

MEMORANDUM

Special Item No. 11

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

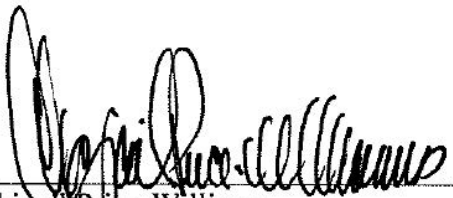
DATE: November 13, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution reallocating
any unspent or recaptured
Coronavirus Aid, Relief, and
Economic Security Act (CARES
Act) funds from the South Beach
Wine & Food Festival and
Florida International University
Chaplin School grant program
for hospitality industry relief
pursuant to Resolution No.
R-756-20 to the United Way
of Miami-Dade Inc. for the
short-term hardship assistance
pandemic relief program to assist
with basic needs living expenses
income-constrained Miami-Dade
County residents affected by the
coronavirus disease 2019
(COVID-19)

Resolution No. R-1156-20

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Eileen Higgins.


Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM

(Revised)

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

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County Attorney

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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. 11
11-13-20

RESOLUTION NO. R-1156-20

RESOLUTION REALLOCATING ANY UNSPENT OR RECAPTURED CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT) FUNDS FROM THE SOUTH BEACH WINE & FOOD FESTIVAL AND FLORIDA INTERNATIONAL UNIVERSITY CHAPLIN SCHOOL GRANT PROGRAM FOR HOSPITALITY INDUSTRY RELIEF PURSUANT TO RESOLUTION NO. R-756-20 TO THE UNITED WAY OF MIAMI-DADE INC. FOR THE SHORT-TERM HARDSHIP ASSISTANCE PANDEMIC RELIEF PROGRAM TO ASSIST WITH BASIC NEEDS LIVING EXPENSES INCOME-CONSTRAINED MIAMI-DADE COUNTY RESIDENTS AFFECTED BY THE CORONAVIRUS DISEASE 2019 (COVID-19)

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, to help address the public health emergency and 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 various groups of individuals, organizations, and small businesses impacted by or at risk from COVID-19; and

WHEREAS, in particular, on July 16, 2020, this Board adopted Resolution No. R-701-20 authorizing a \$20 million grant agreement to the United Way of Miami-Dade Inc. (“United Way”), for a short-term, hardship assistance pandemic relief program to assist income-constrained residents with basic needs living expenses, such as food, utilities, and rental assistance; and

WHEREAS, on July 21, 2020, this Board adopted Resolution No. R-756-20, authorizing a grant agreement by and among the County, the South Beach Wine & Food Festival (“SOBEWFF”), and Florida International University (“FIU”) Chaplin School, to establish a \$5 million business grant program to provide relief to the hospitality industry; and

WHEREAS, the Board has been receiving reports from the administration relating to such programs and the expenditure of the Cares Act CRF funds; and

WHEREAS, according to the report provided to the Board on October 26, 2020, certain of the programs, including the United Way basic needs program, are on track to expend their allocated funds prior to the December 30, 2020 expenditure deadline; and

WHEREAS, other programs, such as the SOBEWFF and FIU hospitality industry relief program, appear unlikely to timely expend the funds due to changes in circumstances and diminished demand; and

WHEREAS, in Resolution No. R-778-20, this Board recognized that, given the overwhelming need within the County, it is not in the best interest of the residents of the County that any funds be returned to the federal government and, accordingly, directed the County Mayor to develop and implement a procedure to recapture and reallocate the CARES Act funds to ensure the funds are expended by the December 30, 2020 deadline; and

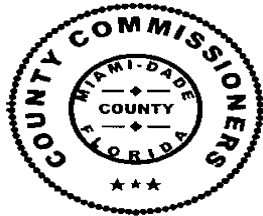
WHEREAS, consistent with that goal, this Board wishes to reallocate any unspent or recaptured CARES Act funds from the SOBEWFF and FIU hospitality industry relief grant program to the United Way basic needs living expenses program,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board directs the County Mayor or the County Mayor's designee to reallocate any unspent or recaptured CARES Act funds that were allocated by the Board in Resolution No. R-756-20 to the SOBEWFF and FIU for hospitality industry relief to the United Way for the basic needs living expenses program as previously authorized by this Board in Resolution No. R-701-20.

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

The Chairperson thereupon declared this resolution duly passed and adopted this 13th day of November, 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