1	UPDATED: September 9, 2022		
2	BY-LAWS		
3	ARTICLE I—THE AUTHORITY		
4	Section 1. Name of Authority The name of the Authority shall be the		
5	Caldwell Housing Authority as identified by the NUNC PRO TUNC Resolution #71-16		
6	by the Council of the of the Caldwell City of Caldwell, April 18, 2016.		
7	Section 2. <u>Identity of the Authority</u> The Caldwell Housing Authority		
8	shall have a single business logo (seal or insignia) as defined by this section. The logo of		
9	the Caldwell Housing Authority will reflect the current values or vision of the Caldwell		
10	Housing Authority and may be revised at any time by resolution of the Board. The		
11	official logo shall be the only identity of the Caldwell Housing Authority and shall be		
12	used on official letterhead, business cards, facsimiles, contracts, receipts, and other		
13	official documents.		
14	Section 3. <u>Purpose of Authority</u> The Caldwell Housing Authority was		
15	created by resolution of the Council of the City of Caldwell on June 3 <sup>rd</sup> , 1946, to operate		
16	in conjunction with Title 50 Chapter 19 of the Idaho Code. Its "authority" under law was		
17	reaffirmed by Resolution of the Caldwell City Council on April 18, 2016. The Caldwell		
18	Housing Authority performs public and essential functions, including, but not limited to		
19	the following:		
20	a) To sue and to be sued; to have a seal and to alter the same at pleasure; to have		
21	perpetual succession; to make and execute contracts and other instruments		

1	necessary	or convenient to	the exercise of the	powers	of the authorit	y as outlined
---	-----------	------------------	---------------------	--------	-----------------	---------------

- 2 by the law [IC 50-1904(a)].
- 3 b) Within the area of operation: to prepare, carry out, acquire, lease and operate
- 4 housing projects; to provide for the construction, reconstruction, improvement,
- 5 alteration or repair of any housing project or any part thereof [IC 50-1904(b)].
- 6 c) To arrange or contract for the furnishing by any person or agency, public or
- 7 private, of services, privileges, works or facilities for, or in connection with, a
- 8 housing project or the occupants thereof [IC 50-1904(c)].
- 9 d) To lease or rent any dwellings, houses, accommodations, lands, buildings,
- structures or facilities embraced in any housing project and, subject to the
- limitations of the law [IC 50-1904(d)].
- 12 e) To invest any funds held in reserves or sinking funds, or any funds not required for
- immediate disbursement, in property or securities in which banks may legally
- invest funds, subject to the control of the Caldwell Housing Authority; to purchase
- its own bonds at a price not more than the principal amount thereof and accrued
- interest, and all bonds so purchased shall be cancelled [IC 50-1904(e)].
- 17 f) Within its area of operation: to investigate into living, dwelling and housing
- conditions and into the means and methods of improving such conditions[IC 50-
- 19 1904(f)].
- 20 g) Acting through one (1) or more commissioners or other person or persons
- 21 designated by the authority, to conduct examinations and investigations and to hear

1		testimony and take proof, under oath, at public or private hearings on any matter
2		material for its information; to administer oaths, issue subpoenas requiring
3		attendance of witnesses or the production of books and papers [IC 50-1904(g)].
4	h)	To make, purchase, participate in, invest in, take assignments of, or otherwise
5		acquire loans to persons of low income to enable them to acquire, construct,
6		reconstruct, rehabilitate, improve, lease or refinance their dwellings, and to take
7		such security therefor as is deemed necessary and prudent by the Caldwell
8		Housing Authority [IC 50-1904(h)].
9	i)	To make, purchase, participate in, invest in, take assignments of, or otherwise
10		acquire loans for the acquisition, construction, reconstruction, rehabilitation,
11		improvement, leasing or refinancing of land, buildings or developments for
12		housing for persons of low income. For purposes of this subsection, development
13		shall include either land or buildings or both [IC 50-1904(i)].
14	j)	Any housing project shall be subject to the requirement that all units be made
15		available to low income persons according to the law [IC 50-1904(j)].
16	k)	To exercise all or any part or combination of powers herein granted and
17		specifically expressed under Idaho Code [IC 50-1904(k)].
18		
19		Section 4. Office of Authority The offices of the Caldwell Housing
20	Autho	rity shall be located at Farmway Village located on the northeast corner of
21	Highw	ay 44 and Farmway Road in Caldwell, Idaho.

1	Section 5. <u>Board of Commissioners</u> The Caldwell Housing Authority shall		
2	be managed by a Board of Commissioners, also known as, and commonly referred to a		
3	Board of Directors. The Board shall consist of at least five (5) members and no more		
4	than seven (7) members [50-1910].		
5	Section 6. <u>Commissioner Appointment</u> Commissioners of the Board of the		
6	Caldwell Housing Authority shall be appointed by the mayor and confirmed by the		
7	Caldwell City council for a term of five (5) years. Terms are staggered with one term		
8	expiring December of each calendar year provided that a commissioners appointment		
9	extends into a following term until the mayor appoints or reappoints a person to serve th		
10	balance of the following term. Vacancies are filled in the same manner as the original		
11	appointments were made, but for the unexpired term.		
12	Section 7. <u>Commissioner Resignation</u> Any Commissioner may resign at		
13	any time by giving written notice to the Board Chair. Such resignation takes effect at the		
14	time specified in the resignation, or if the time is not specified, upon receipt thereof.		
15	Unless otherwise specified in the resignation, the acceptance of a resignation is not		
16	necessary to make it effective [50-1910]. Commissioner may not be compensated for		
17	serving in any capacity; except that he or she is entitled to reimbursement for necessary		
18	expenses, including travel expenses, incurred in the discharge of his or her duties [50-		
19	1910].		

1	Section 9. <u>Commissioner Removal</u> A Commissioner may be removed by		
2	recommendation of the mayor, and upon approval of the Caldwell City Council [50-		
3	1910].		
4			
5	ARTICLE II—BOARD OFFICERS		
6	Section 1 Officers. The officers of the Caldwell Housing Authority		
7	Board shall be a Chair, also known as, and commonly referred to as the Board President;		
8	a Vice Chair, also known as, and commonly referred to as the Vice President; a		
9	Treasurer, and Secretary appointed by the Board of Directors and who acts as the		
10	Executive Director of the Caldwell Housing Authority. The Board selects from among		
11	its members a Chair / President, Vice Chair / Vice President, and Treasurer. The Chair /		
12	President shall serve in the capacity of Chair / President until the expiration of his/her		
13	term as commissioner. When the office of the Chair / President of the Caldwell Housing		
14	Authority thereafter becomes vacant, the Commissioners shall select a Chair / President		
15	from their number [50-1910], or according to Section 6 below.		
16	Section 2 <u>Chair / President.</u> The Chair / President presides at all		
17	meetings of the Authority. At each meeting the President submits such recommendations		
18	and information as he/she may consider proper concerning the business affairs and the		
19	policies of the Authority [50-1910].		

1 Section 3. Vice Chair / Vice President. The Vice Chair / Vice President shall perform the duties of the Chair / President in the absence or incapacity of the Chair / 2 3 President. 4 Section 4. Treasurer. The Board shall choose a member to act as Treasurer to the Board. The duties of the Treasurer shall be concerning the regular 5 6 accounts payable, including payroll and staff reimbursements that occur as a normal extension of the business of the Authority. The Treasurer shall meet monthly or as 7 8 expedient with Caldwell Housing Authority staff to review and account summaries and 9 countersign necessary payments. In the event the Treasurer will be unavailable to 10 countersign payments, he/she shall arrange for another Board member to act as Treasurer 11 for that period of time and shall advise the Executive Director of the same [50-1910]. 12 Section 5 Secretary. The Board shall appoint and employ an Executive Director, who serves as ex-officio Secretary of the Board. The Secretary / Executive 13 Director cannot be selected from any person currently appointed by the Caldwell City 14 Council to the Board of the Caldwell Housing Authority. In his/her capacity, the 15 Executive Director: (1) keeps or causes to be kept, correct and permanent records of the 16 Authority; (2) manages the day to day operations of the Caldwell Housing Authority, (3) 17 18 hires or appoint persons to positions authorized by the Board; (4) executes agreements and contracts per Board approval, (5) assures the regular maintenance of Caldwell 19 Housing Authority property, (6) undertakes projects to improve or expand housing and 20 related services to low income individuals (7) acts as Secretary of the Board meetings of 21

1	the Caldwell Housing Authority and records all votes; and (8) performs all other duties		
2	incident to his/her office. The Executive Director shall serve at the pleasure of the Board		
3	Section 6 Special Elections. Upon passage of an official resolution of the		
4	Board, a Special Elections Meeting may be scheduled in June of any year to elect new		
5	officers to the Board. Officers may serve two (2) consecutive terms. Terms are		
6	continuous and official and run consecutively between Special Elections Meetings. No		
7	elections may take place without a prior resolution for a Special Elections Meeting.		
8	Article III—Finances		
9	Section 1. <u>Bank Accounts.</u> The Caldwell Housing Authority shall, from		
10	time to time, and as necessary, select banking and financial institutions that best meet the		
11	needs of the organization. Consideration should first be given to financial institutions		
12	that have branch offices in Caldwell and serve the greater Caldwell area. Consideration		
13	should also be given to banking and financial institutions who are committed to		
14	development and re-development activities in the Caldwell area.		
15	Section 2. <u>Signators to Account.</u> The Chair / President of the Board, the		
16	Secretary / Executive Director, and the Financial Officer shall be signators to all accounts		
17	of the Caldwell Housing Authority. In addition, Commissioners / Directors of Board		
18	shall be signators to the general account of the Caldwell Housing Authority. Although		
19	Commissioners / Directors are exempt from personal liability with regards to financial		
20	decisions regarding the Caldwell Housing Authority, any of them may opt out of this		
21	responsibility.		

Ĩ	Section 3. <u>Accounting Procedures.</u> The Executive Director of the		
2	Caldwell Housing Authority must put in place financial practices and procedures to		
3	ensure all financial transactions are done in conjunction with Generally Acceptable		
4	Government Accounting Procedures (GAGAS).		
5	Section 4. <u>Audit Requirements.</u> The Secretary / Executive Director wil		
6	schedule an annual audit of the Caldwell Housing Authority's financial records from a		
7	reputable third-party accounting firm.		
8	Article IV—Meetings		
9	Section 1. Regular Meetings. Regular meetings of the Board of		
10	Commissioners / Directors shall be held on the fourth Friday of each month at 12:00 pm		
11	noon at a predetermined location, unless the same shall be a legal holiday, in which an		
12	alternate date will be identified.		
13	Section 2. <u>Special Meetings.</u> The Chair / President of the Board may,		
14	when deemed necessary, call a special meeting of the Board.		
15	Section 3. Open Meeting Laws. All meetings by the Board of		
16	Commissioners / Directors will be in accordance with the Open Meeting Laws of the		
17	state of Idaho and according to Idaho Code [Title 74, Section 201].		
18	Section 4. Quorum. Four Board members constitute a quorum for the		
19	purpose of conducting business.		
20	Section 5. Order of Business. At the regular meetings of the Authority the		
21	following shall be the order of business:		

1	1.	Call to Order and Roll Call		
2	2.	Review and Approval of previous month's minutes		
3	3.	Treasurers Report / Financial Report		
4	4.	Guest Comments		
5	5.	Committee Reports		
6	6.	Administration Reports		
7	7.	Old Business		
8	8.	New Business		
9	9.	Executive Session		
10	10.	Action Subsequent to Executive Session		
11	11.	Adjournment		
12	Section	n 6. <u>Motions and Resolutions</u> All motions and/or resolutions		
13	approved by the Board must be recorded in written form in the meeting minutes.			
14	Section 7. Rules of Order The Chair / President shall conduct Board			
15	meetings in a manner to allow for a full and fair discussion of issues and efficient conduc			
16	of Board busin	ness. The Chair / President will moderate all discussions and call for a		
17	motion, a seco	nd, and a vote on all issue before the Board.		
18				
19		ARTICLE V—AMENDMENTS		

Amendments to By-Laws. The Board may from time to time amend and repeal
bylaws, rules and regulations, not inconsistent with the law to carry into effect the powers
and purposes of the Caldwell Housing Authority.

Approved by vote Friday, September 9-2022

Approved by vote Friday, September 9-2022