

**RESOLUTION NO. 2020-062**

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA CREATING THE CITY OF HIALEAH 2020 CENSUS COMMITTEE; PROVIDING FOR MEMBERSHIP, ORGANIZATION AND PROCEDURES; SETTING FORTH PURPOSE, FUNCTION, RESPONSIBILITY, AND SUNSET PROVISION; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the taking of a decennial census is provided for in the United States Constitution; and

**WHEREAS**, the United States Constitution requires the government to enumerate the number of people, including infants, children, and adults – whether U.S. citizens or not – living in the U.S. every 10 years, and to use the data to apportion congressional seats amongst the states; and

**WHEREAS**, census data forms the basis of our representative democracy; and

**WHEREAS**, the census data generally shifts power among the states every decade due to population increases and decreases; and

**WHEREAS**, the State of Florida gained two congressional seats based on the 2010 census, raising the total number of U.S. Representatives apportioned to the State of Florida to 27; and

**WHEREAS**, the State of Florida is projected to gain additional U.S. congressional seats after the 2020 census; and

**WHEREAS**, census data are also used for the fair allocation and equitable distribution of state and federal public funds for educational programs, healthcare, law enforcement and transportation; and

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**WHEREAS**, in the past, a well-funded U.S Census Bureau produced accurate, detailed data which was relied upon to provide over \$29.2 billion to communities throughout the State of Florida in need of federal resources; and

**WHEREAS**, the accuracy of census data is critical to determine congressional apportionments, state and federal monetary distributions, and planning for health and education programs; and

**WHEREAS**, in 2010, the net undercount rate for young Latino children was 7.1 percent, compared to 4.3 percent for non-Latinos, and approximately 400,000 young Latino children across the Country under age five were uncouncted for in the 2010 Census, and greater than 5000 in Florida; and

**WHEREAS**, the Mayor and City Council believe that an undercount of the residents in the city may occur as a result of the question regarding citizenship on the 2020 census, the reduction of the number of local census offices and the reduction of the number of field staff following a mandate to conduct the 2020 census at a lower cost per household than in 2010; and

**WHEREAS**, the City of Hialeah whose residents are predominately Latino, whose first language is Spanish, and who generally distrust the federal government makes it imperative to reach out to the residents to ensure that the 2020 census is as accurate as is possible.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

**Section 1:** The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

**Section 2:** Creation. There is hereby created the City of Hialeah "2020 Census Committee."

**Section 3.** Duties, Function, Responsibilities, and Reporting. The duties, function and responsibilities and reporting of the committee shall include, but are not limited to outreach to the residents within the City of Hialeah, and are as follows:

- (a) Conducting a comprehensive assessment of individuals likely to be uncounted in Hialeah;
- (b) Identifying best practices, including outreach options, to address and curtail an undercount of the above individuals;
- (c) Identifying and recommending existing resources, such as federal, state, and local resources to assist in outreach campaigns and outreach events;
- (d) Identifying and recommending potential strategies to utilize internet access to assist with completing the 2020 Census form;
- (e) Identifying and recommending potential strategies to collaborate with schools and daycare centers to curtail an undercount of children; and
- (f) Compiling information and developing a comprehensive 2020 Census action plan, which shall include community-based and other strategies to ensure an accurate count of the City of Hialeah population; and
- (g) The committee shall provide its proposed 2020 Census action plan setting forth findings and recommendations for consideration by the City of Hialeah City Council within 90 days from the date of the committee's initial meeting. Should the committee require additional time to finalize the proposed 2020 Census action plan that extends beyond 90 days, the committee shall inform the City of Hialeah City Council;
- (h) Provided expenditures incurred each month are approved as provided in the City Charter.

**Section 4:** Advisory. The committee is advisory only and shall not have the power or authority to commit the City of Hialeah or any of its agencies or instrumentalities to any policies, incur any financial obligations, or to create any liability, contractual or otherwise, on behalf of the city. Nonetheless, the committee may be funded with \$35,000 from either unused and not earmarked Cares Act Funding or unused 2019 CDBG funds available to ensure that the Census Task Force can fulfill its duties. An accounting shall be provided to the City Council each month. The members of the committee shall serve without compensation and shall not be eligible for reimbursement of expenses accrued in serving as a member of this committee, including travel expenses.

**Section 5.** Membership. The committee shall consist of 7 members, which shall be appointed by the Hialeah City Council. The members shall consist of the following persons with a physical presence in the city:

1. A business owner: **Zachary Swanson, Unbranded Brewing Company**
2. Public Housing: **Julio Ponce, Executive Director, Hialeah Housing Authority**
3. City Employee: **Mario Pico, Hialeah Fire Union**
4. Education: **Marta Rios, Social Worker, James H. Bright**
5. Resident of Hialeah: **Eddie Santiesteban**
6. Council Member: **Jesus Tundidor**
7. Hospital System: **Michael Bell, Hialeah Hospital CEO**

**Section 6:** Organization and Procedures at Meetings. A quorum is a majority of those members duly appointed and present at a meeting. Members shall select their chairperson and vice chairperson by majority vote. Any member vacancies on the committee shall be filled in the manner provided for in the initial appointment. Meetings shall be held at the discretion of the committee.

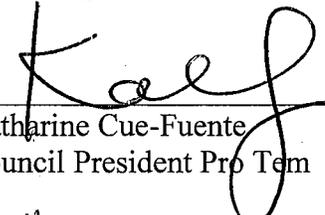
**Section 7.** Compliance with Applicable Laws and Ordinances. All meetings of the committee shall be conducted in the City Hall at a room available to the public, and conducted in

accordance with the Government in the Sunshine Law, Florida Statutes Section 286.011, and the committee shall be deemed an agency for purposes of the Public Records Law. The committee shall identify a member to keep minutes to be provided to the city clerk who shall maintain the minutes and records. An agenda shall be published for each meeting. The committee shall provide members of the public a reasonable opportunity to be heard.

**Section 8.** Sunset. The committee shall sunset and stand dissolved by November 29, 2020, unless the US Census deadline of October 31 is extended, then the committee shall sunset 30 days thereafter to allow time for it to provide its final report to the City Council in the month following the census deadline.

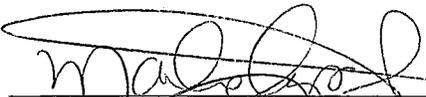
**Section 9.** This Resolution shall become effective immediately upon the signature of the Mayor of the City of Hialeah or at the next regularly scheduled City Council meeting if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

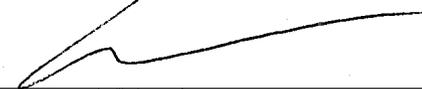
PASSED AND ADOPTED this 28 day of May, 2020.

  
Katharine Cue-Fuente  
Council President Pro Tem

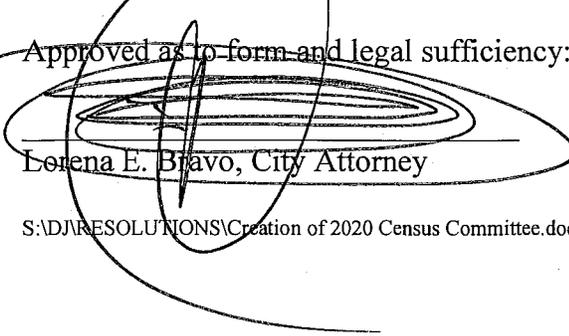
Attest:

Approved on this 4 day of June, 2020.

  
Marbelys Fatjo, City Clerk

  
Mayor Carlos Hernandez

~~Approved as to form and legal sufficiency:~~

  
Lorena E. Bravo, City Attorney

Resolution was adopted by a 5-0-2 vote with Councilmembers, Cue-Fuente, Garcia-Roves, Perez, Tundidor and Zogby, voting "Yes" and with Council President Hernandez and Council Vice President De la Rosa absent.