

ARTICLE XLVI. - SOUTH DADE BLACK HISTORY CENTER ADVISORY BOARD

Footnotes:

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Editor's note— Ord. No. 03-182, § 5, adopted Sept. 9, 2003, repealed article XLVI, § 2-431—2-436, in its entirety. Former article XLVI pertained to the Miami-Dade County Health Policy Authority and derived from Ord. No. 94-209, §§ 1—6, adopted Nov. 15, 1994; Ord. No. 95-71, §§ 1—7, adopted April 18, 1995.

Sec. 2-431. - Creation and purpose.

The South Dade Black History Center Advisory Board ("SDAB") is hereby created. The purpose of the SDAB is to assist with the operation and management of the South Dade Black History Center ("Black History Center") and serve as a resource to the Board of County Commissioners ("Board") for matters related to the Black History Center and other related matters of interest to the Black communities in South Miami-Dade County.

(Ord. No. 21-46, § 1, 6-2-21)

Sec. 2-432. - Composition; membership.

- (a) *Composition.* The SDAB shall be comprised of a total of nine voting members. Each member of the SDAB shall be appointed by the sitting County Commissioner of District 9, where the Black History Center is housed and where the vast majority of South Miami-Dade County's Black communities are located.
- (b) *Qualifications.* Each member of the SDAB shall be a permanent resident and duly qualified elector of Miami-Dade County in accordance with Section 2-11.38 of the Code, as may be amended, and shall have knowledge of and interest in Black History and matters of importance to the Black communities in South Miami-Dade County.
- (c) *Compensation.* SDAB members shall serve without compensation, but shall be entitled to reimbursement for parking in a County leased or owned parking facility.
- (d) *Vacancies.* Vacancies shall be filled in the same manner by which original members were appointed.
- (e) *Tenure and Removal.* All SDAB members shall serve four-year terms. The term limits of SDAB members shall be in accordance with Section 2-11.38.2 of the Code, as may be amended. The sitting District 9 County Commissioner who has appointed the members of the SDAB may at any time, with or without cause, remove said board members from the SDAB by filing a notice with the Clerk of the Board of County Commissioners ("Clerk of the Board") and appointing different persons to fill the position.

- (f) *Attendance.* Attendance requirements for members shall be in accordance with Section 2-11.39 of the Code, as may be amended.

(Ord. No. 21-46, § 1, 6-2-21; Ord. No. 21-111, § 1, 10-19-21)

Sec. 2-433. - Organization.

- (a) *Bylaws, Rules, and Regulations.* The SDAB shall establish, adopt, and amend bylaws, rules, and regulations for its own governance. In the event the SDAB does not adopt rules or policies, or its adopted rules or policies do not address a particular situation, the applicable provisions of the Board's Rules of Procedure, as such may be amended, shall apply.
- (b) *Officers.* The sitting District 9 County Commissioner shall appoint the SDAB chairperson. The chairperson shall serve at the will of the sitting District 9 County Commissioner and may be removed from being chairperson at any time with or without cause. The SDAB members shall elect a vice-chairperson and such other additional officers as the board shall deem necessary. All officers except for the chairperson shall serve two-year terms. The chairperson shall serve for a term of four years. Officer elections shall be held biennially in November, with newly elected officers installed the following January.

The chairperson shall preside at all meetings. The vice-chairperson shall act as chairperson in the absence of the chairperson. In the absence of the chairperson and vice-chairperson, the SDAB, through a majority vote of appointed members, may select a member of the board to preside over meetings.

- (c) *Staff support.* The Office of Community Advocacy or its successor office, County Attorney, and the Clerk of the Board shall provide appropriate support to the SDAB. There shall be a program officer within the Office of Community Advocacy dedicated solely to supporting the activities of the SDAB. The Office of Policy and Budgetary Affairs shall, on a monthly basis, provide the SDAB with an accounting of available funds in the SDAB Trust Fund.
- (d) *Quorum.* A quorum shall be required to transact any business or exercise any power vested in the SDAB. Notwithstanding Section 2-11.39.1 of the Code, a quorum for the SDAB shall consist of the lesser of four members or a majority of those persons duly appointed to the board, provided that at least half of the full board membership has been appointed. The SDAB shall not transact business or exercise its powers unless a majority of the quorum in attendance votes in favor of the activity.
- (e) *Committees.* The SDAB may appoint committees and subcommittees to accomplish its tasks.

(Ord. No. 21-46, § 1, 6-2-21; Ord. No. 21-111, § 1, 10-19-21)

Sec. 2-434. - Meetings.

The SDAB shall hold regular monthly meetings and such other meetings, as it deems necessary. The chairperson, or a minimum of three members of the SDAB, upon written request to the chairperson, may call for a special meeting. Further, the SDAB, at any duly noticed public meeting, may fix and call a meeting on a future date.

(Ord. No. 21-46, § 1, 6-2-21)

Sec. 2-435. - Duties; powers; responsibilities.

The SDAB shall have the following duties, powers and responsibilities:

- (a) The SDAB shall provide this Board with information pertaining to the Black History Center and advise the Board on matters of interest to the Black communities in South Miami-Dade County.
- (b) The SDAB shall support the Black History Center in carrying out its purpose.
- (c) The SDAB shall assist in raising funds to support the administration and operation of the Black History Center and related efforts.
- (d) The SDAB shall develop policies, activities or programming related to collections, conservation, exhibitions, and education at the Black History Center.
- (e) Notwithstanding any provision in the Code to the contrary, the SDAB shall be authorized to accept and solicit gifts of money or services for the public purposes provided for in this article.
- (f) The SDAB shall prepare, on an annual basis, the SDAB's budget request so as to be considered as part of the annual budget process, including the amount of funds that are needed for deposit into the SDAB Trust Fund for programming at the Black History Center.
- (g) The SDAB shall expend funds for the purposes provided in this article. The SDAB shall only be authorized to expend funds deposited in the SDAB Trust Fund. All expenditures of the SDAB shall be subject to a county audit.
- (h) The SDAB shall assist in the solicitation and approval of grant agreements for the public purposes provided for in this article. The SDAB shall assist in the application for grants to the SDAB for the public purposes provided in this article and may recommend to the Board, for its approval, all such grant agreements for the County's receipt of funds. All funds received pursuant to grant agreements shall be deposited in the SDAB Trust Fund.
- (i) The SDAB may recommend to the Board, for the Board's approval, contracts with agencies, corporations, persons or other entities, including but not limited to grant agreements, in amounts within the SDAB Trust Fund. The SDAB shall only recommend grant agreements

distributing funds to a third-party to the extent that funds are currently available in the SDAB Trust Fund.

- (j) The SDAB shall monitor the performance and enforcement of all SDAB contracts approved by the Board.
- (k) The SDAB shall act as an advisor to the Board on all other policy matters pertaining to Black History in South Miami-Dade County, as may be requested by the Board.
- (l) The SDAB shall report at least annually to the Board as to its activities, recommendations, and other relevant issues and shall appear as needed before the Board to present any matters pertinent to the SDAB. The completed reports required by this section shall be placed on an agenda of the Board pursuant to Ordinance No. 14-65.

(Ord. No. 21-46, § 1, 6-2-21; Ord. No. 21-111, § 1, 10-19-21)

Sec. 2-436. - Financial support for the SDAB.

There is hereby created the South Dade Black History Center Advisory Board Trust Fund for the public purposes provided for in this article. The Finance Director is hereby authorized and directed to establish the South Dade Black History Center Advisory 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 activities and programing at the Black History Center as well as conferences, projects, and special events, including the purchase of food, which further the purposes of the SDAB.

(Ord. No. 21-46, § 1, 6-2-21; Ord. No. 21-111, § 1, 10-19-21)

Sec. 2-437. - Applicability of state and county rules and procedures.

The SDAB shall at all times operate under Florida's open government laws, including, but not limited to the Government in the Sunshine Law and the Citizens' Bill of Rights of the Miami-Dade County Home Rule Charter as well as other laws applicable to public advisory board membership. Additionally, the SDAB shall be deemed an "agency" for the purposes of the state's 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, as may be amended, including, but not limited to, Section 2-11.1 of the Code of Miami-Dade County.

The SDAB shall also provide members of the public a reasonable opportunity to be heard, consistent with Section 286.0114, Florida Statutes. Accordingly, rule 6.06 of the Board's Rules of Procedure is incorporated herein.

(Ord. No. 21-46, § 1, 6-2-21)

Secs. 2-438—2-470. - Reserved.