

CITY OF AVENTURA ORDINANCE NO. 2024-20

AN ORDINANCE OF THE CITY OF AVENTURA, FLORIDA, AMENDING CHAPTER 2, "ADMINISTRATION," OF THE CITY OF AVENTURA CODE OF ORDINANCES TO CREATE SECTION 2-261, "PROHIBITION AGAINST CONTRACTING WITH PARTIES ENGAGED IN THE BOYCOTT, DIVESTMENT AND SANCTIONS MOVEMENT TARGETING ISRAEL," TO ESTABLISH CONTRACT PROCEDURES FOR ALL CITY CONTRACTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 287.135, Florida Statutes, prohibits state and local governmental entities from contracting with companies that are on the Scrutinized Companies that Boycott Israel List or are engaged in a boycott of the State of Israel; and

WHEREAS, the City of Aventura (the "City") desires to amend its Code of Ordinances to establish contract procedures that align with Florida's public policy; and

WHEREAS, the City of Aventura desires to establish regulations relating to companies that support the boycott, divestment, and sanction movement against the State of Israel; and

WHEREAS, the City Commission has determined that this Ordinance in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF AVENTURA, FLORIDA, AS FOLLOWS THAT:

Section 1. Recitals Adopted. Each of the above stated recitals are hereby adopted and confirmed.

Section 2. City Code Amended. The Code of Ordinances, City of Aventura, Florida, is hereby amended by adding a section, to be numbered 2-261 which section reads as follows¹:

¹ Underlined provisions constitute proposed additions to existing text. Remaining provisions are now in effect and remain unchanged.

Chapter 2 – Administration

Section 2-261. – Prohibition Against Contracting with Parties Engaged in the Boycott, Divestment and Sanctions Movement Targeting Israel.

- (a) The provisions of Section 287.135, Florida Statutes, "Prohibition against contracting with scrutinized companies," as it currently exists or as it may be amended, are hereby adopted and incorporated by reference into this ordinance.
- (b) The City shall not enter into or renew any contract for goods or services with companies that are on the Scrutinized Companies that Boycott Israel List, as established under state law, or with companies engaged in the boycott, divestment, or sanctions movement against Israel. The prohibitions shall apply to all contracts regardless of the value of the goods or services provided, in accordance with Section 287.135, Florida Statutes.
- (c) Any company submitting a bid, proposal, or entering into a contract with the City must certify that it is not on the Scrutinized Companies that Boycott Israel List and that it is not engaged in a boycott of Israel, as required under Section 287.135(5), Florida Statutes, and will not engage in a boycott of Israel for the duration of the contract.
- (d) If the City determines that a company has submitted a false certification or has been placed on the Scrutinized Companies that Boycott Israel List during the term of the contract, the City shall terminate the contract, consistent with the provisions of Section 287.135(5), Florida Statutes.

¹ Underlined provisions constitute proposed additions to existing text. Remaining provisions are now in effect and remain unchanged.

Section 3. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Effective Date. This Ordinance shall be effective immediately upon adoption on second reading.

The foregoing Ordinance was offered by Commissioner Friedland, who moved its adoption on first reading. The motion was seconded by Commissioner Bloom, and, upon being put to a vote, the vote was as follows:

Commissioner Amit Bloom	<u>Yes</u>
Commissioner Rachel S. Friedland	<u>Yes</u>
Commissioner Billy Joel	<u>Yes</u>
Commissioner Paul A. Kruss	<u>Yes</u>
Vice Mayor Dr. Linda Marks	<u>Yes</u>
Mayor Howard S. Weinberg	<u>Yes</u>

The foregoing Ordinance was offered by Commissioner Kruss, who moved its adoption on second reading. This motion was seconded by Commissioner Joel, and upon being put to a vote, the vote was as follows:

Commissioner Amit Bloom	<u>Yes</u>
Commissioner Rachel S. Friedland	<u>Yes</u>
Commissioner Billy Joel	<u>Yes</u>
Commissioner Paul A. Kruss	<u>Yes</u>
Vice Mayor Dr. Linda Marks	<u>Yes</u>
Mayor Howard S. Weinberg	<u>Yes</u>

¹ Underlined provisions constitute proposed additions to existing text. Remaining provisions are now in effect and remain unchanged.


PASSED on first reading this 1st day of October, 2024.

PASSED AND ADOPTED on second reading this 17th day of October, 2024.




HOWARD S. WEINBERG, ESQ.
MAYOR

ATTEST:


ELLISA L. HORVATH, MMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:


ROBERT MEYERS
CITY ATTORNEY
WEIS SEROTA HELFMAN COLE + BIERMAN, P.L.