

MEMORANDUM

Agenda Item No. 5(A)

TO:	Honorable Chairman Jose "Pepe" Diaz and Members, Board of County Commissioners	DATE:	(Public Hearing 2-2-21) January 20, 2021
FROM:	Geri Bonzon-Keenan Successor County Attorney	SUBJECT:	Ordinance extending the sunset date of the Coronavirus 2019 (COVID-19) Economic Recovery Task Force created by Resolution No. R-325-20 as amended by Resolution Nos. R-450-20 and R-783-20; providing for membership composition, organization and procedures at meetings, report, and sunset provisions

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez and Co-Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
Successor County Attorney

GBK/smm




MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: February 2, 2021

FROM: 
Gen Bonzon-Keenan
Successor County Attorney

SUBJECT: Agenda Item No. 5(A)

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. 5(A)

2-2-21

ORDINANCE NO. _____

ORDINANCE EXTENDING THE SUNSET DATE OF THE CORONAVIRUS 2019 (COVID-19) ECONOMIC RECOVERY TASK FORCE CREATED BY RESOLUTION NO. R-325-20 AS AMENDED BY RESOLUTION NOS. R-450-20 AND R-783-20; PROVIDING FOR MEMBERSHIP COMPOSITION, ORGANIZATION AND PROCEDURES AT MEETINGS, REPORT, AND SUNSET PROVISIONS; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

WHEREAS, a new coronavirus, known as SARS-CoV-2, causes an infectious disease named coronavirus disease 2019 (COVID-19) that has spread rapidly since its initial identification in Wuhan, Hubei province, China; and

WHEREAS, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak a “public health emergency of international concern”; and

WHEREAS, on March 9, 2020, Governor DeSantis issued Executive Order No. 20-52, declaring a state of emergency in the state of Florida, designating the Director of the Division of Emergency Management as the State Coordinating Officer for the duration of the emergency, and delegating the State Coordinating Officer with the authority to exercise the powers delineated in §§ 252.36(5) – (10), Florida Statutes, as needed to meet the emergency; and

WHEREAS, on March 11, 2020, Mayor Carlos A. Gimenez declared a local state of emergency for Miami-Dade County invoking his authority to issue orders to protect the health, safety, and welfare of the community, including possibly imposing a curfew and closing certain businesses; and

WHEREAS, the public health emergency caused by COVID-19 has had an immediate and serious economic impact in Miami-Dade County, particularly on the hospitality and tourism sectors, and on small businesses; and

WHEREAS, this Board was concerned about the short-term and long-term economic impacts of the COVID-19 pandemic to businesses in Miami-Dade County; and

WHEREAS, this Board believed it would be beneficial to establish a forum for various entities and organizations with ties to the hospitality, tourism, and small business communities in Miami-Dade County to coordinate information and resources that will assist with an economic recovery in the aftermath of the COVID-19 pandemic; and

WHEREAS, on April 7, 2020, this Board adopted Resolution No. R-325-20 creating the Coronavirus 2019 (COVID-19) Economic Recovery Task Force (the “Task Force”), to advise this Board on issues related to an economic recovery in the County in the aftermath of COVID-19, including but not limited to (a) identifying resources, such as grants, loans, and other financial assistance, available to businesses in the County, (b) the establishment of public outreach and information programs, and (c) recommendations regarding possible Board actions that would aid with such economic recovery; and

WHEREAS, Resolution No. R-325-20 provides for the Task Force to sunset and stand dissolved on the 240th day from its initial meeting; and

WHEREAS, the Task Force is set to sunset and stand dissolved on January 28, 2021; and

WHEREAS, additional time is needed for the Task Force to review any relevant data, studies, assessments, reports, and evaluations relating to the economic impact of COVID-19 in the County and provide recommendations to this Board; and

WHEREAS, section 2-11.36.1 of the Code of Miami-Dade County, requires that County boards created to more than one year be created by ordinance; and

WHEREAS, this Board would like to extend the sunset period of the Task Force,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. The foregoing recitals are incorporated herein.

Section 2. *Creation.* The sunset date of the Coronavirus 2019 (COVID-19) Economic Recovery Task Force, created by Resolution No. R-325-20 as amended by Resolution Nos. R-450-20 and R-783-20, is hereby extended for 6 months as set forth in section 10.

Section 3. *Purpose, Powers, and Duties.* The Task Force is established solely for the purpose of advising this Board on issues related to an economic recovery in the County in the aftermath of COVID-19, including but not limited to: identifying resources, such as grants, loans, and other financial assistance, available to businesses in Miami-Dade County; the establishment of public outreach and information programs; and recommendations regarding possible Board actions that would aid with such economic recovery. As part of the duties, the Task Force shall review any relevant data, studies, assessments, reports, and evaluations relating to the economic impact of COVID-19 in Miami-Dade County and may hear additional presentations and comments from relevant stakeholders and members of the public. Consistent with the purposes outlined herein, the Task Force shall prepare a written report with information and recommendations to this Board, including, but not limited, to: information regarding available resources, for communicating such information to the public, and for possible Board actions that would aid with such economic recovery.

Section 4. *Limitations on Authority.* The Task Force is advisory only and shall not have the power or authority to commit the County or any of its agencies or instrumentalities to any policies, incur any financial obligations, or to create any liability, contractual or otherwise, on behalf of the County or any of its agencies or instrumentalities.

Section 5. *Membership Composition, Appointment, and Vacancies.* The Task Force shall consist of 23 members, which shall include one seat to be appointed by each County Commissioner, and one seat each to be appointed by the Miami Association of Realtors, the Greater Miami Chamber of Commerce, the Miami-Dade Chamber of Commerce, the Miami Beach Chamber of Commerce, the Miami-Dade Beacon Council, the Greater Miami Convention & Visitors Bureau, the Neighbors & Neighbors Association (“NANA”), the Miami-Dade County International Trade Consortium, and the Miami-Dade County Millennial Task Force. The NANA member shall be an individual who is familiar with the administration of the Mom and Pop Small Business Grant Program. Within 15 days of the lifting of the State of Local Emergency in Miami-Dade County, the County Mayor shall appoint an appropriate non-voting County employee to staff the Task Force and provide the Task Force with advice and assistance, such as an employee from the Small Business Development division of the Internal Services Department. Member appointments shall be made within 14 days of the effective date of this resolution. Members of the Task Force shall reflect the diversity of the community. Members of the Task Force should be, but are not required to be, themselves business owners or have a background in Economics, Business Administration, Tourism, Hospitality, or a similar field. In the event of a vacancy, each appointing commissioner or organization shall fill the applicable vacancy. In the event of a chairperson vacancy, the vice chairperson shall conduct the next meeting and the members of the

Task Force shall select a new chairperson at that meeting. In the event of a vice chairperson vacancy, the chairperson shall conduct the next meeting and the members of the Task Force shall select a new vice chairperson at that meeting.

Section 6. *Organization and procedures at meetings.* The Task Force may establish, adopt, and amend bylaws, rules, and regulations for its own governance. The Task Force shall elect, by majority vote, one of its members as chairperson and one of its members as vice-chairperson. The chairperson shall preside at all meetings at which he or she is present. The vice chairperson shall act as chairperson in the absence of the chairperson. In the event that neither the chairperson nor the vice-chairperson can preside at a meeting, the members present shall select a member from those present to preside over such meeting. To conduct any business or to exercise any power vested in the Task Force, a quorum consisting of a majority of those persons duly appointed shall be present. The members of the Task Force shall serve without compensation and shall not be eligible for reimbursement of expenses accrued in serving as a member of this Task Force, including travel expenses.

Section 7. *Government in the Sunshine, Ethics, and Other Regulations.* All proceedings of the Task Force shall be conducted in accordance with the Government in the Sunshine Law, section 286.011, Florida Statutes; and the Citizens Bill of Rights of the Miami-Dade County Home Rule Charter. The Task Force shall be deemed an “agency” for purposes of the Public Records Law. The Task Force shall be governed by all State and County conflict of interest laws, as applicable, including the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, section 2-11.1 of the Code of Miami-Dade County, as determined by the Miami-Dade County Commission on Ethics and Public Trust. The Task Force shall provide members of

the public a reasonable opportunity to be heard, consistent with section 286.0114, Florida Statutes. Accordingly, Rule 6.06 of the Miami-Dade Board of County Commissioners Rules of Procedures is incorporated by reference. The Task Force shall meet at least once every 30 days.

Section 8. *Report.* The Task Force shall provide a written report with recommendations to the Board within 30 days of the Task Force's initial meeting. The Task Force shall subsequently provide periodic reports to the Board every month for the following 120 days. The initial report and subsequent periodic reports shall address the matters described in section 3 above and placed on an agenda of the Board as required by Ordinance No. 14-65 for consideration by the Board. The Board may then request such further work of the Task Force as may be in the public interest.

Section 9. *Staff.* The County Mayor shall provide adequate staff and support services to the Task Force. The staff shall maintain and keep records of the Task Force, prepared in cooperation with the chairperson, including the agenda for each meeting. The staff shall be responsible for the preparation of such reports, minutes, documents, or correspondence as the Task Force may direct, and generally administer the business and affairs of the Task Force, subject to budgetary limitations. The County Attorney's Office shall provide legal counsel, as needed, to the Task Force.

Section 10. *Sunset.* The Coronavirus 2019 (COVID-19) Economic Recovery Task Force shall remain in existence until July 28, 2021.

Section 11. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 12. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall be excluded from the Code of Miami-Dade County, Florida.

Section 13. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:


dsh

Prepared by:

David Stephen Hope

Prime Sponsor: Commissioner Joe A. Martinez

Co-Sponsor: Commissioner Raquel A. Regalado