

Missoula Affordable Housing Resident Oversight Committee

Bylaws

Adopted July 2021

Revised January 2022

Article I: Purpose

The purpose of the Missoula Affordable Housing Trust Fund Resident Oversight Committee is to guide the strategic direction of the Affordable Housing Trust fund and provide expert resident input on housing issues and allocation priorities for the fund. The Advisory Committee advises City of Missoula staff and leadership on:

- Development of goals and programs related to the use of Affordable Housing Trust Fund resources;
- Allocation priorities for the Affordable Housing Trust Fund resources.

Article II: Authority, General Powers, and Duties

Section 1: Authority

The Affordable Housing Resident Oversight Committee was created by the Missoula City Council as part of City Ordinance 3663, “An ordinance amending Title 3 establishing Chapter 3.24 entitled “Affordable Housing Trust Fund” to create a funding mechanism for financing affordable housing in the City of Missoula.”

Section 2: General Powers and Duties

General powers and duties of the Affordable Housing Resident Oversight Committee are to work with City staff, leadership, and residents to analyze and understand current housing needs in the community and leverage the Affordable Housing Trust Fund to contribute to solutions to current housing challenges.

Section 3: Specific Powers and Duties

Within the authority allowed and consistent with any and all city plans and policies adopted by the Missoula City Council, the Affordable Housing Resident Oversight Committee shall:

- Review the annual Housing Assessment Report and recommend any changes, updates, or additions to the report.
- Reflect on the findings of the annual Housing Assessment Report to determine emerging trends and needs in the Missoula community related to housing policy and the housing market.
- Adopt and annually review the Affordable Housing Trust Fund Administrative Policies and Procedures.
- Review and make annual recommendations for funding priorities to city staff in the form of the annual Affordable Housing Trust Fund Allocation Plan.

- Set the reserve fund balance annually through the Allocation Plan and oversee the use of the balance by voting on project proposals.
- Consult with experts in areas such as finance, real estate, and affordable housing development to obtain advice on housing needs.
- Make recommendations to city staff for ordinances and regulations the board deems to be in the public's best interest for the purpose of carrying out the City's affordable housing objectives.
- Advise City staff as they develop programming and products for housing policy implementation.

Section 4: Staffing and Administration

The City of Missoula Community Development Division (formerly Office of Housing & Community Development) shall be the staff liaison to the Affordable Housing Resident Oversight Committee and shall provide staff assistance to the Affordable Housing Resident Oversight Committee.

Section 5: Limitation of Powers

The powers of the Affordable Housing Resident Oversight Committee are limited to these bylaws and the requirement to comply with all policies and practices of the City of Missoula and all State and Federal laws.

Article III: Organization and Membership

Section 1: Organization

1. There shall be ten regular members and two alternate members of the Resident Oversight Committee. All members shall be Missoula area residents. (Missoula area is defined as within City of Missoula and within a five mile radius of the city limits.) Three of the members shall serve ex officio (with full voting rights); and the remaining members shall be appointed by the Mayor, City Council and the Missoula County Board of Commissioners. The ex officio members shall include the mayor or designee, the president of the City Council or designee, and the executive director of the Housing Authority or designee.
2. The remaining members shall be selected and appointed by the Mayor with confirmation by City Council, City Council and the Missoula Board of County Commissioners, as follows. The Mayor will appoint two voting members and one alternate. City Council will appoint four voting members and one alternate and the Missoula Board of County Commissioners will appoint one voting member.
3. Membership will consist of at least: four community members, two who are currently receiving, or have received in the past two years, some form of housing assistance; one representative of a city nonprofit organization working in the field of housing; one professional in the field of housing or real estate; and one professional in the field of banking or finance.
4. The appointing bodies shall ensure, to the extent feasible, that the composition of the Committee reflects the diversity of the city.

Section 2: Status of Alternates:

1. Alternate members shall participate in the same capacity as a regular member. The chairperson shall call on alternates to vote in the absence or vacancy of another member. Alternate one shall be called to serve first, and Alternate two shall be called to serve second.

Section 3: Ethics and Conflicts of Interest

1. A member of the Affordable Housing Resident Oversight Committee who may have a professional, financial, or personal interest in an item under consideration by the Affordable Housing Resident Oversight Committee shall declare the potential conflict of interest. If determined that a conflict exists, the member shall not participate in the vote taken on the item.
2. No member may disclose or use information acquired in the course of Affordable Housing Resident Oversight Committee duties to further personal interest, accept a gift of substantial value or a substantial economic benefit tantamount to a gift, acquire an interest in any business or undertaking which they have reason to believe may be directly and substantially affected as to its economic benefit by official action to be taken by the Affordable Housing Resident Oversight Committee.
3. All members of the Affordable Housing Resident Oversight Committee shall comply with Missoula Municipal Code section 2.88.070 "Conflicts of Interest."
4. Failure to comply with or fully disclose as required by this Article may be grounds for removal from the Affordable Housing Resident Oversight Committee for cause.

Section 3: Terms of Office

Initial terms are staggered for regular and alternate members. One-third of members will serve a one-year term, one-third of members will serve a two-year term and one-third of members will serve a three-year term. After initial staggering all terms are three years. Terms begin after appointment and expire in alignment with the term limit. There are no limits on the number of terms a member can serve.

Section 4: Attendance

Members who will be absent from a meeting shall notify CPDI staff prior to the meeting. Absences with advance notice are excused. Three (3) consecutive unexcused absences will result in follow-up from the Chair as outlined in Section 5, Termination.

Section 5: Termination

Membership on the Affordable Housing Resident Oversight Committee may be terminated by the member's resignation, by the member ceasing to reside in the Missoula area, or by the original appointing body acting in the best interests of the Affordable Housing Resident Oversight Committee upon recommendation of the Affordable Housing Resident Oversight Committee. The Committee may recommend termination of a member by a 2/3 vote if the member has missed three (3) consecutive regular meetings. The Chair will contact any member

who has missed two (2) consecutive meetings and advise the member that a third consecutive absence may result in a recommendation for termination.

Section 6: Resignation

A member's resignation from the Affordable Housing Resident Oversight Committee must be by written communication and addressed to the Committee Chair and staff. City staff will share the resignation with the appointing authority so the vacancy can be filled.

Section 7: Vacancies

Vacancies shall be posted on the City of Missoula's Affordable Housing Resident Oversight Committee page and on the vacancies page to notify the community of the opportunity. Applicants must submit an application form, expressing their interests and qualifications in filling the vacancy to the City Clerk's office to be considered for appointment. The vacated seat will be appointed by the original appointing body. When vacancies occur within one year of the recruitment and appointment, the appointing body will use the pool of previous applicants to fill the role.

Section 8: Compensation

Members shall serve without compensation, except that reasonable expenses may be paid when travel or other activities occur as a result of Affordable Housing Resident Oversight Committee activities. All expenses must be within the budget and pre-approved by City staff.

Article IV: Committees

Section 1: Standing Committees

Standing committees composed of members may be created for purposes and terms approved by the Affordable Housing Resident Oversight Committee. Members will be appointed by the Chair. All meetings will be publicly noticed with agendas and minutes in accordance with Montana public participation and open meeting laws.

Section 2: Special Committees

Special or ad hoc committees composed of Affordable Housing Resident Oversight Committee and non-Affordable Housing Resident Oversight Committee members may be created by the Affordable Housing Resident Oversight Committee for such special tasks as shall be needed or desirable for the purposes determined by the Affordable Housing Resident Oversight Committee. The Chair will appoint members. All meetings will be publicly noticed with agendas and minutes in accordance with Montana public participation and open meeting laws.

Article V: Officers and Duties

Section 1: Officers

The officers of the Affordable Housing Resident Oversight Committee shall consist of the Chair, the Vice Chair, and other such officers as may be determined by the Affordable Housing Resident Oversight Committee. The Chair shall be entitled to participate fully in discussing and

voting motions before the Affordable Housing Resident Oversight Committee. Any Affordable Housing Resident Oversight Committee officer may be removed from the leadership role for cause upon a 2/3 vote of the body.

Section 2: Chair

The Chair shall be selected from the Affordable Housing Resident Oversight Committee and shall preside at all meetings of the Affordable Housing Resident Oversight Committee. The Chair shall have the usual powers and duties customarily vested in the office of Chair and shall perform other duties as may be assigned to the Chair by the Affordable Housing Resident Oversight Committee. The Chair shall be entitled to participate fully in discussing and voting motions before the Affordable Housing Resident Oversight Committee.

Section 3: Vice Chair

The Vice Chair shall have the authority to act as the Chair in the Chair's absence.

Section 4: Elections

Election of Officers will be held each year at the January meeting, or at a specific time designated by the Affordable Housing Resident Oversight Committee. The Officers will take office immediately upon election.

Section 5: Term of Office

Officers shall serve for a one-year term. Officers may serve three (3) consecutive one (1) year terms before stepping down. A member can seek an officer role again after one year.

Article VI: Regular and Special Meetings

Section 1: Regular Meetings

Regular meetings of the Affordable Housing Resident Oversight Committee shall occur monthly for the first six months and will be adjusted as needed. Meetings will occur on Second Wednesday of the month from 6-8pm. Notice of date, time, location, and agenda will be published one week in advance of each meeting.

Section 2: Special Meetings

Special meetings may be called by the Chair, by a simple majority of the Affordable Housing Resident Oversight Committee, or by the City Council with at least two (2) days written notice. Notice of time, location, and agenda will be published 48 hours in advance of the meeting in accordance with public meeting laws.

Section 3: Quorum

A quorum shall be a simple majority of voting members who must be present for the conduct of business. No action of the Affordable Housing Resident Oversight Committee may be taken unless authorized by a quorum present at a regular or special meeting.

Section 4: Voting

Although a consensus of members is desired, questions at meetings of the Affordable Housing Resident Oversight Committee may be decided by simple majority of those present at the meeting. Each voting member is entitled to one (1) vote.

Section 5: Open Meeting Law and Public Participation

All meetings shall be conducted in accordance with Montana State Open Meeting Law (MCA 2-3-201). Every agenda shall include an opportunity to public comment on non-agenda items, and public comment shall be taken prior to final votes.

Section 6: Meeting Minutes

Minutes of meeting will be kept in accordance with 2-3-212 Montana Code Annotated. Minutes will be made available to the public in a timely manner.

Section 7: Records

All records, including reports, correspondence, and finances are public records pursuant to Montana law and must be made available for inspection and copying by members of the public. A reasonable fee may be charged for copies and staff time in gathering the records.

Article VII: Conduct of Business

Section 1: Order of Business

The general order of business at a regular meeting of the Affordable Housing Resident Oversight Committee and, so far as applicable, at all other meetings, shall be as follows:

1. Land Acknowledgement
2. Call to order
3. Roll call, determination of quorum
4. Approval of prior meeting minutes
5. Public comment on non-agenda items
6. Financial Reports
7. Action Items
8. Informational Items
9. Committee Member Comments
10. Staff Comments
11. Announcement of Next Meeting Date/Time
12. Adjournment

Section 2: Participation by Electronic Means

Affordable Housing Resident Oversight Committee members may participate in meetings via electronic means. Those members who participate by phone or other electronic means shall be provided access to agendas and all related documents and shall have all voting rights as members who are physically present at the meeting.

Section 3: Parliamentary Authority

Robert's Rules of Order shall govern parliamentary matters except as expressly stated here in or agreed to by the Affordable Housing Oversight Committee members.

Article VIII: Communications

Section 1: Personal Communications of Members

Any individual member shall not sign written communications to others using the Affordable Housing Resident Oversight Committee name unless approved by the Affordable Housing Resident Oversight Committee.

Section 2: Informal Communications

It is understood that informal communications between individual members of the Affordable Housing Resident Oversight Committee and members of the community on various issues affecting housing will occur from time to time. It is the expectation that Affordable Housing Resident Oversight Committee members will report the content of discussions and/or forward written communications that deal with specific projects being considered by the Committee to the rest of the Affordable Housing Resident Oversight Committee at the next regularly scheduled meeting in order to assure that the views expressed are known to the entire body.

Article IX: Legal Assistance

The City Attorney shall be the legal advisor of the Affordable Housing Resident Oversight Committee, acting upon the request of the Office of Housing & Community Development.

Article X: Amendments

Bylaw amendments may be introduced by any member of the Affordable Housing Resident Oversight Committee with proper notice at a regular or special meeting. All amendments proposed must be presented in writing before they are adopted. Adoption of or changes in bylaws are subject to the approval of the City Attorney and City Council. Bylaw changes require a simple majority vote of the members of the Affordable Housing Resident Oversight Committee.

Article XI: City Policies

Committee members agree to comply with City of Missoula policies and procedures, including fiscal and personnel policies as they relate to the operation of the committee.

Article XII: Severability

If any of these bylaws or any section, sentence, clause, phrase, or word of the application thereof in any circumstances be held to be contrary to the law, such portion is severable from the remainder of these bylaws and of the application of any such provision, sentence, clause, phrase, or word in any other circumstances shall not be affected thereby.

Passed by the Affordable Housing Resident Oversight Committee, this **14th day of July, 2021.**