

RESOLUTION NO. HA-_____

A RESOLUTION OF THE PALM DESERT HOUSING AUTHORITY OF THE CITY OF PALM DESERT, CALIFORNIA, AMENDING AND RESTATING THE BYLAWS OF THE PALM DESERT HOUSING AUTHORITY

WHEREAS, the Palm Desert Housing Authority ("Authority") was established under the Housing Authorities Law (the "Law"), being Chapter 1 of Part 2 of Division 24 of the California Health and Safety Code, to ensure safe, sanitary dwelling units available at rents which persons of low income can afford while not being overcrowded; and

WHEREAS, Section 34311 of the Law authorizes the Palm Desert Housing Authority Board (the "Authority Board") to make, amend, and repeal bylaws and regulations to carry into effect the powers and purposes of the Authority; and

WHEREAS, by its Resolution No. HA-1, adopted January 22, 1998, the Authority Board approved the Bylaws of the Palm Desert Housing Authority; and

WHEREAS, on September 11, 2024, the Palm Desert Housing Commission recommended that the Authority approve the Amended and Restated Bylaws of the Palm Desert Housing Authority (the "Amended and Restated Bylaws"), which replaces the title of "Chairman" with "Chairperson", and "Vice Chairman" with "Vice Chairperson"; and

WHEREAS, the Authority Board now desires to approve Amended and Restated Bylaws, attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Palm Desert Housing Authority of the City of Palm Desert, California, as follows:

SECTION 1. The Amended and Restated Bylaws are hereby amended to read as provided in the Amended and Restated Bylaws of the Palm Desert Housing Authority, attached hereto as Exhibit A.

ADOPTED ON _____.

KARINA QUINTANILLA
CHAIRPERSON

ATTEST:

ANTHONY J. MEJIA
SECRETARY

I, Anthony J. Mejia, Secretary of the Palm Desert Housing Authority, hereby certify that Resolution No. HA-_____ is a full, true, and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Desert on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Desert, California, on _____.

ANTHONY J. MEJIA
SECRETARY

EXHIBIT A

**AMENDED AND RESTATED BYLAWS
OF THE
PALM DESERT HOUSING AUTHORITY**

ARTICLE 1 - THE AUTHORITY

Section 1. Name of Authority. The name of the Authority shall be the “Palm Desert Housing Authority.”

Section 2. 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 and the year of its organization.

Section 3. Office of Authority. The office of the Authority shall be at the offices of the City of Palm Desert.

Section 4. Governing Body. The members of the City Council of the City of Palm Desert shall constitute the governing body of the Authority, which governing body shall be known as the Authority Commission and/or Authority Board.

ARTICLE 2 - OFFICERS

Section 1. Officers. The officers of the Authority shall be a Chairperson, a Vice Chairperson, a Secretary, a Treasurer and an Executive Director. Subject to other direction of the Authority Board by resolution or minute order, an officer shall sign all contracts, deeds and other instruments made by the Authority.

Section 2. Chairperson. The Chairperson shall be the member of the City Council who is the then current Mayor of the City of Palm Desert. The Chairperson shall preside at all meetings of the Authority.

Section 3. Vice Chairperson. The Vice Chairperson shall be the member of the City Council who is the then current Mayor Pro Tempore of the City of Palm Desert. The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson.

Section 4. Secretary. The Secretary shall be the then current City Clerk of the City of Palm Desert. The Secretary shall keep the records of the Authority, shall act as Secretary of the meetings of the Authority Board and record all votes, and shall 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 Secretary. The Secretary shall keep in safe custody the seal of the Authority and shall have power to affix such seal as required to all contracts and instruments authorized to be executed by the Authority Board. The Secretary may attest to signatures of other officers of the Authority.

Section 5. Treasurer. The Treasurer shall be the then current Treasurer of the City of Palm Desert. The Treasurer shall keep regular books of accounts showing receipts and expenditures and shall render to the Authority Board, as requested, an account of the transactions of the Authority and shall perform any other duties that are designated from time to time by the Authority. The Treasurer, or in the absence of the Treasurer, a person appointed by the Treasurer or the Authority Board, shall have the care and custody of all funds of the Authority. The Treasurer may enter into agreements on behalf of the Authority with any financial institution authorized to accept deposits of public funds, providing for the transfer of funds between accounts maintained therein by the Authority upon request by telephone. Such agreements may also provide for the investment upon request by telephone of funds maintained in such accounts, in property or securities in which public agencies may legally invest money subject to their control. Such agreements shall designate the accounts maintained by the Authority which are subject thereto, and the persons who may, from time to time, make such transfers and direct such investments by telephone request.

Section 6. Executive Director. As provided by City Council Resolution No. 2012-63, on September 13, 2012, the City Manager was appointed as the Executive Director of the Housing Authority. The Executive Director shall conduct day-to-day administration of the Authority's business and affairs, subject to the direction of the Authority Board. Notwithstanding the provisions of Section 8 hereof, the Executive Director may appoint a deputy to perform such duties of the Executive Director as may be delegated to such deputy from time to time by the Executive Director. Notice of such appointment shall be given in writing to the Secretary and shall be effective as of the date of such notice.

Section 7. 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 Board. Any officer of the Authority may sign, with the countersignature of one other officer, deputy officer or member of the Authority, all orders and checks for the payment of money under the direction of the Authority.

Section 8. Additional Personnel. The Authority Board may from time to time appoint deputy officers to perform the duties of officers and employ such other personnel 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 Board.

ARTICLE 3 - MEETINGS

Section 1. Regular Meetings. Regular meetings shall be held on the day or days and at the time and place of regular meetings of the City Council of the City of Palm Desert provided there is business to conduct.

Section 2. 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 3. Quorum. Three members of the Authority Board shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, but a smaller number may adjourn from time to time until a quorum is obtained. Action may be taken by the Authority Board upon a vote of a majority of a quorum, unless a higher vote is required by these Bylaws, a resolution of the Authority Board or applicable provisions of California law.

Section 4. Manner of voting. The manner of voting on resolutions and on other matters shall be as prescribed by the Chairperson.

Section 5. Payment of Money. All orders for the payment of money require the votes of at least three members of the Authority Board.

ARTICLE 4 - AMENDMENTS

Section 1. Amendments to Bylaws. The Bylaws of the Authority may be amended by resolution of the Authority.