

## **THIRD AMENDMENT TO INDIAN RIVER COUNTY CARES ACT AGREEMENT**

**THIS THIRD AMENDMENT TO INDIAN RIVER COUNTY CARES ACT AGREEMENT** (“Amendment”) is entered into as of the \_\_\_ day of \_\_\_\_\_, 2021 by and between Indian River County, a political subdivision of the State of Florida, whose address is 1801 27<sup>th</sup> Street, Vero Beach, Florida, 32960 (“Recipient”), and City of Fellsmere, a municipality, whose address is 22 S. Orange Street, Fellsmere, FL 32948 (the “Subrecipient”).

### **RECITALS**

**WHEREAS**, Recipient and Subrecipient entered into the Indian River County CARES Act Agreement, which set forth a scope of work for the use of CARES Act funds by the Subrecipient (the “Agreement”); and

WHEREAS, Recipient and Subrecipient entered into the First Amendment to Agreement, which revised the Scope of Work/Spending Plan and increased the funding from \$209,067 to \$309,067; and

**WHEREAS**, the Recipient and Subrecipient entered into the Second Amendment to Agreement, which revised the Scope of Work/Spending Plan and increased the funding from \$309,067 to \$520,000 and revised scope of work to reflect the uses of the additional funding; and

**WHEREAS**, the Recipient and Subrecipient wish to amend the Agreement again to revise the scope of work to reallocate the funding among uses and to extend the deadline to expend funds; and

**NOW THEREFORE**, in consideration of the mutual undertakings herein and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree, as follows:

1. **Recitals**. The above recitals are true and correct and are incorporated herein.
2. **Extension of the Agreement**. The Agreement is extended to December 1, 2021.
3. **Amendment of Section 31 (Scope of Work)**. Section 31 of the Agreement is amended to read as follows:

**“(31) SCOPE OF WORK**

The Sub recipient shall perform the tasks as identified and set forth in the Revised Scope of Work, which is Third Revised Attachment A.”

4. Revised Attachment “A” to the Agreement shall be removed and replaced with Third Revised Attachment “A”, which is attached to this Amendment.

5. All other provisions of the Agreement shall remain in full force and effect.

**IN WITNESS WHEREOF**, Recipient and Subrecipient have executed this instrument this \_\_\_ day of \_\_\_\_\_, 2021.

**CITY OF FELLSMERE**  
22 S. Orange Street,  
Fellsmere, Florida 32948

**INDIAN RIVER COUNTY, FLORIDA**

By: \_\_\_\_\_  
Mark D. Mathes, City Manager

By: \_\_\_\_\_  
Joseph E. Flescher, Chairman  
Board of County Commissioners

ATTEST:

Approved by BCC \_\_\_\_\_

\_\_\_\_\_  
Maria Suarez-Sanchez, City Clerk

Attest:  
Jeffrey R. Smith, Clerk of Circuit Court  
and Comptroller

By: \_\_\_\_\_  
Deputy Clerk

Approved as to Form and Legal Sufficiency

Approved as to Form and Legal Sufficiency

\_\_\_\_\_  
Warren Dill  
City Attorney

\_\_\_\_\_  
Dylan Reingold  
County Attorney

\_\_\_\_\_  
Jason E. Brown,  
County Administrator



# Fellsmere

Revised August 6, 2021

Jason Brown, Administrator  
Indian River Board of County Commissioners  
County Administration Office  
1801 27th Street  
Vero Beach, FL. 32960-3365

RE: Revised Spending Plan for CARES Act Funding

Dear Mr. Brown:

Please accept this letter as the City of Fellsmere's proposed spending plan for the CARES Act funding allocation offered by Indian River County. The City of Fellsmere is thankful for the allocation to help defray costs related to Covid-19. The City Council approved the revised funding sub-agreement at their August 5<sup>th</sup> council meeting as part of a duly noticed agenda item. This request also includes an extension of the date to expend funds from September 30, 2021 to December 1, 2021.

1. Provide for Pay with Hazard Bonus to Police Officers	\$34,365.52
2. Provide Personal Protective Equipment to Businesses	\$ 0.00
3. Conduct Public Outreach/Education on Covid-19 prevention and Mask Order	\$ 0.00
4. Install Ion Generators in AC System of City Hall and PW/PD	\$8,3000.00
5. Provide for sealed doors/pass-throughs for Utility Cashiers & Renovate Council Chambers to allow for social distance seating	\$155,252.26
6. Provide for sealed doors/pass-throughs for Police Department Lobby	\$59,218.63
7. Council Chamber Technology	\$44,361.65
8. Emergency Protective Measures	\$3,631.51
9. Broadband Enhancement Study & Implementation	\$212,193.62
10. Covid Vaccination Site – crowd control	\$2,676.81
<b>TOTAL</b>	<b>\$520,000.00</b>

See attached scope for additional detail.

Please let me know if any additional information or back-up is required in support of the above spending plan.

Respectfully,

Mark D. Mathes  
City Manager

## Spending Plan for CARES Act Funding

**Provide for Pay with Hazard Bonus to Police Office** **\$34,365.52**

Police Officers have been responding to public emergencies throughout the Covid-19 pandemic. As allowed by CARES Act Funding guidelines, the City of Fellsmere will utilize CARES funding a hazard bonus (\$34,365.52 total) from March 1, 2020 through December 30, 2020. Pay will be provided to officers on payroll as of the effective date of the CARES Act Funding Agreement between the City of Fellsmere and Indian River County and shall be based on the front-line duty time during the pandemic.

~~**Provide Personal Protective Equipment for Businesses** **\$ 3,000**~~

~~The City of Fellsmere maintains a mask order for business employees. The City will utilize CARES funding to purchase and distribute personal protective equipment (masks and sanitizer) to all brick and mortar businesses in the City as a means to more effectively implement the mask mandate and reduce the spread of COVID.~~

~~**Conduct Public Outreach/Education on Covid-19 prevention and Mask Order** **\$ 5,000**~~

~~Fellsmere has seen a spike in COVID cases and has a population that has shown reluctance to mask wearing, a proven action to reduce the spread. The City will utilize a variety of means to share information on the value and benefits of wearing a mask in protecting yourself and others. Funds will be used to prepare, copy, and distribute information regarding mask wearing. Funds may also be used for community testing and vaccination support such as police presence or other services.~~

**Install Ion Generators in AC System of City Hall and PW/PD** **\$8,300**

Ion Generators are a proven technology for the reduction of harmful bacteria and viruses. Ion Generators will be installed in all air conditioning systems within the City of Fellsmere City Hall and Police/Public Works complexes.

**Provide for sealed doors/pass-throughs for Utility Cashier & Renovate Council Chambers to allow for social distance seating** **\$155,252.26**

Since the construction contract for these two items did not separate between the two, the related work is now presented in a single line item. Current operations for Utility Cashiers include half partition walls in open air rooms with open pass throughs. Given the airborne nature of the Covid-19, a new wall will be constructed to provide an air-tight separation between the public and employees and will utilize intercom communication and pass-through drawers to ensure constant separation of air spaces. In addition, current operations in the City Council Chambers do not allow for social distancing of council members, staff or the public. Joining Council Chambers with an un-used adjacent room would allow space to spread seating for staff and the public to maintain social distancing, a proven means to mitigate the spread of Covid-19. This would also then allow the City Council members to spread across the entire dais providing social distance for the Council members as well.

**Provide for sealed doors/pass-throughs for Police and Public Works Lobby** **\$59,218.63**

Current operations for the Police/Public Works lobbies include open air pass throughs and non-air-tight doors. Given the airborne nature of the Covid-19, a new wall will be constructed to provide an air-tight separation between the public and employees and will utilize intercom communication and pass-through drawers to ensure separation of air spaces.

**Council Technology** **\$44,361.65**

The City of Fellsmere has utilized virtual public meetings since the onset of COVID. The City will continue to utilize this meeting format to allow public participation without the need to physically attend city meetings. The City will purchase and install technology in the Council Chambers and scanning technology to allow for virtual meetings, enhance document presentation at such meetings, and to allow document access for remote employees.

**Emergency Protective Measures** **\$3,631.51**

The City of Fellsmere responded to COVID by purchasing personal protective equipment for its employees, modifying workspaces, implementing telework and virtual public meetings. This task addresses expenses related to implementing emergency protective measures through 12/30/2020 to protect staff and the general public.

**Broadband Enhancement Study & Implementation** **\$212,193.62**

As funds allows, the City of Fellsmere will identify impediments to broadband access for residents and businesses and implement solutions to enhance broadband service to the community.

**Covid Vaccination Site – Crowd Control** **\$2,676.81**

Police Officers have been assigned to local Vaccination sites Overtime rate will be paid to officers attending a vaccination site for crowd control purposes.

**Contingency** **\$TBD**

This task will be utilized if funds are available for other COVID expenses that have not been identified to date.