



Technical Review Committee

BY-LAWS, AMENDED

ADOPTED OCTOBER 31, 2012

I. GENERAL

A. Name: Washoe County HOME Consortium Technical Review Committee

The name of the committee shall be the **Washoe County HOME Consortium Technical Review Committee**, generally known as the **TRC**. The committee was established September 12, 1994, under Section II, Paragraph G, of the *Inter-Governmental Agreement of the Washoe County HOME Consortium (WCHC)*, whose participating jurisdictions are the cities of Reno, Sparks and Washoe County, Nevada. The TRC reports directly to the WCHC Directors, who are the City Managers of Sparks and Reno, and the County Manager of Washoe County.

B. Purpose of Committee:

Under Section VII, Paragraph B, Section 3 of the amended inter-governmental agreement as approved by the Directors, March 30, 2010, the purposes of the TRC are:

1. To provide a forum for the discussion of regional housing issues, the recommendation of funding priorities and policies and procedures;
2. To make funding recommendations related to all Affordable Housing Municipal Loan Program (AHMLP) funds, including Home Investment Partnership Program (HOME) funds, State Low Income Housing Trust Funds (LIHTF), and other potential sources of affordable housing funding;

3. To review eligible projects for consistency with the priorities and policies included in the Consolidated Plan, Action Plans, Truckee Meadows Regional Plan, relevant jurisdictions' comprehensive housing plans, and/or specific self-directed priority project(s) and criteria established by the technical staff of WCHC members, including threshold criteria concerning length and depth of affordability which are more strict than those required by regulations or rules outlining the use of the particular funding source;
4. To evaluate the projects using other criteria developed and adopted by the WCHC;
5. To prioritize projects based on the evaluation process developed by the Lead Agency in collaboration with technical staff persons from each WCHC member and make AHMLP funding recommendations as constrained by the applicability and availability of funds;
6. To act as a forum to receive community and stakeholder input, to monitor progress on adopted plans, to address concerns and suggestions regarding housing issues, and to establish regional housing goals;
7. To coordinate and communicate regional, longer-term housing priorities for funding available to the jurisdictions; and
8. To make policy recommendations that advance the implementation of the Consolidated Plan, jurisdictional housing elements, and improve the overall provision of affordable and workforce housing in alignment with local goals and priorities.

C. Committee Composition (Section VII, B.1.):

1. Number:

The committee will be comprised of **eight (8)** voting members.

- a. Two persons will be appointed by each jurisdiction made up of one technically proficient staff person (that is a person knowledgeable in housing issues) and one non-staff person who is not required to be technically proficient.
- b. At least one technically proficient non-staff person shall be added to the TRC chosen by the technical staff members of such TRC.
- c. The Truckee Meadows Regional Planning Agency (TMRPA) shall appoint a member of its own staff.

2. Appointments and Length of Terms:

a. Technically proficient staff persons (3):

1. Appointment:

- a.** Reno designates its Housing and Neighborhood Development Administrator, his/her assignee or alternate as Reno's representative.
- b.** The Sparks City Manager will designate a staff member or alternate to serve as the City of Spark's representative.
- c.** The Washoe County Manager will designate and assign a staff member or alternate as Washoe County's representative.

2. Length of Term:

Term on TRC coincides with the jurisdictional position on the technical staff.

b. Technically proficient non-staff person (1):

1. Appointment:

A technically proficient non-staff person will be chosen by the technical staff members of the TRC. This individual must reside in one of the jurisdictions comprising the consortium.

2. Length of term:

- a.** No more than two (2) consecutive three (3) year terms.
- b.** Term to begin July 1.
- c.** In the event a member has served two consecutive terms, there are no new applicants, and the member is willing to continue to serve, the member will be eligible to for reappointment.

- d. In the event that the candidate is filling a vacancy, they will fill the remainder of the year in which they were appointed. They will be up for reappointment in July for their first full three (3) year term.

3. Vacancies:

- a. The Lead Agency will place requests for applications in a local newspaper of general circulation and on the Lead Agency's website. The Fair Housing Logo or wording will always be included in ads in newspapers.
- b. TRC technical staff members will review the applications and select and approve a candidate.
- c. Candidate will fill the remainder of the year in which they were appointed. They will be up for reappointment in July for their first full three (3) year term.

c. Non-staff persons (3)

1. Appointment:

One (1) non-staff person will be chosen by the Council/Commission of each participating jurisdiction.

2. Length of Term

- a. No more than two (2) consecutive three (3) year terms.
- b. Appointments to be made by July 1.
- c. In the event a member has served two consecutive terms, there are no new applicants, and the member is willing to continue to serve, the member will be eligible to for reappointment.
- d. In the event that the candidate is filling a vacancy, they will fill the remainder of the year in which they were appointed. They will be up for reappointment in July for their first full three (3) year term.

3. Vacancies:

- a.** Individual jurisdictions will be responsible for filling vacancies which occur from their jurisdiction, both technical and non-technical representatives.
- b.** Requests for applications for vacant positions will be placed on jurisdictional websites and/or in other venues determined appropriate by the jurisdiction with the vacancy. The Fair Housing Logo or wording will be included in any advertisements.
- c.** Applications will be reviewed by TRC technical staff of the individual jurisdiction for which the vacancy has occurred and recommendations made to their respective Council/Commission for approval.
- d.** Council/Commission will make appointment at an open regular session and appointment will begin immediately for the remainder of vacated positions and for their first three year term beginning as of July 1.

d. Truckee Meadows Regional Planning Agency (TMRPA) Staff Member:

Truckee Meadows Regional Planning Agency will appoint a member from its own staff to the TRC with the term to be determined by TMRPA.

e. Consortium Staff:

The Consortium Staff shall be designated by the Lead Agency.

f. Resignation:

Members may resign with written notification to lead agency staff and/or TRC chair.

g. Compensation:

Members shall not receive compensation/salaries for their services.

D. Conflict of Interest:

1. Reno, Washoe County, Sparks, and the TRC pledge adherence to the conflict of interest tenets embodied in HUD's CPD Notice 98-09 (Superseding CPD Notice 93-06), 24 CFR 92.356 (Rev. 4/1/06) and NRS 281A.400 to NRS 281A.480, inclusive, as amended and provided as **Attachment A** to the By-laws.
2. Potential conflicts of interest are to be announced at TRC meetings. Depending upon the relationship, members may be required to disclose or abstain from voting on certain matters.

E. Removal of a Committee Member:

1. A member of the Committee who has been absent from three (3) consecutive meetings without excuse shall automatically be removed unless a majority vote of the Committee members decides otherwise.
2. A member of the Committee may be removed for good cause, including conviction of a felony malfeasance, by a two-thirds (2/3) vote of all Members present at a duly constituted membership meeting. The Committee member being removed shall be entitled to a written notice stating the grounds for removal at least five (5) days in advance of the meeting, and shall have the opportunity to be heard before the membership.
3. If a jurisdiction staff representative misses three (3) meetings, the jurisdiction will be asked to consider appointing someone else to represent that jurisdiction as staff.

II. MEETINGS:

- A. Meetings of the TRC shall comply with Chapter 241 of the Nevada Revised Statutes, commonly known as the Nevada Open Meeting Law.
- B. Regular meetings of the TRC will be held at dates and times identified by the Lead Agency and in agreement by the Committee at locations as designated on the agenda. Other meetings may be scheduled as necessary. Meetings may be called together by the Committee Chair to allow the Committee to meet and carry out its duties and responsibilities as set forth in the by-laws and the Inter-governmental Agreement of the Washoe County HOME Consortium.
- C. Five (5) TRC members or two thirds of the *current* TRC Membership shall constitute a quorum necessary to consider all matters of business at any meeting of the TRC.

- D. Absences:** Members who know they will not be able to make a meeting will call the Chair or the WCHC staff as soon as they know they will be absent. Three unexcused absences will automatically terminate the member unless a majority vote of the Committee decides otherwise per Section I. E.

III. OFFICERS

A. Elections

Officers of the Committee shall be members of the Committee. The officers are the Chair and the Vice-Chair. Election of officers shall be held during a regular TRC meeting and completed by July 1 of each year. The newly elected officers will assume office immediately upon election. Officers are limited to two (2) successive one (1) year terms in office, but may be elected for non-successive one (1) year terms as long as they are members of the TRC. When a member is elected to complete the term of an existing officer, that person will serve as the officer until the next July 1 at which time a new member or that member presently serving may be elected to a one (1) year full term.

B. Chair

The Chairperson shall be elected from the membership of the TRC by a majority vote of the membership. The Chairperson shall:

1. Preside at all committee meetings;
2. The Chair shall be a voting member;
3. The Chair may call for a roll call vote on any issue;
4. The Chair may call special meetings as needed;
5. The Chair may appoint committees of the TRC;
6. The Chair may sign TRC documents; and
7. The Chair may exercise powers and perform duties as prescribed in these by-laws.

- C. Vice-Chair.** The Vice-Chair will be elected from the membership of the TRC by a majority vote of the membership. In the absence of the Chair, the Vice-Chair shall:

1. Preside over any meetings; and

2. Exercise powers and perform duties as prescribed in these by-laws.

D. Resignations

An officer may resign from that position with written notification to lead agency staff. Resignation from an officer position does not constitute a resignation from the TRC.

E. Vacancies

A vacancy in any office because of death, resignation, or disqualification may be filled from the TRC membership by the voting members for the unexpired portion of the term of that office. When a member is elected to complete the term of an existing officer, that person will serve as the officer until the next July 1 at which time a new member or that member presently serving may be elected to a one (1) year full term.

IV. RECORDING SECRETARY

The Lead Agency shall provide a Recording Secretary for each meeting who shall be responsible for a written record of the meeting and for maintaining permanent written minutes. Per the Nevada Open Meeting Law, if an audio record of the meeting is done it must be retained by the public body for at least one (1) year after the adjournment of the meeting at which it was recorded or transcribed..

The recording secretary does not serve as an officer of the TRC and is not a voting member of the TRC. The recording secretary does not have to be the same individual for each meeting, e.g., staff members or secretarial agencies may serve as the recording secretary, but the Lead Agency is responsible for the maintenance of those minutes and/or recordings of the meetings.

The WCHC staff and/or a designee will:

- A. Provide a recording secretary for each meeting to take minutes, both written and taped, and to transcribe those minutes;
- B. Keep a book of all minutes; copies of the written minutes of the past regular meeting shall be furnished to the TRC members within 30 days as a normal procedure and three (3) days in advance of the next regular meeting for review and approval included with the meeting agenda;
- C. Be responsible for putting together agenda packets; posting agendas, and providing the agenda packets to TRC members and citizens; and
- D. Write/send notices, letters, etc. to/for the TRC.

V. VOTING

- A.** An affirmative vote by a majority of the TRC members present and constituting a quorum is required to take action on all matters.
- B.** The Chair shall be a voting member.
- C.** The Chair may call for, or a member may request, a roll call vote on any issue.
- D.** All votes shall be recorded by the Recording Secretary and shall indicate the members voting for, against, or abstaining from a matter.
- E.** If a member abstains from voting, the reasons for an abstention shall be reflected in the minutes. If a TRC member is going to abstain from voting on a specific item, that member shall not participate in the discussion or debate.
- F.** Absent members may not vote by proxy. A proxy cannot be counted to constitute a quorum; however, members attending via telephone conference call may vote and be counted toward the constitution of a quorum.
- G.** During the yearly funding round(s), members who are not present for at least two (2) of the three (3) public hearings may not vote for funding approval.
- H.** Conflict of Interest: Potential conflicts of interest are to be announced at TRC meetings. Depending upon the relationship, members may be required to disclose or abstain from voting on certain matters.

VI. AMENDMENT OF BY-LAWS

The Washoe County HOME Consortium TRC may recommend an amendment to these By-Laws by a majority vote of the TRC members present and constituting a quorum, with the approval of the Board of Directors.

VII. ADOPTION OF BY-LAWS

At a meeting on July 10, 2012, the Technical Review Committee considered the proposed By-Laws. Jodi Royal-Goodwin made a motion, seconded by Patricia Rogers to approve the By-Laws as amended and to send the document forward to the WCHC Directors for approval. The motion was approved on a unanimous vote of the members present.

On a motion by _____, seconded by _____, the Directors of the WCHC approved adoption of the TRC By-Laws.

Director, City of Reno, Lead Agency

Director, City of Sparks

Director, Washoe County

ATTACHMENT A

CONFLICT OF INTEREST CERTIFICATION

_____ (TRC Board Member) certifies that he/she understands and will adhere to the conflict of interest provisions in 24 CFR parts 84, 85 and 92.356 as they relate to HOME funding.

The TRC Board Member, further certifies that in accordance with 24 CFR 92.356 (HOME Final Rule) he/she understands that no employee, agent, consultant, officer, elected official, or appointed official, or any person who exercises or has exercised any functions or responsibilities with respect to activities assisted with HOME funds or who is in a position to participate in a decision-making process or gain inside information with regard to these activities of a Participating Jurisdiction, State Recipient, or Subrecipient; or an owner, developer or sponsor of a HOME-assisted project or an officer, employee, agent or elected or appointed official or consultant of the owner, developer or sponsor whether private, for-profit or nonprofit (including a CHDO when acting as an owner, developer or sponsor of housing) receiving HOME funds may obtain a financial interest or unit benefits from a HOME-assisted activity, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter. This prohibition includes the following:

- Any interest in any contract, subcontract or agreement with respect to a HOME-assisted project or program administered by the TRC Board Member or the proceeds thereunder; or
- Any unit benefits or financial assistance associated with HOME projects or programs administered by the TRC Board Member, including:
 - Occupancy of a rental housing unit in a HOME-assisted rental project;
 - Receipt of HOME tenant-based rental assistance;
 - Purchase or occupancy of a homebuyer unit in a HOME-assisted project;
 - Receipt of HOME homebuyer acquisition assistance; or
 - Receipt of HOME owner-occupied rehabilitation assistance.

The TRC Board Member understands that this prohibition does not apply to an employee or agent of the Board Member who occupies a HOME-assisted unit as the on-site project manager or maintenance worker.

In addition the TRC Board Member certifies that no member of Congress of the United States, official or employee of HUD, or official or employee of the Washoe County HOME Consortium shall be permitted to receive or share any financial or unit benefits arising from the HOME-assisted project or program.

The TRC Board Member certifies that prior to the implementation of the HOME-assisted activity exceptions to these provisions may be requested by the board member in writing to the WCHC. If an exception is requested, the board member certifies that he/she will demonstrate and certify that the policies and procedures adopted for the activity will ensure fair treatment of all parties, and that the covered persons referenced in this policy will have no inside information or undue influence regarding the award of contracts or benefits of the HOME assistance. The Board Member understands that the WCHC may grant exceptions or forward the requests to HUD as permitted by 24 CFR 92.356, 85.36 and 84.42, as they apply.

Signature

Date

Title: _____