

17B-2a-811 General manager or chief executive officer of a public transit district.

- (1)
 - (a) The board of trustees of a public transit district shall appoint a person as a general manager.
 - (b) The board of trustees of a public transit district may, at its discretion, appoint a person as a chief executive officer.
 - (c) The board of trustees of a public transit district shall allocate the responsibilities defined in Subsection (2) between the general manager and the chief executive officer, if the board of trustees appoints a chief executive officer.
 - (d) The chief executive officer shall have the same rights allocated to the general manager under Subsections (3) and (4).
 - (e) The appointment of a general manager, chief executive officer, or both, shall be by the affirmative vote of a majority of all members of the board of trustees.
 - (f) The board's appointment of a person as general manager, chief executive officer, or both, shall be based on the person's qualifications, with special reference to the person's actual experience in or knowledge of accepted practices with respect to the duties of the office.
 - (g) A person appointed as general manager or chief executive officer of a public transit district is not required to be a resident of the state at the time of appointment.
- (2) A general manager or chief executive officer of a public transit district shall have the following responsibilities as allocated by the board of trustees:
 - (a) be a full-time officer and devote full time to the district's business;
 - (b) ensure that all district ordinances are enforced;
 - (c) prepare and submit to the board of trustees, as soon as practical but not less than 45 days after the end of each fiscal year, a complete report on the district's finances and administrative activities for the preceding year;
 - (d) keep the board of trustees advised as to the district's needs;
 - (e) prepare or cause to be prepared all plans and specifications for the construction of district works;
 - (f) cause to be installed and maintained a system of auditing and accounting that completely shows the district's financial condition at all times; and
 - (g) attend meetings of the board of trustees.
- (3) A general manager of a public transit district:
 - (a) serves at the pleasure of the board of trustees;
 - (b) holds office for an indefinite term;
 - (c) may be removed by the board of trustees upon the adoption of a resolution by the affirmative vote of a majority of all members of the board, subject to Subsection (5);
 - (d) has full charge of:
 - (i) the acquisition, construction, maintenance, and operation of district facilities; and
 - (ii) the administration of the district's business affairs;
 - (e) is entitled to participate in the deliberations of the board of trustees as to any matter before the board; and
 - (f) may not vote at a meeting of the board of trustees.
- (4) The board of trustees may not reduce the general manager's salary below the amount fixed at the time of original appointment unless:
 - (a) the board adopts a resolution by a vote of a majority of all members; and
 - (b) if the general manager demands in writing, the board gives the general manager the opportunity to be publicly heard at a meeting of the board before the final vote on the resolution reducing the general manager's salary.
- (5)

- (a) Before adopting a resolution providing for a general manager's removal as provided in Subsection (3)(c), the board shall, if the manager makes a written demand:
 - (i) give the general manager a written statement of the reasons alleged for the general manager's removal; and
 - (ii) allow the general manager to be publicly heard at a meeting of the board of trustees.
- (b) Notwithstanding Subsection (5)(a), the board of trustees of a public transit district may suspend a general manager from office pending and during a hearing under Subsection (5)(a)(ii).
- (6) The action of a board of trustees suspending or removing a general manager or reducing the general manager's salary is final.

Amended by Chapter 281, 2010 General Session