

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 2002/311

1. REQUESTED MOTION:

ACTION REQUESTED: Approve amendments to Administrative Code 15-1, Community Action Agency/Neighborhood District Committee. Approve corresponding Resolution.

WHY ACTION IS NECESSARY: Clarifies the roles and restructures the composition of the Advisory Committee.

WHAT ACTION ACCOMPLISHES: Amends the administrative code to meet HUD requirements, provides for effective communication between citizen committees and the Department and rescinds obsolete committee structure.

**2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #**

C5B

3. MEETING DATE:

11-26-2002

4. AGENDA:

- CONSENT ADMINISTRATIVE APPEALS
- PUBLIC WALK ON
- TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:
(Specify)**

- STATUTE
- ORDINANCE
- ADMIN.
- CODE
- OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER N/A
- B. DEPARTMENT Human Services
- C. DIVISION _____

BY: _____

Karen B. Hawes, Director

BACKGROUND: The Community Action Agency/Neighborhood District Committee is a tri-partite advisory committee established to meet the requirements of the US HUD Department and the Florida Department of Community Affairs' Community Service Block Grant (CSBG) Program. The committee is being restructured to include 2 new foci, Homeless Continuum of Care and Supportive Housing Activities. With the incorporation of new programs, the makeup of the committee should include at least 2 members of the committee that represent advocates for persons with disabilities to provide input and assistance in plan development.

Attachments: Administrative Code 15-1 Lee County Community Action Agency/Neighborhood District Committee Policies and Procedures (CAA/NDC). Resolution.

8. MANAGEMENT RECOMMENDATIONS: Staff recommends approval.

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
<i>[Signature]</i>	N/A	N/A		<i>[Signature]</i>	OA <i>[Signature]</i>	OM <i>[Signature]</i>	Risk <i>[Signature]</i>	GC <i>[Signature]</i>	<i>[Signature]</i>
					RK 11/12	11/12	11/14/02	11-13-02	

10. COMMISSION ACTION:

- _____ APPROVED
- _____ DENIED
- _____ DEFERRED
- _____ OTHER

Rec. by CoAtty
Date: 11-8-02
Time: 3:45
Forwarded To:
[Signature]

RECEIVED BY
COUNTY ADMIN. *[Signature]*
11-12 3:00
COUNTY ADMIN.
FORWARDED TO:
[Signature]

LEE COUNTY RESOLUTION NO. _____

A RESOLUTION OF THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS RELATING TO AMENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE AS ADOPTED BY LEE COUNTY ORDINANCE NO. 97-23; PROVIDING FOR APPROVAL OF CERTAIN AENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners is the governing body in and for Lee County, a political subdivision of the State of Florida; and,

WHEREAS, the Board of County Commissioners has previously enacted Lee County Ordinance No. 96-01, creating a charter form of government for Lee County pursuant to Section 125.80 and ff., Florida Statutes, and which was approved and ratified by the Electorate of Lee County on November 5, 1996; and,

WHEREAS, the Board of County Commissioners has previously enacted Lee County Ordinance No. 97-23, which adopted the Lee County Administrative Code pursuant to Section 2.2.E. of Ordinance No. 96-01, the Lee County Charter; and,

WHEREAS, Lee County Ordinance No. 97-23 at Section III allows and provides for amendments to the Lee County Administrative Code to be made by Resolution of the Board of County Commissioners at a regularly scheduled Board of County Commissioners' meeting; and

WHEREAS, certain amendments to the Lee County Administrative Code are now being proposed, and the Board of County Commissioners finds that such

proposed amendments are acceptable, serve a public purpose and are consistent with the terms and conditions of Lee County Ordinance No. 96-01, the Lee County Charter.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS THAT:

1. The above preamble is hereby accepted and approved as being true and accurate, and is adopted and incorporated herein as if set out further at length.
2. The proposed amendment to the Lee County Administrative Code 15-1, attached hereto as Exhibit A, are approved, and are hereby directed to be incorporated into the Lee County Administrative Code as indicated in the amendment.
3. The provisions of this Resolution are severable, and it is the intention to confer to the whole or any part of this Resolution, the powers herein provided for. If any of the provisions of this Resolution shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the other remaining provisions of this Resolution. It is hereby declared to be the Board's legislative intent that this Resolution would have been adopted has such an unconstitutional provision not be included herein.
4. This Resolution shall become effective immediately upon its adoption by the Board of County Commissioners.

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

Douglas St. Cerny _____

Robert Janes _____

Ray Judah _____

Andrew Coy _____

John E. Albion _____

DULY PASSED AND ADOPTED this _____ day of _____, 2002.

ATTEST:
CHARLIE GREEN, CLERK

**BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA**

By: _____
Deputy Clerk

By: _____
Chairman

APPROVED AS TO FORM:

By: _____
Office of the County Attorney

ADMINISTRATIVE CODE # AC 15-1

Continued

**ADMINISTRATIVE CODE
BOARD OF COUNTY COMMISSIONERS**

<u>CATEGORY:</u> Human Services	<u>CODE NUMBER:</u> AC 15-1
<u>TITLE:</u> Lee County Community Action Agency/ Neighborhood District Committee Policies and Procedures (CAA/NDC).	<u>ADOPTED:</u> 10/18/89
	<u>AMENDED:</u> 3/21/90; 3/16/94; 3/8/95; 4/10/96; 2/3/98; 1/1/99
	<u>ORIGINATING DEPARTMENT:</u> Human Services

PURPOSE/SCOPE:

The purpose is to satisfy the tri-partite Board requirements of the Florida Department of Community Affairs (DCA) State Community Service Block Grant (CSBG) Program and to meet the 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, and the County Neighborhood District (ND) Program, by creating a citizens advisory committee, which shall submit recommendations to the Board of County Commissioner (BOCC), regarding County Neighborhood District(s), the Consolidated Plan and State CSBG funds. The citizens advisory committee is called the Community Action Agency/Neighborhood District Committee (CAA/NDC) or the Committee.

POLICY:1. **COMMITTEE OBJECTIVE:**

The Committee shall serve as the advisory body to the Lee County BOCC and shall participate in the planning, development, evaluation, and submittal of recommendations on the Community Services Block Grant Action Plan, the Consolidated Plan, Homeless Continuum of Care, Supportive Housing Activities and ~~an~~ the Annual Action Plan for each of the above programs, and Neighborhood District program funding. The committee recommendation shall be submitted to the BOCC, which may adopt, modify, or amend it.

2. **MEMBERSHIP:**

- A. The Committee shall be composed of eleven (11) voting Members. The composition of the Committee must consist of the following Members: 4 Members of the Committee must be elected public officials, currently

holding office or their designated representatives; 3 members of the Committee must be members of business, industry, labor, religious, welfare, education, health, law enforcement, or other major groups and interests in the community; 4 members of the Committee shall be representatives of the low-income persons in the targeted service areas. The Chairpersons of the Local Neighborhood Districts (LNDC) (15-5) selected democratically by a majority vote of the Local Neighborhood District Committee will compose this third of the Committee. The LNDC is a representative group of residents in the identified targeted neighborhoods. All committee members shall be appointed by the BOCC. Letters signed by the County's chief elected official, reaffirming the BOCC appointment, shall be required annually regardless of the number of years the terms run.

- B. Six (6) of the members shall serve for a period of two (2) years from appointment and five (5) members shall serve for one (1) year from appointment.
- C. ~~If an incorporated city participates in Lee County's HUD Urban County Entitlement Program, it shall be entitled to recommend one appointment to the BOCC for approval.~~ Representation from the identified categories identified in subsection A above, at least two members of the committee shall be advocates for persons with disabilities to provide input and assistance in plan development.
- D. Appointments shall be made in a non-discriminatory manner, consistent with the requirements of Federal, State and local non-discriminatory laws. The BOCC shall strive for geographic, ethnic, and income diversity in Committee appointments.
- E. Members shall serve without compensation.
- F. A member who is absent from two (2) consecutive meetings within a twelve (12) month period without having been excused by the Chairperson is deemed to have resigned. Vacancies in the membership of the Committee shall be filled in the same manner provided for in the original appointments.
- G. Low-income individuals, community organizations and religious organizations may petition the BOCC for adequate representation on the CAA/NDC if they feel inadequately represented.

3. **OFFICERS:**

To provide guidance and leadership for the Committee, a Chairperson, Vice-Chairperson, and Secretary shall be elected by the Committee. The terms of office shall be one (1) year.

A. **Chairperson**

The Chairperson shall chair all Committee meetings. The Chairperson shall work closely with Department of Human Services' staff to coordinate the meeting agenda. The Chairperson shall sign minutes upon approval by the Committee.

B. **Vice-Chairperson**

In the absence of the Chairperson, the Vice-Chairperson shall chair Committee meetings and assume other duties as designated by the Chairperson.

C. **Secretary**

In the absence of the Chairperson and Vice Chairperson, the Secretary shall chair the meeting. The Secretary shall ensure that the minutes are properly recorded and shall sign them along with the Chairperson upon approval by the Committee Members.

If a vacancy exists in any of the above offices, the committee members shall elect a new officer by the affirmative vote of a majority of the members present at a meeting of the Committee to fill the incomplete term of the vacated office.

4. **SUBCOMMITTEES:**

A. **Creation**

The committee members shall create, from time to time, such subcommittees as shall be necessary or desirable to carry out the functions, purposes and objectives of the Committee. Any such subcommittee shall be subordinate to the Committee.

B. **Dissolution**

Any such subcommittee may be dissolved by the affirmative vote of a majority of the Committee Members.

C. **Members**

The Members of such subcommittees shall be elected by the committee members for such term and shall have qualifications as the committee members determine.

D. **Removal**

The committee members may remove any subcommittee member with or without cause by the affirmative vote of a majority of committee members present and

voting at any meeting of the Committee.

5. **MEETINGS**

A. **Regular Meetings**

The Committee shall generally meet quarterly at a mutually convenient location. Periodically, the Committee may meet more often if the need arises. All meetings shall be open to the public and shall be publicly noticed which includes sending notices to the media.

B. **Quorum**

A Quorum for the Committee Meeting shall consist of a majority of members. A workshop meeting on a topic, or several topics, may be held without a quorum, but no official action can be taken.

C. **Voting at Meetings**

A simple majority of votes is necessary for adoption. All members must abide by (Paragraph 6) the Financial Disclosure statement and (Paragraph 9) the Sunshine Law.

6. **FINANCIAL DISCLOSURE:**

Committee members shall comply with the financial disclosure requirements of laws of the State of Florida.

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 his official capacity. Any member shall disclose on the record the existence of an interest and shall disqualify himself from voting or taking action on any such matters presented to the Committee.

7. **REMOVAL:**

The BOCC may remove any member, with or without cause, and fill any vacancies created by such removal.

8. **GRIEVANCES:**

The Committee shall hear complaints from the public, and shall serve as an appeals board for any person who has a grievance regarding the programs under the jurisdiction of the Committee.

9. **SUNSHINE LAW:**

Committee members will adhere to the requirements under the Public Records Laws, and the *Sunshine Law*, Chapters 119 and 286 of the Florida Statutes, respectively.

10. **ORDER OF BUSINESS:**

Roberts Rules of Order shall govern the proceedings of all meetings.

11. **STAFF SUPPORT:**

Staff support shall be provided by the Lee County Department of Human Services. Staff shall be a liaison between the Committee and the BOCC. Staff is responsible for advertising or posting notice for official committee meetings. Staff shall attend committee meetings, prepare Minutes and shall ensure that minutes are filed with the Public Resources Office and other offices prescribed by County Administrative Code AC-2-3.

12. **SEVERABILITY:**

If any section, sentence, clause, or phrase of this Administrative Code is held to be invalid or unconstitutional by any court of competent jurisdiction, the said holding shall in no way affect the validity of the remaining portions of this Administrative Code.

13. **AMENDMENTS:**

This Administrative Code may be amended at any duly constituted meeting of the BOCC by an affirmative vote of a majority of the Board Members present. In order to be effective, any amendment approved hereby must be in writing and incorporated into this Administrative Code.