

MEMORANDUM

Agenda Item No. 11(A)(3)

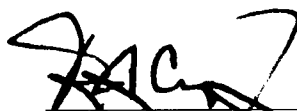
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: April 4, 2010

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

SUBJECT: Resolution supporting SB
1138 and HB 791 or similar
legislation that would prohibit
public high school students from
leaving school grounds during
his or her designated lunch
period

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM
(Revised)

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

DATE: April 4, 2011

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

SUBJECT: Agenda Item No. 11(A)(3)

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)(3)
4-4-11

RESOLUTION NO. _____

RESOLUTION SUPPORTING SB 1138 AND HB 791 OR
SIMILAR LEGISLATION THAT WOULD PROHIBIT PUBLIC
HIGH SCHOOL STUDENTS FROM LEAVING SCHOOL
GROUNDS DURING HIS OR HER DESIGNATED LUNCH
PERIOD

WHEREAS, on September 8, 1999, 14-year-old Mayra Capote, along with two other students from Hialeah-Miami Lakes Senior High School, was killed in an automobile accident while returning to school after an off-campus lunch break; and

WHEREAS, it was reported that during 1998, 1999, and 2000 traffic accidents in Florida, which involved young people between the ages of 15 through 18, killed a total of 22 young people and injured 4,496 others; and

WHEREAS, it was further reported that the aforementioned young people were injured or killed between the hours of 11:00 a.m. and 1:00 p.m.; and

WHEREAS, the State of Florida should mandate the closure of public high schools statewide during the lunch period in the interest of the health and safety of our most valuable asset, our young people; and

WHEREAS, companion Senate and House bills have been filed for consideration during the 2011 session of the Florida Legislature that would prohibit public high school students from leaving school grounds during the designated lunch period, SB 1138 by Rene Garcia (R-Miami) and Co-Introducer Senator Evelyn Lynn (R-Daytona Beach), and HB 791 by Representative Estaban Bovo (R-Miami),

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 enact SB 1138 and HB 791 or similar legislation prohibiting public high school students from leaving school grounds during the designated lunch period.

Section 2. Directs the County's 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.

Section 3. Directs the County's state lobbyists to advocate against passage of the legislation identified in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2011 and 2012 state legislative package.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. 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
Rebeca Sosa	Sen. Javier D. Souto

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of April, 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