



Item Number: 8

# CITY OF GRAND RAPIDS

## AGENDA ACTION REQUEST

**DATE:** August 13, 2024

**TO:** Mark Washington, City Manager

**COMMITTEE:** Fiscal Committee

**LIAISON:** Molly Clarin, Chief Financial Officer

**FROM:** Molly Clarin, Chief Financial Officer  
Fiscal Services

**SUBJECT:** **Amendment of agreement regarding jail per diem fees in accordance with the change of Kent County's new fiscal year start date**

In 2009, Kent County and the cities of Grand Rapids, Kentwood, Wyoming Grandville, and Walker entered into an agreement setting the jail per diem fee. The City of Grand Rapids approved these agreements per proceeding number 78040 on February 11, 2009. At this time, Kent County requests to amend the Agreement to conform with and reflect the County's new fiscal year which now begins October 1st.

Per the agreement, the per diem fee will be increased to the lesser of the increase to the Consumer Price Index, all urban consumers, or the percentage increase to the correctional facility costs incurred in the County's fiscal year prior to the year of application. Since 2009 these rates have been set as follows:

Year	Per Diem Rate
2009	\$35.85
2010	\$35.85
2011	\$36.39
2012	\$38.21
2013	\$38.21
2014	\$40.69
2015	\$41.02
2016	\$41.31
2017	\$41.48
2018	\$41.96
2019	\$41.96

2020	\$42.93
2021	\$43.49
2022	\$43.49
2023	\$46.27
2024	\$47.80

Your FISCAL COMMITTEE recommends the adoption of the following amendment of agreement regarding jail per diem fee between Kent County and the cities of Grand Rapids, Kentwood, Wyoming, Grandville, and Walker to conform with and reflect Kent County's new fiscal year start date.

WHEREAS:

1. The County and the Cities entered into an agreement for the fees charged for the hosting of persons in the custody of the Kent County Sheriff who have been charged with or sentenced for violation of City ordinances on or about July 9, 2009 (the "Agreement"); and
2. The Parties desire to amend the Agreement to conform with and reflect the County's new fiscal year on the terms set forth herein; and
3. The Agreement allows the modification of the Agreement by mutual written agreement; therefore

RESOLVED:

1. That the amendments to the Agreement between Kent County and the cities of Grand Rapids, Kentwood, Wyoming Grandville, and Walker be approved as follows:
  - a. Section 2(C)(iii) of the Agreement is hereby amended to state in its entirety as follows:

Effective on each October 1 (the start of the County's fiscal year), starting October 1, 2024, the per diem fee for each City shall be the prior fiscal year's per diem fee for the City, increased by the lesser of the increase to the Consumer Price Index, all urban consumers, or the percentage increase in actual Correctional Facility Costs incurred in the County's fiscal year prior to the year of application.
  - b. Section 2(C)(v) of the Agreement is hereby amended to remove and replace the term "calendar year after 2009" with the "fiscal year of the County after 2024."
  - c. Section 3 of the Agreement is hereby amended to remove and replace the term "calendar year" with the "fiscal year of the County."
  - d. Section E of Exhibit A of the Agreement is hereby amended to remove and replace the term "calendar year" with the "fiscal year of the County."

e. Effective Date; Limited Effect. This Amendment shall take effect on the most recent date noted on the execution page of this Amendment. Except as expressly provided in this Amendment, all of the terms and provisions of the Existing Agreement are and will remain in full force and effect and are hereby ratified and confirmed by the Parties. This Amendment may be executed in counterparts, with the same effect as if all parties had signed one document.

2. That the amendments to the Agreement between Kent County and the cities of Grand Rapids, Kentwood, Wyoming Grandville, and Walker, is hereby authorized in a form approved by the City Attorney, and the Mayor is authorized to execute the agreement on behalf of the City.

**CORRECT IN FORM**  
  
**DEPARTMENT OF LAW**