

MEMORANDUM

Agenda Item No. 11(A)(8)


TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: June 6, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution declaring the week of February 19, 2018 and the third week in February of each year thereafter as "Getting to Zero Miami-Dade County Awareness Week"; directing the County Mayor to request funded providers to distribute branded condoms to their patients; directing the County Mayor to authorize the distribution of such branded condoms in County-owned facilities that are accessible to the public; and directing the Miami-Dade Office of Community Advocacy to work with all County departments to encourage participation in the Getting to Zero Miami-Dade County Awareness Week on a yearly basis

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman.



Abigail Price-Williams
County Attorney



APW/smm



MEMORANDUM

(Revised)

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Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(8)
6-6-17

RESOLUTION NO. _____

RESOLUTION DECLARING THE WEEK OF FEBRUARY 19, 2018 AND THE THIRD WEEK IN FEBRUARY OF EACH YEAR THEREAFTER AS “GETTING TO ZERO MIAMI-DADE COUNTY AWARENESS WEEK”; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO REQUEST FUNDED PROVIDERS TO DISTRIBUTE BRANDED CONDOMS TO THEIR PATIENTS; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO AUTHORIZE THE DISTRIBUTION OF SUCH BRANDED CONDOMS IN COUNTY-OWNED FACILITIES THAT ARE ACCESSIBLE TO THE PUBLIC; AND DIRECTING THE MIAMI-DADE OFFICE OF COMMUNITY ADVOCACY TO WORK WITH ALL COUNTY DEPARTMENTS TO ENCOURAGE PARTICIPATION IN THE GETTING TO ZERO MIAMI-DADE COUNTY AWARENESS WEEK ON A YEARLY BASIS

WHEREAS, according to the United States Department of Health and Human Services, Human Immunodeficiency Virus (“HIV”) and Acquired Immunodeficiency Syndrome (“AIDS”) (collectively referred to as “HIV/AIDS”) is transmitted through bodily fluids, including blood, semen, pre-seminal fluid, rectal fluids, vaginal fluids and breast milk; and

WHEREAS, according to the Centers for Disease Control, in 2014 in the United States, there were 12,333 people diagnosed HIV infection classified as AIDS who died, and another 6,721 people whose deaths were attributed directly to HIV; and

WHEREAS, there were 1.1 million people died of AIDS-related causes worldwide; and

WHEREAS, according to the Florida Department of Health, as of 2015, Miami-Dade County ranks number one in the United States for new HIV infections per 100,000 residents; and

WHEREAS, in Miami-Dade County, 1 in 85 adults are living with HIV disease; and

WHEREAS, in highly impacted areas, men who have sex with men accounts for more than two-thirds of the cases of HIV transmission, with Hispanics and Blacks, especially between the ages of 20 to 29, representing over half of new HIV infections; and

WHEREAS, to address HIV/AIDS in Miami-Dade County, the United States Department of Health and Human Services has awarded Ryan White Part A grant funding to the County for the purpose of providing a comprehensive system of care that includes primary medical care and essential support services for people living with HIV/AIDS who are uninsured or underinsured; and

WHEREAS, in order to further address the issues facing people living with HIV/AIDS in Miami-Dade County, this Board also created the HIV/AIDS Partnership (“Partnership”) to enable the County and other governmental entities to apply for, receive, plan for, assess, and allocate financial assistance under Ryan White Part A and other funding designed to assist people living with HIV/AIDS; and

WHEREAS, the Partnership has identified that prevention is the key to stopping the spread of HIV/AIDS; and

WHEREAS, one way to prevent the spread of HIV is through the use of condoms; and

WHEREAS, condom usage remains the key component of high-impact HIV prevention programs; and

WHEREAS, if used correctly and consistently, condoms are an effective prevention tool to reducing HIV and other sexually transmitted infections and unintended pregnancies; and

WHEREAS, however, condom distribution is lower in Miami-Dade County than other cities, such as New York City; and

WHEREAS, unlike New York City where the distribution of condoms is upwards to three million a month through their Getting to Zero branding initiative, the Florida Department of Health is currently distributing only three million free condoms a year in Miami-Dade County; and

WHEREAS, “Getting to Zero” is an initiative to bring awareness and prevention to the spread of HIV/AIDS disease through the distribution of free branded condoms; and

WHEREAS, the Florida Department of Health has already approved a condom branding and Getting to Zero Miami-Dade initiative (“Getting to Zero Miami-Dade Initiative”), which would increase the number of condoms to be distributed in the County; and

WHEREAS, the Getting to Zero Miami-Dade Initiative would have no fiscal impact on the County or the State since moneys already have been budgeted for the distribution of free condoms within the County; and

WHEREAS, the Florida Department of Health working with the Miami-Dade Office of Community Advocacy has requested that this Board (1) show its support for the Getting to Zero Miami Dade Initiative by declaring annually during the third week in February “Getting to Zero Miami-Dade County Awareness Week”; (2) direct the Office of Management Budget, Ryan White Part A Program Office to require funded providers to distribute a certain amount of branded condoms which will include the brand as more fully depicted in Exhibit A of this resolution, to their patients every year; (3) authorize the distribution of branded condoms in County-owned facilities; and (4), direct the Miami-Dade Office of Community Advocacy to work with all County departments to participate in Getting to Zero Miami-Dade County Awareness Week on a yearly basis; and

WHEREAS, this Board recognizes that the prevention of the spread of HIV in Miami-Dade County is a fundamental public safety concern for the residents of Miami-Dade County and this Board; and

WHEREAS, this Board wishes to take the preventive steps described in the recital above to bring awareness to HIV/AIDS and the steps that can be taken to prevent its spread,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. This Board declares the week of February 19, 2018, and the third week of February of each year thereafter as "Getting to Zero Miami-Dade County Awareness Week".

Section 3. This Board further directs the County Mayor or the County Mayor's designee through the Office of Management Budget, Ryan White Part A Program Office, if appropriate, to request funded providers to distribute a certain amount of branded condoms, which shall include the brand as more fully depicted in Exhibit A of this resolution, to their patients every year.

Section 4. This Board directs the County Mayor or the County Mayor's designee to authorize the distribution of branded condoms in County-owned facilities, including but not limited to the Public Health Trust/Jackson Memorial Hospital. Notwithstanding the foregoing, such distribution of branded condoms shall not be required in a secured building, facility or area of such building or facility owned by the County that is not generally opened to the public.

Section 5. This Board also directs the Miami-Dade Office of Community Advocacy to work with all County departments to encourage such departments to participate in Getting to Zero Miami-Dade County Awareness Week on a yearly basis.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Esteban L. Bovo, Jr., Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of June, 2017. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Terrence A. Smith

