

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

Meeting Date: 5/19/15

[ X ] 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 approve: A Memorandum of Understanding with The School District of Palm Beach County, Florida (School Board) to establish an effective partnership to support the Juvenile First Offender (JFO) program. The JFO program will be funded by transferring the available balance in the County's Juvenile Assessment Center (JAC) Fund, which is currently \$44,215.17.

**Summary:** The Clerk of Courts began collecting Juvenile Assessment Fees in February 1999, after the Board of County Commissioners authorized the creation of the JAC Fund (Fund 060 which later became Fund 1150) pursuant to Ordinance 97-1 and 97-2. Over the years the funds have had multiple uses but primarily the funds were used to pay for security at the JAC. The funds are no longer being collected; therefore, the account needs to be liquidated and closed. The JAC Donation Account Committee made the recommendation to disperse the remainder of the account to support the School Board's JFO program at their last official meeting on May 9, 2014.

**Countywide (JB)**

**Background and Justification:** In 1997, the BCC created Ordinance 97-1 and 97-2 collecting \$3.00 assessed on court fines as authorized in F.S. 938.19, both repealed in 2004 as a result of Article V, Revision 7. Further, in 2004 as a result of the fee structure change and an increase in diversion cases, JAC partners created the Juvenile Assessment Center Donation Agreement. Beginning in 2002, youth diverted from the court system were asked to donate \$20.00 to the JAC Fund. The fund used to account for the collection of the \$3.00 assessment mentioned above was also used to record the \$20.00 donations collected by JFO/Youth Court. The funds were subsequently transferred to the Sheriff's Office via a monthly requisition, then to the County (Criminal Justice Commission), for disbursement. A balance of approximately \$44,000 is currently in the fund and there have been no new revenues in the account since 2012 as JFO/Youth Court stopped collecting the donation.

**Attachments**

- 1) Memorandum of Understanding with The School District of Palm Beach County, Florida
- 2) Summary of JAC Fund 1150 & 060

Recommended by:

  
Department Director

FOR MIKE RODRIGUEZ

4/30/15  
Date

Approved By:

  
Assistant County Administrator

5/14/15

Date

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact

Fiscal Years	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Capital Expenditures					
Operating Costs	\$44,215				
External Revenues	(\$44,215)				
Program Income (County)					
In-Kind Match (County)					
Net Fiscal Impact	0				

### # ADDITIONAL FTE

POSITIONS (Cumulative)	0	0	0	0	0
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Is Item Included In Current Budget? Yes X No       

Budget Account : Fund 1150 Department 160 Unit TBD Object 8101

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

Fund:

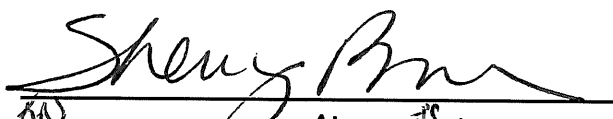
Unit:

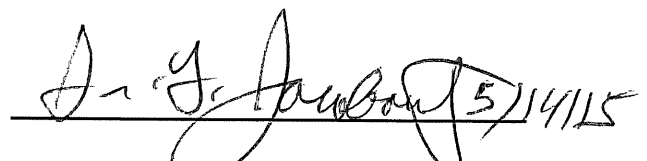
Grant:

Departmental Fiscal Review: \_\_\_\_\_

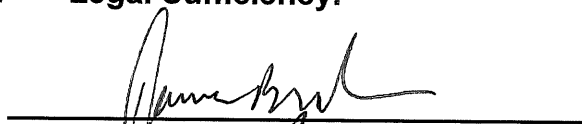
## III. REVIEW COMMENTS

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

  
OFMB  
5/4/15

  
Contract Administration  
5-14-15 B Wheeler

### B. Legal Sufficiency:

  
Assistant County Attorney

### C. Other Department Review:

  
Department Director

This summary is not to be used as a basis for payment.

SP2  
03/25/2015

## **MEMORANDUM OF UNDERSTANDING**

By and Between

Palm Beach County Board of County Commissioners and The School District of  
Palm Beach County, Florida

### **I. Parties to the Memorandum**

The Memorandum of Understanding is entered into by Palm Beach County Board of County Commissioners on behalf of Criminal Justice Commission (County) and The School Board of Palm Beach County, Florida (on behalf of its School District of Palm Beach County Police Department (SDPBCPD)).

### **II. Background and Purpose of Memorandum**

As instituted by the SDPBCPD in conjunction with other municipal law enforcement agencies, the Juvenile First Offender (JFO) program has served thousands of juveniles since its inception in 1993. The program serves as an alternative to the criminal justice system, allowing successful juveniles to avoid having their first-time offense listed on their criminal histories for the rest of their lives.

The JFO program, which allows juvenile first offenders to have their cases heard and decided by their peers, provides an educational and realistic experience in a courtroom setting. The mandated sanctions and conditions developed during trial and/or arbitration ensure the juveniles are held accountable for their actions, and exit the program with an understanding of how their behavior and actions affect themselves and the community in which he or she lives.

The purpose of this MOU is to establish an effective partnership between the County and SDPBCPD. Through this partnership, the County has agreed to provide funding to the SDPBCPD to support JFO program efforts.

Collective and mutual support is needed to achieve the primary goal of reducing recidivism for youth deferred to the JFO program. This goal will be attained by the above-named partners' committing to the following:

## **SDPBCPD**

- Provide JFO services (as delineated in SDPBCPD General Order 14.1 IV) to approximately 1500 youth throughout Palm Beach County annually.
- Continue to develop the JFO program and work collaboratively with all Palm Beach County law enforcement agencies.

## **Palm Beach County on behalf of the Criminal Justice Commission**

- Provide the balance of Palm Beach County Fund 1150, as recommended by the JAC Donation Account Committee in for FY2014/15. Such funds will be used for JFO Program operations. The Palm Beach County Fund 1150 account is a stagnant interest bearing account maintained by the County. The Palm Beach County Fund 1150 Account will be closed and terminated when all funds held in Account are transferred to SDPBCPD within thirty days of execution of this MOU. The funds in the 1150 account were collected by the Clerk of the Court as fees imposed upon juveniles in Youth Court.

The Parties agree:

Not to discriminate against any student participating in the program on the basis of his or her race, age, religion, ancestry, color, ethnicity, gender, national origin, marital status, familial status, disability, sexual orientation, gender identity, genetic information or expression with respect to any activity relating to this MOU.

- that their relationship is that of independent contractors. No employee of either party shall be deemed an employee of the other party. Nothing contained herein shall be construed to create a partnership or joint venture between the Parties.

The expected outcomes as a result of the JFO programs and services offered are as follows:

- Participating Youth that successfully complete the program will live a crime-free and violence-free lifestyle and will not recidivate.

- The program serves as an alternative to the criminal justice system, allowing juveniles who successfully complete the program to avoid having their first-time offense listed on their criminal histories/records for the rest of their lives (any juvenile who does not complete the program will be referred to the criminal justice system).
- Additional law enforcement agencies will participate with the JFO program.

**Palm Beach County Board  
Commissioners**


BY: \_\_\_\_\_  
Chair

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Shelley Vana  
Mayor

DATE: \_\_\_\_\_

**Approved as to terms and conditions**

BY:  FOR  
Michael L. Rodriguez  
Executive Director

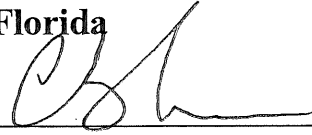
DATE: 5/12/15

**Approved as to form and legal sufficiency**


BY: \_\_\_\_\_  
Assistant County Attorney

DATE: \_\_\_\_\_


**The School Board of Palm Beach  
County, Florida**

BY:   
Chuck Shaw  
Chair

DATE: 3/26/15

BY:   
E. Wayne Gent  
Superintendent

DATE: 3/28/15

BY:   
Lawrence J. Leon  
Chief of Police

DATE: 4/2/15

BY:   
School Board Attorney

DATE: 3/3/15

Palm Beach County  
Prepared by Clerk & Comptroller  
Summary of JAC fund 1150 & 060

		Fund 060					Fund 1150											
		1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Revenue																		
5140	JAC assessted ct fee FS 775.0833	58,304.73	57,815.17	64,484.82	40,650.84	40,570.57	33,498.67	3,907.17	-	-	-	-	-	-	-	-	-	-
6110	Interest income	401.75	1,514.31	6,127.71	2,981.88	2,174.86	4,798.20	1,704.90	5,829.33	9,521.18	10,060.11	18,526.36	12,497.10	7,569.11	1,612.30	1,106.27	980.76	373.00
6116	Change in Fair Value (New FY11)													(4,638.03)	(321.87)	(1,334.39)	(376.89)	(43.94)
6133	Interest inc sheriff						111.80	-	-	-	-	-	-	-	-	-	-	-
6690	Other contrib & donations				30,765.00	39,532.50	37,077.65	40,780.20	36,148.00	25,458.29	29,420.00	31,060.00	19,841.00	13,556.00	340.00	-	-	-
		58,706.48	59,329.48	70,612.53	74,397.72	82,277.93	75,486.32	46,392.27	41,977.33	34,979.47	39,480.11	49,586.36	32,338.10	16,487.08	1,630.43	(228.12)	603.87	329.06
Expense																		
3401	Other Contractual Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	7,448.25
9301	Tfr to Sheriff 188	44,394.00	14,582.00	97,602.00			-	-	-	-	-	-	-	-	-	-	-	-
1152	Tfr to sheriff grt fd 1152	A					82,277.00	-	-	-	-	-	-	287,400.00	-	-	-	-
0001	Tfr to GF					106,468.00	-	-	-	-	-	-	-	-	-	-	-	-
		44,394.00	14,582.00	97,602.00	-	106,468.00	82,277.00	-	-	-	-	-	-	287,400.00	-	-	-	7,448.25
Incr (Deer)		14,312.48	44,747.48	(26,989.47)	74,397.72	(24,190.07)	(6,790.68)	46,392.27	41,977.33	34,979.47	39,480.11	49,586.36	32,338.10	(270,912.92)	1,630.43	(228.12)	603.87	(7,119.19)
Begin FD		-	14,312.48	59,059.96	32,070.49	106,468.21	82,278.14	75,487.46	121,879.73	163,857.06	198,836.53	238,316.64	287,903.00	320,241.10	49,328.18	50,958.61	50,730.49	51,334.36
Ending FB		14,312.48	59,059.96	32,070.49	106,468.21	82,278.14	75,487.46	121,879.73	163,857.06	198,836.53	238,316.64	287,903.00	320,241.10	49,328.18	50,958.61	50,730.49	51,334.36	44,215.17

Notes:  
A Sheriff grant fund 1152 tfr all revenue collected in fy04 to Sheriff