A bill to be entitled
An act relating to Broward County; providing a short
title; creating an independent special district to
provide and fund senior services throughout Broward
County; providing for a governing body to be known as
the Senior Services Council of Broward County;
providing for such council's membership, powers and
duties, and budget procedures; authorizing the levy of
ad valorem taxes not to exceed one-half mill;
providing for additional district powers, duties,
responsibilities, and obligations; providing for
dissolution of the district; providing for a
referendum and ballot question; providing effective
dates.

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

Section 1. Short title.—This act may be cited as the
"Edith Schaffer Lederberg Senior Services Act."

Section 2. Special district.—Effective January 2, 2021,
subject to approval as provided in section 9, there is created
an independent special district ("district") to fund and provide
services to seniors throughout Broward County ("county"). The
boundaries of such district shall be coterminous with the
boundaries of the county. The governing body of the district

CODING: Words **stricken** are deletions; words **underlined** are additions.
shall be a board of directors to be known as the Senior Services
Council of Broward County ("council"). For purposes of this act,
the term "senior" means a person who is at least 60 years of
age.

Section 3. Membership.—The council shall consist of 11
members, including:

(1) Five permanent members representing:
   (a) The executive director of the area agency on aging or
       a designee who is a director of senior programs in the county.
   (b) The director of Broward County Human Services
       Department or a designee who is a director of services for
       seniors.
   (c) The director of the Southeastern Region of the
       Department of Children and Families or a designee who is a
       senior administrator or director responsible for adult
       protective services within Broward County.
   (d) The director or administrator of the Florida
       Department of Health in Broward County or his or her designee.
   (e) A county commissioner appointed by a majority of the
       board of county commissioners.

(2) Two members appointed by a majority of the board of
    county commissioners, one of whom shall be a designee of a
    university that administers health services to seniors, and one
    whom shall be the county representative of the Broward League of
    Cities.
(3) One consumer member appointed by the board of county commissioners who is a senior at the time of appointment.

(4) Three members appointed by the Governor, one of whom is a member of the business community, one of whom is president or chief executive officer of a local nonprofit entity providing senior services within Broward County, and one of whom is a consumer member who is a senior at the time of appointment.

(5)(a) Members appointed under subsections (3) and (4) shall be residents of the county during the 24 months before appointment. Such appointees must, to the greatest extent possible, represent the cultural diversity of the county's population.

(b) Except as provided in paragraph (c), the members appointed under subsections (2), (3), and (4) shall be appointed to 4-year terms and may be reappointed for one additional term of office. The Governor may remove his or her appointees for cause or upon written petition of the council.

(c) If any council member appointed by the board of county commissioners or the Governor resigns, dies, or is removed from office, a new member shall be appointed to fill the remainder of the unexpired term. The board of county commissioners or the Governor, as applicable, shall, to the greatest extent possible, fill a vacancy within 45 days after its occurrence.

(6) Members of the council shall serve without compensation but may be reimbursed for per diem and travel
expenses as provided in s. 112.061, Florida Statutes.

Section 4. Council powers and duties.—

(1) The council is authorized to:

(a) Provide and maintain in the county preventive, developmental, treatment, rehabilitative, and other services which the council determines are necessary for the general welfare of seniors.

(b) Allocate and provide funds to other agencies in the county that operate for the benefit of seniors.

(c) Collect information and statistical data and conduct research and assessments that will be helpful to the council and the county in deciding the needs of seniors.

(d) Consult and coordinate with other agencies providing services dedicated to the welfare of seniors in order to prevent the unnecessary duplication of senior services.

(e) Seek grants for state, federal, and local agencies, and accept donations from all sources.

(f) Lease or buy real estate, equipment, and personal property, and construct buildings as necessary to carry out the powers, functions, and duties of the district, except that such purchases may not be made or buildings constructed unless paid for with cash on hand or secured by funds deposited in financial institutions. This paragraph does not authorize a district to issue bonds of any nature, and the district does not have the authority to require the imposition of any bond by the board of
county commissioners.

(g) Employ, pay, and provide benefits for any part-time or full-time personnel needed to carry out the powers, functions, and duties of the district.

(2) The council shall:

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

(b) Immediately after the officers are elected, identify and assess the needs of seniors within the county and submit a written report to the board of county commissioners which describes:

1. The activities, services, and opportunities that will be provided to seniors.

2. The way seniors will be served, including a description of arrangements and agreements that will be made with community organizations, state and local educational agencies, federal agencies, public assistance agencies, the court system, guardianship groups, and other applicable public and private agencies and organizations.

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

4. The special outreach efforts that will be undertaken to provide services to seniors who are at risk, abused, neglected, or ailing.
5. How the council will seek and obtain funding for unmet needs.

6. The strategy for interagency coordination to maximize existing human and fiscal resources.

(c) Provide training and orientation to all new members to allow them to perform their duties. All council members, officers, and employees of the district must complete at least 4 hours of ethics training each calendar year in accordance with s. 112.3142(2)(b), Florida Statutes, except that any council member who is an elected official subject to s. 112.3142, Florida Statutes, is exempt from the ethics training requirement of this paragraph.

(d) Make and adopt bylaws and rules for the council's guidance, operation, governance, and maintenance, if such rules are consistent with federal or state laws or county ordinances.

(e) Provide an annual written report, to be presented no later than January 1, to the board of county commissioners. At a minimum, the annual report must include:

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

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

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

4. A description of the degree to which the council's objectives and activities are meeting the goals of this act.

5. Detailed information on the various programs, services, and activities available to seniors, and how the programs, services, and activities have been successfully used by seniors.

6. 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 responsibilities of the council.

(3) 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.

Section 5. District budget.—

(1) The fiscal year of the district shall be the same as the fiscal year of the county.

(2) On or before July 1 of each year, the council shall, in accordance with s. 189.016, Florida Statutes, prepare a tentative annual written budget of the district's expected income and expenditures, including a contingency fund. In addition, the council shall compute a proposed millage rate of up to 0.5 mills necessary to fund the tentative budget. The council shall comply with s. 200.065, Florida Statutes, and fix
the final millage rate by resolution of the council.

(3) The adopted budget and final millage rate must be certified and delivered to the board of county commissioners by July 1 of each year or as reasonably possible following the council's adoption of the final budget and millage rate. The certified budget shall include the millage rate, adopted by resolution of the council, necessary to be applied to raise the funds budgeted for district operations and expenditures, which may not exceed 0.5 mills of assessed valuation of all properties within the county which are subject to ad valorem county taxes.

(4) After the budget of the district is certified and delivered to the board of county commissioners, the budget may not be changed or modified by the board of county commissioners or any other authority.

Section 6. Levying of ad valorem taxes.—

(1) In order to provide funds for the council, the council may levy ad valorem taxes annually on all taxable property in the county in an amount not to exceed 0.5 mills, provided the authority to levy such taxes has been approved by a majority vote of the electors of the district voting in a countywide general election held in accordance with the requirements of the State Constitution, general law, and this act. The tax shall be assessed, levied, and collected in the same manner and at the same time as is provided by general law for the levy, collection, and enforcement of the collection of county taxes.
(2) All taxes collected under this act, as soon after collection as is reasonably practicable, shall be paid directly to the district by the tax collector of the county.

(3)(a) All moneys received by the district shall be deposited in qualified public depositories, as defined in s. 280.02, Florida Statutes, with separate and distinguishable accounts established specifically for the council and may be withdrawn only by checks signed by the chair of the council and countersigned by one other member of the council or the council's chief executive officer, as authorized by the council.

(b)1. Upon entering the duties of office, the chair and the other member of the council or the council's chief executive officer who signs council checks shall each give a surety bond in the sum of at least $1,000 for each $1 million or portion of such amount of the council's annual budget, which bond shall be conditioned upon the faithful discharge of the duties of his or her office. The premium on such bond may be paid by the district as part of the expense of the council. Other members of the council may not be required to give bond or other security.

2. Funds of the district may only be expended by check, except expenditures of up to $100, which may be made from a petty cash account. All expenditures from petty cash must be recorded on the books and records of the district. District funds, except expenditures from petty cash, may not be expended without prior approval of the council, in addition to the
budgeting of such funds.

(c) Within 10 business days after the expiration of each annual quarter, the council shall prepare and file with the board of county commissioners a financial report that includes:

1. The council's total expenditures for the quarter.
2. The council's total receipts during the quarter.
3. A statement of the funds the council has on hand, has invested, or has deposited at the end of the quarter.
4. The council's total administrative costs for the quarter.

Section 7. Additional district powers, duties, responsibilities, and obligations; limitations.—

(1) Except as expressly provided by this act, the council shall have all the powers, duties, responsibilities, and obligations as provided by general law for special districts.

(2) The council shall comply with all other statutory requirements of general application which relate to the filing of any financial reports or compliance reports required under part III of chapter 218, Florida Statutes, or any other report or documentation required by law, including the requirements of ss. 189.015, 189.016, and 189.08, Florida Statutes.

(3) The council may not require any service provider to provide additional matching funds as a condition of providing district services, programs, or activities for seniors.

(4)(a) It is the intent of the Legislature that funds
collected pursuant to this act be used to support improvements
in services, programs, or activities for seniors and that such
funds not be used as a substitute for existing resources or for
resources that would otherwise be available for senior services.

(b) After or during the first year of operation of the
council, the board of county commissioners may fund in whole or
in part the budget of the council from its own funds.

(5) The council may enter into a cooperative agreement
with one or more special districts to share administrative
costs, including staff and office space, if a more efficient or
effective operation will result. The cooperative agreement must
include provisions on apportioning costs between the council and
districts, keeping separate and distinct financial records for
each, and resolving any conflicts that might arise under the
cooperative agreement.

(6) The council may enter into a cooperative agreement
with the county or other councils to seek grants, accept
donations, or jointly fund programs serving multicounty areas.
The cooperative agreement must include provisions for the
adequate accounting of separate and joint funds.

(7) This act does not prohibit the county from exercising
any of the powers authorized by the State Constitution, general
or special laws, or the Broward County Charter to fund or
provide services for seniors.

Section 8. Dissolution of the district; retention.—
(1) The district created under this act may be dissolved by a special act of the Legislature or by ordinance of the board of county commissioners subject to the approval of the electorate. If the district is dissolved under this section, the county shall first obligate itself to assume the debts, liabilities, contracts, and outstanding obligations of the district within the total millage available to the board of county commissioners for all county and municipal purposes as provided for under s. 9, Article VII of the State Constitution. Any district may also be dissolved pursuant to part VII of chapter 189, Florida Statutes.

(2)(a) Subsequent to the initial referendum to create the district, the board of county commissioners must place a question to reauthorize the district before the county's electors at a general election occurring at least every 12 years after the district's creation or prior reauthorization. The council may recommend to the board of county commissioners language for the question submitted to the electorate.

(b) This subsection does not prohibit the council from requesting that the board of county commissioners submit the question of the district's retention or dissolution to the electorate at an earlier date. In addition, this subsection does not limit the authority to dissolve the district as provided in subsection (1).

(3) This section does not prohibit or limit the authority
of the board of county commissioners to provide or fund services for seniors.

Section 9. Referendum.—A referendum election is called to carry out the purposes and intent of this act and to do all things necessary to implement and fund the council and the district created under this act and in accordance with general laws pertaining to elections and the provisions of law pertaining to elections currently enforced in Broward County. However, the procedures prescribed in ss. 101.6101-101.6107, Florida Statutes, may not be used in this election. The item that shall appear on the ballot November 3, 2020, the date of the 2020 general election, shall be as follows:

(Title) Creation of Senior Services Council of Broward County and authorization of taxation.

(Issue) An independent special district known as the "Senior Services District of Broward County" is created to provide and fund the improvement of services for seniors in Broward County by levying each year an ad valorem tax not to exceed one-half (1/2) mill for services for seniors.

YES for Approval
NO for Rejection

Section 10. This act, except for this section which shall take effect upon becoming a law, shall take effect only if it is approved by a majority vote of those qualified electors of Broward County who vote on the question.
Broward County voting in a referendum as provided by the board of county commissioners on November 3, 2020, the date of the 2020 general election.