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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

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

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 develop and implement a forgivable loan or grant program with certain criteria for small nonprofit or not-for-profit organizations using $10 million of funds made available through the 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to alleviate financial hardships caused by coronavirus disease 2019 (COVID-19); providing for distribution of funds among commission districts; authorizing the County Mayor to negotiate and execute any documents necessary to carry out the purposes of this resolution; and requiring reports

Resolution No. R-750-20

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 Jean Monestime, Commissioner Dennis C. Moss, Vice Chairwoman Rebeca Sosa, 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: July 21, 2020

FROM: Abigail Price-Williams
County Attorney

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

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 _____

Amended
Agenda Item No. 11(A)(11)
7-21-20

RESOLUTION NO. **R-750-20**

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO DEVELOP AND IMPLEMENT A FORGIVABLE LOAN OR GRANT PROGRAM WITH CERTAIN CRITERIA FOR SMALL NONPROFIT OR NOT-FOR-PROFIT ORGANIZATIONS USING $10 MILLION OF FUNDS MADE AVAILABLE THROUGH THE 2020 CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT) TO ALLEVIATE FINANCIAL HARDSHIPS CAUSED BY CORONAVIRUS DISEASE 2019 (COVID-19); PROVIDING FOR DISTRIBUTION OF FUNDS AMONG COMMISSION DISTRICTS; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NEGOTIATE AND EXECUTE ANY DOCUMENTS NECESSARY TO CARRY OUT THE PURPOSES OF THIS RESOLUTION; AND REQUIRING REPORTS

WHEREAS, in early 2020, the State of Florida and Miami-Dade County began experiencing an outbreak of the infectious disease named coronavirus disease 2019 (COVID-19); and

WHEREAS, in response to COVID-19, Governor Ron DeSantis issued Executive Order 20-51, directing the State Health Officer and Surgeon General to declare a public health emergency in the State of Florida and directing the State Health Officer take any action necessary to protect the public health and to follow guidelines established by the United States Center for Disease Control and Prevention (CDC) to control the spread of COVID-19; and

WHEREAS, on March 12, 2020, County Mayor Carlos Gimenez declared a state of emergency in Miami-Dade County; and

WHEREAS, in response to the COVID-19 pandemic, public health officials and the CDC 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 had and continue to have a negative financial impact on many County businesses and residents; and

WHEREAS, this Board has recently approved legislation providing financial assistance to small businesses impacted by COVID-19; and

WHEREAS, for example, Resolution No. R-557-20 authorized the County Mayor or County Mayor's designee to negotiate and execute a $25 million grant agreement with the Dade County Federal Credit Union using 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funds to develop and implement a revolving loan program to provide micro-businesses throughout the County impacted by the COVID-19 pandemic with low interest rate loans; and

WHEREAS, in Resolution No. R-583-20, this Board also provided $5 million for a small business forgivable loan program using Community Development Block Grant funding specifically allocated through the CARES Act; and

WHEREAS, many small nonprofit organizations are similarly facing a dire threat to their survival and an increasingly large number of their employees have been laid off or furloughed; and

WHEREAS, according to a survey of nonprofits conducted by Florida International University more than half of the 374 nonprofits surveyed reported a drop in revenue and most of the groups also expect severe, long-term declines in donations and revenue that threaten their continued operation; and

WHEREAS, nonprofit and not-for-profit organizations provide a variety of services and programs to our community in a wide range of areas, including food distribution, child care and mentoring, cultural and arts programs, and mental health care; and

WHEREAS, this Board desires to direct the County Mayor or County Mayor's designee to use funding made available through the CARES Act to help small nonprofit and not-for-profit organizations who are experiencing financial losses caused by COVID-19 and to equally distribute such funds among the 13 county commission districts to the extent feasible,

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

Section 1. Directs the County Mayor or County Mayor's designee to develop a forgivable loan or grant program for nonprofit and not-for-profit organizations with 25 or fewer employees which have been impacted by COVID-19 using $10 million of funding made available through the CARES Act. In developing the program, the County Mayor or County Mayor's designee shall: (i) require that organizations demonstrate financial loss due to COVID-19, (ii) provide for a uniform maximum loan or grant amount per organization, (iii) require that applicants for forgivable loans or grants demonstrate that they have not received financial assistance from other emergency county, city, state, or federal forgivable loan or grant programs established in response to COVID-19, and (iv) if eligible under the CARES Act, make such funds available for the payment of business expenses, including employee payroll costs. Funding for this program shall be equally distributed among the 13 county commission districts to the extent feasible.

Section 2. Directs the County Mayor or County Mayor's designee to develop and implement the program and appoint staff to administer and monitor the program.

Section 3. Authorizes the County Mayor or County Mayor's designee to negotiate and execute any documents necessary to carry out the purposes of this resolution, following approval of such documents by the County Attorney's office for legal form and sufficiency.

Section 4. Directs the County Mayor or County Mayor's designee to provide a written report to this Board within 15 days of the effective date of this resolution detailing the status of the development and implementation of the program or explaining why it has not been developed or implemented. Upon implementation, the County Mayor or County Mayor's designee shall provide a written report to this Board every 30 days detailing the status of the program until funding for the program is exhausted. The County Mayor or County Mayor's designee shall place the completed reports on agendas of the Board pursuant to Ordinance No. 14-65.

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 Jean Monestime, 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 **Javier D. Souto** 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. LCK

Leigh C. Kobrinski