

CITY OF MANISTEE HOUSING COMMISSION

Tuesday, March 12, 2013

Housing Commission Office Conference Room

4:00 P.M.

WORK SESSION

AGENDA

City of Manistee Housing Commission

February 26, 2013

1. Roll Call
2. Amendments to Agenda
3. Review for Update
 - By-laws
4. Motion to Adjourn

UPCOMING MEETINGS:		
Date/Time	Location	Purpose
Tuesday, March 26 4:00 PM	Council Chambers	Regular Meeting
Tuesday, April 9 4:00 PM	CMHC Conf. Room	Work Session



**City of Manistee
Housing Commission**

273 6th Avenue, Manistee, Michigan 49660

PROVIDING SAFE AFFORDABLE HOUSING

**By-Laws
of the
City of Manistee Housing Commission**

Article I. The Commission

1.1 Name of the Commission

The name official of the Commission shall be “The City of Manistee Housing Commission”.

1.2 Commission Offices

The offices of the Commission shall be at ~~Century Terrace~~ Harborview Apartments, 273 6th Avenue, Manistee, Michigan 49660, or at such other place(s) as the Commission designate from time to time

1.3 Commission Meetings

Meetings of the Commission as provided for in these by-laws will be held at the offices of the Commission or at such other location as the Commission may from time to time designate, with appropriate notice thereof pursuant to the Michigan Open Meetings Act.

1.4 Purpose

The purpose of the Commission is to provide decent, safe, and sanitary housing opportunities as specified in the City of Manistee Charter, Ordinances and relevant state statute, MCL 125.651, et seq; Public Act 18, 1933, as amended and federal statutes and Department of Housing and Urban Development rules and regulations (24 CFR and related laws and regulations).

1.5 Commission Membership

1.5.1 Appointment:

Commission members are appointed, and subject to removal by, the Mayor of the City of Manistee, with the consent and approval of the City Council, pursuant to Codified Ordinances of City of Manistee, Chapter 270. In accordance with such City Ordinance, there shall be five (5) Commission Members, one (1) of whom shall be a resident of housing provided by the City of Manistee Housing Commission.

1.5.1.a Appointment of Resident Commissioner:

Appointment of resident as a Commissioner, as specified in MCL 125.654, et seq; Public Act 18, 1933, as amended requires

- The chief executive officer of the Housing Commission (Executive Director) shall send written notice of a commission vacancy to the president of each resident organization
- The chief executive officer shall send written notice to each tenant and shall be included in the rent notice
 - CMHC does not send rent notices to tenants, therefore notice shall be sent separately to each tenant by first class mail
- The CMHC is a commission with less than 250 units, thus if no tenant applies for membership on the commission within 60 days after notice is sent to tenants, the appointing official may appoint a person otherwise qualified under this act to serve as a member of the commission, if the chief executive officer of the commission has proof of written notice required under

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1.5.2 Resignation:

Any member desiring to resign from the Commission prior to the expiration of their appointed term shall submit a written resignation to the President of the Commission or the Executive Director of the City of Manistee Housing Commission.

1.5.3 Removal:

Housing Commission Members may be removed from office by the Mayor of the City of Manistee, with the consent and approval of the City Council, pursuant to the Codified Ordinances of the City of Manistee, Chapter 270.

1.5.4 [Reserved]

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Article II. Officers

2.1 Officers

Officers of the Commission shall be a President, Vice-President, Treasurer, and Executive Director. The Executive Director shall also serve as Secretary for Commission meetings.

2.2 General Responsibilities & Employment of Professional Services

It is the responsibility of the Commission and its Officers to manage the affairs of the Commission in a competent and professional manner and consistent and in conformity with all applicable state and federal statutes and HUD rules, regulations and guidelines.

The Commission may employ such Attorneys, Certified Public Accountants, Engineers, Planners and Consultants as are reasonably necessary to conduct the affairs and business of the Commission.

2.3 President

The President shall preside at all meetings of the Commission. At such meetings, the President shall submit such recommendations and information as he or she considers appropriate concerning the business, affairs, and policies of the Commission.

Except as otherwise authorized by resolution of the Commission, the President, with Commission authorization, shall sign all contracts, deeds and other instruments made by the Commission.

2.4 Vice-President

The Vice-President shall perform the duties of the President in the absence or incapacity of the President. In the case of resignation, removal or death of the President, the Vice-President shall perform the duties of the President until such time as the Commission shall select a new President.

2.5 Treasurer

The Treasurer of the Commission shall hold throughout his or her appointment a Michigan Certified Public Accountant license. In the event that there is no available Certified Public Accountant to serve as Treasurer, the Commission shall appoint as Treasurer someone with significant financial or banking experience. The Treasurer shall be the Chairman of the Audit and Finance Committee.

The Treasurer will have oversight of all financial and accounting systems of the Commission, and shall report to the Commission on such financial and accounting matters as are necessary and appropriate.

2.6 Executive Director

2.6.1 General:

The Commission shall appoint and employ an Executive Director, with the approval of the Manistee City Manager, to manage the day-to-day business, operations and activities of the Commission and will be the Commission's Chief Operations Officer (COO). The qualifications for the Executive Director shall include, but not limited to, appropriate managerial education, training and experience to manage the properties and affairs of the Commission.

The Executive Director shall have such general supervision over the administration of the business and affairs of the Commission, subject to the direction of the Commission, and shall be charged with the management of all of the Commissions housing projects.

The Executive Director shall sign such contracts, reports and instruments as the Commission authorizes or approves or that are required to be signed by the Executive Director by the United States Department of Housing and Urban Development (“HUD”).

The Executive Director shall hire such staff that is necessary and qualified to fill the positions approved by the Commission. Salaries and benefits for such staff shall be recommended by the Executive Director and approved by the Commission.

The Executive Director is authorized to manage the day-to-day operations of the Housing Commission within the adopted policies and procedures of the Housing Commission, the Laws of the State of Michigan and the U.S. Department of Housing and Urban Development.

2.6.2 Commission Secretary:

The Executive Director shall serve as Secretary of the Commission. The Secretary shall keep records of all Commission meetings and proceedings and ~~record all votes of the Commission in a general journal of such affairs and continuously~~ maintain the same (either hardcopy or electronic), and perform such other duties are incidental to the position of Secretary. The Executive Director shall also service as an Ex-Officio Member at the Commission Meetings. The Executive Director may appoint a Housing Commission staff to serve as the recording secretary during duly called meetings.

2.6.3 Financial Operations:

The Executive Director shall have the care and custody of the funds of the Commission and shall maintain such funds in the bank or banks approved by the Commission, and shall sign such checks and pay such monies as directed and approved by the Commission. President, Vice-President or Treasurer of the Commission shall countersign all checks and payments on behalf of the

Commission. The Executive Director shall create, manage and maintain all HUD required budgets, books, and journals of account and shall be responsible for all HUD required filings.

The Executive Director shall report to the Commission all financial activities, conditions of the Housing Commission, and faithfully account therefore.

2.6.4 Compensation:

The compensation of the Executive Director shall be set by the Commission in accordance with MCL 125.655(5)(3), all HUD regulations and in consultation with the Manistee City Manager, and reviewed annually, or at such times as the Commission deems appropriate.

2.6.5 Additional Duties:

The Executive Director shall perform such other operational and administrative duties as the Commission may from time to time determine or that are incident to the duties of the Executive Director.

2.6.6 [reserved]

2.7 Election or Appointment of Officers

The President, Vice-President and Treasurer shall be elected at the annual meeting of the Commission from among the members of the Commission by a roll call vote, with “yes”, “no” and abstaining votes recorded. When a vacancy occurs in an Officer position, a special meeting may be called to fill such vacancy until the next annual meeting.

2.8 Committees

The Audit & Finance Committee and Personnel Committee shall be standing committees. The Commission may establish such other committees, as it deems necessary and appropriate to conduct, manage and oversight the affairs and functions of the Housing Commission.

2.8.1 Audit & Finance Committee:

The President of the Commission shall appoint a three-member Audit & Finance Committee. The Chairman of the Audit Committee shall be the Commission Treasurer. At least one other member of the Audit Committee shall be a Commission member trained, educated and experienced in financial affairs. One member of Audit Committee may be an outside professional service provider, such as the General Counsel of the Commission or retained Consultant

2.8.1.1 Selection & Employment of Auditors:

The Audit & Finance Committee, in accordance with Procurement Handbook for Public Housing Agencies (HUD Handbook 7460.8 Rev. 2, dated 2/2007) including any updates and/or changes promulgated by HUD all HUD and Federal laws and regulations governing procurement, and the CMHC Procurement Policy, shall solely be responsible to select and engage auditors to conduct the annual audit of the Commissions operations. The Chairman of the Audit & Finance Committee shall sign such audit and accounting engagements letters or contracts as approved by the Audit & Finance Committee. The Auditors shall report their findings and audits of the Commission through the Audit & Finance Committee, which will report the same to the Commission.

2.8.1.2 Selection of Contract Accountants:

The Audit & Finance Committee, in accordance with Procurement Handbook for Public Housing Agencies (HUD Handbook 7460.8 Rev. 2, dated 2/2007) including any updates and/or changes promulgated by HUD all HUD and Federal laws and regulations governing procurement, and the CMHC Procurement Policy, shall ~~annually~~ select a Contract Accountant for purposes of providing monthly operating statements and bank reconciliations and such other duties as may be assigned by the Audit and Finance Committee.

2.8.1.3 Meetings of the Audit & Finance Committee:

The Chairman of the Audit & Finance Committee may establish, with appropriate notice, meetings of the Audit & Finance Committee.

2.8.1.4. Reports of the Audit & Finance Committee:

The Audit & Finance Committee shall report, as soon as is practical, to the Commission the selection of Auditors and any reports of the Auditors and not later than July 1 of the year following the close of each calendar year to report the auditors findings.

2.8.2 Personnel Committee:

The President of the Commission shall appoint a three-member Personnel Committee. At least two (2) members of the Personnel Committee shall be Housing Commission members, at least one of whom is educated, trained and experienced in Human Resources matters and who will serve as Chairmen. One member may be an outside professional service provider, such as the Commissions General Counsel or consultant.

2.8.2.1 Meetings of the Personnel Committee:

The chairman of the Personnel Committee may establish, with appropriate notice, such meetings of the Personnel Committee as may be necessary and appropriate.

2.8.2.3 Purpose and Duties:

The Personnel Committee shall monitor and study as necessary, the personnel and human resource affairs of the Commission and make such recommendations to the Commission as are appropriate and necessary, including, but not limited to, recommended wages, salaries and benefits for Commission employees.

2.8.2.4 Reports of the Personnel Committee:

The Personnel Committee shall report as necessary, its findings and recommendations to the Commission, but not less than once per year.

2.8.3 Other Committees

The Commission may establish such other temporary committees at it deems necessary and appropriate to manage and oversight the affairs and activities of the

Housing Commission. The President shall appoint the members of such committees and establish the duration of them.

Article III. Meetings

3.1 Meeting Procedures and Protocols

All ~~regular-regular~~and, work sessions and -special meetings of the Commission shall be conducted according to the most recent edition of the *Roberts Rules of Order* and the Michigan Open Meetings Act.

3.2 Annual Meeting

The Annual Meeting of the Commission shall be held ~~3rd Monday of each January at 4:00 p.m. at the posted meeting place of the Commission. In the event such date is a legal holiday, the annual meeting will be held the next following secular day.~~ at the first regular meeting of the fiscal year. The Annual Meeting shall be held no later than the third month of each fiscal year.

3.3 Regular Meetings

Regular monthly meetings of the Commission shall be set for the year at each Annual meeting and shall be posted in accordance with the Michigan Open Meetings Act.

3.3 Special Meetings/Work Sessions

The President of the Commission may on his or her own initiative, or upon the written request of two (s) members of the Commission, call a special meeting of the Commission for the purpose of transaction only that business designated in the request and notice of meeting. Notice of a special meeting must be noticed pursuant to the Michigan Open Meetings Act and with Notice given to Commission members by phone, mail or email, at least two days prior to such meeting. At such special meeting, only that business specified in the notice of the meeting may be conducted.

3.4 Quorum

For any properly notice and called meeting of the Commission, the physical presence of three (3) members of the Commission shall constitute a Quorum for the purpose of transacting business. In the event a meeting does not have a Quorum, it shall be adjourned until a Quorum is present or to the next regularly scheduled meeting of the Commission.

3.5 Meeting Cancellation

The Housing Commission President, in consultation with the Executive Director may cancel and reschedule any regular and or special/work session meetings. Notice of cancellation shall be posted the City of Manistee City Hall and the main office of the Housing Commission located at the Harborview Apartments, 273 Sixth Ave.

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3.5 Order of Business and Agenda

3.5.1. Agenda:

The Executive Director shall establish the agenda and distribute the same to Commission members before any meeting of the Commission. The President or any Commission member may request the Executive place items on the agenda for Commission consideration.

3.5.2 Order of Business:

At regular meetings of the Commission, the following shall be the general order of business:

1. Call to Order/Roll Call
2. ~~Roll Call~~Amendments to Agenda
3. Reading and Approval of the minutes of the previous meeting(s)
4. ~~Bills and Communications~~Old Business
- 4.5. New Business
6. Report of Executive Director
- 5-7. Other Staff Reports
- 6-8. Committee Reports
- 7-9. ~~Unfinished Business~~Finances
- 8-10. ~~New Business~~Communications
9. ~~Other Staff Reports~~
11. Public Comment
- 10-12. Commissioner Report/Comment

11.13. Adjournment

3.6 Commission Resolutions & Minutes

All resolutions of the Commission shall be recorded in writing and signed by the Secretary and President of the Commission and ~~keep in a continuous journal of Commission Proceedings maintained in the records of the Housing Commission (records may be retained either by hardcopy or electronic storage).~~ Minutes of every annual, regular or special/work session meeting of the Commission shall be written, verified and signed by the Commission President and Secretary. The Secretary shall~~and maintain the minutes in the records of the Housing Commission (records may be retained either by hardcopy or electronic storage).~~ ~~maintained in a continuous journal of Commission Proceedings and Minutes.~~

3.6 Official Action of Commission

Official action of the Commission may be taken only at a properly scheduled, and constituted regular, special or annual meeting, upon motion duly made, seconded and approved by majority vote of those Commission Members present and memorialized in the minutes and resolutions of the Commission.

Article IV Approval of and Amendments to By-Laws

4.1 Approval of By-Laws

The By-Laws of the City of Manistee Housing Commission shall be submitted for approval to the City Council of the City of Manistee annually.

4.2 Amendments to By-Laws

The by-laws of the Commission shall be amended only with the approval of at least three (3) members of the Commission at a regular or special meeting called for that purpose. Upon approval by the Commission, by-law amendments shall immediately be submitted to the City Council of the City of Manistee for approval. Amendments shall be effective upon City Council approval.

I hereby attest that these bylaws were duly adopted by the Board of Commissions on ~~July 17, 2006XXXXXXXXXX.~~

| _____
Clinton McKinven-Copus, Secretary

Approved by the City of Manistee Council

Date

| ~~Robert Goodspeed~~, Mayor

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