

MEMORANDUM

Agenda Item No. 7 (F)

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

DATE: January 21, 2010

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

SUBJECT: Ordinance creating the
Miami-Dade County Youth
Commission and establishing
the duties and responsibilities
of such commission

Ordinance No. 10-05

This ordinance was amended at the Health, Public Safety and Intergovernmental Committee on December 10, 2010 with the following amendment:

The fiscal impact statement and the County Manager's report were amended to designate different staff to support the proposed board than was originally designated, and the fiscal impact of creating the Youth Commission was modified accordingly.

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan, and Co-Sponsors Commissioner Rebeca Sosa and Senator Javier D. Souto.



R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum



Date: January 21, 2010

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

From: George M. Burgess 
County Manager

Subject: County Manager's Report Regarding the Ordinance Creating the Miami-Dade
County Youth Commission

This ordinance was amended at the Health, Public Safety and Intergovernmental Committee meeting of December 10, 2009. The amendment refers to item #3 in the report and changes the recommendation for staffing of the Miami-Dade County Youth Commission to the Juvenile Services Department (JSD) with no fiscal impact to the County.

In accordance with Section 2-11.37 of the Miami-Dade County Code, the following information is provided regarding the proposed creation of the Miami-Dade County Youth Commission (the "Youth Commission").

1. ***Whether the establishment of the board will create sufficient betterment to the community to justify the Board of County Commissioner's delegation of a portion of its authority.***

The Youth Commission is designed to serve as an advisory board to the Board of County Commissioners (BCC) on issues affecting youth and the teen population with special emphasis on the program operated by Miami-Dade County. Comprised of high school students in the 10th, 11th, and 12th grades, the intent of the Miami-Dade County Youth Commission is to provide an opportunity to recognize and promote the value of the youth in Miami-Dade County. Youth participating in the Commission will be afforded exposure to the mechanisms of County government, and have the opportunity to learn about government while participating in governmental processes. The BCC will appoint twenty-six (26) youth between the ages of fifteen (15) and eighteen (18) from the Miami-Dade Public School System. While the Youth Commission is not proposed to have any delegated authority, it serves to better inform the Mayor and BCC on matters affecting youth and teens, improve overall relationships among youth and adults and foster increased collaboration among youth organizations for the overall benefit of the community and its residents.

2. ***Whether another board or agency, either public or private, which is already in existence, could serve the same purpose.***

Currently there is no other Board or agency that specifically serves the same purpose as the Youth Commission. While there are County departments that serve youth, such as the Juvenile Services Department, Community Action Agency, Parks and Recreation and Department of Human Services, the services provided are targeted to particular

populations or groups. The duties and responsibilities of the Youth Commission are unique and global in nature:

- Foster increased youth involvement in the affairs of County government;
- Study problems and hold forums on issues, activities and concerns of youth in the County;
- Comment upon existing or proposed legislation, ordinances, resolutions and policies that impact the youth in Miami-Dade County;
- Present methods to resolve youth-related conflicts between youth and between youth and adults;
- Recommend the implementation of community programs to improve the lives of youth;
- Monitor programs and policies that affect youth to ensure that they are achieving the intended results;
- Work with other youth organizations in the County to collaborate on shared issues and interests;
- Submit to the Mayor and Board of County Commissioners an annual report of the activities of the Commission in the month of May prior to the end of the regular school year;
- Serve as the Violence Intervention Program representative for their respective school, as permitted by the Miami-Dade County Public School System;
- Facilitate an annual Youth Summit in conjunction with the Juvenile Services Department and the South Florida Workforce Investment Board's (SFWIB) Youth Council;
- The Chairman of the Youth Commission shall serve as an appointed member of the South Florida Workforce Investment Board's Youth Council;
- Work with the South Florida Workforce Board on employment and training opportunities for Miami-Dade County youth; and
- Utilize social networking sites and or technology to engage and inform the youth of their community of important County activities.

3. ***The costs, both direct and indirect, of establishing and maintaining the Board.***

The ordinance relating to the Miami-Dade Youth Commission is not projected to have a fiscal impact on Miami-Dade County. It is recommended that the Juvenile Services Department staff the Youth Commission with support from the South Florida Workforce Investment Board.

Chatham County Youth Commission in Savannah, Georgia serves as the model for the Miami-Dade County Youth Commission. Chatham County's Youth Commission has 38 members that work with a staff of eight, five of which have positions within Chatham County. There is a Youth Commission Director, who is also the Chatham County Employee Services and Training Manager, three Youth Commission Advisors, a Public Relations Director and three graduate advisors.

4. ***Whether the board is necessary to enable the County to obtain State or federal grants or other financing.***

Creation of the Youth Commission is not necessary to obtain State or federal grants or other financing.

5. ***Whether the board should have bonding authority.***

The Youth Commission will not have bonding authority.

6. ***Whether the board should have final authority to enter into contracts and spend County funds, or whether its contracts and expenditures must be ratified by the Board of County Commissioners.***

The Ordinance does not grant authority to the Youth Commission to enter into contracts and spend County funds.

7. ***Whether the creation of a new board is the best method of achieving the desired benefit.***

Establishing the Miami-Dade Youth Commission will ensure that the youth of this community have a voice to address policies and laws which impact youth.

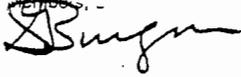

Special Assistant for Social Services

Memorandum



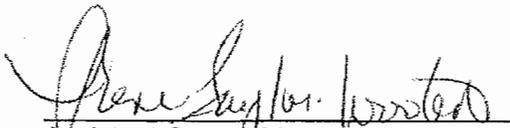
Date: January 21, 2010

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

From: George M. Burgess 
County Manager

Subject: Ordinance Creating the Miami-Dade County Youth Commission

The proposed ordinance creating the Miami-Dade County Youth Commission and establishing the duties and responsibilities of the Commission, will not result in a fiscal impact to Miami-Dade County.


Assistant County Manager

fis01810

5



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. 7(F)

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. 7(F)
1-21-10

ORDINANCE NO. 10-05

ORDINANCE CREATING THE MIAMI-DADE COUNTY YOUTH COMMISSION AND ESTABLISHING THE DUTIES AND RESPONSIBILITIES OF SUCH COMMISSION; PROVIDING FOR APPOINTMENT OF STUDENT REPRESENTATIVES AS ITS MEMBERS; SETTING FORTH QUALIFICATIONS OF MEMBERS AND TERMS OF OFFICE, PROVIDING FOR ELECTION OF OFFICERS AND OTHER MATTERS; PROVIDING FOR EXCEPTION TO SECTION 2-11.38 OF THE CODE OF MIAMI-DADE COUNTY RELATING TO REQUIREMENT THAT COUNTY BOARD MEMBERS BE ELECTORS; PROVIDING FOR COUNTY STAFF SUPPORT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the youth in our County have particular insight and opinions on the issues affecting youth and the teen population, especially County programs relating to youth and teens; and

WHEREAS, having input from young people will be a helpful complement to the decision-making process of the Board of County Commissioners; and

WHEREAS, creation of this Commission will serve the added purpose of exposing youth to county government; and

WHEREAS, the Chatham County Youth Commission in Savannah, Georgia is the first Youth Commission, and it has served as a model for the majority of the Youth Commissions which have been formed and will serve as a model for the Miami-Dade County Youth Commission,

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

Section 1. Creation of the Miami-Dade County Youth Commission. There is hereby created the Miami-Dade County Youth Commission (the “Youth Commission”), which is an advisory board of Miami-Dade County. The purpose of the Youth Commission is to provide the youth of Miami-Dade County with a vehicle to learn about government, participate in the process of Miami-Dade County government, represent and articulate the needs of youth in the County, and advise the Mayor and Board of County Commissioners on matters affecting the youth and teen population, especially County programs relating to youth and teens.

Section 2. Duties and responsibilities of the Youth Commission. The Youth Commission shall have the following duties and responsibilities:

- (a) Foster increased youth involvement in the affairs of County government;
- (b) Study problems and hold forums on issues, activities and concerns of youth in the County;
- (c) Comment upon existing or proposed legislation, ordinances, resolutions and policies that impact the youth in Miami-Dade County;
- (d) Present methods to resolve youth-related conflicts between youth and between youth and adults;
- (e) Recommend the implementation of community programs to improve the lives of youth;
- (f) Monitor programs and policies that affect youth to ensure that they are achieving the intended results;
- (g) Work with other youth organizations in the County to collaborate on shared issues and interests;
- (h) Submit to the Mayor and Board of County Commissioners an annual report of the activities of the Commission in the month of May prior to the end of the regular school year;

- (i) Serve as the Violence Intervention Program representative for their respective school, as permitted by the Miami-Dade County Public School System;
- (j) Facilitate an annual Youth Summit in conjunction with the Juvenile Services Department and the South Florida Youth Advisory Board; and
- (k) Utilize social networking sites and/or technology to engage and inform the youth of their community of important County activities.
- (l) Participate in a workshop which will introduce the Youth Commission members to a County Commission agenda process, a mock county commission meeting, the role of the officials who appoint them and the County Attorney, at a minimum.
- (m) The member of the Youth Commission appointed by the Mayor shall be designated as a member of the South Florida Workforce Youth Advisory Council.

Additionally, each member of the Youth Commission is to meet with the official who appointed the Youth Commission member on a quarterly basis or at the discretion of the appointing official, as is mutually convenient for the Youth Commission member and appointing official to discuss teen and community issues of concern to them.

Section 3. Commission Composition; Qualifications; Process for Nomination and Appointment; Exceptions to County Code; Term; Officers; Rules of Procedure; Staff Support.

- (a) The Youth Commission shall be composed of twenty-seven (27) youth who will serve as voting members of the Youth Commission.
- (b) Each County Commissioner shall appoint two members of the Youth Commission. At least one of the students appointed by a County Commissioner shall be a Miami-Dade County public school student. One of the students appointed by a Commissioner may be a student attending a parochial or private school in the Commissioner's district. The members of the Youth Commission shall be between the ages of fifteen (15) to eighteen (18) years old at the time of appointment and be in the 10th, 11th, or 12th grade.

To be qualified for appointment, such student shall have a minimum 2.0 grade point average and shall demonstrate a sincere interest and the motivation to work for the community and have a background in community-based activity.

- (c) Each member of the County Commission shall receive the names of high school students from public private and parochial high schools in his or her district. Such high schools shall be requested to forward the names and resumes of interested students for appointment to the Youth Commission to the office of the County Commissioner of the commission district in which the high school is located. The County Commissioner shall interview the nominated student and forward the name and the resume of the students appointed by the County Commissioner to the Clerk of the Board of County Commissioners.
- (d) The Mayor of Miami-Dade County, the Chairperson of the Board of County Commissioners, the County Manager, the Clerk of the Board of County Commissioners and the Agenda Coordinator for the Board of County Commissioners shall each select a Miami-Dade Public School System student to be a non-voting member of the Youth Commission. The Youth Commission member selected by each official shall meet the qualifications set forth in subparagraph (b) above. Each of these officials shall receive the names of high school students from the Miami-Dade County School Board. Each official or his or her designee shall interview the nominated student and forward the name and the resume of the student appointed by the official to the Clerk of the Board of County Commissioners. These nonvoting members of the Youth Commission shall be exposed to and given the opportunity to learn the role of the official who appointed them as non-voting members of the Youth Commission.
- (e) The Miami-Dade County Public School student who is appointed to serve on the Miami-Dade County School Board shall be an ex-officio voting member of the Youth Commission.
- (f) Notwithstanding Section 2-11.38 of the Code of Miami-Dade County, the members of the Youth Commission shall not be required to be an elector of Miami-Dade County.

- (g) The term of office for each member shall be one (1) year. Members may be appointed for a subsequent one (1) year term; provided, that no member shall serve more than two (2) years as a member of the Youth Commission.
- (h) The Youth Commission members shall annually elect a voting member as chairperson and other officers it deems necessary from its voting membership.
- (i) The Youth Commission shall adopt its own rules and regulations, as may be necessary and appropriate to carry out its responsibilities, subject to the approval of the County Mayor or his or her designee.
- (j) The County Mayor shall designate staff support sufficient to carry out the purposes of this ordinance and provide facilities for meetings and other activities, as necessary. Programming for the Youth Commission shall be executed jointly and in coordination with the Teen Court and Violence Intervention Project programs,

Section 4. Youth Commission Committees. The Youth Commission may establish such committees as are deemed necessary and appropriate to assist in its function and duties. Members of such committees may include nonvoting members and nonmembers of the Youth Commission.

Section 5. Meetings. The Youth Commission, which is subject to the Government in the Sunshine and Public Records requirements, shall meet at the call of the Chairperson or at the request of the majority of the membership, but no less than once monthly. A majority of the voting members of the Commission shall constitute a quorum for the transaction of business. A vote of a majority of the voting members present constituting a quorum shall be required to constitute action taken by the Youth Commission. The meetings of the Youth Commission may be conducted in the Board of County Commission Chambers and if so conducted, shall be televised and broadcast on Miami-Dade TV.

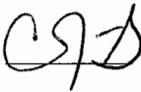
Section 6. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 7. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word “ordinance” may be changed to “section,” “article,” or other appropriate word.

Section 8. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: **January 21, 2010**

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Cynthia Johnson-Stacks

Prime Sponsor: Commissioner Barbara J. Jordan
Co-Sponsor: Commissioner Rebeca Sosa
Co-Sponsor: Senator Javier D. Souto