

MEMORANDUM

Amended
Agenda Item No. 11(A)(4)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: May 21, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to support Zero Drownings Miami-Dade and the Collaborative to increase water safety for certain young children in Miami-Dade County, including, but not limited to, establishing an office of drowning prevention and instituting a three-year trial program; authorizing the County Mayor to receive and expend up to \$750,000.00 in grant funding from the Children's Trust for the three-year trial program; authorizing the County Mayor to negotiate and execute all necessary agreements and documents with the Zero Drownings Miami-Dade collaborative partners and funders and providers to effectuate the trial program, and to exercise all provisions contained therein; directing the County Mayor to identify legally available funding to support dedicated staff for the trial program in the fiscal years 2023-2024, 2024-2025, 2025-2026, and 2026-2027 County budgets; after the trial program ends and subject to satisfying certain conditions, authorizing the County Mayor to accept and expend future grant funds to continue the zero Drownings Miami-Dade collaborative and program and execute necessary agreements and documents for the same; waiving Resolution No. R-130-06; and requiring reports

Resolution No. R-455-24

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Keon Hardemon and Co-Sponsors Commissioner Marleine Bastien, Commissioner Kevin Marino Cabrera, Senator René García, Commissioner Roberto J. Gonzalez and Commissioner Micky Steinberg.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM
(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
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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 present ____, 2/3 membership ____, 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
Veto _____
Override _____

Amended
Agenda Item No. 11(A)(4)
5-21-24

RESOLUTION NO. **R-455-24**

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO SUPPORT ZERO DROWNINGS MIAMI-DADE AND THE COLLABORATIVE TO INCREASE WATER SAFETY FOR CERTAIN YOUNG CHILDREN IN MIAMI-DADE COUNTY, INCLUDING, BUT NOT LIMITED TO, ESTABLISHING AN OFFICE OF DROWNING PREVENTION AND INSTITUTING A THREE-YEAR TRIAL PROGRAM; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO RECEIVE AND EXPEND UP TO \$750,000.00 IN GRANT FUNDING FROM THE CHILDREN’S TRUST FOR THE THREE-YEAR TRIAL PROGRAM; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO NEGOTIATE AND EXECUTE ALL NECESSARY AGREEMENTS AND DOCUMENTS WITH THE ZERO DROWNINGS MIAMI-DADE COLLABORATIVE PARTNERS AND FUNDERS AND PROVIDERS TO EFFECTUATE THE TRIAL PROGRAM, AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO IDENTIFY LEGALLY AVAILABLE FUNDING TO SUPPORT DEDICATED STAFF FOR THE TRIAL PROGRAM IN THE FISCAL YEARS 2023-2024, 2024-2025, 2025-2026, AND 2026-2027 COUNTY BUDGETS; AFTER THE TRIAL PROGRAM ENDS AND SUBJECT TO SATISFYING CERTAIN CONDITIONS, AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO ACCEPT AND EXPEND FUTURE GRANT FUNDS TO CONTINUE THE ZERO DROWNINGS MIAMI-DADE COLLABORATIVE AND PROGRAM AND EXECUTE NECESSARY AGREEMENTS AND DOCUMENTS FOR THE SAME; WAIVING RESOLUTION NO. R-130-06; AND REQUIRING REPORTS

WHEREAS, all too often, the local news in Miami-Dade County reports on the accidental drowning of a toddler or young child; and

WHEREAS, such a tragedy can take place in a matter of seconds while a caretaker’s attention is diverted elsewhere—in the time it takes to answer a phone call or a knock at the door; and

WHEREAS, it can happen in the family swimming pool, or in a natural body of water, such as the ocean, or a lake or canal; and

WHEREAS, according to the Centers for Disease Control and Prevention (“CDC”), drowning is the third leading cause of unintentional injury death worldwide, claiming an estimated 236,000 lives each year; and

WHEREAS, the National Drowning Prevention Alliance reports that, on average, 3,500 to 4,000 people lose their lives to drowning each year in the United States; and

WHEREAS, the CDC reports that more children ages one to four years old die from drowning than any other cause of death in the United States; and

WHEREAS, the CDC reports that for children ages five to 14 years old, drowning is the second leading cause of unintentional injury death in the United States; and

WHEREAS, from 2018 to 2020, Florida had the highest rate of unintentional drowning deaths in the United States for children age zero to nine years old, according to the Florida Department of Health; and

WHEREAS, the Florida Department of Children and Families reports that, in 2023, at least 97 children died in Florida from accidental drowning; and

WHEREAS, in Miami-Dade County, the Florida Department of Health Bureau of Vital Statistics reported that from 2020 to 2022, the leading cause of death for children ages one to nine was drowning; and

WHEREAS, the CDC reports that for every child under age 18 who dies from drowning, another seven receive emergency department care for non-fatal drowning; and

WHEREAS, even if a young child has a non-fatal drowning experience, they can still be left with severe brain damage and other long-term disabilities; and

WHEREAS, the American Red Cross and the CDC stress the importance of drowning prevention efforts, including pool alarms, pool fencing, supervision, use of flotation devices, and swimming lessons; and

WHEREAS, of these, formal swimming lessons has the potential to make dramatic reductions in the risk of drowning in preschool and kindergarten age children; and

WHEREAS, the American Red Cross Scientific Review Council reports that it has been demonstrated that children aged two to four years old can acquire the motor skills for swimming and that most children aged four and a half years old are developmentally ready to do so; and

WHEREAS, according to the archives of Pediatric and Adolescent Medicines, participation in formal swimming lessons is associated with an 88 percent reduction in the risk of drowning for children; and

WHEREAS, Miami-Dade County has various programs that offer swim safety lessons; and

WHEREAS, for example, in 2022 to 2023, the Miami-Dade County Parks, Recreation and Open Spaces Department (“PROS”) provided swim lessons to over 7,000 children, with most lessons taking place during the summer months, and a smaller percentage of lessons taking place during the school year, outside of school hours; and

WHEREAS, more is needed; and

WHEREAS, to date, there is not a comprehensive, community-wide drowning prevention program for children in Miami-Dade County; and

WHEREAS, Broward County established a drowning prevention initiative in 1999 that is carried out in a partnership between its parks department, the Broward County Public School system, and the Children’s Services Council of Broward County; and

WHEREAS, Broward County’s drowning prevention initiative provides a large-scale, learn-to-swim model, providing free swim lessons to 18,000 students during the school year; and

WHEREAS, since its inception, Broward County’s collaborative has enrolled more than 601,000 children in their swim safety program, providing more than 3.5 million water safety lessons; and

WHEREAS, recently, a collaborative of representatives in Miami-Dade County, including county staff from the Office of the County Mayor, PROS, the Community Action and Human Services Department (“CAHSD”), and Miami-Dade Fire Rescue (“MDFR”), and The Children’s Trust (“The Trust”), and Miami-Dade County Public Schools (“M-DCPS”), and the American Red Cross, and The Miami Foundation (together, the “Collaborative Group”), convened to brainstorm about how to create a large-scale community-wide swimming program in Miami-Dade County, using the Broward program as a model; and

WHEREAS, the result of the Collaborative Group is Zero Drownings Miami-Dade, a three-year trial program (“Program”) with the goal of increasing water safety for certain young children in Miami-Dade County; and

WHEREAS, as part of the Program, the County would expand its current swim program and work with the Collaborative Group to coordinate and facilitate free swim lessons for cohorts of four-year-old and kindergarten-aged children at nearby public or private water safety swim providers; and

WHEREAS, participating children would include those participating in the County’s Head Start program, certain children in The Trust funded Thrive-By-5 private child care centers, and M-DCPS kindergarten classrooms; and

WHEREAS, the children would be transported to nearby water safety swim providers to receive essential drowning prevention instructions, during a 10-day, 30-minute group class; and

WHEREAS, providing the lesson during school hours has the advantage of ensuring the swim facility is open and available and also makes it more likely the child will complete the program; and

WHEREAS, each partner in the Collaborative Group will play a critical role to the initiative during the three-year trial Program, as outlined below:

Miami-Foundation: serve as the pro-bono fiscal agent. Donation of fiscal agent services will be evaluated after the trial Program.

The Children's Trust: provide \$1,800,000.00 in funding for the Program, \$750,000.00 of which will support County staff costs, and \$1,050,000.00 of which is slated to support transportation costs, swim lesson costs, and other Program funding needs; future funding for years two and three of the Program and beyond is contemplated at \$500,000.00 each year, but requires further Trust board approval; serve as Program facilitator; work to raise private funding for the Program; and provide marketing and communications support.

County staff: [CAHSD] coordinate the inclusion of the Program into the Head Start program, including obtaining necessary waiver, releases, and permission slips from parents, and facilitating transportation to the swim lessons; [PROS] operate and coordinate the Program and the use of county and municipal and private pools; [PROS] ensure swim providers are certified according to state law and background screened; [PROS] direct payments from the fiscal agent to swim providers and for transportation costs; provide funding for staff in years two and three (anticipated to be four staff persons dedicated to the Program); [MDFR] support program awareness and assist in preparing water safety education materials and outreach.

M-DCPS: coordinate the inclusion of the Program into its kindergarten classrooms and facilitate transportation services during the school day, including obtaining necessary waiver, releases, and permission slips from parents.

American Red Cross: provide \$12,000.00 toward the swim lessons in year one of the Program, with possible future funding support; assist with swim guidelines and curriculum.

WHEREAS, other potential Program partners include the United Way Miami, and the Key Biscayne Community Foundation, as well as additional private funders; and

WHEREAS, during year one (which will run roughly from April of 2024 through fiscal year 2024-2025), it is anticipated that the Program will be provided to 4,400 children being served at 12 swim sites, including several PROS-operated swim sites (Oak Grove, Palm Springs North, Marva Bannerman, Rockway, A.D. Barnes, West Perrine, Naranja, South Dade); and

WHEREAS, during year two (fiscal year 2025 to 2026), it is anticipated that the Program will be provided to 10,000 participating children at 20 swim sites; and

WHEREAS, during year three (fiscal year 2026 to 2027), it is anticipated that the Program will be fully implemented county-wide with a target goal of 20,000 participating children per year at 30 swim sites; and

WHEREAS, it is the aim of the Collaborative Group to continue the Program beyond the three-year trial term; and

WHEREAS, the Board wishes to increase water safety for children in the county and supports the goal of the Collaborative Group and the implementation of the Zero Drownings Miami-Dade Program,

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

Section 1. Approves the foregoing recitals, which are incorporated herein by reference.

Section 2. Directs the County Mayor or County Mayor's designee to take all necessary steps to support Zero Drownings Miami-Dade and the collaborative to increase water safety for certain young children in Miami-Dade County, including, but not limited to, establishing an Office of Drowning Prevention in the Parks, Recreation and Open Spaces Department ("PROS"), or such other persons or department as designated by the County Mayor, and instituting a three-year Zero

Drownings Miami-Dade trial program (“Program”), and encouraging the participation of neurodiverse children in the Program.

Section 3. Authorizes the County Mayor or County Mayor’s designee to receive and expend up to \$750,000.00 in grant funding from The Children’s Trust for the Program to support staffing costs, as well as any additional funds provided as part of the Program for reimbursements for swim lessons and transportation costs provided by, or incurred by, the County.

Section 4. Authorizes the County Mayor or County Mayor’s designee to negotiate and execute all necessary agreements and documents with the Zero Drownings Miami-Dade collaborative partners, funders, and swim and transportation providers to effectuate the Program, following review and approval of such agreements for form and legal sufficiency by the County Attorney’s Office, and to exercise all provisions contained therein, including termination and amendment, provided such amendments do not alter the purpose or term of the Program.

Section 5. Directs the County Mayor or County Mayor’s designee to identify legally available funding in the fiscal years 2023-2024, 2024-2025, 2025-2026, and 2026-2027 County budgets to fund dedicated staff persons to support the work of the Program, and to expend any funds allocated by the Board for the Program.

Section 6. Requires the County Mayor or County Mayor’s designee to submit an initial report on the trial program (“Initial Trial Program Report”) to this Board within 90 days after the 365th day of the commencement of the trial program and to place the completed report on an agenda of the full Board without committee review pursuant to rule 5.06(j) of the Board’s Rules of Procedure. The Initial Trial Program Report, at a minimum, shall provide: (a) the number of swim lessons provided; (b) the location of the participating children and the swim providers; (c) the agreements entered into and the roles of the participating trial program partners; and (d) general program outcomes. The County Mayor or County Mayor’s designee is further directed to submit

a final report on the trial program to the Board, prior to the conclusion of the third year of the trial program (“Final Trial Program Report”), and to place the Final Trial Program Report on an agenda of the full Board without committee review pursuant to rule 5.06(j) of the Board’s Rules of Procedure. At a minimum, the Final Trial Program Report shall provide all the information required in the Initial Trial Program Report as well as any new developments in the program since the previous report and a recommendation as to continuing the Zero Drownings Miami-Dade program beyond the trial term.

Section 7. Authorizes the County Mayor or County Mayor’s designee, after the end of the trial program and subject to this Board’s acceptance of the Final Trial Program Report, to accept and expend any future grant funds provided to the County for the continuation of the Zero Drownings Miami-Dade program, or allocated by the Board for the program, and to execute all necessary agreements and documents with the Zero Drownings Miami-Dade collaborative partners, funders, and swim and transportation providers for the continuation of the program, following review and approval of such agreements for form and legal sufficiency by the County Attorney’s Office, and to exercise all provisions contained therein.

Section 8. Waives the requirements of Resolution No. R-130-06, requiring non-governmental parties to execute agreements prior to presentation to this Board for approval.

The Prime Sponsor of the foregoing resolution is Commissioner Keon Hardemon and the Co-Sponsors are Commissioner Marleine Bastien, Commissioner Kevin Marino Cabrera, Senator René García, Commissioner Roberto J. Gonzalez and Commissioner Micky Steinberg. It was offered by Commissioner **Keon Hardemon**, who moved its adoption. The motion was seconded by Commissioner **Sen. René García** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	aye		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	absent	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 21st day of May, 2024. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Leigh C. Kobrinski
Shanika A. Graves
Melanie Spencer