

ARTICLE LXVI. - MIAMI-DADE COUNTY DOMESTIC VIOLENCE OVERSIGHT BOARD

Footnotes:

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Editor's note— Ord. No. 94-156, adopted Sept. 13, 1994, amended the Code by the addition of provisions which have been included herein at the discretion of the editor as Art. LXVI, §§ 2-891—2-895.

Sec. 2-891. - Creation.

There is hereby created and established as an agency and instrumentality of Miami-Dade County the Miami-Dade County Domestic Violence Oversight Board (hereinafter referred to as "the board"). The board shall be a public body through which its governing body may exercise all those powers either specifically granted herein or necessary in the exercise of the powers herein enumerated.

(Ord. No. 94-156, § 1, 9-13-94)

Sec. 2-892. - Governing body.

- (a) *Membership; compensation.* The governing body of the board shall be composed of fifteen (15) voting members. Members shall serve without compensation but shall be entitled to reimbursement for necessary expenses incurred in the discharge of their duties.
- (b) *Composition.* The voting membership of the board shall consist of persons who are not County employees, with the exception of Miami-Dade Police Department employees, shall be ethnically, racially and gender balanced and shall be composed of at least one person from each of the following categories:
 - (1) Providers of services to domestic violence victims, including but not limited to a representative of Safe Space Shelter, Inc.;
 - (2) Domestic violence victim advocates;
 - (3) Members of the judiciary, preferably a full-time, sitting domestic violence judge or a former or acting administrative judge of the domestic violence court;
 - (4) Concerned citizens (at-large);
 - (5) Victims of domestic violence;
 - (6) Representatives of impacted jurisdictions; and
 - (7) A representative of the Public Health Trust.
- (c) *Appointment.* Each member of the Board of County Commissioners of Miami-Dade County shall appoint one (1) member to the board; the County Mayor shall appoint one (1) member of the law enforcement community to the board; and the State Attorney for Miami-Dade County shall

appoint one (1) member to the board. Each appointed member must meet the requirements of Section 2-11.38 of the Miami-Dade County Code of Ordinances.

Vacancies on the board shall be filled in the same manner by which the original members were appointed, with a special emphasis on choosing persons representative of the gender, racial and ethnic composition of the entire community.

- (d) *Tenure and removal of board members.* Each board member shall be appointed to a term of four (4) years, which shall end concurrently with the last day of the term of the County Mayor, County Commissioner or State Attorney who appointed the board member. However, each board member shall continue to serve on the board until the board member's successor has been duly qualified and appointed to the board. Board members may be removed in accordance with the provisions of Section 2-11.38 of the Code of Miami-Dade County. In addition to the attendance requirements provided in Section 2-11.39 of the Code of Miami-Dade County, any board member who is absent from four (4) noticed meetings during any fiscal year, regardless of the reason for the absence, shall be automatically removed from the board.
- (e) *Qualifications.* Each member of the board must comply with the requirements of Section 2-11.38 of the Code of Miami-Dade County.
- (f) *Organization and procedure.*
 - (1) *Officers.* The board shall organize after the members thereof have qualified to serve and shall elect one of its members as chairperson and such other officers as the board may determine to be necessary. In addition, the board shall make, adopt and amend bylaws, rules and regulations for its own governance.
 - (2) *Meetings.* The board shall hold regular meetings and such other meetings as it deems necessary. Notwithstanding any other section of the Code, including, but not limited to, Section 2-11.39.1, five members of the board shall constitute a quorum. Minutes shall be kept of all meetings of the board and all meetings shall be public.
 - (3) *Committees.* The board shall appoint any committees it deems necessary.
- (g) *Applicability of county rules and procedures.* The board shall at all times operate under the Florida Open Government laws, including the "Sunshine Law," public meeting laws and public records laws and shall be governed by all State and County conflict of interest laws, as applicable, including the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, Section 2-11.1 of the Code of Miami-Dade County.

(Ord. No. 94-156, § 2, 9-13-94; Ord. No. 15-125, § 1, 11-3-15; Ord. No. 21-63, § 1, 7-8-21)

Sec. 2-893. - Powers and duties.

The board shall have the following powers, duties, functions and responsibilities:

- (1) To serve in an advisory capacity to the Board of County Commissioners with respect to all issues affecting or relating to domestic violence;
- (2) To submit to the Board of County Commissioners a comprehensive plan, budget and specific recommendations for use of the portion of the food and beverage tax proceeds dedicated to the provision of domestic violence shelters (hereinafter referred to as "the plan") which shall address the following issues:
 - a. The construction and operation of domestic violence shelters, and the expansion of existing domestic violence shelters;
 - b. The maximization of funds by matching available Federal and State funds;
 - c. The relationship between domestic violence centers, the courts, police, other criminal justice agencies and social services; and
 - d. Other issues that the board finds relevant and necessary.

This plan shall be specific and shall, to the extent practical, detail intended programs, the nature of facilities to be assisted, identify potential complimentary or leveraged funding sources and the amount of funds which could be generated from such sources.

- (3) To review the plan annually to assure that the plan continues to serve the needs of the total community and victims of domestic violence and to recommend any needed amendments, deletions or modifications to the Board of County Commissioners. The Board of County Commissioners shall only have the power to amend the plan by an affirmative vote of a two-thirds majority.
- (4) To attend, plan, and host special projects, events, and conferences in furtherance of the board's duties as set forth in this section, including, but not limited to, symposia on domestic violence, stakeholder meetings, and public education and awareness campaigns, using the funds in the Domestic Violence Oversight Board Trust Fund.
- (5) To oversee the Domestic Violence Oversight Board Trust Fund.
- (6) To submit annually to the Board of County Commissioners a report summarizing and evaluating all programs and activities undertaken by the board as well as all expenditures of the food and beverage tax proceeds and funds from the Domestic Violence Oversight Board Trust Fund during the previous fiscal year. The report shall include a budget and an audit and accounting, in accordance with generally accepted accounting principles, of all funds received and expended.
- (7) To submit every six months to the Board of County Commissioners a report detailing the use of the food and beverage tax proceeds overseen by the board, including, but not limited to, the use of funds for the development of new domestic violence centers. The completed report shall be placed on an agenda of the Board of County Commissioners in accordance with Ordinance No. 14-65.

(Ord. No. 94-156, § 3, 9-13-94; Ord. No. 21-63, § 2, 7-8-21; Ord. No. 21-138, § 1, 10-18-22)

Sec. 2-894. - Staff support.

The Office of Community Advocacy, or its successor office, shall provide to the board appropriate support to enable the board to carry out its duties and responsibilities. Among such other duties and responsibilities, the Office of Community Advocacy shall ensure the board's membership roster is current, shall take minutes of the board's meetings, and shall post such minutes online.

(Ord. No. 94-156, § 4, 9-13-94; Ord. No. 15-125, § 2, 11-3-15; Ord. No. 19-81, § 1, 9-4-19; Ord. No. 21-34, § 13, 4-20-21)

Sec. 2-895. - Liberal construction to effectuate public purpose.

This article, being for public purpose and for the welfare of the citizens of Miami-Dade County, Florida, shall be liberally construed to effect the purposes hereof.

(Ord. No. 94-156, § 5, 9-13-94)

Sec. 2-896. - Annual presentation to the Board of County Commissioners.

The chairperson of the board, or other member of the board designated by the chairperson, or in the absence of a chairperson a member of the board selected by a vote of the board, shall give an oral presentation before the Board of County Commissioners each year summarizing and highlighting matters of importance from the report required by subsection (4) of section 2-893. The oral presentation shall also explain the board's proposed amendments, deletions or modifications to the plan, if any, and address other matters of significance affecting or relating to domestic violence.

(Ord. No. 19-110, § 1, 11-19-19)

Sec. 2-897. - Financial Support for the board.

There is hereby created the Miami-Dade County Domestic Violence Oversight Board Trust Fund for the public purposes provided for in this article. The Finance Director is hereby authorized and directed to establish the Miami-Dade County Domestic Violence Oversight Board Trust Fund and disburse monies in accordance with the provisions of this article. Funds deposited into the Trust Fund may be used to support special projects, events, conferences, and activities which further the purposes of the board.

(Ord. No. 22-138, § 2, 10-18-22)

Secs. 2-898—2-920. - Reserved.