

**RESOLUTION TO APPROVE THE AMENDED AND RESTATED  
ALBEMARLE-CHARLOTTESVILLE REGIONAL JAIL  
AUTHORITY SERVICE AGREEMENT**

**WHEREAS**, the governing bodies of two or more counties, cities, or towns, or a combination thereof, are enabled to create a jail authority pursuant to Virginia Code § 53.1-95.2; and

**WHEREAS**, the Authority and the Member Jurisdictions (the City of Charlottesville and the Counties of Albemarle and Nelson) initially adopted a Service Agreement on November 15, 1995 with amendments adopted on March 12, 1998 and November 12, 1998 (together, the “Original Service Agreement”) establishing the Albemarle-Charlottesville Regional Jail Authority, and setting forth the respective rights and obligations of the Member Jurisdictions regarding the financing, construction, and operation of the regional jail serving their jurisdictions; and

**WHEREAS**, Section 5.3 of the Original Service Agreement was amended in 2011 to reduce the required Operating Reserve Fund to be maintained by the Authority from 90 days, or 25% of the annual budget, to 20% of the annual budget, and added a provision to allow the Operating Reserve Fund to fall below 20% under certain circumstances; and

**WHEREAS**, Section 2.2 of the Original Service Agreement was amended in 2012 to allow the County Executive to designate an assistant County Executive to act as his alternative and to vote in his place at Jail Authority Board meetings; and

**WHEREAS**, the Member Jurisdictions desire to further amend the Original Service Agreement (1) to change the funding formula so that the per diem calculation to fund operational and debt service costs is based on each member jurisdiction’s proportionate usage of the jail; (2) to establish Authority Member Jurisdictions’ obligations related to capital improvements approved but not placed in service and in the event of insufficient Authority funds for debt service; (3) to change the membership of the Board of the Authority to add a third representative from Nelson County and eliminate the representative now jointly appointed by the County of Albemarle and City of Charlottesville, thereby maintaining an eleven-member Board; and (4) to update certain language and delete other language no longer applicable. The proposed amended and restated agreement also incorporates the Operating Reserve Fund provisions as amended in 2011, and allows the chief executive officers of the Member Jurisdictions to designate other staff members to act as their alternates, who, if approved by their respective governing bodies, may attend and vote in their place.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Albemarle County, Virginia hereby approves the Amended and Restated Albemarle-Charlottesville Regional Jail Authority Service Agreement and authorizes the County Executive to execute the Agreement on behalf of the County once it is approved as to form and substance by the County Attorney.

I, Claudette Borgersen, do hereby certify that the foregoing writing is a true and correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County by a vote of \_\_\_\_\_ to \_\_\_\_\_, as recorded below, at a meeting held on \_\_\_\_\_.

\_\_\_\_\_  
Clerk, Board of County Supervisors

	Aye	Nay
Mr. Andrews	___	___
Mr. Gallaway	___	___
Ms. LaPisto-Kirtley	___	___
Ms. Mallek	___	___
Ms. McKeel	___	___
Ms. Price	___	___