

MEMORANDUM

Amended
Agenda Item No. 11(A)(23)

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

DATE: April 7, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution urging the United States Congress and the United States Department of Agriculture to, as a result of the coronavirus disease 2019 (COVID-19) pandemic: (1) directly purchase excess fruits, vegetables and other crops from growers for use in assistance programs; (2) provide timely financial assistance in the form of direct payments to growers that have lost product due to canceled sales or unharvested product; (3) qualify the COVID-19 national emergency as a business interruption for federal crop insurance purposes; (4) temporarily stop the importation of the same types of produce that are currently oversaturating the United States market; and (5) ensure that sales losses of horticultural crops are included under federal crop assistance programs

Resolution No. R-327-20

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava, and Co-Sponsors Commissioner Jose "Pepe" Diaz, Chairwoman Audrey M. Edmonson, Commissioner Sally A. Heyman, Commissioner Eileen Higgins, Commissioner Barbara J. Jordan, Commissioner Dennis C. Moss, Vice Chairwoman Rebeca Sosa and Senator Javier D. Souto.



Abigail Price-Williams
County Attorney

APW/smm

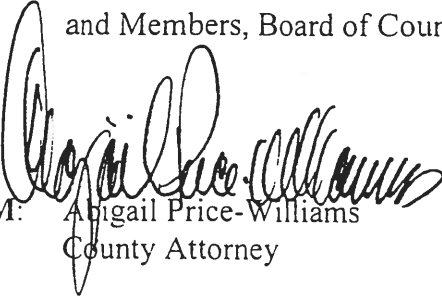


MEMORANDUM

(Revised)

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

DATE: April 7, 2020

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Amended
Agenda Item No. 11(A)(23)

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	Amended
Veto	_____		Agenda Item No. 11(A)(23)
Override	_____		4-7-20

RESOLUTION NO. R-327-20

RESOLUTION URGING THE UNITED STATES CONGRESS AND THE UNITED STATES DEPARTMENT OF AGRICULTURE TO, AS A RESULT OF THE CORONAVIRUS DISEASE 2019 (COVID-19) PANDEMIC: (1) DIRECTLY PURCHASE EXCESS FRUITS, VEGETABLES AND OTHER CROPS FROM GROWERS FOR USE IN ASSISTANCE PROGRAMS; (2) PROVIDE TIMELY FINANCIAL ASSISTANCE IN THE FORM OF DIRECT PAYMENTS TO GROWERS THAT HAVE LOST PRODUCT DUE TO CANCELED SALES OR UNHARVESTED PRODUCT; (3) QUALIFY THE COVID-19 NATIONAL EMERGENCY AS A BUSINESS INTERRUPTION FOR FEDERAL CROP INSURANCE PURPOSES; (4) TEMPORARILY STOP THE IMPORTATION OF THE SAME TYPES OF PRODUCE THAT ARE CURRENTLY OVERSATURATING THE UNITED STATES MARKET; AND (5) ENSURE THAT SALES LOSSES OF HORTICULTURAL CROPS ARE INCLUDED UNDER FEDERAL CROP ASSISTANCE PROGRAMS

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 Wuhan, Hubei Province, China in December 2019; and

WHEREAS, the disease has since spread globally, and on March 11, 2020 the World Health Organization officially declared COVID-19 a pandemic; and

WHEREAS, as of April 1, 2020, the total number of confirmed cases of COVID-19 worldwide is over 890,000, with more than 190,000 of those in the United States; and

WHEREAS, COVID-19 can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

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

WHEREAS, on March 12, 2020, Mayor Carlos A. Gimenez declared a state of emergency for Miami-Dade County as a result of COVID-19; and

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

WHEREAS, consequently, the entire hospitality industry—including hotels, restaurants, cruise lines, and theme parks—has nearly shut down overnight, resulting in an unprecedented oversupply of fruits, vegetables and other crops; and

WHEREAS, even food banks, soup kitchens and rescue missions, which have seen a surge of unemployed workers making hours-long lines for boxes of donated fresh fruits and vegetables, are saturated with farm donations; and

WHEREAS, as a result, with millions of pounds of excess produce on the verge of perishing, growers are being forced to make the difficult decision to plow under many of their fields, as harvesting the produce can cost more than twice as much as simply razing it; and

WHEREAS, the federal government can take several actions that would help alleviate this tragic and unprecedented situation, including by: (1) directly purchasing excess produce from growers and distributing it to those in need, (2) providing timely financial assistance to growers that have lost product due to canceled sales or unharvested product, (3) qualifying the COVID-19 National Emergency as a business interruption for federal crop insurance purposes, and (4) temporarily stopping the importation of these same types of produce that are currently oversaturating the market,

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

Section 1. Urges the United States Congress and the United States Department of Agriculture to, as a result of the coronavirus disease 2019 (COVID-19) pandemic: (1) directly purchase excess fruits, vegetables and other crops from growers for use in assistance programs; (2) provide timely financial assistance in the form of direct payments to growers that have lost product due to canceled sales or unharvested product; (3) qualify the COVID-19 National Emergency as a business interruption for crop insurance purposes; (4) temporarily stop the importation of the same types of produce that are currently oversaturating the United States market; and (5) ensure that sales losses of horticultural crops are included under federal crop assistance programs.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the members of the Florida Congressional Delegation and the U.S. Secretary of Agriculture.

Section 3. Directs the County's federal lobbyists to advocate for the actions set forth in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2020 Federal Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Daniella Levine Cava, and the Co-Sponsors are Commissioner Jose "Pepe" Diaz, Chairwoman Audrey M. Edmonson, Commissioner Sally A. Heyman, Commissioner Eileen Higgins, Commissioner Barbara J. Jordan, Commissioner Dennis C. Moss, Vice Chairwoman Rebeca Sosa and Senator Javier D. Souto. It was offered by Commissioner **Daniella Levine Cava** , who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of April, 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

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in blue ink, appearing to read "MSM", is written over a horizontal line.

Michael J. Mastrucci