

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: 08/17/2010 Consent Regular
 Ordinance Public Hearing

Department:

Submitted By: PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

Submitted For: PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

I. EXECUTIVE BRIEF

MOTION AND TITLE: Staff recommends motion to approve: A) An Amendment to the interlocal agreement (R2010-0661) with Florida Atlantic University for a no cost extension for the period October 1, 2010 – September 30, 2011 to support the Restorative Justice Project.

SUMMARY:

The Criminal Justice Commission (CJC) recommended the use of ARRA JAG funds and Criminal Justice Reserve Funds up to the amount of \$100,000 for the following project. There are unexpended funds from this project due to delays in the approval process from the Department of Justice.

The Florida Atlantic University Restorative Justice Program will develop at least one school-based demonstration program based on a restorative alternative to suspension, and/or a reentry process back into school after suspension and expulsion; integrate restorative dialogue processes into existing "Youth Empowerment Centers" as a means to help ensure that high risk and academically challenged youth can successfully remain in, and graduate from, high school; provide training and technical assistance in restorative justice practice targeted to school personnel, juvenile justice staff, school resource officers and police, and community members; and develop and report initial outcome measures, while formulating a longer-term research design and protocol for formative (and later impact) assessment of the pilot programs' effectiveness.

Countywide (DW)

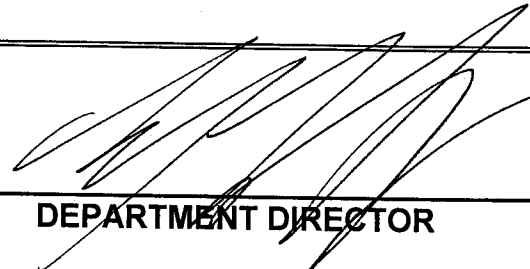
BACKGROUND AND POLICY ISSUES:

Based on national models of best-practice, the goal of the Florida Atlantic University Restorative Justice Project is to integrate restorative justice as an alternative to exclusionary zero tolerance disciplinary policies in Palm Beach schools. In conjunction with the Safe Schools Initiative of the School District of Palm Beach (SDPB), we will develop and implement restorative justice alternatives to zero tolerance in one high-risk school district, potentially including Boynton Beach, Lake Worth, Riviera Beach and Belle Glade.

Attachments:

1. 3 Originals of the First Amendment to the Interlocal Agreement with Florida Atlantic University

RECOMMENDED BY:

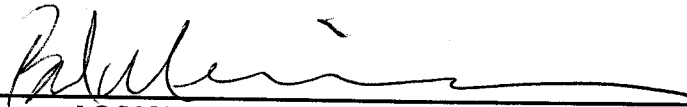


DEPARTMENT DIRECTOR

7-23-10

DATE

APPROVED BY:



ASSISTANT COUNTY ADMINISTRATOR

8/4/10

DATE

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary Of Fiscal Impact:

Fiscal Year	2010	2011	2012	2013	2014
Capital Expenditures					
Operating Costs	100,000	*			
External Revenues	<92,411>	*			
Program Income (County)	7,589	*			
In-Kind Match (County)					
NET FISCAL IMPACT	7,589				
POSITIONS (Cumulative)	0				

Is Item In Current Budget? Yes No

Budget Account No: Fund 1503 Agency 762 Org 7675 Object 8101
1507 707 7007 8101

B. Recommended Sources Of Funds/Summary of Fiscal Impact:

* Carry forward any unexpended funds
 ARRA JAG (Fund 1503) 92,411
 CJRF (Fund 1507) 7,589
 100,000

C. Departmental Fiscal Review: MJ 7/23/10

III. REVIEW COMMENTS

A. OFMB Fiscal And/Or Contract Development and Control Comments:
 Any FY2010 Budget dollars that are not used at the end of the fiscal year (9/30/2010) will be added to the FY2011 Budget in the Budget Acc. Numbers listed above.

[Signature]
 OFMB

[Signature] 7/29/10
 Contract Development & Control
 E. Jones 7/29/10

B. Legal Sufficiency:
[Signature] 8/4/10
 Assistant County Attorney

This amendment complies with our review requirements.

**FIRST AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN
THE BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY,
FLORIDA AND FLORIDA ATLANTIC UNIVERSITY,
BOCA RATON, FLORIDA**

THIS Amendment is made the first day of October, 2010 by and between the Board of County Commissioners, Palm Beach County, a political subdivision of the State of Florida (herein referred to as the COUNTY), and Florida Atlantic University acting for and on behalf of the Florida Atlantic University Board of Trustees (herein referred to as the UNIVERSITY), each one constituting a public agency as defined in Part I of Chapter 163, Florida Statutes.

WITNESSETH

WHEREAS, the Criminal Justice Commission has recommended the use of Federal Edward Byrne Memorial Justice Assistance Grant funds to support the partnership by providing funds for the UNIVERSITY to participate; and

WHEREAS, the COUNTY agreed to reimburse the UNIVERSITY for the expenses, up to the amount of \$100,000 from October 1, 2009 through September 30, 2010 for the Restorative Justice Project (RJP); and

WHEREAS, a growing body of evidence has shown that restorative justice initiatives in schools can considerably reduce overall numbers of suspensions, expulsions and disciplinary infractions; and

WHEREAS, the grant will be used to pay for training, and implementation of Restorative Justice in at least two Youth Empowerment Centers and one high or middle school and the parties have into this Agreement in order to formalize their relationship with respect to this grant.

WHEREAS, the term of said Interlocal Agreement was from October 1, 2009 through September 30, 2010; and

WHEREAS, the Restorative Justice Project involved is ongoing and there are unexpended dollars through no fault of either party; and

WHEREAS, the parties mutually desire to extend the Interlocal Agreement until September 30, 2011.

NOW THEREFORE, in consideration of the mutual promises contained herein, the COUNTY and the University agree as follows:

1. The Term of the Interlocal Agreement is amended to provide that the Interlocal Agreement shall continue until September 30, 2011;
2. The COUNTY'S representative/contract monitor during the term of this Interlocal Agreement shall be Michael L. Rodriguez, or his designee, whose telephone number is (561) 355-4943.

Pursuant to Ordinance No. 2009-049, Palm Beach County has established the Office of the

Inspector General, which is authorized and empowered to review past, present and proposed County contracts, transactions, accounts and records. All contractors and parties doing business with the County and receiving County funds shall fully cooperate with the Inspector General. The Inspector General has the power to subpoena witnesses, administer oaths, require the production of records, and to audit, investigate, monitor, and inspect the activities of the contractor, its officers, agents, employees, and lobbyists in order to ensure compliance with contract specifications and to detect waste, corruption and fraud. Where applicable, the cost of the Inspector General's Office shall be incorporated into the contract price of all contracts and shall be one quarter ($\frac{1}{4}$) of one (1) percent of the contract price.

All other provisions of said Interlocal Agreement are hereby confirmed, and except as provided herein are not otherwise altered or amended and remain in full force and effect.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

In accordance with Palm Beach County Code, Chapter 2, Article III, Section 2.51, this First Amendment shall not take effect until executed by the University and the COUNTY.

This Interlocal Agreement and First Amendment represents the entire understanding between the parties, and supersedes all other negotiations, representations, or agreement, either written or oral, relating to this.

ATTEST:

Sharon R. Bock, Clerk and Comptroller

By: _____
Deputy Clerk

(SEAL)

WITNESS:

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: _____
Burt Aaronson, Chairman

FLORIDA ATLANTIC UNIVERSITY

Camille Coley

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney

APPROVED AS TO TERMS
AND CONDITIONS

By: _____
Michael L. Rodriguez, Executive Director
Criminal Justice Commission