

VILLAGE OF BRADLEY

RESOLUTION NO. R-1-19-3

A RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT FOR THE
PURPOSE OF PROVIDING K-9 ASSISTANCE BETWEEN THE VILLAGE OF BRADLEY
AND THE VILLAGE OF MANTENO

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 28 DAY OF JANUARY, ~~2018~~ 2017

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley,
Kankakee County, Illinois this 28 day of JANUARY, 2018

RESOLUTION NO. R-1-19-3

**A RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT FOR
THE PURPOSE OF PROVIDING K-9 ASSISTANCE BETWEEN THE VILLAGE OF
BRADLEY AND THE Village of Manteno**

WHEREAS, the President and Board of Trustees of the Village of Bradley, Kankakee County, Illinois, have the authority to adopt resolutions and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, Section 10 of Article VII of the Constitution of the State of Illinois and the provisions of the Intergovernmental Cooperation Act (5 ILCS 220/1, *et. seq.*) empower the Village and other governmental entities to obtain or share services and to exercise, combine, or transfer any power or function not prohibited by any law or ordinance; and

WHEREAS, the Village of Bradley Police Department (the “Department”) owns two (2) trained and certified police canines (“K-9s”); and

WHEREAS, the Village of Bradley and the Village of Manteno desire to enter into an intergovernmental agreement under which the Department shall provide K-9 assistance to the Village of Manteno Police Department(the “Agency”); and

WHEREAS, a copy of the proposed agreement between the Village and the Village of Manteno is attached hereto as Exhibit A; and

WHEREAS, the President and Board of Trustees have determined that it is in the best interests of the citizens of the Village of Bradley that the Village enter into an intergovernmental agreement with the Village of Manteno for the purpose of providing K-9 assistance to the Agency.

NOW THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1. The President and Board of Trustees hereby find that all of the recitals contained in the preamble to this Resolution are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2. The President and Board of Trustees of the Village hereby adopt the intergovernmental agreement is attached hereto as exhibit A and fully incorporated herein (the “Agreement”).

SECTION 3. The Chief of Police of the Department is hereby authorized and directed, in his capacity as such Chief of Police, to execute the Agreement between the Village of Bradley and the Village of Manteno.

SECTION 4. The Chief of Police of the Department is further authorized to take any other action and execute any other document necessary to effectuate the Village's intent, as set forth in this Resolution, to enter into the Agreement between the Village of Bradley and the Village of Manteno.

SECTION 5. In the event that any provision or provisions, portion or portions, or clause or clauses of this Resolution shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Resolution that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

SECTION 6. That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Resolution, are hereby repealed to the extent of the conflict.

SECTION 7. That the Village Clerk is hereby directed to publish this Resolution in pamphlet form.

SECTION 8. That this Resolution shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED by the Board of Trustees on a roll call vote on the 28 day of JANUARY, 2018. 2019

TRUSTEES:

GERALD BALTHAZOR	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
ROBERT REDMOND	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
LORI GADBOIS	Aye - <input type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input checked="" type="checkbox"/>
MICHAEL WATSON	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
DON BARBER	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
NICK ALLEN	Aye - <input checked="" type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>

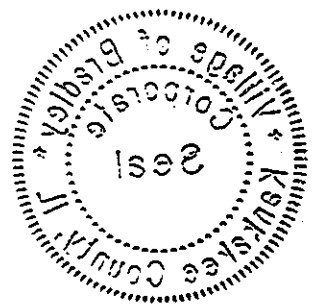
VILLAGE PRESIDENT:

BRUCE ADAMS	Aye - <input type="checkbox"/>	Nay - <input type="checkbox"/>	Absent - <input type="checkbox"/>
TOTALS:	Aye - <u>5</u>	Nay - <u>0</u>	Absent - <u>1</u>

ATTEST:


 MICHAEL J. LAGESSE, VILLAGE CLERK

APPROVED this 28 day of JANUARY, 2018.

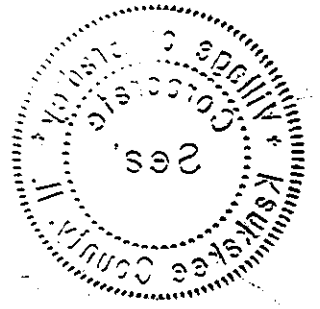




Bruce W. Adams
BRUCE ADAMS, VILLAGE PRESIDENT

ATTEST:

Michael J. Lagesse
MICHAEL J. LAGESSE, VILLAGE CLERK



1911

STATE OF ILLINOIS)
)
COUNTY OF KANKAKEE) §§

I, Michael J. LaGesse, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Resolution number R-1-19-3, "A RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT FOR THE PURPOSE OF PROVIDING K-9 ASSISTANCE BETWEEN THE VILLAGE OF BRADLEY AND THE Village of Manteno," which was adopted by the Village President and Board of Trustees at a meeting held on the 28 day of JAN, ~~2018~~. 2019

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 28 day of JAN, ~~2018~~. 2019


MICHAEL J. LAGESSE, VILLAGE CLERK



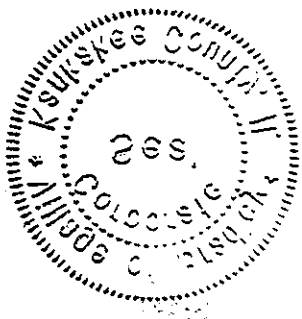


EXHIBIT A



Michael T. Johnston
 Chief of Police

147 S. Michigan Avenue
 Bradley, IL. 60915
 Office: 815.936.5115
 mtjohnston@bradleyil.org

**INTERGOVERNMENTAL AGREEMENT
 BETWEEN THE VILLAGE OF BRADLEY AND THE**

MAJESTO POLICE DEPARTMENT
 Agency Name

WHEREAS, Article VII, Section 10 of the Constitution of the State of Illinois of 1970 provides that units of local government may contract or otherwise associate among themselves to obtain or share services and to exercise, combine, or transfer any power or function in any manner not prohibited by law or by ordinance; and

WHEREAS, Section 220/5 of the Intergovernmental Cooperation Act provides that any one or more public agencies may contract with any one or more other public agencies to perform any governmental service which any of the public agencies is authorized by law to perform, provided the contract is authorized by the governing body of each part to the contract; Chapter 5 ILCS 220/1-8; and

WHEREAS, The Village of Bradley, Illinois, owns two (2) trained and certified police canines (K-9),

WHEREAS, it is in the best interest of the Village of Bradley, IL., Police Department and the MAJESTO POLICE DEPT to work cooperatively to enforce the laws of the State of Illinois by a variety of means including that of sharing mutually owned equipment.

NOW THEREFORE, in consideration of the foregoing and covenants contained herein, the parties agree to the following terms and provisions:

- 1) The Village of Bradley Police Department will approve the request for a K-9 to assist law enforcement agencies with "open air sniffs", article and person tracking, search warrants and public relations demonstrations, providing the following:
 - A. Request will be made through the Bradley PD dispatch as an "Agency Assist" by the requesting agency Shift Supervisor and /or Command Officer;
 - B. Request must be approved by the Bradley PD on-duty Shift Supervisor and/or Command Officer;
 - C. Request for search warrants, special enforcement details, public relations events and demonstrations must be approved by the Chief of Police.

- 2) The Bradley Police Department assumes liability for use of the K-9, provided that the handlers instructions/order and the Bradly Police Department policies are complied with. MAJESTO POLICE (Agency Name) assumes liability associated with the actions of its employees as well as any negligence or wrongful conduct attributable to Agency.



BRADLEY POLICE



Michael T. Johnston
Chief of Police

147 S. Michigan Avenue
Bradley, IL. 6.0915
Office: 815.936.5115
mtjohnston@bradleyil.org

- 3) The canine handler will be required to complete a detailed case report of the assist and any action taken, and will need access to information from the requesting agency.
- 4) In the event that United States currency is seized and forfeited as the result of the use of the Bradley Police Department K-9, and pursuant to the laws of the United States and the State of Illinois, the Bradley Police Department will be included in any award of at least fifteen (15) percent of the proceeds, which will be used for training, care and maintenance of Department K-9s.
- 5) This agreement shall become effective upon the date of acceptance and shall terminate one (1) year from the date of acceptance. This agreement can be amended with written consent of both parties and renewable thirty (30) days prior to the expiration date.
- 6) This agreement may be cancelled by either part upon thirty (30) days written notice to the other party.

IN WITNESS WHEREOF the undersigned duly authorized officers have subscribed their names on behalf of the Village of Bradley Police Department, IL., and the

Bradley Police Department
Agency Name

STATE OF ILLINOIS)
) ss.
VILLAGE OF BRADLEY)
MT Johnston
Michael T. Johnston
Chief of Police, Village of Bradley, IL.

12/19/18
DATE

STATE OF ILLINOIS)
) ss.
Bradley Police
Agency Name
[Signature]
Agency Administrator
Name: Alan Santos Flores
Title: Chief of Police

11-15-18
DATE