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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(21)

TO:	Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners	**DATE:**	October 23, 2012
FROM:	R. A. Cuevas, Jr. County Attorney	SUBJECT:	Resolution authorizing continuation of certain compensation to County Employees on active Military Service after October 31, 2012 Resolution No. R-873-12

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Joe A. Martinez.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: October 23, 2012

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(21)

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**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous_____) 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. 11(A)(21)
10-23-12

RESOLUTION NO. R-873-12

RESOLUTION AUTHORIZING CONTINUATION OF CERTAIN COMPENSATION TO COUNTY EMPLOYEES ON ACTIVE MILITARY SERVICE AFTER OCTOBER 31, 2012

WHEREAS, Florida Statutes § 115.14 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 R-1059-01, in response to the terrorist attacks against the United States of September 11, 2001, and extended such authorization in Resolutions R-1063-02, R-157-03, R-1345-07 and R-1117-10; and

WHEREAS, Resolution R-1117-10 last extended such authorization through October 31, 2012; and

WHEREAS, the United States military has continued to engage in hazardous activities overseas as a continuing response to terrorist attacks against the United States and as a result of hostilities in the Middle East, requiring the call to active duty of County employees not previously engaged; and

WHEREAS, this Board wishes to provide the supplemental compensation authorized by Resolutions R-1059-01, R-1063-02, R-157-03, R-1345-07 and R-1117-10 to those employees

called to active military service after October 31, 2012, and to monitor the continuation of such compensation,

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

Section 1. The compensation authorized by Resolutions R-1059-01, R-1063-02, R-157-03, R-1345-07 and R-1117-10 is hereby extended to cover the period from November 1, 2012 through October 31, 2014. Accordingly, employees entering into active military leave on or after November 1, 2012, 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. The County Mayor shall report to the Board the cost of providing supplemental pay under this resolution on a semi-annual basis.

Section 3. The Board shall review this resolution in October 2014 for a determination as to whether the benefits should be continued.

The Prime Sponsor of the foregoing resolution is Chairman Joe A. Martinez. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman			**aye**
Audrey M. Edmonson, Vice Chairwoman			**aye**
Bruno A. Barreiro	**aye**	Lynda Bell	**absent**
Esteban L. Bovo, Jr.	**aye**	Jose "Pepe" Diaz	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Jean Monestime	**absent**	Dennis C. Moss	**aye**
Rebeca Sosa	**aye**	Sen. Javier D. Souto	**aye**
Xavier L. Suarez	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 23rd day of October, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

By: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Lee Kraftchick