



# MIAMI BEACH

## OFFICE OF THE CITY MANAGER

NO. LTC# 249-2016

LETTER TO COMMISSION

TO: Mayor Philip Levine and Members of the City Commission  
FROM: Jimmy L. Morales, City Manager  
DATE: June 1, 2016  
SUBJECT: Miami Beach Human Rights Committee Resolutions

The purpose of this Letter to Commission (LTC) is to inform the Commission of three resolutions passed by the Miami Beach Human Rights Committee at their monthly May committee meeting.

**RESOLUTION 1:**

to recommend that the Miami Beach Mayor and City Commission amend the Miami Beach Human Rights Ordinance (Ordinance No. 2010-3669) to include the words "actual or perceived" within its opening paragraph; and to modify the protected classes status within the ordinance to include the following categories: ancestry, height, weight, and domestic partner status.

**RESOLUTION 2:**

to encourage the Miami Beach Mayor and City Commission to expand the recent ban-the-box ordinance on employment applications for city employees and contractors to city-wide implementation.

**RESOLUTION 3:**

to support the City Commission's position to continue acquiring rental properties to provide affordable housing on Miami Beach.

The Miami Beach Human Rights Committee urges the Mayor and Commission to support the aforementioned resolutions.

# MIAMI BEACH

## HUMAN RIGHTS COMMITTEE

Committee Chair  
Alan B. Fishman, Esq.

City Liaisons  
Erick Chiroles  
Cilia Maria Ruiz-Paz

## Committee Members

Ivan Cano  
Darren Cefalu  
Monica Harvey  
Clare McCord  
Amy L. Rabin  
Jarred Reiling  
Ken Swartz, Esq.  
Bradley Ugent  
Rachel Umlas  
William Warren, Jr.

### Miami Beach Human Rights Committee

Meeting of May 3, 2016

**Members Present:** Ivan Cano, Darren Cefalu, Alan Fishman, Monica Harvey, Clare McCord, Amy Rabin, Ken Swartz, Rachel Umlas, William Warren Jr.

**Members Absent:** Jarred Reiling, Bradley Ugent

#### 1. **Motion**

Motion made by Ken Swartz  
Motion seconded by Darren Cefalu

Motion Text: to recommend that the Miami Beach Mayor and City Commission modify the Miami Beach Human Rights Ordinance (Ordinance No. 2010-3669) to include the words "actual or perceived" within its opening paragraph; and to additionally modify the protected classes status within the ordinance to include the following categories: ancestry, height, weight, and domestic partner status.

The amended ordinance text with the adopted resolution would read as follows:

#### Ordinance No. 2010-3669

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 62 OF THE CITY CODE, ENTITLED, "HUMAN RELATIONS;" AMENDING ARTICLE II, SECTION 62-32 THEREIN, TO FORMALLY NAME AND ALSO HEREINAFTER REFER TO THE PROVISIONS OF SAID ARTICLE (AND SECTIONS THERERO) AS THE "CITY OF MIAMI BEACH HUMAN RIGHTS ORDINANCE;" AMENDING ARTICLE II, SECTIONS 62-31 THROUGH 62-66, TO AMENDING THE EXISTING PROVISION AND, WHERE NOTED, CREATING NEW PROVISIONS PERTAINING TO THE PROCEDURES FOR FILING AND INVESTIGATING COMPLAINTS, MEDIATION OF COMPLAINTS, HEARING PROCEDURES, AND PENALTIES; FURTHER AMENDING CHAPTER 62, ARTICLE II, DIVISION 3, SECTIONS 62-88.1, AND 62-90, AND 62-91 THEREOF, AND CHAPTER 62, ARTICLE II, DIVISION 4, SECTION 62-112(c), TO INCLUDE ALL **ACTUAL OR PERCEIVED** CLASSIFICATION CATEGORIES (AS SET FORTH IN SECTION 32.33) BY WHICH DISCRIMINATION IS PROHIBITED UNDER THE CITY'S HUMAN RIGHTS ORDINANCE; AND PROVIDING FURTHER FOR CODIFICATION SEVERABILITY AND AN EFFECTIVE DATE.

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### Sec. 62-33. Purpose; declaration of policy.

In the city, with its cosmopolitan population consisting of people of every race, color, national origin, religion, gender, gender identity, sexual orientation, marital and familial status, and age, some of them who are disabled as defined under Section 62-31 hereof, there is no greater danger to the health, morals, safety and welfare of the city and its inhabitants than the existence of prejudice against one another and antagonistic to each other because of differences of race, color, national origin, religion, sex, gender identity, sexual orientation, marital and familial status, age, disability, **ancestry, height, weight or domestic partner status**. The city finds and declares that prejudice, intolerance, bigotry and discrimination and disorder occasioned thereby threaten the rights and proper privileges of its inhabitants and menace the very institutions, foundations and bedrock of a free, democratic society.

The general purpose of this article and the policy of the city, in keeping with the laws of the United States of America and the spirit of the state constitution, is to promote through fair, orderly and lawful procedure the opportunity for each person so desiring to obtain employment, housing and public accommodations of the person's choice in the city without regards to race, color, national origin, religion, sex, gender identity, sexual orientation, marital and familial status, age, disability, **ancestry, height, weight or domestic partner status**, and, to that end, to prohibit discrimination in employment, housing and public accommodations by any person.

**Motion Passage:** Unanimous, votes 9-0

#### 2. Motion

Motion made by William Warren, Jr.  
Motion seconded by Ivan Cano

Motion text: to encourage the Miami Beach Mayor and City Commission to expand the recent Ban-the-Box ordinance (R5C, May 11, 2016 – Amend Chapter 2 Fair Chance Requirement for Contractors) on employment applications for city employees and city contractors to city-wide implementation.

**Motion Passage:** Unanimous, votes 9-0

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Jarred Reiling  
Ken Swartz, Esq.  
Bradley Ugent  
Rachel Umlas  
William Warren, Jr.

### 3. Motion

Motion by William Warren Jr.  
Motion seconded by Monica Harvey

Motion text:

to support the Commission's position to continue acquiring rental properties to provide affordable housing on Miami Beach.

**Motion Passage:** 8-1