

BY-LAWS
COMMUNITY DEVELOPMENT LOAN COMMITTEE

ARTICLE I

Name

Section 1: This Committee shall be known as the COMMUNITY DEVELOPMENT LOAN COMMITTEE.

ARTICLE II

Purpose and Objectives

Section 1: Purposes: The purposes of the Community Development Loan Committee are to provide guidance to the Community Development staff, review and recommend amendments of the program guidelines, review loan applications for conformance with established criteria, and award or deny loans based on prudent lending and public benefit considerations.

Section 2: Objectives: The objectives of the Community Development Loan Committee are to improve the general condition of Auburn's residential and commercial structures by promoting rehabilitation, to provide a means of undertaking home improvements to assist low income households, to foster home ownership, and to eliminate blighting influences in Auburn's Target Areas.

ARTICLE III

Membership

Section 1: The membership of the Committee shall consist of nine (9) active members, three (3) members appointed from local financial institutions and six (6) other members to be Auburn citizens. Two (2) of the six (6) citizens shall represent families who are low and moderate income according to HUD standards and two shall represent property owners in the Community Development Target Areas. The Auburn City Council shall appoint Committee members for a term of three (3) years.

Section 2: Any member of the Committee may resign by delivering his written resignation to the Community Development staff who will notify City Council. The City Council shall appoint a new member for the expired portion of the term of the member being replaced.

Section 3. Disqualification: Any member who is absent without excuse from three meetings during any year or who is absent without excuse from two consecutive meetings shall be automatically removed from the Committee. The Committee may, if it deems it in the best interest of the Committee, reinstate any member so removed by an affirmative vote of a majority of the members present and voting.

Section 4. Conflict-of-Interest: Committee members shall follow these conflict of interest provisions in the event any member has a conflict of interest with respect to any action under consideration by the Committee.

A. Conflict of interest provisions covers all committee members who exercise any decision-making function or responsibility in connection with any grant program, loan, contract or other program administered by the Committee.

B. Any person described in Paragraph A who:

1. will receive any financial benefit from negotiation or award of any grant, loan, contract or other program benefit;
2. is the member of the immediate family of any person who will receive any financial benefit from the negotiation or award of any grant, loan, contract or other program benefit;
3. is an officer, director, trustee, partner, associate, employee or agent of any for-profit or non-profit entity that will receive a financial benefit from the negotiation or award of any grant, loan, contract or other program benefit.
has a personal conflict of interest and must:
 1. disclose the nature and extent of the conflict to the committee;
 2. refrain from taking part in any discussion or analysis of the negotiation or award of the grant, loan, contract or other program benefit involved; and
 3. abstain from voting or making any recommendation on any issue related to negotiation or award of the grant, loan, contract or other program benefit involved.

C. The official's disclosure and notice of abstention from taking part in a decision shall be recorded in the minutes of the meeting.

D. Members are not eligible to benefit from a Community Development Program during or for one year after their tenure on the Community Development Loan Committee. However, during their tenure members may apply for an exception following the process prescribed in the Community Development regulations.

ARTICLE IV

Election of Officers

Section 1: Officers shall be nominated from the floor and elected at the first meeting held after January 1st of each year.

Section 2: A candidate receiving a majority vote of the entire membership of the Committee shall be declared elected and shall serve for one (1) year.

Section 3: Vacancies in offices shall be filled at the first possible meeting after the occurrence of the vacancy in the manner described in the previous sections of this article.

Amended October 2010

ARTICLE V

Officers and their Duties

Section 1: The officers of the Committee shall consist of a Chairperson and a Vice-Chairperson.

Section 2: The Chairperson shall preside at all meetings and shall have the duties normally conferred by parliamentary usage.

Section 3: The Vice-Chairperson shall act for the Chairperson in his/her absence. In absence of both Chairperson and Vice-chairperson, members present shall elect a meeting Chairperson.

Section 4: A staff person of the Community Development Department will be responsible for giving notice of meetings, keeping minutes and maintaining other records.

ARTICLE VI

Meetings

Section 1: Meetings will be held at Auburn Hall on the first Thursday of the month. Meeting dates shall be determined by Community Development staff. Notice of meetings and meeting agendas will be sent one week prior to the meeting.

Section 2: Five (5) members of the Committee shall constitute quorum and must be present to transact business. A majority of voting members shall constitute a valid vote.

Section 3: Meeting notices shall be posted on the City of Auburn's web site one week in advance of the meeting. Meetings called for projects of an emergency nature will be posted at least 24 hours in advance of the meeting.

Section 4: The Committee will discuss confidential information in executive session. A motion to go into executive session will be adopted by a three-fifths vote of the members present. Discussion which occurs in executive session will remain a confidential. The Committee will return to public session for the vote.

ARTICLE VII

Order of Business

- A. Roll Call.
- B. Reading of Minutes of Previous Meeting.
- C. New Business.
- D. Old Business.
- E. Adjournment.

The normal order of business may be altered by vote of the Committee.

ARTICLE VIII

Considerations for Reviewing Loan Applications (not in order of importance)

- (1) Payment of taxes.
- (2) Equity.
- (3) Credit history.
- (4) Ability to repay the City loan.
- (5) Benefit to low/moderate income families.
- (6) Public benefit.
- (7) Underwriting particular to Loan Program Guidelines.

ARTICLE IX

Nondiscrimination

The Committee shall not discriminate on the basis of race, religion, color, sex, age, physical or mental disability, sexual orientation, ancestry or national origin in any of its decisions.

ARTICLE X

Amendments

These By-laws may be amended in a manner which is consistent with the Committee's purpose by the affirmative vote of two thirds of the Committee members present and voting at any meeting at which a quorum is present, provided written notice of the proposed amendment(s) shall have been given to each Committee Member at least seven days prior to the meeting if delivered by first class mail