

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

Established January 19, 1966

Revised – January 25, 2024 by Resolution 1305

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:

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 over 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 they may consider proper concerning the business, affairs, and policies of the Authority. They 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. They 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 Authority in a journal of proceedings to be kept for such purpose, and shall perform all duties incident to their office. They 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.

They 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. They 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 transactions and also of the financial condition of the Authority. They shall give such bond for the faithful performance of their 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. 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 at 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 Housing Authority of the City of Fayetteville, Arkansas 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.

Section 10. Board Member Code of Conduct and Ethics. The Board of Commissioners (“Commissioners”) of the Housing Authority of the City of Fayetteville is the architect of the policy governing the operations and retains legal and fiscal responsibility for the Authority. Commissioners are chosen from a broad range of fields, professions, and community interests which render difficult the circumspection of external interests and activities of the Commissioners. It is the intent that, insofar as is possible, the Commissioners are enjoined to follow the standards of conduct and ethics herein listed.

- A. Commissioners must always act in the best interest of the residents when conducting business.
- B. Commissioners must always conduct themselves in a dignified manner during Authority business.
- C. Commissioners may not have or acquire any interest direct or indirect in any housing project or in any project included or planned to be included in any project for materials or services to be furnished or used in connection with any housing project of the Authority or doing business with the Authority. Any such interest must be identified immediately by said Commissioners. Failure to

do so could result in the Board recommending to the City Council of the City of Fayetteville that such Commissioner be removed from the Board of Commissioners.

- D. Commissioners may not interfere in the day-to-day operations of the Authority offices and staff. Any oversight of the Authority operations must be addressed during meetings of the Board.
- E. Commissioners may not use their position on the Board to intimidate, coerce, persuade, or otherwise influence any of the activities, employees, contractors, or residents of the Authority.
- F. Commissioners may not receive directly or indirectly, any fee, rebate, commission, discount, gratuity, or any other benefit whether monetary or otherwise for the proper professional discharge of their duties.
- G. Commissioners should only arrive at conclusions on matters of Authority business after proper review and discussion with the other Commissioners in open meetings. Once a decision has been reached by the majority of the commissioners in an open meeting, all Commissioners should support it graciously and professionally.
- H. Commissioners shall not act in representation of the entire Board concerning Authority business without the prior consent of the Board. No Commissioners acting individually can bind the Authority by any action of verbal representation.
- I. Subject to the requirements of the Arkansas Freedom of Information Act, Commissioners shall respect the limited intent and scope of executive sessions and respect privileged communications from executive sessions and other sources for the privacy of the personnel and clients with whom the Authority is involved.
- J. Subject to the requirements of the Arkansas Freedom of Information Act, no Commissioner shall disclose without the proper authorization to any person or entity, nonpublic information or records concerning any aspects of the operation of the Authority, nor shall he or she use such information to the advantage of themselves, or any other person or entity. Any proper disclosure of information shall be with the full knowledge of the full Board of Commissioners. It is the intent of the Board that disclosure of information shall generally be made by the Executive Director.

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 January Regular Meeting.

Section 2. Regular Meetings. Monthly meetings shall be held online via Zoom, or a similar platform as scheduled by the Board of Commissioners. Public notice will be issued on the Authority's website and a notice submitted to the City Clerk's office regarding any changes in venue or meeting time.

Section 3. Special Meetings. The Chairperson of the Authority may, when they deem 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. 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 5. 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. Call to Order
2. Roll Call
3. Approval of the Agenda
4. Announcements
5. Public Comment
6. Consent Agenda
7. Reports
8. Unfinished Business
9. New Business
10. Final Comments & Announcements
11. Adjournment

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

Section 6. 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

1. When a vacancy occurs, or, when a term expires, the City Clerk's office will be notified immediately. Board members may make it known in their public contacts that a vacancy exists. When a term expires, the City Clerk's office will advertise the vacancy and notify the Authority of the schedule for selection.
2. Interested persons will obtain and submit a completed application to the City Clerk in accordance with the City Clerk's established procedures. After the established deadline, applications will be forwarded to the Executive Director. The Executive Director will be involved in the selection process only as a resource with whom to check in case they might know something in an applicant's background that might render the applicant unsuitable for board service. The Executive Director will forward the applications to the Board and the Board Chair will schedule applicant interviews.

3. The full board will interview the applicants. The final selection of the full board will be sent to the City Clerk's office who will forward the recommendation to the City's Nominating Committee for confirmation or denial.

ARTICLE VI – SELECTION OF RESIDENT BOARD MEMBER

1. When a vacancy occurs, or when a term expires, a mailing will be sent to all Public Housing, PBRA, and HCV 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.
2. Near the end of the expired term, the mailing will be sent out in accordance with the City Clerk's established procedure. Interested persons will obtain and submit a completed application to the City Clerk in accordance with the City Clerk's established procedures. After the established deadline, applications will be forwarded to the Executive Director. The Executive Director will be involved in the selection process only as a resource with whom to check in case they might know something in an applicant's background that might render the applicant unsuitable for board service. The Executive Director will forward the applications to the Board and the Board Chair will schedule applicant interviews.
3. The full board will interview the applicants. The final selection of the full board will be sent to the City Clerk's office who will forward the recommendation to the City's Nominating Committee for confirmation or denial.
4. Please note that moving out of Public Housing, PBRA, or HCV does not constitute disqualification from board service.