

**AN INTERLOCAL AGREEMENT CONCERNING A ONE-TIME
DISTRIBUTION OF PUBLIC SAFETY INCOME TAX PROCEEDS**

This Interlocal Agreement entered by and between Hamilton County, Indiana, acting by the Board of Commissioners of Hamilton County, ("the County"); the Hamilton County Council ("the Council"); and the Common Council of the City of Carmel, as the fiscal body of the City of Carmel ("the Unit") on the dates set out herein.

WITNESS THAT:

WHEREAS, In 2019, the Hamilton County Local Income Tax Council ("the Income Tax Council"), adopted Ordinance No. LIT-2019-1 ("the 2019 Ordinance"), to increase the Hamilton County Income Tax Rate by a one-tenth of one-percent (.01%) to be used to pay the costs of the Hamilton County Public Safety Access Point ("PSAP") and connectivity costs related thereto; and,

WHEREAS, the Hamilton County Communications Operations Board ("the HCCOB") was created under the 2019 Ordinance as an advisory board to Hamilton County regarding the budgetary and contractual obligations of the PSAP; and,

WHEREAS, the HCCOB has recommended that Five Million Dollars (\$5,000,000) from the Public Safety Income Tax Fund be distributed as a special distribution among Units within the County that provide one (1) or more public safety services as described in Indiana Code 6-3.6-6-8 to be used by the Units for legally permissible uses of Public Safety Revenue for PSAP purposes; and,

WHEREAS, Hamilton County has reviewed the request and agrees that the requested special distribution not to exceed Five Million Dollars (\$5,000,000) ("the 2023 Special Distribution") may be distributed among the Units within the County which provide one (1) or more public safety services as described in Indiana Code 6-3.6-6-8 and agree to expend it upon legally permissible uses of Public Safety Revenue for PSAP purposes and agree to indemnify and hold the Hamilton County harmless therefrom; and,

WHEREAS, the parties agree that a fair and equitable distribution of the Special Distribution is described on Exhibit A, which is attached hereto, and will be distributed to the Units that execute this form of interlocal agreement within ___ days of presentment.

IT IS THEREBY AGREED by Hamilton County and the Unit as follows:

1. The Unit acknowledges that its employees and officials of the Unit have reviewed and understand the legally permissible uses of Public Safety Revenue for PSAP purposes and agrees that the Unit's 2023 Special Distribution shall be expended solely for legally permissible uses of Public Safety Revenue for PSAP purposes.
2. The Unit acknowledges and agrees that in the event any expenditures by the Unit from the Unit's 2023 Special Distribution are found to be for an improper use or misuse of the 2023 Special Distribution by the Unit, the Unit shall be solely liable for replacement or reimbursement of the improperly used funds.
3. The Unit agrees to indemnify and hold harmless Hamilton County, the Board of Commissioners of Hamilton County, the Hamilton County Council, and all elected officials of Hamilton County, their employees, consultants, contractors, and all related persons and entities ("the Released Parties"), from and against any and all claims arising from or connected with the use or misuse by the Unit of the 2023 Special Distribution described in this Interlocal Agreement; this also releases the Released Parties from any damages or claim by any damages suffered in connection with the use of the funds in the 2023 Special Distribution from either the negligent or willful misconduct of any employee, officer, or other employee or consultant of the Unit.
4. The undersigned executing this Interlocal Agreement represents that he or she has full power and authority to execute this Interlocal Agreement on behalf of the Unit and to fully bind the Unit to the terms and conditions herein.

5. The 2023 Special Distribution described herein shall be paid within forty (40) days of appropriation of the Hamilton County Council and approval of said appropriation by the State of Indiana.


ALL OF WHICH IS AGREED by and between Hamilton County, Indiana, acting by the Board of Commissioners of Hamilton County; the Hamilton County Council; and _____, as the _____ of _____, on the dates set out below.

HAMILTON COUNTY, INDIANA


BOARD OF COMMISSIONERS OF HAMILTON COUNTY

Dated: 4/10/23


Christine Altman


Steven C. Dillinger

ATTEST:


Mark Heirbrandt


Robin M. Mills, Auditor

2023. ALL OF WHICH IS AGREED by the Hamilton County Council, this 5 day of April.

HAMILTON COUNTY COUNCIL

IN FAVOR

OPPOSED


Ken Alexander

Ken Alexander


Brad Beaver

Brad Beaver


Tim Griffin

Tim Griffin


Mark Hall


Mark Hall


Sue Maki

Sue Maki


Amy Massillamany

Amy Massillamany


STEVEN NATION

ATTEST


Robin M. Mills, Auditor

APPROVED AND ADOPTED, by the Common Council of the City of Carmel, Indiana, this ____ day of _____, 2023, by a vote of ____ ayes and ____ nays.

COMMON COUNCIL FOR THE CITY OF CARMEL

Jeff Worrell, President

Laura Campbell, Vice-President

Kevin Rider

Sue Finkam

Anthony Green

Adam Aasen

Tim Hannon

Miles Nelson

Teresa Ayers

ATTEST:

Sue Wolfgang, Clerk

Presented by me to the Mayor of the City of Carmel, Indiana this ____ day of _____ 2023, at _____ .M.

Sue Wolfgang, Clerk

Approved by me, Mayor of the City of Carmel, Indiana, this ____ day of _____ 2023, at _____ .M.

James Brainard, Mayor

ATTEST:

Sue Wolfgang, Clerk

EXHIBIT A

JURISDICTION		POPULATION	SQUARE MILES	% OF POPULATION	% OF SQUARE MILES	PUB SAFETY DUTIES	POPULATION @ 80%	SQUARE MILES @ 20%	DUTIES @ 20%	TOTALS PER UNIT
ARCADIA	POLICE (K'S FOR FIRE)	1522	0.55	0.00438	0.0014	1	13200	1400	32258	46858
ATLANTA	NONE (SHERIFF K FOR POLICE - K'S FOR FIRE)	711	0.31			0				
CARMEL	POLICE AND FIRE - K INCLUDES CLAY TWSP	99777	50.08	0.28716	0.1244	3	861600	124400	96774	1082774
CICERO	POLICE AND FIRE	5321	2.27	0.01531	0.0056	2	45900	5600	64516	116016
FISHERS	TWSP	99053	38.27	0.28507	0.0951	4	855300	95100	129032	1079432
NOBLESVILLE	POLICE AND FIRE - K INCLUDES NOB TWSP	69517	36.34	0.20007	0.0903	3	600300	90300	96774	787374
SHERIDAN	POLICE AND FIRE - K INCLUDES ADAMS TWSP	3084	2.5	0.00888	0.0062	3	25700	6200	96774	129674
WESTFIELD	POLICE AND FIRE - K INCLUDES WW TWSP	46427	32.93	0.13362	0.0818	3	400800	81800	96774	579374
COUNTY UNINCORPORATED	SHERIFF, JAIL, WORK RELEASE, JUVENILE, PROBATION, EMA, AND COURTS - K INCLUDES ATLANTA POLICE	22055	239.4	0.0635	0.5946	8	190500	594600	258064	3043164
JACKSON TWSP*	FIRE - K INCLUDES ATLANTA & ARCADIA (1 PSD EQUIVALENT)					2			64516	64516
WAYNE TWSP*	FIRE					1			32258	32258
WHITE RIVER TWSP*	FIRE					1			32258	32258
TOTALS		347467	402.65	0.99361	0.9979	31	2994300	999400	999998	4993698

* TOWNSHIPS THAT PROVIDE FIRE PROTECTION ARE INCLUDED IN THE PUBLIC SAFETY DUTIES DISTRIBUTION FORMULA