



# Broward County

## Legislation Text

File #: 20-164, Version: 1

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

**Director's Name:** Mandy Wells (Acting Director)

**Department:** Human Services

**Division:** Community Partnerships

### Information

#### Requested Action

A. MOTION TO ADOPT Resolution No. 2020-069 of the Board of County Commissioners of Broward County, Florida, authorizing an appropriation and disbursement of Ryan White ("RW") program funds in the estimated amount of \$14,347,131 to specified service providers for RW Fiscal Year 2020-2021; authorize the County Administrator to execute new agreements with the service providers, subject to review for legal sufficiency by the Office of the County Attorney; and authorize the County Administrator to take all necessary administrative and budgetary actions to implement the agreements; and providing for severability and an effective date.

***ACTION: (T-10:32 AM) Approved.***

***VOTE: 9-0. Vice-Mayor Geller voted in the affirmative telephonically.***

B. MOTION TO APPROVE waivers of conflict under Section 112.313(7)(a), Florida Statutes for the following Broward County advisory board members holding an employment or contractual relationship with an entity receiving funds for the performance of services under this agenda item:

1. Barnes, Bradford James
2. Cutright, Aaron
3. Foster, Vince
4. Grant, Claudette
5. Hayes, Marie
6. Hetlage, C. Kennon
7. Jenkins, Ronenia
8. Johnson, Vince
9. Jones, J. Preston
10. Kiffin, Dr. Chauniqua
11. Moragne, Timothy
12. Moreno, Valery
13. Pineda, Candace
14. Quiles, Z. Vanessa
15. Rodriguez, Joshua
16. Schweizer, Mark
17. Siclari, Rick
18. Thaqi, Dr. Paula

***ACTION: (T-10:32 AM) Approved.***

***VOTE: 9-0. Vice-Mayor Geller voted in the affirmative telephonically.***

**Why Action is Necessary**

A. Broward County Board of County Commissioners (“Commission”) approval of this Resolution is required for appropriation and disbursement of grant funds for agreements with external agencies and to authorize the County Administrator to execute the agreements.

B. A waiver of conflict arising under Section 112.313(7)(a), Florida Statutes, requires two-thirds approval by the Commission.

**What Action Accomplishes**

A. Adoption authorizes distribution of funds to provide needed health care services to Broward County residents living with HIV.

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

**Is this Action Goal Related**

Yes

**Previous Action Taken**

None.

**Summary Explanation/Background**

THE HUMAN SERVICES DEPARTMENT AND THE COMMUNITY PARTNERSHIPS DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTIONS.

These actions support the Commission value of “approaching human services collaboratively and compassionately with special emphasis on the most vulnerable,” and the goal to “effectively advocate for and acquire municipal, state and federal financial support to equitably address health and human services needs of the entire community, through a truly coordinated system of care.” Approval will ensure services are available to eligible Broward County residents living with HIV.

The most recent Florida Department of Health HIV/AIDS Surveillance Report documented 21,048 persons living with HIV in Broward County. Broward County is second in the nation for new HIV infections, with racial/ethnic minorities disproportionately impacted by the epidemic.

Broward County has received federal funds from the United States Department of Health and Human Services Health Resources and Services Administration (“HRSA”) since Fiscal Year 1991. The Human Services Department (“HSD”) has historically received the Notice of Award (“NOA”) from HRSA close to, or after, the commencement of the Fiscal Year. The RW Fiscal Year is from March 1 through February 28.

On September 10, 2019, (Item No. 9), the Commission approved the RW program application to HRSA in the amount of \$16,721,187. The County anticipates receiving a partial NOA from HRSA on

or before March 1, 2020 and a final NOA no later than June 2020.

To avoid an interruption of critical health and support services funded by the RW program, HSD is requesting Commission approval to extend existing agreements for up to six months due to the anticipated partial funding. These extensions impact organizations currently providing RW core medical and support services, and planning and evaluation services (Exhibit 1, Attachment A).

HSD also seeks approval to execute new agreements (after receipt of the final NOA) with the service providers selected through an open, competitive Request for Proposal (Exhibit 1, Attachment B). All agreements will be reviewed for legal sufficiency by the Office of the County Attorney prior to execution by the County Administrator.

Broward County has met all previous federally mandated conditions of award, including ensuring that unexpended grant funds are below 5% of the total grant award.

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(7)(a), Florida Statutes, Board approval is required to waive any conflict of interest arising under Section 112.313(7)(a), Florida Statutes. An effective waiver requires two-thirds vote of the Commission after disclosure of the conflicting relationship (Motion B) in accordance with Section 112.313(12), Florida Statutes. 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**

Darrell Cunningham, Director, Community Partnerships Division, (954) 357-6398

Leonard N. Jones, Manager, Health Care Services, (954) 357-5394

#### **Fiscal Impact**

##### **Fiscal Impact/Cost Summary**

The County's RW program is 100% federally funded thus no County funds are required. Broward County retains 10% of awarded funds for administration of the RW program.