

Memorandum



Date: February 17, 2021

Agenda Item No. 12(A)(1)

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

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

Subject: Ratification of Emergency Orders Issued in Response to COVID-19 Pandemic

Pursuant to Section 8B-7 of the Miami-Dade County Code, the orders that I sign during the State of Local Emergency require ratification by the Board of County Commissioners. By way of this memorandum, I respectfully request that you ratify the following two emergency orders:

- Amendment No. 4 to Emergency Order 27-20, which I signed on December 18, 2020, was amended to state that the Miami-Dade County curfew shall not be in effect from 11:59 p.m., December 24, through 1 a.m. December 25, and from 11:59 p.m., December 31, through 1 a.m. January 1, 2021.
- Emergency Order 32-20, which I signed on January 22, 2021, to create reporting requirements for hospital systems, other entities and municipalities as it relates to COVID vaccinations. The order also stipulates that hospital systems and other entities dispensing vaccines should not provide vaccination appointments unless the hospital system or entity has received vaccine doses and has a reasonably accurate forecast of the number of persons who can be vaccinated with such supply.

In the spirit of collaboration and in compliance with the 24-hour noticing requirements of Ordinance No. 20-86, these orders were shared with you via email and posted on the miamidade.gov/coronavirus website. These orders are attached for your convenient reference, and I am happy to answer any questions you may have about them.

Attachment




MEMORANDUM

(Revised)

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

DATE: February 17, 2021

FROM: 
Gen Bonzon-Keenan
Successor County Attorney

SUBJECT: Agenda Item No. 12(A)(1)

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. 12(A)(1)
2-17-21

RESOLUTION NO. _____

RESOLUTION RATIFYING CORONAVIRUS/COVID-19
STATE OF EMERGENCY ORDERS AND AMENDMENTS
THERETO ENACTED BY THE MIAMI-DADE COUNTY
MAYOR

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board ratifies the following Coronavirus/COVID-19 Emergency Orders and amendments thereto enacted by the Miami-Dade County Mayor: 27-20 and 32-20.

The foregoing resolution 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 17th day of February, 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.

Lauren E. Morse

David M. Murray





AMENDMENT NO. 4 TO MIAMI-DADE COUNTY EMERGENCY ORDER 27-20

WHEREAS, section 252.38(3)(a), Florida Statutes, gives authority to political subdivisions to declare and enact a State of Local Emergency for a period of up to seven days, thereby waiving the procedures and formalities otherwise required of the political subdivision by law; and

WHEREAS, on March 1, 2020, the Governor of Florida issued Executive Order No. 20-51, directing the State Health Officer and Surgeon General to declare a Public Health Emergency due to the discovery of coronavirus disease 2019 (COVID-19) in Florida; and

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

WHEREAS, on March 12, 2020, the County Mayor declared a Local State of Emergency for all of Miami-Dade County related to COVID-19; and

WHEREAS, subsections (e) and (o) of section 8B-7(2) of the Code of Miami-Dade County, Florida, authorize the County Mayor to issue a curfew and to limit the movement of persons inside Miami-Dade County at essential establishments in order to safeguard life and health; and

WHEREAS, as COVID-19 cases rose throughout the summer, testing data and contact tracing indicated that young people were a key driver of infections in the County and were often the ones who introduced COVID-19 into a household; and

WHEREAS, young adults congregating indoors at restaurants, clubs, and at-home parties often become lax in observing social distancing and mask usage, especially if inebriated, making such parties among young people a unique driver of the spread of COVID-19; and

WHEREAS, drinking and eating are often used as an excuse to sidestep mask requirements, and prolonged periods indoors while unmasked raises the risk of exposure to COVID-19;

WHEREAS, these parties typically occur late at night; and

WHEREAS, the purpose of the curfew is to discourage individuals from hosting or attending parties and party-like large indoor gatherings late at night where the lack of mask usage, social distancing, and proper hygiene raise the risk of COVID-19 exposure; and

WHEREAS, the minimally necessary exceptions to the curfew pose less risk for the spread of COVID-19 because essential business activity occurring during the curfew period is characterized

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by the majority of people performing life-sustaining tasks, do not typically involve individuals becoming inebriated; and

WHEREAS, the impact of persons partying late at night is felt elsewhere in the community, as young adults transmit infections picked up at such parties to their children, parents, and grandparents; and

WHEREAS, on December 24 and New Year's Eve, while people remain out after midnight, many of these people are in small gatherings of ten or less with family or close friends, and are not attending large indoor parties with numerous persons from outside their household; and

WHEREAS, persons attending small gatherings with friends and family are more likely to observe social distancing, are more likely to congregate outside, and are less likely to be inebriated than are young adults congregating indoors at bars, clubs, and restaurants; and

WHEREAS, such activity, occurring for an extra hour on two nights, creates less cumulative risk of transmission than does allowing unfettered late night indoor gatherings night after night; and

WHEREAS, the County continues to urge residents to avoid large indoor gatherings, to seek to limit gatherings to ten people or less, and to avoid congregating with those who are most at risk if infected with COVID-19, including the elderly and persons with underlying medical conditions; and

WHEREAS, the Code of Miami-Dade County grants the Mayor the authority to impose a curfew while there is a Declaration of a Local State of Emergency in effect; and

WHEREAS, this amendment, solely for December 24 and New Year's Eve, sets the time the curfew begins to 1:00 a.m. rather than 12:00 a.m.; and

WHEREAS, a curfew remains necessary to safeguard life and health, as indoor parties and gatherings late at night have the potential to spread COVID-19; and

THEREFORE, as County Mayor of Miami-Dade County, I hereby order:

A. Emergency Order 27-20 is hereby amended and restated as follows:

1. Commencing on September 14, 2020, a curfew is hereby imposed for all of Miami-Dade County, including incorporated and unincorporated areas, effective from 12:00 a.m. each night through 6:00 a.m. the next morning, until cancelled or revised. During the period of such curfew, no person shall make use of any street or sidewalk for any purpose, except police, fire rescue, first responder, medical, health care, media, and utility repair service personnel. In addition, the curfew shall not apply to persons:

- a. Working at essential establishments listed in attached exhibit A;
- b. Returning directly to their homes from work at essential establishments or going directly to work at essential establishments from their homes;
- c. Making deliveries from essential establishments;

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- d. Walking their dogs within 250 feet of their residences; and
- e. Traveling to and from any sporting event sponsored by the NCAA, Major League Baseball, or the National Football League, or any other national professional sports league or organization.
- f. Traveling to or from any religious service.

2. The curfew shall be extended from 12:00 a.m. to 1:00 a.m. on December 24 and December 31, 2020.

3. The provisions of this order shall serve as minimum standards. Municipalities may impose more stringent standards within their jurisdiction.

4. This order does not affect or limit the operations of Miami-Dade County, any public utility, any municipality, the Miami-Dade County School District, or any State or Federal office or facility, except that such entities shall abide by the restrictions of any County, Municipal, State or Federal emergency order, as applicable.

B. All other provisions of Emergency Order 27-20, as amended, shall remain in full force and effect.

C. This order shall be provided to all appropriate media consistent with the requirements of section 8B-7(2)(n) of the Code of Miami-Dade County.

Enacted:

Signed: Danielle Lerner Carr
COUNTY MAYOR

Date: 12/18/20 Time: 3:30 PM

Witness: Jeannette Varquez (Jeannette Varquez)

Cancelled:

Signed: _____
COUNTY MAYOR

Date: _____ Time: ____:____

Witness: _____

Miami-Dade County Declaration of Local State of Emergency

EXHIBIT A

Essential establishments are:

- a. Healthcare providers, including, but not limited to, hospitals, doctors' and dentists' offices, urgent care centers, clinics, rehabilitation facilities, physical therapists, mental health professionals, psychiatrists, therapists, and pharmacies;
- b. Grocery stores, farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This authorization includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operations of residences;
- c. Food cultivation, including farming, livestock, and fishing;
- d. Businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- e. Newspapers, television, radio, and other media services;
- f. Gas stations; new and used automobile dealerships; and auto-supply, auto-repair, and related facilities;
- g. Banks and related financial institutions;
- h. Hardware stores;
- i. Contractors and other tradesmen, appliance repair personnel, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and other structures;
- j. Businesses providing mailing and shipping services, including post office boxes;
- k. Private colleges, trade schools, and technical colleges, but only as needed to facilitate online or distance learning, and university, college, or technical college residence halls;
- l. Laundromats, dry cleaners, and laundry service providers;
- m. Restaurants and other facilities that prepare and serve food.
- n. Businesses that supply office products needed for people to work from home;

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- o. Businesses that supply other essential businesses with the support or supplies necessary to operate, and which do not interact with the general public;
- p. Businesses that ship or deliver groceries, food, goods, or services directly to residences;
- q. Airlines, taxis, and other private transportation providers providing transportation services via automobile, truck, bus, or train;
- r. Home-based care for seniors, adults, or children;
- s. Assisted living facilities, nursing homes, and adult day care centers, and senior residential facilities;
- t. Professional services, such as legal or accounting services;
- u. Landscape and pool care businesses, including residential landscape and pool care services;
- v. Childcare facilities providing services that enable essential establishment employees to work as permitted.
- w. Businesses operating at any airport, seaport, or other government facility, including parks and government offices;
- x. Pet supply stores;
- y. Logistics providers, including warehouses, trucking, consolidators, fumigators, and handlers;
- z. Telecommunications providers, including sales of computer or telecommunications devices and the provision of home telecommunications;
- aa. Provision of propane or natural gas;
- bb. Office space and administrative support necessary to perform any of the above-listed activities;
- cc. Open construction sites, irrespective of the type of building;
- dd. Architectural, engineering, or land surveying services;
- ee. Factories, manufacturing facilities, bottling plants, or other industrial uses;
- ff. Waste management services, including collection and disposal of waste;

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- gg. Any business that is interacting with customers solely through electronic or telephonic means, and delivering products via mailing, shipping, or delivery services;
- hh. Marinas and boat launches, docking, fueling, marine supply and other marina services;
- ii. Hotels, motels, other commercial lodging establishments and temporary vacation rentals;
- jj. Veterinarians and pet boarding facilities;
- kk. Mortuaries, funeral homes, and cemeteries;
- ll. Stores selling alcoholic beverages;
- mm. Firearm and ammunition supply stores; and
- nn. Businesses providing services to any local, state, or Federal government, including municipalities, pursuant to a contract with such government.
- oo. Persons working at any stadium or other venue, in any capacity, which is hosting games sponsored by the NCAA, Major League Baseball, the National Football League, or any other national professional sports league or organization.
- pp. Persons providing religious services, in any capacity.



MIAMI-DADE COUNTY EMERGENCY ORDER 32-20

WHEREAS, section 252.38(3)(a), Florida Statutes, gives a political subdivision the authority to declare and enact a State of Local Emergency for a period of up to seven days, thereby waiving the procedures and formalities otherwise required of the political subdivision by law; and

WHEREAS, on March 1, 2020, the Governor of Florida issued Executive Order Number 20-51, directing the State Health Officer and Surgeon General to declare a Public Health Emergency due to the discovery of the coronavirus disease 2019 (COVID-19) in Florida; and

WHEREAS, on March 9, 2020, the Governor issued Executive Order Number 20-52, declaring a State of Emergency for the State of Florida related to COVID-19; and

WHEREAS, on March 12, 2020, the County Mayor declared a State of Local Emergency for all of Miami-Dade County; and

WHEREAS, COVID-19 poses a health risk to Miami-Dade County residents, particularly elderly residents and those who are immunosuppressed or otherwise have high-risk medical conditions; and

WHEREAS, effective vaccines against COVID-19 are now available; and

WHEREAS, the United States Centers for Disease Control and Prevention (CDC) has authority to regulate the distribution of vaccines; and

WHEREAS, as a condition of the CDC's COVID-19 Vaccination Program, entities seeking to administer vaccines must adhere to state guidelines, the requirements of the CDC COVID-19 Vaccination Program, an agreement with the CDC, and other applicable federal and state requirements; and

WHEREAS, pursuant to the CDC's requirements, vaccine providers must administer COVID-19 vaccines in accordance with prioritization groups determined by the governor and the state health department; and

WHEREAS, Governor DeSantis issued Executive Order Number 20-315, which provides that long-term care facility residents and staff, persons 65 years of age and older, healthcare personnel with direct patient contact and persons deemed by hospital providers to be extremely vulnerable to COVID-19 are eligible to receive the vaccine; and

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WHEREAS, residents need information as to Points of Dispensing (POD); and

WHEREAS, the County needs timely and accurate information as to the progress of COVID vaccination efforts in order to ensure that County medical and logistic resources are properly and equitably allocated and to ensure its efforts to combat the virus are effective,

THEREFORE, as County Mayor of Miami-Dade County, I hereby order:

1. Each hospital system shall report to vaccinereporting@miamidade.gov by 10:00 a.m. each day, the following information to the County: (1) total vaccine doses on hand for the preceding day, and for such vaccine doses received, the source of the vaccine doses and the manufacturer of the vaccine; (2) the sites at which vaccines were administered during the preceding day, and the nature of such site (i.e., walk up, closed POD, open POD, etc.); (3) total vaccine doses administered at each site during the preceding day; (4) the number of vaccination appointments made during the preceding day by the hospital; (5) the number of vaccination appointments still available; (6) the number of vaccine doses destroyed or disposed during the preceding day. Data shall be submitted using the template attached as Exhibit 1.
2. Each hospital system shall report to vaccinereporting@miamidade.gov by 10:00 a.m. each Monday morning on a weekly basis: 1) the age, gender and racial breakdown of the individuals vaccinated, if such information is tracked by the vaccinating hospital system and 2) the zip code of the residence for each individual vaccinated during the preceding week,. If a person does not provide a Miami-Dade County zip code, the reporting shall indicate "no County zip code provided." Data shall be submitted using the template attached as Exhibit 1.
3. Each hospital system shall report to vaccineupdate@miamidade.gov each time it prepares appointments for vaccinations, and least three hours before scheduling appointments, the following information: 1) the number of appointments the hospital system will be accepting or providing; 2) the type of vaccine to be offered; 3) eligibility criteria for the appointments; 4) the date vaccines will be administered; 5) the location where the vaccines will be administered; and 5) how appointments will be accepted. The hospital system shall notify the County as soon as reasonably possible of any changes in any information previously provided to the County. Information shall be submitted using the template attached as Exhibit 2.
4. Each municipality within Miami-Dade County that receives vaccines from the federal or state government shall provide the County the reporting required in section 1-3, in the same manner as required of hospital system. Additionally, all municipalities shall provide to the County, prior to opening a municipal site: (1) the location of such municipal vaccination site; (2) contact information for such site, to include a phone number or web-link for appointments, if appointments are accepted; (3) the operator of the site, if one is contracted; and (4) the nature of the site (walk up, closed POD, open POD, etc.).

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5. Any other entity dispensing vaccines shall provide the County the reporting required in section 1-3 in the same manner as required of hospital systems, but only for such entity's vaccine distribution sites in Miami-Dade County.
6. Each hospital system shall be responsible for providing information pursuant to section 1-3 with respect to its physical campus or any vaccination site administered by that hospital system. Each municipality shall be responsible for providing information pursuant to section 1-3 with respect to a vaccination site on property owned by such municipality or at any permanent or temporary site operated on behalf of such municipality. No hospital system, municipality, or other entity shall transmit any individually identifiable patient health information which may not be disclosed pursuant to federal or state law. If a hospital system, municipality, or other entity believes that all or some of this information is a trade secret, as defined in Florida Statutes, the hospital, municipality, or other entity shall expressly indicate this when it transmits this information.
7. Hospital systems and other entities dispensing vaccines should not provide vaccination appointments unless the hospital system or entity has received vaccine doses and has a reasonably accurate forecast of the number of persons who can be vaccinated with such supply.
8. This order shall be effective as of 11:00 a.m., Saturday, January 23, 2021.
9. This order shall expire upon the expiration of the existing Miami-Dade County State of Local Emergency, provided however that if the State of Local Emergency is extended, this order shall also be deemed to extend for the duration of such extension. This order may be cancelled earlier by action of the County Mayor.
10. This order shall be provided to all appropriate media consistent with the requirements of section 8B-7(2)(n) of the Code of Miami-Dade County.

Enacted:

Signed: _____

Danielle Lennie Carr

COUNTY MAYOR

Date: 1/22/21

Time: 9:57 AM

Witness: _____

Johanna Cune

Cancelled:

Signed: _____

COUNTY MAYOR

Date: _____

Time: ____:____

Witness: _____