

EMERGENCY ORDINANCE NO. 20-270

AN EMERGENCY ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, MODIFYING THE BUDGET APPROVED BY ORDINANCE NO. 20-269; AMENDING THE TOWN'S FISCAL YEAR 2020-21 BUDGET; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR AMENDMENTS; PROVIDING FOR CONFLICTS; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 200.065, Florida Statutes and Section 8.7 of the Town of Miami Lakes (the "Town") Charter, the Town Council adopted Fiscal Year 2020-2021 Budget (the "Budget") by Ordinance 20-269; and

WHEREAS, on March 12, 2020, given the novel, contagious, and potentially dangerous COVID-19 coronavirus, the Town declared a State of Emergency; and

WHEREAS, COVID-19 coronavirus is a dangerous and highly contagious pathogen that can be spread through the air and physical contact, has infected over one hundred thousand persons and has caused over three thousand deaths throughout Miami-Dade County (the "County"); and

WHEREAS, in an effort to stop the spread of COVID-19, on March 17, 2020, the County issued order 03-20 which shut down non-essential small businesses throughout the County; and

WHEREAS, from March through September 2020, via a patchwork of emergency orders, the County modulated the closures of salons, restaurants, barbershops, schools and other small businesses, which economically harmed many Town small businesses; and

WHEREAS, during the April, June, July and August Town Council meetings, the Town Council deliberated and directed its staff and attorneys, to research and recommend practical and legal solutions that could provide immediate relief to affected small businesses; and

WHEREAS, on November 2, 2020, the County awarded the Town, Five Hundred Fifty-Two Thousand, Three Hundred Seventy Dollars and 00/100 (\$552,370.00) of Corona Relief Fund monies, for use in any program related to COVID-19 relief; and

WHEREAS, aligned with the Town Council's goal of providing relief to small businesses, the Town Manager proposes the creation of the "Town of Miami Lakes Small Business Grant Program."; and

WHEREAS, in order for the Town to receive Corona Relief Fund monies, the Town must expend an equal amount prior to December 30, 2020; and

WHEREAS, the County and Town remain under a state of emergency, produced by the COVID-19 pandemic; and

WHEREAS, Florida Statute §166.041(3)(b), and Section 4.4 of the Town Charter, permit ordinances to be created on an emergency basis to meet "a public emergency affecting life, health, property, or the public peace; and

WHEREAS, it is impractical for the Town Council to have a meeting between November 17, and December 31, 2020; and

WHEREAS, 2/3 of the Town Council finds that in order to provide relief and protect the integrity of Town small businesses that have suffered during the COVID-19 Pandemic, it is necessary to amend the Budget to provide for the necessary funds to accomplish the Exhibit "A," attached hereto.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by this reference.

Section 2. Budget Amendment. The Fiscal Year 2020-2021 Budget adopted in Ordinance No. 20-269, titled “Town of Miami Lakes FY 2020-2021 Adopted Budget” attached hereto as Exhibit “A.” The Town Council hereby modifies the Budget in order to fund the Town of Miami Lakes Small Business Grant Program, and 2018-2019. All other terms and conditions of Ordinance No. 20-269 not otherwise amended by this Ordinance remain in full force and effect.

Section 3. Authorization of Town Manager. The Town Manager is hereby authorized to take all actions necessary to implement the terms and conditions of this Ordinance.

Section 4. Authorization of Fund Expenditures. The Town Manager or his/her designee is authorized to expend or contract for expenditures such funds as are necessary for the operation of the Town of Miami Lakes Small Business Grant Program in accordance with the Budget and the terms and conditions of this Ordinance.

Section 5. Conflicts. All sections or parts of sections of the Town Code that conflict with this Ordinance are repealed to the extent of such conflict.

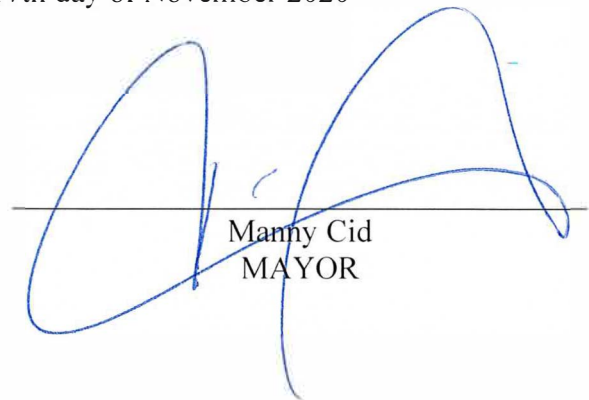
Section 6. Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause, provision or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 7. Effective date. This Ordinance shall be effective upon adoption on second reading.

The foregoing ordinance was moved by Councilmember Rodriguez who moved its adoption on first reading. The motion was seconded by Vice Mayor Collazo and upon being put to a vote, the vote was as follows:

Mayor Manny Cid	yes
Vice Mayor Luis E. Collazo	yes
Councilmember Carlos ●. Alvarez	yes
Councilmember Josh Dieguez	yes
Councilmember Tony Fernandez	yes
Councilmember Jeffrey Rodriguez	yes
Councilmember Marilyn Ruano	yes

Passed and adopted on second reading this 17th day of November 2020




Manny Cid
MAYOR

Attest:



Gina M. Inguanzo
TOWN CLERK

Approved as to form and legal sufficiency:



Raul Gastesi, Jr.
Gastesi, Lopez and Mestre, PLLC
TOWN ATTORNEY