

MEMORANDUM

Special Item No. 5

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

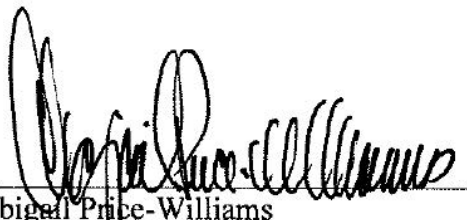
DATE: October 26, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution allocating a total of not-to-exceed \$112,760.00 from Coronavirus Relief Fund (CRF) funds made available through the 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES Act) for the unincorporated municipal service area, to the Miami-Dade Arts Support Grant Program for cultural organizations and artists-entrepreneurs established pursuant to Resolution No. R-771-20, to provide financial assistance to artists-entrepreneurs in the unincorporated area who have been impacted by the coronavirus disease 2019 (COVID-19) pandemic; authorizing the County Mayor to negotiate and execute any documents necessary to carry out the purposes of this resolution

Resolution No. R-1134-20

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/uw

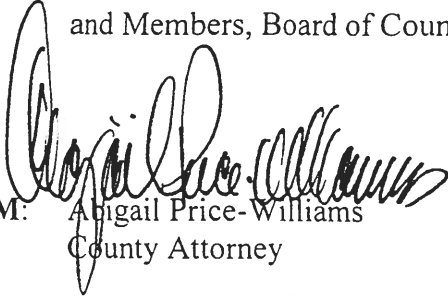


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(Revised)

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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
10-26-20

RESOLUTION NO. _____ R-1134-20

RESOLUTION ALLOCATING A TOTAL OF NOT-TO-EXCEED \$112,760.00 FROM CORONAVIRUS RELIEF FUND (CRF) FUNDS MADE AVAILABLE THROUGH THE 2020 CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT) FOR THE UNINCORPORATED MUNICIPAL SERVICE AREA, TO THE MIAMI-DADE ARTS SUPPORT GRANT PROGRAM FOR CULTURAL ORGANIZATIONS AND ARTISTS-ENTREPRENEURS ESTABLISHED PURSUANT TO RESOLUTION NO. R-771-20, TO PROVIDE FINANCIAL ASSISTANCE TO ARTISTS-ENTREPRENEURS IN THE UNINCORPORATED AREA WHO HAVE BEEN IMPACTED BY THE CORONAVIRUS DISEASE 2019 (COVID-19) PANDEMIC; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NEGOTIATE AND EXECUTE ANY DOCUMENTS NECESSARY TO CARRY OUT THE PURPOSES OF THIS RESOLUTION

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 September 29, 2020, the total number of confirmed cases of COVID-19 worldwide is over 33 million, with more than 7 million cases in the United States, 700,000 cases in the State of Florida, and 169,000 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 57 million Americans have filed for unemployment benefits 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 (“CRF”) for state, tribal, and local governments; and

WHEREAS, the CARES Act requires that the payments to local governments from the CRF 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 CRF, of which the County received \$474 million; and

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

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

WHEREAS, on August 4, 2020, this Board adopted Resolution No. R-779-20 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 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; and

WHEREAS, this Board also adopted, on August 4, 2020, Resolution No. R-781-20 authorizing the County Mayor or designee to negotiate and execute interlocal grant agreements with each of the municipalities in the County, using a total of not-to-exceed \$100 million in CARES Act CRF funds, allocated as follows: (1) \$75 million for reimbursement of FEMA local

match eligible expenditures and any CARES Act eligible governmental operations expenditures that are not FEMA reimbursable, and (2) \$25 million for municipal programmatic proposals subject to approval in advance by this Board; and

WHEREAS, following the allocation of not-to-exceed \$100 million in CARES Act CRF funds to municipalities pursuant to Resolution No. R-781-20, approximately \$37 million in CARES Act CRF funds remained unallocated for use in UMSA; and

WHEREAS, from these remaining CARES Act CRF funds, this Board has allocated, pursuant to Resolution No. R-904-20, \$10 million in such funds, consisting of \$5 million to the Micro-Business Revolving Loan Program established pursuant to Resolution No. R-557-20 and \$5 million to the Emergency Rental Assistance Program established pursuant to Resolution No. R-781-20; and

WHEREAS, this Board also has allocated, pursuant to a motion adopted at the September 15, 2020 Special Meeting, \$9 million in such funds, consisting of \$5 million to the Greater Miami Convention & Visitors Bureau, and \$4 million to food distribution organizations that serve UMSA; and

WHEREAS, the public health emergency caused by COVID-19 has had and will continue to have a serious economic impact in the County, particularly on artists-entrepreneurs, whose livelihoods were significantly impacted by the shut-downs and will remain so during the remainder of the COVID-19 pandemic; and

WHEREAS, indeed, the impact of closing the arts season in March 2020 eliminated earned revenue, including ticket sales and contracted services, and also vastly reduced contributed income and donations, resulting in mounting budget deficits and in arts and cultural organizations having to furlough or eliminate thousands of jobs; and

WHEREAS, in an effort to assist the hundreds of cultural organizations and artists-entrepreneurs who have experienced financial losses caused by COVID-19, on July 23, 2020 this Board adopted Resolution No. R-771-20 directing the County Mayor or designee to develop and implement a Miami-Dade Arts Support Grant Program (the “Arts Program”) for cultural organizations and artists-entrepreneurs that have been impacted by COVID-19, using \$10 million of CRF funds made available through the CARES Act; and

WHEREAS, approximately 238 artists-entrepreneurs living in UMSA have applied for financial assistance under the Arts Program, and this number is expected to grow in the future; and

WHEREAS, accordingly, this Board would like to allocate additional CARES Act CRF to the Arts Program to provide financial assistance to artists-entrepreneurs in UMSA who have been impacted by the COVID-19 pandemic,

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 allocates a total of not-to-exceed \$112,760.00 in CRF funds made available through the CARES Act for UMSA to the Arts Program established pursuant to Resolution No. R-771-20, to provide financial assistance to artists-entrepreneurs in the unincorporated area who have been impacted by the COVID-19 pandemic.

Section 3. This Board authorizes the County Mayor or 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.

The Prime Sponsor of the foregoing resolution is Commissioner Dennis C. Moss. It was offered by Commissioner **José "Pepe" Diaz**, 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
Jose "Pepe" Diaz	aye
Eileen Higgins	aye
Joe A. Martinez	aye
Dennis C. Moss	aye
Xavier L. Suarez	absent

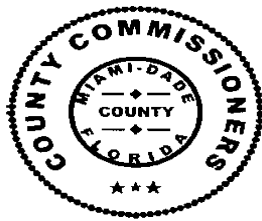
The Chairperson thereupon declared this resolution duly passed and adopted this 26th day of October, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override 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.

MSM

Michael J. Mastrucci