



FOR HOUSING AUTHORITY COMMISSION MEETING OF: MAY 4, 2009  
AGENDA ITEM NO. 3.1

TO: CHAIR AND HOUSING AUTHORITY COMMISSIONERS  
THROUGH:  LINDA NORRIS, CITY MANAGER  
FROM:  RICK L. SCOTT, URBAN DEVELOPMENT DIRECTOR  
SUBJECT: REVISION OF HOUSING AUTHORITY BYLAWS  
RESOLUTION NO. 2065

**ISSUE:**

Should the Commissioners adopt Resolution No. 2065, amending the Bylaws of the Housing Authority of the City of Salem, Oregon (SHA) to set the dates for regular meetings and preferred dates for special meetings; establish the Salem City Manager as the Executive Director for the SHA; and make certain housekeeping changes?

**RECOMMENDATION:**

Staff recommends the Commissioners adopt Resolution No. 2065 amending the Bylaws of the Housing Authority of the City of Salem, Oregon to set the dates for regular meetings and preferred dates for special meetings; establish the Salem City Manager as the Executive Director for the SHA; and make certain housekeeping changes.

**BACKGROUND:**

The Housing Authority is a public corporation established by the City of Salem under provisions of ORS Chapter 456. Upon establishment in 1969, the Housing Authority adopted and has periodically amended bylaws which describe the agency's governance structure.

In accordance with amendment procedures expressed in the Housing Authority bylaws, the Commissioners have received at least seven days written notice of proposed bylaw amendment for consideration at this regular meeting of the Authority.

**FACTS AND FINDINGS:**

Following is a summary of the significant proposed amendments:

1. Reference to a "tenant commissioner" will be changed to "resident commissioner" defined as a resident who receives direct assistance from the Authority. This definition is consistent with ORS 456.059 (b) and will allow a Public Housing tenant or a Section 8 Voucher participant to serve as resident commissioner.

2. The term of office of a resident commissioner will be limited to a single term of four years as stipulated in ORS 456.059 (b). This stipulation was inadvertently omitted from the current bylaws.
3. The term and definition of "annual meeting" is deleted. The Vice Chair shall be selected by the commission at the February meeting each calendar year.
4. The City Manager of the City of Salem is designated the ex-officio Executive Director of the Authority rather than the Housing Administrator. This change is consistent with the administration of the City of Salem and the Urban Renewal Agency.
5. Regular meetings of the Commission will be held on the second Monday of each month (rather than the first Monday) to coincide with the meeting schedules of the City Council and Urban Renewal Agency.
6. The Executive Director is empowered to call Special Meetings of the Commission in addition to the Chair or any two Commissioners.
7. The order of business for the Commission is amended to be: (1) Roll Call, (2) Public Comment, (3) Consent Calendar, (4) Special Orders of Business, (5) Unfinished Business, (6) New Business and (7) Adjournment.

Report Prepared by: Jerry Croft, Housing Authority Director  
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RESOLUTION NO. 2065

RESOLUTION AMENDING HOUSING AUTHORITY BYLAWS

WHEREAS, the Housing Authority of the City of Salem, Oregon initially adopted bylaws by Resolution No. 1; and

WHEREAS, the bylaws adopted by Resolution No. 1 were amended by Resolution No. 86, adopted June 26, 1972; Resolution No. 147, adopted August 13, 1973; Resolution No. 152, adopted September 10, 1973; Resolution No. 223, adopted January 20, 1975; Resolution No. 276, adopted January 5, 1976, Resolution No. 278, adopted January 19, 1976; and Resolution No. 746, adopted November 19, 1984; Resolution No. 1344, adopted December 6, 1993; and Resolution No. 1707, adopted October 5, 1998; and Resolution No. 1803, adopted April 3, 2000; and Resolution No. 1878, adopted September 4, 2001; and,

WHEREAS, notice proposed amendments to the bylaws, identifying the sections proposed to be amended, were presented to the Housing Authority Commissioner by mail not less than seven days prior to its May 4, 2009 meeting; and,

WHEREAS, amendments were proposed to conform with recent amendments to Oregon Revised Statutes pertaining to the term of commissioners and resident representation on housing authority commissions, and to be general housekeeping in nature,

NOW, THEREFORE, BE IT RESOLVED BY THE  
HOUSING AUTHORITY OF THE CITY OF SALEM, OREGON

**Section 1.** Article I, "Authority," Section 3 is amended to read as follows:

Section 3. Office of Authority. The offices of the Authority shall be at such a place in the City of Salem, State of Oregon, as the ~~Commissioners of the~~ Authority from time to time may designate by resolution.

**Section 2.** Article I, "Authority," Section 4 is amended to read as follows:

Section 4. Commissioners of Authority. The powers of the Authority shall be exercised by a commission of nine members appointed by resolution of the Council of the City of Salem. ~~Eight commissioners shall be the City Councilors of the City of Salem. The ninth member shall be a "resident who receives direct assistance from the Authority"~~

**Section 3.** Article I, "Authority," Section 5 is amended to read as follows:

Section 5. Terms and Compensation of Commissioners. Notwithstanding any term of original appointment, the commissioners who hold office on September 4, 2001 shall serve a term of office that expires four years after commencement of the term of office. Thereafter, commissioners shall be appointed by resolution in the same manner as their original appointment for a term of office of four years except that all vacancies shall be

filled for the unexpired term. A ~~resident~~ commissioner shall ~~not be limited to a single term of four years~~ eligible to serve longer than that member's tenancy with the Housing Authority.—A councilor of the City of Salem serving as a commissioner shall not be eligible to serve longer than that member's term of office on the Salem City Council. The ~~commissioners~~ ~~members of the commission~~ shall receive no compensation but may be reimbursed for duly authorized expenses.

**Section 3.** Article II, "Officers," Section 3 is amended to read as follows:

Section 3. Vice-Chair. ~~At its first meeting after these bylaws take effect and at its the February annual~~ meeting of each ~~calendar~~ year, the Authority shall select a Vice-Chair from among its commissioners. The Vice-Chair shall perform the duties of the Chair in the absence or incapacity of the Chair.

**Section 4.** Article II, "Officers," Section 4 is amended to read as follows:

Section 4. Executive Director. The Executive Director shall be the chief executive officer and head of the administrative branch of the Authority, and shall be responsible to the Authority for the proper administration of its affairs and administer the affairs of the Authority in accordance with Federal, State and local laws. The Executive Director shall sign all contracts, deeds and other instruments made by the Authority, except as otherwise authorized by resolution of the Authority.

(a) The Executive Director shall cause to have prepared plans, reports and other necessary matters concerning any given Housing project, and shall report from time to time to the Authority on the status of the Housing Program.

(b) The Executive Director shall have ~~general supervision and control~~ over all personnel directly employed by the Authority on a full-time or part-time basis, and shall see that all contracts of the Authority are carried out in the best interest of the Authority under appropriate law.

(c) The ~~City Manager~~ ~~Housing Administrator as appointed by the City Administrator~~ of the City of Salem shall act, ex-officio, as the Executive Director of the Authority.

(d) For the purposes of ORS 456-105(5), the Executive Director shall be considered the secretary of the Authority and attest the authorized signature on Authority bonds.

**Section 5.** Article II, "Officers," Section 5 is amended to read as follows:

Section 5. Treasurer. ~~The Finance Director of the City of Salem shall act, ex-officio, as the Treasurer of the Authority.~~ The Treasurer shall be responsible for the fiscal administration of all funds of the Housing Authority, shall act as a signer of checks or shall designate a signer of checks, drawn upon the accounts of the ~~Housing~~ Authority and

shall be responsible for the fiscal accounts of the said Authority. The Director of Finance of the City of Salem shall act, ex officio, as the Treasurer of the Agency.

**Section 6.** Article II, "Officers," Section 6 is amended to read as follows:

**Section 6. Recording Secretary.** The City Recorder of the City of Salem shall act, ex-officio, as the Recording Secretary of the Authority. The Recording Secretary, when authorized by the Executive Director, of the Authority, shall keep the official records of the Housing Authority, attest signatures of the Authority other than bonds, certify copies of Authority documents, and perform such other duties required of a Recording Secretary. The Recording Secretary shall keep in safe custody the Seal of the Authority and shall affix such Seal to all contracts and instruments authorized to be executed by the Authority. The City Recorder of the City of Salem shall act, ex officio, as the Recording Secretary of the Authority.

**Section 7.** Article II, "Officers," Section 7 is amended to read as follows:

**Section 7. Additional Duties.** The officers of the Authority shall perform such other duties and functions as may from time to time be required by the Commission Authority or the Bylaws or rules or regulations of the Authority.

**Section 8.** Article III, "Meetings," Section 1 is rescinded:

~~**Section 1.** **Annual Meetings.** The annual meeting of the Authority shall be held on the first Monday in February at 12:00 noon in the regular place of the Authority. In the event such day shall fall on a legal holiday, the annual meeting shall be held on the next succeeding secular day.~~

**Section 9.** Article III, "Meetings," Section 2 is amended to read as follows:

~~**Section 1-2. Regular Meetings.** The Commission shall hold one regular meeting per month. Regular meetings shall be evening meetings, to be held on the second Monday of each month. Meetings are held on the same evening as meetings of the Salem City Council and Urban Renewal Agency of the City of Salem. Meetings of the Authority may be called to order before or after meetings of the City of Salem and the Urban Renewal Agency for the City of Salem, but shall adjourn no later than 10:00 p.m. Regular meetings shall be held in the Council Chambers of the Salem City Council, without official notice at such time and place as may from time to time be determined by resolution of the Authority. In the event a regularly scheduled day of regular meeting falls on shall be a legal holiday, the said meeting shall be held on the next following succeeding secular day which is not a holiday.~~

**Section 10.** Article III, "Meetings," Section 3 is amended to read as follows:

~~Section 2-3. Special Meetings. Special meetings may be called by at the discretion of the Chair, the Executive Director, or and shall be called upon the written request of two commissioners of the Authority. The call for a special meeting of the Authority shall be for the purpose of transacting any business designated in the call. Notice of The call for a special meeting shall be provided delivered to each commissioner of the Authority or shall be mailed to such address as each commissioner of the Authority has designated for this purpose at least twenty-four hours 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, but if all of the commissioners of the Authority are present at a special meeting, any and all business may be transacted at such special meeting upon unanimous consent of the Authority. To the greatest extent practicable, special meetings should be held on the fourth Monday in the month.~~

**Section 11.** Article III, "Meetings," Section 4 is amended to read as follows:

~~Section 3-4. Quorum. Five 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. Action may be taken by the Authority upon a vote of a majority of those Commissioners present and voting.~~

**Section 12.** Article III, "Meetings," Section 5 is amended to read as follows:

~~Section 4-5. Order of Business. At the regular meeting of the Authority the following shall be the order of business:~~

- ~~(1) Roll Call~~
- ~~(2) Report of Executive Director~~
- ~~(2) Public Comment~~
- ~~(3) Consent Calendar of Resolutions~~
- ~~(4) Special Orders of Business Other Resolutions~~
- ~~(5) Unfinished Business~~
- ~~(65) New Other Business, at the discretion of Authority commissioners or the Executive Director~~
- ~~(76) Adjournment~~

~~All resolutions shall be in writing and attached to and thereby incorporated in the journal of the proceedings of the Authority.~~

**Section 13.** Article III, "Meetings," Section 6 is amended to read as follows:

~~Section 5-6. Manner of Voting.~~

~~(a)-1. Voting on all matters coming from the Authority shall be by voice, provided however, except that if the presiding officer may doubts the result of a vote or if two commissioners request a roll call vote of the roll, a roll call vote shall be taken and the~~

ayes, noes and abstentions names of the commissioners who have disqualified themselves shall be recorded in the minutes. entered upon the journal.

(b) 2. All resolutions may shall be placed on the a Consent Calendar of Resolutions by title only and may be adopted as a group, except that should any commissioner of the Authority object, the resolution objected to shall be removed from the Consent Calendar for separate consideration.

**Section 14.** Article III, "Meetings," Section 7 is amended to read as follows:

~~Section 6-7. Robert's Rules.~~ In all cases not provided for by these rules or the provisions of ORS Chapter 192 and ORS Chapter 456, ~~the proceedings of the Commission shall be governed by.~~ All rules of order not herein provided for shall be determined in accordance with "Robert's Rules of Order."

ADOPTED by the Housing Authority of the City of Salem, Oregon this 4<sup>th</sup> day of May 2009.

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Executive Director

ATTEST:

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Recording Secretary

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