



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Rafael A. Paz, City Attorney

A blue ink signature of Rafael A. Paz, written in a cursive style.

DATE: October 18, 2023

SUBJECT: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 78 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "PERSONNEL," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY CREATING SECTION 78-3 THEREOF, TO AUTHORIZE QUALIFYING CITY EMPLOYEES TO MAKE DONATIONS OF ANNUAL AND SICK LEAVE FOR HUMANITARIAN DISASTER RELIEF, AS MAY BE APPROVED BY THE CITY COMMISSION; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

The proposed Ordinance (the "Ordinance"), which is sponsored by Commissioner Alex Fernandez, is submitted for first reading at the October 18, City Commission meeting.

In 2005, the Mayor and City Commission enacted Ordinance No. 2005-3471, to allow qualifying City employees to donate annual or sick leave to the surviving dependent beneficiaries of a City employee who dies during the term of employment, to thereby convert annual and sick leave into cash for the benefit of family members of deceased employees.

On April 16, 2023, the Mayor and City Commission adopted Ordinance No. 2023-4485, creating Section 78-3 of the City Code, to authorize employees having at least 260 combined hours of annual and sick leave after any donation, to donate annual and sick leave for specified humanitarian disaster relief, as may be approved by the City Commission by Resolution.

The Ordinance had the sunset date of August 1, 2023, after which it was automatically repealed.

The Mayor and City Commission desire to re-establish the provisions of Section 78-3 through August 1, 2024, to authorize City employees to donate annual and sick leave for humanitarian relief, particularly following the recent conflict in Israel. Specifically, the Sponsor's intent would be to propose a Resolution to accompany second reading of this Ordinance, to identify a non-profit group to receive donations in support of persons displaced and/or adversely impacted by the tragic events in Israel.

If approved on first reading, the second reading/public hearing of the proposed Ordinance would take place on October 25, 2023.

RAP/FA/ag