



# Broward County

## Legislation Text

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File #: 22-780, Version: 1

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### **Broward County Commission Regular Meeting**

**Director's Name:** Monica Cepero

**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. Andrea Lanear in the "Non-affiliated Consumer" category
2. Semi Spencer in the "Non-affiliated Consumer" category
3. Shawn Jackson a.k.a. Shawn Tinsley in the "Hospital/Healthcare Planning Agencies" category
4. Johanne Casseus in the "Health Care Provider" category
5. Vincent Foster in the "Part C Grantee" category

***ACTION: (T-10:31 AM) Approved.***

***VOTE: 9-0.***

B. MOTION TO APPROVE waiver of conflict under Section 112.313(7)(a), Florida Statutes for Shawn Jackson a.k.a. Shawn Tinsley and Johanne Casseus who hold employment or contractual relationship with an entity who receives funds from Broward County.

***ACTION: (T-10:31 AM) Approved.***

***VOTE: 9-0.***

#### **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; changes Vincent Foster's category from "Health Care Provider" to the "Part C Grantee" category.

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.

The Broward HIV Health Services Planning Council, at its April 28, 2022, meeting, voted unanimously to recommend the named nominees for appointment to the HIV Health Services Planning Council as members (see Exhibit 1):

1. Andrea Lanear in the "Non-affiliated Consumer" category
2. Semi Spencer in the "Non-affiliated Consumer" category
3. Shawn Jackson a.k.a. Shawn Tinsley in the "Hospital/Healthcare Planning Agencies" category
4. Johanne Casseus in the "Health Care Provider" category
5. Vincent Foster in the "Part C Grantee" category

Vincent Foster's seat on the Council is changing from the Health Care Provider category to the Part C Grantee 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**

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**Fiscal Impact**

**Fiscal Impact/Cost Summary**

None.