

## EXHIBIT \_\_\_\_

### OPERATING UNDERSTANDING AND PROVISIONS

The following represents the public commitments made by the County with regard to the development and operation of the Homeless Resource Center 2 (HRC2) upon the County-owned Mid-County Center property, located on the west side of Coconut Road to the south of Lake Worth Road. The Homeless Resource Center 2 (hereinafter HRC2) shall be designed, developed and operated in accordance with the provisions set forth herein. Any amendment or modification to the provisions herein shall require approval by the Palm Beach County Board of County Commissioners (BCC) at an advertised public meeting. Nothing herein shall be construed to prohibit an alternative/permissible use of the site in place of or in conjunction with the HRC2, subject to compliance with the Palm Beach County Unified Land Development Code and/or all other applicable regulatory authority.

1. The HRC2 shall be subject to all ordinances and regulations, as may be modified from time to time, to the fullest extent applicable. The terms and stipulations herein shall not be construed to extend any exemption or preferential treatment to the HRC2, or to minimize the effect of any applicable code requirement.
2. The facility shall be limited to a single-story building with ancillary site improvements and structures only. No expansion of the building, or construction of a new building(s) intended for use and occupancy as an HRC, shall be permitted following initial construction completion without the prior authorization of the BCC sitting in its proprietary capacity at an advertised public meeting. This shall not be construed to prohibit repairs, maintenance, renovation, and/or replacement to equivalent intensities and physical conditions in the event of a casualty loss.
3. The HRC shall be limited to a maximum of seventy-four (74) interim housing beds at any given time. In the event of any future reduction in committed operating funds for the facility, the available bed count shall be reduced proportionately unless a sustained level of operation is agreed to by the Neighborhood Oversight Panel or directed by the BCC.
4. In addition to the clients which are assigned to interim housing, the engagement center shall be limited to a maximum of thirty (30) clients at any given time. Palm Beach County shall employ a standard operating procedure for the admission of clients from referral sources that responds to, and effectively communicates, availability of facility capacity in advance of client delivery to or arrival at the HRC.

5. The goal of the HRC shall be to place clients in permanent housing facilities not more than sixty (60) days following admission. The maximum permissible duration of stay by a client of the HRC shall be ninety (90) consecutive days. Palm Beach County shall employ a standard operating protocol for placement of clients that remain without a permanent housing accommodation upon a stay of ninety (90) consecutive days.
6. The HRC shall remain open and operational twenty-four (24) hours per day, seven days per week, including holidays except in circumstances reasonably beyond the control of the County such as emergencies, acts of god, war or terrorism.
7. Client admissions shall be by referral only. Admission of walk-ups (ie. clients arriving without referral) shall be prohibited, unless and/or until otherwise agreed to by the BCC via written amendment. Individuals arriving without referral during any prohibition period shall be directed to a designated interior space within the HRC and evaluated for placement outside of the HRC or otherwise returned to a place of origin unless and/or until such time as admission to the HRC can be accommodated. Upon completion of the first (1<sup>st</sup>) year of the HRC operations, and as part of the status report required herein, County shall review performance and consult the HRC Oversight Panel for purposes of evaluating any proposed change to the prohibition on walk-ups and consideration of the written amendment referenced above. Nothing contained within the provision shall be construed to prohibit clients from arriving and departing the facility as a pedestrian.
8. Admission of any individual that is registered as a sexual predator, sexually violent predator or sexual offender shall be prohibited. Client screenings conducted during the initial client intake and evaluation or referral process shall include appropriate measures and methods to identify such individual registration status. Registered individuals shall be referred to a temporary shelter or other alternative accommodation that is specifically designated for use by sexual predators and sexual offenders. The HRC shall retain a list of temporary shelters or other alternative accommodations to appropriately refer registered individuals from the HRC. PBSO will be called to respond to the HRC to handle any individual whose intake and evaluation process reveals an offense that requires registration, but is not registered.
9. Client admissions shall be coordinated with local social, medical and health service providers such as, but not limited to John F. Kennedy Medical Center, homeless housing and/or care facilities, etc., to the extent practical and feasible, in order to capture opportunities for placement upon homeless client discharge

from such facilities. This provision shall not be misconstrued to establish any prioritization or preferential treatment for client admissions, or to create conflict with any adopted protocols for the HRC or of any other relevant facility.

10. Palm Beach County shall develop and enforce a standard operating protocol to address both authorized and unauthorized client arrivals and departures from the HRC. This protocol shall be provided to the Neighborhood Oversight Panel for review and input prior to implementation. Sample protocols include, but are not necessarily limited to, a mandatory client admission contact; an admission prohibition period following unauthorized departure; mandate for advance notice of tardy returns following an authorized departure; permissible circumstances and scenarios for routine departures; etc.
11. Palm Beach County shall develop and enforce a standard operating protocol to divert any discharged clients and/or unauthorized individuals away from the facility and to an appropriate final destination. This protocol shall be provided to the Neighborhood Oversight Panel for review and input prior to implementation.
12. Security personnel shall be in attendance and on duty twenty-four (24) hours per day, seven days per week. No exceptions shall be permitted for holidays or weekends, but shall apply to any times of facility inoperability caused by a local state of emergency or other circumstance beyond the control of the County. Security duties shall include, but not be limited to, surveillance of the grounds and interior spaces; vehicular and pedestrian access and departure management; and assignments in support of routine daily operations. Requests for assistance to any event that requires a law enforcement or other emergency response will be submitted through 9-1-1 dispatch or equivalent emergency communication system. Requests for law enforcement response to support the efforts of the security officer shall be directed to the Palm Beach County Sheriff's Office (PBSO) as opposed to a municipal police department.
13. Reasonable security measures including, but not limited to client screenings upon entry to the HRC; client curfew imposition and enforcement; no tolerance response to illegal behavior, use of alcohol, and possession/use of illegal substances or personal property; designated client areas; intrusion prevention devices; door monitoring equipment; sufficient exterior lighting; and the like shall be employed on an ongoing basis to maintain satisfactory security throughout the course of routine daily operations. Palm Beach County shall prepare a Comprehensive Security Plan and provide same to the Plan Review Panel and Neighborhood Oversight Panel for review and input prior to the issuance of a Certificate of Occupancy (CO). This plan shall include, but not be limited to

measures for securing the buildings and grounds, patrol of the buildings and grounds, and screening of client history.

14. The HRC shall provide on-site health services on a routine/recurring basis to deliver not less than first aid, personal evaluations, primary care and basic medical services to the HRC clientele.
15. Except for deliveries and use of designated outdoor client areas and recreation facilities, all recurring daily operations, programs and activities shall be conducted indoors. This shall not prohibit delivery of on-site services through use of fully enclosed mobile units operated by public and/or private service providers for the provision of services to the general public.
16. Provision of services shall be limited to clients of the HRC only. At no time shall the HRC be utilized for food distribution or to deliver similar or related services to the general homeless population at large. Such services include primary healthcare services, or provisional accommodation for intermittent overnight stays.
17. At no time shall the HRC be utilized in whole or in part, direct or indirectly, as a day labor employment service establishment or otherwise engage in job placement activities that are intended to provide temporary day or manual labor services. This shall not be construed to prohibit any activity or service that is related to the ongoing permanent employment of a HRC client or active employment placement assistance rendered at the HRC.
18. Palm Beach County shall employ a standard operating procedure for the transportation of HRC clients to places of employment and services located beyond a reasonable and/or customary walking distance from the HRC. This shall not preclude HRC clients from accessing mass transit facilities and vehicles, local employment opportunities and/or engaging in other sanctioned activities that do not require motorized transportation services. To maintain motorized transportation services, Palm Beach County shall retain the existing public bus stops located in the immediate vicinity of the HRC or otherwise provide for equivalent public bus stops or service for the duration of the HRC operations.
19. References to “homeless”, “transitional”, “transient”, “shelter”, or other similar terminology that is intended to characterize or otherwise identify the HRC clientele and/or use shall be prohibited on all exterior signage and surfaces.
20. Palm Beach County shall establish and enforce a “no loitering” policy to prohibit the HRC clients from loitering on and/or surrounding the premises. Additionally,

signage intended to discourage and prohibit loitering shall be strategically posted throughout the site. Activity that violates the intent of such policy and signage shall be handled first by the on-site case management and/or security personnel with response from law enforcement personnel as necessary.

21. The County shall develop the plans for construction of the facility after considering the requests and concerns of representatives of the public. A Plan Review Panel comprised of not more than five (5) interested participants from the adjacent residential communities and non-residential facilities shall be assembled by the County's Office of Community Revitalization (OCR) and utilized for this purpose. Preference shall be given for panelists having education, training, experience and/or employment in architecture, building construction, urban planning, landscape architecture, and/or other equivalent skills that lend to review and comprehension of construction drawings. As part of the building permit submittal (to the Palm Beach County Building Division) the County shall provide a narrative summary to the Plan Review Panel identifying the types and dates of communication with the public, the items which were included or modified as a result of such input, and any items that remain unresolved. To the extent that the design is consistent with the terms of this agreement, but unresolved issues with the public remain, the County will not use its building code review process as the vehicle to cause or force the County to modify its design to address the issues of the public, but will schedule an agenda item for BCC consideration and direction should interest or circumstances for doing so prevail at time of application for building permit.
22. Prior to the County submitting a building permit application, the Plan Review Panel shall consider whether the address for the HRC shall remain as a Lake Worth Road address or change to Coconut Rd. Providing that the County remains compliant with applicable regulations, the County will implement the Plan Review Panel's direction.
23. Except for the driveway opening on Coconut Road, the facility shall be designed, constructed and maintained to include a minimum six (6) foot tall continuous barrier and landscaping along all perimeter property lines.
24. Palm Beach County Staff shall lend technical support in favor of any local neighborhood initiatives related to: 1) the privatization and/or gating of minor streets; 2) extension of public sewer service; 3) installation of street lights within a corresponding right-of-way; 4) installation of sidewalks within a corresponding right-of-way; and 5) installation of recreation improvements on County-owned land that is not programmed (in whole or part) for any other future use.

25. A Neighborhood Oversight Panel shall be formed by the County's Office of Community Revitalization (OCR) and supported by staff of the County's Community Services and Facilities Development and Operations Departments to monitor HRC operations and adherence to the provisions herein. OCR shall appoint not less than six (6) neighborhood representatives to this Panel, for a total minimum Panel composition consisting of not less than seven (7) representatives inclusive of a Chairperson. The Chairperson of this Panel shall be appointed by the Chairperson of the Palm Beach County Homeless Advisory Board. The Panel shall meet as it deems necessary and provide input for incorporation into status reports as required herein.
26. A representative(s) of Palm Beach County or appropriate designee(s) shall voluntarily accept periodic request(s) for participation at neighborhood meetings or other organized community meetings involving local citizens, business representatives, or other special interests with reasonable cause for interest in the HRC (i.e. neighborhood watch, property owners association, and/or equivalent).
27. A representative(s) of Palm Beach County or appropriate designee(s) shall sustain coordination with PBSO to employ policies and law enforcement training materials, including requests for appearance at the Palm Beach County Law Enforcement Planning Council, for the purpose of adopting standard operating protocol for law enforcement personnel's interaction with the homeless population and endorsing a countywide policy that is intended to minimize or prevent the unwarranted referral of homeless individuals to the HRC. The standard protocol will also include training on the identification of nuisance or criminal behavior which could occur on properties leading to and surrounding the HRC which may be specifically related to the issue of homelessness and/or the operation of the HRC. Through a countywide effort to be coordinated by Palm Beach County, law enforcement agencies and personnel will be instructed on how to report any such identified behavior through Palm Beach County Sheriff's Office (PBSO) and municipal law enforcement personnel. Palm Beach County will proceed in good faith to conclude this effort through execution of a Memorandum of Understanding with each law enforcement agency.
28. Palm Beach County shall retain responsibility for oversight, management and control of daily HRC operations at all times. This shall not be construed to prohibit the utilization of contracted professionals, providers and/or operators to administer programs and deliver services to the clientele of the HRC.
29. For purposes of this exhibit, the Director of Palm Beach County Facilities Development & Operations Department (FD&O) or designee shall serve as the

primary point of contact for any questions, concerns and/or complaints related to the operation, maintenance and/or ancillary impacts of the HRC.

30. At no time and under no circumstance shall Palm Beach County advertise or otherwise promote the HRC to any homeless population located outside of Palm Beach County.
31. The HRC2 is the second HRC to be developed as part of an eventual system of HRCs located throughout Palm Beach County. Upon complete implementation of the “Community Plan to End Homelessness in Palm Beach County” and operation of the multiple HRC facilities envisioned therein, homeless individuals shall be directed or referred to the HRC located nearest to their point of collection to the greatest extent possible and practical given prevailing facility operational capacities and vacancies, individual situations and circumstances, and/or other reasonable considerations that directly influence a logical placement of homeless clientele.
32. Palm Beach County shall provide the Neighborhood Oversight Panel with a status report of HRC operations, accomplishments, countywide HRC facility planning efforts, and other information regarding the HRC that is available to Palm Beach County. Such reports shall be provided upon completion of the first six (6) months of the HRC operations, upon completion of the first (1<sup>st</sup>) year of the HRC operations, and upon completion of the second (2<sup>nd</sup>) year of the HRC operations. Thereafter, Palm Beach County shall respond to Panel requests for a status report on an as-needed basis as determined by the Panel.