

MONROE COUNTY BOARD OF COMMISSIONERS

Date to be heard: **October 23, 2019**

Item for Formal Meeting? ☐

(Ex: Routine items, continuing grants)

OR

Item for Work Session / Discussion ☒

(Ex: Public interest items, Ordinance changes, new grants and grants that add personnel)

Title of item to appear on the agenda:

Include VENDOR's Name in title if appropriate

Ordinance 2019-41 An Ordinance approving the Justice Assistance Grant Interlocal Agreement with Bloomington

All Grants must complete the following

Is this a grant request? Yes ☐

New Grant to the County? Yes ☐

Grant Type:

Reimbursement/Drawdown ☐

Up Front Payment ☐

County IS Pass Through ☐

Federal Agency:

Federal Program:

CFDA #

Federal Award Number and Year:

Or other identifying number

Pass Through Entity

Amount Received

Federal:

State:

Local Match:

Total Received:

Contracts/Agreements/MOU- Interlocal/Ordinance/Resolution/Grant item:

Fund Name: **Jag Sheriff**

Fund Number: **8143**

Amount: **\$6,071**

If there is a monetary number in the Amount Box, you HAVE to include the Fund Name & Number. IF this is a grant waiting on the creation of a Fund Name & Number, indicate that in the boxes.

Executive Summary:

This is the 2019 version of the JAG Interlocal. The interlocal is necessary due to the Granting entity only allowing one County entity to apply for the grant. The \$6,071 allocated to the County will be used for pursuit intervention devices.

Person Presenting: **Jeff Cockerill**

Department: **Legal**

County Legal Review required prior to submission of this form for all contracts

Attorney who reviewed: **Jeff Cockerill**

Submitted by: **Jeff Cockerill**

Date: **10/17/19**

Each agenda request and all necessary documents to the Auditor's Office (Anita Freeman) at: afreeman@co.monroe.in.us AND to the Commissioner's

Office e-mail: Commissionersoffice@co.monroe.in.us

ORDINANCE 2019-41

An Ordinance Approving the Interlocal Cooperation Agreement between the City of Bloomington and Monroe County, Indiana, regarding the 2018 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 vehicle pursuit intervention devices; 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 23rd day of October, 2019, by the Board of Commissioners of Monroe County.

MONROE COUNTY BOARD OF COMMISSIONERS

"AYES"

"NAYS"

Julie Thomas, President

Julie Thomas, President

Lee Jones, Vice President

Lee Jones, Vice President

Penny Githens, Commissioner

Penny Githens, Commissioner

ATTEST:

Catherine Smith, Auditor

INTERLOCAL COOPERATION AGREEMENT
BETWEEN
THE CITY OF BLOOMINGTON AND
MONROE COUNTY, INDIANA
IN REGARDS TO 2019 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 2019 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, 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 (80%) of the total JAG funds and that the Monroe County Sheriff's Department is to receive the remaining twenty percent (20%) 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 \$33,506.00 associated with the 2019 JAG and thereafter disburse \$6,701 (20% of the total JAG funds) to the Monroe County Sheriff's Department, while retaining \$26,805.00 for use by the City of Bloomington Police Department.

Section 2. Use of Funds

The City shall use all of the \$26,805.00 it is allocated from the JAG funds towards of a TruNarc handheld narcotics analyzer.

The County shall use all of the \$6,701.00 it is allocated from the JAG funds towards the purchase of (vehicle) pursuit intervention devices.

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 than 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

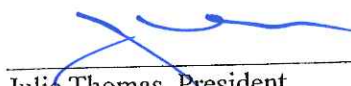
If any provision of this Agreement is declared, by a court of competent jurisdiction, to be invalid, null, void or unenforceable, the remaining provisions shall not be affected and shall have full force and effect.

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.

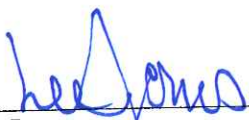
Approved this 23 day of October, 2019, by the Monroe County, Indiana Commissioners:

MONROE COUNTY, INDIANA


Julie Thomas, President
Monroe County Commissioners

ATTEST:


Catherine Smith, Auditor




Lee Jones,
Monroe County Commissioners

Not Present

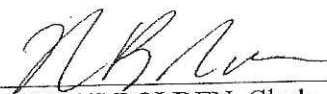
Penny Githens, Commissioner
Monroe County Commissioners

Approved this 2nd day of October, 2019, by the City of
Bloomington Common Council.



Dave Rollo, President
Bloomington Common Council


ATTEST:



NICOLE BOLDEN, Clerk

Approved this 7th day of October, 2019, by the City of
Bloomington.

CITY OF BLOOMINGTON, INDIANA



JOHN HAMILTON, Mayor

ATTEST:



NICOLE BOLDEN, Clerk