

# SAN BENITO COUNTY



## BY-LAWS

### Procedures for the Transaction of Business

### For

### Housing Advisory Committee (HAC)

**I. Name**

The name of the Committee shall be: Housing Advisory Committee (HAC).

**II. Authority**

- A. San Benito County amended Ch. 21.03 Affordable Housing Regulations (Former Ordinance 766) and adopted the new Ordinance 951 in 2016.
- B. The updated ordinance establishes a Housing Advisory Committee for inclusionary housing projects.
- C. The HAC acts in an advisory capacity to the County Board of Supervisors and/or Planning Commission on subjects relating to Housing.

**III. Purpose**

The purpose of this committee is to advise the Board of Supervisors on matters relating to the Housing Element of the General Plan and the inclusionary housing ordinance, and such other matters as the Board of Supervisors or County Staff shall direct. The committee is also expected to evaluate proposals for disbursement of in-lieu fees in accordance with Ch. 21. The HAC is an appointed body that is charged with reviewing and considering housing related issues for the County.

**IV. Duties**

The Duties of the HAC will meet at least quarterly, to review the following operations:

- A. Provide advice regarding affordable housing programs, guidelines and policies consistent with the Housing Element of the San Benito County General Plan.
- B. Provide advice regarding opportunities for the development of housing affordable to those households with extremely low, very low, low and moderate income.
- C. Assist staff and the Board of Supervisors to promote greater public understanding and acceptance of affordable housing.
- D. Provide advice regarding the expenditures of funds that are set aside for affordable housing programs and make funding recommendations.
- E. Make recommendations to the Planning Commission, Board of Supervisors, and staff regarding affordable housing preferences and program eligibility criteria.
- F. Provide advocacy for establishing and maintaining a diversity of housing types and opportunities in San Benito County.
- G. A housing advisory committee may be designated to review the income qualifications of potential applicants as part of the selection process of program participants
- H. Other functions include review and recommendations on proposed grant and loan applications related to specific housing projects.

**V. Attendance**

- A. HAC committee members shall attend HAC meetings.
- B. A member who cannot attend a meeting must notify the designated staff.
- C. Whenever an elected member of the HAC (Planning Commissioner & Board of Supervisor) does not attend three (3) consecutive, regularly scheduled meetings, the Chair of the HAC shall notify the nominating agency/organization of the absences and request appropriate action.

**VI. Membership**

- A. Members of the Housing Advisory Committee shall be San Benito residents who have a particular interest or expertise in the area of affordable housing and are 18 years of age or older.
- B. Members of the Committee shall be appointed by the Board of Supervisors through a recommendation by the Chair of the Board.
- C. There shall be seven (7) voting members of the Committee, serving two-year terms or until a successor is appointed and able to serve.
  - 1. Two (2) members of the San Benito County Board of Supervisors and an alternative.
  - 2. Two (2) members of the San Benito County Planning Commission and an alternative.
  - 3. Three (3) Members Appointed by the Board of Supervisors Chair
    - a. One member of the affordable housing development community.
    - b. One member of the builder development community
    - c. One member with a financial or accounting background
- D. Public applicants cannot be currently serving on another County Advisory Committee or be an elected official.
- E. Reasons for removal of members of the Committee shall be
  - 1. Members shall notify the Chair or staff in the event of an anticipated absence from a regularly scheduled meeting. Three absences in any twelve month period shall constitute voluntary resignation from being a full Committee member. If due to unforeseen circumstances, a Committee member cannot fulfill his/her duties, the Committee member may request Alternate status through the Chair.
  - 2. Conflict of interest.

## **VII. Terms**

- A. HAC members serve for two year term; with the exception of the first year of establishment, three committee members will serve for three (3) years terms.
- B. Committee members of HAC shall be appointed by and serve at the pleasure of the Board of Supervisors. Alternate committee members may be designated by each representation on HAC; however, in order to have voting privileges, an alternate designated by an organization must be officially appointed as such by the Board of Supervisors after the vacancy in membership is properly noticed per the Maddy Act (Government Code Section 54970 et seq.)
- C. Any Board appointed committee member or alternate committee member choosing to resign from the HAC must submit a written letter of resignation to the Clerk of the Board of Supervisors with a copy to the HAC Chair.
- D. Vacancies in membership shall be properly noticed (Maddy Act) and nominations to fill vacancies shall be submitted by the representative of the organization. Public-at-Large wishing to be appointed shall complete an application available from the Clerk of the Board.

## **VIII. Committee Organization**

- A. The Committee shall set a regular day and time to meet quarterly. Special meeting can be More meetings can be set by the committee.
- B. A quorum shall be 4 voting members.
  - 1. A majority of votes is defined as simple majority, if quorum present.
- C. Generally accepted practices or principles for meetings shall govern the Committee's proceedings



- D. The Brown Act Laws for Open Public Meetings, Government Code Section 54950.5 governs the Committees' actions.

### **IX. Officers & Staff**

The Officers of HAC are the Chair and Vice Chair, and designated alternates.

- A. Officers shall be elected for one year term;
- B. Officers shall be elected from the voting commissioners of the HAC at the first meeting of the New Year by a simple majority of the HAC commission present.
- C. The one-year term officers will begin upon accepting the election and terminate on December 31<sup>st</sup> of the year.
- D. The Chair of the Committee will serve one year appointment.
  1. Presides at meetings;
  2. Appoints sub-committee membership;
  3. Follows-up on work of sub-committees;
  4. Represents the Committee to the Planning Commission and Board of Supervisors;
  5. Calls special meetings;
  6. Coordinates agenda preparation with staff; and
  7. Encourages active participation of members.
- E. The Vice-Chair of the Committee Presides at meetings in the absence of the Chair.
- F. Staff role
  1. Record attendance,
  2. Prepare summary minutes,
  3. Arrange for filling vacancies,
  4. Prepare agenda in consultation with Chair,
  5. Provide information necessary for committee work,
  6. Assure compliance with applicable laws,
  7. Lend professional expertise, and
  8. Track time spent on Committee work.

### **IX. Responsibilities of the Committee**

- A. Appoint sub-committees (either special or on-going),
- B. Appoint acting Chair in absence of both Chair, Vice-Chair, and alternate.
- C. Submit recommendations to the Planning Commission.
- D. Establish goals and action plan to achieve assigned duties, and
- E. Fill vacancies as appointed by the Chair.

### **X. Amendments to these By-laws**

- A. Changes in these By-laws must be approved by a majority vote of the Committee and then ratified by the Board of Supervisors.
- B. Rules of Order:
  - a. All meetings will be governed by the Brown Act.

### **XI. Conflict of Interest**

If a conflict of interest is perceived to exist, at the onset of the meeting, should any commissioner determine their recusal is warranted due to conflict of interest, then that member should inform the Chairperson and state for the record that they will not be participating in that agenda item.

