

R5 G AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 62 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED, "HUMAN RELATIONS," BY AMENDING ARTICLE II, ENTITLED "DISCRIMINATION," BY AMENDING SECTION 62-35 THEREOF, ENTITLED "MEMBERSHIP," TO AMEND THE HUMAN RIGHTS COMMITTEE MEMBER TERM LIMITS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Applicable Area:

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: February 26, 2025 9:45 a.m. Second Reading Public Hearing

TITLE: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 62 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED, "HUMAN RELATIONS," BY AMENDING ARTICLE II, ENTITLED "DISCRIMINATION," BY AMENDING SECTION 62-35 THEREOF, ENTITLED "MEMBERSHIP," TO AMEND THE HUMAN RIGHTS COMMITTEE MEMBER TERM LIMITS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **RECOMMENDATION**

### **BACKGROUND/HISTORY**

### **ANALYSIS**

The attached Ordinance was prepared at the request of Commissioner Alex J. Fernandez.

On January 3, 2010, the Mayor and City Commission of the City of Miami Beach adopted Ordinance No. 2010-3669, which, among other amendments to the Miami Beach Human Rights Ordinance, established the City of Miami Beach Human Rights Committee (the "Committee").

The Committee's term limits are governed by Section 2-22(5) of the City Code, generally providing that direct appointees designated by individual members of the City Commission shall serve for no more than eight consecutive years, while at-large appointees shall serve for no more than six years.

Recognizing the importance of retaining experienced and knowledgeable members, the sponsor of this Ordinance find that it is in the best interests of the City and the Committee to amend Section 62-35 to extend these term limits, ensuring greater continuity and stability within the Committee.

The proposed amendments set forth in this Ordinance allow for exceptions to the term limits in recognition of exceptional service, allowing the City Commission to re-appoint termed out Committee members for an additional two-year term if it is determined that that the member has made significant contributions beneficial to the City.

### **FISCAL IMPACT STATEMENT**

N/A

**Does this Ordinance require a Business Impact Estimate?** Yes

(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on: 2/5/2025  
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

**FINANCIAL INFORMATION**

**CONCLUSION**

**Applicable Area**

Citywide

**Is this a "Residents Right to Know" item,  
pursuant to City Code Section 2-17?**

No

**Is this item related to a G.O. Bond  
Project?**

No

**Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481,  
includes a principal engaged in lobbying?** No

If so, specify the name of lobbyist(s) and principal(s):

**Department**

City Attorney

**Sponsor(s)**

Commissioner Alex Fernandez

**Co-sponsor(s)**

Commissioner Tanya K. Bhatt

**Condensed Title**

9:45 a.m. 2<sup>nd</sup> Rdg, Amend Human Rights Committee Member Term Limits. (AF/TB) CA

**Previous Action (For City Clerk Use Only)**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 62 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED, "HUMAN RELATIONS," BY AMENDING ARTICLE II, ENTITLED "DISCRIMINATION," BY AMENDING SECTION 62-35 THEREOF, ENTITLED "MEMBERSHIP," TO AMEND THE HUMAN RIGHTS COMMITTEE MEMBER TERM LIMITS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

**WHEREAS**, on January 3, 2010, the Mayor and City Commission of the City of Miami Beach adopted Ordinance No. 2010-3669, which, among other amendments to the Miami Beach Human Rights Ordinance, established the City of Miami Beach Human Rights Committee (the "Committee"); and

**WHEREAS**, the Committee's term limits are governed by Section 2-22(5) of the City Code, generally providing that direct appointees designated by individual members of the City Commission shall serve for no more than eight consecutive years, while at-large appointees shall serve for no more than six years; and

**WHEREAS**, recognizing the importance of retaining experienced and knowledgeable members, the Mayor and City Commission find that it is in the best interests of the City and the Committee to amend Section 62-35 to extend these term limits, ensuring greater continuity and stability within the Committee; and

**WHEREAS**, the proposed amendments allow for exceptions to the term limits in recognition of exceptional service, allowing the City Commission to re-appoint termed out Committee members for an additional two-year term if it is determined that that the member has made significant contributions beneficial to the City; and

**WHEREAS** this amendment aims to support the Committee's ongoing efforts by preserving institutional knowledge, consistent participation, and enhance its ability to effectively serve the community.

**NOW, THEREFORE, BE IT DULY ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AS FOLLOWS:**

**SECTION 1.** That Section 62-35 of Chapter 62 of the City Code is hereby amended as follows:

**Chapter 62**

**HUMAN RELATIONS**

\* \* \*

**ARTICLE II. DISCRIMINATION**

\* \* \*

**DIVISION 1. GENERALLY**

### **Section 62-35. Membership.**

(a) The committee shall consist of a minimum of five and a maximum of 11 members, with one out of every five members to be a direct appointment by the mayor, and with the remaining members to be at large appointments of the city commission.

(b) The members of the committee shall reflect, as nearly as possible, the diversity of individuals protected under the city's human rights ordinance. In keeping with this policy, not less than two months prior to making appointments or re-appointments to the committee, the city manager shall solicit nominations from as many public service groups and other sources, which he/she deems appropriate, as possible.

(c) At least one of the committee members shall possess, in addition to the general qualifications set forth herein for members, a license to practice law in any United States jurisdiction (including the District of Columbia and any territory of the United States); be an active member of and in good standing with their respective bar association; and have experience in civil rights law. Preference will be given to a committee member who possesses a license to practice law in the State of Florida; is an active member of and in good standing with the Florida Bar; and has experience in civil rights law.

(d) Members shall serve without compensation.

(e) Term limits. Members appointed by individual city commissioners (referred to as "direct appointees") shall serve for no more than eight consecutive years on the committee. Members appointed by the city commission as a whole (referred to as "at-large appointees") shall serve for no more than six years on the committee. At the expiration of their term, nothing set forth in this subsection shall prohibit any direct or at-large appointee from being reappointed to their position for an additional two-year term if:

1. The individual commissioner who appointed a direct appointee finds that the appointee has made contributions that are of special benefit to the city while serving on the committee.
2. The city commission as a whole finds that an at-large appointee has made contributions that are of special benefit to the city while serving on the committee.

### **SECTION 2. REPEALER.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

### **SECTION 3. SEVERABILITY.**

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

### **SECTION 4. CODIFICATION.**

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code

of the City of Miami Beach, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," article," or other appropriate word.

**SECTION 5. EFFECTIVE DATE.**

This Ordinance shall take effect on the \_\_\_\_ day of \_\_\_\_\_, 2025.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2025.

**ATTEST:**

\_\_\_\_\_  
Steven Meiner, Mayor

\_\_\_\_\_  
Rafael E. Granado, City Clerk

(Sponsored by Commissioner Alex J. Fernandez)

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney

127/2025  
\_\_\_\_\_  
Date