

**MARICOPA COUNTY
COMMUNITY DEVELOPMENT ADVISORY COMMITTEE (CDAC)
BYLAWS**

PURPOSE

The Community Development Advisory Committee (CDAC) is an advisory group to the Board of Supervisors on matters concerning the Maricopa County Community Development Block Grant (CDBG), specifically for the annual Request for Proposal process for Urban County projects and programs. The CDAC makes recommendations to the Board of Supervisors regarding project selection, funding allocation, and program implementation.

The CDAC is also the body officially charged by the Maricopa County Board of Supervisors to act as the medium for citizen advice and comment concerning urban county CDBG planning and performance documents.

The CDAC is an advisory board on matters concerning the Maricopa County CDBG funds; including fair housing and housing affordability issues affecting low/moderate income people in the Urban County. The CDAC shall be organized and function in such a manner to allow continuity of effective involvement of participating Cities and Towns, applicants for funding, and citizens throughout the planning, development and implementation of the program.

ARTICLE I – CDAC MEMBERSHIP

The CDAC will be composed of members appointed in the following manner:

1. With the approval of the Board of Supervisors, each Supervisor may appoint two members and one alternate living in their district to serve on the CDAC.
 - 1.1. Each district member appointed by the Supervisor shall not be an elected official of any city/town participating in the CDBG program.
2. The governing board of each city or town participating in the CDBG Three-Year Cooperative Agreement may appoint one individual and one alternate to serve on the CDAC.
 - 2.1. Each city/town member and alternate must be an elected member of the respective city/town council.
 - 2.2. Elected city/town members must be formally appointed to the CDAC by the Board of Supervisors.

3. CDAC appointments must be made by July for the year. CDAC appointments will be for two full fiscal years; to begin on July 1, ending on June 30. The initial year of the two year term limits will be staggered in the following manner:
 - 3.1. Representatives for city/town names that begin with the letters A through G and for Districts 1 and 2 shall have terms that end in even numbered years.
 - 3.2. Representatives for city/town names that begin with the letters H through Z and for Districts 3, 4, and 5 shall have terms that end in odd numbered years.
4. A member can be removed from the CDAC under the following circumstances:
 - 4.1. The member is no longer eligible
 - 4.2. The member voluntarily steps down from the CDAC
 - 4.3. A member representing a city/town is removed by the city/town's appointing body
 - 4.4. The member is removed by the CDAC at the request of two thirds (2/3) of the seated members
 - 4.5. The member is removed by the Board of Supervisors

ARTICLE II – CDAC MEETINGS

1. Regular meetings of the CDAC will be held as scheduled on the second Wednesday of each month. Meetings may be cancelled, with at least 48 hours notice, if there are no required action items on the agenda.
2. Special meetings of the CDAC may be held at the request of the CDAC Chair or by consent of the majority. All members will be notified at least 48 hours before the time set for a special meeting.
3. Public hearings will be held by the CDAC as necessary to meet CDBG grant requirements.
4. All meetings and public hearings of the CDAC will be open to the public.
5. Written minutes will be kept of all public meetings and will be public record.
6. A quorum of the CDAC shall consist of a simple majority of members who are appointed to the Committee. A quorum is necessary for the transaction of any business. CDAC members may attend telephonically, provided that the public is properly notified.

7. All votes taken by the CDAC shall be by voice vote or by roll call and made part of the minutes. CDAC meetings shall be recorded, with the recordings made available in compliance with open meeting law requirements.
8. Where these bylaws and other applicable law do not afford an adequate procedure in the conduct of a meeting, the CDAC Chair may refer to Robert's Rules of Order as a guide.
9. Members of the public will be allowed to speak when invited to speak by the Chair during meetings, at public hearings and during the open call to the public at each meeting.

ARTICLE III – CDAC OFFICERS

1. The Chair and Vice-Chair of the CDAC shall be elected annually by the members of the CDAC, to begin on July 1, and end on June 30. The Chair and Vice-Chair shall not represent the same city/town or the same district.
 - 1.1. If the position of Chair is permanently vacated for any reason during their term of office, the Vice Chair will assume all duties of the Chair, and a new Vice Chair will be appointed by the CDAC. All Chair and Vice Chair positions filled during the original term of office shall serve through the end of the original term.
 - 1.2. Any vacancy in the office of the Chair or Vice-Chair of the CDAC may be filled by the members of the Committee at any regular meeting or special meeting called for such purpose after such vacancy has occurred.
 - 1.3. Any Officer may be removed from office for cause and a vote of at least two-thirds (2/3) of the current members of the CDAC.
2. The Chair will have the following duties:
 - 2.1. Preside at meetings of the CDAC.
 - 2.2. Appoint all subcommittees.
 - 2.3. Provide general supervision over the conduct of the affairs of the Committee.
 - 2.4. Participate in the voting process, and may participate in discussion of any matters.
 - 2.5. Rule on all procedural questions.
 - 2.6. Call for a motion and vote upon all matters being considered by the CDAC, but only after all interested parties and all Committee members have had a reasonable opportunity to be heard.

2.7. Limit the time each person is permitted to speak at public meetings or public hearings, provided that such procedure shall nonetheless result in a full presentation on all relevant issues.

2.7.1. The ruling of the Chair will be subject to reversal by a majority of the CDAC members present.

3. The Vice-Chair shall perform the duties of the Chair during the absence or inability of the Chair.
4. In the event that both the Chair and Vice-Chair are absent, then the members present shall choose a member to be Chair pro-tem for the meeting.

ARTICLE IV – CDAC SUBCOMMITTEES

1. The Chair will, with the approval of a majority of the CDAC, appoint such subcommittees as may be deemed necessary.
2. Each subcommittee will appoint one member to serve as the subcommittee Chair. The Chair and/or Vice-Chair of the CDAC may serve as ex-officio members of all subcommittees.
3. Reports, recommendations and minutes of all meetings of each subcommittee shall be made in writing and the original copy thereof shall be filed and become a part of the records of the Committee.

ARTICLE V – CDAC DUTIES AND RESPONSIBILITIES

1. The CDAC will review and provide comment on the U. S. Department of Housing and Urban Development (HUD) required Citizen Participation Plan, and in overseeing the implementation of the plan in cooperation with Maricopa County Human Services Department.
2. The CDAC will evaluate applications for CDBG funding and related documents, and will provide recommendations to the Board of Supervisors on actions to be taken regarding these applications. CDAC members representing an Urban County city or town shall abstain from scoring or otherwise evaluating all applications that are submitted by or a partnership with the city or town they represent
3. The CDAC will create a CDBG contingency fund at the start of each program year in an amount equal to 5% of the County's annual CDBG funding allocation. The contingency acts as a

reserve for construction projects with unforeseen change orders or cost increases and is limited to amounts described in Article V, Section 7 (c) and Article VI, Section 6 (c).

4. The CDAC will review and provide recommendations on the Urban County sections of the Consolidated Plan and Annual Action Plan development process.
5. The CDAC will advise the Board of Supervisors on policy decisions regarding CDBG-funded projects and programs.
6. The CDAC will participate in assessing all aspects of the Urban County's CDBG performance; including the performance of the Urban County's subrecipients and contractors.
7. The CDAC may approve the following changes to existing CDBG funded contracts without approval from the Board of Supervisors:
 - 7.1.1. Changes in the scope of work, provided the overall scope of work for the project is unchanged.
 - 7.1.2. Changes in the project implementation schedule including extensions in the completion deadline up to but not to exceed the contract end date.
 - 7.1.3. Requests for additional funding up to 20% of the original contract amount. All requests for additional funding are limited to 30% of the current contingency fund balance.

ARTICLE VI. STAFFING AND SUPPORT

1. Necessary staffing and support of the CDAC shall be provided by the Maricopa County Board of Supervisors through the Maricopa County Human Services Department (HSD).
2. HSD staff shall support the activities of the CDAC, which shall be responsible for preparing and distributing agendas for all public meetings, maintaining an official membership list, attendance records, a record of all actions of the CDAC, minutes of all public meetings, and other documents of the CDAC and its committees.
3. HSD staff is authorized to implement the following changes to existing CDBG funded contracts without approval from the CDAC or the Board of Supervisors:
 - 3.1. Minor changes in the scope of work, provided the overall scope of work for the project is unchanged
 - 3.2. Changes in the project implementation schedule up including extensions in the completion deadline up to 90 days.

- 3.3. Requests for additional funding up to \$10,000. All requests for additional funding are limited to 30% of the current contingency fund balance.

ARTICLE VI - AMENDMENTS OF BYLAWS AND RULES OF PROCEDURE

1. Proposed revisions to the foregoing Bylaws and Rules of Procedures, or any part thereof, may be presented for action at any meeting of the Committee after not less than ten (10) day notice has been given to all members of the Committee. All amendments recommended for approval by a majority of the CDAC members shall be presented to the Board of Supervisors for final approval.

ARTICLE VII - CONFLICT OF INTEREST

1. At all times, the CDAC members will comply with Arizona law (A.R.S. §38-503) and HUD regulations (24 CFR 570.611) regarding conflict of interest. No member of CDAC may use their position on the Committee for a purpose that is, or gives the appearance of being, motivated by a desire for private gain for themselves or specific others, particularly those with whom they have family, business or other ties. In any instance where a conflict might arise because of the potential for financial gain, the member must disclose the potential conflict, and the County will follow the federal regulations in securing a decision from HUD on the potential conflict. Any member who feels that personal reasons may unduly prejudice their decision shall disqualify themselves without reason or suggestions of their interest and take no part in discussion or voting on this matter. CDAC members shall sign an annual Conflict of Interest declaration.

CDAC Bylaws: Approval and Amendments

Adopted by the Community Development Advisory Committee on January 3, 1979
Recorded with the Clerk of the Board on January 31, 1979
Amended by Community Development Advisory Committee on December 15, 1982
Amended by Community Development Advisory Committee on May 21, 1986
Amended by Community Development Advisory Committee on October 18, 1989
Recorded with the Clerk of the Board on December 5, 1989
Amended by Community Development Advisory Committee on November 15, 1990
Recorded with the Clerk of the Board on November 29, 1990
Amended by Community Development Advisory Committee on June 9, 1993
Recorded with the Clerk of the Board on December 15, 1993
Amended by Community Development Advisory Committee on November 12, 1997
Recorded with the Clerk of the Board on November 22, 1997
Amended by the Community Development Advisory Committee on October 8, 2003
Approved by the BOS November 19, 2003
Recorded by the Clerk of the Board on November 19, 2003

Amended by the Community Development Advisory Committee on January 9, 2008
Approved by the BOS on January 16, 2008
Recorded by the Clerk of the Board on January 16, 2008
Approved by the Community Development Advisory Committee on June 10,-2009
Approved by the BOS on July 22, 2009
Recorded by the Clerk of the Board on July 22, 2009
Approved by the Community Development Advisory Committee on May 10, 2017
Approved by the BOS on September 20, 2017
Recorded by the Clerk of the Board on September 20, 2017