

## Council Substitute for House Bill No. 3

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

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

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

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

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

(a) “Governing body” means the commission or other legislative body charged with governing a county or municipality.

(b) “Ounce” means the Ounce of Prevention Fund of Florida, Inc.

(c) “Planning team” means a children’s zone planning team established under this section.

(d) “Resident” means a person who lives or operates a small community-based business or organization within the boundaries of the children’s zone.

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

(a) Adopts a resolution that:

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

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

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

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

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

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

(5) CHILDREN'S ZONE PLANNING TEAM.—

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

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

(c) The planning team shall:

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

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

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

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

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

1. Early development and care of children.

2. Education of children and youth.

3. Health and wellness.

4. Youth support.

5. Parent and guardian support.

6. Adult education, training, and jobs.

7. Community safety.

8. Housing and community development.

(6) CHILDREN'S ZONE STRATEGIC COMMUNITY PLAN.—After the governing body adopts the resolution described in subsection (4), the work-

ing groups shall develop objectives and identify strategies for each focus area. The objectives, specified by focus area, for a working group may include, but not be limited to:

(a) Early development and care of children.

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

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

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

4. Strengthening parent and guardian relationships with care providers.

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

(b) Education of children and youth.

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

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

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

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

(c) Health and wellness.

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

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

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

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

(d) Youth support.

1. Increasing the high school graduation rate.

2. Increasing leadership development and employment opportunities for youth.

(e) Parent and guardian support.

1. Increasing parent and adult literacy.
2. Expanding access for parents to critical resources, such as jobs, transportation, day care, and after-school care.
3. Improving the effectiveness of the ways in which support systems communicate and collaborate with parents and the ways in which parents communicate and collaborate with support systems.
4. Making the services of the Healthy Families Florida program available to provide multiyear support to expectant parents and persons caring for infants and toddlers.

(f) Adult education, training, and jobs.

1. Creating job opportunities for adults that lead to career development.
2. Establishing a career and technical school, or a satellite of such a school in the children's zone, which includes a one-stop career center.

(g) Community safety.

1. Providing a safe environment for all children at home, in school, and in the community.
2. Eliminating the economic, political, and social forces that lead to a lack of safety within the family, the community, schools, and institutional structures.
3. Assessing policies and practices, including sentencing, incarceration, detention, and data reporting, in order to reduce youth violence, crime, and recidivism.

(h) Housing and community development.

1. Strengthening the residential real estate market.
2. Building on existing efforts to promote socioeconomic diversity when developing a comprehensive land use strategic plan.
3. Promoting neighborhood beautification strategies.

(7) CHILDREN'S ZONE CORPORATION.—After the governing body adopts the resolution described in subsection (4), the county or municipality shall create a corporation not for profit which shall be registered, incorporated, organized, and operated in compliance with chapter 617. The purpose of the corporation is to facilitate fundraising, to secure broad community ownership of the children's zone, and, if the area selected by the governing body is designated as a children's zone, to:

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

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

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

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

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

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

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

- a. The chief executive officer of the Belafonte Tacolcy Center.
- b. The executive director of the Carrie P. Meek Entrepreneurial Education Center, Miami-Dade College.
- c. The director of the Parks and Recreation Department of the City of Miami.
- d. The director of the Miami-Dade Cultural Arts Center.
- e. The chief executive officer of the Urban League of Greater Miami.
- f. The director of the Liberty City Service Partnership.
- g. The regional superintendent of the Miami-Dade County Public Schools.

h. The president of the Student Government Association of Northwestern High School.

i. The president of the Student Government Association of Edison High School.

j. The president of the Parent Teacher Student Association of Northwestern High School.

k. The president of the Parent Teacher Student Association of Edison High School.

1. Four members from the local private business sector, to be appointed by a majority vote of the members designated in sub-subparagraphs a.-k., all of whom must have significant experience in one of the focus areas specified in subsection (6).

2. All members of the board of directors shall be appointed no later than 90 days following the incorporation of the Magic City Children's Zone, Inc., and:

a. Eleven members initially appointed pursuant to this paragraph shall each serve a 4-year term.

b. The remaining initial four appointees shall each serve a 2-year term.

c. Each member appointed thereafter shall serve a 4-year term.

d. A vacancy shall be filled in the same manner in which the original appointment was made, and a member appointed to fill a vacancy shall serve for the remainder of that term.

e. A member may not serve more than 8 years in consecutive terms.

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

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

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

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

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

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

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

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

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

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

(d) Magic City Children's Zone, Inc., shall submit an annual report to the President of the Senate and the Speaker of the House of Representatives by January 31, 2009, and by January 31 of each year thereafter, which shall include a comprehensive and detailed report of its operations, activities, and accomplishments for the prior year as well as its goals for the current year. The initial report shall also include information concerning the status of the development of a business plan.

(9) IMPLEMENTATION.—The implementation of this section is contingent upon a specific appropriation to provide a grant for a 3-year period for the purpose of implementing this section, which includes contracting with a not-for-profit corporation for the development of a business plan and for the evaluation, fiscal management, and oversight of the Magic City Children's Zone, Inc., pilot project.

Section 2. This act shall take effect July 1, 2008.

Approved by the Governor June 6, 2008.

Filed in Office Secretary of State June 6, 2008.