

MEMORANDUM

Amended
Agenda Item No. 11(A)(1)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

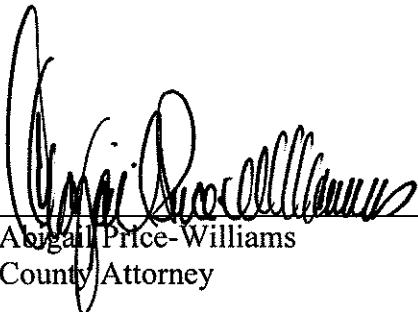
DATE: January 23, 2019

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution creating the
Miami-Dade County 2020
Census Task Force; providing
for membership, organization
and procedures; and setting forth
purpose, function, responsibility,
and sunset provision; and
directing the County Mayor to
identify funding if necessary

Resolution No. R-72-19

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Esteban L. Bovo, Jr., and Co-Sponsors Commissioner Daniella Levine Cava and Commissioner Eileen Higgins.



Abigail Price-Williams
County Attorney

APW/smm



MEMORANDUM

(Revised)

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County Attorney

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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
- Statement of social equity 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 ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor Amended
Veto _____ Agenda Item No. 11(A)(1)
Override _____ 1-23-19

RESOLUTION NO. R-72-19

RESOLUTION CREATING THE MIAMI-DADE COUNTY 2020 CENSUS TASK FORCE; PROVIDING FOR MEMBERSHIP, ORGANIZATION AND PROCEDURES; AND SETTING FORTH PURPOSE, FUNCTION, RESPONSIBILITY, AND SUNSET PROVISION; AND DIRECTING THE COUNTY MAYOR TO IDENTIFY FUNDING IF NECESSARY

WHEREAS, our founding fathers believed that census data was so important that they mandated the taking of a decennial census as a part of the United States Constitution; and

WHEREAS, the United States Constitution requires the government to enumerate the number of people, including infants, children, and adults – whether U.S. citizens or not – living in the U.S. every 10 years, and to use that data to apportion congressional seats amongst the states; and

WHEREAS, census data forms the basis of our representative democracy; and

WHEREAS, the census data generally shifts power between the states once a decade due to population increases and decreases based, in part, on migration trends; and

WHEREAS, the State of Florida gained two congressional seats based on the 2010 census, raising the total number of U.S. Representatives apportioned to the State of Florida to 27; and

WHEREAS, the State of Florida is projected to gain additional U.S. congressional seats after the 2020 census; and

WHEREAS, census data are also used for the fair allocation and equitable distribution of state and federal public funds for educational programs, healthcare, law enforcement and transportation; and

WHEREAS, in fiscal year 2015, more than \$700 billion was distributed on the basis of census guided data among federal programs such as Medicaid and Medicaid Part B, the Supplemental Nutrition Assistance Program, highway planning and construction, Section 8 Housing Choice Vouchers and Section 8 Housing Assistance Payment Programs, Title I Grants to local education agencies, the National School Lunch Program, Special Education Grants, State Children's Health Insurance Program and the Head Start/Early Head Start Program; and

WHEREAS, in the past, a well-funded U.S. Census Bureau produced accurate, detailed data which was relied upon to provide over \$29.2 billion to communities throughout the State of Florida in need of federal resources; and

WHEREAS, accuracy of census data is critical to determine congressional apportionments, state and federal monetary distributions, and planning for health and education programs; and

WHEREAS, certain hard-to-reach populations such as lower-income families, immigrants, individuals with low English language proficiency, renters, rural residents, transitory residents such as farmworkers, residents who live in non-traditional housing, and children under the age of five are increasingly difficult to include in the census count; and

WHEREAS, for example, in 2010, the net undercount rate for young Latino children was 7.1 percent, compared to 4.3 percent for non-Latinos, and approximately 400,000 young Latino children under age five were uncounted by the 2010 Census; and

WHEREAS, Miami-Dade County was among the top three U.S. counties with the highest net undercount of Latino children with at least 18,000 Latino children uncounted by the 2010 census; and

WHEREAS, both Miami-Dade County and the State of Florida have a disproportionate share of populations that are most frequently undercounted, including Latinos and residents who are not fully fluent in English; and

WHEREAS, both Miami-Dade County and the State of Florida will face additional challenges to obtain an accurate count during the 2020 census due to proposed changes by the Census Bureau, including the use of self-reporting via the internet, the inclusion of an untested question regarding citizenship, the reduction of the number of local census offices, and the reduction of the number of field staff following a mandate to conduct the 2020 census at a lower cost per household than in 2010; and

WHEREAS, an undercount of the Miami-Dade County and State of Florida population would have far-reaching consequences that could shift the number of congressional seats the State of Florida receives after the 2020 census and result in the potential loss of billions of dollars in federal funding,

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

Section 1. *Creation.* There is hereby created the Miami-Dade 2020 Census Task Force (“Task Force”).

Section 2. *Limitations on Authority.* The Task Force is advisory only and shall not have the power or authority to commit Miami-Dade County or any of its agencies or instrumentalities to any policies, incur any financial obligations, or to create any liability, contractual or otherwise, on behalf of Miami-Dade County or any of its agencies or instrumentalities.

Section 3. *Membership.* The Task Force shall consist of 35 members, which shall include one seat to be appointed by or from each of the following boards, departments, offices, or entities:

- Alliance for Aging;
- Archdiocese of Miami;
- Asian American Advisory Board;
- Barry University Office of the President;
- Chairman of the Miami-Dade Board of County Commissioners;
- Florida Asian Services;
- Florida Charter School Alliance;
- Florida International University Office of the President;
- Florida Memorial University Office of the President;
- Greater Miami Chamber of Commerce;
- Haitian American Chamber of Commerce;
- Hispanic Coalition;
- Mayor of Miami-Dade County;
- Miami-Dade Chamber of Commerce;
- Miami-Dade College Office of the President;
- Miami-Dade County Black Affairs Advisory Board;
- Miami-Dade County Commission for Women;
- Miami-Dade County Community Relations Board;
- Miami-Dade County Elections Department;
- Miami-Dade County Hispanic Affairs Advisory Board;

- Miami-Dade County Homeless Trust;
- Miami-Dade County Military Affairs Board;
- Miami-Dade County Office of New Americans;
- Miami-Dade County Public Library System;
- Miami-Dade County Regulatory and Economic Resources Planning Division;
- Miami-Dade County School Board;
- Miami Jewish Federation;
- Miami Vet Center;
- National Association for the Advancement of Colored People;
- National Association of Latino Elected and Appointed Officials;
- St. Thomas University Office of the President;
- Spanish American League Against Discrimination;
- The Children's Trust;
- United Way of Miami-Dade; and
- University of Miami Office of the President.

Member appointments shall be made within 30 days of the effective date of this resolution.

Members of the Task Force shall reflect the diversity of the community. Members of the Task Force shall select their chairperson and vice chairperson by majority vote. Any member vacancies on the Task Force shall be filled in the manner provided for in the initial appointment. In the event of the vacancy in the office of the chairperson, the vice chairperson shall conduct the next meeting and the members of the Task Force shall select a new chairperson at that meeting. In the event of a vacancy in the office of the vice chairperson, the chairperson shall conduct the next meeting and the members of the Task Force shall select a new vice chairperson at that meeting.

Section 4. *Organization and procedures at meetings.* The Task Force shall meet within 30 days after a majority of the members of the Task Force have been appointed, and then meet no less than every 60 days thereafter. Additional meetings may be held at the discretion of the Task Force. Members of the Task Force shall select their chairperson and vice chairperson at the first meeting. The chairperson shall preside at all meetings at which he or she is present. The vice chairperson shall act as chairperson in the absence of the chairperson.

The Task Force may establish, adopt, and amend bylaws, rules, and regulations for its own governance. In order to transact any business or to exercise any power vested in the Task Force, a quorum consisting of a majority of those persons duly appointed shall be present. The members of the Task Force shall serve without compensation and shall not be eligible for reimbursement of expenses accrued in serving as a member of this Task Force, including travel expenses.

Section 5. *Compliance with applicable laws and ordinances.* All proceedings of the Task Force shall be conducted in accordance with the Government in the Sunshine Law, Florida Statutes, Section 286.011, and the Citizens Bill of Rights and the Miami-Dade County Home Rule Charter. The Task Force shall be deemed an “agency” for purposes of the Public Records Law. The Task Force shall be governed by all State and County conflict of interest laws, as applicable, including the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, Section 2-11.1 of the Code of Miami-Dade County. The Task Force shall provide members of the public a reasonable opportunity to be heard, consistent with section 286.0114, Florida Statutes. Accordingly, Rule 6.06 of the Miami-Dade Board of County Commissioners Rules of Procedures is incorporated herein by reference.

Section 6. *Reports, functions and responsibility.* The functions and responsibilities of the Task Force shall include, but are not limited to:

- (a) Conducting a comprehensive assessment of individuals likely to be uncoun­ted in Miami-Dade County;
- (b) Identifying best practices, including outreach options, to address and curtail an undercount of hard-to-reach populations;
- (c) Identifying and recommending existing resources, such as federal, state, and local resources to assist in outreach campaigns and outreach events;
- (d) Identifying and recommending potential strategies to utilize internet access to assist hard-to-reach populations with completing the 2020 Census form;
- (e) Identifying and recommending potential strategies to collaborate with Miami-Dade County Public Schools and Miami-Dade County daycare centers to curtail an undercount of children; and
- (f) Compiling information and developing a comprehensive 2020 Census action plan, which shall include community-based and other strategies to ensure an accurate count of the Miami-Dade County population;

The Task Force shall provide its proposed 2020 Census action plan setting forth findings and recommendations for consideration by the Board of County Commissioners within 180 days from the date of the Task Force’s initial meeting. This report shall be placed on an agenda of the Board pursuant to Ordinance No. 14-65. The Board may then request such further work of the Task Force as may be in the public interest. Should the Task Force require additional time to finalize the proposed 2020 Census action plan that extends beyond 365 days of the Task Force’s initial meeting, the Task Force must request that the Board, by ordinance, extend the existence of the Task Force and time for submission of a proposed amended 2020 Census action plan.

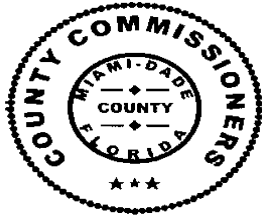
Section 7. *Staff.* The Task Force shall be provided adequate staff and support services by the County Mayor or County Mayor’s designee. Staff from Miami-Dade County’s Clerk of the Board Division shall maintain and keep records of the Task Force; prepare, in cooperation with the chairperson, the agenda for each meeting; be responsible for the preparation of such reports, minutes, documents, or correspondence as the Task Force may direct, subject to budgetary limitations. The County Mayor or the County Mayor’s designee is directed to identify available funding, if necessary, to help staff and support the Task Force and, if no such funding is available, to report back to this Board within 30 days and to place said report on an agenda of the Board pursuant to Ordinance No. 14-65. The Board, in its discretion, may provide the Task Force with specialized consulting expertise as necessary.

Section 8. *Sunset.* The Task Force shall sunset and stand dissolved on the 365th day from the effective date of this resolution unless the Board approves an ordinance extending the life of the Task Force as set forth herein.

The Prime Sponsor of the foregoing resolution is Commissioner Esteban L. Bovo, Jr., and the Co-Sponsors are Commissioner Daniella Levine Cava and Commissioner Eileen Higgins. It was offered by Commissioner **Esteban L. Bovo, Jr.** , who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

	Audrey M. Edmonson, Chairwoman	aye	
	Rebeca Sosa, Vice Chairwoman	aye	
Esteban L. Bovo, Jr.	aye	Daniella Levine Cava	aye
Jose “Pepe” Diaz	aye	Sally A. Heyman	aye
Eileen Higgins	aye	Barbara J. Jordan	aye
Joe A. Martinez	aye	Jean Monestime	aye
Dennis C. Moss	aye	Sen. Javier D. Souto	absent
Xavier L. Suarez	absent		

The Chairperson thereupon declared this resolution duly passed and adopted this 23rd day of January 2019. 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

Linda L. Cave

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "JZ" or similar initials, written over a horizontal line.

Javier Zapata