



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

**Legislative Analysis**

**Health, Public Safety & Intergovernmental  
Committee**

November 12, 2009  
2:00 P.M.  
Commission Chamber

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Commission Auditor  
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Miami, Florida 33128  
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**Miami-Dade County Board of County Commissioners  
Office of the Commission Auditor**

**Legislative Notes  
Health, Public Safety & Intergovernmental Committee  
Meeting Agenda**

**November 12, 2009**

Written analyses and notes for the below listed items are attached for your consideration:

**Item Number(s)**

2(A)	3(C)
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If you require further analysis of these or any other agenda items, please contact Guillermo Cuadra, Chief Legislative Analyst, at (305) 375-5469.

Acknowledgements--Analyses prepared by:  
Elizabeth N. Owens, Legislative Analyst  
Lauren Young-Allen, Legislative Analyst

**MIAMI-DADE COUNTY  
BOARD OF COUNTY COMMISSIONERS  
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

**Agenda Item:** 2(A)  
**File Number:** 091973  
**Committee(s) of Reference:** Health, Public Safety and Intergovernmental Committee  
**Date of Analysis:** November 9, 2009  
**Type of Item:** Conflict of Interest Waiver Requests  
**Prime Sponsor:** Commissioner Katy Sorenson

**Summary**

This resolution regarding contract lobbyists and the conflict of interest waiver procedure enacts the following:

- Sets policy for Miami-Dade County that all contract lobbyists will obtain a conflict waiver from the Board of County Commissioners (BCC) prior to representing any client in any forum that is adverse to the County;
- Directs the Mayor or his designee to implement the policy in all future contracts for lobbying; and
- Requires all conflict of interest waiver requests to be submitted directly to the BCC Chairman, who will place the conflict waiver request on the next available BCC agenda.

**Background and Relevant Legislation**

Ordinance No. 72-82      The County's general Conflict of Interest Ordinance.

Resolution No. 1236-99      No County contract lobbyist or sub-consultant can represent any client and/or issue that may be adverse to the County without first requesting and obtaining permission from the County.

   Currently, contract lobbyists may apply for a waiver request which may or may not be granted by the Board.

Ordinance No. 00-64      No person or entity, whether an individual, firm, partnership or corporation, which received compensation from the County for lobbying on behalf of the County or any of its agencies or instrumentalities at either the state, national, or municipal level can represent any entity in any forum to support

a position in opposition to a position of the County unless the Board grants a specific waiver for a specific lobbying activity.

Resolution No. 1264-09      Contract lobbyists who are subcontractors, who are retained under a work order or who are otherwise employed through one of the prime lobbying contracts are to submit conflict waiver requests to the Board through the prime contractor.

Ordinance No. 09-98      Conflict waiver requests are exempt from committee review.

**Policy Change and Implication**

This ordinance requires that all contract lobbyists, including all subcontractors and lobbyists hired under work orders, obtain a conflict waiver from the BCC prior to the following:

- Award or payment of contract or work order for lobbying;
- Renewal or payment for a contract or work order for lobbying; and
- If there are no conflicts, the lobbyist must still provide a written statement that there are no conflicts.

Furthermore, this ordinance creates an expedited waiver request, allowing that conflict waiver requests be submitted directly to the Chairman of the Board. Because no committee review is currently required for waiver requests (Ordinance No. 09-98), they will go directly to BCC for consideration.

**Prepared by:** Elizabeth N. Owens

**MIAMI-DADE COUNTY  
BOARD OF COUNTY COMMISSIONERS  
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

**Agenda Item:** 3C

**File Number:** 092755

**Committee(s) of Reference:** Health, Public Safety & Intergovernmental

**Date of Analysis:** November 9, 2009

**Type of Item:** Federal Grant; Ratifying Ryan White Application

**Sponsor/ Requester:** Office of Grants Coordination

**Commission Districts:** Countywide

**Summary**

This resolution ratifies the Administration's submission of its grant application for Ryan White HIV/AIDS Part A grant funds in the amount of \$25 million.

This resolution also authorizes the Administration to spend and disburse any and all money expected to be received under the grant, and to negotiate any amendments to, extend, or terminate any existing contracts with non-profit organizations that have been previously awarded service provider contracts.

**Background and Relevant Legislation**

The Office of Grant Coordination has applied to receive approximately \$25 million in grant funds for a one-year period spanning from March 1, 2010 to February 28, 2011 under the Ryan White HIV/AIDS Treatment Extension Act of 2009. The County has previously qualified to receive such funding in years 1991 through 2009, consecutively. The Ryan White Program requires eligible metropolitan areas that are past recipients of Part A funding (formerly known as Title I) to compete via an annual grant application process for continuing funding. The grant funds will be allocated to community based organizations which provide health and support services to persons living with HIV/AIDS.

In December 2006, the Board of County Commissioners (BCC) awarded one-year term contracts with 5 one-year options to renew to 31 community based organizations selected via a competitive Request for Proposal (RFP) process conducted by the Office of Strategic Business Management. Of the \$26.6 million awarded, \$23.6 million was allocated to the 31 community based organizations. The County retained 5% of the grant funds to cover the cost of administering the grant. Presently, the Administration is seeking BCC's approval to apply for and allocate \$25 million of federal grant funds to the existing service providers and programs based on last year's funding allocations, and the authority to amend or

terminate certain provider contracts and reallocate the funds to other service providers awarded contracts. Award notification from the Department of Health and Human Services Health Resources Services Administration is expected by March 1, 2010.

#### **Supplemental Information**

The current service providers, whose contracts are slated to automatically renew in accordance with the initial contract term entered into in grant-year 2007, are listed in Attachment #1 by service category and total allocation amount. Based on prior County practice, the renewal agreements should primarily contain the same terms and conditions except for adjustments to the maximum amounts payable.

A second attachment (Attachment #2), included for informational purposes, lists 13 General Fund allocations by organization, FY 08-09 and reduced FY 09-10 allocation amount. The General Fund programs provide HIV/AIDS prevention and education services to high risk non-infected communities which Ryan White will not fund. (Source: Office of Grants Coordination)

#### **Policy Change and Implication**

The BCC has previously authorized the County to apply for, receive, disburse and reallocate Ryan White grant funds. Therefore, this proposed resolution does not constitute a new or different County policy.

#### **Budgetary Impact**

For grant year 2007-2008, the County retained 5% of the grant funds to subsidize staff support and quality management services, and to fund a centralized case management information system. Under the federal grant program, the County may appropriate a 5% administrative fee as a component of the grant allocation.

No matching County funds are required.

**Prepared by:** Lauren Young-Allen

**RYAN WHITE PROGRAM  
MIAMI-DADE COUNTY, OFFICE OF GRANTS COORDINATION  
FY 2009-10 PART A CONTRACT ALLOCATIONS**

**Attachment #1**

PROVIDER	Outpatient Medical Care 60661	Prescription Drugs 49212	Medical Case Management 21110	Oral Health	Substance Abuse Resid. 25910	Substance Abuse Outpatient 21612	Mental Health Therapy/ Counseling 11404	Psychosocial Support Services 11402	Insurance Services 22355	Outreach Service	Food Bank 49225	Home Delivered Meals 22351	Home Health Care 21620	Legal Assistance 21210	Transport. Services (Vans) 60220	Transport. Vouchers 60240	Council Support 61317	SDIS 22420	Quality Management 21121	Administration 60240	TOTAL AWARDS
	Regular	Regular	Regular	21610	Regular					Regular 22470											
AIDS Healthcare Foundation, Inc.		194,540																			194,540
Better Way of Miami, Inc.					315,092	32,676															347,768
Borinquen Health Care Center			152,831	87,594												2,000					242,425
Center for Positive Connections								12,134													12,134
Citurs Health Network	43,898	23,647	75,000																		142,545
Care Resource	957,166		408,052	154,957		49,370	51,442			79,041						13,420					1,713,448
Community Health of South Florida	351,847	41,164	180,000	81,302											6,000	1,326					661,639
Jessie Trice CHC, Inc.	53,000		72,200	36,107			17,040	9,461								1,000					188,808
Empower U, Inc.			91,227							9,386											100,613
Food for Life Network, Inc.											459,837	63,085									522,922
Helen B. Bentley FHC	66,909		50,400							14,452						4,000					135,761
Legal Services of Greater Miami														174,000							174,000
Mercy Hospital, Inc.	2,739,434	466,200	529,385		155,210		24,000		603,000							6,500					4,523,729
Miami Beach CHC, Inc.	619,577	28,144	682,653	178,875												3,000					1,512,249
PHT-Dr. Rafael Penalver Clinic	75,000															4,987					79,987
PHT- Miami-Dade Cty PET	360,000		283,527	291,121												7,141					941,789
PHT- Juanita Mann H.S.C.	37,719		130,791													3,500					172,010
PHT- North Dade H.S.C.	96,248		229,453	52,289			6,000									6,800					390,790
PHT- SFAN	1,341,100	422,090	1,079,557	1,077,833			31,442	26,632		70,000						77,500					4,126,154
University of Miami	2,692,983						94,160	126,472		200,000											3,113,615
The Village South, Inc.			75,000		1,494,133	58,855										7,400					1,635,388
Behavioral Science Research																	510,300		419,000		929,300
ACMS, Inc.																		600,000			600,000
Miami-Dade County OGC																				1,178,734	1,178,734
<b>Total</b>	<b>9,434,881</b>	<b>1,175,785</b>	<b>4,040,076</b>	<b>1,960,078</b>	<b>1,964,435</b>	<b>140,901</b>	<b>224,084</b>	<b>174,699</b>	<b>603,000</b>	<b>372,879</b>	<b>459,837</b>	<b>63,085</b>	<b>0</b>	<b>174,000</b>	<b>6,000</b>	<b>138,574</b>	<b>510,300</b>	<b>600,000</b>	<b>419,000</b>	<b>1,178,734</b>	<b>23,640,348</b>

CBO ALLOCATION PERCENTAGES BY CATEGORIES (FY 2008-2009 vs FY 2009-2010)				
Agency	Allocation Title	Program Category	Allocation Amount 100%	Allocation Amount 70%
Adgam, Inc.	Nobody Can Save Us but Us (HIV/AIDS)	HIV/AIDS Prevention	\$21,250.00	\$14,875.00
Adgam, Inc.	Risk Reduction (HIV/AIDS)	HIV/AIDS Prevention	\$38,250.00	\$26,775.00
Borinquen Health Care Center	Prevention and Education Services	HIV/AIDS Prevention	\$42,500.00	\$29,750.00
Borinquen Health Care Center	Let's Talk Among Family	HIV/AIDS Prevention	\$75,000.00	\$52,500.00
Care Resource	Children, Youth, and Families - Risk Reduction (HIV/AIDS): Incarcerated Youth Health Education Project (IYHEP)	HIV/AIDS Prevention	\$72,250.00	\$50,575.00
Dade Community Foundation	Community AIDS Partnership	HIV/AIDS Prevention	\$245,000.00	\$171,500.00
Empower U	Children, Youth, and Families - Risk Reduction (HIV/AIDS) Taking Responsibility is Being Empowered (TRIBE)	HIV/AIDS Prevention	\$42,500.00	\$29,750.00
Sembrando Flores	Prevention, Education, Support, Case Management, and Resource/Outreach (PESCAR)	HIV/AIDS Prevention	\$17,000.00	\$11,900.00

The Center for Positive Connections	HIV/AIDS Psychosocial and Prevention Education Services	HIV/AIDS Prevention	\$21,250.00	\$14,875.00
The Village South, Inc.	Children, Youth and Families-Risk Reduction (HIV/AIDS)-Boys-to-Boys Program	HIV/AIDS Prevention	\$55,250.00	\$38,675.00
Theodore R. Gibson Memorial Fund	HIV/AIDS Outreach, Education, Testing and Referral (OETR)	HIV/AIDS Prevention	\$14,450.00	\$10,115.00
Theodore R. Gibson Memorial Fund	HIV/AIDS Substance Abuse and Hepatitis C (Thelma Gibson Health Initiative)	HIV/AIDS Prevention	\$34,000.00	\$23,800.00
Union Positiva <sup>3</sup>	HIV/AIDS Prevention Services for Latino Non-Profit Comm. Service Providers and Their Program Participants	HIV/AIDS Prevention	\$75,000.00	\$52,500.00
			<b>\$753,700.00</b>	<b>\$527,590.00</b>