

MEMORANDUM

Agenda Item No. 11(A)(25)

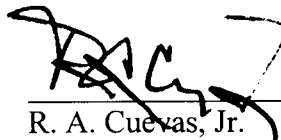
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: February 1, 2011

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

SUBJECT Resolution urging the Florida
Legislature to pass legislation
requiring the installation of
detection alarms in the rear of all
motor vehicles transporting six or
more children

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/jls



MEMORANDUM

(Revised)

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

DATE: February 1, 2011

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

SUBJECT: Agenda Item No. 11(A)(25)

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 _____

Agenda Item No. 11(A)(25)

2-1-11

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
PASS LEGISLATION REQUIRING THE INSTALLATION OF
DETECTION ALARMS IN THE REAR OF ALL
MOTORVEHICLES TRANSPORTING SIX OR MORE
CHILDREN

WHEREAS, Two-year-old Haile Brockington was found dead after she was forgotten in her car seat in the back of a Delray Beach day-care center van after almost six hours; and

WHEREAS, not more than two weeks after Haile's death, another child was left unattended in a locked van belonging to a day care center in Brevard County; and

WHEREAS, it is reported that dozens of children die each year from being left in automobiles; and

WHEREAS, it is also reported that, second only to Texas, Florida has more child vehicular heat-related fatalities than any other states; and

WHEREAS, it is likely that many of these fatalities result from adults accidentally or unconsciously forgetting children in motor vehicles; and

WHEREAS, states such as Wisconsin and Tennessee have enacted legislation requiring childcare vehicles carrying six (6) or more passengers to be equipped with a child safety monitoring device designed to prompt the driver to inspect the vehicle for children before leaving; and

WHEREAS, Florida State Senator Maria Lorts Sachs (D – Delray Beach) has indicated that she will file legislation for consideration during the 2011 legislative session in honor of Haile Brockington that would require childcare vehicles carrying six (6) or more passengers to

be equipped with a child safety monitoring device designed to prompt the driver to inspect the vehicle for children before leaving; and

WHEREAS, this Board would like to support Senator Sachs' effort in this area,

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

Section 1. Urges the Florida Legislature to pass legislation requiring all childcare vehicles carrying six (6) or more passengers to have a child safety alarm installed.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade State Legislative Delegation and Senator Maria Lorts Sachs.

Section 3. Directs the County's state lobbyists to advocate for the issue identified in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2011 state legislative packages.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. 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:

- | | |
|----------------------|-------------------------------------|
| | Joe A. Martinez, Chairman |
| | Audrey M. Edmonson, Vice Chairwoman |
| Bruno A. Barreiro | Lynda Bell |
| Jose "Pepe" Diaz | Carlos A. Gimenez |
| Sally A. Heyman | Barbara J. Jordan |
| Jean Monestime | Dennis C. Moss |
| Natacha Seijas | Rebeca Sosa |
| Sen. Javier D. Souto | |

The Chairman thereupon declared the resolution duly passed and adopted this 1st day of February, 2011. 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.



Martin W. Sybblis

5