

★ **Roll Call Number**

Agenda Item Number

52

Date August 29, 2011


An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Article II, Public Housing Board, Sections 90-31, 90-32, 90-33, 90-34 and 90-35, relating to establishing a housing services board as a successor commission to the public housing board",

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)


 Michael F. Kelley
 Assistant City Attorney

(Council Communication No. 11-564)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED APPROVED

_____ Mayor

_____ City Clerk

ORDINANCE NO. _____

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Article II, Public Housing Board, Sections 90-31, 90-32, 90-33, 90-34 and 90-35, relating to establishing a housing services board as a successor commission to the public housing board.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended by amending Article II, Public Housing Board, Sections 90-31, 90-32, 90-33, 90-34 and 90-35, relating to establishing a housing services board as a successor commission to the public housing board, as follows:

ARTICLE II. PUBLIC HOUSING SERVICES BOARD*

*Cross reference(s)--Boards, commissions, committees and agencies, § 2-1046 et seq.

Sec. 90-31. Established.

- (a) There is established in and for the city as a successor commission to the public housing board, the public housing services board, referred to in this article as "the board," for the purpose of carrying out the provisions of this chapter and this Code. Each member of the public housing board shall continue to serve on the housing services board after expiration of the member's term of office until his or her successor is appointed and confirmed.
- (b) The board shall consist of ~~seven members,~~ twelve members, each having the right to vote. ~~with~~ The mayor and each council person shall appointing one member of the board. The mayor shall appoint one additional member from the Neighborhood Revitalization Board and one additional member from the Polk County Housing Continuum or an individual performing one of the functions below who shall be confirmed as provided in

~~section (d) below. Of the seven members appointed in July of 1999, two shall be appointed for one year, three shall be appointed for two years, and two shall be appointed for three years. Thereafter, all~~ All appointments shall be for three years, provided, however, that each member shall hold over until his or her successor is appointed and confirmed. Any vacancies occurring in the membership shall be filled in accordance with sections 2-1046 and 2-1047 of this Code. Any member may be removed by a majority vote of the city council. The terms of board members shall expire on ~~and as of~~ June 30 of the year in which their terms expire. All appointments after the original appointments, shall be in accordance with sections 2-1046 and 2-1047 of this Code.

All appointments with the exceptions noted below shall be providers of low-income services concerned with one of the following functions: financial support; homeownership counseling; provision of rental units to low-income residents; tenant advocacy; and supportive or educational services. When possible, board members should have knowledge and experience in the following areas: landlord tenant issues; affordable housing needs of the city; lending and finance; neighborhood revitalization; and education and agency service user issues.

(c) All nominations to the board are subject to confirmation by the city council.

(d) The housing services director shall select and recommend for council member appointment three members of the board who shall be current or former residents of low-income housing units in Des Moines with one representative a resident of a Des Moines Municipal Housing Agency-owned unit, one representative who is a resident of a unit where rent is subsidized by the Section 8 program and one resident who is a current or former client of the Community Action Agency.

Sec. 90-32. Qualifications of members Residency Requirement.

To be eligible to be appointed a member of the housing services ~~public housing~~ board, the appointee must be a resident of the city. ~~Board members should have expertise in the following: landlord tenant issues, affordable housing needs of the city, lending and finance, neighborhood revitalization and agency service user issues.~~

Sec. 90-33. Organization, Quorum and Board Action.

The ~~public housing~~ board shall elect a chairperson from its own membership. The board shall in a timely manner adopt board policies and procedures to govern the proceedings of the board in

accordance with section 2-1055 of this Code. The presence of fifty-percent plus one of the appointed~~four~~ members of the board shall constitute a quorum for the transaction of business. All actions of the board shall be by resolution or motion, and the affirmative vote of at least ~~four~~ a majority of the members present at the meeting shall be required for the passage of either action.

Sec. 90-34. Meeting and minutes.

The ~~public housing~~ board shall hold one public meeting each month, at such time as the board shall establish in its policies and procedures. Minutes of each meeting shall be kept, and all resolutions and minutes shall be open to public inspection. Board meetings shall be conducted in compliance with all applicable state or federal laws including, but not limited to I.C. ch. 21 pertaining to open meetings.

Sec. 90-35. Powers and duties.

The ~~public housing~~ board is delegated the following authority:

- (1) Initiate programs or projects, including grant applications that further the policies and plans of the city's municipal housing agency, including tenant conduct and relations, in accordance with applicable local, state or federal laws, rules or regulations.
- (2) Interact with other governmental agencies with respect to the application for and implementation of grants and other funding programs.
- (3) Review and comment on the department director's annual operating and capital budgets prior to their submission to the city manager.
- (4) (a) Buy, lease, sell or exchange supplies, equipment and materials and procure services or work to the extent unencumbered funds are available when such contracts or agreements exceed the amount set forth in Subdivision V, Procurement Division of Chapter 2, Administration of Article V, Departments of Division 3, Finance. All references to the city council in Subdivision V, Procurement Division of Chapter 2, Administration of Article V, Departments of Division 3 Finance of this Code shall be deemed to mean the ~~public housing~~ board in their application as provided in this chapter, provided that such references pertain to the board doing business on behalf of the Des Moines Municipal Housing Agency and not as the Community Action Agency.
 - (ab) In addition to the purchasing and procurement powers set forth in section (4) (a) above the Public Housing Board may approve Competitive Proposal

Contracts (a/k/a "negotiated procurement") for the procurement of goods and services submitted by the City Manager or the Director of Housing Services which comply with the procurement policies of the United States Department of Housing and Urban Development (HUD) as set forth in HUD procurement handbook No. 7460.8 REV 2, as amended, doing business on behalf of the Des Moines Municipal Housing Agency and not as the Community Action Agency.

- (5) Oversight of the development of municipal housing agency real property in accordance with governing board approved housing projects.
- (6) Serve as the advisory board of the Des Moines Community Action Agency (DMCAA), making recommendations to the city council serving as the city's community action agency governing board.
- (7) Evaluate and support the efforts of public and private agencies to ameliorate the causes, conditions and effects of poverty and further the Des Moines Community Action Agency's mission.
- (8) Fully participate in the development, planning, implementation, and evaluation of the Community Action Agency program to serve low-income families within the City of Des Moines.

Secs. 90-36--90-60. Reserved.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:



 Michael F. Kelley
 Assistant City Attorney