



PEARSALL HOUSING AUTHORITY BYLAWS

RESOLUTION NO. 2023.24.01

WHEREAS, the Housing Authority of the City of Pearsall was established to undertake programs attending to low-income persons in need of safe affordable housing; and

WHEREAS, the Housing Authority of the City of Pearsall administers the Public Housing Low Rent Program, Housing Choice Voucher (formerly Section 8) Program within the City of Pearsall, Texas; and

WHEREAS, the Board of Commissioners of the Housing Authority of the City of Pearsall adopted a set of bylaws; and

WHEREAS, the Board of Commissioners has reviewed the bylaws of the Housing Authority of the City of Pearsall, Texas, and believe that the updated language reflects the current needs of the Housing Authority and conforms to all applicable federal, state, and local requirements; and

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners for the Housing Authority of the City of Pearsall approves and adopts the attached bylaws as presented this 16th day of August 2023.

The Motion outlining the resolution to approve and adopt the bylaws was made by Vice-Chairperson Juan Ponce Jr and seconded by Resident Commissioner Juan Garcia.

Voting Tally: For- 3 , Against- 0 , Abstained- 1

Motion was: Passed/Failed

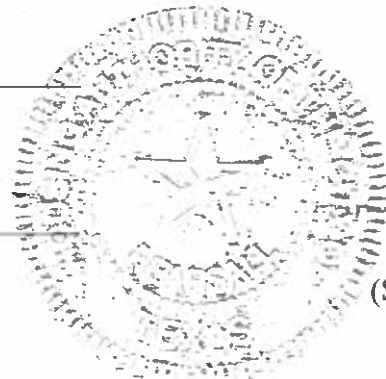
Certified by my signature below on August 16, 2023.



Reynaldo Trevino,
Chairman of the Board of Commissioners



Jessica Ramos,
Secretary Board of Commissioners



(SEAL)

ARTICLE I - THE AUTHORITY

Section 1. Name of Authority: The name of the Authority shall be "Pearsall Housing Authority". The terms "Board of Commissioners" and "Board" shall have the same meaning as "Authority".

Section 2. Seal of the 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 office of the Authority shall be located at 501 W. Medina, Pearsall, Texas.

ARTICLE II- COMMISSIONERS, OFFICES AND RESPONSIBILITIES

Section 1. Appointment of Commissioners:

Board of Commissioners

The Mayor of the City of Pearsall shall appoint 5 Commissioners to serve on the Board of Commissioners of the Authority. The term of each Commissioner shall be for a period of two (2) years. Appointments shall be staggered with two (2) Commissioner terms expiring on an even-numbered year and three (3) Commissioner terms expiring on an odd-numbered year.

Resident Commissioner

In accordance with Texas Local Government Code Section 392.0331(b-1), Public Housing Authorities with less than 150 units must announce to the Public Housing Residents that a commissioner seat will be vacant and solicit an eligible tenant to serve as Resident Commissioner on the Board. If no one is interested in serving, the requirement may be waived, and the mayor may appoint a commissioner from the community at large according to applicable state law.

Section 2. Officer Election and Appointment:

The officers of the Authority shall be a Chairperson, a Vice-Chairperson, and a Secretary (also Executive Director). The Secretary and the Executive Director are synonymous and used interchangeably in this document.

The Chairperson and Vice-Chairperson shall be elected by the Authority from among the current Commissioners and shall hold office for 2 years or until their successors are elected and qualified.

The Authority shall appoint the Secretary. Any person appointed to fill the office of Secretary, or any vacancy therein, shall have such term as the Authority affixes, but no Commissioner of the Authority shall be eligible to this office until one year after he/she has ceased to serve as a Commissioner. The term of the Secretary is consistent with the employment of the Executive Director.

Section 3. Vacancies:

Should the absence, removal, or incapacity of the Chairperson and or Vice-Chairperson occur, the Authority shall elect an Acting Commissioner to serve as Chairperson and or Vice-Chairperson during the said period of absence, this should take place at the next regular meeting. Should the office of the Secretary become vacant, the Authority shall appoint a successor. Should there be a vacancy on the Board of Commissioners, the Secretary shall notify the Mayor of the City of Pearsall in writing. The mayor shall fill the vacancy by appointing a new Board Commissioner at the earliest available opportunity to avoid a disruption in the operation of the Authority.

Section 4. Forfeiture Of Office:

All Commissioners of the Authority shall adhere to the Standards of Conduct Policy of the Authority. Any Commissioner whose actions are construed as defiance of any applicable Standards of Conduct; or who is convicted of a felony or misdemeanor involving a crime or moral turpitude, while in office, shall forfeit his or her office. Any Commissioner of the Authority who fails to attend three (3) consecutive meetings (regardless of type- regular, special, or emergency called meeting) of the Authority shall forfeit his or her office unless excused by unanimous vote of the Authority, the vote being taken at the beginning of the fourth (4th) meeting after providing the absent Commissioner an opportunity to present his or her excuse or extenuating circumstances to the Commissioners of the Authority.

Section 5. Commissioner and Officer Responsibilities:

Commissioner. Each Commissioner shall have a desire to improve the community by working for better housing, to improve the housing standards of the community’s low-income families, to cooperate and coordinate the PHA’s efforts with other community improvement agencies, to be concerned for the prudent and responsible use of the public funds, to engage in training about Texas Housing Authorities including the Open Meetings Act, have a working knowledge of the policies and of the Authority and have the time to devote to full participation in the meetings of the Authority. Open Meeting Training is summarized below (Texas Government Code Section 551.005).

- (a) Each elected or appointed public official who is a member of a governmental body subject to this chapter shall complete a course of training of not less than one and not more than two hours regarding the responsibilities of the governmental body and its members under this chapter not later than the 90th day after the date the member: (1) Takes the oath of office if the member is required to take an oath of office to assume the person’s duties as a member of the governmental body

Chairperson. The Chairperson shall sign all contracts, deeds, and other instruments made by the Authority.

The Chairperson shall see that all Commissioners of the Authority are sworn in upon appointment by the Mayor and the Commissioner Certificates of Appointment are duly filed with the Pearsall City Clerk per Local Government Code Section 392.031(c).

Vice-Chairperson. The Vice-Chairperson shall perform the duties of the Chairperson in the absence, unavailability, or incapacity of the Chairperson, and in case of the resignation, removal, 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 appoint a new Chairperson.

Secretary. The Executive Director is an officer of the Authority, the incumbent serves as a non-voting member of the Authority. The Secretary shall also serve as the Executive Director of the Authority. The Secretary shall keep the record of the Authority, shall act as Secretary of the meetings of the Authority and record all votes, and keep a record of the proceedings of the Authority in a journal of the proceedings to be kept for such purpose, and shall perform all duties incident to his/her office.

The Secretary shall keep in safe custody the seal of the Authority and shall have the power to affix such seal to all contracts and instruments authorized to be executed by the Authority. The Secretary 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 shall sign all orders and checks for the payment of money and shall pay out and disburse such funds under the direction of the Authority. All such orders and checks shall require a minimum of two (2) Authorized signatures for the Authority. In addition to the Secretary, authorized signatories shall be the Chairperson, Vice-Chairperson, and/or Commissioner(s) appointed by the Chairperson and confirmed by Board Resolution. The Secretary shall keep regular books of accounts showing receipts and expenditures and shall render to Authority, at each regular meeting an account of his/her transactions and also the financial condition of the Authority. The Secretary shall give such a bond for the faithful performance of his/her duties as the Authority may determine.

Executive Director. In the capacity as Executive Director of the Authority, the incumbent shall have general supervision over the administration of the business and affairs of the Authority, subject to the direction of the Authority. The Executive Director shall be charged with the management of the Housing Programs of the Authority. The Executive Director shall exercise those powers authorized by applicable laws, bylaws, and Resolutions. The Authority shall determine the compensation and benefit package of the Executive Director.

Section 6. Additional Duties:

The Officers and Commissioners of the Authority shall perform such other duties and functions from time to time as may be required by the Authority, the bylaws or Rules and Regulations of the Authority, or as prescribed by applicable local, state, or federal law.

Section 7. Additional Housing Authority Staff:

The Executive Director may employ staff to exercise his/her power, duties, and functions as prescribed by the Housing Authorities Law of the State of Texas, the Housing Authority, and all other laws of the State of Texas applicable thereto. The Executive director shall determine the selection and compensation of such staff members; subject to the laws of the State of Texas, policies and budget of the Authority and applicable HUD regulations, and the Code of Federal Regulations.

ARTICLE III - MEETINGS

Section 1. Annual Meeting:

The annual meeting of the Housing Authority shall be set by the commissioners approximately at the end of the fiscal year (currently June 30). At this meeting, an annual report will be presented detailing the activities of the preceding year as well as plans and recommendations for the future year(s) with reference to any additional legislation and/or other action as it is deemed necessary to carry out the Housing Act and Program(s).

Section 2. Regular Meetings:

Regular meetings are to be held on the third (3rd) Thursday of each month at 6:00 p.m. Meetings can be changed as designated by a majority of the commissioners.

Section 3. Notice of Meetings:

Notice and posting of the agenda for **ALL** regular, special, and emergency meetings of the Authority shall be given as required by applicable law, including the Texas Open Meetings Law.

Agenda. The Secretary shall prepare and sign the agenda prior to release. Additional items can be included in the agenda if the majority of the Commissioners approve including such items in the agenda.

Special Meetings. The Chairperson of the Authority in his/her judgment may call a special meeting of the Authority for the purpose of transacting any business designated in the Notice of the Meeting. The Notice shall be delivered or mailed to each commissioner at his/her home or business in such a manner that a commissioner has at least 72-hour notice of the meeting. Such Notice to the commissioners may be waived in writing or by participation in the meeting. The foregoing is subject to Texas Open Meetings Law.

Emergency Meetings. In compliance with applicable law, the Authority may conduct emergency meetings.

Section 4. Texas Open Meetings Act and Notice to Commissioners:

All meetings of the Authority shall be held in compliance with the Texas Open Meetings Act. All pertinent notices and agendas shall be delivered to each commissioner at the same time, or as nearly as possible, that the statutory public notices are posted.

Section 5. Quorum:

At all meetings of the Authority a majority of the members of the Authority shall constitute a quorum for the purpose of transacting business; provided that a smaller number may meet and adjourn to some other time or until a quorum is obtained. A minimum of three voting members of

the Authority will constitute a quorum to take action on an item providing all three members participate in the vote.

Section 6. Order of Business.

At the Regular Meeting of the Authority, the following shall be the order of business:

1. Agenda – distributed and posted
2. Meeting Called to Order
3. Roll call and Announcement of a Quorum
4. Pledge of Allegiance
5. Public Comment
6. Approval of Prior Meeting Minutes
7. Executive Director Report
8. Action Items
9. Board of Commissioners Notifications Discussion with the opportunity for commissioners to put items on the agenda
10. Adjournment

All minutes of meetings and resolutions shall be in writing and shall be kept in a journal of the proceedings of the Authority duly maintained at the Authority office. All meetings shall be recorded and recordings shall be duly maintained at the Authority Office by the Secretary.

Section 7. Manner of Voting.

The voting on all motions coming before the Authority shall be by voice vote in addition to a show of hands. Votes in the “Affirmative” and “Negative” of each Commissioner on all motions shall be entered in the minutes of every meeting. The minutes shall also reflect the votes by each Commissioner in which no voting action “Abstain” was taken.

Section 8. Resolutions to Require Action:

All resolutions adopted by the Authority shall be maintained in a resolution book to be kept at the Authority's office. Resolutions will be numbered and dated.

Section 9. Rules of Order:

Robert’s Rules of Order, Revised, shall govern the conduct of all meetings of the Authority.

ARTICLE IV – USE OF WORDS AND CAPTIONS

Section 1. Use of Words.

As used in these bylaws, whenever the context so indicates, the gender of all words shall include the masculine, feminine, and neuter and the number of all words shall include the singular and plural.

Section 2. Captions:

The captions and headings contained in these bylaws are for convenience and reference only and shall not be construed as limiting, amplifying, or modifying in any manner the provisions of these bylaws, and shall not otherwise affect the interpretation of these bylaws.