



Office of
**INDIAN RIVER COUNTY
ATTORNEY**

Dylan Reingold, County Attorney
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MEMORANDUM

TO: Board of County Commissioners
FROM: Dylan Reingold, County Attorney
DATE: February 23, 2022
SUBJECT: Children's Services Dedicated Millage

BACKGROUND.

On February 25, 2020, the Indian River County Board of County Commissioners ("Board") conducted a workshop and provided guidance to the County Attorney on various issues pertaining to the dedicated millage for the Children's Trust. The guidance addressed the proposed millage rate, sunset date, millage phase-in, Children's Trust Advisory Board membership, executive director position and staffing, and the use of dedicated millage funds.

After the workshop, the County Attorney's Office began drafting the proposed ordinance, which called for the referendum and established a new chapter of the Indian River County Code of Ordinances pertaining to the dedicated millage and the other issues noted above. On May 5, 2020, in response to the COVID-19 pandemic, and at the request of County staff and representatives supporting the referendum, the Board voted to defer placing the matter on the November 2020 ballot. At the time, the County Attorney's Office noted that it would bring the matter and a draft ordinance back to the Board in 2021 for consideration of placing the matter on the November 2022 ballot.

On May 11, 2021, the Board provided guidance on the proposed Children's Trust ordinance and authorized County staff to work with the representatives supporting the referendum in obtaining the approval from the municipalities and drafting any resolutions to effectuate such approval. The Board also authorized setting a public hearing on the ordinance after obtaining the approvals from the municipalities.

Attached is a copy of the draft ordinance with the Board changes as directed at the May 11, 2021 meeting. The proposed ordinance changed the make-up of the 15 member Children's Trust Advisory Board to include an Accountant, a Certified Financial Officer, a Certified Financial Planner, or a person with proven financial experience and replace the Taxpayers' Association of Indian River County representative with an additional Member-at-Large. The proposed ordinance now includes a two-step phase-in, with an ad valorem tax of 0.2500 of a mill for the initial four years, and 0.3750 of a mill for the remaining eight years.

Since May 11, 2021, the City of Sebastian, City of Vero Beach and the City of Fellsmere voted to be part of the Children's Trust special dependent district. The Town of Indian River Shores and the Town of Orchid both voted not to participate in the special dependent district.

Following the meetings of the five municipalities, County staff met with the representatives advocating for the Children's Trust special dependent district. The Children's Trust representatives informed staff that their plan was to withdraw the request to place a referendum on the ballot in November to establish a new dependent special district with its own millage. Their preference is to move forward with a change to aspects of Part II (Children's Services Advisory Committee) of Chapter 103 (Commissioners and Boards) of the Indian River County Code of Ordinances (the "Code") to address many of the issues raised in the proposed Children's Trust special dependent district ordinance. Staff supports this position as well. Much of this portion of the Code has not been updated since 1999, with the committee membership, section 103.22, and the functions of the executive office director, section 103.30, last updated in 2011.

FUNDING.

There is no funding impact at this time.

RECOMMENDATION.

The County Attorney's Office recommends the Indian River County Board of County Commissioners direct staff to draft an ordinance amending Part II (Children's Services Advisory Committee) of Chapter 103 (Commissioners and Boards) of the Indian River County Code of Ordinances (the "Code") and bringing such draft ordinance back to the Board for review prior to scheduling a public hearing.

ATTACHMENT.

Draft Ordinance