

# FOLDS, WALKER & MALTBY, LLC

ATTORNEYS AT LAW

ALLISON E. FOLDS†  
S. SCOTT WALKER‡  
RICHARD B. MALTBY, LL.M.#\*

L. ALISON WALKER  
NORMAN BLEDSOE  
A. DEREK FOLDS  
ANDREA TRUE PARKER

DAVID W. WAGNER, *Of Counsel*  
CLAY MARTIN, *Of Counsel*  
SCOTT L. WHITAKER, *Senior Counsel*

527 E. UNIVERSITY AVENUE  
GAINESVILLE, FL 32601  
TELEPHONE (352) 372-1282  
FACSIMILE (352) 375-9960  
WWW.FWMLAWFIRM.COM

† Certified Family and Circuit Civil Mediator

‡ Certified Family Mediator

#LL.M. in Taxation

\*Also admitted in Missouri and Illinois

September 28, 2020

**VIA EMAIL & US MAIL:** [mlieberman@alachuacounty.us](mailto:mlieberman@alachuacounty.us),  
[trosby@alachuacounty.us](mailto:trosby@alachuacounty.us), [storres@alachuacounty.us](mailto:storres@alachuacounty.us)

Michele Lieberman, County Manager  
Tommy Crosby, Assistant County Manager  
Sylvia Torres, County Attorney  
12 SW 1<sup>st</sup> Street  
Gainesville FL, 32601

## Re: Alachua County CARES Act Government Assistance program

Dear Michele, Tommy and Sylvia:

The City of Newberry is in the process of completing its application for funding through and from the Alachua County CARES Act Government Assistance program. As you know, the instructions require applicants to submit their applications through the online portal.

The instructions also require applicants to “check the box” with respect to certain statements, attesting and/or certifying that the statements are true. The City is unable to certify the statement regarding compliance with all Emergency Orders issued by the County related to the COVID-19 pandemic. It appears that, without “checking the box” on the portal, an applicant is prevented from completing and submitting the application online.

I have attached a draft COVID-19 Subrecipient Grant Agreement. You will see that the only change to it is that the language in Section II.A.10.vi. has been deleted because it contains a similar statement regarding compliance with County Emergency Orders. Inasmuch as the Governor, via Executive Order Number 20-244, has suspended penalties and fines, please confirm that the draft contract is accepted by staff for consideration without any penalty as a result of the deletion of Section II.A.10.vi, at which point the City will submit the remainder of the application

materials to you via hard copy since it is not possible to submit online without the corresponding certification. If staff intends to penalize the City by not approving the draft contract and thereby the City is deemed ineligible for the program, please submit this issue to the Commission for consideration.

Very truly yours,

**FOLDS, WALKER & MALTBY, LLC**

  
S. Scott Walker

SSW/bmq

cc: Richard B. Maltby, Esq. via email Rich@FWMLawfirm.com  
Andrea True Parker, Esq. via email Andrea@FWMLawfirm.com  
Tiana Foster via email Tiana@FWMLawfirm.com  
Dallas Lee via email Dallas.Lee@ci.newberry.fl.us  
Mike New via email Mike.New@ci.newberry.fl.us