

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

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. 11371~~  
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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underscored type are additions.

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~~ nominated by the ~~operators~~ operator(s) of the North and Central Homeless Assistance Centers, ~~or~~ and one (1) member 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. 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;
- 24. 20. One representative nominated by the Greater Fort Lauderdale Alliance Foundation, Inc.; ~~and~~
- ~~22.~~ 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.

21  
22 Section 3. Section 12.154 of the Broward County Administrative Code is hereby  
23 amended to read as follows:  
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1 **12.154. Term of Appointees.**

- 2 (a) A member of the ~~HCOC~~ HCoC whose seat rotates on a recurring basis  
3 ("rotating category") ~~shall~~ may serve in such rotating category for two (2)  
4 years or until his or her successor is appointed, whichever is sooner. All  
5 other members of the ~~HCOC~~ HCoC ~~shall~~ will serve in accordance with  
6 Section 1-233, ~~Broward County Code of Ordinances ("Code")~~ of the Code,  
7 and are specifically exempt from the requirements set forth in  
8 Section 1-233(b)(2) of the Code.
- 9 (b) Upon the expiration of a term, a member of the ~~HCOC~~ HCoC not in a  
10 rotating category ~~shall~~ may continue to serve until a successor is appointed,  
11 under the provisions set forth in Section 1-233 of the Code.
- 12 (c) Any appointed member may be removed by the Board for misconduct,  
13 incompetency, or neglect of duty on its own motion or upon  
14 recommendation of the ~~HCOC~~ HCoC.
- 15 (d) The meetings, quorum, organization, and attendance requirements of the  
16 ~~HCOC~~ HCoC ~~shall~~ will be as set forth in Section 1-233 of the Code.
- 17 (e) The ~~HCOC~~ HCoC ~~shall~~ will elect a chair and such other officers as are  
18 deemed necessary for purposes of managing its activities and bringing  
19 direction and leadership to the ~~HCOC~~ HCoC. Each officer ~~shall~~ will serve  
20 for one (1) year and may serve for two (2) subsequent terms until his or her  
21 successor is chosen.
- 22 (f) The ~~HCOC~~ HCoC ~~shall~~ will adopt rules of procedure for the transaction of  
23 business by majority vote of the entire membership, keep a written record  
24 of meetings, resolutions, findings, and determinations, and establish a

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1 governance charter, in accordance with the requirements of the Act and  
2 24 C.F.R. Part 578.

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

8  
9 Section 4. Section 12.155 of the Broward County Administrative Code is hereby  
10 amended to read as follows:

11 **12.155. Functions, Powers, and Duties.**

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

- 14 1. (a) Serve in an advisory capacity to the Board on matters relating to the  
15 ~~homeless issue~~ homelessness in Broward County.
- 16 2. (b) ~~Recommend funding priorities to the Board through the HIP Section for~~  
17 ~~homeless services in the Continuum of Care, including federal, and state~~  
18 ~~grants and county, municipal, and private funds~~ Review funding  
19 recommendations for homeless services from the Broward County  
20 Homeless Initiative Partnership ("HIP") Section and provide documentation  
21 of support to the Board.
- 22 3. (c) Review, at least annually, the *A Way Home: Broward County, Florida's Ten*  
23 *Year Plan to End Homelessness* ("~~Action~~ Consolidated Plan"), developed  
24 in accordance with 24 C.F.R. 578.27, ~~at least annually~~ to ensure that the

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1           Action Consolidated Plan continues to meet the needs of the homeless and  
2           the community at large in Broward County. The Consolidated Plan is to be  
3           updated at least every three (3) years.

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

7 5.    (e)   Recommend processes to the Board necessary to implement the Action  
8           Consolidated Plan, including: soliciting municipal, private, and nonprofit  
9           participation in the Homeless Continuum of Care; raising funds from the  
10          private sector and other funding streams; and encouraging additional  
11          financial support from entitlement communities.

12 6.    (f)   Recommend any additional actions deemed necessary by the Homeless  
13          Continuum of Care Board HCoC to advance the Action Consolidated Plan  
14          and otherwise assist the homeless in Broward County.

15 ~~(b) The Homeless Continuum of Care Board shall serve as the local homeless~~  
16 ~~coalition board as defined in Section 420.623, Florida Statutes, and shall~~  
17 ~~provide the following functions:~~

18       1. ~~Develop or assist with the development of a plan for the Continuum~~  
19       ~~of Care, as described in Section 420.624, Florida Statutes, for~~  
20       ~~Broward County. Unless otherwise specified in the plan or as a result~~  
21       ~~of an agreement with another coalition in the same local area, the~~  
22       ~~Homeless Continuum of Care Board shall serve as the lead agency~~  
23       ~~for the Continuum of Care.~~

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- 1                   2. ~~Discuss local issues related to homelessness and the needs of the~~
- 2                                 ~~homeless.~~
- 3                   3. ~~Inventory all local resources for the homeless, including, but not~~
- 4                                 ~~limited to, food assistance, clothing, emergency shelter, low-cost~~
- 5                                 ~~housing, emergency medical care, counseling, training, and~~
- 6                                 ~~employment.~~
- 7                   4. ~~Review and assess all services and programs in support of the~~
- 8                                 ~~homeless and identify unmet needs of the homeless.~~
- 9                   5. ~~Facilitate the delivery of multi-agency services for the homeless to~~
- 10                                ~~eliminate duplication of services and to maximize the use of limited~~
- 11                                ~~existing resources for the homeless.~~
- 12 6.     (g)   Identify potential ~~new programs and~~ gaps in services ~~to fill critical service~~
- 13                                ~~gaps, if necessary, through~~ and review recommendations for reallocation of
- 14                                ~~existing resources for the homeless.~~
- 15 7.     (h)   ~~Develop a~~ Review the community resource directory developed by the
- 16                                County of regarding services available to the homeless for use by agencies,
- 17                                volunteers, information and referral systems, and homeless persons.
- 18 8.     (i)   Develop public education and outreach initiatives to make homeless
- 19                                persons aware of the services available to them through community
- 20                                agencies and organizations.
- 21 9.     (j)   Identify and explore new approaches to shelter care and other permanent
- 22                                housing interventions for the homeless.
- 23                   10. ~~Evaluate local homeless initiatives to assess their impact to~~
- 24                                 ~~determine the adequacy of services available through such~~

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1 initiatives, and to identify additional unmet needs of homeless  
2 persons.

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

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

9 12. ~~Review spending plans developed by the HIP Section pursuant to~~  
10 ~~the grant-in-aid program created under Section 420.625, Florida~~  
11 ~~Statutes. Spending plans shall include a competitive ranking of~~  
12 ~~applications from local agencies eligible for funding pursuant to the~~  
13 ~~provisions of Section 420.625, Florida Statutes.~~

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

17  
18 Section 5. Section 12.157 of the Broward County Administrative Code is hereby  
19 amended to read as follows:

20 **12.157. Duties of the County Administrator.**

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

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underscored type are additions.

1 Section 6. Section 12.158 of the Broward County Administrative Code is hereby  
2 amended to read as follows:

3 **12.158. Review Process.**

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

8  
9 Section 7. Severability.

10 If any portion of this Administrative Code Resolution is determined by any court to  
11 be invalid, the invalid portion will be stricken, and such striking will not affect the validity  
12 of the remainder of this Administrative Code Resolution. If any court determines that this  
13 Administrative Code Resolution, in whole or in part, cannot be legally applied to any  
14 individual, group, entity, property, or circumstance, such determination will not affect the  
15 applicability of this Administrative Code Resolution to any other individual, group, entity,  
16 property, or circumstance.

17  
18 Section 8. Inclusion in the Broward County Administrative Code.

19 It is the intention of the Board of County Commissioners that the provisions of this  
20 Administrative Code Resolution become part of the Broward County Administrative Code  
21 as of the effective date. The sections of this Administrative Code Resolution may be  
22 renumbered or relettered and the word "resolution" may be changed to "section," "article,"  
23 or such other appropriate word or phrase to the extent necessary in order to accomplish  
24 such intention.

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Section 9. Effective Date.

This Administrative Code Resolution is effective upon adoption.

ADOPTED this            day of            , 2020.

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

By /s/ (in italics)            00/00/2020  
Angela M. Rodríguez      (date)  
Assistant County Attorney

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

AMR/bh  
2020 HCoC Board Sunset Review Amendments  
09/16/2020  
#60070

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