

MEMORANDUM

Special Item No. 10

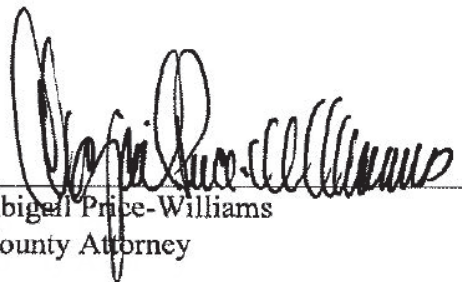
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: September 15, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution allocating \$10,000,000.00 from funds made available through the 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES Act) for the unincorporated municipal service area, consisting of \$5,000,000.00 to the Micro-Business Revolving Loan Program established pursuant to Resolution No. R-557-20 and \$5,000,000.00 to the Emergency Rental Assistance Program established pursuant to Resolution No. R-642-20, to provide financial assistance to micro-businesses and low and moderate income tenants, respectively, that have been impacted by the coronavirus disease 2019 (COVID-19) pandemic; authorizing the County Mayor take all actions necessary to carry out the purposes of this resolution

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez.



Abigail Price-Williams
County Attorney

APW/lmp



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
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. 10
9-15-20

RESOLUTION NO. _____

RESOLUTION ALLOCATING \$10,000,000.00 FROM FUNDS MADE AVAILABLE THROUGH THE 2020 CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT) FOR THE UNINCORPORATED MUNICIPAL SERVICE AREA, CONSISTING OF \$5,000,000.00 TO THE MICRO-BUSINESS REVOLVING LOAN PROGRAM ESTABLISHED PURSUANT TO RESOLUTION NO. R-557-20 AND \$5,000,000.00 TO THE EMERGENCY RENTAL ASSISTANCE PROGRAM ESTABLISHED PURSUANT TO RESOLUTION NO. R-642-20, TO PROVIDE FINANCIAL ASSISTANCE TO MICRO-BUSINESSES AND LOW AND MODERATE INCOME TENANTS, RESPECTIVELY, THAT HAVE BEEN IMPACTED BY THE CORONAVIRUS DISEASE 2019 (COVID-19) PANDEMIC; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO CARRY OUT THE PURPOSES OF THIS RESOLUTION

WHEREAS, coronavirus disease 2019 (“COVID-19”) is an infectious disease caused by severe acute respiratory syndrome coronavirus 2, a novel coronavirus that was first identified in December 2019; and

WHEREAS, the disease has spread globally, and on March 11, 2020, the World Health Organization officially declared COVID-19 a pandemic; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order No. 20-52 declaring a state of emergency for the entire State of Florida as a result of COVID-19; and

WHEREAS, on March 11, 2020, Mayor Carlos A. Gimenez declared a state of emergency for Miami-Dade County as a result of COVID-19; and

WHEREAS, these orders have since been extended; and

WHEREAS, as of September 11, 2020, the total number of confirmed cases of COVID-19 worldwide is over 28 million, with approximately 6.42 million cases in the United States, 655,000 cases in the State of Florida, and 163,000 cases in Miami-Dade County; and

WHEREAS, in response to the COVID-19 pandemic, public health officials and the Centers for Disease Control and Prevention 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, they have a negative financial impact on many County businesses and residents; and

WHEREAS, indeed, more than 57 million Americans have filed for unemployment since March 2020; 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 (“CARES Act”); and

WHEREAS, the CARES Act is a \$2 trillion stimulus package which provided, among other things:

- one-time checks of \$1,200 to Americans earning a certain income;
- \$349 billion in loans to small businesses;
- \$17 billion of assistance to companies deemed crucial to national security;
- grants of \$25 billion for passenger air carriers, \$4 billion for air-cargo carriers, and \$3 billion for certain contractors; and
- 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:

- are necessary expenditures incurred due to the public health emergency with respect to COVID-19;
- were not included in the budget most recently approved as of March 27, 2020 for the state or local government; and
- were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

WHEREAS, the State of Florida was allocated \$8.328 billion from the Coronavirus Relief Fund, of which the County received \$474 million; and

WHEREAS, the Coronavirus Relief Fund monies must be used by December 30, 2020, and any residual returned to the federal government; and

WHEREAS, this Board has recently approved legislation allocating CARES Act funds to assist in the financial recovery of various groups of individuals, organizations, and small businesses impacted by COVID-19; and

WHEREAS, for example, on June 2, 2020, this Board adopted Resolution No. R-557-20 directing the County Mayor or designee to negotiate and execute a grant agreement with the Dade County Federal Credit Union in an amount not to exceed \$25 million in CARES Act funds to develop and implement a revolving loan program to provide micro-businesses throughout the County impacted by the COVID-19 pandemic with low interest rate loans (the “Micro-Business Revolving Loan Program”); and

WHEREAS, additionally, on July 8, 2020, this Board adopted Resolution No. R-642-20 directing the County Mayor or designee to create the COVID-19 Emergency Rental Assistance Program (“ERAP”) for rental assistance grants to low and moderate income persons in Miami-Dade County that have lost income as a result of the COVID-19 pandemic, and allocating \$10 million in CARES Act funds for the ERAP; and

WHEREAS, on August 4, 2020, this Board adopted Resolution No. R-779-20 setting County policy that the County shall consider the unincorporated municipal service area (UMSA) a municipality for purposes of allocating and distributing funds made available through the CARES Act, the proposed HEROES Act, or similar legislation providing federal funds to local governments to assist with the public health emergency caused by COVID-19; and

WHEREAS, this Board also adopted, on August 4, 2020, Resolution No. R-781-20 authorizing the County Mayor or designee to negotiate and execute interlocal grant agreements with each of the municipalities in the County, using a total of not-to-exceed \$100,000,000.00 in CARES Act funds, allocated as follows: (1) \$75,000,000.00 for reimbursement of FEMA local match eligible expenditures and any CARES Act eligible governmental operations expenditures that are not FEMA reimbursable, and (2) \$25,000,000.00 for municipal programmatic proposals subject to approval in advance by this Board; and

WHEREAS, following the allocation of not-to-exceed \$100 million in CARES Act funds to municipalities pursuant to Resolution No. R-781-20, approximately \$37 million in CARES Act remains unallocated for use in UMSA; and

WHEREAS, from these remaining CARES Act funds, this Board would like to allocate \$5,000,000.00 to the Micro-Business Revolving Loan Program established pursuant to Resolution No. R-779-20 and \$5,000,000.00 to the ERAP established pursuant to Resolution No. R-781-20,

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

Section 1. The foregoing recitals are adopted as if fully set forth herein.

Section 2. This Board allocates \$10,000,000.00 from funds made available through the 2020 Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”) for the unincorporated municipal service area, consisting of (1) \$5,000,000.00 in funds made available through the

CARES Act to the Micro-Business Revolving Loan Program established pursuant to Resolution No. R-779-20, and (2) \$5,000,000.00 in funds made available through the CARES Act to the Emergency Rental Assistance Program established pursuant to Resolution No. R-781-20, to provide financial assistance to micro-businesses and low and moderate income tenants in the unincorporated area that have been impacted by the COVID-19 pandemic.

Section 3. This Board directs the County Mayor or County Mayor’s designee to take all actions necessary, including, but not limited to, the execution of documents following approval of same by the County Attorney’s Office for legal form and sufficiency, to accomplish the purposes of this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Joe A. Martinez. 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. | Daniella Levine Cava |
| Jose “Pepe” Diaz | Sally A. Heyman |
| Eileen Higgins | Barbara J. Jordan |
| Joe A. Martinez | Jean Monestime |
| Dennis C. Moss | Sen. Javier D. Souto |
| Xavier L. Suarez | |

The Chairperson thereupon declared this resolution duly passed and adopted this 15th day of September, 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.

MSM

Michael J. Mastrucci