



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

New Business - Add-On

J.5.

12/22/2020

Subject:

District 2 Proposed Motion

Fiscal Impact:

Dept/Office:

District 2

Requested Action:

Request the Board to consider Motion by District 2

Summary Explanation and Background:

See attachment

Clerk to the Board Instructions:



Kimberly Powell, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

January 12, 2021

M E M O R A N D U M

TO: Frank Abbate, County Manager

RE: Item J.5., Allocation of CARES Act Funding delegated to District 2 Commissioner

The Board of County Commissioners in regular session on December 22, 2020, authorized expenditures out of the \$5 million delegated to the District 2 Commissioner Allocation Fund for the following allocations:

- Brevard County Fire Rescue (BCFR) Hazard Pay initial allocation of \$900,000 with a maximum of \$900,000,
- Emergency Operations Center (EOC) Capital Funding initial allocation \$500,000 with a maximum of \$500,000,
- Small Business Assistance Grant Program Expansion initial allocation \$1,250,000 with a maximum of \$2,750,000 limited to only businesses in District 2 that have already achieved the \$10,000 reimbursement of qualifying expenses that have qualifying expenses exceeding \$10,000 by taking that delta of already vetted approved expenses or qualifying expenses and dividing them out by a number between the initial allocation and the maximum authorized up to the lesser of either their qualifying expenses exceeding \$10,000 to cover the difference, or up to the amount the equation provides,
- Brevard County Fire Rescue (BCFR) Incentives initial allocation of \$460,000 with a maximum of \$517,500 with Frank Abbate, Matthew Wallace, and Chief Schollmeyer making the decision on the amounts for reimbursement of tuition, Leadership Training Program, Scholarship Program, and Officer Development,
- Vaccine Incentive initial allocation \$165,000 with a maximum of \$185,625 for any Countywide Fire Rescue, First Responder, Sheriff's Patrol and Corrections, even those within a city with which the County has an Auto-Aid Agreement, including all Volunteer Fire Departments, Cape Canaveral and Merritt Island, Ocean Rescue, EMT Paramedics, and regular Fire Fighters to be reimbursed \$100 for a single dose vaccine, or \$75 per dose for the two-dose vaccine until such time as staff determines to be the cut-off date.
- Indigent Burial services initial allocation \$160,000 with a maximum of \$160,000, and a limit of \$5,500 for indigent individuals and Veterans can qualify for a 50 percent delta or \$8,250 where Coronavirus or COVID is listed anywhere on the death certificate,
- Independent Pharmacy Vaccine Freezers initial allocation \$60,000 with a maximum of \$75,000 for independent pharmacies who apply through Florida Shots to provide the vaccine and in the course of applying, each pharmacy has to indicate if they already have a freezer, are willing to purchase one, or have purchased one and are eligible for up to \$2,000 reimbursement per independent pharmacy.

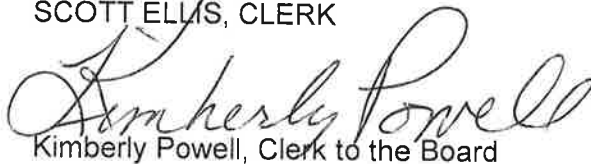
- Hummingbird Pantry Forklift and Pallet Jack initial allocation of \$40,000 with a maximum of \$43,200.
- Children's Hunger Project initial allocation \$40,000 with a maximum of \$43,200
- Ready for Life Housing and Employment Related initial allocation \$25,000 with a maximum of \$27,000,
- Public Defender Plexi/Acrylic Barriers, Interview Room initial allocation \$14,704 with a maximum of \$16,000
- County Staff Tangible Goods Reimbursement initial allocation \$7,500 with a maximum of \$15,000,
- Other County Facilities Plexi/Acrylic Barriers with a maximum of \$175,000,
- Other feeding, housing, or employment nonprofit 501(c) with a maximum of \$395,000, limited to \$50,000 a piece without further approval from the Board;

authorized staff to draft and execute grant agreements for any expenses in which such agreements appear, in staff's opinion, appropriate (e.g. to obligate a funding recipient to purchase a vaccine freezer for which the recipient was paid in advance); authorized any necessary budget change requests to accomplish this; and directed staff to bring back for discussion, time frames for allocating the funds to the January 12, 2021 Board of County Commissioners Meeting.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK



Kimberly Powell, Clerk to the Board

/ds

cc: Each Commissioner
County Attorney
Finance
Budget

REVISED

D2's PROPOSED MOTION

While the County Attorney, County Manager, and I firmly believe that this motion is unnecessary to lawfully effectuate the following allocation authorizations and none of the preceding concede that this motion is required, in the interest of avoiding unnecessary litigation with the Clerk's Office (which would almost certainly result in substantial delay of numerous allocations), this motion is made to satisfy the Clerk's concerns so as to avoid any such litigation and, by extension, expedite the processing of checks on the part of County Finance which would otherwise linger during the pendency of an avoidable lawsuit.

This motion shall not be construed to limit authority granted in any prior motion.

The BoCC explicitly authorizes the expenditures indicated on the attached spreadsheet out of the \$5M delegated to District 2 County Commissioner Bryan A. Lober for allocation.

Many of the individual programs listed in the spreadsheet have already been discussed, to varying levels of detail, at duly noticed meetings of the BoCC.

The descriptions, within the spreadsheet, are not intended to be overly specific to permit adequate flexibility without necessitating bringing matters before the BoCC yet again for additional discussion prior to implementation. The spreadsheet is intended to provide a broad framework of unambiguously approved categories and funding amounts which the BoCC, as a whole, explicitly authorizes.

It is understood that staff will work with Commissioner Lober to implement these programs, within the broad framework provided, in a manner consistent with prior discussions on each such program.

Note: The individual amounts authorized, in aggregate, may exceed the \$5M delegated to District 2 for allocation. This is deliberate and is largely intended to allow for adequate flexibility should one or more programs and/or expenditures prove less costly than initially anticipated. **In no event shall more than \$5M, in total, be expended from this funding source.** For instance, if one program runs under budget (e.g., due to fewer applicants than anticipated seeking funding), the remaining funds may be shifted from that program to another program, up to that program's listed maximum authorization, without the matter necessitating additional BoCC approval or direction. **In no event shall more than \$5M, in aggregate, be obligated or committed out of this pool of funding.** Staff shall not transmit to County Finance requests to issue payment(s) once expenditures, from this funding source, totaling \$5M have been obligated or committed. **Funding / cost / expenditure overages, within individual programs, shall be permitted, up to the indicated respective maximum values, in each listed program only to the extent that the \$5M aggregate funding cap is not exceeded.**

Commissioner Lober is explicitly **authorized to reduce or eliminate funding** (which may viewed as deobligating funds from approved projects) from any authorized category prior to the time any such funds are obligated or committed. The terms *obligated* and *committed* shall be treated synonymously and shall serve to mean that such funds are contractually obligated such that the BoCC would be unable to lawfully refuse paying those funds without incurring liability for so doing.

Staff is authorized to draft and cause to be executed grant agreements for any expenses in which such agreements appear, in staff's opinion, appropriate (e.g., to obligate a funding recipient to purchase a vaccine freezer for which the recipient was paid in advance). Staff is additionally authorized to process any necessary budget change requests to accomplish the goals of this motion.

PROGRAMS ALREADY INDIVIDUALLY APPROVED BY BOCC AS A WHOLE:

Program(s)	Initial Allocation	Maximum Authorized	Potential Δ
BCFR Hazard Pay	\$900,000	\$900,000	\$0
EOC Capital Funding	\$500,000	\$500,000	\$0
Subtotal	\$1,400,000	\$1,400,000	\$0

PROGRAMS NOT YET INDIVIDUALLY APPROVED BY THE BOCC AS A WHOLE:

Program(s)	Initial Allocation	Maximum Authorized	Potential Δ
Small Business Assist Grant Program Expansion (May be limited geographically and/or by business category / type)	\$1,250,000	\$2,750,000	\$1,500,000
Fire Rescue Incentives (Tuition Reimbursement, Leadership Training, Scholarship Program, Officer Development)	\$460,000	\$517,500	\$57,500
Vaccine Incentive (BCFR, BCSO Patrol & Corrections, Auto-Aid & Volunteer Fire Rescue)	\$165,000	\$185,625	\$20,625
Indigent Burial	\$160,000	\$160,000	\$0
Independent Pharmacy Vaccine Freezers	\$60,000	\$75,000	\$25,000
Hummingbird Pantry (Forklift & Pallet Jack)	\$40,000	\$43,200 -\$40,000	\$3,200 \$0
Children's Hunger Project	\$40,000	\$43,200 -\$40,000	\$3,200 \$0
Ready for Life (Housing & Employment Related)	\$25,000	\$27,000 -\$25,000	\$2,000 \$0
Public Defender Plexi / Acrylic Barriers Intrv Rm	\$14,704	\$16,000	\$1,296
County Staff Tangible Goods Reimbursements	\$7,500	\$15,000	\$7,500
Other County Facility Plexi / Acrylic Barriers	\$0	\$175,000	\$175,000
Other Feeding, Housing, or Employment Nonprofit	\$0	\$395,000	\$395,000
Subtotal	\$2,222,204	\$4,372,525 -\$4,394,125	→ \$2,171,921
Total	\$3,622,204	NOT TO EXCEED \$5M	→ \$2,171,921 \$2,180,321



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December 23, 2020

M E M O R A N D U M

TO: Frank Abbate, County Manager

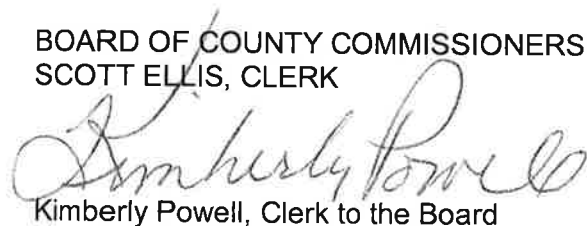
RE: Item J.5., Allocation of CARES Act Funding delegated to District 4 Commissioner

The Board of County Commissioners in regular session on December 22, 2020, authorized the following expenditures from the \$5 million of Cares Act Funding delegated to the District 4 Commissioner: \$1.5 million to Health First, \$500,000 to the Brevard Zoo, \$500,000 to USSSA; and \$2.5 million to small businesses that have applied and have been vetted as of December 18 by County staff, and have already received \$10,000 in CARES Act funding, with the total percentage for each business to be determined by District 4 Commissioner and his staff.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK



Kimberly Powell, Clerk to the Board

cc: Each Commissioner
County Attorney
Finance
Budget

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME TOBIA, JOHN		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Brevard County Board of County Commissioners	
MAILING ADDRESS 2539 Palm Bay Rd NE Ste 4		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BAY	COUNTY Brevard	<input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 12/22/20		NAME OF POLITICAL SUBDIVISION: Brevard County	
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, John Tobia, hereby disclose that on December 22, 20 20:

(a) A measure came or will come before my agency which (check one or more)

☐ inured to my special private gain or loss;

☐ inured to the special gain or loss of my business associate, _____;

☒ inured to the special gain or loss of my relative, Dr. Steven Tobia;

☐ inured to the special gain or loss of _____, by whom I am retained; or

☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

My brother is employed by a subsidiary of Health First, Inc. Health First, Inc is the recipient of CARES funds allocated by the Board of County Commissioners. Based on an informal opinion from the Commission on Ethics I abstained from voting on the item due to the appearance of conflict.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

12/22/20

Signature

[Signature]

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME ZONKA KRISTINE M		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Brevard County Board of County Commissioners	
MAILING ADDRESS 490 Centre Lake Dr, Ste 175		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Bay	COUNTY BREVARD	<input type="checkbox"/> CITY <input checked="" type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 12/22/20		NAME OF POLITICAL SUBDIVISION: Brevard County	
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

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A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, KRISTINE ZONKA, hereby disclose that on December 22, 2020:

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of Health First, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Brevard County addressed disbursement of CARES Funds to Health First the parent company of my employer, Health First Medical Group. Accordingly, I declared my conflict and abstained from voting.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

12/22/20

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



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December 23, 2020

MEMORANDUM

TO: Frank Abbate, County Manager

RE: Item J.5., Additional CARES Act Funding for Small Business Program

The Board of County Commissioners in regular session on December 22, 2020, authorized an additional \$1,970,000 to be allocated to the Small Business Program to cover the additional 208 outstanding applications.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Kimberly Powell, Clerk to the Board

cc: Finance
Budget

Verbatim

December 22, 2020

J.5. District 2 Proposed Motion

J.6. CARES Act- Commissioners allocations

Pritchett- We shall now get to our time certain, Mr. Ellis came into the room, with Items J.5., and J.6. County Manager do you want to lead us in here?

Abbate- Yes, yes actually these are two motions that uh were brought forth by the District 2 Commissioner and then the District 3 Commissioner, that County Attorney Office had been involved with, as well as the County Manager's Office, on these two motions. They are relative to the delegation of authority that the Board granted us a few months ago relative to Cares Act funding of \$5 million that was allocated to each District Commissioner and they...we had received some input from the Clerk's Office relative to their feelings on this issue and whether or not they would make any payments pursuant to the delegations that were granted and these motions both tried to address some of the Clerk's concerns and in one case all of the Clerk's concerns in different ways and at that point, I think that gives you a broad overview of what's, what's involved here. The County Attorney can also add anything to any additional perspective legally that they have relative to what these two motions would provide for when the Board seeks to move forward and consider one or either of them or whatever other action the Board may want to direct.

Pritchett- Thank you, Commissioner Lober that's a new light sir?

Lober- It, it is in fact...so

Pritchett- Would you mind if I went ahead and did these two public comment cards so we find out and we can get the full discussion going?

Lober- ...Are they Clerks Office cards, or?

Pritchett- No, it's, it's um constituents.

Lober- Oh, ok sure, sure if you'd like to do it that way, that's fine.

Pritchett- Okay, thank you, sir. Um Ms. Stacey Patel and then Sanjay Patel, you'll be next, sir.

Stacy Patel- Hey I'm Stacey Patel from Satellite Beach and I emailed your offices two weeks ago with two hundred twenty two local residents who shared the impacts of Covid-19 on their families in hopes that you, their County Commissioners might help them. They provided contact information, household financial details, and I organized them by District so that it would be simple for you or your staff to reach out to the constituents. They also provided short personal statements. One wrote, "My husband and I have been receiving unemployment since April and each of us are receiving \$125 a week. We're both self-employed and greatly impacted by Covid. We are behind on all of our utility bills. This has been a huge strain on our marriage and we have decided to split up after nineteen years because it's just too much. This is the most stressful thing we've ever been through. Another road that's torn my family apart, we've never had to go without anything before Covid happened. I spend nights awake wondering

where I'm going to get food to feed my kids, wondering if we will ever be able to get another place to stay, how many more nights we'll be able to sleep on a friend's floor before they ask me and my kids to leave, this has been devastating to our family." Some shared they skipped meals so their kids could eat, sixty-two percent were behind on rent or mortgage, seventy-nine percent were behind on their utilities, forty-two percent were food insecure, in total these 222 residents reported an aggregate economic impact on their households of over \$1.5 million. To date I didn't receive a single reply and none of you have reached out to these families that you represent to learn about their situations, nor to offer any assistance to my knowledge. This body was entrusted with over \$105 million in CARES Act funding to support our community in addressing the needs of Covid-19. Orange and Volusia counties allocated nearly \$100 million in aggregate, almost 30 percent of their CARES Act funding, to provide direct aid to impacted individuals. Brevard allocated just five to six percent for direct individual assistance somewhere between \$4.4 and \$6.6 million out of \$105 million. Meanwhile, this body allocated \$5 million to each of yourselves. I'm here to ask a simple question, if you each have \$5 million in CARES Act Funds, and there's over \$12 million left over to put into a Public Safety Fund, may you be willing to spend those funds to meet the needs of the residents in your Districts who are facing hunger, homelessness, debt, eviction, foreclosure, and illness due to the impacts of Covid-19. I provided you 222 names as a starting place, you can also start with recent evictions. Even with the CDC moratorium there have been 189 evictions in the last thirty days, that's 12.5 percent more than the same thirty days last year. I know if you decide to, you can work quickly. You allocated yourselves \$5 million each, very quickly. Please be proactive in using these funds as intended, to address the impacts of Covid-19 on those you were elected to represent.

Pritchett- Thank you, ma'am. Mr. Patel.

Sanjay Patel- Good morning, Commissioners. My name is Sanjay Patel, from Satellite Beach. I'm here today to ask you to commit more CARES Act Funds to helping local residents in need. Right now, within each of your respective Districts, you have constituents that are hanging on by a thread. They are struggling to pay their rent or their mortgage, some are about to or have had their water or electricity shut off right before Christmas, and most disheartening of all, many families are unable to put food on the table and wondering where their next meal is going to come from. Here on the Space Coast, living among the backdrop of rockets that launch to the stars and back down, there are far too many of these stories of struggle and suffering during this pandemic, and to sit by and let that be okay, shame on us and shame on you, because the reality is that all this can be relieved literally in a matter of hours today. You have the power to put funds into the hands of families that desperately need that help right now and that was the intent of those CARES dollars that were put into your hands. As all of you know, I did run for County Commission this past year, in large part because I didn't believe that our Commission was doing enough to help all of our residents. Atlas, I didn't have that R next to my name, so that never came to pass, but I still stand by that original assessment. And I'm not really sure what's holding you back right now. Commissioner Tobia, you literally could allocate \$5 million to Countywide individual assistance...

Pritchett- I'm sorry sir, if would you address the Chair I'd appreciate it.

Mr. Patel- Oh, absolutely.

Pritchett- I'd really appreciate it, thank you.

Mr. Patel- ...and be Santa clause right now, if you wanted to. If you were to pay off the months of overdue utilities bills that are keeping moms and dads sick to their stomachs waiting for that shut off to come by any day now. I just know that, that's what I would be doing if I were any one of your seats right now. We know that these CARES Funds must be allocated by the end of the year. I'm literally imploring you, to please help all of these families before the end of the year. And if you do decide to help, and I so hope that you do, please make that process simple and fast. Thank you for your time and consideration.

Pritchett- Thank you, sir. Commissioner Lober.

Lober- Thank you. So I'm, I'm going to very, very briefly, going to touch on a couple things that were said during public comment, then I'm going to try to move us forward on my Agenda Item J.5. So as to constituents having an emailed list of folks broken down by District, I'm not going to get into the position of hand picking individuals based on a list that was that was put together by the immediate past chair of any political party, including my own. Um, what I can tell you is, I do agree that hunger, homelessness, and unemployment caused by Covid are truly important, that's why, if you look at the chart that's attached to what I've allo...what I've put forward in the Agenda Item, there's a higher percentage than we've used out of the overall dedicated or permitted to be used for those particular purposes. Up to ten percent of what I have here, can go toward any of those issues. Um, I will tell you, in terms of how things have gone, just in brief synopsis, this past week, middle of the week, I had a phone conference with our Clerk, Scott Ellis, our Clerk-Elect, Rachel Sadoff, Kathy Prothman from County Finance, Steve Burdett, I don't know if he was there, I don't know that he was, from County Finance on that one, Tyler Winik was involved, there were other folks involved in that, and then yesterday evening, after work, in the evening, I met with Rachel Sadoff, our Clerk-Elect again, Jason Arthur, who will be the Chief Deputy Clerk under Rachel's administration, Steve Burdett whose been in County Finance for quiet some years, and then Tyler Winik as well, with the Clerk's Office. The bottom line, um, is that if we pass what I have proposed, I understand and I am happy to ask Ms. Sadoff to confirm that when we send requests post transition here, in the beginning of January to start cutting checks, if we pass this, she and those that are in the office who would be responsible for making decisions as to whether or not to cut a check, would cut checks for all these programs. Um, what's more, also if Commissioner Smith, if you want to put um, a motion, and I'm happy to send you the word docs since this is now public record, I'm not giving you something that otherwise hasn't been provided, jut giving it in a different format, just change the name of the program, change the initial allocation, the maximum authorized, um, you want to put Health First in there, put Health First in there, you want to put USSSA, put them in there if that's what want to do. If you want to put the zoo in there, put the zoo in there, and they will cut the checks. This is sufficient specificity, based upon those meetings that I've had, for them to cut the checks, without us having to go through legal argument as to whether the delegation was lawful, or unlawful, or any of that. Do I think we need to do this? No, but do I think that this will help us avoid a lawsuit, or having issues with them refusing to cut checks, absolutely. So my suggestion, because they vetted this, they're comfortable with this, I'm comfortable with this, I've run it by County staff, as well, I've not heard any particular concern. Um, the way it was phrased to me, by County staff, is their reading of it is that this approves for the Clerk's purposes, what we're already authorized to do. Um, I think this is a fight that we don't need to have, to have taxpayers funding a lawsuit on both sides of the issue, when we can just simply get around this. So you know, my thought is, if we can approve it as they've reviewed, as we've reviewed, um, the longest standing motion that has the spreadsheet attached, I'll just tell you point blank, Commissioner Smith, um in order to, to get this to go through, so that they cut

checks for Health First, USSSA, and the zoo and your small business program, however you choose to structure that, if you do it this way its gonna pass in terms of, it'll pass there muster and their willingness to cut checks. If we do it some other way, we run the risk of it not potentially passing their muster and being back here where checks are delayed, and we have to go through a whole rigmarole, that frankly, I think is avoidable. So I'll just ask Ms. Sadoff. So, do you disagree with anything that I've said? Okay, she said the Clerk's Office does not.

Sadoff- (inaudible) so that you all hold that responsibility.

Pritchett- Ms. Rachel will you come up?

Lober- I'm sorry for putting you on the spot, I really didn't intend to.

Pritchett- Some of have a little less hearing than the rest.

Sadoff- It's alright. The Clerk's Office wants you all to vote on your items. You vote on your items, we have no issue. The items that you don't vote on, we will still have an issue. My feeling is, and I think Clerk Ellis feels the same way, if you all can't vote together on the items why are you asking us to cut the checks that you can't even vote on, that should receive the checks. So.

Pritchett- Okay, so, Mrs. Sandoff, he's put in a list and I think Curt, Curt might have a list ready today as well...

Sadoff- Correct.

Pritchett...so this could give you all comfort and then...

Sadoff- Correct.

Pritchett- ...then we will keep working out details as we move forward

Sadoff- That is correct.

Pritchett- Okay.

Sadoff- Yep.

Pritchett- So you're comfortable, I'm sorry Commissioner Lober, so you are comfortable with Commissioner Lober's motion?

Sadoff- We are, we met with Commissioner Lober twice...

Pritchett- Okay.

Sadoff- ...last night was to go over it again because of the changes that are happening with the CARES, we wanted to make sure that everybody...

Pritchett- Right.

Sadoff-...was on the same page and that the motion would read that you all would vote on the items.

Pritchett- Wonderful. Commissioner Smith do you have a list ready, sir?

Smith- Yes and no. How's that for a definitive answer? Um, three, \$2.5 million I've allocated, the other \$2.5 million I have allocated but not to specifics. So, the first \$2.5 million would go, breakdown if you're looking for a breakdown, um \$1.5 would go to Health First.

Pritchett- Okay.

Smith- \$500,000 to the zoo, and \$500,000 to USSSA.

Pritchett- Okay.

Smith- The other \$2.5 million, because we're gonna use it as uh...what's the funds term?

Abbate- (inaudible) if you want me to address that, I'd be happy to address...

Smith- Yeah, please.

Abbate- ...that now. Commissioners, you have previously approved the Small Business Program. And as you will recall, you allocated an additional \$1.5 million, when we made the request, and brought it up to \$11.5 million. We continued to accept applications through December 18th, at the close of December 18th we are now able to evaluate how many additional applications we have in the queue and they are beyond the, the money that's currently been allocated which was that \$11.163 million for about 1,971 businesses. We have 208 pending businesses with, based on the average that we have been given thus far, um would equate to another \$1.976 million, so basically what I'm saying is to fully fund the applications that we've received we believe that, beyond the money that's being currently allocated, you would need to allocate another \$1.976 million dollars to be able to fund the small businesses that have applied through December 18th when we had the cut off to the program. Once, and that's the original program that the Board put forward which was for the small business up to \$10,000 and so, um, that would be something we would ask the Board to do, because... if the Board so chose, and we would take that from available CARES funding and put that into the Small Business Program. And I believe what Commissioner Smith would like to do beyond that, is he has received, um through his request for businesses that wanted, they were required to, or ask to and required to by December 18th, any business that had already qualified for the Board approved program, if they wanted to be considered for additional funding that he was going to allocate, I believe, \$2.5 million to those businesses. There are 160 of those businesses that have contacted us and indicated they wanted to be included in that additional program, and that is the program that he is talking about, which is a Countywide program. Once again, it's approximately 160 businesses that contacted us within the timeframe that the District 2 office asked for and...

Lober- D4.

Abbate- ...and we would move forward on.

Pritchett- So Commissioner Smith...

Lober- D4

Abbate- Excuse me, District, District 4.

Pritchett- You want to put the other \$2.5 into Small Business Program? Because Commissioner Lober's putting \$1.25 into Small Business Program, so I think you really do kind of have a list.

Smith- Hmm. Yes, I just don't have the exact amounts, where...

Lober- Ma'am.

Smith- ...because we have the time after January 1st, to do that.

Pritchett- Yeah.

Smith- And so, we've received the list of this 160. I, I'll take your number, um, and we'll go individually through them. And we've decided on a formula how to come up with a percentage of how we're going to do that, rather than just give a lump sum to each one of the businesses.

Pritchett- Okay.

Smith- Because frankly, some of the businesses have lost \$1 million or more and other businesses have lost \$30,000 or \$40,000. So, in my mind it isn't fair to just say well we're just going to give everybody \$10,000 because it's helpful, but it's more helpful that we use a percentage so that people that lost more will get more.

Pritchett- Okay. And I think Commissioner Lober's doing the same thing. He's doing a, a, a boundary here, so it's what comes in that you're able to do, and that's good. And we do know when we're doing this, it all has to be Covid-related within the low risk guidelines? That's what we all agreed to.

Smith- Yeah, the parameters that were extended to us from the Federal Government.

Pritchett- Okay.

Smith- Low risk and...

Lober- Well...

Pritchett- Okay. Commissioner Lober, yes sir.

Lober- A couple of things. First...

Pritchett- Then Commissioner Zonka.

Lober- ...thing, we've already addressed the low risk. A lot of the stuff, like the Small Business Program, has never been evaluated by Tetra Tech, it's always been done by staff so we addressed that in prior motions. If it's coming directly out of CARES it has to go through Tetra Tech, but if it's post-CARES, namely payroll reimbursement money that's been freed up, then we don't have to go through that process, so I just want to be you know, clear so that we're all on the same page, but Commissioner Smith, I think to make this easier, and if it's alright Madam Chair, if you could just give me little leeway, I think I can get this worked out.

Pritchett- Okay.

Lober- So, you're saying \$1.5 million to Health First, right Commissioner Smith?

Smith- Correct.

Lober- Half a million to the zoo?

Smith- Correct.

Lober- What was the number for U-trip?

Smith- \$500,000.

Lober- So, \$500,000 to them, so we're now at \$2.5 and then \$2.5 on top of that for Small Business Programs.

Smith- Correct.

Lober- Alright so, if it's okay with you, you or I can make a motion and the other can second it, assuming we have at least one more on board. We'll go with my motion as it's been put on the Agenda here, but we'll uh, we'll pretend that there is a second spread sheet that's basically for D4 purposes, and under the initial allocation and the maximum authorized we'll just specify the same numbers. So we'll say for the program Health First, it'll be initial allocation \$1.5, max authorized \$1.5 million. Brevard Zoo initial authorized, \$500,000, max authorized \$500,000. USSSA initial authorized \$500,000, max authorized \$500,000, and then Small Business Assistance Grant Program expansion, and you can expand it in whatever way you feel is appropriate, as long as it's lawful, I'm not going to question it, \$2.5 million initial, and \$2.5 million max. That to my understanding, the Clerk wouldn't have an issue with unless...Scott, Mr. Ellis.

Zonka- Chair.

Lober- Okay.

Zonka- Can I just interject for two seconds, Chairwoman? Just about that initial thing that I motioned to you. Health First can't be a part of anything that I vote on. I just want that very clear, so you know, I, I know that Commissioner Lober's trying to set up the vote to include that, I can't vote on it if that's the case. So if, if it's a motion, no matter who makes the motion, I just want you to be aware of that, that I won't, I'll have to abstain even if it's the entire thing, just for that one reason alone.

Ellis- Or you could break it up.

Zonka- Yeah that would be...

Ellis- You could break it up, which would work out pretty easy. I, I'm not sure, Commissioner Smith, when you talk about we, who, who is the we that's vetting the small businesses?

Pritchett- County staff.

Smith- Well yeah, they've already...

Abbate- The Small Business Program...

Smith- ...they've already been vetted through County staff.

Abbate- ...the County staff is doing it. What we have to get from Commissioner Smith would be what the percentage allocation or how we're going, how, how he would move forward on that since, as he has indicated, it would not be a maximum of \$10,000. Um, he would want to do it, as I'm understanding it, on a percentage basis based on what it is that staff determines on what was submitted was the

eligible amount that they, that they done applications for, uh um they've submitted applications for. Those applications are the applications that, all of them, would be from the applications that were previously submitted under the Board approved Small Business Program, that covered the period of March through June is the timeframe of the expenses that were submitted and that we, we accepted information for.

Smith- Basically, I depended on staff. I asked the business community to reach out to the County Manager's Office and they provided all the information that the County Manager's Office required, and from that we got 160, I think its 160...

Abbate- Approximately 160.

Smith- ...yeah...businesses that fit those qualifications.

Ellis- So the \$2.5 million will move from the D4 pot to the Small Business pot?

Smith- Yes.

Abbate- Right.

Ellis- Correct?

Abbate- Yeah, we still have to address the \$1.9 million that we would need for the original, and I'll ask the Board to do that after.

Ellis- But if, alright and you're bringing the \$2.5 over to Small Business?

Abbate- Right.

Ellis- And then you all will vote again on the new parameters? Cause you're current parameters are \$10,000 limit. And I understand what you wish to do, but then the Board will vote to change those parameters.

Abbate- Right. Commissioner Smith would give us and we could bring it back, if he's good with that, that would be, that would set the parameters that would be Board-approved at that point.

Pritchett- Commissioner Smith do you have an up to amount so that we can do an up to amount and then we'll know it has to be within that range. Is that comfortable?

Ellis- Eh, well Commissioner, right now that money goes from this pot into that pot and that pot has uh certain rules on how it's to be spent. So then you would vote to change those rules. And I understand that because you wish to go above the \$10,000. But the businesses and the staff needs to know what the new formula would be. So I understand it could be an up to, it could be a percent of loss, it could be a, a stop loss up to a certain point, and then it would be up to the staff to go through because they will probably have more money requested than money left available.

Pritchett- You could just bring in the new parameters, correct?

Smith- Right, well that was my, that was my intent because I didn't want to have any open-ended, I didn't want somebody that lost, let's just use a big number, \$5 million to know that they're going to get the same amount as somebody that lost \$12,000.

Ellis- Oh no, I fully understand, I understand...

Smith- So, I, I, I...

Ellis- I understand what you wish to do.

Smith- I want to put some kind of a percentage so that it's, it's more fairly done.

Ellis- Yes, a percent and then a max.

Smith- And I don't have that yet.

Ellis- No, and that's okay. But, but these guys will need that and then when y'all decide it, because its, the money's going into that program, under those rules. You'll then change the rules for that program so they've got direction on how to give it out.

Smith- Correct.

Sadoff- And it'll come back as a vote.

Ellis- Yeah, It'll come back as a vote how to change the rules. Once that's done...

Sadoff- Then we know.

Smith- Right.

Ellis- Then these businesses don't need to come back to the Board again...

Sadoff- Right.

Ellis- ...because it's the same way the programs been running all year.

Sadoff- Right.

Pritchett- That should be pretty easy for us.

Sadoff- Right.

Ellis and Sadoff- It should be.

Ellis- I hope.

Smith- I have one question. I saw Ms. Bentley shaking her head at one point. What, what was that in reference to?

Bentley- Well um, we'd had a discussion on the phone earlier and there was concern about the programs having parameters and I, I just want to make sure that the list that you're talking about from the D2, um, I'm sorry, it's actually, yeah it's attached to D2, if it has programs and it has specific items...

Ellis- Yes.

Bentley- ...are you intending to um, cut checks for the programs as they are described on this list?

Ellis- Those are going specifically to those entities and they're being voted on as going specifically to those entities. Just, just like the money that went to the Zoo, the money to the SPCA, it's a specific vote

by the Board on each one of the items. With Commissioner Smith's money it will not be a specific vote on each business because it will go to staff to delegate once they have the new rules.

Bentley- Right, so if it's a program listed on this list, you're okay with that right now?

Ellis- Yes, because there's a specific vote of the Board for each of those items. You know, Board members may agree or disagree, but when it's voted on, that's valid.

Tobia- Thank you, and I think I'm getting to the same place that Ms. Bentley was. Uh, there's a reimburse...Um, Madam Chair.

Pritchett- Oh, yes, sir.

Tobia- Clerk or future Clerk, um on Commissioner Lober's one, there's a reimbursement for tuition for fire fighters or something of that nature. There is no parameters in which that is done, so if we were to go ahead and vote for the motion as written by that Commissioner, we would be delegating the authority as a program that was not yet created. Would you be okay with lea...from what Ms. Sadoff said, you would be okay with allowing a single Commissioner to come up with any type of criteria that they may want? What Commissioner Smith was saying was a little bit different, he was using the current parameters and asking apparently a single change from that \$10,000 to a percentage, but that would come back, my understanding, that would come back to the Board, and I would support that, that is your money, but the way that motion is written it would not come back to the Board, so those are...

Ellis- Actually, actually Commissioner, the shoes on the other foot. You're going to vote on it. I don't get a vote. And so just, just, I could take the Clerk's Office, we do tuition reimbursement for employees...

Tobia- Again...

Ellis- ...you probably have tuition reimbursement for employees, this is tuition reimbursement plan and if you vote for it you'll understand, you're going to do it and there's no end date.

Tobia- You don't care about the...You're the one that's cutting the check, so if we vote for the motion as is, we would be giving authority to a single Commissioner to come up with whatever rubric for handing out that money.

Ellis- Oh no, once, once you vote on that program, it heads over to staff to handle that program.

Zonka- And manage the parameters?

Ellis- Yes.

Tobia- That, that...

Ellis- It's no different. I, I ...

Tobia- ...that's not...

Ellis- I guarantee, but y'all do tuition reimbursement for employees, I'm sure you do and you have parameters for that...

Tobia- Yeah, madam Chair.

Pritchett- Oh I'm enjoying it. Please.

Tobia- Yeah, I'm sorry. I don't disagree, my question, Commissioner Lober's motion was quite long and full of quite a bit of legal ease and that's why I changed mine. Is that the way you envision it, that if we were to vote for your motion, everything that would require a rubric to be set up, and many of 'em were, you would be okay with the County Manager setting up?

Lober- The, the point of contention that, that was kind of last sticking point in my discussions with the Clerk, and my understanding at least from the meeting last night, is I don't need a line item specificity on every single recipient. I think, and maybe I'm wrong in this, that Mr. Ellis' concern and what differentiates, at least in his position, what I'm doing with let's say the Small Business Assistance Program or with the Tuition Reimbursement Program from what Commissioner Smith may be doing with his Small Business Program or another program, is I'm setting classes in categories where I'm not individually hand-picking within that. So if I say, "Okay everyone in this geographic area or every restaurant for instance, would have um, up to another \$3,000 available, or \$2,000, as long as it falls within that amount allocated, we would be okay to do that, but when I start saying well this one gets 10 and this one gets 30, and this one gets...

Tobia- I, I...

Lober-...that's how I took it.

Tobia- I, I understand, I understand, so let me, so let me ask you, Clerk, because you're the one writing, you're the one signing the check.

Ellis- (inaudible)

Tobia- Would you be okay with him..

Ellis- (inaudible) Right now, right now you don't even know...

Tobia- Correct, we, we, we...

Ellis- ...for fire fighter reimbursement, just like you can't tell me which of your employees are going to take college classes next semester and apply for reimbursement.

Tobia- Ms. Sadoff said she would be okay with it the way it is right now. You have Commissioner Lober saying something completely different than, than...

Sadoff- I think Ms. Bentley wants to say something.

Bentley- Um, I think there may be some confusion, there are some existing programs with parameters, but then, I think there are some proposed new programs that may not have the clear parameters that you're looking for. Um, and I think that's the difference in the conversation. I, I...

Ellis- Well surely y'all would put the parameters on that.

Bentley- Well if, if you will cut the checks with the staff creating the parameters or an individual Commissioner creating...

Ellis- Well no.

Bentley- the parameters, that's what we're trying to clarify.

Ellis-...the Commissioner can't set the parameters, you must set the parameter.

Tobia- That's not...

Ellis-...and it's nothing personal.

Tobia- That's not the motion.

Ellis- But all of us Commissioners come and go.

Abbate- Let, let me say, for example, the Tuition Reimbursement Program, the Countywide program that we have, that we administer, the parameters of that program are approved by the Board, meaning the specific amount over what period of time. If I'm understanding it correctly, and I believe the way Commissioner Lober is suggesting, is he would tell us what he wants those parameters to be and we would just implement it to the applicants, we would not be a staff setting what they are, he would be. Right?

Lober- That's my, that's my understanding, and I'm just not involved in the actual vetting process.

Ellis- Right but I don't understand why, why these guys wouldn't set the parameters for that.

Abbate- We, we would never set...

Ellis- Nothing personal, but they deal with the Fire Department every day.

Abbate- We would bring it back to the Board for approval. We would, as staff.

Ellis- Well if, but if, but if, in other words, you as a Board may decide when I hire a new fire fighter I, I do a tuition reimbursement for what he spent on fire school. I don't know that you do, but you could. And if you did, then you'd have a limit up to. It's almost like going to law school, going to law school at FSU or going to law school at Stetson, maybe willing to pay for a law degree, but not that much.

Tobia- Madam, madam...

Ellis- There has to be some kind of parameters set and, and I honestly don't see how the Commissioners could set the final parameter.

Tobia- Madam Chair.

Ellis- It's nothing personal, it's just I couldn't set a final parameter on that, I don't know what all the different fire schools cost.

Lober- With staff input.

Ellis- Yeah.

Sadoff- And, and I believe, correct me if I'm wrong, that was what was discussed. Okay, I'm not, okay so it was discussed that you would give it, then staff would, of the County, would, would bring it back to the Board after decisions were made.

Tobia- Yeah.

Lober- Not, not after this.

Tobia- Yeah, where, where, where's that located in the motion that you just said you'd be okay with.

Pritchett- You know what?

Tobia- It's not located in the motion.

Ellis- It's, it's better off...

Tobia- ...Ms. Sadoff.

Pritchett- I...

Ellis- It's better off to come back to the Board because when people apply...

Tobia- Yeah, I agree but that's not, you just said you'd vote...

Ellis- ...for it, they need to know what the parameters are.

Pritchett- I think we can make this easy, there's only three items here that I think could even, because everything else is pretty laid out. Small Business, you're going to do what, what, what Commissioner Smith's doing, correct?

Lober- No I'm not going to do...

Tobia- No.

Lober- ...what Commissioner Smith is doing on Small Business? I'm not going to get involved in terms of differentiating from one...

Pritchett- Okay.

Lober- ...business to another.

Pritchett- So how are you doing your small business, sir?

Lober- What I'm planning on doing is either limiting it geographically or by business type and then rising the, the, the cap from 10 to something above 10.

Pritchett- Okay, so when you're ready for that you would just bring it up and we'll say okay, and...

Lober- I just don't see the need to do that. That's the thing...

Pritchett- Well...

Lober- ...my understanding is the motion as it was printed before, was sufficiently specific. I mean that's what we spent tens of hours discussing over the past week...

Pritchett- Okay, Mr....

Lober- ...if this is sufficient specificity, but now I'm hearing otherwise. I mean it, it is what...

Pritchett- It'll pass, but Mr. Ellis what's your...

Ellis- Well I, so, so you're \$1.25 million for small business?

Lober- Yes.

Ellis- Alright, it's not, it's not going to identify businesses in your motion?

Lober- No.

Ellis- And it's not going into the pot with the County?

Lober- Correct.

Ellis- So where is it going to go?

Lober- Well, in a sense it does go into the pot with the County because the County's existing pot determines whose already been reimbursed up to that 10, so in a sense yes and in a sense no. Over and above that, if I want to say these particular industries have been hard hit and they may need more than 10, keeping the exact same parameters, to the degree that, that's feasible with what's been in place, I would say okay we have enough money for, you know, to, to take these 200 businesses or these 400 businesses and increase them beyond the 10 presuming they have qualified expenses exceeding that, so just go ahead and programmatically do that with everyone that fits the criteria.

Tobia- Madam, madam Chair.

Ellis- Alright so, just, okay...So I got one pot of money coming with one set of rules and I've got one pot of money coming with a second set...

Lober- Yep.

Ellis- ...of rules and the Board will vote on each set of rules for each...

Lober and Tobia- No.

Ellis- ...pot of money?

Pritchett- You know what though, we, we can...

Ellis- You have to.

Pritchett- ...we can just do that, Commissioner Lober. It'll just, it'll just, we'll, I'll approve it, and I, I think, I think we'll just approve it, so when you have your parameters up just throw 'em in.

Lober- I'm, I'm going, I mean I'm going to vote against my own motion if that's the way we go.

Pritchett- But it'll just take care of everything. You'll be able to get the money out where you want it to go.

Sadoff- I think...

Lober- No. This...

Sadoff- I think Commissioner, the question is then, how would our staff know and this would provide our staff knowing where, where to go. I, where the money would go. I think it's just, it, it's a better streamline and that would provide it, and then there wouldn't be any questions.

Lober- Well this, this is exactly what we spent hours discussing that, you know we don't need line item specificity and it's coming down to now we apparently do need line item specificity.

Ellis- That is not correct.

Sadoff- No, I don't think we do. I don't.

Ellis- You, you need a rule for spending that money that's approved by the Board.

Pritchett- Or you could just, everything that's Covid-related that you could reimburse those amounts to small business. That could be the rule for that, correct?

Lober- This is making it even tougher though.

Ellis- But your staff has to handle that. Your staff is going to process those applications and they need to know what the rules are when they process those applications.

Lober- But they will be working with us to do that.

Tobia- Madam...

Ellis- Well then that's, they're not supposed to be working with you, they're supposed to be processing under the rules that have been set by the Board.

Tobia- Madam Chair.

Pritchett- Yeah.

Ellis- Because they are working with you, they are working with you, Curt, nothing personal, then we are right back where we started from. Alright, you want a different pot of money with a different set of rules, the Board approves it, fine. Different pot of money, different set of rules, Board approves it, fine. Then the staff takes over from that point, processes the applications, just as they have all year long with all the other money, it's just now it doesn't have the \$10,000 one-time limit.

Sadoff- Right, it can change.

Ellis- So, that's easy. So I've got pot number one, pot number two, and pot number three.

Pritchett- I'm gonna let you talk, Commissioner Tobia. Mr. Lober, do you have an idea already what the parameters you want to be with that are?

Lober- Yes...

Pritchett- Okay.

Lober- ...but my real question because I think I flexed more than I really wanted to on this. You know, Ms. Sadoff, you are going to be in office January 1. I am not trying to put a wedge between you and Mr. Ellis, but the fact is I thought we were in a good place with this and apparently, we're not. Um, either you are gonna cut the checks or you're not. And at this point, I am not going to support bringing it back yet again, I'm just not.

Pritchett- Well why don't you just tell us what your parameters are going to be and we'll just vote on the...

Lober- I think that is allowing the dog, the tail to wag the dog in this case. I, I've already bent. I don't think any of this is necessary, but the fact is, I did this to try to preserve the relationship with the Clerk's Office and avoid litigation, but if now it is do everything that we say or choke on it, fine then, we'll just, we'll see you in court as you said to us.

Ellis- I, I never said you could do it that way.

Tobia- Madam?

Pritchett- Yeah, Commissioner Tobia.

Tobia- Yeah, I..I think there is a middle ground on this and you know, I, I'm looking out for a couple things. I obviously don't want to get into...I don't...I don't know whether your interpretation is correct or our interpretation is correct, but there is a way around this so we don't have to find that out. And I appreciate the way Commissioner Lober is trying to get Commissioner Smith on board...uh with this, but if, if you went through my motion, I think it solves this, because there's a...there's an additional layer on here that we need to remember, the amount of staff time that goes into any of this stuff, so it is extremely important that we create some sort of deadlines on this and, and my motion, uh very simply, I, I think it does get to what Ms. Sadoff was actually, and she can correct me if I'm wrong, but this would ask...the...uh...any member to bring back whatever criteria they want. Commissioner Smith, I will tell you right now, I don't agree, I voted on the opposite way, but the Board thought that spending the \$5 million dollars in each, in each Commissioner was correct, so I will respect the decision of the Board, and however you wanna distribute that money you will have my absolute support with the exception of Health First, because I am on the...I will abstain from that vote, because I have an ethics opinion that allows me to abstain for that. Um, but what is important, and I think what Ms. Sadoff was getting to is the criteria for your \$2.5. It is different than the pre-existing one, because you want to go above that \$10,000. That is fine. Bring it back to the Board. I don't care what it is. If you see that's fair, then I will support that. The same thing with Commissioner Lober. We just put staff in a horrible position when a Commissioner singularly goes and asks for the money to be spent in a certain way. I think that's what the Clerk's office is looking for. I am unilaterally saying I disagree with it, but you will 100 have, 100 percent have my support. The only thing that I ask on top of that, is, is an ask for staff, that we put some deadlines on this money. This isn't a pot of money that we should be holding in our back pocket for months and months. And I'm not saying that we hold this to an election, but theoretically we could hold this to a time right before an election. That's why I as soon as I was magically given \$5 million dollars I got rid of that hot potato really, really, really quickly. I did not like the implications. Um, but I do respect everyone's, uh, or at least three members of the vote. So, just really quickly, uh, my motion, uh, my motion would, uh, ask the parameters to be brought back to the Board for January 12th, our next meeting, and then give 30 days, and I will be willing to go up to 60 days, uh, to disperse that money. Then we have it out of our hands. Everything's done in the public and each of the parameters are not up to staff, they are up to us. And I am telling you right now, Commissioner Smith, I will vote for whatever parameters you put on that small business. The same Commissioner Lober, I don't care if there is geographic parameters, as long as they're legal, I will vote for...you will have my support for the parameters. There just has, for staff's sake, there just has to be a deadline on these, on these funds. So, and if you go through my motion, uh my motion contemplates that and asks it to bring back to the Board January 12th and then all expenses to be reimbursed or incurred by February 15th of 2021. That's all it does, uh, I hope, you know, I can get your...I hope I can get your support on that. I'd even be willing

to go as far as, Commissioner Pritchett, Commissioner Lober has put down some individual expenses that don't require parameters to be set up, uh, that is Plexiglas and all that stuff, I would be willing to vote for all that stuff today, uh, and take the pressure off of staff when it comes for that. I just want it to be done in the sunshine, and I think my motion solves most of this stuff and certainly keeps us out of this potential litigation which will count...will costs countless dollars that we, we just don't have the ability to spend at this juncture. So I would, hopefully, ask for your guys' support on...on my motion.

Pritchett- Commissioner Lober?

Lober- Okay, Ms. Sadoff, I, I just want to make sure, because I think I have a motion here, but I want to get a better understanding of...

Pritchett- I've got you right after him.

Lober- ...where you're at, because frankly, we're gonna cut the request to have checks when you're in office, not when Mr. Ellis is in office. Are you satisfied, Ms. Sadoff, with respect to the level of this specificity when it says Other Feeding, Housing, or Employment Non-Profit, do you expect that to come back to the Board?

Sadoff- Is it going in today's motion and then staff...

Lober- It's included in today's motion...

Sadoff- Then staff will, your staff, not Clerk Staff, County Staff will then have your criteria, because I, I don't know what that is and whatever the allocation will be, and then they would, they would tell us what needs to go and what checks to cut? Is that?

Lober- Well they're, they're gonna have to work with us to figure out the criteria, that's the thing. That's why I put this in there to obviate having to come back yet again, otherwise, there's no reason to put it in there at all.

Ellis- Who is us?

Sadoff- I think what we thought was when, when the word us was, I think we thought it was, it was the Board. It was, you would bring it back onto, and maybe I'm wrong, and that's how I understood it, because then County staff would talk to our staff and then we will know what we're supposed to be cutting and nobody...

Lober- Right.

Sadoff- ...just decided like, and I don't think that is happening, but John Doe receives a dollar, Jane Doe receives three dollars, and Clerk's Office cut those checks. That is how I understood it.

Lober- So, um, I guess I'm still, I'm not understanding, and I apologize, I just, I need to get some clarity on this, because it is going to change what the motion is very substantially. Where I have there in the last, the last column of the last, uh excuse me row, of the spreadsheet prior to the totaling, Other Feeding, Housing, and Employment Non-Profit, if this is approved today with that being authorized up to \$395,000 and Mr. Abbate or Ms. Hayes reaches out to County Finance and says we need \$40,000 to this food pantry and \$80,000 to this food bank, are you gonna cut it or is that going to be an issue?

Ellis- Staff will vet the applications.

Lober- I'm asking, because Ms. Sadoff, frankly, you're the one cutting the checks.

Ellis- She is not the Clerk, yet.

Lober- She will be when the request comes through, Scott.

Ellis- Well, we're not there yet. And that has been a part of the problem here for two months, alright. I've told you how this can be done. I've said multiple times. You, yourself, if you want to pick specific businesses, yourself, you must vote as a Board on those specific businesses.

Lober- That is your opinion.

Ellis- If you wish, well you know, I'm an engineer not a lawyer, so I don't have five opinions on one plus one equals two. If you wish to identify specific businesses, the Board must vote. If you go with the same type of parameter, here's \$400,000 it's to go to Housing, Food, whatever, it then \$400,000 goes into a pot and the staff takes the applications for that and they vet those applications just like you've done. Long ago you voted on the \$10,000 per business cap, and once you voted on that, staff ran with those applications. That's the way it should work.

Lober- So when I say Other County Facility Plexi and Acrylic barriers, you need to know which the Facilities are and have them come back? I, I just don't understand where the arbitrary line is being drawn.

Sadoff- No

Ellis- What I understand because you wish to make things...

Sadoff- Wait, hold on...hold on

Ellis- ...as complex as possible.

Lober- Ms. Sadoff...

Sadoff- Hold on, hold on.

Lober- The question is for you since we are going to be submitting the request under your administration.

Sadoff- I think, I think, I think Shannon is trying to say something which might bring...

Wilson- So in other words, madam Chair may I? Um, so if we are dealing with Feeding, Housing, blah blah, and there is an up to amount set of roughly \$400,000, the Board approved roughly \$400,000, you still want a formula for staff to apply that \$400,000?

Sadoff- No. You decide that...

Ellis- You decide that. You have the parameter...

Sadoff- No, you decide that...

Ellis- But individual Commissioners can't pick individual businesses without a Board to cover for those individual businesses and as for Facilities...

Lober- Perfect.

Ellis- You can use CARES money for Facilities all you want.

Sadoff – Correct.

Ellis- CARES has been extended for a whole another year...

Lober- So as long as we're not giving money to individual businesses...

Ellis- You can use CARES money for Facilities.

Lober- You are okay with it? Is that what I am understanding? Because that is where I thought we were at first.

Pritchett- The business is what is giving you the hitch right now, right?

Ellis- Yes, because otherwise, Commissioner...

Pritchett- Okay.

Ellis- ...like you go up in District 1, and God knows how many hundreds of businesses there are, and you pick your favorite 16.

Sadoff- Right. And I didn't think that is what you are doing. You were...

Lober- No.

Sadoff- ...you, or whoever, would apply. That's, that is the conversation...

Lober- Right. That's what I thought.

Sadoff- And I think that's what Clerk El...

Bentley- Excuse me, madam Chair. Those parameters that Ms. Sadoff is describing and Mr. Ellis are describing, they're not in some of these programs that are listed here. There are...there are overall amounts, but there is not a procedure set out for staff to administer that.

Lober- Are you okay with that, Ms. Sadoff? Because I, I thought this was sufficiently specific, but also broad enough that we have some flexibility in being able to implement it without having to come back yet again, which was a goal of avoiding having to come back continually.

Ellis- But you've given money to food banks all year, correct? Yes? You've given money to food banks all year? Correct? You don't come back each time you do that and vote, because you have a specific amount of money you've decided to give...

Sadoff- Correct.

Ellis- ...to food banks.

Sadoff- And that's what you, and my understanding is that's what you were going to do is you were gonna allocate...

Lober- Right.

Sadoff- ...a certain amount up to. And that is what you were going to have voted on. And that was the end of it.

Ellis- Because the food banks are not going to end on January 1st...

Abbate- Ian came back and told him who's going to get how much...

Ellis- ...because as we see Corona's not going away. So you are going to keep allocating money for food banks, January, February, March, God knows when this is going to end. And so, you've already got all the criteria that you are handing it out on.

Lober- So you don't then mind if we have staff...

Ellis- You are already doing that.

Lober- If you have staff making the call here, technically, you can view it that way, since we are the ones putting forth the items, Commissioner Smith and I that are coming up, do you have any issue with us speaking with staff and telling them what our priorities are, is that an issue? Within the confines of what the motion lays out? I am trying to work with you, but I just don't understand the...

Sadoff- I would think that is what you are doing, I mean how would staff know. You are making the perimeter, so if you are making the perimeter, that's my understanding, if you are making the perimeter and it, it's not reaching the top of your perimeter, they are going to have to tell you that, correct?

Lober- I think so. Ms. Sadoff, I just want to make sure, because my, my motion, I think it sounded like was maybe different than Commissioner Smith's motion, and I'm happy to work with him to figure out a way to approve it...

Pritchett- Commissioner Lober, let me take just a break just a minute, because I need to digest some of this...

Lober- Sure.

Pritchett- ...but I want to let Commissioner Zonka talk for a minute, um, but while she is will you consider this one? Because I think...

Lober- I've looked at it, but I think there is some problems with it.

Pritchett- Well, I think it will take care of them and both you guys, but yes ma'am, jump in.

Zonka- I think where, where, where it is getting gray is the clarity on the parameters. I think...I think Commissioner Lober wants to be able to create whatever program he wants, as long as the County staff administers it. Now...

Ellis- (illegible)

Zonka- ...but of course, but if he creates a program that says every business that starts with B gets \$10,000, do you think that should come back to the Board? Because he doesn't want to have to bring back his parameters to the Board...

Ellis- You are going to vote on it...

Zonka- I think that is the confusion.

Ellis- If you have new parameters, you are going to vote on those new parameters.

Zonka- So if they're are new parameters they need to be voted on... if they're modified from what the County has existing in place? I think that, that's...

Ellis- (crosstalk) And small business money is a new parameter, and Big Business is a new parameter, but you've been giving money to food banks all year.

Sadoff- (Crosstalk) And you wouldn't have to...

Ellis- (Crosstalk) there is some pattern to doing that...

Zonka- (Crosstalk) Again, again, I think we are going in eight different directions. I think what you are saying is if there is not a program in place that the County doesn't already have or is already administering, you want them to bring or you want Commissioner Lober to bring back his parameters or his program...

Ellis- If it's different.

Zonka- ...if it is different from what the County already has in place.

Ellis- Now if it is specific that's fine, because you will vote as a Board on something...

Zonka- See, and that's I think where its...

Ellis- (crosstalk) Look, like the specific he listed...

Zonka- (crosstalk)...you and Commissioner Lober disagree. And this is why we shouldn't be doing this. You get this, right? This is why we shouldn't be creating 18

Ellis- (crosstalk) Look...

Zonka- ...new programs...

Ellis- (crosstalk) look, alright, okay, you know what...

Zonka- ...and handpicking people to get money...

Ellis- I, I understand the whole thing, but you know what...

Lober- (inaudible)

Ellis- ...that ship sailed months ago.

Zonka- No, I get it. I get it.

Ellis- And what can we do?

Rachel- Right.

Zonka- I don't think a Commissioner...

Ellis- This is the hand we're dealt.

Zonka- ...I don't believe that a Commissioner should just spend money however they feel like it just because they have a slush fund. I don't, I don't agree with that...

Lober- (crosstalk) So you think it is a slush fund?

Zonka- ...I don't.

Ellis- I got it, but if you all vote on it, then it is legal.

Sadoff- Right.

Zonka- Obviously, but I, obviously for very clear reasons, not just what's occurring today, but what's occurred over the last several weeks, this is exactly the reason why.

Ellis- I understand.

Zonka- You know, I don't think the, I don't think this is what the intent was for these funds, and I think, I think we're going down a battle. And it's funny Commissioner Tobia put this on the agenda and, uh, Eden Bentley will verify I was having her work on just pretty much the same thing that you were, but she couldn't tell me, because she couldn't tell me what you were doing with that, with the County Attorney's Office. But it, but it was funny, because I had almost the exact same thing that I asked her for, Commission Tobia put on our Agenda. So I'm, I'm obviously where he is, because I think this is just...this is a train wreck. We have on here Independent Pharmacy Vaccine Freezers, for example, right? We don't have a program in place to vet that. We know as a fact that CVS, Walgreens, and hospitals are the only authorized facilities to either administer or to get those vaccines out, so I don't know what that means and I don't, I don't want..

Lober- (illegible)

Zonka- Can I speak, please? I don't want the County to try to decide if somebody qualifies, because I can't imagine what a nightmare that would be like for County staff. Just the Small Business Program alone, which they didn't complain about, I asked what the staff was, it was 50 employees in six months is what it was, is what it costs the County. And I don't want to see that getting ate up in administrative costs as well. I mean, so I am going to ask, and I'm going to put Frank on the spot, and I don't like to do this, look at him roll his eyes, I mean is this, is this your ideal way of handling the CARES money? I mean I can't imagine. Don't answer that.

Pritchett- He can't answer that, yeah.

Zonka- Obviously, I wouldn't ask you to answer that. But I am saying would it be, would it be clearer for staff if we had specific things brought back to the Board and instructions were clearer so you know exactly how to administer the funds?

Abbate- Commissioner, we try to bring parameters for anything we're doing. Staff would bring it back to the Board, just like Ian has done on the issues that came up on the food bank, etcetera. We came back to the Board on each one of those items...

Zonka- But as this motion...

Abbate- ...to get the Board approval.

Zonka- ...sits, though, that wouldn't happen. This motion sort of bypasses that.

Abbate- That's why I want to make sure I was consistent with what Commissioner Lober was asking for, because under his motion you would not do that....

Lober- Right.

Abbate- ...we would just go to him for that.

Zonka- See, and I'm not...That's, I wouldn't support that.

Ellis- Well you know, you do have a solution to cut the Gordian Knot. CARES Act has been extended a year. You can sweep all this money back up into the CARES fund and then it's moot.

Zonka- I think that's what Commissioner Tobia was looking to do and sort of where I was headed with Ms. Bentley...

Pritchett- Um, Eden...

Zonka- And I'm okay with Commissioner Smith's stuff because it is very clear, you know. But obviously, I can't vote on one of them, so...

Pritchett- I am going to give you the floor, sir.

Golden- Thank you, Commissioner. Uh, Frank touched on it. I do just want to clarify, we actually have never given money directly to a food bank. The programs that we brought back to the Board were a contract for us to buy food directly and have it provided to food banks for distribution. So there's actually a contract that was approved by the Board for that. You also approved a contract directly for Children's Hunger Project for the weekend meals. And then when we brought the idea for the Farmer's Market to you, you approved that process. With the...

Ellis- That's the chips?

Golden- Yes.

Ellis- That's the \$50 chips?

Golden- Yes,

Ellis- Okay.

Golden- And so, and then with the rent/mortgage/security/utility deposit program we actually brought a policy to you for your approval. So like Frank said, all that you've done we've actually brought back to you for approval.

Ellis- But those policies are currently in place?

Golden- Correct.

Ellis- And this is not going away tomorrow?

Golden- Those policies?

Ellis- No. This problem. Corona is not going away tomorrow.

Golden- Correct. I think that is why you saw that it was extended for a year as you said...

Ellis- Yes.

Golden- I believe as you said the President already signed the bill...

Ellis- Yes, and that means all your programs can be extended further, up to a year.

Golden- They can if the dollars are there.

Ellis- Thank you.

Golden- We have actually expended...

Ellis- That's right.

Golden- ...all the dollars underneath those programs, but that new stimulus that's been approved does include another \$25 billion for Rental Assistance Program...

Ellis- Right.

Golden- So there are additional dollars that are coming back down for those types of programs.

Ellis- Right, but this \$400,000 going to your office would then be distributed per your current programs.

Golden- If that is what the Board and that's what our direction was.

Ellis- That's right.

Golden- Thank you.

Pritchett- I want to, um, Commissioner Lober I'm gonna let you speak. Let me throw this out to you. While we're doing this we're trying to get the \$5 million into an area you want to spend it. I support what you've picked out. I just think for us to, because we need three votes...

Lober- Uh hum.

Pritchett- ...that, that we approve your list, approve Commissioner Smith's list, and I don't think it'll take that much effort to take a few of these...you figure out what parameters you're gonna want to do, because you have to be consistent...

Lober- Sure.

Pritchett- ...in government, whenever we give money out. Just come back with that, because my motion says we are approving your list and approving his list. This will make, um, the Clerk's Office very comfortable. And then we'll just, I, I give you my word, I'll, I'll approve your parameters when you come back with it because I think that's going to help as far as Sunshine, for people as well. And you've already got those. You're a smart guy, and you've already got your parameters done. So I think you just have to do a little more work by January 12th, come back with your parameters, and we'll just put it through, and you guys will know how to distribute the funds. Did y'all see that?

Lober- I'd, I'd like to make a motion.

Pritchett- Pardon?

Lober- I'd like to make a motion, if that's alright?

Pritchett- Yes.

Lober- So the first part of the motion, seeing as how um, the Clerk's Office has retained Carter Andersen and Busch Ross in Tampa for \$320 an hour to put together their 13 page legal opinion on delegation, I would like to have staff authorized to retain counsel up to \$200 an hour, not \$320 an hour, out of Tampa, to put together an opinion on the legality of the delegation. I would like to set a cap of that, on that of \$10,000 without having to come back to the Board. Um staff can determine which attorney it is that they are comfortable using. I've already spoken with staff about it, both Mr. Abbate and Ms. Bentley. Um, that's my motion at the moment.

Pritchett- I have a motion on the table. Do I have a second? Commissioner Lober if you want to come back to that, maybe, in a few minutes. I think if we can stay on track with this...

Lober- Sure.

Pritchett- ...first, so that, I'd really love for you guys to, you've already turned in your list, just get it approved so you can do what you feel like you need to do in your District cause you know...

Lober- I don't know what that is, though. I don't know what they are going to cut checks on.

Pritchett- Well, this is yours, all you gotta do is those ones that don't have parameters, January 12, come back with your parameters. Say I'm gonna do Small Business, I'm gonna do, um, \$20,000, 75%, blah, blah, blah like Commissioner Smith is.

Lober- But they...

Pritchett- So, if you would just figure that. You're so smart...

Lober- But I don't know which ones they don't think are sufficiently specific.

Pritchett- Well you'll just...

Lober- That's what I don't understand.

Pritchett- ...if you could, by the next one, you, you just get it done. I'll give you my word, I will, I will approve it, and I, I think this will make everybody comfortable. And then we'll feel like...here, here's the thing, let's say we do go to court, and we win or lose, it just still costs so much staff time and then it costs so much money. I would, if this is just this easy to do, knowing you already got the votes.

Lober- I understand that.

Pritchett- Okay.

Lober- But there is a different problem. The problem is, this issue of delegation is gonna be an indefinite issue. And right now it's just their \$320 an hour, 13, 13-page opinion that they've got out of Tampa.

Pritchett- Right, but we can do this right now and just be done with it, and you can have exactly your own result.

Lober- If they can say which particular items are not sufficiently specific, I may be able to do that...

Pritchett- Okay.

Lober- ...but I don't have any clear direction from them.

Ellis- How many attorneys do you have on staff?

Lober- Plenty.

Ellis- Okay, we got one. We got one. We don't have plenty. This delegation issue has not come up in the last 30 years. Thirty years...

Lober- So which items are yours...

Ellis- ...and they'll come up again for thirty more years...

Lober- Scott, which items are you concerned that aren't sufficiently specific?

Pritchett- I think the small business.

Lober- And what else? I just don't want to approve something and find out that well, gee, we've changed our minds, it's not enough.

Ellis- You're changing the parameters for small business.

Pritchett- Yes, sir.

Ellis- So we need Curt's new, what he wants changed for the staff. Brian's, what he wants changed.

Pritchett- Okay.

Ellis- That's easy.

Pritchett- Okay.

Ellis- Ian's got all the pro...all the food and all that. That program's already there. So you shove \$400,000 more in there, you keep it going for three more months or whatever it is.

Lober- So is the only one on my list that you have a problem with, that you're saying you may or may not cut checks, is the Small Business Program?

Ellis- It just needs a parameter and staff needs to vet it.

Lober- So is that a yes?

Ellis- I'll be very specific. It needs a parameter...

Lober- Okay, well...

Ellis- The staff needs to vet it. District 2 does not need to vet those businesses.

Lober- Is that the only item, though? Or are there other items on the list that are not specific enough for you?

Ellis- Well you know, I really like to argue, but...

Sadoff- Okay, well let's not argue...

Lober- I'm just asking a question, either they're okay or they're not?

Ellis- Everything here is listed.

Sadoff- Right.

Ellis- Staff will figure out what they are going to do for the firefighter tuition.

Lober- So that's a yes?

Ellis- You can't...

Lober- That's the only item you have a concern about?

Ellis- ...cause you haven't seen that yet. So you're gonna..so staff will need to figure out how you're gonna do the firefighter tuition reimbursement.

Lober- So you're not...

Ellis- You have to figure it out

Lober-...your're not gonna cut the checks on that?

Ellis- ...because somebody's got to know how much your limit is going to be.

Tobia- Madam Chair, we're going around in circles and on top of that if. If staff vets it, there's no..no.. staff is going to bring it back. I mean let's be honest. On a program above \$100,000, they're going to bring it back. They're going to bring it back to the Board, as they have with every other project.

Ellis- But that is fine.

Tobia- I'm just, just clear it's going to come back here. I don't want any pressure from a particular Commissioner on staff that it doesn't have to come, so we'd have to set, we have to set some, some parameters. We do, we, we have no tuition reimbursement um..l..uh..when it comes to uh..a leadership training uh..for Fire Rescue. We don't uh..Scott, Mr. Ellis, we have nothing for vaccine incentives. We don't have a pre-existing one, we'd have to come back to do that. Um..uh..you know lots of these have, would need new parameters. And I'm not opposed to voting for...I, I, I pretty much unilaterally said if you bring us parameters, that's what my motion...

Pritchett- There's three votes.

Tobia- Yeah, the, the only problem I have um..madam Chair, yours doesn't...your's sends a date to bring that stuff back, it doesn't set a date for, from my perspective, that it needs to be incurred. Also, and I. This is probably just an oversight, mine took care of it, but this one doesn't. Um..this one, the Commission office retains the rights and thus can change the uh..allocations, you know, at a later date. I'd like, I'd like to see 'em locked in at a, at a certain point so we don't have to go through this exercise over and over and over again. My motion says bring it back by the twelfth, we'll vote, and then spend it within 30 days. And I don't care, I'm willing to do 60 days if it takes. If it takes longer, but we need to get through this at some sort of point.

Pritchett- Okay, yes, I don't mind putting a limit on it as well...

Tobia- Okay.

Pritchett- I think the 30 days is very short, 'cause...

Tobia- You want to say 60?

Pritchett- Um... Maybe even 90.

Tobia- I'm. I would buy 90.

Pritchett- Okay.

Tobia- You have it.

Pritchett- Um, Commissioner Smith, you're next, and Commissioner Lober you are up next. Then Commissioner Zonka.

Smith- I just. I think we've all said what we want to say.

Ellis- Thank you.

Smith- We're all bouncing around the same issue. Commissioner Lober, J5 is your...

Lober- Yes, sir.

Smith- Have you made a motion to go ahead and accept that?

Lober- I'll go ahead and move to approve J.5., but I just want to make sure before we do that, that if you need specificity, Mr. Ellis that we give it to you, and it's not that you change your mind in the parking lot and that it's no longer sufficient. That's why I'm inviting you to tell me whichever program you don't think is sufficient enough, say it now, and I'll give them the specificity now.

Pritchett- Do you want a five minute break, sir?

Ellis- No, I had an employee lunch that started at 12:00.

Pritchett- Okay.

Ellis- So, I've already said bring the parameters back...

Lober- For which program?

Ellis- ...staff makes the decision.

Pritchett- Small business, sir?

Lober- Small businesses. Okay, so that you can take every...

Ellis- You know what, I'm gonna tell you something...

Sadoff- Commissioner Lober...

Ellis- I'm used to dealing with engineers and we do the math and we get an answer, alright? I'm not used to dealing with a bunch of damn lawyers that want to sit here and just argue, and you keep asking the same question...

Lober- Because you're not answering it.

Ellis-...over and over and over and over again...

Pritchett- Okay...

Ellis- I have said...

Pritchett- I'm gonna

Ellis-...multiple times

Pritchett- I'm gonna take a...

Ellis- ...the Board sets the parameter. Curt has a parameter what he wants to spend. You have a parameter. You bring it back to the Board. The Board votes yes. That money goes into that pot with those parameters.

Lober- Scott, the only one that's determining the sufficiency in parameters for purpose of cutting the check is your office...

Pritchett- Okay, I'm gonna...

Lober- ...The Board is satisfied with the parameters...

Pritchett- I'm gonna time-out and give Mr. Smith an opportunity.

Ellis- I told you...

Pritchett- Or I'm gonna take a little break here.

Smith- I just, I just want to move this forward. If you make a motion, we get a second or we don't.

Lober- But I...I don't know that there is a point in doing it if they're not gonna cut the checks, that's the problem.

Pritchett- Well, I think, Commissioner Lober, if we go ahead and do this one, and then if we just make Commissioner Tobia happy and add a timeline on it.

Lober- I'm not going to support anything at this point, but I think we can get to a point if either Ms. Sadoff or Mr. Ellis...

Sadoff- Commissioners...

Lober- ...will tell us what ones they are concerned about.

Pritchett- well, I think if we don't get something...

Sadoff- ...May I say something?

Ellis- I told you multiple times...

Sadoff- Hold on. Hold on..

Ellis- ...you don't like the answer.

Pritchett- I...I'm gonna...

Ellis- It's like a small child...

Pritchett- Five minute break.

Ellis- Sorry. I didn't hear.

Sadoff- Okay. Yeah hold on.

Pritchett- Five minute break. Thank you.

Recess

Pritchett- I think we have everyone back except our manager. Oh, he's right there.

Sadoff- So I am going to ask Tyler to (inadubile) since he has the iPad.

Pritchett- Will you come up to mic, ma'am. Thank you.

Lober- I think we have it figured out, madam Chair, God willing.

Sadoff- I, I think, I want, I had to come out to talk to Clerk Ellis, but um..This is Tyler Winik, and he has the iPad with him today. And I think they have worked out perimeters...

Ellis- ...parameters

Sadoff-...so I'm gonna ask him to...

Pritchett- I love my break.

Sadoff- I know.

Winik- So, madam Chair, if I may, the Items that I think are not a problem, um, Hummingbird Pantry, Children's Hunger Project, I'm on the D2 list, Ready for Life, the Public Defender, County Staff Reimbursement for Tangible Goods, Other County Facility Acrylic barriers, those are all good. I mean that's going to be the County reimbursing itself for whatever they have. I don't think those need specific parameters, the ones that we're asking for parameters on would be small business, and I think Commissioner Lober, in a second, will announce what the parameters are.

Lober- Yeah.

Winik- Do you want to go one by one?

Lober- Yeah, let's do it as we go through.

Pritchett- Well let's wait just a minute. Let me circle what he's saying an then you can do that. Okay, go ahead.

Lober- Okay.

Winik- Okay. Um, the small business assist grant cause those are going to be different parameters than what exist today.

Pritchett- Okay.

Winik- Fire Rescue incentives, vaccine incentive, indigent burial, and the vaccine has been discussed, I think Commissioner Lober is just going to go over...

Pritchett- Okay.

Winik- ...what that is, um indigent burial um, because it's a little bit different than our indigent cremation that we currently have, and the independent pharmacy vaccine freezers, those are the ones that we're just looking for a few parameters on.

Pritchett- Okay, you didn't mention other feeding, housing.

Winik – Other feeding, housing as well. I'm sorry, thank you, Chair.

Pritchett- Okay. Thank you, Sir. Okay, Commissioner Lober if you would go...

Lober- Okay.

Pritchett- ...ahead and describe your parameters on those items...

Lober- Okay, so...

Pritchett- ...that would be wonderful.

Lober- These are, I think these are sufficient, sufficiently specific enough to my understanding, so the small business grant, it would be limited to businesses in District 2, that have already achieved the \$10,000 reimbursement of qualifying expenses that have qualifying expenses exceeding \$10,000. Those businesses, we would take that delta of already vetted, since the work has already been done anyway, approved expenses or should I say qualifying expenses and we will divide them out by a number between the initial allocation and the maximum authorized, and we'll cut all of them checks, up to the lower of either their qualifying expenses exceeding \$10,000 to cover the difference, or up to the amount that, that the result of that equation provides.

Pritchett- Wonderful.

Lober- So that's that one. Fire Rescue, I think the concern was that, that the staff, if staff does it on their own that everything is good. I'm fine with staff making the decisions, organizationally between Mr. Abbate, Mr. Wallace, and Chief Schollmeyer. I'm fine with that. And then the vaccine incentive, the basic crux of it is until such time as we achieve, um, some progress, and I'll, I'll let staff define exactly what that is in terms of getting through some of the priority groups. If the Fire Fighters and First Responders that are covered by this, um, and I've discussed that at prior meetings, so it would be any, any Fire Rescue, First Responder, Countywide, that is in a City, with which we have an Auto-Aid Agreement, it would also include all of the volunteer Fire Fighting Departments, there are four or five of them, including Cape Canaveral, Merritt Island. Um, any of those folks, as well as all of the BCFR First Responders, so Ocean Rescue included, um, EMT Paramedic, regular Fire Fighter, however you have it, if they receive one dose of a two dose series of the Covid vaccine as we have out now, they get \$75 per dose, irrespective of insurance coverage, and when they get the second dose, they get another \$75. If

we come to a point in the future where we still have not made progress through those priority groups and I leave that to staff to determine when we cut it off, they would get \$100 for a single administration of the vaccine, period. If they've gotten the two dose series and they want to get the one dose as well from a different manufacturer, that's it, you either go one way or you go the other, you don't get to mix and match, so it is a max of \$150 or \$100 depending on which way they go. The indigent burial, is Ian sitting over their behind Scott?

Golden- Yes, I am.

Lober- Okay, so did we say \$5,500, was that the number or \$58- something?

Golden- It was \$5,500...

Lober- Okay, \$5,500.

Golden- ...to, I believe \$8,250 for Veterans.

Lober- Then it is 50 percent delta for the vets, so in any event \$5,500 for individuals, where Covid is listed anywhere, or Coronavirus is listed anywhere on the death certificate, Countywide, um, as a you know, a contributing cause, a primary cause, secondary cause, whatever, if the word is on there, it counts. So \$5,500 per burial, nothing with cremations, and then if it's a veteran, they get to qualify for an additional 50 percent and they use that until the program runs out of funding. Um, let's see here, did I address vaccine freezers? Not yet? Okay, so vaccine freezers, Maria Stahl with FDOH, I met with her on Friday. She said that her office maintains a list of all those independent pharmacies that apply through Florida Shots to provide the vaccine. No, they're not going to have the Pfizer vaccine, it looks like any time soon, but they do plan on having the Moderna and some of the subsequent ones. So a lot of them have already applied, and the course of applying, they have to indicate they already have or they are willing to purchase, or have purchased a vaccine freezer. I'm not looking to cover the cost of a ultra-cold freezer, um, you know those are probably in the ballpark of \$7,000 or thereabouts, maybe \$8,000, but the regular vaccine freezers are much less, they're in the ballpark of maybe \$1,800, so for any independent pharmacies, so we're talking about a mom and pop-owned type pharmacy, not a CVS, or Walgreens, or a Publix, or a Sams Club, or a Target, or, you know, anything of that sort. Um, Maria Stahl has a list of those independent pharmacies, um, that are local here. We'll use that list, I'll forward it by email to staff. Again, if she has a change to the list, I'm happy to include those folks as well. I don't think it's more than maybe two dozen, certainly no more than 30 Countywide. They would be eligible if they wanted to do it as a reimbursement, they could spend up to \$2,000 on the freezer and we would reimburse all of it, if they spend more, they're responsible for the overage. If they spend less they simply get the reimbursement to match what they have actually spent. Um, if they do for whatever reason, want to get an ultra-deep freezer ultra-cold freezer that's \$7,000 or \$8,000, that's fine but we're still not covering more than \$2,000. That would be again, Countywide. Um, let's see here, other feeding, housing, and employment nonprofit, I think, I think Tyler and I were on a, on this, uh, basic page that they would be limited to \$50,000 a piece without further approval from the Board, so it'd have to be a 501(c), I suppose a 501(c)(3) that uh, does that, unless there's, uh, would a religious entity be something other than a 501(c)(3)? I just don't want to exclude them if they're doing the same work. So essentially, a nonprofit or a not-for-profit that does work, feeding, housing, or employment, I'm not going to throw the 501(c) in there as a hard and fast requirement, um, limited to \$50,000 a piece. Is

3:38

that, is that basically where we're at Tyler? I just want to make sure I'm not leaving something out or adding something that shouldn't be there.

Winik- I think that gives us the parameters that we need.

Lober- Okay. Alright, so I, I'm happy to do that, and if we want to also combine with the motion to pass this with the Items that were just verbally explained, noted as well, is \$1.5 to authorize Commissioner Smith to spend \$1.5 million in Health First, half-million on the zoo, half-million on USSSA, with the understanding, I'm going to support whatever he wants to do on the \$2.5 coming back for small business.

Pritchett- So I think we just did my motion.

Lober- It covers a lot of it.

Pritchett- Yeah. Okay so...

Lober- It does cover a lot of it.

Pritchett- We're gonna have to figure out how to creatively do this.

Winik- Madam Chair.

Pritchett- Right.

Winik- You may all want to separate

Pritchett- We...

Winik- ... the Health First.

Pritchett- We are going to do that...

Lober- Okay.

Pritchett- ...but, I'm going to let Commissioner Zonka speak first...

Winik- Perfect.

Pritchett- ...then I would like to do two motions so Commissioner Zonka can vote on one and then...

Lober- Okay.

Pritchett- Yes Ma'am.

Zonka- It's initially, I appreciate that Tyler, that's exactly what I was going to say about the Health First issue. I would like to separate these out, because I support some of these things. I mean I don't know if Commissioner Lober would be amicable to that...

Lober- Yes.

Zonka- I'm a little, I'm a little not comfortable with um, you supporting small businesses in District 2 only, you know, seeing as this is Countywide Covid funding, and I don't, I don't agree that you should just concentrate on your own District. I think our Districts are all suffering. So I, uh, won't be voting for

that if that stays, that parameter stays in there. So I don't know if you're comfortable separating some of these out...

Lober- I'll break out Health First, but if you are going to vote against it. I mean I'm happy to either separate it or leave Health First in, but the bottom line is...

Zonka- Well you, you're very well aware that I can't vote on anything Health First and Commissioner Tobia is going to abstain?

Lober- No, I understand...

Zonka- Maybe you're counting votes, but I'm saying as far as your list of items. Your list of, your Christmas list here of people who are getting money...

Lober- So who, who shouldn't get it, do you think? Which...

Zonka- I'm not saying...

Lober- ...group should I cut out?

Zonka- ...that they shouldn't get it.

Lober- Who, who's the slush fund?

Zonka- I don't know that I want staff administering 12 new programs. I, did we even, do you guys have the employees that can commit this kind of time, and do we have the staff and budgeting to manage? Because I imagine there's a lot of legal-ease and applications and everything involved with all of these things. I mean what. What does that look like for staff?

Abbate- Well, well, Commissioner, you know you're not going to hear me say that we won't do it...

Zonka- Of course

Abbate- We're going to do whatever the Board tells us, you know. And so, will it take staff time? Yes. How much? You know, that depends, uh, I'll need one clarification, but I'll wait for the Board to get done with the discussion. I just want to understand something on the Small Business Program.

Lober- Please.

Abbate- I.e. is it..is the District 2 program, whatever the Board approves, will that be occurring after we've already implemented the District 4 program or is it going to be contemporaneous with, you know what I'm saying, because obviously the way I heard you say it, the \$10,000, he's going to have a program that's going to be on a percentage basis, and then do we do District 2 after that? Or is it being done at the same time? You know what I'm saying?

Lober- Commissioner Smith...

Abbate- That would become very confusing for us.

Zonka- And also, too, and I was going to make mention that I didn't hear Commissioner Smith, you're gonna do it Countywide, your business program?

Smith- (inaudible)

Zonka- Okay. See I would like, I would at least ask the Board that we separate, that we separate out. I don't want to, again, this is why the \$5 million per Commission office was never a good idea, but I don't want to be voting in blocks of things. I'm not comfortable with that, cause Commissioner Smith's is very clear. I mean he's got three or four agencies that obviously again you'd have to carve out Health First, but I'm happy to support what I can of what you have, because it's very clear on what you want to do.

Pritchett- Let's do this.

Zonka- And I know you're gonna be bringing it back.

Pritchett- Let's go ahead. I think we're coming to a place right now, let's go ahead and vote to approve Commissioner Smith's items. We'll run through them one at a time, right now.

Zonka- Okay.

Pritchett- So as far as, we'll do this, then we're gonna make an overall motion, Bry, uh, Commissioner.

Lober- I'd rather do them contemporaneous that way there's no surprise for anyone.

Pritchett- Contemporaneous.

Lober- At the same time.

Pritchett- Thank you. Um, let's, but that, she can't vote, but on one of those items of his.

Zonka- I don't think he cares, Chair Woman. I don't...

Pritchett- I'm just, I'm just going to do this real quick and then, oh I see what you're saying.

Zonka- He's counting votes, he doesn't care if...I mean he's probably glad that I can't vote on it, so.

Lober- I don't have an opinion one way of the other.

Zonka- But its fine, its fine if he makes the motion it doesn't mean we have to vote for it.

Pritchett- (inaudible) don't want to lose the ability for something that might not get the votes though.

Tobia- Madam Chair.

Zonka- Right.

Pritchett- So.

Tobia- I'm more than welcomed, I think your motion is a good idea to vote on Commissioner Smith's items individually. That, then Commissioner Smith's issues are taken off the table.

Pritchett- Well except from the history of this, I know some people will have first, problems with Health First, and they should get the funding, and I don't want to do that to Health First. So, I'm going to vote...

Zonka- But you would, you, your vote...

Tobia- I, I'm ...

Zonka- ...would still pass, Madam Chair.

Tobia- I'm counting 2:1 right now to Health First gets it.

Zonka- It'd be 2:1 if we don't vote.

Smith- Right.

Zonka- And you two vote for it...

Tobia- Assuming you vote for it, and Commissioner Smith...

Zonka- ...and we don't.

Tobia- ...votes for it, Health First gets their \$1.5 million.

Ellis- (inaudible) nothing personal, But I think the (inaudible)

Pritchett- you do, yeah, you only have to have three votes.

Lober- Madam Chair...

Pritchett- Yes, sir.

Zonka- Ms. Bentley...

Lober- I can make this real easy.

Zonka- MS. Bentley...

Pritchett- Yes, sir.

Lober- If we vote on mine and we push mine through, I'm telling you as an attorney, as a Commissioner, as someone who lives here, I'm gonna support Health First if mine gets pushed through. I'm just telling you that.

Pritchett- Okay.

Lober- So, if you support mine and mine passes...

Zonka- (inaudible)

Lober- I'm telling you...

Pritchett- Let's, let's, let's ...

Lober- ...as an absolute fact I'll pass yours.

Pritchett- ...start on yours then, sir. So let's go ahead and vote to approve your Item. And if you just want to just read through them individually and get the votes we'll just do them. So...

Tobia- Madam Chair...

Pritchett- Yeah.

Tobia- ...may I, may I, just to be clear on the motion and the parameters that were set up, I just want to be clear that those parameters, a.) are not going to change from the motion and, and b.) neither will the

programs. There will be no switch uh, from the programs, there will be no added programs, subtract, I wouldn't have a problem with, but no added programs.

Lober- No, but...

Pritchett- We would bring them back...

Lober- No, the only, the only potential question, because there is some ambiguity, within an eight percent range, I believe, based on how much it cost staff time, uh, or staff, expense-wise, to administer some of these, exactly what's going to be left in the pot, that's why there's an initial allocation and a maximum authorized. The initial allocation is basically, often times, just what's expected, the maximum authorized is the absolute max that would be approved without having to come back to the Board. So...

Tobia- Okay, so, so that, I guess that solves number one, there'll be no additions.

Lober- Right, I mean if nothing is going to go past the maximum authorized.

Tobia- But there will be no addition...

Lober- No new programs, correct.

Tobia- Okay, that's number one, number two as Commissioner Zonka brought up, this is an incredible amount of staff time. If this is the way that Commissioner Lober sees, we have to get a ballpark and build in a percentage that goes to administration. This is, uh, time that the, that the staff would be doing other things. I have no idea whether that's 10 percent of the allotted funds, but that needs to be...

Lober- It's already contemplated.

Tobia- What percent?

Lober- Well I'll tell you, so, some of them are at eight percent, is, is a safe bet, but like the indigency burial, the administration costs are coming out of the \$160,000.

Tobia- Is that your eight percent or is that what we got as, from, from staff?

Lober- From staff, he was, Ian, for instance when we talked about Hummingbird Children's Hunger Project and Ready for Life thought there would be less than that, but that was a safe amount that we set aside that's why actually, I changed the spread sheet because I neglected to include that in the first draft as to those three programs.

Tobia- So to be clear, uh and I don't know who would be administering the Small Business, but eight percent is...

Lober- It may not be that high, and I say that with small business because...

Tobia- This is staff doing it, right? You're office isn't doing this.

Lober- No, no, they're not, they're not doing anything...

Tobia- Staff is doing this.

Lober- I think there's a disconnect, they're not vetting anyone. These are the folks that have already been vetted where they're already in the spreadsheet, they're already in the program, all they're doing is sorting it programmatically, so they're not looking at individual applications on this like they did in the beginning.

Zonka- Frank is saying no.

Lober- No?

Abbate- No, staff has vetted, so, just so everyone understands, we received applications. They then vetted it up to the \$10,000. We have to go back and relook at everything that they may have submitted above \$10,000 to determine what was qualified.

Tobia- (inaudible).

Abbate- So it won't be as hard as a process but it's different.

Lober- Oh, I didn't understand that.

Abbate- Yeah.

Lober- Because I, I had asked ...

Abbate- And we will do it.

Tobia- Yeah, I, I know you'll do it and, but I'm just concerned about is 10 percent, is 10 percent a, I have uh, is eight or 10 percent, uh, I don't know what ...

Abbate- Yeah.

Tobia- ...the answer is.

Abbate- Yeah. Yes. Commissioners, I think, just to give you an idea when we talked to, remember, the Chamber of Commerce, they were willing to do it for \$400,000 but they weren't willing to do it, well staff did it over that six month period and I think the cost was less than \$200,000, so I am confident in that eight or 10 percent, staff will get it done.

Tobia- Okay. That's fair.

Lober- Whatever the cost is just take it out of the, out of the program and that's really the bottom line.

Tobia- And Madam Chair, a third and final thing and, and, and you mentioned this and I agreed, I said 30 days and you bumped it to 90, 90 days. That would put it on or before April 15.

Pritchett- Commissioner Tobia, um, County Manager came up to me between, he said that could have a little potential problem especially if we're doing um, some types of reimbursements. So when we come back January 12, I, I would like to put in the motion we come back January 12 and discuss deadlines. Would that be alright with you because it might be 60 days, it might be 90 days, but if we could discuss that January 12 when we come back what deadlines we want to set as a Commission? Cause he brought up there could be some very strong ideas we need to bring into it. Sir.

Tobia- Ma, madam Chair, can, can we, I'm just concerned about staff, if he's on board with that...

Pritchett- He's the one who told me that.

Tobia- Yeah.

Abbate- Yeah, yeah, my, my one issue was with tuition reimbursement, that program would last significantly beyond 60 or 90 days and that was, and I just didn't want it (inaudible) by that.

Pritchett- Did you want it encumbered by then?

Tobia- Uh, incurred and, and, uh can we do all of 'em with exception of tuition reimbursement to be on or before April 15?

Pritchett- Uh, Commission what's your thoughts on that? I um actually, I, I was just thinking Commissioner Tobia, that it might be good to, to have these things allocated and then maybe make sure they are um, they're under contract or something by that time period. They might not be able to actually be able to distribute 'em but maybe there can already be the contract done that they're, that's why I said encumber, that they'd already be allocated in that area.

Lober- We're not talking about combining them in this motion though are we?

Pritchett- No, I really would rather come back January 12 when I have a little more to, he kind of threw me for a loop, when we have a little more time to think about will be a good um, time period. The goal is to get the money into the community as fast as we can, so I like the deadline, I don't want to hold this out either, I agree with you on that, but trying to figure out how we're going to word it, is what I'd like to come back with, if you're okay with that, sir.

Tobia- I, so, just to be clear madam Chair, are we working off the motion that Commissioner Lober, with all of the, with all of the parameters that he just set forth, or are we working off of your motion?

Pritchett- I like mine and he already set forth the parameters so he doesn't have to do anything for that. Um, I was going to bring up your, your concern with, with the time-period though, sir. I thought that was very appropriate, but maybe we could discuss it at the January 12 meeting. Let me tell you what, I'm ready to approve this if anybody wants to make that motion.

Lober- I, I was going to do it based on my motion. I don't mind incorporating after the fact, items out of your motion to the extent that they're different.

Pritchett- Well what's different with it, sir? Help me with it because you know, I...

Lober- Mine, mine, doing it your way doesn't allow me the flexibility of waiting to see how other things come back cost-wise and then reallocating up to the amount maximum authorized into the other programs without creating new programs.

Pritchett- Okay, let's make that number three. Now what was that?

Lober- well, I, for me to sit and go through, I'm going to miss something.

Pritchett- Yeah...

Lober- I mean that's...

Pritchett- You are a lawyer and this is just a whole lot simpler, so um, if, if we could just...

Lober- ...but the Clerk's Office has already reviewed the D2 motion, that's the other thing, and I don't know that they've ever seen this.

Pritchett- Okay, um, how do, okay, Bryan here's the thing, cause you've got yours in there, but we've left out his, and so, we've, we've got to get these somehow together so that...

Lober- What, what do you think is in this that is not in mine?

Pritchett- Um, I don't know that there isn't anything other than I have gone ahead in mine and put District 2 and District 4 with the list you guys have allocated.

Lober- So why, why don't we do this...

Pritchett- Okay.

Lober- ...and lets, lets...

Pritchett- I'm ready. If you want to start making a motion...

Lober- Yeah.

Pritchett- ...and we can carve it.

Lober- I'll move, and again, I'll just tell you, Commissioner Smith, if you pass this and it passes I will turn right around and approve your Health First, your Zoo, and your USSSA, and if you can't give us the specificity on the business grants today, that's fine, I'll approve it when it comes back as long as they tell me it's not unlawful, I'll vote for it, whatever it is. Um...

Pritchett- Okay.

Lober- Um, if you can do it today, I'll vote for it today, but I'm just you that point blank, but what I'd like to do is pass mine now, as it's written, as I explained, and then we can address the \$1.5 to Health First, and the others for D4 to the extent that he's ready.

Pritchett- I'm gonna vote yes on all your items, so how do you guys want to do it? Do you want to do it singly?

Lober- I, I, I move to, to approve all of mine together.

Pritchett- Okay.

Lober- As indicated on the spreadsheet and as further described verbally during this, during this meeting.

Smith- I would just, I would just like to say, um, I don't have any problem with that. I do take issue with you throwing out the implication that if I don't vote with you, then you're not going to vote for me with the Health First, is that correct?

Lober- That's 100 percent correct.

Pritchett- But in all fairness...

Smith- Okay, well let me...

Pritchett- But in all fairness, you guys did all that to me in the Workshop, so...

Smith- I just want to get this on the record...

Pritchett- So it's the way we roll.

Smith- ...that I, I appreciate your honesty, but I'm going to be just as honest. I already have two votes and that's all I need. So, just...

Lober- Okay.

Smith- ...whether I do or don't vote for you, what you just said has no effect on me.

Lober- Okay. That's fair.

Pritchett- Are making a second?

Smith- No.

Pritchett- You're not seconding that?

Smith- Do you want me to second it?

Pritchett- Well, we're gonna have to go through the list singly if we don't do it altogether.

Smith- Okay, I'll second it.

Pritchett- Okay we have a second.

Tobia- Madam Chair, just to be clear, are, so this is a motion for the D2 proposed motion, all of that stuff in addition to the parameters...

Pritchett- We're...

Tobia- ...that he just set up?

Pritchett- We're approving his, his spreadsheet right now.

Lober- And the motion that accompanies it.

Pritchett- Okay, the motion that accompanies it though, Commissioner Lober, we're just, we're gonna, you're gonna read the motion because if that's the motion we do, I definitely want to add on Commissioner Tobia's number four.

Lober- I don't know that I have his number four then.

Pritchett- And this is just for District 2 as well, correct?

Lober- Help me out, what is his number four?

Tobia- The Board's prior approval of payment or disbursement to an entity or individual using CARES funds shall constitute approval of payment of COVID-19 related costs or expenses from the Commissions allocated funds.

Lober- Clerk okay with that?

Tobia- That's not one of the ones that I really cared about.

Pritchett- I know.

Lober- Are you guys, I, I don't care about adding it, if you guys are okay with it, I just don't want a problem after the fact.

Pritchett- I know.

Tobia- We got to put dates on this.

Pritchett- Are we doing just District 2's now because this is what it looks like to me.

Lober- Yes and then we'll turn it around and do D4.

Pritchett- okay, and um...

Sadoff- You have to put parameters (inaudible)

Lober- Do you want it or not Commissioner Tobia? If you want it, I'll throw it in there, if you don't then I won't. Whatever you want.

Tobia- I, I, I'm okay with the...

Lober- Let's leave it out then, if you don't have a strong preference it's just easier.

Tobia- But we're literally signing a contract without, I mean that's one of the tenants of a contract, is, is a date.

Pritchett- Commissioner...

Tobia -And literally there is no date here.

Pritchett- Commissioner Lober, I do want to throw in here the January 12 meeting, we will be discussing time periods for all of these fundings.

Lober- Okay, and my, I guess my general direction is staff to execute as quickly as reasonably possible.

Pritchett- Yes. Okay?

Lober- But otherwise, we'll just stick to the written motion and the spreadsheet that's attached to it.

Pritchett- Okay. So I have a... Commissioner Zonka.

Zonka- I don't want to pick a fight but, um, I noticed, I got word that, you know, I know you have indigent burial in here, but is your office donating money to a GoFundMe of CARES money?

Lober- Yeah, \$750.

Zonka- Okay cause there's ...

Lober- There was someone who died along with their mother the same day, of Covid.

Zonka- But that's coming out of your CARES money, because that's not on this list?

Lober- I've already discussed it with Ian. Ian said administratively he can take it out of the \$160,000.

Zonka- Is that accurate, Mr. Golding, because I know that we didn't, we don't have a program for that, or a policy for that, and we haven't approved that.

Ian- I, I...

Zonka- And I know a Purchasing Card was used to make that donation.

Lober- Correct.

Zonka- ...to a non-vetted, not a 501(3)(c), I mean there's no, GoFundMe doesn't have a process to vet that stuff. I'm not saying...

Lober- We can go through it at length if you'd like.

Golden- Commissioners...

Zonka- I'm not saying it's not legit, but this is exactly one of those situations that I was trying to avoid.

Golden- Well, and I, I am working on a policy. I have the framework for it, um, including an application as part of that policy and then I was planning on vetting it through the County Attorney's Office and then probably bringing that back at the Board for approval.

Zonka- But in order to make sure it's clean, is this something that the Clerk's Office would want us to vote on, because we don't? I mean do you want us to add this to this list?

Ellis- You can't use, you can't use your P card for GoFundMe.

Zonka- Well, that's why I'm asking because I want to make sure that that's included in this.

Ellis- If the bill hadn't come back through us yet, we look at every month, it's probably going to kick out.

Lober- So can we vote to subtract from the \$160,000 the \$750 and then treat it as a separate line item? That's the motion. We can't do it because the Ellis School of Law says it's unconstitutional.

Pritchett- I don't know, that feels kind of, that feels kind of, um...

Ellis- Look what I'm telling you is the P Card is going to kick out. I don't think I'll find one person up here that thinks you should be able to use your Purchase card on GoFundMe.

Pritchett- I'm a little uncomfortable with it.

Ellis- Yeah, I'm a lot uncomfortable with that. It will kick out. At that point, that \$750 is going to have to be reimbursed to the P card from somewhere.

Lober- So someone who died from Covid, whose mother also died from Covid, the same day, who couldn't afford to be buried, you don't think that's a reasonable thing to do, given that we've already delegated authority...

Ellis- Alright, I'm gonna tell you something now because I've had it. I had an employee luncheon at 12:00 p.m. and I've had enough of your crap here for two hours, alright.

Lober- Likewise.

Ellis- There's a lot of sympathetic people out here, alright. The Patel's came up here to list a couple hundred people need help, right? You're not giving money to individuals to help, out of the County fund, you vote as a Board to do it. It's not your job to pick and choose using your County money, who you give it to. You cannot use a Purchase Card on a GoFundMe, and if an employee did that, they would be disciplined, if not fired.

Lober- So if we had the authority delegated by the Board, you just think it's not okay, because you think it's not okay, but you can't...

Ellis- Well, you...

Lober- ...cite a specific rule or law.

Ellis- Well, I would tell you. I, you know what?

Lober- That's the issue?

Ellis- No, the issue is, quite truthfully for the most part, you're just being a jerk today and that's okay, I've dealt with jerks for 30 years, so I'm gonna tell you...

Lober- (inaudible) legal out here, Scott.

Ellis- ...you can't use a Purchase Card on a GoFundMe.

Lober- What specific exception is there, tell me?

Ellis- Well here I've got the County Attorney's Office right here, what do you think about that?

Lober- You don't get to ask her questions, she doesn't work for you, Scott, just like you asked her to put a memo together.

Ellis- Well I've given you the answer and we go back to the same childish behavior. I give you an answer, you don't like, I give you the same answer, you don't like it.

Lober- You didn't answer.

Ellis- I give you the same answer, you don't like it. You cannot use the Purchase Card for charity donation, and yes, we went through this with the Board many years ago with Commissioner Pritchard who was using the, his office budget to pay to go to charity dinners. We said you can't do that. The Board said 5:0, yes, you can, the Clerk said no you can't and we don't pay for them. You can't use the County money on a Purchase Card to make your charitable donation.

Pritchett- I want to note that was Prichard, not Pritchett.

Ellis- Yes, yes ma'am, yes ma'am, Prichard, I know, but you can't use that card for that purpose.

Lober- Because you say so?

Ellis- You say so. You're, you, you're...

Lober - Citation?

Ellis- ...attorney's right here.

Lober- I'm asking you, Scott.

Ellis- God damn I'm tired...

Lober- You're the one making the claim.

Ellis- ...of your bullshit.

Pritchett- Okay.

Ellis- I'm not in court! I'm not being cross-examined! Your County Attorney's sitting...

Lober- You're making a claim here and not supporting it.

Ellis- ...right here. I have three attorneys. Tell me if it's legal to take a Purchasing Card.

Lober- They don't work for you, Scott. It doesn't work that way.

Pritchett- Okay, okay, okay, okay, okay.

Ellis- The problem is you don't want the ...

Pritchett- Timeout.

Ellis- ...answer.

Pritchett- Timeout. I, I...

Ellis- Do you understand Commissioner that...

Pritchett- I, I, I do...

Ellis- that, I guarantee that your policies do not allow...

Pritchett- I, I, I know...

Ellis- ...an employee to use a Purchase Card...

Pritchett- Commissioner Lober...

Ellis- ...to make a charitable donation.

Pritchett- ...I'm gonna tell you I'm a little uncomfortable with that myself, I mean because I do a lot of charity work too.

Lober- Sure.

Pritchett- I don't know, I have a little bit of discomfort with this. I don't know how it sits legally. I, I think that might be a topic for a strong discussion here in a little while. I want to get us through this so how does that get this through this right now? I, I...

Ellis- It's not designed to get us through, that issue is designed to send...

Pritchett- So that can be a later issue.

Ellis- ...to send this off to another day in court.

Pritchett- Can we delve that off to another issue then?

Ellis- Oh, I, I, I didn't bring the issue up. I'm just telling...

Pritchett- Right, sir.

Ellis- ...you can't make

Lober- (inaudible)

Ellis- ...a charitable donation with a County Purchase Card.

Pritchett- Okay.

Ellis- I've got three people here that can answer that...

Lober- Madam Chair, I think public comment is over.

Ellis- ...but they're not allowed to say it because I've got a Commissioner that thinks he is the Supreme Court himself, and he tells people what to do.

Pritchett- Yeah, I'm, I'm gonna...

Ellis- You don't tell people what to do.

Pritchett- ... call a break in about two seconds guys. I've got to get back on this topic. I, I am uncomfortable with, with, with some stuff here. We'll have to deal with that in a little while. Right now, I want to get back to the CARES and get through this.

Tobia- Madam, Madam Chair.

Pritchett- Um, hold on just a second, so um, Ms. Bentley and Ms. Shannon, um as far as the Item that Ms. Zonka just brought up, how, how do we handle this with this right now, can we still approve the motion and go back and deal with that later? How do we get through this?

Bentley- The \$160,000 on burials, you can go ahead and address and we can address the P card later.

Pritchett- Okay so let's, let's do that, let's get back on motion.

Lober- That's fine.

Pritchett- Right now. So sir, you're motion would be to uh um, make a motion for your list, sir.

Lober- So my motion is to approve the motion as written and the accompanying spread sheet as were further detailed during the course of this meeting.

Pritchett- Wonderful. And you don't mind adding on that we'll discuss time periods for everything for all of us?

Lober- I don't know that, I mean if you need it added, I can add it, but I think it's cleanest just to keep it...

Pritchett- If you would.

Lober- Okay. Is the Clerk okay with that, I don't want problems with checks being cut.

Pritchett- We're good with that?

Lober- in the parking lot and the menu changes.

Pritchett- Commissioner Smith your second um, hangs in? I'm gonna go ahead and Call the Question on that. All in favor say aye.

Lober/ Pritchett/ Smith- Aye.

Pritchett- Opposed?

Zonka and Tobia- Nay.

Pritchett- Passes 3:2 with Commissioners Zonka and Tobia in opposition. Commissioner Smith, now we need to go ahead and approve your items, sir. Do you have a motion you want to make? I want you to know that I am going to approve the items you brought up.

Smith- You want them individual?

Zonka- Please.

Pritchett- Um, okay, yes, sir.

Smith- So for the first \$2.5 million of my \$5 that I'm ready to allocate at this point, the first \$1.5 million would go to Health First.

Pritchett- Can I have a motion?

Smith- So I'd make a motion to do that.

Pritchett- Can I have a second?

Lober- Second.

Pritchett- Wonderful. All in favor say aye.

Tobia- Madam Chair.

Zonka- We have to disclose.

Smith- Right.

Pritchett- Oh yes, please disclose.

Tobia- I don't have it in front of me but per the ethics opinion, I'm allowed to with, abstain from this due to a family conflict.

Pritchett- Oh, your brother.

Tobia- That is correct.

Pritchett- Okay, Ms. Zonka, Commissioner Zonka.

Zonka- His brother is amazing by the way. Dr. Tobia is amazing, OBGYN. I have to abstain due to an ethics opinion and I'll sign the appropriate paperwork stating such.

Pritchett- Thank you, ma'am. All in favor say aye.

Pritchett/Lober/Smith- Aye.

Pritchett- Opposed? Passes 3:2. Zero.

Smith- Okay, and the second pot of money, \$500,000 would be allocated to USSSA.

Lober- Second.

Pritchett- Okay, I have a motion and a second. All in favor say aye.

Pritchett/Lober/Smith/Tobia- Aye.

Pritchett- Opposed?

Zonka- Nay.

Pritchett- Passes 4:1 with Commissioner Zonka in opposition.

Smith- And the third item would be \$500,000 to Brevard Zoo.

Pritchett- Okay, I have motion.

Lober- Second.

Pritchett- And a second. All in favor say aye.

Pritchett/Smith/Lober/Tobia/Zonka- Aye

Pritchett- Opposed? Passes 5:0. And you want to do your small business one.

Smith- \$2.5, the other \$2.5 million would be distributed to small businesses that have applied and vetted as of December 18 by our County staff. Total amounts to be determined in short order. I won't put a future date because we've already talked about January 12th, but we're going to do it as quickly as we can because I agree, we need to get the money out as quickly as we can, at this point.

Pritchett- Okay, so...

Lober- I'll second it.

Pritchett- Motion and a second, all in favor say aye.

Pritchett/Smith/Lober/Tobia/ Zonka- Aye.

Pritchett- Opposed?

Tobia- Madam Chair.

Pritchett- Yes, sir.

Tobia- I'm sorry, these are the parameters that were stated previously? I mean...

Smith- Yes. They've already, they've already been processed through the County. The date was January, uh, December 18th. They had to submit their applications and so that's all been done, so my staff and

myself just have to go through them and make the determination as to what the percentages are going to be, how much we're going to give to each one.

Pritchett- And you'll come back with the percentages to us later?

Smith- mhm.

Tobia- Okay, so these are, sorry, these are the ones that have already received up to \$10,000.

Smith- Mhm, yes.

Tobia- Okay. And you're going to come back. Okay, thank you.

Pritchett- And he will come back with other parameters for us?

Zonka- Frank.

Pritchett- Mr. Abbate?

Abbate- We need to address the issue of the additional 208 outstanding pending applications and whether the Board...

Pritchett- Okay.

Abbate- ...would like to add the approximately \$1.97 million to that existing fund.

Pritchett- Do you want that in this motion or we can do that in a moment?

Abbate- Or you. A separate motion is fine. It doesn't matter.

Pritchett- Okay good. Okay so I have Commissioner Smith's motion for that item, do I have a second?

Zonka-Second.

Lober-Second.

Pritchett- Second, all in favor say aye.

Smith/Pritchett/Lober/Zonka/Tobia- Aye.

Pritchett- Opposed? Passes 5:0. Now Commissioner Smith I, I think we might of covered your items. Ms. Bentley do we have to do any other part of the motion to make sure that Commissioner Smith's items are carried out as well, ma'am?

Bentley- (inaudible) Sorry, all included now, I think.

Pritchett- Okay, wonderful. And Commissioner Smith, you're good with coming back January 12 so we can discuss the time periods as well? Alright, um, Mr. Abbate what else did you need us to do now?

Abbate- I need the motion on adding \$1.97 million to the Small Business Program.

Lober- So moved.

Pritchett- Okay, I have a motion, do I...

Smith- Second.

Pritchett- Second by Commissioner Smith. All in favor say aye.

Smith/Lober/ Zonka/ Pritchett- Aye.

Pritchett- Opposed?

Tobia- Nay.

Pritchett- Passes 4:1 with Commissioner...

Tobia- Madam, madam Chair.

Pritchett- Yes, sir.

Tobia- I'm sorry. I have a light. Where exactly, Madam Chair, is that \$1.9?

Pritchett- I think they had extra money they were moving around. Am I correct, sir?

Abbate- That would come out of the monies that were otherwise be allocated into the Public Safety...

Tobia- Public Service Fund.

Abbate- Fund.

Tobia- So that 12-plus million dollars, correct? Uh, before the five and the five?

Abbate- Right. There's about somewhere in the area of \$24 million in that particular fund.

Tobia- Yea, the 12 and then yes. So...

Abbate- Right.

Tobia- So that is, just to be clear, even though we've already voted for it, I guess, that is money that is going to private businesses instead of Fire and Police.

Pritchett- Commissioner, ah Commissioner, I almost called you Commissioner Abbate. We, you're still going to have some alloca...some adjustments here when you get all the monies spent that you're probably going to have some money left over, and you're moving that all over into Public Safety as well, correct?

Abbate- Unless the Board provides different direction because as I mentioned the CARES Act has been extended for a...

Pritchett- Right.

Abbate- ...year. We didn't know that until today.

Pritchett- Oh, so the vote went in today?

Abbate- Yes.

Pritchett- Okay, wonderful. Okay so we might have a little more time to do a little more maneuvering of those with Board approval, Mr. Ellis, of, of how we're gonna finish allocating because I know some of those funds will be left over. So.

Abbate- Well, yeah, the funds are all allocated to the Public Safety Fund unless the Board wants something else to happen.

Tobia- Yeah, I'm confused, yeah, the money's been allocated right? The 12 and change plus five from Zonka and five from myself. So we've just, by the Board motion, understand you just voted to take some of that money that would have otherwise, gone to Fire and Police and give it to businesses that didn't apply in a timely manner. That's the decision that the Board just made, just to be clear.

Pritchett- Yes, sir.

Lober- So I just want to be clear as well Commissioner Tobia, my understanding is that could have been used for vehicle fleet maintenance within Fire or Facility maintenance so that could have been paint on a wall, not necessarily something out of someone's paycheck. Am I correct, Mr. Abbate?

Abbate- Yea, as you'll recall, when the Board approved that there was broad public purpose in the motion that approved that. So yes.

Lober- Thank you.

Tobia- Uh, yeah, that was my intent as that it would not necessarily go to pay, that it would go to capital, capital costs instead of pay.

Lober- I just want to make sure folks understand we're not pulling it out of pockets of first responders.

Pritchett- Okay, um, I am feeling really glad right now that that's kind of over. I, I did want to mention this because I've heard a couple comments here and we're going to move on to Item J.4., next, I believe that's what I have left. But you know when we are putting money into the small businesses or um, even Parrish Hospital, Parrish Hospital has 1,000 employees, that's 1,000 families that rely on that and the small businesses so we're helping to keep a creation of more people on unemployment therefore not being able to pay their bills and feed their families. This is a horrible time and I am thankful that we have a Board that we are kind of looking at the whole thing. It is so easy to be an armchair quarterback, but I want to thank you guys for spending the hours studying this out and trying to figure out how to allocate it so that we have as, as, small amount of crisis as we're going to have with this economic instability we're getting ready to face, and I, I think y'all are wonderful and I just wanted to tell ya, I appreciate you so much. We don't agree up here, but man we have some feisty conversations, so I'm always thankful by the time we get to a place, and, um, even if I get voted down, I, I'm thankful for the conversation and where we land because I believe in our hearts we're always doing the very best for our community, so I wanted to tell each of you, I appreciate you on that. And on that, I'd like to move to Item J.4.



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

New Business - Add-On

J.6.

12/22/2020

Subject:

CARES Act - Commissioners Allocations

Fiscal Impact:

No additional impact beyond prior Board allocations.

Dept/Office:

District 3

Requested Action:

Request the Board to consider the attached Motion.

Summary Explanation and Background:

Clerk to the Board Instructions:

NO MEMO nec.
combined with
Item 15.
LOBER motions

Move to amend prior delegation of authority to individual commissioners to disburse \$5,000,000 in CARES funding or funds that have been allocated from CARES funding to reimburse the public safety payroll fund and subsequently allocated to commissioners (commissioner allocation fund) as follows:

1. Expenditures or disbursements shall be pursuant to a Board approved program with parameters and guidance for staff to administer the program. Commissioners shall have until January 12, 2021 to provide the Board with proposals for new programs complete with parameters and criteria for staff implementation.
2. Expenditures or disbursements which are not part of a Board approved program shall be separately approved by the Board of County Commissioners.
3. All expenses or costs to be paid or reimbursed shall be incurred by February 15, 2021. Payments or disbursements shall be made as soon as reasonably possible thereafter.
4. The Board's prior approval of payment or disbursement to an entity or individual using CARES funds shall constitute approval of payment of COVID-19 related costs or expenses from the commissioner allocation fund.

Expenditures and disbursements from the commissioner allocation fund shall continue to be limited to the payment of costs and expenses which are "COVID-19 related or related to any other emergency in Brevard County and securing trained personnel to respond to medical emergencies, natural disasters or major accidents impacting Brevard County residents" as provided in the December 3, 2020 motion regarding the CARES Act, Item L. 4.

All prior Board approvals of specific reimbursements, disbursements, grants or payments to individuals or entities from CARES funds or the commissioner allocation fund shall remain in place.