

1 RESOLUTION NO. 2020-

2 A RESOLUTION OF THE BOARD OF COUNTY
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
4 PERTAINING TO THE BROWARD COUNTY HOMELESS
5 CONTINUUM OF CARE BOARD; AMENDING SECTIONS
6 12.152 TO 12.155 AND 12.157 TO 12.158 OF THE
7 BROWARD COUNTY ADMINISTRATIVE CODE
8 ("ADMINISTRATIVE CODE"); AND PROVIDING FOR
9 SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE
10 CODE, AND AN EFFECTIVE DATE.

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

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

15 WHEREAS, the Board has determined that amending the membership
16 composition and updating the functions of the Broward County Homeless Continuum of
17 Care Board in line with state and federal laws and regulations is appropriate at this time,
18 NOW, THEREFORE,

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

21 Section 1. Section 12.152 of the Broward County Administrative Code is hereby
22 amended to read as follows:

23 **12.152. Creation.**

24 There is hereby created and established a Broward County Homeless Continuum

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underscoring type are additions.

1 of Care Board (~~"Homeless Continuum of Care Board"~~) ("HCoC"). The Homeless
2 ~~Continuum of Care Board~~ HCoC shall will serve in an advisory capacity to the Broward
3 County Board of County Commissioners ("Board"), making recommendations to the
4 Board for the establishment and implementation of ~~the Homeless Continuum of Care,~~
5 programs and services for the community-based homeless assistance program planning
6 network of providers ~~comprised of various organizations~~ within Broward County, ~~to~~
7 ~~efficiently and effectively deliver coordinated housing and related services to the~~
8 ~~homeless in Broward County.~~ The Homeless Continuum of Care Board HCoC shall will
9 also ~~act~~ advocate on behalf of the Homeless Continuum of Care, as defined by the
10 McKinney-Vento Homeless Assistance Act, as amended, 42 U.S.C. 11381 et seq. ("Act"),
11 24 C.F.R. Part 578, and Chapter 420, Florida Statutes, to provide collaborative local
12 homeless assistance efforts through ~~Homeless Continuum of Care programs~~ the network
13 of providers in Broward County ~~authorized by the federal HEARTH Act, 42 U.S.C. 11374~~
14 ~~et seq., and 24 CFR Part 576.~~

15
16 Section 2. Section 12.153 of the Broward County Administrative Code is hereby
17 amended to read as follows:

18 **12.153. Composition; Nominations and Appointments.**

19 (a) The ~~Homeless Continuum of Care Board ("HCoC")~~ HCoC shall will be
20 composed of ~~twenty-eight (28)~~ thirty (30) voting members and two (2)
21 nonvoting ~~ex-officio~~ ex officio members, for a total of thirty-two (32)
22 members. The Board of County Commissioners ("~~Board~~") shall will appoint
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1 members to the ~~HCOG~~ HCoC from persons nominated as follows, with
2 nominations by the Board made in accordance with applicable advisory
3 board categorical draw processes:

- 4 1. One (1) representative nominated by the Broward County Housing
5 Council;
- 6 2. One (1) Public Housing Authority representative nominated by
7 one (1) of the following housing authorities in the order designated
8 below. This seat ~~shall~~ will rotate every two (2) years between the
9 ~~three (3)~~ six (6) housing authorities ~~biennially~~ to ensure full
10 representation:
 - 11 a. Broward County Housing Authority;
 - 12 b. Housing Authority of the City of Fort Lauderdale; ~~and~~
 - 13 c. Hollywood Housing Authority;
 - 14 d. Dania Beach Housing Authority;
 - 15 e. Pompano Beach Housing Authority; and
 - 16 f. Deerfield Beach Housing Authority;
- 17 3. Two (2) Hospital District representatives:
 - 18 a. A representative nominated by the North Broward Hospital
19 District (doing business as "Broward Health"); and
 - 20 b. A representative nominated by the South Broward Hospital
21 District (doing business as "Memorial Healthcare System");
- 22 4. One (1) representative nominated by ~~the~~ United Way of Broward
23 County, Inc.;

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- 5. Three (3) corrections or law enforcement representatives nominated as follows:
 - a. One (1) member nominated by the ~~Broward Sheriff's Office of~~ the Sheriff of Broward County;
 - b. ~~One (1) member nominated by~~ The Chief of Police of the City of Fort Lauderdale Police Department, or his or her designee who will be a major who oversees homeless street outreach;
and
 - c. ~~One (1) member nominated by~~ The Chief of Police of the City of Hollywood Police Department, or his or her designee who will be a major who oversees homeless street outreach;
- 6. One (1) Broward County Commissioner nominated by the Mayor;
- 7. One (1) representative of a domestic violence services organization nominated by a Broward County Commissioner and appointed by the Board;
- 8. Three (3) elected municipal officials or ~~designees~~ employees from municipalities that are designated as a U.S. Department of Housing and Urban Development ("HUD") Community Development Block Grant ("CDBG") ~~Entitlement entitlement Community community~~, each nominated by the corresponding municipality as follows:
 - a. One (1) from the City of Fort Lauderdale;
 - b. One (1) from the City of Hollywood; and
 - c. One (1) from the City of Pompano Beach;

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- 9. The Chairperson of the Homeless Provider and ~~Stakeholders'~~
Stakeholder's Council;
- 10. Three (3) advocate representatives for the homeless nominated by
a Broward County Commissioner and appointed by the Board,
one (1) ~~in~~ for each of the following ~~areas~~ populations of focus: youth;
~~family~~ families; and veterans ~~affairs~~;
- 11. Two (2) persons who are currently homeless or who have formerly
experienced homelessness, nominated by a Broward County
Commissioner and appointed by the Board;
- 12. One (1) Greater Fort Lauderdale Chamber of Commerce
representative nominated by its Board of Directors;
- 13. ~~One (1) representative nominated by The Chief Executive Officer, or~~
his or her designee, of CareerSource Broward or successor entity;
- 14. One (1) representative nominated by the Board of Directors of
Broward Behavioral Health Coalition, Inc.;
- 15. One (1) faith-based organization representative appointed by the
Board;
- 16. One (1) representative of a recipient or subrecipient of a HUD
Emergency Solutions Grant Recipient (authorized by the Act,
42 U.S.C. 11371 et seq., and 24 C.F.R. Part 576), nominated by a
Broward County Commissioner and appointed by the Board. This
appointment ~~shall~~ will not be subject to either Section 1-233(b)(1) or
Section 1-233(b)(3), Broward County Code of Ordinances ("Code");

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- 17. One (1) representative nominated by the School Board of Broward County, Florida;
- ~~18. One (1) nonvoting ex-officio member nominated by the operator of the Central Homeless Assistance Center;~~
- ~~19. One (1) 18. Two (2) nonvoting ex-officio ex-officio members; one (1) member~~ 18. Two (2) nonvoting ex-officio ex-officio members; one (1) member ~~nominated by the operators operator(s) of the North and Central Homeless Assistance Centers, or~~ nominated by the operator of the South Homeless Assistance Centers; ~~This ex-officio seat shall rotate between the two (2) centers biennially to ensure full participation; and~~
- ~~20. 19.~~ 19. One (1) representative of an affordable housing developer, defined as an entity or individual that uses ~~SHIP~~ State Housing Initiatives Partnership, SAIL State Apartment Incentive Loan, HOME Investment Partnerships, CDBG, State Tax Credits, other state program funds, or other federal funds when developing affordable housing, nominated by a Broward County Commissioner and appointed by the Board;
- ~~21. 20.~~ 20. One representative nominated by the Greater Fort Lauderdale Alliance Foundation, Inc.; ~~and~~
- ~~22. 21.~~ 21. One (1) representative nominated by the Broward Workshop, Inc.;
- 22. The Chief Executive Officer, or his or her designee, from the Florida

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1 Department of Children and Families ("DCF") community-based care
2 lead agency, as defined in Section 409.986(3)(d), Florida Statutes:
3 and

4 23. The William "Bill" Kling Department of Veterans Affairs Outpatient
5 Clinic Director, or his or her designee who oversees services
6 provided to homeless veterans or works with homeless veterans.

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

12 (c) Individuals from the community who are not appointed to the ~~HCOG~~ HCoC
13 may serve on task forces and subcommittees as established by the ~~HCOG~~
14 HCoC. Appointments to fill task forces and subcommittees ~~shall~~ will be at
15 the discretion of the ~~HCOG~~ Chair of the HCoC.

16 ~~(d) Representatives nominated by entities holding a seat on the HCoC to be~~
17 ~~appointed by the Board will not be subject to the Broward County residency~~
18 ~~requirements set forth in Section 1-233(b)(1) of the Code. Broward County~~
19 ~~residency will be required for all persons nominated by a Broward County~~
20 ~~Commissioner to be appointed by the Board. For appointments at large, a~~
21 ~~person appointed to an advisory board or other board shall be a resident of~~
22 ~~Broward County and shall maintain residency in Broward County during the~~
23 ~~term of appointment. For all other appointments based on respective~~
24 ~~positions within the County, Broward County residency is not required.~~

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1 (d)(e) For appointments nominated by outside entities based on respective
2 positions within the County, Broward County residency is not
3 required.

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5 Section 3. Section 12.154 of the Broward County Administrative Code is hereby
6 amended to read as follows:

7 **12.154. Term of Appointees.**

- 8 (a) A member of the ~~HCOC~~ HCoC whose seat rotates on a recurring basis
9 ("rotating category") ~~shall~~ may serve in such rotating category for two (2)
10 years or until his or her successor is appointed, whichever is sooner. All
11 other members of the ~~HCOC~~ HCoC ~~shall~~ will serve in accordance with
12 Section 1-233, ~~Broward County Code of Ordinances ("Code") of the Code,~~
13 and are specifically exempt from the requirements set forth in
14 Section 1-233(b)(2) of the Code.
- 15 (b) Upon the expiration of a term, a member of the ~~HCOC~~ HCoC not in a
16 rotating category ~~shall~~ may continue to serve until a successor is appointed,
17 under the provisions set forth in Section 1-233 of the Code.
- 18 (c) Any appointed member may be removed by the Board for misconduct,
19 incompetency, or neglect of duty on its own motion or upon
20 recommendation of the ~~HCOC~~ HCoC.
- 21 (d) The meetings, quorum, organization, and attendance requirements of the
22 ~~HCOC~~ HCoC ~~shall~~ will be as set forth in Section 1-233 of the Code.
- 23 (e) The ~~HCOC~~ HCoC ~~shall~~ will elect a chair and such other officers as are
24 deemed necessary for purposes of managing its activities and bringing

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1 direction and leadership to the ~~HCOC~~ HCoC. Each officer ~~shall~~ will serve
2 for one (1) year and may serve for two (2) subsequent terms until his or her
3 successor is chosen.

4 (f) The ~~HCOC~~ HCoC ~~shall~~ will adopt rules of procedure for the transaction of
5 business by majority vote of the entire membership, keep a written record
6 of meetings, resolutions, findings, and determinations, and establish a
7 governance charter, in accordance with the requirements of the Act and
8 24 C.F.R. Part 578.

9 (g) Members of the ~~HCOC~~ HCoC are public officers and ~~are~~ therefore subject
10 to the applicable standards of conduct and voting conflicts requirements of
11 the Florida Code of Ethics for Public Officers and Employees, Chapter 112,
12 Part III, Florida Statutes. Members will also comply with conflict-of-interest
13 requirements under the Act and 24 C.F.R. Part 578.

14
15 Section 4. Section 12.155 of the Broward County Administrative Code is hereby
16 amended to read as follows:

17 **12.155. Functions, Powers, and Duties.**

18 (a) The functions, powers, and duties of the ~~Homeless Continuum of Care Board~~
19 HCoC ~~shall~~ will be as follows:

20 1. (a) Serve in an advisory capacity to the Board on matters relating to ~~the~~
21 ~~homeless issue~~ homelessness in Broward County.

22 2. (b) ~~Recommend funding priorities to the Board through the HIP Section for~~
23 ~~homeless services in the Continuum of Care, including federal, and state~~
24 ~~grants and county, municipal, and private funds. Review funding~~

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1 ~~recommendations for homeless services from the Broward County~~
2 ~~Homeless Initiative Partnership ("HIP") Section and provide documentation~~
3 ~~of support to the Board.~~

4 (b) The Board shall collect information and data on needs and services of
5 individuals and families experiencing homelessness in Broward County;
6 shall assist agencies of Broward County government in assessing needs ;
7 shall render advice and recommendations on services for individuals and
8 families experiencing homelessness and on such other matters as the
9 Board considers pertinent to the welfare of individuals and families
10 experiencing homelessness in Broward County; and shall cause to be
11 prepared, and shall submit to the County on or by September 30th of each
12 year, recommendations of service funding categories on behalf of
13 individuals and families experiencing homelessness in Broward County.

Commented [MR3]: This is the language that mirrors CSB.

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15 3. (c) Review, ~~at least annually,~~ the *A Way Home: Broward County, Florida's Ten*
16 ~~Year Plan to End Homelessness~~ ("~~Action Consolidated~~ Plan"), ~~developed~~
17 ~~in accordance with 24 C.F.R. 578.27, at least annually~~ to ensure that the
18 ~~Action Consolidated~~ Plan continues to meet the needs of the homeless and
19 the community at large in Broward County. ~~The Consolidated Plan is to be~~
20 ~~updated at least every three (3) years.~~

21 4. (d) Submit to the Board, on an annual basis, a final report summarizing and
22 evaluating all programs and activities undertaken by the ~~Homeless~~
23 ~~Continuum of Care Board HCoC.~~

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underlined type are additions.

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

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

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

6. ~~(g) Identify potential new programs and gaps in services to fill critical service gaps, if necessary, through and review recommendations for reallocation of existing resources for the homeless.~~

(g) Provide a Support of Recommendation Letter will be provided for any of the following reasons which include an annual letter of support for the upcoming fiscal year contract renewals; contract amendments related to over a 10% increase in the contract budget; or the support for issuing a letter of as a result of a Request for Proposal.

(h) Included in the Support of Recommendation Letter shall state the purpose of the letter as I identified above; a brief description of the services and the recommended budgeted amount within the funding category-(ies) detailed in the agenda item; as applicable; any recommendations for improving the delivery of services to individuals and families experiencing homelessness in Broward County; and annually

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1 recommended budget and ~~_____~~ funding levels for services for the
2 next fiscal year.

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5 7. (h) ~~Develop a~~ Review the community resource directory developed by the
6 County of regarding services available to the homeless for use by agencies,
7 volunteers, information and referral systems, and homeless persons.

8 8. (i) Develop public education and outreach initiatives to make homeless
9 persons aware of the services available to them through community
10 agencies and organizations.

11 9. (j) Identify and explore new approaches to shelter care and other permanent
12 housing interventions for the homeless.

13 ~~10. Evaluate local homeless initiatives to assess their impact to~~
14 ~~determine the adequacy of services available through such~~
15 ~~initiatives, and to identify additional unmet needs of homeless~~
16 ~~persons.~~

17 11. (k) ~~Collect and compile~~ Review information relating to the homeless population
18 served, and ~~report on a regular basis, but at least annually, such information~~
19 for submittal to the Florida Department of Children and Families ("DCF"), as
20 directed by DCF, DCF and HUD.

21 ~~11. Develop an annual report detailing the Homeless Continuum of Care~~
22 ~~Board's goals and activities.~~

23 ~~12. Review spending plans developed by the HIP Section pursuant to~~
24 ~~the grant-in-aid program created under Section 420.625, Florida~~

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1 ~~Statutes. Spending plans shall include a competitive ranking of~~
2 ~~applications from local agencies eligible for funding pursuant to the~~
3 ~~provisions of Section 420.625, Florida Statutes.~~

4 ~~13. Develop a strategy for increasing support and participation from local~~
5 ~~businesses in the Homeless Continuum of Care Board's programs~~
6 ~~and activities.~~

7
8 Section 5. Section 12.157 of the Broward County Administrative Code is hereby
9 amended to read as follows:

10 **12.157. Duties of the County Administrator.**

11 The County Administrator or designee ~~shall~~ will provide technical support and
12 serve as the staff advisor to the ~~Homeless Continuum of Care Board~~ HCoC.

13
14 Section 6. Section 12.158 of the Broward County Administrative Code is hereby
15 amended to read as follows:

16 **12.158. Review Process.**

17 The performance of the ~~Homeless Continuum of Care Board~~ HCoC ~~shall~~ will, in
18 accordance with the procedures adopted pursuant to Section 2.09 of the Broward County
19 Charter, be reviewed by the Board to ensure that the ~~Homeless Continuum of Care Board~~
20 HCoC is meeting the objectives set forth in the ~~Action~~ Consolidated Plan.

21
22 Section 7. Severability.

23 If any portion of this Administrative Code Resolution is determined by any court to
24 be invalid, the invalid portion will be stricken, and such striking will not affect the validity

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By /s/ (in italics) 00/00/2020
Karen S. Gordon (date)
Senior Assistant County Attorney

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2020 HCoC Board Sunset Review Amendments
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