

ORIGINAL

ORDINANCE NO. CO-2015-04

**AN ORDINANCE AMENDING CHAPTER 31 (DEPARTMENTS, BOARDS,
AND COMMISSIONS), SECTION 31.22 (MAYWOOD HOUSING AUTHORITY)
OF THE MAYWOOD VILLAGE CODE RELATIVE TO
MEMBERSHIP ON THE MAYWOOD HOUSING AUTHORITY**

WHEREAS, the Village of Maywood (the "Village") is a home rule municipality, having all of the powers and authority granted to such municipalities pursuant to Article VII, Section 6 of the Illinois Constitution of 1970, including the right to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the President and Board of Trustees of the Village are authorized, pursuant to said Home Rule Powers and the Housing Authorities Act (310 ILCS 10/3) ("Housing Authorities Act"), to create a Maywood Housing Authority (the "Authority"), vested with all powers necessary or appropriate in order to engage in low-rent housing and slum clearance projects, provide rental assistance, undertake land assembly, clearance, rehabilitation, and development and redevelopment projects as will tend to relieve the shortage of decent, safe, affordable and sanitary dwellings, acquire and dispose of improved or unimproved property, remove unsanitary or substandard conditions, construct and operate housing accommodations, regulate the maintenance of housing projects, and borrow, expend, loan, invest and repay monies for the purposes set forth above; and

WHEREAS, the President and Board of Trustees of the Village have previously created the Authority by ordinance, as evidenced by the existence of said Housing Authority, and have vested in it the above powers. The local regulations that govern the Authority are found at Chapter 31 (Departments, Boards, and Commissions), Section 31.22 (Maywood Housing Authority) of the Maywood Village Code; and

WHEREAS, the Village President and Board of Trustees of the Village desire to make certain amendments to the Maywood Village Code, as set forth below in Section 2 of this Ordinance (the "Code Amendments"), to change the number of appointed Commissioners of the Authority from seven (7) to five (5) Commissioners, as authorized by Section 3 of the Housing Authorities Act (310 ILCS 10/3). The decrease in membership comports with the minimum membership requirements of the Housing Authorities Act and is intended to minimize the number of instances that the Authority is not able to meet due to a lack of a quorum. With this change to the membership number, the Commissioners of the Authority will be able to meet and take action at public meetings to conduct the business of the Authority and to protect the health, welfare and safety of the Village residents and public and fulfill its mission of alleviating shortages in safe, decent, affordable and sanitary housing; and

WHEREAS, pursuant to the authority granted under Section 3 of the Housing Authorities Act (310 ILCS 10/3) and in accordance with the home rule authority granted

to home rule municipalities as defined by Article VII, § 6 of the Illinois Constitution of 1970, the President and Board of Trustees of the Village of Maywood approve the Code Amendments as set forth below.

BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Each Whereas paragraph set forth above is incorporated by reference into this Section 1.

SECTION 2: Chapter 31 (Departments, Boards, and Commissions), Section 31.22 (Maywood Housing Authority) of the Maywood Village Code, as amended, shall be further amended to read in its entirety as follows

Section 31.23 MAYWOOD HOUSING AUTHORITY.

(A) *Establishment.* There is hereby established, pursuant to the authority granted to the Village pursuant to the Housing Authorities Act (310 ILCS 10/1 *et seq.*), the Maywood Housing Authority.

(B) *Membership; appointment.* The Maywood Housing Authority (the "Authority") shall consist of five (5) Commissioners, appointed by the Village President, with the advice and consent of the Board of Trustees. The Village President shall appoint one (1) Trustee to serve as the Village Board liaison to the Authority and who shall attend meetings of the Authority and report to the Board of Trustees on matters being considered by the Authority.

(C) *Terms.* The term of office of an appointed Commissioner of the Maywood Housing Authority shall be five (5) years or until his or her successor shall have been appointed and qualified. Each appointment shall be effective upon the filing of a certificate of appointment in the office of the Cook County Recorder of Deeds. Should an appointed position become vacant for any reason, the Village President, with the advice and consent of the Board of Trustees, shall appoint a replacement Commissioner to fill out the term of the vacating Commissioner.

(D) *Meetings.* The Maywood Housing Authority shall meet monthly at a location to be determined by the Authority. Meetings of the Housing Authority are subject to the provisions of the Illinois Open Meetings Act (5 ILCS 120/1 *et seq.*).

(E) *Adoption by reference.* The Housing Authorities Act (310 ILCS 10/1 *et seq.*) is hereby adopted by reference and the provisions therein shall apply to the Maywood Housing Authority, except as amended in this section. Where there is a conflict between the provisions of the Housing Authorities Act and the provisions of this section enacted pursuant to the Village's home rule authority, the provisions of this section shall control.

(F) *Annual budget.* By September 1 each year, the Maywood Housing Authority shall deliver to the Village President and Board of Trustees the

Authority's proposed annual budget report for the next fiscal year, as defined by Section 8.9 of the Housing Authorities Act (310 ILCS 10/8.9), as amended.

(G) *Annual report.* Within sixty (60) days of the last day of the preceding fiscal year, the Maywood Housing Authority shall deliver to the Village President and Board of Trustees an annual report, as defined by Section 8.9 of the Housing Authorities Act (310 ILCS 10/8.9), as amended, and the annual report shall contain all of the financial data, statements and content that is required by Section 8.10 of the Housing Authorities Act (310 ILCS 10/8.10), as amended. In addition, the report shall contain the following information:

(1) A descriptive statement setting forth each current or proposed project of the Authority.

(2) A balance sheet, a classified statement of revenues and expenditures and of receipts and disbursements and a surplus statement, and also a consolidated balance sheet and consolidated classified statements of revenues and expenditures, and of receipts and disbursements and a surplus statement reflecting the financial status and condition of the Authority as a whole as of the close of the immediately preceding fiscal year.

(3) All statements shall be made separately for bond interest and retirement, capital and operating accounts.

(4) A separate statement setting out the total amount of rent received for, and the amount of money expended on, each housing project as that term is defined in Section 17(g) of this Act under the jurisdiction of the Authority.

(5) A complete schedule of salaries in effect on the date of the report and to whom such salaries are paid.

(6) The amount or amounts of service charge or charges paid or proffered to the County Collector or to the appropriate officer or officers, of any municipal corporation in lieu of normal real estate taxes, identified to show the year or years and project or projects for which payment was made or proffered. The requirements of this division (G)(6) can be fulfilled by the filing of an annual certified audit conducted in accordance with federal Housing and Urban Development requirements.

(7) A summary tabulation for each project for the period covered by the annual report showing the number of and size of individual housing accommodations; the number of units occupied by families in the various income groups; the total number of persons; the age group of the head of the household of move-ins; the number of persons comprising the household; the rent schedules for determining contract rents; and the number of workers per family moving in; the year of admission of families to public housing; the number of move-ins with the size of family; income groups of families moving in; size of unit occupied by families moving in or out; and information as to family composition; and information as to number of families receiving public assistance or Social Security benefits.

SECTION 3: All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

SECTION 4: Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 5: Except as to the provisions set forth above in this Ordinance, all Chapters and Sections of the Maywood Municipal Code shall remain in full force and effect.

SECTION 6: This Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.

ADOPTED this 3rd day of March, 2015 pursuant to a roll call vote as follows:

Ayes: Trustee(s) A. Jaycox, M. Rogers, M. Lightford and R. Rivers

Nays: Mayor Edwenna Perkins and Trustee C. Ealey-Cross

Abstains: None

Absent: Trustee A. Dorris

APPROVED by me as Village President, and attested by the Village Clerk, on this 5th day of March, 2015.



Edwenna Perkins

Village President

ATTEST:

[Signature]

Village Clerk

This Ordinance was published by me in pamphlet form on the 5th day of March, 2015.

[Signature]

Village Clerk

