

ADMINISTRATIVE CODE
BOARD OF LEE COUNTY COMMISSIONERS

CATEGORY: Human Services	CODE NUMBER: AC-15-1
TITLE: Lee County Community Action Agency Policies and Procedures (CAA)	ADOPTED: 10/18/89
	AMENDED: 03/21/90; 03/16/94; 03/08/95; 04/10/96; 02/03/98; 01/01/99; 01/30/01; 11/26/02; 04/25/06; 02/19/08, 05/15/12, 08/02/2022
	ORIGINATING DEPARTMENT: Human Services

SECTION 1: Name.

The name of the Advisory Board will be the Lee County Community Action Agency Advisory Board (CAA).

SECTION 2: History/Background for CAA.

The Federal Community Services Block Grant (CSBG) Program was created by the Federal Omnibus Budget Reconciliation Act of 1981 and is administered in the State of Florida by the Florida Department of Economic Opportunity, for the purpose of alleviating the causes of poverty at the community level. Lee County’s Department of Human Services has been designated as a public Community Action Agency since August of 1995. This designation has provided Lee County with the opportunity to receive CSBG funds on an annual basis. The CSBG Program is designed to provide a range of services to assist low-income persons to attain the skills, knowledge, and motivation necessary to achieve self-sufficiency. Federal Regulations require certain grant funding plans to be approved by the local CAA before submission to the Lee County Board of County Commissioners (BOCC).

SECTION 3: Purpose/Scope.

The purpose of the CAA is to provide a forum for Lee County residents’ input and involvement in the design and delivery of services that impact the quality of life in their community. The CAA will also satisfy the tripartite Board requirements of the Florida Department of Economic Opportunity, State Community Service Block Grant (CSBG) Program and help to satisfy requirements of the U.S. Department of Housing and Urban Development’s Consolidated Plan, Community Development Block Grant (CDBG) Entitlement Program, HOME Investment Partnerships Program (HOME), and the Emergency Shelter Grant Program (ESG), by creating a citizens advisory board. The CAA is also necessary to facilitate grant funding requirements pursuant to the Community Service Block Grant Program (42 U.S.C. 9901, *et seq.*), 112 STAT. 2728, Public Law 105-285.

SECTION 4: Governing Rules.

The CAA is a standing committee. Except as otherwise provided herein, all meetings of the CAA will be governed by Roberts Rules of Order and Lee County Administrative Code AC 2-3.

SECTION 5: Membership.

- A. The CAA will consist of fifteen (15) members who reside in Lee County.

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- B. Membership in the CAA is voluntary and members will serve without compensation.
- C. Members are subject to Florida Statutes Chapter 112; however, notwithstanding the foregoing, pursuant to Lee County Resolution Number 10-08-13, approved by the Lee County Board of County Commissioners (BoCC) on August 10, 2010 (Lee County Blue Sheet Number 20100694), members of the CAA are not required to file an annual disclosure of financial interests (Form 1) pursuant to Section 112.3145(2) (a), Florida Statutes.
- D. Members must otherwise comply with the provisions of Chapters 112, 119 and 286 of the Florida Statutes. As such, no member of the Committee shall have any financial interest or conflict of interest in the outcome of any matter coming before such Member in their official capacity. Any member must disclose on the record the existence of an interest and must disqualify himself from voting or taking action on any such matters presented to the Committee.
- E. The CAA will consist of members from the following three categories:
 1. Elected Officials or Public Sector – Five members of the CAA must be elected public officials, currently holding office or their designated representatives. Each appointment in this category will be for a term of one year. Each County Commissioner will appoint one member in this category.
 2. Private Sector - Five members of the CAA must be members of business, industry, labor, religious, welfare, education, health, law enforcement, or other major groups and interests in the community. Each appointment in this category will be for a term of two years. Each County Commissioner will appoint one member in this category.
 3. Representatives of Low-Income Individuals and Families

Five members whose household income is at or below 80% of the area median income or who live in a census tract that has greater than 50% of its population with a household income at or below 50% of the area median income. Each low income representative member must be selected by their respective community organization. This may include, but not be limited to Civic Associations, Neighborhood Associations, Faith based organizations, parent teacher associations (PTA), or non-profit entities located in the low income area in which the representative resides.

The CSBG statute requires that representatives of low-income individuals and families be "chosen in accordance with democratic selection procedures." The implicit intent of this requirement is to ensure that those who currently live in areas served by Lee County Human and Veteran Services (HVS) are represented so that they have a strong voice in funding decisions, program direction, and can convey to those they represent the presence and significance of community action in their lives.

Every effort will be made to assure that board members representing low-income individuals and families:

 - a) Have been selected on the basis of some form of democratic procedure either directly through election, public forum, or, if not possible, through a similar democratic process such as election to a position of responsibility in another significant service or community organization such as a school PTA, a faith-based organization leadership group; or an advisory board/governing council to another low-income service provider; and

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- b) Are truly representative of current residents of the geographic area to be served, including racial and ethnic composition, as determined by periodic selection or reselection by the community.

To adhere to the above requirements, each community organization will publicly notice an election at a local community center and in any available community publications. The election will be held in accordance with Roberts Rules of Order and must be properly recorded. Each member in this category will serve for a term of two years.

- F. Appointments or election to the CAA must be in a non-discriminatory manner, consistent with the requirements of Federal, State, and local law. With respect to appointments, the BOCC will strive for geographic, ethnic, and income diversity in appointments.
- G. At least two members of the CAA must be advocates for persons with disabilities to provide input and assistance in plan development.
- H. Low-income individuals, community organizations, and religious organizations may petition the BOCC for adequate representation on the CAA if they feel inadequately represented.
- I. Members of the CAA are considered principals and cannot be excluded from doing business with the federal government, convicted of or have charges pending against them, for certain crimes, or had government grant or contract terminated for cause. Assurance of compliance for all applicants is completed by checking against the Excluded Parties list to verify they are not ineligible. Federal contracts, certain subcontracts and certain Federal financial and nonfinancial assistance and benefits, pursuant to the provisions of 31 U.S.C. 6101, note E.O. 12549, E.O. 12689, 48 C.F.R. 9.404.
- J. Indemnification by the Members. Each Member hereby agrees to indemnify and defend and hold harmless the County, the other members and each of their respective employees, agents, and officers from and against any and all claims, liabilities, damages, costs and expenses (including, without limitation, court costs and attorneys' fees and expenses) suffered or incurred on account of or arising out, relating to or resulting from the performance of this code by that member.

SECTION 6: Meetings, Notice and Quorum.

- A. The CAA will generally meet quarterly at a mutually convenient location. Periodically, the CAA may meet more often if the need arises.
- B. All meetings are subject to Florida Statutes Section 286.11, Government in the Sunshine. Accordingly, all meetings of the CAA are open to the public and will be held at a location where there is reasonable access. Meetings may not be held virtually.
- C. At a minimum, notice for each meeting will be provided by posting in the first floor lobby of the County Administration Building (2115 Second Street, Fort Myers, Florida), and on the County's Website at www.lee.gov/dhs/advisory.
- D. When necessary for a public hearing, notice will also be published in the appropriate media.
- E. Seven or more members of the CAA will constitute a quorum.
- F. A simple majority of votes is necessary for adoption.
- G. Voting by proxy is not permitted.

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SECTION 7: Attendance, Resignations and Vacancies.

- A. A member who is absent from three (3) meetings within a twelve (12) month period is deemed to have resigned.
- B. A member desiring to resign should submit a written resignation to the CAA Chair, the Director of HVS, or the HVS Staff member assigned to the CAA for appropriate processing.
- C. Vacancies in the membership of the CAA will be filled in the same manner provided for in the original appointment/election.

SECTION 8: Officers.

- A. To provide guidance and leadership for the CAA, a Chair, Vice-Chair and Secretary will be elected by a vote of the CAA and each will serve a term of one year commencing at the first regularly scheduled meeting following the beginning of the County's fiscal year. Terms of office may not exceed two successive one-year terms for the Chair or Vice-Chair.
- B. Officers of the CAA will have the following duties:
 - 1. Chair: To chair all CAA meetings. The Chair will work closely with HVS staff to coordinate the meeting agenda. The Chair will sign meeting minutes along with the Secretary upon approval by the CAA and perform all other duties related to the office, as prescribed by the CAA.
 - 2. Vice-Chair: In the absence or inability of the Chair, the Vice-Chair will preside over the meeting and assume other duties as may be necessary in the absence of the Chair.
 - 3. Duties of the Secretary: In the absence of the Chair and Vice-Chair, the Secretary will preside over the meeting. The Secretary will ensure that the minutes are properly recorded and will sign them along with the Chair upon approval by the CAA.
- C. If a vacancy exists in any of the above offices, the CAA will elect a new officer to fill the unexpired term of the vacated office.

SECTION 9: Executive Committee:

- A. The CAA will utilize an Executive Committee that will be comprised of the officers of the CAA and two additional members selected by a vote of the CAA.
- B. The Executive Committee will be responsible for the transaction of ordinary business and handling matters of an emergency nature which may not be held in abeyance until the next regularly scheduled meeting of the CAA.
- C. The CAA Chair will chair the Executive Committee.
- D. All routine and ordinary actions of the Executive Committee must be reviewed and approved by the full CAA at the first meeting subsequent to such actions. Disapproval of any action taken by the Executive Committee will terminate the effect of the Executive Committee's action as of the date of the meeting by the CAA.

SECTION 10: Subcommittees.

- A. The CAA may create, from time to time, such subcommittees, as necessary or desired, to carry out the functions, purposes, and objectives of the CAA.

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- B. Members of such subcommittees will be appointed by the CAA members for such term and will have qualifications as the CAA members determine. (A CAA member's term on a subcommittee may not exceed their respective term on the CAA.)
- C. A subcommittee must include at least one member of the CAA.
- D. Subcommittee meetings are also subject to Florida Statutes Section 286.11, Government in the Sunshine and must be open to attendance by the public in the same manner as a meeting by the CAA, including notice.
- E. Any such subcommittee may be dissolved by a vote of the CAA.
- F. The CAA may remove any subcommittee member with or without cause by an affirmative vote.
- G. Any such subcommittee will be subordinate to the CAA.

SECTION 11: Responsibilities.

The CAA will have the following responsibilities:

- A. Hold regular meetings as scheduled;
- B. Conduct special meetings as needed;
- C. Review and recommend annual work plans and program budgets to the BOCC;
- D. Review HVS progress reports on the Community Services Block Grant Program (CSBG), Low Income Home Energy Assistance Program (LIHEAP), Low Income Home Water Assistance Program (LIHWAP), Weatherization and Housing Programs.
- E. Provide input on the U.S. Department of Housing and Urban Development's Consolidated Plan Process, Community Development Block Grant Program (CDBG)Entitlement Program, HOME Investment Partnership Program (HOME), and Emergency Shelter Grant (ESG) Program.
- F. Hear comments/complaints from the public and will serve as an appeals board for any person who has a grievance with regard to those programs under the jurisdiction of the CAA.

SECTION 12: Staff Support.

Staff support will be provided by HVS. Staff will be a liaison between the CAA and the BOCC. Staff is responsible for advertising or posting notice for official CAA meetings. Staff will attend CAA meetings, assist in the preparation of minutes and will ensure that minutes are filed with offices prescribed by Lee County Administrative Code AC 2-3.

SECTION 13: Annual Report and Sunset.

An annual report summarizing the CAA's accomplishments each year is not required to be prepared and submitted to the County Manager for presentation to the Board of County Commissioners for the purposes of determining whether to sunset the CAA.