

# MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC# **225-2020**

## LETTER TO COMMISSION

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: June 24, 2020

SUBJECT: **Motions from the Anti-Bullying Task Force**

This Letter to the Mayor and City Commission is to transmit the recommendations of the Anti-Bullying Task Force.

The Anti-Bullying Task Force was created pursuant to the recommendation of the LGBTQ Advisory Committee and Commissioner Gongora's support. The Task Force was charged with proposing policies and ideas to the Mayor and City Commission that would provide protection from bullying in all City services, City-supported services, and City facilities.

Since its inception, the Task Force met regularly to analyze the City's existing policies and find areas of improvement, as well as identify areas and instances where bullying may occur, but anti-bullying protections are absent. The Task Force presented their thorough analyses and recommendations before the Neighborhood and Quality of Life Committee on September 25, 2019. Upon conclusion of the presentation before the NQLC, the City Attorney's Office was tasked with working with the Task Force to explore the ways the Task Force's recommendations may be implemented and enforced.

The attached recommendations were made at the June 23, 2020 meeting. The motions were made by Michael Bath and seconded by Scott Bader. The motions passed unanimously. Members in attendance at the Zoom Teleconference meeting were Chairman Scott Bader, Michael Bath and Victor Herman-Diaz. CMB Attorney Farooq Andasheva and MBPD Sgt. Tim Roll were also in attendance. Task Force members Gustavo Briand and Brad Ugent were not present.

Please see the attached recommendations. For further details on the Task Force's recommendations, please refer to the documents presented to the NQLC at its September 25, 2019 meeting.

The Task Force hereby authorizes the City Clerk to transmit the recommendations herein to the City Commission and the City Manager via a Letter to the Commission. The Task Force further requests that the Mayor and City Commission place the Task Force's recommendations on an upcoming City Commission agenda for discussion.

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## Exhibit 1

### Recommendations to Existing City of Miami Beach Policies and Documents

- Directing the Parks and Recreation Department to amend its “Anti-Bullying Policy” and “Anti-Bullying Behavior Agreement” pursuant to the attached “Exhibit A,” which sets forth recommended changes to documents
- Once the Parks and Recreation Department’s anti-bullying policy is amended, use the amended Anti-Bullying Policy and Anti-Bullying Behavior Agreement as a template for creation of policies for use in other departments
- Incorporating “bullying” in the definition of harassment in all City of Miami Beach policies
- Amending HR.16.04 “Prohibited Discrimination and Harassment” to include bullying as a prohibited activity.
  - Insert “bullying” after “harassment” in paragraph 3, line 1.
  - Insert “bullying” in definition of “Harassment”
  - Insert “bullying” on page 3, Item 1 under “Procedure” after the word “harassment”.
- Amending TC.18.01 “Rental Fee Waiver” to include a requirement of the organization or individual applying for the fee waiver to have an anti-bullying policy and include the ability for the city to revoke an organization or individual’s ability to apply for a fee waiver if found to have engaged in bullying.
- Amending CO.19.01 “Citywide Procedure for Social Media” to include anti-bullying.
  - Insert at the end of the paragraph on page 2 “Respect your audience”: “The City of Miami Beach has a zero-tolerance policy on cyber-bullying, the use of technology to threaten, hurt, single out, embarrass, spread rumors, and/or reveal secrets about others.”
  - Insert on page 3 as the fourth bullet under “City employees may not publish information on City social media that includes”: “Any form of cyberbullying.”
  - Possibly insert on page 4 as the fifth bullet under “Moderation of Third-Party Content”: “can be construed as cyberbullying”.
- Amending 2019-047-WG “Request for Qualifications (RFQ)” document to be amended to including anti-bullying policy agreement using amended Parks and Recreation Document as template.
- Amending CO.19.02 “Sponsorships, Donations and Advertising Procedure.”
  - Insert under “Advertising” as B.8.: “Any advertising that contains messages that are threatening, harassing or discriminatory”.

### Recommendations for Implementation of new Anti-Bullying Policies

- Enact legislation requiring third parties such as vendors, city contractors, commercial lessees, concessionaires of the City, and special event permittees wishing to enter into an agreement with the City to provide, in writing, confirmation that they have anti-bullying policies in place.
- Enact legislation requiring for organizations, clubs, and individuals wishing to obtain any fee waivers for use of municipal facilities to provide, in writing, confirmation that they have anti-bullying policies in place.
- Enact legislation requiring for organizations, clubs, and individuals wishing to obtain municipal funding to provide, in writing, confirmation that they have anti-bullying policies in place.
- Further recommending for the City to explore options for a creation of an Anti-Bullying ordinance similar to the City’s Human Rights Ordinance to ensure that

everyone in Miami Beach are protected from bullying in the areas of employment and public accommodations.

#### Additional Recommendations

- Creation of a City of Miami Beach Employee manual with specific detail on how and where to report bullying and reporting options and resources
- Include Anti-Bullying statement in the Safe Place program
- Continue to support No Place for Hate and consider increasing support
- Utilize City of Kindness program to recognize individuals and or organizations that stand up against bullying.
- Creation of an outward facing webpage on the City of Miami Beach to display all policies and procedures regardless of department specifically Anti-Bullying.
  - Examples: City of Sacramento, City of San Francisco