



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.11.

8/4/2020

Subject:

Authorization to sign Agreements with approved schools for Dori Slosberg Driver Education Safety funds

Fiscal Impact:

There is no impact on the General Fund. There is an impact to the Drivers' Education Safety Trust Fund budget. Funds are available in 1370-201957

Dept/Office:

Public Safety

Requested Action:

It is requested that the Board of County Commissioners authorize the County Manager or his designee to sign and execute Agreements with the school entities that have been approved by a Selection and Allocation Committee for specified Dori Slosberg Driver Education Safety Act funds.

Summary Explanation and Background:

On November 12, 2002, the Board adopted Ordinance No. 02-56, amending Chapter 38, creating Section 38-5, Code of Ordinances, creating a Driver Education Trust Fund to fund public and non-public, non-elementary driver education programs in Brevard County. The ordinance added a \$3 surcharge to each civil traffic violation, excluding parking tickets.

On July 24, 2007, the Board adopted Ordinance No. 07-37, amending Section 3B-5, increasing the \$3 surcharge to \$5 for the Driver Education Safety Trust Fund to fund public and non-public, non-elementary driver education programs in Brevard County. This ordinance states that "In order to receive assistance grants from the fund, programs shall be selected on the basis of selection procedures which shall be developed by the county manager or designee."

These procedures have been established and approved as authorized. These procedures provide that the County Manager or his designee may sign and execute Agreements with the School entities that have been approved by a Selection and Allocation Committee for specified Dori Slosberg Driver Education Safety Act funds.

The County Attorney's Office has reviewed this request and has determined this to be acceptable.

Clerk to the Board Instructions:

166



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Kimberly.Powell@brevardclerk.us

August 5, 2020

M E M O R A N D U M

TO: Matthew Wallace, Public Safety Director

RE: Item F.11., Authorization to Sign Agreements with Approved Schools for Dori Slosberg Driver Education Safety Funds

The Board of County Commissioners, in regular session on August 4, 2020, authorized the County Manager or his designee to sign and execute Agreements with the school entities that have been approved by a Selection and Allocation Committee for specified Dori Slosberg Driver Education Safety Act funds.

Your continued cooperation is greatly appreciated.

Sincerely yours,

**BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK**

for Denna Scott
Kimberly Powell, Clerk to the Board

/sm

cc: Finance
Budget

The 2019 Florida Statutes

Title XXIII

Chapter 318

MOTOR VEHICLES DISPOSITION OF TRAFFIC INFRACTIONS

318.1215 Dori Slosberg Driver Education Safety Act.—

Notwithstanding the provisions of s. 318.121, a board of county commissioners may require, by ordinance, that the clerk of the court collect an additional \$5 with each civil traffic penalty, which shall be used to fund driver education programs in public and nonpublic schools. The ordinance shall provide for the board of county commissioners to administer the funds, which shall be used for enhancement, and not replacement, of driver education program funds. The funds shall be used for direct educational expenses and shall not be used for administration. Each driver education program receiving funds pursuant to this section shall require that a minimum of 30 percent of a student's time in the program be behind-the-wheel training. This section may be cited as the "Dori Slosberg Driver Education Safety Act."

History.—s. 98, ch. 2002-20; s. 10, ch. 2005-164; s. 49, ch. 2006-290.

COUNTY ORDINANCE: Dori Slosberg Driver Education Safety Act

• Sec. 38-5. - Driver education safety trust fund.

(a)

Authority and intent. This section is adopted pursuant to the authority vested in the board of county commissioners by virtue of Section 98 of Chapter 2002-20, Laws of Florida, known as the "Dori Slosberg Driver Education Safety Act." The board of county commissioners intends to create of a driver education safety trust fund for the purpose of funding public and nonpublic driver education programs which the board of county commissioners finds will serve the best interest of the public health, safety, and welfare of the citizens of the county by improving the driving habits of students enrolled in those programs.

(b)

Definitions. The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Board of county commissioners means the board of county commissioners of Brevard County, Florida.

Clerk means the clerk of the circuit court of Brevard County.

County means the incorporated and unincorporated areas of Brevard County.

Fund means the driver education safety trust fund.

(c)

Creation of funding and accounting. Upon the effective date of the ordinance implementing this section, the clerk shall collect an additional \$5.00 with each civil traffic penalty levied in the county. The additional \$5.00 court cost shall be mandatorily imposed with all civil traffic penalties levied in the county, excluding parking violations, and may not be waived by any magistrate or judge deciding such cases. The clerk shall keep a record of such collections. The clerk shall then forward all monies collected to the board of county commissioners of the county by way of deposit into a special, separate account entitled, "Driver's Education Safety Trust Fund." Once each quarter, the clerk shall furnish a full report to the board of county commissioners as to the amount of funds collected and deposited into the driver education safety trust fund and the amount of expenditures from the fund.

(d)

Expenditures. Monies deposited into the fund shall be used to financially assist driver education safety programs in public and nonpublic non-elementary schools in the county. All monies dispersed from the fund shall be supplemental to, and shall not take the place of, any existing funding provided for any such program. Dispersed funds shall be used for direct educational expenses and shall not be used for administration. In order to receive assistance grants from the fund, programs shall be selected on the basis of selection procedures which shall be developed by the county manager or designee.

(Ord. No. 2002-56, § 1, 11-12-02; Ord. No. 07-37, § 2, 8-7-07)



BOARD OF COUNTY COMMISSIONERS

PUBLIC SAFETY GROUP
COMMUNITY CORRECTIONS
1040 S. FLORIDA AVENUE
ROCKLEDGE, FL 32955

**TITLE: DORI SLOSBERG DRIVER EDUCATION SAFETY ACT
TRUST FUND POLICY/PROCEDURE**

AMENDED AND APPROVED: June 5, 2020

REVIEW: As Needed

I. OBJECTIVE

To stipulate the procedures used by the Brevard County Community Corrections Team to implement the Dori Slosberg Driver Education Safety Trust Fund allocation process.

Monies deposited into the fund shall be used to financially assist driver education safety programs in public and nonpublic non-elementary schools in the county in order to improve the driving habits of students enrolled in those programs. All monies dispersed from the fund shall be supplemental to, and shall not take the place of, any existing funding provided for any such program. Dispersed funds shall be used for direct educational expenses and shall not be used for administration.

II. DEFINITIONS AND REFERENCES

- A. Agency: School
- B. BOCC: Brevard County Board of County Commissioners
- C. Code of Ordinances, Brevard County Florida, Chapter 38 – Courts, Section 38-5, Driver Education Safety Trust Fund.
- D. Contract: Agreement
- E. County Ordinance 2002-56, An Ordinance of Brevard County, Florida Creating Section 38-5, Code of Ordinances of Brevard County, Florida Relating to Funding for Public and Nonpublic School Driver Education Programs.
- F. County Ordinance 2007-37, An Ordinance Amending the Code of Ordinances of Brevard County, Florida Section 38-5 (c).
- G. Facilitator: Dori Slosberg Driver Education Safety Trust Fund facilitator who is responsible for ensuring compliancy with this Policy.

- H. Section 318.1215 et seq. Florida Statutes, The Dori Slosberg Driver Education Safety Act.
- I. Trust Fund: Dori Slosberg Driver Education Safety Act Trust Fund.
- J. W-9: Request for Taxpayer Identification Number and Certification Form to provide taxpayer identification to accurately report payments.

III. **DIRECTIVES**

A. Program Administration

- 1. Public Safety shall be responsible for the administration of the Trust Fund.
- 2. The Dori Slosberg Driver Education Safety Act Trust Fund allocation process shall be implemented by the Community Corrections Team of the Brevard County Public Safety Office.

B. Eligibility

- 1. Funding is contingent upon sufficient availability of funds, which shall be determined by the Public Safety Office.
- 2. Applicants for funding under the Trust Fund must represent public and nonpublic non-elementary schools located in Brevard County.
- 3. Applicants must be on the Trust Fund contact list prior to the formal announcement of funding availability.
- 4. Applicants must submit by the due date/time a signed and dated response to the Application to Receive Funds (Attachment A) provided by the Community Corrections Team, in a format approved by the Public Safety Office.
- 5. Applicants must utilize requested funds for direct educational expenses.
- 6. Applicants shall not utilize funds for administration costs.
- 7. All monies dispersed from the Trust Fund shall be supplemental to, and shall not take the place of, any existing funding provided for any such driver education program.

C. Marketing / Dissemination

- 1. Community Corrections will develop a comprehensive contact list of potential public and nonpublic non-elementary schools interested in funding through the Trust Fund.
 - a. During the first quarter of the County's fiscal year, the Facilitator is responsible for verifying contact information of the previous year's Applicants and for seeking out any new potential Applicants.
 - b. Public and nonpublic non-elementary schools can be added to the contact list at any time during the year, but only those on the contact

list prior to the current year's funding allocation process are eligible to apply to receive Funds.

2. Correspondence (including dissemination for the Application to Receive Funds) can be through regular mail and/or electronic mail (email).
3. The Application to Receive Funds shall be available electronically, if requested.

D. Funding Allocation Process

1. The Facilitator will determine (through contact with Public Safety Community Corrections Finance) the available funds for disbursement through the Trust Fund in order to establish if sufficient funds are available.
 - a. If funds are not sufficient to support the allocation of the Trust Fund, the Facilitator will notify all agencies on the contact list that the process is closed for that year and will be re-evaluated during the first quarter of the County's next fiscal year.
2. If sufficient funds are available, A seven-member Allocation Committee will be established during the first quarter of the County's Fiscal Year in order to review applications and determine funding recommendations for the BOCC.
 - a. The Allocation Committee will consist of representatives from the following agencies:
 - i. The Florida Highway Patrol
 - ii. Brevard County Budget Office
 - iii. Brevard County Parks and Recreation Department
 - iv. Brevard County Fire Rescue Department
 - v. Brevard County Purchasing Department
 - vi. Two (2) different, local Non-Profit Organizations
 - b. The Facilitator will be responsible for seating the members of the Allocation Committee, scheduling meetings, public noticing, and all correspondence for meetings.
3. During the first Quarter of the County's fiscal year, the Facilitator will finalize the Application to Receive Funds.
 - a. By the beginning of the second quarter of the County's fiscal year and upon approval of the Public Safety Office Director, the Facilitator will distribute the Application to Receive Funds to all agencies on the contact list.
4. The Facilitator will also have the Application to Receive Funds available electronically, if requested.
4. Agencies will have eight (8) weeks to complete and submit (both digitally and in hard copy) their Application to Receive Funds.

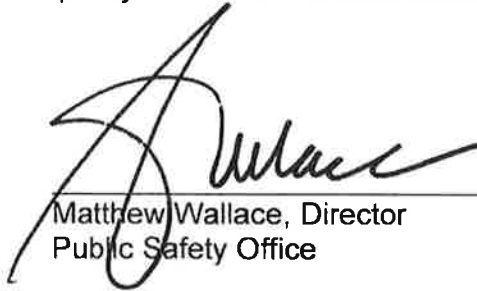
- a. Submissions will include:
 - i. A completed and signed Application to Receive Funds, which includes a prioritization of requested funds.
 - ii. Any applicable supporting documents.
 - iii. Any audits and/or corrective action plans from Brevard County or any other agency.
- b. Submissions will be accepted at the Public Safety Office (1040 S. Florida Avenue, Rockledge, FL 32955) and only by the published due date and time.
 - i. Applicants will be provided a receipt of submission.
 - ii. Any submissions missing requested information will be deemed unresponsive and not considered for funding.
 - iii. Any submissions received after the due date and time will be deemed unresponsive and not considered for funding.
 - iv. Agencies whose Application to Receive Funds has been deemed unresponsive will be notified through electronic mail.
 - v. Any submission deemed unresponsive and not considered for funding will not be eligible for appeal.
5. Responsive applications will be submitted to the Allocation Committee members for review at least 14 days prior to their Recommendation Meeting.
 - a. The Facilitator will prepare seven (7) copies of each Application to Receive Funds to include:
 - i. The complete Application to Receive Funds, including attachments.
 - ii. The previous year's contract, if applicable.
 - iii. The previous year's quarterly progress reports, if applicable.
 - iv. Copies of any audits and/or corrective action plans (from Brevard County or any other agency), if applicable.
 - b. The Facilitator will arrange for delivery of the application packages to each Allocation Committee member.
6. All agencies who have submitted a responsive Application to Receive Funds will be notified (through regular mail and/or electronic mail) of the date of the Recommendation Meeting.
7. The Recommendation Meeting will be a publicly-noticed meeting.
 - a. The meeting will consist of:
 - i. Orientation (member, purpose, and process)

- ii. Applicant Presentations (15 minutes per Application to Receive Funds and 5 minutes for questions and answers)
 - iii. Allocation Committee Discussion
 - iv. Award and Funding Recommendation
 - v. Public Comment
 - 8. The results of the Recommendation Meeting will be posted on the Public Safety Office website.
 - 9. The Public Safety Office will utilize Brevard County's Purchasing Department Protest Procedure (Attachment B).
- E. Contract/Agreement Process
- 1. Applications recommended for funding will have contracts developed according to Department and County methodology.
 - i. The Facilitator will utilize submitted applications to develop contracts.
 - ii. Contracts will be approved by the Brevard County Attorney's Office and the Office of Risk Management.
 - iii. Two original copies will be distributed to each agency, that has been recommended for funding, for their signature prior to the approval and signature of the Director of the Brevard County Public Safety Office.
 - iv. The Facilitator will ensure that all contracts are returned from the agency with signature prior to seeking the approval and signature of the Director of the Brevard County Public Safety Office.
 - 2. The recommendations and contracts will be presented to the Director of the Brevard County Public Safety Office for final approval.
 - i. The Facilitator will be responsible for preparing and submitting contracts for approval.
 - ii. Upon the approval of, and the signature on the contracts of, the Director of the Brevard County Public Safety Office, one original will be given to each respective school, the second original will be filed at the Brevard County Public Safety Office. An electronic version of the final Agreement with all signatures will also be kept on file.
 - iii. The Facilitator will ensure that each agency has an updated and signed W-9 on file with the County.
 - iv. The Facilitator will ensure that a Contract Database Checklist (Attachment C) is completed, submitted for entry (including a scanned copy of the contract), and a Purchase Requisition is completed for each agency.
- F. Invoicing/Reporting

1. Contracted Agencies will be paid upon submission of a complete and accurate Quarterly Report Form (Attachment D) and Invoice, indicating the amount of the reimbursement for that quarter (Attachment E).
 - i. Quarterly Report Forms and Invoices will be date stamped upon receipt to ensure compliance with Brevard County's payment procedures.
 - ii. The Facilitator will review each Quarterly Report, Invoice, and supporting receipts for accuracy, prior to being submitted to Finance for payment.
 - iii. Submissions with deficiencies will be returned to the submitting agency for corrections, and then re-stamped upon resubmittal.
2. Funds used for any purpose other than what is specifically authorized in either the Approved Contract Budget, Brevard County Ordinance, or the Florida Statute will be subject to recapture.
3. Any unspent funds shall be retained in the Dori Slosberg Driver Education Safety Trust Fund and subject to reallocation during the next funding cycle.

IV. RESERVATION OF AUTHORITY

The authority to issue or revise this policy is reserved to the Director of the Public Safety Office.


Matthew Wallace, Director
Public Safety Office

8 June 20
(Date)

Attachment A

APPLICATION TO REQUEST FUNDS

DORI SLOSBERG DRIVER EDUCATION SAFETY TRUST FUND

School Year • 2019-2020

Name of School: _____

Contact Name: _____

Contact Phone Number: _____

Street Address: _____

City/State/Zip: _____

Funds remaining from previous school year *(if any)*: _____

List of Educational Expenses funds will be used for: *(attach extra pages as needed)*

Priority	Description of Request	Units/Cost Per Item (if applicable)	Dollar Amount Requested
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

Statement of Need for Program: *(attach extra pages as needed)*

Benefit(s) of Program: *(attach extra pages as needed)*

Number of Students served by Program:

Total Cost of Program:

Total number of Students enrolled in your School:

Have you applied for these funds before:

☐ Yes ☐ No

If yes, please indicate allocation amount
received each year, if known:

2010-2011	_____
2011-2012	_____
2012-2013	_____
2013-2014	_____
2014-2015	_____
2016-2017	_____
2017-2018	_____

Attachment B

Protest Procedure

VENDOR COMPLAINTS AND DISPUTES:

Brevard County encourages prompt and fair handling of all complaints and disputes with the business community. In order to resolve disputed matters in an equitable manner, the following procedures are adopted:

I. Posting of Award Notices

A. FORMAL SEALED BIDS/QUOTES: No later than three (3) business days after a bid opening the Purchasing Manager or his/her designee shall post a tabulation of competitive sealed bids/quotes on a bulletin board located in or near the Purchasing Services Office. The apparent low bidder/quote will be the intended award recommendation. If after posting the tabulation, the apparent low bidder/quote is found to be non-responsive to the specifications, the formal award evaluation will be posted. The time for filing a protest will begin the date of the later posting.

B. FORMAL SEALED PROPOSALS: No later than three (3) business days after the selection committee recommendations are finalized the Purchasing Manager or his/her designee shall post the selection committee's rankings and recommended award for Proposals.

II. Proceedings

A. Any Bidder, quoter or proposer who is allegedly aggrieved in connection with the solicitation or pending award of a contract must file a formal written protest with the Purchasing Manager within five (5) business days of the posted award recommendation.

B. The formal written protest shall reference the bid/quote/proposal number, and shall state with particularity the facts and laws upon which the protest is based, including full details of adverse effects and the relief sought.

C. Within seven (7) calendar days of receipt of the formal written protest the Purchasing Manager will arrange a meeting of the Protest Committee and the affected parties. The Protest Committee shall consist of two (2) Department Directors or designees, both of whom must be from an organizational group which the user department or group is not assigned; one (1) Assistant County Manager, who must be from an organizational group which the user department or group is not assigned under. The Purchasing Manager shall act as a non-voting Hearing Coordinator and the County Attorney or designee may be requested to attend as a non-voting member. The Purchasing Manager or designee record the meeting and provide any information as the committee may request. The purpose of the meeting of the Protest Committee is to provide an opportunity to: (1) review the basis of the protest, (2) evaluate the facts and merits of the Proposal protest, and (3) if possible, to reach a resolution of the protest that is acceptable to the affected parties. For the purpose of the Protest Committee hearing, resolution shall mean that the Protestor finds the decision of the Protest Committee acceptable.

D. In the event the matter is not resolved with the Protestor's acceptance of the Protest Committee's decision, the Purchasing Manager will schedule the recommended award including the details of the protest and the Protest Committee's recommendation before the Board of County Commissioners via Board Agenda. The County Manager, prior to approval and placement on the Board agenda, may elect to resolve the matter before presentation to the Board. In the event that the County Manager cannot bring the matter to resolution, a copy of the Agenda Report shall be furnished immediately to all affected parties. The affected parties may appear before the Board of County Commissioners as a final means of administrative remedy.

III. Stay of Procurements During Protests

Failure to observe any or all of the above procedures shall constitute a waiver the right to protest a contract award. In the event of a timely protest under the procedure, the County shall not proceed further with solicitation or with the award until a recommendation is made by the Committee, or a written determination is made by the County Manager that the award must be made without delay in order to protect the public interest. Invoice disputes between an awarded vendor and user agency will follow the guidelines set forth in AO-33, Prompt Payment of Invoices.

Attachment C

**PUBLIC SAFETY OFFICE
CONTRACT DATABASE CHECKLIST**

Please provide the following to information when submitting a Contract for entry into the County's Contract Database. (Many of the items are included on the BC-20)

Item	List information or check item is ready	
Title for contract database		
Administrator assigned* (Project Manager)		
Contact	Iva Mulla	
Agency/Client Name*		
Certificate of Insurance – as required by the contract (ACORD)		
Contract copy (as well as Risk forms)		
Contract Amount*		
Business/Fund Center*	Cost Center: _____	Funding Source: _____
Cost Center*	Program: _____	
GL #*		
Contract Type (Grant, Construction, etc.)		
Contract Sub-type (Payable, Revenue, Other)		
Storage Location	Human Services	
Material Group (Construction-Grant-Intergovernmental/Fed, Local, State-Mortgage Loan ETC.)		
Contract Approval Date		
Contract Effective Date		
Contract Expiration Date		
Affordability Period/Absolute End Date		
Vendor number (If a new vendor, request Vendor Number)	Vender Number	Requesting Vendor Number <input type="checkbox"/> YES
W-9 (new vendors, new info, etc.)		
Date submitted		
Date entered (Contact)		

* Can be found on BC-20

Comments:
Contract Database Checklist
FY 2019-2020

Attachment D

QUARTERLY PROGRESS REPORT

DORI SLOSBERG DRIVER EDUCATION SAFETY TRUST FUND

School Name: _____

Reporting period (check one): ☐ 12/2019 ☐ 03/2020 ☐ 06/2020 ☐ 09/2020
(report is due within 30 days of the end of each reporting period)

Total amount of funds expended this quarter: \$ _____

Breakdown of expenditures this quarter (*attach additional sheet/s as needed*):

Please attach backup documents for expenditures listed below (receipts, invoices, etc.)

	Invoice Number	Amount	Vender Name	Description	Purpose(s)
1.		\$			
2.		\$			
3.		\$			
4.		\$			
5.		\$			
6.		\$			
7.		\$			
8.		\$			
9.		\$			

Total amount of funds expended to-date: _____

Summary of progress/completion of projects *(attach additional pages as needed):*

Total number of students served to-date:

Name of person preparing report:

Title of person preparing report:

Phone number of person preparing report:

Signature

Date

Attachment E

INVOICE

DORI SLOSBERG DRIVER EDUCATION SAFETY TRUST FUND

Date: (Current date)	Reporting Quarter: (Month/Year – Month/Year)
School:	

Amount of reimbursement requested for this quarter: \$ _____

AUTHORIZATION

School Contact Person: _____ (Print Name) _____ (Signature)	Contact's Telephone Number: _____ Contact's Email Address: _____
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