PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: September 15, 2009

[] Consent [] Workshop Regular Public Hearing

Agenda Item #:

[]

[X]

Department:

Submitted By: Submitted For:

The County Attorney's Office
Community Services/Community Action

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: 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: On September 1, 2009, the Board of County Commissioners held preliminary reading of this ordinance and authorized advertising for public hearing. 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. The Community Action Council Administering Board voted to concur with the recommendation.

Attachments:		
1. Prop	osed Ordinance	
Recommended By:	Mainn	91/09
	Denise M. Nieman, County Attorney	Date
Approved:	Alt	9/8/09
	Here. County Administrator	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: *NONE

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:

09

B. Legal Sufficiency:

Assistant County Attorney

C. Department Review:

Department Director

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

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1	
2	ORDINANCE NO. 2009
4	AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA,
6 7	REPEALING ORDINANCE NO. 04-042, AS CODIFIED IN SECTIONS 2-166 THROUGH 2-172 OF THE PALM BEACH
8 9	COUNTY CODE; WHICH RE-ESTABLISHED THE ADMINISTERING BOARD OF THE COMMUNITY ACTION
10 11	COUNCIL; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY;
12 13	PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN
14	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 Act
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	Committee, but there is no longer a requirement for such committee to be created by
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	If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is
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.

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1	SECTION 4. INCLUSION IN THE CODE OF LAWS AND ORDINANCES:						
2	The provisions of this Ordinance shall become and be made a part of the Palm						
3	Beach County Code. The sections of this Ordinance may be renumbered or relettered to						
4	accomplish such, and the word "ordinance" may be changed to "section," "article," or						
5	other appropriate word.						
6	SECTION 5. CAPTIONS:						
7	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 20 21 22 23 24	SHARON R. BOCK, PALM BEACH COUNTY, FLORIDA, BY ITS CLERK AND COMPTROLLER BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY Board of County commissioners By:						
24 25 26 27 28 29 30 31	APPROVED AS TO FORM AND LEGAL SUFFICIENCY By: County Attorney						
32							
33	EFFECTIVE DATE: Filed with the Department of State on the day of						
34	, 2009.						
35							
36	G:\WPDATA\ENG\TKF\COM.SVC\CommunityActionCouncil-2009-Ordinance-07-22-09.doc						

FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM (CODRS) CODING FORM

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (850)245-6270 or Suncom 205-6270.

county: (falm beach) county ordinance # ()
PRIMARY KEYFIELD DESCRIPTOR: (Children's and Family Service + S)
secondary Keyfield Descriptor: (
other Keyfield Administration.
ORDINANCE DESCRIPTION: (Repeal of Community Action)
ORDINANCES AMENDED : (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)
AMENDMENT # 1: () AMENDMENT # 2: ()
ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)
REPEAL # 1: ($04 - 042$) REPEAL # 3: ()
REPEAL # 2: () REPEAL # 4: ()
(Others repealed: List all that apply):
(FOR OFFICE USE ONLY): COUNTY CODE NUMBER: ()
KEYFIELD 1 CODE: () KEYFIELD 2 CODE: ()
KEYFIELD 3 CODE: () Rev. 4/10/04