

MEMORANDUM

Special Item No. 5

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

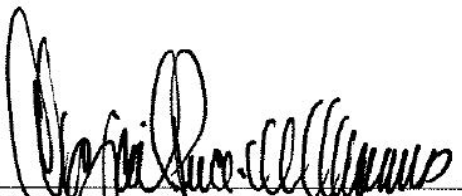
DATE: August 4, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution setting County policy that the County shall consider the unincorporated municipal service area (UMSA) a municipality for purposes of allocating and distributing funds made available through the 2020 Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"), the proposed Health and Economic Recovery Omnibus Emergency Solutions Act ("HEROES Act"), H.R. 6800, or similar legislation; directing the County Mayor to equitably include UMSA in any allocations and distributions of CARES Act or similar federal funds to municipalities

Resolution No. R-779-20

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.



Abigail Price-Williams
County Attorney

APW/smm

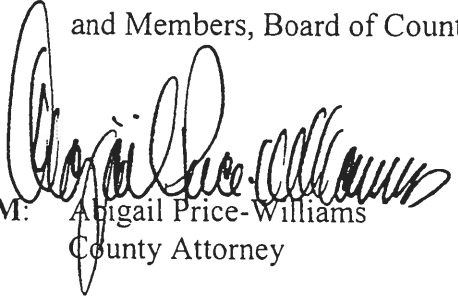


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(Revised)

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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 _____

Special Item No. 5
8-4-20

RESOLUTION NO. R-779-20

RESOLUTION SETTING COUNTY POLICY THAT THE COUNTY SHALL CONSIDER THE UNINCORPORATED MUNICIPAL SERVICE AREA (UMSA) A MUNICIPALITY FOR PURPOSES OF ALLOCATING AND DISTRIBUTING FUNDS MADE AVAILABLE THROUGH THE 2020 CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (“CARES ACT”), THE PROPOSED HEALTH AND ECONOMIC RECOVERY OMNIBUS EMERGENCY SOLUTIONS ACT (“HEROES ACT”), H.R. 6800, OR SIMILAR LEGISLATION; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EQUITABLY INCLUDE UMSA IN ANY ALLOCATIONS AND DISTRIBUTIONS OF CARES ACT OR SIMILAR FEDERAL FUNDS TO MUNICIPALITIES

WHEREAS, coronavirus disease 2019 (“COVID-19”) is an infectious disease caused by severe acute respiratory syndrome coronavirus 2, a novel coronavirus that was first identified in December 2019; and

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

WHEREAS, as of July 31, 2020, the total number of confirmed cases of COVID-19 worldwide is over 17 million, with approximately 4.54 million cases in the United States, 451,000 cases in the State of Florida, and 113,000 cases in Miami-Dade County; and

WHEREAS, in response to the COVID-19 pandemic, public health officials and the Centers for Disease Control and Prevention encouraged “social distancing” to reduce the spread of the virus; and

WHEREAS, to enforce social distancing, Governor DeSantis and Mayor Gimenez have issued executive and emergency orders restricting businesses’ and residents’ activities in order to prevent the spread of COVID-19; and

WHEREAS, while these precautions were established to keep people safe, they have a negative financial impact on many County businesses and residents; and

WHEREAS, indeed, more than 54.1 million Americans have filed for unemployment since March 2020; 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 (“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;
- \$17 billion of assistance to companies deemed crucial to national security;
- grants of \$25 billion for passenger air carriers, \$4 billion for air-cargo carriers, and \$3 billion for certain contractors; and
- a \$150 billion Coronavirus Relief Fund for local governments; and

WHEREAS, the CARES Act requires that the payments to local governments from the Coronavirus Relief Fund 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, the State of Florida was allocated \$8.328 billion from the Coronavirus Relief Fund, of which the County received \$474 million; and

WHEREAS, the Coronavirus Relief Fund monies must be used by December 30, 2020, and any residual returned to the federal government; and

WHEREAS, additionally, H.R. 6800, the Health and Economic Recovery Omnibus Emergency Solutions Act (“HEROES Act”), has been filed for consideration during the 116th United States Congress and would further respond to the COVID-19 outbreak and its impact on the economy, public health, state and local governments, individuals, and businesses; and

WHEREAS, the HEROES Act is a \$3 trillion emergency relief package that would provide \$915 billion to state and local governments, with at least \$375 billion of that funding allocated to local governments to assist with the fiscal impacts from the public health emergency caused by COVID-19; and

WHEREAS, the HEROES Act is currently pending before the United States Senate after being passed by the United States House of Representatives May 15, 2020; and

WHEREAS, this Board has recently approved legislation allocating CARES Act funds to assist in the financial recovery of various groups of individuals, organizations, and small businesses impacted by COVID-19; and

WHEREAS, it is anticipated that this Board will also allocate and distribute funds made available through the CARES Act, or similar legislation such as the HEROES Act, if passed, to the various municipalities throughout the County so that they may more directly aid their local residents, businesses and organizations; and

WHEREAS, Miami-Dade County, with a population of nearly 2.8 million, is comprised of 34 municipalities as well as the unincorporated municipal service area (UMSA); and

WHEREAS, UMSA has a population of over one million people, making it the equivalent of the largest city in Florida and one of the largest cities in the country; and

WHEREAS, additionally, several County Commission Districts are located primarily or even entirely in UMSA; and

WHEREAS, for instance, approximately 98 percent of District 9 is located in UMSA, and 100 percent of Districts 10 and 11 are located in UMSA; and

WHEREAS, to help ensure that the County's share of CARES Act and similar federal funds is distributed as equitably as reasonably possible across the County, this Board believes that UMSA should be considered a municipality for purposes of County allocations and distributions of CARES Act or similar federal funds,

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

Section 1. The foregoing recitals are adopted as if fully set forth herein.

Section 2. This Board sets County policy that the County shall consider UMSA a municipality for purposes of allocating and distributing funds made available through the CARES Act, the proposed HEROES Act, or similar legislation providing federal funds to local governments to assist with the public health emergency caused by COVID-19.

Section 3. This Board directs the County Mayor or County Mayor's designee to equitably include UMSA in any allocations and distributions of CARES Act or similar federal funds to municipalities in Miami-Dade County.

The Prime Sponsor of the foregoing resolution is Commissioner Dennis C. Moss. It was offered by Commissioner **Dennis C. Moss**, who moved its adoption. The motion was seconded by Commissioner **Joe A. Martinez** 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
Jose "Pepe" Diaz	aye
Eileen Higgins	aye
Joe A. Martinez	aye
Dennis C. Moss	aye
Xavier L. Suarez	aye
Daniella Levine Cava	aye
Sally A. Heyman	aye
Barbara J. Jordan	aye
Jean Monestime	aye
Sen. Javier D. Souto	aye

The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of August, 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.

MJM

Michael J. Mastrucci