

MEMORANDUM

Agenda Item No. 11(A)(7)

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

DATE: February 17, 2021

FROM: Geri Bonzon-Keenan
Successor County Attorney

SUBJECT: Resolution directing
County Mayor to negotiate a
\$100,000.00 grant agreement
with the Eleventh Judicial Circuit
of Florida to create a web based
portal for landlords and tenants
to access court information and
mediation services during
eviction proceedings; directing
the County Mayor to identify
\$100,000.00 in legally available
funds from the Coronavirus Aid,
Relief, and Economic Security
Act ("CARES Act"), the Marlins
Settlement or the Fiscal Year
2020-2021 County Budget to
provide such grant; and directing
County Mayor to bring such
grant agreement to the Board
for approval

The accompanying resolution was prepared and placed on the agenda at the request of Prime 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 17, 2021

FROM: 
Gen Bonzon-Keenan
Successor County Attorney

SUBJECT: Agenda Item No. 11(A)(7)

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)(7)
2-17-21

RESOLUTION NO. _____

RESOLUTION DIRECTING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NEGOTIATE A \$100,000.00 GRANT AGREEMENT WITH THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA TO CREATE A WEB BASED PORTAL FOR LANDLORDS AND TENANTS TO ACCESS COURT INFORMATION AND MEDIATION SERVICES DURING EVICTION PROCEEDINGS; DIRECTING THE COUNTY MAYOR TO IDENTIFY \$100,000.00 IN LEGALLY AVAILABLE FUNDS FROM THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT ("CARES ACT"), THE MARLINS SETTLEMENT OR THE FISCAL YEAR 2020-2021 COUNTY BUDGET TO PROVIDE SUCH GRANT; AND DIRECTING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO BRING SUCH GRANT AGREEMENT TO THE BOARD FOR APPROVAL

WHEREAS, as a result of the coronavirus disease 2019 (COVID-19) pandemic, many tenants in Miami-Dade County who have lost their income due to layoffs or furloughs, face the possibility that their inability to timely pay their rent and any late fees could result in economic hardship for such tenants and possible eviction; and

WHEREAS, federal, state and local governments have taken steps to minimize the impact of the COVID-19 crisis on tenants, including placing limited moratoriums on evictions, requiring holds on shutting off of utilities due to nonpayment, and prohibiting rental late fees; and

WHEREAS, despite these temporary protections, rent, utility costs and possible late fees could continue to accrue during the relief period to be payable at the end of the moratoriums; and

WHEREAS, as these temporary protections for tenants expire it is likely that, in light of the economic impact of COVID-19, there will be a wave of eviction proceedings in Miami-Dade County, with their associated costs, judgments, and lingering stigma; and

WHEREAS, the Office of the State Court Administrator estimates that in 2021 there will be 75,000 eviction cases filed in the State of Florida; and

WHEREAS, the judicial process for evictions can be expensive and burdensome for both landlords and tenants resulting in self-represented litigants often spending hours in line seeking the most basic guidance and legal assistance; and

WHEREAS, the Eleventh Judicial Circuit of Florida, in and for Miami-Dade County, desires to implement a web-based platform tool that will assist both landlords and tenants in County court residential eviction cases with accessing the appropriate legal remedies remotely and provide for an online dispute resolution process using court mediators; and

WHEREAS, this web-based platform called the Court Housing Eviction Landlord/Tenant Portal (Court HELP) will assist the Court in providing much needed assistance to landlords and tenants while decreasing foot traffic at the courthouses and permitting the parties to participate in scheduled mediation remotely, thereby reducing lost wages as a result of travel and providing flexibility for scheduling mediations; and

WHEREAS, the Eleventh Judicial Circuit of Florida is seeking grant funding in the amount of \$100,000.00 to build the Court HELP program to facilitate landlords and tenants in seeking government assistance before completing the eviction process; and

WHEREAS, providing such grant funds to the Eleventh Judicial Circuit of Florida will provide both landlords and tenants much needed relief in anticipation of the upcoming eviction crisis; and

WHEREAS, the Eleventh Judicial Circuit of Florida does not have adequate funding available to establish and implement the Court HELP program and judicial grants for this purpose have been temporarily suspended as a result of the COVID-19 pandemic; and

WHEREAS, this Board desires to provide the needed grant funds to the Eleventh Judicial Circuit of Florida for this purpose from either available Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”) funding, funds from any settlement agreement between the County, the City of Miami, Miami Marlins LP, and Marlins Teamco, LLC pertaining to the non-relocation agreement’s equity payments (“Marlins Settlement”), or other available County funds,

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

Section 1. The County Mayor or County Mayor’s designee is directed to negotiate a grant agreement with the Eleventh Judicial Circuit of Florida to provide \$100,000.00 to fund the creation of the Court HELP program to assist landlords and tenants in the eviction process.

Section 2. The County Mayor or County Mayor’s designee is further directed to identify \$100,000.00 in legally available funds from available CARES Act funds; Marlins Settlement funds; or the Fiscal Year 2020-2021 County Budget to fund the grant described in section 1.

Section 3. The County Mayor or County Mayor’s designee is directed to bring the fully negotiated grant agreement to the Board of County Commissioners for approval within 30 days of the effective date of the resolution and identify the proposed funding source when presenting the negotiated grant agreement to the Board for approval.

The Prime Sponsor of the foregoing resolution is Commissioner Raquel A. Regalado. 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

Sally A. Heyman

Eileen Higgins

Kionne L. McGhee

Raquel A. Regalado

Sen. Javier D. Souto

Keon Hardemon

Danielle Cohen Higgins

Joe A. Martinez

Jean Monestime

Rebeca Sosa

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.



Oren Rosenthal