

**BYLAWS  
OF  
THE MIAMI-DADE COUNTY  
DOMESTIC VIOLENCE OVERSIGHT BOARD**

**ARTICLE I**

**PURPOSE**

The Miami-Dade County Domestic Violence Oversight Board was created to serve in an advisory and oversight capacity to the Miami-Dade County Board of County Commissioners with respect to issues affecting or relating to domestic violence. Specifically, the Miami-Dade County Domestic Violence Oversight Board was created to serve in accordance with State law, to develop and submit to the Board of County Commissioners a comprehensive plan for use of the portion of the food and beverage sales tax proceeds dedicated to the provision of domestic violence centers as prescribed in Chapter 2, Article LXVI of the Code of Miami-Dade County (the "Plan"). As part of this Plan, the Miami-Dade County Domestic Violence Oversight Board (the "Board") is further charged with pursuing maximization of available federal and state matching funds and generally monitoring and evaluating the provision of services to domestic violence victims.

**ARTICLE II**

**MEMBERS**

**SECTION 1. Number, Tenure and Qualifications.** The business and affairs of the Board shall be managed by the fifteen (15) members.

**SECTION 2. Tenure, Appointment and Removal.** All Board members shall serve terms of three (3) years each. No board member shall

be permitted to serve more than two (2) consecutive and complete terms of three (3) years each unless so authorized by two-thirds (2/3) vote of the full membership of the Board of County Commissioners. Board members may be removed in accordance with the provisions of Section 2-11.38 of the Code of Miami-Dade County.

### **ARTICLE III**

#### **MEETINGS OF THE BOARD**

**SECTION 1. Place, Call and Adjournment of Meetings.** Meetings of the Board shall be held within Miami-Dade County. The Board shall hold regular meetings which may be called by the Chairperson (hereinafter referred to as the Chair) or in the absence of the Chair, the Vice-Chairperson (hereinafter referred to as the Vice-Chair) of the Board.

In the event the quorum requirements set forth herein are not met, the Chair or a majority of the members present may adjourn the meeting, adjourn the meeting to the next day or by unanimous agreement of those members present select another place, hour or day to hold the meeting.

All meetings of the Board shall be held and noticed in accordance with the Miami-Dade County and Florida Open Government Laws including the "Sunshine Law", public meeting laws, public records laws, and the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, as applicable.

**SECTION 2. Quorum and Acts.** A majority of the whole number of appointed members of the Board shall constitute a quorum for the

transaction of business. The act of a majority of the Board members present at a meeting at which a quorum is present shall be the act of the Board.

Any member of the Board who announces a conflict of interest on a particular matter when said matter is taken up by the Board and a decision to refrain from voting or otherwise participating in the proceeding related to that matter shall leave the room in which the meeting is being held until the consideration of that matter is concluded.

A conflict of interest should be announced on a particular matter if any member of the Board is an employee of an agency, a member of a board of an agency, or a director, or counsel, consultant, stockholder, officer, debtor or creditor of such agency, which holds a demonstrated financial interest in the field of domestic violence and provides services which may be directly or indirectly affected by an action of the Board. The member shall refrain from discussion, voting or otherwise participating in matters which may financially affect their agency or organization.

**SECTION 3. Presiding Officer.** The Chair of the Board shall preside at all meetings of the full Board at which he or she is present. In the absence of the Chair, the Vice-Chair shall preside.

In the absence of the Chair or Vice-Chair, the Executive Director shall conduct the meeting, but the Executive Director shall not be considered a presiding officer and shall not vote. The Presiding Officer may vote on all questions, his or her name being called last.

**SECTION 4. Rules of Debate.** Debate shall be governed by the rules of debate applicable to the Board of County Commissioners of Miami-Dade County.

**SECTION 5. Attendance.** Any board member shall be automatically removed if, in a given fiscal year: (i) he or she is absent from two (2) consecutive meetings without an acceptable excuse; or, (ii) if he or she is absent from three (3) of the Board's meetings without an acceptable excuse. A member is also deemed absent from a meeting when he or she is not present at the meeting at least seventy-five (75) percent of the time. An "acceptable excuse" is defined as an absence for medical reasons, business reasons, personal reasons, or any other reason which the board, by a two-thirds majority vote of the membership deems appropriate. All requests for excused absences shall be given in writing (FAXED, e-mailed, or mailed) to the Executive Director of the Board or a telephone call to staff prior to the Board meeting. In the event of extenuating circumstances when prior notice cannot be given, the Chair shall determine excused absences.

**SECTION 6. Removal.** Upon three (3) absences during a fiscal year staff will calendar the absenteeism of the Board member for the next scheduled Board meeting and notify the Board member of this action by the Board. The Executive Director of the Board shall notify the Board of the reason for the absenteeism, and if any excuse was given. The Board may recommend removal of said Board member by a 2/3 vote of the members in attendance at the meeting during which the issue of absenteeism was calendared.

**SECTION 7. Clerk of the Board Notification.** The Executive Director of the Board shall send a letter to the Board member who resigned or was removed and a copy to the appointer (Commissioner or County Manager) and shall notify the Clerk of the Board of County Commissioners.

The seat shall be deemed vacant effective on the date that the Clerk receives notification.

## **ARTICLE IV**

**SECTION 1. Officers.** The Board may elect a Chair, Vice-Chair, and such other officers and assistant officers and agents as may be deemed necessary by the Board. All officers shall serve until their respective successors are elected and qualified.

**SECTION 2. Elections.**

The Board shall conduct annual elections in February of each year to elect a Chair, Vice-Chair and such other officers and assistant officers and agents as may be deemed necessary by the Board. The elections shall be held in conformance with the State of Florida Sunshine Law. The nominations and the election shall be conducted at the same meeting and no other business shall transpire between the nominations and the election. The Executive Director of the Board shall open the floor to nominations starting with the office of Chairperson. Upon completion of nominations, the Executive Director shall announce the nominees and afford each nominee an opportunity for debate for three (3) minutes. The Executive Director shall control the debate.

Upon conclusion of debate, the Executive Director shall create a ballot listing all the nominees for each office. Officers may be elected by voice vote if there is only one nominee. If there is more than one nominee, the vote shall be by a simultaneous written ballot, signed by the member casting the

ballot, to be made part of the public record, open to inspection by any Board member or member of the public. No vote by proxy shall be permitted.

Elections shall be by a majority of the votes cast by members present and voting. If no candidate receives a majority of the votes cast by the members present and voting, then the two candidates receiving the most votes shall participate in a run-off election. The Chair shall vote last. If a tie results between the two run-off candidates, the Chair shall cast the deciding vote. If the Chair is one of the run-off candidates, then the Vice-Chair shall vote last and cast the deciding vote in the case of a tie.

**SECTION 3. Vacancies.** Whenever a vacancy shall occur in any office by death, resignation, or removal, the same shall be filled in the same manner as which said member was appointed, and the member elected shall hold office until his/her successor is chosen and qualified.

**SECTION 4. Duties. Chair of the Board.** The Chair shall preside over all meetings of the full Board and by virtue of his/her office shall be a member of all standing committees. The Chair or her/his designee shall present all reports to the Board of County Commissioners and shall serve as the only official representative and spokesperson of the Board. The Chair shall have such other duties and powers as may be assigned by the Board.

Vice-Chair. In case of the office of the Chair becoming vacant, or in case of the absence of the Chair, or her/his disability to discharge the duties of her/his office, such duties shall, for the time being, be the responsibility of the Vice-Chair.

**SECTION 5. Removal.** Any Officer elected or appointed by the Board may be recommended for removal by the Board whenever in its judgment the best interests of the Board will be served thereby.

**SECTION 6. Resignation.** Any Officer of the Board may resign at any time by giving written notice to the Chair of the Board and the Executive Director that he or she no longer wishes to hold that office. The Executive Director shall send a letter to the appointer (Commissioner or County Manager) and shall notify the Clerk of the Board. The seat shall be deemed vacant effective on the date that the Clerk receives notification.

## **ARTICLE V**

### **COMMITTEES**

**SECTION 1. Creation of Committees.** The Chair, with the approval of the Board, may designate from among its members, standing and ad hoc committees each of which shall have the authority specifically granted it by the Board. All committees shall be chaired by a member of the Board who has been appointed to the committee. Neither the Chair nor the Vice-Chair of the Board shall Chair any Committee with the exception of the Executive Committee which shall be chaired by the Chair of the Board.

#### **(A) EXECUTIVE COMMITTEE**

##### **1. Members**

The Executive Committee shall be composed of the Chair, Vice-Chair, and one (1) additional member of the Board appointed by the Chair. The Chair of the Executive Committee shall be the Chair of the Board. There must be at least two (2) members of the Executive Committee present for any Board business to take place.

##### **2. Responsibilities**

**a.** Act for the Board whenever action of the Board is necessary and there is insufficient time to convene, and forward all such actions to the Board for ratification during its next regularly scheduled meeting;

**b.** Transact routine business between scheduled meetings of the Board subject to the limitations imposed by subsections c and d below;

**c.** Take no action that conflicts with the policies or expressed positions of the board;

**d.** Submit for ratification to the Board at its next regularly scheduled meeting all actions taken between regularly scheduled Board meetings;

**e.** Present reports of Board actions and general directions before the Board of County Commissioners and applicable sub-committees; and

**f.** Consider such other matters as are necessary for the orderly discharge of the business of the Board.

**SECTION 2.** All committee meetings will be held subject to and in conformance with Miami-Dade County and Florida Conflict of Interest and Open Government Laws including the "Sunshine Law", public meeting laws, public records laws and the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance. Unless a greater proportion is required by the Board when designating a committee, a majority of the entire authorized number



of members of each committee shall constitute a quorum for the transaction of business and the vote of a majority of the members present at a committee meeting at the time of such vote, if a quorum is then present, shall be the act of each committee. Each committee shall serve at the pleasure of the Board.

## **ARTICLE VII**

### **EXECUTIVE DIRECTOR AND SUPPORT SERVICES**

The Mayor shall provide to the Board adequate staff and support services to carry out all of the day-to-day activities of the Board as well as those activities the Board so directs. The Executive Director shall be the supervisor of the staff of the Board. It shall be the general responsibility of the Executive Director to complete all of the tasks contemplated by the Board in developing its Plan and preparing it for submission to the Board of County Commissioners; schedule all regular and special meetings of the Board; and provide the support necessary to carry out the Plan, as approved by the Board and the Board of County Commissioners.

## **Article VIII**

### **AMENDMENT TO BYLAWS**

These bylaws may be altered or amended by a vote of a majority of the Board at a regular or special meeting duly convened after notice of that purpose.