

RESOLUTION NO. 20 - _____
PINELLAS CARES SMALL BUSINESS GRANTS

WHEREAS, in response to the emergence of a novel coronavirus and the respiratory disease it causes (“COVID-19”), the World Health Organization (WHO) has officially characterized COVID-19 as a pandemic that constitutes a Public Health Emergency of International Concern; and

WHEREAS, on March 1, 2020, Governor Ron DeSantis issued Executive Order Number 20-51, declaring that appropriate measures to control the spread of COVID-19 in the State of Florida are necessary, and accordingly the State Surgeon General and State Health Officer declared that a Public Health Emergency exists in the State of Florida; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order Number 20-52 declaring a State of Emergency for the state of Florida in furtherance of efforts to respond to and mitigate the effects of COVID-19 throughout the state; and

WHEREAS, in addition to other subsequent Executive Orders issued by the Governor, the Governor found it necessary and appropriate to take action to slow the spread of COVID-19, and accordingly issued Executive Order 20-91 (EO 20-91) on April 1, 2020, restricting the movements and activities of people throughout the State of Florida as provided therein, shutting down and dramatically negatively effecting many businesses within Pinellas County which continues to date; and

WHEREAS, in order to fully and effectively respond to the developing threats posed by the novel coronavirus and its associated disease (COVID-19), and in coordination with ongoing emergency actions by the state and federal governments, the Pinellas County Board of County Commissioners (Board) passed Resolution 20-16 declaring a local state of emergency in Pinellas County (Resolution), and subsequently extensions and orders have been issued continuing the state local emergency based on ongoing threats and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community; and

WHEREAS, the Board adopted Resolution 20-20 (Safer at Home Order), and Resolution 20-23 implementing the Governor’s EO 20-91; and

WHEREAS, the County and the Sheriff have issued guidance and enforced the provisions of the Governor’s EO 20-91 and the Board’s Safer at Home Order; and

WHEREAS, on March 27, 2020, Congress passed, and the President signed the “Coronavirus Aid, Relief, and Economic Security Act” (CARES Act); and

WHEREAS, on April 22, 2020, the U.S. Treasury Department (Treasury) issued Guidance for State, Territorial, Local, and Tribal Governments relating to payments made available under section 601(a) of the Social Security Act as added by section 5001 of the CARES Act (Coronavirus Relief Fund); and

WHEREAS, the Treasury guidance makes clear that certain expenses of the County associated with the provision of economic support in connection with the COVID-19 public health emergency, such as expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures are eligible expenditures of the Coronavirus Relief Fund allocation; and

WHEREAS, the County is aware that many small businesses have been seriously impacted by the business interruption closures and restrictions necessitated by the COVID-19 pandemic; and

WHEREAS, although each small business’s impacts to the County’s economic engine is often small, cumulatively their impact is very large through employment of citizens who spend and support the County economy, support of other businesses and tourism through commerce; and

WHEREAS, Pinellas County as a local government with a population in excess of 500,000 people is the only entity within Pinellas County that received the Coronavirus Relief Fund monies;

WHEREAS, Pursuant to §252.38(1), Florida Statutes, and Pinellas County Charter section 2.04 (k), the County has jurisdictional authority over the entire county for emergency management purposes.

NOW, THEREFORE, BE IT RESOLVED AND DECLARED by the Board of County Commissioners of Pinellas County, Florida, this 28th day of April 2020:

The Board of County Commissioners finds in addition to the Whereas clauses above, as follows:

- 1) Small businesses contribute significantly to the economic engine of the County and have been among the most severely affected by the closures and restrictions.
- 2) While the need of the many businesses that have been impacted by COVID-19 public health emergency is very large, the funds available for the County to give as grants are finite.
- 3) Many Not-for Profit organizations (501(c)(3) organizations) are by definition “charitable organizations” and receive their funds primarily from private donors and governmental sources. Other 501 organizations are often involved in lobbying activities and/or are supported primarily by member dues, rather than by sales of products or services.
- 4) While indirectly affected, home-based businesses were not directly caused to close by the Governor’s EO 20-91 because they could continue to operate from home as long as social distancing was achieved or through online sales or activities.
- 5) That the following small business categories have been most impacted by the COVID-19 closures and restrictions:
 - a. “Food Service Establishments” as defined in Chapter 500, Florida Statutes, and “Public Food Service Establishments” as defined in Chapter 509, Florida Statutes.
 - b. Bars, Pubs and Nightclubs as described in Governor’s Executive Order 20-68.
 - c. Short-term lodging establishments and vacation rental management companies that collect and remit Tourist Development Taxes.

- d. Non-essential businesses covered under Section 5 of the “State of Florida & Pinellas County ‘Safer-at-Home’ Guidance” document which is attached hereto as **Exhibit B**.
 - e. Places of public and private assembly covered under Section 2 of the “State of Florida & Pinellas County ‘Safer-at-Home’ Guidance” document.
- 6) The program attached hereto as **Exhibit A** titled, “PINELLAS CARES SMALL BUSINESS GRANTS” is an appropriate and necessary as an intermediate emergency step to assist small businesses and support the economic engine of the County as a whole.
- 7) The County Administrator is directed to implement the Pinellas CARES Small Business Grant Program. The County Administrator is further authorized to make such adjustments to the program as may be necessary or prudent within the guidelines established by Treasury as they may be amended or supplemented from time to time.

Severability.

Any provision(s) within this Order that conflict(s) with any State or Federal law or constitutional provision, or conflict(s) with or are superseded by a current or subsequently-issued Executive Order of the Governor or the President of the United States, shall be deemed inapplicable and deemed to be severed from this Order, with the remainder of the Order remaining intact and in full force and effect. To the extent application of some or all of the provisions of this Order is prohibited on the sovereign land of a federally or state recognized sovereign Indian tribe, such application is expressly excluded from this Order.

Effective Date; Duration.

This Order is effective immediately upon filing with the Clerk of the Circuit Court which will happen at the close of this meeting.

This Order is in addition to the Executive Orders issued by Governor DeSantis.

This Order applies to incorporated and unincorporated areas within Pinellas County, but has no application outside of Pinellas County.

This order and prior resolutions and emergency orders remain in force and effect unless modified or superseded.

Commissioner _____ offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner _____, and upon roll call the vote was:

AYES:

NAYS:

ABSENT AND NOT VOTING:

Donald S. Crowell, Chief Asst. County Attorney: APPROVED AS TO FORM