

**DOWNTOWN DEVELOPMENT AUTHORITY**

**THE CITY OF BIG RAPIDS**

**BYLAWS**

**ARTICLE I**

**BOARD OF DIRECTORS**

Section 1. The business and property of the authority shall be managed and directed by the board of directors, the members of which shall serve for four (4) year terms from the date of their respective appointment except as provided for in the ordinance creating the authority.

Section 2. The fiscal year of the authority shall begin on July 1 of each year and end on the next succeeding June 30. The board annually at its first regular meeting in July shall designate one of its members as chairman and one of its members as vice chairman. The officers so elected shall serve a term of one (1) year or any part thereof as may be determined, and until a successor is designated. No term of office created under this section shall extend beyond the term of the member designated.

Section 3. The board may employ and fix the compensation of a Director, subject to the approval of the Commission. The Director shall not be a member of the board. The board may employ and fix the compensation of a secretary and treasurer, who need not be members of the board. The Director, secretary and treasurer shall serve at the pleasure of the board for no definite term of office. The board may retain legal counsel to advise the board in the proper performance of its duties. The legal counsel shall represent the authority in actions brought by or against the authority.

Section 4. The board may exercise all powers provided by Act 197, Public Acts of Michigan, 1975, as amended, or otherwise by law including those bestowed by the ordinances establishing the Authority.

Section 5. The board shall have the power to engage and employ such manual, clerical, technical, financial, and professional assistants as in its judgment may be necessary and is incidental to carry out the purposes of the authority.

Section 6. The board may adopt an official seal.

Section 2 . (1) The Director shall be the chief executive officer of the authority. Before entering upon the duties of his office, the Director shall take and subscribe to the constitutional oath, and furnish bond, by posting a bond in the penal sum determined in the ordinance establishing the authority payable to the authority for use and benefit of the authority, approved by the board, and filed with the municipal clerk. The premium on the bond shall be deemed an operating expense of the authority, payable from funds available to the authority for expenses of operation. Subject to the approval of the board, the Director shall supervise, and be responsible for, the preparation of plans and the performance of the functions of the authority in the manner authorized by law. The Director shall attend the meetings of the board, and shall render to the board and to the City Commission a regular report covering the activities and financial condition of the authority. If the Director is absent or disabled, the board may designate a qualified person as Acting Director to perform the duties of the office. Before entering upon the duties of the office, the Acting Director shall take and subscribe to the oath, and furnish bond, as required of the Director. The Director shall furnish the board with information or reports governing the operation of the authority as the board may require from time to time. If the board does not choose to employ a Director, the board shall designate that an officer perform the duties outlined in this section.

(2) The Director annually shall prepare and submit for the approval of the board a budget for the operation of the authority for the ensuing fiscal year. The budget shall be prepared in the manner and contain the information required of municipal departments. Before the budget may be adopted by the board, it shall be approved by the governing body of the municipality. Funds of the municipality shall not be included in the budget of the authority except those funds authorized by law and by the City Commission.

Section 3 . The secretary shall maintain custody of the official seal and of records, books, documents, or other papers of the authority not required to be maintained by the treasurer. The secretary shall attend meetings of the board and keep a record of its proceedings, and shall perform such other duties delegated by the board.

Section 4. The treasurer shall keep the financial records of the authority and, together with the Director, shall approve all vouchers for the expenditure of funds of the

## **RESOLUTION 13-01**

The following preamble and resolution were offered by DOA member Charlene Nowlin and seconded by DOA member Kraig Snyder, the adoption of the following:

### **RESOLUTION AMENDING THE BYLAWS OF THE DOWNTOWN DEVELOPMENT AUTHORITY**

WHEREAS, the City of Big Rapids (the "City") is authorized by the provisions of Act 197, Public Acts of Michigan, 1975, as amended ("Act 197"), to create a downtown development authority; and

WHEREAS, the City Commission of the City duly established the Big Rapids Downtown Development Authority (the "Authority"); and

WHEREAS, it is necessary for the Authority to amend its bylaws from time to time; and

WHEREAS, ARTICLE 11, Section 2 of the DOA Bylaws calls for regular ODA meetings once a month, and regular meetings are not necessary that often, and

WHEREAS, the DOA Board of Directors believes that regular meetings of the DOA Board should be held quarterly, and ARTICLE II Section 2 of the ODA Bylaws should be amended, and

WHEREAS, ARTICLE II, Section 2 of the Bylaws provides:

Section 2. Regular meetings of the board shall be held at 8:00 o'clock a.m., on the 1<sup>st</sup> Thursday of each month.

NOW, THEREFORE, BE IT RESOLVED THAT ARTICLE II Section 2 of the ODA Bylaws is amended to read as follows, subject to approval by the City Commission.

Section 2. Regular meetings of the board shall be held at 8:00 o'clock a.m., on the 1<sup>st</sup> Thursday of the month on a quarterly basis. More frequent meetings may be held as needed.

Yeas: John Miedema, Jeff Mossel, Charlene Nowlin, Mark Sochocki, Kraig Snyder  
Nays: None

Resolution declared adopted.

Date: January 3, 2013

## **RESOLUTION 12-01**

The following preamble and resolution were offered by ODA member Bob Patterson and seconded by DOA member Darlene Novak, the adoption of the following:

### **RESOLUTION AMENDING THE BYLAWS OF THE DOWNTOWN DEVELOPMENT AUTHORITY**

WHEREAS, the City of Big Rapids (the "City") is authorized by the provisions of Act 197, Public Acts of Michigan, 1975, as amended (Act 197"), to create a downtown development authority: and

WHEREAS, the City Commission of the City duly established the Big Rapids Downtown Development Authority (the "Authority"): and

and, WHEREAS, it is necessary for the Authority to amend bylaws from time to time

WHEREAS, The Authority has made amendments to the following bylaw:

Section 2. There shall be regular meetings of the board as needed with a minimum of quarterly meetings.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Authority hereby approves the amended Bylaws of the ODA.

Yeas: John Miedema, Jeff Mossel, Darlene Novak, Eric O'Neil, Bob Patterson, Mark Sochocki.

Nays: None

Resolution declared adopted.

Date: May 3, 2012