CITY OF BLOOMINGTON, INDIANA

John Hamilton, Mayor

ATTEST:

Nicole Bolden, Clerk