

RESOLUTION NO. R-2022-1340

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, CREATING THE PALM BEACH COUNTY ADVISORY COMMITTEE ON BEHAVIORAL HEALTH, SUBSTANCE USE AND CO-OCCURRING DISORDERS; PROVIDING FOR A PURPOSE; PROVIDING FOR MEMBERSHIP, APPOINTMENTS, TERMS; PROVIDING FOR OFFICERS; PROVIDING FOR ROLES AND RESPONSIBILITIES; PROVIDING FOR SUNSHINE LAW, CODE OF ETHICS; PROVIDING FOR MEETINGS; PROVIDING FOR SUBCOMMITTEES; PROVIDING FOR GENERAL PROVISIONS; AND PROVIDING FOR EFFECTIVE DATE, SUNSET.

WHEREAS, behavioral health and substance use disorder are major health problems facing the citizens of Palm Beach County; and

WHEREAS, the Board of County Commissioners (BCC) adopted an Opioid Epidemic Response Plan (the Response Plan) in April of 2017 that identified strategic areas of focus as well as related action steps including appointing a County Drug Czar, designating a lead entity, and establishing an opioid response steering committee to advise and help guide the County's efforts; and

WHEREAS, the Response Plan was intended to satisfy the State's Opioid Settlement Clearing Trust Fund requirement for an opioid response abatement plan pursuant to section 17.42 (4)(c), Florida Statutes (2022); and

WHEREAS, the BCC has identified the substance use epidemic including but not limited to opioids, crack cocaine and crystal methamphetamine as well as behavioral and substance use disorder as high strategic priorities; and

WHEREAS, a Behavioral Health, Substance Use and Co-Occurring Disorder Steering Committee was established in 2019 consistent with the Opioid Response Plan, which was intended, in part, to satisfy the State's Opioid Settlement Clearing Trust Fund requirement for a Task Force to respond to the opioid epidemic pursuant to section 17.42 (4)(b), Florida Statutes (2022); and

WHEREAS, the BCC has expressed approval of a person-centered, recovery-oriented system of care focused on quality of care and long-term recovery outcome improvements.

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

Section 1: Purpose. There is hereby established the Palm Beach County Advisory Committee on Behavioral Health, Substance Use and Co-Occurring Disorder (BHSUCOD) to enhance the County's capacity and effectiveness in formulating comprehensive, integrated, and effective behavioral health, substance use and co-

occurring disorders prevention, treatment, support, and recovery policies, as well as to offer recommendations regarding the County's provision of services to the citizens of Palm Beach County. The BHSUCOD will be supported by the Palm Beach County Community Services Department. The BHSUCOD will increase the coordination and interactions between organizations, agencies and institutions whose mission is to resolve Substance Use and Behavioral Disorders in Palm Beach County.

Section 2: Membership, Appointments, Terms.

- A. Members: The BHSUCOD shall be comprised of nine (9) at-large Members and eight (8) Ex officio Members. Members and Ex Officio Members will have equal voting rights on all matters to come before the BHSUCOD. The total membership of the Advisory Committee shall, at a minimum, represent the organizations, agencies, institutions, and municipalities whose mission is to resolve Substance Use and Behavioral Disorders. Members shall be selected for their knowledge, competence, and experience relative to behavioral health and substance use disorder. In addition, three (3) of the nine (9) Members shall have lived experience with behavioral health and/or substance use disorder. All Members and Ex Officio Members must reside in Palm Beach County at the time of appointment and while serving on the Board. Membership shall be representative of the racial, ethnic, and geographic diversity of Palm Beach County.

- B. Inaugural Membership. The nine (9) individuals who serve as Members of the Opioid Response Plan Steering Committee at the time this Resolution is approved by the BCC, and the three (3) individuals who serve as Ex Officio Members of that Steering Committee, shall comprise the inaugural membership of the BHSUCOD, provided each individual resides in Palm Beach County. Ex Officio Members required by Paragraph C below, who do not serve as Ex Officio Members of the Steering Committee at the time this Resolution is approved, will be added to the inaugural membership of the BHSUCOD immediately on recommendation of the organization they represent.

- C. Ex Officio Members: the Ex Officio Members of the BHSUCOD shall be:
 - 1. One (1) member of the Palm Beach County League of Cities who represents a municipality involved in opioid litigation;
 - 2. One (1) member representing the State Attorney, Fifteenth Judicial Circuit;
 - 3. One (1) member representing the Health Care District of Palm Beach County;
 - 4. One (1) member representing the Florida Department of Health in Palm Beach County;
 - 5. One (1) member representing the Palm Beach County Sheriff;
 - 6. One (1) member representing Palm Beach County Fire Rescue;
 - 7. One (1) member representing Southeast Florida Behavioral Health Network;
and
 - 8. One (1) member representing Palm Health Foundation.

Ex Officio Members shall be recommended for membership by the organization they represent, and membership shall occur simultaneously with that recommendation.

D. Appointments and Terms: At the inaugural meeting of the BHSUCOD, there will be a random selection designating three (3) Members to serve a one (1)-year initial term, three (3) Members to serve a two (2)-year initial term, and three (3) Members to serve a three (3)-year initial term. Following a Member's inaugural membership, Members shall be appointed at large by the BCC, and serve staggered terms of three (3) years, with a limit of three (3) consecutive three (3)-year terms. Vacancies occurring during a term shall be filled for the unexpired portion of the term, and shall not count toward the member's term limits. Ex Officio Members are not term limited. All Members shall serve at the pleasure of the BCC.

E. Attendance: Members shall be automatically removed for lack of attendance. Lack of attendance is defined as failure to attend three (3) consecutive meetings or failure to attend more than one-half of the meetings scheduled during a calendar year. Participation for less than three-fourths of a meeting shall be the same as a failure to attend a meeting. Members removed pursuant to this paragraph shall not continue to serve on the Advisory Committee and such removal shall create a vacancy. Attendance requirement does not apply to Ex Officio Members.

Section 3: Officers. A chair and vice-chair shall be elected by a majority vote of the BHSUCOD and shall serve for a term of one year, but not to exceed two consecutive terms in any one office. The duties of the chair shall be to:

- A. Call Advisory Committee meetings and organize the agenda for the meetings;
- B. Preside at Advisory Committee meetings;
- C. Establish subcommittees, appoint subcommittee chairs, and charge subcommittees with specific tasks;
- D. Serve as primary liaison with staff; and
- E. Perform other functions as the Advisory Committee may suggest.

The vice-chair shall perform the duties of the chair in the chair's absence, and such other duties as the chair may assign.

If a vacancy occurs in the office of the chair, then the position shall be assumed by the vice-chair for the remainder of the term. Any remaining officer vacancies shall be filled through a majority vote of the Advisory Committee.

Section 4: Roles and Responsibilities. The BHUSCOD shall have the following roles and responsibilities:

- A. Collect information related to substance abuse disorders in the County and provide that information to the BCC, along with recommendations on responding to the opioid epidemic, as provided in section 17.42, Florida Statutes (2022).
- B. Submit to the BCC by October 1 of each year the BHSUCOD Annual Report or Response Plan Update, which shall evaluate mechanisms for behavioral health and substance use disorder services and recommend any changes that may improve the quality, long-term recovery outcomes, and coordination of these services.
- C. If requested by the BCC, provide recommendations on positions the BCC may take on local, state and federal legislation.

Section 5: Sunshine Law, Codes of Ethics

The BHSUCOD is subject to Florida's Sunshine Law. Reasonable public notice of all meetings, including subcommittee meetings, shall be provided, as required by the Sunshine Law, and all meetings shall be open to the public and minutes shall be taken. Records are subject to public disclosure.

Members of the BHSUCOD shall comply with the State's Code of Ethics found in Chapter 112, Part III of the Florida Statutes, as well as Palm Beach County's Code of Ethics codified in Sections 2-254 through 2-260 of the Palm Beach County Code.

SECTION 6: Meetings

The BHSUCOD shall meet monthly, or as needed, as determined by a majority of the membership. A quorum, as established by ordinance, must be present for the conduct of all meetings. Meetings shall be governed by Robert's Rules of Order.

SECTION 7. : Subcommittees

The BHSUCOD shall be as self-sufficient as possible in that there is no budget for its function. To this end, to carry out its duties, the creation of subcommittees is encouraged.

Section 8. General Provisions All members shall comply with the Uniform Policies and Procedures governing advisory bodies as set forth in Resolution No. 2013-0193, and any amendments thereto. Members will be provided a copy of the resolution and are expected to become familiar with the various requirements, including the provision for automatic removal for lack of attendance, conduct of meetings, and compliance with state and local laws pertaining to financial disclosure and other requirements.

The BHSUCOD is not established to duplicate efforts that County programs and departments were established to address.

No member shall represent the BHSUCOD before any governmental body or public or private entity or group unless approved to do so by a majority vote of the BHSUCOD.

SECTION 9: Effective Date, Sunset Provision

This Resolution shall become effective upon approval by a majority vote of the Board of County Commissioners, Palm Beach County, Florida. The BHSUCOD will sunset five years from the effective date unless the Board extends its service through official action.

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

Robert S. Weinroth, Mayor	-	<u>Aye</u>
Gregg K. Weiss, Vice Mayor	-	<u>Aye</u>
Commissioner Maria G. Marino	-	<u>Absent</u>
Commissioner David Kerner	-	<u>Absent</u>
Commissioner Maria Sachs	-	<u>Aye</u>
Commissioner Melissa McKinlay	-	<u>Aye</u>
Commissioner Mack Bernard	-	<u>Aye</u>

The Mayor thereupon declared the Resolution duly passed and adopted this 1st day of November, 2022.

ATTEST:

CLERK OF CIRCUIT COURT

Joseph Abruzzo

By: [Signature]

Clerk of Court & Comptroller

Deputy Clerk

APPROVED AS TO FORM &
LEGAL SUFFICIENCY:

By: [Signature]

Assistant County Attorney

PALM BEACH COUNTY, Florida

By its Board of County Commissioners

By: [Signature]

Robert S. Weinroth, Mayor

APPROVED AS TO CONTENT:

By: [Signature]

Reginald K. Duren, Assistant
County Administrator

From P. 25 of the BCC Minutes, November 1, 2022, AMENDED MOTION

MOTION to adopt the resolution with the addition of a ninth Ex Officio member from the Southeast Florida Recovery Advocates (SEFRA). Motion by Commissioner McKinlay, seconded by Commissioner Sachs.

Discussion

UPON CALL FOR A VOTE, the motion carried 6-0.

Aye: Mayor Weinroth, Vice Mayor Weiss, Commissioner Bernard,
Commissioner Marino, Commissioner McKinlay, and Commissioner Sachs

Nay: None

Absent: Commissioner Kerner