



AFFORDABLE HOUSING FUND BOARD BYLAWS

Whereas, the City Commission has established the Affordable Housing Fund Board pursuant to City Commission Policy 900-62, the following rules of procedure or bylaws are hereby adopted by the Affordable Housing Fund Board.

ARTICLE I – PURPOSE

- A. Purpose of the Affordable Housing Fund Board.** The Affordable Housing Fund Board (hereinafter the Board) is an advisory board of the City of Grand Rapids, which was created to help the City promote the development of affordable housing in the community.
- B. Duties of the Board.** As set forth in City Commission Policy 900-62, the duties of the Board shall include:
1. Recommend investments designed to make housing more accessible to low- and moderate-income residents of the City;
 2. Recommend acceptance on behalf of the Affordable Housing Fund, funds from the City and other sources for purposes of carrying out the programming objectives of the fund;
 3. Recommend entering into development agreements with public and private parties;
 4. Recommend the City apply for grants and other funds for purposes of funding the approved programming;
 5. Adopt Standing Rules to guide operations to address matters such as meetings, agendas, voting, conflicts of interests, attendance, quorum, compliance with applicable City, State and Federal rules, regulations, laws, and other relevant matters of procedure;
 6. Provide an annual written report each April, reporting on their activities, presenting their annual investment plan, describing any recommendations for policy changes to support the City's affordable housing programs, and having all data disaggregated by race, ethnicity, gender identity and geographic location whenever applicable;
 7. Make recommendations to the City Commission through the City Manager or the City Manager's designee for annual funding appropriations and policy recommendations;
 8. Make policy recommendations to the City Commission through the City Manager or their designee.

ARTICLE II – MEMBERSHIP

- A. Composition of the Board and Appointment of Members.** The Board shall consist of eleven (11) members.
1. Appointment. Consistent with City Commission Policy 900-62, the Board shall be appointed by the Mayor and City Commission through the Committee on Appointments process. Membership shall include:
 - a) City Commissioners from each ward shall collaborate to nominate one appointment to represent their ward.
 - b) The Mayor shall nominate one appointment.

- c) The City Manager shall nominate one appointment and may serve in this capacity if they desire.
 - d) The Executive Director of the Grand Rapids Housing Commission shall be a member.
 - e) The remaining five members shall be selected through the city's appointments process following an invitation to the community, partner organizations and community groups to submit nominations. Each nominee will be asked to include the name of the organization or community group they are representing, if any, a description of the nominee's experience in the housing sector or related field, and an understanding of the challenges faced by low- and moderate-income households and examples of the nominee's leadership role within the community.
2. Term of Office. Terms of board members shall be 3-years in duration and shall expire on December 31 of the final year of appointment. Except for the Executive Director of the Grand Rapids Housing Commission and the City Manager who serve by virtue of their office. There shall be no term limits for members of the Board.
 3. Compensation. Members shall serve without compensation.
 4. Vacancies. In the event of a vacancy on the Board, an appointment shall be made by the City Commission through the Committee on Appointments within sixty (60) calendar days and the appointee shall complete the unexpired term of such position. Priority shall be given to those who would fulfil the qualifications for the original appointment. At the conclusion of that appointee's term, the next appointment shall be made through the original process as stated above in Article II, Section (A)(1).
- B. Representation.** The demographics of the Board should be reflective of the racial and ethnic diversity of the Grand Rapids community at the time of appointment.
- C. Committees.** The Chair or Board may establish and appoint committees, as deemed necessary. Membership on advisory committees may include members of the Board, provided a quorum is not present.
- D. Conflicts of Interest.** Each member of the Board shall avoid conflicts of interest.
1. Definition. A conflict of interest may include, but is not necessarily limited to, the following:
 - a) Deliberating or voting on matters in which the board member has a personal financial interest;
 - b) Deliberating or voting on matters involving property or land owned by the board member;
 - c) Deliberating or voting on matters in which the board member's employer has a financial interest;
 - d) Deliberating or voting on matters involving a corporation, company, partnership, or any other entity in which the board member is a part owner
 - e) Deliberating or voting on matters in which the board member's family has a financial interest. Family includes a spouse, children, step-children, grandchildren, parents, brothers, sisters, grandparents, parents-in-law, or members of his or her household.
 2. Consultation with City Attorney. Whenever a board member is uncertain whether he or she has a possible conflict of interest, the member shall first consult with and consider the advice of the Assistant City Attorney assigned by the City Attorney as the legal advisor to the board.
 3. Disclosure of Possible Conflict. A board member shall disclose a conflict of interest as defined in D.1. above, or other possible conflict of interest prior to the presentation

of the applicable agenda item. Following disclosure and prior to consideration of the item:

- a) The board member may announce their intent to abstain from the vote, or may determine there is no conflict and announce their intent to vote on the matter.
 - b) If the board member does not abstain, when necessary, the Board may deliberate on the possible conflict, and by a majority vote of the remaining members present determine whether a conflict of interests exists.
4. Conflict of Interest Exists. Where a conflict of interest is found to exist, either by the affected board member or a vote of the remainder of the board, the affected member shall cease to participate in discussion on the subject item and shall leave the room until that agenda item is concluded.
 5. Voting with a Conflict of Interest. Knowingly voting on any matter in which a member has a conflict of interest shall constitute malfeasance of office.
 6. Abstention. When a board member abstains due to a conflict of interest, their presence is not counted for purposes of quorum.

E. Removal from Board. The City Commission may remove a member of the Board from office, for any of the following reasons:

1. Malfeasance, Misfeasance, or Nonfeasance of Office. If any member of the Board performs a lawful act in a wrongful manner (malfeasance), performs a wrongful or unlawful act as a public official (misfeasance), or fails to act when a duty to act existed (nonfeasance), any of these shall be grounds for the City Commission to remove a member of the Board, upon written charges and after a public hearing.
2. Deficient Attendance. If any member of the Board is absent from three (3) consecutive regularly scheduled meetings or has five (5) absences in a calendar year, then that member may be considered delinquent absent reasonable excuse for such absences. Delinquency shall be grounds for the City Commission to remove a member from the Board, upon written charges and following a public hearing.

ARTICLE III – ORGANIZATION AND DUTIES

A. Election of Officers. At the regular meeting in December of each year, the Board shall select from its membership a Chair and Vice Chair. The officers shall take office at the January meeting of the following year and shall hold office for a term of one (1) year or until successors are selected and assume office.

B. Chair's Duties. The Chair shall:

1. Preside at all meetings with all powers under *Webster's New World Robert's Rules of Order Simplified and Applied*.
2. Rule out of order any irrelevant remarks; remarks which are personal; remarks about another's race, religion, sex, physical condition, ethnic background, beliefs or similar topics; profanity; or other remarks which are not about the topic before the Board.
3. Appoint committees and may act as ex-officio member of all committees of the Board.
4. Call special meetings as needed.
5. Perform other duties as may be ordered by the Board.

The Chair retains his or her ability to participate and vote on matters before the Board.

C. Vice Chair's Duties. The Vice Chair shall:

1. Act in the capacity of Chair in the Chair's absence.

2. Be responsible for meeting minutes and the duties of the Recording Secretary in the absence of City Staff.
3. Perform other duties as may be ordered by the Board.

D. Duties of All Members. All members shall abide by the following standards:

1. Member Participation. Free and open debate should take place on issues before the Board. Such debate shall only take place at meetings of the Board. The Chair shall act as spokesperson for the Board and shall represent the position reflected by the outcome of the vote. Requests for reconsideration may take place only at an open meeting of the Board.
2. Attendance. Members shall make every effort to attend all regular and special meetings of the Board. Except in emergency or unforeseen circumstances, members shall notify the Chair and the Office of the City Manager of an absence at least forty-eight (48) hours before the scheduled meeting. Even with proper notification, a reasonable excuse for a board member's absence must be given for the absence to be considered excused. Absence without notification is counted as an unreasonably excused absence for purposes of delinquency.
3. Avoid Ex Parte Contact. Members shall avoid *ex parte* contact regarding any pending agenda item before the Board whenever possible. If it is not possible to avoid *ex parte* contact, the member shall publicly report to the Board what was said and by whom, so that other members and interested persons are made aware of the same information.
4. Acceptance of Gifts.
 - a) Members shall not accept gifts from anyone connected with an agenda item before the Board. As used here, a gift shall mean cash, any tangible item or service, regardless of value; and food valued over \$10.
 - b) The provision of food in connection with meetings, member training costs, and the reimbursement for mileage and similar expenses by the City of Grand Rapids shall not be considered gifts.

E. Duties of the Recording Secretary. City Staff shall take on the role of Recording Secretary, and shall:

1. Take notes for minutes and prepare a first draft of minutes for review and signature by the Chair.
 - a) Meeting minutes for all regular and special meetings of the Board shall include the date, time, and place of the meeting; members present; members absent; any decisions made at the meeting; and the purpose or purposes for which any closed sessions were held.
2. Keep a public record of Board meetings, which at a minimum, shall include the following:
 - a) Meeting minutes.
 - b) Staff reports presented to the Board.
 - c) Written comments from the public regarding agenda items.
 - d) A summary of each verbal comment from the public regarding agenda items.
3. Perform other duties as may be ordered by the Board.

F. City Attorney. The Assistant City Attorney assigned to the Board by the City Attorney shall be the legal advisor for the Board and shall provide appropriate advice on matters of procedure and law.

ARTICLE IV – MEETINGS

- A. Regular Meetings.** Regular meetings of the Board will be held in accordance with an annual calendar, determined and approved by the Board at the December meeting of the preceding year. Pursuant to the Open Meetings Act, the annual calendar shall provide the date, time, and location of each regular meeting. When a regular meeting falls on or near a holiday; or staff will be absent; or there will be lack of quorum, the Board shall cancel the meeting and/or reschedule it for a suitable alternate date in the same month.
- B. Special Meetings.** Special meetings may be held at the request of the Chair, City Staff, or at least two (2) members of the Board provided that staff has sufficient time to issue a written notice to board members at least forty-eight (48) hours before the meeting. The request for a special meeting shall indicate the purpose of the meeting, and may be made at a Board meeting, by telephone, or in writing (email is acceptable).
- C. Workshop Meetings.** The Board may, at its option, schedule workshop meetings to discuss, formulate, and deliberate policy issues only. The intent of workshop meetings is to promote an informal, open dialogue on policy issues. Formal rules of procedure for the conduct of business at workshop meetings shall be waived, except that the Chair shall serve as moderator. No formal action on any matter shall be made at workshop meetings, but shall be placed on a regular Board agenda for final disposition. Absence from workshop meetings shall not be counted for purposes of attendance.
- D. Open Meetings Act.** Meetings of the Board shall be held in compliance with the Open Meetings Act, as amended Public Act 267 of 1976, MCL 15.261 *et seq.*, including that all regular, special and workshop meetings shall be open to the public and proper notice shall be given to the public.
- E. Robert's Rules of Order.** Except as otherwise provided by state law, City Ordinances, or these rules, the Board may observe *Webster's New World Robert's Rules of Order Simplified and Applied*.
- F. Quorum.** A quorum of the Board shall consist of a simple majority of the total number of Board members then appointed. No action shall be taken by the Board in the absence of a quorum, except to receive information reports or presentations not requiring action by the Commission and to adjourn the meeting to a subsequent date.
- G. Agenda.** The order of business for all regular meetings shall generally be as follows, except as determined by the Chair.
1. Call Meeting to Order, Roll Call.
 2. Review and Approval of Minutes.
 3. Staff Communications and Reports.
 4. Old Business.
 5. New Business.
 6. Public Comment.
 7. Adjournment.
- H. Public Comment.** During the public comment period, members of the public shall be given three minutes to address the Board on items on that meeting's agenda or on items within the purview of the Board. Remarks shall be addressed to the Board and not to the audience or other members of the public. Requesting or expecting comment from the Board during public comment is not permitted.

I. **Decorum.** The following conduct by a member of the public during a meeting of the Board constitutes disorderly conduct and a breach of the peace:

1. Clapping, applauding, cheering, booing or catcalls;
2. Displaying signs of any size, regardless of content;
3. Speaking beyond the three minutes allowed for public comment;
4. Addressing the audience rather than the Board;
5. Talking on a cell phone or allowing a cell phone to ring audibly;
6. Failing to be germane to the topic or issues within the purview of the Board; or
7. Engaging in threatening or abusive language or conduct.

Any person who commits any of the above conduct shall be in breach of proper decorum and may be called to order by the Chair or Presiding Officer. If a person fails to come to order after being called to order, he or she may be removed or excluded from the meeting for its duration in accordance with the Michigan Open Meetings Act and shall be guilty of a misdemeanor pursuant to state statute, being MCL 750.170 *et seq.*, and pursuant to Section 9.137 of the Grand Rapids City Code.


J. **Voting.** Voting shall be by voice. Abstentions for conflicts of interest shall be noted. Roll call votes shall only be recorded upon request by a member of the Board or the Chair and shall be recorded by “yes” or “no.” Members must be present to cast a vote. Voting by proxy shall not occur, and it shall be impermissible to abstain on any matter, except where there is a conflict of interest.

1. Simple Majority. Provided a quorum is present, a majority vote of those members present shall be necessary to approve any motion, resolution or recommendation, other than as otherwise required under State law, City ordinance or *Webster’s New World Robert’s Rules of Order Simplified and Applied.*

ARTICLE V – AMENDMENTS

These bylaws may be amended at any meeting of the Board provided that thirty (30) days’ notice of the proposed amendment is given. Amendments shall be voted on in the same manner as any other motion.

THESE BYLAWS WERE DULY ADOPTED BY THE CITY OF GRAND RAPIDS AFFORDABLE HOUSING FUND BOARD DURING ITS REGULAR MEETING HELD ON
9/29/2022.



Chair

10/3/2022

Date

Amendments Adopted: