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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/20/2009	.	
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The Committee on Health and Human Services Appropriations
(Gaetz) recommended the following:

Senate Amendment (with title amendment)

Between lines 392 and 393

insert:

Section 15. Section 409.147, Florida Statutes, is amended
to read:

409.147 Children's cooperatives ~~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



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12 take for granted are nonexistent or so marginal that they are
13 ineffective.

14 2. Children living in these neighborhoods are not read to
15 by an adult on a regular basis and attend a prekindergarten
16 education program at a much lower rate than children in other
17 communities. These children experience below-average performance
18 on standardized tests and graduate from high school in fewer
19 numbers. Most of these children are eligible for the free or
20 reduced-price school lunch program.

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

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

29 (b) It is therefore the intent of the Legislature to assist
30 disadvantaged areas within the state in creating a community-
31 based service network that develops, coordinates, and provides
32 quality education, accessible health care, youth development
33 programs, opportunities for employment, and safe and affordable
34 housing for children and families living within its boundaries.

35 (2) POLICY AND PURPOSE.—It is the policy of this state to
36 provide the necessary means to assist local communities, the
37 children and families who live in those communities, and the
38 private sector in creating a sound educational, social, and
39 economic environment. To achieve this objective, the state
40 intends to provide investments sufficient to encourage community



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41 partners to commit financial and other resources to severely
42 disadvantaged areas. The purpose of this section is to establish
43 a process that clearly identifies the severely disadvantaged
44 areas and provides guidance for developing a new social service
45 paradigm that systematically coordinates programs that address
46 the critical needs of children and their families and for
47 directing efforts to rebuild the basic infrastructure of the
48 community. The Legislature, therefore, declares the creation of
49 children's cooperatives zones, through the collaborative efforts
50 of government and the private sector, to be a public purpose.

51 (3) DEFINITIONS.—As used in this section, the term:

52 (a) "Governing body" means the commission or other
53 legislative body charged with governing a county or
54 municipality.

55 (b) "Ounce" means the Ounce of Prevention Fund of Florida,
56 Inc.

57 (c) "Planning team" means a children's cooperative zone
58 planning team established under this section.

59 (d) "Resident" means a person who lives or operates a small
60 community-based business or organization within the boundaries
61 of the children's cooperative zone.

62 (4) CHILDREN'S COOPERATIVE ZONE NOMINATING PROCESS.—A
63 county or municipality, or a county and one or more
64 municipalities together, may apply to the Ounce to designate an
65 area as a children's cooperative zone after the governing body:

66 (a) Adopts a resolution that:

67 1. Finds that an area exists in such county or
68 municipality, or in the county and one or more municipalities,
69 that chronically exhibits extreme and unacceptable levels of



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70 poverty, unemployment, physical deterioration, as well as
71 limited access to quality educational, health care, and social
72 services.

73 2. Determines that the rehabilitation, conservation, or
74 redevelopment, or a combination thereof, of the area is
75 necessary in the interest of improving the health, wellness,
76 education, living conditions, and livelihoods of the children
77 and families who live in the county or municipality.

78 3. Determines that the revitalization of the area can occur
79 only if the state and the private sector invest resources to
80 improve infrastructure and the provision of services.

81 (b) Establishes a children's cooperative ~~zone~~ planning team
82 as provided in subsection (5).

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

85 (d) Creates a corporation not for profit as provided in
86 subsection (7).

87 (5) CHILDREN'S COOPERATIVE ~~ZONE~~ PLANNING TEAM.-

88 (a) After the governing body adopts the resolution
89 described in subsection (4), the county or municipality shall
90 establish a children's cooperative ~~zone~~ planning team.

91 (b) The planning team shall include residents and
92 representatives from community-based organizations and other
93 community institutions. At least half of the members of the
94 planning team must be residents.

95 (c) The planning team shall:

96 1. Develop a planning process that sets the direction for,
97 builds a commitment to, and develops the capacity to realize the
98 children's cooperative ~~zone~~ concept.



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99 2. Develop a vision of what the children's cooperative zone
100 will look like when the challenges, problems, and opportunities
101 in the children's cooperative zone are successfully addressed.

102 3. Identify important opportunities, strengths, challenges,
103 and problems in the children's cooperative zone.

104 4. Develop a strategic community plan consisting of goals,
105 objectives, tasks, the designation of responsible parties, the
106 identification of resources needed, timelines for implementation
107 of the plan, and procedures for monitoring outcomes.

108 (d) The planning team shall designate working groups to
109 specifically address each of the following focus areas:

- 110 1. Early development and care of children.
- 111 2. Education of children and youth.
- 112 3. Health and wellness.
- 113 4. Youth support.
- 114 5. Parent and guardian support.
- 115 6. Adult education, training, and jobs.
- 116 7. Community safety.
- 117 8. Housing and community development.

118 (6) CHILDREN'S COOPERATIVE ZONE STRATEGIC COMMUNITY PLAN.-
119 After the governing body adopts the resolution described in
120 subsection (4), the working groups shall develop objectives and
121 identify strategies for each focus area. The objectives,
122 specified by focus area, for a working group may include, but
123 not be limited to:

124 (a) Early development and care of children.

125 1. Providing resources to enable every child to be
126 adequately nurtured during the first 3 years of life.

127 2. Ensuring that all schools are ready for children and all



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128 children are ready for school.

129 3. Facilitating enrollment in half-day or full-day
130 prekindergarten for all 3-year-old and 4-year-old children.

131 4. Strengthening parent and guardian relationships with
132 care providers.

133 5. Providing support and education for families and child
134 care providers.

135 (b) Education of children and youth.

136 1. Increasing the level and degree of accountability of
137 persons who are responsible for the development and well-being
138 of all children in the children's cooperative zone.

139 2. Changing the structure and function of schools to
140 increase the quality and amount of time spent on instruction and
141 increase programmatic options and offerings.

142 3. Creating a safe and respectful environment for student
143 learning.

144 4. Identifying and supporting points of alignment between
145 the children's cooperative zone community plan and the school
146 district's strategic plan.

147 (c) Health and wellness.

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

151 2. Eliminating health disparities between racial and
152 cultural groups, including improving outcomes and increasing
153 interventions.

154 3. Providing fresh, good quality, affordable, and
155 nutritious food within the children's cooperative zone.

156 4. Providing all children in the children's cooperative



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157 ~~zone~~ with access to safe structured and unstructured recreation.

158 (d) Youth support.

159 1. Increasing the high school graduation rate.

160 2. Increasing leadership development and employment
161 opportunities for youth.

162 (e) Parent and guardian support.

163 1. Increasing parent and adult literacy.

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

166 3. Improving the effectiveness of the ways in which support
167 systems communicate and collaborate with parents and the ways in
168 which parents communicate and collaborate with support systems.

169 4. Making the services of the Healthy Families Florida
170 program available to provide multiyear support to expectant
171 parents and persons caring for infants and toddlers.

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

173 1. Creating job opportunities for adults that lead to
174 career development.

175 2. Establishing a career and technical school, or a
176 satellite of such a school in the children's cooperative zone,
177 which includes a one-stop career center.

178 (g) Community safety.

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

181 2. Eliminating the economic, political, and social forces
182 that lead to a lack of safety within the family, the community,
183 schools, and institutional structures.

184 3. Assessing policies and practices, including sentencing,
185 incarceration, detention, and data reporting, in order to reduce



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186 youth violence, crime, and recidivism.

187 (h) Housing and community development.

188 1. Strengthening the residential real estate market.

189 2. Building on existing efforts to promote socioeconomic
190 diversity when developing a comprehensive land use strategic
191 plan.

192 3. Promoting neighborhood beautification strategies.

193 (7) CHILDREN'S COOPERATIVE ~~ZONE~~ CORPORATION.—After the
194 governing body adopts the resolution described in subsection
195 (4), establishes the planning team as provided in subsection
196 (5), and develops and adopts the strategic community plan as
197 provided in subsection (6), the county or municipality shall
198 create a corporation not for profit which shall be registered,
199 incorporated, organized, and operated in compliance with chapter
200 617. The purpose of the corporation is to facilitate
201 fundraising, to secure broad community ownership of the
202 children's cooperative zone, and, if the area selected by the
203 governing body is designated as a children's cooperative zone,
204 to:

205 (a) Begin to transfer responsibility for planning from the
206 planning team to the corporation.

207 (b) Begin the implementation and governance of the
208 children's cooperative zone community plan.

209 (8) CREATION OF MIAMI ~~MAGIC CITY~~ CHILDREN'S COOPERATIVE
210 ZONE, INC., PILOT PROJECT.—

211 (a) There is created within the Liberty City neighborhood
212 in Miami-Dade County a 10-year ~~pilot project zone~~ that, ~~by~~
213 ~~November 1, 2008,~~ shall be managed by an entity organized as a
214 corporation not for profit which shall be registered,



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215 incorporated, organized, and operated in compliance with chapter
216 617. An entity may not be incorporated until the governing body
217 has adopted the resolution described in subsection (4), has
218 established the planning team as provided in subsection (5), and
219 has developed and adopted the strategic community plan as
220 provided in subsection (6). The corporation shall be known as
221 the Miami ~~Magie City~~ Children's Cooperative Zone, Inc., and
222 shall be administratively housed within the Department of
223 Children and Family Services ~~Belafonte Tacooley Center~~. However,
224 Miami ~~Magie City~~ Children's Cooperative Zone, Inc., is not
225 subject to control, supervision, or direction by the Department
226 of Children and Family Services ~~Belafonte Tacooley Center~~ in any
227 manner. The Legislature determines, however, that public policy
228 dictates that the corporation operate in the most open and
229 accessible manner consistent with its public purpose. Therefore,
230 the Legislature specifically declares that the corporation is
231 subject to chapter 119, relating to public records, chapter 286,
232 relating to public meetings and records, and chapter 287,
233 relating to procurement of commodities or contractual services.

234 (b) This cooperative ~~pilot project zone~~ is designed to
235 encompass an area that is large enough to include all of the
236 necessary components of community life, including, but not
237 limited to, schools, places of worship, recreational facilities,
238 commercial areas, and common space, yet small enough to allow
239 programs and services to reach every willing member of the
240 neighborhood. ~~Therefore, the geographic boundaries of the pilot~~
241 ~~project zone are:~~

- 242 1. ~~Northwest 79th Street to the north;~~
- 243 2. ~~Northwest 36th Street to the south;~~



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244 ~~3. North Miami Avenue to the east; and~~
245 ~~4. Northwest 27th Avenue to the west.~~
246 ~~(c)1. The corporation shall be governed by a 15-member~~
247 ~~board of directors. The board of directors shall consist of the~~
248 ~~following members:~~
249 ~~a. The chief executive officer of the Belafonte Taceley~~
250 ~~Center.~~
251 ~~b. The executive director of the Carrie P. Meek~~
252 ~~Entrepreneurial Education Center, Miami-Dade College.~~
253 ~~e. The director of the Parks and Recreation Department of~~
254 ~~the City of Miami.~~
255 ~~d. The director of the Miami-Dade Cultural Arts Center.~~
256 ~~e. The chief executive officer of the Urban League of~~
257 ~~Greater Miami.~~
258 ~~f. The director of the Liberty City Service Partnership.~~
259 ~~g. The regional superintendent of the Miami-Dade County~~
260 ~~Public Schools.~~
261 ~~h. The president of the Student Government Association of~~
262 ~~Northwestern High School.~~
263 ~~i. The president of the Student Government Association of~~
264 ~~Edison High School.~~
265 ~~j. The president of the Parent Teacher Student Association~~
266 ~~of Northwestern High School.~~
267 ~~k. The president of the Parent Teacher Student Association~~
268 ~~of Edison High School.~~
269 ~~l. Four members from the local private business sector, to~~
270 ~~be appointed by a majority vote of the members designated in~~
271 ~~sub-subparagraphs a. k., all of whom must have significant~~
272 ~~experience in one of the focus areas specified in subsection~~



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273 ~~(6).~~
274 ~~2. All members of the board of directors shall be appointed~~
275 ~~no later than 90 days following the incorporation of the Magic~~
276 ~~City Children's Zone, Inc., and:~~
277 ~~a. Eleven members initially appointed pursuant to this~~
278 ~~paragraph shall each serve a 4-year term.~~
279 ~~b. The remaining initial four appointees shall each serve a~~
280 ~~2-year term.~~
281 ~~c. Each member appointed thereafter shall serve a 4-year~~
282 ~~term.~~
283 ~~d. A vacancy shall be filled in the same manner in which~~
284 ~~the original appointment was made, and a member appointed to~~
285 ~~fill a vacancy shall serve for the remainder of that term.~~
286 ~~e. A member may not serve more than 8 years in consecutive~~
287 ~~terms.~~
288 ~~3. The board of directors shall annually elect a~~
289 ~~chairperson and a vice chairperson from among the board's~~
290 ~~members. The members may, by a vote of eight members, remove a~~
291 ~~member from the position of chairperson or vice chairperson~~
292 ~~before the expiration of his or her term as chairperson or vice~~
293 ~~chairperson. His or her successor shall be elected to serve for~~
294 ~~the balance of the term of the chairperson or vice chairperson~~
295 ~~who was removed.~~
296 ~~4. The board of directors shall meet at least four times~~
297 ~~each year upon the call of the chairperson, at the request of~~
298 ~~the vice chairperson, or at the request of a majority of the~~
299 ~~membership. A majority of the membership constitutes a quorum.~~
300 ~~The board of directors may take official action by a majority~~
301 ~~vote of the members present at any meeting at which a quorum is~~



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302 ~~present. The board may conduct its meetings through~~
303 ~~teleconferences or other similar means.~~

304 ~~5. A member of the board of directors may be removed by a~~
305 ~~majority of the membership. Absence from three consecutive~~
306 ~~meetings results in automatic removal.~~

307 ~~6. Each member of the board of directors shall serve~~
308 ~~without compensation but is entitled to reimbursement for per~~
309 ~~diem and travel expenses as provided in s. 112.061 while in the~~
310 ~~performance of his or her duties.~~

311 ~~7. The corporation shall create a standing advisory board~~
312 ~~to assist in any part of its delegated duties. The membership of~~
313 ~~the standing advisory board shall reflect the expertise~~
314 ~~necessary for the implementation of the children's zone pilot~~
315 ~~project.~~

316 ~~8. The board of directors has the power and duty to:~~

317 ~~a. Adopt articles of incorporation and bylaws necessary to~~
318 ~~govern its activities.~~

319 ~~b. Begin to transfer responsibility for planning from the~~
320 ~~children's zone planning team to the corporation.~~

321 ~~c. Begin the implementation and governance of the~~
322 ~~children's zone community plan.~~

323 ~~d. Enter into a contract with a management consultant who~~
324 ~~has experience working with social service and educational~~
325 ~~entities for the purpose of developing a 10-year comprehensive~~
326 ~~business plan to carry out the provisions of this section.~~

327 ~~(d) Magic City Children's Zone, Inc., shall submit an~~
328 ~~annual report to the President of the Senate and the Speaker of~~
329 ~~the House of Representatives by January 31, 2009, and by January~~
330 ~~31 of each year thereafter, which shall include a comprehensive~~



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331 ~~and detailed report of its operations, activities, and~~
332 ~~accomplishments for the prior year as well as its goals for the~~
333 ~~current year. The initial report shall also include information~~
334 ~~concerning the status of the development of a business plan.~~

335 (9) IMPLEMENTATION.-In order to implement The
336 ~~implementation of this section,~~ the Department of Children and
337 Family Services shall contract is contingent upon a specific
338 appropriation to provide a grant for a 3-year period for the
339 purpose of implementing this section, which includes contracting
340 with a not-for-profit corporation to work in collaboration with
341 the governing body to adopt the resolution described in
342 subsection (4), to establish the planning team as provided in
343 subsection (5), and to develop and adopt the strategic community
344 plan as provided in subsection(6). The not-for-profit
345 corporation is also responsible for the development of a
346 business plan and for the evaluation, fiscal management, and
347 oversight of the Miami Magic City Children's Cooperative Zone,
348 Inc., pilot project. Any moneys remaining from the specific
349 appropriation allocated to the Ounce under contract with the
350 Department of Children and Family Services to implement this
351 section at the end of the planning process shall be transferred
352 to the Miami Children's Cooperative, Inc. upon its
353 incorporation.

354 Section 16. The unexpended balance of funds in Specific
355 Appropriation 345A of the General Appropriations Act for the
356 2008-2009 fiscal year passed in the 2008 Regular Session shall
357 revert July 1, 2009, and such funds are reappropriated to the
358 Department of Children and Family Services for the 2009-2010
359 fiscal year for the purpose of contracting with the Ounce in



360 order to implement section 15 of this act.

361

362 ===== T I T L E A M E N D M E N T =====

363 And the title is amended as follows:

364 Delete line 54

365 and insert:

366 amending s. 409.147, F.S.; renaming "children's zones"
367 as "children's cooperatives"; revising legislative
368 findings and intent; requiring the governing body to
369 establish a children's cooperative planning team and
370 to develop and adopt a strategic community plan;
371 revising provisions relating to the powers and
372 responsibilities of the cooperative planning team;
373 revising provisions relating to the strategic
374 community plan; revising requirement provisions
375 relating to the children's cooperative corporation;
376 changing the name of the Magic City Children's Zone,
377 Inc., to the Miami Children's Cooperative, Inc.;
378 providing for the corporation to be administratively
379 housed within the Department of Children and Family
380 Services, but not to be subject to control,
381 supervision, or direction by the department; providing
382 for the department to enter into a contract with a
383 not-for-profit corporation to implement the children's
384 cooperative project; deleting provisions relating to
385 the geographic boundaries and the board of directors;
386 providing for the reappropriation of funds; providing
387 an effective date.