

MEMORANDUM

Amended
Agenda Item No. 5(B)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: October 5, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Ordinance relating to for-hire taxicab vehicles; approving deferral of payment and collection of taxicab license renewal fees for fiscal year 2020-21; directing the County Mayor to identify legally available funds from within the fiscal year 2020-21 County Budget including, to the extent available, from any Coronavirus Aid, Relief, and Economic Security Act or American Rescue Plan funds allocated to the County to fund any revenue loss from waiver of taxicab license renewal fees for fiscal year 2020-21 and include such funds and the appropriation and allocation of same in the end of year budget amendment for fiscal year 2020-21 along with a waiver of taxicab license renewal fees, or alternatively, provide a report

Ordinance No. 21-100

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Joe A. Martinez, and Co-Sponsors Chairman Jose "Pepe" Diaz, Commissioner Sally A. Heyman, Commissioner Jean Monestime and Commissioner Rebeca Sosa.



Geri Bonzon-Keenan
County Attorney

GBK/smm

Memorandum



Date: October 5, 2021

To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink, reading "Daniella Levine Cava".

Subject: Fiscal Impact Statement for Ordinance Relating to Taxicab License Renewal Fees (#212013)

The ordinance relating to taxicab license renewal fees seeks waiving of such fees for fiscal year 2020-21. Renewal fees are \$350 per taxicab license. Currently there are 2,121 taxicab licenses due for renewal in fiscal year 2020-21. The estimated annual revenue to the County for taxicab license renewal fees is \$742,350.

A handwritten signature in blue ink, reading "Jimmy Morales".

Jimmy Morales
Chief Operating Officer

Memorandum



Date: October 5, 2021

To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink, reading "Daniella Levine Cava".

Subject: Social Equity Statement for Ordinance Relating to Taxicabs (#212013)

The proposed ordinance seeks waiving of taxicab license renewal fees for fiscal year 2020-21. Taxicab license holders pay an annual renewal fee of \$350. Approval of this ordinance will be beneficial to the taxicab industry, particularly owner/operators, which has been negatively impacted by the effects of the COVID-19 pandemic.

A handwritten signature in blue ink, reading "Jimmy Morales".

Jimmy Morales
Chief Operating Officer



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: October 5, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Amended
Agenda Item No. 5(B)

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	Amended
Veto	_____		Agenda Item No. 5(B)
Override	_____		10-5-21

ORDINANCE NO. O-21-100

ORDINANCE RELATING TO FOR-HIRE TAXICAB VEHICLES; APPROVING DEFERRAL OF PAYMENT AND COLLECTION OF TAXICAB LICENSE RENEWAL FEES FOR FISCAL YEAR 2020-21; DIRECTING THE COUNTY MAYOR TO IDENTIFY LEGALLY AVAILABLE FUNDS FROM WITHIN THE FISCAL YEAR 2020-21 COUNTY BUDGET INCLUDING, TO THE EXTENT AVAILABLE, FROM ANY CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT OR AMERICAN RESCUE PLAN FUNDS ALLOCATED TO THE COUNTY TO FUND ANY REVENUE LOSS FROM WAIVER OF TAXICAB LICENSE RENEWAL FEES FOR FISCAL YEAR 2020-21 AND INCLUDE SUCH FUNDS AND THE APPROPRIATION AND ALLOCATION OF SAME IN THE END OF YEAR BUDGET AMENDMENT FOR FISCAL YEAR 2020-21 ALONG WITH A WAIVER OF TAXICAB LICENSE RENEWAL FEES, OR ALTERNATIVELY, PROVIDE A REPORT; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE, AND EFFECTIVE DATES

WHEREAS, on March 12, 2020, following the emergence of the coronavirus disease of 2019 (“COVID-19”), a local state of emergency was declared for Miami-Dade County (“COVID-19 local state of emergency”); and

WHEREAS, the COVID-19 local state of emergency has since been extended every seven days pursuant to section 252.38(3)(a), Florida Statutes and Chapter 8B-6 of the Code of Miami-Dade County, Florida, and continues to be in effect; 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, the combination of those restrictions and the general public's adherence to the Centers for Disease Control and Prevention's guidelines on social distancing resulted in a reduction in general economic activity, including passenger travel to and from Miami International Airport and Port Miami, on which the taxicab industry relies heavily; and

WHEREAS, on July 27, 2020, this Board adopted Resolution No. R-773-20, which, among other things, directed the County Mayor or County Mayor's designee to develop and implement an emergency fund or grant for taxicab, jitney and for-hire limousine drivers using \$10,000,000.00 in funds made available through the 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to alleviate financial hardships caused by COVID-19; and

WHEREAS, for varying reasons, many taxicab license holders did not, or were unable to, avail themselves of this benefit; and

WHEREAS, while many economic activities have now resumed, the taxicab industry continues to be negatively impacted by the effects of the COVID-19 pandemic; and

WHEREAS, to provide further assistance to the taxicab industry, the Board wishes to waive taxicab license renewal fees due and paid or collectable for fiscal year 2020-21; and

WHEREAS, in order to ultimately waive the taxicab license renewal fees due and paid or collectable for fiscal year 2020-21, this Board desires to initially defer the collection and payment of taxicab license renewal fees due and paid or collectable for fiscal year 2020-21 in order to direct the County Mayor or County Mayor's designee to identify legally available funds from within the fiscal year 2020-21 County Budget, including but not limited to from the CARES Act, or American Rescue Plan funds allocated to the County to make up any loss of revenue that may result from a waiver of such fees and to then appropriate and allocate same in the end of year budget amendment for fiscal year 2020-21 along with a waiver of such fees,

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
MIAMI-DADE COUNTY, FLORIDA:**

Section 1. For purposes of this ordinance, “qualified applicant” shall mean a taxicab license renewal applicant who first establishes by affidavit or other supporting documents that such taxicab renewal applicant applied for grant funding made available through Resolution No. R-773-20 utilizing Coronavirus Aid, Relief, and Economic Security Act (“CARES ACT”) funds. Notwithstanding the requirements of section 31-82(h) of the Code, payment of taxicab license renewal fees for qualified applicants due and collectable for fiscal year 2020-21 are hereby deferred until the earlier of: (a) March 1, 2022, or (b) the issuance of any report pursuant to section 2 of this ordinance.

Section 2. The Board directs the County Mayor to identify and allocate any legally available CARES Act or American Rescue Plan funds allocated to the County to make up any loss of revenue that may result from a waiver of taxicab license renewal fees for qualified applicants due and paid or collectable for fiscal year 2020-21. Should CARES Act or American Rescue Plan funds be legally unavailable or insufficient for this purpose, then the County Mayor is directed to identify and allocate legally available funds from within the fiscal year 2020-21 County Budget, to make up any loss of revenue that may result from a waiver of taxicab license renewal fees for qualified applicants due and paid or collectable for fiscal year 2020-21. The Board further directs the County Mayor or Mayor’s designee to: (a) include such funds and the appropriation and allocation of same in the end of year budget amendment for fiscal year 2020-21 when submitted to this Board for approval; and (b) include a waiver of taxicab renewals fees for qualified applicants due and paid or collectable for fiscal year 2020-21 in said end of year budget amendment. Alternatively, this Board directs the County Mayor or Mayor’s designee to provide a written report

to this Board within 30 days of the effective date of this ordinance setting forth any reasons why funds have not been identified or cannot be used or allocated for the purposes set forth in this ordinance.

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall be excluded from the Code of Miami-Dade County, Florida.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: October 5, 2021

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Dale P. Clarke

Prime Sponsor: Commissioner Joe A. Martinez
Co-Sponsor: Chairman Jose "Pepe" Diaz
Commissioner Sally A. Heyman
Commissioner Jean Monestime
Commissioner Rebeca Sosa