

RESOLUTION NO. 471

AUTHORIZING A USE AND OPERATION AGREEMENT REGARDING THE CAPITAL DISTRICT JUVENILE SECURE DETENTION FACILITY

Introduced: 11/12/19

By Law Committee and Ms. McKnight:

WHEREAS, Pursuant to Article 3 of the Family Court Act of the State of New York, as well as the recently enacted Raise the Age legislation, it is the County's duty and responsibility to provide secure detention services for juvenile delinquents who are under court orders, and

WHEREAS, By Resolution No. 292 for 1996, the Albany County Legislature approved the creation of the Capital District Youth Center, Inc. (CDYCI) to acquire, construct, equip, and finance a regional juvenile detention facility for the counties of Albany, Rensselaer, Saratoga, and Schenectady, and

WHEREAS, Through a lease agreement dated February 1, 1997 (the "Lease"), the County of Albany entered into an agreement with CDYCI in conjunction with the Counties of Rensselaer, Saratoga, and Schenectady and developed a cost effective means to secure juveniles in need of secure detention placement on a regional basis by utilizing the regional facility operated by CDYCI, and

WHEREAS, CDYCI, the County of Albany, and the counties of Rensselaer, Saratoga, and Schenectady entered into an amended use agreement dated December 1, 2017 for the use of secured detention services at the regional juvenile detention facility, and

WHEREAS, The Albany County Executive has indicated that it is necessary to enter into a new use and operation agreement with CDYCI and the counties of Rensselaer, Saratoga, and Schenectady to simplify the contractual relationships between and among CDYCI and the member counties and to implement changes to the billing and claiming process as it relates to how the member counties will fund and be reimbursed for costs related to secure detention and specialized secure detention care for youth as required by the New York State Office of Children and Family Services, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a use and operation agreement with CDYCI and the counties of Rensselaer, Saratoga, and Schenectady regarding the regional juvenile detention facility for a term commencing January 1, 2020 and remaining in effect until the agreement is terminated pursuant to Article II of the aforementioned use and operation agreement, and, be it further

RESOLVED, That the County Attorney is authorized to approve said use and operation agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote – 11/12/19