

MEMORANDUM

Agenda Item No. 11(A)(8)

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

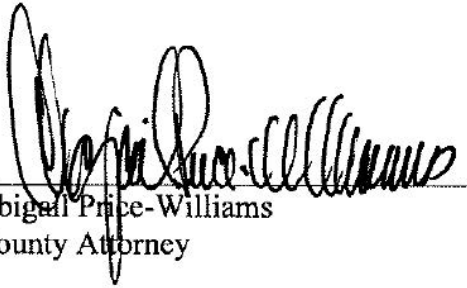
DATE: July 21, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County
Mayor to provide certain
information for any agenda item
that relates to funding provided
under the federal Coronavirus
Aid, Relief, and Economic
Security ("CARES") Act

Resolution No. R-748-20

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Esteban L. Bovo, Jr.



Abigail Price-Williams
County Attorney

APW/uw

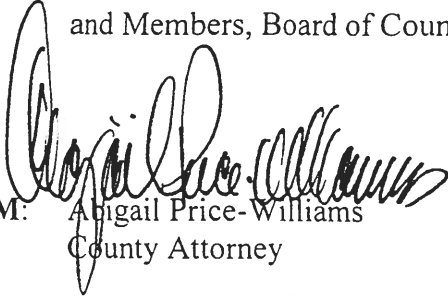


MEMORANDUM

(Revised)

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

DATE: July 21, 2020

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(8)

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)(8)
7-21-20

RESOLUTION NO. R-748-20

RESOLUTION DIRECTING THE COUNTY MAYOR OR
COUNTY MAYOR'S DESIGNEE TO PROVIDE CERTAIN
INFORMATION FOR ANY AGENDA ITEM THAT RELATES
TO FUNDING PROVIDED UNDER THE FEDERAL
CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY
("CARES") ACT

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 December 2019; and

WHEREAS, as of July 7, 2020, the total number of confirmed cases of COVID-19 worldwide is over 11.6 million, with more than 2.9 million of those cases being in the United States; 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 11, 2020, Mayor Carlos A. Gimenez declared a state of emergency for Miami-Dade County as a result of COVID-19; and

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

WHEREAS, the public health emergency caused by COVID-19 has had an immediate and serious economic impact in Miami-Dade County; 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, consequently, many small businesses are now facing a dire threat to their survival, and an increasingly large number of employees have been laid off or furloughed; and

WHEREAS, there is practically no aspect of society that has not been impacted by COVID-19 including, but not limited to, foreclosures, evictions, rental assistance, food programs, homelessness, public transportation, unemployment, airports, and seaports; and

WHEREAS, to help blunt the impact of the economic downturn set in motion by the COVID-19 pandemic, the United States Congress passed, and on March 27, 2020 President Donald Trump signed into law, H.R. 748, the “Coronavirus Aid, Relief, and Economic Security Act” (the “CARES Act”); and

WHEREAS, the CARES Act is a \$2 trillion stimulus package which provided, among other things:

- one-time checks of \$1,200 to Americans earning a certain income;
- \$349 billion in loans to small businesses (the “Paycheck Protection Program” or “PPP”);
- \$17 billion of assistance to companies deemed crucial to national security;
- grants of \$25 billion for passenger air carriers and \$4 billion for air cargo carriers;
- \$3 billion for certain contractors; and
- a \$150 billion Coronavirus Relief Fund for local governments; and

WHEREAS, the CARES Act requires that payments from the Coronavirus Relief Fund to local governments only be used to cover expenses that:

- are necessary expenditures incurred due to the public health emergency with respect to COVID–19;

- were not included in the budget most recently approved as of March 27, 2020 for the state or local government; and
- were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

WHEREAS, this Board has already begun to allocate certain funding that the County has received or expects to receive from the CARES Act; and

WHEREAS, in these difficult economic times, it is important that the Board advisedly consider all allocations of CARES Act funding to ensure that this federal stimulus is allocated strategically and that funds are directed towards the best possible uses; and

WHEREAS, requiring the County Mayor or the County Mayor's designee to provide certain information for all agenda items that relate to funding provided under the CARES Act would encourage a healthy, well-informed debate when such items are considered; and

WHEREAS, this information will assist the Board in determining the possible effects of the Board's decisions,

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

Section 1. For any agenda item that is presented or sponsored by the County Mayor or the County Mayor's designee and relates to funding provided under the CARES Act, this Board directs the County Mayor or the County Mayor's designee to include the following information in the financial impact section of the County Mayor's Memorandum: (1) the amount of CARES Act funding, if any, that the item is expected to use; and, if applicable, (2) the total amount of CARES Act funding that remains for other purposes if the item is approved, based on CARES Act funds that have been received to date; (3) the types of other eligible uses for which the CARES Act

funding that the item expects to use could be used under applicable law; (4) any current uses or programs that would no longer be able to use CARES Act funding if the item were approved and, if so, whether the County Mayor or the County Mayor’s designee has identified any alternative funding sources for such uses or programs.

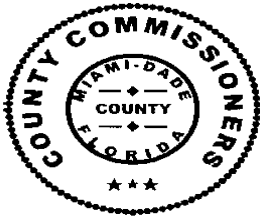
Section 2. For any agenda item that is presented or sponsored by a County Commissioner and relates to funding provided under the CARES Act, this Board directs the County Mayor or the County Mayor’s designee to prepare a supplement to the item prior to the item’s consideration at a Board meeting that includes the information set forth in section 1 above.

Section 3. This resolution shall be construed as directory only, and failure to comply with the provisions hereof shall not affect the validity of any ordinance or resolution adopted by the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Esteban L. Bovo, Jr. It was offered by Commissioner **Eileen Higgins**, 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.	absent	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	absent	

The Chairperson thereupon declared this resolution duly passed and adopted this 21st day of July, 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 dark ink, consisting of the letters "MBV" in a stylized, cursive-like font.

Michael B. Valdes