

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: November 15, 2022 Consent Regular
 Ordinance Public Hearing

Department: CRIMINAL JUSTICE COMMISSION
Submitted For: CRIMINAL JUSTICE COMMISSION

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

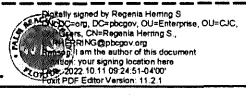
A) receive and file: Fifth Amendment to Interlocal Agreement (R2022-0448) between Palm Beach County (County) and the Public Defender's Office of the Fifteenth Judicial Circuit (Public Defender) to extend the Agreement from September 30, 2022 to December 31, 2022.

Summary: The Fifth Amendment to the Interlocal Agreement with the Public Defender extends the funding period for continued community-based services in facilitating the pretrial release of inmates from jail. On January 23, 2018 the Palm Beach County Board of County Commissioners delegated signature authority to the County Administrator or designee to execute amendments related to said Interlocal Agreement. In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating department as a receive and file agenda item. **Countywide (HH)**

Background and Justification: The above-referenced Amendment is in support of the work under the MacArthur Safety & Justice Challenge (SJC) project. Palm Beach County was chosen out of 191 applicants from across the country to be one of 20 agencies to participate in the SJC project. Under the SJC project, the County, through its Criminal Justice Commission (CJC), was awarded over \$2 million in grant funding to implement local strategies to reduce jail population and racial and ethnic disparities (R2017-1709) and an additional \$1.4 million in renewal funding to continue this work (R2020-0484 and R2020-0485).

Attachment:

- 1) Fifth Amendment to Interlocal Agreement with Public Defender

Recommended by: Regenia Herring S.  10-11-2022
Department Director Date

Approved by: [Signature] 11/4/22
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
Personal Services	_____	_____	_____	_____	_____
Operating Expenses	_____	_____	_____	_____	_____
Capital Outlay	_____	_____	_____	_____	_____
Grants and Aids	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
Net Fiscal Impact	* =====	=====	=====	=====	=====
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes X No _____
 Does this item include the use of federal funds? Yes _____ No X

Budget Account Exp No: Fund 1513 Department 762 Unit 7722 Object 8101
 Rev No: Fund 1513 Department 762 Unit 7722 RevSc 6694

B. Recommended Sources of Funds/Summary of Fiscal Impact:
 Fund: MacArthur Foundation's Safety and Justice Challenge \$1.4M
 Unit: MacArthur Foundation \$1.4M FY20-FY21
 Grant: MacArthur Foundation's Safety and Justice Challenge \$1.4M

*No additional fiscal impact, time extension only.

Departmental Fiscal Review: _____
Digitally signed by Marianela Diaz
 Reason: I am the author of this document
 Date: 2022.10.06 11:54:25-04'00'

III. REVIEW COMMENTS

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

Lucy Martin 10/12/2022
 OFMB JA 10/11 MG 10/12 (CW) 10/11
Dr. S. Jacobs 10/20/22
 Contract Administration

B. Legal Sufficiency:

Helene C. Obind 10-24-22
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

**FIFTH AMENDMENT TO
INTERLOCAL AGREEMENT**

THIS FIFTH AMENDMENT is dated 28th day of September, 2022, by and between Palm Beach County, a Political Subdivision of the State of Florida, hereinafter referred to as the "County" and Public Defender's Office of the Fifteenth Judicial Circuit, (hereinafter referred to as "ENTITY,") whose FEIN ID is 03-0377194.

WITNESSETH:

WHEREAS, on January 23, 2018 the COUNTY, through its Criminal Justice Commission (CJC), and the ENTITY entered into an Interlocal Agreement (R2018-0099) (the Interlocal Agreement), which required the ENTITY to hire a Client Navigator position to work on aspects of the John D. and Catherine T MacArthur Foundation Safety and Justice Challenge grant award to the Palm Beach County CJC; and

WHEREAS, on February 5, 2019 the COUNTY, and the ENTITY entered into a First Amendment to Interlocal Agreement (R2019-0228), which amended the purpose of the Interlocal Agreement, and increased the not-to-exceed amount; and

WHEREAS, on April 2, 2020 the COUNTY and the ENTITY entered into a Second Amendment to Interlocal Agreement, which amended the purpose of the Interlocal Agreement and increased the not-to-exceed amount; and

WHEREAS, on May 22, 2020 the COUNTY and the ENTITY entered into a Third Amendment to Interlocal Agreement, which amended the purpose of the Interlocal Agreement and increased the not-to-exceed amount; and

WHEREAS, on December 31, 2021, the COUNTY and the ENTITY entered into a Fourth Amendment to Interlocal Agreement, which extended the term of the agreement to September 30, 2022, and amended the purpose of the Interlocal Agreement; and

WHEREAS, the COUNTY and the ENTITY desire to extend the term of the agreement by two months to December 31, 2022, without making any other changes to the agreement.

NOW THEREFORE, the parties mutually agree that the Interlocal Agreement is amended as follows:

- I. The termination date of the Interlocal Agreement shall be extended from September 30, 2022 to December 31, 2022 to continue funding of the Public Defender Community Based Services.
- II. Exhibit A-5, attached hereto and incorporated herein by reference, is hereby added to Exhibits A-1-4.
- III. Exhibit B-5, attached hereto and incorporated herein by reference, is hereby added to Exhibits B-1-4.
- IV. All other provisions of the Interlocal Agreement, as amended by the First Amendment, Second Amendment, Third Amendment, and Fourth Amendment to Interlocal Agreement not in conflict with this Fifth Amendment remain in full force and effect.

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IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida, has made and executed this Fifth Amendment on behalf of the COUNTY, and the Public Defender's Office of the Fifteenth Judicial Circuit (ENTITY) has hereunto set its hand the day and year above written.

**PUBLIC DEFENDER
FIFTEENTH JUDICIAL CIRCUIT**

By: Carey Haughwout
Carey Haughwout, Public Defender

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BY REGENIA HERRING, EXECUTIVE
DIRECTOR OF THE CRIMINAL
JUSTICE COMMISSION**

By: Regenia Herring S.
Regenia Herring
Executive Director
Criminal Justice Commission

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: Helene C. Hvizd
Helene C. Hvizd
Assistant County Attorney

**APPROVED AS TO TERMS AND
CONDITIONS**

By: Katherine Shover
Katherine Shover
Interim Manager of Criminal Justice
Programs
Criminal Justice Commission

Exhibit A-5
SCOPE OF WORK

TIMEFRAME

The agreement is extended to the date of the grant, which shall be December 31, 2022

EXHIBIT B-5

BUDGET AND SCHEDULE OF PAYMENTS

TERM: Contract execution through December 31, 2022.