

**FLORIDA DEPARTMENT OF LAW ENFORCEMENT  
INVESTIGATIVE REPORT**

On July 19, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was asked to investigate allegations that Brevard County Commissioner John Tobia used the personal identification of Brevard County Supervisor of Elections Tim Bobanic without obtaining Bobanic's consent.

FDLE OEI Inspector David Snowden was assigned to lead the investigation.

On July 19, 2023, Special Agent Supervisor (SAS) Luis Negrete and Inspector David Snowden met with Brevard County Sheriff's Office (BCSO) Commander Vic DeSantis and Sergeant Jacqueline Hearon at the BCSO Criminal investigative Services building. BCSO conducted an initial inquiry into the allegations to determine if a criminal predicate was present.

Sergeant Hearon advised that District Three Commissioner John Tobia made a report with BCSO on July 5, 2023. Tobia indicated he believed that a recently-terminated aide, Christopher Davis, shared a document containing his (Tobia's) personal information. Tobia discovered this when a picture of his information was sent to him via text (Tobia did not disclose whom the text was from.) Tobia opined the document was taken from a shared drive in his office where Davis worked.

Preliminary investigative steps by BCSO included meeting with Davis. Davis advised he was provided with an information manual early in his employment with Tobia's office, which included the passwords and log-ons to Tobia's work and personal accounts. During the short time he worked there, Davis felt some of the activities occurring within Tobia's office were unethical and potentially criminal. For this reason, Davis resigned. He maintained possession of the information manual with the belief the manual was given to him.

Davis provided a sworn affidavit to BCSO outlining the issues he believed to be potentially criminal. Davis advised he was directed by Tobia to gather information on Bobanic because Tobia was attempting to run for the Supervisor of Elections and unseat Bobanic.

Bobanic had taken a recent work-related trip to Washington, D.C. Tobia wanted to obtain the receipts to determine if Bobanic was lavishly spending taxpayer money. Davis was directed to call the hotel where Bobanic stayed and request a copy of the receipt. Davis was told by the hotel that a request had to be made by email from the customer. The information was

Case Number: EI-11-0080	Serial #: 1
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 07/19/2023	Activity End Date:
Approved By: Negrete-3325	

Description: Case Opening

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related to Tobia, who instructed Davis to create a fake email account. Davis told Tobia he would use "BrevardSOE" to create the email. Tobia said it was too obvious and would be traced to his office. Bethany Prasad, another worker in the office, recommended using "ilovebreakfast82", which was used.

The email required a phone number. Davis provided Tobia's number to obtain the two-factor authentication, which he provided to Davis to finalize setting up the fake email account. Tobia told Davis what to write in the email, and told him to use Timothy/Tim (Bobanic's first name) in the body of the email.

The email was sent and Bobanic's invoice was provided by the Fairmont Hotel in Washington, D.C.

BCSO turned over several items that had been obtained during their initial investigative steps and before turning the case over to FDLE. These items included:

One thumb drive containing two recorded statements from Davis by BCSO, and a copy of the email exchange with the Fairmont Hotel; a sworn affidavit from Tobia to BCSO; text/email exchange between Tobia and Sergeant Hearon; a written report by Sergeant Hearon with attached notarized affidavit. These items are attached to the related items section of the case file as INV-1.

Additional documents provided by BCSO included: A sworn affidavit from Davis; documents provided by Davis detailing his resignation and evaluation; a text exchange between Tobia and Davis, and the information manual provided to Davis. These items are attached to the related items section of the case file as INV-2, except for the information manual, which is attached as INV-3.



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On August 2, 2023, FDLE Inspector Danielle Wiles drafted a subpoena request for the records affiliated with the creation of the account "ilovebreakfast82@yahoo.com". It was requested to be delivered to Inspector David Snowden for service to Yahoo. The subpoena was granted on August 3, and mailed to the Orlando Regional Operations Center. Once it was received, Inspector Snowden delivered the subpoena to the Yahoo law enforcement request site on August 11.

The subpoena, along with a digital copy is included in the related items section of the case file as INV-4.

Case Number: EI-11-0080	Serial #: 2
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 08/02/2023	Activity End Date:
Approved By: Negrete-3325	

Description: Subpoena Request

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On August 15, 2023, FDLE Inspector David Snowden received the following results from the subpoena issued to Yahoo.

Account [ilovebreakfast82@yahoo.com](mailto:ilovebreakfast82@yahoo.com) was registered on June 22, 2023, at 14:13:35 Zulu time. The IP address registering the account was [REDACTED]. The name of the person registering the account was William Smith. The phone number verifying the account was [REDACTED] which is verified as Tobia's number.

There were three timestamped activities associated with the account; the initial registration at 14:13:35 Zulu time from IP [REDACTED], activity at 14:13:53 Zulu time from IP [REDACTED] and activity at 14:42:27 Zulu time from IP [REDACTED].

Yahoo provided a Business Record Declaration (BRD).

Digital copies of the subscriber information, login activity, and BRD are attached to the related items section of the case file as INV-5, INV-6, and INV-7 respectively.

Case Number: EI-11-0080	Serial #: 3
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 08/15/2023	Activity End Date:08/15/2023
Approved By: Negrete-3325	

Description:Subpoena Results

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On August 4, 2023, at approximately 0905 hours, FDLE Inspectors David Snowden and Danielle Wiles obtained a sworn, voluntary, and recorded interview with Brevard County Supervisor of Elections (SOE), Timothy Bobanic. Bobanic had legal representation, Attorney Robert O'Neil, present via speaker phone. The interview was obtained at 6767 N. Wickham Road, Melbourne, Florida. The following is a synopsis of the interview.

Bobanic has been with the SOE office since 2013. He was appointed as the SOE in September 2022.

According to Bobanic, Brevard County Property Appraiser Dana Blickley contacted him on June 29, 2023, regarding "alarming" information she learned from Christopher Davis, a prior employee of Tobia. Blickley recommended Bobanic speak to him as the information was about Bobanic.

Bobanic called Davis on speaker phone with Bobanic's Chief Deputy, Karen Graham, present as a witness. Davis advised he was instructed to research Bobanic and his campaign at the direction of Tobia working as Tobia's aide. The research included creating a fake email account to obtain records during Bobanic's recent stay at the Fairmount Hotel in Washington, D.C. to determine if excessive Brevard County taxpayer monies were spent on the trip. The erroneous email ([ilovebreakfast82@yahoo.com](mailto:ilovebreakfast82@yahoo.com)) was created using the name, "Tim B." and Tobia's cell phone was used to authenticate the email. Tobia and his assistant, Bethany Prasad, told Davis how to word the email request sent to the hotel. The email was signed, "Regards, William". Bobanic opined that the email was signed this way to create the illusion that it was not sent by Tobia's office. Bobanic has no relevant connection to anyone by that name.

Once the email was sent to the hotel, a response including the billing statement was provided. The bill revealed two purchases made by Bobanic totaling \$56.20, which were both paid by Bobanic using his credit card (Bobanic revealed his credit card showing the same last four digits

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Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 08/04/2023	Activity End Date:
Approved By: Negrete-3325	

Description: Interview with Tim Bobanic

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as shown on the statement).

Bobanic indicated the trip to Washington was at the request of the United States Election Assistance Committee (EAC) to present how Brevard County conducted post-election audits. The trip was financed by the US Treasury. Bobanic was only responsible for extraneous purchases, which showed as two purchases made at the Fairmont Hotel.

Davis mentioned other questionable activities conducted at Tobia's county office including alcohol purchases/consumption, use of campaign software to research other candidates, and having members of his staff doing online work for Tobia's other employer.

Bobanic affirmed that he was never asked by anyone to use any of his information or to obtain any of his personal information.

Bobanic indicated he, Blickley, and Brevard County Tax Collector Lisa Cullen had been "targeted" by Tobia requesting extensive budget inquiries into each of their specific offices. This was the first time in his seven years in office that Tobia made this type of request. Bobanic believed it was to generate information to boost Tobia's run for SOE since both Cullen and Blickley publicly support Bobanic's bid for re-election. None of the other Brevard County Officers received a budgetary request inquiry from Tobia.

Bobanic provided copies of everything, including the prepared statement he read from, to FDLE. Those items are attached to the related items section of the case file as INV-8. A copy of the recorded interview is attached as INV-9.

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Christopher Davis alleged during his sworn statement provided to the Brevard County Sheriff's Office (BCSO) that Tobia was not living at the address reported on his Florida Driver's License (DL). Tobia's DL showed [REDACTED] which came back to a UPS Store within the district where he governs. Davis indicated that Tobia lived with his girlfriend, Shahrbanoo Noori in District Five located in Melbourne.

Investigative research revealed that Tobia's address on his Brevard County Voter's Registration is [REDACTED]. The Brevard County Property Appraiser's (BCPA) office shows the address is owned by Josette Mclean; there is no mention of Tobia being affiliated with this address. According to the BCPA site, Tobia is only associated with [REDACTED].

[REDACTED] is located in District Four. The voting precinct is 405 located at 565 Cassia Boulevard, Satellite Beach.

[REDACTED] is located in District Three. The voting precinct is 322 located at 1901 Emerson Drive SE, Palm Bay.

[REDACTED] is located in District Three. The voting precinct is 303 located at 1502 Port Malabar Road, Palm Bay.

Noori's address is in District Four. The voting precinct is 421 located at 7400 North Wickham Road, Melbourne.

Due to the above inconsistencies a subpoena was requested and granted for Tobia's voting and address history.

A copy of the subpoena is attached to the related items section of the case file as INV-10.

Case Number: EI-11-0080	Serial #: 5
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 08/16/2023	Activity End Date:
Approved By: Negrete-3325	

Description: Voting Record Subpoena

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On August 21, 2023, FDLE Inspector David Snowden received the subpoenaed documents from the SOE. The items were as follows:

- a. Business Record Certification
- b. Voter Registration Receipt for Tobia
- c. Tobia's Voter's History transactions from July 2020 through December 9, 2022
- d. Tobia's Voting History Report
- e. Signed Oath for the 2020 General Election
- f. Tobia's electronically captured signature from early voting on October 24, 2022
- g. Tobia's electronically captured on-file signature
- h. 2022 vote by mail ballot returned due to a forwarded address

The items are electronically attached to the related items section of the case file as INV-11.

Case Number: EI-11-0080	Serial #: 6
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 08/21/2023	Activity End Date:08/21/2023
Approved By: Negrete-3325	

Description:Items Subpoenaed from SOE

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On September 6, 2023, FDLE Inspectors David Snowden and Ryan Bliss met with Brevard County Deputy Supervisor of Elections (SOE) Karen Graham. The meeting occurred at 525 North John Rodes Boulevard in Melbourne, Florida, to discuss the items provided by Graham in the previously issued subpoena.

Graham explained how to analyze and read the acronyms and inter-office verbiage of the provided voter history records. She also explained the processes that affected Tobia's recent address and voting history.

The voting history revealed Tobia changed his residential address to [REDACTED] (voting precinct 303), from [REDACTED] (voting precinct 303), on January 25, 2021. This was completed online via the Florida Voter Registration System (FRVS) by the voter.

On January 12, 2022, an attempt was made through the FRVS to change the address, however, FRVS rejected the change due to the address being a post office box.

On July 5, 2022, an absentee ballot was sent to Tobia at the [REDACTED] address. The ballot was returned because the mail had been forwarded by Tobia to [REDACTED]. Since the address was a post office box, the SOE cannot by law deliver ballots. The voter [Tobia] would have to update and submit a valid street address to receive mail service from the SOE.

Tobia changed his address on FRVS to [REDACTED] (voting precinct 322), on September 20, 2022. He was sent a new voter identification card two days later.

On October 24, 2022, at 0804 hours, Tobia voted early in the general election at precinct 322, which encompasses the address Tobia indicated as his residence.

Case Number: EI-11-0080	Serial #: 7
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 09/06/2023	Activity End Date:09/06/2023
Approved By: Negrete-3325	

Description: Meeting with Deputy SOE Karen Graham

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Graham was asked to provide a copy of the oath which is presented for each voter to sign prior to voting. Graham provided the Early Voting Voter Certificate, which reads as follows:

*I, \_\_\_\_\_, am a qualified elector in this election and registered voter of Brevard County, Florida. I do solemnly swear or affirm that I am the person so listed on the voter registration rolls of Brevard County and that I reside at the listed address. I understand that if I commit or attempt to commit fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election I could be convicted of a felony of the third degree and both fined up to \$5,000 and imprisoned for up to 5 years. I understand that my failure to sign this certificate invalidates my ballot.*

Initial allegations indicated Tobia was living with his girlfriend, Shahrbanoo Noori at [REDACTED]. The SOE database indicated the only registered voters at that location were Nicole Horn, voter ID [REDACTED] and Joseph Bedway Jr., voter ID [REDACTED]. [REDACTED] is located in Brevard County District Four.

SOE Tim Bobanic provided ballots for the November 2022 election for precincts 303, 322, and 421. The precinct 421 ballot had differences (District Four County Commissioner's race) from the the other two ballots, which included the City of Palm Bay Council Seat Four.

The ballots collected from the SOE office are attached to the related items section of the case file as INV-12. The early voting certificate is attached as INV-13.



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On September 7, 2023, FDLE Inspectors David Snowden and Ryan Bliss drove to [REDACTED] in an effort to speak with the homeowner, Josette Mclean.

Mclean answered the door and agreed to provide a sworn and recorded statement. The following is a synopsis of the statement.

Mclean has lived at the residence since June of 2022.

Mclean indicated that she lives in the home with her adult daughter and that Tobia rents a room from her, although he is only there occasionally.

Mclean used to run political campaigns and knew Tobia through common political contacts. Mclean ran into Tobia through a mutual friend and they were discussing her new home. Tobia advised he was looking for a place to temporarily stay and store some items. Mclean agreed to rent a room to Tobia for \$300 a month.

Mclean provided an unsigned rental contract between her and Tobia indicating the terms of the agreement. She also provided a piece of mail (from the Supervisor of Elections) addressed to Tobia with her address.

Mclean has not seen Tobia in about a month and a half. She indicated she travels frequently so it is not uncommon to go long periods where she does not see him. Mclean also advised that Tobia would not stay at the residence if her family members were visiting. Mclean's daughter moved out of her apartment and in with Mclean in July. Mclean had not seen Tobia since.

Mclean showed a bedroom in the residence with men's clothing in the closet, saying that was Tobia's room and clothing. She then showed several boxes of personal items in her garage that she said belonged to Tobia.

Case Number: EI-11-0080	Serial #: 8
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 09/07/2023	Activity End Date:09/07/2023
Approved By: Negrete-3325	

Description: Interview with Josette Mclean

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Photographs of the contract are attached to the related items section of the case file as INV-14. A photograph of the piece of mail is attached as INV-15. The recorded statement is attached as INV-16.

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On September 27, 2023, at approximately 1006 hours, FDLE Inspectors David Snowden and Ryan Bliss obtained a sworn, recorded, and voluntary statement from Bethany Prasad. The statement was obtained at Morris Richardson, the Brevard County Attorney's office. Attorney Richardson was present during the interview.

Prasad is the Chief of Staff for County Commissioner John Tobia. She was present when Christopher Davis was hired at the office. She described Davis as "(a) little difficult to work with", saying he "was overly motivated...but not always ...in the right direction". There were times when Prasad had to correct his behavior, although Davis was pleasant in the work environment.

Davis eventually put in a letter of resignation, which was initially accepted by Tobia. However, Tobia later believed that Davis had given some of his passwords and talking points to person(s) outside of the office (Prasad did not know who), which resulted in the resignation being rescinded and Davis being terminated. Prasad knew Davis "was very upset when he left" and got involved with Brevard County Human Resources as a result. She felt that some of the issues Davis alleged could be "stretching some sort of truth or coming from nowhere".

In Davis' sworn statement to the Brevard County Sheriff's Office, he indicated Brevard School Board member Jennifer Jenkins made a public records request (PRR) for messages between Tobia and School Board member Matt Susin. Davis alleged the texts were altered due to some unsavory comments between Tobia and Susin. Prasad was familiar with the PRR but was out of the office when it was fulfilled by fellow employee Brian Bond.

Prasad acknowledged that Tobia requested Davis to find out how much Bobanic paid for his motel room on a previous trip to Washington D.C. by instructing Davis to call the motel and find out Bobanic's room rate. Prasad described Tobia as fiscally concerned, saying Tobia believed travel was a frivolous, often-abused item. Davis attempted to get the information but was told by motel personnel that he would need to request the information by email. Davis complied by

Case Number: EI-11-0080	Serial #: 9
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 09/27/2023	Activity End Date:
Approved By: Negrere-3325	

Description: Interview with Bethany Prasad

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sending an email. Prasad admitted she was the person who came up with the email for Davis to send to the hotel. Davis received the folio for the room and provided it to Tobia, although Prasad could not remember what was learned from it.

Davis alleged Tobia used his personal cell phone to authenticate the email account created to request the folio. When asked, Prasad verified that no one in their office had access to Tobia's cell phone other than Tobia. Prasad recalled working the day Tobia asked Davis to get the information, although she did not remember Tobia getting a text or telling Davis a code verifying the email's two-factor authentication.

Prasad could not explain why it was necessary to create an email request when room rates were accessible online, nor could she explain why the research was not done by PRR through Bobanic's office. When asked if she thought the research of Bobanic's travels was related to Tobia's bid to run for Supervisor of Elections, Prasad did not believe so since Tobia had done similar research on other governmental and elected officials. Prasad named previous Commissioner Curt Smith, Property Appraiser Dana Blickley, and multiple other statewide officials whom Tobia had requested budgetary audits on.

Prasad acknowledged using a paid-to-access voting database known as "WebElect" to conduct informational research on Tobia's constituents. She described WebElect as an "easy public records database," that maintains information, including phone numbers on all registered voters in Brevard County. Tobia purchased WebElect and provided his login information and password to Prasad for access. Prasad indicated she uses WebElect to research/verify if a constituent is in Tobia's district.

Davis' allegations included Tobia having his staff conduct work for Tobia's other employer (Valencia Community College) at his direction, therefore misusing taxpayer monies. Prasad indicated she had assisted Tobia by logging into his Valencia account. She would do this if Tobia was out of town on personal business and did not have good internet service. She would also help Tobia with any needed follow-up issues and has assisted him in grading papers. Prasad described Tobia as being "technologically impaired," so she also aided him in setting up his new classes when the college made changes to the online system. Prasad indicated she has never gone to Valencia Community College for Tobia; her assistance has only been limited to online help.

The final issue Davis brought to light was the allegation that Tobia lived outside of his governing district.

Prasad said, "[Tobia] rents a room in his district somewhere from a landlord. I've never been there. I don't know." Prasad did not know exactly how long Tobia reportedly rented the room but believed it was over a year because Tobia had talked about it at work. Prasad was asked if she knew anything about Tobia living with his girlfriend. Prasad knew Tobia's girlfriend and that she lived in a condo on the beachside, however, Prasad did not know how often Tobia stayed there.

Prasad was asked if there was anything illegal, immoral, or unethical that she was aware of that had occurred at her office. She advised she did not like doing Tobia's personal work but did not feel that it rose to the level of being unethical.



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The interview concluded at 1038 hours.

A digital copy of the recorded interview is attached to the related items section of the case file as INV-17.

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On September 27, 2023, at approximately 1042 hours, FDLE Inspectors David Snowden and Ryan Bliss obtained a sworn, recorded, and voluntary statement from Brian Bond. The statement was obtained at Morris Richardson, the Brevard County Attorney's office. Attorney Richardson was present during the interview.

Bond works in the office of County Commissioner John Tobia. Bond worked with Christopher Davis at the office for the duration of Davis' employment. Davis eventually left his position and made several allegations against Tobia with the Brevard County Sheriff's Office.

When Davis started working for Tobia, Bond described him as being driven toward success and a person who picked up on responsibilities quickly. Things went well for several months before Davis' performance deteriorated and the work relationship also declined. Eventually, Davis submitted a letter of resignation, however, Davis was later terminated for "leaking information". Bond believed Davis leaked "talking points" of budgetary research to individuals at the Brevard Property Appraiser's Office and the Brevard Supervisor of Election's Office.

One of Davis' many allegations was that Tobia instructed his staff to utilize "WebElect," a paid-access voting database to conduct informational research on his constituents. Individuals registered as Democrats or those not having a high enough "score" were to be ignored according to Davis.

Bond was familiar with WebElect and only used it in a limited capacity for constituent research since most of his interactions were with known individuals. WebElect research was done on cell phones since the program was not on the office computers (Bond was asked not to use it on county computers). Bond used login and password information provided by Tobia, who had an account. According to Bond, he used the program to better understand a voter, to determine their party, and to know their affiliations. Each person who contacts Tobia's office gets a response regardless.

Case Number: EI-11-0080	Serial #: 10
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 09/27/2023	Activity End Date:
Approved By: Negrete-3325	

Description: Interview with Brian Bond

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Bond was asked about his knowledge of the email that was created to obtain Bobanic's bill from his Washington DC trip. Bond advised Tobia wanted Davis to do research on Bobanic's travel expenditures. Davis called the hotel where Bobanic stayed and was informed they could send the information to him via email. An email was created in the office and Davis obtained the bill. Bond was questioned why the email was needed if room rates were available online. He advised that there are occasions when hotels would provide discounted rates and Tobia wanted correct information. Bond did not have any recollection of Tobia receiving a cell phone message providing a two-factor authentication code to validate the email.

Bond acknowledged he occasionally has access to Tobia's cell phone and "would probably remember the password" if he were to type it in. Tobia is not "the most technically inclined person" so he would sporadically ask Bond to do something on his phone.

Regarding Davis' claim that Tobia failed to provide requested text messages between himself and School Board member Matt Susin, Bond advised that he was the person who fulfilled the request. Before learning it was incorrect by creating a new record, Bond transcribed Tobia's phone call log and text messages with Susin onto a piece of paper. When Tobia learned that was incorrect, screenshots were made of the requested texts, but the call log was no longer available due to the timeframe. Tobia provided the screenshots to Bond, who sent them as requested. Bond indicated none of the requested material contained unsavory language.

Tobia is an instructor at Valencia Community College. Davis alleged Tobia had his county employees doing his [Tobia's] college work while they were on county time. Bond verified there were occasions when he did assist Tobia with work. Bond helped Tobia when there was a syllabus change and he occasionally (three or four times) helps cross reference grades.

The final accusation Davis made was that Tobia did not live at the address he had on his driver's license. Davis reported Tobia lived with a girlfriend outside of the district. Bond indicated he knew that Tobia "rents a room from someone in Palm Bay," although he did not know who the person was. Bond thought that Tobia had rented from the person a couple of months previously because was asking about online leases at that time. Bond verified that Tobia also stayed with his girlfriend because he picked Tobia up from her beachside condo previously. Bond had never been to the Palm Bay rental location.

The interview concluded at 1111 hours.

A digital copy of the recorded interview is attached to the related items section of the case file as INV-18.

**FLORIDA DEPARTMENT OF LAW ENFORCEMENT  
INVESTIGATIVE REPORT**

On July 19, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was asked to investigate allegations that Brevard County Commissioner John Tobia used the personal identification of Brevard County Supervisor of Elections Tim Bobanic without obtaining Bobanic's consent.

On October 31, 2023, FDLE Inspector David Snowden called Tobia inquiring if he would be willing to provide a statement. Tobia indicated he would call back and advise Inspector Snowden.

Tobia's Attorney, Robert Leventhal contacted Inspector Snowden on November 1 saying any correspondence should be directed through him. On November 7, 2023, Attorney Leventhal's office notified Inspector Snowden that Tobia would not provide a statement.

Case Number: EI-11-0080	Serial #: 11
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 10/31/2023	Activity End Date: 11/07/2023
Approved By: Negrete-3325	

Description: Attempted Interview with John Tobia

*THIS REPORT IS INTENDED ONLY FOR THE USE OF THE AGENCY TO WHICH IT WAS DISSEMINATED AND MAY CONTAIN INFORMATION THAT IS EITHER PRIVILEGED OR CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. ITS CONTENTS ARE NOT TO BE DISTRIBUTED OUTSIDE YOUR AGENCY.*



**FLORIDA DEPARTMENT OF LAW ENFORCEMENT  
INVESTIGATIVE REPORT**

On July 19, 2023, the Florida Department of Law Enforcement (FDLE) Office of Executive Investigations (OEI) was asked to investigate allegations that Brevard County Commissioner John Tobia used the personal identification of Brevard County Supervisor of Elections Tim Bobanic without obtaining Bobanic's consent.

FDLE has conducted a thorough review of the allegations presented by Christopher Davis, a previous aide to Tobia. During the course of the investigation, the following facts were obtained to determine if any criminal actions had occurred relative to the accusations provided by Davis.

**Facts:**

On December 9, 2022, Tobia announced his run for Brevard County Supervisor of Elections, a seat currently held by Timothy Bobanic.

On June 22, 2023, prior to his resignation and subsequent termination, Davis contacted Brevard County Property Appraiser Dana Blickley to inform her of Tobia's intentions to "...tarnish her and Mr. Bobanic and paint them as fiscally irresponsible...". At the same time, Davis told Blickley of his intention to resign from Tobia's office due to the "...unethical way [Tobia] was conducting business... and the hostile work environment".

On July 13, 2023, Davis provided a notarized statement to the Brevard County Sheriff's Office (BCSO) after learning that Tobia had filed a complaint with BCSO against him on June 30. In his statement, Davis made several allegations against Tobia, some of which were potentially criminal. Davis advised Tobia "... often would brag he was good friends with the Sheriff and insinuated Sheriff Ivey would help him with whatever he needed". Tobia also showed Davis a video of Sheriff Ivey endorsing him.

**Allegation:** Tobia utilized his employees to criminally use Timothy Bobanic's personal identification information.

**Findings:**

Tobia's other employees, Chief of Staff Bethany Prasad, and Aide Brian Bond revealed Tobia wanted research conducted on Bobanic and Blickley due to Tobia's reported fixation on unnecessary fiscal spending. Davis was tasked with assisting in the process. Both Prasad and Bond indicated Tobia had a contentious relationship with Blickley. Davis revealed Tobia was

Case Number: EI-11-0080	Serial #: 12
Author: Snowden-4177	Office: Executive Investigations
Activity Start Date: 11/14/2023	Activity End Date:11/14/2023
Approved By: Negrete-3325	

Description: Findings

*THIS REPORT IS INTENDED ONLY FOR THE USE OF THE AGENCY TO WHICH IT WAS DISSEMINATED AND MAY CONTAIN INFORMATION THAT IS EITHER PRIVILEGED OR CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. ITS CONTENTS ARE NOT TO BE DISTRIBUTED OUTSIDE YOUR AGENCY.*

Case Number	EI-11-0080
IR Number	12

angry with Blickley due to her "...beating him on a previous issue that involved the Malabar Scrub Jay Sanctuary...".

On June 21, 2023, Tobia instructed Davis to obtain Bobanic's "...travel history (i.e. transportation cost, hotel rates), attended meetings, and awards received". Davis was already "cataloging" public record requests (PRR) from other Supervisor of Election (SOE) and Property Appraiser offices across the state. This was validated by text between Davis and Tobia provided to BCSO and in Davis' statement.

Research conducted by Davis and Prasad determined Bobanic stayed at the Fairmont Hotel in Washington DC during a previous work-related trip. Tobia wanted to know how much the trip cost Brevard taxpayers. Unbeknownst to Tobia, the trip was requested by the United States Election Assistance Committee and was funded by the United States Treasury so no county taxpayer funds were used. When Davis contacted the Fairmont Hotel requesting Bobanic's bill, he was informed the request had to be made via email. Tobia, according to Davis, wanted to maintain anonymity while obtaining the bill, requiring Davis to create a fictitious email.

On June 22, 2023, the email, [ilovebreakfest82@yahoo.com](mailto:ilovebreakfest82@yahoo.com) was created. The corresponding phone number attached to the account was verified by subpoena compliance as Tobia's number. The name on the account was listed as William Smith. The IP address was verified as originating in Brevard County. Prasad admitted she came up with the email name and why it was created. Bond was also aware of the email and its intended use.

The email sent to the Fairmont Hotel showed as coming from, *Tim B* and was signed, "*Regards, William*", and requested the folio for Mr. Tim Bobanic. There was a nine-minute delay from the time the email address was created until the email was sent to the Fairmont Hotel.

In Bobanic's interview, he said there was no affiliation between him and a person named William. Bobanic correctly believed the name was used to prevent Tobia's office from being discovered as the originator.

Based on the evidence gathered, there is probable cause to believe that the email address was created and sent to the Fairmont Hotel to obtain Bobanic's bill. It is also apparent the author of the email made it appear there was an affiliation to Bobanic by putting "Tim B." in the address line, even though the email was signed by "William". However, there was no use of Bobanic's official state-issued driver's license number, social security number, or other personal identification information as named in FSS 817.5685, which is required for prosecution under said statute. Nor, was any of Bobanic's personal identification information provided to Tobia's office by the Fairmont Hotel.

\*NOTE\* The last four digits of Bobanic's credit card number were included in the folio given to Tobia.

**Allegation:** Tobia does not reside in the district in which he governs.

**Findings:**

Davis advised in his statement that, "...the residential home address Tobia uses for his Driver's License ...is a UPS store. His real address where he lives is actually in District 5, with his

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girlfriend, Shahrbanoo Noori”.

Tobia’s voter registration indicates he resides at [REDACTED] which is a home owned by Josette Mclean. His Florida Driver's License indicates his residential address is [REDACTED] which is a UPS store.

Noori’s Florida Driver’s License indicates an address on Cappio Drive in Melbourne, Florida. However, investigative steps determined this is incorrect as the Cappio Drive residence belongs to Noori’s ex-husband. Noori now lives in a condo in [REDACTED]

Mclean provided a sworn statement indicating that Tobia “rents a room” at her residence for \$300 a month. Mclean had an unsigned rental agreement between her and Tobia dated from September 2022 to September 2023. She also provided a piece of mail from the Supervisor of Elections addressed to Tobia at her address.

Mclean said Tobia does not stay there often, especially when one of Mclean’s adult children is there. At the time of the interview, Mclean’s daughter had been living with her for approximately two months. She indicated she does not often see Tobia as they both frequently travel and she could not recall the last time he was there.

Mclean had items (clothing and miscellaneous boxes) in her home that she said belonged to Tobia; however, there were no personal effects readily identifiable to Tobia.

Prasad and Bond indicated that Tobia rented a room from someone in his district, but neither knew exactly where. Bond said he had seen Mclean’s name, possibly on some labels in the office. Both Prasad and Bond knew that Tobia sometimes stayed with Noori at her condo and Bond had previously picked Tobia up from Noori’s condo. Prasad believed Tobia rented the location over a year ago. Bond thought Tobia had only rented the room a few months ago because Tobia asked about online rental agreements at that time.

SOE records revealed Tobia registered the [REDACTED] address on September 20, 2022.

The testimony provided is not consistent with the accusations made by Davis. It is reasonable to believe that Tobia has not recently stayed at [REDACTED] however, there is nothing to refute the statements provided by Mclean, Prasad, and Bond. While the validity of the rental agreement is questionable and the only mail Mclean provided came from the SOE, probable cause has not been established that a crime has been committed.

**Allegation:** Tobia requires his employees to do the work of his other employer, Valencia Community College (VCC).

**Findings:**

Both of Tobia’s current office workers indicate they have assisted him with various VCC tasks. Prasad and Bond mutually agree that Tobia is lacking the technological acumen that they possess. As a result, Bond has assisted Tobia with a syllabus change, and on 3 or 4 occasions he helped cross-reference grades.

Prasad admitted she logged into Tobia’s VCC account to assist with “follow-up” issues when



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he was out of town. She also helped him set up his new classes when the college made changes to its online system.

Brevard County Attorney Morris Richardson, who sat in on the interviews with Prasad and Bond, stated the County's view is that they typically let the commissioners run their offices at their discretion.

As such, it would be necessary for County Administrators to determine if the actions of any of the individuals within the District Three Commissioner's office constitute a violation. If so, are the violations criminal in nature, or would they be more properly addressed through county disciplinary procedures?

If further criminal investigative steps are warranted, corresponding evidentiary data with quantitative analysis would need to be provided substantiating a criminal predicate.

After consulting with his attorney, Tobia declined to provide a statement regarding this investigation.



# BREVARD COUNTY SHERIFF'S OFFICE

## AFFIDAVIT -- GENERAL

### I. STATEMENT INFORMATION

INTERVIEWING DEPUTY/AGENT	DATE	TIME	LOCATION	CASE REPORT #
Sergeant Jacqueline Hearon	07/03/2023	1200	340 Gus Hipp Blvd	2023-235366

### II. PERSONAL IDENTIFICATION

NAME (LAST, FIRST, MIDDLE)	RACE/GENDER	DATE OF BIRTH	TELEPHONE (HOME)	TELEPHONE (WORK)
Tobia, John, Joseph	W/M	01/06/1978	[REDACTED]	(321) 633-2075
HOME ADDRESS		WORK ADDRESS		
[REDACTED]		2539 Palm Bay Rd. NE Ste. 4, Palm Bay, FL 32905		

### III. STATEMENT

Before me, the Undersigned Authority, this day personally appeared John Joseph Tobia,  
(Full Name of Affiant)  
 who first being duly sworn and placed under oath, deposes and swears as follows:  
 On the 30th day of June, 2023, in Brevard County, State of Florida,  
Christopher William Davis  
(Suspect/s - Defendant/s)  
 did then and there commit the offense of ID Theft by Harassment  
(List Offense)  
 which is contrary to Florida Statute 817.568 which is a Misdemeanor  
(List Statute Number) (Misdemeanor / Felony)

### IV. INTERVIEW

#### DEPUTY'S QUESTIONS AND ANSWERS TYPE STATEMENT

Christopher Davis served as the Administrative Aide to the County Commissioner. His last day in the office was Friday June 23, 2023.

Christopher Davis called out sick on Monday June 26 and Tuesday June 27. On the 27th, I spoke with Christopher Davis about documents leaving the office and purposefully ending in other people's possession, without my knowledge or authorization.

Christopher Davis submitted a letter of resignation on the 27th. The decision was made to formally terminate Christopher Davis on July 3, 2023.

On June 30, 2023, I was informed that, at a minimum, my password list, including both work and personal usernames and passwords was in someone else's possession. This was confirmed on the 30th at 5 pm when a texted picture of my password document was sent to me. This document included the usernames and passwords for multiple email accounts, Paypal, bank accounts, the Brevard County government computer network, my Brevard County purchase card number and information, Amazon, Apple, social media accounts, and other information.

CONTINUED ON NEXT PAGE

PAGE OF PAGES

This document is saved in a folder within the District 3 share drive. Access to this document is limited to myself, Bethany Prasad (Chief of Staff), Brian Bond (Legislative Aide), and Christopher Davis. Christopher Davis was also in possession of a hard copy given to him when he was hired.

This document and the information contained therein was shared without my knowledge, authorization, or consent. There was no legitimate purpose for sharing this document with anyone outside of the individuals already able to access the information.

**V. SIGNATURE / OATH**

I swear (or affirm) I have read this statement and it is true and correct to the best of my knowledge so help me God. Yes

Signature of Affiant

*[Handwritten signature]*

Subscribed and sworn before me, a person authorized by law to administer oaths, this 5<sup>th</sup> day of July, 23 (year).

Signature of Notary/Law Enforcement Officer in performance of official duties.

*[Handwritten signature]* #355

Affiant is:  Personally Known

I.D. Produced:

PAGE OF PAGES

## Brevard County Commission District 3

District 3 contains the towns of [Melbourne](#), [Melbourne Beach](#), [Palm Bay](#), [Grant](#), [Grant-Valkaria](#), [Malabar](#), [West Melbourne](#) and Micco.

Notable named places are: Canal Number 54.



### Commissioner John Tobia

**City of Residence:** Palm Bay

**Occupation:** College Professor

**Child(ren):** Taylor

**Education:** University of Florida, B.A., M.A., 1996-1999

**Born:** January 6, 1978, Honolulu, HI

**Moved to Florida:** 1990

### Brevard County Commission District 3 Staff

[Bethany Prasad, Chief of Staff](#)

[Brian Bond, Legislative Aide](#)

[Christopher Davis, Community Affairs Director](#)

[Home](#)

[County Charter](#) ↓

[District 1](#) ↓

[District 2](#) ↓

[District 3](#) ↑

[Commissioner / Staff](#)

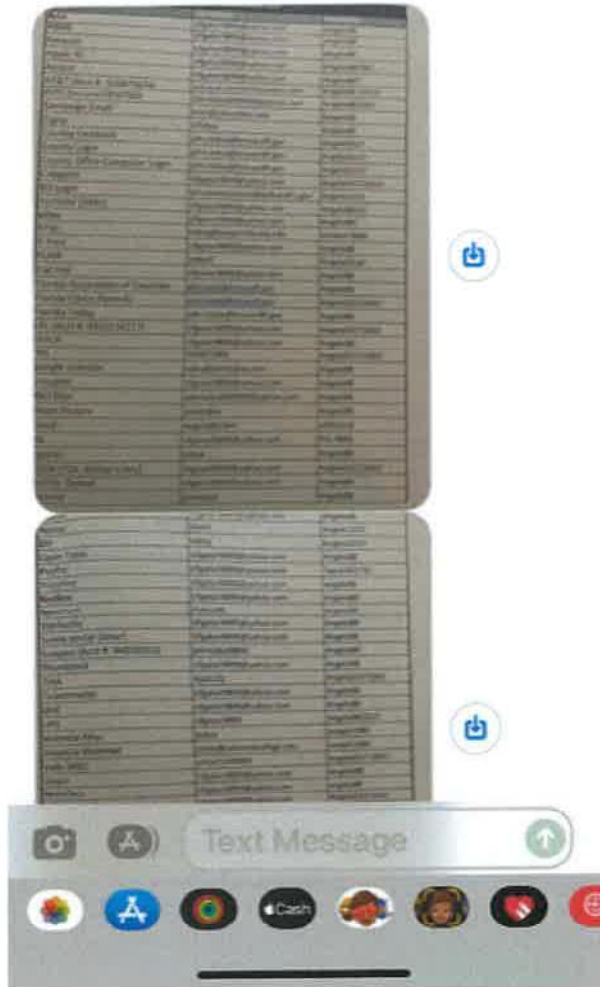
# Hearon, Jacqueline

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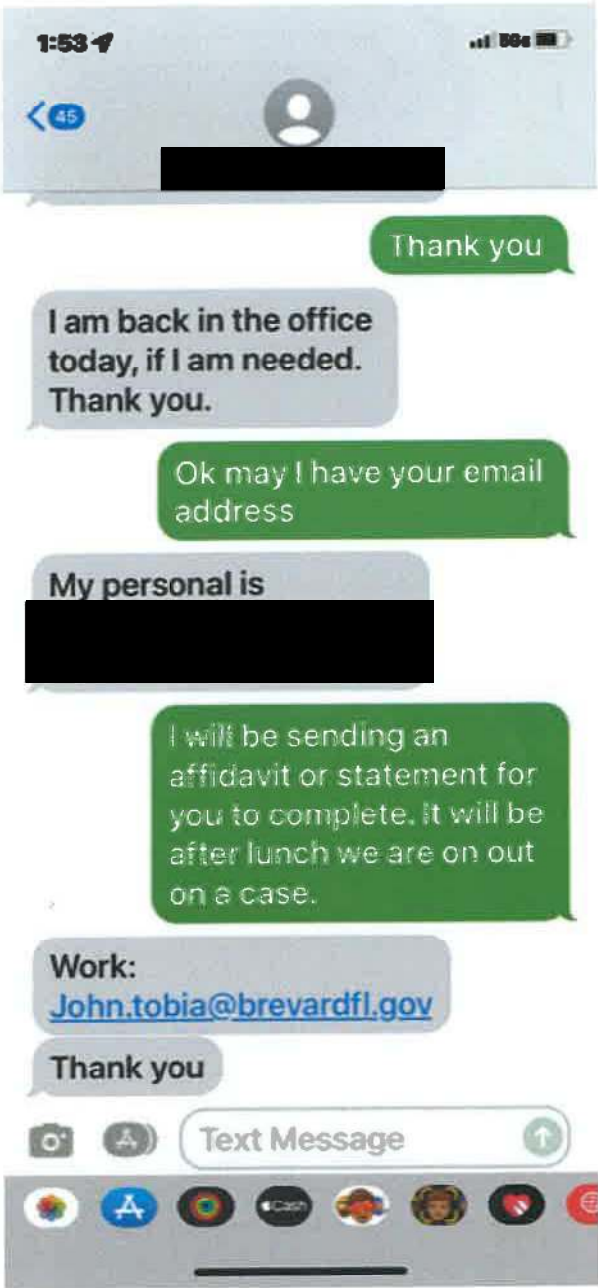
**From:** Hearon, Jacqueline  
**Sent:** Tuesday, July 18, 2023 1:57 PM  
**To:** Hearon, Jacqueline



**Text Message**  
Fri, Jun 30, 5:43 PM









Sent from my iPhone

## Hearon, Jacqueline

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**From:** Hearon, Jacqueline  
**Sent:** Tuesday, July 18, 2023 1:58 PM  
**To:** Hearon, Jacqueline

ACCOUNT LIST	USERNAME	EMAIL
AAA		
ABNB		
Amazon		
Apple ID		
Ascent		
AT&T (Acct #: 310875674)		
AVIS (Discount# S954700)		
Campaign Email		
Cigna		
County Facebook		
County Login		
County Office Computer Login		
Craigslist		
D3 Login		
FLHSMV (DMV)		
eBay		
EFSC		
E-Pass		
FLAIR		
Flat Fee		
Florida Association of Counties		
Florida Ethics (form 6)		
Florida Today		
FPL (Acct #: 9323114117)		
FPPCP		
FRS		
Google calendar		
Groupon		
HBO Max		
Hilton Honors		
Icloud		
IHG		
Legistar		
LOGIN (TSA, Global Entry)		
Metlife- Dental		
National		

Sent from my iPhone

## Hearon, Jacqueline

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**From:** Hearon, Jacqueline  
**Sent:** Tuesday, July 18, 2023 1:58 PM  
**To:** Hearon, Jacqueline



Sent from my iPhone

## Hearon, Jacqueline

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**From:** Hearon, Jacqueline  
**Sent:** Monday, July 3, 2023 11:36 AM  
**To:** [REDACTED]  
**Cc:** 'john.tobia@brevardfl.gov'  
**Subject:** Affidavit/ statement  
**Attachments:** General Statement Affidavit 235366 .pdf

Good Afternoon Mr. Tobia,

Here is the Affidavit/statement form for the case. You can use this form or type-up or handwrite a statement of the events. Once this is completed, your signature must be notarized. We can notarize and pick it up, or you can have it notarized and email it back to us. Just let me know.

Thanks in advance,

*Sergeant Jacqueline Lee Hearon CFE, CAMS, CPO*

Brevard County Sheriff's Office  
**Economic Crimes Task Force**  
340 Gus Hipp Blvd  
Rockledge Florida 32955  
Office 321-633-8410

STATEMENT OF:

Sergeant Jacqueline Hearon #479, Brevard County Sheriff's Office

On June 30, 2023, at approximately 1730 hours, I received a telephone call from Brevard County Attorney Morris Richardson regarding a question about identity theft occurring at the Brevard County Office of County Commissioners, Brevard County, Florida.

Attorney Richardson stated that he wanted some information pertaining to different identity theft laws specifically the removal and possession of personal identification information. According to Attorney Richardson, he did not want to provide specific details about the incident, but just needed some information.

Approximately thirty minutes later, I received a telephone call from County Commissioner John Tobia who stated he recently terminated one of his employees for removing items (paperwork) from his official office. Mr. Tobia advised the other paperwork was not important and he handled the incident, but the same employee, Mr. Christopher Davis (Administrative Aide) removed a list of his personal and business account numbers and passwords.

Moreover, Mr. Tobia was informed that Mr. Davis distributed the list of account numbers and passwords to other public officials. In fact, Mr. Tobia advised a friend (he did not wish to disclose) at either the Property Appraisers Office or the Supervisor of Elections sent him a copy of the account numbers and passwords. According to Mr. Tobia, this paperwork left the office and was distributed without his knowledge or permission. Mr. Tobia wished to have the incident investigated and the paperwork returned to him. Mr. Tobia did not want anyone arrested, just informed they committed a crime.

I requested any evidence pertaining to the incident to include the text message of information. Mr. Tobia texted me the account numbers and passwords sheet, but did not include the name or source of the information. I emailed Mr. Tobia a sworn affidavit and requested he complete a sworn affidavit regarding the incident.

On July 5, 2023, I received a telephone call from Deputy Angel Ready of South Precinct who informed me, Mr. Tobia was at the Brevard County Sheriff's Office, South Precinct and needed a sworn affidavit signed, notarized and sent to me. I requested she witness Mr. Tobia's signature and send me the original affidavit.

On July 6, 2023, I received Mr. Tobia's sworn affidavit stating that Mr. Davis submitted a letter of resignation on June 27<sup>th</sup>, 2023, but he made the decision to formally terminate Mr. Davis on July 3, 2023. On June 30<sup>th</sup>, 2023, Mr. Tobia was informed that Mr. Davis provided his personal account numbers and passwords to other elected officials without his knowledge and/or consent. At the end of the affidavit, Mr. Tobia advised Mr. Davis had access to his personal accounts and passwords and was provided a copy when he was hired.

On June 11<sup>th</sup>, 2023, I received information that Mr. Davis contacted another public official, Property Appraiser Dana Blickley as a whistle blower because he was fearful to come to the Brevard County Sheriff's Office. Mr. Davis agreed to speak with the Brevard County Sheriff's Office with the help of Mrs. Blickley.

On June 13<sup>th</sup>, 2023, Mr. Davis came into the Brevard County Sheriff's Office with his personal representative Mrs. Dana Blickley. Mr. Davis provided a sworn affidavit and answered some questions about the incident involving Mr. Tobia. Below is a summary of Mr. Davis' statement. Please review Mr. Davis' enclosed statement for further details.

According to Mr. Davis, he started working at the Office of County Commissioners in March of 2023 and took his position very seriously.

Mr. Davis stated the following; he was assigned to work as an Administrative Aide for County Commissioner John Tobia. On his first day of employment, he was given a large white binder containing employment information and Mr. Tobia's personal and business account numbers and passwords.

Mr. Davis advised he recently resigned after a series of events and did not want to complete his last two weeks out of fear of Mr. Tobia. According to Mr. Davis, he was accused of sending or providing copies of Mr. Tobia's personal notes to other government officials. Mr. Davis adamantly denies providing any notes to anyone. Mr. Davis stated Mr. Tobia's accusations were without merit, proof or evidence of any wrongdoing.

Mr. Davis explained over the short course of his employment, he was assigned other work that was not part of his job description. Mr. Davis advised Mr. Tobia used him as a "personal assistant." Mr. Tobia would instruct him and other office employees to conduct personal work; such as, booking vacations, personal research, campaign work and helping him with his personal employment. Mr. Tobia had Mr. Davis grade papers and create tests for college students at Valencia College that were in Mr. Tobia's history class.

Mr. Tobia also had Mr. Davis conduct campaign research and work, during normal business hours. On June 21<sup>st</sup>, 2021, Mr. Davis was instructed to conduct research on the Supervisor of Elections Tim Bobanic regarding a recent Facebook photograph. Mr. Tobia wanted Mr. Davis to find out why Mr. Bobanic was in Tallahassee and what award he received. Mr. Davis found the information, but Mr. Tobia was not happy and wanted more. Mr. Davis advised Mr. Tobia was looking for dirt on Mr. Bobanic.

Mr. Davis was instructed to call the hotel and get information and the hotel receipt from Mr. Bobanic's stay. Mr. Davis called the hotel and was told in order to get a copy of the receipt the hotel needed a request via email. Mr. Davis informed Mr. Tobia the hotel would not provide the receipt without an email request. Mr. Tobia told Mr. Davis to create an email ([ilovebreakfest82@yahoo.com](mailto:ilovebreakfest82@yahoo.com)) to get the receipt, but wanted him to make sure it could not be tracked back to him or his office. Mr. Davis was uncomfortable creating the email, but felt his performance review was being held against him, so Mr. Davis created the email and got the hotel receipt. According to Mr. Davis, Mr. Tobia wanted to see if Mr. Bobanic used county funds to pay for his travel and hotel at the award ceremony in Tallahassee. The receipt proved Mr. Bobanic did nothing wrong and Mr. Tobia was upset.

Mr. Davis also witnessed Mr. Tobia violated public information laws and explained that School Board Member Jennifer Jenkins completed a public records request for Mr. Tobia's cell phone records.



However, Mr. Tobia did not want to provide the records and deleted text messages to purposely hide conversations. Mr. Tobia then created fraudulent text messages and records and provided the fake records as true and correct to County Attorney Richardson.

Mr. Davis overheard several conversations where Mr. Tobia was instructing other employees to do background checks on other political opponents and civilians that disagreed with his agendas. Mr. Tobia was planning to tarnish the reputations of the Supervisor of Elections Mr. Bobanic and the Property Appraiser Mrs. Blickley in a special meeting to advance his own campaign. Mr. Tobia was going to reject and attack Mr. Bobanic's and Mrs. Blickley's abilities to properly budget. Mr. Davis decided to resign and called Ms. Blickley's office to advise what the meeting was about.

Mr. Davis resigned the next day and requested a copy of his personal file, to see if Mr. Tobia placed or noted anything negative about him. Mr. Davis received a copy of his file and discovered that Mr. Tobia wrote he filed an affidavit with the Brevard County Sheriff's Office. Mr. Davis was fearful because Mr. Tobia has told him he has the Sheriff in his back pocket. At that time, Mr. Davis saved the employment book as evidence against Mr. Tobia. Mr. Davis again called Mrs. Blickley to inform her of everything that occurred. Mr. Davis requested that Mrs. Blickley assist him in reporting these incidents and observations to the proper authority. Mr. Davis' affidavit outlines several other incidents and violations he personally observed.

Mr. Davis provided evidence (paperwork) and the employment handbook to the Brevard County Sheriff's Office. The Florida Department of Law Enforcement was contacted to assume the investigation into the incident. Any and all items collected will be turned over to FDLE for investigative purposes.

#### LIST OF DOCUMENTS:

1. Employee Handbook (containing all account numbers and passwords)
2. Copy of personnel file (Christopher Davis)
3. Copy of text messages (between Davis and Tobia)
4. Email and information.
5. Sworn Affidavit (Christopher Davis)
6. Sworn Affidavit ( John Tobia)
7. Property receipt
8. Thumb-drive (interview Part one and Part two)
9. Email (Between Tobia and Sgt. Hearon)
10. Text Messages (Between Tobia and Sgt. Hearon)
11. Paperwork texted to Sgt. Hearon

#### LIST OF WITNESSES AND/OR INVOLVED PERSON(S)

1. County Commissioner John Joseph Tobia  
DOB 01/06/1978  
Home PX# [REDACTED]  
Work (321)633-2075

Address: [REDACTED]

Address: 2539 Palm Bay Road. NE Ste 4, Palm Bay, 32905

2. Administrative Aide Mr. Christopher Davis

DOB: 12/06/1983

Address: [REDACTED]

PX# [REDACTED]

3. Property Appraiser Dana Blickley

Address: 2725 Judge Fran Jamieson Way, Viera, Florida, 32940

PX # [REDACTED]

4. Supervisor of Elections Tim Bobanic

Address: 2725 Judge Fran Jamieson Way, Viera, Florida, 32940

Px# [REDACTED]

*Sat [Signature] 479*

Sergeant Jacqueline Hearon, ID# 479

Brevard County Sheriff's Office

Affiant

SWORN TO AND SUBSCRIBED BEFORE ME THIS 18<sup>th</sup> DAY OF July, A.D. 2023 BY Sergeant Jacqueline Hearon (Affiant) WHO IS PERSONALLY KNOWN TO ME OR WHO PRODUCED AS IDENTIFICATION

*Patricia Carol Cathey*  
\_\_\_\_\_  
NOTARY

BREVARD COUNTY, FLORIDA



SEAL



# BREVARD COUNTY SHERIFF'S OFFICE

**CASE REPORT**  
700 S. Park Avenue  
Titusville FL 32780

CASE#  
**2023-00235366**

<b>EVENT</b>	REPORTED DATE/TIME <b>6/30/2023 18:09</b>	OCCURRED INCIDENT TYPE <b>Investigation</b>		
	OCCURRED FROM DATE/TIME <b>06/21/2023 10:10</b>	OCCURRED THRU DATE/TIME <b>06/30/2023 18:09</b>	LOCATION OF OCCURRENCE <b>2539 PALM BAY RD NE, Palm Bay FL 32905</b>	LOCATION ID - <b>A</b>

<b>OFFENSES</b>	STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT

<b>SUBJECT</b>	JACKET/SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				PRIMARY PHONE	
	ADDRESS (STREET, CITY, STATE, ZIP)						PHONE #2	
	DOB	AGE or AGE RANGE	SEX	RACE	HEIGHT or RANGE	WEIGHT or RANGE	EYES	HAIR
	DL NUMBER/STATE		SSN	ALIAS (LAST, FIRST, MIDDLE)				
	EMPLOYER NAME AND ADDRESS				SCARS, MARKS OR TATTOOS			

<b>SUBJECT</b>	JACKET/SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE SUFFIX)				PRIMARY PHONE	
	ADDRESS (STREET, CITY, STATE, ZIP)						PHONE #2	
	DOB	AGE or AGE RANGE	SEX	RACE	HEIGHT or RANGE	WEIGHT or RANGE	EYES	HAIR
	DL NUMBER/STATE		SSN	ALIAS (LAST, FIRST, MIDDLE)				
	EMPLOYER NAME AND ADDRESS				SCARS, MARKS OR TATTOOS			

I swear/affirm the above and attached statements are true and correct.

ECU

Sworn to and subscribed before me the undersigned authority. Notary/Law Enforcement Officer in performance of official duties Personally Known

WRITTEN BY  
**Hearon Jacqueline 0479**

DATE  
**07/17/2023**

NOTARIZED BY  
**Deavers, Troy**

DATE  
**07/17/2023**

APPROVED BY  
**Deavers, Troy**

DATE  
**07/17/2023**

Document Electronically Signed



# BREVARD COUNTY SHERIFF'S OFFICE

**CASE REPORT**  
700 S. Park Avenue  
Titusville FL 32780

CASE# **2023-00235366**

## NARRATIVE

CASE REPORT NARRATIVE: 2023-235366

On June 30, 2023, The Brevard County Sheriff's Office received a telephone call from the Brevard County Attorney Morris Richardson regarding a possible identity theft case occurring within the Office of the County Commissioners.

During the initial investigation into the incident, it was determined the case would be referred to the Florida Department of Law Enforcement (FDLE).

All statements and evidence collected during the initial investigation will be turned over to FDLE.

This case will remain opened and referred to FDLE for further investigation.

## REPORT / CASE CLOSURE INFORMATION

REPORT / CASE STATUS AND DATE	CASE DISPOSITION AND DATE	EXCEPTIONAL CLEARANCE AND DATE
<b>Cleared</b> 07/17/2023	<b>Referred to Outside Agency</b> 07/17/2023	

ECU

WRITTEN BY	DATE	APPROVED BY	DATE
<b>Hearon Jacqueline</b> 0479	07/17/2023	<b>Deavers, Troy</b>	07/17/2023




## Re: Folio Request

From: Tim B (ilovebreakfest82@yahoo.com)

To: washington@fairmont.com

Date: Thursday, June 22, 2023 at 11:10 AM EDT

 External images are now more secure, and shown by default. [Change in Settings](#)

Thank you for your quick reply.

On Thursday, June 22, 2023 at 10:53:36 AM EDT, Washington, WDC (WDC) <washington@fairmont.com> wrote:

Please see attached folio as requested!

Warm regards,

Candice Owens

GUEST EXPERIENCE AGENT

**Fairmont Washington, D.C., Georgetown**

2401 M Street NW

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[www.fairmont.com/washington](http://www.fairmont.com/washington)

**Think before you print.** Help us reduce our environmental impact.



**From:** Tim B <ilovebreakfest82@yahoo.com>

**Sent:** Thursday, June 22, 2023 10:22 AM

**To:** Washington, WDC (WDC) <washington@fairmont.com>

**Subject:** Folio Request

To Whom It May Concern,

Can you please forward the folio for Guest Mr. Timothy (Tim) Bobanic, check in date April 24th 2023. Thank you for your time and assistance.

Regards,

William

This e-mail, any attachments and the information contained therein ("this message") are confidential and intended solely for the use of the addressee(s). If you have received this message in error please send it back to the sender and delete it. Unauthorized publication, use, dissemination or disclosure of this message, either in whole or in part is strictly prohibited.

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tim.pdf  
14.2kB

**AFFIDAVIT OF CHRISTOPHER DAVIS**

STATE OF FLORIDA  
COUNTY OF BREVARD

**BEFORE ME**, the undersigned authority personally appeared, Christopher Davis, who, after being first duly sworn, deposes and says:

1. My name is Christopher Davis. I am 39 years old. I currently reside at [REDACTED]  
[REDACTED]
2. On March 20, 2023, I was hired to work as an Administrative Aide with the District 3 Commission Office. The District 3 County Commissioner is John Tobia.
3. I resigned from that position on June 28, 2023, and was terminated on July 3, 2023.
4. While I resigned due to hostile work environment and because of the acts Commissioner Tobia directed me to do, I was told later in writing by County Manager Visco that I was terminated "for cause" due to "current events."
5. Even though I asked County <sup>HR Director CWD</sup> Manager Visco what the "cause" was for my termination, the non-payment of my last week, and what were the "current events," County Manager Visco has yet to inform me.
6. This Affidavit will recount certain events that occurred during my employment with Commissioner Tobia, but it is certainly not exhaustive of the events that took place.
7. It is important I begin this Affidavit explaining why I agreed to do certain things that go against my moral compass and conscience.
8. Commissioner Tobia showed me a video filmed at the Viera Government Center where Brevard County Sheriff, Wayne Ivey, was endorsing Commissioner Tobia. Commissioner Tobia often would brag that he was good friends with the Sheriff and insinuated Sheriff Ivey would help him with whatever he needed.

9. It was very clear to me that Commissioner Tobia felt brazen to asked his staff to do immoral, unethical, and illegal actions because of his close relationship with Sheriff Ivey. I was afraid I would be retaliated against and possibly face Sheriff Ivey if I did not do the things directed to me by Commissioner Tobia.
10. Very early on in my employment, I was shown the "Instruction Manual" binder for the District 3 office, which contains many various documents. Within that Instructional Manual, there are two pages of all of Commissioner Tobia's logins and passwords. Over 75% of those passwords are for personal matters and not County business, such as the username and passwords for: WebElect, Commissioner Tobia's campaign email for Supervisor of Elections, his Valencia College and EFSC accounts, and Netflix.
11. On June 20, 2023 I met with Chief of Staff Bethany Prasad to discuss my employee performance evaluation soon after County Commissioner John Tobia and Legislative Aide Brian Bond left the office near 3:00 PM. The evaluation included discussion about adhering to District 3 policies and procedures and instructing me to take notes to ensure I understood directions/tasks given to me by my superiors and to ask for clarification if direction is not understood. I was asked to recognize that my priorities and Commissioner Tobia's priorities would not always align. I asked for specific examples where my performance was poor, but none were provided. I asked for a copy of the District 3 policies and procedures so for educational purposes, but none were provided. At the end of the meeting, I was instructed to not sign the evaluation. I was informed that neither Bethany nor Commissioner Tobia were signing it as a new evaluation with higher scores would be created for me to sign in 30 days. I did not receive the 90-day raise as offered upon accepting employment with the office, from \$18.50 per hour to \$20.00 per hour. I



was informed the raise would be granted 30 days late so I might incorporate the feedback in my work over the next month.

12. On June 21, 2023 at 11:17 AM, I received a phone call from Commissioner Tobia. At the time, I was cataloging the Public Records Request that our office had received from the various Supervisor of Elections and Property Appraisers Offices throughout the state of Florida. I was instructed by Commissioner Tobia to review the text message he sent me showing screenshots of a Facebook post made by Brevard County Supervisor of Elections Tim Bobanic (Text received 11:17 AM).
13. I was instructed by Commissioner Tobia to obtain information regarding Mr. Bobanic, including travel history (i.e., transportation costs, hotel rates), attended meeting agendas, and awards received. I performed my task, obtaining a copy of the meeting agendas Mr. Bobanic attended and awards he was issued along with their purpose. I did not locate information on his travel history.
14. On June 22, 2023 Commissioner Tobia showed disappointment with the information I gathered on Mr. Bobanic. Ms. Bethany Prasad located information on the hotels Mr. Bobanic stayed and instructed me to call the hotel for the stay information Commissioner Tobia was seeking. I made this phone call using the office phone.
15. I was informed by hotel staff that prior hotel rate information could not be disclosed over the phone, but a copy of the folio could be requested by email from the customer.
16. I relayed this information to Commissioner Tobia and he instructed me to create a fake Yahoo email address to send a request for the hotel information but did not want it to be a public record sent from any email address associated with the District 3 Office that could be tracked back to him.

17. This all felt like identity theft and made me uncomfortable but I was told just the day before by Ms. Prasad that she was going to hold onto my performance review to correct low scores given to me. I felt like they were holding this performance review over my head to make sure I did as directed.
18. I began setting up the email account as directed. I asked what Commissioner Tobia wanted the email address to be to which he said to make it up. I had no idea what to make the email address where Commissioner Tobia wanted to pretend we were Mr. Bobanic. I initially told him I would make it "BrevardSOE" but Commissioner Tobia stopped me and told me that was too obvious and it would be traced back to him.
19. Ms. Prasad said to make [ilovebreakfest82@yahoo.com](mailto:ilovebreakfest82@yahoo.com) to which Commissioner Tobia laughed and agreed.
20. Yahoo required a cell phone number to be linked to the account. I refused to use my personal number so I told Commissioner Tobia he would have to use his own if he wanted to create the account created.
21. Commissioner Tobia used his cell phone number [REDACTED] to finalize the fake Yahoo email account and when the 2 factor authentication code was texted to Commissioner Tobia's cell phone, he yelled the confirmation code to me from across the office.
22. I then entered the texted code given to me by Commissioner Tobia and the fake email account to pretend to be Mr. Bobanic was created. At no time did I personally have access to Commissioner Tobia's cell phone.

23. Commissioner Tobia then directed me to send an email from the [ilovebreakfest82@yahoo.com](mailto:ilovebreakfest82@yahoo.com) fake email address to the Fairmont Hotel in Washington DC, requesting Mr. Bobanic's hotel records.
24. Commissioner Tobia provided the language used in the email and told me specifically to write "Timothy" with "Tim" in case the reservation was made under that name instead.
25. The hotel provided the requested information, which did not contain negative information against Mr. Bobanic. I informed Commissioner Tobia I felt it was breach of Mr. Bobanic's privacy and he did not seem to care. He told me he wanted to catch Mr. Bobanic spending money lavishly on the taxpayer's dime.
26. All of these acts were done on County computers with the County's server so the IP address will show what was done and when. Also, Yahoo will have records of that fake email address being attached to Commissioner Tobia's personal cell phone.
27. I have witnessed Commissioner Tobia violate the Public Records Request laws. A request was made from School Board Member Jennifer Jenkins asking for Commissioner Tobia's texts with School Board Member and VAB Member, Matt Susin.
28. Commissioner Tobia did not want to provide to Ms. Jenkins certain unsavory texts between he and Mr. Susin so he deleted the unsavory texts and created a fake text conversation between him and Mr. Susin so that a transcript could be provided of that fake conversation. Screenshots were taken of the acceptable texts but a transcript was typed up and given to County Attorney Morris Richardson.
29. Commissioner Tobia knew he should not be creating a record but County Attorney Richardson did give Ms. Jenkins screenshots and that made up text conversation as the response from Commissioner Tobia.

30. Commissioner Tobia also demanded his staff add WebElect on our personal cell phones because County Attorney Richardson told him he could not use WebElect on the County computers because there is no valid reason for County employees or Commissioners to use WebElect.
31. It was my job to engage with the public and his constituents and I didn't care what political party they came from or what their "score" was.
32. When engaging with the public on behalf of Commissioner Tobia, he directed me to always look someone up on WebElect before responding to them. If they were a Democrat, I was told to ignore them and if their "score" wasn't high enough on WebElect, to also ignore them. Under his direction, his staff uses Commissioner Tobia's WebElect account, which he pays for.
33. Commissioner Tobia makes his staff do his Valencia Community College class work for him. We have to draft his exams and then give them to him for his review and revisions. After that, we upload all of these tests onto Canvas. We also have to grade his exams and load them onto Canvas. No one in the office likes doing this and they complain about it but have told me Commissioner Tobia gives the staff fringe benefits for doing it like gift cards. I never received gift cards or any other type of fringe benefit.
34. While in the office and preparing for a County Commission Special Meeting to take place on June 28, 2023, Commissioner Tobia told us of his intent to use the meeting to tarnish the reputations of the Brevard County Property Appraiser, Dana Blickley, her lawyer, Trizia Eavenson, and Mr. Bobanic.
35. County Attorney Richardson told Commissioner Tobia before that meeting that Commissioner Tobia had no authority to reject or revise Ms. Blickley's budget.

Commissioner Tobia would often call County Attorney Richardson on speakerphone and berate him while laughing with us. He seemed to use County Attorney Richardson as his own personal lawyer, asking him non-County legal questions often.

36. I felt very bad and did not feel this was right so on June 22, 2023 at 6:00 PM, I contacted Ms. Blickley to inform her of Commissioner Tobia's intention to use the meeting she was being called to attend to tarnish her and Mr. Bobanic to paint them both as being fiscally irresponsible and that he was cherry picking data and over exaggerating rates purposely. I also told her Commissioner Tobia was going to go after her lawyer as "woke" due to her company that offers "common sense diversity and inclusion training."
37. Commissioner Tobia was angry with Ms. Blickley and her attorney for fighting him and beating him on a previous issue that involved the Malabar Scrub Jay Sanctuary in the Town of Malabar. Commissioner Tobia would speak negatively about Ms. Blickley, her lawyer, and many others in the office all the time.
38. I informed Ms. Blickley I would be resigning from my position in Commissioner Tobia's office as a result of the unethical way in which he was conducting business in his office and the hostile work environment.
39. I also informed her that Commissioner Tobia had obtained personal records of Mr. Bobanic and was seeking ways to find similar information about her.
40. Brian Bond, Commissioner Tobia's legislative aide who is also in charge of opposition research under the direction of Commissioner Tobia, was able to find employment records on Ms. Blickley regarding an old employment matter that involved sexual harassment.



41. Commissioner Tobia very often drinks high volumes of alcohol while in the County office in Palm Bay and keeps a large quantity of specialty beer in the office. I told Ms. Blickley of this.
42. When I asked Commissioner Tobia if it was even legal to be drinking in the office like this, he told me that County Attorney Richardson told him that because it's not a County building and that it's just leased by the County, Commissioner Tobia can drink in the office.
43. County Commissioner had many department heads, lawyers, and other high-ranking people in the office, drinking in the middle of the day, while discussing County Business.
44. I was asked by Commissioner Tobia on many occasions to participate in the drinking at the office. I told Commissioner Tobia I did not want to partake, as I had a 22-mile drive home and because my husband is a recovering alcoholic related to his PTSD from his service in Afghanistan.
45. Commissioner Tobia stores all kinds of alcohol in file cabinets next to the office bathroom because the office refrigerator is not big enough to hold all of it.
46. Commissioner Tobia also stores large amount of his personal belongings at the office, including a bed, clothes washer and dryer, and other personal items that impede the staffs' ability to access certain areas of the office. Commissioner Tobia is using his County office as a storage unit and his personal office is completely packed from wall to wall, floor to ceiling with his personal items after selling his home. I told Ms. Blickley of this.
47. On June Monday June 26, 2023 at 7:35 AM I sent a text message to Ms. Prasad informing her I would be taking a sick day.

48. On June 27<sup>th</sup>, 2023, at 7:34 AM I sent a text message to Ms. Prasad informing her I would be taking another sick day. She texted back at 8:45 AM requesting a doctor's note. I called my primary care doctor at the Vicra Veteran's Affairs Outpatient Clinic requesting a work excuse to be faxed to my work office. Medical staff at my doctor's office confirmed a fax was sent excusing me from work with a return to work date of Friday June 30<sup>th</sup> 2023. At 7:56 PM, I received a text message from Commissioner Tobia stating "Our office, including you, were part of a PRR. I need it fulfilled first thing in the morning. You need to be in first thing."
49. On June 28<sup>th</sup>, 2023 at 7:25 AM I responded to Commissioner Tobia via text to inform him that I was out on sick leave but offered to assist him with his Public Records Request working from home using the office-issued laptop. He called me at 8:18 AM.
50. During this conversation Commissioner Tobia told me that he had people who were very loyal to him working in the Brevard County Supervisor of Election's office and Property Appraiser's office who have told him I leaked his meeting notes which are referred to in the District 3 office as talking points to the Supervisor of Election's and Property Appraiser's office.
51. I was told by Commissioner Tobia that he was having the IT Department comb through my computer for proof of this leak of information. I denied the allegations and told him any such IT Department report would support my truth. He acknowledged that even if I had done it that it was not illegal because any document created by the District 3 Office was a public record.
52. Commissioner Tobia then told me if I leaked information, the best thing for me to do is to be honest because the IT Department Staff would be able to find it because they very

good at their jobs, better than I may even realize. I told him that I was sure they were good at their jobs and that I was being honest with him that I never sent any of his notes to anyone.

53. He asked me when I was going to return to work because he wanted to speak to me in person and I informed him that my doctor had faxed a note excusing my absence through Thursday and it was my intention to return on Friday.
54. This phone call was especially hostile, and I could not stomach the thought of going back to work for him so I immediately drafted a resignation letter and sent it to Ms. Prasad via email at 9:30 AM. At 11:41 AM.
55. I sent a text message to Ms. Prasad requesting receipt confirmation of my resignation letter, and delivery to Commissioner Tobia. She confirmed receipt and replied to me via text and said I would get a formal response from Commissioner Tobia as soon as possible.
56. At 4:35 PM I received a text message from Commissioner Tobia requesting I call him concerning my resignation letter. At 4:40 PM, I called him during which he thanked me for sending my resignation letter as that was exactly what he wanted me to do. He informed me he was going to authorize paid leave during my 2-week notice period and I did not have to report to the office. He said that he would not be including the review done by Ms. Prasad in my personnel file and that if I needed a reference, I could count on him to give me a good one to a future employer – if I did not divulge any of the events that occurred at his office. I told him that I did not need his reference and that should he just put in an accurate employee evaluation into my personnel file and that will be all I need from him.

57. Commissioner Tobia told me that he couldn't do that because he had to keep it in his back pocket just in case something happened.
58. He said that he has a hard time keeping staff and that he was the common denominator in that problem because of his personality and that I had done nothing wrong and that I did a good job as his employee. I had this entire conversation with him on speakerphone and my husband is a witness.
59. I previously received a job offer from the Orlando Veteran's Affairs Medical Center with an arranged start date of July 17 2023 to accommodate the two-week notice; if required to work the two-weeks leading to my end date, I was going to request a temporary duty station change with the County Manager's Office, due to the hostile work environment at the District 3 office. Since Commissioner Tobia had approved leave for my notice period, I never had to make this request. The only step left for the hiring process that was not completed was the reference check from my present employer, which Commissioner Tobia knew. He reassured me over the phone and said his word was the gold standard and not to worry.
60. On Thursday June 29, 2023 at 10:32 AM I spoke with Brevard County Supervisor of Elections Tim Bobanic. During this conversation I provided the same information shared with Ms. Blickley on June 22<sup>nd</sup> 2023.
61. I tried to log onto the Yahoo account where Commissioner Tobia pretended to be Mr. Bobanic. I was able to login and I printed off copies of every message from that account. I supplied that information on Thursday June 29, 2023 at 11:01 AM. I told Mr. Bobanic I was worried Commissioner Tobia would retaliate against me because of his prior behavior and his model of vendetta politics. I explained that when I applied to work for

the county, I wanted to be a public servant and that serving our community was something that was very important to me and to my family. I explained to Mr. Bobanic that my husband had served in the Army and deployed to Afghanistan. I was previously a city council member, volunteer firefighter, and currently was a Code Enforcement Board Member and volunteer docent at the Cape Canaveral Lighthouse. I explained to Mr. Bobanic that Commissioner Tobia had granted my paid leave but also had accused me of leaking his notes to him.


62. On Friday June 30, 2023 at 8:30 AM I spoke on the phone to Brevard County HR Director Jerry Visco to confirm he was in receipt of my email to Bethany including my resignation letter. Mr. Visco confirmed receipt. I asked him if there was an open investigation of the hostile workplace in the District 3 office as a result of him receiving my email containing those allegations as a reason for my resignation. He said that there was not an investigation.
63. On Monday June 3, 2023 at 12:04 PM Mr. Visco confirmed the details of our phone conversation in a memorializing email.
64. On Monday July 3, 2023 My husband John Davis Jr, and I meet with Ms. Blickley for coffee in Titusville, FL.
65. During our coffee I received an email from Commissioner Tobia at 10:13 AM stating that the leave that was approved is hereby rescinded and that I was being terminated from employment effective immediately for cause. When I asked Mr. Visco for the HR policy allowing rescission of previously granted leave, he admitted that no such policy existed. I requested a full and complete copy of my personnel record to see what may have been added to the file without my knowledge, and likely in retaliation.



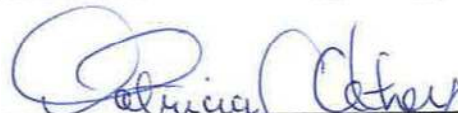
66. On Wednesday July 5, 2023 my mother-in-law whom I had requested a RV site at Brevard County Campground Manatee Hammock was told by camp staff that she was not permitted to use my employee rate and was charged the full rate. I believe this is retaliation from Commissioner Tobia. I had specifically received permission from the Director of Parks and Recreation to make this reservation for my mother-in-law and sent confirmation by the camp supervisor directly.
67. On Friday July 7, 2023 I received a copy of my personnel record which included the performance evaluation Commissioner Tobia said would not be included. The review contained a note that I was not available to sign it which is false. This note was made in the handwriting of Ms. Prasad. I believe this is falsification of government documents and an attempt to slander me. I was available to sign it and I could have signed it on June 20, 2023 during the in-person evaluation or any day through June 23, 2023 when I was in the office. I did not sign it because I was told not to sign it. The reason I was told not to sign it is because Ms. Prasad knew the evaluation scores should have been higher. Additionally, the self-evaluation completed and signed on June 16, 2023 submitted by email to Ms. Prasad was missing from the file. My employee training records were missing from the file. An unsigned addendum was placed in the file stating Commissioner Tobia signed an affidavit with the Brevard County Sheriff.
68. The affidavit is missing from the file. I believe this is a coordinated effort by Commissioner Tobia to retaliate against me by preventing me from being hired at the Orlando VA Medical Center since part of their background check is confirming your employment history which Commissioner Tobia was well aware, it is standard practice for them to verify your current employer last. Additionally, overnight I had two outgoing

pieces of mail stolen from my mailbox. This was reported to both Cocoa Police and the United States Postal Inspector. Cameras are now installed at our mailbox as a deterrent. I discovered on this day that the residential home address Commissioner Tobia uses for his Driver's License and other financial and campaign forms is a UPS Store. His real address where he lives is actually in District 5, with his girlfriend, Shahrbanoo Noori.

FURTHER AFFIANT SAYETH NAUGHT.

  
CHRISTOPHER DAVIS

**SWORN TO AND SUBSCRIBED BEFORE ME**, and personally known to me appeared **CHRISTOPHER DAVIS** on this 13 day of July, 2023. The Affiant was [ ] personally known to me or [x] has presented Drivers License as identification. The Affiant appeared [x] in person or [ ] via remote presence by video.

  
NOTARY PUBLIC, STATE OF FLORIDA  
PRINTED NAME: Patricia C. Cathey  
My commission expires: Oct 18, 2023

(Notary Seal)



## Christopher Davis Evaluation Addendum

- After this evaluation was completed:
  - 6/26/23-6/28/23: Mr. Davis called out sick
  - 6/28/23: Mr. Davis sent in resignation letter with 2 weeks' notice via mail stating that he did not feel it appropriate to return to work
  - 6/28/23: Commissioner John Tobia acknowledged resignation letter, and authorized one week's pay in lieu of notice
  - 6/29/23: Christopher acknowledged receipt of letter.
  - 7/3/23: Letter of termination sent to Mr. Davis, who then acknowledged receipt
  - 7/5/23: General Statement Affidavit filed by John Tobia with Brevard County Sheriff's Office, Economic Crimes Task Force.

COPY OF  
PERSONNEL  
FILE:  
CHRIS  
DAVIS

# Employee Performance Evaluation

## Employee Information

Employee Name:

Job Title:

Time In Position:

Personnel Number:

Department:

## Evaluation Information

Evaluator Name:

Job Title:

Evaluation Period:  
 From Date:  To Date:

Evaluation Type:  
 Annual  Probationary  Special

## Performance Levels and Ratings

**Exceptional Performer:** This is the highest level of achievement and it is earned by an employee who exceeds performance expectations in job requirements and makes a significant contribution to the organization, beyond the scope, complexity, and nature of expected accomplishments. *(Supporting comments and/or documentation, such as achievements, measurements and/or awards are required.)*

**5 -** This employee consistently exceeds performance expectations to a degree that is clearly outstanding to supervisor, customers, and peers.

**Successful Performer:** This level of achievement is by an employee who successfully meets performance expectations in job requirements. This employee is a solid contributor to the organization. *(Supporting comments are recommended but not required.)*

**4 -** This employee consistently meets all, and exceeds in some, performance expectations in job requirements.

**3 -** This employee successfully meets all performance expectations in job requirements.

**2 -** This employee meets most, but not all, performance expectations in job requirements.

**Needs Improvement:** An employee at this level does not meet performance expectations in job requirements. This employee is a minimal contributor to the organization. *(Supporting documentation and written improvement plan are required)*

**1 -** This employee does not meet the performance expectations in a significant portion of the job requirements. Improvement is necessary to become a successful contributor and meet job requirements.

## SECTION I: Performance Factors

- **Knowledge/Skills/Ability** Consider the degree to which the employee:
  - Demonstrates the required level of knowledge, skills, and ability to perform the job
  - Seeks to enhance knowledge and skills
  - Has completed all required training

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5. Recommended for a rating of 2 thru 4)

Christopher is eager to learn as much as he can about County procedure and the organization, and continues to look into ways to increase his knowledge.

ENTERED ON: 7/6/23  
 BY: V8 JHC

- **Quality of Work** Consider the degree to which the employee:
  - Displays thoroughness, neatness, and organization
  - Strives for error-free work
  - Looks for ways to improve and promote quality of work

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:

(Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)

Christopher is very organized and strives to complete his work efficiently and in a timely manner. Keeps office files organized and up to date. Room for improvement: highlighting corrections and doublechecking work to avoid errors.

- **Work Habits** Consider the degree to which the employee:
  - Displays a positive, cooperative attitude toward work assignments and requirements
  - Performs work in a productive and timely manner
  - Adheres to County and Department rules, policies, and procedures

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:

(Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)

Christopher is very positive in the office and cooperative. He is always wanting to help, and performs his work in a timely manner. Room for improvement: Adhering to specific D3 policies and procedures.

- **Communication** Consider the degree to which the employee:
  - Effectively listens and communicates with others; obtains clarification when needed
  - Seeks and provides effective feedback
  - Writes clearly and informatively

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:

(Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)

Thorough with and respectful to constituents, and asks for feedback regularly on how to improve. Room for improvement: Taking notes to ensure you have completely understood direction given by supervisor or Commissioner and ask for clarification if direction is not clear. Understand that the Commissioner's priorities might not be the same as your own.

- **Safety** Consider the degree to which the employee:
  - Follows safety practices and procedures in the workplace as defined in the County safety standards manual, and job related occupational safety standards
  - Values and supports a safe working environment
  - Strives to improve workplace safety

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:

(Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)

Follows safety protocols and practices, helps maintain the office as a safe environment.

- **Attendance/Punctuality** Consider the degree to which the employee:
  - Schedules and uses leave in accordance with County policy
  - Abides by work arrival and departure time in accordance with Department policy
  - Schedules and/or adjusts leave based upon the needs of the Department
  - Adjusts work schedule to meet the needs of the Department

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:

(Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)

Punctual to the office, and is flexible if additional time is required.



- **Flexibility/Adaptability** Consider the degree to which the employee:
  - Adapts to change, unfamiliar work, new technology, and new ideas
  - Demonstrates flexibility when priorities change
  - Supports Organization and Department change efforts
  - Seeks ways to enhance cost-savings, efficiency, and effectiveness

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:  
(Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)

Christopher is very flexible when priorities change and will always switch gears when asked. Is very helpful in making sure the office runs as efficiently as possible.

- **Judgment/Initiative** Consider the degree to which the employee:
  - Identifies and resolves problems logically; exhibits sound and accurate judgment
  - Learns from successes and mistakes
  - Displays a willingness to make decisions and considers the outcome of decisions
  - Exhibits self-motivation

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:  
(Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)

Christopher exhibits extreme self-motivation and is always looking for new projects to work on. Room for improvement: More consideration the Commissioner's priorities and office procedures when making decisions.

- **Teamwork/Interpersonal Skills/Diversity** Consider the degree to which the employee:
  - Contributes to an environment where creativity, innovation, interpersonal relations, and teamwork are valued and appreciated
  - Works well with others and is cooperative and supportive of coworkers
  - Values and supports workforce diversity
  - Contributes to a positive and inclusive work environment

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:  
(Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)

Christopher is a very supportive employee and always has a positive attitude. Very accepting of other and promotes creativity.

- **Customer Service** Consider the degree to which the employee:
  - Strives to meet and maintain both internal and external customer satisfaction
  - Takes action in response to customer needs and concerns; follows through on commitments to customers
  - Works to improve level of service; exercises courtesy and tact when dealing with customers

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:  
(Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)

Christopher always strives to give the highest level of customer service and is respectful to all constituents.

- **Organizational Responsibilities** Consider the degree to which the employee:
  - Supports the organization's values and goals
  - Displays high standards of ethical conduct and integrity
  - Uses and maintains County property and equipment in a responsible manner

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:  
(Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)

Christopher supports the organization as a whole and strives to grow as an employee of the County.

Is Employee a Supervisor?  Yes  No

## SECTION II: Performance Rating Summary

	Importance			Weighted Value		Score	=	Weighted Score
	Very High	High	Standard					
Knowledge/Skills/Ability	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	1	x	5	=	5
Quality Of Work	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	3	x	4	=	12
Work Habits	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	3	x	2	=	6
Communication	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	3	x	2	=	6
Safety	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	1	x	5	=	5
Attendance/Punctuality	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	3	x	4	=	12
Flexibility/Adaptability	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	2	x	5	=	10
Judgment/Initiative	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	2	x	4	=	8
Teamwork/Interpersonal Skills/ Diversity	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	1	x	5	=	5
Customer Service	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	3	x	5	=	15
Organizational Responsibilities	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	1	x	4	=	4
<b>Total Performance Points</b>				<b>23</b>				<b>88</b>
<b>Rating</b>								<b>3.83</b>

## SECTION III: Overall Rating Calculations

Exceptional                      Rating 4.50 or greater  
 Successful                        Rating 2.00 to Rating 4.49  
 Needs Improvement            Rating 1.99 or less

An employee who falls below 2.00 must be re-evaluated every 60 days.

An employee who receives 3 consecutive ratings of *Needs Improvement* will be dismissed.

**Non-Supervisory Employee:**

3 or more factors rated *Needs Improvement* requires an overall rating of *Needs Improvement*.

Conditional Factors:

Overall Rating:	Successful
-----------------	------------

**SECTION IV: Goals and Professional Development Plan**

Future performance Goal(s)/Action Items/Measurement(s):

Communication

Work on clarification if unsure of a direction from supervisor or D3 policy.

Future performance Goal(s)/Action Items/Measurement(s):

Quality Of Work

Taking notes and double checking work/asking for clarification.

Future performance Goal(s)/Action Items/Measurement(s):

Work Habits

Continue to learn D3 policies and procedures, and continue to familiarize yourself with Commissioner's priorities.

Employee Training/Professional Development Plan:

Good work on training!

**SECTION V: Signatures**

Performance evaluations that result in an overall rating of *Exceptional* or *Needs Improvement* require an additional review and signature by the Department/Office Director.

Evaluator's Signature:

*B. Brasel*

Date:

*6/20/23*

Reviewer's/Manager's Signature:

Date:

Reviewer's/Manager's Title

Director's Signature:

*(If overall rating is Exceptional or Needs Improvement)*

*J.M.*

Date:

*7/5/22*

Evaluator's Overall Comments:

*See attached addendum*

Employee's Overall Comments:

I was given the self-evaluation form and was provided the opportunity to provide input. This performance evaluation has been discussed with me by my supervisor and I have received a copy. My signature does not necessarily mean that I agree with the rating. I understand that I may appeal this evaluation by completing and submitting a Performance Evaluation Appeal Form (BCC-200d) to the evaluator within five (5) working days of receipt of this evaluation.

Employee Signature:

Date:

\*Note: Mr. Davis separated from County service before he could sign this evaluation.



# Employee Performance Evaluation

## Employee Information

Employee Name:

Christopher Davis

Personnel Number:

[REDACTED]

Job Title:

Administrative Assistant to the County Commission

Department:

District 3 Commission Office

Time In Position:

3 months

## Evaluation Information

Evaluator Name:

Bethany Prasad

Evaluation Period:

From Date:

3/20/2023

To Date:

6/20/2023

Job Title:

Chief of Staff

Evaluation Type:

Annual

Probationary

Special

## Performance Levels and Ratings

**Exceptional Performer:** This is the highest level of achievement and it is earned by an employee who exceeds performance expectations in job requirements and makes a significant contribution to the organization, beyond the scope, complexity, and nature of expected accomplishments. *(Supporting comments and/or documentation, such as achievements, measurements and/or awards are required.)*

**5 -** This employee consistently exceeds performance expectations to a degree that is clearly outstanding to supervisor, customers, and peers.

**Successful Performer:** This level of achievement is by an employee who successfully meets performance expectations in job requirements. This employee is a solid contributor to the organization. *(Supporting comments are recommended but not required.)*

**4 -** This employee consistently meets all, and exceeds in some, performance expectations in job requirements.

**3 -** This employee successfully meets all performance expectations in job requirements.

**2 -** This employee meets most, but not all, performance expectations in job requirements.

**Needs Improvement:** An employee at this level does not meet performance expectations in job requirements. This employee is a minimal contributor to the organization. *(Supporting documentation and written improvement plan are required)*

**1 -** This employee does not meet the performance expectations in a significant portion of the job requirements. Improvement is necessary to become a successful contributor and meet job requirements.

## SECTION I: Performance Factors

- Knowledge/Skills/Ability** Consider the degree to which the employee:
  - Demonstrates the required level of knowledge, skills, and ability to perform the job
  - Seeks to enhance knowledge and skills
  - Has completed all required training**

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)

Christopher is eager to learn as much as he can about County procedure and the organization, and continues to look into ways to increase his knowledge.



Performance Evaluation For: Christopher Davis, District 3 Commission Office

- Quality of Work** Consider the degree to which the employee:
  - Displays thoroughness, neatness, and organization
  - Strives for error-free work
  - Looks for ways to improve and promote quality of work

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
○	●	○	○	○

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)  
 Christopher is very organized and strives to complete his work efficiently and in a timely manner. Keeps office files organized and up to date. Room for improvement: highlighting corrections and doublechecking work to avoid errors.

- Work Habits** Consider the degree to which the employee:
  - Displays a positive, cooperative attitude toward work assignments and requirements
  - Performs work in a productive and timely manner
  - Adheres to County and Department rules, policies, and procedures

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
○	○	○	●	○

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)  
 Christopher is very positive in the office and cooperative. He is always wanting to help, and performs his work in a timely manner. Room for improvement: Adhering to specific D3 policies and procedures.

- Communication** Consider the degree to which the employee:
  - Effectively listens and communicates with others; obtains clarification when needed
  - Seeks and provides effective feedback
  - Writes clearly and informatively

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
○	○	○	●	○

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)  
 Thorough with and respectful to constituents, and asks for feedback regularly on how to improve. Room for improvement: Taking notes to ensure you have completely understood direction given by supervisor or Commissioner and ask for clarification if direction is not clear. Understand that the Commissioner's priorities might not be the same as your own.

- Safety** Consider the degree to which the employee:
  - Follows safety practices and procedures in the workplace as defined in the County safety standards manual, and job related occupational safety standards
  - Values and supports a safe working environment
  - Strives to improve workplace safety

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
●	○	○	○	○

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)  
 Follows safety protocols and practices, helps maintain the office as a safe environment.

- Attendance/Punctuality** Consider the degree to which the employee:
  - Schedules and uses leave in accordance with County policy
  - Abides by work arrival and departure time in accordance with Department policy
  - Schedules and/or adjusts leave based upon the needs of the Department
  - Adjusts work schedule to meet the needs of the Department

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
○	●	○	○	○

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)  
 Punctual to the office, and is flexible if additional time is required.

- **Flexibility/Adaptability** Consider the degree to which the employee:
  - Adapts to change, unfamiliar work, new technology, and new ideas
  - Demonstrates flexibility when priorities change
  - Supports Organization and Department change efforts
  - Seeks ways to enhance cost-savings, efficiency, and effectiveness

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)  
 Christopher is very flexible when priorities change and will always switch gears when asked. Is very helpful in making sure the office runs as efficiently as possible.

- **Judgment/Initiative** Consider the degree to which the employee:
  - Identifies and resolves problems logically; exhibits sound and accurate judgment
  - Learns from successes and mistakes
  - Displays a willingness to make decisions and considers the outcome of decisions
  - Exhibits self-motivation

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)  
 Christopher exhibits extreme self-motivation and is always looking for new projects to work on. Room for improvement: More consideration the Commissioner's priorities and office procedures when making decisions.

- **Teamwork/Interpersonal Skills/Diversity** Consider the degree to which the employee:
  - Contributes to an environment where creativity, innovation, interpersonal relations, and teamwork are valued and appreciated
  - Works well with others and is cooperative and supportive of coworkers
  - Values and supports workforce diversity
  - Contributes to a positive and inclusive work environment

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)  
 Christopher is a very supportive employee and always has a positive attitude. Very accepting of other and promotes creativity.

- **Customer Service** Consider the degree to which the employee:
  - Strives to meet and maintain both internal and external customer satisfaction
  - Takes action in response to customer needs and concerns; follows through on commitments to customers
  - Works to improve level of service; exercises courtesy and tact when dealing with customers

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)  
 Christopher always strives to give the highest level of customer service and is respectful to all constituents.

- **Organizational Responsibilities** Consider the degree to which the employee:
  - Supports the organization's values and goals
  - Displays high standards of ethical conduct and integrity
  - Uses and maintains County property and equipment in a responsible manner

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)  
 Christopher supports the organization as a whole and strives to grow as an employee of the County.

Is Employee a Supervisor?  Yes  No



## SECTION II: Performance Rating Summary

	Importance			Weighted Value		Score		Weighted Score
	Very High	High	Standard					
Knowledge/Skills/Ability	○	○	●	1	x	5	=	5
Quality Of Work	●	○	○	3	x	4	=	12
Work Habits	●	○	○	3	x	2	=	6
Communication	●	○	○	3	x	2	=	6
Safety	○	○	●	1	x	5	=	5
Attendance/Punctuality	●	○	○	3	x	4	=	12
Flexibility/Adaptability	○	●	○	2	x	5	=	10
Judgment/Initiative	○	●	○	2	x	4	=	8
Teamwork/Interpersonal Skills/ Diversity	○	○	●	1	x	5	=	5
Customer Service	●	○	○	3	x	5	=	15
Organizational Responsibilities	○	○	●	1	x	4	=	4
<b>Total Performance Points</b>				<b>23</b>				<b>88</b>
<b>Rating</b>								<b>3.83</b>

## SECTION III: Overall Rating Calculations

Exceptional                      Rating 4.50 or greater  
 Successful                      Rating 2.00 to Rating 4.49  
 Needs Improvement          Rating 1.99 or less

An employee who falls below 2.00 must be re-evaluated every 60 days.  
 An employee who receives 3 consecutive ratings of *Needs Improvement* will be dismissed.

**Non-Supervisory Employee:**  
 3 or more factors rated *Needs Improvement* requires an overall rating of *Needs Improvement*.

Conditional Factors:

Overall Rating:	Successful
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## SECTION IV: Goals and Professional Development Plan

Future performance Goal(s)/Action Items/Measurement(s):

Communication

Work on clarification if unsure of a direction from supervisor or D3 policy.

Future performance Goal(s)/Action Items/Measurement(s):

Quality Of Work

Taking notes and double checking work/asking for clarification.

Future performance Goal(s)/Action Items/Measurement(s):

Work Habits

Continue to learn D3 policies and procedures, and continue to familiarize yourself with Commissioner's priorities.

Employee Training/Professional Development Plan:

Good work on training!

## SECTION V: Signatures

Performance evaluations that result in an overall rating of *Exceptional* or *Needs Improvement* require an additional review and signature by the Department/Office Director.

Evaluator's Signature:

Date:

Reviewer's/Manager's Signature:

Date:

Reviewer's/Manager's Title

Director's Signature:

*(If overall rating is Exceptional or Needs Improvement)*

Date:

Evaluator's Overall Comments:

Employee's Overall Comments:

I was given the self-evaluation form and was provided the opportunity to provide input. This performance evaluation has been discussed with me by my supervisor and I have received a copy. My signature does not necessarily mean that I agree with the rating. I understand that I may appeal this evaluation by completing and submitting a Performance Evaluation Appeal Form (BCC-200d) to the evaluator within five (5) working days of receipt of this evaluation.

Employee Signature:

Date:





**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS  
COMMISSIONER JOHN TOBIA, DISTRICT 3**

---

2539 Palm Bay Rd NE, Suite 4  
Palm Bay, FL 32905  
[www.Brevardfl.gov](http://www.Brevardfl.gov)

Phone: (321) 633-2075  
Fax: (321) 633-2196  
[John.Tobia@Brevardfl.gov](mailto:John.Tobia@Brevardfl.gov)

July 3, 2023

Christopher Davis  
1113 Westview Dr.  
Cocoa, FL 32922

Dear Mr. Davis,

My prior authorization of granting you one week's paid leave in lieu of notice is hereby rescinded. Due to recent events, your employment is henceforth terminated due to cause, effective immediately.

Sincerely,

John Tobia  
District 3 Commissioner

Cc: Jerry Visco, Director of Human Resources

**District 3 Includes:**

Palm Bay, Melbourne Beach, Melbourne, Malabar, Grant-Valkaria, West Melbourne, Micco



**BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS  
COMMISSIONER JOHN TOBIA, DISTRICT 3**

---

2539 Palm Bay Rd NE, Suite 4  
Palm Bay, FL 32905  
[www.Brevardfl.gov](http://www.Brevardfl.gov)

Phone: (321) 633-2075  
Fax: (321) 633-2196  
[John.Tobia@Brevardfl.gov](mailto:John.Tobia@Brevardfl.gov)

June 28, 2023

Christopher Davis  
1113 Westview Dr.  
Cocoa, FL 32922

Dear Mr. Davis,

I am in receipt of your resignation letter. As Brevard County Merit Policy II Section (K)(2) states, "Employees who have not completed an original probationary period may be authorized up to one (1) week's pay in lieu of notice." This would not require you to use accrued leave. Since you are still in your probationary period, two weeks' notice is not necessary (Policy attached).

Therefore, please accept this letter as authorization and notice that you will be given one week's pay in lieu of one week's notice, in which you are not required to report to work. This would make your last day July 5, 2023.

I wish you the best.

Sincerely,

John Tobia  
District 3 Commissioner

**District 3 Includes:**

Palm Bay, Melbourne Beach, Melbourne, Malabar, Grant-Valkaria, West Melbourne, Micco

# Employee Self Evaluation

## Employee Information

Employee Name:

Christopher William Davis

Personnel Number:

[REDACTED]

Job Title:

Director of Community Affairs

Department:

BOCC D3

Time In Position:

3 months

## Evaluation Information

Evaluator Name:

Bethany Prasad

Evaluation Period:

From Date:

3/18/2023

To Date:

6/16/2023

Job Title:

Chief of Staff

Evaluation Type:

Annual

Probationary

Special

## Performance Levels and Ratings

**Exceptional Performer:** This is the highest level of achievement and it is earned by an employee who exceeds performance expectations in job requirements and makes a significant contribution to the Organization, beyond the scope, complexity, and nature of expected accomplishments. *(Supporting comments and/or documentation, such as achievements, measurements and/or awards are required.)*

**5** - This employee consistently exceeds performance expectations to a degree that is clearly outstanding to supervisor, customers, and peers.

**Successful Performer:** This level of achievement is by an employee who successfully meets performance expectations in job requirements. This employee is a solid contributor to the Organization. *(Supporting comments are recommended but not required.)*

**4** - This employee consistently meets all, and exceeds in some, performance expectations in job requirements.

**3** - This employee successfully meets all performance expectations in job requirements.

**2** - This employee meets most, but not all, performance expectations in job requirements.

**Needs Improvement:** An employee at this level does not meet performance expectations in job requirements. This employee is a minimal contributor to the Organization. *(Supporting documentation and written improvement plan are required)*

**1** - This employee does not meet the performance expectations in a significant portion of the job requirements. Improvement is necessary to become a successful contributor and meet job requirements.

## SECTION I: Performance Factors

- **Knowledge/Skills/Ability** Consider the degree to which the employee:
  - Demonstrates the required level of knowledge, skills, and ability to perform the job
  - Seeks to enhance knowledge and skills
  - **Has completed all required training**

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:  
(Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)

All required training was completed ahead of schedule, most of which was done self paced, Online, limiting time out office.

Self Evaluation For: Christopher William Davis, BOCC D3

- **Quality of Work** Consider the degree to which the employee:
  - Displays thoroughness, neatness, and organization
  - Strives for error-free work
  - Looks for ways to improve and promote quality of work

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
☉	☾	☾	☾	☾

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)

Always keeps area neat, clean, and organized. As Public Records Custodian, has kept all records and files neat and orderly.

- **Work Habits** Consider the degree to which the employee:
  - Displays a positive, cooperative attitude toward work assignments and requirements
  - Performs work in a productive and timely manner
  - Adheres to County and Department rules, policies, and procedures

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
☉	☾	☾	☾	☾

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)

Completes assigned work on time or ahead of schedule. Adheres to County and Department rules, policies, and procedures.

- **Communication** Consider the degree to which the employee:
  - Effectively listens and communicates with others; obtains clarification when needed
  - Seeks and provides effective feedback
  - Writes clearly and informatively

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
☉	☾	☾	☾	☾

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)

Seeks and provides feedback in a professional manner. Always displays a positive attitude with employees and constituents.

- **Safety** Consider the degree to which the employee:
  - Follows safety practices and procedures in the workplace as defined in the County safety standards manual, and job related occupational safety standards
  - Values and supports a safe working environment
  - Strives to improve workplace safety

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
☾	☉	☾	☾	☾

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)

Keeps office neat, orderly, and in compliance with all safety standards.

- **Attendance/Punctuality** Consider the degree to which the employee:
  - Schedules and uses leave in accordance with County policy
  - Abides by work arrival and departure time in accordance with Department policy
  - Schedules and/or adjusts leave based upon the needs of the Department
  - Adjusts work schedule to meet the needs of the Department

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
☉	☾	☾	☾	☾

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)

Abides by department attendance policy, no unexcused absence during the review period. Works additional hours when needed.



**Flexibility/Adaptability** Consider the degree to which the employee:
 

- Adapts to change, unfamiliar work, new technology, and new ideas
- Demonstrates flexibility when priorities change
- Supports Organization and Department change efforts
- Seeks ways to enhance cost-savings, efficiency, and effectiveness

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)  
 Is able to pivot to complete new work assignments when priorities of the department change.

**Judgment/Initiative** Consider the degree to which the employee:
 

- Identifies and resolves problems logically; exhibits sound and accurate judgment
- Learns from successes and mistakes
- Displays a willingness to make decisions and considers the outcome of decisions
- Exhibits self-motivation

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)  
 Demonstrates success in learning department procedures and self-motivation to resolve constituent issues.

**Teamwork/Interpersonal Skills/Diversity** Consider the degree to which the employee:
 

- Contributes to an environment where creativity, innovation, interpersonal relations, and teamwork are valued and appreciated
- Works well with others and is cooperative and supportive of coworkers
- Values and supports workforce diversity
- Contributes to a positive and inclusive work environment

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)  
 Develops good working relationships with department employees and contributes to positive moral.

**Customer Service** Consider the degree to which the employee:
 

- Strives to meet and maintain both internal and external customer satisfaction
- Takes action in response to customer needs and concerns; follows through on commitments to customers
- Works to improve level of service; exercises courtesy and tact when dealing with customers

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)  
 Follows department procedures in dealing with constituents and county staff. Exercises good judgment and tact.

**Organizational Responsibilities** Consider the degree to which the employee:
 

- Supports the Organization's values and goals
- Displays high standards of ethical conduct and integrity
- Uses and maintains County property and equipment in a responsible manner

EXCEPTIONAL	SUCCESSFUL			NEEDS IMPROVEMENT
5	4	3	2	1
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Supporting Documentation/Explanation:  
 (Required for a rating of 1 & 5, Recommended for a rating of 2 thru 4)  
 Completes department AP in accordance with county policy and goals, and displays high ethical standards in work product.

Are you a Supervisor?  Yes  No



## SECTION II: Goals and Professional Development Plan

Future performance Goal(s)/Action Items/Measurement(s):

Knowledge/Skills/Ability

Continue to work with county staff and constituents to resolve issues as they arise in a professional way, following department procedures, and ethical standards.

Future performance Goal(s)/Action Items/Measurement(s):

Quality Of Work

Continue to provide high quality work, complete payroll, accounts payable, and other department projects as needed.

Future performance Goal(s)/Action Items/Measurement(s):

Communication

Continue to provide and seek feedback in a professional and productive way to meet department needs.

Employee Training/Professional Development Plan:

Continue job performance showing the same enthusiasm for professionalism, accuracy, and ethical standards to meet future department needs.

## SECTION III: Signature

I was given the self-evaluation form and was provided the opportunity to provide input.

Additional Comments:

Showed ability to quickly learn how to complete several necessary job functions with a high level of accuracy.

Employee Signature:



Date:

6/9/2023



Christopher Davis &lt;topherwilliamdavis@gmail.com&gt;

---

**Resignation**

1 message

---

**Christopher Davis** <topherwilliamdavis@gmail.com>  
To: "Prasad, Bethany" <Bethany.Prasad@brevardfl.gov>

Wed, Jun 28, 2023 at 9:30 AM

Bethany,

Last night John sent me a text demanding that I come in first thing in the morning, even though I have been sick and caring for sick husband at home for the past two days, to assist with a public records request. I responded to him to let him know that I was sick but available to assist the office working from home. He sent me a text asking me to call him this morning. Our phone discussion was hostile to the point where I told him I felt it would inappropriate for me to return to office until he has received his report from IT with the analysis of our computer systems to look for leaks of information coming from our office to the Supervisors of Elections and the Property Appraiser office. He said this report will be available for his review on Friday. He then accused me of leaking documents from our office which I told him was not true. Additionally I told him I fully expected this report to exonerate me from his accusations. Working under these kind of hostile conditions is not within the policy and procedures for the BOCC nor is it something I agreed to when I was hired. I have not filed a formal complaint with the Human Resources Department I have however attached a letter of resignation because I have no desire to work in this kind of hostile environment. I wish you all the best in your future endeavors.

Warmest Regards,

Christopher Davis

---

 **LOR.pdf**  
337K

## COUNTY COMMISSION OFFICES

### COMMISSION STAFF PARTICIPATES IN BREVARD COUNTY CITIZENS ACADEMY



Staff from District 2 and District 4 County Commissioner's offices recently completed the Citizen's Academy hosted by UF/IFAS Extension office in Cocoa. The Citizen Academy provides an overview of the county's departments highlighting what they do, how it's funded and what is on the horizon. The 7-week series was very informative, interactive and thoroughly enjoyable. Pictured left to right are Susan Smith (D2), Kerensa Slocum (D2) and Katie Wines (D4).

### CHRISTOPHER DAVIS JOINS DISTRICT 3 TEAM

Christopher Davis recently joined the staff at the Commission District 3 office as Director of Community Affairs. He moved to Brevard County in July of last year and wasted no time getting involved in the Space Coast community.

Christopher currently serves on the City of Cocoa Code Enforcement Board, appointed by Cocoa City Council in January. He will also serve on the Brevard County Employee Benefits Advisory Committee. Christopher is a military spouse and is active in the Patrick SFB community, and the American Legion Auxiliary.

Prior to moving to Florida he served the City of Park Hills Kentucky as a member of City Council, Code Enforcement Board Member, and as a Volunteer Firefighter. Additionally he served on the Board of Directors for the Greater Cincinnati LGBT Chamber of Commerce. His experience in dealing with a wide variety of constituent issues and as an advocate for business and commerce will assist District 3 in their mission to serve the community.



# Classes & Events

## At the UF/IFAS Extension Office

4-H Fair & Market Poultry Auction April 1	9a - 1p
2023 Florida-Friendly Landscaping Class Series April 4 - May 23	9a - 12p
Florida Master Naturalist Program - Coastal Systems Course April 8 - May 20	9a - 12p
Water Bath & Pressure Canning April 8	10a - 12:30p
Child Passenger Safety Seminar April 10 April 26	1p - 3p 5:30p - 7:30p
Cooking in an Instant & Air Frying April 12	12p - 2p
Canning: Jams & Jellies April 15	10a - 12:30p
LCLM Pesticide License Workshop April 17	8:30a - 5p
Backyard Chicken Class April 19	10a - 12p
Hunter Safety Class April 22	9a - 4p
Florida-Friendly Landscaping Certified Professional Field Module April 28	1p - 5p
The Ins & Outs of Starting a Food Business April 29 - May 6	9a - 1p

To register for these classes, visit our Eventbrite at <http://brevardextension.eventbrite.com> or email [brevard@fas.ufl.edu](mailto:brevard@fas.ufl.edu)



The University of Florida is committed to providing universal access to all of our events. For disability accommodations such as sign language interpreters, large print materials, contact the UF-IFAS Extension Office at [brevard@fas.ufl.edu](mailto:brevard@fas.ufl.edu), or call 352-246-2100. All events are free. Accessibility is a priority for UF-IFAS Extension. For some accessibility needs, Equal Opportunity contact our office at [eeo@ufl.edu](mailto:eeo@ufl.edu).

## BREVARD COUNTY SUPERVISOR OF ELECTIONS

### VOTE IN HONOR OF A VETERAN

Veterans and their families are encouraged to participate in the Vote in Honor of a Veteran program by completing a Veteran Biography form. We encourage submissions to come from residents of Brevard County who served our country, whether in peacetime or wartime, past or present. Forms can be submitted online, via email, mail, or dropped off at any of the 4 Election Administrative offices. If possible, please include a photo (preferably in uniform) of your veteran. Visit [VoteBrevard.gov](http://VoteBrevard.gov) or one of the 4 Election Administrative Offices for a Biography form.





5:01

LTE  



John Tobia



Tuesday, Mar 21 • 5:38 PM

Texting with John (SMS/MMS)

Thank you for the help! I'm sure you will add a great deal  
To the office.



No problem. Thank you for giving me a chance. I will do my best to contribute our success.



Tuesday, Mar 21 • 8:15 PM



Can you meet for headshots on Thursday the 23rd? at 10:30 AM or 1:30 PM?

Yes. 1:30.



Text message



5:01

LTE  



John Tobia



I will add it to your schedule when I get to the office tomorrow morning

Sorry for texting so late. The photographer just got back me and I didn't want you miss the only two appointments he has left for this week.

Thank you

Wednesday, Mar 22 • 1:51 PM

For your Italy trip this summer I found a good flight on July 31 to Madeira. \$248 one way.

Portugal?



Text message





5:02

LTE  



John Tobia



Portugal:

Yes

The island of Maderia

Thursday, Mar 23 • 8:48 AM

Good luck at the VAB this morning

Thanks. I hate chairing.

Wednesday, Mar 29 • 9:16 AM

CVS Pharmacy: John, protect yourself against COVID with an updated booster dose. Schedule: [i.cvs.com/yyg3QlDb](https://i.cvs.com/yyg3QlDb). Learn more: [Cvs.co/cvdvax](https://Cvs.co/cvdvax)



Thursday, Mar 30 • 4:50 PM



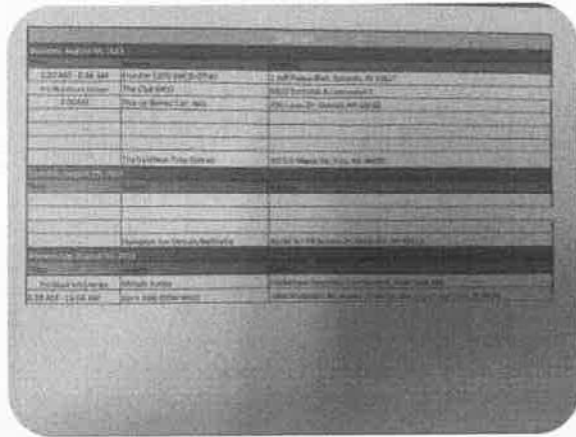
Text message



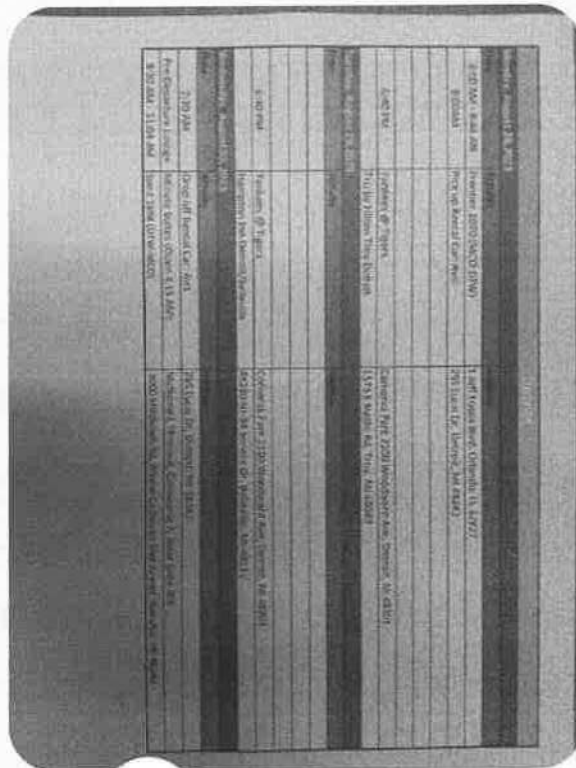
←  John Tobia



Tuesday, May 30 • 10:51 AM



Please send updated



Text message





John Tobia



Thursday, Mar 30 • 4:50 PM

Looks like the Yankees spanked the Giants! The Reds are currently winning vs the Pirates 1-0 in the top of the 3rd.

Friday, Mar 31 • 9:11 AM



Thank you.



Text message



5:03

LTE  



John Tobia



YW

Friday, Mar 31 • 1:42 PM

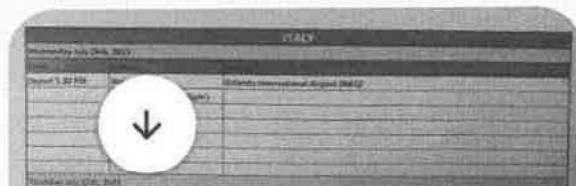
Billy requested that I add a meeting to your schedule on Tuesday

South Beach Update with him John Denninghoff and Tad Calkins

Perfect. Thank you.



Monday, Apr 3 • 4:09 PM



Text message



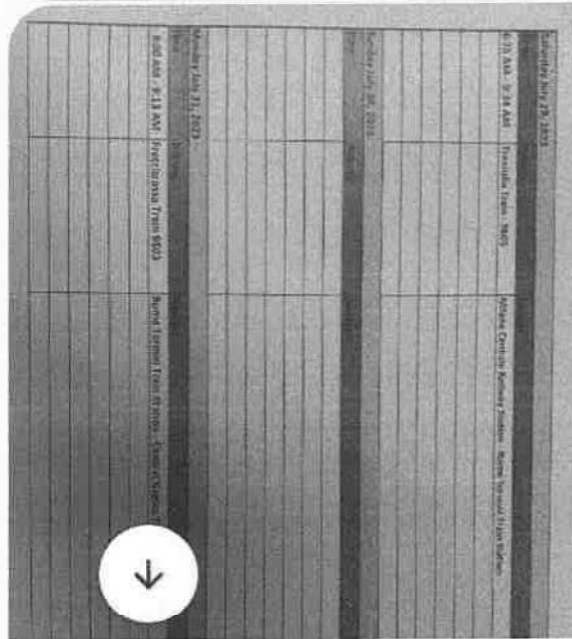
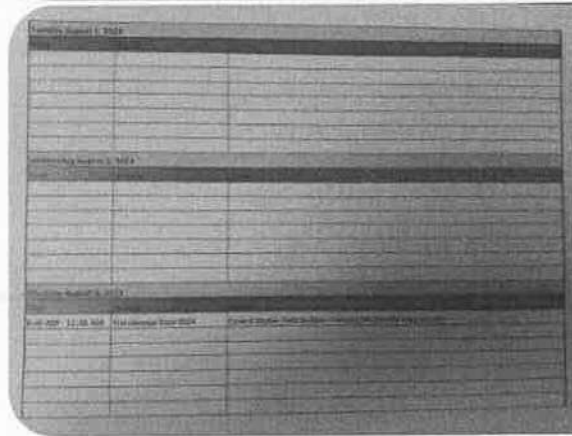
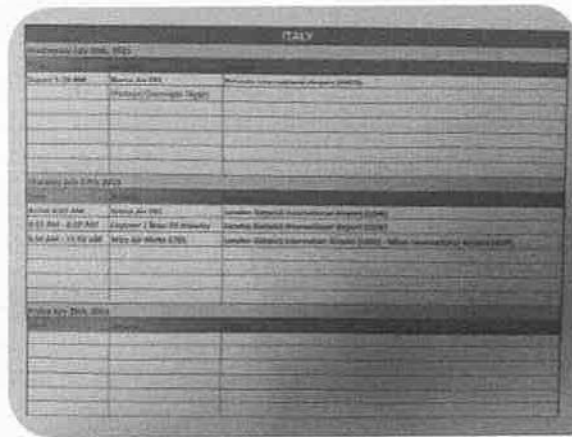




John Tobia



Monday, Apr 3 • 4:09 PM

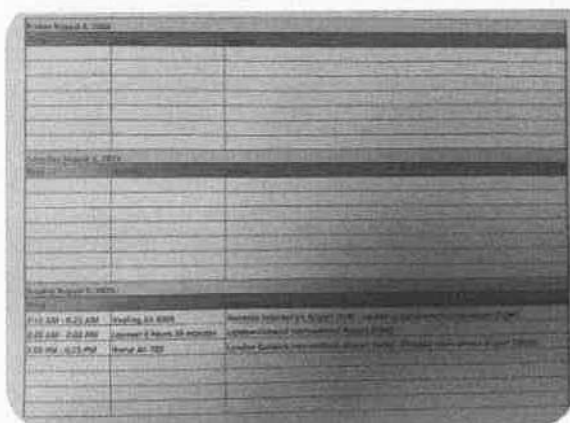


Text message





  John Tobia

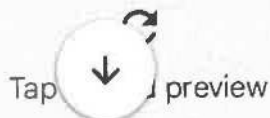


Thursday, Apr 6 • 4:04 PM

They are outside by the fountain in front of building C

Thursday, Apr 6 • 6:38 PM

<https://www.wsj.com/articles/supreme-court-rejects-west-virginias-attempt-to-ban-transgender-girl-from-girls-track-team-5a69d865>



Text message





John Tobia



That was a great interview.  
We need to get you more  
camera time.

Thanks. Haven't seen

When I read the title I  
almost thought you were  
doing some kind of study  
with your students

<https://www.fox35orlando.com/news/local-professor-studying-rip-currents-as-brevard-county-sees-spike-in-drownings>



Tap to load preview

Did you  the reporter?



Text message





John Tobia



Friday, Apr 7 • 2:50 PM



Cute!

Friday, Apr 7 • 4:38 PM

I printed a email and the related attachment for you read

Tuesday, Apr 7 • 3:36 PM



Text message



5:04

LTE  




John Tobia



Tuesday, Apr 11 • 3:36 PM

We don't need to meet w  
Wendy Kleefish. D5 is not on  
board.

Tuesday, Apr 11 • 4:46 PM

Okay 

Tuesday, Apr 18 • 12:51 PM

Can you send me the  
verification code you got in  
text please

Monday, Apr 24 • 11:38 AM

321-610-1421

Tuesday, Apr 25 • 10:37 AM



Text message





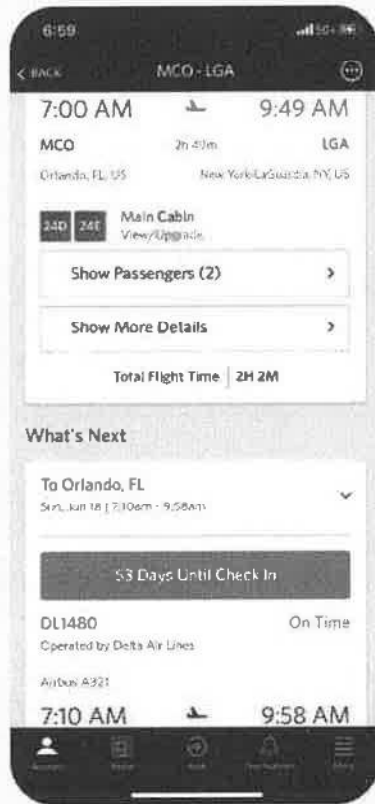
5:04

LTE  

  John Tobia


  

Tuesday, Apr 25 • 10:37 AM



Thursday, May 11 • 3:21 PM

How are the sign ups coming?

I need you amex account online login to complete some of the  Do you by chance know your

  Text message  

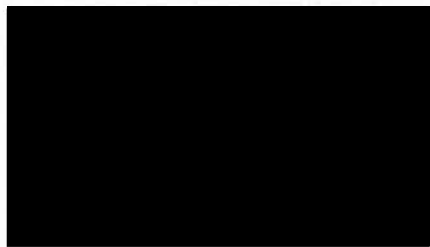
  John Tobia

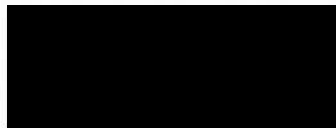


Thursday, May 11 • 3:21 PM

How are the sign ups coming?


I need you amex account online login to complete some of them? Do you by chance know your username and password?



 If the first doesn't work



For the airline fee credit

  Text message  





John Tobia



For the airline fee credit you have to select an airline and you can only pick one. You will get a refund on fees from that one airline for checked baggage, seat selection, and in flight purchases like drinks or snacks.

Ok, I'll wait till I book next flight

You will not have fees like this on Delta, but other airlines are notorious for them like Frontier

Did you get the lounge stuff set up?



Text message



5:04

LTE  



John Tobia




Yes you are now enrolled.

Will they be mailing a card?

You will receive your membership card in the mail in 10-14 days.

Thank you.

You're welcome 

You now have Hilton Honors Gold Status

And now you have Marriott Bonvoy Gold Elite Status

I should be Diamond Hilton.



Text message





5:05

LTE  



John Tobia



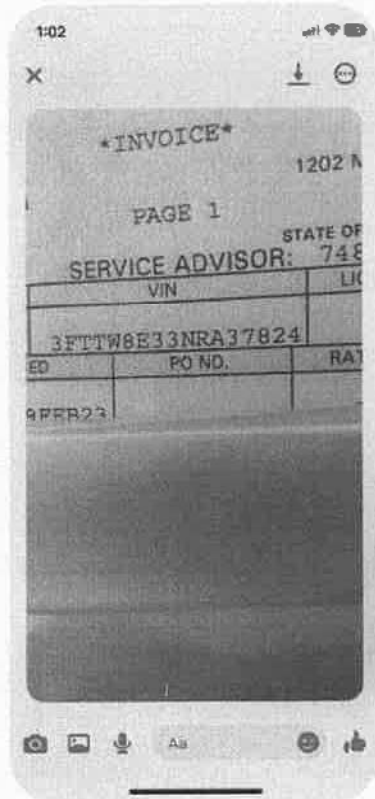
Tuesday, May 23 • 2:17 PM

In a movie. Package arrive?

Yes

Thanks

Thursday, May 25 • 1:03 PM



Text message



5:35

5GE



John >

iMessage  
Thu, Jun 1 at 11:02 AM

Hey John I need to take a half day off and come in late on Tuesday because I am taking my husband John to a medical appointment at the VA. I am anticipating that his appointment will end around 11 AM and that I will be in the office around 12:30 PM. I did try to move the appointment to the weekend but his doctor did not have availability.

Thu, Jun 1 at 2:43 PM



5:35


5G E



John >

Fri, Jun 2 at 11:30 AM


**December 2023**



SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Nov 30	27	28	29	30	Dec 1	2
	4	5	6	7	8	9
	11	12	13	14	15	16
	18	19	20	21	22	23
	25	26	27	28	29	30
31	Jan 1, 24	2	3	4	5	6

Team, Onpage

**January 2024**



SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Dec 31	Jan 1, 24	2	3	4	5	6
	8	9	10	11	12	13
	15	16	17	18	19	20
	22	23	24	25	26	27
	29	30	31			

Team, Onpage



5:35



John >

Perfect. Please print 2 copies of June through January.



Mon, Jun 5 at 10:01 PM



**What is a Kentucky Colonel and how do you become one? Everything you need to know**

[courier-journal.com](http://courier-journal.com)

Wed, Jun 7 at 11:59 AM



5:36

5G E 



John >

Mon, Jun 12 at 5:00 PM

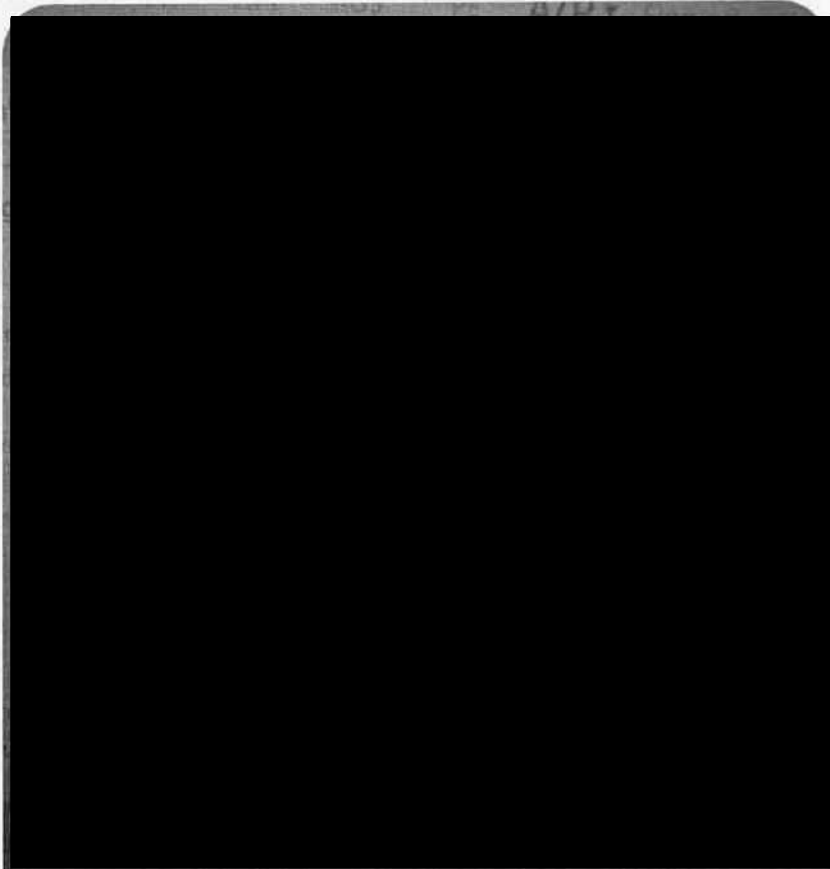
I got about 1/3 of the county Public Records Custodian info done.

Great. Does that include Brian's work?

Yes

I got through 19 counties and he did 11

Wed, Jun 14 at 11:27 AM

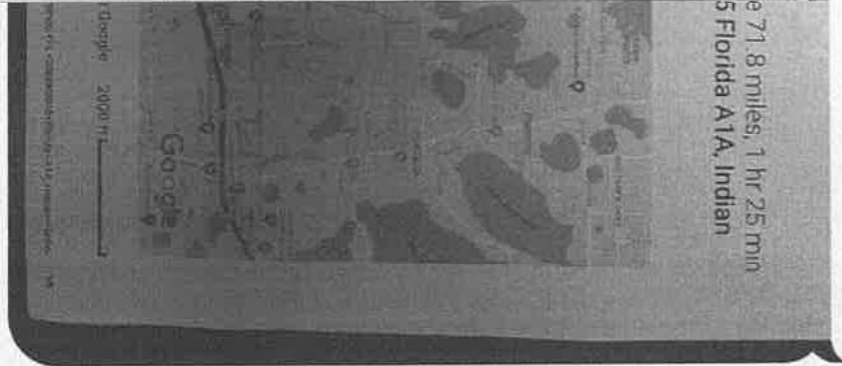




5:35



John >



Thank you

You're welcome

I got the resume for the attorney from Nicole, I gave it to Brian so he run background and vet them. If any additional resumes come in I will let you know.

Thu, Jun 8 at 9:03 AM



5:35

5GE



John >

Thu, Jun 8 at 1:43 PM



Working. Thank you!

You're welcome

Fri, Jun 9 at 9:34 AM

Nicole Summers would like to know if

5:36

5GE



John >

Wed, Jun 14 at 2:47 PM

What time does the lab open tomorrow?

6:00 AM

Wow. Thank you.

You're welcome

Fri, Jun 16 at 1:48 PM

Please don't send anything.

I did not send anything. I am sorry that I was not able to write down your response as quickly as you were telling me. I will do my best in the future to be more prepared.

Brian called to check in and I told him about the message and that I was not able to write the full response that you wanted. He asked me to forward him the message and the partial response I had wrote in case you wanted to follow up with him.



5:36

5GE



John >

All of the requests for acknowledgment have been sent to all the supervisors who have not yet responded to our requests.

Additionally all the thank you messages have been sent to each office we received a full reply from.

I am working now on the Property Appraiser's request for acknowledgment.

All Property Appraiser's request for acknowledgement have been completed.

Wed, Jun 21 at 9:10 AM





5:36

5G E

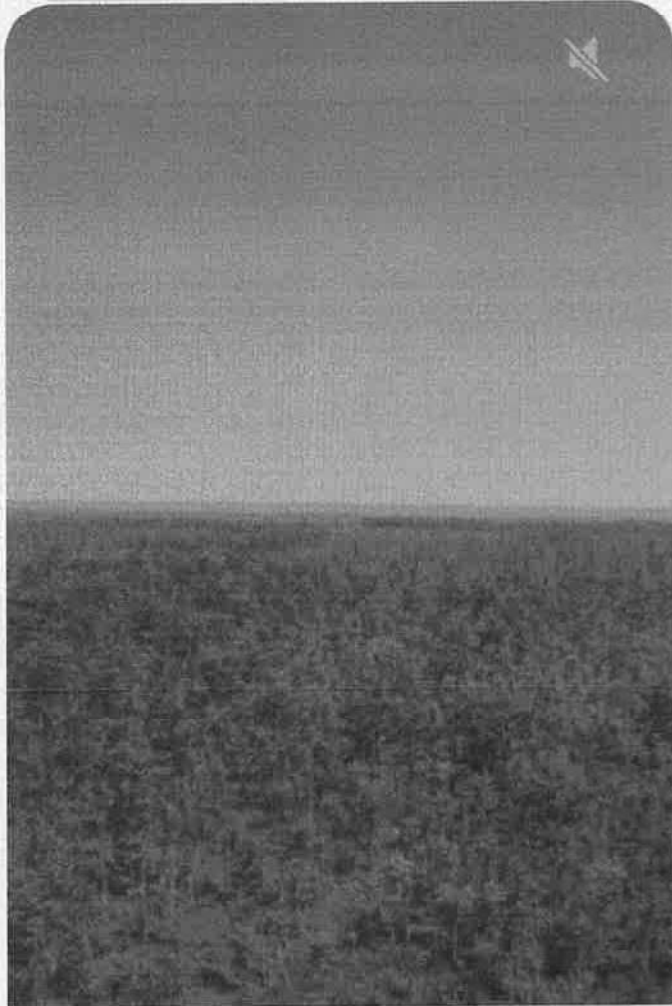


John >



**Real Witchcraft, Voodoo,  
and Ghosts in the French  
Quarter · ★4.91**

abnb.me



**Manchac Magic Kayak  
Swamp Tour · ★4.94**

abnb.me



Wed, Jun 21 at 11:17 AM

5 Photos Saved

LIKE

COMMENT

SHARE

5:36

5G E



John >

5 Photos Saved



Tue, Jun 27 at 7:56 PM

Our office, including you, were part of a PRR. I need it fulfilled first thing in the morning. You need to be in first thing.

Wed, Jun 28 at 7:25 AM

I am sick John. I cannot come into the office today. I can work from home today to assist you with your Public

5:37

5GE



John >

Records Request. Have Bethany call me when she gets in and we can discuss this request and how I can help fulfill it while I'm sick at home.

Please call me.

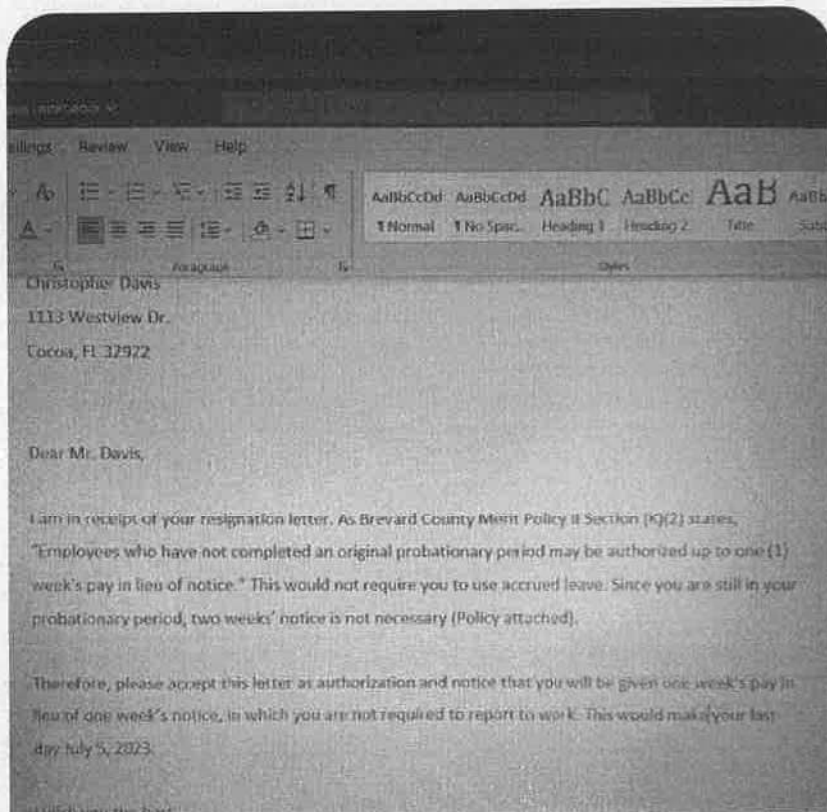
I just called you no answer

Delivered

Wed, Jun 28 at 4:35 PM

Please call concerning your resignation letter. Thank you.

Thu, Jun 29 at 8:17 AM









# **IMPORTANT ALL VENDORS PLEASE READ**

In the event the choice is made to provide the requested documentation absent of appearance, the attached business records certification page must be completed and notarized by the custodian of records in your company, which will be used by the State to authenticate the records that you are providing.

\*\*\*Please note that the custodian of records who completes the business records certification page must specifically describe the contents of the documents being provided, as well as the exact title of their position within the company.\*\*\*

**PLEASE NOTE:** Without the completed business records certification page, witness testimony is mandatory from your company to authenticate the records provided. Therefore, please assure that the business records certification page is correctly completed, and returned with the requested documents/records to avoid the mandatory witness testimony authentication.

**THANK YOU FOR YOUR COOPERATION**

**BUSINESS RECORD CERTIFICATION**

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_, who was duly sworn under oath and says under the penalty of perjury that the following statements are true:

1. I, \_\_\_\_\_, am currently employed with \_\_\_\_\_ as the \_\_\_\_\_ for this business, which is located at \_\_\_\_\_.

2. The records attached to this Certification are true and accurate copies of the original documents made and kept in the course of the regularly conducted business activity.

3. These records are identified as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Describe the contents of the attached documents. For example: Medical records of John Doe; or, Account information for telephone number XXX-XXX-XXXX; or, Account holder information and monthly bank statements for account number(s) XXXXXXXXXXXXX.)

4. The attached record(s) were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person having knowledge of those matters acting within the course of regularly conducted business activity.

5. These records were made and kept pursuant to the regular practice of our business and are regularly relied upon by our business.

6. I am aware that falsely making this Certification or Declaration would subject me to criminal penalty under the laws of the foreign or domestic location in which this certification or declaration was signed.

7. I have signed this Certification under oath with the understanding that I will be subject to the laws of the foreign or domestic location in which this certification was signed.

I do hereby swear or affirm that this certification and the attached records are true and accurate.

\_\_\_\_\_  
(Affiant Signature)

THE FOREGOING Certification was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

The affiant is \_\_\_ personally known to me or \_\_\_ has presented \_\_\_\_\_ as identification.

\_\_\_\_\_  
NOTARY PUBLIC (print name)

\_\_\_\_\_  
NOTARY PUBLIC (sign name)  
My Commission Expires: \_\_\_\_\_

# Login Activity Summary

This information is provided for intended and authorized use only. Any use of this data for unauthorized purposes is strictly prohibited.

## Request Information

Target ilovebreakfest82  
Start Date 1980-01-01 00:00:00  
End Date 2023-08-03 23:59:59  
Time Zone (UTC) Coordinated Universal Time

## Login Activity

User ID	IP	Port	TimeStamp
ilovebreakfest82		50091	June 29 2023 14:42:27
ilovebreakfest82		53302	June 22 2023 14:13:53
ilovebreakfest82		53302	June 22 2023 14:13:35

## Subscriber Details

This information is provided for intended and authorized use only. Any use of this data for unauthorized purposes is strictly prohibited.

### Request Information

Target B5ZLOH74RZWIBKIOZ25MVPXRZU  
Brand yahoo

### User Information

Attribute	Value
Other Identities	ilovebreakfest82
GUID	B5ZLOH74RZWIBKIOZ25MVPXRZU
Mail Name	ilovebreakfest82@yahoo.com
Account Status	active
Registration IP Address	[REDACTED]
Registration Date	2023-06-22T14:13:35.000Z
Full Name	William Smith
Address1	
Address2	
City	
State, territory, or province	
Country	
Zip/Postal Code	
Phone	
Time Zone	
Recovery Emails	
Recovery Phones	[REDACTED] Verified on: 2023-06-22T14:13:35Z



**BUSINESS RECORDS DECLARATION**

Request for information regarding: )  
ilovebreakfest82@yahoo.com )  
\_\_\_\_\_ )


**DECLARATION OF  
LUCY ARNAUD**

I, Lucy Arnaud, declare:

1. I am a Custodian of Records for Yahoo Inc. (Yahoo), located in California. I am authorized to submit this declaration on behalf of Yahoo. I make this declaration in response to a subpoena dated August 3, 2023 (“the request”) issued in the above-referenced matter. I have personal knowledge of the following facts, except as noted, and could testify competently thereto if called as a witness.
2. Attached hereto are true and correct copies of the following data in the custody of Yahoo pertaining to the relevant user account responsive to the request: (1) subscriber details; and (2) the dates, times, and Internet protocol addresses for logins and authentication events (if any). I further state that:
  - a. Yahoo’s servers record this data automatically at the time, or reasonably soon thereafter, it is entered or transmitted, and this data is kept in the course of this regularly conducted business activity, and was made by Yahoo as a regular practice.
  - b. Such records were generated by Yahoo’s electronic processing system(s) that produced an accurate result; and
  - c. The records were copied from electronic device(s), storage medium(s), or file(s) in the custody of Yahoo in a manner to ensure that they are true copies of the original records.
3. I further state that this declaration is intended to satisfy Rules 902(11) and 902(13) of the Federal Rules of Evidence.
4. Yahoo may not require or verify user information because it offers many of its services to users for free. Any user content contained in this production, including file folder names and structures, are not Yahoo business records, although they are being produced by Yahoo’s electronic processing system. To the extent any document attached hereto contained information that exceeded the scope of the request, is protected from disclosure, or is otherwise not subject to production, such information has been redacted or otherwise removed.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: August 15, 2023

  
\_\_\_\_\_  
Lucy Arnaud, Custodian of Records




## Re: Folio Request

From: Washington, WDC (WDC) (washington@fairmont.com)

To: ilovebreakfest82@yahoo.com

Date: Thursday, June 22, 2023 at 10:53 AM EDT

 External images are now more secure, and shown by default. [Change in Settings](#)

Please see attached folio as requested!

Warm regards,

Candice Owens

GUEST EXPERIENCE AGENT

**Fairmont Washington, D.C., Georgetown**

2401 M Street NW

Washington, D.C.

United States 20037

T + 1 202 429 2400

F + 1 202 457 5089

[www.fairmont.com/washington](http://www.fairmont.com/washington)

**Think before you print.** Help us reduce our environmental impact.



**From:** Tim B <ilovebreakfest82@yahoo.com>  
**Sent:** Thursday, June 22, 2023 10:22 AM  
**To:** Washington, WDC (WDC) <washington@fairmont.com>  
**Subject:** Folio Request

To Whom It May Concern,

Can you please forward the folio for Guest Mr. Timothy (Tim) Bobanic, check in date April 24th 2023. Thank you for your time and assistance.

Regards,

## William

This e-mail, any attachments and the information contained therein ("this message") are confidential and intended solely for the use of the addressee(s). If you have received this message in error please send it back to the sender and delete it. Unauthorized publication, use, dissemination or disclosure of this message, either in whole or in part is strictly prohibited.

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OperaPrint.pdf  
14.2kB

# Re: Folio Request

From: Tim B (ilovebreakfest82@yahoo.com)  
 To: washington@fairmont.com  
 Date: Thursday, June 22, 2023 at 11:10 AM EDT

External images are now more secure, and shown by default. [Change in Settings](#)

Thank you for your quick reply.

On Thursday, June 22, 2023 at 10:53:36 AM EDT, Washington, WDC (WDC) <washington@fairmont.com> wrote:

Please see attached folio as requested!

Warm regards,  
 Candice Owens  
 GUEST EXPERIENCE AGENT

**Fairmont Washington, D.C., Georgetown**  
 2401 M Street NW  
 Washington, D.C.  
 United States 20037  
 T + 1 202 429 2400  
 F + 1 202 457 5089

[www.fairmont.com/washington](http://www.fairmont.com/washington)

**Think before you print.** Help us reduce our environmental impact.



**From:** Tim B <ilovebreakfest82@yahoo.com>  
**Sent:** Thursday, June 22, 2023 10:22 AM  
**To:** Washington, WDC (WDC) <washington@fairmont.com>  
**Subject:** Folio Request

To Whom It May Concern,



Can you please forward the folio for Guest Mr. Timothy (Tim) Bobanic, check in date April 24th 2023. Thank you for your time and assistance.

Regards,

William

This e-mail, any attachments and the information contained therein ("this message") are confidential and intended solely for the use of the addressee(s). If you have received this message in error please send it back to the sender and delete it. Unauthorized publication, use, dissemination or disclosure of this message, either in whole or in part is strictly prohibited.

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14.2kB

I am completing this timeline on the advice of my attorney.

On June 28, 2023 I, along with the other Brevard County constitutional officers, presented our FY 23/24 budget to the Board of County Commissioners. This was a public meeting requested by myself, the Brevard County Tax Collector Lisa Cullen, and the Brevard County Property Appraiser Dana Blickley in response to suspicious inquiries into our budget by Brevard County Commissioner John Tobia. At the meeting I explained my budget in detail and accused John Tobia, who like me is a candidate for Brevard County Supervisor of Elections, of campaigning from the County Commission dais.

On June 29, 2023 I was contacted by Property Appraiser Dana Blickley. She informed me she had been contacted by a former employee of John Tobia named Christopher Davis. She told me Christopher had shared some very alarming information about some of the activities in John Tobia's office specific to me and recommended I speak with Christopher. I obtained Christopher's contact info from Dana and called him at approximately 10:30am on the 29<sup>th</sup>. I had the call on speakerphone and my Chief Deputy, Karen Graham, was in the room as a witness to the call.

Christopher informed me that he submitted his resignation to Tobia on June 28<sup>th</sup> prior to the County Commission budget meeting and that Tobia accepted his resignation and told him he no longer needed to report for duty. Christopher then informed me that he was concerned about potential inappropriate and/or illegal activity that he may have been involved in at the direction of John Tobia. He informed me that, at the request of Tobia, he was instructed to conduct research on me during office hours. He said Tobia sent him numerous screenshots of my campaign Facebook page and told him to find out all he could about the posts including where I was, if I received any awards, copies of agendas for the meeting, location of hotels, method of travel, etc. When he presented the information to Tobia, he was instructed by John Tobia and Bethany Prasad (Tobia's senior office staff) to create a fake Yahoo email account so they could email the Fairmont Hotel in Washington DC and obtain a copy of my hotel billfold. I recently stayed at the Fairmont Hotel to give a presentation to the Federal Elections Assistance Commission (EAC) Board of Advisors on post-election audits. The trip was paid for entirely by the EAC and not county taxpayer money. Christopher told me Tobia was hoping to catch me "spending taxpayer money on extravagant trips". Chris stated that Tobia and Prasad suggested using the email address [ilovebreakfast82@yahoo.com](mailto:ilovebreakfast82@yahoo.com) in order to hide who was behind the email. Chris stated he created the account under the name Tim B with [ilovebreakfast82@yahoo.com](mailto:ilovebreakfast82@yahoo.com) as the email. He stated that Yahoo required a cell phone number for 2 factor authentication and that he used John Tobia's cell phone, which angered Tobia. Christopher then told me Tobia and Prasad dictated the exact wording of the email that was to be sent to the Fairmont Hotel in order to attempt to get my billfold. I asked Christopher if he had copies of the emails and he said he did and forwarded all of them to me. He said the Fairmont hotel responded with a copy of my billfold which showed my name and charges on my personal credit card for liquor purchases at the bar lounge and nothing else. The billfold contained the last 4 digits of my credit card and the amounts charged. I have attached copies of these emails and the billfold I received from Christopher. On the same phone call, Christopher detailed other abuses occurring in Tobias office. Examples were frequent purchasing and drinking of alcohol at Tobias instruction at his county commission office and his use of the campaign software Webelect at the office to research constituents. Christopher sent me a screenshot of an alcohol sale Tobia sent him and asked him to pick some up for the office.

Tobia is also a professor at Valencia College. Christopher informed me that it was common practice in the office for office staff to create exams for Tobia's classes, upload them to Canvass (web based system used by faculty and students) and grade student exams. This was all done at Tobia's direction.

On July 3, 2023 at 2:09pm, I received a text message from Christopher asking if I could talk. I called Christopher and he was upset on the phone. He said he received notice from Tobia that his resignation acceptance had been rescinded by Tobia and that his employee record would show he was terminated with cause. Christopher told me he emailed Tobia and the Brevard County HR Manager Jerry Visco requesting a copy of his personnel file, copies of BOCC policies on employee termination and he asked for the reason for termination with cause.

On July 7, 2023 I received a call from Dana Blickey at 7:52pm. She told me she had been informed that on July 5, 2023 John Tobia filed a "General Statement Affidavit" with the Brevard County Sheriff's office, Economic Crimes Task Force. This is reflected in the attached "Christopher Davis Evaluation Addendum" provided to me.



8/4/2023

*Fairmont*  
**WASHINGTON, D.C.**  
 GEORGETOWN

2401 M Street, NW  
 Washington, DC USA 20037  
 T (202) 429-2400 F (202) 457-5010

Room : 0628  
 Folio # : 948275  
 Cashier # : 229691  
 Page # : 1 of 1  
 Group Name : Election Assistance Commission

**Election Assistance Commission**  
**Tim Bobanic**  
**Unknown**

Arrival : 04-24-23  
 Departure : 04-26-23

Date	Description	Additional Information	Charges	Credits
04-24-23	Lobby Lounge - Beer	Room# 0628 : CHECK# [REDACTED]	22.70	
04-25-23	Lobby Lounge - Liquor	Room# 0628 : CHECK# [REDACTED]	33.50	
04-26-23	Visa	XXXXXXXXXXXX2940 XX/XX		56.20
<b>Total</b>			<b>56.20</b>	<b>56.20</b>
<b>Balance Due</b>			<b>0.00</b>	

Thank you for choosing to stay at Fairmont Washington D.C., Georgetown.  
 To provide feedback about your stay, please contact Mark Huntley, General Manager, at [Mark.Huntley@fairmont.com](mailto:Mark.Huntley@fairmont.com).  
 Additionally, we welcome feedback about your memorable stay on Trip Advisor at [www.tripadvisor.com](http://www.tripadvisor.com), or via our community forum at <http://www.fairmontmoments.com/>. We hope to be your D.C. hotel-of-choice again in the future!

For information or reservations, visit us at [www.fairmont.com](http://www.fairmont.com) or call Fairmont Hotels & Resorts from: United States or Canada 1 800-441-1414

I agree that my liability for this bill is not waived and I agree to be held personally liable in the event that the indicated person, company, travel agent or association fails to pay for the full amount of the charges. Overdue balance subject to a surcharge at the rate of 1.5% per month (19.5% per annum). All accounts deemed delinquent may be subject to legal fees and all other costs associated with the bill. Account is payable on presentation or departure.

**Thank you for choosing to stay with Fairmont Hotels & Resorts**



## Folio Request

---

From: Tim B (ilovebreakfest82@yahoo.com)

To: washington@fairmont.com

Date: Thursday, June 22, 2023 at 10:22 AM EDT

---

To Whom It May Concern,

Can you please forward the folio for Guest Mr. Timothy (Tim) Bobanic, check in date April 24th 2023. Thank you for your time and assistance.

Regards,

William

---

## **Christopher Davis Evaluation Addendum**

- **After this evaluation was completed:**
  - **6/26/23-6/28/23: Mr. Davis called out sick**
  - **6/28/23: Mr. Davis sent in resignation letter with 2 weeks' notice, along with e mail stating that he did not feel it appropriate to return to work that week**
  - **6/28/23: Commissioner John Tobia acknowledged resignation letter, and authorized one week's pay in lieu of notice**
  - **6/29/23: Christopher acknowledged receipt of letter.**
  - **7/3/23: Letter of termination sent to Mr. Davis, who then acknowledged receipt**
  - **7/5/23: General Statement Affidavit filed by John Tobia with Brevard County Sheriff's Office, Economic Crimes Task Force.**



Christopher >

iMessage

Thu, Jun 29 at 11:01 AM

6 Photos Saved



Do any of the text messages have him instructing you to do the research or did just send you screenshots



iMessage



Cash



9:15

93

CD

Christopher >

Do any of the text messages have him instructing you to do the research or did just send you screenshots and then verbally ask you to research

He sent the screen shots then called me.

Ok

It was a Wednesday and he was at Valencia at the time.



iMessage





CD

Christopher >

It was a Wednesday  
and he was at Valencia  
at the time.



iMessage



CD

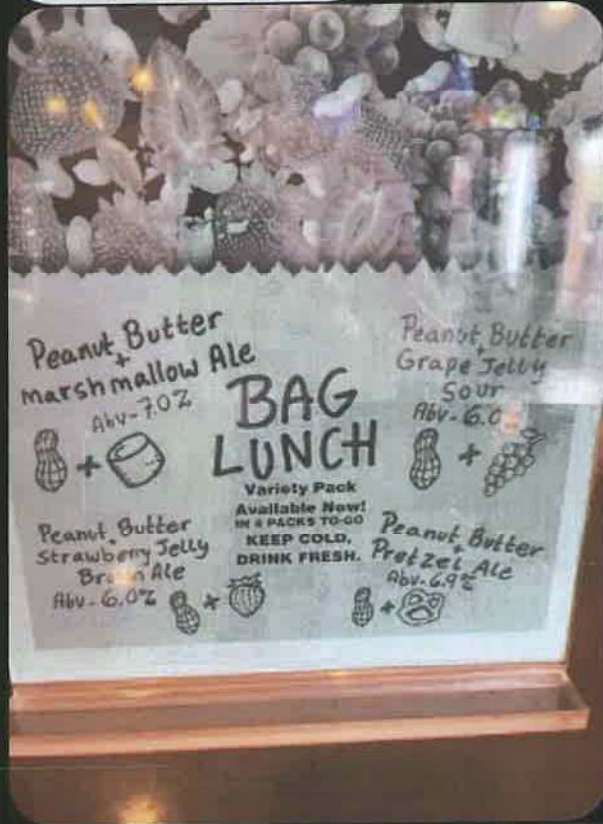
Christopher >



iMessage

CD

Christopher >



This was a message he sent me and then instructed me to go buy this beer for the office.

iMessage





9:16

93

CD

Christopher >

Wow

It was at Intracoastal  
Brewing Company on  
Eau Gallie

Ok

I was told to do it  
because it was on my  
way home.

Unbelievable

Even though it was not  
actually on my way  
home.

Is there a way you can  
email me the



iMessage





9:16

93

CD

Christopher >

Is there a way you can email me the attachment you got from the Fairmont hotel with my bill fold?

I have complained about the drinking at the office many times. I explained to him that I'm not a big drinker and i especially did not want to drink and then drive from Palm Bay to my house in Cocoa.

Do you have any pictures of alcohol In the office?



iMessage



Cash



9:16

93

CD

Christopher >

He never  
acknowledged any of  
my complaints.

No but you can go there  
and find it easily

Just open the file  
cabinets they are all full  
of beer

The fridge would not fit  
all of it

I have no words...just  
unbelievable

Every week he goes  
through the file  
cabinets and pulls out 5  
or 6 and puts them in



iMessage



9:16

93



Christopher >

He never  
acknowledged any of  
my complaints.

No but you can go there  
and find it easily

Just open the file  
cabinets they are all full  
of beer

The fridge would not fit  
all of it

I have no words...just  
unbelievable

Every week he goes  
through the file  
cabinets and pulls out 5  
or 6 and puts them in



iMessage



9:16

93

CD

Christopher >

I have no words...just unbelievable

Every week he goes through the file cabinets and pulls out 5 or 6 and puts them in the fridge

Thanks. Can you email me the attachment with my bill you got from the Fairmont?

Yes I can

You should have it

Got it. Thanks

Your welcome



iMessage



Cash





9:17

93

CD

Christopher >

Thanks. Can you email me the attachment with my bill you got from the Fairmont?

Yes I can

You should have it

Got it. Thanks

Your welcome

Mon, Jul 3 at 2:09 PM

Can you talk?

Sure!

Read 7/3/23



iMessage



Cash



IN THE CIRCUIT COURT, EIGHTEENTH JUDICIAL CIRCUIT, BREVARD COUNTY, FLORIDA

IN THE COUNTY COURT, BREVARD COUNTY, FLORIDA

DIVISION

# SUBPOENA

CASE NUMBER

EI-11-0080

CIVIL  
 CRIMINAL

DUCES TECUM  
 DUCES TECUM WITHOUT DEPOSITION

CLOCK IN

PLAINTIFF

DEFENDANT

STATE OF FLORIDA VS. John J. Tobia

This subpoena is issued pursuant to Florida Statutes sections 27.04, 92.605, Florida Rule of Criminal Procedure 3.361, and Title 18 U.S.C. Section 2703(c)2. A response is due within 20 business days of receipt of this subpoena unless a longer time period is stated herein. Under Title 18 U.S.C. Section 2703(c)3, notice to the subscriber or customer is not required.

STATE OF FLORIDA

TO:

Karen Graham  
Brevard County Deputy Supervisor of Elections  
2725 Judge Fran Jamieson Way Suite A145  
Melbourne, Florida 32940  
Phone: 321-290-86833  
Email: Kgraham@votebrevard.gov

DATE: August 25, 2023

LOCATION: 101 Eslinger Way Sanford, Florida 32773

TIME: 10:00 a.m.

APPEAR BEFORE: Chief Assistant State Attorney Stacey Salmons

YOU ARE COMMANDED to appear on the date and time indicated above to testify in this action. If you fail to appear, you may be in contempt of Court.

YOU MUST have with you at the time and place the following:

The following demands are relative to any and all documents possessed by the Brevard County Supervisor of Elections (SOE) office for John J. Tobia, whose voter registration is [REDACTED] and is a registered voter within Brevard County, Florida, to include: Any SOE audit reports, SOE voting history including early voting certificates, copies of signed ballots, voter registration history, mailing and residential address history, vote by mail envelopes, ballots, or other contents therein; any registration forms, documents with handwritten exemplars, or other documents pertaining to requests from elector John J. Tobia for the time period of July 2020 to current. The requested documentation shall be inclusive of any information deemed protected under the items restricted by FSS 119.

Thank you in advance for your assistance in this matter.

In lieu of appearance, provide information along with invoice, if applicable, to:

FDLE Inspector David Snowden, ID #1355  
500 W. Robinson St, Orlando, Florida, 32801

Email: [Davidsnowden@fdle.state.fl.us](mailto:Davidsnowden@fdle.state.fl.us) (Preferred)

Any questions please call: 407-205-4173

YOU ARE SUBPOENAED TO APPEAR BY THE FOLLOWING ATTORNEY AND UNLESS EXCUSED FROM THIS SUBPOENA BY THIS ATTORNEY OR THE COURT, YOU SHALL RESPOND TO THIS SUBPOENA AS DIRECTED

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Inspector David Snowden at 500 W. Robinson Street, Orlando, Florida, and 407-205-4173 at least 7 days before your scheduled appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

ATTORNEY  
STACEY SALMONS, A.S.A.

RACHEL SADOFF  
CLERK OF COURTS

BY

*M. Davis*

DC



DATE

8/17/23

# **IMPORTANT ALL VENDORS PLEASE READ**

In the event the choice is made to provide the requested documentation absent of appearance, the attached business records certification page must be completed and notarized by the custodian of records in your company, which will be used by the State to authenticate the records that you are providing.

\*\*\*Please note that the custodian of records who completes the business records certification page must specifically describe the contents of the documents being provided, as well as the exact title of their position within the company.\*\*\*

**PLEASE NOTE:** Without the completed business records certification page, witness testimony is mandatory from your company to authenticate the records provided. Therefore, please assure that the business records certification page is correctly completed, and returned with the requested documents/records to avoid the mandatory witness testimony authentication.

**THANK YOU FOR YOUR COOPERATION**

**BUSINESS RECORD CERTIFICATION**

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_, who was duly sworn under oath and says under the penalty of perjury that the following statements are true:

1. I, \_\_\_\_\_, am currently employed with \_\_\_\_\_ as the \_\_\_\_\_ for this business, which is located at \_\_\_\_\_.

2. The records attached to this Certification are true and accurate copies of the original documents made and kept in the course of the regularly conducted business activity.

3. These records are identified as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Describe the contents of the attached documents. For example: Medical records of John Doe; or, Account information for telephone number XXX-XXX-XXXX; or, Account holder information and monthly bank statements for account number(s) XXXXXXXXXXXXX.)

4. The attached record(s) were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person having knowledge of those matters acting within the course of regularly conducted business activity.

5. These records were made and kept pursuant to the regular practice of our business and are regularly relied upon by our business.

6. I am aware that falsely making this Certification or Declaration would subject me to criminal penalty under the laws of the foreign or domestic location in which this certification or declaration was signed.

7. I have signed this Certification under oath with the understanding that I will be subject to the laws of the foreign or domestic location in which this certification was signed.

I do hereby swear or affirm that this certification and the attached records are true and accurate.

\_\_\_\_\_  
(Affiant Signature)

THE FOREGOING Certification was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

The affiant is \_\_\_ personally known to me or \_\_\_ has presented \_\_\_\_\_ as identification.

\_\_\_\_\_  
NOTARY PUBLIC (print name)

\_\_\_\_\_  
NOTARY PUBLIC (sign name)  
My Commission Expires: \_\_\_\_\_



**BUSINESS RECORD CERTIFICATION**

BEFORE ME, the undersigned authority, personally appeared Karen Graham, who was duly sworn under oath and says under the penalty of perjury that the following statements are true:

- I, Karen Graham, am currently employed with Supervisor of Elections as the Chief Deputy for this business, which is located at 525 N. John Rodes Blvd, Melbourne, FL 32934.
- The records attached to this Certification are true and accurate copies of the original documents made and kept in the course of the regularly conducted business activity.
- These records are identified as follows: vote audit, voter history, voting certificates, vote by mail envelopes and digital registration signature for John J. Tobia  
  
(Describe the contents of the attached documents. For example: Medical records of John Doe; or, Account information for telephone number XXX-XXX-XXXX; or, Account holder information and monthly bank statements for account number(s) XXXXXXXXXXXXX.)
- The attached record(s) were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person having knowledge of those matters acting within the course of regularly conducted business activity.
- These records were made and kept pursuant to the regular practice of our business and are regularly relied upon by our business.
- I am aware that falsely making this Certification or Declaration would subject me to criminal penalty under the laws of the foreign or domestic location in which this certification or declaration was signed.
- I have signed this Certification under oath with the understanding that I will be subject to the laws of the foreign or domestic location in which this certification was signed.

I do hereby swear or affirm that this certification and the attached records are true and accurate.

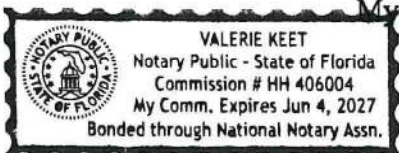
Karen Graham  
(Affiant Signature)

THE FOREGOING Certification was acknowledged before me this 21<sup>st</sup> day of August, 2023.

The affiant is  personally known to me or  has presented \_\_\_\_\_ as identification.

Valerie Keet  
NOTARY PUBLIC (print name)

Valerie Keet  
NOTARY PUBLIC (sign name)  
My Commission Expires: 6/4/27



### EARLY VOTING VOTER CERTIFICATE

I, \_\_\_\_\_, am a qualified elector in this election and registered voter of Brevard County, Florida. I do solemnly swear or affirm that I am the person so listed on the voter registration rolls of Brevard County and that I reside at the listed address. I understand that if I commit or attempt to commit fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election I could be convicted of a felony of the third degree and both fined up to \$5,000 and imprisoned for up to 5 years. I understand that my failure to sign this certificate invalidates my ballot.

### CERTIFICADO DE VOTANTE DE VOTACIÓN ADELANTADA

Yo, \_\_\_\_\_, soy un elector calificado en esta elección y un votante inscrito del Condado de Brevard, Florida. Juro solemnemente o afirmo que soy la persona que aparece de esta manera en las listas de inscripción de votantes del Condado de Brevard y que resido en la dirección indicada. Entiendo que si cometo o intento cometer un fraude en relación con la votación, voto en una boleta fraudulenta o voto más de una vez en una elección, podría ser condenado por un delito mayor de tercer grado y tanto recibir una multa de hasta \$5,000 como ser encarcelado por hasta 5 años. Entiendo que si no firmo este certificado, mi boleta será inválida.



# FLORIDA STANDARD LEASE AGREEMENT

**I. THE PARTIES.** This Florida Standard Residential Lease Agreement ("Agreement") made this September 1, 2022 is between:

**Landlord:** Joseite McLean with a mailing address of \_\_\_\_\_, City of Palm Bay, State of \_\_\_\_\_, Florida ("Landlord"), AND

**Tenant(s):** John Tobia ("Tenant").

Landlord and Tenant are each referred to herein as a "Party" and, collectively, as the "Parties."

NOW, THEREFORE, FOR AND IN CONSIDERATION of the mutual promises and agreements contained herein, the Tenant agrees to lease the Premises from the Landlord under the following terms and conditions:

**II. LEASE TYPE.** This Agreement shall be considered a fixed Lease. The Tenant shall be allowed to occupy the Premises starting on September 1, 2022 and end on September 1, 2023 ("Lease Term"). At the end of the Lease Term and no renewal is made, the Tenant: (check one)

- May continue to lease the Premises under the same terms of this Agreement under a month-to-month arrangement.  
 - Must vacate the Premises.

**III. OCCUPANT(S).** The Premises is to be occupied strictly as a residential dwelling with the following individual(s) in addition to the Tenant: (check one)

- \_\_\_\_\_ ("Occupant(s)")

- There are no Occupant(s).

**IV. THE PROPERTY.** The Landlord agrees to lease the described property below to the Tenant: (enter the property information)

a.) Mailing Address \_\_\_\_\_, State of \_\_\_\_\_  
Florida

b.) Residence Type:  Apartment  House  Condo  Other: \_\_\_\_\_

c.) Bedroom(s): \_\_\_\_\_

d.) Bathroom(s): \_\_\_\_\_

The aforementioned property shall be leased wholly by the Tenant ("Premises").

**V. PURPOSE** The Tenant and Occupant(s) may only use the Premises as: (check one)

- A residential dwelling only.

- A residential dwelling and: \_\_\_\_\_

**VI. FURNISHINGS.** The Premises is: (check one)

- To be furnished with the following: \_\_\_\_\_

- Not furnished

**VII. APPLIANCES.** The Landlord shall: (check one)

- Provide the following appliances: \_\_\_\_\_

- Not provide any appliances.

**VIII. RENT.** The Tenant shall pay the Landlord, in equal monthly installments, \$\_\_\_\_\_ ("Rent"). The Rent shall be due on the \_\_\_\_ of every month ("Due Date") and paid under the following instructions: \_\_\_\_\_

**IX. NON-SUFFICIENT FUNDS (NSF CHECKS).** If the Tenant pays the Rent with a check that is not honored due to insufficient funds (NSF): (check one)

- There shall be a fee of \$\_\_\_\_ per incident.

- There shall be no fee.

**X. LATE FEE.** If Rent is not paid on the Due Date: (check one)

- There shall be a penalty of \$\_\_\_\_ due as  One (1) Time Payment  Every Day Rent is Late. Rent is considered late when it has not been paid within \_\_\_\_ day(s) after the Due Date.

- There shall be No Late Fee if Rent is late.

**XI. FIRST (1ST) MONTH'S RENT.** The Tenant is required to pay the first (1st) month's rent: (check one)

- Upon the execution of this Agreement.

- Upon the first (1<sup>st</sup>) day of the Lease Term.

**XII. PRE-PAYMENT.** The Tenant shall: (check one)

- Pre-Pay Rent in the amount of \$\_\_\_\_\_ for the term starting on \_\_\_\_\_, 20\_\_\_\_ and ending on \_\_\_\_\_, 20\_\_\_\_. The Pre-Payment of Rent shall be due upon the execution of this Agreement.



- Not be required to Pre-Pay Rent.

**XIII. PRORATION PERIOD.** The Tenant: (check one)

- Shall take possession of the Premises before the start of the Lease Term on \_\_\_\_\_, 20\_\_\_\_ and agrees to pay \$\_\_\_\_\_ for the proration period. The proration rate is calculated by the monthly Rent on a daily basis which shall be paid by the Tenant upon the execution of this Agreement.

- Shall not be taking possession of the Premises before the Lease Term.

**XIV. SECURITY DEPOSIT.** As part of this Agreement: (check one)

- The Landlord requires a payment in the amount of \$\_\_\_\_\_ ("Security Deposit") for the faithful performance of the Tenant under the terms and conditions of this Agreement. Payment of the Security Deposit is required by the Tenant upon the execution of this Agreement. The Security Deposit shall be returned to the Tenant within \_\_\_\_\_ days after the end of the Lease Term less any itemized deductions. This Security Deposit shall not be credited towards any Rent unless the Landlord gives their written consent.

- The Landlord does not require a Security Deposit as part of this Agreement.

**XV. MOVE-IN INSPECTION.** Before, at the time of the Tenant accepting possession, or shortly thereafter, the Landlord and Tenant: (check one)

- Agree to inspect the Premises and write any present damages or needed repairs on a move-in checklist.

- Shall not inspect the Premises or complete a move-in checklist.

**XVI. PARKING.** The Landlord: (check one)

- Shall provide \_\_\_\_\_ parking space(s) to the Tenant for a fee of \$\_\_\_\_\_ to be paid  at the execution of this Agreement  on a monthly basis in addition to the rent. The parking space(s) are described as:  
\_\_\_\_\_

- Shall NOT provide parking.

**XVII. SALE OF PROPERTY.** If the Premises is sold, the Tenant is to be notified of the new Owner, and if there is a new Manager, their contact details for repairs and maintenance shall be forwarded. If the Premises is conveyed to another party, the new owner: (check one)

- Has the right to terminate this Agreement by providing \_\_\_\_\_ days' notice to the Tenant.

- Does not have the right to terminate this Agreement.

**XVIII. UTILITIES.** The Landlord shall provide the following utilities and services to the Tenant: \_\_\_\_\_

Any other utilities or services not mentioned will be the responsibility of the Tenant.

**XIX. EARLY TERMINATION.** The Tenant: (check one)

- Shall have the right to terminate this Agreement at any time by providing at least 60 days' written notice to the Landlord along with an early termination fee of \$ 0 (US Dollars). During the notice period for termination the Tenant will remain responsible for the payment of rent.

- Shall not have the right to terminate this Agreement.

**XX. SMOKING POLICY.** Smoking on the Premises is: (check one)

- Permitted ONLY in the following areas: \_\_\_\_\_

- Prohibited on the Premises and Common Areas.

**XXI. PETS.** The Tenant: (check one)

- Shall have the right to have     pet(s) on the Premises consisting of \_\_\_\_\_ [Types of Pets Allowed] that are not to weigh over     pounds. For the right to have pet(s) on the Premises the Landlord shall charge a fee of \$ \_\_\_\_\_ that is  non-refundable  refundable unless there are damages related to the pet. The Tenant is responsible for all damage that any pet causes, regardless of ownership of said pet and agrees to restore the Premises to its original condition at their expense.

- Shall not have the right to have pets on the Premises or in the common areas.

**XXII. WATERBEDS.** The Tenant: (check one)

- Shall have the right to use a waterbed on the Premises.

- Shall not have the right to use a waterbed on the Premises.

**XXIII. NOTICES.** Any notice to be sent by the Landlord or the Tenant to each other shall use the following addresses:

Landlord's / Agent's Address:

\_\_\_\_\_

Tenant's Mailing Address: (check one)

- The Premises.

- Other. \_\_\_\_\_

**XXIV. AGENT/MANAGER.** (check one)

- The Landlord does have a manager on the Premises that can be contacted for any maintenance or repair at:

Name: \_\_\_\_\_

Telephone (\_\_\_\_) \_\_\_\_ - \_\_\_\_ E-Mail  
\_\_\_\_\_

- The Landlord does not have a manager on the Premises although the Landlord can be contacted for any maintenance or repair at:

Telephone (\_\_\_\_) \_\_\_\_ - \_\_\_\_ E-Mail  
\_\_\_\_\_

**XXV. POSSESSION.** Tenant has examined the condition of the Premises and by taking possession acknowledges that they have accepted the Premises in good order and in its current condition except as herein otherwise stated. Failure of the Landlord to deliver possession of the Premises at the start of the Lease Term to the Tenant shall terminate this Agreement at the option of the Tenant. Furthermore, under such failure to deliver possession by the Landlord, and if the Tenant cancels this Agreement, the Security Deposit (if any) shall be returned to the Tenant along with any other pre-paid rent, fees, including if the Tenant paid a fee during the application process before the execution of this Agreement.

**XXVI. ACCESS.** Upon the beginning of the Proration Period or the start of the Lease Term, whichever is earlier, the Landlord agrees to give access to the Tenant in the form of keys, fobs, cards, or any type of keyless security entry as needed to enter the common areas and the Premises. Duplicate copies of the access provided may only be authorized under the consent of the Landlord and, if any replacements are needed, the Landlord may provide them for a fee. At the end of this Agreement all access provided to the Tenant shall be returned to the Landlord or a fee will be charged to the Tenant or the fee will be subtracted from the Security Deposit.

**XXVII. SUBLETTING.** The Tenant shall not be able to sublet the Premises without the written consent from the Landlord. The consent by the Landlord to one subtenant shall not be deemed to be consent to any subsequent subtenant.

**XXVIII. ABANDONMENT.** If the Tenant vacates or abandons the Premises for a time-period that is the minimum set by State law or seven (7) days, whichever is less, the Landlord shall have the right to terminate this Agreement immediately and remove all belongings including any personal property off of the Premises. If the Tenant vacates or



abandons the Premises, the Landlord shall immediately have the right to terminate this Agreement.

**XXIX. ASSIGNMENT.** Tenant shall not assign this Lease without the prior written consent of the Landlord. The consent by the Landlord to one assignment shall not be deemed to be consent to any subsequent assignment.

**XXX. RIGHT OF ENTRY.** The Landlord shall have the right to enter the Premises during normal working hours by providing at least twenty-four (24) hours notice in order for inspection, make necessary repairs, alterations or improvements, to supply services as agreed or for any reasonable purpose. The Landlord may exhibit the Premises to prospective purchasers, mortgagees, or lessees upon reasonable notice.

**XXXI. MAINTENANCE, REPAIRS, OR ALTERATIONS.** The Tenant shall, at their own expense and at all times, maintain premises in a clean and sanitary manner, and shall surrender the same at termination hereof, in as good condition as received, normal wear and tear excepted. The Tenant may not make any alterations to the leased premises without the consent in writing of the Landlord. The Landlord shall be responsible for repairs to the interior and exterior of the building. If the Premises includes a washer, dryer, freezer, dehumidifier unit and/or air conditioning unit, the Landlord makes no warranty as to the repair or replacement of units if one or all shall fail to operate. The Landlord will place fresh batteries in all battery-operated smoke detectors when the Tenant moves into the premises. After the initial placement of the fresh batteries it is the responsibility of the Tenant to replace batteries when needed. A monthly "cursory" inspection may be required for all fire extinguishers to make sure they are fully charged.

**XXXII. NOISE/WASTE.** The Tenant agrees not to commit waste on the premises, maintain, or permit to be maintained, a nuisance thereon, or use, or permit the premises to be used, in an unlawful manner. The Tenant further agrees to abide by any and all local, county, and State noise ordinances.

**XXXIII. GUESTS.** There shall be no other persons living on the Premises other than the Tenant and any Occupant(s). Guests of the Tenant are allowed for periods not lasting for more than 48 hours unless otherwise approved by the Landlord in writing.

**XXXIV. COMPLIANCE WITH LAW.** The Tenant agrees that during the term of the Agreement, to promptly comply with any present and future laws, ordinances, orders, rules, regulations, and requirements of the Federal, State, County, City, and Municipal government or any of their departments, bureaus, boards, commissions and officials thereof with respect to the premises, or the use or occupancy thereof, whether said compliance shall be ordered or directed to or against the Tenant, the Landlord, or both.

**XXXV. DEFAULT.** If the Tenant fails to comply with any of the financial or material provisions of this Agreement, or of any present rules and regulations or any that may be hereafter prescribed by the Landlord, or materially fails to comply with any duties imposed on the Tenant by statute or State laws, within the time period after delivery of written notice by the Landlord specifying the non-compliance and indicating the intention of the Landlord to terminate the Agreement by reason thereof, the Landlord may terminate this Agreement. If the Tenant fails to pay rent when due and the default



continues for the time-period specified in the written notice thereafter, the Landlord may, at their option, declare the entire balance (compiling all months applicable to this Agreement) of rent payable hereunder to be immediately due and payable and may exercise any and all rights and remedies available to the Landlord at law or in equity and may immediately terminate this Agreement.

The Tenant will be in default if: (a) Tenant does not pay rent or other amounts that are owed; (b) Tenant, their guests, or the Occupant(s) violate this Agreement, rules, or fire, safety, health, or criminal laws, regardless of whether arrest or conviction occurs; (c) Tenant abandons the Premises; (d) Tenant gives incorrect or false information in the rental application; (e) Tenant, or any Occupant(s) is arrested, convicted, or given deferred adjudication for a criminal offense involving actual or potential physical harm to a person, or involving possession, manufacture, or delivery of a controlled substance, marijuana, or drug paraphernalia under state statute; (f) any illegal drugs or paraphernalia are found in the Premises or on the person of the Tenant, guests, or Occupant(s) while on the Premises and/or (g) as otherwise allowed by law.

**XXXVI. MULTIPLE TENANT OR OCCUPANT(S).** Each individual that is considered a Tenant is jointly and individually liable for all of this Agreement's obligations, including but not limited to rent monies. If any Tenant, guest, or Occupant(s) violates this Agreement, the Tenant is considered to have violated this Agreement. Landlord's requests and notices to the Tenant or any of the Occupant(s) of legal age constitutes notice to the Tenant. Notices and requests from the Tenant or any one of the Occupant(s) (including repair requests and entry permissions) constitutes notice from the Tenant. In eviction suits, the Tenant is considered the agent of the Premise for the service of process.

**XXXVII. DISPUTES.** If a dispute arises during or after the term of this Agreement between the Landlord and Tenant, they shall agree to hold negotiations amongst themselves, in "good faith", before any litigation.

**XXXVIII. SEVERABILITY.** If any provision of this Agreement or the application thereof shall, for any reason and to any extent, be invalid or unenforceable, neither the remainder of this Agreement nor the application of the provision to other persons, entities or circumstances shall be affected thereby, but instead shall be enforced to the maximum extent permitted by law.

**XXXIX. SURRENDER OF PREMISES.** The Tenant has surrendered the Premises when (a) the move-out date has passed and no one is living in the Premise within the Landlord's reasonable judgment; or (b) Access to the Premise have been turned in to Landlord – whichever comes first. Upon the expiration of the term hereof, the Tenant shall surrender the Premise in better or equal condition as it were at the commencement of this Agreement, reasonable use, wear and tear thereof, and damages by the elements excepted.

**XL. RETALIATION.** The Landlord is prohibited from making any type of retaliatory acts against the Tenant including but not limited to restricting access to the Premises, decreasing or cancelling services or utilities, failure to repair appliances or fixtures, or any other type of act that could be considered unjustified.

**XLI. WAIVER.** A Waiver by the Landlord for a breach of any other covenant or duty Tenant, under this Agreement is not a waiver for a breach of any other covenant or duty by the Tenant, or of any subsequent breach of the same covenant or duty. No provision of this Agreement shall be considered waived unless such a waiver shall be expressed in writing as a formal amendment to this Agreement and executed by the Tenant and Landlord.

**XLII. EQUAL HOUSING.** If the Tenant possesses any mental or physical impairment, the Landlord shall provide reasonable modifications to the Premises unless the modifications would be too difficult or expensive for the Landlord to provide. Any impairment(s) of the Tenant are encouraged to be provided and presented to the Landlord in writing in order to seek the most appropriate route for providing the modifications to the Premises.

**XLIII. HAZARDOUS MATERIALS.** The Tenant agrees to not possess any type of personal property that could be considered a fire hazard such as a substance having flammable or explosive characteristics on the Premises. Items that are prohibited to be brought into the Premises, other than for everyday cooking or the need of an appliance, includes but is not limited to gas (compressed), gasoline, fuel, propane, kerosene, motor oil, fireworks, or any other related content in the form of a liquid, solid, or gas.

**XLIV. INDEMNIFICATION.** The Landlord shall not be liable for any damage or injury to the Tenant, or any other person, or to any property, occurring on the Premises, or any part thereof, or in common areas thereof, and the Tenant agrees to hold the Landlord harmless from any claims or damages unless caused solely by the Landlord's negligence. It is recommended that renter's insurance be purchased at the Tenant's expense.

**XLV. COVENANTS.** The covenants and conditions herein contained shall apply to and bind the heirs, legal representatives, and assigns of the parties hereto, and all covenants are to be construed as conditions of this Agreement.

**XLVI. PREMISES DEEMED UNINHABITABLE.** If the Premises is deemed uninhabitable due to damage beyond reasonable repair the Tenant will be able to terminate this Agreement by written notice to the Landlord. If said damage was due to the negligence of the Tenant, the Tenant shall be liable to the Landlord for all repairs and for the loss of income due to restoring the Premises back to a livable condition in addition to any other losses that can be proved by the Landlord.

**XLVII. FIRE PROTECTION.** If the Premises is in a building over 3 stories high, the Landlord must provide and disclose to the Tenant initially moving into the building the availability or lack of availability of fire protection. If the Premises is over 3 stories high, the Tenant acknowledges the Landlord gave them this disclosure with their signature below in this Agreement.

**XLVIII. RADON GAS.** Per Florida law, the following statement must be included in this Agreement as awareness to the Tenant:

Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to



it over time. Levels of radon that exceed federal and state guidelines have been found in buildings in Florida. Additional information regarding radon and radon testing may be obtained from your county health department.

**XLIX. DEPOSITS.** Per Florida law, the following statement must be included in this Agreement as awareness to the Tenant.

YOUR LEASE REQUIRES PAYMENT OF CERTAIN DEPOSITS. THE LANDLORD MAY TRANSFER ADVANCE RENTS TO THE LANDLORD'S ACCOUNT AS THEY ARE DUE AND WITHOUT NOTICE. WHEN YOU MOVE OUT, YOU MUST GIVE THE LANDLORD YOUR NEW ADDRESS SO THAT THE LANDLORD CAN SEND YOU NOTICES REGARDING YOUR DEPOSIT. THE LANDLORD MUST MAIL YOU NOTICE, WITHIN 30 DAYS AFTER YOU MOVE OUT, OF THE LANDLORD'S INTENT TO IMPOSE A CLAIM AGAINST THE DEPOSIT.

IF YOU DO NOT REPLY TO THE LANDLORD STATING YOUR OBJECTION TO THE CLAIM WITHIN 15 DAYS AFTER RECEIPT OF THE LANDLORD'S NOTICE, THE LANDLORD WILL COLLECT THE CLAIM AND MUST MAIL YOU THE REMAINING DEPOSIT, IF ANY.

IF THE LANDLORD FAILS TO TIMELY MAIL YOU NOTICE, THE LANDLORD MUST RETURN THE DEPOSIT BUT MAY LATER FILE A LAWSUIT AGAINST YOU FOR DAMAGES. IF YOU FAIL TO TIMELY OBJECT TO A CLAIM, THE LANDLORD MAY COLLECT FROM THE DEPOSIT, BUT YOU MAY LATER FILE A LAWSUIT CLAIMING A REFUND.

YOU SHOULD ATTEMPT TO INFORMALLY RESOLVE ANY DISPUTE BEFORE FILING A LAWSUIT. GENERALLY, THE PARTY IN WHOSE FAVOR A JUDGMENT IS RENDERED WILL BE AWARDED COSTS AND ATTORNEY FEES PAYABLE BY THE LOSING PARTY. THIS DISCLOSURE IS BASIC. PLEASE REFER TO PART II OF CHAPTER 83, FLORIDA STATUTES, TO DETERMINE YOUR LEGAL RIGHTS AND OBLIGATIONS.

**L. LEAD PAINT.** (check one)

- The Premises was built prior to 1978 and there is an attachment titled the 'Lead-Based Paint Disclosure' that must be initialed and signed by the Landlord and Tenant.

- The Premises was not built prior to 1978.

**LI. GOVERNING LAW.** This Agreement is to be governed under the laws located in the State of Florida.

**LII. ADDITIONAL TERMS AND CONDITIONS.** \_\_\_\_\_  
\_\_\_\_\_

**LIII. ENTIRE AGREEMENT.** This Agreement contains all the terms agreed to by the parties relating to its subject matter including any attachments or addendums. This Agreement replaces all previous discussions, understandings, and oral agreements. The Landlord and Tenant agree to the terms and conditions and shall be bound until the end of the Lease Term.

AMOUNT (\$) DUE AT SIGNING

Landlord's Signature \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Tenant's Signature \_\_\_\_\_ Date: 9.1.22

Print Name: John Tobia

Tenant's Signature \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Agent's Signature \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_



# AMOUNT (\$) DUE AT SIGNING

Security Deposit: \$ \_\_\_\_\_

First (1st) Month's Rent: \$ \_\_\_\_\_

Parking Fee: \$ \_\_\_\_\_

Pet Fee(s): \$ \_\_\_\_\_

Pre-Payment of Rent: \$ \_\_\_\_\_

Proration Amount: \$ \_\_\_\_\_

**Total Amount: \$ \_\_\_\_\_**

I, the undersigned, hereby acknowledge that I have read and understand the contents of the attached Lease (the Lease), and I agree to be bound by its terms and conditions, including all applicable laws and regulations, and I agree to pay the amount due at signing as stated above. I understand that the amount due at signing is for the first month's rent and the security deposit, and I understand that the amount due at signing is for the first month's rent and the security deposit, and I understand that the amount due at signing is for the first month's rent and the security deposit.

I, the undersigned, hereby acknowledge that I have read and understand the contents of the attached Lease (the Lease), and I agree to be bound by its terms and conditions, including all applicable laws and regulations, and I agree to pay the amount due at signing as stated above. I understand that the amount due at signing is for the first month's rent and the security deposit, and I understand that the amount due at signing is for the first month's rent and the security deposit, and I understand that the amount due at signing is for the first month's rent and the security deposit.

Landlord's Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_

Tenant's Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_

Tenant's Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_

Agent's Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_

**Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards**

**1. Lead Warning Statement**

Housing built before 1978 may contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Lead exposure is especially harmful to young children and pregnant women. Before renting pre-1978 housing, landlords must disclose the presence of known lead-based paint and/or lead-based paint hazards in the dwelling. Tenants must also receive a federally approved pamphlet on lead poisoning prevention.

**2. Lessor's Disclosure**

(a) Presence of lead-based paint and/or lead-based paint hazards (check one below):

- Known lead-based paint and/or lead-based paint hazards are present in the housing (explain): \_\_\_\_\_

- Landlord has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the landlord (check one below)

- Landlord has provided the tenant with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

- Landlord has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

**3. Tenant's Acknowledgement**

- Tenant has received copies of all information listed above.

- Tenant has received the pamphlet "Protect Your Family From Lead in Your Home".

**4. Broker's Acknowledgement**

- Broker has informed the tenant of the tenant's obligations under 42 USC 4852(d) and is aware of his/her responsibility to ensure compliance.

**5. Certification of Accuracy**

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Landlord's Signature \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Tenant's Signature \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Tenant's Signature \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Agent's Signature \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_



PO Box 410819  
Melbourne, FL 32941-0819

**NEW VOTER CARD ENCLOSED**  
**NUEVA TARJETA ELECTORAL INCLUIDA**

Return Service Requested



PRESORTED  
FIRST-CLASS MAIL  
U.S. POSTAGE PAID  
MELBOURNE, FL  
PERMIT #306

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T89 \*\* AUTO \*\*\*\*\*SCH 5-DIGIT 32907  
046416 293  
JOHN JOSEPH TOBIA  
[REDACTED]

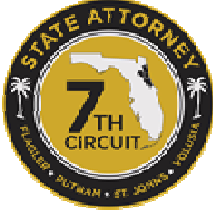
## Bainbridge, Patty

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**From:** Bainbridge, Patty  
**Sent:** Wednesday, January 17, 2024 1:11 PM  
**To:** Thomas, Sarah  
**Subject:** RE: John Tobia Governor's assignment

Please call Trizia Eavenson 321-368-2698 she represents victim Tim Bobanic. She has heard that no charges will be filed?

Patty  
Secretary to Assistant State Attorney SARAH THOMAS  
Justice Center 251 N. Ridgewood Avenue  
Daytona Beach, FL 32114  
(386)239-7710 ext 14786  
Email: [bainbridgep@sao7.org](mailto:bainbridgep@sao7.org)





## Bainbridge, Patty

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**From:** Bainbridge, Patty  
**Sent:** Thursday, January 18, 2024 3:56 PM  
**To:** Thomas, Sarah  
**Subject:** Tobia

Please call attorney Trizia Eavenson 321-368-2698 she would like update on case.

Patty  
Secretary to Assistant State Attorney SARAH THOMAS  
Justice Center 251 N. Ridgewood Avenue  
Daytona Beach, FL 32114  
(386)239-7710 ext 14786  
Email: [bainbridgep@sao7.org](mailto:bainbridgep@sao7.org)



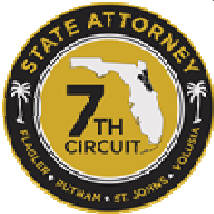
## Bainbridge, Patty

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**From:** Bainbridge, Patty  
**Sent:** Friday, January 19, 2024 11:33 AM  
**To:** Thomas, Sarah  
**Subject:** Tobia governors assignment

Please call Trizia Eavenson 321-368-2698 she says its urgent they received work from governors office that this will be no filed.

Patty  
Secretary to Assistant State Attorney SARAH THOMAS  
Justice Center 251 N. Ridgewood Avenue  
Daytona Beach, FL 32114  
(386)239-7710 ext 14786  
Email: bainbridgep@sao7.org



## Bainbridge, Patty

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**From:** Bainbridge, Patty  
**Sent:** Friday, January 19, 2024 2:45 PM  
**To:** Thomas, Sarah  
**Subject:** Tobia

Tim Bobanic called to talk to you about the case, I set him for phone conference next week, Friday 11am.

Patty  
Secretary to Assistant State Attorney SARAH THOMAS  
Justice Center 251 N. Ridgewood Avenue  
Daytona Beach, FL 32114  
(386)239-7710 ext 14786  
Email: [bainbridgep@sao7.org](mailto:bainbridgep@sao7.org)



## Bainbridge, Patty

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**From:** Thomas, Sarah  
**Sent:** Monday, March 18, 2024 10:39 AM  
**To:** Bainbridge, Patty  
**Subject:** FW: Documents

Patty please scan all of this in to the Tobias case.

*Sarah E. Thomas*

ASSISTANT STATE ATTORNEY  
Sex Crimes/Career Criminal Unit  
251 N. Ridgewood Ave.  
Justice Center  
Daytona Beach, FL 32114  
(386) 239-7710 ext. 14748  
FAX (386) 239-7716  
[thomass@sao7.org](mailto:thomass@sao7.org)  
E-service: [eservicevolusia@sao7.org](mailto:eservicevolusia@sao7.org)

---

**From:** Trizia Ginarella Eavenson, Esquire <trizia@tgelawfirm.com>  
**Sent:** Monday, March 4, 2024 3:06 AM  
**To:** Thomas, Sarah <ThomasS@sao7.org>  
**Cc:** Carol F. Smith, Paralegal <Carol@tgelawfirm.com>  
**Subject:** RE: Documents

Hi Sarah,

I truly do apologize for the delay. I have been in the midst of handling all my Mom's final arrangements and it's been a bear. Especially dealing with the VA to get a burial flag for my Mom.

I will have something out to you by the end of this coming week, if that works for you. I appreciate your patience.

*Trizia G. Eavenson*

**Trizia G. Eavenson, Esquire**  
Eavenson Law, LLC  
Attorney and Counselor at Law  
*Florida Supreme Court Certified Circuit Civil Mediator*  
*Florida Supreme Court Qualified Arbitrator*  
*Founder of Your Diversity University, LLC*  
*Founder of Be The Diamond Leadership Academy*  
*Executive Life Coach*  
6767 North Wickham Road



Suite 400  
Melbourne, Florida 32940  
Telephone: 321.241.4777  
Facsimile: 321.821.1881  
[Trizia@TGElawfirm.com](mailto:Trizia@TGElawfirm.com)

Visit us at [www.TGElawfirm.com](http://www.TGElawfirm.com) and [www.DiversityPlease.com](http://www.DiversityPlease.com)

***Hablo su idioma y entiendo su cultura.***

  
**EAVENSON LAW, LLC**



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**From:** Thomas, Sarah <[ThomasS@sao7.org](mailto:ThomasS@sao7.org)>  
**Sent:** Monday, February 12, 2024 9:22 AM  
**To:** Trizia Ginarella Eavenson, Esquire <[trizia@tgelawfirm.com](mailto:trizia@tgelawfirm.com)>  
**Subject:** Documents

Hi Ms. Eavenson,

I never received the items we discussed from our 1/26/2024 Phone Conference. Please get them to me for my review and file at your earliest convenience. I want to ensure I have everything.

Thanks,  
ST

*Sarah E. Thomas*

ASSISTANT STATE ATTORNEY  
Sex Crimes/Career Criminal Unit  
251 N. Ridgewood Ave.  
Justice Center  
Daytona Beach, FL 32114  
(386) 239-7710 ext. 14748  
FAX (386) 239-7716  
[thomass@sao7.org](mailto:thomass@sao7.org)  
E-service: [eservicevolusia@sao7.org](mailto:eservicevolusia@sao7.org)

LEGAL NOTIFICATION: Florida Sunshine Statutes entail very broad public records requirements (F. S. 119). As required by law, all e-mails to and from the State Attorney's Office of Circuit 7 are kept as a public record. Your e-mail communications, including your e-mail address may be disclosed to the public and media at any time. If you have received this communication in error, do not distribute it. Please notify the sender immediately by electronic mail and delete this message.

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LEGAL NOTIFICATION: Florida Sunshine Statutes entail very broad public records requirements (F. S. 119). As required by law, all e-mails to and from the State Attorney's Office of Circuit 7 are kept as a public record. Your e-mail communications, including your e-mail address may be disclosed to the public and media at any time. If you have received this communication in error, do not distribute it. Please notify the sender immediately by electronic mail and delete this message.

# **Brevard County Board of County Commissioners**

*2725 Judge Fran Jamieson Way  
Viera, FL 32940*



## **Minutes**

**Tuesday, September 5, 2023**

**5:30 PM**

**1st Budget Hearing**

**Commission Chambers**

\*\* Executive Attorney-Client Session at 4:30 p.m., the Board of County Commissioners will meet for the purpose of discussing litigation strategy and settlement negotiations in the case of Cocoa Beach Motel, Inc. d/b/a Radisson Resort at the Port vs. Brevard County and DAD 1300 N Atlantic Cocoa, LP, Case Number 05-2022-CA-041904-XXXX-XX.

Called to Order 4:30 p.m.

The Board of County Commissioners met for the purpose of discussing litigation strategy and settlement negotiations in the case of Cocoa Beach Motel, Inc. d/b/a Radisson Resort at the Port vs. Brevard County and DAD 1300 N Atlantic Avenue, Cocoa Beach, LP, Case Number 05-2022-CA-04194-XXXX-XX.

**A. CALL TO ORDER 5:33 PM**

This agenda item was approved.

**Present:** Commissioner District 1 Rita Pritchett, Commissioner District 2 Tom Goodson, Commissioner District 3 John Tobia, Commissioner District 4 Rob Feltner, and Commissioner District 5 Jason Steele

**C. PLEDGE OF ALLEGIANCE**

Commissioner Goodson led the assembly in the Pledge of Allegiance.

**D.1. Announcement of the Percentage Change in the FY 2023-2024 Aggregate Tentatively Adopted Millage from the Aggregate Rolled-Back Rate**

Chair Pritchett called for a public hearing on the announcement of the percentage change in the Fiscal Year 2023-2024 aggregate tentatively adopted millage from the aggregate rolled-back rate.

Frank Abbate, County Manager, stated this Item allows for the reading of the tentative aggregate operating millage rate to fund the portion of the Fiscal Year 2023-2024 budget that is supported by property taxes; and he asked the Budget Office to read into the record the tentative aggregate millage rate for Fiscal Year 2023-2024.

Jill Hayes, Budget Office Director, read into the record, the aggregate tentative millage rate for Fiscal Year 2023-2024 budget is 4.6383; the tentative aggregate millage rate represents no change when compared to the aggregate rolled back millage rate of 4.6383; and the tentative aggregate millage rate represents a 6.82 percent reduction when compared to the aggregate current Fiscal Year 2022-2023 millage rate of 4.9777.

There being no comments or objections, the Board acknowledged the Budget Office reading into the record the percentage by which the aggregate millage necessary to fund the tentative budget for Fiscal Year 2023-2024 is changed from aggregate rolled-back rate of 4.6383 mills, aggregate tentative adopted rate of 4.6383 mills, and percentage change of 0.00 percent, including voted millages, and the tentative rate represents a 6.82 percent reduction from the current Fiscal Year aggregate rate of 4.9777.

**D.2. Public Comment: Re: Revised Tentatively Adopted County Operating and Capital Budget for FY 2023-2024**

Chair Pritchett called for a public hearing on the public comment portion for the revised tentative adopted County operating and capital budget for Fiscal Year 2023-2024.



Frank Abbate, County Manager, stated this Item allows for the public to comment on the revised tentative County budget for Fiscal Year 2023-2024; and before the Board begins public comment, he asked the Budget Office to read into the record the revised tentative budget information.

Jill Hayes, Budget Office Director, stated the Fiscal Year 2023-2024 tentative budget is \$2,041,823,659; and the budget represents an increase of \$52,522,723 or 2.64 percent when compared to the Fiscal Year 2022-2023 current budget of \$1,989,300,936.

Chair Pritchett advised she had no public comment cards.

There being no comments, the Board accepted public comments concerning the tentatively approved budget and millage rates for the County's 2023-2024 Fiscal Year, including Charter Officers and Dependent Special Districts.

**D.3. Adoption of FY 2023-2024 Tentative Millages**

Chair Pritchett called for a public hearing for adoption of the Fiscal Year 2023-2024 tentative millages.

Frank Abbate, County Manager, stated for this Item it is recommended that the Board discuss and tentatively adopt the Fiscal Year 2023-2024 millage rates; and any changes to the millage rates under this Item will be recomputed by the Budget Office and announced under Item D.4.

There being no comments or objections, the Board discussed and tentatively adopted the Fiscal Year 2023-2024 Millage Rates.

**Result:** ADOPTED

**Mover:** Jason Steele

**Secunder:** Tom Goodson

**Ayes:** Pritchett, Goodson, Tobia, Feltner, and Steele

**D.4. Announcement of the Recomputed FY 2023-2024 Aggregate Tentatively Millage**

Chair Pritchett called for a public hearing to announce the recomputed Fiscal Year 2023 2024 aggregate tentative millage.

Frank Abbate, County Manager, stated based on the approved changes to the millage rates that were approved on Agenda Item D.3., he will ask the Budget Office to read into the record the revised aggregate millage rates

Jill Hayes, Budget Office Director, stated the aggregate rolled back rate for Fiscal Year 2023-2024 budget is 4.6383; the aggregate tentative millage rate for the Fiscal Year 2023-2024 budget is 4.6383; and the tentative aggregate millage rate is equal to the aggregate rolled back rate.

There being no comments or objections, the Board acknowledged the Budget Office reading into the record the percentage by which the aggregate millage necessary to fund the tentative budget for Fiscal Year 2023 2024 is changed from aggregate rolled back rate of 4.6383 mills.

**D.5. Resolution: Adoption of the Stormwater Utility Resolution Ratifying, Confirming, and Certifying the Annual Stormwater Utility Special Assessment Rolls.**

Frank Abbate, County Manager, stated the Board is now ready for the rate approval and

adoption of the specific program budgets; and these actions are necessary in order to certify non-ad valorem assessments to the Tax Collector in accordance with the uniform method of collection, Florida Statute 197.3632.

Chair Pritchett called for a public hearing for adoption of the stormwater utility resolution ratifying, confirming, and certifying the annual stormwater utility special assessment rolls.

Jill Hayes, Budget Office Director, stated this Item is for the stormwater utility assessments and request adoption of the stormwater utility resolution ratifying, confirming, and certifying the annual stormwater utility special assessment rolls.

There being no comments or objections, the Board adopted Resolution No. 23-084, ratifying, confirming, and certifying the Annual Stormwater Utility Special Assessment Rolls.

**Result:** ADOPTED

**Mover:** Jason Steele

**Second:** John Tobia

**Ayes:** Pritchett, Goodson, Tobia, Feltner, and Steele

**D.6. Board Adoption of a Fire Assessment Rate Adjustment of three percent (3%) in FY2023-24; and Board Ratification, Confirmation and Certification of the Annual Fire Services Non-Ad Valorem Assessment Roll.**

Chair Pritchett called for a public hearing for adoption of Fiscal Year 2023-2024 Fire Assessment Rate Adjustment of three percent; and Board ratification, confirmation, and certification of the annual Fire Services non ad valorem Assessment Roll.

Jill Hayes, Budget Office Director, stated this Item requests the ratification, confirmation, and certification of the annual Fire Services non-ad valorem special assessment tax rolls.

There being no comments or objections, the Board adopted Resolution No. 23-085, ratifying, confirming, and certifying the annual Fire Services Non Ad Valorem Special Assessment Roll, which has been updated to reflect the three (3) percent rate adjustment, as previously approved and authorized by the Board in Resolution No. 21-044, on April 20, 2021.

**Result:** ADOPTED

**Mover:** Jason Steele

**Second:** Tom Goodson

**Ayes:** Pritchett, Goodson, Tobia, Feltner, and Steele

**D.7. Resolution Re: Adoption of a Schedule of Rates and Charges for Hazardous Materials Special Operations Team, Standby Response, Fire Prevention, and Inspection Rates.**

Chair Pritchett called for a public hearing for adoption of a schedule of rates and charges for hazardous materials special operations team, standby response, fire prevention, and inspection rates.

Jill Hayes, Budget Office Director, stated this Item is the schedule of rates and charges; it requests the adoption of the schedule of rates and charges for hazardous materials, special operations team, standby response, fire prevention, and inspection rates.

There being no comments or objections, the Board adopted Resolution No. 23-086, adopting a Schedule of Rates and Charges for Hazardous Materials (Haz Mat) Special Operations Team, Standby Response, and Fire Prevention and Inspection Fees imposed against all improved real property within the benefit area of Brevard County for Fiscal Year beginning October 1, 2023.

**Result:** ADOPTED

**Mover:** John Tobia

**Seconder:** Rob Feltner

**Ayes:** Pritchett, Goodson, Tobia, Feltner, and Steele

**D.8. Adoption of Budgets for FY 2023-2024 for Certain Districts and Programs**

Chair Pritchett called for a public hearing for adoption of budgets for Fiscal Year 2023-2024 for certain districts and programs.

Frank Abbate, County Manager, stated in accordance with the Brevard County Code of Ordinances, he requests the adoption of the Fiscal Year 2023-2024 budgets for the following agencies, Solid Waste Management, Stormwater Utility Department, Fire Services non ad valorem assessment, and Melbourne Tillman Water Control District.

There being no comments or objections, the Board accepted the budgets of Solid Waste Management Department, Stormwater Utility, and Fire Rescue Operations Assessment; and adopted Resolution No. 23-087, adopting the final operating budget for Melbourne Tillman Water Control District for Fiscal Year 2023-2024.

**Result:** ADOPTED

**Mover:** Tom Goodson

**Seconder:** Jason Steele

**Ayes:** Pritchett, Goodson, Tobia, Feltner, and Steele

**D.9. FY 2023-2024 Budget Resolution: Barefoot Bay Water and Sewer District.**

Chair Pritchett called for a public hearing for adoption of the Fiscal Year 2023-2024 budget resolution for Barefoot Bay Water and Sewer District.

Frank Abbate, County Manager, stated it is requested that the governing body of the Barefoot Bay Water Utility and Sewer District approve a resolution adopting a budget for Fiscal Year 2023-2024.

There being no comments or objections, the Board, as the governing body of the Barefoot Bay Water and Sewer District, adopted Resolution No. 23-001, adopting a final operating budget for Fiscal Year 2023-2024 of the Barefoot Bay Water Utility and Sewer District.

**Result:** ADOPTED

**Mover:** Jason Steele

**Seconder:** John Tobia

**Ayes:** Pritchett, Goodson, Tobia, Feltner, and Steele

**D.10. Tentative Approval of a Resolution Adopting the County's Budget for FY 2023-2024**

Chair Pritchett called for a public hearing to tentatively approve a resolution adopting the County's budget for Fiscal Year 2023-2024.

Frank Abbate, County Manager, stated based on the action taken during this public hearing, he will now ask the Budget Office to read into the record the revised tentative budget for Fiscal Year 2023-2024.

Jill Hayes, Budget Office Director, stated the revised tentative budget for Fiscal Year 2023-2024 is \$2,041,823,659; the revised tentative budget represents an increase of \$52,522,723 from the current budget of \$1,989,300,936.

Mr. Abbate requested tentative approval of a resolution adopting the Fiscal Year 2023-2024 Brevard County budget.

There being no comments or objections, the Board adopted Resolution No. 23-088, tentatively adopting the County's total budget for FY 2023-2024, as indicated in Agenda Item D.2., at a revised total budget of \$2,041,823,659, which includes County agencies of \$1,742,159,281, Charter Officers of \$194,691,848, and Dependent Special Districts of \$104,972,530.

**Result:** ADOPTED

**Mover:** Jason Steele

**Seconder:** Rob Feltner

**Ayes:** Pritchett, Goodson, Tobia, Feltner, and Steele

#### **E.1. Resolution re: the Use of Tourist Tax Revenues for Beach Lifeguard Services.**

Morris Richardson, County Attorney, stated this Item is a resolution regarding the potential use of tourist tax revenues for beach lifeguard services; at the Commission meeting on August 22, 2023, the Board directed that he and staff work together to prepare a resolution setting forth appropriate findings to support the use of tourist development tax revenues for lifeguard services for consideration at this meeting; the resolution attached to the Agenda Item sets forth the appropriate findings and concludes that beach lifeguard services do not only incidentally benefit tourists but rather a clear and direct relationship exists between lifeguard services and the promotion of tourism; and further, that one of the main purposes of beach lifeguard services is the attraction of tourists to Brevard County.

Commissioner Goodson noted that Attorney Richardson stated that lifeguards enhance the tourist attraction to Brevard.

Attorney Richardson remarked that is correct, as it is one of the findings in the resolution.

Commissioner Goodson noted that Attorney Richardson stated that the County could use this money as long as tourism is the benefit; he mentioned he could say good roads help tourism; and he asked if it could be used to fund good roads.

Attorney Richardson replied no, because roads are a general duty owed to the public at large; and with roads it would be difficult to see how to specifically promote that for the attraction of tourists, although if the Board made appropriate findings, perhaps it could get there.

Commissioner Goodson asked if the money was moved towards the lifeguards, when would there be a discussion of when or how much the cities might kick in.

Chair Pritchett stated she is not sure that is a question she was ready to answer; and it should be a Board discussion later.



Commissioner Goodson asked why the money would be transferred now, not knowing if the cities would kick in.

Chair Pritchett replied she is not sure it is; she thinks it was a Board vote at one of the last meetings; and this is the resolution from the vote already taken.

Attorney Richardson explained this in of itself does not transfer any money, it is just findings to support any monies from Tourist Development Tax (TDT) that is spent on lifeguards.

Commissioner Goodson stated if he is not mistaken, there are eight parks that charge fees to park, but the County furnishes lifeguards; he hopes that is looked at before this goes completely down the road; and he thinks the cart has been put before the horse.

Commissioner Steele stated he thinks what the Board is trying to do is just determine whether or not it was allowed to use tourist tax dollars for lifeguards; that is what the resolution is about; all the other details are very important and will need to be answered in time; but tonight it is a resolution saying that tourist tax dollars can be used for lifeguards.

Chair Pritchett stated she had a comment card and would not typically do this because public comment was before the discussion; and she asked Sandra Sullivan to come down.

Sandra Sullivan stated in response to the last meeting talking about this, she looked up on the State Attorney site, and this has been a conversation that has ensued from other counties wanting to do this as well; there was some discussion in 2013 where Matt Gaetz had done a bill to give smaller municipalities the ability to use tourist tax; and that bill failed. She added there are two legal opinions on the State Attorney's site that TDT taxes could not be used for lifeguard services; she has requested the State legislation to get a revised State Attorney legal opinion; and there are two that she sent by email to the Commission and State representatives that what the Board is doing, she thinks, is not legal.

Commissioner Tobia asked Ms. Sullivan which district the State Attorney opinion was from, or if she meant Attorney General.

Ms. Sullivan replied yes; and apologized.

The Board adopted Resolution No. 23-089, finding that one of the main purposes of beach lifeguard services is the attraction of tourist in Brevard County, finding that a clear and direct relationship exists between beach lifeguard services and the promotion of tourism, supporting the expenditure of Tourist Development Tax revenues on beach lifeguard services and the promotion of beach lifeguard services to tourists pursuant to Section 125.0104(5)(a)(3), Florida Statutes and Section 102-119(3)a., Brevard County Code of Ordinances, and providing for an effective date.

**Result:** ADOPTED

**Mover:** John Tobia

**Secunder:** Rob Feltner

**Ayes:** Pritchett, Tobia, Feltner, and Steele

**Nay:** Goodson

### **F.3. Board Discussion and Direction to Staff RE: Lifeguard Services Cost-share**

## Option Between Brevard County and Municipalities

Commissioner Tobia stated he thinks some of the discussion dovetails into this; this is discussion for lifeguard funding and there will be a motion to direct staff to go out and negotiate with the cities with a better parameter than was had previously.

Sandra Sullivan stated at the last meeting on this subject there were two spreadsheets, one for how things were funded before, and one for how it is proposed; the same 11 beaches are on each spreadsheet; the point of that is that a statement was made that the intention was to move this ahead to fund unincorporated beaches, which is, from what she sees, a misrepresentation; further, in the budget that was just approved, all of the lifeguards are being funded from the general fund; and it is interesting that the funding was \$1.9 million two years ago and now it is up to \$3.3 million, which is a 65 percent increase. She added it is interesting that \$3 million of that dollar value is for the cities; the cities who are charging for parking; that is when she hears the Board talking over the years about giving the parks away to cities who then charge for parking; the idea was to give the beaches to the cities so the County does not have liability; and then continue the liability while they are charging the taxpayers who funded buying those beaches, it really makes her sick. She stated the equitable thing here is for the cities to pay an equitable share, and the spreadsheet that it presented has the County paying almost all of it; it was, she thinks, 96 percent that Commissioner Tobia said originally that the County was paying; it was a very good presentation he made; she made a suggestion to the Board to consider a 50/50 split and take over to where the County has a premium pass for those parks as part of the Interlocal Agreement to assure there is no differential in fees, and sell that pass for \$100 a year for the premium parks that have lifeguards; and have a tourist product to where there is a benefit for County residents and visitors that buy that pass and be able to access all the beaches. She went on to say that would provide funding to fund the lifeguards, at least as an economic source; and she is sorry, but the Board is not being fiscally conservative when it increases fees.

Commissioner Tobia stated in May the Board unanimously directed staff to meet with municipalities to discuss the transfer of responsibilities of costs from the County to the municipalities for lifeguard services at their own parks; he mentioned the Board has handouts A, B, and C; he noted to disregard A, which was the nuclear option where the Board told the cities that they needed to pony-up the money immediately, and he was informed many of these cities do not meet in time to negotiate with their city council and amend their budget to fund that; and the cities won after sending Frank Abbate, County Manager, and Morris Richardson, County Attorney, to negotiate and basically received no answer. He went on to say that is very important because the Board does not want that to happen again; a concern of the Board was subsidizing lifeguard services with cities that were charging for parking; he advised Cocoa Beach charges \$2 million according to their budget, \$917,157 in Fiscal Year 2021 between total meter revenue and paid lots surrounding beach parks, Indialantic was \$411,588.63 for Fiscal Year 2022, and Melbourne Beach was \$55,387.17 for Fiscal Year 2022; he started with spreadsheet B, stating that it provides the cities one more opportunity to get their budgets straight and transition through this year until budget year 2024-2025; and this puts the responsibility overwhelmingly on the County, as the Tourist Development Tax (TDT) makes up 20 percent of that, and the cities that were contributing a little bit for part-time would continue to do so. He added there would be no need to shift resources in order to make this happen, however, this is not a sustainable model; he stated for spreadsheet C, it would be a 50 percent cost-share; he met with Attorney Richardson, who said if General Fund dollars were going there, it would be best to do that at 50 percent; the cost-share would be 20 percent TDT, 30 percent County General Fund, and the remaining 50 percent would be city cost; while he would like to do that this year, he has been informed there is not sufficient time to do that; he thinks it is important to send Attorney Richardson and Mr. Abbate to the cities with a little more direction

than before; and this is a way to transfer some of the responsibility over to the cities that are charging for parking. He stated this gets it a bit closer but he thinks the Board needs to be prepared just in case the cities say no again; he has some ideas but he hopes the cities are partners on this; if the cities are given another year to make these accommodations, they certainly have the revenue from parking; he is not stuck on these numbers but he feels it is a good starting place; if the Board would like to provide more direction or look at this at a later time, he is willing; but it is very important that we come together and let the cities know that at some point, they need to pay a fair share of the services that the County is currently providing.

Chair Pritchett stated she liked the B plan and she is going to support it; and she thinks it is a fair proposal.

Commissioner Tobia advised the B plan is the status quo that the County is covering 80 percent, TDT is covering 20 percent, and the cities really are not paying anything more than pennies on the dollar; the goal is to have a more equitable cost-share; that would have to be negotiated through an Interlocal Agreement for the next budget year; and there would be no loss of service.

Mr. Abbate asked whether the Board is firm on if the City refuses to negotiate; he asked what to do at that point because that is a critical component of what is discussed with the cities; and he wants to know if the cities refused on October 1, 2024, will the cities be responsible for their lifeguard services and the County would not provide it.

Commissioner Tobia remarked the negotiations need to happen in the next three to six months, so the negotiating team could come back to the Board and it would make that decision at that point; one suggestion would be to use the TDT dollars that would have otherwise gone to certain cities to go to the cities that participate, so there is a larger cost-share; there may be some legal questions, but the point is not to leave it to the last minute; and the cities called their bluff this time and he does not want it to happen a second time. He continued to say if the County Attorney and County Manager bring that information back within the next six months, it would give the Board six months to make that determination; if the cities say no, it has to be prepared to say it is their responsibility to cover the lifeguards; and the Board needs to stick together because if it is fractured at all, they will most likely pick it apart.

Commissioner Goodson stated there were 10 drownings from October 22, 2022 and October 23, 2023, five of which occurred after 5:00 p.m. in Indialantic Beach; it sounds like there will be a problem unless the Board wants to have lifeguards until 8:00 p.m.; but he is all for the proposal.

The Board directed staff to meet with the municipalities in which the County currently provides lifeguard services to discuss the cost-sharing option beginning in Fiscal Year 2024-2025; and for parks maintained by municipalities, the cost share for lifeguard services will continue to utilize the 20 percent of cost from the Tourist Development Tax dollars and in addition, receive 30 percent of cost from the County's General Fund, leaving a 50 percent municipal responsibility from either municipal parking revenue and/or any other municipal funds.

**Result:** APPROVED

**Mover:** John Tobia

**Second:** Jason Steele

**Ayes:** Pritchett, Goodson, Tobia, Feltner, and Steele

## **F.1. Board Discussion and Direction to Staff RE: Economic Development Commission**

## Grant Funding

Commissioner Tobia stated Item F.1. is dealing with a reduction in grant funding to the Economic Development Commission (EDC).

Sandra Sullivan stated she thinks what the EDC does is very important and all the conferences that are applied to and the work that is done in bringing large companies to Brevard County that has the opportunity; she does not always agree with all of the proposals that the EDC brings forward, but she thinks the organization brings a lot of merit; the EDC is like a pass-through to North Brevard Economic Development Zone (NBEDZ); and NBEDZ was created in 2011 and kind of relates to it. She added if the Board wanted to get a money source and cut back over \$1 million, it is taxing the entire County; this was intended for when the space shuttle program ended and Titusville was hurting; this tax has been for more than 10 years; the tax to NBEDZ is not needed anymore and it is not fair tax; and it is related to this. She thinks that the EDC should continue and if they communicate with NBEDZ, the duplication of effort is not needed; and she suggested to get rid of NBEDZ and not cut back on the EDC.

Lynda Weatherman, President and Chief Executive Officer of the Economic Development Commission of Florida's Space Coast, provided a handout and stated the EDC has always valued the partnership and leadership this County has taken to ensure a strong, viable, and sustainable economic climate; it was not that long ago that as a community, it faced severe economic challenges tied to the economic recession and retirement of the shuttle program; and today this community's exceptionalism is demonstrated in its growth and diversity of industry, expansion of military assets, and competitive workforce. She mentioned activities of the EDC as it relates to the successful partnership between EDC and the County; since October 2010 it has been successful in attracting projects that amounted in over 8,000 new jobs with a capital investment of approximately \$1 billion; while capital attraction is the most recognized of the EDC work, the EDC has embarked on additional efforts, some of which have a direct impact on Brevard County operations; for example, in order to make the spaceport infrastructure more competitive, the EDC has been successful in attracting over \$3 million in defense and space-related grants; but significantly, and to the financial interests of this County, 30 percent of those funds benefited Brevard County. She added the EDC was successful in obtaining over \$1 million for the Emergency Operations Center (EOC); this funding provided direct support for the County for civil site preparation; these were costs that the County did not have to absorb; to address the Indian River Lagoon environmental challenge and infrastructure challenge to NASA, Patrick Space Force base, and direct interest to the County, Sykes Creek and Port St. John wastewater treatment facility, the EDC funded a \$200,000 study on the conceptual alternatives and evaluations for wastewater treatment options; and the next phase will continue this effort and work focusing on planning, design, and engineering targeting an innovative sustainable regional wastewater treatment facility. She stated on September 26, the EDC submitted a letter of intent to the National Oceanic and Atmospheric Administration (NOAA) for \$1.5 million from the Climate Resilient Regional Challenge Program; in addition, it is in the final stages of working very closely with the Department of Defense to secure \$800,000 to \$1.2 million for this endeavor; in regards to workforce, since 2017, the EDC has provided, via State appropriations, over \$800,000 in scholarships, tuition, and teacher support in the creation of certifications targeted for demand industries including manufacturing, aviation, avionics, and space; and she thanked the Board for their partnership and she looks forward to a continued and successful collaboration.

Kirk Hall, Chair of the Economic Development Commission, stated he would like to address several subjects as they relate specifically to the EDC budget; first, the overall County grant funding, the EDC has not requested or received an increase in County funding in over 12 years; in fact, in 2010 and 2011, the EDC received a decrease of five percent and seven



percent respectively; secondly, the venture is a co-venture between private and public funding; the EDC has always honored and respected the investment this County provides for a competitive economic development program and it does not rely solely on County funding to support its extensive program of work; and it seeks to ensure that economic development is a partnership between both private and public resources. He added currently, the budget funds provided are 48 percent by County grant, and 52 percent from private sector and additional partnerships; the EDC has a reserve policy defined by its board of directors and, as with any operating business, it incurs increased costs on a yearly basis and its reserves allows it to continue operating a full program of work in an effective manor, given these Fiscal challenges; the current reserve balance reflects the reduction of activities during COVID-19, which is reflected in both the activities and reduced marketing due to shutdown of other programs; and these reserve balances will be used over a three to four-year period for significant expenditures and execution of a new program of work outside the normal scope, focus on talent attraction for local manufacturing and service industry businesses, after which the reserve will have returned to the level mandated by the board of directors. He stated the new program is currently underway and will be unveiled at the annual meeting in January; to ensure it remains competitive and attracts top talent for the community, the EDC conducts salary surveys to align compensation and benefits with industry standards and local competition; personnel expenses are shared with County and private funds, with the County contribution averaging 76 percent of total personnel expenses each Fiscal Year; for executive leadership, an annual committee of the board of directors conducts a performance review, including a salary comparison and benchmark study and formal survey; the EDC is cognizant of tight budgets; and for this reason it has not sought an increase in the budget for over 12 years. He expressed his appreciation for the Board's time; and the success of the community in mitigating challenges is due to the co-venture and continued support of the County and the EDC.

Chair Pritchett commented she would like to request if Commissioner Tobia ends up with this that it is maybe not so much of 20 percent, but maybe a bit softer with it; she really admires all the things that the EDC does and their strong board; when she goes to the meetings, they hash it out, they are smart people; it is not like one person making the decisions, as it is run through the mill when discussing projects; most of the projects have been on the south end, which is fine, because Ms. Weatherman has been working on a grant for almost \$88 million; and that will mostly affect Districts 1 and 2 with an advanced wastewater treatment plant, which is desperately needed, and will alleviate a lot of cost to the County down the road. She added she is very thankful Ms. Weatherman is starting to do more in the infrastructure projects, which made this an easy sell today; the amount of money that it is going to save the County later, as far as this treatment plant, for the space center, Port St. John, North Brevard, and into the Cocoa area is going to be a real game changer; and considering this amount of funds and the return on that investment alone is substantial.

Commissioner Steele stated he has had the pleasure of working with the EDC since 2012; he was on the Enterprise Florida board and the Space Florida board and he can say that the EDC works stealth; they do things behind the scenes that nobody in the room knows about, continually working tireless amounts of hours, not only with the amounts of economic incentives that they have gotten for all of the wonderful companies that have come here, which total well over \$1.5 billion over the last 12 years; what they have also done is help other developers with hotels, schools, with whatever their needs would be, so he hopes that tonight that their budget is not cut one cent, and allow them to continue on with the good work that they are doing; and he is just a big fan of the EDC.

Commissioner Tobia stated the grant agreement between the County and the EDC allocates \$1,400,500 to the organization each year; section 3(d) of the grant agreement states the EDC

will work “with elected official and community partners to develop a competitive business environment in the County”; whereas EDC may meet with other elected officials, they do not meet or even contact his office; Information Technology (IT) ran an email search and found only six instances when the EDC reached out to his office, the most recent being May 7, 2019; and there have been no phone calls, texts, or emails. He added that is how he came up with one-fifth, as he is one-fifth of this Commission, which accounts for \$280,010; he did not want to go over all of this stuff because they tooted their horn enough, but there are things that were neglected; over the past five years, the approved jobs that were brought to the County from Dark Storm, National Service, Roswell USA, BK Technologies, MG Foods, and Midwest Dental, that is a total of 252 jobs; it sounds like a lot of money; but probably not as much as the \$6 or \$7 million that was given them at that time. He went on to say something that has been neglected off of all of their publications from the speakers, all of the jobs that they brought forward that the employer did not meet the requirements and the incentives for jobs were rescinded; he mentioned Diamondback CNC did not deliver 35 jobs, East Coast Paper Stock did not deliver 30 jobs, Merritt Island Board Works Inc. did not deliver 380 jobs, Geno LLC did not deliver 12 jobs, Project Taylor Geno LLC did not deliver 126 jobs, and MC Assembly did not deliver any jobs; he would go through 2022, where the EDC brought nothing to the Board, or 2023 where the Board said it was not interested in incentivizing; and he stated he was going to leave it to Chair Pritchett. He mentioned he wanted to allocate that \$280,010 to something else; the Board decided to fund lifeguards a different way so he asked the County Manager and some employees where some capital funding was needed; he found out that capital funding was needed in Fire Rescue for a firehouse in District 1; he would like to allocate \$280,010 to that, but if Chair Pritchett wants to decrease that, he would take that as a win; and he wanted the Board to understand where his motion will allocate those funds. He asked for a percentage and he would do the math and put it in there.

Commissioner Steel suggested a 10 percent cut.

Chair Pritchett commented she thinks that would be a little better; she has had the privilege of getting to go to the Pentagon once; the work that was able to be done, the talk with the military was amazing; she has been on a lot of the team calls in the past trying to get the Space Force here and she knows Ms. Weatherman had so much to do with it, as she has got that respect in that area; she sees a lot of losses on things, but the amount of wins, as far as military presence, Navy-related businesses in District 1, and the advanced wastewater treatment center, there have been hours spent on this trying to secure funds; and it looks like it is coming to a good place, with Senator Mayfield also involved now. She noted she would like to do less of a cut; and she thinks Commission Steele’s proposal is reasonable.

Commissioner Goodson asked Commissioner Tobia how much a fire station costs so he will know how much he has to give to Chair Pritchett to help her; and he asked if it is funding it next year.

Commissioner Tobia replied he had no idea; and this is just for capital improvement, not a new fire station.

Commissioner Goodson stated he thought Commissioner Tobia was donating to District 1 for a new fire station.

Commissioner Tobia replied no, no, no, it is for capital infrastructure; he moved to reduce the EDC grant funding for 2023-2024 from \$1,400,050 to \$1,260,450, a 10 percent reduction, and direct staff to provide written notice to EDC of this action; and to utilize the \$140,050 for Fire Rescue capital infrastructure in District 1 at the County Manager Office’s direction.

Chair Pritchett stated if the Board ends up getting all the money for the advanced wastewater treatment, she will be championing next year that the EDC has this returned with the Consumer Price Index (CPI) bump on the funds because it will be substantial to the County; and she expressed her appreciation to Ms. Weatherman.

The Board approved a reduction in grant funding for the EDC of Florida's Space Coast for FY 2023-24 from \$1,400,050 to \$1,260,450; directed staff to provide written notice to the EDC of this action; and to utilize the \$140,050 for Fire Rescue capital infrastructure at the County Manager Office's direction, in District 1.

**Result:** APPROVED

**Mover:** John Tobia

**Second:** Jason Steele

**Ayes:** Pritchett, Tobia, Feltner, and Steele

**Nay:** Goodson

**F.2. Board Discussion and Direction to Staff RE: Modification to the Brevard County Supervisor of Elections' FY2023-24 Budget Request**

Commissioner Tobia stated this is dealing with the 2023-2024 budget for the Supervisor of Elections.

Sandra Sullivan stated she was pretty shocked to see this on the Agenda; she sat in her chair and laughed her head off, as she has never seen anything like this; she suggested that Commissioner Tobia recuse himself from this vote as a conflict of interest, given he is running for the Supervisor of Elections (SOE); there have been some shenanigans in her opinion that she is really uncomfortable with lately; when she looks at who is contributing to that SOE race and looks at the candidates; and what is not seen is the lobbyists, as they are not seen there or anywhere. She added for most of the Board sitting up on the dais, they pretty much have the lobbyists behind them to get elected; elections are won by vote by mail, as everybody knows that, with the way elections are done today; going back the feasibility study, she asked why would District 3 fund a feasibility study for Merritt Island; she asked if it is to solicit, to encourage...

Chair Pritchett asked Ms. Sullivan to stay on topic.

Ms. Sullivan remarked it is related; if one does not succeed and get those lobbyists behind them, in her opinion, if she was in that position, she would be feeling pretty desperate about her election potential; every piece of mailing, as Commissioner Tobia has previously stated on the dais, that goes out for vote by mail or whatever is going out, has Tim Bobanic's name on the top; he is dealing with that; and this seems to be politically motivated. She stated she would call it as such, as that is her opinion; she finds this gives her heartburn; and she called it the clown show.

Diana Schommer stated she is present to speak about not shifting money from the SOE's office to the lifeguards, the suggestion by Commissioner Tobia to transfer from the SOE to the lifeguards; he would achieve this reduction to the SOE, an office he is currently running for, by eliminating sample ballots; this would be a travesty, as people rely on these sample ballots to do their research before voting; without the sample ballots, people show up to vote without knowing what is on the ballot, or because of the way those ballots are worded, sometimes with

double-negatives, making it a positive, it takes a Philadelphia lawyer to figure out what it is really saying; and secure elections should be the most important job of Brevard County. She added it should supersede everything else; this move weakens the elections in her opinion; it is also a travesty not to provide postage on the vote-by-mail ballots, as most people would not know the correct postage to put on the oversized envelopes, she would not; the taxpayer should have some conveniences for all the money that is given to the County; and Commissioner Tobia should recuse himself from this discussion, as he is running for this office and the SOE's budget is a conflict of interest. She added as a side note, people who live on Merritt Island would also like it if he would stop trying to push incorporation on it; it should be noted that Tim Bobanic, the current SOE, has one of the lowest costs per voter budgets in the State; he is doing a great job; and she wants to see him keep it.

Helen Voltz stated she is present to speak in favor of Tim Bobanic's budget; from what she understands, the Board has already approved the budget and Commissioner Tobia did vote for the budget, which includes the SOE's budget; she echoes things that were said by the previous lady; she thinks it is a conflict of interest for Commissioner Tobia to have a vote on this since he is running for office; she would like to ask the County Attorney if when one is in office and running for another office, if one must resign from office to run for another office...

Chair Pritchett interjected he or she does not; and those questions will be done later.

Ms. Voltz replied alright; and she is in favor of Mr. Bobanic keeping his position and keeping his budget the way it is.

Tim Bobanic, Supervisor of Elections, thanked the Board for the opportunity to speak on this critical Agenda Item; as was mentioned, he is happy to see that this Board has already approved the submitted budget that is tentatively approved; he wants to address the three areas of reduction proposed by Commissioner Tobia; first, the return postage on vote-by-mail; prepaid postage was implemented in 2021 and it has been included in the budget approved by this Board for the last two Fiscal Years; and the answer as to why to keep postage-paid return ballots is simple, voters should not have to pay to cast their vote. He continued to say to now take this away from the voters when they have now used it for multiple elections, would cause confusion and would be a great disservice to the voters, especially the elderly population; he mentioned that sample ballots are the most critical tool to educate voters, as they contain the voter's precinct and polling place location and address, the identification requirements to vote, list of early voting sites with days and times that it is open, information about returning mail ballots to secure ballot intake stations, list of SOE administrative offices, and election day instructions; to put things into perspective, he ran the numbers on Commissioner Tobia's proposal to change the sample ballot; and based on Florida TODAY subscriber rates and email sample ballot requests, 81 percent of voters in this County would not receive a sample ballot. He added if approved, this will create massive lines at the polls in early voting sites because the vast majority of voters will not have the necessary information to study the ballot prior to voting; it will also trigger a deluge of calls to his office from angry voters wondering why they did not get a sample ballot after having received one for the last 15 years; it is amazing to him that a candidate for SOE thinks it is a good idea to not send sample ballots to 81 percent of the voters; lastly, he talked about the prepaid postage, while working on the 2023-2024 postage budget, his office opted to leave a few categories that would typically be budgeted, at a lower total amount; and this was done knowing that there would be postage balances left on the permit to cover these expenses, and no need to request additional dollars. He stated at the request of Chair Pritchett, earlier today he sent a revised budget request which includes the postage prepaid amount as a negative expense item and the full budget of the postage needs for the FY 2023-2024; this amount includes statutory mandated mailings to include voter roll



list, maintenance, post cards, felony, mental incapacity, certified mailings, form 1 delinquency notices, payments to vendors, and other general correspondence; and according to the email from the County Manager on Friday, September 1st, "The proposed FY 2023 budget for Ocean Rescue was \$3.3 million, while this amount does not fully fund the annualization of the expanded services as \$3.5 million, there is some flexibility within the Fire Rescue proposed budget, if needed, to ensure the enhanced services are provided for the full year. The proposed budget here fully funds the EDC and the Supervisor of Elections budget."

Chair Pritchett asked Mr. Bobanic to stick around in case there are questions; and she closed the public comment section.

Commissioner Steele noted that he and Commissioner Tobia do not always get along, but for someone to come up here today and call him unethical is insulting; John Tobia works his fanny off for the County and he is one of the best Commissioners that it has; he does a lot of research; he is running for the position presently filled by Tim Bobanic; but he has every right in the world to voice his opinion in regards to these issues. He added he thinks it is absolutely disgusting that some folks are trying to recuse him from a job that he has to do constitutionally, which is vote on these issues tonight; as far as the cuts that are being talked about, he commented that he has no use for sample ballots either; he thinks they are a complete waste of money and what happens with a lot of the sample ballots is the family fills them out and give them to the parents saying here is how you vote; and he feels there are many ways to put those out to save that money. He appreciated Mr. Bobanic's call and thanked him for it; he thinks the sample ballots are a waste of money; and to try to insinuate that Commissioner Tobia is unethical is just disgusting.

Chair Pritchett stated she appreciated Mr. Bobanic working hard with the Certified Public Accountant (CPA) from the County to get the budget where it is good now; she is comfortable with the budget and may work on moving that line item to another place later; but it is all transparent now and she appreciates that. She stated she wanted to say that if she tells Commissioner Tobia he has to recuse himself, then she has to tell Mr. Bobanic too, since he is running as well; discussions need to be had out in the public and transparent; Commissioner Tobia is not always comfortable, but he has really done well saving the County a lot of money; everything is put online now because everything the Board does is out in the public; and she appreciates that work he does, that is not comfortable, but he does a good job holding the Board accountable.

Commissioner Tobia stated he wanted to go over the basics and then respond to some of the things put out; he thanked Mr. Bobanic for his quick responses to the Board inquiries as well as his follow-ups; after reviewing the data he sent and conferring with the County Attorney's Office, he has confirmed that the SOE estimates about \$320,538.34 in discretionary mailing expenses for the 2023-2024 budget; to be clear, this conversation would not be happening if his request was not 19.4 percent higher than the previous year; and it has been brought up about the authority to reduce funding, and there is no reduction here. He went on to say according to Florida Statute 129.201(4), the Board may "amend, modify, increase, or reduce any or all items of expenditure in the proposed budget as submitted, however the Board cannot ask for these modifications at the sub-object code level"; he has modified suggestions to the SOE operating expenditures for the 2023-2024 budget; and he wants to point-out what will not change here. He added this will not decrease access to voting opportunities; it will not reduce one day, one hour, or one minute that the polls are open; it will not cut one employee position; and it will not reduce any poll workers. He stated if this passes, the net result will be the SOE's budget will be \$952,611.66 higher than the previous year, an increase of 14.55 percent; he did not think it would be fair to point-out or just arbitrarily say the suggestion was far too high and

the Board would give him more money, just not as much; he outlined some areas that were discretionary; and they were confirmed by the County Attorney, as well as statute. He noted that education and wait times was brought up; he found a 2020 Massachusetts Institute of Technology election lab study that recommends reducing wait times by decreasing arrival rate, increasing number of services at bottlenecks, decreasing the service time at bottlenecks, and increasing service at arrival time variations; studies from The Joint Center for Political and Economic Studies, the Think Tank in Washington, DC, the Brennan Center for Justice, a liberal non-profit, and New York University Law School make similar recommendations; none of these studies mention State or even imply use of sample ballots to shorten wait times; and often, as the SOE has mentioned, sample ballots are not even received until voters have already cast their official ballot. He noted that voter education was brought up, but of the 15 primary duties listed on the website of the Brevard County Supervisor of Elections, education is not mentioned once; statute was brought up, if the SOE would like State statute change to reflect discretionary mailings to be made mandatory, the SOE has the Brevard delegation at his fingertips; and according to the official SOE Facebook page, there have been visits from elected officials recently, Representative Robert Brackett on June 14, 2023, Senator Tom Wright on August 1, 2023, Chairman Randy Fine on August 15, 2023, Senator Debbie Mayfield on August 23, 2023, and Representative Chase Tramont on September 1, 2023. He mentioned political argument, which he was initially skeptical of but has since changed his mind; at the June 28, 2023 Special meeting, the SOE stated "If you are talking about sample ballots, it will have my name on it once"; he passed a copy of a sample ballot, dutifully furnished by the SOE, which if one would notice, Mr. Bobanic's name is on there three times; and he does not know if that was an error in his statement, but that will result in discretionary spending of the SOE, his name out there 2.5 million times at taxpayer expense. He noted control, he has mentioned this before the budget increase, makes no cuts; the SOE has the ability to send as many sample ballots with his name plastered all over them; as the SOE is aware, Commissioner Tobia does not control what he does with his budget, so he does have the right to use taxpayer dollars for that purpose; and however, he may have to make suggestions elsewhere. He added if the SOE is looking at providing a more conservative budget, maybe he should stop spending thousands of tax dollars at five-star hotels such as the Ritz-Carlton in Virginia, as he did just this year; he noted again, this is an increase of 14.55 percent, \$952,611.66, more than the previous year; as a conservative, it is hard to believe there is so much disdain over such a large increase; as the SOE, he is sure he is well aware if he disagrees, he can file in Circuit Court, according to Pinellas County vs. Nelson, 1978; and though not an attorney, he does not know how much sympathy the SOE will get from a judge, when he is sleeping on a 1000-plus thread count sheets at the Ritz-Carlton at taxpayer expense. He advised he moves to direct staff to fund the operation expenditure of the SOE Fiscal Year 2023-2024 proposed budget in the amount of \$4,573,910.66, resulting in a total allocation of Fiscal Year 2023-2024 budget allocation of \$7,502,059.66; to direct staff to provide written notice to the SOE of this action; and to reallocate the savings to Fire Rescue capital infrastructure to be utilized at the County Manager's discretion.

Commissioner Feltner commented maybe it can be split; and he asked Mr. Bobanic if he would agree that there are in-person voters and there are mail voters.

Mr. Bobanic replied yes, although that dynamic changed when the Legislature wiped-out all mail ballot request.

Commissioner Feltner responded he agreed 100 percent; he asked when mail ballots go out very quickly after sample ballots go out, do many people who receive a mail ballot also receive a sample ballot.

Mr. Bobanic replied that is correct.

Commissioner Feltner asked maybe one of the ways it could be split is if one group gets one ballot and the other group gets the sample ballot.

Mr. Bobanic responded he would have to look at the statutory legality of that because it says it is to be mailed to all voters or publish it in a newspaper of general circulation, and sent to the email ballot requests; and he would not want to comment on that until he gets some legal opinion.

Commissioner Feltner asked about the Presidential primary, if it was necessary that voters receive sample ballots when there might only be one box on there.

Mr. Bobanic replied the law says that he has to send sample ballots for every election.

Chair Pritchett asked Mr. Bobanic if he is allowed to the same as with the mail-in ballots, and have people send an email to request a sample ballot.

Mr. Bobanic replied yes; he stated he currently has 68,000 voters who have requested an email sample ballot; but out of the 416,000 registered voters, Florida TODAY has a subscriber rate on a Sunday of 12,474, which leaves a little over 335,000 who would not get a sample ballot.

Chair Pritchett commented those who wanted them would be able to do that, so there is still an ability to get sample ballots.

Mr. Bobanic noted he would say it would be a challenge for a lot of voters who are not technically proficient, who do not have computers or a way to print the sample ballot.

Chair Pritchett stated she still struggles with paying the return postage; she thinks it would be better to put on the envelope how much is needed to mail them back; she noted that every other office she goes to, she has to pay the return postage for something to be sent back to her; she mentioned to Commissioner Tobia there is the \$91,000 amount that the SOE pulled back into the budget; and she wanted to make sure he was aware of that.

Commissioner Goodson stated his office checked as far as Okeechobee and all the way to the west; about 10 counties around Brevard do this; and he asked Commissioner Tobia if he had been on the Board for about seven years and if there has been other elections.

Commissioner Tobia replied correct; and questioned other elections.

Commissioner Goodson remarked Lori Scott ran.

Commissioner Tobia asked other Supervisor of Elections; and answered yes, sir.

Commissioner Goodson noted there were other elections and Lori Scott put her name right on it; he asked why Commissioner Tobia is so adamant today, since he is running; and it looks kind of strange but undoubtedly Lori Scott did not spend that much money.

Commissioner Tobia responded the SOE is asking for an almost 20 percent increase.

Commissioner Goodson remarked there are more elections in this process; and he asked if that was correct.

Commissioner Tobia replied absolutely; the Legislature saw fit to provide discretion to the SOE on mail that could, or did not need to mail, called discretionary funding; this is a new statute, so there are ways to do this, namely email or newspaper, both of which would save thousands of dollars; and to be clear, the SOE knows that he does not have to cut these. He added his motion sees an almost \$1 million increase to the SOE; his motion cuts the \$19.4 million all the way down to \$14.55 million without limiting opportunities for voting, or cutting employees; and that is the genesis of it.

Commissioner Goodson asked why Commissioner Tobia did not go after Lori Scott then.

Commissioner Tobia replied again, this is a new statute.

Commissioner Goodson stated if one knows anything about the State of Florida, and Commissioner Tobia spent eight years up there too, anytime it helps and it comes south, it is not a pretty picture.

Mr. Bobanic asked to address Commissioner Goodson's comment; he did not poll himself of the 16 largest counties in Florida who comprise 72 percent of all registered voters in Brevard County; it would be the only county of those 16 who would not be mailing a sample ballot; and every county of the 16 largest counties mail sample ballots. He added to respond to Commissioner Tobia, the Legislature made the change to the statute to stop forcing SOE's to waste money publishing in newspapers with massively declining subscriber rates; and it is seen continuing on with legal notices and ads that the SOE now has the ability to post on the websites versus publishing in the newspaper, which his office has done.

Chair Pritchett commented she does not think Mr. Bobanic is adding anything new.

Mr. Bobanic commented he is doing exactly what has always been done.

Chair Pritchett opined she thinks he is doing what was handed to him; and she is glad the change was made that there is not a continual absentee ballot also, as she thinks that is something that people should request.

The Board directed staff to fund the operating expenditure of the Supervisor of Elections' FY 2023-2024 proposed budget in the amount of \$4,573,910.66, resulting in a total FY 2023-2024 budget allocation of \$7,502,059.66; directed staff to provide written notice to the Supervisor of Elections of this action; and directed staff to reallocate the savings to Fire Rescue Capital Infrastructure to be utilized at the County Manager's discretion.

**Result:** APPROVED

**Mover:** John Tobia

**Secunder:** Jason Steele

**Ayes:** Pritchett, Tobia, and Steele

**Nay:** Goodson, and Feltner

G.3. Tom Goodson, Commissioner District 2, Vice-Chair, Re: Board Report

Commissioner Goodson stated he would like to compliment Florida and Florida State; it was a real good licking they got; last night he was really happy with Duke; and let them all pull for Florida State.



**G.4. G.4 John Tobia, Commissioner District 3**

Commissioner Tobia stated he wanted to bring up a motion at the next meeting; he probably should have added it; the savings from the added funds that would have otherwise gone to the Supervisor of Elections; he is going to ask for that to be transferred into Fire Rescue infrastructure; it was an oversight; but he would rather do it at a regular Board meeting. He added he just got a text from the Florida Chief Financial Officer Jimmy Patronis with a picture; John Scott, Emergency Management Director, and two full Fire Rescue crews are currently in Lafayette County; and he thinks it is wonderful that Brevard County is sending its best and brightest to other struggling counties. He noted it is National Be Late for Something Day; the useless Florida fact of the day, Okeechobee is the third largest freshwater lake located completely within the United States; on this day in Florida history in 1977, NASA launched the Voyager One mission to fly by Jupiter, Saturn, Uranus, and Neptune to become the first human-made object to leave the solar system in 2012 and continues to collect data to this very day; and Voyager One carried a copy of the golden record, a message from humanity to the Cosmos that includes greetings in 55 languages, pictures of people and places on Earth, and music ranging from Beethoven to Chuck Berry's Johnny B. Goode. He recognized County Employee Jim Foster, Plans Examiner III of Planning and Development, who has been with Brevard County for 17 years; he is a dedicated employee who improves the Planning and Development department in every way; he is eager to help anyone who comes into the office and has a reputation for customer service that is second to none; he enthusiastically built on his knowledge base with credentials in the manner that provides tremendous benefit to the County and its mission of enhancing and ensuring the quality of life of its citizens; and while employed with the County, Mr. Foster has obtained numerous professional licenses through the Florida Department of Business and Professional Regulations, including building, electrical, plumbing, plans, examiner for residential and commercial development, as well as certification to the building and electrical, residential and commercial inspector. He noted Mr. Foster moved to Satellite Beach from Detroit, attending the first class of the new Satellite High School; he ran his own irrigation business for 15 years; to say Mr. Foster is a dog person is a massive understatement, as he is the proud owner of three miniature dachshunds which snuggle in bed with him every night; and he expressed his appreciation to Mr. Foster for all his hard work and dedication, as he knows it is a very difficult department to be in.

**G.7. Rita Pritchett, Commissioner District 1, Chair, Re: Board Report**

Chair Pritchett mentioned that she is going to bring something to the Commissioners that she thinks it needs to have the external auditors help with auditing the budgets because she thinks that would have helped tremendously instead of having all the heavy-duty work in the last couple of weeks; she also wants to make sure the Board knows that all of the travel and individual spending goes to the bill folder; she is going to get with the County Attorney to find a way to get all of the elected officials in Brevard County, that there is a way to put all reimbursed travel out so that constituents can see everything that Board is spending; and it is the right thing to do. She added the Board's spending can be seen but there is no easy way for the public to see it; it keeps them accountable; she spoke to the external auditors who report back to the Board when an audit is done on individual entities in the County; she wants to bring it out so that the public can hear it; and she plans to bring that before the Board so it is not trying to figure out numbers again.

Upon consensus of the Board, the meeting adjourned at 6:53 p.m.

ATTEST:

\_\_\_\_\_  
RACHEL M. SADOFF, CLERK                      \_\_\_\_\_ RITA PRITCHETT, CHAIR  
BOARD OF COUNTY COMMISSIONERS  
BREVARD COUNTY, FLORIDA

## Bainbridge, Patty

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**From:** Thomas, Sarah  
**Sent:** Monday, June 17, 2024 1:51 PM  
**To:** Bainbridge, Patty  
**Subject:** FW: Follow up  
**Attachments:** BOCC Meeting Minutes.pdf

Please scan into file tobia

*Sarah E. Thomas*

ASSISTANT STATE ATTORNEY  
Sex Crimes/Career Criminal Unit  
251 N. Ridgewood Ave.  
Justice Center  
Daytona Beach, FL 32114  
(386) 239-7710 ext. 14748  
FAX (386) 239-7716  
[thomass@sao7.org](mailto:thomass@sao7.org)  
E-service: [eservicevolusia@sao7.org](mailto:eservicevolusia@sao7.org)

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**From:** Tim Bobanic [REDACTED]  
**Sent:** Monday, June 17, 2024 11:42 AM  
**To:** Thomas, Sarah <ThomasS@sao7.org>  
**Cc:** Trizia Ginarella Eavenson, Esquire <trizia@tgelawfirm.com>; Carol F. Smith, Paralegal <Carol@tgelawfirm.com>  
**Subject:** Re: Follow up

Sarah,

Below is a link to the video and I am attaching a copy of the official minutes of the meeting. I highlighted the relevant portions on page 15. For the video, the comments start around 1:13:00.

[https://brevardfl.granicus.com/player/clip/392?view\\_id=1&redirect=true](https://brevardfl.granicus.com/player/clip/392?view_id=1&redirect=true)

Mr. Tobia has publicly attacked me for my budget and went so far as to have an office staff member illegally impersonate me to obtain a copy of my hotel bill folder for a trip to Washington DC that was not paid out of the Brevard County Supervisor of Elections budget. That trip to DC was at the invite of the Federal Elections Assistance Commission and was fully covered by the United States Treasury Department.

Sincerely,

Tim Bobanic

On Mon, Jun 17, 2024 at 9:03 AM Thomas, Sarah <[ThomasS@sao7.org](mailto:ThomasS@sao7.org)> wrote:

Hi Trizia,

I wanted to ensure we did a thorough investigation – I would normally never let an assigned case go this long without action - when we spoke before the new year you had stated you had video of the Defendant from a town hall meeting making statements relevant to our case and a few other documents you were going to provide for my review. That is what we are waiting on. We have emailed several times for follow up and I even called Mr. Bobanic (as I have tried not to bother him since he has counsel) - but I completely understand you have been having some family emergencies going on. Do you have those items you want me to review? Its been 4-5 months so I want to review them as soon as possible if Mr. Bobanic wants to move forward I need the full picture of events.

Thanks,  
ST

*Sarah E. Thomas*

ASSISTANT STATE ATTORNEY

Sex Crimes/Career Criminal Unit

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[thomass@sao7.org](mailto:thomass@sao7.org)

E-service: [eservicevolusia@sao7.org](mailto:eservicevolusia@sao7.org)

---

**From:** Trizia Ginarella Eavenson, Esquire <[trizia@tgelawfirm.com](mailto:trizia@tgelawfirm.com)>

**Sent:** Friday, June 14, 2024 4:11 PM

**To:** Thomas, Sarah <[ThomasS@sao7.org](mailto:ThomasS@sao7.org)>

**Cc:** Carol F. Smith, Paralegal <[Carol@tgelawfirm.com](mailto:Carol@tgelawfirm.com)>; [REDACTED]

**Subject:** RE: Follow up

Hi Sarah,



Thank you so much for your patience.

At this time, Tim Bobanic maintains full faith that the State Attorney's Office has performed a full and exhaustive investigation of the facts as provided by FDLE, specifically that:

(1) Mr. Tobia initiated and orchestrated the creation of a Yahoo email account tied to and confirmed by Mr. Tobia's personal cell phone number (321.720.4650);

(2) On Brevard County's servers;

(3) For the sole purpose of pretending to be Tim;

(4) To send an email to the Fairmont Hotel in DC under the guise of being Tim;

(5) Requesting confidential information that the Fairmont Hotel previously refused to provide Mr. Tobia's office when they called that hotel and requested that same confidential information;

(6) Wherein he indeed received that confidential information from the Fairmont Hotel associated with Tim's stay, including the last 4 digits of his credit card number; and then

(7) Mr. Tobia then using that information to harass Tim from the dais.

Again, Tim thanks your State Attorney's Office for your due diligence. Tim would appreciate your Office kindly advising whether the State will move forward or close their file – either way – so that he, as the victim of this violation, can move on.

*Trizia G. Eavenson*

**Trizia G. Eavenson, Esquire**

**Eavenson Law, LLC**

**Attorney and Counselor at Law**

***Florida Supreme Court Certified Circuit Civil Mediator***

***Florida Supreme Court Qualified Arbitrator***

***Founder of Be The Diamond Leadership Academy***

***Executive Life Coach***

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Visit us at [www.TGElawfirm.com](http://www.TGElawfirm.com).

***Hablo su idioma y entiendo su cultura.***



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---

**From:** Thomas, Sarah <[ThomasS@sao7.org](mailto:ThomasS@sao7.org)>

**Sent:** Friday, June 14, 2024 11:27 AM

**To:** Trizia Ginarella Eavenson, Esquire <[trizia@tgelawfirm.com](mailto:trizia@tgelawfirm.com)>

**Cc:** Carol F. Smith, Paralegal <[Carol@tgelawfirm.com](mailto:Carol@tgelawfirm.com)>

**Subject:** RE: Follow up

Hi,

Just checking in on those items you had. Thanks, ST

*Sarah E. Thomas*

ASSISTANT STATE ATTORNEY

Sex Crimes/Career Criminal Unit

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E-service: [eservicevolusia@sao7.org](mailto:eservicevolusia@sao7.org)

---

**From:** Trizia Ginarella Eavenson, Esquire <[trizia@tgelawfirm.com](mailto:trizia@tgelawfirm.com)>

**Sent:** Thursday, May 9, 2024 3:55 AM

**To:** Thomas, Sarah <[ThomasS@sao7.org](mailto:ThomasS@sao7.org)>

**Cc:** Carol F. Smith, Paralegal <[Carol@tgelawfirm.com](mailto:Carol@tgelawfirm.com)>

**Subject:** RE: Follow up

Hi Sarah,

Thank you so much for your patience. I have had one emergency after another. Can you please afford me until mid/late next week to finalize my analysis of the Florida Statutes Tim Bobanic would like your Office to review and apply to the facts of this case? I am swamped with preparing for dispositive hearings, Mediations, and trial.

I truly do appreciate your understanding. Thank you again.

*Trizia G. Eavenson*

**Trizia G. Eavenson, Esquire**

**Eavenson Law, LLC**

**Attorney and Counselor at Law**

***Florida Supreme Court Certified Circuit Civil Mediator***

***Florida Supreme Court Qualified Arbitrator***

***Founder of Your Diversity University, LLC***

***Founder of Be The Diamond Leadership Academy***

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***Hablo su idioma y entiendo su cultura.***





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---

**From:** Thomas, Sarah <[ThomasS@sao7.org](mailto:ThomasS@sao7.org)>  
**Sent:** Monday, April 29, 2024 8:35 AM  
**To:** Trizia Ginarella Eavenson, Esquire <[trizia@tgelawfirm.com](mailto:trizia@tgelawfirm.com)>  
**Subject:** Follow up

Hi Ms. Eavenson,

I hope this email finds you well. I am sorry to bug you but I am still waiting on the documents and recordings we discussed on

January 4<sup>th</sup>. Please get me those items so I can review.

Thanks,

ST

*Sarah E. Thomas*

ASSISTANT STATE ATTORNEY

Sex Crimes/Career Criminal Unit

251 N. Ridgewood Ave.

Justice Center

Daytona Beach, FL 32114

(386) 239-7710 ext. 14748

FAX (386) 239-7716

[thomass@sao7.org](mailto:thomass@sao7.org)

E-service: [eservicevolusia@sao7.org](mailto:eservicevolusia@sao7.org)

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LEGAL NOTIFICATION: Florida Sunshine Statutes entail very broad public records requirements (F. S. 119). As required by law, all e-mails to and from the State Attorney's Office of Circuit 7 are kept as a public record. Your e-mail communications, including your e-mail address may be disclosed to the public and media at any time. If you have received this communication in error, do not distribute it. Please notify the sender immediately by electronic mail and delete this message.

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## Bainbridge, Patty

---

**From:** Thomas, Sarah  
**Sent:** Wednesday, June 19, 2024 10:22 AM  
**To:** Tim Bobanic  
**Cc:** Trizia Ginarella Eavenson, Esquire; Bainbridge, Patty  
**Subject:** Tobia - MM2328977A01

Mr. Bobanic,

At this time I will not be filing an information with formal Charges for the Defendant in the above referenced case. I reviewed the transcript you sent and I left a voicemail for you to return my call.

I did not receive any additional items since our conversation in November of last year and have followed up on several occasions.

Thanks,  
ST

*Sarah E. Thomas*

ASSISTANT STATE ATTORNEY  
Sex Crimes/Career Criminal Unit  
251 N. Ridgewood Ave.  
Justice Center  
Daytona Beach, FL 32114  
(386) 239-7710 ext. 14748  
FAX (386) 239-7716  
[thomass@sao7.org](mailto:thomass@sao7.org)  
E-service: [eservicevolusia@sao7.org](mailto:eservicevolusia@sao7.org)

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CD told  
Blakey they  
were looking @  
her finances.

Meeting 12/6/23 Inv. P.  
9:22. Shadden  
FRE.

(Kumar  
Cochran)

Babarik - sup. election (enmt)

Tabia  
mng  
nav.

Dana Blakey - property appraiser.  
(attorney T. Evers) - used to work @ 18th

oppositional research.

Babarik went to DC

but DOJ funded whole trip.

had CD create email account to get

Stacey Salzman. SAO Chris & Phil Alden.  
they said don't have anything

CD 2 air sworn statement.

T also prepapar@colbye.  
don't live in district  
using employee.

- used Q personal info  
used Tim B. "  
signed it "William".

Yosette McClam.

Handwritten notes at the top of the page, including a date and some illegible text.

Handwritten notes in the upper middle section, possibly starting with a date.

Handwritten notes in the middle section, appearing to be a list or series of points.

Handwritten notes in the lower middle section, possibly a continuation of the previous text.

Handwritten notes in the lower section, appearing to be a list or series of points.

Handwritten notes in the lower section, possibly a continuation of the previous text.

Handwritten notes in the lower section, possibly a continuation of the previous text.

Handwritten notes in the lower section, possibly a continuation of the previous text.

Handwritten notes in the lower section, possibly a continuation of the previous text.

Handwritten notes in the lower section, possibly a continuation of the previous text.

Handwritten notes at the bottom of the page, possibly a signature or date.

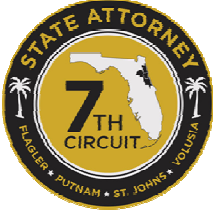
## Bainbridge, Patty

---

**From:** Bainbridge, Patty  
**Sent:** Wednesday, June 19, 2024 1:24 PM  
**To:** Thomas, Sarah  
**Subject:** MM2328977A01 Defendant: TOBIA, JOHN JOSEPH

Please call attorney Funk 321-953-0104 he represents Christopher Davis who is also involved in this investigation.

Patty  
Secretary to Assistant State Attorney SARAH THOMAS  
Justice Center 251 N. Ridgewood Avenue  
Daytona Beach, FL 32114  
(386)239-7710 ext 14786  
Email: bainbridgep@sao7.org



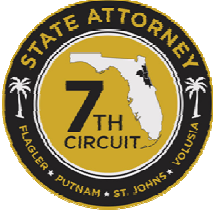
## Bainbridge, Patty

---

**From:** Bainbridge, Patty  
**Sent:** Wednesday, June 19, 2024 10:50 AM  
**To:** Thomas, Sarah  
**Subject:** RE: Tobia

Call Tim Bobanic [REDACTED]

Patty  
Secretary to Assistant State Attorney SARAH THOMAS  
Justice Center 251 N. Ridgewood Avenue  
Daytona Beach, FL 32114  
(386)239-7710 ext 14786  
Email: bainbridgep@sao7.org





## Bainbridge, Patty

---

**From:** Trizia Ginarella Eavenson, Esquire <trizia@tgelawfirm.com>  
**Sent:** Tuesday, June 25, 2024 2:04 PM  
**To:** Thomas, Sarah; Tim Bobanic  
**Cc:** Bainbridge, Patty  
**Subject:** RE: Tobia - MM2328977A01

Hi Sarah,

Thank you for letting us know and for your hard work.

Pursuant to Fla. Stat. 119, we'd like to go ahead and request copies of all records regarding this matter, including all FDLE investigative reports (including any addenda), emails to and from your Office to any party, communications between any party, the State's charging decisions and all documents related thereto, interviews (both conducted by FDLE and your Office), transcripts, etc.

Thank you in advance for the State's prompt response to this Public Record Request. Please let me know if you have any questions.

Have an awesome rest of your day.

*Trizia G. Eavenson*

**Trizia G. Eavenson, Esquire**  
Eavenson Law, LLC  
Attorney and Counselor at Law  
*Florida Supreme Court Certified Circuit Civil Mediator*  
*Florida Supreme Court Qualified Arbitrator*  
*Founder of Be The Diamond Leadership Academy*  
*Executive Life Coach*  
6767 North Wickham Road  
Suite 400  
Melbourne, Florida 32940  
Telephone: 321.241.4777  
Facsimile: 321.821.1881  
[Trizia@TGElawfirm.com](mailto:Trizia@TGElawfirm.com)

Visit us at [www.TGElawfirm.com](http://www.TGElawfirm.com).

*Hablo su idioma y entiendo su cultura.*

  
EAVENSON LAW, LLC



CONFIDENTIAL NOTICE: This e-mail message, and any attachment to this e-mail message, contains confidential information that may be legally privileged. If you are not the intended recipient, you must not review, retransmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it. If you have received this e-mail in error, please notify us immediately by return e-mail or by telephone at 321.241.4777 and delete this message. Please note that if this e-mail message contains a forwarded message or is a reply to a prior message, some or all of the contents of this message or any attachments to it may have not been produced by Eavenson Law, LLC.

---

**From:** Thomas, Sarah <ThomasS@sao7.org>  
**Sent:** Wednesday, June 19, 2024 10:22 AM  
**To:** Tim Bobanic [REDACTED]  
**Cc:** Trizia Ginarella Eavenson, Esquire <trizia@tgelawfirm.com>; Bainbridge, Patty <BainbridgeP@sao7.org>  
**Subject:** Tobia - MM2328977A01

Mr. Bobanic,

At this time I will not be filing an information with formal Charges for the Defendant in the above referenced case. I reviewed the transcript you sent and I left a voicemail for you to return my call.

I did not receive any additional items since our conversation in November of last year and have followed up on several occasions.

Thanks,  
ST

*Sarah E. Thomas*

ASSISTANT STATE ATTORNEY  
Sex Crimes/Career Criminal Unit  
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(386) 239-7710 ext. 14748  
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media at any time. If you have received this communication in error, do not distribute it. Please notify the sender immediately by electronic mail and delete this message.



**OFFICE OF THE STATE ATTORNEY**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
VOLUSIA, FLAGLER, PUTNAM & ST. JOHNS COUNTIES

**INVESTIGATIVE REFERRAL**

DATE: January 26, 2024 CLERK #: \_ CASE # MM2328977A01

FROM: \_ INVESTIGATOR GINA BAKER

DUE DATE: 1/26/2024 NEXT HEARING:

STATE OF FLORIDA VS. JOHN JOSEPH TOBIA JUDGE:

OFFENSE:

I) UNLAWFUL POSSESSION OF PERSONAL IDENTIFICATION INFORMATION (FIVE OR MORE PERSONS)

WHAT TYPE OF CASE IS THIS?

HAS THIS CASE BEEN REFERRED BEFORE? NO

**INFORMATION NEEDED – PLEASE BE SPECIFIC**

- STATEMENT(S) FROM VICTIM(S) :
- STATEMENT(S) FROM WITNESS (ES):
- LOCATE CURRENT ADD/PHONE FOR:
- SERVE SUBPOENA:

**OTHER REQUESTS OR COMMENTS**

**Please attend phone conference with attorney and Vx Tim Bobanik.**

.....  
**INVESTIGATION COMPLETION RESULTS**

On 01/26/24, at approximately 11am, I attended a telephonic conference with ASA Thomas and Tim Bobanik. ASA Thomas explained to them the information she will need to look further into this case. Nothing further to report

- ADDITIONAL REPORTS IN IMAGES

Date	Event Type	Event Sub Type	Event Information	Event Action	Name	Comment	Disposition Action
11/30/23 10:33 AM	OPEN	*		*			*
11/30/23 10:37 AM	ENTERE	*		*			*
11/30/23 10:33 AM	RECEIV	*		*			*
11/30/23 10:33 AM	AGERPTNO	*	2023235366	*	BREVARD COUNTY SHERIFFS OFFICE		*
6/30/23 12:00 AM	OFFENS	*		*			*
6/30/23 12:00 AM	OFFENSEND	*		*			*
11/30/23 10:37 AM	EX	*		*			*
11/30/23 3:55 PM	CONTACT	*	CALL WITH DAVID SNOWDEN INV FDLE.	*		HE IS THE CASE AGENT ON THIS CASE -; THIS WAS BINDER CHRISTOPHER DAVIS RECEIVED WHEN STARTED WORKING AT TOBIAS OFFER. PASSWORD ETC IN ACCOUNT - PASSWORDS GOT OUT AND INITIAL COMPLAINT THAT TOBIA MADE TO BREVARD COUNTY SHERIFF OFFICE WAS THAT CHRISTOPHER DAVIS HAD RELEASED HIS PERSONAL INFORMATION. ; SO HE ESSENTIALLY TURNED THIS OVER TO SHOW HE WASN'T STEALING THAT INFO. ; TOLD HIM OUR CONCERN WITH MAKING IT PUBLIC RECORD. ; HE SAID THE FULL BINDER IS RELATED TO CASE BUT ISN'T ALL THAT RELEVANT. ONLY RELEVANT PORTION IS PASSWORD - THEY WERE ALSO SHARED INTEXTS THAT WERE ALSO TURNED TO US. ; I ASKED HIM ABOUT THE MANUAL - HE SAID THIS IS THE ONLY MANUAL THAT WAS GIVEN.; THERE ARE ACTUAL SCREENSHOTS OF SAME PASSWORDS AND ACCOUNT THAT ARE RELEVANT TO IT.	*



12/13/23 12:00 AM	CONTACT	PHONE	CALL FROM DAT AD	*		SAID HIS CLIENT IS WILLING TO TALK TO US IF WE HAVE ANY BURNING QUESTIONS HE CAN ADDRESS; HE ASKED STATUS WHEN ARCHER OFFICE HAD CASE; TOLD HIM NOT SURE ON THE PREVIOUS STUFF; TOLD HIM I WOULD LIKELY HAVE MY INTAKE FINISHED EARLY NEXT WEEK AND THEN WILL HAVE FORMAL STAFFING SO NO ANSWER TODAY. ; HE SAID LET HIM KNOW AND HE IS GOING TO EMAIL ME	*
1/17/24 12:00 AM	CONTACT	*	321-368-2698	*		PLEASE CALL TRIZIA EAVENSON SHE REPRESENTS VICTIM TIM BOBANIC.	*
1/17/24 12:00 AM	CONTACT	*		*		ALL DOCUMENTS ON STAC/ 1 USB WITH INTERVIEWS WITH CHRISTOPHER DAVIS, TIM BOBANIC, JOSETTE MCLEAN, B. PRASAD, BRIAN BOND	*
1/18/24 3:56 PM	CONTACT	*	321-368-2698	*		PLEASE CALL ATTORNEY TRIZIA EAVENSON SHE WOULD LIKE AN UPDATE ON CASE	*
1/19/24 11:33 AM	CONTACT	*	321-368-2698	*		PLEASE CALL TRIZIA EAVENSON SHE SAYS ITS URGENT THEY RECEIVED WORK FROM GOVERNORS OFFICE THAT THIS WILL BE NO FILED.	*
1/19/24 12:00 AM	CONTACT	*	██████████	*		TIM BOBANIC CALLED TO TALK TO YOU ABOUT THE CASE SET A PHONE CONFERENCE FOR NEXT WEEK	*
1/26/24 11:01 AM	IREASSIGN	SOUTH		*			*
1/26/24 11:01 AM	DOCUMENT	SAOINV REF		*	BAKER, GINA	YES/NO REFERRED BEFORE: no INFO DUE DATE INV REF: 1/26/2024 ADDITIONAL INVESTIGATOR REQUEST:	*
1/26/24 3:47 PM	DOCUMENT	SAOINV COM		*		CONDUCTED TELEPHONE CONFERENCE WITH ASA THOMAS	*
2/12/24 12:00 AM	CONTACT	*		*		TRIZIA EAVENSON EMAIL : TRIZIA@TGELAWFIRM.COM	*

6/14/24 11:28 AM	CONTACT	PHONE	CALL TO TIM BOBANIC - VX	*		LEFT VOICEMAIL	*
6/19/24 10:22 AM	DOCUMENT	NI		*			*
6/19/24 10:24 AM	DISPO	*		*			NF
6/19/24 12:00 AM	CONTACT	*	██████████	*		TIM BOBANIC CALLED TOLD HIM YOU WOULD RETURN CALL.	*
6/19/24 12:00 AM	CONTACT	*		*		PLEASE CALL ATTORNEY FUNK 321-953-0104 HE REPRESENTS CHRISTOPHER DAVIS WHO IS ALSO INVOLVED IN THIS INVESTIGATION	*

Disposition Reason Description	Document	dt created	dt modified	user created
		11/30/23 10:37 AM	11/30/23 10:37 AM	SNOWDENL
		11/30/23 10:37 AM	11/30/23 10:37 AM	SNOWDENL
		11/30/23 10:37 AM	11/30/23 10:37 AM	SNOWDENL
		11/30/23 10:37 AM	11/30/23 10:37 AM	SNOWDENL
		11/30/23 10:37 AM	11/30/23 10:37 AM	SNOWDENL
		11/30/23 10:37 AM	11/30/23 10:37 AM	SNOWDENL
		11/30/23 10:37 AM	11/30/23 10:37 AM	SNOWDENL
		11/30/23 3:58 PM	12/10/23 12:06 PM	THOMASS

		12/15/23 9:25 AM	12/15/23 9:25 AM	THOMASS
		1/17/24 1:46 PM	1/17/24 1:46 PM	BAINBRIDGEP
		1/17/24 2:42 PM	1/17/24 2:42 PM	BAINBRIDGEP
		1/18/24 3:56 PM	1/18/24 3:56 PM	BAINBRIDGEP
		1/19/24 11:33 AM	1/19/24 11:33 AM	BAINBRIDGEP
		1/19/24 2:45 PM	1/19/24 2:45 PM	BAINBRIDGEP
		1/26/24 11:01 AM	1/26/24 11:01 AM	THOMASS
	INVESTIGATIVE REFERRAL AND COMPLETION TASA	1/26/24 11:01 AM	1/26/24 11:01 AM	THOMASS
		1/26/24 3:47 PM	1/26/24 3:47 PM	BAKERG
		2/12/24 9:19 AM	2/12/24 9:19 AM	BAINBRIDGEP

		6/14/24 11:29 AM	6/14/24 11:29 AM	THOMASS
	NO INFO - NON ARREST (FASA)	6/19/24 10:22 AM	6/19/24 10:22 AM	THOMASS
NO INFORMATION		6/19/24 10:27 AM	6/19/24 10:27 AM	THOMASS
		6/19/24 10:49 AM	6/19/24 10:49 AM	BAINBRIDGEP
		6/19/24 1:23 PM	6/19/24 1:23 PM	BAINBRIDGEP





**OFFICE OF THE STATE ATTORNEY**  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
VOLUSIA, FLAGLER, PUTNAM & ST. JOHNS COUNTIES

**INVESTIGATIVE REFERRAL**

DATE: January 26, 2024 CLERK #:            CASE # MM2328977A01

FROM:            INVESTIGATOR GINA BAKER

DUE DATE: 1/26/2024 NEXT HEARING:

STATE OF FLORIDA VS. JOHN JOSEPH TOBIA JUDGE:

OFFENSE:

I) UNLAWFUL POSSESSION OF PERSONAL IDENTIFICATION INFORMATION (FIVE OR MORE PERSONS)

WHAT TYPE OF CASE IS THIS?

HAS THIS CASE BEEN REFERRED BEFORE? NO

**INFORMATION NEEDED – PLEASE BE SPECIFIC**

- STATEMENT(S) FROM VICTIM(S) :
- STATEMENT(S) FROM WITNESS (ES):
- LOCATE CURRENT ADD/PHONE FOR:
- SERVE SUBPOENA:

**OTHER REQUESTS OR COMMENTS**

**Please attend phone conference with attorney and Vx Tim Bobanik.**

.....  
**INVESTIGATION COMPLETION RESULTS**

ADDITIONAL REPORTS IN IMAGES

# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 23-217 (State Attorney Executive Assignment)

**WHEREAS**, the Honorable PHIL ARCHER, State Attorney for the Eighteenth Judicial Circuit of Florida, has advised Governor RON DESANTIS that John Tobia is under investigation for allegations of criminal use of personal identification information and improper voter registration; and

**WHEREAS**, the Honorable PHIL ARCHER has also advised the Governor that John Tobia is a Brevard County Commissioner and has a working relationship with the state attorney's office; and

**WHEREAS**, the Honorable PHIL ARCHER, to avoid a conflict of interest or any appearance of impropriety, has voluntarily disqualified himself and has requested the executive assignment of another State Attorney regarding the investigation and prosecution of this case and all related matters regarding John Tobia; and

**WHEREAS**, the Honorable R.J. LARIZZA, State Attorney for the Seventh Judicial Circuit of Florida, has agreed to accept an executive assignment in this matter; and

**WHEREAS**, it is in the best interests of the State of Florida and of the ends of justice that the Honorable R.J. LARIZZA discharge the duties of the Honorable PHIL ARCHER, pursuant to section 27.14, Florida Statutes.

**NOW, THEREFORE, I, RON DESANTIS**, Governor of Florida, in obedience to my solemn constitutional duty to "take care that the laws be faithfully executed," and pursuant to the Constitution and laws of the State of Florida, issue the following Executive Order, effective immediately:

Section 1. The Honorable R.J. LARIZZA, State Attorney for the Seventh Judicial Circuit of Florida, referred to as the “Assigned State Attorney,” is assigned to discharge the duties of the Honorable PHIL ARCHER, State Attorney for the Eighteenth Judicial Circuit of Florida, regarding the investigation and prosecution of this case and all related matters regarding John Tobia.

Section 2. The Assigned State Attorney or one or more Assistant State Attorneys and Investigators, who have been designated by the Assigned State Attorney, shall proceed immediately to the Eighteenth Judicial Circuit of Florida, and are vested with the authority to perform the duties prescribed herein.

Section 3. All residents of the Eighteenth Judicial Circuit are requested, and all public officials are directed, to cooperate and render whatever assistance is necessary to the Assigned State Attorney, so that justice may be served.

Section 4. The period of this Executive Assignment shall be for one (1) year, to and including November 9, 2024.

Section 5. The Assigned State Attorney shall notify the Governor on or before October 9, 2024, if additional time is required.



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, this 9th day of November, 2023.

  
\_\_\_\_\_  
RON DESANTIS, GOVERNOR

ATTEST:

  
\_\_\_\_\_  
SECRETARY OF STATE

2023 NOV -9 AM 4:39  
DEPARTMENT OF STATE  
TALLAHASSEE, FL

FILED



November 16, 2023

*Via Electronic Delivery*  
([ssalmons@sa18.org](mailto:ssalmons@sa18.org))

Stacey Straub Salmons  
Chief Assistant State Attorney  
State Attorney's Office – Eighteenth Judicial Circuit  
101 Eslinger Way  
Sanford, Florida 32772

*Re: John Tobia (Brevard County Commission District 3)*

Dear Ms. Salmons:

I represent John Tobia who, I have been informed, is the subject of a Florida Department of Law Enforcement investigation being conducted by Inspector David Snowden.

I have spoken with and been in email communications with Inspector Snowden. He requested to interview Mr. Tobia. I posed reasonable guidelines for such an interview but Inspector Snowden rejected my suggestions. As a result, Mr. Tobia was not interviewed by Inspector Snowden. I believe Inspector Snowden has forwarded his Report of Investigation to your office.

Inspector Snowden and other FDLE agents have conducted interviews of two (2) staff members of Mr. Tobia's Brevard County Commission District 3 Office, as well as Mr. Tobia's landlady.

As a result of those interviews, it appears that the investigation may, in part or whole, focus on a number of allegations made by a former employee of Mr. Tobia's Commissioner office. If I am correct in my assumptions, I am concerned that the Florida Department of Law Enforcement may not have obtained and forwarded to you possible relevant information that could have a direct impact on your office's decision-making in the matter.

I hope that you are open to scheduling a meeting where I will share information and documents that I hope your office will consider in your decision-making process. If my letter needs to be forwarded to someone else in your office, please advise and I will resend.

Ms. Stacey Straub Salmons  
November 16, 2023  
Re: John Tobia  
Page 2 of 2

---

I can be contacted at (407) 849-6161 or [bob@robertleventhal.com](mailto:bob@robertleventhal.com).

I await your response.

Regards,

A handwritten signature in blue ink, appearing to read "RAL", enclosed in a light blue circular stamp.

Robert A. Leventhal

RAL/tak



## Snowden, Lisa

---

**From:** Snowden, Lisa  
**Sent:** Thursday, November 30, 2023 8:53 AM  
**To:** Thomas, Sarah  
**Subject:** FW: TOBIA

I will bring this to you today. Please see below from the case agent.

Thanks.

*Lisa Snowden*

Executive Assistant  
Office of the State Attorney R.J. Larizza  
251 North Ridgewood Avenue  
Daytona Beach, Florida 32114-7509  
(386) 239-7710 Ext.: 14747  
[SnowdenL@sao7.org](mailto:SnowdenL@sao7.org)



---

**From:** Snowden, David <DavidSnowden@fdle.state.fl.us>  
**Sent:** Thursday, November 30, 2023 8:43 AM  
**To:** Snowden, Lisa <SnowdenL@sao7.org>  
**Subject:** RE: TOBIA

Good morning, Lisa,

I am sure you received the manual yesterday. I told Anita that when the attorney was finished with it, I need to get it back.

Let me know if there is anything else you need.

---

**From:** Snowden, Lisa <[SnowdenL@sao7.org](mailto:SnowdenL@sao7.org)>  
**Sent:** Wednesday, November 29, 2023 1:28 PM  
**To:** Snowden, David <[DavidSnowden@fdle.state.fl.us](mailto:DavidSnowden@fdle.state.fl.us)>  
**Subject:** RE: TOBIA

**CAUTION:** This email originated outside of FDLE. Please use caution when opening attachments, clicking links, or responding to this email.

Thank you very much. We appreciate it.

*Lisa Snowden*

Executive Assistant  
Office of the State Attorney R.J. Larizza  
251 North Ridgewood Avenue  
Daytona Beach, Florida 32114-7509  
(386) 239-7710 Ext.: 14747  
[SnowdenL@sao7.org](mailto:SnowdenL@sao7.org)



---

**From:** Snowden, David <[DavidSnowden@fdle.state.fl.us](mailto:DavidSnowden@fdle.state.fl.us)>  
**Sent:** Wednesday, November 29, 2023 11:31 AM  
**To:** Snowden, Lisa <[SnowdenL@sao7.org](mailto:SnowdenL@sao7.org)>  
**Subject:** RE: TOBIA

The handbook is the only item that's left. I will check it out and try to bring it by today. If not, it will have to be Friday.

---

**From:** Snowden, Lisa <[SnowdenL@sao7.org](mailto:SnowdenL@sao7.org)>  
**Sent:** Wednesday, November 29, 2023 11:26 AM  
**To:** Snowden, David <[DavidSnowden@fdle.state.fl.us](mailto:DavidSnowden@fdle.state.fl.us)>  
**Subject:** TOBIA

**CAUTION:** This email originated outside of FDLE. Please use caution when opening attachments, clicking links, or responding to this email.

Good Morning,

The prosecutor assigned to this case is requesting the additional items you mentioned you had regarding this investigation. I believe it was the manual/employee handbook you mentioned you have. Please provide that and anything additional you may have regarding this case.

Thank you for your assistance.

# *Lisa Snowden*

Executive Assistant  
Office of the State Attorney R.J. Larizza  
251 North Ridgewood Avenue  
Daytona Beach, Florida 32114-7509  
(386) 239-7710 Ext.: 14747  
[SnowdenL@sao7.org](mailto:SnowdenL@sao7.org)



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## Snowden, Lisa

---

**From:** Snowden, Lisa  
**Sent:** Tuesday, November 21, 2023 11:15 AM  
**To:** DavidSnowden@fdle.state.fl.us  
**Subject:** EXECUTIVE ASSIGNMENT

Good Morning,

I am just following up to see when we will be receiving the executive assignment case regarding John Tobia. The defense attorney is looking to speak with the prosecutor from our office that will be handling this case. Since we don't have it yet they are unable to do so. So I was asked to follow up.

Thank you!

*Lisa Snowden*

Executive Assistant  
Office of the State Attorney R.J. Larizza  
251 North Ridgewood Avenue  
Daytona Beach, Florida 32114-7509  
(386) 239-7710 Ext.: 14747  
[SnowdenL@sao7.org](mailto:SnowdenL@sao7.org)



## Snowden, Lisa

---

**From:** Snowden, Lisa  
**Sent:** Monday, November 27, 2023 9:45 AM  
**To:** Snowden, David  
**Subject:** RE: EXECUTIVE ASSIGNMENT

Sounds good.

Thank you!

*Lisa Snowden*

Executive Assistant  
Office of the State Attorney R.J. Larizza  
251 North Ridgewood Avenue  
Daytona Beach, Florida 32114-7509  
(386) 239-7710 Ext.: 14747  
[SnowdenL@sao7.org](mailto:SnowdenL@sao7.org)



---

**From:** Snowden, David <DavidSnowden@fdle.state.fl.us>  
**Sent:** Thursday, November 23, 2023 10:23 AM  
**To:** Snowden, Lisa <SnowdenL@sao7.org>  
**Subject:** RE: EXECUTIVE ASSIGNMENT

Lisa, I'm out of town but will be back Monday. I will deliver the case then.

Sent via the Samsung Galaxy S22 5G, an AT&T 5G smartphone

----- Original message -----

From: "Snowden, Lisa" <[SnowdenL@sao7.org](mailto:SnowdenL@sao7.org)>  
Date: 11/21/23 11:14 AM (GMT-05:00)  
To: "Snowden, David" <[DavidSnowden@fdle.state.fl.us](mailto:DavidSnowden@fdle.state.fl.us)>  
Subject: EXECUTIVE ASSIGNMENT



**CAUTION: This email originated outside of FDLE. Please use caution when opening attachments, clicking links, or responding to this email.**

Good Morning,

I am just following up to see when we will be receiving the executive assignment case regarding John Tobia. The defense attorney is looking to speak with the prosecutor from our office that will be handling this case. Since we don't have it yet they are unable to do so. So I was asked to follow up.

Thank you!

*Lisa Snowden*

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**FDLE**

Florida Department of  
Law Enforcement

RI# 3

IR# 1

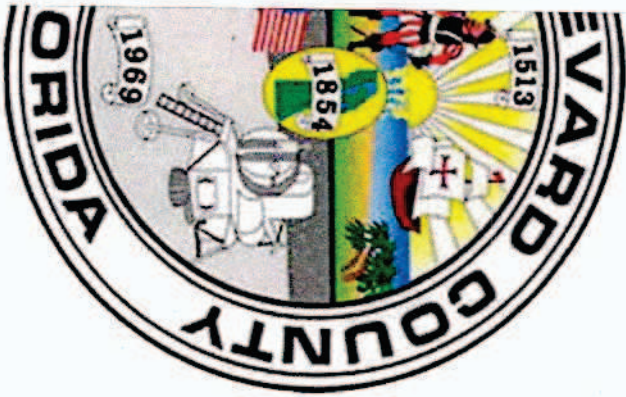
# RELATED ITEM of County

Case No. E-11-0080

Date Received July 19, 23

Case Agent D. SNOWDEN

Description INFORMATION MANUAL



# Information

CONSTITUENT

TAP/  
FINANCE

NTAC  
ASST

PATROLL

RECEIVING

D3

## Snowden, Lisa

---

**From:** Snowden, Lisa  
**Sent:** Thursday, November 30, 2023 11:22 AM  
**To:** Thomas, Sarah; Schwartz, Helen  
**Cc:** Bainbridge, Patty  
**Subject:** JOHN TOBIA EXECUTIVE ASSIGNMENT

Sarah,

I placed the employment manual that FDLE dropped off on your chair since Patty is out. All of it will have to be copied and scanned in STAC. I gave Patty the flash drive FDLE brought and all the investigative documents/statements, etc. are on it. Those will also have to be scanned into STAC. I opened the case in STAC with the basic information and also scanned in the executive order. Sarah/Helen, should you decide to file charges, please let me know so I can then send the order and designation paperwork to the Brevard Clerk of Court.

Thank you.

*Lisa Snowden*

Executive Assistant  
Office of the State Attorney R.J. Larizza  
251 North Ridgewood Avenue  
Daytona Beach, Florida 32114-7509  
(386) 239-7710 Ext.: 14747  
[SnowdenL@sao7.org](mailto:SnowdenL@sao7.org)



## Snowden, Lisa

---

**From:** Snowden, Lisa  
**Sent:** Friday, February 16, 2024 9:51 AM  
**To:** Thomas, Sarah  
**Subject:** FW: EI-11-0080

### *Lisa Snowden*

Executive Assistant  
Office of the State Attorney R.J. Larizza  
251 North Ridgewood Avenue  
Daytona Beach, Florida 32114-7509  
(386) 239-7710 Ext.: 14747  
[SnowdenL@sao7.org](mailto:SnowdenL@sao7.org)



---

**From:** Snowden, David <DavidSnowden@fdle.state.fl.us>  
**Sent:** Friday, February 16, 2024 9:49 AM  
**To:** Snowden, Lisa <SnowdenL@sao7.org>  
**Subject:** EI-11-0080

Good morning, Lisa,

I am following up on the case I dropped off at the end of November against Brevard Commissioner Tobia.

Inspector David Snowden  
Florida Department of Law Enforcement  
Office of Executive Investigations  
Public Corruption Unit  
(407) 205-4173





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## Thomas, Sarah

---

**From:** Aaron Delgado <Adelgado@communitylawfirm.com>  
**Sent:** Wednesday, December 13, 2023 3:53 PM  
**To:** Thomas, Sarah; Aaron Delgado; Anna Briggs  
**Subject:** Investigation re: John Tobia

Via Email Only

Dear Sarah:

Consistent with our telephone call this morning, I am privileged to represent Mr. John Tobia in any investigation into alleged misconduct in his capacity as an elected official which Governor DeSantis' executive order has transferred to Volusia County for investigation.

I am available to work with you at your convenience as is my client. If you need anything please do not hesitate to contact me. My client is happy to cooperate with your office to show his innocence.

Yours,

**Aaron D. Delgado, ESQ., B.C.S.,**  
Board Certified Criminal Trial Attorney



Principal Office  
[227 Seabreeze Boulevard](#)  
[Daytona Beach, FL 32118](#)

Phone: [386.255.1400](tel:386.255.1400)  
Fax: [386.255.8100](tel:386.255.8100)  
[www.communitylawfirm.com](http://www.communitylawfirm.com)  
[#defendDaytona](https://twitter.com/defendDaytona)

---

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## Thomas, Sarah

---

**To:** trizia@tgelawfirm.com  
**Subject:** Documents

Hi Ms. Eavenson,

I never received the items we discussed from our 1/26/2024 Phone Conference. Please get them to me for my review and file at your earliest convenience. I want to ensure I have everything.

Thanks,  
ST

*Sarah E. Thomas*

ASSISTANT STATE ATTORNEY  
Sex Crimes/Career Criminal Unit  
251 N. Ridgewood Ave.  
Justice Center  
Daytona Beach, FL 32114  
(386) 239-7710 ext. 14748  
FAX (386) 239-7716  
[thomass@sao7.org](mailto:thomass@sao7.org)  
E-service: [eservicevolusia@sao7.org](mailto:eservicevolusia@sao7.org)

## Thomas, Sarah

---

**To:** Trizia Ginarella Eavenson, Esquire  
**Cc:** Carol F. Smith, Paralegal  
**Subject:** RE: Documents

My sincerest apologies about your mother. No rush on my end. Just wanted to make sure we are on the same page.

*Sarah E. Thomas*

ASSISTANT STATE ATTORNEY  
Sex Crimes/Career Criminal Unit  
251 N. Ridgewood Ave.  
Justice Center  
Daytona Beach, FL 32114  
(386) 239-7710 ext. 14748  
FAX (386) 239-7716  
[thomass@sao7.org](mailto:thomass@sao7.org)  
E-service: [eservicevolusia@sao7.org](mailto:eservicevolusia@sao7.org)

---

**From:** Trizia Ginarella Eavenson, Esquire <trizia@tgelawfirm.com>  
**Sent:** Tuesday, February 13, 2024 3:35 AM  
**To:** Thomas, Sarah <ThomasS@sao7.org>  
**Cc:** Carol F. Smith, Paralegal <Carol@tgelawfirm.com>  
**Subject:** RE: Documents

Hi Sarah,

I apologize for the delay, however, my Mom passed away late Saturday night/early Sunday and I have been in meeting with the funeral home and VA. Prior to that, I have been living in Tampa for the last 3 months taking care of my mom every day 24/7 – working from her kitchen table. It's been a little hectic here. I am taking a week off to grieve and finish final arrangements, however, I will work on this when I have a few moments here and there. I do have some language and docs to send you and I truly do appreciate your patience.

T.

*Trizia G. Eavenson*

**Trizia G. Eavenson, Esquire**  
Eavenson Law, LLC  
Attorney and Counselor at Law  
*Florida Supreme Court Certified Circuit Civil Mediator*

**Florida Supreme Court Qualified Arbitrator  
Founder of Your Diversity University, LLC  
Founder of Be The Diamond Leadership Academy  
Executive Life Coach**  
6767 North Wickham Road  
Suite 400  
Melbourne, Florida 32940  
Telephone: 321.241.4777  
Facsimile: 321.821.1881  
[Trizia@TGElawfirm.com](mailto:Trizia@TGElawfirm.com)

Visit us at [www.TGElawfirm.com](http://www.TGElawfirm.com) and [www.DiversityPlease.com](http://www.DiversityPlease.com)

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---

**From:** Thomas, Sarah <[ThomasS@sao7.org](mailto:ThomasS@sao7.org)>  
**Sent:** Monday, February 12, 2024 9:22 AM  
**To:** Trizia Ginarella Eavenson, Esquire <[trizia@tgelawfirm.com](mailto:trizia@tgelawfirm.com)>  
**Subject:** Documents

Hi Ms. Eavenson,

I never received the items we discussed from our 1/26/2024 Phone Conference. Please get them to me for my review and file at your earliest convenience. I want to ensure I have everything.

Thanks,  
ST

*Sarah E. Thomas*  
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**Thomas, Sarah**

---

**From:** Trizia Ginarella Eavenson, Esquire <trizia@tgelawfirm.com>  
**Sent:** Tuesday, February 13, 2024 8:34 AM  
**To:** Thomas, Sarah  
**Subject:** Automatic reply: Documents

Thank you for your email. I am currently out of the office on bereavement leave and will return on Monday, February 19, 2023. I will answer emails thereafter and truly do apologize for any inconvenience.

If this is an emergency, please email my Paralegal, Carol Smith, at [Carol@TGElawfirm.com](mailto:Carol@TGElawfirm.com), or call the office at 321.241.4777.

Thank you, have a great rest of your day, and please remember to hold your loved ones close to you every chance you get.

*Trizia G. Eavenson*

**Trizia G. Eavenson, Esquire**  
Eavenson Law, LLC  
Attorney and Counselor at Law  
*Florida Supreme Court Certified Circuit Civil Mediator*  
*Florida Supreme Court Qualified Arbitrator*  
*Executive Life Coach & "Be The Diamond" Mentor*  
6767 North Wickham Road  
Suite 400  
Melbourne, Florida 32940  
Telephone: 321.241.4777  
Facsimile: 321.821.1881  
[Trizia@TGElawfirm.com](mailto:Trizia@TGElawfirm.com)

Visit us at [www.TGElawfirm.com](http://www.TGElawfirm.com)

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## Thomas, Sarah

---

**To:** Trizia Ginarella Eavenson, Esquire  
**Subject:** Follow up

Hi Ms. Eavenson,  
I hope this email finds you well. I am sorry to bug you but I am still waiting on the documents and recordings we discussed on January 4<sup>th</sup>. Please get me those items so I can review.

Thanks,  
ST

*Sarah E. Thomas*

ASSISTANT STATE ATTORNEY  
Sex Crimes/Career Criminal Unit  
251 N. Ridgewood Ave.  
Justice Center  
Daytona Beach, FL 32114  
(386) 239-7710 ext. 14748  
FAX (386) 239-7716  
[thomass@sao7.org](mailto:thomass@sao7.org)  
E-service: [eservicevolusia@sao7.org](mailto:eservicevolusia@sao7.org)

## Thomas, Sarah

---

**To:** Trizia Ginarella Eavenson, Esquire  
**Cc:** Carol F. Smith, Paralegal  
**Subject:** RE: Follow up

Hi, I am sorry to hear that. Yes. I am just waiting on the items you said you had etc. so I can make an informed decision.

Thanks  
ST

*Sarah E. Thomas*

ASSISTANT STATE ATTORNEY  
Sex Crimes/Career Criminal Unit  
251 N. Ridgewood Ave.  
Justice Center  
Daytona Beach, FL 32114  
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E-service: [eservicevolusia@sao7.org](mailto:eservicevolusia@sao7.org)

---

**From:** Trizia Ginarella Eavenson, Esquire <trizia@tgelawfirm.com>  
**Sent:** Thursday, May 9, 2024 3:55 AM  
**To:** Thomas, Sarah <ThomasS@sao7.org>  
**Cc:** Carol F. Smith, Paralegal <Carol@tgelawfirm.com>  
**Subject:** RE: Follow up

Hi Sarah,

Thank you so much for your patience. I have had one emergency after another. Can you please afford me until mid/late next week to finalize my analysis of the Florida Statutes Tim Bobanic would like your Office to review and apply to the facts of this case? I am swamped with preparing for dispositive hearings, Mediations, and trial.

I truly do appreciate your understanding. Thank you again.

*Trizia G. Eavenson*  
**Trizia G. Eavenson, Esquire**  
Eavenson Law, LLC  
Attorney and Counselor at Law  
Florida Supreme Court Certified Circuit Civil Mediator  
Florida Supreme Court Qualified Arbitrator

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---

**From:** Thomas, Sarah <[ThomasS@sao7.org](mailto:ThomasS@sao7.org)>  
**Sent:** Monday, April 29, 2024 8:35 AM  
**To:** Trizia Ginarella Eavenson, Esquire <[trizia@tgelawfirm.com](mailto:trizia@tgelawfirm.com)>  
**Subject:** Follow up

Hi Ms. Eavenson,  
I hope this email finds you well. I am sorry to bug you but I am still waiting on the documents and recordings we discussed on January 4<sup>th</sup>. Please get me those items so I can review.

Thanks,  
ST  
*Sarah E. Thomas*  
ASSISTANT STATE ATTORNEY  
Sex Crimes/Career Criminal Unit  
251 N. Ridgewood Ave.  
Justice Center  
Daytona Beach, FL 32114  
(386) 239-7710 ext. 14748  
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[thomass@sao7.org](mailto:thomass@sao7.org)  
E-service: [eservicevolusia@sao7.org](mailto:eservicevolusia@sao7.org)



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## Thomas, Sarah

---

**From:** Thomas, Sarah  
**Sent:** Friday, June 14, 2024 11:27 AM  
**To:** Trizia Ginarella Eavenson, Esquire  
**Cc:** Carol F. Smith, Paralegal  
**Subject:** RE: Follow up

Hi,

Just checking in on those items you had. Thanks, ST

*Sarah E. Thomas*

ASSISTANT STATE ATTORNEY  
Sex Crimes/Career Criminal Unit  
251 N. Ridgewood Ave.  
Justice Center  
Daytona Beach, FL 32114  
(386) 239-7710 ext. 14748  
FAX (386) 239-7716  
[thomass@sao7.org](mailto:thomass@sao7.org)  
E-service: [eservicevolusia@sao7.org](mailto:eservicevolusia@sao7.org)

---

**From:** Trizia Ginarella Eavenson, Esquire <trizia@tgelawfirm.com>  
**Sent:** Thursday, May 9, 2024 3:55 AM  
**To:** Thomas, Sarah <ThomasS@sao7.org>  
**Cc:** Carol F. Smith, Paralegal <Carol@tgelawfirm.com>  
**Subject:** RE: Follow up

Hi Sarah,

Thank you so much for your patience. I have had one emergency after another. Can you please afford me until mid/late next week to finalize my analysis of the Florida Statutes Tim Bobanic would like your Office to review and apply to the facts of this case? I am swamped with preparing for dispositive hearings, Mediations, and trial.

I truly do appreciate your understanding. Thank you again.

*Trizia G. Eavenson*

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Attorney and Counselor at Law  
*Florida Supreme Court Certified Circuit Civil Mediator*

**Florida Supreme Court Qualified Arbitrator**  
**Founder of Your Diversity University, LLC**  
**Founder of Be The Diamond Leadership Academy**  
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Suite 400  
Melbourne, Florida 32940  
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Facsimile: 321.821.1881  
[Trizia@TGElawfirm.com](mailto:Trizia@TGElawfirm.com)

Visit us at [www.TGElawfirm.com](http://www.TGElawfirm.com) and [www.DiversityPlease.com](http://www.DiversityPlease.com)

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**EAVENSON LAW, LLC**



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---

**From:** Thomas, Sarah <[ThomasS@sao7.org](mailto:ThomasS@sao7.org)>  
**Sent:** Monday, April 29, 2024 8:35 AM  
**To:** Trizia Ginarella Eavenson, Esquire <[trizia@tgelawfirm.com](mailto:trizia@tgelawfirm.com)>  
**Subject:** Follow up

Hi Ms. Eavenson,  
I hope this email finds you well. I am sorry to bug you but I am still waiting on the documents and recordings we discussed on January 4<sup>th</sup>. Please get me those items so I can review.

Thanks,  
ST  
*Sarah E. Thomas*  
ASSISTANT STATE ATTORNEY  
Sex Crimes/Career Criminal Unit  
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Justice Center  
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(386) 239-7710 ext. 14748  
FAX (386) 239-7716  
[thomass@sao7.org](mailto:thomass@sao7.org)  
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## Thomas, Sarah

---

**To:** Trizia Ginarella Eavenson, Esquire  
**Cc:** Carol F. Smith, Paralegal; [REDACTED]  
**Subject:** RE: Follow up

Hi Trizia,

I wanted to ensure we did a thorough investigation – I would normally never let an assigned case go this long without action - when we spoke before the new year you had stated you had video of the Defendant from a town hall meeting making statements relevant to our case and a few other documents you were going to provide for my review. That is what we are waiting on. We have emailed several times for follow up and I even called Mr. Bobanic (as I have tried not to bother him since he has counsel) - but I completely understand you have been having some family emergencies going on. Do you have those items you want me to review? Its been 4-5 months so I want to review them as soon as possible if Mr. Bobanic wants to move forward I need the full picture of events.

Thanks,  
ST

*Sarah E. Thomas*

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E-service: [eservicevolusia@sao7.org](mailto:eservicevolusia@sao7.org)

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**From:** Trizia Ginarella Eavenson, Esquire <trizia@tgelawfirm.com>  
**Sent:** Friday, June 14, 2024 4:11 PM  
**To:** Thomas, Sarah <ThomasS@sao7.org>  
**Cc:** Carol F. Smith, Paralegal <Carol@tgelawfirm.com>; [REDACTED]  
**Subject:** RE: Follow up

Hi Sarah,

Thank you so much for your patience.

At this time, Tim Bobanic maintains full faith that the State Attorney's Office has performed a full and exhaustive investigation of the facts as provided by FDLE, specifically that:



(1) Mr. Tobia initiated and orchestrated the creation of a Yahoo email account tied to and confirmed by Mr. Tobia's personal cell phone number (321.720.4650);

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(3) For the sole purpose of pretending to be Tim;

(4) To send an email to the Fairmont Hotel in DC under the guise of being Tim;

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Again, Tim thanks your State Attorney's Office for your due diligence. Tim would appreciate your Office kindly advising whether the State will move forward or close their file – either way – so that he, as the victim of this violation, can move on.

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**Sent:** Friday, June 14, 2024 11:27 AM  
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The logo for EAVENSON LAW, LLC features a stylized red 'EL' monogram above the company name in a bold, black, sans-serif font.



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**Sent:** Monday, April 29, 2024 8:35 AM

**To:** Trizia Ginarella Eavenson, Esquire <[trizia@tgelawfirm.com](mailto:trizia@tgelawfirm.com)>

**Subject:** Follow up

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I hope this email finds you well. I am sorry to bug you but I am still waiting on the documents and recordings we discussed on January 4<sup>th</sup>. Please get me those items so I can review.

Thanks,

ST

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**Thomas, Sarah**

---

**From:** Trizia Ginarella Eavenson, Esquire <trizia@tgelawfirm.com>  
**Sent:** Monday, March 4, 2024 3:06 AM  
**To:** Thomas, Sarah  
**Cc:** Carol F. Smith, Paralegal  
**Subject:** RE: Documents

Hi Sarah,

I truly do apologize for the delay. I have been in the midst of handling all my Mom's final arrangements and it's been a bear. Especially dealing with the VA to get a burial flag for my Mom.

I will have something out to you by the end of this coming week, if that works for you. I appreciate your patience.

*Trizia G. Eavenson*

**Trizia G. Eavenson, Esquire**  
Eavenson Law, LLC  
Attorney and Counselor at Law  
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**From:** Thomas, Sarah <ThomasS@sao7.org>  
**Sent:** Monday, February 12, 2024 9:22 AM  
**To:** Trizia Ginarella Eavenson, Esquire <trizia@tgelawfirm.com>  
**Subject:** Documents

Hi Ms. Eavenson,

I never received the items we discussed from our 1/26/2024 Phone Conference. Please get them to me for my review and file at your earliest convenience. I want to ensure I have everything.

Thanks,  
ST

*Sarah E. Thomas*

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## Thomas, Sarah

---

**From:** Tim Bobanic <tbobanic@gmail.com>  
**Sent:** Monday, June 17, 2024 11:42 AM  
**To:** Thomas, Sarah  
**Cc:** Trizia Ginarella Eavenson, Esquire; Carol F. Smith, Paralegal  
**Subject:** Re: Follow up  
**Attachments:** BOCC Meeting Minutes.pdf

Sarah,

Below is a link to the video and I am attaching a copy of the official minutes of the meeting. I highlighted the relevant portions on page 15. For the video, the comments start around 1:13:00.

[https://brevardfl.granicus.com/player/clip/392?view\\_id=1&redirect=true](https://brevardfl.granicus.com/player/clip/392?view_id=1&redirect=true)

Mr. Tobia has publicly attacked me for my budget and went so far as to have an office staff member illegally impersonate me to obtain a copy of my hotel bill folder for a trip to Washington DC that was not paid out of the Brevard County Supervisor of Elections budget. That trip to DC was at the invite of the Federal Elections Assistance Commission and was fully covered by the United States Treasury Department.

Sincerely,

Tim Bobanic

On Mon, Jun 17, 2024 at 9:03 AM Thomas, Sarah <[ThomasS@sao7.org](mailto:ThomasS@sao7.org)> wrote:

Hi Trizia,

I wanted to ensure we did a thorough investigation – I would normally never let an assigned case go this long without action - when we spoke before the new year you had stated you had video of the Defendant from a town hall meeting making statements relevant to our case and a few other documents you were going to provide for my review. That is what we are waiting on. We have emailed several times for follow up and I even called Mr. Bobanic (as I have tried not to bother him since he has counsel) - but I completely understand you have been having some family emergencies going on. Do you have those items you want me to review? Its been 4-5 months so I want to review them as soon as possible if Mr. Bobanic wants to move forward I need the full picture of events.

Thanks,  
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*Sarah E. Thomas*

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**Sent:** Friday, June 14, 2024 11:27 AM  
**To:** Trizia Ginarella Eavenson, Esquire <[trizia@tgelawfirm.com](mailto:trizia@tgelawfirm.com)>  
**Cc:** Carol F. Smith, Paralegal <[Carol@tgelawfirm.com](mailto:Carol@tgelawfirm.com)>  
**Subject:** RE: Follow up

Hi,

Just checking in on those items you had. Thanks, ST

*Sarah E. Thomas*

ASSISTANT STATE ATTORNEY

Sex Crimes/Career Criminal Unit

251 N. Ridgewood Ave.

Justice Center

Daytona Beach, FL 32114

(386) 239-7710 ext. 14748

FAX (386) 239-7716

[thomass@sao7.org](mailto:thomass@sao7.org)

E-service: [eservicevolusia@sao7.org](mailto:eservicevolusia@sao7.org)

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**From:** Trizia Ginarella Eavenson, Esquire <[trizia@tgelawfirm.com](mailto:trizia@tgelawfirm.com)>

**Sent:** Thursday, May 9, 2024 3:55 AM

**To:** Thomas, Sarah <[ThomasS@sao7.org](mailto:ThomasS@sao7.org)>

**Cc:** Carol F. Smith, Paralegal <[Carol@tgelawfirm.com](mailto:Carol@tgelawfirm.com)>

**Subject:** RE: Follow up

Hi Sarah,

Thank you so much for your patience. I have had one emergency after another. Can you please afford me until mid/late next week to finalize my analysis of the Florida Statutes Tim Bobanic would like your Office to review and apply to the facts of this case? I am swamped with preparing for dispositive hearings, Mediations, and trial.

I truly do appreciate your understanding. Thank you again.

*Trizia G. Eavenson*

**Trizia G. Eavenson, Esquire**



**Eavenson Law, LLC**

**Attorney and Counselor at Law**

***Florida Supreme Court Certified Circuit Civil Mediator***

***Florida Supreme Court Qualified Arbitrator***

***Founder of Your Diversity University, LLC***

***Founder of Be The Diamond Leadership Academy***

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Visit us at [www.TGElawfirm.com](http://www.TGElawfirm.com) and [www.DiversityPlease.com](http://www.DiversityPlease.com)

***Hablo su idioma y entiendo su cultura.***



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**From:** Thomas, Sarah <[ThomasS@sao7.org](mailto:ThomasS@sao7.org)>

**Sent:** Monday, April 29, 2024 8:35 AM

**To:** Trizia Ginarella Eavenson, Esquire <[trizia@tgelawfirm.com](mailto:trizia@tgelawfirm.com)>

**Subject:** Follow up

Hi Ms. Eavenson,

I hope this email finds you well. I am sorry to bug you but I am still waiting on the documents and recordings we discussed on

January 4<sup>th</sup>. Please get me those items so I can review.

Thanks,

ST

*Sarah E. Thomas*

ASSISTANT STATE ATTORNEY

Sex Crimes/Career Criminal Unit

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