

RESOLUTION NO. 20 - 37
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 Welch offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner Long , and upon roll call the vote was:

AYES: Gerard, Eggers, Justice, Long, Peters, Seel, and Welch.

NAYS: None.

ABSENT AND NOT VOTING: None.

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



Pinellas CARES Small Business Grant

(effective April 28, 2020)

Purpose

Pinellas County has initially identified up to \$35 million in emergency relief funds to support the small businesses hardest hit by the COVID-19 pandemic. Funds are available as part of the Coronavirus Aid, Relief, and Economic Security (CARES) Act federal stimulus package.

Pinellas County will provide emergency financial support through the Pinellas CARES Small Business Grant for qualified small businesses that are negatively impacted by the COVID-19 pandemic due to orders to close or limit operations. This program is intended to help offset the significant, temporary loss of revenue to these qualified businesses during this pandemic, and to assist businesses in retaining and paying employees.

The program will offer one-time \$5,000 grants to qualifying small businesses to cover expenses such as employee wages, vendor bills and rent. The emergency relief is targeted specifically to help local brick and mortar businesses cover immediate financial needs. Grants are strictly limited to businesses located physically within Pinellas County. Funds can only be used to reimburse the costs of business interruption caused by required closures provided those costs are not paid by insurance or by another federal program.

Regardless of whether a business is or is not eligible for this program, it may still qualify for other existing funding programs. Visit www.pced.org/covid19loans for a list of federal and state programs assisting businesses impacted by the COVID-19 pandemic.

Eligibility

Businesses are eligible for a one-time \$5,000 grant from Pinellas County if:

- The business occupies commercial space within Pinellas County.
- Has at least 1, but no more than 25, full-time equivalent (FTE) employees, including the business owner. The firm can have many more part-time employees as long as the total weekly hours of all employees does not exceed 1,000 (25 FTE x 40-hour work week).
- The business has been operating since at least October 1, 2019 and was still in operation on February 29, 2020.
- Firm is expected to return to full operations after local and state emergency guidelines during COVID-19 are rescinded.



Pinellas CARES Small Business Grant

(effective April 28, 2020)

Eligible business types:

- “Food Service Establishments” as defined in [Chapter 500, Florida Statutes](#), and “Public Food Service Establishments” as defined in [Chapter 509, Florida Statutes](#).
- Bars, pubs and nightclubs as described in [Governor’s Executive Order 20-68](#).
- Short-term lodging establishments and vacation rental management companies that collect and remit Tourist Development Taxes.
- Non-essential businesses covered under Section 5 of the [“State of Florida & Pinellas County ‘Safer-at-Home’ Guidance” document](#).
- Places of public and private assembly covered under Section 2 of the [“State of Florida & Pinellas County ‘Safer-at-Home’ Guidance” document](#).

These business types were selected because they were either required to close due to the Governor’s or Pinellas County Board of County Commissioners’ (BCC)’s orders or were severely impacted by those orders, as in the case of food service and lodging establishments. While restaurants may remain open for carryout or delivery, the orders still resulted in a significant loss of employment and revenues. Many restaurants were not able to adapt or retain employees and closed entirely.

The lodging industry depends heavily on Pinellas County’s beaches, museums and attractions – all of which were closed by the orders. Non-essential travel is also restricted by government orders. Hotel occupancy is typically around 90% at this time of year; recent occupancy levels have been as low as 17%.

The Pinellas CARES Small Business Grant is a companion to the grant programs that are currently offered by Pinellas County’s municipal partners. Businesses that have already applied or received funding from municipal grant programs are still eligible for this program. Owners with more than one eligible business may submit an application for each legal entity.

We estimate that approximately 6,500 businesses in Pinellas County would qualify for this grant. There are sufficient funds for each of these firms to receive a \$5,000 grant.

Ineligible businesses

- Firms with more than 25 full-time equivalent (FTE) employees. Pinellas County has limited funding. Small businesses tend to be in a more precarious financial condition. The County intends to preserve and promote small local businesses as evidenced by the BCC’s implementation of the Small Business Enterprise (SBE) program.



Pinellas CARES Small Business Grant

(effective April 28, 2020)

Ineligible businesses continued

- Publicly traded companies. These firms are owned by the stockholders, who may not be local residents and are not involved in the day to day operations of the company.
- Home-based businesses. These firms are technically not required to close under the Governor's or the BCC's orders. Many could continue to operate within Center for Disease Control (CDC) social distancing guidelines or through online sales or activities. Home-based businesses also tend to have very few employees and do not pay the additional rent or utilities expenses of brick and mortar businesses.
- Non-profit organizations. 501(c)(3) organizations are by definition "charitable organizations" and receive funding primarily from private donors and governmental sources. Other 501(c) organizations are involved in lobbying activities and/or are supported primarily by member dues, rather than by sales of products or services.
- Firms with unpaid code enforcement liens against them.
- Firms with an owner, officer, partner, or principal actor who has a felony or financial mismanagement conviction within the last two years for which he or she is still serving a sentence (including prison, parole, and probation).

Application process

- Applications will be submitted using a digital online portal.
- Applicants will be required to attach supporting documentation to prove their business location, status and employee count, and to demonstrate recent business income and expenses.
- Applicants will be required to digitally sign the application and attest, under penalty of perjury, that all information submitted is truthful.
- Completing the application should take approximately 10-15 minutes, if the applicant has the necessary documentation at hand.

Timeline

- April 28 to May 3, 2020: Program outreach and education.
- May 4 to June 1, 2020: Application portal open for submissions from eligible Pinellas County small businesses.



STATE OF FLORIDA & PINELLAS COUNTY "SAFER-AT-HOME" GUIDANCE

***new updates since the previous version**

1. Under the **Pinellas County Board of County Commissioners' Resolution #20-17 effective March 20th, 2020** all public beaches and public beach parking remain closed.

2. Under the **Pinellas County Board of County Commissioners' "SAFER AT HOME" Order #20-20 effective March 26th, 2020:**

Places of public and private assembly are required to close, whether indoors or outdoors. This includes locations with amusement rides, water parks, pools (except for those in single-family home), zoos, museums, movie and other theaters, public playgrounds, bowling alleys, pool halls, concert and music halls, country clubs, social clubs and fraternal organizations.

*All playgrounds are closed whether it is in a city or county park, recreation center, or private child care facility. All playground equipment is closed in Pinellas County regardless of where it is located (except for those at single-family homes).

3. Under the **Florida Fish & Wildlife Conservation Commission (FWC) Executive Order #20-09 effective March 27th, 2020** recreational vessel occupancy is limited to no more than 10 persons per vessel and a minimum distance of 50 feet between recreational vessels and any other vessel shall be maintained.
4. Under the **Governor's Executive Order #20-91 effective April 3rd, 2020:**
 - a. Senior citizens and individuals with a significant underlying medical condition (such as chronic lung disease, moderate-to-severe asthma, serious heart conditions, immunocompromised status, cancer, diabetes, severe obesity, renal failure and liver disease) shall stay at home and take all measures to limit the risk of exposure to COVID-19. "Senior Citizen" is not defined in the Governor's Executive Order.
 - b. All persons in Florida shall limit their movements and personal interactions outside of their home to only those necessary to obtain or provide essential services or conduct essential activities.

5. Under the **Governor's Executive Order and the Pinellas County Board of County Commissioners' Order** all non-essential businesses shall close. These include, but are not limited to:
- a. Acupuncture (unless service is under the care of a medical provider)
 - b. Antique stores
 - c. Auction houses
 - d. Automotive tint, wash, detail, and accessory businesses
 - e. Beauty supply and skin care stores
 - f. Boat dealerships, rentals, and charters; kayak sales and rentals
 - g. Bookstores
 - h. Clothing and shoe retail, rental, or consignment
 - i. Craft, art, and hobby supply stores
 - j. Day/Beauty spas, hair or nail salons, and barber shops
 - k. Décor and Lighting sales businesses
 - l. Entertainment establishments
 - m. Florist businesses
 - n. Fitness, Dance, Pilates, and Yoga studios and gyms
 - o. Furniture stores
 - p. Jewelry stores and jewelry repair businesses
 - q. Massage (unless service is under the care of a medical provider)
 - r. *Mattress stores
 - s. Music and instrument stores; music lesson providers
 - t. Museums
 - u. Optical retail stores (non-prescription)
 - v. Painting, craft, or art studios
 - w. Pet grooming businesses (including mobile and those co-located with pet retail stores)
 - x. Pet sales and adoptions as a primary business (excluding on premises animal care)
 - y. Smoke, tobacco, CBD, or vape stores
 - z. Spa and hot tub sales businesses
 - aa. Sporting goods sales and repair businesses
 - bb. Stereo installation and sales businesses
 - cc. Tailors and alterations
 - dd. Tattoo and piercing services
 - ee. Toy retail stores or amusement rental businesses
 - ff. *Video gaming retail or rentals
 - gg. Vitamin stores (unless service is under the care of a medical provider)
 - hh. Yard, garage, and estate sales

6. Under the **Governor's Executive Order and the Pinellas Board of County Commissioners' Order** essential services include but are not limited to:

- a. AA/NA and other meetings (requires social distancing)
- b. Animal shelters/adoptions at shelters
- c. *Appliance rental stores and repair
- d. Automobile dealerships, repairs and maintenance, auto parts stores
- e. Banks and financial institutions
- f. Bicycle sales, repairs and maintenance
- g. *Cell phone stores and repair
- h. Community based organizations providing meals and social services
- i. Critical trades: (Plumbers, Electricians, Exterminators, Security personnel, etc.) Fire and water damage restoration, appliance repair personnel, exterminators, and other service providers (such as landscape and pool maintenance service providers) who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and other structures;
- j. Firearm sales and ranges
- k. First Responders, Police and Fire, Jails and Prisons
- l. Flight schools (only if located on airport property)
- m. Food and beverage (grocery stores, food banks, alcohol sales, restaurants: delivery, take-out or curbside delivery)
- n. Funeral services
- o. Garbage and Sanitation services
- p. Gas Stations
- q. Government operations
- r. Hardware, garden, and supply stores
- s. Hospitals, clinics, and other healthcare operations
- t. Hotel and lodging
- u. Human Service operations (including community-based organizations providing meals)
- v. Insurance
- w. Laundromats
- x. Law Firms (only for meeting court-ordered deadlines)
- y. Manufacturing facilities
- z. Moving companies
- aa. Post offices and shipping services
- bb. Process servers
- cc. Realtors
- dd. Stores: batteries, electronics, light bulbs, and office supplies
- ee. Tax preparation services
- ff. Telemarketing (requires social distancing)
- gg. Title companies
- hh. Transportation: airports, ride sharing, taxis, and public transportation such as PSTA
- ii. Utilities, Public Works and essential infrastructure
- jj. Veterinarians
- kk. Warehouses: food distribution, food manufacture, and product distribution

7. Under the **Governor's Executive Order and the Pinellas Board of County Commissioners' Order** essential activities include but are not limited to:
- a. Attending religious services conducted in churches, synagogues, or houses of worship
 - b. Caring for or otherwise assisting a loved one or a friend
 - c. Participating in recreational activities (consistent with social distancing guidelines) such as walking, biking, hiking, fishing, golfing (golf courses may remain open) hunting, or swimming
 - d. Recreational boating (boat ramps, marinas, and bait/tackle shops may remain open)
 - e. Taking care of pets
8. The social distancing requirement in the CDC guidelines, the governor's executive order, and the Board of County Commissioner's Safer at Home order directs everyone not to congregate in groups of more than ten people and that people not of the same family unit must remain six feet apart. This must be adhered to in a practical way while using common sense. To clarify, the directives do not prohibit ten people from being in one building or place. More than ten people are allowed in grocery stores, churches, parks, etc.; however, they must be six feet apart from those not in their family unit.

The following are some examples of what is permitted and prohibited:

- a. It is permitted to have eight people who are not part of the same family unit in a doctor's office waiting room if they are six feet apart.
- b. It is permitted to have a husband and wife sit next to each other in a doctor's waiting room if they are separated from other patients by six feet.
- c. It is permitted to have a family of four, family of three, and family of five all sit in the same pew of a place of worship if each family unit is separated by six feet.
- d. It is prohibited to have six people who are not in the same family unit and who are not each separated by six feet in one church pew.
- e. It is prohibited to have 15 customers who are not part of the same family unit all gathered less than six feet apart standing in front of the grocery store deli counter.
- f. It is prohibited to have six people who are not part of the same family unit standing within six feet of one another along the rail on a pier watching the sunset.
- g. It is permitted to have more than 10 people on the pier all watching the sunset if they are individuals or in family units and are separated by at least six feet.