

MEMORANDUM

Agenda Item No. 11(A)(20)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 30, 2015

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

SUBJECT: Resolution affirming Miami-Dade County's support of providing opportunities for its residents to learn and improve Spanish, Creole and English languages at no cost to such residents; authorizing the use of space at the County's four regional library branches to hold at least weekly classes for teaching such Spanish, Creole and English classes in the evening hours consistent with existing library hours

This item was amended at the 6-9-15 Unincorporated Municipal Service Area Committee to add the teaching of Creole and English classes at regional Miami-Dade Public Library branches. It was also amended to delete all references to payment for any cost by the County or Library Department, including the cost for criminal background checks for volunteer instructors. The item also was amended to also delete any references to adjustment of the 2014-15 Library Department budget or the 2015-16 Library Department budget.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto and Co-Sponsor Commissioner Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney



RAC/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

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County Attorney

SUBJECT: Agenda Item No. 11(A)(20)

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 Mayor'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)(20)
6-30-15

RESOLUTION NO. _____

RESOLUTION AFFIRMING MIAMI-DADE COUNTY'S SUPPORT OF PROVIDING OPPORTUNITIES FOR ITS RESIDENTS TO LEARN AND IMPROVE SPANISH, CREOLE AND ENGLISH LANGUAGES AT NO COST TO SUCH RESIDENTS; AUTHORIZING THE USE OF SPACE AT THE COUNTY'S FOUR REGIONAL LIBRARY BRANCHES TO HOLD AT LEAST WEEKLY CLASSES FOR TEACHING SUCH SPANISH, CREOLE AND ENGLISH CLASSES IN THE EVENING HOURS CONSISTENT WITH EXISTING LIBRARY HOURS; DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO SEEK VOLUNTEERS AND TO WORK WITH ALL UNIVERSITIES AND COLLEGES IN MIAMI-DADE COUNTY AND THE MIAMI-DADE COUNTY PUBLIC SCHOOL SYSTEM TO PROVIDE INSTRUCTORS FOR SUCH CLASSES AT NO COST TO THE COUNTY

WHEREAS, ~~the~~^{>>}Spanish~~, Creole and English languages are~~^{<<} ~~[[is a language]]~~ deeply rooted in the historical and current culture of Miami-Dade County (the "County"); and

WHEREAS, this Board finds it in the best interest of the County to provide as many opportunities for the education of its adult and minor residents to learn the ~~Spanish~~^{>>}, Creole or English~~<< language>>~~^{<<}; and

WHEREAS, the universities and colleges located in Miami-Dade County as well as the Miami-Dade County Public School System ("Miami-Dade County Educational Institutions") employ instructors to teach, among other things, written and spoken ~~Spanish~~^{>>}, Creole and English~~<<~~ to their respective enrolled students, and, in the case of universities and colleges, ~~to~~^{>>} members of the general public for a tuition and/or fee; and

¹ Committee amendments are indicated as follows: Words stricken through and/or ~~[[double bracketed]]~~ are deleted, words underscored and/or ~~>>~~double arrowed~~<<~~ are added.

WHEREAS, there may be other individuals in the County qualified to teach Spanish>>, Creole and English<< language classes who teach spoken and written Spanish>>, Creole and English<< for a fee; and

WHEREAS, many residents of the County are unable to afford the tuition and/or fee to attend the Spanish>>, Creole and English<< classes offered by universities, colleges or private individuals; and

WHEREAS, this Board finds it is within the mission and purpose of the Miami-Dade Public Library System (the "Library Department") to educate County residents in learning and improving knowledge of the Spanish>>, Creole and English<< language>>§<<, and further finds it in the best interest of the County for the Library Department to provide Spanish>>, Creole and English<< language classes at no charge to the residents of the County,

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

Section 1. This Board affirms the matters contained in the foregoing recitals which are hereby incorporated in this resolution by reference and are hereby approved.

Section 2. This Board affirms the County's commitment to the education of its minor and adult residents in the learning and improvement of knowledge of the Spanish>>, Creole and English<< language>>§<< and finds it within the scope of the Library Department's purpose and mission to provide such education.

Section 3. This Board directs the County Mayor or the County Mayor's designee to make space available at all four regional libraries after 5:00 p.m. on weekdays at least once per week for at least one hour per session, but within such libraries' normal operating hours, with such classes to be offered on different days at each of the regional libraries so as to maximize the availability of such classes. Such classes shall be for the instruction and education of both minor

and adult residents in the learning and improvement of knowledge in the proper speaking, reading and writing of the Spanish>>, Creole and English<< language>>s<< (“[[Spanish]]>>Language<< Classes”).

Section 4. This Board directs the County Mayor or the County Mayor’s designee to actively work to recruit qualified volunteers within the community to teach [[Spanish]] >>such Language<< Classes, including, but not limited to, volunteers who currently are Spanish>>, Creole or English<< instructors at Miami-Dade County Educational Institutions. The County Mayor or the County Mayor’s designee shall use, among other things, the County’s existing media platforms including the County’s website and social network sites, to promote such recruitment.

Section 5. This Board further directs the County Mayor or the County Mayor’s designee to work with the Miami-Dade County Educational Institutions to obtain the services of instructors from such institutions at no ~~[[or nominal]]~~ cost to the County and to comply with the County’s requirements for criminal background checks for such instructors, with the cost of the criminal background checks being paid by the [[Library Department]] >>volunteering instructor or, alternatively, by any Miami-Dade County Educational Institution offering the services of such instructor<<.

~~[[Section 6.]]~~ If a sufficient number of volunteer instructors cannot be recruited by the County Mayor or the County Mayor’s designee, this Board directs the County Mayor or the County Mayor or the County Mayor’s designee to negotiate, enter into and execute agreement(s) with one or more Miami-Dade County Educational Institutions for the provision of instructors for Spanish Classes, with such agreement(s) being subject to ratification by this Board at the next available meeting of this Board after execution of such agreement(s). Such agreement(s) shall

~~contain a provision that each such agreement(s) may be cancelled by the County at the County's discretion without cost or penalty to the County.~~

~~**Section 7.**—If such agreement(s) involve or are associated with a cost to the County, this Board directs the County Mayor or the County Mayor's designee to identify expenditures for reduction in the amount of such cost from the appropriations in the Fiscal Year 2014-15 budget to the Library Department to offset such cost. Such identification shall be provided in writing to this Board at least seven calendar days prior to presentation of any such agreement(s) to the Board for ratification. This Board further directs the County Mayor or the County Mayor's designee to prepare an appropriate budget amendment to effectuate the foregoing, if necessary, and to bring such amendment back to this Board for approval.~~

~~**Section 8.**— If funding is not available in the Fiscal Year 2014-15 budget to offset such cost, this Board directs that the County Mayor or the County Mayor's designee to include a plan for implementation of such agreement(s) as part of the Mayor's proposed Fiscal Year 2015-16 budget for the Library Department.]]~~

The Prime Sponsor of the foregoing resolution is Senator Javier D. Souto and the Co-Sponsor 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:

- | | |
|-------------------------------------|----------------------|
| Jean Monestime, Chairman | |
| Esteban L. Bovo, Jr., Vice Chairman | |
| Bruno A. Barreiro | Daniella Levine Cava |
| Jose "Pepe" Diaz | Audrey M. Edmonson |
| Sally A. Heyman | Barbara J. Jordan |
| Dennis C. Moss | Rebeca Sosa |
| Sen. Javier D. Souto | Xavier L. Suarez |
| Juan C. Zapata | |

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of June, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.



Richard Seavey