

**CHARLOTTE COUNTY COMMUNITY ACTION AGENCY  
AMENDED AND RESTATED BYLAWS**

**ARTICLE I  
THE COMMUNITY ACTION AGENCY OF CHARLOTTE COUNTY**

**SECTION 1. NAME AND POWERS.**

**A. The Name of this Agency:**

The name of this agency will be The Community Action Agency of Charlotte County, a public agency comprised of the Charlotte County Board of County Commissioners, Charlotte County, Florida, and recognized by 42 U.S. C., 9902, *et. seq.* as the governing body to carry out the purpose and functions set forth in these Bylaws.

**B. Delegation of Powers:**

The Community Action Agency Advisory Board has been delegated such powers as specified by the Board of County Commissioners of Charlotte County. **County Resolution 980570A0** establishes the Charlotte County Community Action Agency and Community Action Agency Advisory Board. Hereinafter, "County Commission" will mean the Board of County Commissioners of Charlotte County, and "CAAAB" will mean the Community Action Agency Advisory Board.

**SECTION 2. PURPOSES OF THE COMMUNITY ACTION PROGRAM AND THE  
CHARLOTTE COUNTY COMMUNITY ACTION AGENCY.**

The Purposes of the Community Action Program and the Charlotte County Community Action Agency are as follows:

- A. To serve eligible residents of Charlotte County, Florida, with Community Services Block Grant-funded programs and programs funded from other sources.
- B. To collaboratively organize all community resources with other agencies to enable low-income persons to become self-sufficient.
- C. To advise the County Commission regarding Community Services Block Grant funded and related programs.
- D. To significantly and meaningfully involve the low-income community in developing and carrying out anti-poverty programs as follows:

1. Mobilize public and private resources in support of self-sufficiency programs.
2. Coordinate efforts throughout the community to avoid duplication, improve service delivery, and relate programs to each other.
3. Strengthen community planning capabilities by coordinating aid related to poverty elimination so the different types of aid (through local officials', organizations', and interested and affected citizens' efforts) are more responsive to local needs and conditions.
4. Better organize the range of services related to low-income needs so that these services are more effective and efficient in helping families and individuals overcome basic problems of poverty and economic and social deprivation.
5. Develop and promote programs and projects designed to serve low-income groups with maximum feasible participation of low-income area residents, to best stimulate and take advantage of capabilities for self-advancement.
6. Involve all segments of the community to eliminate poverty.
7. Ensure maximum feasible participation of the low-income residents in all activities mentioned in this section and all other activities related to eliminating poverty.
8. Ensure non-discrimination in the provision of all programs, services and activities according to law, including, but not limited to, the Florida Statutes; Section 678(F)(c)(1) of Public Law 97-35, as amended; Titles VI and VII of the Civil Rights Act of 1964; and 45 C.F.R. Parts 84, 86 and 90.

### **SECTION 3. OFFICE OF THE CAAAB.**

The CAAAB's office will be within the Charlotte County Government, as designated by the Community Action Agency of Charlotte County.

### **SECTION 4. RELATIONSHIP AND POWERS OF THE COUNTY COMMISSION AND THE CAAAB.**

#### **A. Relationship:**

The CAAAB will be advisory in its relationship to the County Commission, and the County Commission will have the authority to make the final decisions with respect to Community Services Block Grant-funded programs.

**B. County Commission Role:**

1. Determines (subject to Community Services Block Grant regulations) fiscal, personnel, organization, and program policies.
2. Determines (subject to Community Services Block Grant regulations) overall program plans and priorities for the Community Action Program, including provisions for evaluating progress against performance.
3. Recommends all program proposals and budgets to the Florida Department of Economic Opportunity for final approval.
4. Provides legal review and interpretation of public record inquiries and legal compliance issues from state and local policies.

**C. CAAAB ROLE:**

1. Oversee the extent and quality of low-income residents' participation in Community Action Programs.
2. Recommend rules and procedures for the CAAAB (subject to federal, state, and local regulation).
3. Select the officers of the CAAAB.
4. Further, the CAAAB will deliberate upon the following matters pertaining to the Community Services Block Grant and submit written recommendations to the County Commission or County Administrator before the County renders a final decision (subject to federal, state, and local regulations):
  - a. Major fiscal and program policies.
  - b. Overall program plans and priorities.
  - c. All program proposals and budgets.
  - d. All evaluation and assessment studies and reports to include Strategic Plan, Community Needs Assessment, and Organizational Standards.
  - e. Review grant requirements and contractual obligations together with assisting in compliance requirements.

- f. All arrangements for delegating the planning of, conducting, or evaluating a component of the work program.
- g. Requirements that uniform quarterly fiscal and programmatic reports be submitted.

## **ARTICLE II**

### **COMMUNITY ACTION AGENCY ADVISORY BOARD MEMBERSHIP**

#### **SECTION 1. CAAAB COMPOSITION.**

##### **A. Tripartite Nature:**

1. CAAAB membership will be neither less than nine (9) nor more than fifteen (15) and will always be divisible by three (3) except when resignations occur or due to other sudden departures of CAAAB members.
2. One-third (1/3) of the members of the CAAAB shall be elected municipal or County government officials, currently holding office, or their representatives. CAAAB members shall be chosen by a majority vote of the County Commission in December of each year. Letters reaffirming the appointment, signed by the elected officials, shall be submitted each year despite the number of years the term runs.
3. At least one-third (1/3) of the members of the CAAAB shall be persons chosen in accordance with democratic selection procedures adequate to assure that they are representative of the low-income residents in the area served. Low-income representatives of the CAAAB will be elected at meetings conducted to select low-income representatives.
  - a. These meetings will be announced through two (2) methods:
    - i. At least two (2) public notices in general circulation newspapers and those newspapers serving the low-income community; and
    - ii. Critically placed posters announcing the meeting.
  - b. These meetings will be coordinated with the following:
    - i. Community or neighborhood groups whose focus is the betterment of a low-income neighborhood or whose membership is composed primarily of low-income persons;
    - ii. Councils or organizations whose members represent neighborhoods or communities of low-income residents; and

- iii. County government.
- c. Definition of geographic areas selected for representation:
  - i. Representatives of the low-income residents shall be selected from geographic areas defined by the County.
  - ii. The County shall use data collected by the Federal Bureau of the Census and other data that establishes population income levels to identify no more than five (5) geographic areas that contain the highest number of residents eligible for CSBG funding. The County will review the Census data no less than every 10 years to identify and designate geographic areas of lower income populations.

The Current 2020 Census has identified Englewood (34223); Punta Gorda (33950); Harbor Heights (33983); Mid County (33948) and Mid-County (33952) with areas of low-income residents.
- d. Method of Election:
  - i. A County government staff member or a representative from a group defined in Article II, Section 1.A., 3.b. above shall chair a meeting in the designated geographic area and call the meeting to order.
  - ii. The Chair shall call for nominations for CAAAB representatives.
    - a) Nominees shall not require a second.
    - b) All nominees' names shall be listed in a conspicuous location.
  - iii. Each person in attendance shall have only one vote for a representative to fill each vacancy from the defined geographic area.
  - iv. Voters must be at least 18 years of age and be residents of Charlotte County.
  - v. The Chair of the meeting shall call a vote by ballot, and the candidate(s) with the highest number of votes shall be the representative(s).
- e. The elected representative(s) of the-low-income residents need not be a member of the entity(ies) listed in Article II, Section 1.A.3.b.i. and ii.
- f. Such representative(s) need not be low-income themselves.

4. The remainder of the members of the CAAAB shall be members of business, industry, labor, religious, human services, education, or other major groups and interests in the community, appointed by majority vote of the County Commission in December of each year. Interest groups shall be of non-profit status and shall be incorporated and registered with the office of the Florida Secretary of State.
5. Low income individuals, community organizations and religious organizations who feel inadequately represented may petition the CAAAB for membership on the Board by sending a written request to the Chairperson. The Chairperson shall submit all petitions for membership, and any recommendations thereon, to the County Commission, who shall consider such petitions and recommendations and make appointments in accordance with the process outlined in paragraph 4, above.

**B. Residency Requirement:**

Members of the CAAAB shall be Charlotte County residents. Members shall be selected from the various geographic areas of the County.

**C. Vetting Process:**

All members will be vetted prior to being seated to ensure they comply with the Community Action Agency's bylaws and that they have not been excluded from doing business with the federal government.

**SECTION 2. TERM.**

Each member shall be appointed or elected to serve for a term of four (4) years, except that at the inception of the CAAAB, terms shall have different end dates so that all members will not depart the CAAAB at the same time. Members representing the low- income sector or the private sector shall serve only two (2) consecutive terms; however, members appointed to fill less than a full, four (4) year term may serve two (2) full terms in addition to the initial term.

**SECTION 3. REMOVAL OF MEMBERS.**

**A. County Commission Discretion:**

Representatives serve at the pleasure of the Board of County Commissioners who may remove any member by majority vote, with or without cause, at any time.

**B. Removal Due to Absenteeism:**

Any member of the CAAAB who fails to attend two (2) meetings in a rolling twelve-month period shall automatically forfeit their appointment and the vacancy shall be promptly filled as provided in Section 1 above. Except for active-duty military and reserves, "excused" absences shall not be permitted.

**C. Change in the Representation of Outside Groups:**

Any member of the CAAAB who ceases to be a member of the target area group or private community organization that he represents on the CAAAB or any public official who ceases to hold the office which entitles him to sit on the CAAAB shall no longer be a member of the CAAAB.

**ARTICLE III  
OFFICERS**

**SECTION 1. OFFICERS.**

The members of the CAAAB shall elect a Chairperson and a Vice-Chairperson from among its members. The Chairperson and Vice-Chairperson shall be voting members. A member of County staff shall serve as Secretary of the CAAAB.

**SECTION 2. CHAIRPERSON.**

The Chairperson shall preside at all meetings of the CAAAB. At each meeting, the Chairperson shall submit such recommendations and information as she/he may consider proper concerning the business affairs and policies of the CAAAB.

**SECTION 3. VICE-CHAIRPERSON.**

The Vice-Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson, and in case of the resignation or death of the Chairperson, the Vice-Chairperson shall perform such duties as imposed on the Chairperson until such time as the CAAAB shall elect a new Chairperson.

**SECTION 4. SECRETARY.**

The Secretary shall keep the records of the CAAAB, shall act as the Secretary of the meetings of the CAAAB and record all votes, shall keep a record of the proceedings of the CAAAB in a journal to be kept for such purposes, and shall perform all duties incident to this role.

**SECTION 5. ADDITIONAL DUTIES.**

The officers of the CAAAB shall perform such other duties and functions as may from time to time be required by the CAAAB.

**SECTION 6. VACANCIES.**

The Chairperson may appoint replacements to fill officer vacancies, with approval of the full CAAAB. Such appointments, if possible, should reflect the composition of the full CAAAB in terms of representation of the public, low-income, and private

sectors based on the nominee's availability and willingness to serve.

## **SECTION 7. ELECTION OF OFFICERS.**

If no more than one (1) candidate is nominated for each office, the candidate may be elected by acclamation. If more than one (1) candidate is nominated for an office, then the election for that office must be by ballot.

## **SECTION 8. TERMS OF OFFICE.**

The Chairperson and Vice-Chairperson shall serve for one (1) year and may be re-elected, by a vote of the full CAAAB, for a maximum of three (3) consecutive terms.

## **SECTION 9. REMOVAL OF OFFICERS.**

The CAAAB shall have the power to remove an officer upon a two-thirds (2/3) majority vote based on ten (10) days prior written notification to the affected officer.

## **SECTION 10. COMMITTEES.**

The Chairperson may form such ad hoc committees as she/he may consider proper to carry out the business of the CAAAB. A sub-committee may be formed to function in an advisory capacity if the need arises. Formation shall be requested in written correspondence from a Board member and/or County staff.

# **ARTICLE IV MEETINGS AND AMENDMENTS TO BYLAWS**

## **SECTION 1. REGULAR**

### **MEETINGS. A. Place and Time:**

Regular meetings shall be held on the appointed day of each month or each quarter at such place and hour as the CAAAB may designate. At a minimum, meetings will occur at least once every quarter. An annual calendar will be prepared and distributed no later than the first quarterly meeting by County staff in accordance with the recommendation of the CAAAB.

### **B. Public Notification:**

All meetings will be open public meetings. Local media will be notified of meeting time and place, and adequate notice will be provided prior to the scheduled meeting date.



**C. Member Notification:**

All members shall be notified of the time and place at least seven (7) days, but not more than fourteen (14) days, in advance of each meeting.

**D. Minutes:**

Written minutes shall be recorded and kept of all CAAAB meetings. A copy of the minutes shall be provided to each CAAAB member before each CAAAB meeting, with the notice and agenda.

**E. Quorum:**

A CAAAB meeting may not officially take place until the required quorum is present. A quorum shall exist when a simple majority of fifty percent (50%) plus one of the seated CAAAB is present. Only when a quorum of the seated CAAAB is present may a motion be acted upon. Absentee votes shall not count.

**F. Sunshine Law and Robert's Rules of Order:**

Subject to the requirements of section 286.011(1), Florida Statutes, the Government in the Sunshine Law ("Sunshine Law"), the conduct and order of the meetings shall be determined by the rules and regulations of *Robert's Rules of Order*, revised edition.

**SECTION 2. SPECIAL/EMERGENCY MEETINGS.**

The Chairperson of the CAAAB may call special/emergency meetings on her/his own initiative or, upon the written request of five (5) members of the CAAAB. The call for a special meeting shall be received by each member of the CAAAB at least five (5) days prior to the date of such special meeting.

**SECTION 3. AMENDMENTS.**

The Bylaws of the CAAAB shall be amended in the following manner:

- A. Any member desiring a change in the Bylaws shall present such changes in writing to the CAAAB for its review and recommendation.
- B. Said Bylaws shall be amended with approval of two-thirds (2/3) of the CAAAB membership when a quorum is present.
- C. Amended Bylaws shall be submitted to each member of the CAAAB five (5) days in advance of the next regularly scheduled or special call CAAAB meeting.
- D. Amendments must have County Commission approval before they are effective.