

BY LAWS
OF
THE HOUSING AUTHORITY
OF CROSS PLAINS
BOARD OF COMMISSIONERS

**Adopted by the Board of
Commissioners on May 15, 2019**

Table of Contents

ARTICLE I - THE AUTHORITY	<u>1</u>
Section 1. <u>Name of Authority</u>	<u>1</u>
Section 2. <u>Seal of Authority</u>	<u>1</u>
Section 3. <u>Office of Authority.....</u>	<u>1</u>
Section 4. <u>Board of Commissioners</u>	<u>1</u>
Section 5. <u>Duties of Commissioners</u>	<u>1</u>
ARTICLE II - OFFICERS.....	<u>2</u>
Section 1. <u>Officers.....</u>	<u>2</u>
Section 2. <u>Chairperson</u>	<u>2</u>
Section 3. <u>Vice-Chairperson</u>	<u>2</u>
Section 4. <u>Secretary-Treasurer.....</u>	<u>2</u>
Section 5. <u>Additional Duties</u>	<u>3</u>
Section 6. <u>Election or Appointment</u>	<u>3</u>
Section 7. <u>Vacancies</u>	<u>3</u>
Section 8. <u>Executive Director.....</u>	<u>3</u>
Section 9. <u>Additional Personnel</u>	<u>3</u>
ARTICLE III - MEETINGS.....	<u>3</u>
Section 1. <u>Annual Meeting</u>	<u>3</u>
Section 2. <u>Regular Meeting.....</u>	<u>3</u>
Section 3. <u>Special Meetings.....</u>	<u>4</u>
Section 4. <u>Executive Session Meetings.....</u>	<u>4</u>
Section 5. <u>Quorum.....</u>	<u>4</u>
Section 6. <u>Order of Business.....</u>	<u>4</u>
Section 6.1 <u>Order of Business.....</u>	<u>4</u>
Section 7. <u>Manner of Voting.....</u>	<u>5</u>
Section 8. <u>Public Comments</u>	<u>5</u>
Section 9. <u>Open Meetings</u>	<u>5</u>
ARTICLE IV - AMENDMENTS	<u>6</u>
Section 1. <u>Amendments to By-Laws</u>	<u>6</u>

BY-LAWS
OF THE
HOUSING AUTHORITY OF
CROSS PLAINS

ARTICLE I - THE AUTHORITY

Section 1. Name of Authority: The name of the Authority shall be: **Housing Authority of Cross Plains**

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.

Section 3. Office of Authority: The offices of the Authority shall be located at 233 N. Main St., Cross Plains, Texas. The meetings of the Commissioners shall be held at a place to be designated by Resolution of the Authority, but the Authority may hold its meetings at other locations as designated.

Section 4. Board of Commissioners: The Authority shall have five(5)- seven(7) Commissioners, one of whom shall be a resident of the Authority, who shall be appointed by the Mayor. If no resident is interested in the position that position will be filled by the Mayor from the community. On an annual basis the Executive Director will solicit interest from the residents and submit the names to the Mayor for consideration. Commissioners are appointed for a two (2) year term and the terms shall be staggered so that at least two vacancies occur each year. Commissioners maybe reappointed for successive terms. Commissioners shall serve until his/her successor is nominated, qualified, and installed into office. If the resident commissioner's assistance under an Authority program is terminated this shall be deemed a resignation. In the event of a vacancy, the Mayor shall appoint a qualified person to fill the unexpired term. The appointments by the Mayor shall be approved by the City Council.

Section 5. Duties of Commissioners: The primary duty of the Board shall be to adopt policies and resolutions consistent with federal and state law. The Board will provide clear and concise policy and guidelines to the Executive Director. The Board of Commissioners shall hire the Executive Director to provide the management of the Authority. The Board should observe the chain of command and act collectively to avoid situations where they appear to be managers instead of policy makers. The Executive Director is charged with the day-to-day responsibility of making the housing authority operate and the execution of policies. -1-

ARTICLE II - OFFICERS

- Section 1.** Officers: The officers of the Authority shall be a Chairperson, and a Vice-Chairperson and a Secretary-Treasurer, who shall be the Executive Director.
- 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 and other instruments made by the Authority.
- 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 are imposed on the Chairperson until such time as the Authority shall select a new Chairperson.
- Section 4.** Secretary-Treasurer. The Secretary-Treasurer shall be responsible for the records of the Authority. The Secretary-Treasurer and/or person so designated shall act as recording 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 proceeding to be kept for such purposes.

The Secretary-Treasurer shall keep in safe custody the seal of the Authority and shall have power to affix the seal to all contracts and instruments authorized to be executed by the Authority. The Secretary-Treasurer shall have the care and custody of all funds of the Authority and shall be responsible over the staff that deposit the same in the name of the Authority in a bank or banks as the Authority may select. The Secretary-Treasurer and other Authority staff, as designated by the Board of Commissioners, shall sign all orders and checks for the payment of money and shall pay out and disburse such monies under the direction of the Board of Commissioners and as approved in annual operating budgets, except as otherwise authorized by resolution of the Board of Commissioners. (Note: For control purposes all checks/money orders require two signatures of authorized Authority staff). The Secretary-Treasurer shall be responsible for the regular books of accounts indicating receipts and expenditures and render to the Board of Commissioners, at each regular meeting (or more often, if requested), an account of transactions and also of the financial condition of the Authority.

The Secretary-Treasurer shall be the Executive Director of the Authority and, as such, shall be responsible for the administration of its business and affairs. He shall give such Bond for the faithful performance of his/her duties as the Authority may designate.

- Section 5.** Additional Duties: The officers of the Authority shall perform 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.
- Section 6.** Election or Appointment: The Chairperson and Vice-Chairperson shall be elected at the annual meeting of the Board of Commissioners from among the commissioners, and shall hold office for one year or until their successors are elected and qualified.
- Section 7.** Vacancies: Should the office of Chairperson or Vice-Chairperson become vacant, the Board of Commissioners 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 the Executive Director becomes vacant, the Board of Commissioners shall appoint a successor.
- Section 8.** Executive Director: The Executive Director shall be hired by the Board of Commissioners subject to the Personnel Policy of the Authority. The compensation of the Executive Director shall be determined by the Board of Commissioners subject to the guidelines and procedures of the Personnel Policy. The Executive Director shall be the chief executive officer of the Authority, shall be charged with the day to day management of the housing programs of the Authority, and shall execute the policies adopted by the Commissioners. The Executive Director shall inform and advise the Board on recommended policy changes and required regulatory changes in policy. The Executive Director shall perform all duties incident to the Executive Director's office. In case of a vacancy in the position of Executive Director, no Commissioner of the Authority shall be eligible for this office except on a temporary basis, 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 9.** Additional Personnel: The Authority may from time to time employ personnel, as it deems necessary to exercise its powers, duties and functions as prescribed by the Housing Authority Law of Texas and all other applicable laws of the State of Texas and Federal laws and regulations.

ARTICLE III - MEETINGS

- Section 1.** Annual Meeting: The annual meeting of the Authority shall be held on the date and time of the regular meeting in June at the regular meeting place or another location designated by the Board. In the event the date falls on a legal holiday, the annual meeting shall be held on the next succeeding secular day.
- Section 2.** Regular Meeting: Monthly meetings shall be held at the regular meeting place of the Authority or another location designated by the Board on the third Wednesday of each month at 8 a.m. In the event the date falls on a legal holiday, the meeting shall be held on the next succeeding secular day. Notice of the regular monthly meeting may be made by placing a notice on the bulletin board of the housing authority office. No further notice shall be necessary.

Section 3. Special Meetings: The Chairperson of the Authority may, when he/she deems it appropriate, or shall, upon written request of three members of the Board of Commissioners or written request from the Executive Director of the Authority, call a special or emergency meeting of the Authority for the purpose of transacting any business designated in the call. The notice shall contain the date, time and place of the meeting. The call for a special meeting may be delivered to each member of the Authority or may be mailed, faxed or e-mailed to the business or home address of each member of the Board of Commissioners at least three (3) calendar days prior to the date of such special meeting. Notice of the meeting shall be posted at the time of mailing at the office of the Authority. At such meeting no business shall be considered other than as designated in the call; however, if all of the Board of Commissioners of the Authority are present at a special meeting, any and all business may be transacted at such special meeting. Compliance with open records provisions is set forth in Article III, Section 9, Open Meetings Notice.

Section 4. Executive Session Meetings: The Chairperson of the Board of Commissioners shall, upon request of any Board member or the Executive Director/Secretary recess a regular or special meeting to go into executive session for any of the purposes listed in the Texas Open Meeting Act. These meetings are not open to the public. Minutes will be taken during the executive session and kept in a sealed envelope with the regular minutes. The Board may make a report upon returning to the regular or special meeting. No voting shall take place during an executive session. The minutes of the regular or special meeting shall reflect the time/s the Board recessed and returned to the regular or special session.

Section 5. Quorum: Three Commissioners (a majority of the Board) shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, but a smaller number may adjourn until a quorum is obtained. Commissioners may call in by phone and be counted as present. Whenever, during the meeting, a quorum is not present, the only thing to be done is to adjourn; though, if no question is raised about it, the debate can be continued, but no vote may be taken.

Section 6. Order of Business: At the regular and special meetings of the Authority, the following shall be the order of business:

- < Call to Order;
- < Roll call/
- < Establishment of
Quorum;

- < Citizens to be heard;
- < Minutes review;
- < Financial report;
- < Old business;
- < New business;
- < Executive session if needed;
- Adjournment

Section 6.1 The Agenda may be amended by a two/third (2/3) majority vote of the Board members present at a regular or special meeting.

NOTE

All resolutions shall be in writing and shall be maintained in the official minute book of the Authority.

Section 7. Manner of Voting: The manner of voting on all questions coming before the Authority shall be by ayes and nays. Provided, however, upon request of any member, voting shall be by roll call and the ayes and nays shall be entered upon the minutes of the meeting.

Section 8. Public Comments: The Chairperson may in order to maintain order at the meeting impose during the meeting certain conditions as to the manner in which persons will be recognized to speak, the subject matter of the presentation, and the amount of time which each person may speak. Without unduly restricting those persons attending the meeting to present their opinion, the number of persons allowed to speak may also be fixed. Although no person may be required to identify him or herself in order to attend the meeting, the person may be required to identify him or herself at the time he or she speaks.

Section 9. Open Meetings - Notice: A public notice will be posted on the main office bulletin board for any committee meetings of the Board of Commissioners, at the time the meeting notice has been given to committee members, no less than seventy-two (72) hours prior to the meeting.

In the event of a special or emergency meeting written notice shall as soon as possible be delivered to the agency which has filed a written request to receive notice of these meetings. The notice shall be calculated so that it shall be received at least seventy-two (72) hours before the special meeting and posted at a conspicuous place in the building where the meeting will take place. The notice shall be calculated so that it is posted at least seventy-two (72) hours before the meeting.

In the case of an emergency which prevents compliance with the notice requirements this section shall govern the Authorities conduct of a special meeting. The special meeting shall be called by the Executive Director or a majority of the members of the Authority. The Authority shall make a reasonable effort, under emergency circumstances, to notify the members of the agency and the public of the emergency meeting. At the beginning of the emergency meeting, the person chairing the meeting shall briefly describe for the record the emergency circumstances preventing compliance with the notice provision. These comments shall appear in the minutes. Discussions and action at the emergency meeting shall be limited to the emergency for which the meeting is called

ARTICLE IV - AMENDMENTS

Section 1.

Amendments to By-Laws: The By-Laws of the Authority shall be amended only with the approval of at three of the members of the Board of Commissioners at a regular meeting, but no such amendments shall be adopted unless notice of the amendment(s) has been submitted in writing at the previous regular meeting of the Authority.