Agenda Item #: 3Q-1

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	March 14, 2023	[X] []	Consent Ordinance	[[]	Regular Public Hearing
Department: Submitted For:	CRIMINAL JUSTIC					
	<u>I. EXE</u>	CUTIV	<u>E BRIEF</u>		===	=======================================
Interlocal Agreement Office of the Fifteent	(R2018-0099) betwee	en Pal	m Beach Cour fender) to add	ity ((Co	I file: Sixth Amendment to the unty) and the Public Defender's mes and extend the term of the
Summary: The Sixth 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) Sixth Amendment to Interlocal Agreement with Public Defender						
Regenia Herring Regenia Herring S Recommended by: S.						
·	Department					Date
Approved by:	Assistant C	ounty	Administrate	ں or		7 9 23 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fis	scal Impact				
Fiscal Years	<u>2023</u>	<u>2024</u>	<u>2025</u>	2026	<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 B Does this item include the us			No No _X_	_	
Budget Account Exp No: Fur Rev No: Fur		tment <u>762</u> Unit tment <u>762</u> Unit			
B. Recommended Sources of Fund: MacArthur Four Unit: MacArthur Four Grant: MacArthur Four	ndation's Safe ndation \$1.4 <mark>M</mark>	ety and Justice FY20-FY21	Challenge S		
*No additional fiscal impact, tim	ne extension or	nly.			
Departmental Fiscal Review:	Sp	Digitally signed by DN: DC=org, DC= Enterprise, OU=P: CN=Marianela Dia pbcgov.org Date: 2023.01.31	pbcgov, OU= SD, OU=Users, z, E=MDiaz@		
	III. <u>REVIE</u>	W COMMENTS	<u> </u>		
A. OFMB Fiscal and/or Cont	ract Dev. and	Control Comm	ents:	Λ	
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M 2 4		1/0		70000000000000000000000000000000000000	3/3/2
\∂ OFMB	¢	Cont	act Adminis	11	(- 0
			12/2/03	4	\
B. Legal Sufficiency:		171/	12/03		
Helene C. Hund	z-7-23				
Assistant County Atto	rney				
C. Other Department Review	v:				
Department Director					
		_			
This summary is not to be us	sed as a basis	for payment.			

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SIXTH AMENDMENT TO INTERLOCAL AGREEMENT

THIS SIXTH AMENDMENT is dated the <u>28th</u> day of December 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, on September 28, 2022, the COUNTY and the ENTITY entered into a Fifth Amendment to Interlocal Agreement, which extended the term of the agreement by two months to December 31, 2022, without making any other changes to the agreement.

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WHEREAS, the COUNTY and the ENTITY desire to extend the term of the agreement to September 30, 2023, and amend the Scope of Work to include reporting of Outcomes.

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

- The termination date of the Interlocal Agreement shall be extended from December 31, 2022 to September 30, 2023, to continue funding of the Public Defender Community-Based Services.
- 11. Exhibit A-6, attached hereto and incorporated herein by reference, is hereby added to Exhibits A-1-5.
- III. Exhibit B-6 attached hereto and incorporated herein by reference, is hereby added to Exhibits B-1-5.
- IV. All other provisions of the Interlocal Agreement, as amended by the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, and Fifth Amendment to Interlocal Agreement not in conflict with this Sixth 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 Sixth 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

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

By: (aug Hausawa)
Carey Haughwout, Public Defender

Regenia Regenia Regenia Francis State (1974) Regenia Francis State (1974)

Regenia Herring
Executive Director
Criminal Justice Commission

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND CONDITIONS

By: Helene Hyizd

Helene C. Hvizd Assistant County Attorney By: Katherine Shover Shover Service By Servi

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Exhibit A-6

Scope of Work

PURPOSE OF THE PROJECT

The purpose of the extension of the Agreement until September 30, 2023 for the funding of the Public Defender's Community-Based Services is to continue the ENTITY's work in furtherance of the goals of the MacArthur Foundation Safety and Justice Challenge (SJC) to safely reduce the jail population and address racial and ethnic disparities in the local criminal justice system. All work will be completed under the direction of the Public Defender Office management and in consultation with Criminal Justice Commission staff.

TIMEFRAME

Agreement extended to the date of the grant, which shall be September 30, 2023.

BACKGROUND

The CJC is one of twenty sites selected from across the county and awarded grant funding to participate in the SJC Grant Program through September 30, 2023.

This work is vital to the CJC's plan to reduce jail use – meaningfully and significantly – without compromising public safety and to identify and design solutions to racial and ethnic disparities found in the jail population. This project includes the following five strategies aimed at reducing the jail population by almost 20% while addressing racial disparity and improving public safety.

- 1. Reduce pretrial jail population for low/some medium risk defendants
- 2. Diversion and warrant reduction for low-level defendants
- 3. Case processing efficiencies for pretrial inmates
- 4. Identify and remedy racial and ethnic disparities
- 5. Build data capacity along with analysis and evaluation capabilities and tools

<u>OUTCOMES</u> – a monthly programmatic report must be submitted by the Public Defender along with the invoice that includes the following information.

- How many individuals were offered services?
- How many individuals accepted services?
- Provide the client name, race, gender, case number, master jacket number, and booking number.
- What services were provided?
- Who were the services provided for?
- ➤ How long were services provided?
- What is the amount paid for services each month?
- > Where were the individuals placed?
- > If an individual was housed, the amount paid each month.

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COMMUNITY-BASED SERVICES FOR CLIENTS

The goals and parameters of Community-Based Services remain as set forth in Exhibit A-1 of the First Amendment to this Agreement and Exhibit A-2 of the Second Amendment to this Agreement.

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EXHIBIT B-6 BUDGET AND SCHEDULE OF PAYMENTS

TERM: Contract execution through September 30, 2023.