

# MEMORANDUM

Agenda Item No. 5(B)

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

**DATE:** (Public Hearing: 10-5-21)  
September 1, 2021

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Ordinance relating to for-hire taxicab vehicles; approving deferral of payment and collection of taxicab license renewal fees for fiscal year 2020-21; directing the County Mayor to identify legally available funds from within the fiscal year 2020-21 County Budget including, to the extent available, from any Coronavirus Aid, Relief, and Economic Security Act or American Rescue Plan funds allocated to the County to fund any revenue loss from waiver of taxicab license renewal fees for fiscal year 2020-21 and include such funds and the appropriation and allocation of same in the end of year budget amendment for fiscal year 2020-21 along with a waiver of taxicab license renewal fees, or alternatively, provide a report

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The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez, and Co-Sponsors Commissioner Sally A. Heyman, Commissioner Jean Monestime and Commissioner Rebeca Sosa.



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Geri Bonzon-Keenan  
County Attorney

GBK/smm



**MEMORANDUM**  
(Revised)

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

**DATE:** October 5, 2021

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No. 5(B)

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(B)  
10-5-21

ORDINANCE NO. \_\_\_\_\_

ORDINANCE RELATING TO FOR-HIRE TAXICAB VEHICLES; APPROVING DEFERRAL OF PAYMENT AND COLLECTION OF TAXICAB LICENSE RENEWAL FEES FOR FISCAL YEAR 2020-21; DIRECTING THE COUNTY MAYOR TO IDENTIFY LEGALLY AVAILABLE FUNDS FROM WITHIN THE FISCAL YEAR 2020-21 COUNTY BUDGET INCLUDING, TO THE EXTENT AVAILABLE, FROM ANY CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT OR AMERICAN RESCUE PLAN FUNDS ALLOCATED TO THE COUNTY TO FUND ANY REVENUE LOSS FROM WAIVER OF TAXICAB LICENSE RENEWAL FEES FOR FISCAL YEAR 2020-21 AND INCLUDE SUCH FUNDS AND THE APPROPRIATION AND ALLOCATION OF SAME IN THE END OF YEAR BUDGET AMENDMENT FOR FISCAL YEAR 2020-21 ALONG WITH A WAIVER OF TAXICAB LICENSE RENEWAL FEES, OR ALTERNATIVELY, PROVIDE A REPORT; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND EFFECTIVE DATES

**WHEREAS**, on March 12, 2020, following the emergence of the coronavirus disease of 2019 (“COVID-19”), a local state of emergency was declared for Miami-Dade County (“COVID-19 local state of emergency”); and

**WHEREAS**, the COVID-19 local state of emergency has since been extended every seven days pursuant to section 252.38(3)(a), Florida Statutes and Chapter 8B-6 of the Code of Miami-Dade County, Florida, and continues to be in effect; and

**WHEREAS**, to help curb the spread of COVID-19, many state and local governments throughout the country ordered non-essential businesses to close and strongly urged residents to be safer at home; and

**WHEREAS**, the combination of those restrictions and the general public's adherence to the Centers for Disease Control and Prevention's guidelines on social distancing resulted in a reduction in general economic activity, including passenger travel to and from Miami International Airport and Port Miami, on which the taxicab industry relies heavily; and

**WHEREAS**, on July 27, 2020, this Board adopted Resolution No. R-773-20, which, among other things, directed the County Mayor or County Mayor's designee to develop and implement an emergency fund or grant for taxicab, jitney and for-hire limousine drivers using \$10,000,000.00 in funds made available through the 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to alleviate financial hardships caused by COVID-19; and

**WHEREAS**, for varying reasons, many taxicab license holders did not, or were unable to, avail themselves of this benefit; and

**WHEREAS**, while many economic activities have now resumed, the taxicab industry continues to be negatively impacted by the effects of the COVID-19 pandemic; and

**WHEREAS**, to provide further assistance to the taxicab industry, the Board wishes to waive taxicab license renewal fees due and paid or collectable for fiscal year 2020-21; and

**WHEREAS**, in order to ultimately waive the taxicab license renewal fees due and paid or collectable for fiscal year 2020-21, this Board desires to initially defer the collection and payment of taxicab license renewal fees due and paid or collectable for fiscal year 2020-21 in order to direct the County Mayor or County Mayor's designee to identify legally available funds from within the fiscal year 2020-21 County Budget, including but not limited to from the CARES Act, or American Rescue Plan funds allocated to the County to make up any loss of revenue that may result from a waiver of such fees and to then appropriate and allocate same in the end of year budget amendment for fiscal year 2020-21 along with a waiver of such fees,

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

**Section 1.** Notwithstanding the requirements of section 31-82(h) of the Code, payment of all taxicab license renewal fees due and collectable for fiscal year 2020-21 are hereby deferred until the earlier of: (a) March 1, 2022, or (b) the issuance of any report pursuant to section 2 of this ordinance.

**Section 2.** The Board directs the County Mayor to identify and allocate legally available funds from within the fiscal year 2020-21 County Budget, including but not limited to from the Coronavirus Aid, Relief, and Economic Security Act or American Rescue Plan funds allocated to the County to make up any loss of revenue that may result from a waiver of taxicab license renewal fees due and paid or collectable for fiscal year 2020-21. The Board further directs the County Mayor or Mayor's designee to: (a) include such funds and the appropriation and allocation of same in the end of year budget amendment for fiscal year 2020-21 when submitted to this Board for approval; and (b) include a waiver of taxicab renewals fees due and paid or collectable for fiscal year 2020-21 in said end of year budget amendment. Alternatively, this Board directs the County Mayor or Mayor's designee to provide a written report to this Board within 30 days of the effective date of this ordinance setting forth any reasons why funds have not been identified or cannot be used or allocated for the purposes set forth in this ordinance.

**Section 3.** 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 4.** 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 5.** 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:

GBK  
D.P.C

Prepared by:

Dale P. Clarke

Prime Sponsor: Commissioner Joe A. Martinez  
Co-Sponsors: Commissioner Sally A. Heyman  
Commissioner Jean Monestime  
Commissioner Rebeca Sosa