

1 A bill to be entitled
2 An act relating to Broward County; providing
3 for the creation of a countywide independent
4 special district to provide children's services
5 throughout Broward County; providing for a
6 governing board to be known as the Children's
7 Service Council of Broward County; providing
8 for the membership and duties of the council;
9 providing financial requirements and budget
10 procedures; providing for authorization of the
11 levy of ad valorem taxes not to exceed one-half
12 mill; providing for a ballot question;
13 providing for a referendum; providing an
14 effective date.

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16 WHEREAS, section 125.901, Florida Statutes, authorizes
17 the creation of an independent special district to provide
18 children's services throughout each county of the State, and

19 WHEREAS, the Florida Legislature has determined that it
20 would serve the public interest to establish said independent
21 special district within Broward County, NOW, THEREFORE,

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

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25 Section 1. Title.--This act may be cited as the
26 "Children's Services Act of Broward County."

27 Section 2. Creation of an Independent Special
28 District.--There is hereby created, effective January 2, 2001,
29 an independent special district to provide children's services
30 throughout Broward County. The boundaries of the District
31 shall be coterminous with the boundaries of Broward County.

1 The governing body of the District shall be a board of
2 directors to be known as the Children's Services Council of
3 Broward County.

4 Section 3. Membership.--Such council shall consist of
5 10 members, including:

6 (1) The superintendent of schools; a local school
7 board member, chosen by a majority of the School Board of
8 Broward County; the district administrator from district X of
9 the Department of Children and Family Services, or his or her
10 designee who is a member of the Senior Management Service or
11 of the Selected Exempt Service; one member of the County
12 Commission, chosen by a majority of the Broward County Board
13 of County Commissioners; and a judge assigned to juvenile
14 cases who shall sit as a voting member of the board, except
15 that said judge shall not vote or participate in the setting
16 of ad valorem taxes under this section. The chief judge of the
17 17th judicial circuit shall designate which judge shall serve
18 on the board. All of the proceeding members shall serve 4-year
19 terms effective January 2, 2001.

20 (2) The remaining five members shall be appointed by
21 the Governor, and shall, to the extent possible, represent the
22 demographic diversity of the population of Broward County.
23 After soliciting recommendations from the public, the Broward
24 County Board of County Commissioners shall submit to the
25 Governor the names of at least three persons for each vacancy
26 occurring among the five members to be appointed by the
27 Governor, and the Governor shall appoint members to the
28 council from the candidates nominated. The Governor shall make
29 a selection within a 45-day period or request a new list of
30 candidates. All members appointed by the Governor shall have
31 been residents of the county for the previous 24-month period.

1 Such members shall be appointed for 4-year terms, except that
2 the length of the terms of the initial appointees shall be for
3 2 years. The Governor may remove a member for cause or upon
4 the written petition of a majority of the County Commission
5 plus one. If any of the members of the council required to be
6 appointed by the Governor under the provisions of this
7 subsection shall resign, die, or be removed from office, the
8 vacancy thereby created shall, as soon as practicable, be
9 filled by appointment by the Governor, using the same method
10 as the original appointment, and such appointment to fill a
11 vacancy shall be for the unexpired term of the person who
12 resigns, dies, or is removed from office.

13 Section 4. Powers and Duties.--

14 (1) The Children's Services Council of Broward County
15 shall have the following powers and duties:

16 (a) To provide and maintain in the County such
17 preventive, developmental, treatment, and rehabilitative
18 services for children as the council determines are needed for
19 the general welfare of the County.

20 (b) To provide such other services for all children as
21 the council determines are needed for the general welfare of
22 the County.

23 (c) To allocate and provide funds for other agencies
24 in the County which are operated for the benefit of children,
25 provided they are not under the exclusive jurisdiction of the
26 public school system.

27 (d) To collect information and statistical data which
28 will be helpful to the council in deciding the needs of
29 children in the County.

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1 (e) To consult with other agencies dedicated to the
2 welfare of children to the end that the overlapping of
3 services will be prevented.

4 (f) To lease or buy such real estate, equipment, and
5 personal property and to construct such buildings as are
6 needed to execute the foregoing powers and duties, provided
7 that no such purchases shall be made or building done except
8 for cash with funds on hand or secured by funds deposited in
9 financial institutions. Nothing in this act shall be
10 construed to authorize issuance of bonds of any nature.

11 (g) To employ and pay, on a part-time or full-time
12 basis, personnel needed to execute the forgoing powers and
13 duties.

14 (2) Books of accounts shall be kept by the council or
15 its clerical assistants, and the fiscal affairs of the board
16 shall be exclusively audited by state auditors as are assigned
17 from time to time to audit the affairs of the County
18 officials.

19 (3) The Children's Services Council of Broward County
20 shall:

21 (a) Immediately after the members are appointed, elect
22 a chair and vice chair from among its members, and elect other
23 officers as deemed necessary by the council.

24 (b) Immediately after the members are appointed and
25 officers are elected, identify and assess the needs of the
26 children in Broward County served by the council and submit to
27 the County Commission of Broward County a written description
28 of:

29 1. The activities, services, and opportunities that
30 will be provided to children.

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1 2. The anticipated schedule for providing those
2 activities, services, and opportunities.

3 3. The manner in which children will be served,
4 including a description of arrangements and agreements which
5 will be made with community organizations, state and local
6 educational agencies, federal agencies, public assistance
7 agencies, the juvenile courts, foster care agencies, and other
8 applicable public and private agencies.

9 4. The special outreach efforts that will be
10 undertaken to provide services to at-risk, abused, or
11 neglected children.

12 5. The manner in which the council will seek and
13 provide funding for unmet needs.

14 6. The strategy which will be used for interagency
15 coordination to maximize existing human and fiscal resources.

16 (c) Provide training and orientation to all new
17 members sufficient to allow them to perform their duties.

18 (d) Make and adopt bylaws and rules and regulations
19 for the council's guidance, operation, governance, and
20 maintenance, provided such rules and regulations are not
21 inconsistent with federal or state laws or county ordinances.

22 (e) Provide an annual written report, to be presented
23 no later than January 1, to the County Commission of Broward
24 County. The annual report shall contain, but not be limited
25 to the following information:

26 1. Information on the effectiveness of activities,
27 services, and programs offered by the council, including
28 cost-effectiveness.

29 2. A detailed anticipated budget for continuation of
30 activities, services, and programs offered by the council, and
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1 a list of all sources of requested funding, both public and
2 private.

3 3. Procedures used for early identification of at-risk
4 children who need additional or continued services and methods
5 for ensuring that the additional or continued services are
6 received.

7 4. A description of the degree to which the council's
8 objectives and activities are consistent with the goals of
9 this section.

10 5. Detailed information on the various programs,
11 services, and activities available to participants and the
12 degree to which the programs, services, and activities have
13 been successfully used by children.

14 6. Information on programs, services, and activities
15 that should be eliminated; programs, services, and activities
16 that should be continued; and programs, services, and
17 activities that should be added to the basic format of the
18 Children's Services Council.

19 (4) The council shall maintain minutes of each
20 meeting, including a record of all votes cast, and shall make
21 such minutes available to any interested person.

22 (5) Members of the council shall serve without
23 compensation, but shall be entitled to receive reimbursement
24 for per diem and travel expenses consistent with the
25 provisions of section 112.061, Florida Statutes.

26 (6) All financial records and accounts relating to the
27 district shall be available for audit by state auditors as
28 they are assigned from time to time to audit the affairs of
29 the County officials. If no annual audit of the district is
30 conducted by the state, the council shall cause an independent
31 audit of the District to be conducted.

1 (7) Within 10 days, exclusive of weekends and legal
2 holidays, after the expiration of each quarter annual period,
3 the Children's Services Council shall cause to be prepared and
4 filed with the County Commission of Broward County a financial
5 report which shall include the following:

6 (a) The total expenditures of the council for the
7 quarter annual period.

8 (b) The total receipts of the council during the
9 quarter annual period.

10 (c) A statement of the funds the council has on hand,
11 has invested, or has deposited with qualified public
12 depositories at the end of the quarter annual period.

13 (d) The total administrative costs of the council for
14 the quarter annual period.

15 Section 5. Fiscal Year.--

16 (1) The fiscal year of the District shall be the same
17 as that of Broward County.

18 (2) On or before July 1 of each year, the Children's
19 Services Council of Broward County shall prepare and adopt an
20 annual written budget of its expected income and expenditures,
21 including a contingency fund. The written budget shall be
22 certified and delivered to the Board of County Commissioners
23 on or before July 1 of each year. Included in each certified
24 budget shall be an estimate of the millage rate necessary to
25 be applied to raise the funds budgeted for expenditures, which
26 millage rate shall not exceed a maximum of 50 cents for each
27 \$1,000 of assessed valuation of all properties within the
28 County which are subject to County taxes.

29 (3) The budget of the Children's Services Council so
30 certified and delivered to the Board of County Commissioners
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1 shall not be subject to change or modification by the Board of
2 County Commissioners or any other authority.

3 Section 6. Levying of Ad Valorem Taxes.--In order to
4 provide funds for the Children's Services Council of Broward
5 County, the council may levy ad valorem taxes annually on all
6 taxable property in the County in an amount not to exceed
7 one-half mill, provided that the authority to levy such taxes
8 has been approved by a majority vote of the electors of the
9 District voting in the Countywide Election to be held in
10 accordance with the requirements of the constitution and the
11 laws of Florida and as set forth in this act. The tax shall
12 be assessed, levied, and collected in the same manner and at
13 the same time as is provided by law of the levy, collection,
14 and enforcement of collection of County taxes. All tax money
15 collected under this act, as soon after the collection thereof
16 as is reasonably practicable, shall be paid directly to the
17 Children's Services Council by the Tax Collector of the County
18 and all other applicable County officials. The moneys so
19 received by the Children's Services Council, shall be
20 deposited in a special bank account, shall be withdrawn only
21 by checks signed by the chair of the council and countersigned
22 by one other member of the council, who shall be so authorized
23 by the council. The chair and other member of the council who
24 signs its checks shall each give a surety bond in the amount
25 of \$1,000 which bond shall be conditioned that each shall
26 faithfully discharge the duties of their office. No other
27 member of the council shall be required to give bond or other
28 security. No funds of the council shall be expended except by
29 check as aforesaid, except expenditures of petty cash account
30 which shall not at any time exceed \$100. All expenditures
31 from petty cash shall be recorded on the books and records of

1 the Children's Services Council. No funds of the council,
2 except the expenditure of petty cash, shall be expended
3 without prior approval of the council, in addition to the
4 budgeting thereof.

5 Section 7. Powers, Duties, Responsibilities and
6 Obligations.--Except as specifically provided by this act, the
7 Children's Services Council of Broward County shall have all
8 powers, duties, responsibilities and obligations as provided
9 for special districts in section 125.901, Florida Statutes as
10 amended except that the independent district created by this
11 act may only be amended or dissolved by special act of the
12 Legislature.

13 Section 8. Referendum.--There is hereby authorized the
14 calling of a special referendum election to carry out the
15 purposes and intent of this act and to do all things necessary
16 to implement and fund the Children's Services Council and the
17 independent district created hereby in accordance with the
18 terms of this act and the laws pertaining to elections. The
19 item that shall appear on the ballot on September 5, 2000, the
20 date of the primary election of 2000, shall be as follows:

21
22 (Title) Creation of Children's Services Council of Broward
23 County and authorization of taxation

24
25 (Issue) An independent special district known as "The
26 Children's Service Council of Broward County" is created to
27 fund the improvement of children's developmental, health, and
28 other children's services by the levying each year of an ad
29 valorem tax not to exceed one-half (1/2) mill for services for
30 children.

1 Yes _____

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3 No _____

4 Section 9. This act, except for this section, which
5 shall take effect upon becoming a law, shall take effect only
6 if it is approved by a majority vote of those qualified
7 electors of Broward County voting in a referendum as provided
8 in section 8 of this act to be called by the Supervisor of
9 Elections of Broward County on September 5, 2000, the date of
10 primary election of 2000, in accordance with the provisions of
11 law relating to elections currently enforced in Broward
12 County. In this election, procedures prescribed in sections
13 1.01.6101-101.6107, Florida Statutes, may not be used.

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