

Ord.

2017-0126

INTRODUCED BY: LARRY COCHRAN, PARISH PRESIDENT

ORDINANCE NO. 17-5-2

An ordinance to approve and authorize the execution of a Detention Agreement with Lafayette Parish Consolidated Government for use of the Lafayette Juvenile Detention Home.

WHEREAS, the St. James Youth Detention Center and the Assumption Youth Detention Center are no longer in operation; and,

WHEREAS, the St. Charles Parish Council adopted Ordinance No. 16-10-2 on October 3, 2016 approving and authorizing the execution of an Intergovernmental Participation Agreement with Terrebonne Parish Consolidated Government for use of the Terrebonne Parish Juvenile Justice Complex to accommodate up to three (3) juvenile detainees; and,

WHEREAS, the Parish of St. Charles is in need of an adequate number of beds to house juveniles who enter the juvenile justice system; and,

WHEREAS, Lafayette Parish currently has a Juvenile Detention Home in Lafayette Parish which will serve as an alternate facility when the need arises; and,

WHEREAS, St. Charles Parish desires to lease space at the Lafayette Parish Juvenile Detention Home; and,

WHEREAS, it is the desire of the Parish Council to accept said lease.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Detention Agreement between the Parish of Lafayette and the Parish of St. Charles is hereby approved and accepted.

SECTION II. That the Parish President is hereby authorized to execute said Detention Agreement on behalf of St. Charles Parish.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: HOGAN, WILSON, CLULEE, GIBBS, WOODRUFF, BELLOCK, FLETCHER, FISHER-PERRIER

NAYS: NONE

ABSENT: BENEDETTO

And the ordinance was declared adopted this 1st day of May, 2017, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Tyrell D. Wilson

SECRETARY: [Signature]

DLVD/PARISH PRESIDENT: [Signature]

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: [Signature]

RETD/SECRETARY: 5/3/17

AT: 8:00am RECD BY: [Signature]

DETENTION AGREEMENT

THIS AGREEMENT entered into on this 10 day of May, 2017, and which subsequently automatically renews effective on November 1, 2017, for a period of one (1) year, until October 31, 2018, by and between the PARISH OF LAFAYETTE, LAFAYETTE JUVENILE DETENTION HOME, represented herein by its duly authorized Mayor-President, JOEL ROBIDEAUX, and

St. Charles Parish Government

(PARISH/AGENCY NAME)

Parish President Larry Cochran

(PARISH/AGENCY REPRESENTATIVE - PRINT NAME)

who declared as follows:

WHEREAS, the Lafayette Juvenile Detention Home (hereinafter referred to as “Detention Home”), operates as a holding facility for the detention of juveniles being detained as juvenile delinquents and/or juveniles adjudicated by the courts to the State of Louisiana Department of Public Safety and Corrections, Youth Services, Office of Juvenile Justice (DPSC/YS/OJJ); and

WHEREAS, St. Charles Parish Government, (hereinafter referred to as “Parish”), has requested that the Detention Home admit, from time to time, juveniles from Parish that are classified as those that can be held in the Detention Home; and

WHEREAS, Detention Home requires as a condition of its acceptance of Parish’s juveniles, assurances from Parish that it shall pay Detention Home a per diem during such time as Parish juveniles are detained at the Detention Home.

NOW, THEREFORE, in and for the mutual considerations contained herein, the parties hereto hereby agree as follows:

I.

Detention Home agrees to admit juveniles from Parish from time to time at Detention Home’s sole discretion, with Lafayette Parish juveniles receiving priority, on the following terms and conditions:

II.

Parish agrees that for any juvenile for whom detention is granted at the Detention Home at Parish’s request, the Parish shall pay the daily per diem rate of Two Hundred Fifty Dollars (\$250.00) per day, plus any medical expenses in excess of routine medical matters handled by Detention Home’s regular physician. ~~The per diem rate is subject to change upon 30 days advance written notice to the Parish.~~

III.

Parish agrees that in the event it requests detention of juveniles who either are adjudicated to, or, while detained, become adjudicated to, the Department of Public Safety and Corrections, Youth Services, Office of Juvenile Justice (DPSC/YS/OJJ), and when the Department of Public Safety and Corrections, Youth Services, Office of Juvenile Justice (DPSC/YS/OJJ) reimburses Detention Home for a portion of the per diem per RS 15:824§824.B.(1)(a), the Parish agrees that it shall pay the Difference Rate for the detention of such juveniles, which is an amount that is equal to the difference between the Detention Home regular per diem and the DPSC/YS/OJJ reimbursement rate.

IV.

Parish agrees to make payment to Detention Home within thirty (30) days of its receipt of an invoice indicating the amount owed for the detention of juveniles at the request of Parish.

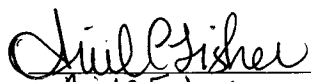
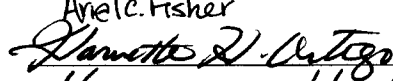
V.


In the event Parish fails to make payment timely, Parish agrees to immediately remove the juvenile from custody of Detention Home and, further that Detention Home shall have the right to refuse admittance of any further juveniles from Parish until such time as payment in full is made for all outstanding accounts due to Detention Home from the Parish.

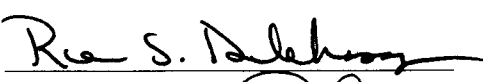
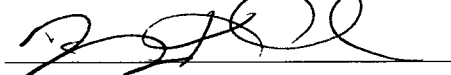
WHEREFORE, the parties hereto have affixed their signatures as their free and voluntary act or the free and voluntary act of the governmental bodies they represent, all under the day and date set forth above.

WITNESSES:

LAFAYETTE JUVENILE DETENTION HOME
PARISH OF LAFAYETTE


Ariel C. Fisher

HARVETTE H. ORTEGA

BY: 
Joel Robideaux, Mayor-President
Lafayette City-Parish Consolidated Government


(Parish/Agency Representative)
St. Charles Parish Government