



## Request for City Council Committee Action from the City Attorney's Office

**Date:** February 25, 2013

**To:** Honorable Betsy Hodges, Chair, Ways and Means/Budget Committee

**Subject:** Agreement with Hennepin County for payment of Adult Correctional Facility per diem charges

**Recommendation:** Authorize the proper City officials to extend the contract with Hennepin County for a period of up to three years to December 31, 2015 for the payment of Adult Correctional Facility per diem charges.

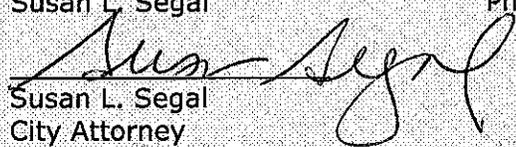
**Previous Directives:** June 17, 2011, the City Council recommends concurrence with the recommendation of the City Attorney that the proper City officers be authorized to enter into two (2) year agreement with Hennepin County for the payment of Adult Correctional Facility per diem charges.

### Department Information

Prepared by: Susan L. Segal

Phone: (612) 673-3272

Approved by:

  
Susan L. Segal  
City Attorney

Presenters in Committee: Susan L. Segal, City Attorney

### Financial Impact

- No financial impact

### Community Impact

- Supports Public Safety

### Supporting Information

The City's contract with Hennepin County expired December 31, 2012 but automatically renews for successive one year periods unless the Agreement is terminated pursuant to Section 7 of the Agreement. Pursuant to Minn. Stat. §383B.128, Hennepin County establishes per diem rates for the costs of confinement in the County's Adult Correctional Facility ("ACF") that are chargeable to municipalities. The statutory formula has led to unpredictable fluctuations in costs to the City for ACF charges. To address these fluctuations, the County and the City agreed on an annual amount to be charged that approximates the amount set by statute, but voids the year to year fluctuation. The amount for 2013 is \$910,350 with annual increases of 2% per year or as may otherwise be agreed. The agreement with the County has allowed certainty and has resulted in charges that approximate the charges that would be paid under the statutory formula.