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August 4, 2021

M E M O R A N D U M

TO: Frank Abbate, County Manager

RE: Item L.4., Coronavirus Aid, Relief, and Economic Security (CARES) Act Allocation

The Board of County Commissioners, in regular session on August 3, 2021, approved the following allocations from the CARES Act funding received by District 2:

- expanding the category of staff tangible goods to rephrase it as staff/government/non-profit tangible goods and/or services to allow for use of the funds to purchase items not only for staff but for governmental entities and nonprofits;
- increasing the maximum expenditure from that pool of funds to \$60,000;
- creating a new category to allow District 2 CARES Act funds to be used for infrastructure (sewer/water/road and bridge/bus shelters/internet) for projects within District 2 and a maximum permissible allocation of \$500,000; and
- authorizing staff to execute Budget Change Requests and/or any other administrative actions deemed necessary to effectuate the allocation.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

A handwritten signature in cursive script, reading "Kimberly Powell".

Kimberly Powell, Clerk to the Board

cc: Commissioner District 2
Finance
Budget

Kimberly Powell

From: Commissioner, D2 <D2.Commissioner@brevardfl.gov>
Sent: Tuesday, August 3, 2021 1:37 PM
To: Commissioner, D1; Commissioner Rita Pritchett; D2_Users; Commissioner, D3; Commissioner John Tobia; Commissioner, D4; Commissioner Curt Smith; Commissioner, D5; Zonka, Kristine
Cc: Kimberly Powell; Duisberg, Cheryl; Donna Scott; Deborah Thomas; Samantha McDaniel; Nicole Summers; Bentley, Eden; Abbate, Frank B; Denninghoff, John P; Liesenfelt, Jim; Wallace, Matthew; Schollmeyer, Mark T; Jurgensen, Scott M; Voltaire, Patrick M; Darling, Steven; Hayes, Jill J
Subject: NEW Memo re: Item J.5 and Motion / Board Reports
Attachments: Memo re Board Reports and Item J.5 - 2021 August 03.pdf
Importance: High

Dear Clerk to the Board:

The attached memo is being provided to other commissioners prior to the 8/3 BoCC meeting. **It is distinct from the memo provided yesterday and addresses different matters.** As such, I would ask that you please include it in the meeting minutes for that date's BoCC meeting. Should you have any question(s), please feel free to reach out. Thanks in advance for your assistance.

Truly,

/s/ Bryan



Bryan A. Lober, Commissioner, District 2
2575 N. Courtenay Pkwy, Suite 200
Merritt Island, FL 32953

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D2.Commissioner@brevardfl.gov

August 3, 2021

** Via Electronic Mail **

2nd Memo Discussing Issue Coming before BoCC on Tuesday, August 3, 2021

This memorandum does not solicit feedback from any Commissioner and Commissioners are specifically asked not to respond to it (or discuss it amongst one another outside of a duly noticed BoCC meeting) as doing so could and likely would constitute a violation of one or more provisions of Chapters 119 and/or 286, Fla. Stat. So that it may be made available to the public, a copy of this memo is being provided to the Clerk to the Board so that it may be included in the minutes for the **Tuesday, August 3, 2021** BoCC meeting. Please see the previously provided County Attorney's Office Inter-Office Memo dated December 12, 2016 which indicates that communications of this variety are authorized under applicable law.

Commissioner Tobia's Item J.5:

Should the BoCC elect to terminate the existing contract, I would suggest any such motion include the following parameters:

- Authorize staff to develop, advertise, and award a competitive solicitation for Brevard County Food Concession Services for the Viera Government Center and the Harry T. and Harriet V. Moore Justice Center;
- Authorize staff to take reasonable measures to accelerate the competitive solicitation process;
- Authorize staff to negotiate a contract with the selected new vendor and provide a recommendation of lease agreement to the Board; and
- Authorize the Chair to execute any resulting contract, contract amendments or extensions necessary upon review and approval by the County Attorney's Office, Risk Management, and Purchasing Services.

District 2 Board Report:

With respect to the \$5M of CARES Act (not ARPA) funds in which allocation authority was delegated to District 2, certain allocations have come in under budget. As such, there are funds remaining which may be allocated. In the interest of avoiding conflict with the Clerk's office, I make the following motion irrespective of whether I already have the delegated authority to effectuate the requested change(s):

District 2 Includes

Avon by the Sea • Cape Canaveral • Cape Canaveral SFS • Cocoa • Cocoa Beach • Kennedy Space Center •
Merritt Island • Patrick SFB • Port Canaveral • Rockledge • Snug Harbor

1) **Expand the category of “staff tangible goods” to “staff/government/nonprofit tangible goods and/or services”** to allow for use of the funds to purchase items for not only staff but for governmental entities and nonprofits. Specifically, I immediately contemplate four purchases occurring from this pool of funds:

(1) A calibrated decibel meter for BCSO east precinct which lacks such a meter. The precinct's commander has confirmed, with the State Attorney's Office, that they will pursue noise ordinance violations once BCSO begins to investigate them using such a meter. It is estimated that the code-compliant meter and associated software will cost in the ballpark of \$3000 - \$5000 dollars. Expanding “goods” to “goods and/or services” clears up any ambiguity with respect to purchasing necessary software for use with the decibel meter out of the same pool of funds;

(2) A truck-puled trailer for KBB for use in cleanup efforts, largely in the central, unincorporated, portion of the county. While I could purchase the trailer for my commission office and enter into a nominal lease, with KBB, I would prefer to have KBB own the trailer outright so that Brevard County cannot be held liable in the event of an accident involving it. The trailer is presently estimated to cost in the ballpark of \$8000;

(3) Cleanup supplies for use in conjunction with efforts to remove litter and debris with KBB and/or other nonprofits / community partner organizations. This would include things like gloves, trash bags, drinking water / Gatorade, and sunscreen; and

(4) Possible cost-sharing, with MIRA, toward replacement costs for a new “Welcome to Merritt Island” sign at the Merritt Island Service Complex.

Each of these contemplated expenses should help reduce the volume of requests to the D2 office from constituents expressing concern as the basis of each such concern should be, at least in part, addressed with the purchase.

Additionally, I would like to **increase the maximum expenditure for this pool of funds to \$60,000**. This would not increase the overall budget but simply allow for redistribution among those funds remaining from the original \$5M.

2) Lastly, I would like to create a **new category**, within the D2 CARES Act funds for **infrastructure** (sewer, water, road, bridge, bus shelters, internet, etc.) projects within District 2 with a **maximum permissible allocation of \$200,000**, bearing in mind that this maximum of \$200,000 may be combined with unrelated funding sources in a cost-sharing arrangement (e.g., with D2 MSTU funds, municipality funding, etc.). This will not raise the D2 CARES Act aggregate total from \$5M. This simply allows for a shifting of funds within the overall \$5M.

3) Contemplated with this motion is **authorization for staff to execute BCRs and/or other administrative actions necessary to effectuate allocations** identified herein and/or falling within the parameters set herein.