

MEMORANDUM

Substitute
Agenda Item No. 11(A)(4)

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

DATE: January 20, 2021

FROM: Geri Bonzon-Keenan
Successor County Attorney

SUBJECT: Resolution urging the Florida Legislature and Governor Ron DeSantis to prioritize coronavirus disease 2019 (COVID-19) vaccinations during Florida's next phase of vaccine administration for police officers, teachers and support staff members, and other frontline essential workers, as specified by the United States Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices, as well as for persons with medical conditions that increase the risk of severe COVID-19, as certified by a physician

This substitute differs from the original version in that it (1) additionally urges the Florida Legislature and Governor Ron DeSantis to also prioritize coronavirus disease 2019 (COVID-19) vaccinations during Florida's next phase of vaccine administration for persons with medical conditions that increase the risk of severe COVID-19, as certified by a physician; (2) adds a whereas clause that Executive Order Number 20-315 authorizes only hospital providers to make vaccine distribution determinations based on a person's vulnerability to COVID-19; and (3) adds whereas clauses acknowledging that certain persons with pre-existing medical conditions are at increased risk of developing severe COVID-19-related illness.

The accompanying resolution was prepared and placed on the agenda at the request of Co-Prime Sponsors Commissioner Danielle Cohen Higgins and Commissioner Rebeca Sosa, and Co-Sponsors Commissioner Sally A. Heyman, Commissioner Eileen Higgins, Commissioner Joe A. Martinez, Commissioner Kionne L. McGhee and Senator Javier D. Souto.



Geri Bonzon-Keenan
Successor County Attorney


GBK/jp



MEMORANDUM
(Revised)

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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 _____ Substitute
Veto _____ Agenda Item No. 11(A)(4)
Override _____ 1-20-21

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE AND GOVERNOR RON DESANTIS TO PRIORITIZE CORONAVIRUS DISEASE 2019 (COVID-19) VACCINATIONS DURING FLORIDA’S NEXT PHASE OF VACCINE ADMINISTRATION FOR POLICE OFFICERS, TEACHERS AND SUPPORT STAFF MEMBERS, AND OTHER FRONTLINE ESSENTIAL WORKERS, AS SPECIFIED BY THE UNITED STATES CENTERS FOR DISEASE CONTROL AND PREVENTION’S ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES, AS WELL AS FOR PERSONS WITH MEDICAL CONDITIONS THAT INCREASE THE RISK OF SEVERE COVID-19, AS CERTIFIED BY A PHYSICIAN

WHEREAS, coronavirus disease 2019 (“COVID-19”) is an infectious disease caused by severe acute respiratory syndrome coronavirus 2 (“SARS-CoV-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 1, 2020 Governor Ron DeSantis issued Executive Order No. 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 to take any action necessary to protect the public health, including following the guidelines established by the United States Centers for Disease Control and Prevention (“CDC”) to control the spread of COVID-19; and

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

WHEREAS, on March 11, 2020, the Mayor of Miami-Dade County 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, in March 2020, Florida's school districts began closing their facilities to in-person instruction and began delivering educational services through non-classroom-based methods, including virtual instruction; and

WHEREAS, on July 6, 2020, Florida Commissioner of Education Richard Corcoran issued Florida Department of Education Emergency Order 2020-EO-06, urging all school boards and charter school governing boards to provide in-person learning options by reopening brick and mortar schools at least five days per week for all students beginning in August 2020, subject to the advice and orders of the Florida Department of Health; and

WHEREAS, COVID-19 cases have continued to rise across Miami-Dade County and across much of Florida; and

WHEREAS, Miami-Dade County Public Schools is the fourth largest school district in the United States; and

WHEREAS, as more students return to classrooms for in-person education, it will be increasingly challenging to maintain social distancing; and

WHEREAS, the Miami-Dade Police Department is one of the largest police departments in the United States, and through its sworn officers, is integral to ensuring public order and safety; and

WHEREAS, as first responders, police officers routinely engage with the public in a variety of settings, including businesses, vehicles, and private residences; and

WHEREAS, in operating 72 fire-rescue stations serving unincorporated Miami-Dade County and 29 municipalities, the Miami-Dade Fire Rescue Department and its firefighters are routinely called upon to respond to a variety of emergencies, and in so doing, perform a fundamental service to the community; and

WHEREAS, it is also acknowledged that the Miami-Dade Fire Rescue Department's firefighter emergency medical technicians have received access to COVID-19 vaccines; and

WHEREAS, through operation of the County's detention facilities, the Miami-Dade Corrections and Rehabilitation Department and its corrections officers perform an essential function; and

WHEREAS, the Miami-Dade Transportation and Public Works Department and its transit employees provide countywide mass transit services to the public that are essential to the functioning of society; and

WHEREAS, child care workers, food and agricultural workers, manufacturing workers, United States Postal Service workers, and grocery store workers also serve in sectors essential to the functioning of society and perform in close proximity to the public or to co-workers; and

>>WHEREAS, persons with certain pre-existing health conditions are at increased risk of developing severe COVID-19-related illness, potentially resulting in hospitalization or death;
and<<¹

¹ The differences between the substitute and the original item are indicated as follows: Words stricken through and/or [[double bracketed]] shall be deleted, words underscored and/or >>double-arrowed<< are added.

WHEREAS, on May 15, 2020, President Donald J. Trump’s administration announced the creation of the Operation Warp Speed program, a public-private partnership to facilitate the development, manufacturing and distribution of COVID-19 countermeasures, including vaccination; and

WHEREAS, on December 11, 2020, the United States Food and Drug Administration (“FDA”) issued an Emergency Use Authorization for the Pfizer-BioNTech COVID-19 Vaccine for individuals 16 years of age and older; and

WHEREAS, on December 18, 2020, the FDA issued an Emergency Use Authorization for the Moderna COVID-19 Vaccine for individuals 18 years of age and older; and

WHEREAS, COVID-19 vaccines will be a critical resource to prevent further spread of the virus and allow Floridians to return to the normal pace of life; and

WHEREAS, although additional vaccines are in development and are expected to be released in the future, only a limited number of doses of COVID-19 vaccines are presently available for distribution to the public; and

WHEREAS, the United States government, through Operation Warp Speed, has allocated the initial doses of COVID-19 vaccines to states, including Florida; and

WHEREAS, states have discretion to determine their own vaccine distribution plans, including the priority of vaccine recipients; and

WHEREAS, on December 1, 2020, the CDC’s Advisory Committee on Immunization Practices recommended that health care personnel and long-term care facility residents be offered COVID-19 vaccination first; and

WHEREAS, on December 20, 2020, the CDC's Advisory Committee on Immunization Practices recommended that the next phase of COVID-19 vaccinations should be offered to persons aged 75 years and older, as well as to frontline essential workers, including first responders (e.g. firefighters and police officers), corrections officers, food and agricultural workers, United States Postal Service workers, manufacturing workers, grocery store workers, public transit workers, and those who work in the education sector (teachers and support staff members) as well as child care workers; and

WHEREAS, the CDC defines frontline essential workers as the subset of essential workers likely at highest risk for work-related exposure to SARS-CoV-2, the virus that causes COVID-19, because their work-related duties must be performed on-site and involve being in close proximity (<6 feet) to the public or to co-workers; and

WHEREAS, the recommendations of the CDC's Advisory Committee on Immunization Practices are advisory; and

WHEREAS, on December 23, 2020, Governor DeSantis issued Executive Order 20-315, directing that during the first phase of vaccine administration in Florida, providers administer COVID-19 vaccines only to long-term care residents and staff, health care personnel with direct patient contact, persons 65 years of age and older, and persons deemed by hospital providers to be extremely vulnerable to COVID-19; and

WHEREAS, this Board acknowledges the importance of health care personnel, persons 65 years of age and older, long-term care residents, and those extremely vulnerable to COVID-19 having access to critically needed COVID-19 vaccines; and

>>WHEREAS, Executive Order 20-315 authorizes only hospital providers to make vaccine distribution determinations based on a person's vulnerability to COVID-19; and<<

WHEREAS, this Board desires that County police officers, as a vital resource, continue to be able to fulfill their mission of protecting and serving the community; and

WHEREAS, this Board believes it is in the best interest of Miami-Dade County to support the stabilization of student learning in our communities; and

WHEREAS, to maintain high-quality education programs, Miami-Dade County's schools must be able to maintain instructional continuity without regular disruptions necessitated by the frequent quarantining of teachers; and

WHEREAS, this Board recognizes the need for firefighters, transit workers, corrections officers, and other frontline essential workers to continue to perform their duties across critical infrastructure sectors and maintain the services and functions that the public depend on daily; and

>>WHEREAS, this Board recognizes the importance of reducing COVID-19 infection in persons at higher risk of COVID-19-associated hospitalization and death due to their existing medical conditions; and<<

WHEREAS, this Board urges the Florida Legislature and Governor Ron DeSantis, in light of the current limited supply of vaccines, to prioritize COVID-19 vaccinations during the next phase of vaccine administration for police officers, teachers and support staff members, and other frontline essential workers, as specified by the CDC's Advisory Committee on Immunization Practices, to include firefighters, corrections officers, public transit workers, child care workers, food and agricultural workers, manufacturing workers, United States Postal Service workers, and grocery store workers>>, as well as for persons at risk of severe COVID-19 due to an underlying medical condition as certified by a physician<<,

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

Section 1. Urges the Florida Legislature and Governor Ron DeSantis to prioritize coronavirus disease 2019 (“COVID-19”) vaccinations during Florida’s next phase of vaccine administration for police officers, teachers and support staff members, and other frontline essential workers, as specified by the United States Centers for Disease Control and Prevention’s Advisory Committee on Immunization Practices, to include firefighters, corrections officers, public transit workers, child care workers, food and agricultural workers, manufacturing workers, United States Postal Service workers, and grocery store workers~~[[.]]>>~~, as well as for persons with medical conditions that increase the risk of severe COVID-19, as certified by a physician.<<

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade Legislative Delegation, the Florida Surgeon General, the Director of the Division of Emergency Management, the Chair and Members of the School Board of Miami-Dade County and the Superintendent of Miami-Dade County Public Schools.

Section 3. Directs the County’s lobbyist to advocate for the legislative action set forth in section 1 above and authorizes and directs the Office of Intergovernmental Affairs to amend the 2021 State Legislative Package to include this item.

The Co-Prime Sponsors of the foregoing resolution are Commissioner Danielle Cohen Higgins and Commissioner Rebeca Sosa, and the Co-Sponsors are Commissioner Sally A. Heyman, Commissioner Eileen Higgins, Commissioner Joe A. Martinez, Commissioner Kionne L. McGhee and Senator Javier D. Souto. 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:

Jose "Pepe" Diaz, Chairman	
Oliver G. Gilbert, III, Vice-Chairman	
Sen. René García	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared this resolution duly passed and adopted this 20th day of January, 2021. 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.

KMM

Kevin Marker