

MEMORANDUM

Agenda Item No. 11(A)(26)

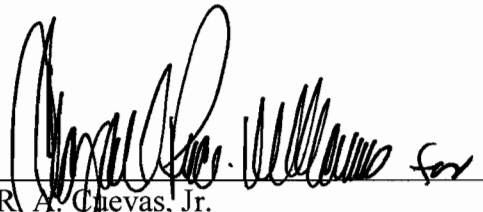
TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: June 30, 2009

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

SUBJECT: Resolution amending
Resolution 1277-08 in order to
incorporate the amendments
made to Section 409.147 of
the Florida Statutes

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.



R. A. Cuevas, Jr.
County Attorney

RAC/up

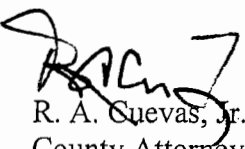


MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

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Please note any items checked.

_____ "4-Day Rule" ("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

_____ Bid waiver requiring County Mayor's written recommendation

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

_____ Housekeeping item (no policy decision required)

_____ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(26)
6-30-09

RESOLUTION NO. _____

RESOLUTION AMENDING RESOLUTION 1277-08 TO INCORPORATE THE AMENDMENTS MADE TO SECTION 409.147 OF THE FLORIDA STATUTES; CHANGING THE NAME OF THE STATUTORILY-CREATED PROJECT TO THE "MIAMI CHILDREN'S INITIATIVE INC."; DELETING THE ORIGINAL STATUTORILY-ESTABLISHED BOUNDARIES THAT WERE INCORPORATED BY RESOLUTION 1277-08 AND ACKNOWLEDGING THE CREATION OF THE PROJECT WITHIN THE LIBERTY CITY NEIGHBORHOOD; AUTHORIZING THE MAYOR OR DESIGNEE TO SUPPORT AND ASSIST IN THE CREATION OF THE STRATEGIC COMMUNITY PLAN THAT WILL BE PRESENTED TO THE BOARD OF COUNTY COMMISSIONERS FOR ADOPTION PRIOR TO THE CREATION OF THE NOT-FOR-PROFIT ENTITY NAMED THE "MIAMI CHILDREN'S INITIATIVE INC."; DELETING SECTION FOUR OF RESOLUTION 1277-08 IN ITS ENTIRETY; AND AUTHORIZING THE MAYOR OR DESIGNEE TO SUPPORT AND ASSIST THE OUNCE OF PREVENTION FUND OF FLORIDA, INC. IN CREATING THE "MIAMI CHILDREN'S INITIATIVE, INC." NOT-FOR-PROFIT ENTITY ONCE THE PREREQUISITES OF SECTION 409.147 OF THE FLORIDA STATUTES HAVE BEEN MET

WHEREAS, on March 20, 2007 this Board adopted Resolution No. 355-07 designating the Magic City Children's Zone and urging the Florida Legislature to provide for creation of the Magic City Children's Zone Pilot Project; and

WHEREAS, during the 2008 regular session, the Florida Legislature passed House Bill 3, Chapter 2008-96, Laws of Florida, effective July 1, 2008, creating the Magic City Children's Zone, a 10-year pilot project zone in Miami-Dade County; and

WHEREAS, the Legislature also appropriated \$3.6 million to the Magic City Children's Zone Pilot Project as part of the State Fiscal Year 2008-09 Appropriations Act; and

WHEREAS, H.B. 3 was codified in section 409.147, Florida Statutes and this Board adopted Resolution No. 1277-08 on November 20, 2008, which declared the statutorily-defined area as needing attention in order to improve the health, wellness, education, living conditions, and livelihoods of its residents; and

WHEREAS, Resolution No. 1277-08 also authorized the Mayor or Mayor's Designee to establish a Community Planning Team and provide support to the Community Planning Team and its Working Groups; and

WHEREAS, subsequent to the Board's adoption of Resolution No. 1277-08, section 409.147, Florida Statutes was furthered amended by the State Legislature pursuant to H.B. 381; and

WHEREAS, H.B. 381 amended section 409.147, Florida Statutes in the following ways:

1. Changes the name from "children's zone" to "children's initiative" and, more specifically, changes the County's project from the "Magic City Children's Zone Inc." to the "Miami Children's Initiative Inc.";
2. Delineates expressly that prior to the incorporation of the Miami Children's Initiative Inc. the governing body must adopt a resolution (in the form of Resolution 1277-08 that has been adopted and is being amended by this Resolution), must establish the planning team, and has adopted the strategic community plan as required by the Statute;
3. Changes where the Miami Children's Initiative Inc. is administratively housed from the Belafonte Tacolcy Center to the Department of Children and Families;

4. Deletes the previously established geographic boundaries of the project and now requires the project to be within the Liberty City neighborhood in Miami-Dade County;
5. Deletes the requirement of a fifteen (15) member board of directors and deletes any specific requirements as to the board of directors (i.e. specific members, powers and duties, membership terms, meeting requirements);
6. Amends the implementation section to include that the Department of Children and Families shall contract with a not-for-profit corporation to work in collaboration with the governing body to accomplish the prerequisites to incorporation as delineated in paragraph two above. The not-for-profit is also responsible for the evaluation, fiscal management, and oversight of the Miami Children's Initiative Inc.; and
7. Reappropriates the unexpended balance of funds in Specific Appropriations 345A of the General Appropriations Act for the 2008-2009 fiscal year to the Department of Children and Family Services for the 2009-2010 fiscal year for the purpose of contracting with the Ounce Prevention Fund of Florida, Inc. ("Ounce") to implement this act; and

WHEREAS, it is necessary to amend Resolution No. 1277-08 to incorporate the amendments to section 409.147, Florida Statutes, which shall be effective July 1, 2009,

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

Section 1. Amends Resolution 1277-08 to change the name of this statutorily-created project to the “Miami Children’s Initiative Inc.”

Section 2. Deletes the boundaries as established in Resolution 1277-08 and acknowledges that, pursuant to Florida Statute, the Miami Children’s Initiative Inc. is created within the Liberty City neighborhood.

Section 3. Amends Resolution 1277-08 to support and encourage Ounce, once the statutory prerequisites have been met, to create a not-for-profit corporation registered, incorporated, organized, and operated in compliance with chapter 617, Florida Statutes.

Section 4. Deletes Section 4 of Resolution 1277-08 in its entirety.

The Prime Sponsor of the foregoing resolution is Commissioner Audrey M. Edmonson. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman	
Jose "Pepe" Diaz, Vice-Chairman	
Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of June, 2009. 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: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Mandana Dashtaki

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 11(A)26

File Number: 091662

Committee(s) of Reference: Board of County Commissioners

Date of Analysis: June 8, 2009

Type of Item: Code Amendment

Prime Sponsor: Commissioner Audrey M. Edmonson

Background and Relevant Legislation

The Florida Legislature amended Section 409.147 of the Florida Statute relating to the Children's Zone, requiring a mandate to significantly amend the Board's adoption of Resolution 1277-08 in the following manner:

Resolution 1277-08	Florida Statutes Section 409.147 (H.B 381) To be effective July 1, 2009
Designate the County Project name to "Magic City Children's Zone, Inc."	Changes project name from "Magic City Children's Zone, Inc." to "Miami Children's Initiative, Inc."
Administrative Offices housed at the Belafonte Tacolcy Center	Administrative Offices located at the Department of Children and Families
Geographic Boundaries included communities of Allapattah, Liberty City, Little Haiti and Wynwood. The geographic boundaries of the Magic City Children's Zone Pilot Project is as follows: <ul style="list-style-type: none"> • North – N.W. 79th Street; • South – N.W. 36th Street; • East – North Miami Avenue; and • West – N.W. 27th Avenue. 	Previous geographic boundaries of the project are deleted and the boundaries of the project are to be within the <u>Liberty City neighborhood in Miami-Dade County</u>
To include a fifteen (15) member Board of	Deletes the specific requirement for a Board of Directors

Directors.	
Supports the State in the creation of a not-for-profit corporation which will be responsible for implementing this pilot project.	The Department of Children and Families will contract with a not-for-profit corporation to work in collaboration with the governing body to the prerequisites to incorporation. The non-for profit is also responsible for the evaluation, fiscal management and oversight of the Miami Children's Initiative Inc.
Legislature appropriated \$3.6 million to the Magic City Children's Zone Pilot Project as part of the State Fiscal Year 2008-09 Appropriations Act	<p>Reappropriates the unexpended balance of funds to the Department of Children and Family Services for the 2009-2010 fiscal year for the purpose of contracting with the Ounce Prevention Fund of Florida, Inc. to implement this act.</p> <p><u>The Ounce of Prevention Fund of Florida</u> is a private, nonprofit corporation whose mission is to identify, fund, support and evaluate innovative prevention and early intervention programs that improve the health, education and life outcomes of Florida's at-risk children and families.</p>

These changes are to be effective July 1, 2009.

Harlem Children's Zone

The concept of the Miami Children's Initiative is based conceptually on the Harlem Children's Zone in New York City. The Harlem Children's Zone was founded in 1970; the Harlem Children's Zone has helped more than 13,000 children and adults living within a 24 block area in Central Harlem. The emphasis of this program is to engage children in local educational, social, and religious activities, provide sound health care, and intellectual and social stimulation. The Harlem Children's Zone has proven successful in New York City.

Comments

Children growing up in poverty stricken communities face several obstacles including education, health care, drop out rates, teen pregnancies, etc. The Pilot Project focuses on the community by seeking to create interlocking programs and services geared at supporting the well being and positive development of children and youth in those areas.

Prepared by:

Mia B. Marin