

# MEMORANDUM

Agenda Item No. 11(A)(15)

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

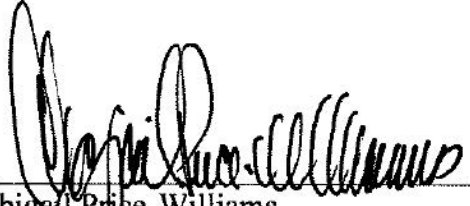
**DATE:** August 31, 2020

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution opposing, particularly relating to the coronavirus disease 2019 (COVID-19) pandemic, the recent decision by the United States Department of Commerce, Bureau of the Census, to end all census counting efforts a month early on September 30, 2020, rather than October 31, 2020

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman and Co-Sponsor Commissioner Daniella Levine Cava.

  
Abigail Price-Williams  
County Attorney

APW/uw



# MEMORANDUM

(Revised)

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

DATE: August 31, 2020

FROM:   
Abigail Price-Williams  
County Attorney

SUBJECT: Agenda Item No. 11(A)(15)

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 \_\_\_\_\_

Agenda Item No. 11(A)(15)  
8-31-20

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OPPOSING, PARTICULARLY RELATING TO  
THE CORONAVIRUS DISEASE 2019 (COVID-19) PANDEMIC,  
THE RECENT DECISION BY THE UNITED STATES  
DEPARTMENT OF COMMERCE, BUREAU OF THE CENSUS,  
TO END ALL CENSUS COUNTING EFFORTS A MONTH  
EARLY ON SEPTEMBER 30, 2020, RATHER THAN OCTOBER  
31, 2020

**WHEREAS**, an accurate and complete 2020 United States Census count is vital to Miami-Dade County because census data is used to determine how federal resources will be distributed annually for the next decade to state and local governments; and

**WHEREAS**, this data is critical to ensuring that all residents are equally represented in all levels of government and is used to adjust or redraw electoral districts; and

**WHEREAS**, in April 2020, the United States Department of Commerce, Bureau of the Census (“Census Bureau”) announced the deadline to follow up with households that do not self-respond, also known as the Nonresponse Follow-up (“NRFU”), would be extended to October 31, 2020; and

**WHEREAS**, this action was taken to ensure the completeness and accuracy of the 2020 Census by allowing the Census Bureau’s workers additional time to conduct in-person interviews due to delays and setbacks caused by coronavirus disease 2019 (“COVID-19”) pandemic; and

**WHEREAS**, on August 3, 2020, the Census Bureau Director posted a written statement on the Census Bureau’s website announcing that the Census Bureau is ending all 2020 Census counting efforts including, but not limited to, all field data collection gathered by critical door knocking efforts and collection of responses online, by phone or by mail on September 30, 2020, a month earlier than previously scheduled; and

**WHEREAS**, Miami-Dade County and the State of Florida are still facing significant challenges related to COVID-19, as are many other areas of the country; and

**WHEREAS**, with roughly four out of 10 households nationwide yet to be counted and already delayed by COVID-19, the Census Bureau now has less than two months left to try to reach traditionally hard to count populations under the revised deadline; and

**WHEREAS**, these last-minute changes to the constitutionally mandated count of every person living in the U.S. threaten the accuracy of population data used to determine the distribution of political representation and federal funding for the next decade; and

**WHEREAS**, on August 4, 2020, four former Census Bureau Directors issued a joint statement advising that failing to extend the NFRU deadlines to April 30, 2021, will result in seriously incomplete enumerations in many areas of our country; and

**WHEREAS**, the joint statement from the former Census Bureau Directors also advised that without extended deadlines, the Census Bureau would be forced to take steps such as fewer in-person visits for households that did not self-respond and would rely instead on the use of administrative records or statistical techniques on a much larger scale than in previous census counts; and

**WHEREAS**, by suddenly and unexpectedly shortening the deadline by an entire month, the Census Bureau has created great uncertainty, negatively impacting counties and cities that rely on this information to plan their educational efforts to maximize Census participation; and

**WHEREAS**, counties and cities are often the governments that directly deliver essential services to people; and

**WHEREAS**, excluding any person from the apportionment base for the 2020 Census undermines the complete and accurate count of all city and county residents; and

**WHEREAS**, less time will create a substantial risk that critical public funds and elected representation will be improperly apportioned; and

**WHEREAS**, there is a need to take immediate action to ensure that Miami-Dade County can raise its concerns regarding a fair and accurate count of all its residents for the 2020 Census,

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

**Section 1.** Opposes, particularly relating to the COVID-19 pandemic, the recent decision by the United States Department of Commerce, Bureau of the Census, to end all census counting efforts a month earlier on September 30, 2020, rather than October 31, 2020.

**Section 2.** Directs the Clerk of the Board to transmit a certified copy of this resolution to the members of the Miami-Dade County Congressional Delegation, the United States Secretary of Commerce, the Director of the United States Census Bureau, and the Presidents and Executive Directors of the National Association of Counties, the Florida Association of Counties, the Florida League of Cities and the Miami-Dade County League of Cities.

**Section 3.** Directs the County's federal lobbyist to advocate for the action set forth in section 1 above and authorizes and directs the Office of Intergovernmental Affairs to amend the 2020 Federal Legislative Package to include this item and to include this item in the 2021 federal legislative packages when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Sally A. Heyman and the Co-Sponsor is Commissioner Daniella Levine Cava. 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 31<sup>st</sup> day of August, 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.



Suzanne Villano-Charif