

# MIAMI BEACH

OFFICE OF THE CITY ATTORNEY  
RAUL J. AGUILA, CITY ATTORNEY

## COMMISSION MEMORANDUM

**To:** Mayor Dan Gelber  
Members of the City Commission

**Date:** January 17, 2018

**From:** Raul J. Aguila   
City Attorney

**Subject:** AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," ARTICLE VI, "PROCUREMENT," DIVISION 3, "CONTRACT PROCEDURES," BY CREATING SECTION 2-377, TO BE ENTITLED "NON-DISCRIMINATION BY CITY CONTRACTORS," TO ESTABLISH NON-DISCRIMINATION REQUIREMENTS FOR CITY CONTRACTORS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

The City's Human Rights Ordinance, codified in Chapter 62, Article II of the City Code, prohibits discrimination in employment, public accommodations, housing, and public services, on the basis of an individual's actual or perceived race, color, national origin, religion, sex, intersexuality, gender identity, sexual orientation, marital and familial status, age, disability, ancestry, height, weight, domestic partner status, labor organization membership, familial situation, or political affiliation.

For several years, and wherever applicable, the City has included non-discrimination clauses in City contracts. Pursuant to these clauses, City contractors must fully comply with the City's Human Rights Ordinance.

The subject Ordinance codifies the City's longstanding practice by amending the City Code to require each City contractor to agree to comply with the City's Human Rights Ordinance, and to certify that the contractor has adopted and employs written non-discrimination policies, practices, and standards that, at a minimum, prohibit the unlawful discriminatory practices identified in the City's Human Rights Ordinance. The Ordinance shall apply to all City contracts resulting from a competitive solicitation.