

PROPOSED

RESOLUTION NO.

1
2 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
3 COUNTY, FLORIDA, PERTAINING TO THE ORGANIZATION AND RESPONSIBILITIES
4 OF THE HUMAN SERVICES DEPARTMENT, THE PUBLIC WORKS DEPARTMENT,
5 AND THE PROFESSIONAL STANDARDS SECTION OF THE HUMAN RESOURCES
6 DIVISION; AMENDING CHAPTERS 2, 4, 6, 13, 14, AND 21 AND REPEALING
7 SECTIONS 4.42 THROUGH 4.45 OF THE BROWARD COUNTY ADMINISTRATIVE
8 CODE ("ADMINISTRATIVE CODE"); PROVIDING FOR THE CREATION OF CERTAIN
9 DIVISIONS AND VARIOUS ORGANIZATIONAL CHANGES; AND PROVIDING FOR
10 SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE
11 DATE.

12
13 WHEREAS, Section 1.11(r) of the Broward County Administrative Code
14 ("Administrative Code") provides that all proposed changes to the departmental and
15 divisional organization of County government be submitted to the Board of County
16 Commissioners for review, amendment, and adoption; and

17 WHEREAS, the Board of County Commissioners finds that certain amendments
18 to the Administrative Code are appropriate to be made at this time, NOW, THEREFORE,

19 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
20 BROWARD COUNTY, FLORIDA:

21 Section 1. Sections 2.11 and 2.17 of the Broward County Administrative Code
22 are hereby amended to read as follows:

23 **2.11. Divisions and Offices; Established.**

24 The following divisions and offices are hereby established and placed under the
25 supervision and control of the following departments:

26 . . .

27 b. *Human Services Department:*

- 28 1. Family Success Administration Division;
- 29 2. Elderly and Veterans Services Division;
- 30 3. Broward Addiction Recovery Division;
- 31 4. Community Partnerships Division;
- 32 5. Crisis Intervention and Support Division;
- 33 6. Housing Options, Solutions, and Supports Division;

34 c. *Public Works Department:*

- 35 1. Facilities Management Division;
- 36 2. Water and Wastewater Services;
- 37 3. Highway Construction and Engineering Division;
- 38 4. Highway and Bridge Maintenance Division;
- 39 5. Traffic Engineering Division;
- 40 6. Solid Waste and Recycling Services;
- 41 7. Construction Management Division;
- 42 8. Real Property and Real Estate Development Division;

43 . . .

44 **2.17. Additional Administrative Agencies; Established.**

45 In addition to the administrative departments and their divisions established
46 hereunder, there are hereby established: Office of Management and Budget;
47 Intergovernmental Affairs/Boards Section; ~~Professional Standards/Human Rights~~
48 ~~Section~~; Office of Economic and Small Business Development; Greater Fort Lauderdale
49 Convention and Visitors Bureau; Office of Public Communications; Office of Medical
50 Examiner and Trauma Services; Cultural Division; Libraries Division; and Parks and
51 Recreation Division; all of which shall be directly responsible to the County Administrator.

52 Section 2. Sections 4.1, 4.3, 4.34, and 4.35 of the Broward County
53 Administrative Code are hereby amended to read as follows:

54 **4.1. Established; Scope.**

55 There is hereby established a Human Services Department ~~which shall be~~ that is
56 responsible for the management, operation, and control of the human and health service
57 functions of County government. The Human Services Department ~~shall~~ includes the
58 divisions of: Family Success Administration;; Elderly and Veterans Services;; Broward
59 Addiction Recovery;; ~~and~~ Community Partnerships; Crisis Intervention and Support; and
60 Housing Options, Solutions, and Supports.

61 . . .

62 **4.3. Functions; Responsibilities.**

63 The Human Services Department shall:

64 a. Direct and manage the operation of functional divisions including: Family
65 Success Administration;; Elderly and Veterans Services;; Broward Addiction Recovery;;

66 ~~and Community Partnerships; Crisis Intervention and Support; and Housing Options,~~
67 Solutions, and Supports.

68 . . .

69 **4.34. Community Partnerships Division Established.**

70 There is hereby established a Community Partnerships Division, which is
71 responsible for the comprehensive system of care that addresses the physical and
72 behavioral health (~~physical, special needs and behavioral health~~), ~~shelter and safety~~
73 needs of Broward County residents, including those with disabilities. The Community
74 Partnership Division ~~provides oversight of~~ oversees a range of health and human
75 services provided both contractually and directly to residents. The Community
76 Partnership Division coordinates contractual and direct service activities by assuring a
77 standardized process for needs assessment, grant solicitation processes, quality
78 assurance, contract administration, monitoring, advisory boards, and stakeholder
79 involvement.

80 **4.35. Functions; Responsibilities.**

81 The Community Partnerships Division shall:

82 a. Provide administrative and programmatic oversight for the following ~~four (4)~~

83 two (2) Sections:

- 84 1. Children's Services Section; and
- 85 2. Health Care Services Section;
- 86 ~~3. Homeless Initiative Partnerships Section; and~~
- 87 ~~4. Sexual Assault Treatment Section.~~

88 . . .

89 Section 3. Sections 4.42 through 4.45 of the Broward County Administrative
90 Code are hereby repealed in their entirety.

91 Section 4. Parts VI and VII, including Sections 4.46 through 4.49 of the Broward
92 County Administrative Code, are hereby created to read as follows:

93 [Underlining omitted]

94 **PART VI. CRISIS INTERVENTION AND SUPPORT DIVISION**

95 **4.46. Crisis Intervention and Support Division Established.**

96 There is hereby established a Crisis Intervention and Support Division ("CISD"),
97 which shall be responsible for the administration and provision of services to survivors of,
98 and family members impacted or affected by, sexual assault, child abuse, or human
99 trafficking; and for the administration and provision of services to adult and youth
100 offenders through its adult and juvenile civil citation programs and juvenile predisposition
101 services. The CISD Director shall be the head of the CISD.

102 The CISD Director shall have a degree from a four-year college or university,
103 preferably supplemented by a master's degree in social work, human services, public
104 administration, or a related field; previous administrative experience in human services
105 and/or social work programs; or any equivalent combination of training and experience.

106 **4.47. Functions; Responsibilities.**

107 The CISD shall:

108 a. Seek to improve and enhance the quality of life for survivors of sexual
109 assault, child abuse, or human trafficking through effective, forensically sensitive
110 interventions and services implemented by professionals specializing in these fields.

111 b. Provide forensic, medical, and assessment services for child abuse
112 survivors and their families.

113 c. Provide trauma-focused therapy to survivors of child abuse, sexual
114 violence, or human trafficking.

115 d. Through the Nancy J. Cotterman Center's Human Trafficking Program,
116 provide case coordination services to survivors of human trafficking designed to ensure
117 the individuals' needs are met.

118 e. Through the Nancy J. Cotterman Center, offer services on a
119 24-hour/7-day-a-week basis and function as a social safety net for survivors and their
120 families to promote self-sufficiency and well-being.

121 f. Collaborate, as permitted by applicable law, with law enforcement, the
122 Broward County State Attorney's Office, and Broward Sheriff's Office - Child Protective
123 Investigations Section to provide a multidisciplinary response to survivors and their
124 nonoffending family members.

125 g. Provide programs that permit youth and adult misdemeanor offenses to be
126 appropriately addressed without creating a criminal record, and provide a community-
127 based alternative through civil citation programs that reduce taxpayer costs associated
128 with arrests and detention.

129 h. Serve as the Countywide Coordinating Entity (CCE) to ensure uniformity in
130 the countywide implementation and management of both juvenile and adult civil citation
131 processes.

132 i. Provide technical assistance to local law enforcement agencies,
133 community-based organizations, and community outreach programs.

134 j. Manage data for all juvenile and adult civil citations issued and services
135 provided in accordance with Sections 901.41 and 985.12, Florida Statutes, and
136 Section 21-6 of the Broward County Code of Ordinances, as amended.

137 k. Through the Juvenile Predisposition Services Program, provide a
138 community-based alternative that reduces taxpayer costs associated with detaining youth
139 during the predisposition phase of the juvenile justice process.

140 l. Address individual needs of youth to seek to prevent their further
141 involvement in the juvenile justice system.

142 m. Build a neighborhood-based continuum that works to keep the community
143 safe and to support youth and their families by providing case coordination.

144 n. Apply for federal, state, and any other funding assistance to aid in funding
145 the CISD's activities.

146 o. Administer all grants related to the operations of the CISD.

147 p. Track legislative initiatives related to child abuse, sexual violence, and
148 human trafficking issues, and participate in the County's legislative process to promote
149 the welfare of residents.

150 q. Manage all fiscal matters related to the operations of the CISD.

151 r. Administer contracts between Broward County and public and private not-
152 for-profit and for-profit organizations for the provision of services to clients. Such
153 administration includes, but is not limited to: development of requests for proposals;
154 participation in proposal review; contract development and negotiation; review of monthly
155 invoices and documentation; recommendation of payment of reviewed invoices; and
156 issuance of corrective action plans.

157 s. Coordinate activities with related planning agencies and advisory boards,
158 and represent the CISD at meetings with various civic and governmental organizations,
159 including, when necessary, appearing before public officials regarding projects and
160 functions of the CISD.

161 t. Carry out all duties conferred on the CISD by federal or state law, or by
162 County ordinance, policy, administrative rules and regulations, or contractual obligations,
163 and provide for the efficient management and implementation of enforcement powers
164 granted by state or local law.

165 u. Utilize software that tracks contract-related data, client services, and
166 demographics, and prepare and submit data analyzing accomplishments based on
167 outcome performance measurements.

168 v. Coordinate with federal, state, county, and other funding sources in
169 providing and promoting more effective child advocacy and rape crisis service delivery
170 systems, and provision of services to residents of Broward County.

171 w. Participate in the County's emergency response in support of the
172 responsibilities of the Human Services Department as designated in the County's
173 Comprehensive Emergency Operations Plan and/or other plans or priorities as
174 established by the Department Director.

175 **PART VII. HOUSING OPTIONS, SOLUTIONS, AND SUPPORTS DIVISION**

176 **4.48. Housing Options, Solutions, and Supports Division Established.**

177 There is hereby established a Housing Options, Solutions, and Supports ("HOSS")
178 Division, which shall be responsible for the administration and provision of
179 community-based programs and services for individuals and families experiencing or at

180 imminent risk of homelessness. The HOSS Director shall be the head of the HOSS
181 Division.

182 The HOSS Director shall have a degree from a four-year college or university,
183 preferably supplemented by a master's degree in social work, public administration, or
184 related field; previous administrative experience in human services programs; or any
185 equivalent combination of training and experience.

186 **4.49. Functions; Responsibilities.**

187 The HOSS Division shall:

188 a. Direct the activities of the Homeless Continuum of Care Board to ensure
189 services are regional in scope and address identified priority gaps in services to
190 individuals experiencing homelessness.

191 b. Develop a process to carry out elements of the Homeless Initiative Strategic
192 Plan, including operation of the homeless assistance centers and the comprehensive
193 continuum of care.

194 c. Coordinate intergovernmental activities and create a unified approach to
195 addressing issues relating to individuals experiencing homelessness.

196 d. Promote and ensure excellence of service delivery.

197 e. Conduct community education and training programs for the public.

198 f. Provide, or contract for the provision of, homelessness prevention,
199 outreach, emergency shelter, case management, transitional housing, permanent
200 affordable and supportive housing, and support services to individuals and families
201 experiencing homelessness. Services shall include, but not be limited to: case
202 management; support counseling groups; life management skills training; housing and

203 job placement; assistance in obtaining benefits; advocacy; and information and referral
204 services.

205 g. Carry out all duties conferred on the HOSS Division by federal or state law,
206 or by County ordinance, policy, administrative rules and regulations, or contractual
207 obligations, including the maintenance of client and fiscal records in accordance with
208 applicable regulations.

209 h. Coordinate with federal, state, county, and public and private not-for-profit
210 and for-profit organizations in the provision of comprehensive community-based support
211 services for residents, and apply for federal and state assistance to aid in funding the
212 HOSS Division's activities.

213 i. Administer all grants related to the operations of the HOSS Division.

214 j. Participate in legislative initiatives to promote the welfare of residents.

215 k. Manage all fiscal matters related to the operations of the HOSS Division.

216 l. Provide for the administration of contracts between Broward County and
217 public and private not-for-profit and for-profit organizations for the provision of services to
218 clients. Such administration shall include, but not be limited to: development of grant
219 solicitations; participation in proposal review; contract development and negotiation;
220 review of monthly invoices and documentation; recommendation of payment of reviewed
221 invoices; technical assistance and monitoring performance and issuance of corrective
222 action plans; and submission of contract documentation and outcome performance
223 reports for public and private not-for-profit and for-profit organizations funded by Broward
224 County.

225 m. Coordinate activities with related planning agencies and advisory boards.

226 n. Represent the HOSS Division at meetings with various civic and
227 governmental organizations, including, when necessary, appearing before public officials
228 regarding projects and functions of the HOSS Division.

229 o. Utilize software approved by the Director of the Human Services
230 Department and by Enterprise Technology Services to maintain a centralized data
231 information system that tracks contract-related data, client services, and demographics.
232 This includes clients served both directly and through contractual arrangements with
233 public and private not-for-profit and for-profit organizations and shall be subject to all
234 federal, state, and local regulations regarding client confidentiality.

235 p. Prepare and submit data for Human Services Department reports analyzing
236 accomplishments based on outcome performance measurements.

237 q. Charge set fees and rates for services as prescribed by applicable law,
238 rules, and regulations.

239 r. Participate in the County's emergency response in support of the
240 responsibilities of the Human Services Department as designated in the County's
241 Comprehensive Emergency Operations Plan and/or other plans or priorities as
242 established by the Department Director.

243 s. Provide for efficient management and implementation of enforcement
244 powers granted by Florida law and County ordinances and resolutions.

245 t. Through its Human Rights Section, carry out the authority and
246 responsibilities mandated by the Broward County Human Rights Act, working to ensure
247 all individuals have the ability to live, work, and enjoy equal access to facilities open to

248 the public in an environment free of unlawful discrimination, harassment, intimidation, and
249 retaliation.

250 u. Through its Human Rights Section, investigate allegations of housing
251 discrimination, fulfill requirements of contracts between Broward County and the United
252 States Department of Housing and Urban Development (HUD), and act as the County's
253 designated investigative entity for violations of the Broward Human Rights Act.

254 Section 5. Section 6.1 of the Broward County Administrative Code is hereby
255 amended to read as follows:

256 **6.1. Public Works Department Established; Scope.**

257 There is hereby established a Public Works Department, which shall be
258 responsible for the management, operation, and control of public works functions of
259 County government. The Public Works Department shall include:

260 . . .

261 e. Water and Wastewater Services:

262 1. Water and Wastewater Engineering Division;

263 2. Water and Wastewater ~~Fiscal~~ Business Operations Division;

264 3. Water and Wastewater Operations Division;

265 4. Water Management Division; and

266 5. Water and Wastewater Information ~~and Instrumentation~~ Technology
267 Division.

268 f. Solid Waste and Recycling Services:

269 1. Solid Waste Operations Division; and

270 2. Recycling and Contract Administration Division.

271 g. Construction Management Division.

272 h. Real Property and Real Estate Development Division.

273 Section 6. Section 6.3 of the Broward County Administrative Code is hereby
274 amended to read as follows:

275 **6.3. Functions; Responsibilities.**

276 The Public Works Department shall:

277 . . .

278 f. ~~Produce the Summarized Quarterly Construction Pproject Sstatus Rreports~~
279 to the Board of County Commissioners.

280 Section 7. Section 6.23 of the Broward County Administrative Code is hereby
281 amended to read as follows:

282 **6.23. Functions; Responsibilities.**

283 The Facilities Management Division shall:

284 . . .

285 ~~j. Direct a Real Property Section, which shall be responsible for the following:~~

286 ~~1. Issue and provide public notice of a prospectus which states the purpose~~
287 ~~for which the County will be purchasing real property where the purchase~~
288 ~~price is estimated to exceed \$250,000.00. Issuance of a prospectus is not~~
289 ~~required for the purchase of real property: (1) to be acquired from the federal~~
290 ~~government, a state agency, a school district or a local governmental entity;~~
291 ~~or (2) for the Aviation and Port Everglades Departments, aviation or~~
292 ~~aviation-related properties or facilities, transportation facilities,~~
293 ~~transportation and drainage corridors, utility corridors, or federally funded~~

- 294 projects; or ~~(3) adjacent to or for the expansion of existing County-owned~~
295 ~~property.~~
- 296 2. ~~Provide lease documents and gain approval of the Board of County~~
297 ~~Commissioners to acquire leasehold space for County departments,~~
298 ~~divisions, offices, state agencies that the County is required to provide~~
299 ~~accommodations for, and elected officials of Broward County government~~
300 ~~except for the Aviation and Port Everglades Departments.~~
- 301 3. ~~Maintain a detailed inventory of all facilities and real estate either owned or~~
302 ~~leased by the County to include occupants and uses. Coordinate with the~~
303 ~~Risk Management Division so that all property rights and liabilities are~~
304 ~~adequately insured.~~
- 305 4. ~~Except for the Aviation and Port Everglades Departments, prepare and~~
306 ~~process license or other appropriate agreements for approval of the Board~~
307 ~~of County Commissioners to authorize the lease or use of County-controlled~~
308 ~~property by non-county agencies.~~
- 309 5. ~~Except for the Aviation and Port Everglades Departments, provide to the~~
310 ~~Board of County Commissioners in June of each calendar year a report of~~
311 ~~all idle and unused properties either owned or leased by Broward County,~~
312 ~~including escheated properties and those properties which have been~~
313 ~~declared surplus by the Board of County Commissioners.~~
- 314 6. ~~Except for the Aviation and Port Everglades Departments, provide for the~~
315 ~~management and, as authorized by the Board of County Commissioners,~~
316 ~~disposal of surplus real property.~~

- 317 7. ~~Except for the Aviation and Port Everglades Departments, provide through~~
318 ~~negotiation or purchase, real property for capital improvements of County~~
319 ~~government as authorized by the Board of County Commissioners.~~
- 320 8. ~~Develop and implement internal procedures relating to obtaining the~~
321 ~~appraisal of real property, including requiring that all independent appraisals~~
322 ~~conform to Uniform Standards of Professional Appraisal Practice adopted~~
323 ~~by the Appraisal Standards Board.~~
- 324 9. ~~Be responsible for the negotiations for the purchase of real property and~~
325 ~~real property rights for capital improvements such as roads, parks, libraries,~~
326 ~~aviation, and utility easements for use by County government as authorized~~
327 ~~by the Board of County Commissioners.~~
- 328 10. ~~Provide such assistance to the Aviation and Port Everglades Departments~~
329 ~~in the acquisition, sale, and leasing of real property as they may request.~~
- 330 11. ~~Appraisal Services. Obtain not less than two (2) appraisals from qualified~~
331 ~~independent appraisers on the list approved annually by the County~~
332 ~~Administrator, on parcels of real property, except rights of way, valued at~~
333 ~~\$500,000.00 or more, exclusive of damages, which the County~~
334 ~~contemplates purchasing. Obtain authorization from the County~~
335 ~~Administrator for appraisal services estimated to cost \$20,000.00 or less.~~
336 ~~Obtain authorization from the Board of County Commissioners for appraisal~~
337 ~~services estimated to cost more than \$20,000.00. Obtain at least one~~
338 ~~independent appraisal from a list of qualified appraisers or from staff on~~
339 ~~property with a value of less than \$500,000.00. If the proposed purchase~~

Coding: Words ~~stricken~~ are deletions from existing text. Words underlined are additions to existing text.

340 price is ~~\$500,000.00 or more and such proposed purchase price exceeds~~
341 the average of the appraisals obtained by the County pursuant to this
342 section by more than ten (10) percent, the acquisition of the property shall
343 require approval by an extraordinary vote of the Board of County
344 Commissioners. When selecting appraisers for complex assignments
345 requiring specialized appraisal experience and training, the Real Property
346 Section may seek out the most qualified independent appraisers available,
347 especially if Aviation Department or Port Everglades Department property
348 is involved, even if the appraisers do not appear on the approved list. This
349 selection must be endorsed by the Director of Real Property and the director
350 of the agency requesting the appraisal services. Authorization requirements
351 from the County Administrator or Board of County Commissioners will not
352 be affected by the selection of the specialized appraisers, and the
353 authorization limits will be the same as elsewhere in this section.

354 ~~12. Conduct or coordinate due diligence inspections on parcels of real property~~
355 ~~which the County contemplates purchasing or selling. Obtain real estate~~
356 ~~brokerage services, opinions of title or abstracts of title, title commitments~~
357 ~~and insurance, environmental assessments or audits, land surveys,~~
358 ~~engineering assessments to the extent said assessments are not subject to~~
359 ~~the Consultants' Competitive Negotiation Act, and other services related to~~
360 ~~the acquisition or sale of real property. Obtain authorization from the County~~
361 ~~Administrator if the services are estimated to cost \$20,000.00 or less.~~

362 Obtain authorization from the Board of County Commissioners for said
363 services estimated to cost more than \$20,000.00.

364 ~~13. Review results of appraisals and request authorization from the Board of~~
365 ~~County Commissioners to purchase property. The Board shall consider the~~
366 ~~purchase of real property having a purchase price of \$500,000.00 or more~~
367 ~~only when a complete and accurate summary, including all appraisals, of~~
368 ~~the proposed transaction has been submitted to the members of the Board~~
369 ~~at least twenty-eight (28) days in advance of the Board meeting at which~~
370 ~~the transaction will be considered, except for the purchase of real property:~~
371 ~~(1) adjacent to or for the expansion of existing County-owned property; (2)~~
372 ~~to be acquired from the federal government, a state agency or a local~~
373 ~~governmental entity; or (3) for the Aviation and Port Everglades~~
374 ~~Departments, aviation or aviation-related properties or facilities,~~
375 ~~transportation facilities, transportation and drainage corridors, utility~~
376 ~~corridors, or federally funded projects. Purchases of real property may be~~
377 ~~for the appraised value or the negotiated price, as agreed to by the Board~~
378 ~~of County Commissioners.~~

379 ~~14. Except for the Aviation and Port Everglades Departments, coordinate the~~
380 ~~preparation of all legal instruments and lead the negotiations relating to the~~
381 ~~transfer of title to acquire or dispose of property or rights therein, and, upon~~
382 ~~execution thereof, record such instruments when approved by the Board of~~
383 ~~County Commissioners. Aviation and Port Everglades Departments should~~
384 ~~involve the Real Property Section in the development of such transfers of~~

385 ~~title and should have a representative of the Real Property Section~~
386 ~~participate in negotiations, except for leases of three-year terms or less.~~

387 15. ~~Establish and maintain an inventory on acquisition and disposition projects~~
388 ~~with all pertinent information on the property, including, but not limited to, a~~
389 ~~copy of all legal documents, seller, landlord, donor, buyer, tenant, location,~~
390 ~~appraiser, date of appraisal, appraised value, date of authorization by the~~
391 ~~Board of County Commissioners for negotiation, purchase price, rents, date~~
392 ~~of approval of transaction by the Board of County Commissioners, date in~~
393 ~~which the deed can be found in the official minutes of the Board of County~~
394 ~~Commissioners, and the official record book and page number where the~~
395 ~~instrument is filed in the Public Records of Broward County.~~

396 16. ~~Establish and enforce procedures for keeping purchase negotiations~~
397 ~~confidential in accordance with Section 125.355, Florida Statutes (as may~~
398 ~~be amended), when such confidential negotiations are approved by the~~
399 ~~County Administrator. Where confidential negotiations are approved, all~~
400 ~~offers and counteroffers shall be made in writing and no person shall have~~
401 ~~access to the negotiation records or to the appraisals during the~~
402 ~~confidentiality period permitted by Section 125.355, Florida Statutes (as~~
403 ~~may be amended), unless they have been previously authorized by the~~
404 ~~Director of the Real Property Section and have executed a confidentiality~~
405 ~~statement. The requirement to sign such confidentiality statement shall~~
406 ~~apply to each and every person, including, without limitation, the Director of~~
407 ~~the Real Property Section, the County Administrator, the County Attorney,~~

408 ~~County Commissioners, clerical staff, and the appraiser and appraiser's~~
409 ~~staff.~~

410 ~~17. Implement Section 25.27 of the Administrative Code addressing utilization~~
411 ~~of the main courthouse.~~

412 ~~j. Coordinate with the Public Works Department and other County agencies~~
413 ~~in preparing plans for the County's anticipated space needs, develop and maintain an~~
414 ~~outline of a facilities space master plan, and plan and control space utilization and~~
415 ~~assignment.~~

416 Section 8. Chapter 6 of the Broward County Administrative Code is hereby
417 amended to read as follows:

418 . . .

419 **6.47. Highway Construction and Engineering Division Established; Director as**
420 **Head.**

421 There is hereby established a Highway Construction and Engineering Division,
422 which shall be responsible for administering the engineering services program of the
423 Public Works Department. The Highway Construction and Engineering Director shall be
424 the head of the Highway Construction and Engineering Division.

425 The Director of the Highway Construction and Engineering Division shall be a
426 professional engineer capable of attaining registration in the sState of Florida, and shall
427 have expertise in road construction management and considerable, progressively
428 responsible management experience, or any equivalent combination of training and
429 experience. ~~The Highway Construction and Engineering Director shall be the head of the~~
430 ~~Highway Construction and Engineering Division.~~

431 **6.48. Functions; Responsibilities.**

432 The Highway Construction and Engineering Division shall:

433 . . .

434 b. Coordinate with concerned organizations in the planning, design, and
435 implementation of the eCounty's Transportation Capital Improvement Program and
436 Mobility Advancement Program.

437 . . .

438 **6.52. Highway and Bridge Maintenance Division Established; Director as Head.**

439 There is hereby established a Highway and Bridge Maintenance Division, which
440 shall be responsible for the administration of the highway and bridge maintenance
441 programs of eCounty government. The Highway and Bridge Maintenance Director shall
442 be the head of the Highway and Bridge Maintenance Division.

443 The Director of the Highway and Bridge Maintenance Division shall have a degree
444 from a four-year college or university with demonstrated experience in highway
445 construction and maintenance, and considerable, progressively responsible management
446 experience, or any equivalent combination of training and experience. ~~The Highway and~~
447 ~~Bridge Maintenance Director shall be the head of the Highway and Bridge Maintenance~~
448 ~~Division.~~

449 **6.53. Functions; Responsibilities.**

450 The Highway and Bridge Maintenance Division shall:

451 . . .

452 b. Be responsible for road construction projects ~~which~~ that are accomplished
453 with Broward County ~~forces~~ employees.

454 . . .

455 **6.57. Traffic Engineering Division Established; Director as Head.**

456 There is hereby established a Traffic Engineering Division, which shall be
457 responsible for the administration of the traffic engineering program of County
458 government. The Director of Traffic Engineering shall be the head of the Traffic
459 Engineering Division.

460 The Traffic Engineering Director shall have a degree from a four-year college or
461 university with major course work in engineering, or a related field and considerable,
462 progressively responsible management experience in traffic engineering or a related field,
463 or any equivalent combination of training and experience. ~~The Director of Traffic~~
464 ~~Engineering shall be the chief of the Traffic Engineering Division.~~

465 . . .

466 **6.62. Water and Wastewater Services Established; Director as Head.**

467 There is hereby established Water and Wastewater Services, which shall be
468 responsible for administering the water management and wastewater management
469 systems of eCounty government. The Director of Water and Wastewater Services shall
470 be the head of Water and Wastewater Services.

471 The Director of Water and Wastewater Services shall have proven administrative
472 ability and shall have a degree from a four-year college or university, preferably
473 supplemented by graduate or specialized training and considerable, progressively
474 responsible experience in public administration or a related field, or any equivalent
475 combination of training and experience. ~~The Director of Water and Wastewater Services~~
476 ~~shall be the head of Water and Wastewater Services.~~

477 **6.63. Functions; Responsibilities.**

478 The functions and responsibilities of Water and Wastewater Services shall include
479 the following:

480 . . .

481 b. Guide and direct the activities of the Water Management Division towards
482 the efficient and environmentally sound administration of the water resources programs
483 of the eCounty.

484 . . .

485 d. Guide and direct the Water and Wastewater Fiscal Business Operations
486 Division to develop, implement, and maintain sound fiscal policies and procedures.

487 e. Guide and direct the Water and Wastewater Information ~~and~~
488 ~~Instrumentation~~ Technology Division for the economically efficient and effective provision
489 of information technology.

490 . . .

491 **6.72. Water and Wastewater Business Operations Division Established; Director**
492 **as Head.**

493 There is hereby established a Water and Wastewater Business Operations
494 Division that shall be responsible for the business operations of Water and Wastewater
495 Services. The Director of Water and Wastewater Business Operations shall be the head
496 of the Water and Wastewater Business Operations Division.

497 The Water and Wastewater Business Operations Director shall have a degree from
498 an accredited four-year college or university in accounting, business or public

499 administration, or a related field with several years of progressively responsible
500 management experience, or any equivalent combination of training and experience.

501 . . .

502 **6.78. Functions; Responsibilities.**

503 The Water and Wastewater Operations Division shall:

504 . . .

505 c. ~~Implement and maintain comprehensive wastewater management, retail~~
506 ~~water treatment and distribution, and retail wastewater collection programs for Broward~~
507 ~~County as provided by local laws and ordinances.~~

508 ~~d.~~ Operate and maintain a regional raw water supply system for portions of
509 Broward County.

510 ~~e d.~~ Coordinate with all appropriate federal, state, and county agencies and with
511 municipalities in implementing wastewater treatment and collection programs and water
512 supply treatment and distribution programs for Broward County.

513 ~~f e.~~ Maintain a National Environmental Laboratory Accreditation Program
514 (NELAP) certified laboratory to support compliance activities mandated by federal, state,
515 and local regulatory authorities.

516 . . .

517 **6.82. Water Management Division Established; Director as Head.**

518 There is hereby established a Water Management Division, which shall be
519 responsible for administering the water management program for Broward County
520 government. The Water Management Director shall be the ~~chief~~ head of the Water
521 Management Division and shall be a graduate from a four-year college or university with

522 major course work in water management, engineering, or hydrology; ~~and~~ considerable,
523 progressively responsible management experience; or any equivalent combination of
524 training and experience.

525 **6.83. Functions; Responsibilities.**

526 The Water Management Division shall:

527 . . .

528 b. Develop and manage the waterway operations and maintenance programs
529 of the County ~~Commission~~ and contract organizations; to provide: drainage and flood
530 control, recharge for potable water supply, saltwater intrusion abatement, and surface
531 water management; and for environmental purposes.

532 c. Design, construct, and manage waterway systems serving unincorporated
533 areas, multiple jurisdictions, dependent water control districts, and contract organizations
534 ~~for the provision of~~ to provide proper drainage, flood control, and adequate recharge.

535 . . .

536 **PART XVIII. WATER AND WASTEWATER INFORMATION AND**
537 **INSTRUMENTATION TECHNOLOGY DIVISION**

538 **6.87. Water and Wastewater Information and ~~Instrumentation~~ Technology Division**
539 **Established; Director as Head.**

540 There is hereby established a Water and Wastewater Information ~~and~~
541 ~~Instrumentation~~ Technology Division, which shall be responsible for provision of
542 information technology services to Water and Wastewater Services and its reporting
543 divisions. The Water and Wastewater Information ~~and ~~Instrumentation~~~~ Technology
544 ~~Division~~ Director shall ~~serve as chief~~ be the head of the Water and Wastewater

545 Information and Instrumentation Technology Division and shall have: a degree from an
546 accredited four-year college or university in business, computer science, environmental
547 science, or a related field; high-level supervisory and administrative experience; or any
548 equivalent combination of relevant training and experience.

549 **6.88. Functions; Responsibilities.**

550 The Water and Wastewater Information and Instrumentation Technology Division
551 shall:

552 . . .

553 b. Ensure that Water and Wastewater Services Divisions acquire any data,
554 voice, video, and other technology-based equipment or related communication lines,
555 devices, and instruments ~~by~~ by purchase, lease, or otherwise within established
556 standards and procurement policies.

557 c. Plan for, implement, and provide adequate data processing, office
558 automation, and telecommunication services within ~~the~~ Water and Wastewater Services,
559 including the administration of contracts pertaining to the acquisition, implementation,
560 maintenance, and support of those ~~data processing or office automation~~ systems.

561 ~~d. Implement and maintain all process control equipment strategies and~~
562 ~~operating parameters through collaboration with Water and Wastewater Service~~
563 ~~Operations Division treatment facility staff and in accordance with industry best practices,~~
564 ~~federal, state, and local guidelines.~~

565 e. Have primary responsibility for establishing, implementing, and maintaining
566 physical security and safety policies and procedures within the Water and Wastewater

567 Services Divisions and develop strategic direction for implementing best practice security
568 measures at all Water and Wastewater Services facilities.

569 f e. Have primary responsibility for establishing, implementing, and maintaining
570 information technology security policies and procedures within the Water and Wastewater
571 Services Divisions in accordance with federal, state, and local regulatory agencies.

572 **PART XIX. SOLID WASTE AND RECYCLING SERVICES**

573 **6.92. Solid Waste and Recycling Services Established; Director as Head.**

574 There is hereby established Solid Waste and Recycling Services, which shall be
575 responsible for administering recycling, resource recovery, and solid waste collection and
576 disposal operation systems of eCounty government. The Director of Solid Waste and
577 Recycling Services shall ~~serve as chief~~ be the head of Solid Waste and Recycling
578 Services and shall have: a degree from an accredited four-year college or university with
579 major coursework in public or business administration, engineering, or project
580 management; at least six (6) years of experience in solid waste management, including
581 four (4) years of high-level supervisory and administrative experience; or any equivalent
582 combination of relevant training and experience.

583 **6.93. Solid Waste and Recycling Services Functions; Responsibilities.**

584 The functions and responsibilities of Solid Waste and Recycling Services shall
585 include the following:

586 . . .

587 i. Coordinate with the Broward Solid Waste Disposal District and ~~its Resource~~
588 ~~Recovery Board and Technical Advisory Committee~~ pertinent committees and groups.

589 . . .

590 **PART XX. SOLID WASTE OPERATIONS DIVISION**

591 **6.97. Solid Waste Operations Division Established; Director as Head.**

592 There is hereby established a Solid Waste Operations Division, which shall be
593 responsible for the administration of the solid waste disposal programs of eCounty
594 government. The Solid Waste Operations Director shall ~~serve as chief~~ be the head of the
595 Solid Waste Operations Division and shall have: a degree from an accredited four-year
596 college or university with major coursework in civil or environmental engineering,
597 business or public administration, or related field; comprehensive experience in the
598 operation of a solid waste management program or facility, including high-level
599 supervisory and administrative experience; or any equivalent combination of relevant
600 training and experience.

601 . . .

602 **6.102. Recycling and Contract Administration Division Established; Director as**
603 **Head.**

604 There is hereby established a Recycling and Contract Administration Division,
605 which shall be responsible for the administration of the solid waste collection and
606 recycling programs of eCounty government. The Recycling and Contract Administration
607 Director shall ~~serve as chief~~ be the head of the Recycling and Contract Administration
608 Division and shall have: a degree from an accredited four-year college or university with
609 major coursework in civil or environmental engineering, business or public administration,
610 or related field; thorough experience in the operation of a solid waste management
611 program or facility, including considerable high-level supervisory and administrative
612 experience; or any equivalent combination of training and experience.

613 **6.103. Functions; Responsibilities.**

614 The Recycling and Contract Administration Division shall:

615 . . .

616 b. Develop and implement a program for solid waste collection and recycling
617 that is feasible, cost effective, and environmentally sound for ~~unincorporated~~ the Broward
618 ~~County~~ Municipal Services District.

619 . . .

620 **6.116. Construction Management Division Established; Director as Head.**

621 There is hereby established a Construction Management Division₁ which shall be
622 responsible for administration of the County's ~~F~~facility ~~C~~onstruction ~~M~~management
623 ~~P~~programs₂. The Construction Management Director shall be the ~~chief~~ head of the
624 Construction Management Division and shall be designated as the County Architect or
625 the County Engineer, as applicable.

626 The Construction Management Director shall be an architect or professional
627 engineer ~~or architect~~ capable of attaining registration as an architect or licensure as an
628 engineer in the State of Florida, and shall have expertise in construction management
629 and considerable, progressively responsible management experience, or any equivalent
630 combination of training and experience. The Construction Management Director shall
631 develop and set forth policies, procedures₁ and standards governing the operation of the
632 construction management system for all facility construction under the control of the
633 Public Works Department.

634 **6.117. Functions; Responsibilities.**

635 The Construction Management Division shall:

636 a. ~~Coordinate with the Public Works Department and other County agencies~~
637 ~~in preparing plans for the County's anticipated space needs, develop and maintain an~~
638 ~~outline facilities space master plan, and plan and control space utilization and~~
639 ~~assignment.~~

640 b. Establish and manage a professional staff including planners, architects,
641 engineers, construction managers, inspectors, and administrative personnel, who will
642 implement plans, meet goals, and optimize the design and construction management
643 process.

644 ~~e.~~ b. Through the expertise of the Construction Management Director/County
645 Architect/Engineer, provide architectural management services and technical assistance
646 to all County agencies except the Aviation, Port Everglades, and Transportation
647 Departments, and the Parks and Recreation Division.

648 ~~d.~~ c. Unless otherwise provided by law, provide contract administration of
649 construction and major modification contracts for the projects to be used by the
650 constitutional officers, the County Administrator's Office, and other projects that are not
651 solely for the use of or clearly the responsibility of the Aviation, Port Everglades, or
652 Transportation Departments or the Parks and Recreation Division. The Construction
653 Management Division may provide management services to Sstate agencies by written
654 agreement when appropriate funds are provided.

655 Section 9. Part XXV of Chapter 6 of the Broward County Administrative Code is
656 hereby created to read as follows:

657 [Underlining omitted]

658 **PART XXV. REAL PROPERTY AND REAL ESTATE DEVELOPMENT DIVISION**

659 **6.121. Real Property and Real Estate Development Division Established; Director**
660 **as Head.**

661 There is hereby established a Real Property and Real Estate Development
662 Division, which shall be responsible for administration of the County's real property and
663 real estate development programs. The Real Property and Real Estate Development
664 Director shall be the head of the Real Property and Real Estate Development Division.

665 The Real Property and Real Estate Development Director shall be a licensed
666 engineer or architect capable of attaining an engineering or architect license in the
667 State of Florida, or a Florida licensed Real Estate Broker or Real Estate Sales Associate,
668 and shall have expertise in real estate development, including architectural programming
669 and design, purchase and sale transactions, real estate leases, and the management of
670 public/private partnerships, and considerable, progressively responsible management
671 experience, or any equivalent combination of training and experience. The Real Property
672 and Real Estate Development Director shall develop and set forth policies, procedures,
673 and standards governing the operation of the real property and real estate development
674 system for all pertinent projects under the control of the Public Works Department.

675 **6.122. Functions; Responsibilities.**

676 The Real Property and Real Estate Development Division shall:

677 a. For real property purchases where the purchase price is estimated to
678 exceed \$250,000, issue and provide public notice of a prospectus that states the purpose
679 for which the County will be purchasing real property. Issuance of a prospectus is not
680 required for the purchase of real property: (1) to be acquired from the federal government,
681 a state agency, a school district, or a local governmental entity; or (2) for the Aviation and

682 Port Everglades Departments, aviation or aviation-related properties or facilities,
683 transportation facilities, transportation and drainage corridors, utility corridors, or federally
684 funded projects; or (3) adjacent to, or for the expansion of, existing County-owned
685 property (collectively, "Excepted Real Property Purchases").

686 b. Provide lease documents for approval by the Board of County
687 Commissioners for the acquisition of leasehold space for County departments, divisions,
688 and offices other than the Aviation and Port Everglades Departments, state agencies for
689 which the County is required to provide accommodations, and elected officials of Broward
690 County government.

691 c. Maintain a detailed inventory of all facilities and real estate owned or leased
692 by the County, including occupants and uses, and coordinate with the Risk Management
693 Division so that all property rights and liabilities are adequately insured.

694 d. Except for the Aviation and Port Everglades Departments, prepare and
695 process licenses and other appropriate agreements for approval by the Board of County
696 Commissioners or delegee to authorize the lease or use of County-controlled property by
697 non-County agencies.

698 e. Except for the Aviation and Port Everglades Departments, provide to the
699 Board of County Commissioners by June of each calendar year a report of all idle and
700 unused properties owned or leased by Broward County, including escheated properties
701 and those properties that have been declared surplus by the Board of County
702 Commissioners.

703 f. Except for the Aviation and Port Everglades Departments, provide for the
704 management and, as authorized by the Board of County Commissioners, disposal of
705 surplus real property.

706 g. Except for the Aviation and Port Everglades Departments, provide real
707 property for capital improvements of County government, through negotiation or
708 purchase, as authorized by the Board of County Commissioners.

709 h. Develop and implement internal procedures relating to obtaining appraisals
710 of real property, including requiring that all independent appraisals conform to Uniform
711 Standards of Professional Appraisal Practice adopted by the Appraisal Standards Board.

712 i. Be responsible for the negotiations for the purchase of real property and
713 real property rights for capital improvements such as roads, parks, libraries, aviation, and
714 utility easements for use by County government, as authorized by the Board of County
715 Commissioners.

716 j. Provide such assistance to the Aviation and Port Everglades Departments
717 in the acquisition, sale, and leasing of real property as they may request.

718 k. Appraisal Services.

719 1. Obtain not fewer than two (2) appraisals from qualified independent
720 appraisers on the list approved annually by the County Administrator, for
721 parcels of real property, other than rights-of-way, determined to be valued
722 at \$500,000 or more, exclusive of any applicable damages, that the County
723 contemplates purchasing.

724 2. Obtain at least one (1) independent appraisal from the above-referenced
725 list of qualified appraisers or from County staff for parcels of real property

726 with a determined value of less than \$500,000 that the County contemplates
727 purchasing.

728 3. If the proposed purchase price is \$500,000 or more and such proposed
729 purchase price exceeds the average of the appraisals obtained by the
730 County pursuant to this section by more than ten percent (10%), the
731 acquisition of the property shall require approval by an extraordinary vote
732 of the Board of County Commissioners.

733 4. When selecting appraisers for complex assignments requiring specialized
734 appraisal experience and training, the Real Property and Real Estate
735 Development Division may utilize the most qualified independent appraisers
736 available, even if the appraisers do not appear on the approved list. The
737 selection must be approved by both the Director of Real Property and Real
738 Estate Development and the Director of the agency requesting the appraisal
739 services.

740 l. For the acquisition or sale of real property that the County contemplates
741 purchasing or selling, conduct, coordinate, or obtain any appropriate due diligence
742 inspections, real estate brokerage services, opinions of title or abstracts of title, title
743 commitments and insurance, environmental assessments or audits, land surveys,
744 engineering assessments to the extent said assessments are not subject to the
745 Consultants' Competitive Negotiation Act, Section 287.044, Florida Statutes, and other
746 necessary services related to the acquisition or sale of real property.

747 m. Except for the Aviation and Port Everglades Departments, coordinate the
748 preparation of all legal instruments and lead the negotiations relating to the transfer of

749 title to acquire or dispose of property or rights therein, and, upon execution thereof, ensure
750 the recordation of such instruments when approved by the Board of County
751 Commissioners. The Aviation and Port Everglades Departments should involve the Real
752 Property and Real Estate Development Division in the development of such transfers of
753 title and should have a representative of the Real Property and Real Estate Development
754 Division participate in negotiations, except for leases with terms of three (3) years or less.

755 o. Establish and maintain an inventory of acquisition and disposition projects
756 with all pertinent information on the property, including, but not limited to, the following,
757 as applicable: seller, landlord, donor, buyer, tenant, location, appraiser, date of appraisal,
758 appraised value, date of authorization by the Board of County Commissioners for
759 negotiation, purchase price, rents, date of approval of the transaction by the Board of
760 County Commissioners, date of the official minutes of the Board of County
761 Commissioners in which the deed can be found, the book and page number or instrument
762 number where the instrument is filed in the Official Records of Broward County, and
763 copies of all applicable legal documents.

764 p. Establish and enforce procedures for keeping purchase negotiations
765 confidential in accordance with Section 125.355, Florida Statutes, as may be amended,
766 when such confidential negotiations are approved in writing by the County Administrator.
767 Where confidential negotiations are approved in writing, all offers and counteroffers shall
768 be made in writing and no person shall have access to the negotiation records or to the
769 appraisals during the confidentiality period permitted by Section 125.355, Florida
770 Statutes, as may be amended, unless authorized by the Director of Real Property and
771 Real Estate Development.

772 q. Implement Section 25.27 of the Broward County Administrative Code
773 addressing utilization of the Main Courthouse at the Broward County Judicial Complex.

774 r. At the direction of the County Administrator or the Director of the Public
775 Works Department, the Real Property and Real Estate Development Division shall
776 conduct and coordinate the oversight and management of new real estate
777 development(s) and redevelopment(s) for the County, including: (1) site selection
778 analysis; (2) obtaining entitlements; (3) obtaining architectural and engineering services;
779 (4) oversight and management of architectural/engineering programming and design
780 services; and (5) coordinating with the Construction Management Division regarding
781 construction program management and oversight.

782 **6.123. Authorities and Required Approvals.**

783 a. For appraisals and other services referenced in Section 6.122(l) above: the
784 County Administrator may authorize services estimated to cost \$20,000 or less; the
785 Director of Purchasing may authorize services within the Director of Purchasing's
786 delegated authority; approval by the Board of County Commissioners is required for
787 services that exceed the Purchasing Director's delegated authority.

788 b. Any proposed purchase of real property having a purchase price of
789 \$500,000 or more must be submitted to the Board of County Commissioners, including
790 submission of complete and accurate summary of the proposed transaction and all
791 appraisals, at least twenty-eight (28) days prior to the date of the Board meeting at which
792 the transaction will be considered, except for the purchase of Excepted Real Property
793 Purchases, as defined in Section 1.622(a) above. Purchases of real property may be for

794 the appraised value or the negotiated price, as may be approved by the Board of County
795 Commissioners.

796 Section 10. Part I of Chapter 13 of the Broward County Administrative Code is
797 hereby amended to read as follows:

798 **PART I. ~~PROFESSIONAL STANDARDS/HUMAN RIGHTS SECTION;~~**
799 **INTERGOVERNMENTAL AFFAIRS/BOARDS SECTION**

800 **~~13.10. Professional Standards/Human Rights Section Established; Manager as~~**
801 **~~Head.~~**

802 ~~There is hereby established a Professional Standards/Human Rights Section. This~~
803 ~~Section will have oversight over Human Rights Grants Coordination and Professional~~
804 ~~Standards. The Professional Standards/Human Rights Section Manager shall be the~~
805 ~~head of the Section. The Professional Standards/Human Rights Section Manager shall~~
806 ~~be appointed by the County Administrator and shall serve at the pleasure of the County~~
807 ~~Administrator. The Manager of the Professional Standards/Human Rights Section shall~~
808 ~~have a degree from a four-year college or university, and at least five years of~~
809 ~~progressively responsible experience in general management in either the public or~~
810 ~~private sector, or a combination of both. Considerable knowledge and experience in the~~
811 ~~fields of equal employment opportunity, civil rights and privacy laws, and/or internal~~
812 ~~investigations is desired. An advanced degree in a related field is preferred.~~

813 **~~13.11. Functions; Responsibilities; Power; Authority.~~**

814 ~~The Professional Standards/Human Rights Section shall be responsible for the~~
815 ~~following:~~

816 (a) ~~Broward County human rights-related work, including the responsibility to:~~

- 817 (1) ~~Carry out the authority and responsibilities mandated by the Broward~~
818 ~~County Human Rights Act, working to ensure all individuals have the ability~~
819 ~~to live, work, and enjoy equal access to facilities open to the public in an~~
820 ~~environment free of unlawful discrimination, harassment, intimidation, and~~
821 ~~retaliation;~~
- 822 (2) ~~Complete and update a countywide Equal Opportunity Plan as required by~~
823 ~~federal law;~~
- 824 (3) ~~Investigate allegations of housing discrimination and fulfill requirements of~~
825 ~~contracts between Broward County and the United States Department of~~
826 ~~Housing and Urban Development (HUD); and~~
- 827 (4) ~~Act as Broward County's designated investigative entity for violations of the~~
828 ~~Broward Human Rights Act.~~
- 829 (b) ~~Professional Standards-related work, which shall include the responsibility~~
830 ~~to:~~
- 831 (1) ~~Review and assist in the development of improvements to management~~
832 ~~controls and procedures of Broward County government;~~
- 833 (2) ~~Conduct targeted evaluations of agency programs, operations, or activities,~~
834 ~~and assist Broward County agencies in identifying and resolving~~
835 ~~organizational issues;~~
- 836 (3) ~~Identify training needs and conduct seminars to educate Broward County~~
837 ~~personnel and agencies on disability affairs issues related to compliance~~
838 ~~with the Americans with Disabilities Act (ADA);~~

- 839 ~~(4) Oversee the implementation of Broward County's ADA Transition Plan~~
840 ~~Update and evaluate Broward County's compliance with applicable law;~~
- 841 ~~(5) Investigate and resolve complaints filed by individuals with disabilities~~
842 ~~alleging discrimination by Broward County agencies on the basis of such~~
843 ~~disabilities;~~
- 844 ~~(6) Coordinate employees' requests for reasonable accommodation;~~
- 845 ~~(7) Investigate internal cases of alleged employment discrimination, ethics~~
846 ~~violations, and other violations of Broward County policies;~~
- 847 ~~(8) Identify training needs and conduct seminars to educate Broward County~~
848 ~~personnel and agencies on equal employment opportunity issues; and~~
- 849 ~~(9) Coordinate and monitor Broward County's efforts to comply with the Health~~
850 ~~Insurance Portability and Accountability Act (HIPAA).~~
- 851 ~~(c) The Professional Standards/Human Rights Section shall have the power~~
852 ~~and authority to:~~
- 853 ~~(1) Require oral or written reports from agencies within Broward County~~
854 ~~government as may be deemed necessary by the Professional~~
855 ~~Standards/Human Rights Section Manager;~~
- 856 ~~(2) Require agencies or individuals within Broward County government to~~
857 ~~produce any requested documents, receipts, vouchers, memoranda, files,~~
858 ~~and other records;~~
- 859 ~~(3) Interview employees and other persons and request records as necessary~~
860 ~~to conduct its investigations; and~~

861 (4) ~~Review and inspect the internal operations, files, and records of agencies~~
862 ~~within Broward County government.~~

863 ~~13.12~~ **13.10**. Intergovernmental Affairs/Boards Section Established; Manager as
864 **Head.**

865 There is hereby established an Intergovernmental Affairs/Boards Section. This
866 agency will be responsible for intergovernmental affairs and Broward County boards. The
867 Intergovernmental Affairs/Boards Section Manager shall be the head of the Section. The
868 Intergovernmental Affairs/Boards Section Manager shall be appointed by the County
869 Administrator and shall serve at the pleasure of the County Administrator.

870 The Intergovernmental Affairs/Boards Section Manager shall have a degree from
871 a four-year college or university, and at least five years of progressively responsible
872 experience in general management in either the public or private sector, or a combination
873 of both. Considerable knowledge and experience in the field of intergovernmental affairs
874 is preferred. An advanced degree in a related field is preferred.

875 ~~13.13~~ **13.11**. **Functions; Responsibilities.**

876 The Intergovernmental Affairs/Boards Section shall:

877 (a) Develop, coordinate, and administer Broward County's federal, state, and
878 multijurisdictional legislative programs;

879 (b) Develop and maintain meaningful professional contacts with local, regional,
880 state, and federal appointed and elected officials;

881 (c) Respond to legislative inquiries by the County Commission, the County
882 Administrator, and Broward County agencies, as well as other elected and appointed
883 officials;

884 (d) Coordinate Broward County's involvement with national and statewide
885 organizations, public interest groups, chambers of commerce, civic organizations, and
886 the community;

887 (e) Develop, foster, and improve communications and partnerships between
888 and among Broward County, its municipalities, the school board, hospital districts, and
889 other governmental entities;

890 (f) Monitor federal and state initiatives that impact Broward County programs
891 or services through involvement with other local governmental bodies;

892 (g) Provide liaison services between Broward County and municipalities during
893 emergency situations and upon activation of the Emergency Operations Center;

894 (h) Serve as a public information resource to citizens seeking information
895 relating to federal, state, and local functions and responsibilities of Broward County;

896 (i) Maintain all records relating to boards, commissions, and authorities that
897 involve County Commission appointees;

898 (j) Perform special projects as defined by the County Administrator; and

899 (k) Research potential funding opportunities and communicate them to
900 Broward County departments.

901 Section 11. Section 14.13 of the Broward County Administrative Code is hereby
902 amended to read as follows:

903 **14.13. Director of Human Resources.**

904 The Director of Human Resources shall be responsible to the County
905 Administrator, through the Director of the ~~Department of~~ Finance and Administrative
906 Services Department, for the administrative and technical direction of the Broward County

907 human resource program. As Director of the Human Resources Division, the Director of
908 Human Resources shall:

909 . . .

910 z. Ensure fair and equitable treatment of applicants and employees in all
911 aspects of human resource administration in accordance with the County's equal
912 employment policy, and coordinate with the ~~Professional Standards/Human Rights~~
913 ~~Section~~ staff Professional Standards Section of the Human Resources Division
914 ("Professional Standards Section") regarding the implementation of all Equal Opportunity
915 Action Plans established by the Board of County Commissioners.

916 . . .

917 Section 12. Section 14.142 of the Broward County Administrative Code is hereby
918 amended to read as follows:

919 **14.142. Failure to Complete Probationary Period.**

920 . . .

921 b. There shall be no expectation or right to continuation of a probationary
922 period and no right of appeal from a decision by the County to terminate or extend a
923 probationary period, except in a case involving alleged unlawful discrimination where the
924 employee may file a charge with the County's ~~Professional Standards/Human Rights~~
925 Section.

926 Section 13. Section 14.258 of the Broward County Administrative Code is hereby
927 amended to read as follows:

928 **14.258. Applicability.**

929 . . .

930 d. In cases involving alleged unlawful discrimination, including, but not limited
931 to, allegations of retaliation for having engaged in activities protected by employment
932 discrimination laws, probationary and nonprobationary employees may seek relief
933 through procedures established by the County's Professional Standards/~~Human Rights~~
934 Section, but shall not be entitled to use the procedures herein set forth.

935 . . .

936 Section 14. Sections 14.275 and 14.276 of the Broward County Administrative
937 Code are hereby amended to read as follows:

938 **14. 275. Affirmative Action Plan.**

939 Equal employment opportunity shall be ensured through an Affirmative Action
940 Plan. The ~~Manager of the Professional Standards/Human Rights Section~~ Human
941 Resources Division shall be responsible for overall administration of the Affirmative Action
942 Plan and shall report on such administration to the County Administrator.

943 **14.276. Alleged Unlawful Discrimination.**

944 Any employee or applicant who alleges discrimination in any personnel transaction
945 may contact the Professional Standards/~~Human Rights~~ Section, and, if still desired, may
946 request a formal review by the Professional Standards/~~Human Rights~~ Section. Retaliation
947 based upon opposition to unlawful discrimination in employment, or based upon
948 participation in any proceeding or inquiry into allegations of such discrimination, is
949 expressly prohibited by federal, state, and local laws and policies and should be reported
950 to the Professional Standards/~~Human Rights~~ Section.

951 Section 15. Section 14.277 of the Broward County Administrative Code is hereby
952 created to read as follows:

953 [Underlining omitted]

954 **14.277. Professional Standards Section of the Human Resources Division.**

- 955 a. The Professional Standards Section shall:
- 956 1. Oversee the implementation of Broward County's ADA Transition Plan
957 Update and evaluate Broward County's compliance with applicable law;
- 958 2. Investigate internal cases of alleged employment discrimination, ethics
959 violations, and other violations of Broward County policies;
- 960 3. Investigate and resolve complaints filed by individuals with disabilities
961 alleging discrimination by Broward County agencies on the basis of such
962 disabilities;
- 963 4. Coordinate employees' requests for reasonable accommodation under the
964 Americans with Disabilities Act and the Florida Civil Rights Act; and
- 965 5. Identify training needs and conduct seminars to educate Broward County
966 personnel and agencies on equal employment opportunity issues.
- 967 b. The Professional Standards Section shall have the power and authority to:
- 968 1. Require oral or written reports from agencies within Broward County
969 government;
- 970 2. Require agencies or individuals within Broward County government to
971 produce any requested documents, receipts, vouchers, memoranda, files,
972 and other records;
- 973 3. Interview employees and other persons and request records as necessary
974 to conduct its investigations; and

975 4. Review and inspect the internal operations, files, and records of agencies
976 within Broward County government.

977 Section 16. Section 14.301 of the Broward County Administrative Code is hereby
978 amended to read as follows:

979 **14.301. Role of Appointing Authorities.**

980 Appointing Authorities are those officials authorized by the County Administrator
981 to make employment decisions within the areas of their authority. Appointing Authorities
982 consist of the County Administrator and department, division, and office directors. In
983 matters concerning the appointment of persons to positions exempt from the Classified
984 Civil Service, Appointing Authorities have the following roles and responsibilities:

985 . . .

986 e. The Appointing Authority is responsible for the prompt and effective
987 investigation and resolution of questions and complaints relative to employment decisions
988 involving positions exempt from the Classified Civil Service. This paragraph shall not be
989 construed to supersede, modify, repeal, or otherwise affect the authority of the
990 Professional Standards/~~Human Rights~~ Section or the ~~Division~~ of Human Resources
991 Division to administer the complaint investigation and intervention programs under each
992 agency's jurisdiction.

993 f. Maintenance of records. Compliance with all relevant public record laws in
994 the State of Florida remains a responsibility of the Appointing Authority irrespective of
995 whether or not a position being filled is exempt from the Classified Civil Service.
996 Appointing Authorities, in consultation with the Human Resources Division, will be
997 responsible to ensure that:

998 . . .
999 4. Statistical information is provided to the ~~Professional Standards/Human~~
1000 ~~Rights Section or the Division~~ of Human Resources Division as requested,
1001 as or as otherwise required.

1002 . . .
1003 Section 17. Section 21.81 of the Broward County Administrative Code is hereby
1004 amended to read as follows:

1005 **21.81. Matters that May Be Appealed.**

1006 The following matters may be appealed pursuant to the requirements in this Part:

1007 . . .
1008 (d) A determination by the County's ~~Office of Professional Standards~~ Section
1009 of the Human Resources Division of a vendor's violation of Section 1-266, Broward
1010 County Cone of Silence Ordinance; and

1011 . . .
1012 Section 18. Severability.

1013 If any portion of this Administrative Code Resolution is determined by any court to
1014 be invalid, the invalid portion will be stricken, and such striking will not affect the validity
1015 of the remainder of this Administrative Code Resolution. If any court determines that this
1016 Administrative Code Resolution, in whole or in part, cannot be legally applied to any
1017 individual, group, entity, property, or circumstance, such determination will not affect the
1018 applicability of this Administrative Code Resolution to any other individual, group, entity,
1019 property, or circumstance.

