

BYLAWS OF THE AFFORDABLE HOUSING ADVISORY COUNCIL

As Adopted July 30, 2024

ARTICLE I – NAME

The name of this organization is the Affordable Housing Advisory Council, hereinafter referred to as the “AHAC.”

ARTICLE II – PURPOSE

The Affordable Housing Advisory Council (AHAC) has been established by the Board of Supervisors of Fairfax County, Virginia (“Board of Supervisors”), pursuant to Virginia law for the purpose of providing recommendations to the Board of Supervisors, consistent with the One Fairfax policy, regarding the implementation and achievement of the Communitywide Housing Strategic Plan, County resource requirements identified in the annual Budget Guidance, any additional adopted affordable housing development or preservation guidance, as well as recommendations on overarching policies and programs that support, promote and synthesize County efforts related to both ensuring housing affordability, accessibility and ending homelessness.

These bylaws are effective as of July 30, 2024.

ARTICLE III – MEMBERSHIP AND TERM OF OFFICE

Appointments. The Affordable Housing Advisory Council will cultivate an inclusive culture by including diverse perspectives and interests represented by individuals who reflect the County’s diversity and are committed to housing affordability for all throughout the County.

Membership and appointments to the Affordable Housing Advisory Council include appointments made by the Board of Supervisors, Boards, Authorities and Commissions, and by the Director, Housing and Community Development Department. Members will serve for such term or terms as established by the June 22, 2021 Board of Supervisors approved Action Item.

Each council member will serve two-year terms on alternating annual fiscal year cycles. The Co-Chairs will each serve four-year terms on alternating biennial fiscal year cycles.

Resignations and Vacancies. In the event a member cannot serve or resigns from office, then the Chairpersons, or the County staff coordinator will advise the Clerk for the Board of Supervisors of the vacancy in writing.

Holdovers. In the event a member completes his or her term of office, remains qualified to serve as a member, and the Board of Supervisors has not reappointed that member to

another term or appointed a successor member, then that person may continue to serve until such time as the member is reappointed or a successor member is appointed.

ARTICLE IV – OFFICERS AND THEIR DUTIES

Officers. The AHAC will be served by two officers, who will serve as Co-Chairpersons. The Chairpersons will be appointed by the Board of Supervisors. The Co-Chairs will each serve four-year terms on alternating biennial fiscal year cycles.

Co-Chairpersons. The Chairpersons preside over meetings of the AHAC and are eligible to vote at all times. The Chairpersons have the authority to delegate appropriate functions to AHAC members and to request assistance from the County staff supporting the AHAC. The Co-Chairperson with the greatest seniority will determine how any dispute between the Co-Chairpersons will be resolved.

Replacement Officers. If the seat of a Co-Chairperson becomes vacant for any reason, then the remaining Chairperson, the clerk, or the County staff coordinator will advise the Clerk for the Board of Supervisors of the vacancy in writing.

ARTICLE V – MEETINGS

VFOIA. All meetings shall be open to the public except as provided under the Virginia Freedom of Information Act, Virginia Code § 2.2-3700 *et seq.*, as amended ("VFOIA"). "Meeting" or "meetings" means meetings as defined by VFOIA, including work sessions, when sitting physically, or through electronic communication means pursuant to the VFOIA or other applicable Virginia law, as a body or entity, or as an informal assemblage of (i) as many as three members or (ii) a quorum, if less than three, of the constituent membership, wherever held, with or without minutes being taken, whether or not votes are cast, of any public body. The AHAC may hold public hearings and report its findings to the Board of Supervisors on AHAC issues that affect the public interest.

Notice and Agenda. Notice and the agenda of all meetings will be provided as required under the VFOIA. All meetings will be preceded by properly posted notice stating the date, time, and location of each meeting. Notice of a meeting will be given at least three working days prior to the meeting. Notice of emergency meetings, reasonable under the circumstances, will be given contemporaneously with the notice provided to AHAC members. Notices of all meetings will be provided to the Office of Public Affairs for posting at the Government Center and on the County Web site. All in person and remote participation meetings shall be conducted in public places that are accessible to persons with disabilities. Public access via electronic communications must be provided for all-virtual public meetings..

Frequency. The AHAC will meet quarterly or as determined by the Chairperson. Meetings will be held at a time agreed to by a majority of the AHAC's members, and at a place arranged by the staff of the supporting County department.

Voting. A quorum is necessary for a vote. A majority of the membership of the AHAC will constitute a quorum. In making any recommendations, adopting any plan, or approving any proposal, action will be taken by a majority vote of AHAC members present and voting. Upon the request of any member, the vote of each member on any issue will be recorded in the minutes. All votes of AHAC members will be taken during a public meeting, and no vote will be taken by secret or written ballot or by proxy.

Conduct. Except as otherwise provided by Virginia law or these bylaws, all meetings will be conducted in accordance with *Robert's Rules of Order, Newly Revised*. Except as specifically authorized by the VFOIA, which permits remote participation if a policy has been enacted for this purpose, no meeting will be conducted through telephonic, video, electronic, or other communication means where the members are not all physically assembled to discuss or transact public business.

Public Access. For any meeting, at least one copy of the agenda, all agenda packets, and, unless exempt under the VFOIA, all materials furnished to AHAC members will be made available for public inspection at the same time such documents are furnished to the AHAC members. Pursuant to the VFOIA, any person may photograph, film, record, or otherwise reproduce any portion of a meeting required to be open, but such actions may not interfere with any AHAC proceedings.

Records. The Chairpersons or a clerk to the council will ensure that minutes of meetings are recorded as required under the VFOIA. Minutes will include: (1) the date, time, and location of each meeting; (2) the members present and absent; (3) a summary of the discussion on matters proposed, deliberated, or decided; and (4) a record of any votes taken. Such minutes are public records and subject to inspection and copying by citizens of the Commonwealth or by members of the news media. The supporting County department will provide staff support to review and approve records and minutes of the meeting.

Attorney-Client Privilege. Records containing legal advice from counsel to the AHAC, and advice provided in closed session by legal counsel to the AHAC, are protected by the attorney-client privilege and from disclosure under the VFOIA. Any such records or advice should not be disclosed by members of the AHAC to any third party, or the privilege against disclosure may be waived. Questions regarding the handling of records or advice subject to attorney-client privilege should be directed to the AHAC's legal counsel.

ARTICLE VI - ATTENDANCE AND PARTICIPATION

Any AHAC member who misses three consecutive meetings or more than half of the scheduled meetings within a 12-month period, or who fails to participate in the work of the AHAC without good cause acceptable to a majority of the other AHAC members may be subject to removal from the AHAC.

ARTICLE VII - REMOVAL

Any AHAC member(s) may be recommended to the Board of Supervisors for removal from the AHAC for cause, including but not limited to cause as set forth in Article VI, by a two-thirds majority vote of all of the AHAC members. The members' authority to recommend removal under these bylaws neither limits nor waives the Board of Supervisors' authority to remove members from the AHAC as provided by law.

ARTICLE VIII – COMMITTEES

Standing. The Chairpersons may appoint standing committees and a chairperson for each with the consent of a majority of the AHAC members present and voting.

Special. The Chairpersons may appoint special committees and a chairperson for each with the consent of a majority of the AHAC members present and voting.

All meetings of any such committees will comply with the notice and other requirements of the VFOIA. To the extent practicable, any such committees will be composed of at least four members. Committee meetings may be held at the call of the Chairpersons or at the request of two members, with notice to all members.

ARTICLE IX – ANNUAL REPORT

The AHAC will prepare an annual written report that describes the actions of the AHAC and plans for future actions and activities. This report will be provided to the Clerk to the Board of Supervisors for distribution to the members of the Board of Supervisors, the Fairfax County Redevelopment and Housing Authority, and to the County Executive.

ARTICLE X – COMPLIANCE WITH LAW AND COUNTY POLICY

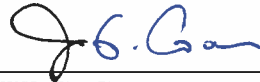
The AHAC will comply with all Virginia laws, including, but not limited to, the VFOIA, and the Virginia State and Local Government Conflict of Interests Act, Virginia Code § 2.2-3100 *et seq.*, as amended, with all County ordinances, and with all County policies concerning the activities of its boards, authorities, and commissions. AHAC will conduct its business and meetings in a manner consistent with the One Fairfax Policy. In case of a conflict between a provision of these bylaws and any applicable ordinance or law, the provisions of the applicable ordinance or law, as the case may be, will control.

ARTICLE XI – AMENDMENT OF BYLAWS

These bylaws may be amended by the AHAC by adopting the proposed amendment or amendments and by presenting those proposed changes for approval to the Board of Supervisors. Any such amendments to bylaws will become effective upon approval by the Board of Supervisors.

These Bylaws were approved by the Fairfax County Board of Supervisors during a public meeting held on 30th day of July, 2024.

GIVEN under my hand this 30th day of July, 2024.



Jill G. Cooper
Clerk for the Board of Supervisors
Department of Clerk Services