A bill to be entitled
An act relating to Broward County; providing for the
creation of a countywide independent special district
to provide and fund senior services throughout Broward
County; providing for a governing board to be known as
the Senior Services Council of Broward County;
providing for membership; proving for the council’s
powers and duties; providing for 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 and retention of the
district; providing for a referendum and ballot
question; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:
Section 1. Title.—This act may be cited as the “Edith
Schaffer Lederberg Senior Services Act.”
Section 2. Special District.—Effective January 2, 2021,
there is created an independent special district to fund and
provide services to seniors throughout Broward County. The
boundaries of the district shall be coterminous with the
boundaries of Broward County. The governing body of the
District shall be a board of directors to be known as the Senior
Services Council of Broward County. For purposes of this act,
the term “senior” means a person who is at least 60 years of age.

Section 3. Membership.-The district council shall consists 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 the elderly.
   (c) The Director for the Southeastern Region of the Department of Children and Families, or a designee who is the 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 at least 60 years of age or older at the time of appointment.
(4) Three members appointed by the Governor, of which one member is from the business community, one member who is President or Chief Executive Officer of a local non-profit entity providing senior services within Broward County, and one consumer member who is at least 60 years of age or older at the time of appointment.

(5) (a) Members appointed from the categories in subsections (3) and (4) must have been residents of Broward County during the previous 24 months. 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 appointees from categories in 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 county governing body.

(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 consistent with s. 112.061, F.S.

Section (4). Council Powers and Duties.
(1) The Senior Services Council of Broward County shall have the following powers and duties:

(a) Provide and maintain in the county the preventive, developmental, treatment, rehabilitative, and other services which the council determines are needed 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 in the county.

(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 needed 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 power 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 powers, functions, and duties of the district.

(2) The Senior Services Council of Broward County shall:

(a) 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.

(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. The way 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 enough 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 which addresses the subjects in s. 112.3142(2)(b), except that any council member who is an elected official subject to s. 112.3142 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 not inconsistent 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. Senior Services District Budget.  

(1) The fiscal year of the Senior Services District shall be the same as the fiscal year of the county.  

(2) On or before July 1 of each year, the council shall, pursuant to s. 189.016, F.S., 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, F.S., 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.  

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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 Senior Services Council of Broward County, the council may levy ad valorem taxes annually on all taxable property in Broward 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 constitution, the laws of Florida, and as set forth in this act. 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 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 Senior Services District by the tax collector of the county.

(3) (a) All moneys received by the Senior Services District shall be deposited in qualified public depositories, as defined...
in s. 280.02, 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 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 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 not be expended except 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.—Except as
specifically provided by this act, the Senior Services Council
of Broward County shall have all the power, duties,
responsibilities, and obligations as provided by law for special
districts.

(1) The Senior Services 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, or any other report or
documentation required by law, including the requirements of ss.
189.015, 189.016, and 189.08.

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

(3)(a) It is the intent of the Legislature that funds
collected pursuant to this act be used to support improvements
in services 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, at its option, may
The Senior Services Council may enter into a cooperative agreement with one or more special districts to share administrative costs, including, but not limited to, staff and office space, if a more efficient or effective operation will result. The cooperative agreement must include provisions on apportioning costs between the councils, keeping separate and distinct financial records for each council, and resolving any conflicts that might arise under the cooperative agreement.

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.

This act does not prohibit Broward County from exercising any the power authorized by the constitution, general or special laws, or the Broward County Charter to fund or provide services for seniors.

Section 8. Dissolution of Senior Services District; retention.—(1) The Senior Services District created pursuant to 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, Broward 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.

(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 not less than 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).

(c) 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 Senior Services
Council and the independent district created pursuant to the
terms of this act and the laws pertaining to elections. The item
that shall appear on the ballot November 3, 2020, the date of
the general election of 2020, will be as follows:

CODING: Words stricken are deletions; words underlined are
additions.
(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 (½) 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 voting in a referendum as provided by the Board of County Commissioners on November 3, 2020, the date of the general election of 2020, in accordance with the provisions of law pertaining to elections currently enforced in Broward County. In this election, procedures prescribed s. 101.6101-6107, Florida Statutes, may not be used.