

**Bylaws For The
Nebraska Commission on Housing & Homelessness**

**Article I
Name**

Section 1.01: The name of this organization shall be the Nebraska Commission on Housing and Homelessness (the “Commission”).

Section 1.02: The official mailing address for the Nebraska Commission on Housing and Homelessness is the Nebraska Department of Economic Development, Housing and Community Development Division, 301 Centennial Mall South, P.O. Box 94666, Lincoln, NE 68509-4666.

**Article II
Objectives**

The Commission was established and operates pursuant to Executive Order 98-4 signed by Governor E. Benjamin Nelson on May 13, 1998 (the “EO”). The objectives of the Commission shall be to develop ongoing, specific policies and program recommendations to the Governor which address affordable housing and homelessness/near-homelessness issues, including identifying and monitoring the implementation of models of community-based affordable housing production and homeless/near-homeless programs; progressive housing and homelessness/near homelessness policies, plans and courses of action; and continuum of care-based models which provide supportive services for persons who are homeless or at risk of becoming homeless and to monitor implementation of those recommendations. Pursuant to the EO, the Commission shall serve as:

- (1) The Housing Advisory Committee established by the Department of Health and Human Services under the Homeless Shelter Assistance Trust Fund (Neb.Rev.Stat. §68-1605).
- (2) The Housing Advisory Committee established by the Department of Economic Development under the Nebraska Affordable Housing Act (Neb.Rev.Stat. §58-704); and
- (3) The Housing Advisory Committee established by the Department of Economic Development to advise and consult on the comprehensive affordability strategy (Neb.Rev.Stat. §81-1281.

Article III
Duties of the Commission

Section 3.01: The duties of the Commission will be to:

1. make recommendations to the Department of Economic Development (DED) and the Nebraska Department of Health and Human Services (HHS) on the operation of the Nebraska Affordable Housing Trust Fund and the Homeless Shelter Assistance Trust Fund, including, but not limited to:
 2. the development of program guidelines, including advising and assisting DED and HHS in establishing criteria, priorities, and guidelines for eligibility requirements, application requirements and dates, public notification and monitoring, and assisting DED and HHS in adopting and promulgating rules and regulations governing such Trust Funds;
 3. development of an allocation strategy for amounts available in such Trust Funds (funding decisions to be made by DED and HHS), including a plan to coordinate low-income housing and homelessness/near-homelessness efforts throughout the State;
 4. program review and oversight; and
 5. review of program outcomes and report on the performance of the Trust Funds to the Governor and Legislature.
- b. serve as a principal advisory body to the Governor and DED on housing needs and issues for non-entitlement (exclusive of Lincoln and Omaha) areas of the State, particularly in connection with the preparation of the Housing and Community Development Consolidated Plan and Annual Action Plan.
- c. serve as a principal advisory body to the Governor, DED and HHS on issues of homelessness/near-homelessness and to encourage the *continuum of care* approach for continuity and cooperation with supportive service providers delivering services to the homeless/near-homeless, low-income persons and families and persons with disabilities.
- d. coordinate the development of a statewide comprehensive plan

which establishes a method of periodically counting the number and types of homeless/near-homeless persons in the State and provides an inventory of agencies and providers of services to homeless/near-homeless persons including implementation of a data collection system for such a homeless/near-homeless count.

- e. focus attention on, and increase awareness of, the need for affordable housing and the needs of the homeless/near-homeless in Nebraska through education programs and other means.
- f. advocate for the homeless/near-homeless persons and families, low income persons and persons with disabilities in Nebraska by attempting to find solutions to their housing needs.
- g. encourage and support continuity, coordination and cooperation with national housing officials and programs dedicated to homelessness/near-homelessness issues and affordable housing.
- h. integrate existing recommendations from the State of Nebraska's Housing and Community Development Consolidated Plan and Annual Action Plan with other statewide strategic planning initiatives involved with affordable housing, supportive services, homelessness/near-homelessness issues, and other housing issues.

Article IV **Membership**

Section 4.01: The membership of this Commission shall consist of fifteen (15) persons appointed by the Governor.

Section 4.02: Each member, including the Chairperson, shall have one vote.

Section 4.03: The Commission members may be compensated for actual expenses incurred through their work for the Commission.

Section 4.04: The Governor shall be contacted concerning Commissioners who do not participate and choose not to resign.

Article V **Membership**

- Section 5.01:** The Executive Committee shall be comprised of a Chairperson and a Vice- Chairperson. In addition to the officers, the Executive Committee shall include the past Chairperson by virtue of the office, the Chairpersons from the Standing Committees, and the Commission Coordinator.
- Section 5.02:** Officers, elected by ballot at the Annual Meeting, shall be selected from the members of the Commission. In the event there is only one nominee for each office, the ballot may be dispensed with and the vote taken via voice.
- Section 5.03:** Each officer shall serve a two-year term beginning on January or until a successor is qualified and elected.
- Section 5.04:** No elected official shall serve more than two consecutive terms in the same office.
- Section 5.05:** The past Chairperson shall continue as a voting member of the Executive Committee following the expiration of her/his term as Chairperson, provided that she/he is still a member of the Commission.

Article VI

Duties of Officers

- Section 6.01:** The Executive Committee shall:
- a. be responsible to the Commission;
 - b. have the authority, between regularly scheduled Commission meetings, to act on behalf of the Commission and report to the Commission at the next full meeting.
 - c. make recommendations to the Commission and perform such other duties as are specified in the Bylaws.
- Section 6.02:** The Chairperson shall:
- a. preside at all meetings of the Commission, the Executive Committee, and at Committee meetings when requested by the Committee Chairperson.
 - b. with the approval of the Commission, appoint all Committee members and instruct them to submit reports, recommendations and other communication to the Commission as deemed necessary to fulfill its purpose.
 - c. execute any documents or authorize other members of the Executive Committee to execute any documents on behalf of the Commission.

- d. engage in other activities relevant and appropriate to its purpose, charge and powers.
- e. be an ex-officio member of all Committees.
- f. be a voting member of the Commission.

Section 6.03: The Vice-Chairperson shall:

- a. perform the duties of the Chairperson during any temporary absences.
- b. serve as the Chairperson's alternate to meetings, which the Chairperson is unable to attend.

Section 6.04: Succession of Officers:

- a. If the Chairperson is unable to perform duties for any reason, the office shall be assumed by the Vice-Chairperson for the remainder of the unexpired term.
- b. If the Vice-Chairperson is unable to perform duties for any reason, the Executive Committee shall nominate a Commission member to fill the vacancy. Confirmation of the appointment shall be approved by the Commission.

Article VII
Commission Coordinator

Section 7.01: The Commission Coordinator shall:

- a. be a designated staff member from the Nebraska Department of Economic Development, Housing and Community Development Division. The Commission Coordinator shall provide administrative and technical support as directed by the Commission and be a non-voting member of the Executive Committee.
- b. attend all Commission meetings, Executive Committee meetings, and other Committee meetings at the request of the Committee Chairperson. The Commission Coordinator shall assure the recording and distribution of all Commission minutes, the maintenance of all records, the preparation of reports, preparation and distribution of Commission correspondence, and compliance with all applicable laws concerning Commission proceeding.
- c. be responsible for carrying out the policies established by the Commission by planning, developing, implementing and evaluation programs consistent with those policies.

- d. submit reports to the Commission on their request and keep the members otherwise informed as appropriate and be responsible for the preparation and distribution of all reports, recommendations and other communication as deemed necessary by the Commission.
- e. perform other duties as authorized by the Executive Committee.

Article VIII
Meetings

Section 8.01: Regular meetings of the Commission shall be called by the Commission Chairman and held at least quarterly.

Section 8.02: The Annual Meeting of the Commission will be held during the fourth quarter of the calendar year. At this time, election of officers will occur. Each term of office will commence on January 1st of the following year.

Section 8.03: A Special Meeting may be called by the Chairperson or at the request of two of the members of the Executive Committee or by any seven members of the Commission, provided that reasonable notice is given to all Commission members and the public of time, place, and purpose of such meeting.

Section 8.04: Committee meetings deemed necessary to carry on the work assigned to the Committee shall be held on the call of the Chairperson of the Committee.

Section 8.05: A quorum for the transaction of business at any meeting shall consist of one-third of the Commission members. The act of a majority of the members participating at any meeting at which there is a quorum shall be the act of the Commission.

Section 8.06: Meeting minutes will be distributed to the Commissioners and available to the public.

Section 8.07: The Commission is subject to the Public Meetings Law.

Article IX
Committees

Section 9.01: This Commission will be comprised of the following three Standing Committees:

- a. Continuum of Care Committee;

- b. Policy & Issues committee; and
- c. Education & Awareness Committee.

- Section 9.02:** Standing Committees will meet more than quarterly as deemed appropriate.
- Section 9.03:** Ad Hoc committees will be established as necessary by the Chairperson.
- Section 9.04:** All Standing Committees shall elect a Chairperson from Commission members serving on the Committee.
- Section 9.05:** Members of the Committees shall serve for one year or until their successors are appointed.
- Section 9.06:** The Commission Chairperson shall appoint all members to fill vacancies.
- Section 9.07:** All Committees shall submit reports of their activities in writing to the Commission.
- Section 9.08:** Non-Commission members may serve on the Policy and Issues Committee, Education and Awareness Committee, and Ad Hoc Committees when invited by the Committee and appointed by the Commission. Non-Commission members may serve on the Continuum of Care committee when invited by the Committee and appointed by the Nebraska Homeless Assistance Program administrator.

Article X
[RESERVED]

Article XI
Powers

The Commission may appoint non-voting members, establish committees of either voting or non-voting members, obtain advisors, create task forces, or otherwise engage in appropriate activities necessary to fulfill the Commissions purpose. The Commission may engage in other activities relevant and appropriate to its purposes, charges and powers.

Article XII
Commission Funds

- Section 12.01:** The Governor of the State of Nebraska through Executive Order 98-4 authorizes the creation of the Nebraska

Commission on Housing and Homelessness Cash Fund. This fund will be managed by the Department of Administrative Services on behalf of the Commission and appropriations from the funds shall be made at the discretion and from the Director of the Department of Economic Development. **Section 12.02:**The Commission may accept donations, grants, gifts or other support. Financial contributions shall be placed in the Nebraska Commission on Housing and Homelessness Cash Fund and shall be used to support Commission activities. **Section 12.03:**The Fund shall be subject to all accounting rules and regulations of the State. A detailed accounting of all monetary and non-monetary contributions shall be kept. This information shall be made readily available to interested members of the public.

Article XIII
Amendments

These Bylaws may be altered, amended, or repealed and new Bylaws adopted at any regular meeting or at any special meeting at which there is a simple majority of all Commissioners, which is twelve members. Written notice of the intention to alter, amend or repeal or to adopt new Bylaws will be sent to all members twenty-one days prior to the meeting at which the voting takes place.

These Amended and Restated Bylaws have been approved at a regularly scheduled meeting of the Nebraska commission on Housing and Homelessness on November 10 , 2010.

Chairperson

Members Voting:

Aye: _____

Nay: _____
