

# PERMANENT RECORD

RESOLUTION C-2009-8

COUNCIL AS A WHOLE

**A RESOLUTION APPROVING AN  
AGREEMENT BETWEEN THE CITY AND  
COUNTY REGARDING THE 2009  
BYRNE JUSTICE ASSISTANCE GRANT (JAG)  
PROGRAM AWARD**

WHEREAS, the City Council is aware of the benefits to the citizens of Evansville by receipt and disbursement of the annual Byrne Justice Assistance Grant Program Award ("JAG" Funds); and

WHEREAS, the City and County have agreed upon the division of costs and allocation of said JAG funds as between the City and County; and

WHEREAS, the Agreement between the City and County has been approved by the County and is attached hereto as Exhibit "A";

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Evansville, Indiana that:

1. The City Council on behalf of the City of Evansville, approves the attached Resolution/Agreement.
2. The City of Evansville shall honor and perform the terms of said Agreement, including the division of costs and allocation of funds, as contained in the attached Resolution/Agreement.

**FILED**

**MAY 06 2009**

*Alberta Matlock*  
CITY CLERK

# PERMANENT RECORD

GMS APPLICATION NUMBER 2009-F4258-IN-SB  
(Mandatory)

## RESOLUTION

**BETWEEN THE CITY OF Evansville, IN AND COUNTY OF Vanderburgh, IN**

### **2009 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD**

This Agreement is made and entered into by and between The COUNTY of Vanderburgh, acting by and through its governing body, the County Commissioners, hereinafter referred to as COUNTY, and the CITY of Evansville, acting by and through its governing body, the City Council, hereinafter referred to as CITY, witnesseth:

**WHEREAS**, each governing body, in performing 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 governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public: and

**WHEREAS**, the CITY and COUNTY believe it to be in their best interests to reallocate the \$436,143.00 JAG funds by the amount of \$388,019.00 (city) and \$48,124.00 (county).

**NOW THEREFORE, the COUNTY and CITY agree as follows:**

**Section 1.**

CITY agrees to pay COUNTY a total of \$48,124.00 of JAG funds.

**Section 2.**

COUNTY agrees to use \$48,124.00 for in-car video equipment to support law enforcement.

**Section 3.**

CITY agrees to use \$388,019.00 to pay for equipment for six new police officers, six equipped police cars for those officers, and a police outdoor firing range.

**Section 4.**

Nothing in the performance of this Agreement shall impose any liability for claims against COUNTY other than claims for which liability may be imposed by the Indiana Tort Claims Act.

**Section 5.**

Nothing in the performance of this Agreement shall impose any liability for claims against CITY other than claims for which liability may be imposed by the Indiana Tort Claims Act.

**Section 6.**

Each party to this agreement will 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.

GMS APPLICATION NUMBER 2009-F4258-IN-SB  
(Mandatory)

**FILED**

**MAY 06 2009**

*Alberta Matlock*  
CITY CLERK

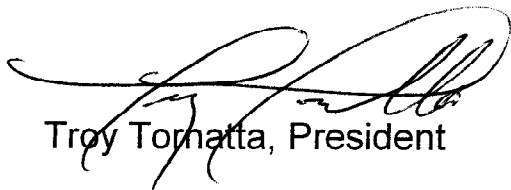
**Section 7.**

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


**Section 8.**

By entering into this Agreement, the parties 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.

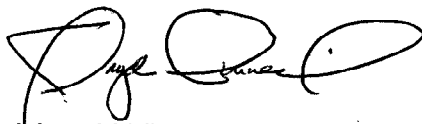
VANDEBURGH COUNTY  
BOARD OF COMMISSIONERS



Troy Tornatta, President



Steve Melcher, Vice President



Lloyd Winnecke, Member

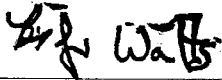
Attest: William J. Fluty, Jr.  
County Auditor



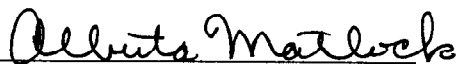
GMS APPLICATION NUMBER 2009-F4258-IN-SB  
(Mandatory)

Date \_\_\_\_\_

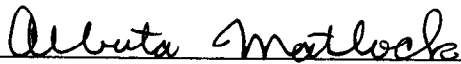
**PASSED** BY THE COMMON COUNCIL OF THE CITY OF EVANSVILLE,  
INDIANA ON THE 11 DAY OF May, 2009, ON SAID  
DAY SIGNED BY THE PRESIDENT OF THE COMMON COUNCIL AND  
ATTESTED BY THE CITY CLERK.



**B. J. Watts, PRESIDENT  
COMMON COUNCIL OF  
THE CITY OF EVANSVILLE, INDIANA**

ATTEST: 

PRESENTED BY ME, THE UNDERSIGNED CITY CLERK OF THE CITY OF  
EVANSVILLE, INDIANA, TO THE MAYOR OF SAID CITY, THIS 11 DAY  
OF May, 2009, AT 8:00 O'CLOCK A. M. FOR HIS  
CONSIDERATION AND ACTION THEREON.



**ALBERTA MATLOCK, CITY CLERK  
CITY OF EVANSVILLE, INDIANA**

HAVING EXAMINED THE FOREGOING RESOLUTION, I DO NOW, AS MAYOR  
OF THE CITY OF EVANSVILLE, INDIANA, APPROVE SAID RESOLUTION AND  
RETURN THE SAME TO THE CITY CLERK THIS 11 DAY OF May  
, 2009, AT  
2:00 O'CLOCK P. M.



**JONATHAN D. WEINZAPFEL, MAYOR  
CITY OF EVANSVILLE, INDIANA**

APPROVED AS TO FORM  
BY DAVID L. JONES, CORPORATION COUNSEL

**GMS APPLICATION NUMBER 2009-F4258-IN-SB**