

RESOLUTION NO. HA 94-01

A RESOLUTION OF THE FONTANA HOUSING AUTHORITY TO ADOPT RESOLUTION NO. HA 94-01 PROVIDING FOR THE TIME AND PLACE OF ITS REGULAR MEETINGS AND ADOPTING BYLAWS FOR THE FONTANA HOUSING AUTHORITY. ("HOUSING AUTHORITY").

WHEREAS, the Housing Authorities Law requires that the Fontana Housing Authority ("Housing Authority") provide for the time and place of holding its regular meetings;

WHEREAS, It is desired that the Housing Authority make and adopt Bylaws to carry into effect its powers and purposes; and

WHEREAS, the Housing Authority has reviewed and considered the "Bylaws of the Fontana Housing Authority" attached hereto as Exhibit "A".

NOW, THEREFORE, be it resolved, determined, and ordered by the Fontana Housing Authority that,

Section 1. The Housing Authority hereby establishes no earlier than 8:00 p.m. on the first Tuesday in December, as the time of its regular meeting, and the City Council Chambers, Fontana City Hall, 8353 Sierra Avenue, Fontana, California, as the place, of its regular meeting.

Section 2. The Bylaws of the Fontana Housing Authority, a copy of which is attached hereto as Exhibit "A", are hereby adopted.

APPROVED AND ADOPTED this 7th day of June, 1994.

APPROVED AS TO LEGAL FORM:

Stephen P. Detrich
Authority Special Counsel

I, Kathy Montoya, Clerk of the Fontana Housing Authority do hereby certify that the foregoing resolution is the actual resolution duly and regularly adopted by the Fontana Housing Authority at a special meeting on the day of 7th day of June, 1994, by the following vote to wit:

AYES: Chairman Boyles, Authority Members Eshleman, Watson
NOES: None
ABSENT: Colema Roberts

RESOLUTION NO. HA 94-01

Barry E. Baker
Chairperson of the Fontana
Housing Authority

ATTEST:

Kathy Montoya
Clerk
Fontana Housing Authority

EXHIBIT "A"

**BYLAWS OF THE FONTANA HOUSING AUTHORITY
("HOUSING AUTHORITY")**

Adopted Pursuant to
Fontana Housing Authority
Resolution No. HA 94-1
Dated June 7, 1994

ARTICLE I - THE HOUSING AUTHORITY

Section 1. Name of Housing Authority. The name of the housing authority shall be the "Fontana Housing Authority", hereinafter referred to as the "Housing Authority".

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

Section 3. Office of Housing Authority. The office of the Housing Authority shall be at Fontana City Hall, 8353 Sierra Avenue, Fontana, California 92335.

Section 4. Commissioners of Housing Authority. The City Council of the City of Fontana has, by City Council Resolution No. 94- 38, declared its members to be the commissioners of the Housing Authority. The commissioners of the Housing Authority shall be the members of the City Council as that body is constituted and shall remain commissioners only so long as said members remain on the City Council, and new members of the City Council shall automatically become commissioners of the Housing Authority. Only Commissioners are empowered with the right to vote on Housing Authority business.

ARTICLE II - OFFICERS

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

Section 2. Chairperson. The Mayor of the City of Fontana shall designate the first Chairperson from among the commissioners. The Housing Authority shall select his or her successor from among its commissioners for a term of one year. The Chairperson shall preside at all meetings of the Housing Authority. At each meeting, the Chairperson shall submit such recommendations and information as he or she may consider proper concerning the business affairs and policies of the Housing Authority.

Section 3. Vice-Chairperson. The Housing Authority shall select from among its commissioners a Vice-Chairperson for a term of one year. The Vice-Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson. In the event of the resignation or death of the Chairperson, the Vice-Chairperson shall perform such duties as are imposed on the Chairperson.

Section 4. Secretary. The City Manager of the City of Fontana shall serve as the Secretary of the Housing Authority. The Secretary shall be the Executive Director of the Housing Authority and shall perform all duties incident to the office.

ARTICLE III - COMPENSATION OF COMMISSIONERS

Section 1. Per Diem Payments. A commissioner shall not be regularly employed by the Housing Authority during his or her tenure in office, but may receive per diem payment for attendance at Housing Authority meetings in the amount set by the Housing Authority consistent with the Housing Authorities Law.

Section 2. Expenses. A commissioner shall receive necessary traveling and subsistence expenses incurred in the discharge of duties.

ARTICLE IV - APPOINTED OFFICERS, EMPLOYEES, AGENTS AND CONSULTANTS

Section 1. Executive Director. The Secretary of the Housing Authority shall be the Executive Director. As the chief executive, the Executive Director shall be charged with the day to day administration and management of the Housing Authority subject to direction of the Housing Authority. The Executive Director shall have the authority to contract on the Housing Authority's behalf without prior Housing Authority approval for goods and services to be furnished to the Housing Authority when the contract price (or if for services, the maximum compensation) does not exceed twenty thousand dollars (\$20,000), all in accordance with the adopted City of Fontana purchasing policy and procedures. The Executive Director, or his or her delegate, shall sign all deeds, contracts, agreements and other instruments after approval of such matters by the Housing Authority.

Section 2. Treasurer. The Treasurer of the City of Fontana, or his or her delegate, shall be the Treasurer of the Housing Authority. The Treasurer shall have the care and custody of all funds of the Housing Authority and shall deposit the same in the name of the Housing Authority in such bank or banks and financial institutions as the Housing Authority may select from time to time.

Section 3. Clerk. The City Clerk of the City of Fontana, or his or her delegate, shall automatically be the Clerk of the Housing Authority. The Clerk shall keep the records of the Housing Authority, act as recording secretary of the meetings of the Housing Authority, attest to the adoption of all resolutions of the Housing Authority, certify the authenticity of all records of the Housing Authority, record all notes, keep a record of the proceedings of the Housing Authority in a journal of proceedings to be kept for such purpose, and perform all duties incident to the office. The Clerk shall keep in safe custody the seal of the Housing Authority and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Housing Authority.

Section 4. Employees, Agents and Consultants. From time to time, the Housing Authority may hire such employees, agents and consultants as it deems necessary or desirable to fulfill its objectives and programs.

Section 5. Compensation. The Housing Authority may fix and determine the compensation of all Housing Authority officers, employees, agents and consultants.

Section 6. Orders and Payments. The Chairperson and the Clerk of the Housing Authority shall sign all orders and checks for the payment of money and shall pay out and disburse such monies under the direction of the Treasurer and approval of the Housing Authority.

Section 7. Delegation. Any officer of the Housing Authority may, by an instrument in writing, delegate the rights, powers, privileges and duties of his or her office.

ARTICLE V - MEETINGS

Section 1. Regular Meetings. The regular meeting of the Housing Authority shall be held without official notice on the first Tuesday of December, no earlier than 8:00 p.m., in the City Council Chambers, Fontana City Hall, 8353 Sierra Avenue, Fontana, California. In the event the day of the regular meeting shall be a legal holiday, said meeting shall be held on the next succeeding business day.

Section 2. Special Meetings. Special meetings of the Housing Authority may be called by the Chairperson or by two commissioners, and notice thereof shall be mailed to each commissioner at least 48 hours before the meeting.

Section 3. Quorum. The powers of the Housing Authority are vested in the commissioners in office from time to time. Three members shall constitute a quorum for the purpose of conducting its business, exercising its powers and for all other purposes, but a smaller number may adjourn from time to time until a quorum is obtained.

Section 4. Order of Business. At the regular meeting of the Housing Authority, the following shall be the order of business:

1. Closed Session
2. Roll call.
3. Approval of minutes.
4. Public communications.
5. Consent calendar.
6. Public hearings.
7. Unfinished business.
8. New business.
9. Housing Authority Commissioner communications.
10. Executive Director communications.
11. Adjournment.

At any meeting, the commissioners of the Housing Authority may change the order of business.

Section 5. **Manner of Voting.** The voting on formal resolutions, matters relating to any federal, state, county, or city agency or authority, and on such other matters as may be requested by a majority of the commissioners, shall be by roll call, and the ayes and noes and members present and not voting shall be entered upon the minutes of such meeting.

Section 6. **Roberts Rules.** All rules of order not herein provided for shall be determined in accordance with Roberts Rules of Order. Failure to comply with any provisions of Roberts Rules of Order shall not invalidate any action of the Housing Authority.

Section 7. **Closed Session.** Nothing contained in these Bylaws shall be deemed, construed or interpreted to prevent the commissioners of the Housing Authority from holding closed sessions during a regular or special meeting concerning any matter permitted by law to be considered in closed session.

ARTICLE VI - AMENDMENT

Section 1. **Amendment of Bylaws.** The bylaws of the Housing Authority shall be amended only with the approval of at least three commissioners of the Housing Authority at a regular or special meeting, but no such amendment shall be adopted unless at least five days written notice thereof has been previously given to all commissioners of the Housing Authority.

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