



RESOLUTION #17-02

CONCURRENT RESOLUTION OF THE MIDDLE PENINSULA DETENTION COMMISSION AND ITS MEMBER JURISDICTIONS, AMENDING THE PROVISIONS OF ITS DECEMBER 1994 SERVICE AGREEMENT

Whereas, the Service Agreement ("Agreement") was signed by the Member Jurisdictions in December 1994 to govern the parties' respective obligations before, during, and after the construction of the Middle Peninsula Detention Center ("Center"); and

Whereas, because the Agreement has been in effect for 23 years, and because the Center has been constructed and placed in service, the Commission and Member Jurisdictions realize that portions of the Agreement are no longer applicable or are no longer efficient; and

Whereas, the Commission and Member Jurisdictions desire to revise the Agreement by:

1. Replacing the original "per diem" formula with a rolling 5-year member utilization method in order to improve predictability of the Member Jurisdictions' and the Commission's respective annual budget process beginning with Fiscal Year 2018;
2. Replacing "Per diem" with "Member Usage Fee" to better represent the new funding method;
3. Removing obsolete provisions that applied only during pre-construction and construction of the facility;
4. Removing references to King George County, which is no longer a member; and
5. Other technical revisions as set out in the amended Agreement attached hereto and incorporated herein.

Whereas, other than as amended hereby, the Agreement as originally adopted remains in effect; now therefore

Be it concurrently resolved, by the Middle Peninsula Juvenile Detention Commission, the Boards of Supervisors of the Counties of Caroline, Charles City, Essex, Gloucester, Hanover, James City, King and Queen, King William, Lancaster, Mathews, Middlesex, New Kent, Northumberland, Richmond, Westmoreland and York, and the Councils of the Cities of Poquoson and Williamsburg, that Agreement adopted by all of them effective December 12, 1994, is amended and readopted as set forth in the attached Agreement. Adopted this 9th day of March 2017.


Paul T. Freiling, Mayor

Attest: 
Donna Scott, City Council Clerk