

**ADDENDUM TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE
COUNTY OF DUPAGE AND THE COUNTY OF KANE TO PROVIDE
JUVENILE DETENTION SERVICES**

WHEREAS, the Constitution of the State of Illinois of 1970, Article VII, Section 10, provides that units of local government may contract or otherwise associate among themselves to obtain or share services and to exercise, combine, or transfer any power or function in any matter not prohibited by law or by ordinance and may use their credit, revenues, and other resources to pay costs related to intergovernmental activities; and

WHEREAS, the COUNTY OF DUPAGE and the COUNTY OF KANE are units of local government within the meaning of Article 7 Section 1 of the Illinois constitution of 1970; and

WHEREAS, the COUNTY OF DUPAGE and the COUNTY OF KANE are public agencies within the meaning of the Intergovernmental Cooperation Act (5 ILCS 220/2); and

WHEREAS, the COUNTY OF DUPAGE is authorized to establish, support and maintain a detention home responsible for the care and custody of delinquent minors (55 ILCS 75/1); and

WHEREAS, the COUNTY OF DUPAGE is desirous of utilizing the available housing for juvenile detainees which the COUNTY OF KANE can provide; and

WHEREAS, pursuant to the Juvenile Court Act, 705 ILCS 405/5, the CIRCUIT COURT FOR THE EIGHTEENTH JUDICIAL CIRCUIT and the DESIGNATED PROBATION or DETENTION OFFICER are authorized to request detention services for juveniles in a secure detention facility; and

WHEREAS, the COUNTY OF DUPAGE may expend tax receipts for detention services purchased through agreement with the COUNTY OF KANE (55 ILCS 75/9.3)

WHEREAS, on February 6, 2020, the COUNTY OF DUPAGE entered into an agreement with the COUNTY OF KANE to provide temporary custody, specifically housing and detention services for minors authorized by the COUNTY OF DUPAGE

NOW, THEREFORE BE IT RESOLVED, that the AGREEMENT BETWEEN the COUNTY OF KANE and the COUNTY OF DUPAGE, signed and enacted on February 6, 2020, be amended as follows:

9. FEES AND PAYMENT

9.1 As consideration for the foregoing, DUPAGE COUNTY agrees to provide compensation to KANE COUNTY for the following detention services:

- (a) Per Diem fee: The amount of \$175.00 per day, per minor for occupied detention beds. KANE COUNTY shall provide an invoice to DUPAGE COUNTY by the tenth day of the month reflecting services provided during the previous month. DUPAGE COUNTY shall remit payment within 60 days after receipt of such invoice.

(b) Medical fees: DUPAGE COUNTY will reimburse KANE COUNTY for all lab fees, X-rays and prescription medications.

10. INDEMNIFICATION

10.1 Alternatively, a self-insurance reserve of \$1 million with excess coverage of \$20 million is acceptable if KANE COUNTY self-insures.

All other terms of the agreement will remain in effect until the expiration of the agreement on February 1, 2024.

IN WITNESS WHEREOF, the undersigned duly authorized officers have subscribed their names on behalf of DUPAGE COUNTY and the KANE COUNTY.

KANE COUNTY 

Signature on file

Date: 2-28-23

Madam Chair, Kane County Board
719 S. Batavia Avenue
Geneva, Illinois 60134

DUPAGE COUNTY

Date: _____

County Board Chairman
421 County Farm Road
Wheaton, Illinois 60187