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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Amended
Agenda Item No. 11(A)(13)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 8, 2012

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution directing the County and the Miami-Dade Commission on Human rights to develop a joint public service announcement, at no cost to the County, with the Miami Beach Human Rights Committee regarding the County's and the City of Miami Beach's Discrimination Ordinances
Resolution No. R-941-12

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

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MEMORANDUM

(Revised)

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Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous_____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Amended
Agenda Item No. 11(A)(13)
11-8-12

RESOLUTION NO. R-941-12

RESOLUTION DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE AND THE MIAMI-DADE COMMISSION ON HUMAN RIGHTS TO DEVELOP A JOINT PUBLIC SERVICE ANNOUNCEMENT, AT NO COST TO THE COUNTY, WITH THE MIAMI BEACH HUMAN RIGHTS COMMITTEE REGARDING THE COUNTY'S AND THE CITY OF MIAMI BEACH'S DISCRIMINATION ORDINANCES AND THE RIGHTS OF RESIDENTS OF AND VISITORS TO MIAMI-DADE COUNTY; AND REQUIRING A REPORT FROM THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE REGARDING THE FINANCIAL AND CONTRACTUAL FEASIBILITY OF DEVELOPING, PRODUCING AND POSTING SIMILAR PUBLIC SERVICE ANNOUNCEMENTS INSIDE ALL METROBUS AND METRORAIL VEHICLES

WHEREAS, the Miami-Dade Board of County the Commissioners ("Board") adopted Ordinance No. 97-17, as amended and as codified in Chapter 11A of the Code of Miami-Dade County ("County Ordinance"); and

WHEREAS, the Board exercising its police powers for the public safety, health and general welfare enacted the County Ordinance to eliminate and prevent discrimination in employment, family leave, public accommodations, credit and financing practices, and housing accommodations because of race, color, religion, ancestry, national origin, sex, pregnancy, age, disability, marital status, familial status, sexual orientation or source of income as it pertains to housing only; and

WHEREAS, pursuant to Sections 11A-3 and 11A-4 of the County Ordinance the Board established the Office of the Commission on Human Rights ("Commission Office") and quasi judicial board commonly known as the Miami-Dade Commission on Human Rights ("Commission"), respectively; and

WHEREAS, the Commission Office and the Commission have been delegated the authority to enforce the provisions of the County Ordinance; and

WHEREAS, like the County, several municipalities in Miami-Dade County, such as the City of Miami Beach, have enacted similar anti-discrimination ordinances to protect their residents and visitors from alleged acts of discrimination in housing, employment and public accommodations; and

WHEREAS, the Board finds that oftentimes many residents of and visitors to Miami-Dade County are unaware of the County Ordinance and similar municipal ordinances as well as the existence of the Commission or similar municipal boards; and

WHEREAS, the Board finds that public service announcements ("Announcements") regarding the County Ordinance and the functions and responsibilities of the Commission are important tools to provide the residents of and visitors to Miami-Dade County with vital information concerning their rights under the County Ordinance; and

WHEREAS, the Miami Beach Human Rights Committee ("City Committee") during the Commission's February 28, 2012 meeting made a presentation concerning the rise in public accommodation discrimination cases on Miami Beach; and

WHEREAS, the City Committee and the Commission have urged the Board to authorize the use of Announcements to educate residents of and visitors to Miami-Dade County as evidenced by the resolution adopted by the Commission, which is attached hereto and incorporated by reference; and

WHEREAS, the City Committee has requested that the Commission co-sponsor Announcements, at no cost to the County, that highlights the functions of both boards, the existence of the County Ordinance and the City of Miami Beach Human Rights Ordinance; and

WHEREAS, the City Committee further proposes to post these Announcements, at no cost to the County, on Miami-Dade County buses which link Miami Beach to the Miami International Airport and Miami Beach local buses; and

WHEREAS, there will be no fiscal impact to Miami-Dade County to participate in this joint Announcements with the City Committee; and

WHEREAS, the Board wishes to know the fiscal and contractual feasibility of the installing of Countywide Announcements inside all Metrobus and Metrorail vehicles; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution and are approved are incorporated by reference.

Section 2. The Board hereby directs the County Mayor or the County Mayor's designee and the Commission to develop a joint Announcement, at no cost to the County with the City Committee to be posted on Miami-Dade buses linking Miami Beach to the Miami International Airport and South Beach local buses. Said Announcements will highlight the County Ordinance, the City of Miami Beach Human Rights Ordinance, and the functions of the Commission and the Committee.

Section 3. The Board hereby directs the County Mayor or the County Mayor's designee to provide a report within ninety (90) days of the effective date of this resolution regarding the financial feasibility of developing, producing and posting Countywide Announcements inside all Metrobus and Metrorail vehicles, whenever space is available. The Board directs the Clerk of the Board to provide copies of this resolution to the Committee and the Commission upon the effective date of this resolution.

The Prime Sponsor of the foregoing resolution is the Commissioner Barbara J. Jordan. It was offered by the Commissioner **Barbara J. Jordan**, who moved its adoption. The motion was seconded by the Commissioner **Sally A. Heyman** and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman			**aye**
Audrey M. Edmonson, Vice Chairwoman			**aye**
Bruno A. Barreiro	**aye**	Lynda Bell	**aye**
Esteban L. Bovo, Jr.	**aye**	Jose "Pepe" Diaz	**absent**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Jean Monestime	**aye**	Dennis C. Moss	**aye**
Rebeca Sosa	**aye**	Sen. Javier D. Souto	**aye**
Xavier L. Suarez	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of November, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Terrence A. Smith

RESOLUTION NO. CHR-2012-01

RESOLUTION URGING THE MIAMI-DADE BOARD OF COUNTY COMMISSIONERS TO ADOPT A RESOLUTION DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO DEVELOP PUBLIC SERVICE ANNOUNCEMENTS TO BE POSTED ON ALL MIAMI-DADE TRANSIT BUSES, METRORAILS AND METROMOVERS PERTAINING TO THE COUNTY'S DISCRIMINATION ORDINANCE AND THE RIGHTS OF RESIDENTS OF AND VISITORS TO MIAMI-DADE COUNTY; AND URGING THE MIAMI-DADE BOARD OF COUNTY COMMISSIONERS TO AUTHORIZE THE MIAMI-DADE COMMISSION ON HUMAN RIGHTS TO DEVELOP JOINT PUBLIC SERVICE ANNOUNCEMENTS WITH THE MIAMI BEACH HUMAN RIGHTS COMMITTEE

WHEREAS, the Miami-Dade Board of County Commissioners ("Board") adopted Ordinance No. 97-17, as amended and as codified in Chapter 11A of the Code of Miami-Dade County ("County Ordinance"); and

WHEREAS, the Board exercising their police powers for the public safety, health and general welfare enacted the County Ordinance to eliminate and prevent discrimination in employment, family leave, public accommodations, credit and financing practices, and housing accommodations because of race, color, religion, ancestry, national origin, sex, pregnancy, age, disability, marital status, familial status, sexual orientation or source of income as it pertains to housing only; and

WHEREAS, pursuant to Sections 11A-3 and 11A-4 of the County Ordinance the Board established the Office of the Commission on Human Rights ("CHR Office") and the Commission on Human Rights ("CHR"), respectively; and

WHEREAS, the CHR Office and CHR have been delegated the authority to enforce the provisions of the County Ordinance; and

WHEREAS, like the County, several municipalities in Miami-Dade County, such as the City of Miami Beach, have enacted similar discrimination ordinances to protect their residents and visitors from alleged acts of discrimination in housing, employment and public accommodations; and

WHEREAS, the CHR finds that oftentimes many residents of and visitors to Miami-Dade County are unaware of the County Ordinance and similar municipal ordinances as well as the existence of CHR or similar municipal boards; and

WHEREAS, the CHR finds that public service announcements ("PSA") regarding the County Ordinance and the functions and responsibilities of the CHR are important tools to provide the residents of and visitors to Miami-Dade County with vital information concerning their rights under the County Ordinance; and

WHEREAS, the Miami Beach Human Rights Committee (MBHRC) during the CHR's February 28, 2012 meeting made a presentation concerning the rise in public accommodation discrimination cases on Miami Beach; and

WHEREAS, MBHRC concurs with the CHR's findings concerning the use of PSAs to educate residents of and visitors to Miami-Dade County; and

WHEREAS, MBHRC has requested that the CHR co-sponsor a PSA that highlights the functions of both boards, the County Ordinance and the City of Miami Beach Human Rights Ordinance; and

WHEREAS, MBHRC further proposes to post these PSAs on Miami-Dade County buses which link Miami Beach to the Miami International Airport as well as South Beach local buses; and

WHEREAS, MBHRC has advised the CHR that there will be no cost to Miami-Dade County to participate in this joint PSA; and

WHEREAS, the CHR finds that a joint PSA will be in the best interest of Miami-Dade County, the City of Miami Beach, and to the residents and visitors to our County; and

WHEREAS, CHR does not have the authority to agree to jointly participate in this PSA without the consent of the Board,

NOW, THEREFORE, BE IT RESOLVED BY THE MIAMI-DADE COMMISSION ON HUMAN RIGHTS, that:

Section 1. The foregoing recitals are incorporated in this resolution and are approved are incorporated by reference.

Section 2. The CHR urges the Miami-Dade Board of County Commissioners to adopt a resolution directing the County Mayor or the County Mayor's designee to develop PSAs to be posted on all Miami-Dade County buses, Metrorails, and Metromovers pertaining to the County Ordinance and the rights of residents and visitors under the ordinance.

Section 3. The CHR urges the Miami-Dade Board of County Commissioners to adopt a resolution authorizing the CHR to develop a joint PSA with MBHRC to be posted on Miami-Dade buses linking Miami Beach to the Miami International Airport and South Beach local buses. Said PSAs will highlight the County Ordinance, the City of Miami Beach Human Rights Ordinance, and the functions of CHR and MBHRC.

Section 4. The CHR directs the Director of the Office to provide a copy of this resolution to the Miami-Dade Board of County Commissioners.

It was offered by Commission on Human Rights Member Mr. John Riley, who moved its adoption. The motion was seconded by Commission on Human Rights Member Mr. Ronald Lieberman and upon being put to a vote, the vote was as follows:

Eduardo Hernandez, Chair	Aye
Karina Duenas-Aragon, 2nd Vice Chair	Absent

Faye Davis	Aye	Rene Gonzalez-Llorens	Absent
John Riley	Aye	Patricia Ford	Absent
Judith Jackson Chorlog	Aye	Ronald Lieberman	Aye
Victor Romano	Aye	Kenneth Kilpatrick	Absent
Kionne McGhee	Absent	Marta Navarro	Absent
Sabrina Salomon	Aye	Yvonne Sepulveda	Absent
Rosario Saavedra-Roman	Aye	Dionne Stephens	Absent
Patricia Wright	Absent	Rob Collins	Aye
Lorenzo Cobiella	Absent	Yara Lorenzo	Absent

The Chairperson thereupon declared the resolution duly passed and adopted this March 8, 2012.

MIAMI-DADE COMMISSION ON
HUMAN RIGHTS

By David B. Bryan
Clerk of Commission on Human Rights

Approved by County Attorney as
to form and legal sufficiency.

Terrence A. Smith
Assistant County Attorney

ORIGINAL FILED
MAR - 8 2012
COMMISSION ON
HUMAN RIGHTS CLERK