



## Legislation Text

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**File #:** JPS-R-0058-23, **Version:** 1

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### INTERGOVERNMENTAL HOUSING AGREEMENT BETWEEN DUPAGE COUNTY AND KENDALL COUNTY FOR THE HOUSING OF PRISONERS

WHEREAS, the County of DuPage, Illinois, a unit of local government and the Sheriff of DuPage County and the County of Kendall, Illinois, a unit of local government and the Sheriff of Kendall County (hereinafter collectively referred to as "the Parties"), are desirous of entering into an Intergovernmental Housing Agreement for reciprocal housing of prisoners; and

WHEREAS, the Parties are units of local government within the meaning of Section 10 of Article 7 of the Constitution of the State of Illinois; and

WHEREAS, the Parties are also public agencies within the meaning of the Intergovernmental Cooperation Act (5 ILCS 220/1 et seq.); and

WHEREAS, the Parties are authorized to contract among themselves to obtain or share services, or exercise, combine, or transfer any power or function in any manner not prohibited by law (5 ILCS 220/3); and

WHEREAS, counties are required to keep and maintain a jail facility in its county for its use, which may be satisfied by a single jail facility jointly used and maintained by two counties (730 ILCS 125/1); and

WHEREAS, the Parties agree that it is in their best interest to enter into a contract to obtain and provide the available housing for their respective prisoners; and

WHEREAS, for purposes of this Agreement, the party to be housing the other party's prisoners and detainees shall hereinafter be referred to as the "Housing Party", and the party requesting their prisoners and detainees be housed outside the confines of their own facility and, instead be housed at the Housing Party's facility shall hereinafter be referred to as the "Non-Housing Party"; and

NOW, THEREFORE, BE IT RESOLVED by the DuPage County Board that the attached Intergovernmental Housing Agreement shall be and is hereby approved; and

BE IT FURTHER RESOLVED that the DuPage County Clerk transmit copies of this resolution to the Auditor, Treasurer, Finance Department, Sheriff, State's Attorney, the County Board, the Kendall County Clerk and one copy to the Kendall County Sheriff.

Enacted and approved this 28<sup>th</sup> day of March, 2023 at Wheaton, Illinois.

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DEBORAH A. CONROY, CHAIR  
DU PAGE COUNTY BOARD

Attest: \_\_\_\_\_

JEAN KACZMAREK, COUNTY CLERK