# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: 6/07/2011 [X] Consent [ ] Regular [ ] Ordinance [ ] Public Hearing

Department:

Submitted By: PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

## I. **EXECUTIVE BRIEF**

MOTION AND TITLE: Staff recommends motion to approve: (A) A Third Amendment to the Interlocal Agreement (R2010-0529) with the City of West Palm Beach to extend the expiration date from March 31, 2011 to September 30, 2011 to support the West Palm Beach Youth Violence Prevention Project; (B) A Third Amendment to the Interlocal Agreement (R2010-0532) with the City of Lake Worth to extend the expiration date from March 31, 2011 to September 30, 2011 to support the Lake Worth Youth Violence Prevention Project.

**SUMMARY:** The Criminal Justice Commission (CJC) recommended the use of \$1,691,582 from the Federal FY09 Recovery Act Edward Byrne Memorial Justice Assistance grant for the continuation of the Youth Violence Prevention Project (YVPP) and its primary partners, the five cities at greatest risk for future violence. The Florida Department of Law Enforcement (FDLE) approved this six month extension on March 22, 2011. Only the cities of West Palm Beach and Lake Worth have funds to extend. The City of Belle Glade's Interlocal Agreement was previously extended on March 1, 2011. Countywide (GB)

BACKGROUND AND POLICY ISSUES: On February 15, 2005, the Board of County Commissioners (BCC) directed the Criminal Justice Commission (CJC) to develop a Youth Violence Prevention Project which would address the increase in violent firearms crimes. A Youth Violence Prevention Steering Committee was formed to bring local agencies together to create a comprehensive youth violence reduction program. The five targeted areas that became evident through violent crime mapping (GIS) analysis include Riviera Beach, West Palm Beach, Lake Worth, Boynton Beach, and Belle Glade. The YVPP began the fourth year of implementation and funding on October 1, 2009. To date, the funds have established Youth Empowerment Centers in all five geographic areas identified as hot-spots and a Justice Service Center in Riviera Beach. In addition, joint law enforcement operations with multiple revenue sources complete the suppression component of the YVPP. Remaining grant funds of \$150,000 will be contracted for law enforcement training and technology for the 4<sup>th</sup> year evaluation.

# Attachments:

1. Third Amendment to the Interlocal Agreement with the City of West Palm Beach (2)

2. Third Amendment to the Interlocal Agreement with the City of Lake Worth (3)

3. FDLE, Office of Criminal Justice Grants, Grant Adjustment Notice.

**RECOMMENDED BY:** 

DEPARTMENT DIRECTOR

DATE

**APPROVED BY:** 

ASSISTANT COUNTY ADMINISTRATOR

DATE

# II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:						
Fiscal Year	2011	2012	2013	2014	2015	
Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County)						
NET FISCAL IMPACT	0					
POSITIONS (Cumulative)	***************************************	<del></del> ,			· .	
Is Item In current Budget?	Yes X	No _				
Budget Account No: Fund <u>0001</u> Dep <u>767</u> Unit <u>7681/7683</u> Object <u>8101</u>						
B. Recommended Sources Of Funds/Summary of Fiscal Impact:						
C. Departmental Fiscal Review:						
UL DEVUENA CONSERENTO						
III. REVIEW COMMENTS						
A. OFMB Fiscal And/Or Contract Development and Control Comments: There is no additional fiscal impact associated with this item						
OFMB SING	5/1/2011		D. J.	Greek	1518911	
B. Legal Sufficiency:		Wi	the or	rents.	is comp)	
Assistant County Attorney		· · · · · · · · · · · · · · · · · · ·	•			

REVISED 9/95 ADM FORM 01

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

Contract NO. 08557.004 Res 122-11

# THIRD AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, FLORIDA, AND THE CITY OF WEST PALM BEACH, FLORIDA

This Third Amendment is made the first day of April 2011 to the Agreement of April 6, 2010 R2010-0529 between the Board of County Commissioners, Palm Beach County, a political subdivision of the State of Florida (herein referred to as the COUNTY), and the City of West Palm Beach, a municipality located in Palm Beach County, Florida (herein referred to as the CITY), each one constituting a public agency as defined in Part I of Chapter 163, Florida Statutes.

### WITNESSETH:

WHEREAS, Section 163.01 of the Florida Statutes, known as the Florida Interlocal Cooperation Act of 1969, authorizes local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, Part I of Chapter 163 of the Florida Statutes permits public agencies as defined therein to enter into Interlocal Agreements with each other to exercise jointly any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

WHEREAS, The Criminal Justice Commission, upon direction from the Board of County Commissioners, continues the development of a Youth Violence Prevention Project which addresses the increase in violent firearms crimes; and

**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 CITY to participate; and

WHEREAS, the COUNTY agreed to reimburse the CITY for expenses, up to the amount of \$323,000 from October 1, 2009 through March 31, 2011 for the Youth Violence Prevention Project; and

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

**NOW THEREFORE,** in consideration of the mutual representations, terms, and covenants hereinafter set forth, the parties hereby agree as follows:

1. The Term of the Interlocal Agreement is amended to provide that the Interlocal Agreement shall continue until September 30, 2011.

Attachment # \_\_\_\_\_/

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.

All other provisions of said 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 Third Amendment shall not take effect until executed by the CITY and the COUNTY.

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

ATTEST:	
Sharon R. Bock, Clerk and Comptroller	PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS
Ву:	Ву:
Deputy Clerk	Karen T. Marcus, Chair
(SEAL)	
CITY CLERK CITY OF THE STATE OF	CITY: West Palm Beach  Straid In Muliu  Geraldine Muoio, Mayor  CITY: West Palm Beach  Straid In Muliu  Geraldine Muoio, Mayor
APPROVED AS TO FORM AND	APPROVED AS TO TERMS
LEGAL SUFFICIENCY	AND CONDITIONS
Ву:	Ву:
County Attorney	Michael L. Rodriguez, Executive Director Criminal Justice Commission

# THIRD AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, FLORIDA, AND THE CITY OF LAKE WORTH, FLORIDA

This Third Amendment is made the first day of April 2011 to the Agreement of April 6, 2010 R2010-0532 between the Board of County Commissioners, Palm Beach County, a political subdivision of the State of Florida (herein referred to as the COUNTY), and the City of Lake Worth, a municipality located in Palm Beach County, Florida (herein referred to as the CITY), each one constituting a public agency as defined in Part I of Chapter 163, Florida Statutes.

### WITNESSETH:

WHEREAS, Section 163.01 of the Florida Statutes, known as the Florida Interlocal Cooperation Act of 1969, authorizes local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

**WHEREAS**, Part I of Chapter 163 of the Florida Statutes permits public agencies as defined therein to enter into Interlocal Agreements with each other to exercise jointly any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

WHEREAS, The Criminal Justice Commission, upon direction from the Board of County Commissioners, continues the development of a Youth Violence Prevention Project which addresses the increase in violent firearms crimes; and

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 CITY to participate; and

**WHEREAS,** the COUNTY agreed to reimburse the CITY for expenses, up to the amount of \$265,170 from October 1, 2009 through March 31, 2011 for the Youth Violence Prevention Project; and

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

**NOW THEREFORE,** in consideration of the mutual representations, terms, and covenants hereinafter set forth, the parties hereby agree as follows:

1. The Term of the Interlocal Agreement is amended to provide that the Interlocal Agreement shall continue until September 30, 2011.

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

Attachment # \_\_\_\_\_

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.

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

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

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

ATTEST:			
Sharon R. Bock, Clerk and Comptroller	PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS		
Ву:	Ву:		
Deputy Clerk	Karen T. Marcus, Chair		
(SEAL)			
CITY OF LAKE WORTH			
(MUNICIPALITY SEAL BELOW)	By:  Rene Varela, Mayor  By:  Pamela J. Lopez, City Clerk  Reviewed And Approved For Execution:  By:  Susan Stanton, ICMA-CM City Manager  Approved As to Form and Legal Sufficiency: By:  Elaine A. Humphreys City Attorney		
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	APPROVED AS TO TERMS AND CONDITIONS		
Ву: Ву:			
County Attorney Mic	hael L. Rodriguez, Executive Director		

Criminal Justice Commission

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

# Recovery Act Edward Byrne Memorial JAG Program

## **GRANT ADJUSTMENT NOTICE**

SUBGRANTEE: Palm Beach County Board of Commissioners

TITLE OF PROJECT: PALM BEACH COUNTY YOUTH VIOLENCE PREVENTION

**PROJECT** 

GRANT NUMBER: 2010-ARRC-PALM-3-W7-348 ADJUSTMENT NUMBER: 10

NATURE OF ADJUSTMENT: RevBudNarr/GrtPerExt

TO SUBGRANTEE:

Pursuant to your request of 03/10/2011 the following change, amendment, or adjustment in the above grant project is approved subject to such conditions or limitations as may be set forth below:

Authorized Official

Clayton H. Wilder Administrator

The revised budget narrative reflecting line item changes in the contractual services category is approved. Total for budget category remains the same.

The grant period is extended through September 30, 2011.

NOTE: Retain this Grant Adjustment Notice as part of official project records.

Attachment #