

PROPOSED

RESOLUTION NO. 2018-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO THE BROWARD COUNTY HOMELESS CONTINUUM OF CARE BOARD; AMENDING SECTIONS 12.153 AND 12.154 OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"); AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

WHEREAS, Section 2.09 of the Broward County Charter provides for the periodic review of all existing Broward County boards, authorities, and agencies; and

WHEREAS, the Board of County Commissioners of Broward County, Florida (the "Board"), has completed this review; and

WHEREAS, the Board has determined that amending the membership composition of the Broward County Homeless Continuum of Care Board is appropriate at this time, NOW, THEREFORE,

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

Section 1. Section 12.153 of the Broward County Administrative Code is hereby amended to read as follows:

12.153. Composition; Nominations and Appointments.

(a) The Homeless Continuum of Care Board ("HCOC") shall be composed of ~~twenty-seven (27)~~ twenty-eight (28) voting members and two (2) nonvoting ex-officio members. The Board of County Commissioners ("Board") shall appoint members to the ~~Homeless Continuum of Care Board~~ HCOC from persons nominated as follows, with nominations by the Board made in accordance with applicable advisory board categorical draw processes:

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.

...

2. One (1) Public Housing Authority representative nominated by one (1) of the following housing authorities in the order designated below. This seat shall rotate between the three (3) housing authorities biennially to ensure full representation:

- a. Broward County Housing Authority;
- b. Housing Authority of the City of Fort Lauderdale; ~~or~~ and
- c. Hollywood Housing Authority;

~~This seat shall rotate between the three (3) housing authorities annually to ensure full representation;~~

3. ~~One (1)~~ Two (2) Hospital District representatives ~~nominated by the following in the order designated below:~~

- a. A representative nominated by the North Broward Hospital District (doing business as "Broward Health"); ~~or~~ and
- b. A representative nominated by the South Broward Hospital District (doing business as "Memorial Healthcare System");

~~This seat shall rotate between the North and South Hospital Districts annually to ensure full representation;~~

...

9. ~~Two (2) officials, the Chairperson and the Vice Chairperson, from~~ of the Homeless Provider and Stakeholders' Council;

10. ~~Four (4)~~ Three (3) advocates representatives for the homeless appointed by the Board, one (1) in each of the following areas: youth; family; and veterans affairs;

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.

...

12. ~~One (1)~~ Three (3) Chamber of Commerce representatives, each nominated by its the Board of Directors, ~~in the order~~ designated below:

- a. Greater Fort Lauderdale Chamber of Commerce;
- b. Greater Hollywood Chamber of Commerce; ~~or~~ and
- c. Greater Pompano Beach Chamber of Commerce.

~~This seat shall rotate between the three (3) Chambers of Commerce annually to ensure full representation;~~

...

~~15. One (1) representative nominated by the U.S. Department of Veterans Affairs;~~

~~16.~~ 15. One (1) faith-based organization representative appointed by the Board;

~~17.~~ 16. One (1) representative of a HUD Emergency Solutions Grant Recipient appointed by the Board. This appointment shall not be subject to either Section 1-233(b)(1) or Subsection 1-233(b)(3), Broward County Code of Ordinances;

~~18.~~ 17. One (1) representative nominated by the School Board of Broward County, Florida;

~~19.~~ 18. One (1) nonvoting ex-officio member nominated by the operator of the Central Homeless Assistance Center; ~~and~~

~~20.~~ 19. One (1) nonvoting ex-officio member nominated by the operators of the North or South Homeless Assistance Centers. ~~The first appointment shall be from the North Homeless Assistance Center.~~ This ex-officio seat shall rotate between the two (2) centers ~~annually~~ biennially to ensure full participation; and

20. One (1) representative of an affordable housing developer, defined as an entity or individual that uses SHIP, SAIL, HOME, CDBG, State Tax Credits, or other state and federal funds when developing affordable housing, appointed by the Board.

(b) Advocates are defined as individuals who are not providers and who do not receive funding from Broward County. Advocates shall be free of any conflict of interest incurred by being an employee of a nonprofit or for-profit agency receiving funding, and shall submit a letter of resignation if a conflict develops after appointment.

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

Section 2. Section 12.154 of the Broward County Administrative Code is hereby amended to read as follows:

12.154. Term of Appointees.

(a) ~~A M~~members of the ~~Homeless Continuum of Care Board~~ HCOOC whose seats rotates on a recurring basis ("rotating category") shall serve in such rotating category for ~~one~~ (1) two (2) years or until their his or her successor is appointed, whichever is sooner. All other members of the ~~Homeless Continuum of Care Board~~ HCOOC shall serve in accordance with Section 1-233, Broward County Code of Ordinances ("Code"), and are specifically exempt from the requirements set forth in ~~Sub~~section 1-233(b)(2) of the Code.

(b) Upon the expiration of a term, a member of the HCOOC not in a rotating category shall continue to serve until a successor is appointed, under the provisions set forth in Section 1-233 of the Code.

1 ~~(b)~~ (c) Any appointed member may be removed by the Board for misconduct,
2 incompetency, or neglect of duty on its own motion or upon recommendation of the ~~Homeless~~
3 ~~Continuum of Care Board~~ HCOC.

4 ~~(c)~~ (d) The meetings, quorum, organization, and attendance requirements of the
5 ~~Homeless Continuum of Care Board~~ HCOC shall be as set forth in Section 1-233 of the Code.

6 ~~(d)~~ (e) The ~~Homeless Continuum of Care Board~~ HCOC shall elect a chair and such
7 other officers as are deemed necessary for purposes of managing its activities and bringing
8 direction and leadership to the ~~Homeless Continuum of Care Board~~ HCOC; ~~e~~ Each of whom
9 officer shall serve for one (1) year and until his or her successor is chosen.

10 ~~(e)~~ (f) The ~~Homeless Continuum of Care Board~~ HCOC shall, ~~by majority vote of the~~
11 ~~entire membership~~, adopt rules of procedure for the transaction of business by majority vote
12 of the entire membership, keep a written record of meetings, resolutions, findings, and
13 determinations, and establish a governance charter.

14 ~~(f)~~ (g) Members of the ~~Homeless Continuum of Care Board~~ HCOC are public officers
15 and are therefore subject to the applicable standards of conduct and voting conflicts
16 requirements of the Florida Code of Ethics for Public Officers and Employees, Chapter 112,
17 Part III, Florida Statutes.

18 Section 3. SEVERABILITY.

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

Section 4. INCLUSION IN THE ADMINISTRATIVE CODE.

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

Section 5. EFFECTIVE DATE.

This Resolution shall become effective upon adoption.

ADOPTED this day of , 2018.

PROPOSED

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

By /s/ Sharon V. Thorsen 03/13/18
Sharon V. Thorsen (Date)
Senior Assistant County Attorney

By /s/ Angela J. Wallace 03/13/18
Angela J. Wallace (Date)
Deputy County Attorney

SVT:dp
03/13/18
Homeless Continuum of Care Sunset Review Amendment
43012

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscored type are additions.