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ORDINANCE NO.

An Ordinance of the County of San Bernardino, State of California, repealing Chapter 47 of Division 2 of Title 1 of the San Bernardino County Code, relating to San Bernardino County Housing Commission.

The Board of Supervisors of the County of San Bernardino, State of California, ordains as follows:

SECTION 1. Chapter 47 of Division 2 of Title 1 of the San Bernardino County Code, is repealed.

~~CHAPTER 47: SAN BERNARDINO COUNTY HOUSING COMMISSION~~
~~Section~~

- ~~12.4701 Legislative Authorization.~~
- ~~12.4702 Establishment.~~
- ~~12.4703 Membership.~~
- ~~12.4704 Qualifications.~~
- ~~12.4705 Terms of Office.~~
- ~~12.4706 Method of Removal.~~
- ~~12.4707 Resignation.~~
- ~~12.4708 Vacancies.~~
- ~~12.4709 Powers of the Housing Commission.~~
- ~~12.4710 Quorum.~~
- ~~12.4711 Officers.~~
- ~~12.4712 Bylaws.~~
- ~~12.4701 Legislative Authorization.~~

~~This Chapter is adopted pursuant to Section 34291 of the Health and Safety Code.~~
~~12.4702 Establishment.~~
~~There is hereby established a Housing Commission in San Bernardino County,~~

1 ~~which may also be known as the “San Bernardino County Housing Commission” or the~~
2 ~~“Housing Commission.” The Housing Commission is an advisory body subordinate to the~~
3 ~~Board of Governors of the Housing Authority of the County of San Bernardino. The~~
4 ~~Housing Commission is not a legal entity separate from the Housing Authority of the~~
5 ~~County of San Bernardino.~~

6 **~~12.4703 — Membership.~~**

7 ~~The Housing Commission shall consist of seven members. Five members (non-~~
8 ~~tenant members) shall be appointed by a majority vote of the Board of Supervisors of the~~
9 ~~County of San Bernardino (the “Board of Supervisors”) upon nominations with one~~
10 ~~nomination by each member (Supervisor) of the Board of Supervisors. If a Supervisor~~
11 ~~fails to submit a nominee within a reasonable time after notice, the Board of Supervisors~~
12 ~~may appoint any qualified person to fill the position. The other two members (tenant~~
13 ~~members) shall be appointed by the Board of Supervisors from among the tenants of the~~
14 ~~Housing Authority.~~

15 **~~12.4704 — Qualifications.~~**

16 ~~Non-tenant members shall reside within San Bernardino County. Tenant members~~
17 ~~shall be existing tenants lawfully residing in public housing of the Housing Authority. One~~
18 ~~of the tenant members shall be over 62 years of age if the Housing Authority has tenants~~
19 ~~of such age. If a tenant member ceases to be a tenant of public housing of the Housing~~
20 ~~Authority, he or she shall be disqualified from serving and another tenant shall be~~
21 ~~appointed by the Board of Supervisors to fill the unexpired term.~~

22 **~~12.4705 — Terms of Office.~~**

23 ~~The initial non-tenant members appointed by the Board of Supervisors upon~~
24 ~~nomination by Supervisors representing the First, Third, and Fifth County of San~~
25 ~~Bernardino Supervisorial Districts shall serve initial terms commencing on the date of~~
26 ~~appointment and expiring on January 31, 2016. The initial non-tenant members~~
27 ~~appointed by the Board of Supervisors upon nomination by Supervisors representing the~~
28 ~~Second and Fourth County of San Bernardino Supervisorial Districts shall serve initial~~

~~terms commencing on the date of appointment and expiring on January 31, 2018. Subsequent terms of the non-tenant members shall be four years and shall expire on January 31 of the applicable year. One initial tenant member shall be designated to serve a term commencing upon the date of appointment and expiring on January 31, 2015, and one initial tenant member shall be designated to serve a term commencing upon the date of appointment and expiring on January 31, 2016. Subsequent terms of tenant members shall be two years and shall expire on January 31 of the applicable year.~~

~~12.4706 — Method of Removal.~~

~~All Housing Commission members serve at the pleasure of the Board of Supervisors. As such, they may be removed at any time, without cause, by a majority vote of the Board of Supervisors.~~

~~12.4707 — Resignation.~~

~~Any member of the Housing Commission may resign at any time by submitting a written resignation to the Clerk of the Board of Supervisors. Any such resignation shall be effective upon submission, or upon such later date as is specified in the resignation if such date is not more than 60 days after the date of submission.~~

~~12.4708 — Vacancies.~~

~~If any member is absent from three consecutive meetings without such absence being excused by the Housing Commission for good cause, the Housing Commission shall promptly report such consecutive unexcused absences to the Board of Supervisors who shall declare the position vacant. If a member becomes ineligible to serve on the Housing Commission, the Board of Supervisors shall declare the position vacant. Vacancies shall be filled for the unexpired term, in the manner specified above. A vacancy shall exist upon the death, resignation, removal, or termination of residence within the County or, in the case of a tenant member, termination of residence in Housing Authority housing. Vacancies shall be filled for the unexpired term by the Board of Supervisors.~~

~~12.4709 — Powers of the Housing Commission.~~

1 ~~The Housing Commission shall have those powers specifically set forth in Health~~
2 ~~and Safety Code section 34292, and any successor statute thereto, and such other~~
3 ~~powers as may be delegated to it by the Board of Supervisors as provided by law.~~

4 ~~**12.4710 — Quorum.**~~

5 ~~Four members of the Housing Commission constitute a quorum for the purpose of~~
6 ~~conducting its business and exercising its powers. Action may be taken by the Housing~~
7 ~~Commission upon a vote of a majority of the members empowered to vote, unless in any~~
8 ~~case the bylaws of the Housing Commission require a larger number.~~

9 ~~**12.4711 — Officers.**~~

10 ~~The Housing Commission shall annually select a chairperson from its members~~
11 ~~and such other officers as are provided for in its bylaws.~~

12 ~~**12.4712 — Bylaws.**~~

13 ~~The bylaws on file with the Clerk of the Board and presented with this Chapter are~~
14 ~~adopted as the initial bylaws of the Housing Commission. Thereafter, the bylaws of the~~
15 ~~Housing Commission may only be amended by resolution with the approval of at least~~
16 ~~four members of the Housing Commission at a regular or special meeting, and any~~
17 ~~amendment shall not be inconsistent with the provisions of this Chapter, applicable Health~~
18 ~~and Safety Code provisions, or enactments delegating powers to the Housing~~
19 ~~Commission. No amendment may be considered unless at least 72 hours' written notice~~
20 ~~thereof has been previously given to all members of the Housing Commission together~~
21 ~~with a copy of the proposed amendment. Upon adoption or amendment by the Housing~~
22 ~~Commission, such Bylaws shall be submitted to the Board of Supervisors for review. The~~
23 ~~Board of Supervisors shall have the power to approve, disapprove, or modify said Bylaws,~~
24 ~~as it deems necessary.~~

25
26 SECTION 2. This ordinance shall take effect thirty (30) days from the date of
27 adoption.
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CURT HAGMAN, Chairman
Board of Supervisors

SIGNED AND CERTIFIED THAT A COPY
OF THIS DOCUMENT HAS BEEN DELIVERED
TO THE CHAIRMAN OF THE BOARD

LYNNA MONELL, Clerk of the
Board of Supervisors

1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF SAN BERNARDINO)

4 I, LYNNA MONELL, Clerk of the Board of Supervisors of the County of San
5 Bernardino, State of California, hereby certify that at a regular meeting of the Board of
6 Supervisors of said County and State, held on the _____ day of _____, 2019 at
7 which meeting were present Supervisors: _____

8 and the Clerk, the foregoing ordinance was passed and adopted by the following vote, to
9 wit:

10 AYES: SUPERVISORS:

11 NOES: SUPERVISORS:

12 ABSENT: SUPERVISORS:

13 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal
14 of the Board of Supervisors this _____ day of _____, 2019

15 LYNNA MONELL, Clerk of the
16 Board of Supervisors of the
17 County of San Bernardino,
18 State of California

19 _____
20 Deputy

21 Approved as to Form:

22 MICHELLE D. BLAKEMORE
23 County Counsel

24 By: _____
25 KENNETH C. HARDY
26 Supervising Deputy County Counsel

27 Date: _____
28