

AN ORDINANCE CREATING ARTICLE XXXVI IN CHAPTER 2 OF THE CODE OF ORDINANCES OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT TO CREATE THE HOMELESSNESS PREVENTION AND INTERVENTION BOARD AND THE INNOVATIVE AND SUSTAINABLE SOLUTIONS TO HOMELESSNESS FUND.

Section 1 – That Article XXXVI of Chapter 2 of the Code of Ordinances is hereby created to read as follows:

Sec. 2-484.

A board is hereby created which shall be known as the “Homelessness Prevention and Intervention Board.”

Sec. 2-485.

The Board shall consist of thirteen (13) members, which shall be appointed by the mayor subject to confirmation by the council. The thirteen (13) members shall consist of two (2) members from the Lexington-Fayette Urban County Council and at least one (1) homeless or formerly homeless individual. Each of the remaining members must include representatives from relevant organizations and projects serving homeless subpopulations, such as persons with substance use disorders; persons with HIV/AIDS; veterans; the chronically homeless; families with children; unaccompanied youth; the seriously mentally ill; and victims of intimate partner violence. One (1) board member may represent the interests of more than one homeless subpopulation. Additionally, to the extent possible, the composition of the Board shall be representative of the social, economic, cultural, ethnic and racial groups which compose the population of Lexington-Fayette County.

Sec. 2-486.

For all appointed members of the Board, the term shall be four (4) years from the date of appointment, provided the terms of those originally appointed shall be staggered in the following manner: six (6) members shall be appointed for four (4) years and five (5) members shall be appointed for two (2) years. Vacancies shall be filled for the unexpired term in the manner prescribed for the original appointment. No member may serve more than two (2) consecutive four (4) year terms. The membership of the Urban County Council members shall be deemed to have terminated upon his/her leaving office as a member of the Urban County Council.

Sec. 2-487.

The Board shall have a chairperson and a vice-chairperson elected by its membership to serve for a term of one (1) year. They shall take office at the first meeting of the Board. The vice-chairperson shall preside in the absence of the chairperson. No member may serve as chairperson or vice chairperson for more than two (2) consecutive one (1) year terms without at least one (1) year between terms. The Board shall determine its own rules and order of business and shall provide for keeping record of its proceedings.

Sec. 2-488.

A majority of the Board shall constitute a quorum for transaction of business at any meeting of the Board. The acts of a majority of a quorum present at any regular or special meeting of the Board shall be the acts of

the Board.

Sec. 2-489.

The Board shall meet in regular public session, at least four (4) times within a calendar year, at a time and place designated by it. Special meetings may be called by the chairperson or a majority of the members of the Board.

Sec. 2-490.

The Board shall:

- 1) Make recommendations to the Office of Homelessness Prevention and Intervention.
- 2) Develop policies and procedures for the operation and management of the Innovative and Sustainable Solutions to Homelessness Fund (“the Fund”) and its programs.
- 3) Recommend annual funding goals and priorities for the Fund.
- 4) Review funding proposals from eligible applicants and determine rank and prioritization of eligible projects requesting support from the Fund.
- 5) Perform needs assessments and planning activities and compile pertinent data consistent with the on-going planning activities of existing governmental departments and non-profit agencies. The studies and needs assessments can be paid for from the Fund and are not included in Administrative costs. Needs assessments and planning should include outreach, engagement and assessment; shelter, housing and supportive services; and homelessness prevention strategies.
- 6) Submit annual reports on the activities of the Innovative and Sustainable Solutions to Homelessness Fund to the Mayor, the Urban County Council and the community.
- 7) In conjunction with the Office of Affordable Housing and other divisions within the Urban County Government re-assess community needs on an ongoing basis by conducting, at least once every (5) five years, a formal homelessness needs assessment either alone or in collaboration with other similar assessments.
- 8) Establish standing and ad hoc committees as needed and appropriate to perform the functions of the Board.

Sec. 2-491.

The day-to-day management of the Innovative and Sustainable Solutions to Homelessness Fund shall be entrusted by the Board to the Office of Homelessness Prevention and Intervention.

Sec. 2-492.

No member of the Board shall participate in the discussion of or vote upon any matter before the Board regarding an organization of which the board member or a family member is a trustee, director, officer, or board member; a consultant or contractor to the organization; actively involved in the formulation of the item before the board; or an employee of the organization. In addition, no financial award made by the Board to an

organization shall include funds designated to fund any part of the compensation of an active board member, or an individual who served as a member of the Board within the preceding six (6) years.

Sec. 2-493.

A fund is hereby created which shall be known as the “Innovative and Sustainable Solutions to Homelessness Fund”. The Fund shall be governed by the Board, as set out in Section 2-484 to 2-494.

Sec. 2-494.

- (A) The purpose of the Fund is to receive and disburse monies in support of the Office of Homelessness Prevention and Intervention specifically for the implementation of innovative and sustainable solutions for homelessness in Lexington Fayette Urban County.
- (B) The funds shall be used for projects, services, facilities, equipment, staffing, or such other expenditures which may prevent or reduce homelessness.
- (C) Funding may be provided in the form of grants with priority given to projects that leverage additional funding sources and which are one-time or present a plan for sustaining operations beyond the period of grant funding.
- (D) The Fund may provide financial support for a wide variety of activities that are consistent with Sec. 2-494(A) and 2-494(B) of this ordinance, including, but not limited to: supportive services, acquisition of property, site development, new construction, rehabilitation, matching funds for other grants, technical assistance, administrative costs, rental assistance, coordinated intake/assessment, and supporting participation in the community’s Homeless Management Information System (HMIS).
- (E) All projects supported by the Fund shall be non-supplantive and the fund is not intended to support ongoing operations of shelters or other entities.
- (F) Applications for funding may be accepted from non-profit organizations.
- (G) Any unexpended balance of the Fund remaining at the close of a fiscal year shall not lapse but shall continue into the succeeding fiscal year for future eligible activities.
- (H) All interest earned by the Fund or revenues recaptured from incomplete or noncompliant grants shall be returned to the Fund for future use.
- (I) The Fund may accept private gifts, grants, donations, or other contributions.

Section 2 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: September 11, 2014

/s/ Jim Gray
MAYOR

ATTEST:

 /s/ Meredith Nelson
CLERK OF URBAN COUNTY COUNCIL
PUBLISHED: September 18, 2014-1t

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