

Meeting Notice

Children's Trust of Alachua County
Monday, March 11, 2019 @ 4:00 pm (Inaugural Meeting)
Alachua County Administration Building
12 SE 1st Street, Second Floor, Jack Durrance Auditorium



CHILDREN'S TRUST
OF ALACHUA COUNTY

Members

Honorable Susanne Wilson-Bullard, Circuit Judge
Tina Certain, Alachua County School Board Member
Karen Clarke, Alachua County School Superintendent
Ken Cornell, County Commissioner
Cheryl Twombly, DCF Community Development Administrator

Children's Trust of Alachua County

Monday, March 11, 2019 @ 4:00 pm (Inaugural Meeting)
Alachua County Administration Building
12 SE 1st Street, Second Floor, Jack Durrance Auditorium

1. Call to Order – Carl Smart, Assistant County Manager
2. Introductions – All
3. Agenda Review, Revision, and Approval
4. Status of Gubernatorial Appointments/Staff Activities to Date
5. Florida Sunshine – Bob Swain, ACA
6. Review Alachua County Ordinance 18-08
7. Bylaws Review and Discussion
8. Interim Chair and Vice Chair Election
9. Designation of a Registered Agent
10. Acceptance of County BoCC and County Attorney Staff Support Liaison Role
11. First Year To Do List, Next Meeting, Regular Meeting Schedule
12. Next Meeting Agenda
13. Board Member General Comments
14. Call for Public Input
15. Adjournment



CHILDREN'S TRUST
OF ALACHUA COUNTY

Item # 1

Call to Order

Background

As this is the inaugural meeting of the Children's Trust and officers have not yet been elected, Carl Smart, Assistant County Manager will call the meeting to order. In addition to opening remarks, he will provide members with an overview of the first meeting objectives.

Attachments

None

Staff Recommendation

Not applicable

Item # 2

Introductions

Background

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

Attachments

None

Staff Recommendation

Not applicable

Item # 3

Agenda Review, Revision, and Approval

Background

Staff have developed the agenda for the first meeting in part based on a review of how other newly created children's services councils started out. Members are asked to review the agenda, suggest changes in order, add items, etc.

Attachments

None

Staff Recommendation

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

Item # 4

Status of Gubernatorial Appointments and Staff Activities to Date

Background

The Children's Trust of Alachua County Board as specified in Ordinance 18-08 is to be comprised of ten (10) members. Of the 10 members, five (5) are designated positions, i.e., school board member, school superintendent, etc. The remaining five (5) members are to be appointed by the Florida Governor from a list of 15 nominees selected by the Board of Commissioners.

Staff have undertaken a number of efforts on behalf of the Children's Trust including:

- Notifying the Department of Economic Opportunity (DEO) of the Trust's creation
- Notified the Tax Collector and Property Appraiser of Ordinance 18-08
- Notifying the Florida Legislature of the Trust's creation
- Tracking that all 15 nominees submitted their applications to the Governor's Office
- Contacting the Governor's Office regarding the appointment process
- Meeting with the Florida Children's Council; attended legislative meeting
- Creation of Trust email address and distribution lists
- Various email notifications to members, applicants, and nominees

Attachments

None

Staff Recommendation

Staff will provide a brief verbal update on activities related to the Children's Trust and Governor's Office appointments.

Item # 5

Florida Sunshine Laws

Background

The Children's Trust of Alachua County is subject to Chapter 286 (Florida Sunshine) of the Florida Statutes. Bob Swain, Senior Assistant County Attorney will provide board members with some reminders on Florida Sunshine requirements.

Attachments

None

Staff Recommendation

Hear brief comments from the Senior Assistant County Attorney

Item # 6

Alachua County Ordinance 18-08

Background

The Children's Trust of Alachua County is established in accordance with Alachua County Ordinance 18-08. The Ordinance covers all aspects of the Trust and stipulates its membership, organizational structure, powers and duties. The Senior Assistant County Attorney and staff will assist members with reviewing key provisions of the Ordinance.

Attachments

1. Alachua County Ordinance 18-08
2. Power Point Presentation

Staff Recommendation

Hear brief comments from the Senior Assistant County Attorney and staff regarding the Ordinance.

1
2 ALACHUA COUNTY
3 BOARD OF COUNTY COMMISSIONERS
4
5

6 ORDINANCE 18-08
7

8 AN ORDINANCE OF THE BOARD OF COUNTY
9 COMMISSIONERS OF ALACHUA COUNTY; PROVIDING
10 FOR THE CREATION OF A COUNTYWIDE
11 INDEPENDENT SPECIAL DISTRICT TO PROVIDE
12 CHILDREN'S SERVICES THROUGHOUT ALACHUA
13 COUNTY; PROVIDING FOR A GOVERNING BOARD TO
14 BE KNOWN AS THE CHILDREN'S TRUST OF ALACHUA
15 COUNTY; PROVIDING FOR THE MEMBERSHIP POWERS
16 AND DUTIES OF THE COUNCIL; PROVIDING
17 FINANCIAL REQUIREMENTS AND BUDGET
18 PROCEDURES; PROVIDING FOR AUTHORIZATION OF
19 THE LEVY OF AD VALOREM TAXES NOT TO EXCEED
20 ONE-HALF MILL; PROVIDING FOR A REFERENDUM
21 AND A BALLOT QUESTION; PROVIDING FOR
22 SEVERABILITY; PROVIDING FOR INCLUSION IN THE
23 CODE; PROVIDING AN EFFECTIVE DATE.
24
25

26 WHEREAS, the Alachua County Board of County Commissioners established a
27 Children's Services Advisory Board on August 24, 2016, appointed members with advanced
28 expertise in early childhood development, and appropriated funds for innovative and collaborative
29 programs; and

30 WHEREAS, during its meeting of April 12, 2017, the Children's Services Advisory Board
31 took action to formally recommend to the Alachua County Board of County Commissioners to
32 establish an independent Children's Trust and to hold a referendum on the creation of an
33 independent special district; and

34 WHEREAS, the Children's Services Advisory Board has worked to implement a Healthy
35 Baby Nurse Home Visit Program, a Transform Professional Development for Early Care and

1 Education Providers program, and has worked to address the social and emotional needs of young
2 children and family supports; and

3 **WHEREAS**, the Children's Services Advisory Board has determined these innovative
4 initiatives will assure all Alachua County children are ready for success when entering
5 kindergarten; and

6 **WHEREAS**, section 125.901, Florida Statutes, authorizes the County to create an
7 independent special district to provide children's services for all children, from 0 to 18 years of
8 age; and

9 **WHEREAS**, in 2016 the Board of County Commissioners contracted with the WellFlorida
10 Council Inc., to conduct an assessment of Alachua County children's needs; and

11 **WHEREAS**, the Children's Services Advisory Board analyzed the needs assessment in
12 detail and discussed its findings; and

13 **WHEREAS**, the Children's Services Advisory Board concluded that the community can
14 benefit from increased awareness of recognizing the typical stages of growth and development in
15 children birth to age five; and

16 **WHEREAS**, the very early years of a newborn's brain development is critical to success
17 later in adult life; and

18 **WHEREAS**, there is a need to help Alachua County residents cope with the stress of
19 parenting to assure positive relationships between parents and children, which can reduce the
20 prevalence of child abuse and neglect; and

21 **WHEREAS**, the needs assessment identified that parents can benefit from knowing what
22 to look for in quality early learning and care services and understanding developmentally
23 appropriate early childhood education including what makes a child "ready for school"; and

1 **WHEREAS**, a recent study on Racial Inequity in Alachua County identified significant
2 disparity in educational opportunities and concluded that providing a high quality educational
3 experience will lead to a successfully educated resident who will have a higher lifetime income,
4 better employment opportunities, and less likelihood to become involved in the criminal justice
5 system; and

6 **WHEREAS**, it is the intent of the Board of County Commissioners to create an
7 independent special district with taxing authority if approved by a majority vote of the qualified
8 electors of Alachua County voting in a November 6, 2018 referendum; and

9 **WHEREAS**, the Board of County Commissioners has determined that it would serve the
10 public interest to establish said independent special district within Alachua County.

11
12 **NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
13 **COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:**

14 **SECTION 1.** Chapter 26, Children’s Services Independent Special District, is created:

15 **Chapter 26. Children’s Trust, Independent Special District.**

16 **Section 26.01. Creation of an Independent Special District; Creation of Children’s Trust.**

17 Subject to the approval of a majority of the qualified electors of Alachua County voting in
18 a November 6, 2018, referendum, there is hereby created an independent special district to provide
19 children’s services throughout Alachua County. The boundaries of the District shall be
20 coterminous with the boundaries of Alachua County. The governing body of the District shall be
21 a board of directors to be known as the Children’s Trust of Alachua County.

1 **Section 26.02. Membership.**

2 The Children's Trust shall consist of 10 members, selected as follows:

3 a. The superintendent of schools; a local school board member, chosen by a majority
4 of the School Board of Alachua County; the district administrator from District III of the
5 Department of Children and Family Services, or his or her designee who is a member of the Senior
6 Management Service or of the Selected Exempt Service; one member of the County Commission,
7 chosen by a majority of the Alachua County Board of County Commissioners; and a judge
8 assigned to juvenile cases who shall sit as a voting member of the board, except that said judge
9 shall not vote or participate in the setting of ad valorem taxes under this section. If there is more
10 than one judge assigned to juvenile cases in Alachua County, the chief judge of the 8th Judicial
11 Circuit shall designate which judge shall serve on the board. All of the proceeding members shall
12 serve 4-year terms effective January 1, 2019.

13 b. The remaining five members shall be appointed by the Governor, and shall, to the
14 extent possible, represent the demographic diversity of the population of Alachua County. After
15 soliciting recommendations from the public, the Alachua County Board of County Commissioners
16 shall submit to the Governor the names of at least three persons for each vacancy occurring among
17 the five members to be appointed by the Governor, and the Governor shall appoint members to the
18 council from the candidates nominated. The Governor shall make a selection within a 45-day
19 period or request a new list of candidates. All members appointed by the Governor shall have been
20 residents of the Alachua County for the previous 24-month period. Such members shall be
21 appointed for 4-year terms, except that the length of the terms of the initial appointees shall be for
22 2 years. The Governor may remove a member for cause or upon the written petition of a majority
23 of the County Commission plus one. If any of the members of the council required to be appointed

1 by the Governor under the provisions of this subsection shall resign, die, or be removed from
2 office, the vacancy thereby created shall, as soon as practicable, be filled by appointment by the
3 Governor, using the same method as the original appointment, and such appointment to fill a
4 vacancy shall be for the unexpired term of the person who resigns, dies, or is removed from office.

5
6 **Section 26.03. Powers and Duties.**

7 a. The Children's Trust of Alachua County shall have the following powers and
8 duties:

- 9 1. To provide and maintain in the County such preventive, developmental,
10 treatment, and rehabilitative services for children as the council determines are
11 needed for the general welfare of the County.
- 12 2. To provide such other services for all children as the council determines are
13 needed for the general welfare of the County.
- 14 3. To allocate and provide funds for other agencies in the County which are
15 operated for the benefit of children, provided they are not under the exclusive
16 jurisdiction of the public school system.
- 17 4. To collect information and statistical data which will be helpful to the council
18 in deciding the needs of children in the County.
- 19 5. To consult with other agencies dedicated to the welfare of children to the end
20 that the overlapping of services will be prevented.
- 21 6. To lease or buy such real estate, equipment, and personal property and to
22 construct such buildings as are needed to execute the foregoing powers and
23 functions, provided that no such purchases shall be made or building done

1 except for cash with funds on hand or secured by funds deposited in financial
2 institutions. Nothing in this Chapter shall be construed to authorize the issuance
3 of bonds of any nature.

4 7. To employ and pay, on a part-time or full-time basis, personnel needed to
5 execute the foregoing powers and functions.

6 8. To enter into agreements with government agencies to provide administrative
7 services.

8 9. All powers, functions, and duties specified in Section 125.901, Florida Statutes.

9 b. The Children's Trust of Alachua County shall:

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

13 2. Immediately after the members are appointed and officers are elected, identify
14 and assess the needs of the children in Alachua County and submit to the
15 County Commission of Alachua County a written description of:

16 i. The activities, services, and opportunities that will be provided to
17 children.

18 ii. The anticipated schedule for providing those activities, services, and
19 opportunities.

20 iii. The manner in which children will be served, including a description
21 of arrangements and agreements which will be made with community
22 organizations, state and local educational agencies, federal agencies,

1 public assistance agencies, the juvenile courts, foster care agencies,
2 and other applicable public and private agencies.

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

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

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

9 3. Provide training and orientation to all new members sufficient to allow them
10 to perform their duties.

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

14 5. Provide an annual written report, to be presented no later than January 1, to
15 the County Commission of Alachua County. The annual report shall contain,
16 but not be limited to the following information:

17 i. Information on the effectiveness of activities, services, and programs
18 offered by the council, including cost-effectiveness.

19 ii. A detailed anticipated budget for continuation of activities, services,
20 and programs offered by the council, and a list of all sources of
21 requested funding, both public and private.

- 1 iii. Procedures used for early identification of at-risk children who need
- 2 additional or continued services and methods for ensuring that the
- 3 additional or continued services are received.
- 4 iv. A description of the degree to which the council's objectives and
- 5 activities are consistent with the goals of this section.
- 6 v. Detailed information on the various programs, services, and activities
- 7 available to participants and the degree to which the programs,
- 8 services, and activities have been successfully used by children.
- 9 vi. Information on programs, services, and activities that should be
- 10 eliminated; programs, services, and activities that should be continued;
- 11 and programs, services, and activities that should be added to the basic
- 12 format of the Children's Trust.

- 13 c. The council shall maintain minutes of each meeting, including a record of all votes
- 14 cast, and shall make such minutes available to any interested person.

- 15 d. Members of the council shall serve without compensation, but shall be entitled to
- 16 receive reimbursement for per diem and travel expenses consistent with the
- 17 provisions of section 112.061, Florida Statutes.

- 18 e. All financial records and accounts relating to the district shall be available for audit
- 19 by state auditors as they are assigned from time to time to audit the affairs of the
- 20 County officials. If no annual audit of the District is conducted by the State, the
- 21 council shall cause an independent audit of the District to be conducted.

- 22 f. Within 10 days, exclusive of weekends and legal holidays, after the expiration of each
- 23 quarter annual period, the Children's Trust shall cause to be prepared and filed with

1 the County Commission of Alachua County a financial report which shall include the
2 following:

- 3 1. The total expenditures of the council for the quarter annual period.
- 4 2. The total receipts of the council during the quarter annual period.
- 5 3. A statement of the funds the council has on hand, has invested, or has deposited
6 with qualified public depositories at the end of the quarter annual period.
- 7 4. The total administrative costs of the council for the quarter annual period.

8
9 **Section 26.04. Fiscal Year.**

- 10 a. The fiscal year of the District shall be the same as that of Alachua County.
- 11 b. On or before July 1 of each year, the Children's Trust of Alachua County shall prepare and
12 adopt an annual written budget of its expected income and expenditures, including a contingency
13 fund. The written budget shall be certified and delivered to the Board of County Commissioners
14 on or before July 1 of each year. Included in each certified budget shall be an estimate of the
15 millage rate necessary to be applied to raise the funds budgeted for expenditures, which millage
16 rate shall not exceed a maximum of 0.5 mills of assessed valuation of all properties within the
17 County which are subject to County taxes.
- 18 c. The budget of the Children's Trust so certified and delivered to the Board of County
19 Commissioners shall not be subject to change or modification by the Board of County
20 Commissioners or any other authority.

1 **Section 26.05. Levying of Ad Valorem Taxes.**

2 In order to provide funds for the Children’s Trust of Alachua County, the council may levy
3 ad valorem taxes annually on all taxable property in the County in an amount not to exceed
4 one-half mill, provided that the authority to levy such taxes has been approved by a majority vote
5 of the electors of the District voting in the Countywide Election to be held in accordance with the
6 requirements of the constitution and the laws of Florida and as set forth in this chapter. The tax
7 shall be assessed, levied, and collected in the same manner and at the same time as is provided by
8 law for the levy, collection, and enforcement of collection of County taxes. All tax money
9 collected under this Chapter, as soon after the collection thereof as is reasonably practicable, shall
10 be paid directly to the Children’s Trust by the Tax Collector of the County and all other applicable
11 County officials. The moneys so received by the Children’s Trust shall be deposited in qualified
12 public depositories, as defined in section 280.02, Florida Statutes, in accounts specifically for the
13 council and shall be withdrawn only by checks signed by the chair of the council and countersigned
14 by one other member of the council or by a chief executive officer who shall be so authorized by
15 the council. The chair and the other member of the council who signs the council’s checks shall
16 each give a surety bond in the amount of \$1,000 for each \$1 million or portion thereof of the
17 council’s annual budget, which bond shall be conditioned that each shall faithfully discharge the
18 duties of their office. The premium on such bond may be paid by the District as part of the expense
19 by the council. No other member of the council shall be required to give bond or other security.
20 No funds of the council shall be expended except by check as aforesaid, except expenditures of
21 petty cash account which shall not at any time exceed \$100. All expenditures from petty cash shall
22 be recorded on the books and records of the Children’s Trust. No funds of the council, except the

1 expenditure of petty cash, shall be expended without prior approval of the council, in addition to
2 the budgeting thereof.

3
4 **Section 26.06. Referendum.**

5 The authority of the Children's Trust Special District to levy up to 0.5 mill to carry out the purposes
6 and intent of this ordinance and to do all things necessary to fund the Children's Trust and the
7 independent district created hereby shall be presented to the County electorate by placing a
8 question on the November 2018 general election ballot. The Supervisor of Elections of Alachua
9 County shall place the following question on the November 6, 2018, general election ballot:

10 **CHILDREN'S TRUST OF ALACHUA COUNTY - AUTHORITY TO LEVY**
11 **ONE-HALF MILL AD VALOREM TAXES**

12
13 IN ORDER TO PROVIDE DEVELOPMENTAL, PREVENTIVE, AND
14 SUPPORTIVE SERVICES FOR CHILDREN, SUCH AS EARLY LEARNING
15 SUPPORTS AND OUT OF SCHOOL ENRICHMENT PROGRAMMING,
16 SHOULD AN INDEPENDENT SPECIAL DISTRICT TITLED "THE
17 CHILDREN'S TRUST OF ALACHUA COUNTY" BE CREATED AND BE
18 AUTHORIZED TO LEVY AN ANNUAL AD VALOREM TAX NOT TO
19 EXCEED ONE-HALF (½) MILL FOR 12 YEARS?

20
21 _____ YES

22
23 _____ NO
24

25 SECTION 2. Inclusion in the Code, Scrivener's Error. It is the intention of the Board of
26 County Commissioners of Alachua County, Florida, and it is hereby provided that the provisions
27 of this ordinance shall become and be made a part of the Code of Laws and Ordinances of
28 Alachua County, Florida; that the sections of this ordinance may be renumbered or relettered to
29 accomplish such intention; and that the word "ordinance" may be changed to "section," "article,"
30 or other appropriate designation. The correction of typographical errors which do not affect the

1 intent of the ordinance may be authorized by the County Manager or designee without public
2 hearing, by filing a corrected or recodified copy of the same with the Clerk of the Circuit Court.

3 SECTION 3. Ordinance to be Liberally Construed. This ordinance shall be liberally
4 construed in order to effectively carry out the purposes hereof which are deemed not to adversely
5 affect public health, safety, or welfare.

6 SECTION 4. Modification. It is the intent of the Board of County Commissioners that
7 the provisions of this ordinance may be modified as a result of considerations that may arise
8 during public hearings. Such modifications shall be incorporated into the final version of the
9 ordinance adopted by the Board and filed by the Clerk to the Board.

10 SECTION 5. Severability. It is the declared intent of the Board of County
11 Commissioners that, if any section, subsection, sentence, clause, phrase, or provision of this
12 ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity
13 or unconstitutionality shall not be so construed as to render invalid or unconstitutional the
14 remaining provisions of this ordinance.

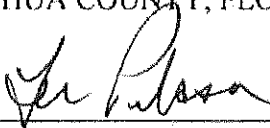
15 SECTION 6. Repealing Clause. All Alachua County ordinances and resolutions, or
16 portions thereof, in conflict with this ordinance are, to the extent of such conflict, repealed.

17 SECTION 7. Effective Date. A certified copy of this ordinance shall be filed with the
18 Department of State by the Clerk of the Board of County Commissioners within ten (10) days
19 after enactment by the Board of County Commissioners. This ordinance shall become effective
20 only if approved by a "yes" vote of the majority of those voting on the question posed in a
21 November 6, 2018, referendum. If the majority of those voting do not vote "yes" to the question

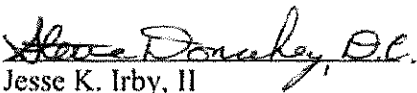
1 posed, the District shall not be created and this ordinance shall be of no force and effect. The
2 effective date of the creation of the special district, if approved by referendum, shall be
3 December 1, 2018.

4
5
6 DULY ADOPTED in regular session, this 27th day of February, 2018 A.D.

7
8 BOARD OF COUNTY COMMISSIONERS OF
9 ALACHUA COUNTY, FLORIDA

10
11
12 By: 
13 Lee Pinkoson, Chair
14

15 ATTEST:

16
17 
18 Jesse K. Irby, II
19 Clerk of Court
20 (SEAL)
21

APPROVED AS TO FORM


Alachua County Attorney

Children's Trust of Alachua County

Enabling Legislation

F.S. 125.901 – Statutory Authority

- Allows counties to establish Children Services Districts.
- Districts are independent in nature
- Purpose is to provide funding for services through the county.
- Created by referendum and must be county wide.
- Have ability to set millage rate subject to normal county process.
- Option adopted in Alachua is a 10 member board.
- Representatives of School Board, DCF, Courts and BoCC make up half.
- BoCC nominates 3 for each of remaining 5 positions and sends to Governor.

Ordinance 18-08

- Approved by voters in November 2018.
- Effective December 1, 2018.
- Sets out specific purposes of District regarding funding, expenditures and goals. This is subject to changes in state law.
- Provides for the levy of millage of up to .5 mills.
- Must report budget to BoCC by July 1.
- Authorizes employment of staff including executive director.
- Provides authority to enter into interlocals.
- Is a Sunshine Body and Subject to Public Records laws.

Item # 7

Bylaws Review and Discussion

Background

Ordinance 18-08 provides a legal framework for the Trust. Bylaws are policy and procedure that direct the operations of the Trust. Key topics include the number and election of officers, voting, attendance, etc. Following a review of Bylaws established by other Children's Services Councils, staff developed a first draft of some Bylaws for review and possible adoption by the Trust board. Bylaws may be amended by the Trust board at any time.

Attachments

1. Draft Bylaws dated 03/06/2019 as prepared by the Alachua County Attorney's Office
2. Power Point Presentation

Staff Recommendation

Adopt the proposed Bylaws with or without further modification.

**The Children's Trust of Alachua County, an
Independent District of Alachua County**

BY-LAWS

CHILDREN'S TRUST OF ALACHUA COUNTY

PREAMBLE

The Children's Trust of Alachua County has been established pursuant to Florida Statute 125.901 (2018) and Alachua County Ordinance 18-08 as approved by the Electorate and its purpose is set forth by statute and ordinance.

ARTICLE I. - MEMBERSHIP AND TERM OF OFFICE

The Children's Trust of Alachua County shall consist of ten (10) members including the Alachua County Superintendent of Schools, a local Alachua 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 Alachua County or designee who is a member of the Senior Management Service or of the Selected Exempt Service, a member of the Alachua 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 at their November meeting. 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.

Forty-eight (48) hours' notice of a special meeting shall be given to each member of the Trust; the notice is to 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.

Twenty-four (24) hours' notice of an emergency meeting shall be given to each member of the Trust; 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 18-85 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:

1. Preside at all meetings of the Trust.
2. May be an ex-officio member of all committees of the Trust.
3. Serve as a member of the Executive Committee.
4. Appoint, with Trust approval, all ad hoc committees.
5. Perform all of the duties usually pertaining to the office of Chair.
6. 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:

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

C. The Treasurer shall:

1. Preside over the Trust Budget Planning Committee.
2. Serve as a member of the Executive Committee.
3. 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, 2020 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 Alachua County.
2. Ensure that a comprehensive plan for the needs of youth in Alachua County is developed and implemented and that the purposes of Sec 125.901, F.S. and Alachua County Ordinance 18-08 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 Alachua 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."

ARTICLE IX. - 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 By-Laws shall be governed by the latest edition of "The Standard Code of Parliamentary Procedure" by Sturgis.

ARTICLE X. - BOARD ATTENDANCE

If a member has three (3) consecutive absences without cause from regular board meetings during a fiscal year or a total of five (5) absences without cause from regular board meetings during a fiscal year, the Chair shall request the appropriate appointing authority to remove that member and make a new appointment to the Trust.

ARTICLE XI. - AMENDMENTS

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

APPROVED AND ADOPTED by the Children's Trust of Alachua County on

Overview of By-Laws

Children's Trust of Alachua County

CTAC Membership and Meetings

- **Membership and term of Office**
 - 10 members - 5 designated, 5 appointed
 - After initial term, serve for 4 years
- **Regular Meetings**
 - Notice - written or electronic - at least 5 days prior
- **Special and Emergency Meetings**
 - May be called by the chair, vice chair, treasurer or majority of Trust
 - Notice: at least 48 hours prior, 24 hours for emergency
- **Minutes are required**
 - Accurately taken, preserved and provided to the Trust
- **Board Attendance**
 - Chair may request replacement from appointing authority
 - 3 consecutive absences without cause during a fiscal year, or
 - 5 total absences without cause during a fiscal year

Voting

- Each member, one vote
 - (No designees, except DCF rep)
- Quorum = majority of members serving
- Amendment of bylaws requires 2/3 vote of all members
- Hiring of Executive Director requires affirmative vote of majority of members
- Approval of budget and setting of millage as established by law
- Judge cannot vote on setting of ad valorem taxes

Officers

- **Officers: Chair, Vice Chair, Treasurer**
 - One-year terms, one additional consecutive term
 - Members of Executive Committee
- **Chair**
 - Preside at all meetings of the Trust
 - Ex-officio to all committees
 - Appoints ad hoc committees
 - Primary check signer, subject to countersignature
- **Vice-Chair**
 - Preside at all meetings in the absence of Chair
- **Treasurer**
 - Preside over Budget Planning Committee
 - Preside at all meetings in the absence of Chair and Vice-Chair

Other Items

- Executive Director
 - May be employed by written contract
 - Present annual budget to Trust by May meeting
 - Trust to present certified budget including millage to BoCC by July 1
 - Employ and develop staff as needed for operation
 - Develop policies and procedures for operation
 - Maintain all records of CTAC
- Conflict of Interest
 - Members should avoid any contracts or agreements that might be considered a conflict
 - Must disclose interest and file disclosure statement
 - Comply with Florida Statutes

Item # 8

Interim Chair and Vice Chair Election

Background

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

Attachments

None

Staff Recommendation

Elect an Interim Chair and Vice-Chair; Authorize Chair to sign various documents as required by the DEO, Property Appraisers 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

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

Staff Recommendation

Designate the Alachua County Attorney as the Registered Agent and Registered Office and direct staff to notify the DEO according to its procedures.

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

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:

1. The Special District Accountability Program.
2. 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.

How to Change a Registered Agent and/or Registered Office

A special district may change its registered office and/or registered agent anytime by filing such changes with the county or municipality in which the special district is located and by sending an email to the Florida Department of Economic Opportunity, Special District Accountability Program (see [Additional Information - Florida Department of Economic Opportunity, Special District Accountability Program Contact](#)). This notification must occur immediately upon making the change.

Source: <http://www.floridajobs.org/community-planning-and-development/special-districts/special-district-accountability-program/florida-special-district-handbook-online/creating-special-districts#changera>

Item # 10

Acceptance of County BoCC and County Attorney Staff Support Liaison Role

Background

The Alachua County Board of County Commissioners (BoCC) has offered the Trust staff support from its Department of Community Support Services and County Attorney's Office. This support would include but not be limited to keeping official Trust records, recording minutes of its meeting, preparing agendas and meeting packets for Chair review, and other various administrative duties as requested by the Trust. The County Attorney's Office will provide general legal counsel to the Trust as required. The Trust can consider obtaining administrative assistance from other entities and may change its designation as desired.

Attachments

None

Staff Recommendation

Staff recommend that the Trust board discuss which entity will administer Trust functions and make a motion to accept the BoCC offer and assign administrative duties to the Community Support Services and County Attorney's Office designees with signature authority consistent with the role of executive director.

Item # 11

First Year To Do List, Next Meeting Date, and Regular Meeting Schedule

Background

As a newly created legal entity, the Trust Board will need to take several actions in order to be in compliance with Alachua County Ordinance 18-08 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, 2019.

Members are encouraged to adopt a regular meeting schedule for planning purposes, i.e., 1st and 3rd Monday of the month, 2nd Wednesday of the month, etc. 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

1. Listing of Key Tasks and Considerations

Staff Recommendation

Based on initial scheduling, members should consider meeting on Mondays or Wednesday first. Staff recommend the Trust meet twice each month for at least two hours each meeting. The Trust should also schedule at least two (2) meetings of a four (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.

Children's Trust of Alachua County
Key Tasks and Considerations

Administrative/Organizational/Regulatory

- Elect Officers
- Adopt By-laws
- Declare a Registered Agent
- Register with Property Appraiser, Tax Collector, Department of Revenue
- Authorized Signatures (Checks, Contracts, DEO, Official Forms, etc.)

Policy Decisions

- Which entity will administer Trust functions, i.e., human resources, legal, accounting, procurement, etc.
- Will the Trust join the Florida Childrens Council
- What are the priority needs of children with respect to Trust programs
- How will the Trust address those needs, i.e., programs by need or priority, specify type of program, innovative approach
- Will the Trust assume existing contracts for Newborn, TPD, and SED
- What level of financial resources does the Trust require, i.e., operations, contracting, reserves
- Establish millage rate to meet need, and then some.

Required Reports

- Report to BoCC per Ordinance 18-08 identifying plan to meet needs, fund, etc.
- 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

Item # 12

Next Meeting Agenda

- Ethics Training
- Assignment of existing children's services contracts
- How to identify needs of children and programming opportunities
- Administrative functions and staffing
- Discussion on millage rates
- Budget development workshop