

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 Mariana Diaz
 DN: DC=org, DC=pbcgov, OU=Enterprise, OU=PSD, OU=Users,
 CN=Mariana Diaz, E=MDiaz@pbcgov.org
 Date: 2023.01.31 15:19:47-05'00'

III. REVIEW COMMENTS

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

for review 2/2/23

 OFMB
AA 2/2

_____ 2/3/23
 Contract Administration
MA 2/2/23

B. Legal Sufficiency:
 _____ 2-7-23
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

**SIXTH AMENDMENT TO
INTERLOCAL AGREEMENT**

THIS SIXTH AMENDMENT is dated the 28th 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.

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:

- I. 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.
- II. 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**

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
Regenia Herring
Executive Director
Criminal Justice Commission

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: Helene Hvizd
Helene C. Hvizd
Assistant County Attorney

**APPROVED AS TO TERMS AND
CONDITIONS**

By: Katherine Shover
Katherine Shover
Criminal Justice Systems Manager
Criminal Justice Commission

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

OUTCOMES – 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.

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.

EXHIBIT B-6

BUDGET AND SCHEDULE OF PAYMENTS

TERM: Contract execution through September 30, 2023.