

MEMORANDUM

Agenda Item No. 14(A)(3)

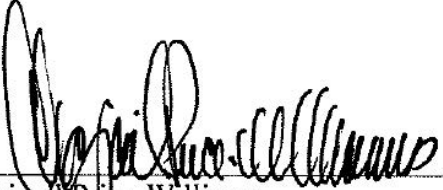
TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: October 20, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution authorizing continuation of certain compensation to County employees on active military service from November 1, 2020 to October 31, 2022; providing for compensation effective date; directing the County Mayor to provide reports on the cost of providing such supplemental pay

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairwoman Rebeca Sosa and Co-Sponsors Commissioner Jose "Pepe" Diaz, Commissioner Sally A. Heyman and Commissioner Joe A. Martinez.



Abigail Price-Williams
County Attorney

APW/uw



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

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County Attorney

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Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 14(A)(3)
10-20-20

RESOLUTION NO. _____

RESOLUTION AUTHORIZING CONTINUATION OF CERTAIN COMPENSATION TO COUNTY EMPLOYEES ON ACTIVE MILITARY SERVICE FROM NOVEMBER 1, 2020 TO OCTOBER 31, 2022; PROVIDING FOR COMPENSATION EFFECTIVE DATE; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PROVIDE REPORTS ON THE COST OF PROVIDING SUCH SUPPLEMENTAL PAY

WHEREAS, Section 115.14, Florida Statutes, authorizes counties and municipalities to "supplement the military pay of its officials and employees who are reservists called to active military service after the first 30 days in an amount necessary to bring their total salary, inclusive of their base military pay, to the level earned at the time they were called to active military duty"; and

WHEREAS, this Board implemented this statutory authorization, through Resolution No. R-1059-01, in response to the September 11, 2001 terrorist attacks against the United States, and extended such authorization in Resolution Nos. R-1063-02, R-157-03, R-1345-07, R-1117-10, R-873-12, R-945-14, R-1108-16 and R-1097-18; and

WHEREAS, Resolution No. R-1097-18 last extended such authorization through October 31, 2020; and

WHEREAS, the United States Military has continued to engage in hazardous activities overseas requiring the ongoing military service of County employees; and

WHEREAS, this Board wishes to provide the supplemental compensation first authorized by Resolution No. R-1059-01, and subsequently extended, to those employees called to active military service from November 1, 2020 to October 31, 2022, and to monitor the continuation of such compensation; and

WHEREAS, it is the desire of this Board to provide this supplemental compensation effective November 1, 2020,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The compensation authorized by Resolution Nos. R-1059-01, R-1063-02, R-157-03, R-1345-07, R-1117-10, R-873-12, R-945-14, R-1108-16 and R-1097-18 is hereby extended to cover the period from November 1, 2020 through October 31, 2022. Accordingly, employees entering into active military leave on or after November 1, 2020, shall be entitled to receive County supplemental pay in an amount equal to the net difference between their military pay and their County compensation for a total of up to 24 months or the duration of their military service, whichever is less.

Section 2. This compensation shall apply effective November 1, 2020.

Section 3. The County Mayor or County Mayor's designee shall fund the compensation set forth in Section 1 from legally available funds within the Fiscal Year 2020-21 budget and include such funding in the proposed Fiscal Year 2021-22 budget proposals, or alternatively if such funds are not available, include possible sources of funding in the reports required pursuant to Section 4 below.

Section 4. The County Mayor or County Mayor's designee shall provide a report to this Board within 180 days of the effective date of this resolution on the cost of providing supplemental pay under this resolution and shall place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65. In addition, the County Mayor or County Mayor's designee shall provide to the Board updated reports on the cost of providing supplemental pay under this resolution on a semiannual basis. The County Mayor or County Mayor's designee shall place such updated reports on applicable agendas of the Board pursuant to Ordinance No. 14-65.

The Prime Sponsor of the foregoing resolution is Vice Chairwoman Rebeca Sosa and the Co-Sponsors are Commissioner Jose "Pepe" Diaz, Commissioner Sally A. Heyman and Commissioner Joe A. Martinez. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

| | |
|--------------------------------|----------------------|
| Audrey M. Edmonson, Chairwoman | |
| Rebeca Sosa, Vice Chairwoman | |
| Esteban L. Bovo, Jr. | Daniella Levine Cava |
| Jose "Pepe" Diaz | Sally A. Heyman |
| Eileen Higgins | Barbara J. Jordan |
| Joe A. Martinez | Jean Monestime |
| Dennis C. Moss | Sen. Javier D. Souto |
| Xavier L. Suarez | |

The Chairperson thereupon declared this resolution duly passed and adopted this 20th day of October, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

MSM

Marlon D. Moffett