OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(18)

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

DATE: January 21, 2010

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

SUBJECT: Resolution urging the Florida Legislature to pass HB 487 addressing window coverings that can pose a strangulation risk for young children at day care facilities

Resolution No. R-65-10

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/up

MEMORANDUM

(Revised)

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

DATE: January 21, 2010

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

SUBJECT: Agenda Item No. 11(A)(18)

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)(18)
1-21-10

RESOLUTION NO. **R-65-10**

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PASS HB 487 OR SIMILAR LEGISLATION ADDRESSING WINDOW COVERINGS THAT CAN POSE A STRANGULATION RISK FOR YOUNG CHILDREN AT DAY CARE FACILITIES

WHEREAS, the U.S. Consumer Product Safety Commission (CPSC) has identified window coverings with long pull cords as one of the top five hidden hazards in the home; and

WHEREAS, about once a month a child between 7 months and 10 years of age dies from window cord strangulation and a second child suffers a near strangulation; and

WHEREAS, strangulation deaths and injuries can occur quickly and silently anywhere where a window covering with a pull cord is installed; and

WHEREAS, children can wrap window covering cords around their necks or can pull cords that are not clearly visible but are accessible and become entangled in the loops; and

WHEREAS, in recent years, the CPSC has recalled over five million window coverings, including Roman shades, roller and roll-up blinds, and vertical and horizontal blinds in an effort to address this danger; and

WHEREAS, window coverings that function without cords should be used in all homes where children live and places where they spend time, such as day care facilities; and

WHEREAS, Representative Esteban Bovo, Jr. (R – Hialeah) has filed HB 487, the "John F. Serrano, Rachel Lou Napier and Alexandra Ali Safety and Accountability Act", for consideration by the Florida Legislature during the 2010 regular session; and

WHEREAS, HB 487 would help to prevent the strangulation of children on the pull cords of dangerous window blinds by prohibiting child care facilities from using or installing

window coverings with long pull cords or inner cords capable of forming a loop and posing a risk of strangulation to young children; and

WHEREAS, HB 487 is named after three local children who were killed or seriously injured by dangerous window blinds:

1. John F. Serrano, a three year old who died in 2008 in a strangulation incident,

2. Rachel Lou Napier, a two year old who suffered serious and permanent brain injury in a 2004 incident, and

3. Alexandra Ali, a two year old who died following a 1998 incident; and

WHEREAS, HB 487 is modeled after similar legislation that the Washington State Legislature passed in 2007; and

WHEREAS, passage of HB 487 can help to make child day care facilities in Florida safer,

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

Section 1. Supports passage of the "John F. Serrano, Rachel Lou Napier and Alexandra Ali Safety and Accountability Act" by the Florida Legislature.

Section 2. Urges the Florida Legislature to pass HB 487 or similar legislation prohibiting window blinds with long cords in day care facilities in an effort to prevent child strangulations.

Section 3. Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade State Legislative Delegation.

Section 4. Directs the County's state lobbyists to advocate for the issues identified in sections 1 and 2 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2010 state legislative package.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was offered by Commissioner **Jose "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Barbara J. Jordan** and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman **aye**
Jose "Pepe" Diaz, Vice-Chairman **aye**

Bruno A. Barreiro	**aye**	Audrey M. Edmonson	**aye**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**aye**
Barbara J. Jordan	**aye**	Joe A. Martinez	**aye**
Dorrin D. Rolle	**aye**	Natacha Seijas	**aye**
Katy Sorenson	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of January, 2010. 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: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. JMM

Jess M. McCarty