



BY-LAWS

of the

HOUSING AUTHORITY OF THE ST. JOHN THE BAPTIST PARISH

152 Joe Parquet Circle
LaPlace, LA 70068

September 18, 2017

Adopted and amended by Resolution 2017-33

These by-laws supersede and replace all previously approved by-laws

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1. GENERAL PROVISIONS

1.1 Authority Name

The official name of the Authority is “Housing Authority of the St. John the Baptist Parish” (hereinafter the “Authority”). It may also use the name “St. John the Baptist Parish Housing Authority.”

1.2 Purpose

The Authority is a public body corporate and politic, exercising public and essential governmental functions, and having all the powers necessary or convenient to carry out and effectuate the purposes and provisions of Title 40 Chapter 3 as those laws may be amended from time to time.

1.3 By-Laws

1.3.1 The Authority shall adopt by-laws to provide rules for governing the Authority and the Authority’s activities.

1.3.2 The by-laws shall not restrict the powers of the Authority granted by the Legislature.

1.3.3 The Board may amend the by-laws only by resolution, adopted by the affirmative vote of at least three (3) Commissioners of the Board at a regular or special meeting. The approved by-laws will supersede all previous by-laws.

1.4 Seal

The seal of the Authority bears the name of the Authority and the year of its organization. A logo or other artwork which reflects the current values or vision of the Authority may be incorporated into this seal at any time by a resolution of the Board of Commissioners (the “Board”).

1.5 Books and Records

The Authority shall keep current and complete books and records of account and shall keep minutes of the proceedings of its Board and its committees having any of the authority of the Board.

1.6 Public Records

1.6.1 Public Records Law

The Authority shall comply with the requirements of Title 44 Chapter 1, the Public Records Law.

1.6.2 Public Records Policy

The Authority may adopt a public records policy governing the inspection and copying of public records. Said policy shall not be inconsistent with the requirements of the Public Records Law, LSA R.S. 44:1 et seq.

1.6.3 Records Retention Schedule

The Authority shall comply with the records retention schedules promulgated by the Secretary of State that apply to public housing authorities.

1.7 Fiscal Year

The Fiscal Year of the Authority shall be determined by resolution adopted by the Board. In the absence of such resolution, the fiscal year shall be the calendar year.

1.8 Copies of Resolutions

Any person dealing with the Authority may rely upon a copy of any of the records of the proceedings, resolutions or votes of the Board when such copies are certified by the Secretary.

1.9 Offices

The principal administrative office of the Authority is located within the St. John the Baptist Parish, and State of Location at a location determined by resolution of the Board. The current address is 152 Joe Parquet Circle, LaPlace, in the St. John the Baptist Parish, Louisiana.

2. BOARD OF COMMISSIONERS

2.1 General Powers

The powers of the Authority are vested in its Board of Commissioners. The Board shall exercise all policy, oversight, and governance powers of the Authority.

2.2 Composition

2.2.1 Number of Commissioners

The Board shall consist of five (5) Commissioners.

2.2.2 Directly Assisted Commissioner

- A. Federal law requires that the membership of the Board contain at least one (1) member who is directly assisted by the Authority's federal housing program, whose name appears on the lease and who is eighteen years of age or older. "Directly assisted" as currently defined in 24 C.F.R. § 964.410 means either (i) being a public housing resident; or (ii) being a recipient of housing assistance in the tenant-based Section 8 program (i.e., from the Authority's Housing Choice Voucher Program or other federally funded rental assistance programs).
- B. If the person appointed as a directly assisted Commissioner no longer qualifies as a directly assisted person, as defined in section 2.2.2 (A) of these by-laws, he or she shall be removed from the Board, creating a vacancy to be filled by a directly assisted person. This removal shall occur only upon a vote of the Board.
- C. A directly assisted Commissioner shall be a full member of the Board with the same powers and responsibilities held by other Commissioners.

2.2.3 Term of Commissioners

The commissioners who are first appointed shall be designated to serve for terms of one, two, three, four and five years, respectively, from the date of their appointment, but thereafter commissioners shall be appointed for terms of five years. All commissioners shall, except as otherwise provided in R.S. 40:536 and 537, continue to serve until their successors have been duly appointed.

2.3 Limitation on Employment

No Commissioner of the Board of Commissioners may be an officer or employee of the St. John the Baptist Parish.

2.4 Attendance

It is expected that Commissioners will make every effort to attend scheduled meetings. If a Commissioner fails to attend two (2) consecutive meetings without the Board's excusal, the Board Chairperson may send a letter to the Parish President of the St. John the Baptist Parish alerting him or her of the circumstances.

2.5 No Compensation

No Commissioner may be compensated for serving in any capacity; except that he or she is entitled to reimbursement for necessary expenses, including traveling expenses, incurred in the discharge of his or her duties.

2.6 Resignation

Any Commissioner may resign at any time by giving written notice to the Chairperson of the Board. Such resignation takes effect at the time specified in the resignation, or if the time is not specified, upon receipt thereof. Unless otherwise specified in the resignation, the acceptance of a resignation is not necessary to make it effective.

2.7 Removal

A Commissioner may be removed by the Parish President of the St. John the Baptist Parish as proscribed in LSA R.S. 40:537, which may include for inefficiency or neglect of duty or misconduct in office, but a Commissioner may be removed only after he or she is given a copy of the charges at least ten (10) days prior to the hearing thereon and has had an opportunity to be heard in person or by counsel. When a Commissioner is removed, a record of the proceedings and the charges and findings will be filed in the office of the clerk of the St. John the Baptist Parish.

3. OFFICERS

3.1 Number, Election and Vacancies

The Board shall select from among its Commissioners a Chairperson and a Vice Chairperson, and shall employ a Secretary, who is also the Executive Director. The Board shall elect the Chairperson and Vice Chairperson at the annual meeting in August of each year for one (1) year terms or until the Board elects and qualifies their respective successors. No Commissioner may serve in the capacity of Chairperson for more than three (3) consecutive one (1) year terms. After a period of one year following three such consecutive terms, Commissioners are again eligible to serve as Chairperson. If the office of the Chairperson or Vice Chairperson becomes vacant, the Board shall elect a successor to fill the office from the remaining Commissioners at the next meeting. The elected successor shall serve for the remainder of the unexpired term. If elected at the annual meeting, the newly elected Chairperson or Vice Chairperson shall serve a full one (1) year term.

3.2 Chairperson

The Chairperson presides at all meetings of the Authority. At each meeting the Chairperson submits such recommendations and information as he or she may consider proper concerning the business affairs and the policies of the Authority. The Chairperson is also responsible for the preparation of all regular and special meeting agendas.

3.3 Vice Chairperson

The Vice Chairperson performs the duties of the Chairperson in the absence or incapacity of the Chairperson; and in case of a vacancy in the office of the Chairperson, the Vice Chairperson performs such duties as are imposed on the Chairperson until such time as the Board selects a new Chairperson in accordance with these by-laws.

3.4 Executive Director

3.4.1 Duties

The Executive Director, in the absence of a written contract for a definite time, serves at the pleasure of the Board and may be relieved of his or her duties no sooner than one hundred twenty (120) days after delivery of written notice. The Executive Director has care and custody of all funds of the Authority and deposits the same in the name of the Authority in such bank(s) as the Authority may select.

Signs all orders and checks for the payment of money and pays out and disburses these moneys under the direction of the Authority. Except as otherwise authorized by resolution of the Board, all such orders and checks are countersigned by the Chairperson or Vice Chair.

Keeps or causes to be kept regular books of accounts showing receipts and expenditures and renders to the Board, at each regular meeting (or more often when requested), an account of his/her transactions and also of the financial condition of the Authority.

Signs all binding contracts, deeds and other instruments made by the Authority as authorized by advanced resolution of the Board.

Carries out all policies established by the Board and advises on formation of those policies.

Develops and submits to the Board for approval a plan of organization for the conduct of the activities of the Authority and recommends changes when necessary.

Has general supervision over the administration of the Authority's business and affairs subject to the direction of the Board.

Is charged with the management of the housing projects of the Authority.

Prepares an annual budget.

Supervises financial affairs.

Presents to the Board periodic reports regarding reflecting the activities of the Authority to achieve high performance PHAS outcomes. (*REAC PHAS Designation Status definitions are included as an attachment A to by-laws.*)

Presents to the Board periodic reports reflecting the activities of the Authority and such other special reports as may be required by the Board.

Assigns and supervises employees in the performance of their duties.

Performs such other duties as may from time to time be assigned by the Board.

Gives such bond as the Authority may determine for the faithful performance of his duties.

3.4.2 Compensation

The compensation paid to the Executive Director is determined by the Board, but a Commissioner of the Board serving as Executive Director in a temporary capacity serves without compensation other than the payment of necessary expenses, including traveling expenses incurred in the performance of such duties.

3.4.3 Custody and Use of Seal

The Executive Director keeps in safe custody the seal of the Authority and has the power to affix the seal to all contracts and instruments authorized to be executed by the Authority.

3.5 Secretary

The Executive Director of the Authority serves as ex-officio Secretary of the Authority. In that capacity, he or she or his or her designee: (i) keeps or causes to be kept, correct and permanent records of the Authority; (ii) acts as Secretary of the meetings of the Authority and records all votes; (iii) keeps a record of the proceedings of the Authority in a minute book to be kept for such purposes; and, (iv) performs all other duties incident to his or her office.

3.6 Additional Duties

The officers of the Authority perform such other duties and functions as may from time to time be required by the Board, the by-laws, rules and regulations of the

Authority, or applicable law.

3.7 Additional Personnel

The Authority may from time to time employ personnel it considers necessary to exercise its powers, duties, and functions in accordance with the purpose of the Authority. The selection and compensation of such personnel is determined by the Executive Director, subject to all applicable Federal, State, and local laws and regulations, including, without limitation, HUD regulations.

3.8 Indemnification

The Authority shall adopt policies to set forth the terms and procedures for indemnifying and defending officers and Commissioners of the Board as authorized by RS 40:516.

4. MEETINGS

4.1 Meeting

Unless the Board designates a different time or place for its meetings, the schedule and location for Board meetings shall be as follows:

4.1.1 Annual meeting

The annual meeting of the Authority is held at the office of the Authority or such other place as designated by the Board for the purpose of electing officers, receiving the annual report of the Executive Director, and conducting other business as may come before the meeting. The annual meeting of the Authority will be on the third Monday in January immediately preceding the regular meeting. If this date falls on a legal holiday, the annual meeting is held on the next succeeding business day unless otherwise posted in accordance with State requirements.

4.1.2 Regular meetings

Regular meetings of the Authority are held on a schedule and at locations that the Board shall determine in advance.

4.1.3 Special meetings

The Chairperson of the Authority may, when he or she deems it expedient; and upon the written request of two (2) Commissioners of the Board, notice and call a special meeting of the Board for the purpose of transacting any business designated in the call. At such a special meeting, the Board shall not consider business other than as designated by the notice. The Board shall not take final disposition on any other matters at special meetings.

4.2 Notice of Meeting

Notice of Board meetings must conform to the requirements of Title 42 Chapter 1-a “Open Meetings Law”.

4.3 Quorum

“Quorum” means a simple majority of the total membership of a public body.

4.4 Adjournment

The Board may adjourn any regular, adjourned regular, special, or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all Commissioners are absent from any regular or adjourned regular meeting, the Secretary may declare the meeting adjourned to a stated time and place. The Secretary will cause a written notice of the adjournment to be given in the same manner as provided by resolution of the Board for special meetings. Whenever any meeting is adjourned, a copy of the order or notice of adjournment will be conspicuously posted immediately after the time of the adjournment on or near the door of the place where the regular, adjourned regular, special, or adjourned special meeting was held. When a regular or adjourned regular meeting is adjourned as provided in this subsection, the resulting resumed adjourned regular meeting is a regular meeting for all purposes. When any order of adjournment of any meeting fails to state the hour at which the resumed adjourned meeting is to be held, it is held at the hour specified for regular meetings by resolution of the Board.

4.5 Order of Business

At the regular meetings of the Board, the following is the customary order of business. The Board may curtail, enlarge, or modify this order:

- Call to Order
- Roll Call
- Approval of Minutes of the previous meeting
- Public Comment
- New Business
- Board Committee Reports
- Comments from the Executive Director
- Staff Administration Reports
- Adjournment

4.6 **Resolutions**

All resolutions are in writing and are maintained in a journal of proceedings of the Authority.

4.7 **Rules of Order**

4.7.1 Robert Rules of Order govern the proceedings during a Board meeting.

5. **AMENDMENTS**

The Board may amend these by-laws only by resolution adopted by the affirmative vote of at least three (3) Commissioners of the Board at a regular or special meeting. The approved by-laws will supersede all previous by-laws.

APPENDIX A