

AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH DEKALB COUNTY ASSIGNING THE FUNDS FOR THE 2020 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM IN THE AMOUNT OF \$14,422 SOLELY TO THE CITY OF DEKALB.

WHEREAS, the City of DeKalb (the "City") is a home rule unit of local government which may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, the Intergovernmental Cooperation Act, 5 ILCS 220/1, *et seq.*, authorizes cooperative agreements between Illinois units of local government and counties; and

WHEREAS, the Edward Byrne Memorial Justice Assistance Grant (the "JAG") provides federal criminal justice funding to states and units of local government; and

WHEREAS, the JAG requires the City and the County of DeKalb (the "County") to enter into an intergovernmental agreement in the same or substantially similar form as Exhibit A attached hereto and incorporated herein (the "IGA") to distribute the grant funds solely to the City; and

WHEREAS, the City's Corporate Authorities find that the approval of the IGA is in the public interest and promotes the public health, safety and welfare;

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

SECTION 1: The recitals to this Resolution are true, material, adopted, and incorporated herein as Section 1 to this Resolution.

SECTION 2: The City's Corporate Authorities authorize and approve the IGA in the same or substantially similar form as Exhibit A attached hereto and incorporated herein, and further direct the City Manager to execute the IGA and to take all other acts which may be necessary to effectuate the IGA.

SECTION 3: This Resolution and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such resolution should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the Corporate Authorities of the City of DeKalb that to the extent that the terms of this resolution should be inconsistent with any non-preemptive state law, that this resolution shall supersede state law in that regard within its jurisdiction.

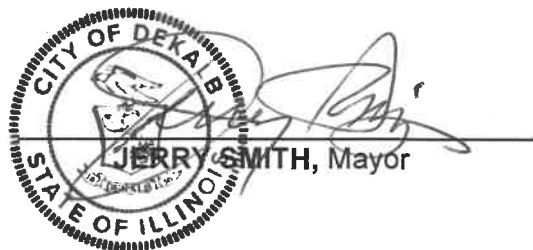
SECTION 4: That the City Clerk and/or the Executive Assistant of the City of DeKalb, Illinois be authorized and directed to attest the Mayor's signature and that this Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, at a Regular meeting thereof held on the 24th day of August 2020 and approved by me as Mayor on the same day. Passed by an 8-0 roll call vote. Aye: Morris, Finucane, Smith, Perkins, McAdams, Verbic, Faivre, Mayor Smith. Nay: None.

ATTEST:



RUTH A. SCOTT, Executive Assistant



JERRY SMITH, Mayor

**INTERAGENCY AGREEMENT
BETWEEN THE CITY OF DEKALB, ILLINOIS AND COUNTY OF DEKALB, ILLINOIS**

2020 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

This agreement is made entered into this 24th day of August 2020, by and between the DeKalb County, Illinois Sheriff's Department, hereinafter referred to as County and the City of DeKalb, Illinois Police Department hereinafter referred to as City, both of DeKalb County, State of Illinois, witnesseth:

WHEREAS, each governing body, in performing governmental functions or in pay for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party: and

WHEREAS, the CITY agrees to provide the COUNTY \$0.00 from the 2020 JAG Award for the Byrne Memorial Justice Assistance Grant for Intelligence-Driven Crime Reduction: and

WHEREAS, the CITY and COUNTY believe it to be in their best interest to reallocate the JAG funds.

NOW THEREFORE, the COUNTY and CITY agree as follows:

Section 1: CITY and COUNTY agree that the entire \$14,422 of the 2020 Byrne Justice Assistance Grant shall be allocated for use by the City for 2020.

Section 2: 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.

Section 3: The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 4: 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.

City of DeKalb, Illinois



Bill Nicklas, City Manager

8/25/2020

Date

County of DeKalb, Illinois



Gary Hansen, DeKalb County Administrator

9-2-2020

Date