

ORDINANCE NO. 86- 32

1  
2 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF  
3 PALM BEACH COUNTY, FLORIDA, PROVIDING FOR THE CREATION  
4 OF A COUNTYWIDE INDEPENDENT SPECIAL DISTRICT TO PROVIDE  
5 JUVENILE WELFARE SERVICES THROUGHOUT PALM BEACH COUNTY;  
6 PROVIDING FOR A GOVERNING BOARD TO BE KNOWN AS THE  
7 CHILDREN'S SERVICES COUNCIL OF PALM BEACH COUNTY:  
8 PROVIDING FOR THE MEMBERSHIP AND DUTIES OF THE COUNCIL;  
9 PROVIDING FINANCIAL REQUIREMENTS AND BUDGET PROCEDURES;  
10 PROVIDING FOR AUTHORIZATION OF THE LEVY OF AD VALOREM  
11 TAXES NOT TO EXCEED ONE-HALF MILL SUBJECT TO A REFERENDUM;  
12 AND PROVIDING AN EFFECTIVE DATE.

13 WHEREAS, Chapter 86-196 Laws of Florida, (tentatively assigned  
14 as Florida Statute 125.091 (1)-(5)) authorizes each County of the State  
15 to create an independent special district to provide juvenile welfare  
16 services throughout the County in accordance with said act; and

17 WHEREAS, the Board of County Commissioners has determined that  
18 it would serve the public interest to establish said independent special  
19 district.

20 NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
21 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that:

22 Section 1 - Title

23 This ordinance may be cited as the "Children's Service  
24 Ordinance."

25 Section 2 - Creation of an Independent Special District

26 There is hereby created, effective November 1, 1986, an  
27 Independent Special District to provide juvenile welfare services  
28 throughout Palm Beach County. The governing body of the District shall  
29 be a board of juvenile welfare to be known as the Children's Services  
30 Council of Palm Beach County.

31 Section 3 - Membership

32 The Children's Services Council of Palm Beach County shall  
33 consist of nine (9) members, including the Superintendent of Schools, a

1 Local School Board Member (as selected by the School Board), the District  
2 Administrator from District IX from the Florida Department of Health and  
3 Rehabilitative Services, and a member of the Board of County  
4 Commissioners (as selected by the Board of County Commissioners). The  
5 other five members of the Board shall be appointed by the Governor and  
6 shall serve for terms of four years each. If any of the members of the  
7 Council required to be appointed by the Governor under the provisions of  
8 this Ordinance shall resign, die, or be removed from office, the vacancy  
9 thereby created shall as soon as practicable, be filled by appointment by  
10 the Governor, and such appointment to fill a vacancy shall be for the  
11 unexpired term of the person who resigns, dies, or is removed from  
12 office.

13 Section 4 - Powers and Duties

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

16 (a) To provide and maintain in the County such child guidance,  
17 psychological, or psychiatric clinics for juveniles as the Council  
18 determines are needed for the general welfare of the County.

19 (b) To provide for the care of dependent juveniles and to  
20 provide such other services for all juveniles as the Council determines  
21 are needed for the general welfare of the County.

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

25 (d) To collect information and statistical data which will be  
26 helpful to the Council in deciding the needs of juveniles in the County.

27 (e) To consult with other agencies dedicated to the welfare of  
28 juveniles to the end that the overlapping of services will be prevented.

29 (f) To lease or buy such real estate, equipment, and personal  
30 property and to construct such buildings as are needed to execute the  
31 foregoing powers and duties, provided that no such purchases shall be  
32 made or building done except for cash with funds on hand.

33 (g) To employ and pay, on a part-time or full-time basis,  
34 personnel needed to execute the foregoing powers and duties.

1           (2) Books of account shall be kept by the Council or its  
2 clerical assistants, and the fiscal affairs of the board shall be  
3 exclusively audited by state auditors as are assigned from time to time  
4 to audit the affairs of the County officials.

5           Section 5 - Fiscal Year

6           (1) The fiscal year of the district shall be the same as that  
7 of the County.

8           (2) On or before July 1 of each year, the Children Services  
9 Council of Palm Beach County shall prepare and adopt an annual written  
10 budget of its expected income and expenditures, including a contingency  
11 fund. The written budget shall be certified and delivered to the Board  
12 of County Commissioners on or before July 1 of each year. Included in  
13 each certified budget shall be an estimate of the millage rate necessary  
14 to be applied to raise the funds budgeted for expenditures, which millage  
15 rate shall not exceed a maximum of 50 cents for each \$1,000 of assessed  
16 valuation of all properties within the County which are subject to County  
17 taxes.

18           (3) The budget of the Children Services Council so certified  
19 and delivered to the Board of County Commissioners shall not be subject  
20 to change or modification by the Board of County Commissioners or any  
21 other authority.

22           Section 6 - Levying of Ad Valorem Taxes

23           In order to provide funds for the Children's Services Council  
24 of Palm Beach County, the Council may levy ad valorem taxes annually on  
25 all taxable property in the County in an amount not to exceed one-half  
26 mill, provided that the authority to levy such taxes has been approved by  
27 a majority vote of the electors of the District voting in the Countywide  
28 Election to be held in accordance with the requirements of the  
29 Constitution and the laws of Florida and as set forth in this ordinance.  
30 The tax shall be assessed, levied, and collected in the same manner and  
31 at the same time as is provided by law for the levy, collection, and  
32 enforcement of collection of County taxes. All tax money collected under  
33 this ordinance, as soon after the collection thereof, as is reasonably  
34 practicable, shall be paid directly to the Children's Services Council by  
35 the Tax Collector of the County, or the Clerk of the Circuit Court, if he

1 collects delinquent taxes. The moneys so received by the Children  
2 Services Council, shall be deposited in a special bank account, shall be  
3 withdrawn only by checks signed by the chair of the Council and  
4 countersigned by one other member of the Council, who shall be so  
5 authorized by the Council. The Chair and other member of the Council who  
6 signs its checks shall each give a surety bond in the amount of one  
7 thousand dollars (\$1,000.00) which bond shall be conditioned that each  
8 shall faithfully discharge the duties of their office. No other member  
9 of the Council shall be required to give bond or other security. No  
10 funds of the Council shall be expended except by check as aforesaid,  
11 except expenditures of petty cash account which shall not at any time  
12 exceed twenty five dollars (\$25.00). All expenditures from petty cash  
13 shall be recorded on the books and records of the Children's Services  
14 Council. No funds of the Council, except the expenditure of petty cash,  
15 shall be expended without prior approval of the Council, in addition to  
16 the budgeting thereof.

17 Section 7 - Financial Report

18 Within ten (10) days after the expiration of each quarter  
19 annual period, the Children's Services Council shall cause to be prepared  
20 and filed with the Board of County Commissioners a financial report which  
21 shall include the following:

22 (a) The total expenditures of the Council for the quarter  
23 annual period.

24 (b) The total receipts of the Council for the quarter annual  
25 period.

26 (c) A statement of the funds the Council has on hand or in  
27 banks at the end of the quarter annual period.

28 Section 8 - Referendum

29 There is hereby authorized the calling of a special referendum  
30 election to carry out the purposes and intent of this ordinance, and of  
31 Chapter 86-196, Laws of Florida and to do all things necessary to  
32 implement and fund the Children's Services Council and the independent

1 district created hereby in accordance with the terms of this ordinance  
2 and the laws pertaining to elections. The Board of County Commissioners  
3 shall, by Resolution, establish the date of said election as well as  
4 establishing the language of the ballot question.

5 Section 9 - Effective Date

6 This ordinance shall become law on November 1, 1986.

7 APPROVED AND ADOPTED by the Board of County Commissioners of  
8 Palm Beach County, Florida, on the 23 day of September, 1986.

9 PALM BEACH COUNTY, FLORIDA, BY ITS  
10 BOARD OF COUNTY COMMISSIONERS

11  
12  
13 APPROVED AS TO FORM AND  
14 LEGAL SUFFICIENCY

By Karen Marcus  
Chair

15 Alan J. Torcivia  
16 County Attorney

17 Acknowledgement by the Department of State of the State of  
18 Florida, on this, the 1st day of October, 1986.

19 Acknowledgement from the Department of State received on  
20 the 6th day of October, 1986, at 11:53 A.M., and filed in the Office  
21 of the Clerk of the Board of County Commissioners of Palm Beach County,  
22 Florida.

STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, JOHN B. DUNKLE, ex-officio Clerk of the  
Board of County Commissioners certify this to  
be a true and correct copy of the original filed in  
my office on September 23, 1986  
DATED at West Palm Beach, FL on 10/10/86  
JOHN B. DUNKLE, Clerk  
By: John Dunkle D.C.  
Deputy Clerk