



AGENDA REPORT
October 10, 2017

SUBJECT:

Resolution Requesting that the Economic Development Commission of Florida's Space Coast execute an Amendment to Grant Agreement

FISCAL IMPACT:

None

DEPT/OFFICE:

District 3

REQUESTED ACTION:

The Brevard County Board of County Commissioners and the Economic Development Commission of Florida's Space Coast execute the attached Amendment to Grant Agreement

SUMMARY EXPLANATION and BACKGROUND:

On September 19, 2017, the Board considered requesting that the Economic Development Commission of Florida's Space Coast agree to amend the Grant Agreement which the parties entered into on September 29, 2014. Several members of the Board expressed the opinion that, while they support transparency in the expenditure of County funds, the EDC should not be required to disclose information on expenditures made from revenues derived from sources other than the County.

While the EDC has reported receiving approximately 77% of their revenues from public sources in FY 2016, including \$822,494 in grant funding from the State of Florida, the attached agreement narrows the required reporting of expenditures to those derived from County revenues.

CLERK TO THE BOARD INSTRUCTIONS:

ATTACHMENTS:

Description

- [Revised EDC Grant Resolution](#)

REVIEWERS:

Department	Reviewer	Action
District 3	Prasad, Billy	Approved
County Manager	Abbate, Frank	Approved



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

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

February 21, 2018

MEMORANDUM

TO: Frank Abbate, County Manager

RE: Item VI.F.3., Resolution Requesting the Economic Development Commission of Florida's Space Coast Execute Amendment to Grant Agreement

This is to correct the memorandum of October 11, 2017. The Board of County Commissioners, in regular session on October 10, 2017, adopted Resolution No. 17-206, using the amendments to the Grant Agreement from the Economic Development Commission of Florida's Space Coast; **and approved the Amendment 2 to Grant Agreement.** Enclosed is a certified copy of the Resolution and the original Amendment 2 to Grant Agreement.

Upon execution by former Chairman Curt Smith and the Economic Development Commission, please return the fully-executed Amendment to this office for inclusion in the official minutes.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

Encls. (2)

cc: County Attorney

Resolution 17-206

**REQUEST THAT THE ECONOMIC DEVELOPMENT COMMISSION OF FLORIDA'S SPACE
COAST EXECUTE AN AMENDMENT TO GRANT AGREEMENT**

WHEREAS, the Economic Development Commission of Florida's Space Coast ("EDC") and the Brevard County Board of County Commissioners ("County") entered into a Grant Agreement ("Agreement") on September 29, 2014, pursuant to 125.045, Florida Statutes; and

WHEREAS, the Agreement awards a grant of \$1,400,050, to be used exclusively for the purpose of retaining existing businesses, and attracting new businesses, to the County; and

WHEREAS, the Agreement automatically renews annually upon appropriation in the County budget, for a maximum of ten years, a feature unique for grants awarded by Brevard County; and

WHEREAS, the Agreement explicitly states that the EDC is not subject to Florida's Public Records law; and

WHEREAS, the EDC has reported revenue of \$2,894,110 in FY 2016; and

WHEREAS, FY 2016 revenue included \$822,494 in State grants, and \$46,950 in Federal grants; and

WHEREAS, the Agreement does not require the EDC to provide a detailed expense report of the use of the County's grant funding; and

WHEREAS, the Chairman of the Brevard County Board of County Commissioners stated on September 19, 2017 that he is ". . . in favor of full disclosure for the \$1.4 million of county money that [the EDC] get[s]" at a Regular Meeting of the Board; and

WHEREAS, the citizens of Brevard County should have the ability to ascertain whether County funds are being used to hold or participate in events, including the purchase of sporting event tickets; and

WHEREAS, County citizens expect to have the information necessary to determine the extent to which County revenues are being used to fund the salaries of employees of County grantees; and

WHEREAS, a transparent government is one in which taxpayers have the ability to ascertain the details of how their tax-dollars are being used to fund travel costs of County grantees, advertisements, and lobbying organizations; and

WHEREAS, there is no legitimate reason not to have sunshine on the expenditures of County funds via the EDC; and

WHEREAS, it is in the best interest of Brevard County taxpayers that the EDC provide transparency in the use of County funds, to the extent that such disclosures do not include information that is confidential under Florida law.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY FLORIDA does hereby request that the Economic Development Commission execute the attached Amendment to Grant Agreement

DONE, ORDERED AND ADOPTED, in regular session, this 10th day of October, A.D., 2017.

ATTEST:


SCOTT ELLIS, CLERK


CURT SMITH, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FL

Approved by Board 10/10/17

Amendment 2 to Grant Agreement

This amendment is made to the Grant Agreement between Brevard County and the Economic Development Commission of Florida's Space Coast, Inc. (EDC) fully executed by the Parties as of September 29, 2014 ("Grant Agreement"):

This Amendment shall be effective as of October 1, 2017.

In consideration of the covenants and renewal of the Grant Agreement, the EDC agrees as follows:

1. To the extent that the information is not confidential or exempt under section 288.075, Florida Statutes or any other provision of law, the Economic Development Commission shall report the total amount of County Grant Funds expended in the following manner

- a. Advertising expenses
- b. Economic development client projects incentives, including the funding provided to each private and public sector recipient of funds
- c. A list of each event held by the EDC including the number of participants per event, and a detailed list of expenditures including, but not limited to
 - i. Food and beverages
 - ii. Facility rental
 - iii. Sporting event tickets
 - iv. Entertainment
- d. Travel expenditures including, but not limited to
 - i. Names of travelers
 - ii. Destination
 - iii. Event/s attended
 - iv. Total travel reimbursement for each trip
- e. Lobbying organizations including, but not limited to
 - i. Name of lobbying group
 - ii. Expenditures per individual lobbyist

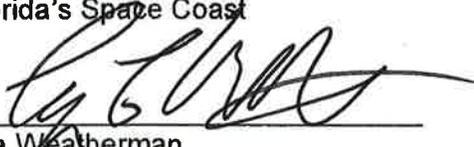
- f. A list of all employees by name, and title
- g. Total compensation paid to all employees.
- h. Individual compensation for President & CEO and Senior Director(s) including
 - i. Salary
 - ii. Bonuses
 - iii. Stipends and/or allowances
- i. Reimbursements to each board member, respectively, by name and nature of reimbursement

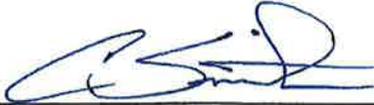
2. Such reports shall be furnished to the Brevard County Manager on a bi-annual basis beginning April 15, 2018 for the previous 6 months.

IN WITNESS WHEREOF, the Parties have executed this agreement on the dates indicated below.

Economic Development Commission
of Florida's Space Coast

Brevard County

BY: 
Lynda Weatherman
President & CEO

BY: 
Curt Smith, Chairman
(As approved by the Board on ____, 2017)

Date 10/10, 2017

Date 10/10, 2017

Amendment 2 to Grant Agreement

This amendment is made to the Grant Agreement between Brevard County and the Economic Development Commission of Florida's Space Coast, Inc. {EDC} fully executed by the Parties as of September 29, 2014 ("Grant Agreement"):

This Amendment shall be effective as of October 1, 2017.

In consideration of the covenants and renewal of the Grant Agreement, the EDC agrees as follows:

1. To the extent that the information is not confidential or exempt under section 288.075, Florida Statutes or any other provision of law, the Economic Development Commission shall report the total amount of County Grant Funds expensed in the following manner ~~the following to the County Manager or any County Commissioner requesting a report on those expenses derived from County revenues including, but not limited to:~~

- a. Advertising expenses
- b. Economic development client projects incentives, including the funding provided to each private and public sector recipient of funds
- c. A list of each event held by the EDC including the number of participants per event, and a detailed list of expenditures including, but not limited to
 - i. Food and beverages
 - ii. Facility rental
 - iii. Sporting event tickets
 - iv. Entertainment
- d. Travel expenditures including, but not limited to
 - i. Names of travelers
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 - iii. Event/s attended
 - iv. Total travel reimbursement for each trip
- e. Lobbying organizations including, but not limited to

- i. Name of lobbying group
- ii. Expenditures per individual lobbyist
- f. A list of all employees by name, position and title,
- g. Total compensation paid to all employees.
- h. and i. Individual compensation for President & CEO and Senior Director(s)
including, but not limited to
 - i. Salary
 - ii. Bonuses
 - iii. Stipends and/or allowances
- i. Reimbursements to each board member, respectively, by name and nature of reimbursement

2. Such reports shall be furnished to the Brevard County Manager on a bi-annual basis beginning April 15, 2018 for the previous 6 months.

~~a. Quarterly, and~~

~~b. Within 30 days of a request of any Brevard County Commissioner~~

IN WITNESS WHEREOF, the Parties have executed this agreement on the dates indicated below.

Economic Development Commission
—of Florida's Space Coast

Brevard County

BY: _____ BY: _____
 Lynda Weatherman, _____ Curt Smith, Chairman
 Executive Director, President & CEO _____ (As approved by
 the Board on _____, 2017)

Date _____, 2017

Date _____, 2017



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

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October 11, 2017

M E M O R A N D U M

TO: Commissioner John Tobia, District 3 Attn: Billy Prasad

RE: Item VI.F.3., Resolution Requesting the Economic Development Commission of Florida's Space Coast Execute Amendment to Grant Agreement

The Board of County Commissioners, in regular session on October 10, 2017, adopted Resolution No. 17-206, using the amendments to the Grant Agreement from the Economic Development Commission of Florida's Space Coast. Enclosed is a fully-executed Resolution.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe

Tammy Rowe, Deputy Clerk

Encl. (1)

cc: County Manager
County Attorney

Lewis, Sally A

From: Abbate, Frank B
Sent: Friday, October 06, 2017 4:43 PM
To: Lewis, Sally A
Subject: FW: EDC Proposed Grant Agreement Amendment for County Commission Agenda
Attachments: Proposed Amendment to Grant Agreement_2017-10-10_Redlined-F.PDF; Proposed Amendment 2.docx

From: Trudy McCarthy [<mailto:TMcCarthy@SpaceCoastEDC.org>]
Sent: Friday, October 6, 2017 4:16 PM
To: Abbate, Frank B
Cc: Roth, Joy
Subject: EDC Proposed Grant Agreement Amendment for County Commission Agenda

Frank,

Lynda has asked that I forward you the attached information related to the EDC's Grant Contract proposed Amendment.

Please verify receipt of this email and let me know if there is any additional information you may require from the EDC.

Regards,
Trudy McCarthy

EDC of Florida's Space Coast
321-638-2000

Trudy McCarthy
Senior Director Marketing
& Strategic Initiatives
Economic Development Commission
of Florida's Space Coast

321-638-2000

www.SpaceCoastEDC.org

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WHEREAS, a transparent government is one in which taxpayers have the ability to ascertain the details of how their tax-dollars are being used to fund travel costs of County grantees, advertisements, and lobbying organizations; and

WHEREAS, there is no legitimate reason not to have sunshine on the expenditures of County funds via the EDC; and

WHEREAS, it is in the best interest of Brevard County taxpayers that the EDC provide transparency in the use of County funds, to the extent that such disclosures do not include information that is confidential under Florida law.

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DONE, ORDERED AND ADOPTED, in regular session, this 10th day of October, A.D., 2017.

CURT SMITH, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FL

ATTEST:

SCOTT ELLIS, CLERK