



City Commission Meeting

ADDENDUM MATERIAL 5

**City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
February 11, 2015**

Mayor Philip Levine
Vice-Mayor Joy Malakoff
Commissioner Michael Grieco
Commissioner Micky Steinberg
Commissioner Edward L. Tobin
Commissioner Deede Weithorn
Commissioner Jonah Wolfson

City Manager Jimmy L. Morales
City Attorney Raul J. Aguila
City Clerk Rafael E. Granada

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

ADDENDUM AGENDA

R7 - Resolutions

- R7H A Resolution Urging The Florida Legislature To Oppose Florida House Bill 583, Which Would Require That The Use Of Single-Sex Public Facilities Be Restricted To Persons Of The Sex For Which The Facilities Are Designated, Provide Criminal Penalties For Knowingly And Willfully Entering A Single-Sex Public Facility Designated For Or Restricted To Persons Of The Other Biological Sex, Provide A Private Cause Of Action Against Violators Of The Proposed Law, And Preempt Local Regulations To The Contrary.
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MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Jimmy Morales, City Manager

FROM: Micky Steinberg, Commissioner

DATE: February 11, 2015

SUBJECT: Agenda item for the February 11, 2015 City Commission Meeting

Please place on the February 11, 2015 City Commission agenda the attached Resolution urging the Florida Legislature to oppose Florida House Bill 583, which would require that the use of single-sex public facilities be restricted to persons of the sex for which the facilities are designated, provide criminal penalties for knowingly and willfully entering a single-sex public facility designated for or restricted to persons of the other biological sex, provide a private cause of action against violators of the proposed law, and preempt local regulations to the contrary.

In conjunction with the consideration of the above Resolution, I also request that the Mayor and City Commission consider directing the City Administration to draft appropriate amendments to the City Code provisions in Chapter 62 that are consistent with the intent of the Resolution and the City's policy of nondiscrimination with regard to gender identity, and to present an Ordinance for consideration by the City Commission at its meeting on March 11, 2015.

If you have any questions please do not hesitate to call our office.

Thank you.

Tathiane Trofino
On behalf of Commissioner Micky Steinberg

MIAMI BEACH

Commissioner Micky Steinberg

OFFICE OF MAYOR AND COMMISSION

1700 Convention Center Drive, Miami Beach, FL 33139

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We are committed to providing excellent public services and safety to all who live, work and play in our vibrant, tropical, historic community.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, URGING THE FLORIDA LEGISLATURE TO OPPOSE FLORIDA HOUSE BILL 583, WHICH WOULD REQUIRE THAT THE USE OF SINGLE-SEX PUBLIC FACILITIES BE RESTRICTED TO PERSONS OF THE SEX FOR WHICH THE FACILITIES ARE DESIGNATED, PROVIDE CRIMINAL PENALTIES FOR KNOWINGLY AND WILLFULLY ENTERING A SINGLE-SEX PUBLIC FACILITY DESIGNATED FOR OR RESTRICTED TO PERSONS OF THE OTHER BIOLOGICAL SEX, PROVIDE A PRIVATE CAUSE OF ACTION AGAINST VIOLATORS OF THE PROPOSED LAW, AND PREEMPT LOCAL REGULATIONS TO THE CONTRARY.

WHEREAS, the City's Human Rights Ordinance, codified in Chapter 62 of the City Code, declares that "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, intersexuality, gender identity, sexual orientation, marital and familial status, age, or disability," and 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"; and

WHEREAS, in view of this policy, the City's Human Rights Ordinance prohibits discrimination in employment, public accommodations, housing, and public services, on the basis of race, color, national origin, religion, sex, intersexuality, gender identity, sexual orientation, marital and familial status, age, and disability; and

WHEREAS, the Miami-Dade County Board of County Commissioners recently expanded the Miami-Dade County Human Rights Ordinance to prohibit discrimination on the basis of gender identity and gender expression in housing, public accommodations, and employment; and

WHEREAS, Florida House Bill 583 (2015), if passed, would require that the use of single-sex public facilities, such as bathrooms, restrooms, dressing rooms, fitting rooms, locker rooms, showers, and other similar facilities, be restricted to persons of the sex for which the facilities are designated; impose criminal penalties on any person who knowingly and willfully enters a single-sex public facility designated for or restricted to persons of the other biological sex; provide for a private cause of action against an individual who enters a single-sex public facility designated for or restricted to persons of the other biological sex; and would preempt cities, counties, municipalities, and other political subdivisions from adopting any law, policy, or decree protecting the right of transgender individuals to use certain single-sex public facilities in accordance with their gender identity; and

WHEREAS, the Mayor and City Commission oppose House Bill 583 as it would unfairly discriminate on the basis of gender identity by subjecting transgender individuals to criminal penalties and civil litigation, and by prohibiting cities and counties from protecting the right of transgender individuals to use single-sex public facilities in accordance with their gender identity; and

WHEREAS, the Mayor and City Commission deem it in the best interest of the City and its citizens to urge the Florida Legislature to oppose House Bill 583.

NOW, THEREFORE, THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, hereby urge the Florida Legislature to oppose House Bill 583 (2015) and direct the City Clerk to transmit this Resolution to Governor Rick Scott, the President of the Florida Senate, the Speaker of the Florida House of Representatives, and the Miami-Dade County Legislative Delegation.

PASSED and ADOPTED this _____ day of _____, 2015.

ATTEST:

Rafael E. Granado, City Clerk

Philip Levine, Mayor

(Sponsored by Commissioner Micky Steinberg)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

for Debra Turner 2/10/15
City Attorney Date
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