

APPROVED
City of Fort Lauderdale
Community Services Board
December 12, 2011 – 4:00 P.M.
City Commission Chambers, City Hall
Fort Lauderdale, FL 33301

MEMBERS		OCT 2011/SEPT 2012	
		PRESENT	ABSENT
Donald Karney, Chair	P	3	0
Richard Whipple, Vice Chair	P	3	0
Erika Baer	A	0	3
Margaret Birch (arr. 4:03 p.m.)	P	3	0
Earl Bosworth (arr. 4:05 p.m.)	P	3	0
Wendy Gonsher	P	2	1
Helen Hinton	A	2	1
Jeannine Richards	P	3	0
Jasmin Shirley (arr. 4:16 p.m.)	P	2	1
Kenneth Staab	P	3	0

Staff Present:

Jonathan Brown, Manager, Housing and Community Development
Denise Greenstein, Administrative Aide, Housing and Community Development
Jeri Pryor, Federal Grants Administrator, Housing and Community Development
Kirk Buffington, Deputy Director of Finance
Barbara Hartmann, Recording Secretary, Prototype, Inc.

Communications to City Commission

Motion by Ms. Gonsher, seconded by Ms. Richards, that the Community Services Board requests that the City Commission remove the responsibility for approval of vehicles of public conveyance, as it is no longer aligned with the responsibilities of the Community Services Board. In a voice vote, the motion passed unanimously (8-0).

I. CALL TO ORDER/ROLL CALL

Chair Karney called the meeting to order at 4:00 p.m.

- **Quorum Requirement**

As of December 12, 2011, there are 10 appointed members to the Board, which means 6 members constitute a quorum.

It was noted there was no quorum present at the commencement of the meeting.

It was noted on the record that with Ms. Birch's arrival at 4:03 p.m., a quorum was now present.

Since there was no quorum at this time, Ms. Pryor introduced Kirk Buffington, Deputy Director of Finance, who had requested time to present to the Board.

Mr. Buffington said that he, Ms. Pryor and Mr. Brown had discussed the upcoming RFP for HOPWA. He went on to say that if anybody on the Board had previously participated in the selection process for HOPWA providers, to be aware of significant changes to Florida laws regarding both open meetings and closed meetings in the evaluation process and the nonpublic disclosure of the responses that are received from the HOPWA providers.

Mr. Buffington outlined two changes which took effect on June 2 as follows:

- Responses which are received to any competitive solicitation are exempt from public disclosure for 30 days or until the agency posts a notice of intent to award. He pointed out this was different than in the past when other vendors/providers could see all the responses.
- Oral presentations are now closed meetings. They are not open to the public or to other vendors/providers.

He said when they release the RFP, they will include the new Florida statutory language in the RFP so that the providers will be aware of it.

Ms. Gonsler asked if these changes also apply to the CDBG grants, and Mr. Brown confirmed that was an application process, not a sealed competitive process.

Ms. Pryor noted that the technical term for the proposals received from the providers is "proposals."

Mr. Brown added that the Board should ask any questions they have of a provider during the closed-door session. Mr. Buffington added that the statute specifically states that "oral presentations, questions and answers with any of the proposers, and negotiation strategy" would now be in the closed meeting.

*Chair Karney noted for the record that Ms. Birch arrived at 4:03 p.m., and Mr. Bosworth arrived at 4:04 p.m. It was noted on the record that with Ms. Birch's arrival at 4:03 p.m., a quorum was now present.

Roll call was now conducted.

II. WELCOME AND BOARD/STAFF INTRODUCTIONS

Guests were introduced and Board and staff introductions took place.

- **Two members resigned (James Currier & David Tilbury)**

III. APPROVAL OF MINUTES SUMMARY – November 14, 2011

Motion by Vice Chair Whipple, seconded by Mr. Bosworth, to approve the minutes as they stand. In a voice vote, the motion passed unanimously.

IV. CITY COMMISSION NEWS

Mr. Brown reported that the City Commission upheld the decision that the Community Services Board had made, so no changes will be made to the Community Services Program through the CDBG. The City Commission asked that the Community Services Board look at the performance indicators and offer recommendations to them; i.e., what things the Board would like the agencies to report on, over and above the typical outcomes. He said staff has put together some indicators in a draft for the Board's perusal.

Ms. Gonsler thought the City Commission asked the Board to look at one additional criterion, the use of private funds versus government funds. She believed they asked the Board to discuss that at this meeting and bring back recommendations. Their request was to adjust the application or the scoring process related to budget and finance so that agencies which secure private funding would receive additional points.

[Ms. Shirley arrived at 4:15 p.m.]

Ms. Gonsler continued that the current application does ask for a funding source, so the information is there. She suggested one option: modifying the current language for evaluation of financial information. She also suggested modifying the points to reflect the funding sources. Chair Karney said they could discuss this in more detail under Old Business.

V. HOPWA PRESENTATION

- **HIV/AIDS Statistical Data**

Ms. Pryor explained the roles of the Board for the benefit of the visitors.

Ms. Pryor informed the Board that she provided them with a notebook containing information on the HOPWA program. She noted that her PowerPoint presentation is also included in the notebook.

Ms. Pryor began a PowerPoint presentation at 4:22 p.m.

Highlights of her presentation follow:

- HIV is a virus that can infect humans. It destroys important cells that fight disease and infection, compromising the immune system. It reproduces by taking over cells in the body, and when they reproduce, they all have the virus.
- Body cannot get rid of HIV – it destroys the good cells (T cells and CD4 cells). There is no cure, although medication can help.
- HIV leads to AIDS, which can be acquired peri-natally, or after birth.
- The Syndrome is a collection of symptoms and signs of disease. AIDS is a symptom, rather than a single disease because it is complex with a wide range of complications.
- AIDS is the final stage of the HIV infection, and people with AIDS have a badly damaged immune system and are at risk for opportunistic infections.
- The Centers for Disease Control estimates 1.2M in the U.S. are living with HIV, 1 in 5 are unaware of the infection, and every 9.5 minutes a person is infected with HIV.
- Three leading states with highest diagnoses of HIV are Florida, California and New York.
- Three leading states with highest diagnoses of AIDS are Florida, California and New York.
- Five leading metropolitan areas (2009) with HIV and also AIDS diagnoses are New York, Miami, Atlanta, Los Angeles, and Chicago.
- Leading counties in Florida are Miami-Dade, Broward.
- Highest (county) rate out of the U.S. of newly diagnosed HIV is Broward County
- 1 in 109 Broward county residents lives with HIV or AIDS
- Zip code 33311 has highest rate of persons with HIV/AIDS in the County
- Fort Lauderdale has highest concentration in County, second is Pompano and Hollywood
- Every month she will share a Health Department demographic report with the Board
- Of new female cases: 74% Black, 14% Hispanic, and 12% White.
- New Male HIV cases: 36% Black, 43% White, 21% Hispanic (October 2011)
- Causes for new female HIV cases: heterosexual contact (103 cases), no identified risk (90), intravenous drug use (14) perinatal exposure (2)
- Causes for new male cases: MSM (men having sex with men) (428 cases), no identified risk (172), heterosexual contact (68), MSM and intravenous drug use (14), intravenous drug use (15)

Ms. Pryor said that these statistics help explain why the grant is over \$9M.

Ms. Pryor ended the PowerPoint presentation at 4:36 p.m.

Ms. Pryor commented that the majority of services for the population are in or just outside Fort Lauderdale, plus there are majority of services/agencies for the homeless, and that may contribute to the large numbers of people with HIV/AIDS in the area.

- **HOPWA – 101**

Ms. Pryor began a PowerPoint presentation at 4:38 p.m.

Highlights of her presentation follow:

- HOPWA is a federally administered program to assist state and local governments to develop a range of housing assistance and support service.
- Created through National Affordable Housing Act of 1990, authorized by AIDS Housing Opportunity Act of 1992 and administered by Office of HIV/AIDS Housing in HUD.
- Statutory purpose: to provide state and local governments with resources and incentives to devise long-term strategies for developing a range of housing assistance and support services for low income individuals/families living with HIV, reduce the risk of homelessness, and provide access to appropriate health care and other support services.
- National objectives:
 - Increasing availability of safe, decent, affordable housing for low-income PWA (Persons With AIDS) by matching HOPWA funds with other resources (leveraged dollars), community planning and comprehensive strategies.
 - Create partnerships and innovative strategies among state and local governments for community-based nonprofits to identify and serve housing and support service needs.
 - Enable households to establish and better maintain a stable living environment, reduce the risk of homelessness and improve access to health care and services.
- List of all codes and federal regulations (CFR) is in the packet – tells how federal dollars can and cannot be spent.
- Housing assistance can be keeping lights on, or case management.
- PWAs are considered people with special needs by HUD.
- HOPWA is not a homeless program and works with existing housing solutions
- Eligibility equals documented proof of HIV/AIDS, below 80% of area median income, and Broward County resident.

In response to a question by Chair Karney, Ms. Shirley commented that information (such as confirmed lab testing) is sent to the State's Department of Health, which keeps a registry. The State Department of Health also provides a report to the Centers for Disease Control, who maintains the database. A unique identifier is used in lieu of a person's name. Ms. Pryor commented they also have to see a report from a verifiable lab attesting to a person's infection.

Ms. Gonsler asked if the services extended to the families, and Ms. Pryor said the HOPWA program benefits the entire household (family members) if one person in the

family has HIV/AIDS. They also look at all the income coming into the household. If it is a roommate situation, they award half of the requested amount.

Confidentiality is by federal regulation, and the names are all under lock and key. All files are referenced by their unique identifier number (UIN).

Ms. Pryor continued as follows:

- Funding comes from federal allocation, decided at the Congressional level, through HUD to the City (since it is the largest city in the County).
- There are formula funds (entitlements) based on per capita.
- Competitive grants are also available at times.
- Technical assistance funding for spokespersons for HUD.
- In 2010 nationwide, formula funds given were \$298M (90%), competitive grants were 10%, and technical assistance was 3%.
- 25% of allocation is based on incidence per capita.
- Formula partnerships include housing and community development.
- Nationwide, 819 nonprofits help with HOPWA program.
- Eligible activities to spend HOPWA dollars on:
 - Housing information services.
 - Resource identification.
 - Acquisition, rehabilitation, conversion lease and repair.
 - New construction.
 - Project or tenant-based rent assistance.
 - Appropriate housing solutions (apt. size for number of people, etc.)
 - An individual could get a two bedroom apartment if they had medical documentation for needing the extra room for medical purposes such as a dialysis machine.
 - Strict review process on income eligibility.
 - Project-based assistance
 - Apartments designated by agency, individual cannot choose.
 - Support service required as part of deal.
 - Short term rent/mortgage/utilities assistance (similar to emergency shelter)
 - Difficult to qualify, all financial documents are examined, must be in arrears.
 - Limited to five months per year.
 - Does not cover security deposits, but will help move and pay first or last month's rent.
 - Goal is to prevent homelessness.
 - Support Services
 - Services provided within facility based housing.
 - Health Services
 - Only if no other health services are within the area that the client can access, HOPWA will be the payer of last resort.
 - Operating costs

- Insurance, furnishings, supplies, master leasing, technical assistance.
- HOPWA eligible expenses: 3% of overall grant for administration, 7% for program sponsor for administration, 3% for City of Fort Lauderdale, 7% for providers administration.
- Additional standards for short-term housing facilities: provide temporary shelter (not the short-term rent assistance program)
- Expectations of HUD
 - Consolidated Plan, five-year plan.
 - Coordinate with homeless continuum of care through Broward County, Ryan White, planning councils and consortia.
 - Collaborate for service delivery.
- Continuum of housing
 - Begin on street, then emergency transition housing (evaluation period), housing in project-based assistance, tenant-based rent voucher, permanent housing placement, short-term rent/mortgage/utilities.
 - Case managers to work with clients.
- Support service and facility rehabilitation
 - HUD inspections.
- Broward House, Modco and Shadow Wood provide emergency transition housing.
- Broward House provides assisted living.
- Broward House, Shadow Wood, and Susan B. Anthony provide substance abuse housing.
- Shadow Wood provides mental health housing, collaborate with Henderson Village.
- Broward House and Shadow Wood provide community-based housing.
- Broward House, Modco, Susan B. Anthony and Shadow Wood provide project-based rent.
- Broward House administers the tenant-based voucher program.
- Broward Regional Health Planning Council (BRHPC) administers short-term landlord/utility.
- BRHPC administers permanent housing.
- BRHPC, Care Resource, and MDI (Minority Development and Empowerment) and Modco administer housing case management.
- Modco, Shadow Wood and Broward House handle facility rehabilitation.

Ms. Pryor then provided an explanation of how they allocated their funding of the \$9.3M:

- Administrative expenses, \$279K.
- Homeless Information Management Systems, \$70K (which links HOPWA to Ryan White).
- Partial salary for administrative aide, \$20K.
- Housing quality and inspections.
- Project-based units.

- Total allocation is \$400K for the grantee.

Awards that went to sub-recipients:

- Broward House - \$5M
- BRHPC - \$1M
- Care Resource - \$190K
- Housing Authority - \$120K (through a different funding source)
- MDI - \$200K
- Mount Olive - \$830K
- Shadow Wood - \$1.3M
- Susan B. Anthony - \$163K

Ms. Gonsler verified that when an agency applies, they are applying for funding for specific activities, and when they receive funding, they have to allocate the monies within their budgets in line with how much they have been allocated for each activity. Ms. Pryor clarified that in 2009-2010, they released the RFP with the caveat that it is a one-year contract with an option to extend for one year up to three years.

Monitoring and Compliance:

- Visit agencies, look at finances, look at support services, quality standards, mathematical computations, timeliness, confidentiality, good practices for each client, client files, fair housing compliant, HUD compliant, grantee agreement compliant.
- Can help them achieve compliance through technical assistance.
- Two types of monitoring visits:
 - HUD audits Housing and Community Development
 - Housing and Community Development audits agencies

Vice Chair Whipple asked how often they monitor, and Ms. Pryor said they monitor every month. Fiscal review occurs every month. Physical inspections occur annually, preferably in the last quarter of the program year.

Ms. Shirley asked about the typical funding period for HOPWA, and Ms. Pryor said it is the same as CDBG, 12 months (from October to September).

Required reports:

- Report for all programs.
- Internal reports to the field office in Miami.
- Reports to Congress/government.
- HUD monitors them through the reports.
- Congress takes the reports and compiles the data nationwide.
- Annual Action Plan that supports the Consolidated Plan.
- Consolidated Annual Performance and Evaluation Report.
- Information Disbursements Reports (IDIS).

Vice Chair Whipple verified that the annual reports are done for all of the federal dollars that come in.

Ms. Gonsher verified that the draw downs are from the federal to the City of Fort Lauderdale, and then to the agencies. Ms. Pryor elaborated that the City pays the funds out and gets reimbursed through the federal government.

Ms. Shirley wondered if there is a cap or threshold with which to make transitions across funding activities, and Ms. Pryor replied that it is funding that is awarded to any agency which can be shifted (within the agency). She said they may “sweep” funds, which is shifting funds from one category to another within a provider’s funds.

Ms. Pryor said that if there is funding left over at the end of the fiscal year, contractually the City of Fort Lauderdale can sweep those funds from one agency to another since there is a three-year limit to spend money. However, they typically allow the agency to carry the money over into the next fiscal year. Ms. Pryor said they do not have to have approval from the federal government to sweep funds, but they do have to indicate it in their CAPER report. Mr. Brown added that if an agency does not spend all of its money, it would go back to the City Commission to move to another agency; that function is not done by staff. He said that as they get information from the agencies, this Board will offer up a recommendation to the City Commission.

Ms. Shirley wondered about discussions amongst Board members outside of the meetings, and Ms. Pryor reminded the Board they will be under restrictions of the Sunshine Law. Ms. Shirley asked if the funded providers have similar restrictions regarding their “educational” efforts, and Mr. Brown said that if a Board member has a conversation with a representative of an agency regarding funding, then that conversation should be disclosed on record. Mr. Brown added that if any Board member has an affiliation with any of the agencies, they may have to recuse themselves from the HOPWA RFP process in general. Ms. Pryor asked any Board members who think they may have a conflict to let them know so that they can consult the City’s attorneys. Mr. Brown added that they can have a City Attorney present at a meeting to address those issues.

Ms. Pryor mentioned a few of their goals:

- Comprehensive collaborative approach with providers/community based on their needs and priorities
- Identify and prioritize gaps in the HOPWA assistance
- Long-term goals to provide strategy, changes in policies and procedures, funding limitations, incremental implementation, ensure short-term goals are met

Ms. Pryor concluded her presentation at 5:54 p.m.

Vice Chair Whipple wanted the Board to be informed if an agency switches funds from one eligible area to another during the year without staff's knowledge, so that the Board could look for patterns or communication needs. Ms. Pryor said agencies are asked to notify them to provide enough time to shift the funding. She will let the Board know when these notices go out and when the responses come in.

Mr. Wynn, Broward House, asked if there would be an opportunity for funding providers to do a short introductory presentation, and Ms. Pryor replied she was going to ask the Board if they could allocate time in their January meeting for that purpose. Ms. Shirley asked if they could also provide a synopsis of clients served to date and per category for the current fiscal year. Ms. Pryor offered to provide that report monthly.

Ms. Gonsler asked for a status report on adding board members. Ms. Pryor responded that the ordinance has to be passed by the City Commission, and that will designate three mandated seats (PWA, Ryan White representative, and Housing Authority representative).

Mr. Brown mentioned that the first reading of that ordinance would be January 5. Ms. Pryor said she would send a notice to the Board when it goes on the City Commission agenda for approval.

Ms. Shirley asked Ms. Pryor about having a representative from Ryan White conflicting with her (Ms. Pryor) sitting on the Ryan White Board. Ms. Pryor did not see it as a conflict, as that Board is more of an advisory of the Ryan White grant. Ms. Shirley added there may be discussions of HOPWA at the Ryan White Board meetings, and Ms. Pryor said she would follow up with the attorney for clarification.

Ms. Shirley noted for the record that she will be going off the Ryan White Board as of January. Ms. Pryor mentioned that the "real work" with HOPWA will not start until April.

Ms. Shirley requested that a compendium of abbreviations and acronyms be distributed to the Board members and members of the City Commission.

Ms. Pryor announced that the meetings will always be on the second Monday of the month in the present location and will be publicly noticed.

Mr. Brown reiterated the public requirements regarding agency presentations before the Board during the RFP process.

VI. OLD BUSINESS/NEW BUSINESS

- **Tentative schedule for CDBG/HOPWA grant cycle**

Mr. Brown brought up a tentative change to the distributed schedule. The presentations will not necessarily occur in the month of May, per the request of the Procurement

Department. The rankings and recommendations should be able to occur on May 14, barring no delays with the RFP from the City's side.

- **CDBG Application Attachments Required by the CSB**

Mr. Brown asked what type of documents the Board would like to see when staff provides them with copies of requests for public services funds. Ms. Gonsler mentioned that the prior year they had reviewed the list of attachments and eliminated some. She thought the City Attorney was supposed to review that. She also brought up that the Board wanted staff to eliminate the applications which did not meet the basic requirement. She remembered issues with the letters of recommendation, some of them were missing and some outdated, and the Board had wanted to see them.

Ms. Birch recalled that the Board was satisfied as far as the financial information is concerned. She wanted to make sure that the letters of recommendation are more personal and have the exact number of letters that are requested.

Mr. Brown mentioned a few documents that come in with the applications, and noted the Board's desire to see them as follows:

- 501(c) 3 letter and articles of incorporation - checklist it.
- Current list of Board of Directors – yes.
- Both audits/financial statements – yes.
- Resumes from key personnel within organization - no (list of qualifications for that position - yes).
- Financing commitments – yes.

Mr. Brown said they would screen out those agencies that do not meet the HUD requirements. Staff will meet with those that do meet the requirements to make sure they have basic CDBG understanding before putting together their application.

Ms. Birch asked about a substitute for an auditor's (fiscal) report, because some agencies cannot afford an auditor. Some suggestions were tax returns, pro bono CPA work, or a review.

Vice Chair Whipple asked staff to make sure they do not get applications from agencies that have applied the year before asking for a higher amount of money. He also asked that they put a number "10" on the grading sheets for those agencies that are applying for the first time.

Ms. Pryor remarked that 501(c) 3 agency' tax returns are posted online at guidestar.org. Pablo Calvo from the Broward Regional Health Planning Council, remarked that under the HOPWA program, an agency is able to charge the costs of an A133 audit to the amount being issued to the agency as an administrative cost. He did not know if that applied to CDBG grants as well. Mr. Brown said that administrative costs that come through the CDBG are indirect costs, so they technically could do that, but there are

other factors that would have to be considered. Ms. Pryor added that the CDBG allocation was not very large and an audit is expensive. Mr. Brown said that if they do not reach a total federal allocation (from the City or other sources) threshold of \$500K, then the A133 is not required.

*Chair Karney asked if there were any more comments from the audience (6:21 p.m.)

John Greenwood, HIV/AIDS advocate in Broward County, stated how pleased he was to see the City become more involved with the whole issue of HIV/AIDS through HOPWA.

Leroy Crawford, Jr., asked what the advisory board would be doing to be of service to people with HIV/AIDS. Mr. Brown answered that he did not think the Board could answer that until the City Commission approves the ordinance outlines their role. Ms. Gonsler remarked that in a nutshell, she would see the Board's responsibility as advising the City and supporting the affected community. Chair Karney added they would decide how to best allocate whatever money the Board has to the community that best benefits them the most. In addition, Ms. Shirley said the Advisory Board would also act as a conduit whereby feedback can come from the consumer community in helping the Board to provide its recommendations to the City. Ms. Gonsler remarked that they will probably be changing things as they go along, and Ms. Birch encouraged them to continue to attend the meetings.

Mr. Brown brought up the scoring sheets and the performance indicators for CDBG, wondering when the Board wished to discuss those items.

Mr. Brown said the performance indicators do not need to be discussed tonight, but the City Commission does want the information as soon as it is feasible. Chair Karney suggested discussing that item at the next meeting.

Vice Chair Whipple thought the changes were not meant for the current year, but for the year afterward. Mr. Brown replied that the performance indicators are part of the current year's agreements, which began October 1. The scoring needs to be settled as soon as possible, so that the agencies are aware of what the scoring criteria will be. He continued that the public meetings begin on January 10. The application summaries will be due on January 10, and on the 17th and 18th, staff will meet individually with those that have met the HUD national objective. At that point, the applications will be handed out to those agencies.

Vice Chair Whipple corrected his previous request to the following: the amount requested by a CDBG applicant needs to be less than the amount they were awarded the previous year. Secondly, he offered to help staff and Ms. Gonsler on the performance indicators.

VII. GOOD OF THE ORDER

Vice Chair Whipple brought up several items related to the licensing applications which were reviewed at the last meeting.

1. Why is this Board doing this?
2. The code enforcement officer stated to the Board that this is the only city that does this process.
3. It is not even a requirement for the applicant to be present to answer questions.

Vice Chair Whipple thought this should be communicated to the City Commission, that they should not be bogged down with listening to these types of issues. Mr. Brown said he would take another look at the ordinance, and will have a conversation with the City Manager's office.

VIII. ITEMS FOR THE NEXT AGENDA

Chair Karney suggested the following for agenda items:

- HOPWA presentations
- CDBG discussion

IX. COMMUNICATIONS TO CITY COMMISSION

Motion by Vice Chair Whipple, seconded by Ms. ??, to communicate to the City Commission that the review of licensing be withdrawn from the Community Services Board and the backup communication should be from the examples given to the Board by the Code Enforcement Officer. No vote was taken.

Vice Chair Whipple rephrased his motion: that the CSB Board is asking that the approval of licenses for public conveyance be withdrawn from this advisory board and the backup communication be through the Department of Code Enforcement Director, that this is the only City that does this process before a Citizen Advisory Board, and that the City Commission also informs this Board that the person that is responsible for the applications does not have to be present to answer questions. Motion died for lack of second.

Motion by Ms. Gonsler that the CSB Board is requesting that the City Commission withdraw the responsibility for the approval of licensure for public conveyance from the responsibilities of the Community Service Board, and that instead, they look at either other committees or eliminating the approval process for a public board. Motion died for lack of second.

Motion by Vice Chair Whipple, to recommend that the City Commission withdraw the responsibility of approval of licensure for public conveyance of necessity and ask the City Commission to look at the process currently being used. Motion died for lack of second.

Motion by Ms. Gonsler, seconded by Ms. Richards, that the Community Services Board requests that the City Commission remove the responsibility for approval of vehicles of public conveyance, as it is no longer aligned with the responsibilities of the Community Services Board. In a voice vote, the motion passed unanimously (8-0).

X. ADJOURNMENT

Hearing no further business, Chair Karney adjourned the meeting at 6:41 p.m.

[Minutes prepared by J. Rubin, Prototype, Inc.]