

**City of Fort Lauderdale  
Community Services Board  
August 13, 2012 – 4:00 P.M.  
City Commission Chambers, City Hall  
Fort Lauderdale, FL 33301**

<b>MEMBERS</b>		<b>PRESENT</b>	<b>ABSENT</b>
Donald Karney, Chair	P	11	0
Richard Whipple, Vice Chair	P	11	0
Benjamin Bean	P	5	1
Margaret Birch (arr. 4:01)	P	10	1
Earl Bosworth	A	9	2
Ann Clark	P	2	0
Wendy Gonsher	P	9	1
Helen Hinton (dep. 5:00)	P	8	3
Bradley Katz	P	5	0
Jasmin Shirley (arr. 4:08)	P	10	1
Kenneth Staab	A	9	2

**Staff Present**

Jonathan Brown, Manager, Housing and Community Development  
 Jeri Pryor, Federal Grants Administrator, Housing and Community Development  
 Marcia Gair, Administrative Assistant  
 J. Opplerlee, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

None.

**I. Call to Order / Roll Call**

- **Quorum Requirement: as of 8/13/12 there are 11 appointed members to the Board, which means 6 constitutes a quorum**

Chair Karney called the meeting to order at 4:00 p.m. Roll was called and it was noted a quorum was present.

**II. Welcome and Board / Staff Introductions**

The Board and Staff members introduced themselves at this time.

Ms. Birch arrived at 4:01 p.m.

**III. Approval of Minutes Summary – July 9, 2012**

**Motion** made by Vice Chair Whipple, seconded by Ms. Gonsher, to approve the minutes of the July 9, 2012 meeting. In a voice vote, the **motion** passed unanimously.

#### **IV. HOPWA Discussion**

- **RFP Status**

Ms. Pryor advised that all bids for the Housing Opportunities for Persons with HIV/AIDS (HOPWA) RFP are due Tuesday, August 14 at 2:00 p.m. Once the bids are opened and recorded, Staff will evaluate the proposals to ensure that all required elements are included. The bids will be delivered to the Board members via email on Monday, August 20. Approximately ten to twelve bids are anticipated.

She continued that the members will have two weeks to review, score, and rank the proposals. Vendor presentations will be given on September 5 and 6 from 9 a.m. to 5 p.m. at the Mizell Center. Each vendor will be allowed a three-minute introduction, followed by a 10-minute question-and-answer session with the Board. If an agency responds to multiple activities, each activity will receive the same allotment of time. Ms. Pryor recommended that the members write down their thoughts and questions while reviewing the bids prior to September 5-6. She noted that not all agencies will be applying for all activities, as only one to two agencies in Broward County have the capacity to apply for all six categories.

Ms. Shirley arrived at 4:08 p.m.

Ms. Pryor explained that each agency would be allowed to make all its presentations during its turn so the agencies did not have to return to the meeting multiple times. Mr. Brown clarified that the agencies would be heard in alphabetical order.

Ms. Pryor continued that the Procurement Office has confirmed the presentations will be open to the public, so each agency may see and hear the other providers' presentations and discussions. The regular Board meeting will be held on September 10, but will begin at 1 p.m. so the Board may make its allocation recommendations. She pointed out that this will be the most difficult step in the process, as the Board will receive more requests than funding is available to accommodate. She advised that while this meeting is tentatively scheduled from 1 p.m. to 9 p.m., it may take less time than allotted.

Ms. Gonsher recalled that members were asked to commit to all three days so all presentations may be heard and then discussed. Ms. Pryor replied that she would contact the Procurement Office to determine if this was necessary. Ms. Gonsher remarked that a Board member who may not have heard the

presentations might still be able to provide valuable input on the allocation process. Ms. Pryor explained that she would not like the integrity of the process to be questioned, which could occur if all participating members did not attend all three days of meetings. She briefly left the meeting to contact a representative of the Procurement Office for clarification.

Mr. Brown suggested that one option could be to schedule as many presentations as possible on September 5; this could mean the members may be able to use the remainder of their time on September 6 to discuss allocations, and take only two days for the entire process.

Mr. Brown continued that Staff has already conducted the monitoring for most agencies, but has not yet provided them with this monitoring or allowed the agencies time to prepare a management response. When the members are provided with bid packets, they will also receive the most recent monitoring of each HOPWA agency. He advised that he planned to provide the agencies with this information as a courtesy before it is sent to the Board members; however, the agencies' management response may not be available at this time. He recommended that the agencies mention this response during their presentations, or that the Board members ask questions regarding the management response during the question-and-answer period.

Ms. Pryor rejoined the meeting at this time. She explained that she had discussed the issue of attendance with the Procurement Office and was advised that if any member missed one of the three days, they would no longer be considered part of the evaluation process. It was confirmed that no members anticipated difficulty in attending on all three days.

She noted that Mr. Katz is a consumer living in an apartment provided by one of the currently funded agencies, which means he may not be part of the evaluation committee if this agency turns in a bid. While he may not participate in the voting process, she noted that he would be allowed to read the bids and participate in the discussion as a technical assistant or a consumer if he wished.

Ms. Shirley asked if this would also apply to any members who may have conflicts of interest regarding the proposals that are received. Ms. Pryor confirmed this.

Ms. Birch observed that it is important for the Board to be made aware of any monitoring letters that have been received by the agencies. She asked if it is permissible for the Board members to question the agencies about any concerns related to these letters during the discussion period. Ms. Pryor confirmed this, stating that if these letters are included in the bid packets, members may ask any clarifying questions they feel are necessary.

Vice Chair Whipple requested clarification of what steps were necessary in the event of a conflict of interest. Ms. Pryor advised that once the bids are received, members who feel they may have a conflict should let her or Mr. Brown know as soon as possible. Mr. Brown added that even if the perceived conflict seems to be minimal, members should let them know so the City Attorney's Office may be consulted right away.

Ms. Gonsler asked how many Board members would be able to attend the evaluation and allocation process. Ms. Pryor said two members are unable to attend all three meetings, and there is the possibility of two conflicts, which would mean seven members would participate in all three meetings. She noted that while Procurement typically prefers only three participants in the evaluation process, they are satisfied with seven members.

Ms. Pryor continued that once the allocations are recommended on September 10, Staff will compile this information into an Agenda Item for the City Commission. The goal is to have this Item on the Commission's Agenda for a vote at their September 18 meeting. She encouraged the Board members to attend this City Commission meeting in case the Commissioners have questions.

Mr. Brown concluded that the meetings on September 5 and 6 will be held at the Mizell Center, while the September 10 meeting will be held at City Hall.

- **HOPWA 101 Presentation**

Ms. Pryor informed the Board that she has accepted a transfer to Code Enforcement as Administrative Supervisor, effective in September. She will remain involved in the HOPWA process until the RFP allocations have been made. Mr. Brown will be the new Board Liaison after that time.

She advised that there is no longer discussion at the City level of outsourcing Housing and Community Development, and this division will remain in next year's budget.

Ms. Pryor showed the Board a PowerPoint presentation on HOPWA, stating that any individual with HIV/AIDS in Broward County could receive these services if they meet the program's income requirements. She explained that an understanding of HOPWA is necessary because the Board is asked to make recommendations to the City Commission on which agencies should receive funding to provide housing services for persons with HIV/AIDS.

HOPWA is a federally administered program through which entitlements are given to the largest metropolitan city in each county, based upon the prevalence of HIV/AIDS in that county: this means that south Florida receives a significant amount of HOPWA funding for Broward and Miami-Dade Counties. In 2011,

Broward County received \$9.6 million in funding. An estimated one in every 109 Broward County residents is living with HIV/AIDS.

When HOPWA funds are received from the Department of Housing and Urban Development (HUD), there are specific ways in which this money can be used, including the following:

- Safe, decent, and affordable housing for low-income persons living with HIV/AIDS;
- Creation and support of affordable housing units with matching HOPWA funds and other community planning resources and strategies;
- Creation of partnerships and innovative strategies to maximize the use of HOPWA dollars;
- Enable and assist households to better maintain stable living environments, as this contributes to better health care;
- Reduction of the risk of homelessness and improve access to health care and support services.

Ms. Pryor explained that HOPWA is a sister program to the Ryan White program, which is managed by Broward County and provides medical services for qualified clients, including prescriptions, doctors' visits, substance abuse treatment, and other activities. One of HOPWA's goals is to marry these services and connect clients to health care. She estimated that the Ryan White program is funded with \$16 million. The State of Florida also has an AIDS Drug Assistance Program (ADAP), which also helps eligible clients with these expenses.

She explained that HUD regulations allow HOPWA dollars to be used toward medical expenses as the payer of last resort: for instance, a HOPWA agency may be located several miles from the nearest hospital, which would mean the Ryan White program's services are not available in that area. In this case, HOPWA dollars may be used to pay for medical purposes. This must be done on a client-by-client basis, and an agency must prove that no other resources are available to the individual client. Ms. Pryor advised that should the Board receive a HOPWA bid that lists health care expenses as a use, the members should consider whether there may be other sources that can pay these costs.

Client eligibility includes documentation of HIV or AIDS, as well as a household income at or below 80% of the area median income. She explained that the federal government determines this income threshold for a given area. These are the only eligibility requirements, although Ms. Pryor cautioned that there is a difference between being eligible for HOPWA and qualifying for the program. Agencies are governed by HIPAA requirements and must have a confidentiality policy in place.

Once funding is received by the City, it is outsourced to sub-recipients, as the City cannot perform these services. The federal government supplies HOPWA

funds to 71 Housing and Community Development/Economic Development planning services, of which Fort Lauderdale is one; they also fund 33 Health Departments, 10 Social Services agencies, 6 management agencies, and 3 housing authorities throughout the United States. From these entities, 958 sub-recipients received contracts, 819 of which were local nonprofit agencies.

HOPWA-eligible activities include the following:

- Housing information services, such as counseling, advocacy, and referrals;
- Resource identification, such as outreach to develop housing assistance and relationship-building;
- Acquisition of housing complexes strictly for persons with HIV/AIDS for a 10-year period;
- New construction;
- Project-based and tenant-based rental assistance, including shared housing arrangements and transitional/permanent housing. While this assistance follows Section 8 guidelines, it is allowed to be less stringent than Section 8 and have different requirements;
- Short-term rent or mortgage and utility assistance for individuals who live independently but require occasional assistance;
- Supportive services, which are required for all clients in both housing programs and independent housing;
- Operating costs, such as staff at housing facilities;
- Technical assistance, such as the hiring of consultants to study and determine needs.

Ms. Pryor advised that resource identification and outreach are not funded in Broward County, as the City feels housing itself is more important than outreach. She also noted that when buildings are acquired for housing, the acquiring agency must place a restrictive covenant on that building for 10 years which commits its use for HIV/AIDS housing. The bulk of Broward County HOPWA funding goes toward project- and tenant-based rental assistance. Short-term rent/mortgage or utility assistance is also often used in Broward County, as more individuals live independently than in transitional housing.

Ms. Hinton left the meeting at 5:00 p.m.

With regard to supportive services, Ms. Shirley noted that many of these are considered core services by the Ryan White program, and asked if these duplicated services could be left out of HOPWA. Ms. Pryor said she would compile a report on these core services and provide it to the members along with their bid packets. She added that there is also some overlap between HOPWA case management and the medical case management offered by the Ryan White program.

She continued that each part of funding in the Ryan White program pays for something different: for example, Part B covers medication co-pays. She stated that she would include a list of these funding parts so the Board members may review them to determine whether or not other funding may be available instead of HOPWA. Most HOPWA clients are also eligible for the Ryan White program.

Ms. Gonsler requested clarification of whether or not HOPWA agencies receive funding from both HOPWA and Ryan White. Ms. Pryor estimated that roughly half of HOPWA agencies also receive Ryan White funding. Ms. Gonsler asked if there are other sources of funding available to agencies, such as private donations or other public funding. Ms. Pryor explained that agencies can receive funds from the County, the Health Department, or other cities. She noted that the bids require a list of these other sources of funding in the agencies' budgets.

Ms. Gonsler asked if any currently funded agencies would be in danger of closing without HOPWA funding. Ms. Pryor said this could apply to all the agencies, as HOPWA provides the majority of funding for some vendors. She added that the Ryan White program is not on the same funding cycle as HOPWA, but clarified that this program does not pay for housing and covers day treatment only.

Vice Chair Whipple asked if this meant the Board should not see any information in the bids that suggests HOPWA funds would be used for health care. Ms. Pryor said she could not answer this, as there may be bids that list HOPWA as the payer of last resort for health care services.

Ms. Shirley advised that as of July 1, Medicaid will only reimburse the costs of two primary health care visits per month. This could limit an individual's access to his or her primary care physician. In addition, Medicaid will only cover six Emergency Department (ED) visits per year rather than unlimited visits in the event that a person must access the emergency room for acute care. It was clarified that these exemptions would not apply to pregnant women.

Vice Chair Whipple requested clarification of how agencies that receive funding from other sources could list HOPWA as a payer of last resort. Ms. Pryor explained that in order for a client to receive health care from a HOPWA agency, all other resources must first be vetted to determine that HOPWA would be the only resource for that client. She emphasized that this is on a per-client basis for individuals who do not have anywhere else to go. The agency's budget may contain a line item for a specific amount of funding in case this occurred.

Mr. Bean asked if it would be possible for an agency receiving funds from both HOPWA and Ryan White to list HOPWA as a payer of last resort, as their funding from the Ryan White program could apply to that client. Ms. Pryor advised that the Ryan White program has centralized intake and eligibility determination,

which allows them to determine a client's eligibility for other programs; the HOPWA intake process asks the client the same questions, but does not determine eligibility for the Ryan White program. The client must still go through the Ryan White program's intake process.

Ms. Gonsher asked if an agency may use the line item for health care payer of last resort for other activities. Ms. Pryor confirmed this was possible as long as appropriate notice is provided.

Vice Chair Whipple commented that it appeared to be possible for a single agency to "have their hands in two pots" of funding, and it was not entirely clear how to keep these funding sources separated. Ms. Pryor replied that the City has a good relationship with the Ryan White program; in addition, the HOPWA and Ryan White programs "compare notes" if they feel a duplication of funding may occur.

Vice Chair Whipple stated that he did not feel the agencies' HOPWA bids should list a large amount in their budget line item for health care services. Ms. Pryor advised that this was not likely to be a large amount, and recommended that the Board members compare these costs with the housing components listed by each agency. Ms. Shirley clarified that some agencies are both medical and housing providers, and would be aware of whether or not a particular client had used up his or her allotted coverage for medical visits.

Ms. Pryor advised that administrative expenses would be a key consideration when bids are reviewed. She pointed out that the City is only allowed to use 3% of the total allocation award toward administration; 3% of \$9.6 million is approximately \$270,000. She noted that agencies may use 7% of their allocation toward administrative expenses. These expenses include costs that cannot be directly related to client activities.

She concluded that HUD expects the City to work within the guidelines of its consolidated plan and collaborate with other agencies to maximize the use of funds. The continuum of housing funded by HOPWA within Broward County includes the following categories:

- Emergency transition housing;
- Substance abuse housing;
- Community-based housing;
- Mental health housing;
- Assisted living.

These strategies are now collapsed into the single strategy of facility-based housing; there will no longer be a separation listed between these categories. If a client arrives on an emergency basis, the agencies are required to follow intake procedures to determine the best housing needs they can provide for the client.

Transitioning clients between the categories listed above is no longer possible. Facility-based housing provides 24-hour housing in a supervised setting, with three meals per day and appropriate support services for the clients.

Ms. Pryor added that an agency must project, as part of their bid, how many clients in facility-based housing will be permanent residents and how many are transitional. Clients in a facility for more than 24 months are considered to be permanent. If an agency feels a client should stay in facility-based housing for more than one year, they must put in a written request to extend that client's stay for six months; however, after 24 months, the client may no longer stay in that facility.

She continued that part of HUD's national strategy to end homelessness includes permanent supportive housing, which would shift housing resources from a transitional setting to a more permanent setting. The one-year restriction and the option to extend a client's stay are geared toward moving clients into permanent supportive housing.

Ms. Pryor noted that project-based rent, like facility-based housing, applies to both permanent and transitional clients. This support is for clients who are almost ready to live by themselves and are in their own apartments, but who remain under supervision and must attend counseling and/or meet with their case managers on a regular basis. The agency, not the client, selects the apartment, based on availability. She clarified that this differs from tenant-based vouchers, which is the largest HOPWA program and reflects the shift in funding from transitional to permanent housing as a priority. Tenant-based vouchers are part of a system similar to Section 8 housing, as HOPWA pays a portion of the client's rent. These clients may live anywhere they want within Broward County.

Ms. Pryor provided the members with a breakdown of how HOPWA funds are spent, as well as current sub-recipients, their funding allocations, and services provided during the 2011-12 fiscal year. She noted that some agencies may exhaust their funding within a short time frame and may request additional HOPWA funds.

She added that because HOPWA and other housing programs are administered with a minimum of staff, it is possible to ask the City Commission to use administrative funding to hire a consultant to monitor agency compliance.

Ms. Pryor concluded that during the RFP process, the members may ask technical questions of Staff; however, she cautioned that Staff may not express opinions regarding agencies.

## **V. Good of the Order**

None.

#### **VI. Items for the Next Agenda**

It was determined that when the RFP process is complete, the Board would discuss the possibility of not meeting during the month of October.

Ms. Pryor noted that performance indicators and outcomes were part of the bid requirements for agencies. The Board will be asked to determine which indicators and expected outcomes they would like to see for the bidding agencies.

#### **VII. Communications to the City Commission**

None.

#### **VIII. Adjournment**

There being no further business to come before the Board at this time, the meeting was adjourned at 5:40 p.m.

[Minutes prepared by K. McGuire, Prototype, Inc.]