



**TO:** Honorable Mayor & Members of the  
Fort Lauderdale City Commission

**FROM:** Lee Feldman, ICMA-CM, City Manager

**DATE:** December 18, 2012

**TITLE:** Motion – Legal Aid’s Housing Opportunities for Persons with HIV/AIDS  
(HOPWA) Agreement

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**Recommendation**

It is recommended that the City Commission consider a motion adopting the HOPWA Agreement with Legal Aid for \$250,556.98. Upon approval of the item listed above the City Commission also authorizes the City Manager to execute the associated Agreement and adding this agreement to the 2013 Annual Action Plan. The approval of this motion is contingent upon HUD’s final decision on contract language.

**Background**

During the RFP Evaluation of all HOPWA proposals, the Community Services Board (CSB) recommended an award of \$250,556.98 to Legal Aid for Non-Housing Support Services. On September 18, 2012, the City Commission reviewed and discussed the HOPWA Proposal received and recommended by CSB for the 2012-2013 FY.

On November 20, 2012, the City Commission directed the City Attorney’s Office to work with Legal Aid and prepare an Agreement (see **Exhibit 1**) that will not conflict with the HOPWA regulations. The attached agreement has been drafted.

On December 4, 2012, this item was deferred, as both City staff and Legal Aid had sought a “waiver” from HUD which would allow for the elimination of certain clauses in the Agreement, which could be a conflict with an “Attorney-Client” relationship (see **Exhibit 2**). On December 7<sup>th</sup>, the City received comments from Maria Ortiz and Mariah Ybarra (see **Exhibit 3**). The City is awaiting a final determination from HUD, as to their position on the issue. Final authorization of agreement is also pending an approved budget.

**Resource Impact**

Funding is provided through the Department of Housing & Urban Development and it has no impact on the General Fund.

Please note that these are FY 12-13 program dollars which must be obligated by September 30, 2014 and must be spent by September 30, 2017.

Attachments

**Exhibit 1** – Proposed Agreement

**Exhibit 2** – Joint Letter Sent to HUD and the National Technical Advisors for the HOPWA Program

**Exhibit 3** – Email Correspondence from HUD and the National Technical Advisors for the HOPWA Program

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Prepared by: Jonathan Brown, Housing & Community Development Manager

Department Director: Greg Brewton, Sustainable Development