

# Housing Rehabilitation Loan Committee

## BYLAWS

### Article I. Definitions

Section 1.01 There is a Committee created to be known and designated as the Housing Rehabilitation Loan Committee.

Section 1.02 As used in these Bylaws, unless a different meaning clearly appears from the context:

- (a) "Member" shall mean a member of the Housing Rehabilitation Loan Committee.
- (b) "Housing Rehabilitation Loan Committee" and "Committee" shall mean the Housing Rehabilitation Loan Committee.

### Article II. Objectives

Section 2.01 The Committee shall be responsible for reviewing and approving the City of Modesto's (City) housing rehabilitation loans, homebuyers' assistance loans, and for reviewing policy and procedures for both programs.

### Article III. Membership

Section 3.01 The Housing Rehabilitation Loan Committee shall consist of seven (7) qualified persons and one (1) alternate comprised of the following:

Seat Designation	Term
Councilmember ( <i>appointed by the Mayor</i> )	
Financial Institution - Representative	4 years
Service Provider - Representative	4 years
General Contractor (active or retired) - Representative	4 years
Stanislaus Regional Housing Authority - Representative	4 years
Citizen-at-Large	4 years
Citizen-at-Large	4 years
Citizens' Housing and Community Development Committee – Representative ( <i>Alternate</i> )	Annual

Section 3.02 The Members of the Committee shall reside within the City limits of Modesto at the time of appointment and must maintain residence within the City at all times during their service on the Committee with the exception of the appointed representative of the Stanislaus Regional Housing Authority.

Section 3.03 No Member of the Committee shall be an employee of the City, nor any bargaining unit for employees of the City, nor a person who receives compensation from the City.

Section 3.04 All appointments shall be approved by the City's Appointments Committee, with the exception of the representation recommended by the Stanislaus Regional Housing Authority and Citizens' Housing and Community Development Committee. The Stanislaus Regional Housing Authority shall appoint an employee to serve on the committee, and the Citizens' Housing and Community Development Committee shall appoint a representative to the HRLC via a majority vote.

Section 3.05 No Member of the Committee shall be a relative by blood or marriage within the third degree of the Mayor, Councilmember, Charter Officer, or any department director or deputy department director.

Section 3.06 One Member of the Committee shall be appointed as an alternate to the Citizen Housing and Community Development Committee by a majority vote of the Committee.

Section 3.07 All Members must complete Statement of Economic Interest (Form 700) by April 1st of each year and when assuming or leaving Committee membership.

Section 3.08 All seats designated for representatives, including the Financial Representative, Service Provider Representative, and General Contractor Representative may be filled with a Citizen At-Large by a majority vote of the Appointments Committee in the event that the positions have been solicited and recruitments have been unsuccessful in yielding an eligible candidate.

## **Article IV. Terms of Office**

Section 4.01 Members may serve no more than two (2) consecutive terms. Full terms are four (4) years in duration.

Section 4.02 A partial term of two (2) or more years shall be considered a full term for purposes of Section 4.01.

Section 4.03 Full term appointments begin on January 1 and expire on December 31 four (4) years subsequent.

Section 4.04 Members may be reappointed after their initial term. Members serving two (2) consecutive terms may be reappointed after a break in service of 12 months.

Section 4.05 The Members of the Committee shall receive no compensation for the performance of their official duties.

Section 4.06 Appointments to fill vacancies on the Committee shall be handled in the same manner as original appointments. When a vacancy occurs during a term, the appointment to fill such vacancy shall be for the unexpired portion of the term.

Section 4.07 Members of the Committee may be removed by a majority vote of the City Council after a recommendation by the Committee Chairperson for the following reasons:

- (a) Misconduct, inefficiency, or willful neglect in the performance of their duties providing the member is first provided in writing the reasons for such removal and gives the member the opportunity to be heard before the Council in their own defense.
- (b) Refusal to resign from the Committee when no longer a resident of the City or when a conflict of interest exists.
- (c) (c) Failure to attend Committee meetings in accordance with Article V of these Bylaws.

## **Article V. Attendance at Meetings**

Section 5.01 It shall be the responsibility of each Member to know the dates and times of all Committee meetings. If a Member knows he or she will not be able to attend a regularly scheduled meeting, it shall be his or her responsibility to notify the Committee Secretary at least forty-eight (48) hours before the meeting, in order for the absence to be recorded as an excused absence. Failure to provide adequate notice as provided in this section shall constitute an unexcused absence.

Section 5.02 The minutes of each meeting will list those Members in attendance, those who are excused and those who are unexcused.

Section 5.03 Attendance at meetings is expected and necessary to carry out the mission of the Committee. Three or more consecutive unexcused absences are grounds for removal from the Committee by the City Council.

Section 5.04 The process for recording excused and unexcused absences shall be consistent with Citywide policies and procedures, including the Board and Commission Liaison Handbook.

## **Article VI. Officers and Their Duties**

Section 6.01 Officers shall consist of a Chairperson, and a Vice-chairperson, elected by a majority vote of the members of the Committee. Officers shall serve as Chairperson or Vice-chairperson for the duration of their term, or for a period of four years if the Committee member is not subject to a term.

Section 6.02 All officers shall exercise all privileges of membership, including the making of motions, seconding and debate.

Section 6.03 The Chair shall preside at all meetings, shall appoint all ad-hoc committees, and shall ensure that the bylaws, rules and regulations as adopted by the Committee are properly enforced.

Section 6.04 The Vice-chair shall assist the Chair in his/her duties and in the absence of the Chair shall perform all duties usually performed by the Chair.

Section 6.05 In the absence of both the Chair and Vice-Chair, the secretary may call a meeting to order, whereupon a temporary chair shall be elected by a majority vote of the Members of the Commission present at the meeting.

Section 6.06 The Committee Secretary shall be a City staff member, appointed by the Community & Economic and Development Department, to serve as secretary. The Committee Secretary shall keep a record of the minutes of all Committee meetings and such other duties as are usually performed by a secretary.

## **Article VII. Meetings**

Section 7.01 Special meetings shall be called by the Chairperson as necessary.

Section 7.02 Notices of all meetings, including agendas, shall be given to all Members of the Committee, to the City Clerk, to the City Manager, and to all others as provided by law. All such notices shall be furnished to the Committee in writing at least seventy-two hours prior to the time of such meeting.

Section 7.03 All meeting agendas will be posted at Tenth Street Place.

Section 7.04 All meetings shall comply with the requirements of the Ralph M. Brown Act.

Section 7.05 A quorum is necessary for the Committee to transact any business. A quorum shall be defined as a simple majority of the total number of Committee members which is one-half of the members plus one. Vacancies shall not be counted toward the total number of members for purposes to calculating a quorum.

Section 7.06 All meetings of the Committee shall be open to the public and shall be held at a public facility, which is accessible in accordance with the regulations of the Americans with Disabilities Act.

### **Article VIII. Order of Proceedings**

Section 8.01 Section 2-1.10 “Procedural Rules for Council Meetings” of Title 2 “Administration,” of Chapter 1 “City Council Organization and Procedure” of the Modesto Municipal Code shall be the guide for parliamentary procedures in the conduct of Committee meetings.

Section 8.02 The order of proceedings of all meetings shall be as follows, subject to majority vote of the members present:

- (a) Roll Call
- (b) Conflict of Interest Declaration
- (c) Public Comment Period
- (d) Consent Items
- (e) Old Business
- (f) New Business
- (g) Committee Comments & Reports
- (h) Matters Too Late for the Agenda
- (i) Adjournment

Section 8.03 Members of the public shall not speak unless recognized by the Chairperson. The Chairperson may remove any person who refuses to follow time limits set for public comment, or rules or decisions of the Chairperson.

### **Article IX. Amendments**

Section 9.01 The Bylaws and any future amendments shall be subject to the final approval of the City Council and shall not and are not intended to go beyond any of the powers and duties given to the Committee by the City Council.