

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: July 21, 2009 [ X ] Consent [ ] Regular

Department: Housing and Community Development

Submitted By: Housing and Community Development

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to adopt: A Resolution amending Resolution No. 2006-1279 and Resolution No. R97-1154 by eliminating the minimum number of meetings that the Emergency Shelter Grants Program (ESGP) Advisory Board is required to conduct annually.

**Summary:** The proposed Amendment to Resolution No. 2006-1279 which amended Resolution No. R1997-1154 which established the ESGP Advisory Board will specifically eliminate the minimum number of meetings that the Advisory Board must conduct yearly. The proposed amendment reads as follows:

"The Advisory Board shall meet as required to ensure that all obligations of the Board are satisfactorily met and that all Board tasks are completed. A majority of the members appointed shall constitute a quorum for the conduct of the Advisory Board's business. In the presence of a quorum, Advisory Board business shall be conducted by a vote of a majority present and be governed by Roberts Rule of Order. The Chair shall have the authority to call emergency meetings, as is needed and appropriate, by informing members at least one week in advance." (Countywide) (TKF)

**Background and Justification:** Palm Beach County receives funding from the U.S. Department of Housing and Urban Development under the Mc Kinney-Vento Homeless Assistance Act to fund its Emergency Shelter Grants Program (ESGP). The provisions of this Act, as well as other regulations governing the Emergency Shelter Grants Program, require the establishment of an Emergency Shelter Grants Program Advisory Board. Through its adoption of Resolution No. R 97-1154), the Board of County Commissioners established the Palm Beach County Emergency Shelter Grants Program Advisory Board which consists of nine (9) regular members and two (2) alternates. On July 11, 2006 Resolution No. 2006-1279 was adopted amending Resolution No. 97-1154 to satisfy HUD's requirement that the Board consist of at least one homeless or formerly homeless person. The Resolution requires that the Homeless Coalition of Palm Beach County, Inc. nominate prospective board members who are then presented to the BCC for approval. Upon their approval by the BCC, members serve a two-year term. The current ESGP Advisory Board was approved by the BCC on September 11, 2007, with their term set to expire on September 30, 2009. Historically, the ESGP Advisory Board has completed all of its required tasks as in less than five required meetings as outlined in the Resolution. Therefore, the Resolution is being amended to eliminate the required number of meetings the ESGP Advisory Board must conduct annually.

**Attachments:**

- A. Proposed Resolution
- B. Resolution No. 2006-1279
- C.. Resolution No. R97-1154

Recommended By: Edward P. Long Department Director 7/7/09 Date

Approved By: Sharon Q. [Signature] Assistant County Administrator 7/15/09 Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

| <u>Fiscal Years</u>                         | <u>2009</u> | <u>2010</u> | <u>2011</u> | <u>2012</u> | <u>2013</u> |
|---|-------------|-------------|-------------|-------------|-------------|
| Capital Expenditures                        | _____       | _____       | _____       | _____       | _____       |
| Operating Costs:                            | _____       | _____       | _____       | _____       | _____       |
| External Revenues:                          | _____       | _____       | _____       | _____       | _____       |
| Program Income (County)                     | _____       | _____       | _____       | _____       | _____       |
| In-Kind Match (County):                     | _____       | _____       | _____       | _____       | _____       |
| NET FISCAL IMPACT:                          | *           | _____       | _____       | _____       | _____       |
| # OF ADDITIONAL FTE POSITIONS (Cumulative): | _____       | _____       | _____       | _____       | _____       |

Is Item Included In Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_

Budget Account #: Fund \_\_\_\_\_ Dept \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_

Program Code/Program Period \_\_\_\_\_

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

No Fiscal Impact

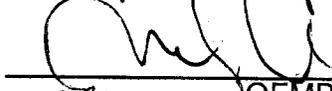
**C. Departmental Fiscal Review:**

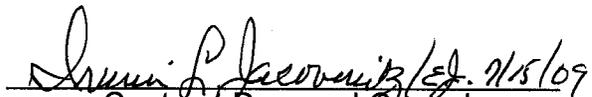
  
 Fiscal Manager I

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Administration Comments:**

\* No fiscal impact

  
 OFMB  
 7/14/09  
 7/17/09

  
 Contract Dev. and Control  
 7/15/09

**B. Legal Sufficiency:**

This item complies with current County policies.

  
 Senior Assistant County Attorney  
 7/15/09

**C. Other Department Review:**

\_\_\_\_\_  
Department Director

RESOLUTION NO. R 2009-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING RESOLUTION No. 2006-1279 AND RESOLUTION NO. R97-1154 BY ELIMINATING THE MINIMUM NUMBER OF MEETINGS THAT THE EMERGENCY SHELTER GRANTS PROGRAM (ESGP) ADVISORY BOARD IS REQUIRED TO CONDUCT ANNUALLY

WHEREAS, the Emergency Shelter Grants Program (ESGP) Advisory Board was recreated by Resolution R97-1154 on September 2, 1997 by the Board of County Commissioners of Palm Beach County to assist the Board of County Commissioners in achieving its ESGP goals; and

WHEREAS, the creation of the ESGP Advisory Board was mandated by HUD for all recipients of ESGP funds; and

WHEREAS, the Homeless Coalition of Palm Beach County, Inc. is currently responsible for nominating potential members to the ESGP Advisory Board whose service is subsequently approved by the BCC; and

WHEREAS, the ESGP Advisory Board has historical fulfilled its obligations and completed all tasks in less than five meetings per year; and

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

THAT Resolution No. R-97-1154, Section 7: Meetings. A. is hereby amended to read as follows:

The Advisory Board shall meet as required to ensure that all obligations of the Board are satisfactorily met and that all Board tasks are completed. A majority of the members appointed shall constitute a quorum for the conduct of the Advisory Board's business. In the presence of a quorum, advisory Board business shall be conducted by a vote of a majority present and be governed by Roberts Rule of Order. The Chair shall have the authority to call emergency meetings, as is needed and appropriate, by informing members at least one week in advance.

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:

- JOHN F. KOONS, CHAIRMAN -
- BURT AARONSON, VICE CHAIRMAN -
- KAREN T. MARCUS, COMMISSIONER -
- SHELLEY VANA, COMMISSIONER -
- STEVEN L. ABRAMS, COMMISSIONER -
- JESS R. SANTAMARIA, COMMISSIONER -
- District 7 Vacant

The Chairperson thereupon declared the Resolution duly passed and adopted this day of \_\_\_\_\_, 2009.

APPROVED AS TO FORM AND LEGAL SELF SUFFICIENCY

ATTEST:  
SHARON R. BOCK, Clerk and Comptroller

By:   
\_\_\_\_\_  
Tammy K. Fields  
Senior Assistant County Attorney

By: \_\_\_\_\_  
Deputy Clerk

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING RESOLUTION R-97-1154 TO CHANGE THE COMPOSITION OF THE EMERGENCY SHELTER GRANTS PROGRAM ADVISORY BOARD

WHEREAS, the Emergency Shelter Grants Program (ESGP) Advisory Board was recreated by Resolution R97-1154 on September 2, 1997 by the Board of County Commissioners of Palm Beach County to assist the Board of County Commissioners in achieving its ESGP goals; and

WHEREAS, the creation of the ESGP Advisory Board was mandated by HUD for all recipients of ESGP funds; and

WHEREAS, 42 U.S.C. 11375 (d) requires that each recipient of funds under Title 24, Sec. 576.56, Emergency Shelter Grants Program: McKinney-Vento Homeless Assistance Act of 1987, as amended, that is not a State, must provide for the participation of homeless person(s) on the ESGP Advisory Board; and

WHEREAS, the existing Emergency Shelter Grants Program Advisory Board does not include a homeless or former homeless individual in its membership and therefore does not satisfy the requirement of 42 U.S.C. 11375 (d); and

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida desires to comply with all regulations governing the administration of funds under the McKinney-Vento Homeless Assistance Act;

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

THAT Resolution No. R-97-1154, Section 2: COMPOSITION be hereby amended to include:

"The ESGP Advisory Board shall include not less than one homeless individual or former homeless individual."

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

|                                   |   |     |
|-----------------------------------|---|-----|
| TONY MASILOTTI, CHAIRMAN          | - |     |
| ADDIE L. GREENE, VICE CHAIRPERSON | - | Aye |
| KAREN T. MARCUS, COMMISSIONER     | - | Aye |
| JEFF KOONS, COMMISSIONER          | - | Aye |
| WARREN H. NEWELL, COMMISSIONER    | - | Aye |
| MARY McCARTY, COMMISSIONER        | - | Aye |
| BURT AARONSON, COMMISSIONER       | - | Aye |

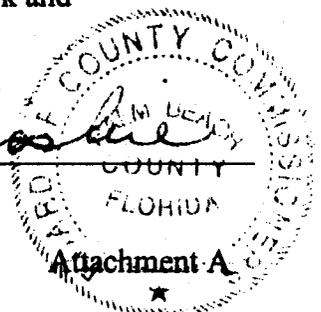
The Chairman thereupon declared the Resolution duly passed and adopted this 11th day of July, 2006.

APPROVED AS TO FORM AND LEGAL SELF SUFFICIENCY

ATTEST: SHARON R. BOCK, Clerk and Comptroller

By: Tammy K. Fields  
Tammy K. Fields, Asst. County Attorney

By: Judith Cross  
Deputy Clerk



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RESOLUTION NO. R- 97-1154 SEP 2 1997

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ESTABLISHING THE EMERGENCY SHELTER GRANTS PROGRAM (ESGP) ADVISORY BOARD.**

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires that recipients of Emergency Shelter Grants Program (ESGP) funds comply with the Stewart B. McKinney Homeless Assistance Act of 1987, as amended, and with 24 CFR Part 576; and

WHEREAS, the Emergency Shelter Grants Program provides funds for the operation and maintenance of emergency shelters and transitional housing, emergency assistance, and homeless prevention; and

WHEREAS, HUD, through 24 CFR Part 91, published on January 5, 1995, established Consolidated Plan and Citizen Participation Plan requirements; and

WHEREAS, Palm Beach County through the Department of Housing and Community Development (HCD) wishes to comply with HUD regulations regarding the Consolidated Plan and Citizen Participation Plan requirements; and

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida, desires to establish an advisory board in conjunction with the Homeless Coalition of Palm Beach County, Inc. (Homeless Coalition) to assist the County in achieving its ESGP goals.

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

**SECTION 1: ESTABLISHMENT OF THE EMERGENCY SHELTER GRANTS PROGRAM ADVISORY BOARD**

There is hereby established an advisory board to be known as the "Emergency Shelter Grants Program Advisory Board," herein referred to as the "Advisory Board."

**SECTION 2: COMPOSITION**

The Advisory Board shall be comprised of nine (9) regular and two (2) alternate members to fill vacancies occurring during the term of office. The eleven (11) members shall be "non-conflict" members, in that the agencies they are employed by or board members of will not be applying for ESGP funds during their term of office. All members shall be nominated by the Homeless Coalition of Palm Beach County, Inc., all of whom shall be appointed at large by the Board of County Commissioners.

**SECTION 3: APPOINTMENTS, TERMS, VACANCIES AND COMPOSITIONS**

A. All members of the Advisory Board shall be residents of Palm Beach County, Florida at the time of appointment and while serving on the Advisory Board.

B. The maximum number of Boards and Commissions that an individual appointed by the Board of County Commissioners may serve on at one time shall be three (3).

(26)

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C. Terms of office for the Advisory Board members shall be two (2) year terms. There shall be no limit on the number of terms an individual may serve.

D. A vacancy occurring during a term shall be filled for the unexpired term and in the manner prescribed above. The Board of County Commissioners may remove a member for cause inconsistent with the functions of the Advisory Board.

E. Advisory Board members shall not be prohibited from qualifying as a candidate for elected office.

F. Travel reimbursement is limited to expenses incurred only for travel outside Palm Beach County necessary to fulfill board member responsibilities when sufficient funds have been budgeted and are available. Travel expenses shall have the prior approval of the Board of County Commissioners. No other expenses are reimbursable except documented long distance phone calls to the Department of Housing and Community Development.

#### SECTION 4: AUTHORITY

The Advisory Board shall have the following authority and powers:

A. To review ESGP proposals submitted by service providers, to verify the information therein, to make funding recommendations to the Board of County Commissioners, and to recruit private and public sector representatives to the membership of particular Advisory Board committees. These members shall be subject to the rules and by-laws of the Advisory Board and to the overall authority of the Board of County Commissioners of Palm Beach County, Florida.

B. To adopt rules and by-laws providing for the governance of the Advisory Board, which rules and by-laws will be adopted by a majority vote of the members of the Advisory Board.

C. To review and make recommendations on all ESGP activities funded through the Department of Housing and Community Development.

#### SECTION 5: CODE OF ETHICS

Advisory Board members shall abide by the Palm Beach County Code of Ethics as stated in County Resolution 94-693.

#### SECTION 6: OBJECTIVES

A. The objectives of the Advisory Board shall be to assist the County in reaching its ESGP goals and to ensure that homeless individuals and families residing in Palm Beach County can benefit from the ESGP. These include the following:

1. Provide information to members of the Homeless Coalition on the amount of ESGP funds available and the range of activities to be undertaken.

2. Review the County's progress towards its ESGP goals and make recommendations to the Board of County Commissioners. The primary recommendations shall be for funding of ESGP proposals submitted by service providers. The Advisory Board may develop the application and evaluation criteria for awarding ESGP funds. The final decision for awarding ESGP funds shall be made by the Board of County Commissioners.

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3. Foster and promote cooperation between governmental agencies and community-based non-governmental and non-profit organizations in order to ensure the efficient and timely implementation of the County's objectives concerning homelessness.

4. Provide information to the County on needs and other factors affecting the smooth implementation of the ESGP within Palm Beach County.

5. Determine roadblocks affecting program implementation and recommend corrective measures to the Board of County Commissioners.

#### SECTION 7: MEETINGS

A. The Advisory Board shall meet a minimum of five (5) times a year; however, members may be required to attend additional meetings. A majority of the members appointed shall constitute a quorum for the conduct of the Advisory Board's business. In the presence of a quorum, Advisory Board business shall be conducted by a vote of a majority present and be governed by Roberts Rule of Order. The Chair shall have the authority to call emergency meetings, as is needed and appropriate, by informing members at least one week in advance.

B. Reasonable public notice of all Advisory Board meetings shall be provided, and all such meetings shall be open to the public at all times.

#### SECTION 8: OFFICERS

A. A Chair, Vice Chair and Secretary shall be elected by a majority vote of the Advisory Board and shall serve for a term of one (1) year.

##### Duties of the Chair:

1. Call and set the agenda for Advisory Board meetings;
2. Preside at Advisory Board meetings;
3. Establish committees, appoint committee chairs and charge committees with specific tasks; and
4. Perform other functions as the Advisory Board may assign by rule or order.

B. The Vice Chair shall perform the duties of the Chair in the Chair's absence, and such other duties as the Chair may assign.

C. If a vacancy occurs in the office of the Chair, the Vice Chair shall become the Chair for the unexpired term. If a vacancy occurs in the office of the Vice Chair, the Advisory Board will elect another member to fill the unexpired term of the Vice Chair.

D. The Secretary shall be responsible for the record-keeping functions and will review all Minutes and correspondence of the Advisory Board.

#### SECTION 9: ATTENDANCE

Members of the Advisory Board shall be automatically removed for lack of attendance. Lack of attendance is defined as: failure to attend three (3) consecutive meetings or failure to attend more than one-half of the meetings scheduled during a calendar year. Participation for less than three-fourths of a meeting shall constitute lack of attendance. Excused absences due to illness, absence from the County, or personal hardship, if approved by the Advisory Board, shall not constitute lack of attendance. Excused absences shall be entered into the minutes at the next regularly scheduled

meeting of the Advisory Board. Members removed under this paragraph shall not continue to serve until a new appointment is made and removal shall create a vacancy.

**SECTION 10: 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 Foster, who moved its adoption. The motion was seconded by Commissioner Marcus, and upon being put to a vote, the vote was as follows:

|                                |          |
|--------------------------------|----------|
| BURT AARONSON, CHAIRMAN        | - Aye    |
| MAUDE FORD LEE, VICE CHAIR     | - Aye    |
| KAREN T. MARCUS, COMMISSIONER  | - Aye    |
| CAROL A. ROBERTS, COMMISSIONER | - Aye    |
| WARREN H. NEWELL, COMMISSIONER | - Aye    |
| MARY McCARTY, COMMISSIONER     | - Absent |
| KEN L. FOSTER, COMMISSIONER    | - Aye    |

The Chairman thereupon declared the Resolution duly passed and adopted this 2nd day of September, 1997.

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

ATTEST:  
DOROTHY H. WILKEN, CLERK

BY:   
Tammy K. Fields  
Assistant County Attorney



  
Maricetta Burton  
Deputy Clerk

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