

**INTERLOCAL AGREEMENT
BETWEEN THE CITY OF GASTONIA AND THE COUNTY OF GASTON, NC FOR THE
ALLOCATION OF 2023 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
AWARD**

This Interlocal Agreement is made and entered into this 7th day of November, 2023, by and between THE COUNTY of Gaston, a political subdivision of the State of North Carolina, acting by and through its governing body, the Board of Commissioners, hereinafter referred to as the COUNTY, and the CITY of Gastonia, a political subdivision of the State of North Carolina, acting by and through its governing body, the City Council, hereinafter referred to as the CITY, both of Gaston County, State of North Carolina,

WITNESSETH:

WHEREAS, this Agreement is made under the authority of N C G S §§160A-461 and 153A-445(a)(1),

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall perform such functions or make such 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 that the division of costs fairly compensates the performing party for the services or functions under this Agreement, and

WHEREAS, the CITY agrees to provide the COUNTY \$33,545 40 from the 2023 Byrne Justice Assistance Grant (JAG) award for the Programs described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, the CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds received by the City as set forth herein

NOW THEREFORE, for and in consideration of mutual promises to each as hereinafter set forth, **the COUNTY and CITY mutually agree as follows**

1. Responsibilities of the Parties.

- 1.1 Fiscal Agent.** CITY shall serve as the 2023 Fiscal Agent for the Byrne JAG Program award described herein.
- 1.2 Pass Through to County.** CITY agrees to allocate to COUNTY a total of \$33,545 50 from 2023 Byrne JAG funds received by CITY
- 1.3 County's Use of Awarded Funds.** COUNTY agrees to utilize the entire amount of these funds (\$33,545 50) for the programs and uses described in Exhibit A, which is attached

hereto and incorporated herein by reference. The funds described herein shall be expended by COUNTY by no later than September 30, 2026.

- 1.4 **Reimbursement to County.** COUNTY'S expenditures chargeable against its portion of the 2023 JAG funds will be submitted to CITY quarterly. CITY will reimburse COUNTY on a quarterly basis upon submission of appropriate documentation. Reimbursements to COUNTY shall not exceed the amount awarded to COUNTY for the 2023 Byrne JAG Program (\$33,545.50).
- 1.5 **Special Conditions.** As a Byrne JAG Sub-Awardee for FY 2023, COUNTY agrees to comply with all special conditions applicable to this award to CITY as Prime Awardee.
- 1.6 **Programmatic Conditions.** As a Byrne JAG Sub-Awardee for FY 2023, COUNTY agrees to all monitoring, financial, and programmatic conditions set forth in the applicable Grant Management and Accounting Policies and Procedures Manual.
2. **NOTICES.** Any notice, consent or other communication required or contemplated by this Agreement shall be in writing, and shall be delivered in person, by U.S. mail, by overnight courier, by electronic mail or by telefax to the intended recipient at the address set forth below. Notice shall be effective upon the date of receipt by the intended recipient, provided that any notice which is sent by telefax or electronic mail shall also be simultaneously sent by mail deposited with the U.S. Postal Service or by overnight courier. Each party may change its address for notification purposes by giving the other party written notice of the new address and the date upon which it shall become effective.

City of Gastonia:

Michael C. Peoples
City of Gastonia Manager
P.O. Box 1748
Gastonia, NC, 28053-1748
Michael.peoples@gastonianc.gov
Phone: 704.866.6719

Gaston County:

Dr. Kim S. Eagle
Gaston County Manager
P.O. Box 1578
Gastonia, NC, 28053-1578
Kim.eagle@gastongov.com
Phone : 704.866.3102

In witness whereof, the parties have caused this Agreement to be executed in their respective names the day and year first above written.

CITY OF GASTONIA

GASTON COUNTY

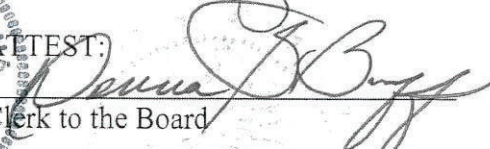

City Manager


County Manager

ATTEST:


City Clerk

ATTEST:


Clerk to the Board



APPROVED AS TO FORM:

See Attached
(Asst.) City Attorney

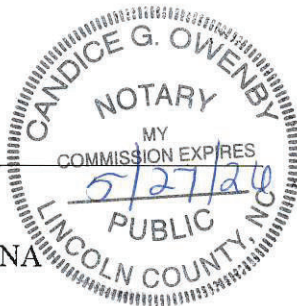
Cathy ER
(Asst.) County Attorney

STATE OF NORTH CAROLINA
COUNTY OF Gastonia City Police

I, Candice G Owenby, a Notary Public of the aforesaid County and State, do hereby certify that Suzanne J Gibbs personally appeared before me this day and acknowledged that she is the City Clerk of the City of Gastonia and that by authority duly given and as the act of the municipal corporation, the foregoing instrument was signed in its name by its City Manager, sealed with its corporate seal and attested by her as its City Clerk.

WITNESS my hand and Notarial Seal, this the 23rd day of Jan, 2023

My Commission Expires: _____



Candice G Owenby
Notary Public

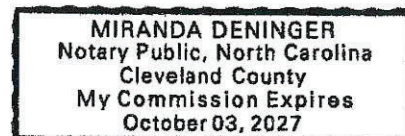
STATE OF NORTH CAROLINA
COUNTY OF GASTON

I, Miranda Deninger, a Notary Public of the aforesaid County and State, do hereby certify that Donna S. Buff personally appeared before me this day and acknowledged that she is the Clerk to the Board of Commissioners of Gaston County and that by authority duly given and as the act of the County, the foregoing instrument was signed in its name by its County Manager, sealed with its corporate seal and attested by her as its Clerk.

WITNESS my hand and Notarial Seal, this the 21st day of Aug, 2023.

My Commission Expires: October 03, 2027

Miranda Deninger
Notary Public





Contract Approvals/Certificates

CONTRACT 20240108 - 2023 BYRNE JAG GRANT

Approved as to form

Hanna S. Byrne

1/19/2024 9 04 28PM



Great Place. Great People. Great Promise.

RESOLUTION TO ACCEPT THE FISCAL YEAR 2023 EDWARD BRYNE MEMORIAL JUSTICE ASSISTANCE GRANT FROM U.S. DEPARTMENT OF JUSTICE IN THE AMOUNT OF \$78,543 AND APPROVE AN INTER-LOCAL AGREEMENT BETWEEN THE COUNTY OF GASTON AND THE CITY OF GASTONIA TO DISTRIBUTE THE 2023 JAG PROGRAM FUNDS WITH BUDGET AMENDMENT 2420018

WHEREAS, the JAG Program, administered by the Bureau of Justice Assistance (BJA), provides states, territories, tribes, and local governments with critical funding necessary to support a range of law enforcement program areas, and

WHEREAS, the BJA has offered an Edward Byrne Memorial Justice Assistance Grant (JAG) Grant in the amount of \$78,543 to perform the work detailed in the submitted application to the City of Gastonia, and

WHEREAS, pursuant to N.C.G.S. §§ 153A-445(a)(1) and 160A-460, *et. seq.*, units of local government are authorized to enter into inter-local agreements in furtherance of inter-local cooperation; and

WHEREAS, the City of Gastonia is acting as the fiscal agent administering funds awarded under this JAG Program application, and in doing so, will pass \$33,543 of the funds awarded through to Gaston County in accordance with the terms of an Inter-Local Agreement setting forth the amount of funds to be distributed by the City to the County; and

WHEREAS, the City of Gastonia intends to perform said project in accordance with the agreed scope of work, which includes the purchase of six (6) license plate reader cameras in the amount of \$45,000, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Gastonia hereby adopts budget amendment 2420018 to accept the JAG Program grant funding grant offer of \$78,543 from the BJA; and

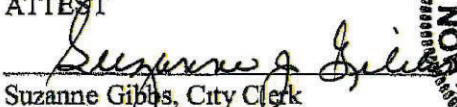
NOW, THEREFORE, BE IT FURTHER RESOLVED that the Inter-Local Agreement attached hereto and incorporated herein by reference between the City of Gastonia and Gaston County is hereby formally approved by the City Council of the City of Gastonia and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute this Inter-Local Agreement; and

That the City of Gastonia does hereby give assurance to the BJA that any Conditions or Assurances contained in the Award Agreement will be adhered to; has substantially complied, or will substantially comply, with all federal, State of North Carolina, and local laws, rules,

regulations, and ordinances applicable to the project; and to federal and State grants and loans pertaining thereto

THIS RESOLUTION adopted the 9th day of November 2023

ATTEST


Suzanne Gibbs, City Clerk




Walker E. Reid, III, Mayor

Res2702

City of Gastonia

Budget Amendment

Budget Dept

ST

Amendment #

2420018

☒ **ADDITIONAL FUNDS**
(Council approves)

☐ **TRANSFERS BETWEEN FUNDS**
(Council approves)

COUNCIL MEETING DATE:

November 9, 2023

| Account Description | Account Number | Increase (Decrease) | For Budget Use Only | |
|-----------------------------------|----------------|------------------------|---------------------|-------------------|
| | | | Existing Budget | Revised Budget |
| Local Law Enforcement Block Grant | | | | |
| JAG Grant | | | | |
| JAG Grant - US DOJ | 176-573-349330 | \$78,543 | \$0 | \$78,543 |
| Non-Capital Equipment | 176-573-34000 | \$45,000 | \$41,598 | \$86,598 |
| Grant Pass-Through | 176-573-45020 | \$33,543 | \$12,417 | \$45,960 |

Does this amendment adversely impact your operation?

Yes

No

X

If Yes - What is the impact?

REASON FOR ADJUSTMENT

Recognize the FY 2023 JAG Grant award to cover the purchases of license plate reader cameras and flow-through expenditures for Gaston County Police Department and Gaston County's Sheriff's Office.

SIGNATURES

ORIGINATOR

DATE

DEPARTMENT HEAD

DATE

Sam Thibault

10/30/23

[Signature]

10-31-23

APPROVALS

CITY MANAGER

DATE

CITY COUNCIL

DATE

Michael C. Peoples

10/30/2023

Suzanne J. Giles

11/9/2023