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MAR 4 2020

# City of South Gate

Item No. 1

## SOUTH GATE HOUSING AUTHORITY

CITY OF SOUTH GATE  
OFFICE OF THE CITY MANAGER

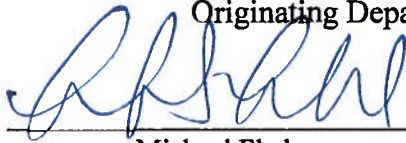
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# AGENDA BILL

For the Regular Meeting of: March 10, 2020

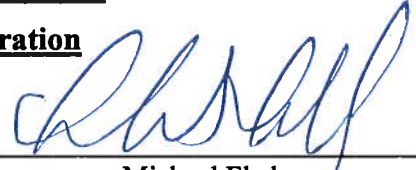
Originating Department: Administration

City Manager:



Michael Flad

City Manager:



Michael Flad

**SUBJECT:** RESOLUTION APPROVING AND ADOPTING THE OFFICIAL BYLAWS

**PURPOSE:** To formally approve and adopt the South Gate Housing Authority Bylaws.

**RECOMMENDED ACTION:** Adopt Resolution No. 2020-01-HA approving and adopting the official Bylaws of the South Gate Housing Authority.

**FISCAL IMPACT:** None.

**ANALYSIS:** The South Gate Housing Authority (Authority) desires to adopt official Bylaws of the Authority. Adoption of the proposed Resolution will adopt the proposed Bylaws.

**BACKGROUND:** Authority records indicate that the Authority held a meeting on June 27, 1983, and have held meetings since; however Authority staff have been unable to locate its original Bylaws despite a reasonably diligent search. Therefore, staff is recommending that the Authority adopt the proposed Resolution approving and adopting Bylaws that are generally consistent with the practices, procedures and powers given to the Authority.

**ATTACHMENT:** Proposed Resolution with proposed Bylaws.

**RESOLUTION NO. 2020-01-HA**

**CITY OF SOUTH GATE  
LOS ANGELES COUNTY, CALIFORNIA**

**RESOLUTION OF THE SOUTH GATE HOUSING AUTHORITY  
APPROVING AND ADOPTING THE OFFICIAL BYLAWS OF  
THE SOUTH GATE HOUSING AUTHORITY**

**WHEREAS**, records indicate that the South Gate Housing Authority (“Authority”) held a meeting on June 27, 1983, and have held meetings since; and

**WHEREAS**, the Authority has been unable to locate its original Bylaws despite a reasonably diligent search; and

**WHEREAS**, Authority staff have reviewed the attached Bylaws and have determined that they are generally consistent with the practices, procedures and powers given to the Authority; and

**WHEREAS**, the Authority desires to adopt official Bylaws of the Authority.

**NOW, THEREFORE, THE SOUTH GATE HOUSING AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** The South Gate Housing Authority hereby approves and adopts their Bylaws as described in Exhibit “A” attached hereto as the official Bylaws of the Authority.

[Remainder of page left blank intentionally.]

**SECTION 2.** The Recording Secretary shall certify to the adoption of this Resolution which shall be effective upon its adoption.

**PASSED, APPROVED and ADOPTED** this 10<sup>th</sup> day of **March 2020**.

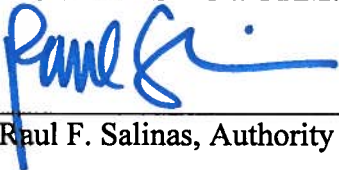
**CITY OF SOUTH GATE:**

By: \_\_\_\_\_  
Belén Bernal, Chairperson

**ATTEST:**

By: \_\_\_\_\_  
Carmen Avalos, Recording Secretary  
(SEAL)

**APPROVED AS TO FORM:**

By:  \_\_\_\_\_  
Raul F. Salinas, Authority Counsel

**Exhibit "A"**

**BYLAWS  
of the  
SOUTH GATE HOUSING AUTHORITY  
OF THE CITY OF SOUTH GATE, CALIFORNIA**

## TABLE OF CONTENTS

### ARTICLE I.

#### SECTION 100. THE AUTHORITY.

- SECTION 101. Name of Authority.
- SECTION 102. Seal of Authority.
- SECTION 103. Office of Authority and Place of Meeting.
- SECTION 104. Powers.
- SECTION 105. Members.
- SECTION 106. Compensation of Members.
- SECTION 107. Governing Body.

### ARTICLE II.

#### SECTION 200. OFFICERS.

- SECTION 201. Officers.
- SECTION 202. Chairperson.
- SECTION 203. Vice Chairperson.
- SECTION 204. Executive Director.
- SECTION 205. Recording Secretary.
- SECTION 206. Treasurer/Chief Financial Officer.
- SECTION 207. Director.
- SECTION 208. Authority Counsel.
- SECTION 209. Compensation of Officers.
- SECTION 210. Additional Personnel.
- SECTION 211. Additional Duties.
- SECTION 212. Additional Personnel.

### ARTICLE III.

#### SECTION 300. GENERAL.

- SECTION 301. Authority to Bind Authority.
- SECTION 302. Payment of Money.

### ARTICLE IV.

#### SECTION 400. MEETINGS.

- SECTION 401. Regular Meetings.
- SECTION 402. Special Meetings and Closed Session Meetings.
- SECTION 403. Posting Agendas/Notices.
- SECTION 404. Cancellations without Convening.
- SECTION 405. Amendment of Meeting Schedule.
- SECTION 406. Right of Public to Appear and Speak.
- SECTION 407. Non-Agenda Items.
- SECTION 408. Executive Sessions.
- SECTION 409. Adjourning Meetings or Continuing Public Hearings.
- SECTION 410. Quorum.

SECTION 411. Order of Business.  
SECTION 412. Manner of Voting.  
SECTION 413. Parliamentary Procedure.  
SECTION 414. Applicability of Ralph M. Brown Act.  
SECTION 415. Civil Service Procedures.

**ARTICLE V.**

SECTION 500. AMENDMENTS.  
SECTION 501. Amendments to Bylaws.

**ARTICLE VI.**

SECTION 600. CONFLICT OF INTEREST.  
SECTION 601. Conflict of Interest.

**BYLAWS OF THE  
SOUTH GATE HOUSING AUTHORITY  
OF THE CITY OF SOUTH GATE, CALIFORNIA**

**ARTICLE I.**

**SECTION 100 - THE AUTHORITY.**

**SECTION 101. Name of Authority.** The official name of the Authority shall be the "South Gate Housing Authority."

**SECTION 102. Seal of Authority.** The Authority may have a seal. The seal of the Authority shall be in the form of a circle and shall bear the name of the Authority.

**SECTION 103. Office of Authority and Place of Meeting.** The office of the Authority shall be at City Hall, 8650 California Avenue, South Gate, California. The meetings of the Authority shall be held in the Council Chambers of City Hall, 8650 California Avenue, South Gate, California.

**SECTION 104. Powers.** The powers of the Authority shall be vested in the members thereof then in office, who reserve unto themselves the right to delegate such powers as are appropriate and permissible by law.

**SECTION 105. Members.** The members of the Authority shall be the members of the City Council of the City of South Gate, California.

**SECTION 106. Compensation of Members.** The members of the Authority shall receive such compensation as the City Council prescribes, but said amount shall not exceed \$75.00 per member for each meeting of the Authority attended by such member. No member shall receive compensation for attending more than four meetings of the Authority during any calendar month. In addition, members shall receive their actual and necessary expenses, including travel expenses incurred in the discharge of their duties.

**SECTION 107. Governing Body.** The members of the City Council of the City of South Gate, California, shall constitute the governing body of the Authority, which governing body shall be known as the Authority.

**ARTICLE II.**

**SECTION 200 – OFFICERS.**

**SECTION 201. Officers.** The officers of the Authority shall be a Chairperson, a Vice Chairperson, an Executive Director, a Recording Secretary, a Treasurer/Chief Financial Officer, a Director and an Authority Counsel.

**SECTION 202. Chairperson.** The Chairperson shall be the Mayor of the City of South Gate, California, elected as provided by statute. The Chairperson shall preside at all meetings of the Authority. Except as

otherwise authorized by resolution of the Authority or the provisions of these Bylaws, the Chairperson shall sign all contracts, deeds, resolutions and other instruments made by the Authority. At each meeting, the Chairperson shall submit such recommendations and information as the Chairperson may consider proper concerning the business, affairs and policies of the Authority.

**SECTION 203. Vice Chairperson.** The Vice Chairperson shall be the Vice Mayor of the City of South Gate, California, elected as provided by statute. The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson. In case of resignation or death of the Chairperson, the Vice Chairperson shall perform such duties as are imposed on the Chairperson until such time as the Authority shall elect a new Chairperson.

**SECTION 204. Executive Director.** The Executive Director shall be the City Manager of the City of South Gate, California. The Executive Director shall have general supervision over the administration of the Authority business and affairs, subject to the direction of the Authority.

**SECTION 205. Recording Secretary.** The Recording Secretary shall be the City Clerk of the City of South Gate, California, elected as provided by statute. The Recording Secretary shall keep the records of the Authority, shall act as secretary at the meetings of the Authority, record all votes and keep a record of the proceedings of the Authority in the form of minutes to be kept for such purpose, and shall perform all duties incident to the office of Recording Secretary. The Recording Secretary shall maintain a record of all official proceedings of the City Council of the City of South Gate, California, relevant to the Authority. The Recording Secretary shall keep the seal of the Authority and shall be authorized to affix the seal to all contracts, deeds and other instruments made by the Authority.

**SECTION 206. Treasurer/Chief Financial Officer.** The Treasurer/Chief Financial Officer shall be the Director of Administrative Services of the City of South Gate, California. The Treasurer/Chief Financial Officer 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 Treasurer/Chief Financial Officer shall pay out and disburse such funds at the direction of the Authority. The Treasurer/Chief Financial Officer shall keep regular books of accounts, showing receipts and expenditures, and shall render to the Authority at each regular meeting, or more often when requested, an account of transactions and the financial condition of the Authority. The Treasurer/Chief Financial Officer shall give such bond for faithful performance of the Treasurer/Chief Financial Officer's duties as the Authority may determine.

**SECTION 207. Director.** The Director shall be the Director of Community Development of the City of South Gate, California. The Director shall submit such recommendations and information to the Authority to consider the business, affairs and policies of the Authority.

**SECTION 208. Authority Counsel.** The Authority Counsel shall be the City Attorney of the City of South Gate, California. The Authority Counsel shall perform all legal services as may be required by the Authority.

**SECTION 209. Compensation of Officers.** The compensation of officers of the Authority shall be fixed and determined by the Authority, subject to the laws of the State of California, provided that Authority Officers who are City employees shall not receive compensation as Authority officers other than



compensation received for their City employment.

**SECTION 210. Additional Personnel.** In the temporary absence of the Chairperson and Vice Chairperson, the Authority members shall elect a member present as temporary Chairperson for the purpose of conducting meetings and performing the duties of the Chairperson. Should the offices of Chairperson and Vice Chairperson become vacant, the Authority shall appoint a successor within a reasonable time or by resolution determine that such office shall remain vacant for a definite or indefinite period of time.

**SECTION 211. 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 these Bylaws or by resolution or minute order of the Authority.

**SECTION 212. Additional Personnel.** The Authority may from time-to-time select, appoint or employ such other permanent and temporary deputy officers, agents, counsel and employees as it deems necessary to exercise its powers, duties and functions. The selection and compensation of such officers and other personnel shall be determined by the Authority.

**ARTICLE III.**  
**SECTION 300 – GENERAL.**

**SECTION 301. Authority to Bind Authority.** No member, officer, agent or employee of the Authority, without prior authorization from the Authority, shall have any power or authority to bind the Authority by any contract, to pledge its credits or to render it liable for any purpose in any amount.

**SECTION 302. Payment of Money.** All checks, drafts or other orders for the payment of money issued in the name of or payable to the Authority shall be signed or endorsed by such person or persons as the Authority shall from time-to-time designate. All orders for the payment of money require the votes of at least three (3) members of the Authority.

**ARTICLE IV.**  
**SECTION 400 – MEETINGS.**

**SECTION 401. Regular Meetings.** The Authority shall meet the second (2<sup>nd</sup>) and fourth (4<sup>th</sup>) Tuesday of every month, for which an agenda is posted at least 72 hours in advance of such meeting (each, a “Regular Meeting”). Each such regular meeting shall be held at 5:30 p.m., in the Council Chambers of City Hall, located at 8650 California Avenue, South Gate, California, 90280.

**SECTION 402. Special Meetings.** A special meeting may be called at any time by the Chairperson, or upon the written request of two (2) of the members of the Authority, by delivering, personally or by e-mail, written notice to each Authority Member. Such notice must be received at least 24 hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meeting. Such written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the Recording Secretary a written waiver of notice.

**SECTION 403. Posting Agendas/Notices.** The Recording Secretary or his/her authorized representative shall post an agenda for each regular Authority meeting or a notice for each special Authority meeting containing a brief description of each item of business to be transacted or discussed at the meeting including the time and location of meeting. Agendas/notices shall be posted at City Hall, 8650 California Avenue, South Gate, California, in a location readily accessible to the public, at least 72 hours in advance of each regular meeting and at least 24 hours in advance of each special meeting. The Recording Secretary shall maintain a record of each posting.

**SECTION 404. Cancellations without Convening.** If there is no scheduled business to conduct, no agenda for the Authority shall be posted and such regular meeting shall be automatically canceled thereby.

**SECTION 405. Amendment of Meeting Schedule.** The regular meeting schedule established herein may be amended by the adoption of a supplemental resolution by the Authority.

**SECTION 406. Right of Public to Appear and Speak.** At every regular meeting, members of the public shall have an opportunity to address the Authority on matters within the Authority's subject matter jurisdiction. Except for matters scheduled for formal public hearing, public input and comment on matters not otherwise on the agenda, shall be made during the time set aside for public comment on matters on the agenda be heard when the matter regularly comes up on the agenda.

The Chairperson or presiding officer may limit the total amount of time allocated for public discussion by particular issues and/or the time allocated for each individual speaker.

**SECTION 407. Non-Agenda Items.** Matters brought before the Authority at a regular meeting which were not placed on the agenda of the meeting shall not be acted upon by the Authority at that meeting unless action on such matters is permissible pursuant to the Ralph M. Brown Act (Government Code Section 54950 et seq.). Those non-agenda items brought before the Authority which the Authority determines will require Authority action at the meeting is not so authorized shall either be placed on the agenda for the next regular meeting or referred to staff, as directed by the Chairperson or the presiding officer.

**SECTION 408. Closed Sessions.** Nothing contained in these Bylaws shall be construed to prevent the Authority from holding Closed Sessions during a regular or special meeting concerning any matter permitted by law to be considered in Closed Session.

**SECTION 409. Adjourning Meetings or Continuing Public Hearings.** The Authority may adjourn any 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 members of the Authority are absent from any regular meeting or adjourned regular meeting, the Recording Secretary or his/her authorized representative may declare the meeting adjourned to a stated time and place and shall cause a written notice of adjournment to be given in the manner as provided for special meetings, unless such notice is waived as provided for special meetings. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within 24 hours after the time of adjournment. When a regular

or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings in these Bylaws.

Any hearing being held, or noticed or ordered to be held, by the Authority at any meeting may by order or notice of continuance be continued or recontinued to any subsequent meeting of the Authority in the same manner and to the same extent set forth in this section for the adjournment of meetings; provided, that if the hearing is continued to a time less than 24 hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be posted immediately following the meeting at which the order or declaration of continuance was adopted or made.

**SECTION 410. Quorum.** Three (3) members of the Authority shall constitute a quorum for the purpose of conducting Authority business, exercising Authority powers and for all other purposes, but a smaller number may adjourn from time-to-time until the quorum is obtained. Every official act of the Authority shall be adopted by a majority vote, except as otherwise required by law. A “majority vote” shall mean a majority of all members present when a quorum is present.

**SECTION 411. Order of Business.** At the regular meetings and special meetings of the Authority, the following shall be the order of business; provided, however, that the Chairperson may, with the approval of the majority of the Authority, address items out of order, if due to the number of persons present who are interested in a particular issue, or because of the distance that person interested in a given matter must travel, or otherwise for the orderly conduct of the meeting, the Authority should so decide.

1. Regular Meetings. The order of business for all regular and adjourned meetings shall be as follows:
  - a. Call to Order/Roll call;
  - b. Public Hearings;
  - c. Resolutions and Contracts;
  - d. Treasurer/Chief Financial Officer’s report;
  - e. Reports and projects;
  - f. Approval of minutes;
  - g. Comments from the Audience;
  - h. Comments from Authority Members; and
  - i. Adjournment.

All resolutions shall be in writing and designated by number, reference to which shall be inscribed in the minutes and an approved original of each resolution filed in the official book of resolutions of the Authority.

2. Special Meetings and Closed Session Meetings. The order of business for all special meetings shall be as follows:
  - a. Call to Order/Roll call;

- b. Transaction of business for which the special meeting is called; and
- c. Adjournment.

**SECTION 412. Manner of Voting.** The voting on formal resolutions, matters to any federal, state, county or city agency, and on such other matters as may be requested by a majority of the Authority members, shall be by roll call, and the ayes, noes and members present not voting shall be entered upon the minutes of such meeting, except on the election of officers, which may be by ballot.

**SECTION 413. Parliamentary Procedure.** Unless a different procedure is established by resolution of the Authority or set forth in these Bylaws, the rules of parliamentary procedure as set forth in Robert's Rules of Order Revised shall govern all meetings of the Authority.

**SECTION 414. Applicability of Ralph M. Brown Act.** Meetings of the Authority shall be held, notice given and the business of the Authority conducted, all as provided in the Ralph M. Brown Act, being California Government Code Section 54950, et. seq.

**SECTION 415. Civil Service Procedures.** Pursuant to Section 34278 of the Law, the Authority hereby adopts by reference the Rules & Regulations for the Administration of Civil Service Procedures adopted by the City Council of the City of South Gate, California, pursuant to Resolution No. 6377 and dated June 24, 1997, as that Resolution exists as of the date of this Resolution and as hereafter may be amended from time to time, as the Civil Service Procedures applicable to all Authority employees.

#### ARTICLE V.

#### **SECTION 500 – AMENDMENTS.**

**SECTION 501. Amendments to Bylaws.** The Bylaws of the Authority may be amended by resolution of the Authority at any regular or special meeting by majority vote, provided that no such amendment shall be adopted unless at least seven (7) days written notice thereof has been previously give to all members of the Authority. Such notice shall identify the section or sections of these Bylaws proposed to be amended.

#### ARTICLE VI.

#### **SECTION 600 – CONFLICT OF INTEREST.**

**SECTION 601. Conflict of Interest.** Pursuant to Section 34278 of the Law, the Authority hereby adopts by reference the Conflict of Interest Code adopted by the City Council of the City of South Gate, California, pursuant to Resolution No. 7827 and dated August 28, 2018, as that code exists as of the date of this Resolution and as hereafter may be amended from time to time, as the Conflict of Interest Code applicable to all officers and employees of the Authority.

**PASSED, APPROVED and ADOPTED on the 10<sup>th</sup> day of March 2020, by Resolution No. 2020-01-HA.**