Agenda Item #3D- #

#### PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS <u>AGENDA ITEM SUMMARY</u>

Meeting Date:	August 19, 2014	[X] Consent [ ] Public Hearing	[] Regular
Department			3
Submitted By:	COUNTY ATTORNEY		
Submitted For:			

### I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: Payment to the Florida Association of Counties, Inc. in the amount of \$2,500, and any subsequent invoice for a cumulative total not to exceed \$5,000, for Palm Beach County's share of costs and fees associated with the Department of Juvenile Justice Administrative Rule Challenge.

**Summary:** In response to the request for counties to participate in the litigation, the County Attorney recommended that Palm Beach County join and expend up to \$5,000. Receiving no objection, Palm Beach County was named along with the Florida Association of Counties (FAC) and 22 other counties as a plaintiff in the subject action. <u>Countywide</u> (DMN)

**Background and Justification:** FAC hired the law firm of Nabors, Giblin & Nickerson to represent FAC and 23 individual counties in administrative proceedings on the new proposed rules governing the counties' cost share of pre-disposition juvenile secured detention and the rule challenge flowing from those rules. This item requests approval of the payment to FAC of the invoice attached and payment of any subsequent invoices for a cumulative total not to exceed \$5,000.

Attachments:			
1. July 16, 2014	Memorandum & Invoice from	Florida Associatio	on of Counties, Inc.
Recommended by:	VODIN	Mm	7/24/14
	County Attorney		Date
Approved by:	N/A		

Date

### II. FISCAL IMPACT ANALYSIS

Α.	Five Year Summa	ry of Fiscal Iı	mpact:				
	Fiscal Years	2014	2015	2016	2017	2018	
-	al Expenditures ating Costs	\$ 5,000					
Prog	nal Revenues ram Income (Count nd Match (County)	y)					
NE	T FISCAL IMPACT	\$5,000					
	DDITIONAL FTE SITIONS (Cumulativ	/e)					
Is Ite	m Included in Curre	ent Budget?		Yes_X_ I	No		
Budg	et Account No.:	Fund <u>0001</u>	Depar	tment <u>760</u>	Unit <u>7601</u>	Object <u>3125</u>	
		Reporting C	Categor	У			
В.	Recommended So PBC General Fund	ources of Fur d	nds/Sur	nmary of Fis	scal Impact:		
C.	Departmental Fisc	al Review: _					
		III. <u>REV</u>	IEW CC	MMENTS			
Α.	OFMB Fiscal and/	or Contract [	Develop	ment and C	ontrol Comm	ients:	
В.	Legal Sufficiency:		<u> 25 </u> 14	Don'tract De	J. Journa evelopment a	nd Control	9114
	<u> </u>	nty Attorney					

C. Other Department Review:

Department Director

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

#### **ATTACHMENT 1**



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ARBARA SHARIEF ST VICE PRESIDENT

VTHY BRYANT

IYAN DESLOGE MEDIATE PAST PRESIDENT

JOND VICE PRESIDENT

IRISTOPHER L. HOLLEY ECUTIVE DIRECTOR

#### MEMORANDUM

All About Florida	TO:	County Attorneys
	FROM:	Chris Holley, Executive Director
ROVER C. ROBINSON, IV	DATE:	July 16, 2014
CAMBIA ARRY V. HOLLOWAY ENIDENT ELECT	RE:	County Contribution to Costs of DJJ Administrative Challenge

The attached invoice is for your county to assist in the costs and fees associated with the Department of Juvenile Justice Rule Challenge that was filed on June 16, 2014 by the Florida Association of Counties and 23 individual counties. The amount on the attached invoice is the contribution for the administrative proceeding only. Any appeal taken by the counties or the Department from an administrative decision will result in additional contributions.

No medium sized county will be asked to pay more than \$3,000, from this point all the way through the Florida Supreme Court and no large, urban county will be asked to pay more than \$5,000. Accordingly, for the participating counties, if the county chooses to continue participate in any appeal from the administrative challenge, a subsequent invoice will be sent, at \$2,000 for medium sized counties and \$2,500 for large urban counties.

The Florida Association of Counties has hired the firm of Nabors, Giblin & Nickerson to represent FAC and the counties in the administrative proceedings on the new proposed administrative rules governing the counties' cost share of pre-disposition juvenile secured detention and the rule challenge flowing from those rules.

Please feel free to call Ginger Delegal, FAC General Counsel, at (850) 922-4300 if you have any questions. Thank you.

Attachment

Mineram

# INVOICE

### PALM BEACH

# Terms: Due Upon Receipt

For:

County Contribution to Costs of DJJ Administrative Challenge

\$ 2,500.00

Please make checks payable to: FLORIDA ASSOCIATION OF COUNTIES, INC. 100 South Monroe Street Tallahassee, FL 32301 Phone: 850-922-4300