

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: (A) Receive and File a grant from the Florida Department of Law Enforcement (FDLE) for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for \$197,797 for October 1, 2009 through September 30, 2010; and (B) Approve a contract amendment with the City of West Palm Beach (R2007-0706), for \$98,900 for the contract period from October 1, 2009 to September 30, 2010 to support the City of West Palm Beach "Weed and Seed efforts". (C) Approve a budget amendment of \$98,900 in the general fund to establish budget for the project.

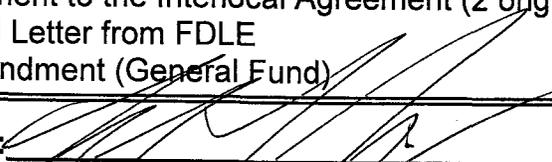
SUMMARY: The Criminal Justice Commission (CJC) recommends the use of \$98,900 from the JAG Program for the continuation of "seeding" services and to extend the existing contract period to September 30, 2010. The grant application was executed by the BCC on August 18, 2009 as Resolution R2009-1314. The delay in processing this grant in an expeditious manner was caused by delays in the approval process with state agencies and local municipalities. There is no match requirement for JAG funds. District 7 (DW)

BACKGROUND AND JUSTIFICATION: Since its inception in 1996, the City of West Palm Beach, Florida (the City) has supported the Weed and Seed effort. The City, after receiving more than ten years of federal funding totaling over three million dollars, has "graduated" and is no longer eligible for federal funding.

The City recognizes the impact that Weed and Seed has had on the community and wishes to continue to support this resident-driven program. The City commits to continuing the effort by funding the law enforcement, community policing, neighborhood restoration, and administrative efforts. The Board of County Commissioners is being asked to approve \$98,900 for "seeding" efforts. "Seeding" efforts consist of a variety of services focusing on the youth in the geographic area that are served through the City's five Safe Havens. The Safe Havens include the Pleasant City Multi-Cultural Center, the West Palm Beach Police Athletic League Activities Building, the Florence DeGeorge Boys and Girls Club, the Vickers House North and the Salvation Army Northwest Community Center and are located in the heart of the West Palm Beach Weed and Seed area. Services include after-school and summer camp personnel, FCAT enhancements, and a collaborative ex-offender re-entry program.

Attachments:

- 1. 4th Amendment to the Interlocal Agreement (2 originals)
- 2. Grant Award Letter from FDLE
- 3. Budget Amendment (General Fund)

Recommended by:  7/30/10
Department Director (Final 1) Date

Approved by:  8/9/10
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. FIVE YEAR SUMMARY OF FISCAL IMPACT:

FISCAL YEAR	2010	2011	2012	2013	2014
CAPITAL EXPENDITURES					
OPERATING COSTS	98,900				
EXTERNAL REVENUES	<197,797				
PROGRAM INCOME (County)					
CASH MATCH (County)					
NET FISCAL IMPACT	* <98,897				
# OF ADDITIONAL FTE POSITIONS					
IS ITEM IN CURRENT BUDGET?	YES		NO	X	
BUDGET ACCOUNT NO.:	FUND	AGENCY	ORG.	OBJECT	

B. RECOMMENDED SOURCES OF FUNDS/SUMMARY OF FISCAL IMPACT:

FDLE Edward Byrne Memorial JAG Grant

C. DEPARTMENTAL FISCAL REVIEW:

ms 7/23/10

III. REVIEW COMMENTS

A. OFMB FISCAL AND/OR CONTRACT ADMINISTRATION COMMENTS:

* The remaining unallocated funds of \$98,897 will be brought back to the board at a future date once the contract is finalized.

[Signature]
OFMB

[Signature]
CONTRACT ADMINISTRATION

JB 8/13/10
7/26/10
7/30/10 AD
7/29/10

This Amendment is retroactive.

B. LEGAL SUFFICIENCY:

[Signature]
ASSISTANT COUNTY ATTORNEY

C. OTHER DEPARTMENT REVIEW:

FOURTH AMENDMENT TO INTERLOCAL AGREEMENT

THIS FOURTH AMENDMENT, dated this 1st day of October, 2009, to the Agreement (R2005-2435) of December 20, 2005, by and between PALM BEACH COUNTY, a political subdivision of the State of Florida, hereinafter referred to as COUNTY, and the City of West Palm Beach, a municipality located in Palm Beach County, Florida, hereinafter referred to as CITY.

WITNESSETH:

WHEREAS, the parties have entered into the Agreement of December 20, 2005 under which the CITY agrees to provide "seeding" efforts, as more specifically set forth in the Scope of Work as detailed in "Exhibit A" of said agreement and in accordance with the resident-driven strategic plan.

WHEREAS, the COUNTY has agreed to provide support to the West Palm Beach Weed and Seed "seeding" efforts which shall be located under the direction and in the office of the City Manager; and

WHEREAS, the parties mutually desire to extend the Agreement for an additional year, until September 30, 2010 and increase the dollar amount of the agreement by an additional \$98,900; and

WHEREAS, the COUNTY agrees to reimburse the CITY from Florida Department of Law Enforcement, Recovery Act Edward Byrne Memorial Justice Assistance Grant.

NOW, THEREFORE, in consideration of the mutual covenants expressed herein, the COUNTY and CITY agree as follows:

1. The term of the Agreement is amended to provide that the Agreement shall continue until September 30, 2010.
2. The CITY agrees to provide additional support to the CITY'S Weed and Seed "seeding" efforts as more specifically set forth in the Scope of Work as detailed in "Exhibit A" and attached hereto; and
3. Subject to the receipt of the applicable funding, the total amount to be paid by the COUNTY for the additional services for the period October 1, 2009 through September 30, 2010 under this Fourth Amendment shall not exceed Ninety-Eight Thousand and Nine Hundred Dollars (\$98,900) from the COUNTY in accordance with the budget detailed in "Exhibit B" and attached hereto.
4. Based on the funding, the COUNTY's entire financial obligation shall be \$98,900 for the period October 1, 2009 - September 30, 2010.
5. The CITY agrees to provide, in writing, to the COUNTY written monthly progress/activities reports of the CITY's Weed and Seed "seeding" efforts.
6. The CITY and the COUNTY shall designate one person from each organization to meet on a monthly basis to evaluate the progress of the Weed and Seed initiative. If for any reason, the COUNTY is not satisfied with the progress of the Weed and Seed

Attachment 1

initiative, the CITY agrees to resolve the progress/performance issue(s) within thirty (30) days of the date of such written notice by the COUNTY to the CITY.

7. The CITY shall bill the COUNTY on a monthly basis at the end of each month for eligible expenses. All requests for payment of expenses eligible for reimbursement under the terms of this Agreement shall include copies of payroll registers, paid receipts, copies of checks, invoices and/or other documentation acceptable to the Palm Beach County Clerk & Comptroller Finance Division. Invoices to the COUNTY shall include a reference to this Agreement, identify the project and identify the amount due and payable to the CITY. Invoices received from the CITY will be reviewed and approved by the COUNTY's CJC Executive Director, indicating that expenditure has been made in conformity with this Agreement and then will be sent to the Palm Beach County Clerk & Comptroller Finance Division.
8. Notwithstanding the foregoing, the parties agree to act in good faith in resolving any disputes as it relates to the CITY's Weed and Seed "seeding" efforts.

All other provisions of said Agreement are hereby confirmed, and except as provided herein are not otherwise altered or amended. All the terms and conditions of the Agreement of December 20, 2005 as amended, are hereby confirmed and remain in full force and effect.

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

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IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Fourth Amendment on behalf of the COUNTY and CITY has hereunto set its hand the day and year above written.

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS:**

By: _____
Burt Aaronson,
Chair

ATTEST:
SHARON R. BOCK,
Clerk & Comptroller

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
County Attorney

APPROVED AS TO TERMS
AND CONDITIONS

By: _____
Criminal Justice Commission
Executive Director

CITY OF WEST PALM BEACH, FLORIDA

By: _____
Lois Frankel, Mayor

ATTEST:

CITY CLERK

City Attorney's Office
Approved as to form
and legal sufficiency
By: _____
Date: 7/12/10

BUDGET NARRATIVE

CONTRACTUAL (\$98,900)

Urban Youth Impact Tutorial Program – (\$18,000) To maintain the effective after-school tutorial program a request of \$18,000 is being made. These services include homework assistance, reading and math tutoring, and other activities offered to students in grades K-9. There are currently 80 students enrolled in the program. These funds will provide 2 part-time tutors (\$18,000).

Part-Time Tutors- 1,800 hours of tutoring x \$10 per hour = \$18,000
of youth served = 80

PAL Programming (\$24,200) A request of \$24,200 is being made to offset costs associated with two part-time Program Assistants and Tutoring Program Coordinator expenses that will assist with all PAL Functions out of the Police Athletic League Activities Building. The major functions include after-school and athletic programs.

Part-Time Interns- 1,308 Hours x \$13 per hour = \$17,000
Tutoring Program Coordinator- 288 Hours x \$25 per hour = \$7,200
of youth served = 300

Salvation Army (\$6,970) To provide children with the opportunity to attend a music education class by providing an instructor at the Safe Haven facility as well as music equipment, supplies and Field Trips.

Teacher Salary - 101 hours x \$40 per hour = \$4,040
Instruments - Drum Sticks, Drum Pads, Reeds, Brass Instruments = \$2,000
Piano Tuning - Service Piano – 1 x \$300 = \$300
Supplies – Music Books, Office Supplies, etc. = \$630
of youth served = 29

Gulfstream Goodwill Industries, Inc. (\$29,670) A request of \$29,670 is being made to offset costs associated with their Offender Re-Entry Program. Offenders are provided with social services (employment, housing, driver's license, etc.) to ensure they do not return to prison.

Program Manager Salary- 1,234 hours x \$15.35 per hour = \$18,941
Program Manager Benefits- \$18,941 x .2356 (Benefits are 23.56% of Salary) = \$4,462
Mileage- 2,000 miles x .50 per mile = \$1,000
Training- (To Be Determined) = \$500
Peer Support Group Facilitation = \$75 per participant x 40 participants = \$3,000
Substance Abuse Counseling- \$210 per participant x 7 participants = \$1,470
Cell Phone/Communication- 12 Months x \$18.24 per month = \$218
Postage- 12 Months x 6.58 per month = \$79
of Ex-Offenders served = 100

EXHIBIT A

DEFY (\$3,700) A request of \$3,000 is being made so that we may provide the Drug Education For Youth (DEFY) Program.

of youth served = 10

3rd and Division (\$5,000) A request of \$5,000 is being made to offset costs associated with a Youth Mentoring Program that meets on Fridays. The program is based on the "Discovering the Laws of Life" curriculum and time is set aside for games and other activities that teach team work and discipline.

Supplies and Equipment- \$1,500

Nutritious Meals for Youth Program- \$2,500

Skill Building and Training Workshops- \$1,000

of youth served = 35

Pleasant City Multi-Cultural Center (\$6,000) A request of \$6,000 is being made to provide daytime GED classes at the Pleasant City Multi-Cultural Center.

Instructor Salary- 288 hours x \$20 per hour = \$5,760

Classroom Supplies (Paper, Pencils Dictionary, Workbooks) = \$240

of participants served = 50

TRAVEL (\$5,360)

A request of \$5,360 will cover the costs to travel to Weed and Seed related conferences and meetings. We estimated the cost of each trip to be approximately \$670 per person for eight trainings. We realize that prior to any travel, the site needs pre-approval.

BUDGET DETAIL
2009-10

CONTRACTS

<u>Item</u>	<u>Service to be Procured</u>	<u>Cost</u>
Urban Youth Impact Tutorial Program	Offset Costs for Tutorial Program	\$18,000
PAL Programming	Offset costs for two Part-Time Employees	\$24,200
Salvation Army	Offset costs for Music Education Program	\$ 6,970
Gulfstream Goodwill	Offset costs associated with Re-Entry Program	\$29,670
DEFY	Summer Camp	\$ 3,700
3 rd and Division	Offset costs associated with Youth Mentoring	\$ 5,000
Pleasant City Multi-Cultural Center	GED Program	\$ 6,000

TRAVEL AND TRAINING

<u>Purpose of Travel</u>	<u>Computation</u>	<u>Cost</u>
Weed and Seed Related Workshops and Conferences		
1) Regional Meeting: 1 Person @ \$670/trip x 8 trips		\$ 5,360
Airfare	Round Trip not to exceed = \$230	
Hotel	\$106.67/night x 3 nights = \$320	
Per Diem	\$40/day x 3 days = \$120	
Total	\$670	
	TOTAL	<u>\$ 5,360</u>

TOTAL COSTS **\$98,900**

EXHIBIT B

RES 89
7/14/10

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A FOURTH AMENDMENT TO A INTERLOCAL AGREEMENT BETWEEN THE CITY OF WEST PALM BEACH AND PALM BEACH COUNTY TO CONTINUE THE FEDERAL WEED AND SEED PROGRAM IN THE TARGET AREA BOUNDED BY BANYAN BOULEVARD, AUSTRALIAN AVENUE, 59TH STREET AND THE INTERCOASTAL WATERWAY DURING THE PERIOD OF OCTOBER 1, 2009, THROUGH SEPTEMBER 30, 2010; PROVIDING ADDITIONAL FUNDING; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, by Resolution 276-07, the City Commission authorized the execution of an initial Interlocal Agreement under which the Palm Beach County Criminal Justice Commission (CJC) was to provide support and funding to the City of West Palm Beach in an amount not to exceed Fifty Thousand Dollars (\$50,000), for the period of April 1, 2007, through September 30, 2007 (the "2007 Initial Interlocal"), for the City's Weed and Seed "seeding efforts" in the target area bounded by Banyan Boulevard, Australian Avenue, 59th Street and the Intercoastal Waterway (the "Target Area"); and

WHEREAS, by Resolution No. 360-07, the City Commission authorized the execution of an Amendment to the Interlocal Agreement between the City of West Palm Beach and Palm Beach County which provides continued funding of the nationally recognized Weed and Seed Program in the Target Area, extending the agreement for an additional year, until September 30, 2008, and providing additional One Hundred Thousand Dollars (\$100,000.00) of funding (the "First Amendment"); and

WHEREAS, by Resolution No. 425-08, the City Commission authorized the execution of a Second Amendment to the Interlocal Agreement between the City of West Palm Beach and Palm Beach County which provides continued funding of the nationally recognized Weed and Seed Program in the Target Area, extending the agreement for an additional year, until September 30, 2008, and providing additional One Hundred Thousand Dollars (\$100,000.00) of funding (the "Second Amendment"); and

WHEREAS, by Resolution No. 384-09 the City Commission authorized the execution of a further amendment to the Interlocal Agreement with the City to provide additional support to the West Palm Beach Weed and Seed "seeding efforts," for the period of October 1, 2009, through September 30, 2010, providing One Hundred Thousand Dollars (\$100,000) to the City to continue the efforts to improve the lives of citizens in the Target Area (the "2009 PBC Interlocal");

WHEREAS, the One Hundred Thousand Dollars \$100,000.00 of funding for the 2009 PBC Interlocal was not ultimately authorized by the Florida Department of Law Enforcement (FDLE), but rather the original budget was amended to reflect a deduction



City of West Palm Beach
Finance Department
Risk Management Division
401 Clematis Street, 5th floor
West Palm Beach, FL 33401

Re: Certificate of Insurance

Certificate Holder: Palm Beach County for Weed and Seed Resolution 230-10

Without waiving the right to sovereign immunity as provided by FL Statutes Section 768.28, this acknowledges that the City of West Palm Beach is self insured for General Liability and Automobile liability with coverage limits of \$100,000 per person and \$200,000 per occurrence. The city is also self insured for Workers Compensation and Employer's Liability insurance in accordance with FL Statutes, Chapter 440. Additionally, the City is self insured for physical damage to any property leased or rented.

The City carries an excess liability policy. Please feel free to contact me with any questions you may have.

Regards,

A handwritten signature in black ink, appearing to read "Roger Moore". The signature is fluid and cursive.

Roger W. Moore, ARM-P
Risk Manager

"An Equal Opportunity Employer"



Florida Department of
Law Enforcement

Gerald M. Bailey
Commissioner

Office of Criminal Justice Grants
Post Office Box 1489
Tallahassee, Florida 32302-1489
(850) 617-1250
www.fdle.state.fl.us

Charlie Crist, Governor
Bill McCollum, Attorney General
Alex Sink, Chief Financial Officer
Charles H. Bronson, Commissioner of Agriculture

MAY 18 2010

The Honorable Jeff Koons
Chairman
Palm Beach County Board of Commissioners
301 North Olive Avenue
West Palm Beach, FL 33401-4700

Re: Contract No. 2010-ARRC-PALM-2-W7-350

Dear Chairman Koons:

The Florida Department of Law Enforcement is pleased to award a Recovery Act Edward Byrne Memorial Justice Assistance Grant to your unit of government in the amount of \$ 197,797.00 for the project entitled, PALM BEACH COUNTY WEED & SEED PROGRAM. These funds shall be utilized for the purpose of reducing crime and improving public safety.

A copy of the approved subgrant application with the referenced contract number is enclosed for your file. All correspondence with the Department should always refer to the project number and title.

Your attention is directed to the Standard Conditions of the subgrant and to the special Recovery Act Conditions. These conditions should be reviewed carefully by those persons responsible for project administration to avoid delays in project completion and costs reimbursements. Please note there are special reporting requirements for the Recovery Act funds. Receipt of funds are contingent upon timely reporting.

The enclosed Certification of Acceptance should be completed and returned to the Department within 30 calendar days from the date of award. This certificate constitutes official acceptance of the award and must be received by the Department prior to the reimbursement of any project expenditures.

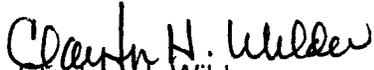
Committed to
Service • Integrity • Respect • Quality

Attachment 2

The Honorable Jeff Koons
Page Two

We look forward to working with you on this project. If we can be of further assistance,
please contact Janice Parish at 850/617-1250.

Sincerely,


Clayton H. Wilder
Administrator

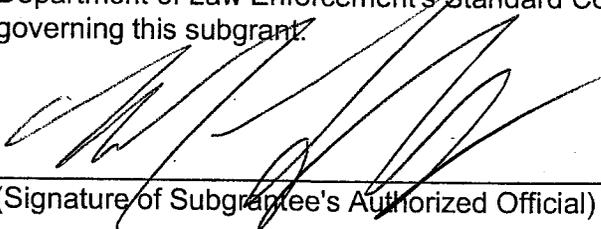
CHW/JP/ps

Enclosures

State of Florida
Office of Criminal Justice Grants
Florida Department of Law Enforcement
2331 Phillips Road
Tallahassee, FL 32308

CERTIFICATE OF ACCEPTANCE OF SUBGRANT AWARD

The subgrantee, through its authorized representative, acknowledges receipt and acceptance of subgrant award number 2010-ARRC-PALM-2-W7-350, in the amount of \$ 197,797.00, for a project entitled, PALM BEACH COUNTY WEED & SEED PROGRAM, for the period of 10/01/2009 through 09/30/2010, to be implemented in accordance with the approved subgrant application, and subject to the Florida Department of Law Enforcement's Standard Conditions and any special conditions governing this subgrant.



(Signature of Subgrantee's Authorized Official)

Michael L. Rodriguez, Executive Director, CJC
(Typed Name and Title of Official)

Palm Beach County BCC
(Name of Subgrantee)

May 24, 2010
(Date of Acceptance)

10-1045

**BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET AMENDMENT**

Page 1 of 1

FUND 0001 - General Fund

BGEX 767-072310*1860
BGRV 767-072310*566

Use this form to provide budget for items not anticipated in the budget.

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED as of 7/22/10	REMAINING BALANCE
REVENUES								
<u>JAG State Solicitation - FDLE</u>								
762-7666-3129	Grant Revenue	0	458,122	98,900	0	557,022		
TOTAL REVENUES		<u>999,824,019</u>	<u>1,028,797,995</u>	<u>98,900</u>	<u>0</u>	<u>1,028,896,895</u>		
EXPENDITURES								
<u>JAG State Solicitation - FDLE</u>								
762-7666-8101	Payments to other governmental agencies	0	267,278	98,900	0	366,178	192,000	174,178
TOTAL EXPENDITURES		<u>999,824,019</u>	<u>1,028,797,995</u>	<u>98,900</u>	<u>0</u>	<u>1,028,896,895</u>		

Attachment 3

Criminal Justice Commission
 INITIATING DEPARTMENT/DIVISION
 Administration/Budget Department Approval
 OFMB Department - Posted

Signatures	Date
	7/30/10
	8-3-10

AFB
7/30/10
SN
7/30/10

By Board of County Commissioners
At Meeting of 8/17/10

Deputy Clerk to the
Board of County Commissioners