

RESOLUTION NO. 21- 120

APPROVING THE COUNTY EMPLOYEE VACCINATION INCENTIVE PROGRAM

CORONAVIRUS LOCAL FISCAL RECOVERY FUNDING

WHEREAS, the County received funds from the United States Treasury from the American Rescue Plan Act Coronavirus Local Fiscal Recovery program funds in the amount of \$94,690,770.00 for uses consistent with that program.

THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pinellas County, Florida, in a public meeting duly assembled this 26th day of October, 2021, that the Board makes the following findings of fact in approving the Pinellas County Employee Vaccination Incentive program as reflected in the attached Exhibit A:

- 1) According to the Centers for Disease Control and Prevention (CDC):
  - a. COVID-19 vaccines currently authorized in the United States have been shown to be effective against SARS-CoV-2 infections, including asymptomatic and symptomatic infection, severe disease, and death.
  - b. These findings, along with the early evidence for reduced viral load in vaccinated people who develop COVID-19, suggest that any associated transmission risk is likely to be substantially reduced in vaccinated people.
  - c. Available evidence suggests the currently approved or authorized COVID-19 vaccines are highly effective against hospitalization and death for a variety of strains, including Alpha (B.1.1.7), Beta (B.1.351), Gamma (P.1), and Delta (B.1.617.2).
  - d. Data show fully vaccinated persons are less likely than unvaccinated persons to acquire SARS-CoV-2, and infections with the Delta variant in fully vaccinated persons are associated with less severe clinical outcomes.
  - e. Current efforts to maximize the proportion of the U.S. population that is fully vaccinated against COVID-19 remain critical to ending the COVID-19 pandemic.
- 2) The recent average vaccination rate available for those eligible to be vaccinated within Pinellas County according to the CDC COVID Data Tracker is 62.5% (as of September 17, 2021).
- 3) The CDC COVID Data Tracker shows also that the seven day moving averages in Pinellas County for COVID deaths are the highest they have been since the pandemic began; the number of hospitalizations and percentage of hospital beds utilized over the last month have been the highest since the pandemic began as well (as of September 15, 2021 data).
- 4) Pinellas County employees interact with each other, the public, and their families regularly in the performance of their public duties and while off duty.
- 5) Many Pinellas County employees have been exposed to COVID-19, and many unknowingly have exposed others; some contracting COVID and becoming ill, and others requiring quarantine.
- 6) In addition to the individual and public health consequences of such exposures and illnesses, these issues have greatly impacted the costs to and efficiency of Pinellas County government in its delivery of public services and continue to do so.
- 7) There is a public purpose and need to ensure that the percentage of vaccinated individuals within Pinellas County employees is as high as possible to diminish the impacts of COVID-19 illness within Pinellas County.
- 8) It is illegal under Florida law (s. 381.00316 FS; 64-8.001 FAC) for the County to REQUIRE a vaccine passport (\$5000 fine/violation) and may violate health privacy for an employer to ask if an employee is vaccinated.
- 9) It is reasonable to assume that the Pinellas County employees have a vaccination rate approximating that of the rest of the County population.

- 10) Voluntary local government employee vaccination incentive programs have been utilized throughout the Tampa Bay area.
- 11) The Tampa International Airport voluntary employee vaccination incentive program has resulted in an employee vaccination rate in excess of 90%.
- 12) The American Rescue Plan Act (ARPA) provides local governments flexibility to determine how best to use payments from the Fiscal Recovery Funds to meet the needs of their communities and populations with a few specific limitations not applicable to this action of the Board.
- 13) The interim rule adopted by the US Treasury to implement the Fiscal Recovery Funds provisions of ARPA specifically recognizes that the uses under ARPA build on eligible expenditures under the Coronavirus Relief Funds (from the CARES Act), including some expansions in eligible uses to respond to the public health emergency, such as vaccination campaigns.
- 14) The US Treasury issued specific guidance that programs that provide incentives reasonably expected to increase the number of people who choose to get vaccinated, or that motivate people to get vaccinated sooner than they otherwise would have, are an allowable use of funds so long as such costs are reasonably proportional to the expected public health benefit.
- 15) The Pinellas County Employee Vaccination Incentive program as reflected in the attached Exhibit A is reasonably expected to result in a substantial increase in the rate of vaccinations as a result of a vaccine incentive and the positive public health benefit is reasonably proportional to the cost of the program.

Commissioner \_\_\_\_\_ Justice \_\_\_\_\_ offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner \_\_\_\_\_ Flowers \_\_\_\_\_, and upon roll call the vote was:

**AYES:**            5            Justice, Flowers, Gerard, Long, and Seel.  
**NAYS:**            2            Eggers and Peters.  
**ABSENT AND NOT**  
**VOTING:**            0            None.

**APPROVED AS TO FORM**

By: Donald S. Crowell  
 Office of the County Attorney