

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

Agenda Item #:

5E-1

AGENDA ITEM SUMMARY

Meeting Date: February 4, 2014

Consent
Ordinance

Regular
Public Hearing

Department

Submitted By: County Attorney's Office

Submitted For: Palm Beach County Criminal Justice Commission

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to: (a) approve on preliminary reading and advertise for public hearing on March 11, 2014, at 9:30 a.m.: An Ordinance of the Board of County Commissioners of Palm Beach County, Florida, Chapter 2, Article V, Division 5 (Ordinance No. 1988-16, amended by Ordinance No. 1989-003, amended by Ordinance No. 1990-038, amended by Ordinance No. 1992-014, amended by Ordinance No. 1992-025, amended by Ordinance No. 1993-001, amended by Ordinance No. 1993-035, and amended by Ordinance 1995-006); relating to The Criminal Justice Commission of Palm Beach County; amending Section 2-216 (Created); amending Section 2-219 (Operation); adding Section 2-222 (Compliance with Uniform Policy for Advisory Boards and Commissions); providing for Repeal of Laws in Conflict; providing for Severability; providing for Inclusion in the Code of Laws and Ordinances; providing for Captions; and providing an Effective Date; and (b) waive the Board of County Commissioner policy that limits advisory board members to eleven members under Resolution No. R2013-0913.

Summary: The proposed Ordinance amendments incorporate the uniform policies and procedures for advisory boards adopted by the Board of County Commissioners in Resolution No. R2013-0913, with the exception of the number of members making up the commission. The Criminal Justice Commission Ordinance (Ordinance No. 88-16, as amended) establishes the framework for the Palm Beach County Criminal Justice Commission ("Criminal Justice Commission") to operate and it creates the Criminal Justice Commission ("CJC"). The Ordinance gives the CJC a broad scope of authority to coordinate all aspects of the state and federal criminal justice system with the goal of permanently reducing crime in the County. Resolution No. R2013-0913 sets the maximum number of members on an advisory board at eleven (11) members, however there are currently thirty-three (33) members on the CJC (twenty-one (21) members from the public sector and twelve (12) members from the private sector). The number was originally established by the Board to incorporate representatives from a variety of state and federal law enforcement and related agencies involved with the criminal justice system, as well as from unrelated individuals in the private sector, to achieve a balanced perspective when evaluating and coordinating existing systems and programs. In order to carry on with this goal, staff recommends the Board waive the maximum number of members so that the CJC membership may remain at 33 members. The League of Cities has no opposition to the proposed Ordinance amendments.
Countywide (PGE)

Background and Policy Issues: The CJC was established in 1988 to study all aspects of the criminal justice and crime prevention systems within the federal, state, municipal and private agencies within the County. The primary function of the CJC is to recommend to the Board those policies and programs that will provide the best overall coordination to law enforcement and crime prevention efforts, provide an efficient, cost effective and timely criminal justice system, and effect the reduction of crime in the County on a permanent basis.

Attachments:

1. Proposed Criminal Justice Commission Ordinance (with delineations)
2. Proposed Criminal Justice Commission Ordinance (without delineations)

Recommended by: _____

County Attorney

Date

1-15-15

Approved By: _____

N/A

Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
Net Fiscal Impact	**	_____	_____	_____	_____

ADDITIONAL FTE

POSITIONS (Cumulative) _____

Is Item Included In Current Budget? Yes No

Budget Account Exp No: Fund _____ Department _____ Unit _____ Object _____
 Rev No: Fund _____ Department _____ Unit _____ Object _____

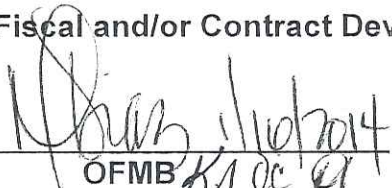
B. Recommended Sources of Funds/Summary of Fiscal Impact:

**NO FISCAL IMPACT


C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

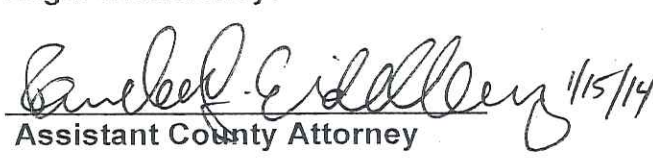


 OFMB *1/10/2014*
1/15 1/15 1/15



 Contract Dev. and Control *1/21/14*

B. Legal Sufficiency:



 Assistant County Attorney *1/15/14*

C. Other Department Review:

 Department Director

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

ORDINANCE NO. 2014 - _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, DIVISION 5 (ORDINANCE NO. 1988-16, AMENDED BY ORDINANCE NO. 1989-003, AMENDED BY ORDINANCE NO. 1990-038, AMENDED BY ORDINANCE NO. 1992-014, AMENDED BY ORDINANCE NO. 1992-025, AMENDED BY ORDINANCE NO. 1993-001, AMENDED BY ORDINANCE NO. 1993-035, AND AMENDED BY ORDINANCE 1995-006); RELATING THE CRIMINAL JUSTICE COMMISSION OF PALM BEACH COUNTY; AMENDING SECTION 2-216 (CREATED); AMENDING SECTION 2-219 (OPERATION); ADDING SECTION 2-222 (COMPLIANCE WITH UNIFORM POLICY FOR ADVISORY BOARDS AND COMMISSIONS); PROVIDING FOR A REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CAPTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the coordination of all aspects of the law enforcement and crime prevention efforts in Palm Beach County, Florida is important to Palm Beach County; and

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida is empowered and has the duty to take such action as is necessary for the coordination of an efficient, cost effective and timely criminal justice system, and to effect the reduction of crime, in Palm Beach County, Florida; and

WHEREAS, for the health, safety and welfare of the citizens of Palm Beach County, the Board of County Commissioners of Palm Beach County, Florida desires that a Criminal Justice Commission be established as an advisory board with a broad scope of authority to coordinate all aspects of the state and federal criminal justice system in Palm Beach County, Florida, and advise the Board of County Commissioners; and

WHEREAS, on February 5, 2013, the Board of County Commissioners ("Board") adopted Resolution 2013-0193, establishing uniform policies and procedures for Palm Beach County advisory boards, committees and commissions; and

WHEREAS, the membership of the Criminal Justice Commission is subject to the rules and procedures on advisory boards as provided in Resolution R2013-0193, as may be amended, it is now necessary to amend Chapter 2, Article V, Division 5 of the Palm Beach County Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY

1 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

2 **Section 1. Created.**

3 Section 2-216 of Chapter 2, Article V, Division 5 of the Palm Beach County Code is
4 amended to read as follows:

5 There is hereby established an advisory commission to be known as the "Palm Beach
6 County Criminal Justice Commission," herein referred to as the "Criminal Justice
7 Commission." The Criminal Justice Commission shall be comprisedeomposed of twenty-one
8 (21) public sector members and twelve (12) private sector members for a total commission of
9 thirty-three (33) members in accordance with the policies and procedures established by the
10 Board of County Commissioners for advisory commissions as followsthe following
11 membershipfrom the private and public sector:

12 (a) Public Sector Membership:

- 13 1. Chair or Commission member of the Palm Beach County Board of County
- 14 Commissioners
- 15 2. Palm Beach County Sheriff
- 16 3. State Attorney, 15th Judicial Circuit
- 17 4. Public Defender, 15th Judicial Circuit
- 18 5. Clerk of the Palm Beach County Circuit Court
- 19 6. Chief Judge, 15th Judicial Circuit
- 20 7. Administrative Judge, Juvenile Division, 15th Judicial Circuit
- 21 8. Supervisory Special Agent, Federal Bureau of Investigation, West Palm
- 22 Beach
- 23 9. Senior Agent, Drug Enforcement Administration, West Palm Beach
- 24 10. Member Palm Beach County School Board
- 25 11. Member, Palm Beach County Legislative Delegation
- 26 12. Member, ~~Municipal League of Palm Beach County~~ League of Cities
- 27 13. District IX Juvenile Justice Manager, Florida Department of Juvenile
- 28 Justice
- 29 14. President, Police Chief's Association
- 30 15. Resident Agent in Charge, Bureau of Alcohol, Tobacco & Firearms
- 31 (ATF), West Palm Beach Field Office, U.S. Treasury Department
- 32 16. Chief, West Palm Beach Police Department
- 33 17. Circuit Administrator, Florida Department of Corrections, 15th Judicial
- 34 Circuit
- 35 18. Supervisory Special Agent, Florida Department of Law Enforcement
- 36 19. President, Crime Prevention Officers' Association
- 37 20. United States Attorney, Southern District of Florida or Assistant U.S.
- 38 Attorney, West Palm Beach
- 39 21. Member, Palm Beach County Association of Criminal Defense Lawyers

40 ~~The terms for the members representing the Board of County Commissioners, the~~
41 ~~school board, the legislative delegation, and the municipal league shall be for a~~
42 ~~period of two (2) years. The remaining public sector members' term of~~
43 ~~membership will be for the duration of their position entitling them to sit as a~~

1 ~~member of the Criminal Justice Commission.~~

2 The term of membership for the Public Sector members will be for the duration of
3 their position entitling them to sit as a member of the Criminal Justice
4 Commission.

5 (b) Private Sector Membership: Twelve (12) persons will be nominated by the
6 Palm Beach County Economic Council, but not necessarily members of the
7 Economic Council, and said nominations will shall be submitted to and
8 confirmed by the Board of County Commissioners of Palm Beach County,
9 Florida, for approval. These members shall be representative of all segments of
10 Palm Beach County, Florida.~~and which persons shall be representative of all~~
11 ~~segments of Palm Beach County, Florida.~~

12 ~~The terms for the members representing the Board of County Commissioners, the~~
13 ~~school board, the legislative delegation, and the municipal league shall be for a~~
14 ~~period of two (2) years. The remaining public sector members' term of~~
15 ~~membership will be for the duration of their position entitling them to sit as a~~
16 ~~member of the Criminal Justice Commission.~~

17 (c) Maximum Number of Boards:
18 The maximum number of Boards that an individual member appointed by the
19 Board of County Commissioners may serve on at one time shall be three (3),
20 except that no individual may serve on more than one (1) board, including if
21 doing so would violate Article II, Section 5 (a) of the Florida Constitution which
22 prohibits dual office holding.

23 (d) Terms of Office: ~~Private sector~~ Private Sector members shall be appointed for
24 a three-year term, with said term commencing on January 1 for the first year of
25 appointment and expiring on December 31 of the third year. Beginning on or
26 after March 1, 2013, no member shall be appointed or reappointed to the
27 Criminal Justice Commission for more than three (3) consecutive three (3) year
28 terms. Existing member's terms shall end on December 31st of the year in which
29 their term expires.

30 (e) Vacancies: Vacancies occurring during a term shall be filled for the
31 unexpired term, and shall not count toward the member's term limits.

(f) Residency: All members of the Criminal Justice Commission must be

1 residents of Palm Beach County at the time of appointment or nomination and
2 while serving on the Criminal Justice Commission. Exemptions to this
3 requirement are allowed when circumstances warrant outside
4 technical/professional representation, or if statute or other rule specifies.~~All~~
5 ~~members of the Criminal Justice Commission shall be electors of Palm Beach~~
6 ~~County, Florida.~~ Appointed members of the Criminal Justice Commission shall
7 serve at the pleasure of the appointing body.

8 (g) Removal for Lack of Attendance: Members shall be automatically removed
9 for lack of attendance. Lack of attendance is defined as failure to attend three (3)
10 consecutive meetings or a failure to attend more than one-half of the meetings
11 scheduled during a calendar year. Participation for less than three-fourths of a
12 meeting shall be the same as failure to attend a meeting. Members removed
13 pursuant to this paragraph shall not continue to serve on the Criminal Justice
14 Commission and such removal shall create a vacancy, unless otherwise provided
15 by statute or other binding rule.

16 (h) Qualification as a Candidate: Criminal Justice Commission members shall
17 not be prohibited from qualifying as a candidate for elected office.

18 (i) Conduct of Meeting: A quorum must be present for the conduct of all
19 Criminal Justice Commission meetings. A majority of the members appointed
20 shall constitute a quorum. All meetings shall be governed by Robert's Rules of
21 Order.

22 (j) Sunshine Law and State Code of Ethics: Criminal Justice Commission
23 members shall comply with the Sunshine Law and State Code of Ethics.
24 Reasonable public notice of all Criminal Justice Commission meetings shall be
25 provided. All meetings of the Criminal Justice Commission shall be open to the
26 public at all times and minutes shall be taken at each meeting.

27 (k) Palm Beach County Code of Ethics: Criminal Justice Commission members
28 are to comply with the applicable provisions of the Palm Beach County Code of
29 Ethics as codified in Section 2-254 through 2-260 of the Palm Beach County
30 Code.

31 (l) Annual Narrative Report: The Criminal Justice Commission shall submit an

1 annual narrative report to the Agenda Coordinator. The form, substance, and
2 submittal dates for annual narrative reports are established by PPM CW-O-060, as
3 may be amended from time to time.

4 **Section 2. Operation.**

5 Section 2-219 of Chapter 2, Article V, Division 5 of the Palm Beach County Code is
6 amended to read as follows:

7 (a) Travel Expenses, Reimbursement and Approval Authority: Members of the
8 Criminal Justice Commission shall serve without compensation, but may be
9 eligible for travel reimbursement for only those expenses which are incurred for
10 travel outside Palm Beach County which is necessary to fulfill Criminal Justice
11 Commission member responsibilities provided sufficient funds have been budgeted
12 and are available as set forth in PPM CW-0-038. No other expenses are
13 reimbursable except documented long distance phone calls to the liaison County
14 Department. Any approved travel reimbursement shall be subject to those actual
15 expenses at the rate or rates established by State law and County travel policy.
16 Approval authority for pre-authorized Criminal Justice Commission member travel
17 is designated to the County Administrator and Deputy County Administrator and
18 shall be in accordance with Countywide Policy and Procedures memoranda (PPM)
19 CW-F-009. Members of the criminal justice commission shall serve without
20 compensation but may apply for reimbursement for authorized expenses incurred
21 in connection with their official duties.

22 (b) The Criminal Justice Commission shall operate with such funding and staffing
23 as the Board of County Commissioners shall approve from time to time.
24 Without prior approval, the Criminal Justice Commission shall have no
25 authority to incur expenses for which Palm Beach County, Florida, would become
26 liable.

27 **Section 3. Compliance with Uniform Policy for Advisory Boards and Commissions.**

28 Section 2-222 of Chapter 2, Article V, Division 5 of the Palm Beach County Code is
29 hereby added to read as follows:

30 Compliance with Uniform Policy for Advisory Boards and Commissions: Except as
31 provided for herein, the Criminal Justice Commission is expressly subject to all uniform policies
32 for advisory boards and commissions as established by the Board of County Commissioners
33 pursuant to Resolution 2013-0193, as may be amended.

34
35 **Section 4. Repeal of Laws in Conflict.**

36 All local laws and ordinances applying to the unincorporated area of Palm Beach County
37 in conflict with any provision of this article are hereby repealed to the extent of any conflict.

1 **Section 5. Severability.**

2 If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any
3 reason held by the Court to be unconstitutional, inoperative or void, it is the intent of the Board
4 of County Commissioners that such holding shall not affect the remainder of this Ordinance.
5

6 **Section 6. Inclusion in the Code of Laws and Ordinances.**

7 The provisions of this Ordinance shall become and be made a part of the Code of Laws
8 and Ordinances of Palm Beach County, Florida. The sections of this Ordinance may be
9 renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to
10 "section," "article," or any other appropriate word.
11

12 **Section 7. Captions.**

13 The captions, section headings, and section designations used in this Ordinance are for
14 convenience only and shall have no effect on the interpretation of the provisions of this
15 Ordinance.
16

17 **Section 8. Effective Date.**

18 The provisions of this Ordinance shall become effective upon filing with the Department
19 of State.

20 APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach
21 County, Florida, on this the ____ day of _____, 2014.

22
23
24 SHARON R. BOCK,
25 CLERK & COMPTROLLER
26
27

PALM BEACH COUNTY, FLORIDA BY ITS
BOARD OF COUNTY COMMISSIONERS

28
29 By _____
30 Deputy Clerk
31

By: _____
Priscilla A. Taylor, Mayor

32
33 APPROVED AS TO FORM AND
34 LEGAL SUFFICIENCY
35

36
37 By: _____
38 County Attorney
39
40

1 Filed with the Department of State on the _____ day of _____, 2014.

ORDINANCE NO. 2014 - _____

1
2
3 AN ORDINANCE OF THE BOARD OF COUNTY
4 COMMISSIONERS OF PALM BEACH COUNTY,
5 FLORIDA, AMENDING CHAPTER 2, ARTICLE V,
6 DIVISION 5 (ORDINANCE NO. 1988-16, AMENDED BY
7 ORDINANCE NO. 1989-003, AMENDED BY ORDINANCE
8 NO. 1990-038, AMENDED BY ORDINANCE NO. 1992-014,
9 AMENDED BY ORDINANCE NO. 1992-025, AMENDED BY
10 ORDINANCE NO. 1993-001, AMENDED BY ORDINANCE
11 NO. 1993-035, AND AMENDED BY ORDINANCE 1995-006);
12 RELATING THE CRIMINAL JUSTICE COMMISSION OF
13 PALM BEACH COUNTY; AMENDING SECTION 2-216
14 (CREATED); AMENDING SECTION 2-219 (OPERATION);
15 ADDING SECTION 2-222 (COMPLIANCE WITH
16 UNIFORM POLICY FOR ADVISORY BOARDS AND
17 COMMISSIONS); PROVIDING FOR A REPEAL OF LAWS
18 IN CONFLICT; PROVIDING FOR SEVERABILITY;
19 PROVIDING FOR INCLUSION IN THE CODE OF LAWS
20 AND ORDINANCES; PROVIDING FOR CAPTIONS; AND,
21 PROVIDING AN EFFECTIVE DATE.
22

23 WHEREAS, the coordination of all aspects of the law enforcement and crime prevention
24 efforts in Palm Beach County, Florida is important to Palm Beach County; and

25 WHEREAS, the Board of County Commissioners of Palm Beach County, Florida is
26 empowered and has the duty to take such action as is necessary for the coordination of an
27 efficient, cost effective and timely criminal justice system, and to effect the reduction of crime,
28 in Palm Beach County, Florida; and

29 WHEREAS, for the health, safety, and welfare of the citizens of Palm Beach County, the
30 Board of County Commissioners of Palm Beach County, Florida desires that a Criminal Justice
31 Commission be established as an advisory board with a broad scope of authority to coordinate all
32 aspects of the state and federal criminal justice system in Palm Beach County, Florida, and
33 advise the Board of County Commissioners; and

34 WHEREAS, on February 5, 2013, the Board of County Commissioners ("Board")
35 adopted Resolution 2013-0193, establishing uniform policies and procedures for Palm Beach
36 County advisory boards, committees and commissions; and

37 WHEREAS, the membership of the Criminal Justice Commission is subject to the rules
38 and procedures on advisory boards as provided in Resolution R2013-0193, as may be amended,
39 it is now necessary to amend Chapter 2, Article V, Division 5 of the Palm Beach County Code of
40 Ordinances.
41

1 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
2 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

3 **Section 1. Created.**

4 Section 2-216 of Chapter 2, Article V, Division 5 of the Palm Beach County Code is
5 amended to read as follows:

6 There is hereby established an advisory commission to be known as the "Palm Beach
7 County Criminal Justice Commission," herein referred to as the "Criminal Justice Commission."
8 The Criminal Justice Commission shall be comprised of twenty-one (21) public sector members
9 and twelve (12) private sector members for a total commission of thirty-three (33) members in
10 accordance with the policies and procedures established by the Board of County Commissioners
11 for advisory commissions as follows:

12 (a) Public Sector Membership: Chair or Commission member of the Palm Beach County
13 Board of County Commissioners

- 14 1. Palm Beach County Sheriff
- 15 2. State Attorney, 15th Judicial Circuit
- 16 3. Public Defender, 15th Judicial Circuit
- 17 4. Clerk of the Palm Beach County Circuit Court
- 18 5. Chief Judge, 15th Judicial Circuit
- 19 6. Administrative Judge, Juvenile Division, 15th Judicial Circuit
- 20 7. Supervisory Special Agent, Federal Bureau of Investigation, West Palm
21 Beach
- 22 8. Senior Agent, Drug Enforcement Administration, West Palm Beach
- 23 9. Member Palm Beach County School Board
- 24 10. Member, Palm Beach County Legislative Delegation
- 25 11. Member, Palm Beach County League of Cities
- 26 12. District IX Juvenile Justice Manager, Florida Department of Juvenile
27 Justice
- 28 13. President, Police Chief's Association
- 29 14. Resident Agent in Charge, Bureau of Alcohol, Tobacco & Firearms
30 (ATF), West Palm Beach Field Office, U.S. Treasury Department
- 31 15. Chief, West Palm Beach Police Department
- 32 16. Circuit Administrator, Florida Department of Corrections, 15th Judicial
33 Circuit
- 34 17. Supervisory Special Agent, Florida Department of Law Enforcement
- 35 18. President, Crime Prevention Officers' Association
- 36 19. United States Attorney, Southern District of Florida or Assistant U.S.
37 Attorney, West Palm Beach
- 38 20. Member, Palm Beach County Association of Criminal Defense Lawyers

39 The term of membership for the Public Sector members will be for the duration of
40 their position entitling them to sit as a member of the Criminal Justice
41 Commission.

42 (b) Private Sector Membership: Twelve (12) persons will be nominated by the
43 Palm Beach County Economic Council, but not necessarily members of the

1 Economic Council, and said nominations will be submitted to the Board of
2 County Commissioners of Palm Beach County, Florida for approval. These
3 members shall be representative of all segments of Palm Beach County, Florida.

4 (c) Maximum Number of Boards: The maximum number of Boards that an
5 individual member appointed by the Board of County Commissioners may serve
6 on at one time shall be three (3), except that no individual may serve on more than
7 one (1) board, including if doing so would violate Article II, Section 5 (a) of the
8 Florida Constitution which prohibits dual office holding.

9 (d) Terms of Office: Private Sector members shall be appointed for a three-year
10 term, with said term commencing on January 1 for the first year of appointment
11 and expiring on December 31 of the third year. Beginning on or after March 1,
12 2013, no member shall be appointed or reappointed to the Criminal Justice
13 Commission for more than three (3) consecutive three (3) year terms. Existing
14 member's terms shall end on December 31st of the year in which their term
15 expires.

16 (e) Vacancies: Vacancies occurring during a term shall be filled for the
17 unexpired term, and shall not count toward the member's term limits.

18 (f) Residency: All members of the Criminal Justice Commission must be
19 residents of Palm Beach County at the time of appointment or nomination and
20 while serving on the Criminal Justice Commission. Exemptions to this
21 requirement are allowed when circumstances warrant outside
22 technical/professional representation, or if statute or other rule specifies.
23 Appointed members of the Criminal Justice Commission shall serve at the
24 pleasure of the appointing body.

25 (g) Removal for Lack of Attendance: Members shall be automatically removed
26 for lack of attendance. Lack of attendance is defined as failure to attend three (3)
27 consecutive meetings or a failure to attend more than one-half of the meetings
28 scheduled during a calendar year. Participation for less than three-fourths of a
29 meeting shall be the same as failure to attend a meeting. Members removed
30 pursuant to this paragraph shall not continue to serve on the Criminal Justice
31

1 Commission and such removal shall create a vacancy, unless otherwise provided
2 by statute or other binding rule.

3 (h) Qualification as a Candidate: Criminal Justice Commission members shall
4 not be prohibited from qualifying as a candidate for elected office.

5 (i) Conduct of Meeting: A quorum must be present for the conduct of all
6 Criminal Justice Commission meetings. A majority of the members appointed
7 shall constitute a quorum. All meetings shall be governed by Robert's Rules of
8 Order.

9 (j) Sunshine Law and State Code of Ethics: Criminal Justice Commission
10 members shall comply with the Sunshine Law and State Code of Ethics.
11 Reasonable public notice of all Criminal Justice Commission meetings shall be
12 provided. All meetings of the Criminal Justice Commission shall be open to the
13 public at all times and minutes shall be taken at each meeting.

14 (k) Palm Beach County Code of Ethics: Criminal Justice Commission members
15 are to comply with the applicable provisions of the Palm Beach County Code of
16 Ethics as codified in Section 2-254 through 2-260 of the Palm Beach County
17 Code.

18 (l) Annual Narrative Report: The Criminal Justice Commission shall submit an
19 annual narrative report to the Agenda Coordinator. The form, substance, and
20 submittal dates for annual narrative reports are established by PPM CW-O-060, as
21 may be amended from time to time.

22 **Section 2. Operation.**

23 Section 2-219 of Chapter 2, Article V, Division 5 of the Palm Beach County Code is
24 amended to read as follows:

25 (a) Travel Expenses, Reimbursement and Approval Authority: Members of the
26 Criminal Justice Commission shall serve without compensation, but may be
27 eligible for travel reimbursement for only those expenses which are incurred for
28 travel outside Palm Beach County which is necessary to fulfill Criminal Justice
29 Commission member responsibilities provided sufficient funds have been budgeted
30 and are available as set forth in PPM CW-0-038. No other expenses are
31 reimbursable except documented long distance phone calls to the liaison County
32 Department. Any approved travel reimbursement shall be subject to those actual

1 expenses at the rate or rates established by State law and County travel policy.
2 Approval authority for pre-authorized Criminal Justice Commission member travel
3 is designated to the County Administrator and Deputy County Administrator and
4 shall be in accordance with Countywide Policy and Procedures memoranda (PPM)
5 CW-F-009.

- 6 (b) The Criminal Justice Commission shall operate with such funding and staffing as
7 the Board of County Commissioners shall approve from time to time. Without
8 prior approval, the Criminal Justice Commission shall have no authority to incur
9 expenses for which Palm Beach County, Florida, would become liable.

10 **Section 3. Compliance with Uniform Policy for Advisory Boards and Commissions.**

11 Section 2-222 of Chapter 2, Article V, Division 5 of the Palm Beach County Code is
12 hereby added to read as follows:

13 Compliance with Uniform Policy for Advisory Boards and Commissions: Except as
14 provided for herein, the Criminal Justice Commission is expressly subject to all uniform policies
15 for advisory boards and commissions as established by the Board of County Commissioners
16 pursuant to Resolution 2013-0193, as may be amended.

17 **Section 4. Repeal of Laws in Conflict.**

18 All local laws and ordinances applying to the unincorporated area of Palm Beach County
19 in conflict with any provision of this article are hereby repealed to the extent of any conflict.

21 **Section 5. Severability.**

22 If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any
23 reason held by the Court to be unconstitutional, inoperative or void, it is the intent of the Board
24 of County Commissioners that such holding shall not affect the remainder of this Ordinance.

25 **Section 6. Inclusion in the Code of Laws and Ordinances.**

26 The provisions of this Ordinance shall become and be made a part of the Code of Laws
27 and Ordinances of Palm Beach County, Florida. The sections of this Ordinance may be
28 renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to
29 "section," "article," or any other appropriate word.

30 **Section 7. Captions.**

31 The captions, section headings, and section designations used in this Ordinance are for
32 convenience only and shall have no effect on the interpretation of the provisions of this
33 Ordinance.

1 **Section 8. Effective Date.**

2 The provisions of this Ordinance shall become effective upon filing with the Department
3 of State.

4 APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach
5 County, Florida, on this the ____ day of _____, 2014.

6
7 SHARON R. BOCK,
8 CLERK & COMPTROLLER

PALM BEACH COUNTY, FLORIDA BY ITS
BOARD OF COUNTY COMMISSIONERS

9
10
11
12 By _____
13 Deputy Clerk

By: _____
Priscilla A. Taylor, Mayor

14
15
16 APPROVED AS TO FORM AND
17 LEGAL SUFFICIENCY

18
19
20 By: 
21 County Attorney

22
23
24 Filed with the Department of State on the ____ day of _____, 2014.