

RESOLUTION NO. 2020-145

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, URGING THE BROWARD COUNTY COMMISSION TO EQUITABLY DISTRIBUTE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT FUNDS DIRECTLY TO BROWARD COUNTY MUNICIPALITIES; PROVIDING FOR DISTRIBUTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, due to the ongoing COVID-19 public health emergency, the United States Congress passed the Coronavirus Aid, Relief, and Economic Security (CARES) Act; and

WHEREAS, the CARES Act provided local governments, cities and counties, with populations greater than 500,000 with funding to offset the significant costs suffered by local governments in responding to the COVID-19 pandemic; and

WHEREAS, although Broward municipalities cumulative populations were used to calculate the CARES Act funding received by Broward County, because every municipality within Broward County has a population less than 500,000, no municipality received any direct CARES Act funding; and

WHEREAS, based on submissions by the Broward County City Managers' Association, the collective and projected qualifying expenses for Broward's 31 municipalities are estimated at over \$200 million; and

WHEREAS, these expenses include personal protective equipment (PPE) for thousands of public employees, workspace sanitation, first responders, employees dedicated to mitigating and/or responding to the COVID emergency, teleworking hardware and software, equipment, community programming, food distributions, communications, and more, which expenses allowed Broward municipalities to achieve the response and mitigation successes we have seen during the pandemic; and

WHEREAS, due to the COVID-19 public health emergency, the City of Coconut Creek will experience approximately \$3.6 million in loss of revenue by the end of Fiscal Year 2020; and

WHEREAS, to date, the City of Coconut Creek has incurred over \$550,000 in unbudgeted expenditures and has substantially reallocated and dedicated approximately \$2,957,600 of budgeted funds to address the COVID-19 pandemic; and

WHEREAS, Governor Ron DeSantis directed "[a]ll counties, including counties that already received direct payment" to "provide funds to municipalities located within their jurisdiction;" and

WHEREAS, Congress, when passing the CARES Act, fully intended for municipal governments to be beneficiaries of Fund transfer payments; and

WHEREAS, the CARES Act only directed payments to local governments of at least 500,000 to facilitate the prompt distribution of funds, envisioning that larger governmental entities would provide transfer payments to smaller ones on a population basis in order to expedite distribution; and

WHEREAS, Congress Members Debbie Wasserman Schultz, Alcee Hastings, Ted Deutch, and Frederica Wilson, have expressed their concerns to the Broward County Commission and have urged them to allocate at least 30 percent of their \$340 million direct payment to Broward Municipalities; and

WHEREAS, the City Commission finds and determines that it is in the best interests of the residents of the City of Coconut Creek and serves a public purpose to similarly urge the Broward County Commission to offset the tremendous burden suffered by Broward municipalities and the City of Coconut Creek and equitably distribute the \$340 million of CARES Act funding directly to Broward municipalities, as was intended by the Congress and directed by the Governor.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution.

Section 2: That the City Commission urges the Broward County Commission to provide equitable share transfer payments of the \$340 million in CARES Act funding directly to Broward municipalities as was intended by the Congress and directed by the Governor.

Section 3: That the City Clerk is directed to distribute this resolution to the Board of County Commissioners for Broward County, the Broward County League of Cities, and each of the municipalities in Broward County.

Section 4: That the appropriate City officials are authorized to execute all necessary documents and to take any necessary action to effectuate the intent of this resolution.

Section 5: That if any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

Section 6: That this resolution shall be in full force and effect immediately upon its adoption.

Adopted this 23rd day of July, 2020.

Louis Sarbone, Mayor

Attest:

Leslie Wallace May, City Clerk

Sarbone Aye

Rydell Aye

Tooley Aye

Belvedere Aye

Welch Aye