

HOUSING AUTHORITIES AMENDMENTS

1999 GENERAL SESSION

STATE OF UTAH

Sponsor: Susan J. Koehn

AN ACT RELATING TO COMMUNITY AND ECONOMIC DEVELOPMENT; AMENDING NUMBER OF COMMISSIONERS OF AUTHORITY; AND MAKING TECHNICAL CHANGES.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

9-4-606, as renumbered and amended by Chapter 241, Laws of Utah 1992

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **9-4-606** is amended to read:

9-4-606. Commissioners -- Appointment -- Terms -- Quorum -- Meetings -- Employment of other officers and employees authorized.

(1) When a housing authority is authorized to transact business and exercise powers under this part, not less than five nor more than seven persons shall be appointed as commissioners of the authority:

(a) in the case of a city, by the mayor, with the advice and consent of the governing body;

or

(b) in the case of a county, by the governing body.

(2) (a) The commissioners first appointed pursuant to this part shall be designated to serve for terms of one, two, three, four, and five years, respectively, from the date of their appointment.

[Thereafter]

(b) After the first commissioners are appointed under Subsection (2)(a), commissioners shall be appointed for a term of office of five years[~~, except that~~].

(c) Notwithstanding Subsections (2)(a) and (b), all vacancies shall be filled for the unexpired term.

(3) [Each] A commissioner shall qualify by taking the official oath of office prescribed by general statute.

(4) [Each] A commissioner [shall] may not receive [no] compensation except necessary expenses, including traveling expenses, incurred in the discharge of [his] the commissioner's duties.

(5) [Each] A commissioner shall hold office until [his] the commissioner's successor has been appointed and has qualified.

(6) A certificate of appointment or reappointment of any commissioner shall be:

(a) filed with the authority; and [~~this certificate shall be~~]

(b) conclusive evidence of the due and proper appointment of the commissioner.

~~[(6)]~~ (7) The powers of each authority shall be vested in the commissioners.

~~[(7)]~~ (8)(a) A majority of the commissioners of an authority constitutes a quorum for the purpose of conducting its business and exercising its powers and for all other purposes notwithstanding the existence of any vacancies.

(b) Action may be taken by the authority upon a vote of a majority of the commissioners present, unless the bylaws of the authority require a larger number.

~~[(8)]~~ (9) Meetings of the commissioners of an authority may be held:

(a) anywhere within the area of operation of the authority; or

(b) within any [~~additional~~] area not described in Subsection (9)(a) in which the authority is authorized to undertake a project.

~~[(9)]~~ (10) The commissioners of an authority shall elect a [~~chairman~~] chair and [~~vice-chairman~~] vice chair from the commissioners.

~~[(10)]~~ (11) An authority may employ an executive director, legal and technical experts, and other officers, agents, and employees, permanent and temporary, as it may require, and shall determine their qualifications, duties, and compensation.

~~[(11)]~~ (12) An authority may delegate to one or more of its agents or employees any powers or duties [~~it deems~~] the authority considers proper.