

Commission on Equitable Housing and Development

ADOPTED BYLAWS
(Nov. 3, 2022)

ARTICLE I Name

Section 1.

The name of this organization shall be the City of Tucson Commission on Equitable Housing and Development (CEHD).

ARTICLE II Legal Requirement

Section 1.

The Commission was created by the City Ordinance No. 11769 and will function under the authority of that Ordinance and the provision set forth in the Tucson Code Chapter 10A, Article X (Secs. 10A-110 through 10A-119).

ARTICLE III Declaration of Policy

Section 1.

The City of Tucson envisions "A Home for Everyone" in the Tucson region. Tucson, like other cities across the U.S., must contend with an inadequate number of affordable housing units and high rates of poverty. With the input of community values, the CEHD will identify solutions that will promote affordability and prevent displacement, as well as promote social responsibility from both developers and landlords within the City of Tucson to assist those in vulnerable housing situations. In addition, with the ongoing revitalization of the downtown area, there has been a variety of housing related impacts that concern neighborhoods

and long-time residents such as gentrification, displacement, and land flipping.

Challenges such as homelessness, the preservation of neighborhood cultural assets, the number of "housing cost burdened" households paying more than 30% of their income for housing and historical racial inequities are linked to housing affordability, poverty, and involuntary displacement. Therefore, on June 9, 2020, the City of Tucson Mayor and Council provided direction to establish a commission to develop strategies to address these pressing issues.

For Terminology and Definitions, refer to the Shared Language Document

([https://www.tucsonaz.gov/files/hcd/CEhd/Meeting_Materials/Mar_2021/CEHD - Shared Language .pdf](https://www.tucsonaz.gov/files/hcd/CEhd/Meeting_Materials/Mar_2021/CEHD_-_Shared_Language_.pdf))

ARTICLE IV **Function and Purpose**

Section 1. CEHD Mission (as adopted on June 1, 2021)

The Commission will review, investigate, and recommend actions to the Mayor and City Council, based on research, data, and inclusive public input, to increase the number of housing units that will:

1. Develop and preserve affordability for all Tucsonans, including renters, homeowners, and those without housing.
2. Protect barrios and communities from rapid change and displacement as well as structural disinvestment.
3. Cultivate landlords and developers as partners in providing equitable, accessible, and quality housing.

ARTICLE V **Membership, Appointments and Qualifications**

Section 1. COMPOSITION

The CEHD shall consist of fifteen (15) voting members and up to nine (9) non-voting ex-officio members, who shall serve without compensation.

All members must be qualified to represent one or more focus areas as more particularly described in subsection (c)(4) below:

1. Housing
2. Neighborhoods
3. Equity, Diversity, and Inclusivity
4. Economic Vitality
5. Cultural Vitality
6. Tucson Youth ages 18-24

Section 2. NOMINATION AND APPOINTMENT

- (1) Ten (10) voting members shall be appointed through:
 - (a) recommendation by at least two members of Mayor and Council; and
 - (b) appointment by the full Mayor and Council acting as a body.
- (2) Five (5) voting members shall be appointed by the Director of Housing and Community Development (HCD). One (1) of these voting members shall represent Tucson Youth ages 18-24. One (1) of these voting members shall be a Non-profit partner, knowledgeable regarding nonprofit development and fair housing policy. One (1) of these members shall be a developer, knowledgeable regarding the housing development proves generally and with a proven track record of completed affordable housing project.
- (3) Three (3) voting members shall be individuals (typically the CEO or other high-level representative) appointed by, and representing the following organizations:
 - Pima Council on Aging
 - Pima County Community Land Trust
 - Direct Advocacy Resource Center

- (4) Ex-Officio (non-voting) members of the CEHD: The following members are primarily made up of governmental employees, who shall be invited to attend CEHD meetings, and assist the CEHD, as ex-Officio, non-voting members who shall not count toward creating or meeting any quorum requirement:
- Pima County Housing Center
 - City of South Tucson
 - City of Tucson Planning and Development Services Department
 - City of Tucson Housing and Community Development Department

Section 3. QUALIFICATIONS

- (1) The Members should, to the extent possible, represent the geographic, demographic, and economic diversity of the community.
- (2) Desired qualifications include relevant background, knowledge, and/or expertise in one or more of the following focus areas that relate to the Commission's functions and purposes.
- (3) All members shall reside or have a place of business within the City of Tucson and be 18 years old or older. Every focus area shall be represented by one or more members of the CEHD, based on the information provided in the application:
 - a. **Housing:** Affordable housing developers and/or property managers; nonprofit housing providers that provide services such as home repair, tenant based rental assistance, HUD approved housing counseling agencies; organizations that support and advocate for tenants such as fair housing, legal aid, tenant organizations, advocacy agencies; former employees of housing and community development agencies or similar organizations.
 - b. **Neighborhoods:** Individuals with expertise in planning, creative place-making, historic preservation, mixed-use development, infill development, strategies

to combat gentrification/displacement; member of a neighborhood association or other neighborhood-based organization.

- c. **Equity, Diversity, and Inclusivity:** Low-income individuals (including previously homeless), members of communities of color, LGBTQ communities, refugees, immigrants, non-English speakers, formerly incarcerated people, residents living in sheltered and unsheltered housing, older adults, veterans, youth, and persons with disabilities.
- d. **Economic Vitality:** Local business owners, professionals in the fields of finance, real estate, development, homebuilding, business districts, economic development, or workforce development.
- e. **Cultural Vitality:** is the practice of creating, disseminating, validating, and supporting arts and culture as a dimension of everyday community life.

Section 5. COMPENSATION AND REIMBURSEMENT

CEHD service is voluntary. City of Tucson HCD does not provide financial compensation to CEHD members.

Section 6. GOOD FAITH AND REMOVAL

CEHD voting and ex officio members are expected to act in good faith of the duties, qualifications, and commitments described herein throughout their period of CEHD service. Members may be removed by majority vote of the CEHD for code of conduct (Article VII, Section 4) or conflict of interest violations or other governing and operating policies; failure to maintain active participation as outlined in the CEHD voting and/or ex officio member position description; or for any other cause deemed appropriate and necessary by the CEHD.

Section 7. TIME COMMITMENT

CEHD members are expected to commit 6-12 hours/month to CEHD commission, Subcommittee, and community activities with a minimum average attendance of 75% of CEHD meetings and subcommittee meetings.

Section 8. TERMS OF OFFICE AND REAPPOINTMENT

Members appointed by the Mayor and Council shall serve four-year terms. Members appointed by the Housing and Community Development Director shall serve four-year terms from the time of appointment, in accordance with Tucson City Code, Chapter 1 QA. Members may serve no more than two (2) consecutive four-year terms (eight years in total). Members may be reappointed to the Commission after a 1-year break.

Section 9. REPLACEMENT AND REMOVAL

All replacement appointments shall be made by the appointing authority using an application process with consideration of the Focus Areas. The appointing authority may discuss replacement appointments with the CEHD.

If a member fails to attend three (3) consecutive regularly scheduled meetings of the CEHD or fails to attend at least forty (40) percent of regularly scheduled meetings within a calendar year, that member's appointment may be terminated, per Article V, Section 6.

The CEHD may recommend to the appointing authority the removal of any member for a reasonable cause. Such cause may include, but is not limited to, malfeasance and misfeasance.

Section 6. CONCURRENT SERVICE

Consistent with Tucson Code § 1 OA-134(c), members of the CEHD can serve concurrently on up to two city Boards, Committees, or Commissions.

ARTICLE VI

Procedures

Section 1. STRUCTURE

- (1) Follows best practices in collaborative decision making and centering the conversation around equity
- (2) Includes representation from key stakeholder groups mentioned above
- (3) Facilitates communication with the City of Tucson for equity and affordable housing issues
- (4) Empowers community decision making

Section 2. OFFICERS

- (1) Chairperson. The Chairperson of the CEHD will be voted by the commission, and the chairperson will also oversee facilitating conversation and meetings.
- (2) Vice-Chairperson. The Vice-Chairperson of the CEHD will be voted in by the commission, and the Vice-Chairperson will fill in for the Chairperson as needed.
- (3) Secretary (optional) - The secretary will review the draft meeting minutes prior to the following meeting and can add details if desired. HCD staff will develop the initial draft of the meeting minutes.
- (4) All officers shall be voting members of the Commission.
- (5) The term of each elected officer shall be one year. No officer may hold the same office for more than one 4-year consecutive term.
- (6) Each elected officer shall hold office until a successor is elected and qualified. If an officer's term on the Commission should expire prior to completion of his/her term of office, a replacement shall be elected at a subsequent meeting.
- (7) Duties of Chairperson shall include:
 - a. Preside at meetings of the Commission and ensure meetings follow all rules governing the Commission.
 - b. Ensure that standing committees and other committees are established and chaired and that their tasks are expeditiously and effectively performed.

- c. Be a spokesperson for the Commission.
 - d. Take responsibility to implement the functions of the Commission as authorized by Ordinance No. 11769, or as authorized by the Commission.
 - e. Update the Mayor and Council quarterly on Commission progress.
- (8) Duties of the Vice-Chairperson shall include:
- a. Perform the duties of the Chairperson during absences.
 - b. Act in an advisory capacity to the Chairperson and perform such functions as assigned by the Chairperson.
- (9) Removal of Officers: The Commission may, by two-thirds vote of the those present and voting, have the power to remove any officer or member for a reasonable cause. Such a cause may include, but is not limited to, malfeasance.

Section 3. DUTIES OF COMMISSIONERS (applies to both voting and ex-officio members)

- (1) Shall attend monthly meetings of the CEHD.
- (2) Review and be prepared to discuss meeting materials.
- (3) Actively serve on at least one sub-committee and attend those meetings.
- (4) Understand the Commission's mission and strategic goals to sufficiently represent CEHD in the community.
- (5) Actively talk and listen to community betters to best relay concerns and ideas to the Commission.
- (6) Shall remain mindful that your service on CEHD is to serve the Tucson community.

Section 4. STAFF SUPPORT

The City of Tucson Housing and Community Development Department shall provide staff support to the CEHD, including required research.

Section 5. PARTICIPATION OF AUDIENCE MEMBERS

- (1) The CEHD shall strive to include audience members to the extent reasonably possible, with chairperson discretion to ensure full participation by council members, effective time management, and completion of stated meeting objectives.
- (2) Guidelines for audience participation: Audience members will be invited to participate on agenda items as appropriate by the chair.
 - a. CEHD members will be invited to speak first.
 - b. Only members will sit at the plenary table (unless the meeting is held virtually)
 - c. Audience members shall not participate in decision-making.
 - d. Call to the audience for announcements and non-agenda items can be offered at meetings.
- (3) Staff from the Tucson Housing and Community Development Department (HCD) may also attend CEHD meetings and participate in CEHD discussions as appropriate.
- (A) Guidelines for HCD staff participation: HCD staff will be invited to participate on agenda items as appropriate.
 - a. HCD staff should identify themselves during introductions.
 - b. HCD staff should largely restrict participation to providing information.
 - c. support and clarification on CEHD business
 - d. HCD staff shall not participate in decision making.

Section 6. DEVELOPMENT OF AGENDAS

- (1) Agendas shall be developed by the CEHD Chairperson, CEHD Vice-Chairperson, HCD staff support, and Chairs of the Subcommittees.
- (2) Any member of the commission can suggest an agenda topic for consideration.

Section 7. PARLIAMENTARY AUTHORITY

The parliamentary authority of the CEHD shall be Robert's Rules of Procedures, as applicable. Operational authority of the Commission shall be the policies dictated in the Tucson Code, as applicable. (Roberts rules of Procedure are posted on the CEHD website)

ARTICLE VII

Meetings, Subcommittees and Working Groups

Section 1. QUORUM

As stated in Tucson Code § 10A-115(d), a quorum shall consist of one half (1/2) of the eligible voting members. A meeting must be cancelled due to lack of quorum.

Section 2. OPEN MEETING LAW

All Commission meetings will be conducted in accordance with the Arizona Open Meeting Law, [A.R.S. §§ 38-431 through 38-431.09](#).

Section 3. SUBCOMMITTEES

- (1) Subcommittees may be created or removed as needed by motion of the CEHD.
- (2) Subcommittee membership and responsibilities shall be designated by the CEHD, as necessary.
- (3) For purposes of the Arizona Open Meeting Law, a quorum of any subcommittee or working group shall consist of a majority of the authorized membership of that subcommittee or working group.
- (4) Ex-officio and non-members may participate on subcommittees but shall not vote or count towards quorum of the subcommittee.
- (5) Subcommittees shall report back to CEHD the status of their key discussion points at each meeting. All motions from the subcommittee should be approved by CEHD before enacted.

Section 4. CONFLICT OF INTEREST

Voting member participation in any "legal action", as defined in the Arizona Open Meeting Law, will be governed by the provisions of the Arizona statutes governing Conflict of Interest, A.R.S. §§ 38-501 through 38-511.

If a commission member stands to gain financially personally or professionally from actions in CEHD, that commission member shall excuse themselves from those discussions and votes.

ARTICLE VIII **Limitation of Powers**

Section 1.

As stated in Tucson Code § 10A-246, neither the CEHD nor any of its members may incur governmental expenses, or obligate the City in any way, without prior authorization of the Mayor and Council.

ARTICLE IX **Amendments**

Section 1.

These bylaws may be amended at any regular meeting of the CEHD by two-thirds vote of the those present and voting, if notice of the proposed amendment has been given to CEHD voting members at least one week prior to the meeting at which the decision on the proposed amendment takes place.