ARTICLES OF AGREEMENT

CREATING THE

CENTRAL IOWA REGIONAL HOUSING AUTHORITY

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PREAMBLE

WHEREAS, there now exists within the central Iowa region, to-wit: all territory embraced within the counties of Boone, Dallas, Jasper, Madison, Marion, Story and Warren, State of Iowa, a critical shortage of safe and sanitary dwelling accommodations at rents which persons of low income can afford and an urgent and demonstrated need to jointly undertake solutions to chronic and pressing housing problems; and,

WHEREAS, the parties hereto desire to create and participate in the formation of a Regional Housing Authority hereinafter established.

ARTICLE I - NAME - AUTHORITY

The name of the Regional Housing Authority is the CENTRAL IOWA REGIONAL HOUSING AUTHORITY, and is organized pursuant to the provisions of Chapters 28E and 403A, Code of Iowa, 1979.

ARTICLE II - PURPOSE

The immediate purpose of this agreement is to accomplish a unified action by cities and counties in central Iowa region in developing solutions to multi-county low income housing problems by the creation of a Regional Housing Authority which may receive Federal and State grants and loans to develop, construct, lease and manage low income housing projects.

Misc. Rec. 33 - 468 Item certification

#1364

STATE OF IOWA, MADISON COUNTY, ss. Inst. No. 1864 Filed for Record this 12 day of February 19 80 at 3:00 PM
Book 32 Page 722 Recording Fee 4.00 Mary E. Welty, Recorder, By ____ Deputy
Book

I O M S FILE No. 573 RECORDING FEE $ 4.00 TRANSFER FEE $ ____ FILED FOR RECORD THE 12 DAY OF February 19 80 AT 1:24 O'CLOCK P M. BOOK 573 PAGE 617-30 STATE OF IOWA, Boone COUNTY: Marguerite Wentz, Recorder By ____, Deputy

Further, it shall be the express purpose for the Regional Housing Authority to exercise all powers, privileges or authority authorized by the Iowa Constitution or Statutes for Housing Authorities of counties and cities within their jurisdictions.

An estimate of low and moderate income and elderly housing need will be prepared under the direction of the Regional Housing Authority and then be submitted to the Central Iowa Association of Local Governments (hereinafter called CIRALG), and the member governments for inclusion in their individual general plans as the housing element thereof.

In addition, the Regional Housing Authority may conduct other studies and provide assistance and counsel to member governments and CIRALG as may be requested by such governments or Association.

ARTICLE III - TERM

This agreement shall become effective as of the date of approval of two or more cities or counties in the central Iowa region and shall continue in full force and effect until terminated as set forth in Article V.

ARTICLE IV - MEMBERSHIP - BOARD - EXECUTIVE COMMITTEE - OFFICE

A. Any county or city wholly or partially within the central Iowa region may elect to become a member of the Authority by adoption of these Articles of Agreement by resolution of its governing body. Membership of such county or city in the Regional Housing Authority shall become effective upon adoption and signing of such resolution duly executed by its proper officers pursuant

to authority conferred by its governing body.

B. Each member government shall have one representative and one alternate representative to the authority to serve for a term of three years. Such representative and alternate representative shall be appointed by the mayor/chairman with the approval of the local governing body. In lieu of such appointment, each member government may appoint its representative to CIRALG as its representative to the Authority and the term thereof to be concurrent with that of the CIRALG term.

C. The membership of the Executive Committee of the Regional Housing Authority shall be composed of one member from each county area represented on the Regional Housing authority plus the officers. The Executive Committee member from each county shall be selected by a majority vote of the representatives of each member government within that county which is represented on the Regional Housing Authority. Each member of the Executive Committee shall serve for a term of two (2) years.

D. The officers are chairman, vice chairman, secretary and treasurer. The secretary need not be a representative.

ARTICLE V - TERMINATION

A. It is understood and agreed that any member government may withdraw from membership in Regional Housing Authority by providing written notice of its intention to withdraw, addressed to the Regional Housing Authority and to CIRALG ninety (90) days before the effective date of withdrawal, but in no case to become effective prior to the end of the current fiscal year or as long as bonds of the Regional Housing Authority are outstanding and such

withdrawal would in any way jeopardize repayment of said bonds.

B. In the event that one member government shall remain, this agreement shall terminate, but CIRALG and remaining member governments shall assume full right, title and interest in the assets of the Regional Housing Authority and shall assume full responsibility for management and operation of said Housing Authority's assets and operations shall be assigned to other housing authorities existing within the jurisdiction of the Regional Housing Authority or in the event that no other housing authorities are available within said jurisdiction, to CIRALG or any other governmental agency qualified to manage or operate a low income housing project. This agreement shall continue until all member governments have withdrawn. Upon the termination of this agreement, any money or assets in possession of the agency after payment of all liabilities, costs, expenses, and charge incurred under this agreement shall be assigned to other housing authorities which may exist within the central Iowa region or any other governmental agency qualified to manage or operate a low income housing project.

ARTICLE VI - BUDGET

The Regional Housing Authority shall prepare an annual budget taking into account federal and state loans and contributions and other revenues raised by the Regional Housing Authority which shall be appropriate to meet needs of the Regional Housing Authority's housing development and administrative program. Any contributions by member governments shall be agreed upon annually by the Authority's representatives after recommendation by the Executive Committee. The proposed housing authority budget will be presented to the

member governments each year in time to be considered during the preparation of their own annual budget.

ARTICLE VII - TAX EXEMPTIONS AND PAYMENTS IN LIEU OF TAXES

In accordance with section 403A.10, Code of Iowa, the property acquired or held pursuant to this agreement is declared to be public propert y used exclusively for essential city, or municipal public and governmental purposes and said property is to be exempt from all taxes and special assessments of the state or of any state public body. In lieu of taxes on such property the Authority may agree to make payments to the state or a state public body (including itself) as it finds consistent with the maintenance of the low rent character of housing projects.

ARTICLE VIII - POWERS

A. The Regional Housing Authority shall have powers:

1. To prepare, carry out, and operate housing projects and to provide for the construction, reconstruction, improvement, extension, alteration or repair of any housing project or any part thereof.

2. To undertake and carry out studies and analyses of the housing needs and of the meeting of such needs (including data with respect to population and family groups and the distribution thereof according to income groups; the amount and quality of available housing and its distribution according to rentals and sale prices, employment, wages and other factors affecting the local housing needs and the meeting thereof) and to make the results of such studies and analyses available to the public and the building, housing and supply

industries; and to engage in research and disseminate information on housing and slum clearance.

3. To arrange or contract for the furnishing by any person or agency, public or private of services, privileges, works or facilities for, or in connection with a housing project or the occupants thereof; and (not withstanding anything to the contrary contained in any provision of law) to agree to any conditions attached to federal financial assistance relating to the determination of prevailing salaries or wages or payment of not less than prevailing salaries or wages or compliance with labor standards in the development or administration of projects and to include in any contract let in connection with a project stipulations requiring that the contractor and any subcontractor comply with requirements as to minimum salaries or wages and maximum hours of labor and comply with any conditions which the federal government may have attached to the financial aid of the project.

4. To lease or rent any dwelling accommodations, lands, building, structures or facilities embraced in any project and subject to the limitations contained in Chapter 403A, Code of Iowa, with respect to the rental of dwellings in housing projects to establish and revise the rents or charges therefor; to own, hold and improve real or personal property; to purchase, lease, obtain

options upon, acquire by gift, grant, bequest, devise or otherwise any real or personal property or any interest therein; to acquire by the exercise of the power of eminent domain any real property; to sell, lease, exchange, transfer, assign, pledge or dispose of any real or personal property or any interest therein, to insure or provide for the insurance in any stock or mutual company of any real or personal property or operation of the municipality against any risks or hazards; to procure or agree to the procurement of federal or state government insurance or guarantees of payment of any bonds or parts thereof issued by a municipality, including the power to pay premiums on any such insurance.

5. To invest any funds held in connection with a housing project in reserve or sinking funds or any fund not required for immediate disbursement, in property or securities which banks designated as state depositories may use to secure the deposit of state funds, to redeem its bonds at redemption price established therein or to purchase its bonds at less than such redemption price, all bonds so redeemed or purchase to be cancelled.

6. To determine where slum areas exist or where there is unsafe, insanitary or overcrowded housing; to make studies and recommendations relating to the problem of clearing, replanning and reconstructing of slum areas and the problem of eliminating unsafe, insanitary or overcrowded housing and providing dwelling

accommodations for persons of low income; and to cooperate with any state public body in action taken in connection with these problems.

7. To conduct examinations and investigations and to hear testimony and take proof under oath at public or private hearings on any matter material for its information; to administer oaths, issue subpoenas requiring the attendance of witnesses or the production of books and papers to issue commissions for the examination of witnesses who are outside of the state or unable to attend or excused from attendance; to make available to appropriate agencies (including those charged with the duty of abating or requiring the correction of nuisances or like conditions or of demolishing unsafe or insanitary structures within its area of operation) its findings and recommendations with regard to any building or property where conditions exist which are dangerous to the public health, morals, safety or welfare.

8. To, within its area of operation, enter into any building or property in any municipal housing area in order to make inspections, surveys, appraisals, soundings or test borings, and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or restricted.

9. To exercise all or any part or combination of powers herein granted. No provision of law with respect to the acquisition, operation or disposition of

property by public bodies shall be applicable to a municipality in its operations pursuant to this chapter unless the legislature shall specifically so state.

10. To cooperate with the Iowa housing finance authority, to participate in any of its programs, to use any of the funds available to the Regional Housing Authority for the uses under Chapter 403A, Code of Iowa, to contribute to such programs in which it participates, and to comply with the provisions of Sections 220.1 to 220.36, Code of Iowa, and the rules of the Iowa housing finance authority promulgated thereunder.

11. To borrow money or accept contributions, grants or other financial assistance from the federal government for or in aid of any housing project within its area of operation, to take over, lease or manage any project or undertaking constructed or owned by the federal government, and to these ends, to comply with such conditions and enter into such contracts, covenants, mortgages, trust indentures, leases or agreements as may be necessary, convenient or desirable. To do any and all things necessary or desirable to secure the financial aid or cooperation of the federal government in the undertaking, construction, maintenance or operation of any housing project. To include, in any contract for financial assistance with the federal government , any provisions, which the federal govern-ment may require as conditions to its financial aid

12. To borrow money or accept contributions, gifts and grants from state and local governments and from private owned corporations and associations

13. To make and enter into contracts; sue and be sued, to incur debts and liabilities.

14. To issue bonds from time to time in its discretion, for any of the purposes of these Articles of Agreement, and to issue refunding bonds for the purpose of paying or retiring bonds previously issued by it. The Authority may issue such types of bonds as it may determine, including (without limiting the generality of the foregoing) bonds on which the principal and interest are payable (1) exclusively from the income and revenues of the project financed with the proceeds of such bonds, or (2) exclusively from the income and revenues of certain designated housing projects whether or not they are financed in whole or in part with the proceeds of such bonds. Any such bonds may be additionally secured by a pledge of any loan, grant or contribution or parts thereof from the federal government or other source, or a pledge of any income or revenues connected with a housing project or a mortgage of any housing project or projects. Bonds issued by the authority shall be issued in accordance with the provisions of sections 403A.12, 403A.13 and 403A.14 of the Iowa Code.

15. To exercise any power not mentioned herein but granted by Chapter 403A, Code of Iowa, Municipal

ARTICLE IX - BOARD OF DIRECTORS - BYLAWS

A. The board of directors of the Authority shall consist of the representatives appointed by the member governments. It shall have authority to carry out the above powers.

B. The board of directors shall have the power to prepare and adopt bylaws.

ARTICLE X - NOTICE OF MEETINGS - QUORUM

A. Notice of each meeting of the Authority including the agenda to be considered, shall be mailed to representatives at least six (6) days prior to such meetings.

B. A quorum of the Board of Directors shall consist of one-third of the representatives.

ARTICLE XI - EXISTING CONTRACTS

Any existing housing contracts a member government has with the federal government shall not be affected by adoption of these Articles of Agreement.

ARTICLE XII - AMENDMENTS

The terms and provisions of these Articles of Agreement may be amended by a two-thirds vote of the Board of Directors at any regular or special meeting called upon notice given pursuant to Article X, and approved by resolution by a majority of the governing bodies of the member governments. If no action is taken for or against said amendment within sixty (60) days after its receipt by such government, it shall be deemed that such government has given its approval to such amendment.

IN WITNESS WHEREOF, the undersigned cities and counties in the State of Iowa have adopted and executed these Articles of Agreement on the dates set forth:

CITY OF COUNTY OF		DATE
Earlham	by Neil Chasdein Mayor/Chairman	10-1-79
Redfield	by [illegible] Mayor/Chairman	1-8-80
Winterset	by [illegible] Mayor/Chairman	1-7-80
Macksburg	by Ralph Kirkland Mayor/Chairman	12-5-79
Luther	by Raymond E. Eppe Mayor/Chairman	11-5-79
Perry	by [illegible] Mayor/Chairman	11-26-79
~~Boone~~	by [illegible] Mayor/Chairman	
Roland	by [illegible] Mayor/Chairman	2-11-80
Kellogg	by Walter Henning Mayor/Chairman	1-2-80
Newton	by [illegible] Mayor/Chairman	1-7-80
Colfax	by Billie E. Harrison Mayor/Chairman	12-18-79
Bussey	by [illegible] Mayor/Chairman	1-19-80
Harvey	by [illegible] Mayor/Chairman	12-4-79
Dallas	by Delbert A. Hayes Mayor/Chairman	12-3-79
Patterson	by Ray Carroll Mayor/Chairman	12-3-79
Adel	by [illegible] Mayor/Chairman	1-28-80

CITY OF COUNTY OF		DATE
Madrid	by Robert W Krukow Mayor/Chairman	10-15-79
Maxwell	by Donald J. Fenz Mayor/Chairman	2-4-80
Monroe	by Kay Dourhe Mayor/Chairman	2-1-80
Melcher	by Harry E Fisher Mayor/Chairman	12-10-79
Truro	by Lee Parker Mayor/Chairman	2-4-80
Jasper	by Howard Peterson Mayor/Chairman	2-5-80
Granger	by Kenneth R Weisler Mayor/Chairman	1-3-80
Woodward	by John E. Coulam Mayor/Chairman	2-11-80
Gilbert	by James C Hawk Mayor/Chairman	1-28-80
	by Mayor/Chairman	
	by Mayor/Chairman	
	by Mayor/Chairman	
	by Mayor/Chairman	
	by Mayor/Chairman	
	by Mayor/Chairman	
	by Mayor/Chairman	

CERTIFICATION

STATE OF IOWA)
) SS
COUNTY OF POLK)

I, Richard G. Oberle, Jr., first being duly sworn do upon my oath state and certify that I am an associate planner employed by the Central Iowa Regional Association of Local Governments, that the attached "ARTICLES OF AGREEMENT CREATING THE CENTRAL IOWA REGIONAL HOUSING AUTHORITY" has been duly adopted by the following public agencies: County of Jasper, Cities of Earlham, Redfield, Winterset, Macksburg, Luther, Perry, Boone, Roland, Kellogg, Newton, Colfax, Bussey, Harvey, Dallas, Patterson, Adel, Madrid, Maxwell, Monroe, Melcher, Truro, Granger, Woodward and Gilbert; that the affixed personal signatures have been voluntarily signed before me; Chairman Howard Peters, Jr., and Mayors Neil Schardein, Arthur R. Shoesmith, Bernard Morrissey, Ralph Kirkland, Raymond E. Eppert, D. D. Lewiston, Elmer H. Oblinger, A. H. Gade, Walter Henning, Robert L. Smith, Billie E. Harmison, Larry Pinegar, Orbra Geery, Delbert A. Hayes, Ray Carroll, Walter W. Flinn, Robert Krukow, Donald J. Ferguson, Ray Donahue, Garry W. Fisher, Lee Parker, Kenneth R. Heisler, John Carlson and James A. Gaunt; and that this Agreement is being herewith filed with the Secretary of State and recorded with the appropriate county recorders pursuant to the provisions of Chapter 28E, Code of Iowa, 1979.

Richard G. Oberle, Jr.

Subscribed and sworn to before me this 12th day of February, 1980.

JACK R. HALL
NOTARY PUBLIC IN AND FOR STATE OF IOWA
MY COMMISSION EXPIRES
September 30, 1980