

FAYETTEVILLE HOUSING AUTHORITY BY-LAWS
 JANUARY 19, 1966 -- REVISED – OCTOBER 22, 2009 Resolution #857

Resolution NO. 2-66

BE IT RESOLVED BY THE HOUSING AUTHORITY OF THE CITY OF FAYETTEVILLE, ARKANSAS

That the following by-laws be and are hereby adopted and approved as by-laws for the Housing Authority of the City of Fayetteville, Arkansas:

BY-LAWS OF THE HOUSING AUTHORITY OF THE CITY OF FAYETTEVILLE, ARKANSAS

ARTICLE I – THE AUTHORITY

Section 1. Name of Authority. The name of the Authority shall be “Housing Authority of the City of Fayetteville, Arkansas.”

Section 2. Seal of Authority. The seal of the Authority shall be in the form of a circle and shall bear the name of the Authority and the year of its organization.

Section 3. Office of Authority. The offices of the Authority shall be located in the Hillcrest Towers Apartment Building, #1 North School Ave., Fayetteville, Arkansas. The Authority may hold its meetings at such other places as it may designate by resolution.

ARTICLE II - OFFICES

Section 1. Officers. The officers of the Authority shall be a Chairperson, a Vice Chairperson and a Secretary-Treasurer.

Section 2. Chairperson. The Chairperson shall preside at all meetings of the Authority. Except as otherwise authorized by resolution of the Authority, the Chairperson shall sign all contracts, deeds, resolutions and other instruments made by the Authority. At each meeting the Chairperson shall submit such recommendations and information as he/she may consider proper concerning the business, affairs and policies of the Authority. He/She shall follow the Roberts Rules of Order when conducting each meeting.

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 of or death of the Chairperson, the Vice Chairperson shall perform duties as are imposed on the Chairperson until such time as the Authority shall select a new Chairperson.

Section 4. Secretary-Treasurer. The Secretary shall be the Executive Director of the Authority and, as such shall have general supervision over the administration of its business affairs, subject to the direction of the Authority. He/She shall be charged with the management of the housing projects of the Authority. The Secretary-Treasurer shall keep the records of the Authority, shall act as secretary of the meetings of the Authority and record all votes, and shall keep a record of the proceedings of the

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Authority in a journal of proceedings to be kept for such purpose, and shall perform all duties incident to his/her office. He/She shall keep in safe custody the seal of the Authority and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Authority.

He/She shall have the care and custody of all funds of the Authority and shall deposit the same in the name of the Authority in such bank or banks as the Authority may select. The Secretary-Treasurer shall sign all orders and checks for the payment of money and shall pay out and disburse such moneys under the direction of the Authority. Except as otherwise authorized by resolution of the Authority, all such orders and checks shall be countersigned by the Chairperson. He/She shall keep regular books of accounts showing receipts and expenditures and shall render to the Authority, at each regular meeting (or oftener when requested), an account of his transactions and also of the financial condition of the Authority. He/She shall give such bond for the faithful performance of his/her duties as the Authority may determine.

The compensation of the Secretary-Treasurer shall be determined by the Authority, provided that a temporary appointee selected from among the commissioners of the Authority shall serve without compensation (other than the payment of necessary expenses).

Section 5. Additional Duties. The officers of the Authority shall perform such other duties and functions as may from time to time be required by the Authority or the by-laws or rules and regulations of the Authority. (Added by Resolution No. 732 on June 21, 2005). Each newly appointed board commissioner shall be required to attend one training meeting in the first year of their term and at least two training meetings during their five year appointment.

Section 6. Election or Appointment. The Chairperson and Vice Chairperson shall be elected at the annual meeting of the Authority from among the commissioners of the Authority, and shall hold office for one year or until their successors are elected and qualified.

Section 7. Vacancies. Should the offices of Chairperson or Vice Chairperson become vacant, the Authority shall elect a successor from its membership at the next regular meeting, and such election shall be for the unexpired term of said office. When the office of Secretary-Treasurer becomes vacant, the Authority shall appoint a successor, as aforesaid.

Section 8. Dismissals. Should any Board member fail to be in attendance of three meetings during a one year period, there will be an automatic review by the full board and the board member in question could face dismissal as a Fayetteville Housing Authority Board Commissioner and a successor be appointed, if the board determines the absences were unexcused.

Section 9. Additional Personnel. The Authority may from time to time employ such personnel as it deems necessary to exercise its powers, duties and functions as prescribed by the Housing Authority Act of Arkansas and all other laws of the State of Arkansas applicable thereto. The selection and compensation of such personnel (including the Secretary-Treasurer) shall be determined by the Authority subject to the laws of the State of Arkansas.

ARTICLE III – MEETINGS

Section 1. Annual Meeting. The Authority shall conduct an annual meeting to elect the Chairperson and the Vice Chairperson to serve in the upcoming year. The Annual Meeting is the October Regular Meeting.

Section 2. Regular Meetings. Monthly meetings shall be held at the regular meeting place of the Authority, the City of Fayetteville Administration Building, 113 W. Mountain St., Room #326, Fayetteville, AR, as scheduled by the Board of Commissioners.

Section 3. Special Meetings. The Chairperson of the Authority may, when he/she deems it expedient, and shall, upon the written request of two members of the Authority, call a special meeting of the Authority for the purpose of transacting any business designated in the call. The call for a special meeting may be delivered to each member of the Authority or may be mailed or e-mailed to the business or home address of each member of the Authority at least two days prior to the date of each special meeting. At such special meeting no business shall be considered other than as designated in the call, but if all of the members of the Authority are present at a special meeting, any and all business may be transacted at such special meeting.

Section 4. Regular Meeting Place. The regular meeting place of the Authority is located at the City of Fayetteville Administration Building Room #326, 113 W. Mountain St., Fayetteville, AR.

Section 5. Quorum. The powers of the Authority shall be vested in the Commissioners thereof in office from time to time. Three Commissioners shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes. When a quorum is in attendance, action may be taken by the Authority upon a vote of a majority of the Commissioners present.

Section 6. Order of Business. At the Regular meetings of the Authority the Board of Commissioners shall follow Roberts Rules of Order. The following shall be the order of business:

1. Roll Call
2. Reading and approval of the minutes of the previous meeting
3. Bills and communications
4. Report of the Secretary-Treasurer
5. Reports of Committees
6. Unfinished Business
7. New Business
8. Executive Director Report
9. Adjournment

All resolutions shall be in writing and shall be copied in a journal of the proceedings of the Authority.

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Section 7. Manner of Voting. The voting on all questions coming before the Authority shall be by roll call, and the yeas and nays shall be entered upon the minutes of such meeting.

ARTICLE IV – AMENDMENTS

Amendments to BY-LAWS. The by-laws of the Authority shall be amended only with the approval of at least three of the members of the Authority at a regular or a special meeting, but no such amendment shall be adopted unless seven days written notice thereof has been previously given to all members of the Authority.

ARTICLE V – SELECTION OF REGULAR BOARD MEMBER

(The following was added by Resolution No. 714 on November 16, 2004).

1. When a vacancy occurs, or, when a term expires, the board opening will be advertised in the local papers, on the internet, and/or on public access television. Other board members may make it known in their public contacts that a vacancy exists. When a term expires, the advertisements will begin on the first Monday of November and continue to the end of November.
2. Interested persons will obtain an application from the Housing Authority office or from the City Clerk at the City of Fayetteville Administration Building. The completed application will be turned in to the City Clerk at the City of Fayetteville Administration Building by the end of November, in accordance with the deadline listed in the advertisement.
3. The nominating committee shall consist of the board chair and at least one board member. This committee will meet and screen the applications as soon after the closing as possible. The committee will select five applicants (or fewer, in case fewer than five applications are submitted) and arrange for the applicants to be interviewed by the full board.
4. The full board will interview the applicants and rank them in terms of their qualifications for board services. The Executive Director will be involved in the selection process only as a resource with whom to check in case he/she might know something in an applicant's background which might render him/her unsuitable for board service. The final selection of the full board will be sent to the mayor for confirmation or denial.
5. The selection of the board member will normally occur at the December board meeting except in the case of a resignation. The nominee's name will be sent to the mayor and City of Fayetteville Council for confirmation as soon after the December board meeting as possible.

ARTICLE VI – SELECTION OF RESIDENT BOARD MEMBER

(Added by Resolution No. 714 on November 16, 2004)

1. When a vacancy occurs, or when a term expires, a mailing will be sent to all Public Housing and Section 8 tenants notifying them of the vacancy. The mailing will include a description of the minimum qualifications for board services and where to obtain an application. The executive staff will be responsible for the actual mailing.

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2. At the end of the expired term, the mailing will be sent out on November 1st and the applicants will have until November 30th to respond. Completed applications shall be sent to the City Clerk at the City of Fayetteville Administration Building. The City Clerk's office will forward all applications to the Executive Director who will be responsible in getting the applications to the Authority Board Members for later processing by the nominating committee.
3. The nominating committee will consist of the board chair and at least one board member. This committee will review the applications as soon after the closing date as possible and select the five most qualified applicants (or fewer if there are fewer applicants) and arrange for the applicants to be interviewed by the full board.
4. The full board will interview the finalists and rank them in terms of their qualifications for board service. The Executive Director will only be involved as a resource with whom to check in case he/she knows of anything in the applicant's background which might render him/her unqualified for board service. The name of the final candidate will be sent to the mayor and the City of Fayetteville Council for confirmation or denial as soon after the selection as possible.
5. The selection of a new resident board member, in the case of an expired term, will be made at the December board meeting. Please note that moving out of Public Housing, Section 8 or other reasons does not constitute disqualification from board service.