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PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

REVISED BACKUP

Meeting Date: March 1, 2016 [] Consent [] Regular [] Ordinance [X] Public Hearing

Department: County Administration Submitted By: County Administration

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to: A) Adopt AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, DIVISION 5 OF THE PALM BEACH COUNTY CODE 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, AMENDED BY ORDINANCE NO. 1995-006, AND AMENDED BY ORDINANCE NO. 2014-003; RELATING TO THE CRIMINAL JUSTICE COMMISSION OF PALM BEACH COUNTY; AMENDING SECTION 2-216 (OPERATION); AMENDING SECTION 2-221 (ADMINISTRATION); 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 FOR AN EFFECTIVE DATE.

B) Terminate the Letter of Agreement with former Chairman of the Criminal Justice Commission (CJC). The letter delineated responsibilities of the CJC that are now incorporated in the CJC Ordinance.

Summary: On November 3, 2015, the Board of County Commissioners (BCC) directed staff to work with Commissioner Taylor, various members of the CJC, Economic Council (EC), and the Chief Judge to review the structure of the CJC. The committee met on November 13, 2015 and made the following recommendations to the CJC Ordinance: 1) Modify the reporting relationship of the CJC Executive Director to report to the County Administrator; and 2) Modify the composition of the CJC membership by reducing the private sector membership nominated by the EC from twelve to four which would allow each County Commissioner to appoint a member and add an ex-offender as a private sector member appointed by an entity/organization that engages in reentry efforts. In 1988, the EC funded personnel costs associated with the CJC Executive Director position for two years. Since 1990, the BCC and other funding sources have supported the CJC budget; leading the committee to recommend reducing the number of members nominated by the EC. On January 25, 2016, these recommendations were presented to the full CJC who did not support the revisions to the private sector membership nominated by the EC and recommended reducing the private sector membership from twelve to ten and allow each County Commissioner to appoint a member with the exception of the Commissioner who serves as the BCC liaison to the CJC, resulting in the CJC increasing membership from 33 to 37. Currently, the CJC is the largest advisory board of the BCC and contrary to the county's existing policy relating to the size of advisory boards. Existing policy limits commission and advisory boards' membership to 9 - 11. Currently, all private sector members are nominated by the Economic Council (EC), however they do not have to be a member of the EC to be nominated. Currently, there are two open private sector member appointments. In addition, at the November 3, 2015 BCC meeting Commissioner McKinlay suggested including an ex-offender as a private sector member of the CJC membership which was not approved by the CJC due to several CJC committees already having participation of ex-offenders. As an alternative, staff recommended reducing the private sector membership nominated by the EC from twelve to five allowing each County Commissioner to appoint a member with the exception of the Commissioner who serves as the BCC liaison to the CJC and adding an at-large member of the clergy nominated by the Palm Beach County Clergy Alliance as a private sector member. At the February 9, 2016 BCC meeting, staff was directed to reduce the private sector membership nominated by the EC from twelve to ten and add an at-large member of the clergy nominated by the Criminal Justice Commission and approved by the BCC, resulting in the CJC decreasing membership from 33 to 32. Other recommended changes include adding a BCC member to the CJC Executive Committee, defining the attendance policy and conduct of meeting, which will be incorporated in the CJC by-laws. Countywide (JB)

Background and Justification and Attachments: Continued on page 3

Attachments:

- 1) Proposed CJC Ordinance (strike-through/underlined version)
2) Proposed CJC Ordinance (clean)
3) Letter of Agreement
4) Proof of Publication
5) Current CJC Member List

Recommended by: Vincent J. Bonvento 2/19/16
Department Director Date
Approved By: Vincent J. Bonvento 2/19/16
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
Net Fiscal Impact	<u>0</u>	_____	_____	_____	_____

ADDITIONAL FTE POSITIONS (Cumulative) 0 0 0 0 0

Is Item Included In Current Budget? Yes ____ No ____

Budget Account Exp No: Fund ____ Department ____ Unit ____ Object ____
 Rev No: Fund ____ Department ____ Unit ____ RevSc ____

B. Recommended Sources of Funds/Summary of Fiscal Impact:
 There is no fiscal impact associated with this agenda item.

Departmental Fiscal Review: *V. Bennett*

III. REVIEW COMMENTS

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

Sherry Brown
 OFMB
 2/23

Dr. J. Jacobson 2/23/16
 Contract Administration

B. Legal Sufficiency:

James Bond 2/24/16
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

Background and Justification: Continued from page 1

In 1988, the BCC created the CJC by ordinance to develop innovative processes for addressing criminal justice issues. County government has a large stake in preventing crime, ensuring public safety, and controlling criminal justice system costs. The BCC reasoned that the most effective way to address these issues was through a collaborative criminal justice system. The CJC's role is to research current and emerging issues and advise the BCC of the most effective methods of addressing these issues. The CJC is organized into two parts: 1) CJC members; and 2) CJC staff. The first component, referred to as the Commission, was established by Ordinance on August 16, 1988 to coordinate all aspects of the criminal justice and crime prevention systems within the federal, state, county, municipal, and private agencies in Palm Beach County. The Commission is composed of 33 members, 21 from the public sector and 12 members from the private sector. The Commission was originally funded by the Economic Council and appointed all private sector members. The Commission is now fully funded through the Board of County Commissioners. The CJC make recommendations to the BCC on policies and programs to provide overall coordination to law enforcement and crime prevention efforts; to provide an efficient, cost effective, and timely criminal justice system; and to effect the reduction of crime on a permanent basis in Palm Beach County. These efforts have been accomplished by establishing task forces and subcommittees, adopting bylaws, entering into contracts, and hiring personnel to pursue the mission and objectives of the CJC. The second component is the CJC department staff. The CJC is authorized to select an Executive Director which is ultimately approved by the BCC. The Executive Director is considered a County employee and Department Head. The Executive Director has the authority to hire additional administrative, professional, and clerical County employees to support the CJC subject to BCC approval.

1

ORDINANCE NO. 2016-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, DIVISION 5 OF THE PALM BEACH COUNTY CODE 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, AMENDED BY ORDINANCE NO. 1995-006, AND AMENDED BY ORDINANCE NO. 2014-003; RELATING TO THE CRIMINAL JUSTICE COMMISSION OF PALM BEACH COUNTY; AMENDING SECTION 2-216 (OPERATION); AMENDING SECTION 2-221 (ADMINISTRATION); 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 FOR AN EFFECTIVE DATE.

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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

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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

9
10

WHEREAS, it is now necessary to amend Chapter 2, Article V, Division 5 of the Palm Beach County Code of Ordinances.

11
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NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

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14
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Section 1. Created.

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

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21

There is hereby established an advisory commission to be known as the "Palm Beach County Criminal Justice Commission," herein referred to as the "Criminal Justice Commission." The Criminal Justice Commission shall be comprised of twenty one (21) public sector members and ~~eleven~~ twelve(~~11~~12) private sector members for a total

1 | commission of thirty-~~two~~three (~~32~~33) members in accordance with the policies and
2 | procedures established by the Board of County Commissioners for advisory
3 | commissions as follows:

4 | (a) *Public Sector Membership.*

- 5 |
6 | (1) ~~Chair~~Mayor or Commission member of the Palm Beach County Board of
7 | County Commissioners.
8 |
9 | (~~42~~) Palm Beach County Sheriff.
10 |
11 | (~~23~~) State Attorney, 15th Judicial Circuit.
12 |
13 | (~~34~~) Public Defender, 15th Judicial Circuit.
14 |
15 | (~~45~~) Clerk of the Palm Beach County Circuit Court
16 |
17 | (~~56~~) Chief Judge, 15th Judicial Circuit.
18 |
19 | (~~67~~) Administrative Judge, Juvenile Division, 15th Judicial Circuit.
20 |
21 | (~~78~~) Supervisory Special Agent, Federal Bureau of Investigation, West Palm
22 | Beach.
23 |
24 | (~~89~~) Senior Agent, Drug Enforcement Administration, West Palm Beach.
25 |
26 | (~~910~~) Member, Palm Beach County School Board.
27 |
28 | (~~4011~~) Member, Palm Beach County Legislative Delegation.
29 |
30 | (~~4412~~) Member, Palm Beach County League of Cities.
31 |
32 | (~~4213~~) District IX Juvenile Justice Manager, Florida Department of Juvenile
33 | Justice.
34 |
35 | (~~4314~~) Representative of President, Police Chiefs Association.
36 |
37 | (~~4415~~) Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms
38 | (ATF), West Palm Beach Field Office, U.S. Treasury Department.
39 |
40 | (~~4516~~) Chief, West Palm Beach Police Department.
41 |
42 | (~~4617~~) Circuit Administrator, Florida Department of Corrections, 15th Judicial
43 | Circuit.
44 |
45 | (~~4718~~) Supervisory Special Agent, Florida Department of Law Enforcement.
46 |
47 | (~~4819~~) President, Crime Prevention Officers' Association.
48 |
49 | (~~4920~~) United States Attorney, Southern District of Florida or Assistant U.S.
50 | Attorney, West Palm Beach.
51 |
52 | (~~2021~~) Member, Palm Beach Association of Criminal Defense Lawyers.
53 |

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

4 | (b) *Private Sector Membership.*

5 | (1) Twelve Ten (1210) persons will be nominated by the Palm Beach County
6 | Economic Council, but not necessarily members of the Economic Council, and
7 | said nominations will be submitted to the Board of County Commissioners of
8 | Palm Beach County, Florida for approval. These members shall be
9 | representative of all segments of Palm Beach County, Florida.

10 | (2) One (1) at-large member of the local clergy nominated by the Criminal Justice
11 | Commission and approved by the Board of County Commissioners.

12 | (c) *Maximum Number of Boards.*

13 | The maximum number of Boards that an individual member appointed by the
14 | Board of County Commissioners may serve on at one (1) time shall be three (3),
15 | except that no individual may serve on more than one (1) board, ~~including~~ if
16 | doing so would violate Article II, Section 5(a) of the Florida Constitution, which
17 | prohibits dual office holding.

18 | (d) *Terms of Office.*

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

26 | (e) *Vacancies.*

27 | Vacancies occurring during a term shall be filled for the unexpired term, and shall
28 | not count toward the member's term limits.

29 | (f) *Residency.*

30 | All members of the Criminal Justice Commission must be residents of Palm
31 | Beach County at the time of appointment or nomination and while serving on the

1 Criminal Justice Commission. Exemptions to this requirement are allowed when
2 circumstances warrant outside technical/professional representation, or if statute
3 or other rule specifies. Appointed members of the Criminal Justice Commission
4 shall serve at the pleasure of the appointing body.

5 ~~(g) Removal for Lack of Attendance.~~

6 ~~Members shall be automatically removed for lack of attendance. Lack of~~
7 ~~attendance is defined as failure to attend three (3) consecutive meetings or a~~
8 ~~failure to attend more than one half (1/2) of the meetings scheduled during a~~
9 ~~calendar year. Participation for less than three fourths (3/4) of a meeting shall be~~
10 ~~the same as failure to attend a meeting. Members removed pursuant to this~~
11 ~~paragraph shall not continue to serve on the Criminal Justice Commission and~~
12 ~~such removal shall create a vacancy, unless otherwise provided by statute or~~
13 ~~other binding rule.~~

14
15 ~~(hg) Qualification as a Candidate.~~

16 Criminal Justice Commission members shall not be prohibited from qualifying as
17 a candidate for elected office.

18 ~~(i) Conduct of Meeting.~~

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

22 ~~(jh) Sunshine Law and State Code of Ethics.~~

23 Criminal Justice Commission members shall comply with the Sunshine Law and
24 State Code of Ethics. However, that portion of a meeting of a duly constituted
25 criminal justice commission at which members of the commission discuss active
26 criminal intelligence information or active criminal investigative information that is
27 currently being considered by, or which may foreseeably come before, the
28 commission is exempt from F.S., §286.011, as amended or replaced and §
29 24(b), Art. I of the Florida, State Constitution, as amended or replaced, provided
30 that at any public meeting of the criminal justice commission at which such
31 matter is being considered, the commission members publicly disclose the fact

1 ~~that the matter has been discussed.~~ Reasonable public notice of all Criminal
2 Justice Commission meetings shall be provided. All meetings of the Criminal
3 Justice Commission shall be open to the public at all times and minutes shall be
4 taken at each meeting.

5 (ki) *Palm Beach County Code of Ethics.*

6 Criminal Justice Commission members appointed under Section 1(b)(1-2) of this
7 ordinance are to comply with the applicable provisions of the Palm Beach County
8 Code of Ethics as codified in Sections 2-~~441254~~ through 2-~~448260~~ of the Palm
9 Beach County Code.

10 (lj) *Annual Narrative Report.*

11 The Criminal Justice Commission shall submit an annual narrative report to the
12 Board of County Commissioners. Agenda Coordinator. The form, substance, and
13 submittal dates for annual narrative reports are established by PPM CW-O-060,
14 as may be amended from time to time.

15 **Section 2. Administration.**

16 Section 2-221 of Chapter 2, Article V, Division 5 of the Palm Beach County Code is
17 amended to read as follows:

18 The Criminal Justice Commission shall employ an executive director who shall hire
19 such other administrative, professional and clerical assistance as necessary to carry
20 out its duties authorized by this article, and as provided for in the Criminal Justice
21 Commission's budget, reviewed and approved by the Board of County
22 Commissioners. The County Administrator shall have oversight of the executive
23 director who will be selected by the Criminal Justice Commission and County
24 Administrator and approved by the Board of County Commissioners. The executive
25 director will be selected by the Criminal Justice Commission and approved by the
26 Board of County Commissioners.The goals and performance evaluations of the
27 executive director shall be accomplished jointly by the County Administrator and the
28 Criminal Justice Commission. The executive director shall also have
29 contemporaneous access to ongoing operations and planning within the Public Safety
30 Department, Division of Criminal Justice of the County. The Public Safety Department

1 will be responsible for providing financial oversight in managing agreements,
2 contracts, revenues and expenditures for the Criminal Justice Commission.

3 **Section 3. REPEAL OF LAWS IN CONFLICT.**

4 All local laws and ordinances applying to the unincorporated area of Palm Beach
5 County in conflict with any provisions of this article are hereby repealed to the extent of
6 such conflict.

7 **Section 4. SEVERABILITY.**

8 If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for
9 any reason held by a Court of competent jurisdiction to be unconstitutional,
10 inoperative, or void, such holding shall not affect the remainder of this Ordinance.

11 **Section 5. INCLUSION IN THE CODE OF LAWS AND ORDINANCES.**

12 The provisions of this Ordinance shall become and be made a part of the Palm Beach
13 County Code. The sections of this Ordinance may be renumbered or relettered to
14 accomplish such, and the word ordinance may be changed to "section", "article", or
15 other appropriate word.

16 **Section 6. CAPTIONS.**

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

20 **Section 7. EFFECTIVE DATE.**

21 The provisions of this Ordinance shall become effective upon filing with the
22 Department of State.

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

25
26 **SHARON R. BOCK, CLERK**

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

27
28
29
30 By: _____
31 **Deputy Clerk**

By: _____
Mary Lou Berger, Mayor

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35 **APPROVED AS TO FORM AND
36 LEGAL SUFFICIENCY**

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38
39 By: _____

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Assistant County Attorney

EFFECTIVE DATE: Filed with the Department of State on the ____ day of

_____, 20____.

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1

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21

public sector members and eleven (11) private sector members for a total commission

1 of thirty-two (32) members in accordance with the policies and procedures established
2 by the Board of County Commissioners for advisory commissions as follows:

3 (a) *Public Sector Membership.*

- 4
5 (1) Mayor or Commission member of the Palm Beach County Board of County
6 Commissioners.
- 7 (2) Palm Beach County Sheriff.
8
- 9 (3) State Attorney, 15th Judicial Circuit.
10
- 11 (4) Public Defender, 15th Judicial Circuit.
12
- 13 (5) Clerk of the Palm Beach County Circuit Court
14
- 15 (6) Chief Judge, 15th Judicial Circuit.
16
- 17 (7) Administrative Judge, Juvenile Division, 15th Judicial Circuit.
18
- 19 (8) Supervisory Special Agent, Federal Bureau of Investigation, West Palm Beach.
20
- 21 (9) Senior Agent, Drug Enforcement Administration, West Palm Beach.
22
- 23 (10) Member, Palm Beach County School Board.
24
- 25 (11) Member, Palm Beach County Legislative Delegation.
26
- 27 (12) Member, Palm Beach County League of Cities.
28
- 29 (13) District IX Juvenile Justice Manager, Florida Department of Juvenile Justice.
30
- 31 (14) Representative of Police Chiefs Association.
32
- 33 (15) Resident Agent in Charge, Bureau of Alcohol, Tobacco and Firearms (ATF),
34 West Palm Beach Field Office, U.S. Treasury Department.
- 35 (16) Chief, West Palm Beach Police Department.
36
- 37 (17) Circuit Administrator, Florida Department of Corrections, 15th Judicial Circuit.
38
- 39 (18) Supervisory Special Agent, Florida Department of Law Enforcement.
40
- 41 (19) President, Crime Prevention Officers' Association.
42
- 43 (20) United States Attorney, Southern District of Florida or Assistant U.S. Attorney,
44 West Palm Beach.
- 45 (21) Member, Palm Beach Association of Criminal Defense Lawyers.

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

3 (b) *Private Sector Membership.*

4 (1) Ten (10) persons will be nominated by the Palm Beach County Economic
5 Council, but not necessarily members of the Economic Council, and said
6 nominations will be submitted to the Board of County Commissioners of Palm
7 Beach County, Florida for approval. These members shall be representative
8 of all segments of Palm Beach County, Florida.

9 (2) One (1) at-large member of the local clergy nominated by the Criminal Justice
10 Commission and approved by the Board of County Commissioners.

11 (c) *Maximum Number of Boards.*

12 The maximum number of Boards that an individual member appointed by the
13 Board of County Commissioners may serve on at one (1) time shall be three (3),
14 except that no individual may serve on more than one (1) board, if doing so
15 would violate Article II, Section 5(a) of the Florida Constitution, which prohibits
16 dual office holding.

17 (d) *Terms of Office.*

18 Private Sector members shall be appointed for a three-year term, with said term
19 commencing on January 1 for the first year of appointment and expiring on
20 December 31 of the third year. Beginning on or after March 1, 2013, no private
21 sector member shall be appointed or reappointed to the Criminal Justice
22 Commission for more than three (3) consecutive three-year terms. Existing
23 member's terms shall end on December 31st of the year in which their term
24 expires.

25 (e) *Vacancies.*

26 Vacancies occurring during a term shall be filled for the unexpired term, and shall
27 not count toward the member's term limits.

28 (f) *Residency.*

29 All members of the Criminal Justice Commission must be residents of Palm
30 Beach County at the time of appointment or nomination and while serving on the
31 Criminal Justice Commission. Exemptions to this requirement are allowed when

1 circumstances warrant outside technical/professional representation, or if statute
2 or other rule specifies. Appointed members of the Criminal Justice Commission
3 shall serve at the pleasure of the appointing body.

4 (g) *Qualification as a Candidate.*

5 Criminal Justice Commission members shall not be prohibited from qualifying as
6 a candidate for elected office.

7 (h) *Sunshine Law and State Code of Ethics.*

8 Criminal Justice Commission members shall comply with the Sunshine Law and
9 State Code of Ethics. However, that portion of a meeting of a duly constituted
10 criminal justice commission at which members of the commission discuss active
11 criminal intelligence information or active criminal investigative information that is
12 currently being considered by, or which may foreseeably come before, the
13 commission is exempt from F.S., §286.011, as amended or replaced and §
14 24(b), Art. I of the Florida, State Constitution, as amended or replaced, provided
15 that at any public meeting of the criminal justice commission at which such
16 matter is being considered, the commission members publicly disclose the fact
17 that the matter has been discussed. Reasonable public notice of all Criminal
18 Justice Commission meetings shall be provided. All meetings of the Criminal
19 Justice Commission shall be open to the public at all times and minutes shall be
20 taken at each meeting.

21 (i) *Palm Beach County Code of Ethics.*

22 Criminal Justice Commission members appointed under Section 1(b)(1-2) of this
23 ordinance are to comply with the applicable provisions of the Palm Beach County
24 Code of Ethics as codified in Sections 2-441 through 2-448 of the Palm Beach
25 County Code.

26 (j) *Annual Narrative Report.*

27 The Criminal Justice Commission shall submit an annual narrative report to the
28 Board of County Commissioners.

29 **Section 2. Administration.**

30 Section 2-221 of Chapter 2, Article V, Division 5 of the Palm Beach County Code is
31 amended to read as follows:

1 The Criminal Justice Commission shall employ an executive director who shall hire
2 such other administrative, professional and clerical assistance as necessary to carry
3 out its duties authorized by this article, and as provided for in the Criminal Justice
4 Commission's budget, reviewed and approved by the Board of County
5 Commissioners. The County Administrator shall have oversight of the executive
6 director who will be selected by the Criminal Justice Commission and County
7 Administrator and approved by the Board of County Commissioners. The goals and
8 performance evaluations of the executive director shall be accomplished jointly by the
9 County Administrator and the Criminal Justice Commission. The Public Safety
10 Department will be responsible for providing financial oversight in managing
11 agreements, contracts, revenues and expenditures for the Criminal Justice
12 Commission.

13 **Section 3. REPEAL OF LAWS IN CONFLICT.**

14 All local laws and ordinances applying to the unincorporated area of Palm Beach
15 County in conflict with any provisions of this article are hereby repealed to the extent of
16 such conflict.

17 **Section 4. SEVERABILITY.**

18 If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for
19 any reason held by a Court of competent jurisdiction to be unconstitutional,
20 inoperative, or void, such holding shall not affect the remainder of this Ordinance.

21 **Section 5. INCLUSION IN THE CODE OF LAWS AND ORDINANCES.**

22 The provisions of this Ordinance shall become and be made a part of the Palm Beach
23 County Code. The sections of this Ordinance may be renumbered or relettered to
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25 other appropriate word.

26 **Section 6. CAPTIONS.**

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

30 **Section 7. EFFECTIVE DATE.**

31 The provisions of this Ordinance shall become effective upon filing with the Department
32 of State.

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APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this the ____ day of _____, 2016.

SHARON R. BOCK, CLERK

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

By: _____
Deputy Clerk

By: _____
Mary Lou Berger, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: 
Assistant County Attorney

EFFECTIVE DATE: Filed with the Department of State on the ____ day of _____, 2016.

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LETTER OF AGREEMENT

This Letter of Agreement is intended to more fully delineate responsibilities as described in Section 6 of the Criminal Justice Commission authorizing Ordinance, 88-16, as approved on August 16, 1988.

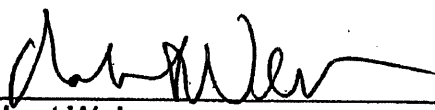
The Criminal Justice Commission shall select an Executive Director through a County approved hiring process. The Board of County Commissioners shall have the right of approval of the selection. The Executive Director shall be a County employee and shall be considered a Department Head for all administrative purposes and shall adhere to all applicable County policies and procedures. By standard County hiring processes, additional County employees, as authorized in the County budget and as selected by the Executive Director, will be hired to support the CJC.

Either the Criminal Justice Commission or County Administrator may periodically initiate a review of goals and a performance evaluation of the Executive Director, but such shall be accomplished jointly. It shall be the primary responsibility of the Executive Director to satisfy the expectations and policies of the CJC, acting on behalf of the Board of County Commissioners and in consideration with other participating jurisdictions and agencies.

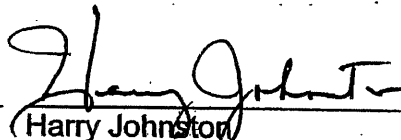
The starting salary of the Executive Director and annual salary adjustments will be in conformance with County salary policy. Special merit salary consideration may be granted by mutual agreement of the CJC and the County Administrator. Termination of the services of the Executive Director can be initiated by either the CJC or the County Administrator. If the CJC and the County Administrator cannot jointly agree on a course of action, the matter will be brought to the Board of County Commissioners for a decision.

Nothing in this Section shall be interpreted as to inhibit the Executive Director from representing the views of the CJC, establishing the agenda for the CJC and presenting any of their issues directly before the Board of County Commissioners.

Approved this 9 day of April, 2007.



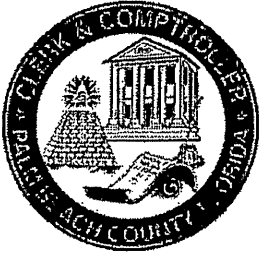
Robert Weisman
County Administrator



Harry Johnston
Chairman of the Criminal
Justice Commission

Attachment # 3

Page 1 of 1



SHARON R. BOCK
Clerk & Comptroller
Palm Beach County

February 9, 2016

The Palm Beach Post
2751 South Dixie Highway
West Palm Beach, FL. 33406

Attention: Legal Ad Department
Via FAX: 561-820-4340
Email: legals@pbpost.com
Account #: G777

RE: NOTICE OF PUBLIC HEARING for the following item:

An ordinance of the Board Of County Commissioners of Palm Beach County, Florida establishing an amended Criminal Justice Commission structure.

PUBLISH: FRIDAY, February 12, 2016

Please publish the enclosed Notice of Public Hearing wherein the Board of County Commissioners intends to consider the above referenced matter. Please furnish the Board Services Department with one (1) proof of publication by e-mail to: GSarmiento@mypalmbeachclerk.com prior to: **March 1, 2016 PUBLIC HEARING**; also provide one (1) proof of publication along with your bill charged to Account # G777, by mail to the address below:

Sharon R. Bock, Clerk & Comptroller
Attention: Board Services/Minutes
P. O. Box 4036
West Palm Beach, Florida 33402-4036

Please provide immediate confirmation on receiving this letter and the notice to be published. Should you have any questions, please contact **Gretel Sarmiento** at **561-355-2951** or GSarmiento@mypalmbeachclerk.com

Very Truly Yours,
SHARON R. BOCK
Clerk & Comptroller

Janel L. Larvin
Manager - Financial Services

JLL/tm

Attachment

Cc: James Brako, Assistant County Attorney

Minutes Department
301 North Olive Ave.
West Palm Beach, FL 33401

P.O. Box 4036
West Palm Beach, FL 33402

Phone: 561-355-4526
Fax: 561-355-3806

www.pbcountyclerk.com

Attachment # 4

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NOTICE OF PUBLIC HEARINGS

PLEASE TAKE NOTICE THAT AT 9:30 A.M. ON MARCH 1, 2016, in the Palm Beach County Governmental Center, Jane Thompson Memorial Chambers, 6th Floor, 301 North Olive Avenue, West Palm Beach FL., the Board of County Commissioners of Palm Beach County, FL., intends to hold a public hearing for the purpose of considering the following proposed Palm Beach County Ordinance(s):

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, DIVISION 5 OF THE PALM BEACH COUNTY CODE 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, AMENDED BY ORDINANCE NO. 1995-006, AND AMENDED BY 2014-003; RELATING TO THE CRIMINAL JUSTICE COMMISSION OF PALM BEACH COUNTY; AMENDING SECTION 2-216 (OPERATION); AMENDING SECTION 2-221 (ADMINISTRATION); 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 FOR AN EFFECTIVE DATE.

A copy of above referenced proposed ordinance is available for inspection in the Minutes Department, 2nd floor, room 203.2, Governmental Center. All interested parties may appear at the meeting and be heard with respect to the proposed ordinance(s).

If a person decides to appeal any decision made by this commission with respect to any matter considered at this meeting or hearing they will need to have a record of the proceeding, and for that, for such purpose, they may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based.

SHARON R. BOCK
Clerk & Comptroller
Board of County Commissioners

PUBLISH: February 12, 2016

Attachment # 4

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PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

<u>Name</u>	<u>Seat #</u>	<u>Designation</u>
Priscilla Taylor	1	MEMBER, PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS
Ric Bradshaw	2	PALM BEACH COUNTY SHERIFF
Dave Aronberg	3	STATE ATTORNEY, 15th JUDICIAL CIRCUIT
Carey Haughwout	4	PUBLIC DEFENDER, 15th JUDICIAL CIRCUIT
Sharon R. Bock	5	CLERK OF THE PALM BEACH COUNTY CIRCUIT COURT
Jeffrey Colbath	6	CHIEF JUDGE, 15th JUDICIAL CIRCUIT
Kathleen J. Kroll	7	ADMINISTRATIVE JUDGE, JUVENILE DIVISION
Michael D'Alonzo	8	SENIOR REPRESENTATIVE IN PALM BEACH COUNTY OF THE FEDERAL BUREAU OF INVESTIGATION
Debra Robinson	9	PALM BEACH COUNTY SCHOOL BOARD MEMBER
Dave Kerner	10	MEMBER, LEGISLATIVE DELEGATION
Richard Valuntas	11	MEMBER, LEAGUE OF CITIES
Gregory Starling	12	CIRCUIT 15 MANAGER, DISTRICT 9, FLORIDA DEPARTMENT OF JUVENILE JUSTICE
Lawrence Leon	13	PRESIDENT, PALM BEACH COUNTY CHIEFS OF POLICE ASSOCIATION
Robert Shirley	14	SUPERVISORY SPECIAL AGENT, FEDERAL BUREAU OF ALCOHOL, TOBACCO, FIREARMS & EXPLOSIVES*
Bryan Kummerlen	15	CHIEF, WEST PALM BEACH POLICE DEPARTMENT
Rosalyn Baker	16	CIRCUIT ADMINISTRATOR, FLA DEPT. OF CORRECTIONS, 15th JUDICIAL CIRCUIT*
Duane Little	17	SPECIAL AGENT SUPERVISOR, FLA DEPT. OF LAW ENFORCEMENT
John McKenna	18	RESIDENT AGENT IN CHARGE, PALM BEACH COUNTY OFFICE OF THE DRUG ENFORCEMENT ADMINISTRATION

Attachment # 5

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PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION

<u>Name</u>	<u>Seat #</u>	<u>Designation</u>
Karl Martin	19	PRESIDENT, CRIME PREVENTION OFFICERS ASSOCIATION
George T. Elmore	20	PRIVATE SECTOR
Douglas Duncan	21	PRIVATE SECTOR
Vacant	22	PRIVATE SECTOR
Barbara Cheives	23	PRIVATE SECTOR
Barry Krischer	24	PRIVATE SECTOR
Lee Waring	25	PRIVATE SECTOR
Christina Morrison	26	PRIVATE SECTOR
Joseph Ianno, Jr.	27	PRIVATE SECTOR
Gerald F. Richman	28	PRIVATE SECTOR
Vacant	29	PRIVATE SECTOR
Nellie King	30	MEMBER, PALM BEACH COUNTY ASSOCIATION OF CRIMINAL DEFENSE LAWYERS
Randolph K. Johnson, Sr.	31	PRIVATE SECTOR
Rolando Garcia	32	ASSISTANT UNITED STATES ATTORNEY, WEST PALM BEACH
William L. Kramer	33	PRIVATE SECTOR
Robert Avossa		EX-OFFICIO MEMBER OF EXECUTIVE COMMITTEE – SUPERINTENDENT OF SCHOOLS

Attachment # 5

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