

## MEMORANDUM

Agenda Item No. 11(A)(7)

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**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** May 5, 2020

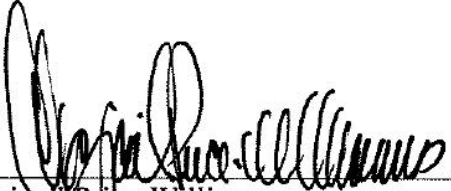
**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution directing the County  
Mayor to provide updates or  
briefings to the Board of County  
Commissioners during certain  
declared states of emergency,  
such as the coronavirus disease  
2019 (COVID-19) pandemic

Resolution No. R-420-20

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairwoman Audrey M. Edmonson and Co-Sponsor Vice Chairwoman Rebeca Sosa.



Abigail Price-Williams  
County Attorney

APW/smm



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

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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)  
5-5-20

RESOLUTION NO. \_\_\_\_\_ R-420-20

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO PROVIDE UPDATES OR BRIEFINGS TO THE BOARD OF COUNTY COMMISSIONERS DURING CERTAIN DECLARED STATES OF EMERGENCY, SUCH AS THE CORONAVIRUS DISEASE 2019 (COVID-19) PANDEMIC

**WHEREAS**, in chapter 8B of the County Code, the Board of County Commissioners has certain designated powers available to it to respond to an emergency or disaster; and

**WHEREAS**, in chapter 8B of the County Code, the Board has also delegated authority to the County Mayor to respond to an emergency or disaster; and

**WHEREAS**, section 2.02(A) of the Home Rule Charter provides, “[t]he Mayor shall serve as the head of the County for emergency management purposes”; and

**WHEREAS**, a central component of the Mayor’s emergency-management powers is the power to declare a local state of emergency and to issue further emergency orders regarding the conduct of public and private activities in the County in furtherance of the public health, safety, and welfare; and

**WHEREAS**, the County Code designates the Mayor to “be the official representative of Miami-Dade County and speak on behalf of its actions in response to disasters or emergencies”; and

**WHEREAS**, most recently, on March 11, 2020, the Mayor declared a Local State of Emergency due to the threat posed by the coronavirus disease 2019 (COVID-19); and

**WHEREAS**, since then, the Mayor has been taking swift and decisive action to protect the public from COVID-19, including by issuing over 25 emergency orders and amendments thereto; and

**WHEREAS**, under section 8B-7 of the County Code, the Mayor must keep the Board advised of any emergency-management actions he or she takes, whether in response to a local or statewide state of emergency; and

**WHEREAS**, the Mayor has been keeping the Board of County Commissioners updated on the actions he has been taking to combat the spread of COVID-19; and

**WHEREAS**, while events may unfold quickly during a state of emergency due to rapidly evolving conditions that require immediate responses to protect the public, such as has been occurring during the COVID-19 pandemic, the Board nevertheless must remain informed of the actions the Mayor has taken so that the Board can continue to discharge its duties and exercise its powers to protect the public; and

**WHEREAS**, for example, up-to-date information from the Mayor could help the Board decide whether emergency Board meetings are necessary to adopt ordinances or take other action to help address the emergency; and

**WHEREAS**, the Board therefore wishes to establish as policy the general practice that the Mayor has been undertaking during the COVID-19 pandemic and thus direct the Mayor to provide updates or briefings to the Board no less than three times per week during the pendency of any state of emergency (i) declared by the County Mayor or (ii) declared by the Governor affecting the County,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board hereby directs the County Mayor to provide updates or briefings to the Board no less than three times per week during the pendency of any state of emergency (i) declared by the County Mayor or (ii) declared by the Governor affecting the County. The Mayor shall provide the updates or briefings to the Board in a manner directed by the Chairperson of the Board as appropriate based on the nature of the state of emergency.

The Prime Sponsor of the foregoing resolution is Chairwoman Audrey M. Edmonson and the Co-Sponsor is Vice Chairwoman Rebeca Sosa. It was offered by

Commissioner **Sally A. Heyman** , who moved its adoption. The motion was seconded by

Commissioner **Dennis C. Moss** and upon being put to a vote, the vote was as follows:

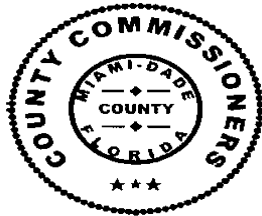
	Audrey M. Edmonson, Chairwoman	<b>aye</b>	
	Rebeca Sosa, Vice Chairwoman	<b>aye</b>	
Esteban L. Bovo, Jr.	<b>aye</b>	Daniella Levine Cava	<b>aye</b>
Jose “Pepe” Diaz	<b>aye</b>	Sally A. Heyman	<b>aye</b>
Eileen Higgins	<b>aye</b>	Barbara J. Jordan	<b>aye</b>
Joe A. Martinez	<b>aye</b>	Jean Monestime	<b>aye</b>
Dennis C. Moss	<b>aye</b>	Sen. Javier D. Souto	<b>aye</b>
Xavier L. Suarez	<b>aye</b>		

The Chairperson thereupon declared this resolution duly passed and adopted this 5<sup>th</sup> day of May, 2020. 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:           **Melissa Adames**            
Deputy Clerk



Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "CJW".

Christopher J. Wahl