



# Broward County

## Legislation Details (With Text)

<b>File #:</b>	21-960	<b>Version:</b>	1
		<b>Status:</b>	Agenda Ready
		<b>In control:</b>	Human Services - Community Partnerships Division
<b>On agenda:</b>	6/15/2021	<b>Final action:</b>	6/15/2021
<b>Title:</b>	<p>A. MOTION TO AUTHORIZE County Administrator to execute Third Amendment to Agreement No. 17 -CP-HCS-8242-01, subject to review for legal sufficiency by the Office of the County Attorney, between Broward County and Mental Health America of Southeast Florida, Inc., for behavioral health and consumer support projects, increasing the Agreement from \$161,811 to \$181,811, effective May 1, 2021 through September 30, 2021; and authorize the County Administrator to take all necessary administrative and budgetary actions to implement the Agreement as amended.</p> <p>ACTION: (T-11:41 AM) Approved.</p> <p>VOTE: 9-0.</p> <p>B. MOTION TO AUTHORIZE County Administrator to execute Third Amendment to Agreement No. 18 -CP-HCS-8219-01, subject to review for legal sufficiency by the Office of the County Attorney, between Broward County and Women in Distress of Broward County, Inc., for domestic violence counseling services, increasing the Agreement from \$218,347 to \$233,347, effective May 1, 2021 through September 30, 2021; and authorize the County Administrator to take all necessary administrative and budgetary actions to implement the Agreement as amended.</p> <p>ACTION: (T-11:41 AM) Approved.</p> <p>VOTE: 9-0.</p> <p>C. MOTION TO AUTHORIZE Human Services Department Director or Deputy Director to waive the 3% penalty reduction provided in the Performance section of service providers' agreements for providers that do not attain one or more outcomes during any quarter of Fiscal Year 2020-2021.</p> <p>ACTION: (T-11:41 AM) Approved.</p> <p>VOTE: 9-0.</p> <p>D. MOTION TO APPROVE waiver of conflict under Section 112.313(7)(a), Florida Statutes, for the following Broward County advisory board member holding an employment or contractual relationship with an entity receiving funds for the performance of services under this agenda item: Michael R. Barron.</p> <p>ACTION: (T-11:41 AM) Approved.</p> <p>VOTE: 9-0.</p>		
<b>Sponsors:</b>			
<b>Indexes:</b>	Established Commission Goals		
<b>Code sections:</b>			
<b>Attachments:</b>	1. Exhibit 1 - Utilization Summary Chart 2020-2021.1pg, 2. Exhibit 2 - Conflict of Interest Waiver.2pgs		

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

**Director's Name:** Keith D. Bostick (Deputy Director)

**Department:** Human Services

**Division:** Community Partnerships

### **Information**

#### **Requested Action**

A. MOTION TO AUTHORIZE County Administrator to execute Third Amendment to Agreement No. 17-CP-HCS-8242-01, subject to review for legal sufficiency by the Office of the County Attorney, between Broward County and Mental Health America of Southeast Florida, Inc., for behavioral health and consumer support projects, increasing the Agreement from \$161,811 to \$181,811, effective May 1, 2021 through September 30, 2021; and authorize the County Administrator to take all necessary administrative and budgetary actions to implement the Agreement as amended.

***ACTION: (T-11:41 AM) Approved.***

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

B. MOTION TO AUTHORIZE County Administrator to execute Third Amendment to Agreement No. 18-CP-HCS-8219-01, subject to review for legal sufficiency by the Office of the County Attorney, between Broward County and Women in Distress of Broward County, Inc., for domestic violence counseling services, increasing the Agreement from \$218,347 to \$233,347, effective May 1, 2021 through September 30, 2021; and authorize the County Administrator to take all necessary administrative and budgetary actions to implement the Agreement as amended.

***ACTION: (T-11:41 AM) Approved.***

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

C. MOTION TO AUTHORIZE Human Services Department Director or Deputy Director to waive the 3% penalty reduction provided in the Performance section of service providers' agreements for providers that do not attain one or more outcomes during any quarter of Fiscal Year 2020-2021.

***ACTION: (T-11:41 AM) Approved.***

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

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

***ACTION: (T-11:41 AM) Approved.***

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

### **Why Action is Necessary**

A. and B. Broward County Board of County Commissioners (“Commission”) approval is required for agreements with external agencies.

C. Commission approval is required to provide additional authority to the Human Services Department (“HSD”) Director or Deputy Director.

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

### **What Action Accomplishes**

A. and B. Approval enables reallocation of funds to maximize the provision of services to best meet the needs of the community.

C. Approval authorizes HSD Director or Deputy Director to take necessary action when provider operations are affected by unforeseen circumstances.

D. 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’s 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.” The reallocations will ensure the most effective and efficient use of currently budgeted resources. The increased funds will allow Mental Health America of Southeast Florida, Inc.(“MHA”) to provide services to an additional 9 individuals. The increased funds will allow Women in Distress of Broward County, Inc. (“WID”) to provide services to an additional 15 individuals. The revised authority allows the HSD Director or Deputy Director discretion to waive the penalty reduction in the Performance section of service providers’ agreements and ease the financial impacts on service providers when provider operations are affected by unforeseen circumstances.

On August 25, 2020 (Item No. 4), the Commission approved Resolution No. 2020-364, authorizing appropriation and disbursement of fiscal year 2020-2021 funds for agreements with nonprofit organizations and governmental entities to provide various services. Since then, contract utilization patterns and client demands have demonstrated a need for increased services in specified service areas resulting in the reallocation of underutilized funding. The Community Partnerships Division

recommends reallocating funds from underutilized agreements in its Health Care Services section to meet the current community needs (Exhibit 1). Commission approval is required because the requested increased funding amounts exceed the threshold authorized by the existing agreements.

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 112.313(12), Florida Statutes, Commission 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 D) in accordance with Section 112.313(12), Florida Statutes. Form 4A, Disclosure of Business Transaction, Relationship, or Interest, is attached to this report as Exhibit 2 and constitutes full disclosure of any existing conflict.

#### **Source of Additional Information**

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

Juanita Gonzalez-Charlot, Human Services Administrator, (954) 357-5394

#### **Fiscal Impact**

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

Funds are allocated in the Human Services Department, Community Partnerships Division, Fiscal Year 2021 budget.