

# The Children's Trust of Alachua County, an Independent District of Alachua County

## BY-LAWS

### CHILDREN'S TRUST OF ALACHUA COUNTY

#### PREAMBLE

The Children's Trust of Alachua County has been established pursuant to Florida Statute 125.901 (2018) and Alachua County Ordinance 18-08 as approved by the Electorate and its purpose is set forth by statute and ordinance.

#### ARTICLE I. - MEMBERSHIP AND TERM OF OFFICE

The Children's Trust of Alachua County shall consist of ten (10) members including the Alachua County Superintendent of Schools, a local Alachua County School Board Member (as selected by the School Board), the Administrator of the District of the Department of Children and Families having authority over Alachua County or designee who is a member of the Senior Management Service or of the Selected Exempt Service, a member of the Alachua County Board of County Commissioners (as selected by the Board of County Commissioners), and the Judge assigned to juvenile cases. These members shall serve for as long as they hold office or until they are removed in accordance with statute or the ordinance. The other five (5) members of the Board shall be appointed by the Governor upon recommendation by the Board of County Commissioners and, after their initial term in office shall serve for terms of four (4) years each. Members shall serve until their replacement is selected or they have been otherwise removed from office.

#### ARTICLE II. - MEETINGS

##### Section 1. - Regular Meetings

Regular meetings of the Trust shall be held monthly at a time and place set by the Trust at their November meeting. The annual meeting shall be held in January, at which time the election of officers shall take place. If a regularly scheduled meeting falls on a holiday, the Trust shall meet at such date and time as selected by the Trust. Written or electronic notice of regular meetings of the Trust shall be given to each member at least five (5) days prior to each meeting; the notice is to be accompanied by a tentative agenda for the meeting. Meetings may be cancelled or rescheduled by majority vote of the Trust. In the event of an emergency or lack of business to be considered a meeting may be canceled by the Chair, Vice-Chair, or Treasurer, in that order, but in

no case shall longer than 60 days go between meetings of the Trust.

**Section 2. - Special Meetings**

Special meetings of the Trust may be called:

- (a) By the Chair or
- (b) In the Chair's absence by the Vice-Chair or
- (c) In the Chair and Vice Chair's absence by the Treasurer or
- (d) By request of a majority of the Trust made to an officer or the Executive Director.

Forty-eight (48) hours' notice of a special meeting shall be given to each member of the Trust; the notice is to be accompanied by an agenda specifying the subject(s) of the special meeting. Only those subject(s) appearing on the special agenda may be discussed at that called meeting. The date, time, and location of the special meeting shall be determined by the Chair, Vice-Chair, Treasurer, or Trust, as appropriate.

**Section 3. - Emergency Meetings**

Emergency meetings of the Trust may be called:

- (a) By the Chair or
- (b) In the Chair's absence by the Vice-Chair or
- (c) In the Chair and Vice Chair's absence by the Treasurer or
- (d) By vote or request of a majority of the Trust made to an officer or the Executive Director.

Twenty-four (24) hours' notice of an emergency meeting shall be given to each member of the Trust; the notice is to be accompanied by an agenda specifying the subject(s) of the emergency meeting. Only those subject(s) appearing on the emergency meeting agenda may be discussed at that meeting. The date, time, and location of the meeting shall be determined by the Chair, Vice-Chair, Treasurer, or Trust, as appropriate. If, after reasonable diligence, it is impossible to give notice to each member or, because of the nature of the emergency, it is impossible to let twenty-four (24) hours elapse before the meeting, such failure shall not affect the legality of the meeting if a quorum is in attendance.

**Section 4. - Public Meetings.**

The Trust, as a public body of the State of Florida shall be subject to the requirements of Chapter 286, F.S.

**Section 5. - Minutes**

Minutes of each meeting shall be accurately taken, preserved, and provided to members at or before the next regular meeting.

**Section 6. - Initial Year of Existence**

To the extent that Ordinance 18-85 or Sec. 125.901(2)(b) requires that certain actions or events take place based upon the initial meeting of the Trust the timing set forth in those laws shall control during the organizational period of the Trust.

### **ARTICLE III. - VOTING**

A. Each member shall have one vote, which may only be exercised by the member and not by proxy or by designee with the exception of the District Administrator of the Department of Children and Families who may have a designee.

B. Quorum. The presence of a majority of all members serving on the Trust shall be necessary at any meeting to constitute a quorum to transact business.

C. Action on any proposal other than amendment of these By-Laws, hiring of an Executive Director, or adoption of the annual budget shall require an affirmative vote of a majority of the members present.

D. Action on matters relating to amendment of these By-Laws may only be taken by an affirmative vote of two-thirds (2/3) of all serving members of the Trust. Action on matters relating to the hiring of an Executive Director may only be taken by affirmative vote of a majority of all serving members of the Trust.

E. Approval of the budget and setting of the millage shall be as established by law.

F. The Judge of juvenile cases appointed to the Trust shall not vote or participate in the setting of ad valorem taxes.

### **ARTICLE IV. - OFFICERS, ELECTIONS, AND VACANCIES**

#### **Section 1. - Officers**

The officers of this Trust shall be chosen from its membership and consist of a Chair, Vice-Chair, and Treasurer. The term of office shall be one (1) year. ~~An officer may be elected to one additional consecutive term.~~

A. The Chair shall:

1. Preside at all meetings of the Trust.
2. May be an ex-officio member of all committees of the Trust.
3. Serve as a member of the Executive Committee.
4. Appoint, with Trust approval, all ad hoc committees.
5. Perform all of the duties usually pertaining to the office of Chair.
6. Be the primary check signer of the Trust subject to countersignature by another member of the Trust or the Executive Director.

B. The Vice-Chair shall:

1. Preside at all meetings of the Trust in the absence of the Chair.
2. Serve as a member of the Executive Committee.
3. Perform all such duties usually pertaining to the Office of Vice-Chair.

C. The Treasurer shall:

1. Preside over the Trust Budget Planning Committee.
2. Serve as a member of the Executive Committee.
3. Preside at all meetings of the Trust in the absence of the Chair and Vice-Chair

D. At the annual meeting of the Trust, the Vice Chair shall assume the office of the Chair and the Treasurer shall assume the office of the Vice Chair. At that meeting a new Treasurer shall be elected by the members of the Trust. Nominations for the office of Treasurer shall be taken from the floor for this position and voted upon at the same meeting.

D.E. In the event of a vacancy in the position(s) of the Chair, Vice-Chair, or Treasurer, the position shall be filled at the next meeting of the members and the term shall be the remainder of the vacant position's term. ~~Any vacancy in other offices that result from this selection may be filled by immediate election for the remainder of the term.~~

Formatted: Indent: Left: 0.31", No bullets or numbering

## ARTICLE V. - CONDUCT OF BUSINESS

### Section 1. – Reporting

Commencing no later than January 1, 2020 and by January 1<sup>st</sup> of every year thereafter the Trust will prepare an annual written report, to be presented to the Board of County Commissioners which shall contain the information set forth in Sec. 125.901(2)(b)5, F.S.

### Section 2. – Budgeting

On or before July 1 of each year, the Trust shall prepare a tentative annual written budget of the district's expected income and expenditures, including a contingency fund. The Trust shall, in addition, compute a proposed millage rate within the one half mil cap approved by the electorate necessary to fund the tentative budget and, prior to adopting a final budget, comply with the provisions of Sec 200.065, F.S. relating to the method of fixing millage, and shall fix the final millage rate by resolution of the Trust. The adopted budget and final millage rate shall be certified and delivered to the Board of County Commissioners as soon as possible following the Trust's adoption of the final budget and millage rate pursuant to chapter 200 F.S. or as otherwise limited in Sec. 125.901, F.S.

**Section 3. - Elections and Vacancies**

Election of officers shall be held at the annual meeting. This election shall be by nomination and voice vote.

**ARTICLE VI. - FINANCE**

**Section 1. - Fiscal Year**

The fiscal year of the Trust shall commence on October 1 and end on September 30.

**Section 2. - Budget**

The Executive Director shall be responsible for submitting a tentative annual budget for the operation of the Trust to the Members of the Trust at or before the May meeting for adoption by the Trust. The Trust must submit a certified budget to the Board of County Commissioners no later than July 1.

**Section 3. - Committees**

Standing committees may be established by majority vote of the Trust. Ad hoc committees may be established by the Chair, with Trust approval, provided that ad hoc committees shall not be established for a period of time exceeding one year.

**ARTICLE VII. - EMPLOYMENT OF EXECUTIVE DIRECTOR**

An Executive Director shall be employed by a majority vote of all serving members of the Trust. The Executive Director shall be employed by written contract. The Executive Director shall serve at the pleasure of the Trust and may be terminated at any time, subject to the provisions of the terms of said contract by an affirmative vote of a majority of the serving Trust Members.

The powers and duties of the Executive Director shall include:

1. The employment and development of staff to implement policies and programs of the Children's Trust of Alachua County.
2. Ensure that a comprehensive plan for the needs of youth in Alachua County is developed and implemented and that the purposes of Sec 125.901, F.S. and Alachua County Ordinance 18-08 are met.
3. Establish policies and procedures relating to the evaluation, subject to approval of the Trust, of funding requests, monitoring of programs funded by the Trust, employment and evaluation of personnel, and other similar matters.

4. Maintain all records of the Children's Trust of Alachua County.
5. Perform other administration duties as may normally be performed by an administrative officer.
6. Shall act as the Secretary of the Trust or otherwise provide that the minutes are accurately maintained.

**ARTICLE VIII. - CONFLICT OF INTEREST**

- A. Members of the Trust shall avoid entering into contracts or agreements involving, directly or indirectly, members of the Trust in a manner that would be, or give the appearance of being, a conflict of interest.
- B. Members of the Trust will, prior to voting on a funding issue, which involves any program or agency in which they participate as an employee or member of the governing authority, disclose their interest in said program or agency and file a disclosure statement.
- C. Members of the Trust will comply with all Florida Statutes relating to "conflicts of interest."

**ARTICLE IX. - RULES OF ORDER**

The Trust shall promulgate rules of order for the conduct of all meetings of the Trust. All procedural matters not addressed in said rules of order or by these By-Laws shall be governed by the latest edition of "The Standard Code of Parliamentary Procedure" by Sturgis.

**ARTICLE X. - BOARD ATTENDANCE**

If a member has three (3) consecutive absences without cause from regular board meetings during a fiscal year or a total of five (5) absences without cause from regular board meetings during a fiscal year, the Chair shall request the appropriate appointing authority to remove that member and make a new appointment to the Trust.

**ARTICLE XI. - AMENDMENTS**

Amendments of these By-Laws may be proposed by any Trust Member and shall become effective upon affirmative vote of a two-thirds (2/3) majority of all serving Trust Members.