

Urbana Police Department Memorandum

TO: Mayor Prussing, City Council members **Date:** 6/1/10
FROM: Chief Michael F. Bily
RE: Justice Assistance Grant

This ordinance authorizes the Mayor to sign an intergovernmental agreement pertaining to the Edward Byrne Memorial Justice Assistance Grant. The Champaign Police Department is the lead agency for this multi-jurisdictional grant that we first obtained in 2005. Similar ordinances authorizing the mayor to sign the intergovernmental agreements were previously approved in 2005, 2006 and 2007. There is no cost share or other financial obligation to the City of Urbana. The total amount of the grant is \$145685 which is divided among the participating agencies by the formula specified in the grant. The Urbana Police Department portion for this year's grant is \$46097.

ORDINANCE NO. 2010-06-043

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT JAG PROGRAM

(Edward Byrne Memorial Justice Assistance Grant / FY 2010-2011)

WHEREAS, the Mayor and City Council find that the best interests of the City are served by authorizing an intergovernmental agreement between the City of Champaign, the City of Urbana, and Champaign County, Illinois for a Justice Assistance Grant Program.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the City Council of the City of Urbana, Champaign County, Illinois, as follows:

Section 1. That an Intergovernmental Agreement between the City of Champaign, the City of Urbana, and Champaign County, Illinois in substantially the form of the copy of said Agreement attached hereto and hereby incorporated by reference, be and the same is hereby authorized and approved.

Section 2. That the Mayor of the City of Urbana, Illinois, be and the same is hereby authorized to execute and deliver and the City Clerk of the City of Urbana, Illinois, be and the same is authorized to attest to said execution of said Agreement as so authorized and approved for and on behalf of the City of Urbana, Illinois.

PASSED BY THE CITY COUNCIL this _____ day of _____, 2010.

AYES:

NAYS:

ABSENT:

ABSTAINED:

Phyllis Clark, City Clerk

APPROVED BY THE MAYOR this _____ day of _____, 2010.

Laurel Lunt Prussing, Mayor

**INTERGOVERNMENTAL AGREEMENT
JAG PROGRAM**

(City of Champaign, City of Urbana, Champaign County)

THIS AGREEMENT is made and entered by and among the City of Champaign, An Illinois Municipal Corporation (“Champaign”), the City of Urbana, An Illinois Municipal Corporation (“Urbana”) and Champaign County, An Illinois Unit of Local Government (“County”) effective on the last date signed by a party hereto.

WHEREAS, Section 10 of Article VII of the Illinois Constitution of 1970 and the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq. enables the parties to enter into agreements among themselves and provide authority for intergovernmental cooperation; and

WHEREAS, The Edward Byrne Memorial Justice Assistant Grant Program (JAG) is a partnership among federal, state, and local governments to create safer communities by improving the functioning of the criminal justice system; and

WHEREAS, Champaign, Urbana and the County desire to apply for JAG funds to fund individual projects in the City of Champaign, City of Urbana and Champaign County.

NOW, THEREFORE, the parties agree as follows:

Section 1. The Funds. The parties acknowledge, as of the date of this Agreement, the total anticipated grant available to all agencies is ONE HUNDRED FORTY FIVE THOUSAND SIX HUNDRED EIGHTY FIVE DOLLARS (\$145,685.00).

Section 2. Grant Disposition. Proceeds from the grant shall be distributed to Champaign, Urbana, and County for funding individual local projects fitting into the JAG guidelines, in the amounts set forth in Exhibit A. Urbana and County shall notify Champaign prior to expenditure of any funds indicating the purpose of the expenditure. If the purpose is not, or may not be, within the JAG program guidelines, the parties shall discuss the purchase and no purchase shall be made until the parties have resolved the issue.

Section 3. Lead Agency. The City of Champaign is hereby designated the Lead Agency for this agreement. Responsibilities shall include leading the application process for the JAG funds, accepting any and all funds awarded through the JAG program, establishing a trust fund in which to deposit the funds received through the JAG program, distributing funds to Urbana and County and preparing required reports.

Section 4. Representative; Information Requirements. Each participant shall designate one representative to fulfill the requirements of this agreement. The representative shall exercise due diligence in providing any and all information necessary or convenient for the performance of the duties required by Champaign in Section 3 above, including submitting the JAG application and preparation of performance measures and program assessment data.

Section 5. Fund Restriction. The parties agree that no funds will be used directly or indirectly for security enhancements or equipment to nongovernmental entities not engaged in criminal justice or public safety, and that the funds will not supplant existing budgeted funds.

Section 6. Liability. Nothing in the performance of this Agreement shall impose any liability for claims against any party other than claims for which liability may be imposed by the Illinois Local Governmental and Governmental Employees Tort Immunity Act, 745 ILCS 10/1-101 *et seq.* Each party 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. The parties to this Agreement do not intend for any third party to obtain any rights by virtue of this Agreement.

Section 7. Amendments. Amendments to this agreement shall be made in writing and signed by all parties. In the event the amount of funds received is different from the amount set forth in Section 1, the parties shall exercise principals of good faith and fair dealing to amend Exhibit A in a manner consistent with the principles of this agreement and in accordance with all JAG program requirements. Such amendments may be entered into by the chief administrative officers of Champaign and Urbana, and the Sheriff.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date and year indicated herein.

CITY OF CHAMPAIGN

CHAMPAIGN COUNTY

By: _____

By: _____

Date: _____

Date: _____

ATTEST: _____

ATTEST: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

City Attorney CB 2010-_____

State's Attorney

CITY OF URBANA

By: _____
 Mayor

DATED: _____

ATTEST: _____
 City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A
(City of Champaign, City of Urbana, Champaign County)

JAG AWARD DISPOSITION

The 2010 JAG funds will be distributed to the Champaign Police Department, Urbana Police Department and the Champaign County Sheriff's Office to fund individual projects fitting into the guidelines of the JAG grant.

Champaign PD		\$ 84,705.00
Urbana PD		\$ 46,097.00
Champaign County		<u>\$ 14,883.00</u>
	Total	\$145,685.00