

Reso.

2016-0183

INTRODUCED BY: LARRY COCHRAN, PARISH PRESIDENT

RESOLUTION NO. 6219

A resolution of a commitment to continuing the Participation Agreement with Assumption Youth Detention Center in Assumption Parish.

WHEREAS, Assumption Parish currently has a Youth Detention Center in Assumption Parish; and,

WHEREAS, Assumption Parish and the Assumption Sheriff entered into an Intergovernmental Agreement regarding the Youth Center in Assumption Parish, whereby the Sheriff has agreed to operate and maintain the Youth Center and to provide services to juveniles housed therein; and,

WHEREAS, the Assumption Youth Center has become a vital part of the manner in which local law enforcement agencies handle cases with juvenile offenders and without this facility judges and local law enforcement agencies will be forced to use alternative methods of handling juvenile offenders; and,

WHEREAS, St. Charles Parish entered into an agreement on November 5, 2013 with Assumption Parish Sheriff and Assumption Parish Sheriff is willing to renew an agreement with St. Charles Parish to house juveniles at its center.

NOW, THEREFORE, BE IT RESOLVED, THAT WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, are committed to continuing its Participation Agreement with Assumption Parish Youth Detention Center.

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

YEAS: BENEDETTO, HOGAN, WILSON, CLULEE, GIBBS, WOODRUFF, BELLOCK, FLETCHER, FISHER-PERRIER
NAYS: NONE
ABSENT: NONE

And the resolution was declared adopted this 18th day of April 2016, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: Wendy Benedetto
SECRETARY: [Signature]
DLVD/PARISH PRESIDENT: [Signature]
APPROVED: _____ DISAPPROVED: _____
PARISH PRESIDENT: [Signature]
RETD/SECRETARY: 4/18/16
AT: 12:00 p RECD BY: [Signature]

On April 18, 2016, the SCPC adopted Resolution No. 6219 committing to continuing the Participation Agreement with Assumption Youth Detention Center in Assumption Parish.

Chief Administrative Officer Billy Raymond forwarded Corr. along with two (2) partially executed Agreements to Sheriff Ireland Falcon asking that one (1) fully executed Agreement be returned to SCP.

On May 13, 2016, the Council Office received two (2) partially executed Agreements from Sheriff-Elect Falcon; the Agreements were not executed due to the closing of the Detention Center on May 31, 2016.

No Corr. was forwarded from the Council Office for Reso. 6219 per the Council Sec.

PARTICIPATION AGREEMENT

This Agreement is hereby entered into as of this 19th day of April, 2016 between the Parish of St. Charles, State of Louisiana, herein represented by its duly authorized Representative (the "Participating Agency"), and Assumption Parish Sheriff Leland Falcon (the "Sheriff").

WHEREAS, Assumption Parish is authorized under the Sub-Part G of Part XI of Chapter 7 of Title 14 of the Louisiana Revised Statutes of 1950, composed of R.S. 15:1099.1 through 1099.7 (the "Parish Youth Center Act", or, the "Act") to purchase or otherwise acquire, construct, reconstruct, rehabilitate, improve, operate, lease, or lessor or lessee, manage and administer or enter into contracts for the management, administration and operation of a youth center to house juveniles who enter the juvenile justice system in pre-adjudicatory and post-adjudicatory situations. The purpose of a youth center is to assist and afford opportunities to such juveniles to become productive, law-abiding citizens by the establishment of rehabilitative programs within a structured environment and provide physical facilities and related services for children, including the housing, care, supervision, maintenance and educations of juveniles under the age of seventeen years of age and over who were under seventeen years of age when they committed an alleged offense; and

WHEREAS, Assumption Parish developed a youth center in Assumption Parish, which includes residential units, an administration and social services building, cafeteria building, recreational building, education building and other residential facilities for delinquent, neglected or abused children or children in need of care or supervision, as well as for employees, patrons, visitors and relatives of children who enter the juvenile system or who are in need of care or supervisions (the "Youth Center"); and

WHEREAS, Assumption Parish and the Sheriff have entered into an Intergovernmental Agreement regarding the Youth Center in Assumption Parish (the Intergovernmental Agreement"), whereby the Sheriff has agreed to operate and maintain the Youth Center and to provide services to juveniles housed therein, as authorized by La.R.S. 15:1099.4(A)(1); and

WHEREAS, pursuant to the Act, any agency may enter into a participation agreement with Assumption Parish or the Sheriff as the Youth Center Administrator, by which certain space within the Youth Center may be subleased to house juveniles from a participating agency and provide for the care and maintenance of juveniles from the participating agency at the Youth Center; and

WHEREAS, it is the desire of the parties to this Participation Agreement to provide for a sublease of certain space in the Youth Center to the Participating Agency for the housing, care and maintenance of juveniles from said Participating Agency in accordance with the provisions of the Act.

NOW THEREFORE, the parties to this Participation Agreement agree as follows:

1. That the Sheriff does hereby sublease to and reserve Participating Agency, space in the Youth Center to accommodate three (3) juveniles for the Participating Agency.
2. The term of this Participation Agreement will be for a period of one (1) year beginning on June 01, 2016, subject however to annual appropriations made for this project by the Participating

Agency and the establishment of Participation Agreements to reserve a total of thirty-two (32) beds between all Participating Agencies.

3. In exchange for the sublease of beds and for the services to be provided by the Sheriff at the Youth Center for juveniles placed there by the Participating Agency, the Participating Agency shall pay to the Sheriff \$197.25 per day per juvenile bed space subleased and reserved under this agreement (Annual Compensation), which is to be paid as follows:
 - a. Annual payment due by June 15, 2016;
 - b. Semi-Annual payment due June 15, 2016 and December 15, 2017;
 - c. Quarterly payment due June 15, 2016; September 15, 2016; December 15, 2017; and March 15, 2017; or
 - d. Monthly payments with each payment due by the 15th of each month beginning June, 2016.
4. On or before May 30, 2017, the parties may agree to renew this Participation Agreement for a term of not less than one (1) year at an agreed upon rate which shall be the same for all Participating Agencies.
5. The Youth Center and the space leased and reserved therein is to be used for the temporary detention of juveniles while awaiting trial or other disposition of their cases, runaways, and/or juveniles awaiting transfer of custody to the Office of Juvenile Services. The Participating Agency is responsible for the immediate transfer of juveniles placed in the custody of the Office of Juvenile Services to an approved Office of Juvenile Services Facility.
6. The Youth Center shall be operated by the Sheriff, in accordance with rules and regulations for the operation and maintenance of the Youth Center in accordance with the Act and other applicable state and federal laws, and in accordance with the terms of the Intergovernmental Agreement between Assumption Parish and the Sheriff.
7. In the event the Participating Agency pays the Annual Compensation as provided hereinabove and thereafter finds that it needs more than three (3) beds at any time, the Participating Agency may place additional juveniles at the Youth Center, dependent upon the availability of space and payment of the customary per diem rate of \$250.00 per day at the time additional bed(s) are needed by the Participating Agency for the duration of the placement of the additional juvenile(s) at the Youth Center. The three (3) beds subleased in advance by the Participating Agency shall not be used by any other agency or entity.
8. Under the terms of this Participation Agreement, neither Assumption Parish nor the Sheriff agrees to provide transportation of juvenile detainees for court appearances, medical treatment, etc. Any such transportation shall be provided by the Participating Agency or its designee at the sole cost and risk of the Participating Agency.
9. The Participating Agency agrees that under this Agreement it is solely responsible for the cost and expense of providing prescription medication to juvenile detainees placed at the Youth Center by the Participating Agency. The Participating Agency and the Sheriff will develop and coordinate a plan to obtain and provide prescription medications to juveniles placed at the Youth Center by and at the sole cost of the Participating Agency.
10. The Sheriff shall provide basic, routine and customary onsite medical treatment as required by law. However, should any juvenile detainee placed at the Youth Center by the Participating Agency require any medical treatment beyond the basic, routine and customary medical

