

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

Meeting Date: December 15, 2015 ☒ **Consent** ☐ **Regular**
 ☐ **Ordinance** ☐ **Public Hearing**

Department: Department of Public Safety
Submitted By: Department of Public Safety
Submitted For: Division of Justice Services

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: Second Amendment to Interlocal Agreement for the RESTORE Initiative with the Office of the Public Defender, 15th Judicial Circuit extending the expiration date from September 30, 2015 to December 31, 2015.

Summary: Palm Beach County was awarded a \$2,250,000 grant from the Department Of Justice (DOJ) from the Second Chance Act Grant to facilitate the successful reintegration of ex-offenders as they return to Palm Beach County through the Regional and State Transitional Offender Reentry (RESTORE) Initiative until September 2015. The original Interlocal Agreement with the Office of the Public Defender, 15th Judicial Circuit (R-2014-0316) provided reentry services for the period October 1, 2013, through September 30, 2014 for a total amount not to exceed \$164,550. The First Amendment (R-2015-0081), extended the period to September 30, 2015 and increased the total amount by \$164,550 for a new amount not to exceed \$329,100. This second amendment to the Interlocal Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Executive Director of the Criminal Justice Commission (CJC) in accordance with Resolution R2014-1836 and is now being submitted to the Board to receive and file. **Countywide (JB)**

Background and Justification: The Palm Beach County Criminal Justice Commission Reentry Task Force has developed a Strategic Plan for providing effective and coordinated reentry services to those returning from incarceration. The RESTORE Initiative is a product of this plan. The goal is to reduce the recidivism rate by 50% over 5 years for the target population (300 state prisoners returning to Palm Beach County through the Department of Corrections). The program is intended to reduce recidivism among transitioning offenders as well as reduce future victimization, enhance public safety and improve the lives of communities, victims and offenders. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File Agenda Item.

Attachments

- 1) Executed Second Amedment to Interlocal Agreement with Public Defender

Recommended by: Stephanie Sepinck 1/24/15
Department Director Date

Approved By: Stephanie Lepore 11/24/15
Assistant County Administrator 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	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
Net Fiscal Impact	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

ADDITIONAL FTE

POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
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Is Item Included In Current Budget? Yes X No _____

Budget Account Exp No: Fund 1436 Department 662 Unit 5699 Object Var
Rev No: Fund _____ Department _____ Unit _____ RevSc _____

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

Fund:
Unit:
Grant:

No Fiscal Impact

Departmental Fiscal Review: Stephanie Seproke

III. REVIEW COMMENTS

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

Sherry Brown
KP 11/18 JK 11/18
OFMB

D. J. Jacobson 12/10/15
Contract Administration
B. Wheeler 12-10-15

B. Legal Sufficiency:

James Bud 12/14/15
Assistant County Attorney

C. Other Department Review:

Department Director

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

**SECOND AMENDMENT TO INTERLOCAL AGREEMENT FOR THE RESTORE
INITIATIVE**

THIS SECOND AMENDMENT TO INTERLOCAL AGREEMENT (hereinafter “**Second Amendment**”) is made as of this 21st day of October, 2015 by and between Palm Beach County, a Political Subdivision of the State of Florida, by and through its Board of Commissioners, hereinafter referred to as the “**COUNTY**” and the Office of the Public Defender, 15th Judicial Circuit, a State agency located in Palm Beach County, Florida (herein referred to as the “**OFFICE**”) whose Federal ID No. is 03-377194, each one constituting a public agency as defined in Part I of Chapter 163, Florida Statutes.

WITNESSETH:

WHEREAS, the parties, entered into that certain Interlocal Agreement (“**Agreement**”) on January 7, 2014, (R2014-0316) with an expiration date of September 30, 2014, for an amount not to exceed \$164,550; and

WHEREAS, the First Amendment to Agreement dated September 23, 2014 extended the term to September 30, 2015 and increased the contract price not to exceed the amount of \$329,100;

WHEREAS, the OFFICE’s responsibilities under the Amended Agreement are to provide ex-offender reentry services consistent with the County’s Reentry Initiative and the goal of reducing recidivism; and

WHEREAS, the Parties have agreed to a three month extension of the expiration date referenced in Section 2 (Term of Contract) of the Amended Agreement, requiring an extension of the term to December 31, 2015; and

NOW THEREFORE, the above named parties hereby mutually agree to further revise the Agreement as amended, and enter into this Second Amendment as follows:

- I. The foregoing recitals are true and correct and incorporated herein by reference. All defined terms as used in this Second Amendment shall have the same meaning and effect ascribed to them in the Agreement, as amended.
- II. Section 2 (Term of Contract) is amended to extend the term from September 30, 2015 until December 31, 2015.
- III. The parties further agree to amend the Original Agreement to include “nondiscrimination policy information” in the “nondiscrimination warranty representation paragraph under Section 12 – Nondiscrimination:

ENTITY has submitted to COUNTY a copy of its non-discrimination policy which is consistent with the language contained in Resolution R-2014-1421, as amended, or in the alternative, if ENTITY does not have a written non-discrimination policy, it has acknowledged through a signed statement provided to COUNTY affirming their non-discrimination policy conforms to R-2014-1421, as amended.

- IV. Except as modified by this Second Amendment, the Agreement, as amended, remains unmodified and in full force and effect and the parties hereby ratify, confirm and adopt the Agreement, as amended, in accordance with the terms thereof.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida, through its authorized representative, has made and executed this Second Amendment on behalf of the COUNTY and the Public Defender ("OFFICE") has hereunto set its hand the day and year above written.

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OFFICE OF THE PUBLIC DEFENDER
FIFTEENTH JUDICIAL CIRCUIT

By: Carey Haughwout
Carey Haughwout, Public Defender

PALM BEACH COUNTY BOARD OF
COUNTY COMMISSIONERS

By: Michael L. Rodriguez
Michael L. Rodriguez, Executive Director
Criminal Justice Commission

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: James Brubaker
Assistant County Attorney

APPROVED AS TO TERMS
AND CONDITIONS

By: Arlene Griffiths
Arlene Griffiths
Senior Criminal Justice Analyst, Reentry
Criminal Justice Commission