Agenda Item #:

[X]

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em #: 6C-1

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS <u>AGENDA ITEM SUMMARY</u>

Meeting Date: September 1, 2009

[] Consent [] Workshop Regular Public Hearing

Department:

Submitted By: Submitted For:

The County Attorney's Office
Community Services/Community Action

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve on preliminary reading and advertise for public hearing on September 15th, 2009 at 9:30 a.m.: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REPEALING ORDINANCE NO. 04-042, AS CODIFIED IN SECTIONS 2-166 THROUGH 2-172 OF THE PALM BEACH COUNTY CODE; WHICH RE-ESTABLISHED THE ADMINISTERING BOARD OF THE COMMUNITY ACTION COUNCIL; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

Summary: Based on recommendations from a consultant, the Community Action Council will be re-established by resolution. <u>Countywide</u> (TKF)

Background and Policy Issues: The Board of County Commissioners first created a Community Action Council Administering Board (Board) in 1974 in order to qualify for the Community Service Block Grant funds. The Board was reconstituted pursuant to Ordinance No.04-042. State audits and a review by consultants from Meliora Partners have revealed that the Board has some ineligible members and has not performed all of the required responsibilites. The consultant recommended that this Board be reconstituted to make sure all membership is in compliance with state and federal regulations. There are no requirements that such a Board be established by Ordinance.

Attachments: 1. Proposed	Ordinance	$\int_{-\infty}^{\infty}$	
Recommended By:	Derise M. Nier	MA Arm man, County Attorn	8/18/09 ev ∠Date
Approved:	County/Admin	nh	8/20/09 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	200 <u>8</u>	20 <u>09</u>	20 <u>10</u>	20 <u>11</u>	20 <u>12</u>
Capital Expenditures	0-	-0-	-0-	-0-	0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	-0-				

ADDITIONAL FTE POSITIONS (Cumulative) ____

Is Item Included In Current Budget? Yes ____ No ____

Budget Account No.: Fund ___ Agency ___ Org. __ Object ___ Reporting Category

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

Approval of this item will not have fiscal impact at this time. The fiscal impact will be determined on a project by project basis.

C. Departmental Fiscal Review:

III. <u>REVIEW COMMENTS</u>

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

B. Legal Sufficiency:

Assistant County Attorney

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C. Department Review:

Department Director

This summary is not to be used as a basis for payment.

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1 2 3 4 5 6 7 8 9 10 11 12 13 14	ORDINANCE NO. 2009 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REPEALING ORDINANCE NO. 04-042, AS CODIFIED IN SECTIONS 2-166 THROUGH 2-172 OF THE PALM BEACH COUNTY CODE; WHICH RE-ESTABLISHED THE ADMINISTERING BOARD OF THE COMMUNITY ACTION COUNCIL; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.	
15 16	WHEREAS, the Board of County Commissioners of Palm beach County, Florida	
17	determined that it was in the public interest to be designated as a Community Action	
18	Council and to appoint an administering board pursuant to the Economic Opportunity Action	
19	of 1964; and	
20	WHEREAS, there is a requirement pursuant to rules regulating the Community	
21	Services Block Grant Program to have a Community Services Block Grant Advisory	
22		
23	ordinance; and	
24	WHEREAS, the administering board of the Community Action Council acted in the	
25	capacity of the Community Services Block Grant Advisory Committee; and	
26	WHEREAS, the Board of County Commissioners now wishes to repeal the	
27	referenced ordinance relating to the Community Action Council, and to re-establish a	
28	Community Services Block Grant Advisory Committee by a comtemporaneous resolution.	
29	NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY	
30	COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:	
31	SECTION 1. REPEALER:	
32 33	Ordinance No. 04-042 is hereby repealed.	
34	SECTION 2. REPEAL OF LAWS IN CONFLICT:	
35	All local laws and ordinances in conflict with any provisions of this Ordinance are	
36	hereby repealed to the extent of such conflict.	
37	SECTION 3. SEVERABILITY:	
38		
39	for any reason held by a Court of competent jurisdiction to be unconstitutional,	
40	inoperative, or void, such holding shall not affect the remainder of this Ordinance.	

1	SECTION 4. INCLUSION IN THE CODE OF LAWS AND OPDIMANCES							
2	SECTION 4. INCLUSION IN THE CODE OF LAWS AND ORDINANCES:							
1	The provisions of this Ordinance shall become and be made a part of the Palm							
4	Beach County Code. The sections of this Ordinance may be renumbered or relettered to accomplish such and the word "ordinance" may be changed to "section " "article " or							
	accomplish such, and the word "ordinance" may be changed to "section," "article," or							
2	other appropriate word.							
6	SECTION 5. CAPTIONS:							
	The captions, section headings, and section designations used in this Ordinance							
8	are for convenience only and shall have no effect on the interpretation of the provisions of							
9	this Ordinance.							
10	SECTION 6. EFFECTIVE DATE:							
11	The provisions of this Ordinance shall become effective upon filing with the							
12	Department of State.							
13	APPROVED and ADOPTED by the Board of County Commissioners of Palm							
14	Beach County, Florida, on this the day of, 2009.							
15 16 17 18 19	SHARON R. BOCK,PALM BEACH COUNTY, FLORIDA, BY ITSCLERK AND COMPTROLLERBOARD OF COUNTY COMMISSIONERSPALM BEACH COUNTYPALM BEACH COUNTY							
20 21 22 23	By: By: Deputy Clerk JOHN F. KOONS, CHAIRMAN							
24 25 26 27	APPROVED AS TO FORM AND LEGAL SUFFICIENCY							
28 29 30 31	By: County Attorney							
32								
33	EFFECTIVE DATE: Filed with the Department of State on the day of							
34	, 2009.							
35 36								
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