

BY-LAWS OF THE MELBOURNE HOUSING AUTHORITY

ARTICLE I - THE AUTHORITY

Section 1 - Name of Authority. The name of the Authority shall be "Melbourne Housing Authority."

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 office of the Authority shall be at such place or places in the City of Melbourne, County of Brevard, Florida, as the Authority may from time to time designate by resolution.

ARTICLE II - OFFICERS

Section 1 - Officers. The officers of the Authority shall be a Chairman, a Vice Chairman and a Secretary (who shall be Executive Director).

Section 2 - Chairman. The Chairman shall preside at all meetings of the Authority. Except the otherwise authorized by resolution of the Authority, the Chairman shall sign all contracts, deeds and the instruments made the Authority. At each meeting, the Chairman shall submit such recommendations and information as he may consider proper concerning the business, affairs and policies of the Authority.

Section 3 - Vice Chairman. The Vice Chairman shall perform the duties of the Chairman in the absence or incapacity of the Chairman; and in case of the resignation or death of the Chairman the Vice Chairman shall perform such duties as are imposed on the Chairman until such time as the Authority shall appoint a new Chairman.

Section 4 - Secretary. The Secretary shall keep the records of the Authority, shall act as a 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 his office. He shall keep in a safe custody the seal of Authority and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Authority.

He 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 moneys under the direction of the Authority, all such orders and checks shall be countersigned by the Chairman. He 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 the transactions and also of the financial condition of the Authority. He shall give such bond for the faithful performance of his duties as the Authority may determine.

The compensation of the Secretary 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 - Executive Director. The Secretary shall be the Executive Director of the Authority and shall have the general supervision over the administration of the business and affairs of the Authority, subject to the direction of the Authority. He shall be charged with the management of the housing projects of the Authority.

Section 6 - 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.

Section 7 - Election or Appointment. The Chairman and Vice Chairman 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.

The Secretary shall be appointed by the Authority. Any person appointed to fill the office of Secretary, or any vacancy therein, shall have such term as the Authority fixes, but no commissioner of the Authority shall be eligible to this office except as a temporary appointee.

Section 8 – Vacancies. Should the office of Chairman or Vice Chairman 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 becomes vacant, the Authority shall appoint a successor, as aforesaid.

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 Authorities Law of Florida as amended and all other laws of the State of Florida applicable thereto. The selection and compensation of such personnel (including the Secretary), shall be determined by the Authority subject to the laws of the State of Florida.

ARTICLE III – MEETINGS

Section 1 – Annual Meeting. The annual meeting of the Authority shall be held on the first Tuesday of January at 12:00 o'clock noon at the regular meeting place of the Authority. In the event such date shall fall on a legal holiday, the annual meeting shall be held on the next succeeding secular day.

Section 2 – Regular Meetings. Regular Meetings may be held without notice at such times and places as may from time to time be determined by resolution of the Authority.

Section 3 – Special Meetings. The Chairman of the Authority may, when he deems 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 the 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 to the business or home address of each member of the Authority at least two days prior to the date of such 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. 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 smaller number may meet and adjourn to some other time or until a quorum is obtained.

Section 5 – Order of Business. At the regular meetings of the Authority the following shall be the order of business:

1. Roll call.
2. Reading and approval of the minutes of the previous meeting.
3. Bills and communications.
4. Report of the Secretary.
5. Reports of Committees.
6. Unfinished business.
7. New business.
8. 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

Section __ - Amendment 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 at least seven days' written notice thereof has been previously given to all of the members of the Authority.

The following resolution was introduced, read in full, and considered:

RESOLUTION NO. 56-2016-08-02

A RESOLUTION ADOPTING AND INCORPORATING INTO THE BY LAWS A POLICY ON BOARD MEMBER ATTENDANCE

WHEREAS, the Melbourne Housing Authority (MHA) is monitored by the United States Department of Housing and Urban Development (HUD), and

WHEREAS, the MHA has identified a need for an Attendance Policy for the Board Members, and reviewed policies from similar Boards.

NOW THEREFORE, BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS FOR THE MELBOURNE HOUSING AUTHORITY has approved a policy to be adopted into the By Laws of the Melbourne Housing Authority (MHA) regarding Board Member Attendance as follows:

Board member attendance requirements.

(a) Any person appointed by the city council to serve on a board, authority or committee who is in violation of such organization's attendance requirements and who has been recommended to the city council for removal by that organization shall be notified by the city council of such failure to attend and shall have an opportunity to be heard on that issue. The city council may then suspend or remove from office that board member in accordance with the provisions of F.S. § 112.501.

(b) In the absence of organization-established attendance requirements, the following attendance standard shall apply: Any person appointed by the city council to serve on a board, authority or committee shall be in violation of the city's attendance requirements if said member fails to attend three consecutive regular meetings or any three of five consecutive regular meetings, unless the member has been excused by the chair of the organization for good cause.

(c) The chair of any board, authority or committee whose members are appointed by the city council shall provide written notification to the city council when a member has violated the attendance requirements of that organization or the city, unless such absences are excused by the chair of that organization.

Commissioner Stewart moved the foregoing resolution be adopted as introduced and read. Motion was seconded by Commissioner Durrant and following discussion the question was called with "Ayes" and "Nays" as follows:

Ayes

Gloria Durrant
Richard Freeman
Belinda Stewart

Nays

Abstained

Absent

Pat Sims
Judith Doyle

The Chairman thereupon declared the motion carried and said resolution adopted on this 2nd day of August, 2016.