

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: March 14, 2023 [] Consent [X] Regular
[] Ordinance [] Public Hearing

Department: Criminal Justice Commission
Submitted By: Criminal Justice Commission

I. EXECUTIVE BRIEF

Motion and Title: **Staff recommends motion to adopt:** Resolution of the Board of County Commissioners of Palm Beach County, Florida, repealing and replacing Resolution No. R-91-1485, as amended, establishing the Public Safety Coordinating Council (PSCC) pursuant to section 951.26, Florida Statutes; designating the PSCC as the criminal justice, mental health, and substance abuse planning council pursuant to section 394.657, Florida Statutes; providing for purpose; providing for membership and terms; providing for officers; providing for sunshine law and codes of ethics; providing for meetings; and providing for effective date.

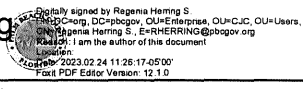
Summary: The Palm Beach County Board of County Commissioners (BCC) created the predecessor to the PSCC in 1991, (Resolution R-91-1485), and subsequently amended the Resolution to conform the terms of the resolution to section 951.26. This resolution updates the 1991 Resolution and its amendments, and designates the PSCC as the criminal justice, mental health, and substance abuse planning council required by section 394.657, Florida Statutes. Additional members required by Section 394.657, have been added to the PSCC. Countywide (HH)

Background and Justification: The BCC enacted Resolution No. 91-1485, which originally established the Palm Beach County Correctional Planning Committee. Thereafter, in 1992, the Board approved Resolution No. 92-1803 changing the title of the “Palm Beach County Correctional Planning Committee” to the “Palm Beach Public Safety Coordinating Council” pursuant to Chapter 92-310, Laws of Florida that renamed the Council. With Resolution No. 92-1803 the BCC also authorized the BCC to be represented by its Chair or another County Commissioner. Lastly, Resolution R-2008-1787 added language consistent with Section Florida Statute 951.26. This resolution adds language to ensure consistency with sections 951.26 and 394.657, Florida Statutes, which will place the County in a position to apply for state funding through the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program, when available.

Attachment:

- 1) Resolution Repealing and Replacing Resolution No. R91-1485, as amended, Establishing the Public Safety Coordinating Council

Recommended by: Regenia Herring S.
Department Director Date



Approved by: Walter G. ... 3/1/23
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>
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 _____ Object _____

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

No fiscal impact.



Digitally signed by Mariana Diaz
 DN: DC=org, DC=pbgov, OU=Enterprise, OU=PSD, OU=Users, CN=Mariana Diaz, E=MDiaz@pbgov.org
 Date: 2023.02.16 10:00:18-05'00'

Departmental Fiscal Review: _____

III. REVIEW COMMENTS

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

ASTDUAL 2/17/23
 QA 2/17/23 *ESW*
 OFMB 2-17-23

Ar. J. Javalier 2/24/23
 Contract Administration
 2/24/23

B. Legal Sufficiency:

Helene C. Hirsch 2-24-23
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REPEALING AND REPLACING RESOLUTION NO. R-91-1485, AS AMENDED, ESTABLISHING THE PUBLIC SAFETY COORDINATING COUNCIL (PSCC) PURSUANT TO SECTION 951.26, FLORIDA STATUTES; DESIGNATING THE PSCC AS THE CRIMINAL JUSTICE, MENTAL HEALTH, AND SUBSTANCE ABUSE PLANNING COUNCIL PURSUANT TO SECTION 394.657, FLORIDA STATUTES; PROVIDING FOR PURPOSE; PROVIDING FOR MEMBERSHIP AND TERMS; PROVIDING FOR OFFICERS; PROVIDING FOR SUNSHINE LAW AND CODES OF ETHICS; PROVIDING FOR MEETINGS, AND PROVIDING FOR EFFECTIVE DATE.

WHEREAS, on October 8, 1991, the Palm Beach County Board of County Commissioners (BCC) enacted Resolution No. R-91-1485, establishing the Palm Beach County Correctional Planning Committee as required by section 951.26, Florida Statutes in order for the County to be eligible for State funds; and

WHEREAS, on December 1, 1992, the BCC enacted Resolution No. R-92-1803, which amended the name of the Palm Beach County Correctional Planning Committee to the Palm Beach County Public Safety Coordinating Council (PSCC) and provided that membership of the PSCC would include the Chair of the BCC or designee; and

WHEREAS, on October 7, 2008, the BCC enacted Resolution No. R-2008-1787 to conform the PSCC to section 951.26 by adding members to the PSCC and provided for term limits as to certain members; and

WHEREAS, section 394.657, Florida Statutes requires a county to designate its PSCC, or another criminal or juvenile justice mental health and substance abuse council, as the mental health planning council responsible to “make a formal recommendation to the board of county commissioners regarding how the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program may best be implemented within a community”; and.

WHEREAS, Palm Beach County, through its Criminal Justice Commission, wishes to comply with sections 394.657 and 951.26, Florida Statutes, by designating the PSCC as the criminal justice, mental health and substance abuse planning council, and by providing for membership consistent with these Florida Statutes.

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

Section 1: Establishment of the Palm Beach County Public Safety Coordinating Council.

There is hereby established an advisory board to be known as the Palm Beach County Public Safety Coordinating Council (PSCC), created pursuant to section 951.26, Florida Statutes. The PSCC is designated as the criminal justice, mental health and substance abuse planning council required by section 394.657, Florida Statutes.

Section 2: Purpose.

The PSCC shall meet for the purpose of:

- A. Assessing the population status of all detention and correctional facilities owned or contracted with by Palm Beach County (the County);
- B. Formulating recommendations to ensure that the capacities of such facilities are not exceeded;
- C. Assessing the availability of pretrial intervention and probation programs, work-release programs, substance abuse programs, gain-time schedules, applicable bail bond schedules, and the confinement status of the inmates housed within each facility owned or contracted with by the county;
- D. Assessing the availability of mental health programs in Palm Beach County;
- E. Requesting, receiving, and reviewing statistics and reports from other criminal justice system agencies that illustrate data that impacts on the County's correctional facilities;
- F. Providing monthly reports to the Criminal Justice Commission on the population of the County's correctional facilities;
- G. Developing a local public safety plan for future construction needs, which covers at least a 5-year period, and which is submitted for consideration to the local planning agency for the County at least 120 days before the adoption of or amendment to the comprehensive plan for the County by the local planning agency pursuant to part II of chapter 163;
- H. Developing a comprehensive public safety plan for the County that includes the future public safety construction needs as required by section 948.51, Florida Statutes, for any County contracts involving community corrections funds;
- I. Developing a comprehensive local reentry plan to assist offenders released from incarceration to reenter the community successfully, which should cover at least a 5-year period, and which should be developed in coordination with public safety officials and local community organizations that can provide offenders with reentry services, such as assistance with housing, health care, education, substance abuse treatment, and employment; and
- J. Making a formal recommendation to the BCC regarding how the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program may best be implemented within the County pursuant to section 394.657, Florida Statutes.

Section 3: Membership and Terms.

The PSCC shall be composed of the following members who will serve indefinitely, unless a term of years is expressly provided:

- A. The State Attorney or an Assistant State Attorney designated by the State Attorney;
- B. The Public Defender or an Assistant Public Defender designated by the Public Defender;
- C. The Chief Circuit Judge or another circuit judge designated by the Chief Circuit Judge;
- D. The Chief County Judge or another county judge designated by the Chief County Judge;
- E. The Sheriff or an individual within the agency designated by the Sheriff;
- F. The State Probation Administrator, Region 4, Circuit 15, or an individual within the agency designated by the State Probation Administrator, appointed to a four (4)-year term;
- G. The Mayor of the Board of County Commissioner or another county commissioner as designee;

- H. The director of Palm Beach County Pretrial Services, appointed to a four (4)-year term;
- I. The director of a local substance abuse treatment program or an individual within the agency designated by the director, appointed to a four (4)-year term;
- J. No more than six (6) representatives from county and state jobs programs and other community groups who work with offenders and victims, appointed to a four (4)-year term;
- K. A Chief designated by the Palm Beach County Association of Chiefs of Police, appointed to a four (4)-year term;
- L. The chief probation officer of the Department of Juvenile Justice, Fifteenth Circuit, or an employee designated by the chief probation officer;
- M. The Director of the detention facility of the Department of Juvenile Justice in Palm Beach County or an individual within the agency designated by the Director;
- N. The Fifteenth Judicial Circuit Court Administrator or an individual within the agency designated by the Fifteenth Judicial Circuit Court Administrator;
- O. The director of a community mental health agency or an employee of the agency designated by the director, appointed to a four (4)-year term;
- P. A representative of the Substance Abuse and Mental Health Program of the Department of Children and Families, Fifteenth Circuit, selected by the Substance Abuse and Mental Health Program Supervisor, appointed to a four (4)-year term;
- Q. A primary consumer of mental health services, selected by the Substance Abuse and Mental Health Program Supervisor of the Department of Children and Families, Fifteenth Circuit, appointed to a four (4)-year term;
- R. A family member of a primary consumer of community-based treatment services, selected by the Substance Abuse and Mental Health Program Supervisor of the Department of Children and Families, Fifteenth Circuit, appointed to a four (4)-year term; and
- S. A Representative from a Palm Beach County area homeless program or a supportive housing program, appointed to a four (4)-year term, who may be a County employee.

Section 4: Officers. A chairperson of the board of county commissioners, or another county commissioner as designee, shall serve as the chairperson of the council until the council elects a chairperson from the membership. A vice-chair shall be elected by a majority vote of the PSCC. The chair and vice-chair shall serve for a term of two years, but not to exceed two consecutive terms in any one office.

Section 5: Sunshine Law, Codes of Ethics

The PSCC is subject to Florida's Sunshine Law. Reasonable public notice of all meetings, shall be provided, as required by the Sunshine Law, and all meetings shall be open to the public and minutes shall be taken. Records are subject to public disclosure.

Members of the PSCC shall comply with the State's Code of Ethics found in Chapter 112, Part III of the Florida Statutes, as well as Palm Beach County's Code of Ethics codified in Section 2-254 through 2-260 of the Palm Beach County Code.

Section 6: Meetings

The PSCC shall meet monthly, or as needed, as determined by a majority of the membership. A quorum, as established by ordinance, must be present for the conduct of all meetings. Meetings shall be governed by Robert's Rules of Order.

Section 7: Effective Date

This Resolution shall become effective upon approval by a majority vote of the Board of County Commissioners, Palm Beach County, Florida.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Mayor Gregg K. Weiss	-	_____
Vice-Mayor Maria Sachs	-	_____
Commissioner Maria G. Marino	-	_____
Commissioner Michael A. Barnett	-	_____
Commissioner Marci Woodard	-	_____
Commissioner Sara Baxter	-	_____
Commissioner Mack Bernard	-	_____

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 20__.

ATTEST:
CLERK OF CIRCUIT COURT
Joseph Abruzzo

PALM BEACH COUNTY, FLORIDA,
by its Board of county Commissioners

By: _____
Deputy Clerk

By: _____
Gregg K. Weiss, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO CONTENT:

By: *Deleane C. Origo*
County Attorney

By: *Todd A. Bonlarro*
Todd Bonlarro, Assistant County
Administrator