

# MEMORANDUM

Agenda Item No. 11(A)(15)

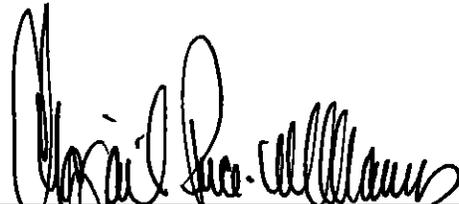
**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** November 15, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution urging the Florida  
Legislature to enact legislation  
authorizing counties to create  
independent special districts  
with the power to levy ad  
valorem taxes up to one-half  
mill, following approval  
by voter referenda, that will be  
used to supplement current  
funding for Senior Services

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro.



Abigail Price-Williams  
County Attorney

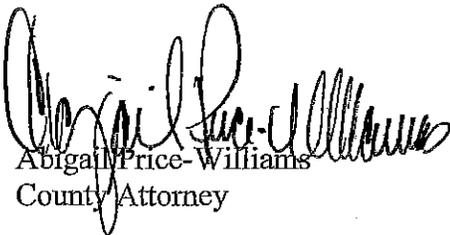
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**MEMORANDUM**  
(Revised)

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**SUBJECT:** Agenda Item No. 11(A)(15)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor

Agenda Item No. 11(A)(15)

Veto \_\_\_\_\_

11-15-16

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION AUTHORIZING COUNTIES TO CREATE INDEPENDENT SPECIAL DISTRICTS WITH THE POWER TO LEVY AD VALOREM TAXES UP TO ONE-HALF MILL, FOLLOWING APPROVAL BY VOTER REFERENDA, THAT WILL BE USED TO SUPPLEMENT CURRENT FUNDING FOR SENIOR SERVICES

**WHEREAS**, according to the Florida Department of Elder Affairs, more than 4.9 million residents are 60 years old or older; and

**WHEREAS**, with a senior population expected to increase to 7.1 million by 2030, Florida ranks first in the nation as the state with the highest percentage of elderly citizens; and

**WHEREAS**, many senior citizens residing in Florida rely on social security and social services to meet their daily needs that are offered by the federal, state, and local governments, as well as not-for-profit and other organizations; and

**WHEREAS**, seniors seeking government assistance include members of different races, ethnicities, religious denominations, and genders and some are individuals with disabilities; and

**WHEREAS**, seniors with the most need are those from historically underserved and disadvantaged groups, according to a 2013 report entitled *Assessing the Needs of Elder Floridians* by the Florida Department of Elderly Affairs; and

**WHEREAS**, for example, services for seniors funded or provided by Miami-Dade County include those that are used to (1) enable seniors to remain at home instead of being placed in a nursing home, (2) provide congregate and home delivered meals, recreation

activities, adult day care, personal care, chore services, behavioral health, homemaker services, home repairs/renovations, medical supplies, transportation and training, support, education, counseling and respite for caregivers and (3) support families of seniors (collectively, Senior Services); and

**WHEREAS**, although Miami-Dade County has budgeted at least \$17,101,000.00 for the provision of Senior Services in Fiscal Year 2016-17, some unmet needs have been identified to include the provision of home health care assistance to 85 additional elderly individuals on a wait list of 1,054 individuals and the provision of home delivered meals from a wait list of 1,671 seniors; and

**WHEREAS**, although Miami-Dade County has the largest population in Florida of individuals who are 60 years old or older, 51 Florida counties have a high percentage of elderly individuals who are 65 years or older -- exceeding the national average, according to the Department of Elderly Affairs; and

**WHEREAS**, as the number of seniors seeking government assistance has increased over the last decade and is likely to continue growing as Americans live longer, the State of Florida will be disproportionately impacted more because of the States' higher population of seniors; and

**WHEREAS**, identifying the needs of and providing funding for Senior Services at a local level is beneficial, as local governments are well-suited to tailor services and programs to meet the needs of their distinct senior population; and

**WHEREAS**, the Florida Legislature has previously demonstrated its willingness to create a funding source for distinct identifiable groups; and

**WHEREAS**, section 125.901, Florida Statutes, authorizes counties to create independent special districts known as children's services councils to provide funding for children's services and programs that can levy a tax of no more than one-half mill; and

**WHEREAS**, similarly, section 154.331, Florida Statutes, authorizes counties to create dependent or independent special districts to provide funding for indigent and other health and mental health care services that can levy a tax of no more than one-half mill; and

**WHEREAS**, on a statewide basis, counties need to have additional mechanisms to garner funds to meet unmet needs for Senior Services, as seniors are equally deserving to live with dignity, in recognition of their contributions to the State of Florida; and

**WHEREAS**, the ability to create a Seniors Trust as an independent special district with the power to levy a tax of no more than one-half mill to supplement current funding for Senior Services would benefit seniors and local communities; and

**WHEREAS**, tax levies to fund Senior Services have proven successful in a number of counties in Illinois, Kansas, Michigan, Missouri, Montana, Ohio and North Dakota; and

**WHEREAS**, the Florida Legislature should enact legislation empowering the governing bodies of counties to create an independent special district that can be constituted as a Seniors Trust that is empowered to levy an ad valorem tax up to one-half mill as a dedicated source of funding for Senior Services; and

**WHEREAS**, such funding should not be allowed to replace current funding for Senior Services; and

**WHEREAS**, such legislation should also provide an alternative process for electors to initiate the creation of a Seniors Trust as contemplated by this resolution, upon the petition of at least 50,000 electors, subject to referendum; and

**WHEREAS**, a dedicated source of funding would allow counties to increase the number of seniors that can be served, enhance Senior Services presently offered, and provide a consistent source of funding for Senior Services; and

**WHEREAS**, this Board strongly supports the passage of legislation authorizing the creation of independent special districts that will be empowered to fund Senior Services,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board:

**Section 1.** Urges the Florida Legislature to authorize counties or petitioners to create an independent special district, subject to referenda, with the power to levy an ad valorem tax of no more than one-half mill to supplement current funding for Senior Services.

**Section 2.** Directs the Clerk of the Board to transmit a certified copy of this resolution to the members of the Miami-Dade County Congressional Delegation, the Governor, Senate President, House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

**Section 3.** Directs the County's state lobbyists to advocate for the legislative action set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2017 State Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro.

It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

- |                                     |                      |
|-------------------------------------|----------------------|
| Jean Monestime, Chairman            |                      |
| Esteban L. Bovo, Jr., Vice Chairman |                      |
| Bruno A. Barreiro                   | Daniella Levine Cava |
| Jose "Pepe" Diaz                    | Audrey M. Edmonson   |
| Sally A. Heyman                     | Barbara J. Jordan    |
| Dennis C. Moss                      | Rebeca Sosa          |
| Sen. Javier D. Souto                | Xavier L. Suarez     |
| Juan C. Zapata                      |                      |

The Chairperson thereupon declared the resolution duly passed and adopted this 15<sup>th</sup> day of November, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Cynthia Johnson-Stacks  
Shanika A. Graves