

**City of Fort Lauderdale
Community Services Board
December 9, 2013 – 4:00 P.M.
City Commission Chambers – City Hall
Fort Lauderdale, FL 33301**

MEMBERS		October 2013-September 2014	
		PRESENT	ABSENT
Richard Whipple, Chair	P	2	1
Wendy Gonsher, Vice Chair	P	3	0
Benjamin Bean (4:08-4:44)	P	2	1
Margaret Birch	P	3	0
Ann Clark	P	3	0
Mark Fillers	A	1	2
Wanda Francis	A	2	1
Helen Hinton	P	2	1
Andrew Jimenez	P	1	0
Jason King (arr. 4:15)	P	3	0
Jasmin Shirley	P	3	0

Staff Present

Mario DeSantis, Liaison and Housing Administrator
Jonathan Brown, Manager, Housing and Community Development
Marcia Gair, Administrative Aide
Lisa Edmondson, Recording Secretary, Prototype, Inc.

Communications to City Commission

Motion made by Vice Chair Gonsher, seconded by Ms. Birch, that Minority Development and Empowerment Inc. (MDEI) be de-funded as quickly as possible, based on information provided to the Board by City Staff, and that the funds be proportionally reallocated to agencies providing the same services in order to continue supporting clients in need of services. In a voice vote, the **motion** passed 6-0-1. (Ms. Shirley abstained. A memorandum of voting conflict is attached to these minutes.)

I. CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE

- **Quorum Requirement – As of November 26, 2013, there are 11 appointed members to the Board, which means 6 constitutes a quorum**

The meeting was called to order at 4:00 p.m. Roll was called and all stood for the Pledge of Allegiance.

II. Welcome / Board and Staff Introductions

New Board member Andrew Jimenez introduced himself at this time. He is a local attorney who recently moved to Fort Lauderdale from Boston. The other Board and Staff members introduced themselves as well.

III. APPROVAL OF MINUTES – NOVEMBER 18, 2013

A **motion** was made, seconded by Ms. Birch, for approval of the minutes of November 18. In a voice vote, the **motion** passed unanimously.

IV. CDBG REVIEW

Mr. Brown briefly reviewed the Community Development Block Grant (CDBG) items that Staff had been asked to bring back to the Board for discussion, including a checklist for documents, the CDBG application used in fiscal year (FY) 2012-13, and the funding/scoring sheet used by the Board to rank CDBG applicants. He noted that if the Board also wished to add new public service categories to the CDBG programs, these must be sent to the City Commission prior to release of the applications in early 2014.

The Board members discussed the checklist, noting that the U.S. Department of Housing and Urban Development (HUD) requires a letter from the Internal Revenue Service (IRS) confirming the nonprofit/tax exempt status of the agency. The members also proposed changes to the checklist's language to ensure that agencies are made aware their applications will not be accepted if they do not provide the required documentation, are improperly labeled, or include other errors considered "fatal flaws."

Mr. Bean arrived at 4:08 p.m.

The Board also discussed how small grassroots organizations might be brought into the CDBG application process by partnering with larger nonprofit or tax-exempt organizations. If small organizations do not have audit information, the Board may review their explanation for why this documentation is lacking. Grassroots organizations may also lack offices and may instead have post office box addresses or bills that serve as proof of address. If the agency does not have a board, they may provide the names of individuals authorized to speak on their behalf.

Mr. King arrived at 4:15 p.m.

The "fatal flaw" language was discussed further due to concern that the Board does not disqualify a worthy project due to minor errors, particularly if the applying organization does not have a professional grant writer on staff. It was pointed out, however, that if the Board does not adhere to its application guidelines, the process may become problematic and time-consuming. It was also noted that Staff meets with the applying agencies and advises them of what is required. If an applicant does not follow instructions regarding labeling and documentation, for example, these would be

considered fatal flaws. Vice Chair Gonsher asserted that this is standard procedure when reviewing grant applications.

The members determined by consensus that there was no need to require letters of support for the agencies, as they are not required by HUD. They also discussed whether or not it was necessary to see an agency's organizational documents, such as by-laws and articles of incorporation, and decided that these documents should be provided to Staff as part of the original application but did not need to be distributed to the Board members. The Board did, however, wish to know if there are any declared conflicts on record for a given agency. They ultimately determined that Items A-4 through A-8 and A-16 through A-18 would be retained as part of the application checklist.

Mr. Brown moved on to the application itself, recalling that the Board had expressed a desire to further discuss the funding categories listed on p.3 of the application. Vice Chair Gonsher suggested that agencies could be asked to identify specific populations they planned to serve through a given program, but the application should be filed under a program rather than a population. This would prevent agencies from "shopping around" to determine the category that offered them the least competition.

Mr. Bean left the meeting at 4:44 p.m.

The members discussed eliminating or re-naming the Youth-Related and Special Needs program categories as a way to ensure similar agencies are competing against one another. It was clarified that Staff may provide guidance to first-time applicants in order to make sure they are applying under appropriate categories. The Board also eliminated Housing Counseling as a program category, as this could be addressed under the category of Economic Empowerment.

Motion made by Mr. King, seconded by Vice Chair Gonsher, to eliminate populations from the category list and simply specify program(s). In a voice vote, the **motion** passed unanimously.

Motion made by Vice Chair Gonsher, and duly seconded, that the programs be Emergency Food and Shelter, Economic Empowerment/Development, Health Care, Recreation/Education, and Substance Abuse [excluding the Grassroots category from this discussion].

Mr. Brown recommended that the Board define what would be covered under the category of Health Care. Vice Chair Gonsher offered the example of services provided by the currently funded agency Luz Del Mundo. It was ultimately determined that Recreation and Education would be two separate categories, and Health Care/Substance Abuse combined into a single category.

Vice Chair Gonsler **amended** her **motion** to restate the categories as follows: Emergency Food and Shelter, Economic Empowerment/Development, Health Care/Substance Abuse, Education, and Recreation [as well as Grassroots and Other].

The members clarified that child care programs would fall under either Recreation or Education, depending upon the specific program provided. Mr. DeSantis recommended defining the scope of activities that would fall under either category in order to provide guidance to applying agencies.

The **motion** was restated as follows: **motion** made by Mr. King, seconded by Vice Chair Gonsler, to move forward with the funding categories as discussed and agreed upon. In a voice vote, the **motion** passed unanimously.

Vice Chair Gonsler suggested that the populations to be served by CDBG programs include Youth, Seniors, Disabled, Homeless, and Veterans. It was recommended that ages and/or disabilities be clearly defined for these categories, and that agencies be allowed to define the target populations to be served through their proposals. Vice Chair Gonsler asserted that populations should be included to make it easier for the Board to evaluate applications. The CDBG application also requests that agencies provide specific demographic information regarding the population they plan to target.

Mr. Brown moved on to the form used by the Board members to evaluate each proposal, and asked what changes the Board would like to make to this document. He explained that although this is an internal document only, the agencies may be made aware of the categories on which they would be graded and the points available in each category. It was clarified that agencies from outside the City may apply for CDBG grants if they can document that they are serving Fort Lauderdale residents.

Chair Whipple observed that the grading sheet is the only way in which the Board may ensure the proposals are prepared as instructed. Vice Chair Gonsler, however, did not agree that the evaluation sheet was the appropriate document on which to address whether or not submissions are formatted correctly, and pointed out that this is addressed on p.1 of the application: if an application is not properly prepared, Staff should see that it does not come before the Board at all, as this would be a fatal flaw.

The Board determined that there were no other specific issues related to the evaluation sheet. The evaluation and ranking processes were briefly reviewed for the newer Board members, including the requirement that only agencies scoring an average of 75 or higher would be eligible for funding consideration. It was noted that agencies' budgets for CDBG activities must operate on the fiscal year of October 1-September 30, and contracts are retroactive to the October 1 starting date.

V. HOPWA UPDATE

Mr. DeSantis reported that eight project-based units in Fort Lauderdale, as well as one house in Hollywood, may be recaptured by the City from the Housing Authority. He explained that this will require either a competitive bid or an RFP from an eligible currently funded agency to operate these buildings, pay for the clients' rent and utilities based on Housing Opportunities for Persons with HIV/AIDS (HOPWA) guidelines, and rehabilitate the buildings if necessary. The units will be transferred at the end of the current fiscal year.

Mr. Brown added that this issue occurred because the Housing Authority did not reapply for HOPWA funds and is not providing the supportive services required under its grant. Approximately 18 individuals are currently housed in the units are affected.

Mr. DeSantis continued that there is also an issue with Minority Development and Empowerment Inc. (MDEI), which is one of the agencies receiving HOPWA funds. Invoicing issues occurred when some receipts did not match the amounts requested, and payments were stopped. MDEI was instructed that canceled checks must be submitted with all reimbursement requests; however, some vendors did not have canceled checks, which resulted in rejection of those invoices. Other difficulties include receipt of incorrect documents and MDEI staff issues. Mr. DeSantis advised that monitoring of the agency has also been problematic.

As of the previous week, Mr. DeSantis said he was contacted by MDEI clients who could not reach the agency via telephone or email, and by Broward Regional Health Planning Council, which was unable to assist MDEI's clients. A rule has been enacted to allow any MDEI client to go to Broward Regional in order to be assigned to services. He has been unable to reach MDEI or its executive director. The agency was funded with approximately \$118,000, of which there has been no reimbursement in the current fiscal year due to lack of proper documentation.

Mr. DeSantis responded to questions from the Board regarding MDEI, noting that the Ryan White program's monitoring report of MDEI reflects similar issues to those described by Mr. DeSantis. While the agency's CEO has been asked to appear at a Board meeting to explain these issues, he has not attended a meeting.

Mr. Brown stated that Staff would like to recommend de-funding of MDEI due to the seriousness of its concerns. He noted that they are willing to schedule a representative of the agency to attend the January 2014 meeting and explain the issue if that is the Board's desire. The Board members agreed that this issue must be resolved as quickly as possible in order to continue supporting individuals in need of services. They recommended that the funds be reallocated to other agencies that do similar work.

Ms. Shirley advised that she would recuse herself from voting on a motion to reallocate these funds due to a conflict.

Motion made by Vice Chair Gonsler, seconded by Ms. Birch, that, based on the information presented to the Board, that MDEI be de-funded as quickly as possible, that funds be proportionally reallocated to agencies providing the same service, and that the Board's goal [is] to serve clients as quickly and effectively as possible. In a voice vote, the **motion** passed 6-0-1. (Ms. Shirley abstained. A memorandum of voting conflict is attached to these minutes.)

Mr. Brown confirmed that this recommendation will appear on a City Commission Agenda in January 2014.

VI. GOOD OF THE ORDER / PUBLIC COMMENTS

Chair Whipple stated that any agencies that wished to address the Board should do so at this time.

Atensia Earp, Case Management Services Supervisor for Care Resource, advised that this agency has taken on several new clients as a result of the ongoing issues related to MDEI. Francisco Gomez, Senior Housing Case Manager for Care Resource, briefly described some of the services provided by Care Resource, concluding that they are serving many new clients without a corresponding increase in funding.

Mr. DeSantis noted that MDEI served 160 clients the previous fiscal year; however, he did not know how many of these clients were currently active, although he estimated that it could be 70% or more. The City Attorney's Office has been made aware of MDEI's issues since July 2013. He clarified that the \$118,000 provided to MDEI was for assistance in staffing: none of these funds went toward a financial housing subsidy.

Chair Whipple recommended that a communication be sent to the City Commission, with the intent of placing the MDEI issue on the Commission's first Agenda in January 2014. Mr. Brown pointed out that in order to fund another agency, the Annual Action Plan must be amended, which requires 30 days' notice. The amendment must also include the agencies and amounts the Board wishes to fund.

Mr. DeSantis stated that he would conduct a zip code analysis in order to pro-rate the allocation of funds. This would ensure funding is based on the client level served by the remaining case management agencies. Two of the agencies currently being monitored have had substantial findings, while the other case management agencies had only one to two minor issues that are under correction. Only SunServe and Care Resource have had no programmatic or fiscal issues as of the most recent monitoring.

VII. ITEMS FOR THE NEXT AGENDA

Chair Whipple requested that the changes to CDBG forms discussed under Item IV be presented at the January 2014 meeting. Dates for the CDBG and HOPWA processes will also be provided.

Mr. DeSantis explained the appointment process Board members, noting that individuals interested in serving on the Board must submit applications to the City Clerk's Office. The Board seat reserved for an individual living with HIV/AIDS or appointed by an agency serving HIV/AIDS clients is currently open. Mr. Brown advised that he would review the Ordinance governing Board appointments for clarity.

VIII. COMMUNICATIONS TO CITY COMMISSION

It was confirmed that the Board wished to send their **motion** under Item V as a communication to the City Commission. Mr. DeSantis recommended that a representative from the Board be present at the City Commission meeting at which this communication is presented.

Vice Chair Gonsler recommended that the following language be included in the communication: that Staff and the Board collaboratively agree the needs of clients are not being met by MDEI. Mr. Brown suggested that clients be shifted to other programs right away while the Annual Action Plan is amended, after which time the agencies will receive their funding.

IX. ADJOURNMENT

There being no further business to come before the Board at this time, the meeting was adjourned at 6:18 p.m.

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