

City of South Daytona
Human Resources Department

1672 S. Ridgewood Avenue • South Daytona, FL 32119 • 386/322-3069 • Fax 386/322-3068



MEMORANDUM

To: James L. Gillis Jr., City Manager

From: Trudy A. O'Dell, Human Resources Department

Date: March 1, 2021

Re: Resolution No. 2021-06 Extending the Protections and Relief Offered by the Families First Coronavirus Response Act (FFCRA) for Three Additional Months Expiring June 30, 2021

AGENDA ITEM
C16 DATE 3/9/2021

The purpose of the attached Resolution (No. 2021-06) is to request an extension on the protection and relief offered by the Families First Coronavirus Response Act (FFCRA) for three additional months expiring June 30, 2021. The Act, which provided employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19, will expire on March 31, 2021 according to Resolution (No. 2021-02).

It is beneficial to the health and safety of all City employees and City operations to continue to encourage employees to not risk exposing themselves, coworkers, or the general public by offering additional paid sick leave related to COVID-19. It is also important to note that a COVID-19 vaccine has not been made available to all employees as of this date. Therefore, it is recommended that the City Council approve the request for an extension on the FFCRA for an additional three months expiring June 30, 2021. This date may be extended by City Council action dependent on when vaccinations have been made available to all employees.

EXHIBIT A

RESOLUTION NO. 2021-06

RESOLUTION NO. 2021-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH DAYTONA EXTENDING THE PROTECTIONS AND RELIEF OFFERED BY THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA) FOR THREE ADDITIONAL MONTHS EXPIRING JUNE 30, 2021; PROVIDING FOR REPEAL OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 19, 2020, the President of the United States signed in to law the Federal Families First Coronavirus Response Act (FFCRA), providing coverage for South Daytona employees under the Emergency Family and Medical Leave Expansion Act and Emergency Paid Sick Leave Act; and

WHEREAS, the Act provided employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19.

WHEREAS, the provisions of the FFCRA applied from April 1, 2020 through December 31, 2020; and

WHEREAS, the FFCRA's sick and family leave provisions were not extended as part of the pandemic relief package that was signed by the President of the United States on December 27, 2020.

WHEREAS, it is beneficial to the health and safety of all City employees and City operations to continue to encourage employees to not risk exposing themselves, coworkers, or the general public by offering additional paid sick leave related to COVID-19; and

WHEREAS, it is recognized that a COVID-19 vaccine has not been made available to all employees as of this date.

WHEREAS, it is recognized that on January 12, 2021 by Resolution No. 2021-02, the City Council extended the FFCRA's sick and family leave provisions until March 31, 2021.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH DAYTONA, FLORIDA:

SECTION 1. The City Council of the City of South Daytona hereby extends the FFCRA's sick and family leave provisions until June 30, 2021 unless an amendment is brought to the City Council.

SECTION 2. Conflicts. Any provision of this Resolution in conflict with any City of South Daytona Land Development Code is hereby repealed to the extent of any conflict.

SECTION 3. Severability. In the event that any word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Resolution, is contrary to law, or against public

policy, or shall for any reason whatsoever held to be invalid, illegal or unconstitutional, by any court of competent jurisdiction, such word(s), phrase(s), portion(s), sub-sub-section(s), sub-section(s), or section(s) of this Resolution shall be null and void, and shall be deemed severed, and a separate, distinct, and independent provision from the remaining provisions of this Resolution, and such holding shall in no manner affect the validity of the remaining words, phrases, portions, sub-sub-sections, sub-sections, or sections of this Resolution, which shall remain in full force and effect. This Resolution shall be construed in a manner to accomplish, to the greatest extent legally possible, the purposes of this Resolution as expressed herein. It will be presumed that the City Council for the City of South Daytona did not intend to enact any invalid or unconstitutional provision. It shall further be presumed that the City Council would have enacted the remainder of this Resolution without any invalid or unconstitutional provision, thereby causing said remainder to remain in full force and effect.

SECTION 4. Effective Date. This Resolution shall become effective as of April 1, 2021.

APPROVED AND ADOPTED upon first and final reading at the regular public meeting held by the City Council of the City of South Daytona, Florida, on the 9th day of March 2021.

SIGNED:

William C. Hall, Mayor

ATTEST:

James L. Gillis, Jr., City Manager
as Appointed City Clerk

Approved as to form and sufficiency

Vose Law Firm, City Attorney