

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: 5/01/2012

☒ Consent
☐ Ordinance

☐ Regular
☐ 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) the reinstatement and extension of the Interlocal Agreement (R2010-0661) with Florida Atlantic University from March 31, 2012, to September 30, 2012, to support the Restorative Justice Project; and (B) a Budget Transfer of \$27,326 within the JAG-LLEBG ARRA Grant Fund from reserves to meet continuing funding obligations in the grant programs.

SUMMARY: The Criminal Justice Commission (CJC) recommended the use of the American Reinvestment and Recovery Act Justice Assistance Grant Program (ARRA JAG) funds and Criminal Justice Reserve Fund funds, totaling \$100,000 for the project. The extension is to allow for the completion of the grant program. Countywide (PGE)

BACKGROUND AND POLICY ISSUES: The Florida Atlantic University Restorative Justice Program will develop at least one school-based demonstration program based on a restorative alternative to suspension 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.

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 County schools. In conjunction with the Florida Atlantic University, the Safe Schools Initiative of the School District of Palm Beach (SDPB) has developed and implemented restorative justice alternatives to zero tolerance in one high-risk school in the district, and possibly expanding to West Palm Beach, Lake Worth, Riviera Beach and Belle Glade. There is no match requirement for the ARRA JAG Program.

Attachment:

1. Interlocal Agreement with Florida Atlantic University (2)
2. Budget Transfer (Fund 1503)

RECOMMENDED BY: _____

DEPARTMENT DIRECTOR

DATE

3/29/12

APPROVED BY: _____

ASSISTANT COUNTY ADMINISTRATOR

DATE

4/20/12

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Year	2012	2013	2014	2015	2016
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT					
POSITIONS (Cumulative)					

Is Item In adopted Budget? Yes _____ No X

Budget Account No: **Fund** _____ **Agency** _____ **Org** _____ **Object** _____

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

JAG-LLEBG ARRA Program (Fund 1503)

* Unexpended funds (\$19,577 + \$7,749) were administratively carried forward to reserves. There is no additional fiscal impact as a result of this extension.

C. Departmental Fiscal Review: mil 4/4/12

III. REVIEW COMMENTS

A. OFMB Fiscal And/Or Contract Development and Control Comments:

OFMB

WS

4-10-12

4/5/2

Contract Development & Control

4-19-12 (Reb) 6666

B. Legal Sufficiency:

The BCC approved the original Agreement on 4/20/10, with a retroactive effective date of 10/1/09.

Assistant County Attorney

**INTERLOCAL AGREEMENT BETWEEN
THE BOARD OF COUNTY COMMISSIONERS,
PALM BEACH COUNTY, FLORIDA, AND
FLORIDA ATLANTIC UNIVERSITY,
BOCA RATON, FLORIDA
REINSTATING THE TERMS OF THE INTERLOCAL AGREEMENT (R2010-0661), AS AMENDED**

This Interlocal Agreement dated _____ reinstates the Interlocal Agreement of October 1, 2009, R2010-0661, as amended (Original Agreement), 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, a university located in Palm Beach County, Florida (herein referred to as the UNIVERSITY), each one constituting a public agency as defined in Part I of Chapter 163, Florida Statutes.

W I T N E S S E T H:

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, COUNTY received a grant award of \$92,411 from the Department of Justice and \$7,589 from the Criminal Justice Reserve Fund for a twelve month period to integrate restorative justice as an alternative to exclusionary zero tolerance disciplinary policies; and

WHEREAS, the COUNTY agreed to reimburse the UNIVERSITY for expenses from the Department of Justice grant up to the amount of \$92,411 and for expenses from the Criminal Justice Reserve Fund up to the amount of \$7,589 from October 1, 2009 through September 30, 2010 for the Restorative Justice Project. The Agreement was extended an additional twelve (12) months to September 30, 2011 and six months to March 31, 2012; and

WHEREAS, the UNIVERSITY did not expend all funds prior to the expiration of the Original Agreement; and

WHEREAS, the parties mutually desire to reinstate the terms of the Original Agreement and extend the date to September 30, 2012.

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

1. The Original Agreement (R2010-0661), the First Amendment (R2010 -1301), and the Second Amendment (R2011-1816) are reinstated in their entirety; and
2. The Term of the Original Agreement shall be extended until September 30, 2012.

All other provisions of said Original Agreement are hereby confirmed, and except as provided herein, are not otherwise altered or amended and shall 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 Agreement shall not take effect until executed by the UNIVERSITY 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:

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

Sharon R. Bock, Clerk and Comptroller

By: _____

Deputy Clerk

(SEAL)

By: _____

Shelley Vana, Chair

FLORIDA ATLANTIC UNIVERSITY

By: Nancy Thoman 4/5/12

~~Camille Coley~~

Nancy S. Thoman
Associate Director
Sponsored Programs
Florida Atlantic University

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS
AND CONDITIONS**

By: _____

County Attorney

By: [Signature] 4/2/12

Michael L. Rodriguez, Executive Director
Criminal Justice Commission

12- 0759

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET TRANSFER

Page 1 of 1

BGEX 762-032912*1223

FUND 1503 - JAG-LLEBG ARRA Fund

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 3/28/12	REMAINING BALANCE
EXPENDITURES								
762-7675-8101	Contributions to Other Gov't Agencies	60,000	60,000	27,326		87,326	19,577	67,749
762-9900-9902	Operating Reserves	27,511	70,932		27,326	43,606	0	43,606
<u>TOTAL EXPENDITURES</u>				<u>27,326</u>	<u>27,326</u>			

Criminal Justice Commission

INITIATING DEPARTMENT/DIVISION

Administration/Budget Department Approval

OFMB Department - Posted

Signatures

Date

[Signature] 3/29/12
[Signature] 4/12/2012

By Board of County Commissioners
At Meeting of 5/01/12

Deputy Clerk to the
Board of County Commissioners

Attachment #

2