



AGENDA REPORT
July 9, 2019

Approval Re: Community Action Board Revised By-Laws

SUBJECT:

Approval, Re: Community Action Board Revised By-Laws

FISCAL IMPACT:

No Fiscal Impact

DEPT/OFFICE:

Housing and Human Services

REQUESTED ACTION:

It is requested that the Board of County Commissioners approve the revised Community Action Board By-Laws.

SUMMARY EXPLANATION and BACKGROUND:

Legislative authority 42 U.S. Code 9910 governs and puts in place the rules for composition of the Community Action Board and the guidelines for planning, evaluation and oversight of the Community Services Block Grant Program. The program is administered under the Brevard County Community Action Agency and provides funding for support services, education, and job training for individuals and families striving to achieve self-sufficiency.

Periodically, the Department of Economic Opportunity conducts monitoring visits and the Community Action Board By-Laws are reviewed to ensure that the Community Services Block Grant Program remains compliant under legislative authority and Brevard County's Community Services Block Grant Agreement with the Department of Economic Opportunity. There are several updates and revisions within the By-Laws as recommended and approved by the Department of Economic Opportunity and the Community Action Board. The following are notable suggested changes which were recommended to clarify and ensure continued compliance:

- Page 2, Article III B.: Organization and Composition of Board - revised language to broaden the areas allowing for a greater range of population to be considered for representation within the geographic area.
- Page 6, Article V L.: Responsibilities of the Board Members – added language as to the documentation of excused and unexcused absences.

CLERK TO THE BOARD INSTRUCTIONS:

none

ATTACHMENTS:

Description

- ▣ **Community Action Board By-Laws_underlined ~~strike through~~**
- ▣ **Community Action Board By-Laws - Clean Copy**



RECEIVED
JUL 18 2019
HOUSING/HUMAN SERV

FLORIDA'S SPACE COAST



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

July 10, 2019

MEMORANDUM

TO: Ian Golden, Housing and Human Services Director
RE: Item F.25., Revised Community Action Board By-Laws

The Board of County Commissioners, in regular session on July 9, 2019, approved and authorized the Chair to execute revised Community Action Board By-Laws. Enclosed is a copy of the By-Laws.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

Encl. (1)

BREVARD COUNTY COMMUNITY ACTION BOARD BY-LAWS

ARTICLE I: NAME AND DESCRIPTION

The name of this tripartite board shall be "The Community Action Board" of Brevard County, hereinafter referred to as the "Community Action Board". Acting under the direction of the Brevard County Commissioners, Brevard County Florida and recognized by 42 U.S. Code, Chapter 106, Section 9910, as the governing body to carry out the purposes and functions set forth in these by-laws.

ARTICLE II: GOALS AND OBJECTIVES

- A. Review and recommend the programs for use of the Community Services Block Grant funds.
- B. In partnership with other local workgroups, provide input to the Brevard County Housing & Human Services Department, which serves as the local homeless coalition through the Florida Department of Children & Families, Office of Homelessness in accordance with Florida Statute 420.623.
- C. When applicable, recommend funding when Community Based Organization dollars are designated by the Board of County Commissioners, to local organizations who present solutions to a wide range of needs, which affect the citizens of Brevard County.
- D. Identify other funding resources for program expansion and maintenance.
- E. Coordinate efforts through community and county programs so as to avoid duplication, improve delivery of services, and eliminate gaps in service.
- F. Strengthen community capabilities for planning by evaluating and coordinating assistance related to self-sufficiency through the efforts of the Consolidated Plan, Community Action Agency Plan and other Board of County Commissioners approved plans and strategies.
- G. Provide a range of projects and activities which enhance, expand, or create services that contribute to a continuum of care that is comprehensive and consistent with the priorities of the Board of County Commissioners approved plans and strategies.
- H. Provide activities designed to produce benefits for low-income participants including but not limited to homeless individuals and families, migrants, and the elderly poor:
 - To secure and retain meaningful employment;
 - To attain adequate education;
 - To make better use of available income;

- To obtain and maintain adequate housing and a suitable living environment;
- To obtain emergency assistance through loans or grants to meet immediate and urgent individual and family needs, including the need for health services, nutritious food, housing, and employment related assistance;
- To remove obstacles and solve problems which block the achievement of self-sufficiency;
- To achieve greater participation in the affairs of the community;
- To provide, on an emergency, supplies and services, as may be necessary to counteract conditions of starvation and malnutrition among the low income;
- To coordinate and establish linkages between governmental and other social services programs to assure the effective delivery of such services to low income individuals; and
- To encourage the use of entities in the private sector of the community in efforts to alleviate poverty in the community.

ARTICLE III: ORGANIZATION AND COMPOSITION OF BOARD

The Community Action Board shall consist of fifteen (15) members. One-third of the members of the Board are elected public officials or their representatives. At least one-third of the members of the Board are persons chosen to represent the low income. One-third of the representatives of the Board shall be officials or member of business, labor, community advisory boards, veterans groups, religious/faith based alliances, or affordable housing groups. All representatives elected, or appointed to the Board must be a resident of Brevard County and not less than eighteen (18) years of age.

Names of all board members shall be provided to the Community Action Board.

- A. Public Officials: One third, five (5) of the Board membership shall be elected county government officials who are currently holding office, or their representatives. These representatives need not be public officials, but they shall have full authority to act for the public official they represent in all matters brought before the Board.
- B. Representatives of Low-Income: At least one third, five (5) of the Community Action Board members shall be elected in accordance with democratic selection procedures adequate to assure that they are representative of the low income population in the area served, even though they themselves may not be low income. When possible, representation shall be maintained on the Community Action Board to have a fair distribution of representatives from each of the Commissioner districts they represent within the County. Other low income groups or neighborhoods of Brevard County may petition the Board for

membership in line with Section F below. All elections will be held through a voting process in accordance with the following format:

1. The time, place, and date of the election meetings shall be determined by the Housing and Human Services Department staff.
 2. Notice of Board vacancies, time, place, and date of the election shall be published in newspapers having circulation in the respective area(s) where the vacancies exist at least one time, no later than seven (7) days and no sooner than thirty (30) days before the date of the election.
 3. All residents of the designated area may participate in the election process.
 4. The meeting to elect low income representatives shall be presided over by the staff.
 5. The staff shall call the meeting to order and explain the election process, board member duties and responsibilities, and expected results before opening the floor up for nomination of eligible candidates.
 6. The floor shall be open for nomination of eligible low-income candidates or others qualified to represent this membership class of the Board.
 7. After nominations have been properly noted and closed by the staff, each person nominated shall be presented to the people and permitted to make brief comments and solicitations.
 8. The staff shall call for a vote on each candidate nominated in the order of the nomination and require persons casting votes to stand until they have been properly recognized and counted.
 9. The person receiving the highest number of votes shall be declared, immediately following the election, to be the elected representative of the low-income persons in the area served.
- C. Representative of the Private Sector: The private sector representatives, five (5) are selected to ensure that the Board will benefit from broad community involvement. The Community Action Board, through the membership and staff will solicit private representation based on expertise and membership needs. Applications will be accepted from prospective representatives and delivered to the Board of County Commissioners who shall select and make appointments to the Community Action Board. Appointments shall be made from members or officials of the private groups and interests in the community (business, industry, labor, religious, law enforcement, education, or other major groups and interests) to assure diverse representation of the private sector throughout the five commission districts.

- D. Compensation – No member of the Board shall receive compensation in performing duties of the Community Action Board. However, compensation for travel or babysitting expenses incurred to and from and during board meetings may be provided to board members who meet the Community Services Block Grant income eligibility guidelines, if budget allows.
- E. Conflict of Interest: No person may sit on the Board who is an officer, board member or an employee of an organization, which receives funding from any source administered by the Community Action Board. Public officials sitting on the Board will not be in conflict if the Community Action Board should contract with his/her jurisdiction for services.
- F. Petitioning for Membership: When a vacancy occurs, any private community group or representative group of low-income persons which feels itself inadequately represented on the Community Action Board may petition for adequate representation. Any such petition must be signed by fifty percent (50%) of the members of the petitioning group or by fifty percent (50%) of the bona fide members of that group or organization. The petitioning agency or group shall provide a written statement supporting its reasons for the petition. The Community Action Board shall review such petition, and shall make a recommendation to the Brevard County Board of County Commissioners on acceptance or denial of the petition. The organization or group presenting such a petition shall be promptly afforded the opportunity to present their request to the Community Action Board in order for them to have a full and fair opportunity. When a petitioning group is granted a seat on the Board pursuant to the approval of the Board of County Commissioners, that representative shall be promptly seated and afforded all the rights and privileges of any other member of the Board. The Board shall then be readjusted and realigned if necessary in order to maintain the proper representation of public sector officials, low-income sector, and private sector members within the member limitation. A copy of the Clerk to The Board of County Commissioners memo showing their approval of the Board's action on such petitions shall be submitted to the petitioning group and a copy of that statement sent to the Department of Community Affairs.
- G. Board Vacancies: All Board vacancies shall be advertised within thirty (30) days of vacancy and upon approval of the Board of County Commissioners shall be filled within thirty (30) days from Board of County Commissioner's approval.

ARTICLE IV: TERMS OF REPRESENTATION

- A. Public Officials: There are no tenure restrictions for public sector representatives. The term of the Public Officials or their appointees shall be concurrent with their term of office. A representative of a public official shall

serve at the pleasure of the appointing official, and have an annual letter of reappointment.

- B. Representatives of the Low-Income and Private Sectors: They may serve for two (2) consecutive four (4) year terms.
- C. Intervening Time: A period of six (6) months must transpire after serving two (2) consecutive terms on the Board before being re-elected or re-appointed to serve.

ARTICLE V: RESPONSIBILITIES OF THE BOARD MEMBERS

- A. Each board member shares equally in the Boards' actions. Each board member represents the interests of a constituency, or group, on the board. He or she also represents the views of that group to the board and reports the board's actions back to that group.
- B. Review grant applications, proposed programs, goals and objectives, and assist in development of programs and policy.
- C. Recommend to the staff changes in grant applications, proposed programs, goals and objectives, and program policy.
- D. Assist in identifying and developing new programs to expand services to the low income.
- E. Review and make recommendations for policies, rules, and procedures of the Board.
- F. Monitor programs through the submission of monthly reports of ongoing activities.
- G. Recommend Board changes.
- H. Notify staff of problems identified from on-site visits or the general public.
- I. Implement and carry out the purposes and functions of the Board as set forth in Article II.
- J. The Board shall conduct an annual goal setting session where they will outline their work plan for the year.
- K. The board members will fully participate in the development, planning, implementation, and evaluation of the Community Services Block Grant program to serve communities and low-income individuals. Full participation includes, but is not limited to, regular attendance at board meetings, participation on Board committees, knowledge of the organization's mission and goals, and fiduciary duties.
- L. All board members are required to attend a minimum of three (3) Community Services Block Grant and if applicable, three (3) Community Based Organization

regularly scheduled board meetings each year. If a board member finds it necessary to be absent from a meeting, the board member should notify county staff as soon as reasonably possible. The board member should give a reason as to the absence, either verbally or in the form of written communication. At a Community Action Board Meeting, staff will relay to the Board a member's absence and the reason given as to why they were not in attendance. The Board shall then determine by vote whether the absence was excused or unexcused and such will be documented and recorded in the minutes.

ARTICLE VI: OFFICERS OF THE BOARD

- A. Definition: To provide guidance and leadership for the Board, a Chairperson, and Vice Chairperson shall be elected by the Board.
 - 1. Chairperson: The chairperson shall be the principal representative of the Board. The Chairperson shall work closely with Housing and Human Services Department staff to coordinate the meeting agenda. The Chairperson shall sign minutes upon approval by the Board, shall perform all duties incident to the office of the Chairperson and such other duties as may be prescribed by the Board.
 - 2. Vice-Chairperson: In the absence of the Chairperson, the Vice-Chairperson shall chair Board meetings and assume other duties as designated by the Chairperson, and the Board.
- B. Election of Officers: All officers of the Board shall be elected and installed at the first regular meeting of the calendar year. Each officer shall serve a period of one (1) year. No officer may be elected for more than two (2) consecutive years.

ARTICLE VII: REMOVAL OF BOARD MEMBERS

- A. Public officials, or their representatives, may be removed from the Board only by the designating officials. The Board can petition the designating officials to remove public officials or their representatives for; failing to meet the attendance requirements as defined in Article V, No. 12 or violations of the Board by-laws. The petition must be supported by a majority vote.
- B. Representatives of the low-income and private organizations of the Board may be removed from membership for failing to attend meet the attendance requirements as defined in Article V, No. 12, or violations of the Board by-laws. Removal for cause must be supported a majority vote of the members present at a meeting in which a quorum is present.
- C. In order to participate in the Community Based Organization funding recommendations meeting, the members must receive the application packages in advance of the recommendations meeting.

- D. Any member of the Board, that does not attend the Community Based Organization Funding Recommendations meeting, may be removed or petitioned for removal from the Board, if they do not have extenuating circumstances subject to the vote of the advisory board.
- E. Any member of the Board who ceases to be a member of the target area group or private community organization which he/she represents on the Board, or any public official who ceases to hold the office which entitles him to sit on the Board shall no longer be a member of the Board.
- F. Formal notification requires that prior to removing a Board member from the private or low-income sector that notice be given stating the grounds for removal, including dates, times, and places applicable and notice of opportunity to be heard by the Advisory Board prior to actual removal.

ARTICLE VIII: QUORUM

The presence of fifty percent (50%), plus one member of the total filled seats on the Community Action Board at any meeting shall constitute a quorum. When a meeting has been scheduled but no quorum is achieved, present members may hear reports, ask for clarifications and have discussion, however, no official business resulting in a formal action or vote may be conducted. Each member of the Board shall be entitled to one vote.

ARTICLE IX: RULES OF ORDER

Robert's Rules of Order shall govern the conduct of all regular meetings of the Community Action Board. The meetings shall also be conducted in accordance to the provisions of the Sunshine Law.

ARTICLE X: TECHNICAL SUPPORT

The Community Action Board may appoint non-voting technical advisors by majority vote to provide information and data relevant to the mission of the Board.

ARTICLE XI: STAFF SUPPORT

The Brevard County Housing and Human Services Department shall provide staff support. The staff under the direction of the Department Director is responsible for day-to-day operations, and actively manages the Community Action Board, by:

- Handling all personnel activities
- Planning and implementing projects
- Mobilizing resources to carry out the programs
- Scheduling activities
- Delineating staff responsibilities
- Evaluating staff performance

- Monitoring all projects
- Evaluating program effectiveness and outcomes
- Provide data, reports and necessary analysis for various issues

The staff shall be the liaison between the Community Action Board and the Board of County Commissioners. Staff shall be responsible for taking and preparing minutes, and reporting on the status of activities to the board.

ARTICLE XII: MEETINGS & RECORDS

Regular meetings shall be held at a time and location approved by the board members and announced by the Housing and Human Services Department staff. All meetings shall be publicly advertised and open to the public. Meetings shall be held at least quarterly. The Housing & Human Services Department shall provide coordination efforts specified in Board of County Commissioners Policy 26 including all accountability, scheduling of matters requiring Board attention, notification of vacancies, and communications with the Board of County Commissioners Secretary regarding address, phone numbers, terms, starting dates and replacements.

ARTICLE XIII: COMMITTEES OF THE BOARD

A. Executive Committee:

1. The officers of the Board and a representative of each tripartite section of the Board, appointed by the Chairperson, will be deemed to be the Executive Committee for the purpose of transacting routine and ordinary business or handling matters of an emergency nature of the affairs of the Board which cannot be held in abeyance until the next regular meeting of the Board. It shall report on all action it takes between meetings to the full Board.
2. The Executive Committee in lieu of the full Board shall have the right/responsibility for approval of all matters. All actions of the Executive Committee shall be ratified by the full Board except when transacting routine and ordinary business.

B. Special Committees:

The Board shall from time to time establish such other Special Committees, as it deems necessary to carry on the affairs of the Board. The Chairperson, subject to the approval of the full board shall appoint members of the Special Committees. All Special Committees of the Board shall reflect the one-third (1/3) composition of the Board as closely as possible. The standing committees shall have a minimum of three (3) members.

ARTICLE XIV: SPECIAL MEETINGS

Special meetings may be called at the direction of the Chairman, or at the request of two-thirds (2/3) seated members, for the transaction of business as stated in the call for the meeting. Advertisement will be by posting if adequate time for publication is not available.

ARTICLE XV: AMENDING THE BY-LAWS

A recommendation for amending the by-laws may take place at any meeting of the Board, regular or special, by a majority vote of the members, provided that specific notice of the proposed change shall have been made in writing to all Board members, seven (7) days prior to the date of the meeting at which said by-laws are to be amended. Approval of the by-laws is subject to the approval of the Board of County Commissioners.

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

By: 

Kristine Isnardi, Chair

As approved by the Board on 7-9-19.

ATTEST:


SCOTT ELLIS, CLERK

Reviewed for legal form and content:

(Assistant) County Attorney

Deborah Thomas

From: Heffernan, Shaunna P <Shaunna.Heffernan@brevardfl.gov>
Sent: Wednesday, June 3, 2020 11:03 AM
To: Deborah Thomas
Subject: RE: Community Action Board Members Term Dates

Thanks, Deborah.

Moving forward, there should be no issues regarding terms unless the By-Laws change again. I've provided a list of all of our Board members below. Those names in bold are the members whose term dates will need to change.

The current **Public Sector Representatives** remain unchanged and will change only when the commissioners re-appoint:

Ashly Molozaiv
Dawn Davis
Darrius Garrett

Representatives of the **Business/Private Sector**:

Louvanona Simpson	New Term Date: 5/23/2021
Verdell Shackelford	New Term Date: 7/24/2022
Larry Carter	New Term Date 12/31/2021
Patricia Seibert	New Term Date: 8/21/2022
Pastor Jerome Dukes	New Term Date: 4/23/2023

Representatives of the **Low Income Sector**:

Latonya Hubbard	New Term Date: 4/23/2023
Tauheedah Hamilton	New Term Date: 4/23/2023
Juanita Barton	New Term Date: 10/8/2023
Jordin Chandler	New Term Date: 11/13/2023

If you have any questions, please give me a shout.

I appreciate your help as always!

Shaunna

From: Deborah Thomas <deborah.thomas@brevardclerk.us>
Sent: Wednesday, June 3, 2020 9:11 AM
To: Heffernan, Shaunna P <Shaunna.Heffernan@brevardfl.gov>
Subject: Community Action Board Members Term Dates

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good morning:

Because these terms limits have been approved already within the By-Laws, it will not be necessary to bring before the Board again.

Going forward, when By-Laws are approved – I will look for and highlight any Term Limit amendments.

Would you be able to send me the names of those currently on Community Action Board with their NEW TERM END DATES?

I would greatly appreciate that.

Thanks in advance.

Be safe and stay healthy.

Deborah Thomas
Administrative Assistant
Clerk to the Board
400 South Street, 2nd Fl.
Titusville, Florida 32780
(321)637-2001

From: Heffernan, Shaunna P <Shaunna.Heffernan@brevardfl.gov>
Sent: Tuesday, June 2, 2020 11:24 AM
To: Deborah Thomas <deborah.thomas@brevardclerk.us>
Subject: Re: Community Action Board Members Term Dates

Thanks, Deborah!



On Jun 2, 2020, at 11:16 AM, Deborah Thomas <deborah.thomas@brevardclerk.us> wrote:

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good morning Shaunna:

Hoping all is well with you and your family.

I really don't have an answer for you at this time.

Let me do a little research and get back to you and to whether this needs to go before the County Commissioners.

Also, let me pull that Item from 2019 and see what it says.

Thanks.

Deborah Thomas
Administrative Assistant
Clerk to the Board
400 South Street, 2nd Fl.
Titusville, Florida 32780
(321)637-2001

From: Heffernan, Shaunna P <Shaunna.Heffernan@brevardfl.gov>

Sent: Tuesday, June 2, 2020 11:00 AM

To: Deborah Thomas <deborah.thomas@brevardclerk.us>

Subject: Community Action Board Members Term Dates

Hi Deborah,

Hope this email finds you well!

We took the new Community Action Board By-Laws to the Board of County Commissioners on 7-9-2019 (Item F.25). Those By-Laws allowed the Community Action Board Members to remain on the Board for 4 years (Private and Low-Income). Previous terms were 3 years. There are some Board members whose terms would expire 2020, 2021 and 2022, but with the new By-Laws, their term dates are now pushed to the following subsequent year(s), 2021, 2022 and 2023.

Can the dates be changed and reflected from your office through a Board Memo, or do the names need to go back to the BOCC as an agenda item?

Thanks for any help or guidance.

Stay safe!

Shaunna Heffernan
Community Impact Manager
Housing and Human Services
2725 Judge Fran Jamieson Way
Viera, Florida 32940

Phone: 321-633-2007

Fax: 321-633-2170

"Under Florida Law, email addresses are Public Records. If you do not want your e-mail address released in response to public record requests, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."

Under Florida law, all correspondence sent to the Clerk's Office, which is not exempt or confidential pursuant to Chapter 119 of the Florida Statutes, is public record. If you do not want the public record contents of your e-mail address to be provided to the public in response to a public records request, please do not send electronic mail to this entity. Instead, contact this office by phone or in writing.