

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY'S LGBTQIA+ ADVISORY COMMITTEE, MADE AT ITS MAY 9TH MEETING, AND DECLARING MORAL AND PHILOSOPHICAL OPPOSITION TO THE CURRENT ANTI-LGBTQ CLIMATE IN THE STATE OF FLORIDA, AND REAFFIRMING THE CITY'S COMMITMENT TO BEING A DIVERSE, EQUITABLE, AND INCLUSIVE COMMUNITY WHILE STILL BOUND BY THE LAWS OF THE STATE.

WHEREAS, at its May 9th, 2023 meeting, the City's LGBTQIA+ Advisory Committee passed a unanimous motion advising the City of Miami Beach to declare moral and philosophical opposition to the anti-LGBTQIA+ laws coming out of Tallahassee and to reaffirm Miami Beach's commitment to being a diverse, equitable, and inclusive community while still bound by the laws of the state; and

WHEREAS, the 2023 Florida Legislative session has passed an alarming number of bills aiming to curtail and jeopardize civil rights of LGBTQ residents and visitors; and

WHEREAS, on April 11, 2023, the Florida Senate voted to pass Senate Bill 1438 (SB 1438), a bill that grants state agencies the power to target LGBTQ+ friendly businesses by giving the Department of Business and Professional Regulation discretionary authority to fine, revoke liquor licenses, and even shut down establishments; and

WHEREAS, while Senate Bill 1438 doesn't explicitly mention drag shows, it makes it a crime to admit young people to any performance, exhibit, play, or show that any state agency official determines, in their sole discretion, is somehow inappropriate, even if the child's parents think it is appropriate for their family; and

WHEREAS, SB 1438 also prohibits municipalities, counties and other governments from issuing permits for events that feature such performances, such as pride parades, and should a government issue a permit for an event that goes on to violate SB 1438, the event organizer named in the permit would face a first-degree misdemeanor; and

WHEREAS, Florida Legislature also advanced House Bill 1069, which seek to expand Florida's infamous "Don't Say Gay" bill to include prekindergarten to eighth grade in its restrictions, and prohibits students and employees alike in K-12 public schools from providing any pronoun that doesn't correspond with their assigned "sex" at birth, among other changes; and

WHEREAS, furthermore, the Florida Legislature also passed House Bill 1521, which will force transgender individuals to use restrooms contrary to their identity; and

WHEREAS, the City of Miami Beach is a diverse and inclusive community and has demonstrated a long history of opposing discrimination based on sexual orientation and gender identity, among other categories; and

WHEREAS, as stated in the City's Human Rights Ordinance, "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, history is filled with examples of legislation and policies that were legal at one time but morally reprehensible; and

WHEREAS, the Mayor and City Commission of the City of Miami Beach vehemently oppose any law that encourages discrimination against members of the LGBTQ community, many of whom are among society's most vulnerable individuals.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby accept the recommendation of the City's LGBTQIA+ Advisory Committee, made at its May 9th meeting, and declare moral and philosophical opposition to the current anti-LGBTQ climate in the state of Florida, and reaffirm the City's commitment to being a diverse, equitable, and inclusive community while still bound by the laws of the state.

PASSED and **ADOPTED** this ____ day of _____, 2023.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

(sponsored by Commissioner Laura Dominguez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney *KA*

5-15-23

Date



OFFICE OF THE CITY CLERK

220-2023

LETTER TO COMMISSION

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Rafael E. Granado, City Clerk

A handwritten signature in blue ink, appearing to be "R. Granado".

DATE: May 12, 2023

SUBJECT: Motion from the LGBTQIA+ Advisory Committee re: Anti-LGBTQIA+ State Laws

The purpose of this Letter to Commission is to inform the body of the motion made by the LGBTQIA+ Advisory Committee at the May 9, 2023 meeting.

The LGBTQIA+ Advisory Committee advises the City of Miami Beach to declare moral and philosophical opposition to the anti-LGBTQIA+ laws coming out of Tallahassee and reaffirming Miami Beach's commitment to being a diverse, equitable, and inclusive community while still bound by the laws of the state.

The motion was made by Paul Thomas and seconded by Michael Bath.

Motion passage: **Unanimous (9-0)**

Members present for the motion vote included:

Steve Adkins (Chair)
Michael Bath (Vice Chair)
Alan Fishman
Lauren Foster
Eddie Marti Kring
Laurence Moser
William Schachte
Paul Thomas
Lymari Veloz

Members absent for the motion vote included:

Hortense de Castro
Lexi Goza
Tony Michael
Adrian Molina
Herb Sosa

For any questions or concerns please feel free to contact Brian Garces, Committee Liaison.