

RESOLUTION NO. 2014-073

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE HOMELESS INITIATIVE PARTNERSHIP ADVISORY BOARD, AMENDING CHAPTER 12, PART XV, SECTIONS 12.152 THROUGH 12.161 OF THE BROWARD COUNTY ADMINISTRATIVE CODE TO REVISE THE NAME, APPOINTMENT, COMPOSITION, FUNCTIONS, POWERS, AND DUTIES OF THE ADVISORY BOARD; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Broward County ("Board") is committed to supporting Broward County's homeless individuals and families, including veterans and unaccompanied youth and children, by providing high standards of housing and services assistance to those in need; and

WHEREAS, the Board desires to implement a comprehensive housing crisis response system through which episodes of homelessness for Broward County residents are prevented or otherwise quickly addressed; and

WHEREAS, on August 27, 2013, Agenda Item Number 50, the Board accepted most of the recommendations of *A Way Home: Broward County, Florida's Ten Plan to End Homelessness*, as part of its overall strategy to combat homelessness in Broward County; and

WHEREAS, the Board also expressed its goal to engage major community stakeholders, such as not-for-profit organizations and local law enforcement, in its efforts to end homelessness; and

WHEREAS, the Board believes that the aforementioned efforts are in accordance with the federal Homeless Emergency Assistance and Rapid Transition to Housing ("HEARTH") Act of 2009; and

1 WHEREAS, this Board has determined that amending Sections 12.152 through
2 12.161 of the Broward County Administrative Code will assist in achieving the
3 aforementioned purposes, NOW, THEREFORE,
4

5 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
6 BROWARD COUNTY, FLORIDA:
7

8 Section 1. Chapter 12, Part XV, Sections 12.152 through 12.161 of the
9 Broward County Administrative Code are hereby amended as follows:

10 **PART XV. BROWARD COUNTY HOMELESS CONTINUUM OF CARE BOARD**

11 **12.152. Creation.**

12 There is hereby created and established a Broward County Homeless Continuum
13 of Care Board ("Homeless Continuum of Care Board"). The Homeless Continuum of
14 Care Board shall serve in an advisory capacity to the Broward County Board of County
15 Commissioners ("Board"), making recommendations to the Board for the establishment
16 and implementation of the Homeless Continuum of Care, the community-based
17 homeless assistance program planning network comprised of various organizations
18 within Broward County, to efficiently and effectively deliver coordinated housing and
19 related services to the homeless in Broward County. The Homeless Continuum of Care
20 Board shall also act on behalf of the Homeless Continuum of Care to provide
21 collaborative local homeless assistance efforts through Homeless Continuum of Care
22 programs authorized by the federal HEARTH Act, 42 U.S.C. 11371, et seq., and
23 24 CFR Part 576.
24

1 **12.153. Appointment and Composition.**

2 (a) All members of the Homeless Continuum of Care Board shall be
3 appointed by the Board. The Homeless Continuum of Care Board shall be composed of
4 twenty-seven (27) voting members and two (2) nonvoting ex-officio members. The
5 Board shall appoint members of the Homeless Continuum of Care Board as follows:
6 two (2) representatives from the operators of the Homeless Assistance Centers, one (1)
7 from the Central Homeless Assistance Center, and one (1) from either the North or the
8 South Homeless Assistance Centers, as the nonvoting
9 ex-officio members; and the following categorical representatives as voting members:

- 10 1. One (1) Broward County Housing Council representative;
- 11 2. One (1) Public Housing Authority Board representative from one of the
12 following: Broward County Housing Authority, Fort Lauderdale Housing
13 Authority, or Hollywood Housing Authority. This seat shall rotate
14 between the three (3) housing authorities annually to ensure full
15 representation;
- 16 3. One (1) Hospital District representative. This seat shall rotate between
17 the North and South Hospital Districts annually to ensure full
18 representation;
- 19 4. One (1) United Way representative;
- 20 5. Three (3) corrections or law enforcement representatives (one (1) from
21 Broward Sheriff's Office, one (1) from the City of Fort Lauderdale Police
22 Department, and one (1) from the City of Hollywood Police
23 Department);
- 24 6. One (1) Broward County Commissioner;

7. One (1) domestic violence services representative;
8. Three (3) elected officials or designees as follows: one (1) from the City of Fort Lauderdale, one (1) from the City of Hollywood, and one (1) from the City of Pompano Beach. The cities of Fort Lauderdale, Hollywood, and Pompano Beach, along with twelve (12) other cities in Broward County, are municipalities that receive Housing and Urban Development ("HUD") Community Development Block Grant ("CDBG") funds ("entitlement communities");
9. Two (2) officials, the Chairperson and the Vice Chairperson, from the Homeless Provider and Stakeholders' Council;
10. Four (4) advocates for the homeless;
11. Two (2) persons who are currently homeless or who have formerly experienced homelessness;
12. One (1) Chamber of Commerce representative from one of the following: Fort Lauderdale, Hollywood, or Pompano Beach Chamber of Commerce, as nominated by its Board of Directors. This seat shall rotate between the three (3) Chambers of Commerce annually to ensure full representation;
13. One (1) CareerSource Broward or successor entity representative;
14. One (1) Broward Behavioral Health Coalition representative;
15. One (1) U. S. Department Veterans Affairs representative;
16. One (1) faith-based organization representative;
17. One (1) HUD Emergency Solutions Grant Recipient; and
18. One (1) School Board of Broward County, Florida, representative.

1 (b) Individuals from the community who are not appointed to the Homeless
2 Continuum of Care Board may serve on task forces and subcommittees as established
3 by the Homeless Continuum of Care Board. Appointments to fill task forces and
4 subcommittees shall be at the discretion of the Homeless Continuum of Care Board.

5 (c) The Homeless Provider and Stakeholders' Council is a community-based
6 organization established in cooperation with the Homeless Initiative Partnership (HIP)
7 Section to, in part, provide input and guidance to the Homeless Continuum of Care
8 Board, through its representatives, concerning all homeless issues and priorities in
9 Broward County.

10 **12.154. Term of Appointees.**

11 (a) Members of the Homeless Continuum of Care Board whose seats
12 rotate on a recurring basis ("rotating category") shall serve in such rotating category
13 for one (1) year. All other members of the Homeless Continuum of Care Board shall
14 serve in accordance with Section 1-233, Broward County Code of Ordinances
15 ("Code"), and are specifically exempt from the requirements set forth in
16 Subsection (c)(2) of Section 1-233 of the Code, which provides that members may
17 only serve on one (1) County board.

18 (b) Any appointed member may be removed by the Board for misconduct,
19 incompetency, or neglect of duty on its own motion or upon recommendation of the
20 Homeless Continuum of Care Board.

21 (c) The meetings, quorum, organization, and attendance requirements of
22 the Homeless Continuum of Care Board shall be as set forth in
23 Section 1-233.

1 (d) The Homeless Continuum of Care Board shall elect a chair and such
2 other officers as are deemed necessary for purposes of managing its activities and
3 bringing direction and leadership to the Homeless Continuum of Care Board, each of
4 whom shall serve for one (1) year and until his or her successor is chosen.

5 (e) The Homeless Continuum of Care Board shall, by majority vote of the
6 entire membership, adopt rules of procedure for the transaction of business, keep a
7 written record of meetings, resolutions, findings, and determinations, and establish a
8 governance charter.

9 (f) Members of the Homeless Continuum of Care are public officers and
10 are therefore subject to the applicable standards of conduct and voting conflicts
11 requirements of the Florida Code of Ethics for Public Officers and Employees,
12 Chapter 112, Part III, Florida Statutes.

13 **12.155. Functions, Powers, and Duties.**

14 (a) The functions, powers, and duties of the Homeless Continuum of Care
15 Board shall be as follows:

- 16 1. Serve in an advisory capacity to the Board on matters relating to the
17 homeless issue in Broward County.
- 18 2. Recommend funding priorities to the Board through the HIP Section for
19 homeless services in the Continuum of Care, including federal and
20 state grants and county, municipal, and private funds.
- 21 3. Review the *A Way Home: Broward County, Florida's Ten Year Plan to*
22 *End Homelessness* ("Action Plan") at least annually to ensure that the
23 Action Plan continues to meet the needs of the homeless and the
24 community at large in Broward County.

- 1 4. Submit to the Board, on an annual basis, a final report summarizing and
2 evaluating all programs and activities undertaken by the Homeless
3 Continuum of Care Board.
- 4 5. Recommend processes to the Board necessary to implement the Action
5 Plan, including: soliciting municipal, private, and nonprofit participation
6 in the Homeless Continuum of Care; raising funds from the private
7 sector and other funding streams; and encouraging additional financial
8 support from entitlement communities.
- 9 6. Recommend any additional actions deemed necessary by the
10 Homeless Continuum of Care Board to advance the Action Plan and
11 otherwise assist the homeless in Broward County.
- 12 (b) The Homeless Continuum of Care Board shall serve as the local
13 homeless coalition board as defined in Section 420.623, Florida Statutes, and shall
14 provide the following functions:
 - 15 1. Develop or assist with the development of a plan for the Continuum of
16 Care, as described in Section 420.624, Florida Statutes, for Broward
17 County. Unless otherwise specified in the plan or as a result of an
18 agreement with another coalition in the same local area, the Homeless
19 Continuum of Care Board shall serve as the lead agency for the
20 Continuum of Care.
 - 21 2. Discuss local issues related to homelessness and the needs of the
22 homeless.
 - 23 3. Inventory all local resources for the homeless, including, but not limited
24 to, food assistance, clothing, emergency shelter, low-cost housing,

1 emergency medical care, counseling, training, and employment.

2 4. Review and assess all services and programs in support of the
3 homeless and identify unmet needs of the homeless.

4 5. Facilitate the delivery of multi-agency services for the homeless to
5 eliminate duplication of services and to maximize the use of limited
6 existing resources for the homeless.

7 6. Identify potential new programs and services to fill critical service gaps,
8 if necessary, through reallocation of existing resources for the
9 homeless.

10 7. Develop a community resource directory of services available to the
11 homeless for use by agencies, volunteers, information and referral
12 systems, and homeless persons.

13 8. Develop public education and outreach initiatives to make homeless
14 persons aware of the services available to them through community
15 agencies and organizations.

16 9. Identify and explore new approaches to shelter care for the homeless.

17 10. Evaluate local homeless initiatives to assess their impact to determine
18 the adequacy of services available through such initiatives, and to
19 identify additional unmet needs of homeless persons.

20 11. Collect and compile information relating to the homeless population
21 served, and report on a regular basis, but at least annually, such
22 information to the Florida Department of Children and Families ("DCF"),
23 as directed by DCF.
24

1 12. Develop an annual report detailing the Homeless Continuum of Care
2 Board's goals and activities.

3 13. Review spending plans developed by the HIP Section pursuant to the
4 grant-in-aid program created under Section 420.625, Florida Statutes.
5 Spending plans shall include a competitive ranking of applications from
6 local agencies eligible for funding pursuant to the provisions of Section
7 420.625, Florida Statutes.

8 14. Develop a strategy for increasing support and participation from local
9 businesses in the Homeless Continuum of Care Board's programs and
10 activities.

11 **Sec. 12.156. Reserved.**

12 **12.157. Duties of the County Administrator.**

13 The County Administrator or designee shall provide technical support and
14 serve as the staff advisor to the Homeless Continuum of Care Board.

15 **12.158. Review Process.**

16 The Homeless Continuum of Care Board shall be reviewed once every two (2)
17 years by the Board to ensure that the Homeless Continuum of Care Board is meeting
18 the objectives set out in the Action Plan.

19 **12.159 - 12.161. Reserved.**

20 Section 2. SEVERABILITY.

21 If any portion of this Resolution is determined by any Court to be invalid, the
22 invalid portion shall be stricken, and such striking shall not affect the validity of the
23 remainder of this Resolution. If any Court determines that this Resolution, or any
24 portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies),

1 property(ies), or circumstance(s), such determination shall not affect the applicability
2 hereof to any other individual, group, entity, property, or circumstance.

3 Section 3. INCLUSION IN THE ADMINISTRATIVE CODE.

4 It is the intention of the Board of County Commissioners that the provisions of
5 this Resolution shall become and be made a part of the Broward County Administrative
6 Code; and that the sections of this Resolution be renumbered or relettered and the word
7 "resolution" may be changed to "section," "article," or such other appropriate word or
8 phrase in order to accomplish such intentions.

9 Section 4. EFFECTIVE DATE.

10 This Resolution shall become effective upon adoption.

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12 ADOPTED this 11th day of March, 2014.

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18 Approved as to form and legal sufficiency:
Joni Armstrong Coffey, County Attorney

19
20 By /s/ Tricia D. Brissett 3/19/14
21 Tricia D. Brissett (Date)
22 Assistant County Attorney

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