

MEMORANDUM

Special Item No. 8

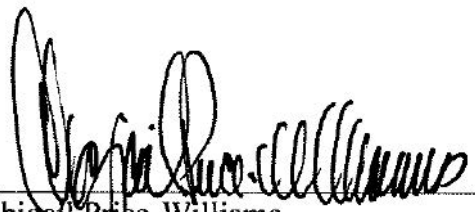
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: July 27, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to develop and implement the Miami-Dade Arts Support Grant Program with certain criteria for cultural organizations and artists-entrepreneurs using \$10 million of funds made available through the 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to alleviate financial hardships caused by coronavirus disease 2019 (COVID-19); authorizing the County Mayor to negotiate and execute any documents necessary to carry out the purposes of this resolution; and requiring reports

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Eileen Higgins.



Abigail Price-Williams
County Attorney

APW/smm

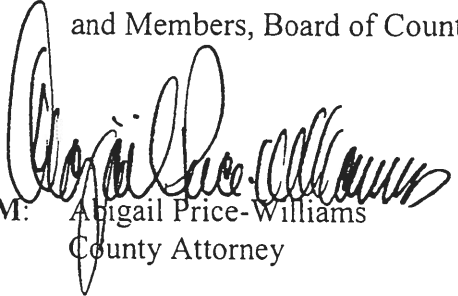


MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

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Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Special Item No. 8
7-27-20

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO DEVELOP AND IMPLEMENT THE MIAMI-DADE ARTS SUPPORT GRANT PROGRAM WITH CERTAIN CRITERIA FOR CULTURAL ORGANIZATIONS AND ARTISTS-ENTREPRENEURS USING \$10 MILLION OF FUNDS MADE AVAILABLE THROUGH THE 2020 CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT) TO ALLEVIATE FINANCIAL HARDSHIPS CAUSED BY CORONAVIRUS DISEASE 2019 (COVID-19); AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NEGOTIATE AND EXECUTE ANY DOCUMENTS NECESSARY TO CARRY OUT THE PURPOSES OF THIS RESOLUTION; AND REQUIRING REPORTS

WHEREAS, in early 2020, the State of Florida and Miami-Dade County began experiencing an outbreak of the infectious disease named coronavirus disease 2019 (COVID-19); and

WHEREAS, in response to COVID-19, Governor Ron DeSantis issued Executive Order 20-51, directing the State Health Officer and Surgeon General to declare a public health emergency in the State of Florida and directing the State Health Officer take any action necessary to protect the public health and to follow guidelines established by the United States Center for Disease Control and Prevention (CDC) to control the spread of COVID-19; and

WHEREAS, on March 12, 2020, County Mayor Carlos Gimenez declared a state of emergency in Miami-Dade County; and

WHEREAS, in response to the COVID-19 pandemic, public health officials and the CDC encouraged "social distancing" to reduce the spread of the virus; and

WHEREAS, to enforce social distancing, Governor DeSantis and Mayor Gimenez have issued executive and emergency orders restricting businesses' and residents' activities in order to prevent the spread of COVID-19; and

WHEREAS, while these precautions were established to keep people safe, these precautions have had and continue to have a negative financial impact on many County businesses and residents; and

WHEREAS, to help blunt the impact of the economic downturn set in motion by the COVID-19 pandemic, the United States Congress passed—and on March 27, 2020 President Donald Trump signed into law—H.R. 748, the “Coronavirus Aid, Relief, and Economic Security Act” (the “CARES Act”); and

WHEREAS, the CARES Act is a \$2 trillion stimulus package which established a \$150 billion Coronavirus Relief Fund for local governments; and

WHEREAS, the Cares Act requires that the payments to local governments from the Coronavirus Relief Fund only be used to cover expenses that:

- (1) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19);
- (2) were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
- (3) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

WHEREAS, this Board has recently approved legislation providing financial assistance to small businesses impacted by COVID-19, including a revolving loan fund for micro-businesses, a small business forgivable loan program, and a forgivable loan and grant program for small nonprofit organizations; and

WHEREAS, cultural organizations and artists-entrepreneurs provide a unique benefit to our community in a wide range of areas, including encouraging tourism and providing productive outlets for youth in the community; and

WHEREAS, cultural organizations, including museums, theaters, festivals, and events, as well as artist-entrepreneurs constitute a \$1.4 billion industry in Miami-Dade County, employing approximately 40,000 workers in a wide range of areas, from accountants to actors to security guards and stagehands; and

WHEREAS, these cultural organizations and artists-entrepreneurs were particularly hard hit by the shut downs and by their nature will remain impacted for months to come; and

WHEREAS, the impact of closing the arts season in March 2020 eliminated earned revenue, including ticket sales, contracted services, etc., and vastly reduced contributed income and donations, resulting in mounting budget deficits resulting in arts and cultural organizations having to furlough or eliminate thousands of jobs; and

WHEREAS, surveys of these cultural organizations document a \$59.5 million financial impact and the loss of 9,200 jobs as of May 2020; and

WHEREAS, the Department of Cultural Affairs' Miami-Dade Artists Support program has documented \$5.2 million so far in financial losses reported by 533 artist entrepreneurs; and

WHEREAS, Miami-Dade County has invested billions of dollars in creating one of the world's newest, most dynamic and diverse cultural communities and investment at this critical moment will help ensure the survival of hundreds of cultural organizations and the restoration and preservation of thousands of arts jobs; and

WHEREAS, this Board desires to direct the County Mayor or County Mayor's designee to use funding made available through the CARES Act to help hundreds of cultural organizations and artists-entrepreneurs who are experiencing financial losses caused by COVID-19,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. The foregoing recitals are incorporated herein by reference and adopted.

Section 2. Directs the County Mayor or County Mayor's designee to implement a program to be entitled the Miami-Dade Arts Support Grant Program for cultural organizations and artists-entrepreneurs, which have been impacted by COVID-19 using \$10 million of funding made available through the CARES Act. In developing the program, the County Mayor or County Mayor's designee shall: (i) require that organizations demonstrate financial loss due to COVID-19, (ii) provide for a uniform maximum grant amount per organization, (iii) require that applicants for grants demonstrate that any remaining financial loss has not been made up by financial assistance from other emergency county forgivable loan or grant programs established in response to COVID-19 or insurance, and (iv) if eligible under the CARES Act, make such funds available for the payment of business expenses, including employee payroll costs, business interruption costs, program support, and re-opening expenses.

Section 3. Directs the County Mayor or County Mayor's designee to develop and implement the program and appoint staff to administer and monitor the program.

Section 4. Authorizes the County Mayor or County Mayor's designee to negotiate and execute any documents necessary to carry out the purposes of this resolution, following approval of such documents by the County Attorney's office for legal form and sufficiency.

Section 5. Directs the County Mayor or County Mayor's designee to provide a written report to this Board within 15 days of the effective date of this resolution detailing the status of the development and implementation of the program or explaining why it has not been developed or implemented. Upon implementation, the County Mayor or County Mayor's designee shall provide a written report to this Board every 30 days detailing the status of the program until a final report that indicates that all funding for the program has been exhausted. The County Mayor or County Mayor's designee shall place the completed reports on agendas of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Commissioner Eileen Higgins. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman

Rebeca Sosa, Vice Chairwoman

Esteban L. Bovo, Jr.

Jose "Pepe" Diaz

Eileen Higgins

Joe A. Martinez

Dennis C. Moss

Xavier L. Suarez

Daniella Levine Cava

Sally A. Heyman

Barbara J. Jordan

Jean Monestime

Sen. Javier D. Souto

The Chairperson thereupon declared this resolution duly passed and adopted this 27th day of July, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Shannon D. Summerset-Williams