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CS/HB 3, Engrossed 2

2008 Legislature

1 A bill to be entitled

2 An act relating to children's zones; creating s. 409.147,
3 F.S.; providing legislative findings and intent; providing
4 policy and purpose; providing definitions; providing a
5 process for nominating and selecting a children's zone;
6 providing for the governing body of a county or
7 municipality to adopt a resolution designating a
8 children's zone; specifying contents of the resolution;
9 requiring the governing body to establish a children's
10 zone planning team; providing powers and responsibilities
11 of the planning team; requiring the planning team to
12 designate working groups; specifying focus areas for the
13 working groups; providing for the development of a
14 strategic community plan; providing objectives for each
15 focus area; requiring the governing body to create a
16 corporation not for profit for specified purposes;
17 establishing the Magic City Children's Zone, Inc., pilot
18 project; providing for management by an entity organized
19 as a corporation not for profit; providing geographic
20 boundaries for the zone; providing for designation and
21 appointment of a board of directors; providing for
22 meetings and duties of the board of directors; providing
23 per diem and travel expenses; requiring the board to enter
24 into a contract to develop a business plan; providing for
25 reports to the Legislature; providing for contingent
26 implementation of the zone; providing an effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:

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Section 1. Section 409.147, Florida Statutes, is created to read:

409.147 Children's zones.--

(1) LEGISLATIVE FINDINGS AND INTENT.--

(a) The Legislature finds that:

1. There are neighborhoods in the state where the infrastructure and opportunities that middle-class communities take for granted are nonexistent or so marginal that they are ineffective.

2. Children living in these neighborhoods are read to by an adult on a regular basis and attend a prekindergarten education program at a much lower rate than children in other communities. These children experience below-average performance on standardized tests and graduate from high school in fewer numbers. Most of these children are eligible for the free or reduced-price school lunch program.

3. Children in these neighborhoods often suffer from high rates of asthma, a higher risk of lead poisoning, and inadequate health care, and they are routinely exposed to violence and crime.

4. In spite of these obstacles, these neighborhoods are many times home to strong individuals and institutions that are committed to making a difference in the lives of children and their families.

(b) It is therefore the intent of the Legislature to assist disadvantaged areas within the state in creating a community-based service network that develops, coordinates, and

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57 provides quality education, accessible health care, youth
58 development programs, opportunities for employment, and safe and
59 affordable housing for children and families living within its
60 boundaries.

61 (2) POLICY AND PURPOSE.--It is the policy of this state to
62 provide the necessary means to assist local communities, the
63 children and families who live in those communities, and the
64 private sector in creating a sound educational, social, and
65 economic environment. To achieve this objective, the state
66 intends to provide investments sufficient to encourage community
67 partners to commit financial and other resources to severely
68 disadvantaged areas. The purpose of this section is to establish
69 a process that clearly identifies the severely disadvantaged
70 areas and provides guidance for developing a new social service
71 paradigm that systematically coordinates programs that address
72 the critical needs of children and their families and for
73 directing efforts to rebuild the basic infrastructure of the
74 community. The Legislature, therefore, declares the creation of
75 children's zones, through the collaborative efforts of
76 government and the private sector, to be a public purpose.

77 (3) DEFINITIONS.--As used in this section, the term:

78 (a) "Governing body" means the commission or other
79 legislative body charged with governing a county or
80 municipality.

81 (b) "Ounce" means the Ounce of Prevention Fund of Florida,
82 Inc.

83 (c) "Planning team" means a children's zone planning team
84 established under this section.

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85 (d) "Resident" means a person who lives or operates a
 86 small community-based business or organization within the
 87 boundaries of the children's zone.

88 (4) CHILDREN'S ZONE NOMINATING PROCESS.--A county or
 89 municipality, or a county and one or more municipalities
 90 together, may apply to Ounce to designate an area as a
 91 children's zone after the governing body:

92 (a) Adopts a resolution that:

93 1. Finds that an area exists in such county or
 94 municipality, or in the county and one or more municipalities,
 95 that chronically exhibits extreme and unacceptable levels of
 96 poverty, unemployment, physical deterioration, as well as
 97 limited access to quality educational, health care, and social
 98 services.

99 2. Determines that the rehabilitation, conservation, or
 100 redevelopment, or a combination thereof, of the area is
 101 necessary in the interest of improving the health, wellness,
 102 education, living conditions, and livelihoods of the children
 103 and families who live in the county or municipality.

104 3. Determines that the revitalization of the area can
 105 occur only if the state and the private sector invest resources
 106 to improve infrastructure and the provision of services.

107 (b) Establishes a children's zone planning team as
 108 provided in subsection (5).

109 (c) Develops and adopts a strategic community plan as
 110 provided in subsection (6).

111 (d) Creates a corporation not for profit as provided in
 112 subsection (7).

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- 113 (5) CHILDREN'S ZONE PLANNING TEAM.--
- 114 (a) After the governing body adopts the resolution
 115 described in subsection (4), the county or municipality shall
 116 establish a children's zone planning team.
- 117 (b) The planning team shall include residents and
 118 representatives from community-based organizations and other
 119 community institutions. At least half of the members of the
 120 planning team must be residents.
- 121 (c) The planning team shall:
- 122 1. Develop a planning process that sets the direction for,
 123 builds a commitment to, and develops the capacity to realize the
 124 children's zone concept.
- 125 2. Develop a vision of what the children's zone will look
 126 like when the challenges, problems, and opportunities in the
 127 children's zone are successfully addressed.
- 128 3. Identify important opportunities, strengths,
 129 challenges, and problems in the children's zone.
- 130 4. Develop a strategic community plan consisting of goals,
 131 objectives, tasks, the designation of responsible parties, the
 132 identification of resources needed, timelines for implementation
 133 of the plan, and procedures for monitoring outcomes.
- 134 (d) The planning team shall designate working groups to
 135 specifically address each of the following focus areas:
- 136 1. Early development and care of children.
- 137 2. Education of children and youth.
- 138 3. Health and wellness.
- 139 4. Youth support.
- 140 5. Parent and guardian support.

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- 141 6. Adult education, training, and jobs.
- 142 7. Community safety.
- 143 8. Housing and community development.
- 144 (6) CHILDREN'S ZONE STRATEGIC COMMUNITY PLAN.--After the
- 145 governing body adopts the resolution described in subsection
- 146 (4), the working groups shall develop objectives and identify
- 147 strategies for each focus area. The objectives, specified by
- 148 focus area, for a working group may include, but not be limited
- 149 to:
- 150 (a) Early development and care of children.
- 151 1. Providing resources to enable every child to be
- 152 adequately nurtured during the first 3 years of life.
- 153 2. Ensuring that all schools are ready for children and
- 154 all children are ready for school.
- 155 3. Facilitating enrollment in half-day or full-day
- 156 prekindergarten for all 3-year-old and 4-year-old children.
- 157 4. Strengthening parent and guardian relationships with
- 158 care providers.
- 159 5. Providing support and education for families and child
- 160 care providers.
- 161 (b) Education of children and youth.
- 162 1. Increasing the level and degree of accountability of
- 163 persons who are responsible for the development and well-being
- 164 of all children in the children's zone.
- 165 2. Changing the structure and function of schools to
- 166 increase the quality and amount of time spent on instruction and
- 167 increase programmatic options and offerings.

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168 3. Creating a safe and respectful environment for student
 169 learning.

170 4. Identifying and supporting points of alignment between
 171 the children's zone community plan and the school district's
 172 strategic plan.

173 (c) Health and wellness.

174 1. Facilitating enrollment of all eligible children in the
 175 Florida Kidcare program and providing full access to high-
 176 quality drug and alcohol treatment services.

177 2. Eliminating health disparities between racial and
 178 cultural groups, including improving outcomes and increasing
 179 interventions.

180 3. Providing fresh, good quality, affordable, and
 181 nutritious food within the children's zone.

182 4. Providing all children in the children's zone with
 183 access to safe structured and unstructured recreation.

184 (d) Youth support.

185 1. Increasing the high school graduation rate.

186 2. Increasing leadership development and employment
 187 opportunities for youth.

188 (e) Parent and guardian support.

189 1. Increasing parent and adult literacy.

190 2. Expanding access for parents to critical resources,
 191 such as jobs, transportation, day care, and after-school care.

192 3. Improving the effectiveness of the ways in which
 193 support systems communicate and collaborate with parents and the
 194 ways in which parents communicate and collaborate with support
 195 systems.

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196 4. Making the services of the Healthy Families Florida
 197 program available to provide multiyear support to expectant
 198 parents and persons caring for infants and toddlers.

199 (f) Adult education, training, and jobs.

200 1. Creating job opportunities for adults that lead to
 201 career development.

202 2. Establishing a career and technical school, or a
 203 satellite of such a school in the children's zone, which
 204 includes a one-stop career center.

205 (g) Community safety.

206 1. Providing a safe environment for all children at home,
 207 in school, and in the community.

208 2. Eliminating the economic, political, and social forces
 209 that lead to a lack of safety within the family, the community,
 210 schools, and institutional structures.

211 3. Assessing policies and practices, including sentencing,
 212 incarceration, detention, and data reporting, in order to reduce
 213 youth violence, crime, and recidivism.

214 (h) Housing and community development.

215 1. Strengthening the residential real estate market.

216 2. Building on existing efforts to promote socioeconomic
 217 diversity when developing a comprehensive land use strategic
 218 plan.

219 3. Promoting neighborhood beautification strategies.

220 (7) CHILDREN'S ZONE CORPORATION.--After the governing body
 221 adopts the resolution described in subsection (4), the county or
 222 municipality shall create a corporation not for profit which
 223 shall be registered, incorporated, organized, and operated in

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224 compliance with chapter 617. The purpose of the corporation is
 225 to facilitate fundraising, to secure broad community ownership
 226 of the children's zone, and, if the area selected by the
 227 governing body is designated as a children's zone, to:

228 (a) Begin to transfer responsibility for planning from the
 229 planning team to the corporation.

230 (b) Begin the implementation and governance of the
 231 children's zone community plan.

232 (8) CREATION OF MAGIC CITY CHILDREN'S ZONE, INC., PILOT
 233 PROJECT.--

234 (a) There is created within the Liberty City neighborhood
 235 in Miami-Dade County a 10-year pilot project zone that, by
 236 November 1, 2008, shall be managed by an entity organized as a
 237 corporation not for profit which shall be registered,
 238 incorporated, organized, and operated in compliance with chapter
 239 617. The corporation shall be known as the Magic City Children's
 240 Zone, Inc., and shall be administratively housed within the
 241 Belafonte Tacolcy Center. However, Magic City Children's Zone,
 242 Inc., is not subject to control, supervision, or direction by
 243 the Belafonte Tacolcy Center in any manner. The Legislature
 244 determines, however, that public policy dictates that the
 245 corporation operate in the most open and accessible manner
 246 consistent with its public purpose. Therefore, the Legislature
 247 specifically declares that the corporation is subject to chapter
 248 119, relating to public records, chapter 286, relating to public
 249 meetings and records, and chapter 287, relating to procurement
 250 of commodities or contractual services.

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251 (b) This pilot project zone is designed to encompass an
 252 area that is large enough to include all of the necessary
 253 components of community life, including, but not limited to,
 254 schools, places of worship, recreational facilities, commercial
 255 areas, and common space, yet small enough to allow programs and
 256 services to reach every willing member of the neighborhood.
 257 Therefore, the geographic boundaries of the pilot project zone
 258 are:

- 259 1. Northwest 79th Street to the north;
- 260 2. Northwest 36th Street to the south;
- 261 3. North Miami Avenue to the east; and
- 262 4. Northwest 27th Avenue to the west.

263 (c)1. The corporation shall be governed by a 15-member
 264 board of directors. The board of directors shall consist of the
 265 following members:

- 266 a. The chief executive officer of the Belafonte Tacolcy
 267 Center.
- 268 b. The executive director of the Carrie P. Meek
 269 Entrepreneurial Education Center, Miami-Dade College.
- 270 c. The director of the Parks and Recreation Department of
 271 the City of Miami.
- 272 d. The director of the Miami-Dade Cultural Arts Center.
- 273 e. The chief executive officer of the Urban League of
 274 Greater Miami.
- 275 f. The director of the Liberty City Service Partnership.
- 276 g. The regional superintendent of the Miami-Dade County
 277 Public Schools.

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- 278 h. The president of the Student Government Association of
- 279 Northwestern High School.
- 280 i. The president of the Student Government Association of
- 281 Edison High School.
- 282 j. The president of the Parent Teacher Student Association
- 283 of Northwestern High School.
- 284 k. The president of the Parent Teacher Student Association
- 285 of Edison High School.
- 286 1. Four members from the local private business sector, to
- 287 be appointed by a majority vote of the members designated in
- 288 sub-subparagraphs a.-k., all of whom must have significant
- 289 experience in one of the focus areas specified in subsection
- 290 (6).
- 291 2. All members of the board of directors shall be
- 292 appointed no later than 90 days following the incorporation of
- 293 the Magic City Children's Zone, Inc., and:
- 294 a. Eleven members initially appointed pursuant to this
- 295 paragraph shall each serve a 4-year term.
- 296 b. The remaining initial four appointees shall each serve
- 297 a 2-year term.
- 298 c. Each member appointed thereafter shall serve a 4-year
- 299 term.
- 300 d. A vacancy shall be filled in the same manner in which
- 301 the original appointment was made, and a member appointed to
- 302 fill a vacancy shall serve for the remainder of that term.
- 303 e. A member may not serve more than 8 years in consecutive
- 304 terms.

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305 3. The board of directors shall annually elect a
 306 chairperson and a vice chairperson from among the board's
 307 members. The members may, by a vote of eight members, remove a
 308 member from the position of chairperson or vice chairperson
 309 before the expiration of his or her term as chairperson or vice
 310 chairperson. His or her successor shall be elected to serve for
 311 the balance of the term of the chairperson or vice chairperson
 312 who was removed.

313 4. The board of directors shall meet at least four times
 314 each year upon the call of the chairperson, at the request of
 315 the vice chairperson, or at the request of a majority of the
 316 membership. A majority of the membership constitutes a quorum.
 317 The board of directors may take official action by a majority
 318 vote of the members present at any meeting at which a quorum is
 319 present. The board may conduct its meetings through
 320 teleconferences or other similar means.

321 5. A member of the board of directors may be removed by a
 322 majority of the membership. Absence from three consecutive
 323 meetings results in automatic removal.

324 6. Each member of the board of directors shall serve
 325 without compensation but is entitled to reimbursement for per
 326 diem and travel expenses as provided in s. 112.061 while in the
 327 performance of his or her duties.

328 7. The corporation shall create a standing advisory board
 329 to assist in any part of its delegated duties. The membership of
 330 the standing advisory board shall reflect the expertise
 331 necessary for the implementation of the children's zone pilot
 332 project.

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333 8. The board of directors has the power and duty to:
 334 a. Adopt articles of incorporation and bylaws necessary to
 335 govern its activities.
 336 b. Begin to transfer responsibility for planning from the
 337 children's zone planning team to the corporation.
 338 c. Begin the implementation and governance of the
 339 children's zone community plan.
 340 d. Enter into a contract with a management consultant who
 341 has experience working with social service and educational
 342 entities for the purpose of developing a 10-year comprehensive
 343 business plan to carry out the provisions of this section.
 344 (d) Magic City Children's Zone, Inc., shall submit an
 345 annual report to the President of the Senate and the Speaker of
 346 the House of Representatives by January 31, 2009, and by January
 347 31 of each year thereafter, which shall include a comprehensive
 348 and detailed report of its operations, activities, and
 349 accomplishments for the prior year as well as its goals for the
 350 current year. The initial report shall also include information
 351 concerning the status of the development of a business plan.
 352 (9) IMPLEMENTATION.--The implementation of this section is
 353 contingent upon a specific appropriation to provide a grant for
 354 a 3-year period for the purpose of implementing this section,
 355 which includes contracting with a not-for-profit corporation for
 356 the development of a business plan and for the evaluation,
 357 fiscal management, and oversight of the Magic City Children's
 358 Zone, Inc., pilot project.
 359 Section 2. This act shall take effect July 1, 2008.