


COMMISSION MEMORANDUM

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Rafael A. Paz, City Attorney  Second Reading/Public Hearing

DATE: April 6, 2022

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; AND PROVIDING FOR A SUNSET AND AUTOMATIC REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

The proposed Ordinance (the "Ordinance"), which is sponsored by Commissioner Alex Fernandez, is submitted for second reading/public hearing at the April 6, 2022 City Commission meeting.

The City of Miami Beach prides itself on being a diverse, inclusive international community with respect for the rule of law and democratic institutions, with the Mayor and City Commission routinely supporting measures that promote human rights and dignity.

In 2005, the Mayor and City Commission enacted Ordinance No. 2005-3471, which allows for qualifying City employees to donate a portion of their annual or sick leave to the surviving dependent beneficiaries of a City employee who dies while in the employ of the City, to thereby convert annual and sick leave into cash for the benefit of family members of deceased employees, in the spirit of shared community and a desire to help our extended City family members in times of great need.

Recently, an unprecedented number of people around the world have been affected by various disasters and catastrophes, both natural and manmade. If approved, the proposed Ordinance would create Section 78-3 of the City Code authorizing 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 Sponsor has proposed an accompanying Resolution, which would specifically authorize donations for the benefit of persons displaced and/or adversely impacted by Russia's unlawful invasion of the sovereign nation of Ukraine. Moreover, the Resolution, if adopted, would direct the City Administration to remit the donated funds to the American Red Cross in support of this urgent humanitarian crisis caused by Russia's unlawful invasion of Ukraine.