



# Housing Authority of Cochise County

Public Programs...Personal Service  
www.cochise.az.gov

ANITA BACA  
Executive Director

## HOUSING AUTHORITY OF COCHISE COUNTY BOARD OF COMMISSIONERS RESOLUTION 16-03

### DISSOLVING THE QUASI-INDEPENDENT ENTITY OF THE PUBLIC HOUSING AUTHORITY OF COCHISE COUNTY CREATED IN COCHISE COUNTY RESOLUTIONS 02-41, 02-42, 02-43, AND REINTEGRATING THE HOUSING AUTHORITY AS A DEPARTMENT INTO THE COCHISE COUNTY GOVERNMENT

**WHEREAS**, in 2002, and pursuant to A.R.S. section 36-1404 and via Resolutions 02-41, 02-42, 02-43, and other, similar resolutions, if any, the Cochise County Board of Supervisors ("the County Board") created a separate, quasi-independent, public housing entity in Cochise County, known as the Housing Authority of Cochise County ("HACC"), with its own governing board of Commissioners ("the Housing Board"), and to which the County Board delegated certain powers; and

**WHEREAS**, the County Board now desires to directly administer and supervise the functions and operations of HACC; and

**WHEREAS**, both the County Board and the Housing Board thus desire to dissolve HACC and for the County Board to reabsorb HACC's functions and operations and to replace HACC under the direct supervision of the County Board.

**NOW, THEREFORE, BE IT RESOLVED BY THE HOUSING AUTHORITY OF COCHISE COUNTY BOARD OF COMMISSIONERS AS FOLLOWS:**

**SECTION 1:** That the Housing Board hereby relinquishes to the County Board the administration of HACC, including direction of its functions and operations, thus placing HACC back under the supervision of the Board of Supervisors, effective upon the date the County Board accepts this relinquishment; and

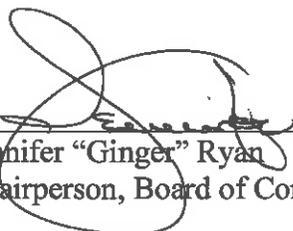
**SECTION 2:** That upon receipt of an executed County Board resolution reabsorbing HACC, the Commissioners appointed to oversee HACC shall immediately relinquish to the County Board their powers and their authority and shall henceforth and forever abandon their office.

///

1415 Melody Lane, Building A  
Bisbee, Arizona 85603  
520-432-8880  
520-432-8890 fax  
520-432-8360 TTD  
abaca@cochise.az.gov

**Board of Commissioners**  
Chair: Jennifer "Ginger" Ryan  
Vice Chair: Kathleen A. Calabrese  
Melissa Herrera-DiPeso  
R. Keith Newlon

**PASSED, APPROVED AND ADOPTED by the Housing Authority of Cochise County Board of Supervisors this 19th day of September 2016.**

  
Jennifer "Ginger" Ryan  
Chairperson, Board of Commissioners





# Cochise Aging & Social Services

## MEMORANDUM

Director:  
Denise Pederson

**DATE:** May 9, 2002  
**TO:** Board of Supervisors  
**FROM:** Dee Dee Pederson, Director, CASS   
**RE:** Housing Authority of Cochise County

In accordance with the direction given by the Board of Supervisors in its most recent Work Session regarding the establishment of an independent Housing Authority for Cochise County, the following organizational papers are submitted for your consideration and approval:

Resolution (**Attachment A**) establishes an independent Housing Authority within Cochise County (Housing Authority of Cochise County). This resolution delegates certain statutorily prescribed powers to the Housing Authority. The resolution also directs that five Commissioners be appointed by the Board of Supervisors, in staggered terms. The Board may also appoint a non-voting liaison to the Commission, at your discretion.

Resolution (**Attachment B**) establishes the reporting procedures under which the Housing Authority will operate. Specifically, this resolution incorporates and mandates administrative and reporting requirements for the Housing Authority in order to comply with federal and state requirements as well as to keep the Board of Supervisors informed of its operations and progress. This resolution also mandates that the Housing Authority must carry separate liability insurance in an amount approved by the Board of Supervisors.

Bylaws for the Housing Authority (**Attachment C**) detail the organizational structure, procedures and operations of the Housing Authority. It details the duties and responsibilities of the Commissioners and Officers of the Housing Authority, the meeting requirements, voting procedures, and reiterates operational reporting requirements.

Also, to provide the Board of Supervisors objective criteria with which to assess the Housing Authority's operations and progress, the Bylaws require that the Authority review and/or approve the Audited Financial Statements and Management Letters, Viability Standards, and Goals and Assessment Reviews (**Attachment D**).

As was discussed in its most recent Work Session, our goal is to establish an organization that will shift housing program responsibilities to an independent commission with the experience and attention necessary to improve the availability and quality of affordable housing opportunities for lower income residents of Cochise County.

Attachments A-D

C: Patrick Ledger, Deputy County Attorney  
Jairie Tent, Acting Director, Housing Division

**Bisbee Location**  
Building A  
1415 W. Melody Ln.  
Bisbee, AZ 85603

**Area Agency on Aging**  
Benson: (520) 586-9183  
Bisbee: (520) 432-9680  
Douglas: (520) 364-7575  
Sierra Vista: (520) 803-3909  
Willcox: (520) 384-4662

**Cochise Health Systems**  
P.O. Box 4249  
Bisbee, AZ 85603-4249  
(520) 432-9481  
(520) 432-9697 FAX  
Benson: (520) 586-9183  
(520) 586-1503

**Housing**  
(520) 432-9460  
(520) 432-9480 FAX

**Public Fiduciary**  
P.O. Box 4279  
Bisbee, AZ 85603-4279  
(520) 432-9407  
(520) 432-2438 FAX

# Board of Supervisors

Patrick Call  
Chairman,  
District 1

Paul Newman  
District 2

Leslie E. Thompson  
District 3



Jody N. Klein  
County Administrator

Nadine Parkhurst  
Clerk

## RESOLUTION NO. 02- 41

**A RESOLUTION ESTABLISHING THE PUBLIC HOUSING AUTHORITY OF COCHISE COUNTY; DELEGATING THERETO CERTAIN POWERS AS MAY BE CONFERRED UPON COCHISE COUNTY BY FEDERAL AND STATE PUBLIC HOUSING LAWS; PROVIDING FOR ITS ADMINISTRATION AND OPERATION; REPEALING PRIOR INCONSISTENT RESOLUTIONS.**

**WHEREAS**, the Cochise County Board of Supervisors (the "Board of Supervisors") desires to continue the County's support for decent, livable and affordable housing to persons of low income; and

**WHEREAS**, the provision of affordable housing for persons of low income is a recognized public purpose under federal and state public housing laws; and

**WHEREAS**, Cochise County Board of Supervisors desires to establish the Public Housing Authority of Cochise County (the "Housing Authority") and to delegate certain powers to the Housing Authority to assist its operation and administration; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COCHISE COUNTY BOARD OF SUPERVISORS AS FOLLOWS:**

**SECTION 1:** That pursuant to Arizona Revised Statute §36-1404(A) the Agency shall be established by and through Cochise County;

**SECTION 2:** That the Board of Supervisors hereby delegates to the Housing Authority those powers enumerated by Title 36, Chapter 12, Arizona Revised Statutes, including the power to acquire, own, maintain and dispose of real estate and appurtenances to real estate, to collect rents, to construct, maintain, operate and manage a housing project or projects, and to engage in those fiscal and business transactions necessary and proper to exercise these powers and to discharge its duties as a housing authority;

**SECTION 3:** That the Board of Supervisors of Cochise County hereby delegates to the Housing Authority the power to administer federal housing programs in Cochise County to the extent that such programs do not conflict with established municipal housing authorities in Cochise County;

**SECTION 4:** That all powers conferred on the Housing Authority are vested in its Commissioners, which shall be comprised of five persons appointed by the Board of Supervisors. The Commissioners of the Housing Authority first appointed shall be designated to serve for terms of one, two, three, four and five years, respectively, from the date of their appointment, but thereafter Commissioners shall be appointed for a term of office of five years. The Board of Supervisors may provide that one or more Board members be automatically appointed as Commissioners of the Housing Authority or, alternatively, the Board may appoint a nonvoting Board Liaison Officer to represent its interests on the Housing Authority. Appointments, vacancies, expense reimbursement, and other matters pertaining to the Commissioners of the Housing Authority shall be governed by the Board of Supervisors and by Arizona Revised Statute §36-1404;

**SECTION 5:** That the Board of Supervisors hereby authorizes and directs that the Cochise County Housing Department shall provide to the Housing Authority any executive, administrative, fiscal, technical experts, and other officers, attorneys, independent contractors, agents and employees determined by that department, acting under the advice and consent of the Housing Authority and approved by the Board of Supervisors;

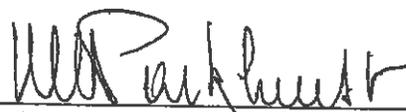
**SECTION 6:** That the Housing Authority shall be governed by Title 36, Chapter 12, Arizona Revised Statutes, and by such bylaws, policies, and procedures made applicable to the Housing Authority which are adopted by the Board of Supervisors by resolution either concurrent or subsequent to this Resolution;

**SECTION 7:** That all prior inconsistent resolutions are repealed or amended so as to be consistent with the foregoing resolution and order.

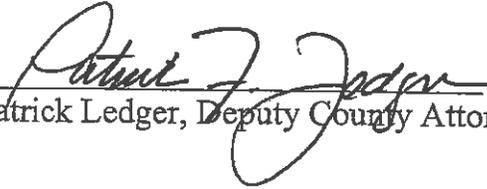
PASSED AND ADOPTED by the Cochise County Board of Supervisors, this 21 day of May, 2002.

  
Patrick Call, Chairman

ATTEST:

  
Nadine Parkhurst, Clerk

APPROVED AS TO FORM:

  
Patrick Ledger, Deputy County Attorney

# Board of Supervisors

Patrick Call  
Chairman,  
District 1

Paul Newman  
District 2

Leslie E. Thompson  
District 3



Jody N. Klein  
County Administrator

Nadine Parkhurst  
Clerk

## RESOLUTION NO. 02- 42

### A RESOLUTION ESTABLISHING REPORTING PROCEDURES APPLICABLE TO THE PUBLIC HOUSING AUTHORITY OF COCHISE COUNTY

**WHEREAS**, the Board of Supervisors of Cochise County (the "Board of Supervisors") has delegated to the Public Housing Authority of Cochise County (the "Housing Authority") those powers enumerated by Title 36, Chapter 12, Arizona Revised Statutes, including the power to acquire, own, maintain and dispose of real estate and appurtenances to real estate and to construct, maintain, operate and manage a housing project or projects;

**WHEREAS**, the board of Supervisors desires to maintain a favorable business relationship with the Housing Authority; and

**WHEREAS**, a favorable business relationship can be enhanced by establishing and following requirements and reporting procedures;

**NOW, THEREFORE, BE IT RESOLVED BY THE COCHISE COUNTY BOARD OF SUPERVISORS AS FOLLOWS:**

**SECTION 1:** The Board of Supervisors and the Agency shall adopt a Cooperation Agreement detailing all fiscal, administrative, and other business related activities and responsibilities between the parties and shall file a copy of the Cooperation Agreement with the Cochise County Clerk.

**SECTION 2:** The Housing Authority shall not adopt any policies that are inconsistent with the employment related policies of Cochise County, including specifically:

- Personnel Policies
- Merit Rules
- Travel Policies
- Vehicle Use Policies

**SECTION 3:** Executive Director. The position of Executive Director shall be governed by Resolution of the Board of Supervisors and by Public Housing Authority of

Cochise County Bylaws duly authorized by the Housing Authority and the Board of Supervisors.

**SECTION 4: Minutes.** The Housing Authority shall forward a copy of the official Minutes from each Board of Commissioner's Meeting to the Board of Supervisors.

**SECTION 5: Budget.** The Housing Authority shall forward a copy of the Annual Budget to the Board of Supervisors. Amendments to the Budget shall be forwarded to the Board of Supervisors within 30 days of adoption.

**SECTION 6: Financial and Operational Documents.** The Housing Authority shall forward copies of the following documents to the Board of Supervisors and, upon request, to the Cochise County Finance Department.

1. Annual Audited Financial Statements with Management Letter
2. Annual Management Assessment Program Review done by HUD.
3. Annual Goals Assessment Review
4. Annual Review of Compliance with Viability Standards
5. Other Annual Financial or Operational Reports that the County may require.

**SECTION 7: Credit Cards.** Credit cards will not be issued without prior approval of the Board of Supervisors.

**SECTION 8: Financial Review.** The County Finance Division shall have the right to routinely review procedures and financial accounts of the Housing Authority. Results and recommendations of said review shall be reported to the Board of Supervisors and to the Housing Authority.

**SECTION 9: Insurance.** The Housing Authority shall maintain sufficient separate liability insurance in an amount that is customary in the field and as shall be approved by the Board of Supervisors.

PASSED AND ADOPTED by the Cochise County Board of Supervisors, this 21 day of May, 2002.

  
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Patrick Call, Chairman

ATTEST:

*Nadine Parkhurst*  
Nadine Parkhurst, Clerk

APPROVED AS TO FORM:

*Patrick Ledger*  
Patrick Ledger, Deputy County Attorney

# Board of Supervisors

Patrick Call  
Chairman,  
District 1

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District 2

Leslie E. Thompson  
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Jody N. Klein  
County Administrator

Nadine Parkhurst  
Clerk

## RESOLUTION NO. 02- 43

### BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF COCHISE COUNTY, ARIZONA:

That the following bylaws are hereby adopted and approved by the Cochise County Board of Supervisors (the "Board of Supervisors") as the bylaws of the Housing Authority of Cochise County (the "Housing Authority"):

#### ARTICLE I

##### The Authority

SECTION 1: NAME OF AUTHORITY. The name of the Authority shall be "The Housing Authority of Cochise County."

SECTION 2: SEAL OF AUTHORITY. The seal of the Authority shall bear the name of the Authority and the year of its organization.

SECTION 3: OFFICE OF AUTHORITY. The offices of the Authority shall be at the Cochise County Housing Department in Bisbee, Arizona but the Authority may hold its meetings at such other place as it may designate by resolution.

#### ARTICLE II

##### Commissioners and Officers

SECTION 1. COMMISSIONERS. The Housing Authority shall consist of five Commissioners with voting authority.

SECTION 2. OFFICERS. The officers of the Housing Authority shall be a Chairman, a Vice-Chairman, and a Secretary/Director, and may also include a Board Liaison Officer.

SECTION 3. BOARD LIASON OFFICER. The Board Liaison Officers shall be an optional nonvoting member of the Housing Authority that may be appointed by the

Board of Supervisors. The Liaison Officer shall represent the interests of the Board of Supervisors and shall report to the Board of Supervisors on all matters relating to the Housing Authority.

SECTION 4. CHAIRMAN. The Chairman shall be chosen from among the Commissioners on a yearly basis and shall preside at all meetings of the Housing Authority. Except as otherwise authorized by resolution of the Housing Authority, the Chairman shall sign all approved contracts, deeds and other instruments made by the Housing Authority. At each meeting the Chairman shall submit such recommendations and information as he may consider proper concerning the business, affairs and policies of the Housing Authority.

SECTION 5. VICE-CHAIRMAN. The Vice-Chairman shall be chosen from among the Commissioners on a yearly basis and shall perform the duties of the Chairman in the absence or incapacity of the Chairman; and in case of the resignation or death of the Chairman the Vice Chairman shall perform such duties as are imposed on the Chairman until such time as a new Chairman shall be appointed.

SECTION 6. SECRETARY/DIRECTOR. The Director of the Cochise County Housing Department shall serve as the Secretary, a nonvoting member of the Housing Authority, and shall also serve as the Executive Director of the Housing Authority. As such, the Secretary/Director shall have general supervision over the administration of the Housing Authority's business and affairs, subject to the direction and approval of the Housing Authority.

The Secretary or his designee shall attend all Housing authority meetings, shall act as Secretary of the meetings of the Housing Authority and record all votes, and shall keep a record of the proceedings of the Housing Authority in a journal of proceedings to be kept for such purpose. In addition, the Secretary shall also keep the records of the Housing Authority and shall perform all other related duties incident to this office. The Secretary shall keep safe the seal of the Housing Authority and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Housing Authority.

The Secretary shall have the care and custody of all funds of the Housing Authority and shall deposit the same in the name of the Housing Authority in such bank or banks as the Housing Authority may select. The Secretary shall sign all orders and checks for the payment of money and shall pay out and disburse such moneys under the direction of the Housing Authority. Except as otherwise authorized by resolution of the Housing Authority, all such orders and checks shall be countersigned by the Chairman. The Secretary shall keep regular books of accounts showing receipts and expenditures

and shall render to the Housing Authority, at each regular meeting (or as requested), an account of these transactions and also of the financial condition of the Housing Authority to include, but not limited to:

1. Monthly Balance Sheet;
2. Monthly Statement of Revenue, Expenditures and Encumbrances;
3. Monthly Bank Reconciliations;
4. Any Mortgages, Notes or Other Instruments of Indebtedness and any Contracts relating to the same;
5. Aged Trial Balance of Receivables;
6. Aged Trial Balance of Payables;
7. Annual Audited Financial Statements with Management Letter;
8. Annual Contributions Contract(s) and all Amendments;
9. Annual Assessment of Viability, based on standards approved by the Commissioners;
10. Annual Goals Assessment Review; and,
11. Other Financial reports which the Housing Authority may require.

The compensation of the Secretary/Director shall be determined by the Board of Supervisors on the advice of the Housing Authority.

SECTION 7. ADDITIONAL DUTIES. The officers of the Housing Authority shall perform such other duties and functions as may from time to time be required by the Housing Authority or the bylaws or rules and regulation of the Housing Authority.

SECTION 8. APPOINTMENT. The Commissioners of the Housing Authority shall be appointed and designated by the Board of Supervisors and shall hold office until qualified successors are so designated.

SECTION 9. ADDITIONAL PERSONNEL OR SERVICES. The Housing Authority may through an approved Cooperation Agreement with Cochise County, or with a Department of the County or County Officer for personnel or necessary services to exercise the powers, duties, and functions of the Housing Authority.

### ARTICLE III

#### Meetings

SECTION 1. REGULAR MEETINGS. Monthly meetings shall be held the 4<sup>th</sup> Wednesday of the Month at a time and place to be determined by the Commissioners. Annual elections of Officers shall be held concurrent with the Regular Meeting in June.

SECTION 2. SPECIAL MEETING. The Chairman of the Housing Authority may, when expedient, and shall, upon the written request of two members of the Housing Authority, call a special meeting of the Housing Authority for the purpose of transacting any business designated in the call. The call for a special meeting may be delivered to each member of the Housing Authority at least two days prior to the date of such special meeting. At such special meeting no business shall be considered other than as designated in the call.

SECTION 3. EXECUTIVE MEETINGS. Upon a public majority vote of the members of the Housing Authority constituting a quorum, the Housing Authority may call for an executive session where the public shall be excluded but only for discussion or consultation for legal advice with their attorney or for those other purposes provided for in A.R.S. § 38-431.03.

SECTION 4. QUORUM. The powers of the Housing Authority shall be vested in the Commissioners. Three Commissioners shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, but a smaller number may adjourn from time to time until a quorum is obtained. If the meeting is duly noticed and a quorum is present, action may be taken by the Housing Authority upon a vote of a majority of the Commissioners present.

SECTION 5. ORDER OF BUSINESS. At the regular meeting of the Housing Authority the following shall be the order of business:

1. Call to the Public
2. Roll Call
3. Reading and Possible Approval of Prior Minutes
4. Discussion and Possible Approval of Monthly Financial Report
5. Report of the Secretary / Director
6. Reports of Committees
7. Unfinished business
8. New business
9. Adjournment

All resolutions and minutes shall be in writing and shall be copied in a *Journal of the Proceedings of the Housing Authority of Cochise County*, which shall be maintained and available to the public.

SECTION 6. MANNER OF VOTING. The voting on all questions coming before the Housing Authority shall be by roll call the result shall be entered upon the minutes of such meeting.

SECTION 7. OPEN MEETING LAW. Meetings of the Housing Authority are subject to Arizona's Open Meeting Law. A.R.S. § 38-431 et. seq.

ARTICLE IV.

Operations

SECTION 1. OPERATIONAL REVIEW AND APPROVAL. The Housing Authority shall prepare, review and approve an Annual Management Assessment Program Review conducted by HUD, an Annual and Five-Year Plans, Viability Standards, an Annual Goals and Assessment Review, and an Annual Audited Financial Statement and Management Letter.

SECTION 2. REPORTING REQUIREMENTS. The Housing Authority shall ensure compliance with current Board Resolutions applicable to the Housing Authority for reporting and accountability to the Cochise County Board of Supervisors.

ARTICLE V.

Amendments

The By-Laws of the Housing Authority shall be amended only with the approval of three of the members of the Housing Authority at a regular or a special meeting, subject to final approval by the Board of Supervisors. No such amendment shall be adopted unless at least seven days' written notice thereof has been previously given to all of the members of the Housing Authority.

PASSED AND ADOPTED by the Cochise County Board of Supervisors, this  
21 day of May, 2002.

  
Patrick Call, Chairman

ATTEST:



Nadine Parkhurst, Clerk

APPROVED AS TO FORM:



Patrick Ledger, Deputy County Attorney