



Meeting Notice

Thursday, January 21, 6-8 p.m. (Inaugural Meeting)
Ernie Lee Magaha Government Building - First Floor
221 Palafox Place
Pensacola, FL 32502

Members

Honorable Jennifer J. Frydrychowicz, Circuit Judge
Patty Hightower, Escambia County School Board Member
Lumon May, Escambia County Commissioner
Walter Sachs, DCF Northwest Region Managing Director
Dr. Timothy Smith, Escambia County School Superintendent



Escambia Children's Trust
Thursday, January 21, 6-8 p.m. (Inaugural Meeting)
Ernie Lee Magaha Government Building - First Floor
221 Palafox Place
Pensacola, FL 32502

1. Call to Order
2. Introductions
3. Agenda Review, Revision and Approval
4. Status of Gubernatorial Appointments/Activities from November 3, 2020 to Date
5. Florida Sunshine
6. Review Escambia County Ordinance 20-22 and Overview of Children's Services Councils
7. Bylaws Review and Discussion
8. Interim Chair and Vice Chair Election
9. Designation of a Registered Agent
10. First Year To-Do List
Discussion of Administrative Support Needed in Interim Period
11. Next Meeting, Regular Meeting Schedule
12. Next Meeting Agenda
13. Board Member General Comments
14. Call for Public Input
15. Adjournment



Item #1
Call to Order

Background

As this is the inaugural meeting of the Escambia Children's Trust and officers have not yet been elected, a member of the Transition Team will call the meeting to order, provide opening remarks and overview the objectives of this first meeting.

Attachments

None

Recommendation

Not applicable



Item #2
Introductions

Background

As this is the inaugural meeting of the Escambia Children's Trust, board members are asked to introduce themselves. Additionally, board members may make opening comments at this time.

Attachments

- Escambia Children's Trust board member contact sheet.

Recommendation

Not applicable



Item #3

Agenda Review, Revision and Approval

Background

The agenda for the first meeting was developed in part based on a review of how other newly created Children's Services Councils across the State of Florida have started out. Members are asked to review the agenda, suggest changes in order, add items, etc.

Attachments

None

Recommendation

Adopt the agenda as presented or adopt alternatively with changes as suggested by members.



Item #4

Status of Gubernatorial Appointments and Activities from November 3, 2020 to Date

Background

The Escambia Children's Trust as specified in Ordinance 20-22 is to be comprised of ten (10) members. Of the 10 members, five (5) are designated positions, i.e., school board member, school superintendent, county commissioner, judge handling juvenile cases, and DCF administrator. The remaining five (5) members are to be appointed by the Florida Governor from a list of fifteen (15) nominees selected by the Board of Commissioners.

A number of efforts on behalf of the Escambia Children's Trust have taken place since November 3, 2020, including:

- Notifying the Department of Economic Opportunity (DEO) of the Trust's creation
- Notifying the Tax Collector and Property Appraiser of Ordinance 20-22
- Notifying the Florida Legislature of the Trust's creation
- Completing the citizen application criteria and releasing it to the public
- Meeting with the Florida Children's Council for technical assistance
- Updating the Escambia Children's Trust website and Facebook pages
- Various email notifications to Escambia Children's Trust distribution lists

Attachments

None

Recommendation

A brief verbal update will be provided on activities related to the Children's Trust and Governor's Office appointments. Members of the Transition Team and Florida Children's Council will be on hand to answer questions, as needed.



Item #5

Florida Sunshine Laws

Background

The Escambia Children's Trust is subject to Chapter 286 (Florida Sunshine) of the Florida Statutes. Attorney Meredith D. Crawford, a volunteer with the Transition Team, will provide board members with some reminders on Florida Sunshine requirements.

Attachments

None

Recommendation

Hear brief comments from attorney Meredith D. Crawford, volunteering on the Transition Team, on Florida Sunshine.



Item #6

Escambia County Ordinance 20-22 and Overview of Children's Services Councils

Background

The Escambia Children's Trust is established in accordance with Escambia County Ordinance 20-22. The ordinance covers all aspects of the Trust and stipulates its membership, organizational structure, powers and duties. A member of the Transition Team will assist members with reviewing key provisions of the ordinance. In addition, the board will receive a brief overview of Children's Services Councils from Michele Watson with the Florida Children's Council.

Attachments

- Escambia County Ordinance 20-22

Recommendation

Hear brief comments regarding the ordinance and the Children's Services Council model from invited speaker Michele Watson of the Florida Children's Council.



Item #7

Bylaws Review and Discussion

Background

Ordinance 20-22 provides a legal framework for the Escambia Children's Trust. Bylaws are policies and procedures that direct the operations of the Trust. Key topics include the number and election of officers, voting, attendance, etc. Following a review of example bylaws established by other Children's Services Councils, a first draft of Bylaws has been put together for review and possible adoption by the Escambia Children's Trust board. Bylaws may be amended by the Trust board at any time.

Attachments

- Draft Bylaws

Recommendation

Adopt the proposed Bylaws with or without further modification.



Item #8

Interim Chair and Vice Chair Election

Background

Following adoption of Bylaws, members are asked to elect an Interim Chair and Vice Chair. Nominations are requested for both positions. Board members may nominate themselves or another member of the Trust. Once at least one member is nominated for both positions, the nominations will close and those individuals nominated for each position will be announced. Board members will then make a motion to elect.

Attachments

None

Recommendation

Elect an Interim Chair and Vice Chair; authorize Chair to sign various documents as required by the DEO, property appraiser's office, tax collector's office, Department of Revenue, etc.



Item #9

Designation of a Registered Agent

Background

The State of Florida, Department of Economic Opportunity (DEO) requires the Trust designate a Registered Agent and Registered Office within 30 days after its first meeting. Per the DEO, “A registered agent is an agent of the special district upon whom any process, notice or demand required or permitted by law to be served upon the special district may be served. The registered agent must be an individual resident of Florida whose business address is the same as the special district’s registered office. The registered office does not have to be the special district’s place of business.”

Attachments

- Florida Department of Economic Opportunity, Special District Accountability Program, Registered Agent Definition, Requirements and Notice

Recommendation

Designate the Registered Agent and Registered Office and direct the designee to notify the DEO according to its procedures.



Item #10

First Year To-Do List

Discussion of Administrative Support Needed in Interim Period

Background

As a newly created legal entity, the Escambia Children's Trust Board will need to take several actions in order to be in compliance with Escambia County Ordinance 20-22 as well as various legal and regulatory matters. Additionally, if the Trust desires to levy a millage, up to .50 mil, it must complete a number of steps including an analysis of what is needed, how resources will be used, and the maximum millage to be levied, all prior to July 1, 2021. Volunteers from the Escambia Children's Trust Transition Team will be on hand to help answer questions about the First Year To-Do List.

The Trust should consider obtaining administrative assistance to assist in the interim period before staff are hired. Administrative support for the Escambia Children's Trust would include, but not be limited to, keeping official Trust records; recording minutes of its meetings; preparing agendas and meeting packets for Chair review; and other various administrative duties as required by the Trust. In addition, legal counsel to the Trust will need to be provided, as required. The Trust can consider obtaining administrative assistance from a consultant or other external entities and may change its designation as desired.

Attachments

- First Year To-Do List: Listing of key tasks and considerations

Recommendation

Consider key actions embedded in the First Year To-Do List.

The Trust board should discuss which entity will administer Trust functions and make a motion on how to proceed with assigning administrative duties to a consultant or other external entities with signature authority consistent with the role of executive director.



Item #11

Next Meeting Date and Regular Meeting Schedule

Background

Members are encouraged to adopt a regular meeting schedule for planning purposes, i.e. third Thursday of the month. Members also need to decide how often they will meet, i.e. once a month, every week, etc. Also, members should decide for how long they generally wish to meet and the next meeting date of the Trust.

Attachments

None

Recommendation

Based on initial scheduling, members should consider meeting regularly on the third Thursday of each month, and on Mondays or Wednesdays during other weeks of the month. Other Children's Services Councils in their start-up year have met twice each month for at least two hours each meeting. The Trust should also schedule at least two (2) meetings of a 4-hour duration to make key policy discussions and budget preparations. Members need to decide on the next meeting of the Trust and adopt a regular meeting schedule.



Item #12

Next Meeting Agenda

- Ethics Training
- How to identify needs of children and programming opportunities
- Administrative functions and staffing
- Discussion of millage rates
- Budget development workshop



Item #2 Attachment

Escambia Children's Trust board member contact sheet



**Escambia Children's Trust
5 Positional Members as of January 2021**

Board Member	Title	Email	Phone
Walter Sachs	DCF Northwest Region Managing Director	walter.sachs@myflfamilies.com	Office: 850-778-4050 Cell: 850-228-9713
Honorable Jennifer J. Frydrychowicz	Circuit Judge	judge.frydrychowicz@flcourts1.gov	Office: 850-595-3715
Patty Hightower	Escambia County School Board	phightower@ecsdf1.us	Office: 850-469-6265
Lumon May	Escambia County Commissioner	LJMAY@myescambia.com	Office: 850-595-4930
Dr. Timothy Smith	Escambia County School District Superintendent	tsmith@ecsdf1.us	Office: 850-469-6130

*For scheduling, please coordinate with the following support personnel:

- Honorable Jennifer J. Frydrychowicz: Contact Hayley Faulkner, judicial assistant, Hayley.Faulkner@flcourts1.gov
- Patty Hightower: Contact Elisabeth Buswell, coordinator of school board affairs, EBuswell@ecsdf1.us
- Lumon May: Contact Audrey at the phone number above
- Dr. Timothy Smith: Contact Dana Harris, executive assistant, DHarris@ecsdf1.us



Item #6 Attachment

Escambia County Ordinance 20-22

7/2/2020 5:37pm PH

ORDINANCE NO. 2020 - 22

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA; CREATING CHAPTER 90, ARTICLE 10 OF THE CODE OF ORDINANCES, PROVIDING FOR THE CREATION OF A COUNTYWIDE INDEPENDENT SPECIAL DISTRICT TO INVEST IN METRICS BASED, SUCCESSFUL CHILDREN'S SERVICES PROGRAMS THROUGHOUT ESCAMBIA COUNTY; PROVIDING FOR A GOVERNING BOARD TO BE KNOWN AS THE ESCAMBIA CHILDREN'S TRUST; PROVIDING FOR THE MEMBERSHIP; PROVIDING FOR THE POWERS AND DUTIES OF THE TRUST; PROVIDING FOR THE CONDUCT OF BUSINESS; PROVIDING FINANCIAL REQUIREMENTS, REPORTING REQUIREMENTS, AND BUDGET PROCEDURES; PROVIDING FOR AUTHORIZATION OF THE LEVY OF AD VALOREM TAXES OF ONE-HALF MILL FOR A TERM OF 10 YEARS; PROVIDING FOR A NOVEMBER 3, 2020 REFERENDUM AND A BALLOT QUESTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 125, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of Florida has, in Chapter 125.901, authorized the creation of Children's Services Councils (CSCs) as a countywide special taxing district created by ordinance, and approved by voters, to invest in metrics based, successful programs and services that improve the lives, health and well-being of children and their families; and

WHEREAS, to date, nine Florida counties have created independent CSCs that invest taxpayer dollars in the well-being of their community's children and families, and the primary focus of all CSCs is to invest in early childhood education, prevention and early intervention programs that produce measurable results; and

WHEREAS, in nine counties, voters have approved independent taxing authority for their CSC to ensure that a dedicated, recurring funding source is available for children's programs and services. The counties are Palm Beach, Alachua, Broward, Hillsborough, Martin, Miami-Dade, Okeechobee, Pinellas and St. Lucie; and

WHEREAS, the community has taken action to formally recommend to the Escambia County Board of County Commissioners the establishment of an independent

Children's Trust to be known as the Escambia Children's Trust and to hold a referendum on the creation of an independent special district; and

WHEREAS, Escambia County children need increased and enhanced services; and

WHEREAS, more than half of the children in Escambia County are not prepared to enter kindergarten¹; and

WHEREAS, in Escambia County only 56% of children in 3rd grade read on grade level and only 50% of 7th graders are proficient in 7th grade math. While 12.1% of Escambia County students are chronically absent²; and

WHEREAS, Escambia County ranks 47 out of 67 Florida counties, according to the 2019 Florida Child Well-Being Index³; and

WHEREAS, every year in Escambia County over 5,000+ reports of suspected child abuse are received by the Department of Children and Families. Child abuse comes in many forms – physical abuse, sexual abuse, neglect – and recognizing child abuse is not easy⁴; and

WHEREAS, allegations of child abuse or medical neglect affect one in eight children in Escambia County⁵; and

WHEREAS, as many as 70% of children with developmental delays or disorders are not diagnosed or properly treated before they start school; and

WHEREAS, the higher a person's educational attainment and income, the more likely that person is to have a longer life expectancy; and

WHEREAS, the Board of County Commissioners determines that it is in the best interests of the health, safety and welfare of the public to place a referendum establishing said independent district within Escambia County before the qualified Escambia County voters on the November 3, 2020 general election ballot.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Escambia County that the following regulation is hereby adopted.

¹ <https://www.achieveescambia.org/data>

² <https://www.achieveescambia.org/data>

³ <https://static1.squarespace.com/static/5ba3f2780feb9d7656220531/t/5e273266c8d88d7566a9227b/1579627124664/Annual+Report+2020.pdf>

⁴ <https://www.gulfcoastkidshouse.org/child-abuse-prevention/programs.asp>

⁵ <https://test.gulfcoastkidshouse.org/>

Section 1. The above recitals are true and correct and are incorporated herein by reference.

Section 2. Chapter 90, Taxation, Article 10, Children's Services Independent District, is created as follows:

Sec. 90-311 – Sec. 90 – 349. Reserved.

Article X. Children's Services Independent District. The "Escambia Children's Trust."

Sec. 90 – 350. Short Title.

This article shall be known and may be cited as the "Escambia Children's Trust"

Sec. 90 – 351. Authority.

This article is adopted pursuant to §125.901, Florida Statutes (2019), Children's Services.

Sec. 90 – 352. Creation of an Independent Special District; Creation of the Children's Trust of Escambia County.

Subject to the approval of a majority of the qualified electors of Escambia County voting in November 3, 2020 referendum, there is hereby created an independent special district to invest in children's services throughout the County. The boundaries of the District shall be coterminous with the boundaries of Escambia County. The governing body of the District shall be a board of directors to be known as the Escambia County Children's Trust council on children's services.

Sec. 90 – 353. Purpose.

The purpose of the Escambia Children's Trust is to invest in the well-being of children within Escambia County by maximizing resources and ensuring accountability through investment in and support to community provider programs through a competitive review process. Escambia Children's Trust shall serve to collaborate and support necessary educational, preventive, developmental, treatment, intervention, and rehabilitative services for children within the County through funding and/or through cooperative agreements where not otherwise prohibited. The Escambia Children's Trust will assist the children through issuance and evaluation of requests for proposals from children's services providers when such is determined to be in the best interest of the health, safety and welfare of the community. Eligibility for application, review, and approval of Trust funding shall require that the direct service provider meets the Trust's requirements of proven fiscal accountability and performance based metrics to ensure successful program operation and accountable use of funding for the benefit of children.

Sec. 90 – 354. Membership.

The Escambia Children's Trust shall consist of 10 members as mandated by State of Florida Statute 125.901, Florida Statutes (2019), including:

- (1) The superintendent of schools;
- (2) A local school board member;
- (3) The district administrator from the appropriate district of the Department of Children and Families, or his or her designee who is a member of the Senior Management Service or of the Selected Exempt Service;
- (4) One member of the county governing body;
- (5) The judge assigned to juvenile cases who shall sit as a voting member of the board, except that said judge shall not vote or participate in the setting of ad valorem taxes under this section. If there is more than one judge assigned to juvenile cases in a county, the chief judge shall designate one of said juvenile judges to serve on the board; and
- (6) The remaining five members shall be appointed by the Governor, and shall, to the extent possible, represent the demographic diversity of the population of the county. After soliciting recommendations from the public, the county governing body shall submit to the Governor the names of at least three persons for each vacancy occurring among the five members appointed by the Governor, and the Governor shall appoint members to the council from the candidates nominated by the county governing body. The Governor shall make a selection within a 45-day period or request a new list of candidates. All members appointed by the Governor shall have been residents of the county for the previous 24-month period. Such members shall be appointed for 4-year terms, except that the length of the terms of the initial appointees shall be adjusted to stagger the terms. The Governor may remove a member for cause or upon the written petition of the county governing body. If any of the members of the council required to be appointed by the Governor under the provisions of this subsection shall resign, die, or be removed from office, the vacancy thereby created shall, as soon as practicable, be filled by appointment by the Governor, using the same method as the original appointment, and such appointment to fill a vacancy shall be for the unexpired term of the person who resigns, dies, or is removed from office.

Sec. 90 – 355. Powers and Functions.

The Escambia Children's Trust shall have the following powers and functions:

- (1) To provide funding and maintain in the County such preventive, developmental, treatment, intervention, and rehabilitative services for children from birth to 18 years of age as the council determines are needed for the general welfare of the county.

(2) To provide such other services for all children as the council determines are needed for the general welfare of the county.

(3) To allocate and provide funds for other agencies in the county which are operated for the benefit of children, provided they are not under the exclusive jurisdiction of the public school system.

(4) To collect information and statistical data and to conduct research which will be helpful to the council and the county in deciding the needs of children in the county.

(5) To consult and coordinate with other agencies dedicated to the welfare of children to the end that the overlapping of services will be prevented.

(6) To lease or buy such real estate, equipment, and personal property and to construct such buildings as are needed to execute the foregoing powers and functions, provided that no such purchases shall be made or building done unless paid for with cash on hand or secured by funds deposited in financial institutions. Nothing in this subparagraph shall be construed to authorize a district to issue bonds of any nature, nor shall a district have the power to require the imposition of any bond by the governing body of the county.

(7) To employ, pay, and provide benefits for any part-time or full-time personnel needed to execute the foregoing powers and functions.

(8) All powers, functions, and duties specified in Section 125.901, Florida Statutes or otherwise permitted by law.

(9) It is the intent of the County that the funds collected pursuant to the provisions of this section shall be used to support improvements in children's services and that such funds shall not be used as a substitute for existing resources or for resources that would otherwise be available for children's services.

(10) Members of the council shall serve without compensation, but shall be entitled to receive reimbursement for per diem and travel expenses consistent with the provisions of Section 112.061, *Florida Statutes* (2019), as amended.

Sec. 90 – 356. Conduct of Business.

The Escambia Children's Trust shall:

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

(2) Immediately after the members are appointed and officers are elected, identify, and assess the needs of the children in Escambia County and submit to the Escambia County Board of County Commissioners a written description of:

a. The activities, services, and opportunities that will be provided to children.

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

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

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

e. The manner in which the council will seek and provide funding for unmet needs.

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

(3) Provide training and orientation to all new members sufficient to allow them to perform their duties, including operating transparency and Sunshine requirements.

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

(5) Provide an annual written report, to be presented no later than January 1, to the governing body of the county. The annual report shall contain, but not be limited to, the following information:

a. Information on the effectiveness of activities, services, and programs offered by the Escambia Children's Trust, including cost effectiveness.

b. A detailed anticipated budget for continuation of activities, services, and programs offered by the Escambia Children's Trust, both public and private.

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

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

e. Detailed information on the various programs, services, and activities available to participants and the degree to which the programs, services, and activities have been successfully used by children.

f. Information on programs, services and activities that should be eliminated; programs, services and activities that should be continued; and programs, services, and activities that should be added to the basic format of the council.

Sec. 90 – 357. Sunshine Law and Public Records

- (1) The Council shall operate as required by the Florida Sunshine Law, Chapter 286, *Florida Statutes* (2019), as amended and the Florida Public Records Act, Chapter 119, *Florida Statutes* (2019), as amended.
- (2) The Council shall maintain minutes of each meeting, including a record of all votes cast, and shall make such minutes available to any interested person.
- (3) Meetings of the council shall be publicly noticed.

Sec. 90-358. Fiscal Year.

- (a) The fiscal year of the District shall be the same as that of the county.
- (b) On or before July 1 of each year, the council shall prepare and adopt an annual written budget of the District's expected income and expenditures, including a contingency fund. The council shall, in addition, compute a proposed millage rate within the voter-approved cap necessary to fund the tentative budget and, prior to adopting a final budget, comply with the provisions of s. 200.065, relating to the method of fixing millage, and shall fix the final millage rate by resolution of the council. The adopted budget and final millage rate shall be certified and delivered to the governing body of the county as soon as possible following the council's adoption of the final budget and millage rate pursuant to chapter 200. Included in each certified budget shall be the millage rate, adopted by resolution of the council, necessary to be applied to raise the funds budgeted for district operations and expenditures. In no circumstances, however, shall any district levy millage to exceed a maximum of 0.5 mills of taxable valuation of all properties within the county which are subject to ad valorem county taxes.
- (c) The budget of the district so certified and delivered to the governing body of the county shall not be subject to change or modification by the governing body of the county or any other authority.

Sec. 90-359. Levying of Ad Valorem Taxes.

- (1) In order to provide funds for the Escambia Children's Trust, the District may levy ad valorem taxes annually on all taxable property in the County of one-half mill for a term of 10 years, provided that the authority to levy such taxes has been approved by a majority vote of the electors of the County voting in a countywide election to be held in accordance with the requirements of the Constitution and the laws of Florida. The tax shall be assessed, levied and collected in the same manner and at the same time as is provided by law for the levy, collection and enforcement of collection of County taxes. The authority to levy the ad valorem tax must be submitted to the voters for reauthorization every 10 years commencing with the effective date of this ordinance.

- (2) All tax money collected under this section, as soon after the collection thereof as is reasonably practicable, shall be paid directly to the council by the tax collector of the county, or the clerk of the circuit court if the clerk collects delinquent taxes.
- (3) a. All moneys received by the council shall be deposited in qualified public depositories, as defined in s. 280.02, with separate and distinguishable accounts established specifically for the council and shall be withdrawn only by checks signed by the chair of the council and countersigned by either one other member of the council or by a chief executive officer who shall be so authorized by the council.
- b. Upon entering the duties of office, the chair and the other member of the council or chief executive officer who signs its checks shall each give a surety bond in the sum of at least \$1,000 for each \$1 million or portion thereof of the council's annual budget, which bond shall be conditioned that each shall faithfully discharge the duties of his or her office. The premium on such bond may be paid by the council as part of the expense of the council. No other member of the council shall be required to give bond or other security.
- (4) No funds of the district shall be expended except by check as aforesaid, except expenditures from a petty cash account which shall not at any time exceed \$100. All expenditures from petty cash shall be recorded on the books and records of the council. No funds of the council, excepting expenditures from petty cash, shall be expended without prior approval of the council, in addition to the budgeting thereof.

Sec. 90-360. Reporting.

- (1) Within 10 days, exclusive of weekends and legal holidays, after the expiration of each quarter annual period, the council on children's services shall cause to be prepared and filed with the governing body of the county a financial report which shall include the following:
- a. The total expenditures of the council for the quarter annual period.
- b. The total receipts of the council during the quarter annual period.
- c. A statement of the funds the council has on hand, has invested, or has deposited with qualified public depositories at the end of the quarter annual period.
- d. The total administrative costs of the council for the quarter annual period.

Sec. 90 – 361. Referendum.

The authority of the Escambia Children's Trust Special District to levy 0.5 mills to carry out the purposes and intent of this ordinance and to do all things necessary to fund the Children's Trust and the independent district created hereby shall be presented to the County electorate by placing a question on the November 3, 2020 general election ballot. The Supervisor of Elections of Escambia County shall place the following question on the November 3, 2020, general election ballot:

**CHILDREN'S TRUST OF ESCAMBIA COUNTY – AUTHORITY TO LEVY
ONE-HALF MILL AD VALOREM TAXES**

IN ORDER TO PROVIDE ADDITIONAL EARLY CHILDHOOD EDUCATION, SAFETY, DEVELOPMENTAL, PREVENTATIVE, HEALTH, AND WELL-BEING SERVICES, INCLUDING AFTER SCHOOL AND SUMMER ENRICHMENT PROGRAMS, SHOULD AN INDEPENDENT SPECIAL DISTRICT TITLED THE "ESCAMBIA CHILDREN'S TRUST" BE CREATED AND BE AUTHORIZED TO LEVY AN ANNUAL AD VALOREM TAX OF ONE-HALF (1/2) MILL FOR 10 YEARS.

YES

NO

Section 3. Severability.

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 4. Inclusion in Code.

It is the intention of the Escambia County Board of County Commissioners that the provisions of this Ordinance shall be codified as required by Chapter 125, Florida Statutes, and that the sections, subsections and other provisions of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 5. Liberally Construed.

The Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety or welfare.

Section 6. Repeal of Conflicting Ordinances.

All Escambia County Ordinances and resolutions, or portions thereof, in conflict with this Ordinance are, to the extent of such conflict, repealed.

This Ordinance does not prohibit the County from exercising such power as is provided by general or special law to provide children's services.


Section 7. Effective Date.

A certified copy of this ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment. This ordinance shall become effective only if approved by a "yes" vote of the majority of those voting on the question posed in a November 3, 2020 referendum. If the majority of those voting do not vote "yes" to the question proposed, the District shall not be created and

this ordinance shall be of no force and effect. The effective date of the creation of the special district, if approved by the November 3, 2020 referendum, shall be December 1, 2020.

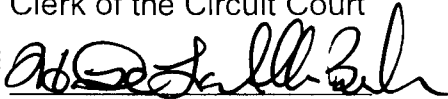
DONE AND ENACTED this 2nd day of July, 2020.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

By: 
Steven Barry, Chairman



Pam Childers
Clerk of the Circuit Court



Date Executed: 7/7/2020

Approved as to form and legal sufficiency.

ENACTED: **July 2, 2020**

By/Title: Kia M. Johnson, ACA

EFFECTIVE DATE: **See Section 7.**

Date: 06-17-2020



Item #7 Attachment

Draft Bylaws

Children's Trust of Escambia County



The Children's Trust of Escambia County, an Independent Special District of Escambia County

DRAFT BYLAWS CHILDREN'S TRUST OF ESCAMBIA COUNTY

PREAMBLE

The Children's Trust of Escambia County has been established pursuant to Florida Statute 125.901 and Escambia County Ordinance 20-22 as approved by the Electorate and has as its general purpose the provision of services to children throughout Escambia County as more fully set forth in statute and ordinance.

ARTICLE I. - MEMBERSHIP AND TERM OF OFFICE

The Children's Trust of Escambia County shall consist of ten (10) members including the Escambia County Superintendent of Schools, a local Escambia County School Board Member (as selected by the School Board), the Administrator of the District of the Department of Children and Families having authority over Escambia County or designee who is a member of the Senior Management Service or of the Selected Exempt Service, a member of the Escambia County Board of County Commissioners (as selected by the Board of County Commissioners), and the Judge assigned to juvenile cases. These members shall serve for as long as they hold office or until they are removed in accordance with statute or the ordinance. The other five (5) members of the Board shall be appointed by the Governor upon recommendation by the Board of County Commissioners and, after their initial term in office shall serve for terms of four (4) years each. Members shall serve until their replacement is selected or they have been otherwise removed from office.

ARTICLE II. - MEETINGS

Section 1. - Regular Meetings

Regular meetings of the Trust shall be held monthly at a time and place set by the Trust. The annual meeting shall be held in January, at which time the election of officers shall take place. If a regularly scheduled meeting falls on a holiday, the Trust shall meet at such date and time as selected by the Trust. Written or electronic notice of regular meetings of the Trust shall be given to each member at least five (5) days prior to each meeting; the notice is to be accompanied by a tentative agenda for the meeting. Meetings may be cancelled or rescheduled by majority vote of the Trust. In the event of an emergency or lack of business to be considered a meeting may be

canceled by the Chair, Vice-Chair, or Treasurer, in that order, but in no case shall longer than 60 days go between meetings of the Trust.

Section 2. - Special Meetings

Special meetings of the Trust may be called:

- (a) By the Chair or
- (b) In the Chair's absence by the Vice-Chair or
- (c) In the Chair and Vice Chair's absence by the Treasurer or
- (d) By request of a majority of the Trust made to an officer or the Executive Director.

Pursuant to the rules for independent special districts, any meeting other than a regular meeting or any recessed and reconvened meeting must be advertised at least seven days before such meeting in a newspaper of general paid circulation in the county. The advertisement must be published in the same way as the meeting schedule.

Notices regarding special meetings will be accompanied by an agenda specifying the subject(s) of the special meeting. Only those subject(s) appearing on the special agenda may be discussed at that called meeting. The date, time, and location of the special meeting shall be determined by the Chair, Vice-Chair, Treasurer, or Trust, as appropriate.

Section 3. - Emergency Meetings

Emergency meetings of the Trust may be called:

- (a) By the Chair or
- (b) In the Chair's absence by the Vice-Chair or
- (c) In the Chair and Vice Chair's absence by the Treasurer or
- (d) By vote or request of a majority of the Trust made to an officer or the Executive Director.

In the event of a bona fide emergency, the Trust board must provide reasonable notice, hold the emergency meeting and subsequently ratify the emergency meeting. The annual budget cannot be approved at an emergency meeting. The notice is to be accompanied by an agenda specifying the subject(s) of the emergency meeting. Only those subject(s) appearing on the emergency meeting agenda may be discussed at that meeting. The date, time, and location of the meeting shall be determined by the Chair, Vice-Chair, Treasurer, or Trust, as appropriate. If, after reasonable diligence, it is impossible to give notice to each member or, because of the nature of the emergency, it is impossible to let twenty-four (24) hours elapse before the meeting, such failure shall not affect the legality of the meeting if a quorum is in attendance.

Section 4. - Public Meetings.

The Trust, as a public body of the State of Florida shall be subject to the requirements

of Chapter 286, F.S.

Section 5. - Minutes

Minutes of each meeting shall be accurately taken, preserved, and provided to members at or before the next regular meeting.

Section 6. - Initial Year of Existence

To the extent that Ordinance 20-22 or Sec. 125.901(2)(b) requires that certain actions or events take place based upon the initial meeting of the Trust the timing set forth in those laws shall control during the organizational period of the Trust.

ARTICLE III. - VOTING

- A. Each member shall have one vote, which may only be exercised by the member and not by proxy or by designee with the exception of the District Administrator of the Department of Children and Families who may have a designee.
- B. Quorum. The presence of a majority of all members serving on the Trust shall be necessary at any meeting to constitute a quorum to transact business.
- C. Action on any proposal other than amendment of these By-Laws, hiring of an Executive Director, or adoption of the annual budget shall require an affirmative vote of a majority of the members present.
- D. Action on matters relating to amendment of these By-Laws may only be taken by an affirmative vote of two-thirds (2/3) of all serving members of the Trust. Action on matters relating to the hiring of an Executive Director may only be taken by affirmative vote of a majority of all serving members of the Trust.
- E. Approval of the budget and setting of the millage shall be as established by law.
- F. The Judge of juvenile cases appointed to the Trust shall not vote or participate in the setting of ad valorem taxes.

ARTICLE IV. - OFFICERS, ELECTIONS, AND VACANCIES

Section 1. - Officers

The officers of this Trust shall be chosen from its membership and consist of a Chair, Vice-Chair, and Treasurer. After the organizational period, each shall be elected at the annual meeting for a term of office of one (1) year. An officer may be elected to one additional consecutive term.

- A. The Chair shall:
 - Preside at all meetings of the Trust.
 - May be an ex-officio member of all committees of the Trust.

- Serve as a member of the Executive Committee.
- Appoint, with Trust approval, all ad hoc committees.
- Perform all of the duties usually pertaining to the office of Chair.
- Be the primary check signer of the Trust subject to countersignature by another member of the Trust or the Executive Director.

B. The Vice-Chair shall:

- Preside at all meetings of the Trust in the absence of the Chair.
- Serve as a member of the Executive Committee.
- Perform all such duties usually pertaining to the Office of Vice-Chair.

C. The Treasurer shall:

- Preside over the Trust Budget Planning Committee.
- Serve as a member of the Executive Committee.
- Preside at all meetings of the Trust in the absence of the Chair and Vice-Chair

D. In the event of a vacancy in the position(s) of the Chair, Vice-Chair, or Treasurer, the position shall be filled at the next meeting of the members and the term shall be the remainder of the vacant position's term. Any vacancy in other offices that result from this selection may be filled by immediate election for the remainder of the term.

ARTICLE V. - CONDUCT OF BUSINESS

Section 1. – Reporting

Commencing no later than January 1, 2022 and by January 1st of every year thereafter the Trust will prepare an annual written report, to be presented to the Board of County Commissioners which shall contain the information set forth in Sec. 125.901(2)(b)5, F.S.

Section 2. – Budgeting

On or before July 1 of each year, the Trust shall prepare a tentative annual written budget of the district's expected income and expenditures, including a contingency fund. The Trust shall, in addition, compute a proposed millage rate within the one half mil cap approved by the electorate necessary to fund the tentative budget and, prior to adopting a final budget, comply with the provisions of Sec 200.065, F.S. relating to the method of fixing millage, and shall fix the final millage rate by resolution of the Trust. The adopted budget and final millage rate shall be certified and delivered to the Board of County Commissioners as soon as possible following the Trust's adoption of the final budget and millage rate pursuant to chapter 200 F.S. or as otherwise limited in Sec. 125.901, F.S.

Section 3. - Elections and Vacancies

Election of officers shall be held at the annual meeting. This election shall be by

nomination and voice vote.

ARTICLE VI. - FINANCE

Section 1. - Fiscal Year

The fiscal year of the Trust shall commence on October 1 and end on September 30.

Section 2. - Budget

The Executive Director shall be responsible for submitting a tentative annual budget for the operation of the Trust to the Members of the Trust at or before the May meeting for adoption by the Trust. The Trust must submit a certified budget to the Board of County Commissioners no later than July 1.

Section 3. - Committees

Standing committees may be established by majority vote of the Trust. Ad hoc committees may be established by the Chair, with Trust approval, provided that ad hoc committees shall not be established for a period of time exceeding one year.

ARTICLE VII. - EMPLOYMENT OF EXECUTIVE DIRECTOR

An Executive Director shall be employed by a majority vote of all serving members of the Trust. The Executive Director shall be employed by written contract. The Executive Director shall serve at the pleasure of the Trust and may be terminated at any time, subject to the provisions of the terms of said contract by an affirmative vote of a majority of the serving Trust Members.

The powers and duties of the Executive Director shall include:

1. The employment and development of staff to implement policies and programs of the Children's Trust of Escambia County.
2. Ensure that a comprehensive plan for the needs of youth in Escambia County is developed and implemented and that the purposes of Sec 125.901, F.S. and Escambia County Ordinance 20-22 are met.
3. Establish policies and procedures relating to the evaluation, subject to approval of the Trust, of funding requests, monitoring of programs funded by the Trust, employment and evaluation of personnel, and other similar matters.
4. Maintain all records of the Children's Trust of Escambia County.
5. Perform other administration duties as may normally be performed by an administrative officer.

6. Shall act as the Secretary of the Trust or otherwise provide that the minutes are accurately maintained.

ARTICLE VIII. - CONFLICT OF INTEREST

- A. Members of the Trust shall avoid entering into contracts or agreements involving, directly or indirectly, members of the Trust in a manner that would be, or give the appearance of being, a conflict of interest.
- B. Members of the Trust will, prior to voting on a funding issue, which involves any program or agency in which they participate as an employee or member of the governing authority, disclose their interest in said program or agency and file a disclosure statement.
- C. Members of the Trust will comply with all Florida Statutes relating to "conflicts of interest."
- D. No member shall serve as a staff member of any agency when more than 10% of the agency's budget is provided by the Council, and no portion of a member's salary may be paid by the Council funds.

ARTICLE IX. - GENERAL POWERS OF THE COUNCIL

The Trust, in carrying out its authorized duties, shall exercise the general powers set forth below.

ARTICLE X. - RULES OF ORDER

The Trust shall promulgate rules of order for the conduct of all meetings of the Trust. All procedural matters not addressed in said rules of order or by these Bylaws shall be governed by the latest edition of "The Standard Code of Parliamentary Procedure" by Sturgis.

ARTICLE XI. - BOARD ATTENDANCE

If a member has three (3) consecutive absences from regular board meetings during a fiscal year, or a total of five (5) absences from regular board meetings during a fiscal year, except under extreme circumstances, the Chair may request the member compiling such absences to resign from the Council so that a replacement may be appointed in accordance with Florida Statute 125.901.

ARTICLE XII. - AMENDMENTS

Amendments of these By-Laws may be proposed by any Trust Member and shall become effective upon the affirmative vote of a two-thirds (2/3) majority of all serving Trust members.

APPROVED AND ADOPTED by the Escambia Children's Trust on .

Signed By: Interim Chair



Item #9 Attachment

Designation of a Registered Agent

Designate a Registered Agent and Registered Office

Within 30 days after its first meeting of its governing board, each special district must designate a registered agent and a registered office, then provide that information to the following:

The Special District Accountability Program.

The Local Governing Authority (each local general-purpose government in which the special district is located).

Registered Agent Defined

A registered agent is an agent of the special district upon whom any process, notice or demand required or permitted by law to be served upon the special district may be served. The registered agent must be an individual resident of Florida whose business address is the same as the special district's registered office. The registered office does not have to be the special district's place of business.

Source: www.FloridaJobs.org/SpecialDistrictHandbook (Section 5d)

Item #10 Attachment

First Year To-Do List

Administrative/Organizational/Regulatory

- Elect Officers
- Adopt Bylaws
- Declare a Registered Agent
- Register with Property Appraiser, Tax Collector, Department of Revenue
- Authorized Signatures (checks, contracts, DEO, official forms)

Policy Decisions

- Which entity will administer Trust functions, i.e., human resources, legal, accounting, procurement, etc.?
- Will the Trust join the Florida Children's Council?
- How will the Trust undertake the comprehensive needs assessment and strategic planning process as required by statute?
- How will the Trust address the needs of children, i.e., programs by need or priority, specific types of programs, innovative approaches?
- What level of financial resources does the Trust require, i.e., operations, contracting, reserves, and is a line of credit needed?
- Determine a process for funding to include example Requests for Proposals and the establishment of a process for reviewing proposals so that service providers understand what will be expected of them as they contemplate providing services. Based on the funding process set forth by the Trust, service providers can be working in parallel to have their information in the correct posture to be able to competitively and equitably apply.
- Establish millage rate to meet need

Required Reports

- Report to BoCC per Ordinance 20-22 identifying plan to meet needs
- Annual report to BoCC every January 1
- DEO Special District Report/Fee every October 1
- Annual report with Department of Financial Services
- Quarterly reports to the BoCC
- Independent audit if applicable