



**CITY OF RICHMOND**  
**AFFORDABLE HOUSING TRUST FUND**  
**BYLAWS**

**1.0 ARTICLE I - AUTHORIZATION**

1.1 The Affordable Housing Trust Fund Oversight Board was created by Chapter 58, Article IV of the Code of the City of Richmond (2004), Division 2, Section 58-111 as amended by Richmond City Council Ordinance No. 2014-167-160, adopted on October 13, 2014.

1.2 The official title of this board shall be the Affordable Housing Trust Fund Oversight Board; hereinafter referred to as the "Board".

**2.0 ARTICLE II - PURPOSE AND INTENT**

2.1 The purpose of the Board is to oversee the administration of the Affordable Housing Trust Fund established by section 58-101 of the Code of the City of Richmond (2004), and the programs for which the fund provides.

2.2 The intent of these bylaws is to facilitate the execution of the powers and duties of the Board in accordance with the provisions of Ordinance No. 2014-167-160 and in accordance with the provisions of Section 58-114 of the Code of the City of Richmond, Virginia (2004).

**3.0 ARTICLE III - DUTIES OF THE BOARD**

3.1 The Board shall be classified as a supervisory board and shall be responsible for the AHTF operations.

3.2 The Board shall have certain powers and responsibilities which include the following:

3.2.1 Review proposed amendments to the regulations, operational policies and procedures provided for in Section 16-114, and submit to the City Council and the Mayor a report containing the Board's advice and recommendations concerning the appropriateness of the amendments to such regulations, operational policies and procedures with respect to the following:

- a. Ensure the sustainability and proper use of the fund;
- b. Potential dedicated revenue sources for the fund;
- c. Review and monitor the ratio of grants to loans to be disbursed from the fund;
- d. Encourage recipients of disbursements from the fund to employ individuals of low and moderate income households in the projects for which funds are expended in accordance with the purposes of the fund; and
- e. Encourage minority business enterprises, as defined in Chapter 21, to participate in the City's efforts to accomplish the purposes set forth in Section 16-51; and

3.2.2 Approve annual program allocations within the AHTF as proposed by the Housing and Community Development Department, and receive staff recommendations for projects to be funded by the Affordable Housing Trust Fund.

#### **4.0 ARTICLE IV - COMPOSITION**

4.1 The Board shall consist of ten (10) members, each of whom shall reside in the City of Richmond or have principal place of employment within the City of Richmond. One member shall be selected from each of the following categories:

- 4.1.1 A representative from Richmonders Involved to Strengthen our Communities (RISC).
- 4.1.2 A resident of the city of Richmond or a representative of a service provider assisting low-income individuals or families.
- 4.1.3 A representative from the Richmond Association of Realtors.
- 4.1.4 A representative from an organization dedicated to promoting affordable housing.
- 4.1.5 A lender from a financial institution with affordable housing financing experience.
- 4.1.6 A builder or developer with experience constructing housing projects.
- 4.1.7 A representative of the Richmond Redevelopment and Housing Authority.
- 4.1.8 An Attorney specializing in housing matters.
- 4.1.9 A housing counselor.
- 4.1.10 A member of the City Council, who shall be a non-voting member of the board.

**5.0 ARTICLE V - APPOINTMENT**

- 5.1 Of the ten (10) members, the City Council shall appoint six (6) members, including the members, designated in Article IV subsection 4.1.1-4.1.4 and 4.1.9 and 4.1.10, and the Mayor, by writing submitted to the City Clerk, shall appoint four (4) members, including the members designated in subsection 4.1.5-4.1.8.

**6.0 ARTICLE VI - TERMS OF OFFICE**

- 6.1 Each member shall be appointed for a term of three years, except for the initial members, of whom one member appointed by the City Council, and one member appointed by the Mayor shall be appointed to one-year terms, two members appointed by the City Council and one member appointed by the Mayor shall be appointed to two-year terms, and two members appointed by the City Council and two members appointed by the Mayor shall be appointed to three-year terms, to facilitate the staggering of member terms.

**7.0 ARTICLE VII- CONFLICT OF INTEREST**

7.1 No grants or loans from the Affordable Housing Trust Fund shall be awarded to persons serving on the Board or to other legal entities of which such person is a member or in which such a person has a personal interest, as the State and Local Government Conflict of Interests Act defines that term.

**8.0 ARTICLE VIII - MEETINGS**

8.1 The Chairman (The member of the City Council appointed to the Board shall serve as Chairman)

8.2 The presiding officer is the Chairman. The Board may select from among its membership such other officers as the Board deems necessary to discharge its duties.

8.3 Regular meetings of the Board shall be held at least quarterly, and as often as deemed necessary in order to perform the duties required. The meetings shall be held on the third Wednesday of the month. Special meetings can be called upon by written request by a quorum of the membership. Written notice shall be given to the members at least two (2) days prior to the meeting. Written notice shall state the time, place, and purpose of the meeting.

8.4 Written notice of all meetings shall be required, the notice should include the date, time, and location of the meeting. Meetings through electronic means should adhere to City and State Code.

8.5 All regular meetings, hearings, records and accounts thereof shall be open to the public.

8.6 If a quorum of the Board fails to attend any meetings, special or regular, the Chair (presiding officer) shall reschedule the meeting.

8.7 If a Board member fails to attend any three consecutive scheduled meetings, then the Board Chair may call for a vote of the Board members to remove the truant member from the Board.

**9.0 ARTICLE IX - VOTING**

- 9.1 Six members of the Board shall constitute a quorum.
- 9.2 No action of the Board shall be valid unless authorized by a majority vote of those present.
- 9.3 Voting on all questions shall be by "ayes" and "nays", and by roll call of the members of the Board in alphabetical order, excluding the Chair, who is not a voting member of the Board and the vote shall be recorded.
- 9.4 If any member chooses to abstain from voting, such fact shall be recorded with the reason why they are abstaining.

**10.0 ARTICLE X - ORDER OF BUSINESS**

- 10.1 The order of business for a regular meeting shall be:
  - 10.1.1 Call to order by the Chair
  - 10.1.2 Roll Call
  - 10.1.3 Determination of a quorum
  - 10.1.4 Presentation of minutes and acting upon
  - 10.1.5 Public expression period (speaker allowed three minutes to speak on any matter not listed on the agenda)
  - 10.1.6 Old Business
  - 10.1.7 New Business
  - 10.1.8 Reports
  - 10.1.9 Announcements
  - 10.1.10 Adjournment
- 10.2 Parliamentary procedure in Board meetings shall be governed by Robert's Rules of Order when procedures are not prescribed by law or other governing rules.
- 10.3 The Director of the Department of Housing and Community Development, or their designee shall serve as the Secretary to the Board. The Secretary shall keep a set of minutes of each meeting, and these minutes shall become a public record. The Secretary shall sign all minutes and, at the next meeting or soon thereafter as possible, shall certify that the

minutes of the preceding meeting are a true and correct. All meeting minutes may be recorded and saved via electronic means using either video or audio recording. The Secretary shall also keep a record of all matters of the Board including, but not limited to all presentations, reports, and papers.

- 10.4 The agenda may be amended to adjust alignment or make additions by a majority vote of those members present at the beginning of any meeting.

**11.0 ARTICLE XI - FREEDOM OF INFORMATION**

- 11.1 Board meetings and records shall be subject to the provisions of the Virginia Freedom of Information Act, codified as sections 2.2-3700 through 2.2-3714 of the Code of Virginia (1950), as amended.

**12.0 ARTICLE XII - AMENDMENTS**

- 12.1 These bylaws may be amended by a majority vote of the entire membership of the Board.

**13.0 ARTICLE XIII - REPORTS TO THE CITY COUNCIL**

- 13.1 The Board on an annual basis, shall deliver to the City Council and the Mayor a brief summary of the Board's activities for the preceding year.

- A. An annual presentation to the LUHT Committee to which the board is assigned, including at least the following information:
1. Any proposed legislation on which the board recommends that the City Council or the General Assembly take action on.
  2. A list of all meeting dates of the board during the preceding year.
  3. Any other information requested by the Standing Committee.

- B. A quarterly written report to the Land Use Housing and Transportation (LUHT) Standing Committee to which the board is assigned within 30 days of the end of each quarter, including at least the following information:
1. A comparison of the actual expenditures with the budgeted expenditures.
  2. A report on performance indicators that indicate how the board performed during the quarter.
  3. A list of dates and times when the board met during the quarter.
  4. Any operational or policy challenges that the board requests the assistance of the Council, the Mayor, the Chief Administrative Officer or their appointees in addressing.
- C. In addition to any other reports required by this section or otherwise, each board or commission established by statute, ordinance, resolution, or mayoral action shall report the following information in writing to the Office of the City Clerk within 15 days after each meeting of the board:
1. The date, time, and location of the last meeting of the board.
  2. A copy of the agenda of the last meeting of the board.
  3. A copy of any minutes approved at the last meeting of the board.
  4. A copy of the draft minutes, if not yet approved, of the last meeting.
  5. The date, time, and location of the next scheduled meeting of the board.

#### **14.0 ARTICLE XIV - LIMITATIONS**

- 14.1 These rules are adopted for the sole purpose of facilitating the orderly process of the Affordable Housing Trust Fund Oversight Board and deviation from such rules not inconsistent with state law or local ordinances shall have no effect on action of this Board.

## **15.0 ARTICLE XV- ADMINISTRATIVE RESPONSIBILITIES**

- 15.1 The Administrative staff of the Department of Housing and Community Development shall:
1. Administer the fund in accordance with all applicable laws and regulations, including public meeting noticing requirements as outlined in the Code of Virginia §2.2-3707 governance of Meetings to be public; notice of meetings. §2.2-3708.2 governance of meetings held through electronic communication means.
  2. Evaluate loan and grant applications in accordance with the provisions of this article;
  3. Evaluate each application for grants or loans from the fund based upon the eligibility criteria set forth in Section 16-112 and the purposes of the fund set forth in Section 16-53;
  4. Make semi-annual reports to the City Council and the Mayor concerning the results of each grant or loan evaluation;
  5. Recommend amendments to regulations, operational policies and procedures from time to time, as may deem necessary. The regulations, operational policies and procedures, and any amendments shall be subject to the review and approval of the City Attorney as to form and legality and provide, at a minimum, the following:
    - a. Ensure that grants and loans from the fund be awarded based on a fixed application process designed to determine qualification under the eligibility criteria set forth in section 16-112; and
    - b. Ensure that Recipients meet the minimum qualifications as determined by the Chief Administrative Officer or the designee thereof;
  6. Ensure that development, sales, rental, maintenance and management agreements, whenever applicable, shall accompany grants or loans made from the fund for each project involving construction or rehabilitation of affordable housing to ensure compliance with the program requirements applicable to the fund;
  7. Regularly monitor recipients to ensure compliance with the program requirements applicable to the fund;



8. Ensure penalties, in accordance with this article, shall apply when the city finds that recipients are not in compliance with the program requirements;
9. Ensure that at least 30 percent of the fund is used only for the construction or rehabilitation of housing, or housing-related support services, for households with a gross household income, adjusted for family size, that is no greater than 30 percent of area median income;
10. Ensure the sustainability and proper use of the fund;
11. Ensure a balanced ratio of grants to loans to be disbursed from the fund;
12. Lawfully encourage recipients of disbursements from the fund to employ individuals of low and moderate income households in the projects for which funds are expended in accordance with the purposes of the fund; and
13. Lawfully encourage minority business enterprises, as defined in Chapter 21, to participate in the City's efforts to accomplish the purposes set forth in section 16-51.

**16.0 ARTICLE XVI - EFFECTIVE DATE**

16.1 The foregoing Bylaws and Rules of Procedure shall become effective upon vote of a majority of the Board in a regular meeting.

16.2 Date Introduced- June 17, 2020.

16.3 Date Adopted – July 23, 2020.