

**Subject:** Updates and Changes to the Housing Authority By-Laws, Article II, Section 2.04, Attendance by Commissioners

**Background Information:**

The Housing Authority of the County of San Joaquin (the "Authority") is scheduling more Special and Emergency Meetings at varying dates and times such that it becomes difficult for all Commissioners to attend every meeting. Currently, the By-laws provide that every absence, whether of a regular, special or emergency meeting, counted towards the maximum 25% cap on absences in a running year. Further, the By-laws do not permit for excused absences where, for instance, a Commissioner missed a meeting because of a health issue, emergency or similar unusual event.

Therefore, at the Chairperson's request, General Counsel has drafted the attached revision to Article II, Section 2.04, Attendance by Commissioners, allowing for the [Chairperson] [Board] to approve absences of regular meetings and not counting absences for missed special and emergency meetings.

**Recommended Action:**

That the Board of Commissioners approve the Authority to amend the By-laws for Section 2.04.

**Other Options:**

Do not approve the Authority to amend the By-laws for Section 2.04.

**Fiscal Impact:** N/A

**Attachments:** Draft Article II, Section 2.04

**Prepared by:** Alan Richard Coon, General Counsel

**Approval:**

  
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Peter W. Ragsdale, Executive Director

Section 2.04 – Attendance by Commissioners” as follows:

The effectiveness of the Board of Commissioners is directly related to the regular participation of each Board member in each and all regular and special meetings of the Board. Each Board member shall make every reasonable effort to attend all Board meetings and to be prepared to discuss and consider the items on the agenda.

As a courtesy to other Board members, each Commissioner shall notify the Executive Director and/or Chairperson at the earliest possible time if he/she will be unable to attend any meeting of the Board or any scheduled Committee meeting, indicating the reason(s) for his/her non-attendance at such meeting. **[Chairperson][Board] shall determine and approve absences for health, emergency or unusual event causing the absence from regular meetings.**

If a Board member misses 25% of the **regular** meetings of the Board in a **rolling** 12-month period, the Board of Commissioners will notify the Board of Supervisors of such Board member’s absences and any reported reasons for non-attendance. **[Chairperson][Board] approved absence(s) and missed Special Meetings do not count as part of the 25% cap on missed meetings.**

Attendance may be by telephonic appearance or any other means provided by law.

**RESOLUTION APPROVING AND ADOPTING  
BY-LAWS AS AMENDED, DECEMBER 4, 2018**

**WHEREAS**, the Housing Authority of the County of San Joaquin is scheduling more Special and Emergency meetings at varying dates and times such that it becomes difficult for all Commissioners to attend every meeting; and

**WHEREAS**, currently the By-laws provide that every absence, whether of a regular, special or emergency meeting, counted towards the maximum 25% cap on absences in a running year; and

**WHEREAS**, the By-laws do not permit for excused absences where, for instance, a Commissioner missed a meeting because of a health issue, emergency or similar unusual event; and

**WHEREAS**, Article II, Section 2.04 has been amended to allow the [Chairperson] [Board] to approve absences of regular meetings and not counting absences for missed special and emergency meetings;

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by the Commissioners of the Housing Authority of the County of San Joaquin meeting in a Special Meeting this 4<sup>th</sup> day of December, 2018, that those certain By-laws, Amended December 4, 2018, be, and the same hereby are, approved and adopted.