



Broward County

Legislation Details (With Text)

File #:	21-1996	Version:	1
		Status:	Agenda Ready
		In control:	County Administration - Intergovernmental Affairs/Boards Section
On agenda:	1/25/2022	Final action:	1/25/2022
Title:	A. MOTION TO APPOINT following nominees to the HIV Health Services Planning Council in the specified categories: 1. Jose Castillo in the "Non-elected Community Leader" category 2. Eveline Dsouza in the "HOPWA" category 3. Rafael Jimenez in the "Federally Qualified Health Centers/Health Care Provider" category 4. Shawn Jackson in the "Non-affiliated Consumer" category ACTION: (T-10:56 AM) Approved. VOTE: 9-0. Commissioner Furr voted in the affirmative telephonically. B. MOTION TO APPROVE waiver of conflict under Section 112.313(7)(a), Florida Statutes for Jose Castillo, Eveline Dsouza, and Rafael Jimenez who hold employment or contractual relationship with an entity who receives funds from Broward County. ACTION: (T-10:56 AM) Approved. VOTE: 9-0. Commissioner Furr voted in the affirmative telephonically.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Exhibit 1 - HIVPC Nominations - HIV Planning Council, 2. Exhibit 2 - for Castillo, Jose - Poverello Center; Jimenez, Rafael - Care Resource; Eveline Dsouza - HOPWA		

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Bertha Henry

Department: County Administration

Division: Intergovernmental Affairs/Board Section

Information

Requested Action

A. MOTION TO APPOINT following nominees to the HIV Health Services Planning Council in the specified categories:

1. Jose Castillo in the "Non-elected Community Leader" category
2. Eveline Dsouza in the "HOPWA" category
3. Rafael Jimenez in the "Federally Qualified Health Centers/Health Care Provider" category
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B. MOTION TO APPROVE waiver of conflict under Section 112.313(7)(a), Florida Statutes for Jose Castillo, Eveline Dsouza, and Rafael Jimenez who hold employment or contractual relationship with an entity who receives funds from Broward County.

ACTION: (T-10:56 AM) Approved.

VOTE: 9-0. Commissioner Furr voted in the affirmative telephonically.

Why Action is Necessary

A. The Broward County HIV Health Services Council nominates individuals for appointment to the Council in specified categories; the Board appoints members to the Council.

B. A waiver of conflict arising under Section 112.212 (7) (a), Florida Statutes, requires two-thirds approval by the Board in accordance with Section 112.313(12), Florida Statutes.

What Action Accomplishes

A. Fills four vacancies within the HIV Health Services Planning Council.

B. Waives the existence of any conflict arising under Section 112.313 (7)(a), as authorized under applicable law.

Is this Action Goal Related

No

Previous Action Taken

None.

Summary Explanation/Background

A. The Broward County HIV Health Services Planning Council's (HIV Council) membership is comprised of no more than 35 members in 12 different categories. Apart from the one Mayoral appointment, the HIV Council recommends individuals for nomination for County Commission appointment, by sending the Intergovernmental Affairs/Boards Section a letter. This letter contains the name(s) of the member(s) and categorical requirement that will be filled, as well as the date in which the HIV Council held its meeting approving the recommendation.

Due to the sensitive nature of the HIV Council membership base, nominations do not require the County Attorney's Office to qualify the members for appointment.

The Broward HIV Health Services Planning Council, at its October 28, 2021 meeting, voted unanimously to recommend the named nominees for appointment to the HIV Health Services Planning Council as members (see Exhibit 1):

1. Jose Castillo in the "Non-elected Community Leader" category
2. Eveline Dsouza in the "HOPWA" category
3. Rafael Jimenez in the "Federally Qualified Health Centers/Health Care Provider" category
4. Shawn Jackson in the "Non-affiliated Consumer" category

B. Approval of this item would give rise to certain employment conflicts under Section 112.313(7)(a),

Florida Statutes, which provides that "no public officer...shall have or hold any employment or contractual relationship with any business entity...which is...doing business with an agency of which he or she is an officer or employee." In accordance with Section 112.313(12), Florida Statutes, Board approval is required to waive any conflict arising under Section 112.313(7)(a), Florida Statutes. An effective waiver requires a two-thirds vote of the County Commission after full disclosure of the conflicting relationship (Motion B). Forms 4A, Disclosure of Business Transaction, Relationship or Interest, are attached hereto as Exhibit 2 and constitute full disclosure of any existing conflicts.

Source of Additional Information

C. Marty Cassini, Manager, Intergovernmental Affairs/Boards Section, (954) 357-7575
Naomie Labaty, Boards Administrator, Intergovernmental Affairs/Boards Section, (954) 357-5934
Michele Rosiere, Vice President of Programs, Broward Regional Health Planning Council, Inc., (954) 561-9681, Ext. 1247

Fiscal Impact

Fiscal Impact/Cost Summary

None.