

INTERLOCAL AGREEMENT

EXTENSION

CARES ACT FUNDING

THIS EXTENSION TO THE INTERLOCAL AGREEMENT is made and entered into by and between the BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida, hereinafter referred to as "County," and the SCHOOL BOARD OF BREVARD COUNTY, Florida, a public corporation and governing body of the school district of Brevard County, organized under the Laws of Florida, hereinafter referred to as "School Board."

RECITALS:

WHEREAS, the United States Congress passed and the President signed on March 27, 2020, the "Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Act" to appropriate funding for a wide variety of needs and tremendous costs related to the coronavirus pandemic response to include an appropriation of \$150 billion to States, Tribal governments, and units of local government;

WHEREAS, funds were authorized to be allocated as a direct payment from the Department of the Treasury to certain units of local governments of a State that submit a certification for the purpose of receiving a direct payment;

WHEREAS, by relative population Brevard County was an eligible unit and submitted a certification and has received an appropriation of \$105 Million Dollars;

WHEREAS, in order to receive the allocation, the County was required to certify the funds will be used only in the County's response to COVID-19 and as further set forth herein;

WHEREAS, the County recognizes that the School Board will incur many of the same costs and needs the County will incur in responding to the COVID-19 pandemic and wishes to provide financial assistance to the School Board, in compliance with the CARES Act (including Guidance issued by the U.S. Department of Treasury) and as otherwise authorized by the Board of County Commissioners, as set forth herein; and

WHEREAS, this assistance will be of great benefit to the health, safety and welfare of the public.

WHEREAS, on November 5, 2020, the Board of County Commissioners authorized the reimbursement of up to \$4 Million in CARES eligible expenses;

WHEREAS, on November 5, 2020, the Board of County Commissioners authorized the County Manager to execute grant agreements with CARES fund recipients receiving \$50,000 or more in CARES Act funding, to include audit and claw back provisions that any expenditure found to be

not in accordance with the Federal or Treasury guidelines, that the sub-recipient be required to reimburse the County;

WHEREAS, the United States Congress has extended the time by which the County must expend CARES funds allocated to the County from December 30, 2020 to December 31, 2021;

WHEREAS, on January 26, 2021 the Board of County Commissioners authorized an extension of time for the School Board to submit CARES eligible expenses for which the County allocated CARES funding to the School Board and authorized the County Manager to execute such extension;

WHEREAS, this assistance will be of great benefit to the health, safety and welfare of the public.

NOW THEREFORE, the County and the School Board covenant and agree that they have full power and authority to enter into this Agreement and bind their respective governmental entities as follows:

SECTION 1. RECITALS.

The above recitals are true and correct and by this reference are hereby incorporated into and made an integral part of this Agreement.

SECTION 2. STATUTORY AUTHORITY. This Agreement shall be considered an Interlocal Agreement pursuant to the authority of Florida Statutes, Chapter 163, Part 1, 2020.

SECTION 3. CARES ACT REQUIREMENTS, EXTENSION.

Section 3(c) of the Interlocal Agreement is amended as follows:

“(c) were or will be incurred during the period that began on March 1, 2020, and ends on December 31, 2021.

All expenses for which the School Board requests reimbursement from the County under this Interlocal Agreement, as extended, must be submitted by December 31, 2021.”

SECTION 4. PRIOR AGREEMENT TERMS.

Except as amended herein, all other terms of the Interlocal Agreement remain in full force and effect.

SECTION 5. RECORDING.

Upon execution of this Extension to the Interlocal Agreement, the County shall record a fully executed original of this Agreement in the Public Records of Brevard County, Florida, and shall return a recorded copy of the Extension to the Interlocal Agreement to the School Board representative listed in Section 10 of the original Agreement.

In witness whereof, the parties hereto have set their hands and seals on the date and year written below.

THE SCHOOL BOARD OF BREVARD COUNTY

(Signature of authorized officer)

Misty Belford, Chair
Printed name of authorized officer, title

Date of Execution: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of February, 2021, by Misty Belford, Chair, who is personally known to me or who has produced _____ as identification.

Type of Identification

[Notary Seal]

Notary Public

Name typed, printed or stamped
My Commission Expires: _____

**BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA**

Frank Abbate, County Manager

Approved as to legal form and content:

Date of Execution: _____

As approved by the Board on: 01/26/21

Attorney for the County

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of February, 2021, by Frank Abbate, County Manager, who is personally known to me or who has produced _____ as identification.

Type of Identification

[Notary Seal]

Notary Public

Name typed, printed or stamped

My Commission Expires: _____