By Senator Bullard

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A bill to be entitled

An act relating to the statewide legacy communities initiative; providing findings, intent, and definitions; establishing the statewide legacy communities initiative; providing criteria and declarations concerning the initiative; providing criteria governing the services and activities to be supported under the initiative; providing requirements and goals concerning the provision of such services or assistance; creating the Urban Empowerment Corporation within the Department of Community Affairs; providing criteria concerning the creation, purpose, and duties of the corporation; providing that the corporation is an instrumentality of the state for purposes of sovereign immunity; providing that the corporation is not a state agency; providing that the corporation is subject to specified laws concerning open records and meetings requirements; exempting the corporation from a specified law concerning procurement; providing that the corporation is subject to specified laws concerning ethical requirements; prohibiting the corporation from creating subsidiaries; providing that the corporation does not supplant, replace, or direct existing operations or other programs; providing for the department to approve the corporation's articles of incorporation; providing criteria concerning such articles; providing for management of the corporation by a board of directors; providing criteria for appointment and operation of the board of directors;

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requiring that the board of directors develop and implement a plan of action; providing criteria concerning the plan of action; requiring that the board of directors provide annual reports to the Governor, the President of the Senate, and the Speaker of the House of Representatives; requiring that the corporation establish a legacy consulting team that meets specified criteria; specifying the deliverables that the team is to provide for legacy communities; providing criteria for the funding of proposals concerning the legacy community initiative; requiring that the corporation issue requests for proposals; providing criteria for the issuance of such requests; providing criteria for the review and approval of proposals; requiring an objective scoring process; requiring acceptance by the residents of a legacy community; providing requirements for the board of directors concerning the revitalization plans of legacy communities; designating a pilot legacy community; providing objectives concerning the designated community; specifying additional communities to be included in the initiative; providing criteria concerning the revitalization plans of legacy communities; providing an appropriation; providing an effective date.

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Be It Enacted by the Legislature of the State of Florida:

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Section 1. Legacy communities; economic development;

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governance; cultural enlightenment; pilot project; additional
communities; revitalization plans.—

- (1) LEGISLATIVE FINDINGS.—The Legislature finds that:
- (a) Many historically and culturally rich communities of color throughout this state have contributed significantly to the state's cultural and economic development. Some of these communities developed through the maritime, transportation, and agricultural labor of African-Caribbean immigrants whose descendants are residents of this state. Each such community has a healthy, vibrant, and productive history, replete with contributions in entertainment, art, industry, and trade, and an interactive communal life that attracts families, tourists, and commerce.
- (b) These communities are now often hidden beneath the debris of many years of blight and disinvestment. These communities have the unique potential to be rediscovered and rebuilt through reinvestment, creating a cultural magnetindustry that will again attract families, tourism, and commerce.
- (c) Because legacy communities share a similar plight, similar assets, similar risks, and similar opportunities, the approach to their survival and growth should be the same.
- (d) A single legacy community cannot generate sufficient power to command or leverage resources that are sufficient to address its needs and potentialities. But collectively, legacy communities can create industries that attract and leverage resources on a scale that is large enough to foster the building of economic wealth and to fuel self-sufficiency and sustainability for future generations. By joining forces, the

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legacy communities and the individuals and businesses of those communities can avoid becoming extinct through displacement and instead become positioned to revive, prosper, and leave their legacy for future generations.

- (e) Legacy communities are at risk of massive displacement due to gentrification. Families are at risk, businesses are at risk, and therefore the community is at risk. These communities are being discovered and appreciated by new residents and others who are willing to invest under current conditions and develop the economic potential. The result is escalated land values, higher taxes, and numerous rental conversions that make it difficult to accommodate persons having low incomes, those living on a fixed income, the working poor, and the unemployed. When low-income residents are displaced, the community's culture is also displaced, and there is a change in the community's character, a loss of place, and an erosion of the community's stability and economic foundations. Civic and sacred places are abandoned. Businesses shrink into oblivion. Educational institutions change drastically as the population shifts. Eventually culture, race, and social status are lost to the new community and the history of the place becomes a forgotten memory. In the process, families are devastated.
- (f) Gentrifying communities have a unique opportunity to capture the benefits of change and revitalization efforts without unnecessary and unwanted displacement of a community's residents. Because change is introduced and development is imminent, communities that have been devastated can become renewed for existing residents and for those new residents who are willing to become a contributing part of the community. New

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residents can become a healthy part of a gentrifying community if their participation does not result in displacement and if the existing residents, culture, and assets are valued, respected, and empowered. The opportunity is to rebuild the community as a mixed income, diverse, and culturally sound place to live, work, and play, in which the historical character, culture, populace, and assets of the community are recognized as foundational and irreplaceable. In such communities, everyone benefits from the improvements and everyone participates.

- (2) LEGISLATIVE INTENT.—Through this act, the Legislature intends to:
- (a) Create a statewide initiative by which the projects and activities of individuals, community organizations, and businesses in a legacy community implement the legacy-community strategies as planned. The statewide approach, to be known as the Legacy Communities Initiative, shall provide the linkages so that each legacy community is able to appropriately publicize the community, share and leverage resources, and reinforce common interests and projects.
- (b) Enable sustainable funding for the initiative for 10 years in order to help ensure that the initiative's activities and strategies are not short-circuited by a lack of funding.
- (c) Broadly ensure support and accountability and help minimize the challenges within the local community which have traditionally hindered legacy communities in their respective rebuilding efforts.
- (d) Foster opportunities for participating legacy communities to share information and expertise, collectively use best practices, and benefit from networking with similar

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146 communities.

- (e) Initiate creative financial benefits so that many legacy communities may be served by common resources and shared expertise. Using collective purchasing, the revenue of legacy communities will increase, creating employment that, with increased tourism, will help to sustain the communities' economies.
- (f) Conserve revered historical places and cultural legacies, recognizing that legacy communities are unique benefactors contributing to the proud and rich heritage of the state and nation.
  - (3) DEFINITIONS.—As used in this act, the term:
  - (a) "Corporation" means the Urban Empowerment Corporation.
  - (b) "Department" means the Department of Community Affairs.
- (c) "Legacy community" means a historic and culturally distinct community that is established in an area of this state and developed by capturing and cultivating the people's cultures, skills, beliefs, interests, and values.
- (d) "Pilot legacy community" means the legacy community designated to initiate the legacy communities revitalization plan to develop, implement, and establish a model for subsequent legacy communities to follow.
- (e) "Revitalization plan" means a written document, developed through stakeholder interaction, which presents a snapshot of a community's priorities, needs, people, places, character, and story; sets forth a strategy to address and resolve established needs and problems; and describes how the community will preserve, protect, build, and sustain its people and places, its past, and its future.

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(4) STATEWIDE LEGACY COMMUNITIES INITIATIVE.—There is established the Statewide Legacy Communities Initiative.

- (a) The statewide initiative is established to support and fund projects and activities undertaken by individuals, community organizations, and businesses in legacy communities implementing the legacy community strategy. The statewide initiative shall provide the linkages that each community needs to be able to appropriately publicize the community, share and leverage resources, and reinforce common interests and projects.
- (b) The statewide initiative shall provide support and accountability and help to minimize challenges within the local community which have traditionally hindered legacy communities in their respective rebuilding efforts. The statewide initiative shall also serve to standardize the processes and participatory requirements, thereby equalizing the opportunities for all communities involved.
- (c) The statewide initiative shall provide sustainable funding for a period of years as specified in state appropriations, which must ensure that the activities and strategies of the legacy communities initiative will not be discontinued due to a lack of resources.
- (d) The statewide initiative shall foster opportunities for participating communities to share information and expertise, collectively use best practices, and benefit from networking with similar communities. The Legislature expects that the participating communities will be served by common resources and shared expertise, will share in collective purchasing, and will help sustain their economies by increased tourism, revenues, and employment. The collective power of revitalized communities and

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reinstated industry can reverse the effects of years of disinvestment.

- (5) STATEWIDE LEGACY COMMUNITIES INITIATIVE SUPPORTED

  SERVICES.—Funding for the statewide legacy community initiative shall support certain designated services and activities for legacy communities. The scope of such services and activities includes:
- (a) Creating community land trusts. The objective of each community land trust is to ensure that the community property remains under the jurisdiction of the community and to preserve the property for generations in the future. The initiative's land trust specialists shall provide technical assistance to any existing community land trust in a legacy community or help to develop a new community land trust based on the core values of the legacy community initiative.
- (b) Training, organizing, and supporting faith-based and partner community organizations in fostering a system of communication, community education, advocacy, leadership, and family support in each legacy community. The objective is to increase the capacity of faith-based groups to work with community-based organizations, resident groups, and resource partners in order to achieve the community's goals. Consultants may aid faith-based and community organizations in accessing resources and building cooperation among residents, businesses, and youth toward building together and protecting their assets, culture, families, land, and legacy.
- (c) Promoting youth initiatives that help reintroduce traditional values and behavioral mores to the community's youth. The statewide legacy community initiative shall support

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programs to help youth to improve academically, personally, and socially, at home in the family and in the community. Activities provided under this strategy must foster skill development and opportunities to be constructively involved in community building and career development. The legacy consulting team shall assist the new legacy community in accessing or enhancing programs that mentor, train, and help youths build their community and develop marketable skills that are transferable between communities, help youth become employed in the larger society, and provide youth with investment education, budget and financial counseling, leadership skills, community building opportunities, and home-building training.

- (d) Preserving the culture of gentrifying communities. The statewide legacy community initiative shall support legacy consultants in assisting each legacy community in developing and marketing cultural programs, festivals, story-telling programs, educational activities, and other activities that preserve and promote the culture of the community and its people. Technical assistance shall be provided to help the legacy community identify its own cultural industry where the existing residents and businesses build on the strength of what they have traditionally had in their hands, their homes, and their hearts. The legacy community shall be coached in marketing natural assets to create trade that is built on the culture, traditions, and talents of the community.
- (e) Providing economic development and wealth-building resource programs and activities. The programs shall be designed to help the community develop and access nontraditional economic resources and funds. These programs must involve economic

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sources other than the government or private foundations to provide self-sustaining and self-generating methods to build wealth and support for the community and put people to work in meaningful ways that keep assets and resources in the communities so that they are shared by families and sustainable through future generations.

- (f) Involving community residents in the design and development of their own communities. Using professionals, the legacy consulting team shall engage the community in design workshops to build consensus and participation in planning and community design and introduce the community to tools such as community-sponsored ordinances, rezoning, special districts, and other neighborhood conservation processes.
- (g) Integrating community builders with other contractors to develop a team of local community builders who can continue to carry out the activities and provide leadership in the community to sustain its efforts. The technical assistance team shall coach the community and its nonprofit organizations to develop the programs, fund the efforts, and engage the community in its own revitalization.
- (h) Providing each legacy community with technical assistance support to identify eligible property, prepare acquisition applications, and physically redesign local properties to reflect the culture of the community and promote mixed-use and mixed-income development through resident ownership mechanisms. Each legacy community shall receive technical assistance to address current and future environmental issues in their communities and to incorporate environmental planning solutions in the design and physical revitalization of

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291 their communities.

(i) Developing and implementing a marketing strategy that links legacy communities with their cottage industries through a continuous cultural corridor. The strategy shall engage support and promotion by African and Caribbean-American icons and companies willing to underwrite portions of the campaign.

- (j) Advocating leadership and empowerment efforts. Such efforts shall, through screening, selection, and support of community representatives who are knowledgeable about community concerns and responsive to residents' needs, be proactive in creating opportunities for families in the community. The legacy consulting team shall educate the community through small group discussions and family-based dialogue on the importance and process of participating in civic activities.
- (k) Reclaiming underemployed men and bringing them back into wholeness and leadership in the legacy community and in their families. This is an imperative that the statewide legacy community initiative must address. A principal goal of the statewide legacy community initiative is for all legacy communities to focus on the reversal of crime and substance abuse, emphasizing intervention and diversion from crime. Each local legacy community shall place a strong emphasis on supporting black men who are displaced from the home and disproportionately represented in institutions. The statewide legacy community initiative shall support local legacy communities in developing a variety of strategies to help prevent youth from becoming involved in gangs, crime, and substance abuse. The statewide legacy community initiative shall also support efforts to strengthen families and build healthy

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marriages, emphasizing rites-of-passage activities, constructive counseling, and mentoring programs. Male role models must be actively recruited from fraternities, faith-based groups, black civic organizations, elders, trade groups, male celebrities, and neighborhood male activists. The legacy consulting team shall work with existing organizations and assist them in accessing resources and links to other similar programs to maximize their efforts in this area.

- (1) Empowering women, the seniors, and families to work with existing organizations and assisting them to access resources and links to other similar programs. Legacy community consultants shall work with nonprofit organizations to help women cope with the issues that most affect them and their children, including, but not limited to, domestic violence, economic development, women's health care, child-rearing, and support for single mothers.
- (m) Fostering traditional cultural values. The statewide legacy community initiative shall train families to implement historically known spiritual principles and principles of Kwanzaa every day and to remember the values taught by the ancestors which spiritually guide and keep people healthy, cohesive, wise, and compassionate. Consultants shall work with existing organizations and assist them in accessing resources that link them with proponents of community culture and traditions to help re-teach these values and to help incorporate them into the daily behavior and traditions of the legacy community.
- (6) STATEWIDE LEGACY COMMUNITIES INITIATIVE; URBAN EMPOWERMENT CORPORATION; ORGANIZATION.—

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(a) There is created within the Department of Community
Affairs the Urban Empowerment Corporation.

- (b) The corporation shall be a not-for-profit corporation registered, incorporated, and operated in accordance with chapter 617, Florida Statutes.
- (c) The corporation shall serve as the coordinating organization for the development and implementation of the Statewide Legacy Community Initiative. The purpose of the corporation is to assist in carrying out the duties and responsibilities set forth in this section. The corporation shall operate to fulfill its purpose and, in the best interests of the state, the corporation:
- 1. Shall be a corporation primarily acting as an instrumentality of the state pursuant to s. 768.28(2), Florida Statutes, for the purposes of sovereign immunity;
- 2. Is not an agency within the meaning of s. 20.03(11),
  Florida Statutes;
- 3. Is subject to the open records and meetings requirements of s. 24, Art. I of the State Constitution, chapter 119, Florida Statutes, and s. 286.011, Florida Statutes;
- 4. Is not subject to the provisions of chapter 287, Florida Statutes;
- 5. Is governed by the code of ethics for public officers and employees as set forth in part III of chapter 112, Florida Statutes;
  - 6. Is not authorized to create corporate subsidiaries; and
- 375 7. Does not supplant, replace, or direct existing376 operations or other programs.
  - (d) The articles of incorporation of the corporation must

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be approved in a written agreement with the Department of

Community Affairs. The articles of incorporation must provide
that:

- 1. The corporation shall provide equal employment opportunities for all persons regardless of race, color, religion, gender, national origin, age, handicap, or marital status;
- 2. The corporation is subject to the public-records and public-meetings requirements of s. 24, Art. I of the State Constitution;
- 3. All officers, directors, and employees of the corporation are governed by the code of ethics for public officers and employees as set forth in part III of chapter 112, Florida Statutes;
- 4. Members of the board of directors of the corporation are responsible for the prudent use of all public and private funds and that they will ensure that the use of funds is in accordance with all applicable laws, bylaws, and contractual requirements; and
- $\underline{\text{5. The fiscal year of the corporation is from July 1}}$  through June 30.
- (e) The affairs of the corporation shall be managed by a board of directors who shall serve without compensation. Each director shall have one vote. The chair of the board of directors shall be selected by a majority vote of the directors, a quorum being present. The board of directors shall consist of five members appointed by the Governor. The Governor shall appoint the members by September 1, 2009.
  - (f) The board of directors shall provide a copy of the

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corporation's annual report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Secretary of Community Affairs.

- (g) The corporation shall develop and implement a plan of action that:
- 1. Facilitates meetings between prospective investors and eligible organizations in the corporation;
- 2. Provides for hiring full-time staff members, including an executive director, who understand relevant community development issues needed to ensure that appropriate services are provided to each legacy community participating in this initiative and who can promote legacy communities to investors who respect the community's efforts to preserve its heritage; and
- 3. Develops cooperative relationships with publicly supported organizations, private corporations, and private foundations that work together to provide resources or special knowledge helpful to the legacy community's economic and social growth.
- (h) By December 1 of each year, the corporation shall issue an annual report of its activities. The report shall include:
- 1. An assessment of compliance with its plan of action and information on any assistance and activities provided by the corporation to assist legacy communities.
- 2. A description of the benefits, economic and social, to this state resulting from the corporation's work.
- 3. Independently audited financial statements, including statements that show receipts and expenditures during the preceding fiscal year for personnel, administration, and

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436 operational costs of the corporation.

- (i)1. The corporation shall establish a legacy consulting team to ensure that appropriate resources, services, and programs are provided to each legacy community participating in the statewide legacy community initiative.
- 2. The corporation shall consist of experts who shall assist legacy communities in developing a revitalization plan to bring together residents, property owners, and business persons to plan for a long-term investment in the legacy community. The legacy consulting team shall work to identify community needs, develop specific strategies for revitalization in each respective legacy community, and engage resources to meet the needs. The legacy consulting team shall provide deliverables for each legacy community which include:
  - a. Assessment of needs and capacity.
  - b. Consultation and advisement.
  - c. Community and board education.
  - d. Community builders training.
- <u>e. Development or enhancement of existing programs and services that embrace the legacy community initiative strategies.</u>
  - f. Resource development.
  - g. Revitalization plan assistance.
- $\underline{\text{h. Establishment of linkages within the legacy communities}}\\$  network.
- <u>i. Establishment of linkages to resources and potential</u> partners outside the legacy communities network.
  - j. Liaison and interface activities with the Legislature.
  - k. Expertise and technical assistance in the funding

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465 application and awards process.

- 1. Troubleshooting, mediation, and facilitation of local
  processes.
  - m. Promotion of legacy communities and the initiative.
  - n. Assistance with evaluation and corrective actions.
- (7) STATEWIDE LEGACY COMMUNITY INITIATIVE; APPLICATIONS; REVIEW; FUNDING.—
- (a) The corporation shall issue requests for proposals to fulfill the purposes of the statewide legacy community initiative as described in this section. The corporation shall review the proposals in a committee appointed by its board of directors, which shall make a recommendation for final selection based on an objective scoring process, with published criteria developed by the board of directors of the corporation before issuance of the request for proposals. A proposal may be approved in three phases: prestartup and development, implementation, and sustainability and replication. Final approval of the selected proposal must be by the board of directors of the corporation and consistent with the published criteria it developed before issuing the request for proposals.
- (b) 1. In order to be eligible for assistance, a proposed legacy community seeking to implement the statewide legacy community initiative must demonstrate acceptance of the initiative by the community's residents.
- 2. The corporation shall review the revitalization plan of each legacy community. For those communities accepted into the initiative, the corporation shall act as a mentor for the legacy community, develop marketing information concerning the community, and use its local resources to attract capital

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494 investment, government grants, and foundation assistance.

- (8) DESIGNATING PILOT LEGACY COMMUNITY.—That portion of Miami-Dade county known as Coconut Grove is designated as the initial statewide pilot legacy community.
- (a) Coconut Grove is the epicenter for promoting Caribbean culture in this state. The Coconut Grove area celebrates the contributions of Caribbean immigrant populations from Key West to Tallahassee. The legacy communities initiative shall identify and empower the immigrant Caribbean communities. In Miami-Dade county, Coconut Grove was the first such settlement for these populations, the largest of which were Bahamians. It is historically and culturally the first Caribbean community in Florida, and its recent increasing diversity adds to the richness of this community as a Caribbean Epicenter.
  - (b) In Coconut Grove, the objectives are to:
- 1. Preserve the Bahamian-Island culture and character in the businesses, community places and events, daily life, and the built environment;
- 2. Promote and support the Island District Merchant's Association and wealth-building strategies;
- 3. Support home ownership and protect residents from displacement;
- 4. Protect and support community-based organizations and strategies that assist families, youth, elders, and individuals; and
- 5. Facilitate cohesiveness, effective advocacy, and community involvement in the revitalization process.
- (9) SPECIFYING ADDITIONAL COMMUNITIES.—Additional communities that must be included in the Legacy Communities

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Statewide Initiative along with the pilot project in Coconut

Grove include Brownsville, Little Haiti, Liberty City, Overtown,

Lemon City, Opa Locka, Carol City, Cooper City, South Miami, Key

West, Bahama Village, Del Ray, West Palm Beach, Belle Glade,

Riviera Beach, Pleasant City, Eatonville, Orlando, Port St. Joe,

and Jacksonville.

- (10) REVITALIZATION PLANS OF LEGACY COMMUNITIES.—Each legacy community's revitalization plan must:
- (a) Set out assumptions and objectives and serve as the framework for the revitalization of the community.
  - (b) Be usable as a communication and marketing tool.
- (c) Be formulated by a diverse team of professionals and stakeholders to address the many different complex issues facing the Coconut Grove pilot project and other legacy communities.
  - (d) Describe the legacy community's history.
- (e) Set forth statistics and current conditions with respect to family status, income, jobs and employment opportunities in the community, current zoning issues, public transportation, conditions in local education, social services, housing, economic development, community cohesion, the culture of the community, environmental justice issues, visual themes in the community, historical and preservation issues, community involvement, key community interest areas, community relations challenges, and the community's social and economic history, culture, collective character, current composition, and assets.
- (f) Describe the process for community involvement which provides a forum for residents to become informed about civic affairs and actively involved in making decisions that ultimately affect their community, and define ways in which the

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process must be improved or changed to make members of the
community equal partners in the dialog concerning revitalization
projects in their neighborhoods.

- (g) Be developed in response to needs of the community as indicated by empirical data, surveys, focus group feedback, economic indicators, prior studies, community input, historical background, community asset mapping, stakeholder input, resource partnership input, and demographic profiles.
- (h) Define strategies concerning the services and activities described in subsection (5) and identify standards for effective delivery of such services and activities.
- (i) Be reviewed and receive comments from each identified stakeholder.
- (j) Set forth the community's needs and opportunities, the need for revitalization and its importance to the community, partnerships, resources and assets, goals for revitalization, proposed projects and activities, the process and essential strategies for addressing needs, timeframes and benchmarks for various phases of developing the local legacy community, committed or potential resources, budget projections, benefits and returns on investments, deliverables, local recommendations, an evaluation process, anticipated outcomes and results, and proof of sustainability.
- Section 2. The sum of \$ is appropriated from the General Revenue Fund to the Department of Community Affairs for the purpose of paying salaries and other administrative expenses necessary to carry out the provisions of this act relating to the statewide legacy community initiative during the 2009-2010 fiscal year.

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581		Section	3.	This	act	shall	take	effect	July	1,	2009		
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