

BY-LAWS OF THE MT. PLEASANT DOWNTOWN DEVELOPMENT AUTHORITY

ARTICLE I

The name of this organization shall be the Mount Pleasant Downtown Development Authority (hereafter called the Authority).

ARTICLE II

PURPOSE

The purpose of this organization is to oversee the Mt. Pleasant Downtown Development Authority in accordance with Act 197 of the Public Acts of Michigan of 1975, as such statute may from time to time be amended, and particularly within the City of Mount Pleasant to initiate projects and programs to halt property value deterioration and increase property tax valuation in designated districts, to eliminate the causes of deterioration, to promote economic growth and encourage expansion of commercial and industrial enterprises in the designated districts.

ARTICLE III

BOARD OF TRUSTEES

Section 1. Number, Tenure and Qualifications: The Board of Trustees of the Authority shall consist of eleven (11) members. The members shall be appointed for a term of four (4) years except that of the members just appointed, one shall be appointed for one (1) year, two shall be appointed for two (2) years, and three shall be for four (4) years. Members shall hold office until the member's successor is appointed.

Section 2. Selection of Board Members: The members shall be appointed through the Mayor's recommendation to the Appointments Committee, subject to the City Commission's approval, and the members shall meet the following criteria:

- a. One member shall be the City Manager;
- b. One member shall represent Isabella County;
- c. Not less than a majority of the members of the board shall be persons having an interest in property located in the DDA's district or be officers, members, trustees, principals, or employees of a legal entity having an interest in property located in the DDA's district; and
- d. If the DDA's district has 100 or more persons residing in it, at least one member shall be a resident of the DDA's district.

Section 3. Board Responsibilities: The responsibilities of the Board are as follows:

- a. Prepare an analysis of economic changes taking place in the district.
- b. Study and analyze the impact of metropolitan growth upon the district.

- c. Plan and propose the construction, renovation, repair, remodeling, rehabilitation, restoration, preservation, or reconstruction of a public facility, an existing building, or a multiple-family dwelling unit which may be necessary or appropriate to the execution of a plan which, in the opinion of the board, aids in the economic growth of the district.
- d. Plan, propose, and implement an improvement to a public facility within the development area to comply with the barrier free design requirements of the state construction code promulgated under the state construction code act of 1972, Act No. 230 of the Public Acts of 1972, as amended.
- e. Develop long-range plans, in cooperation with the agency which is chiefly responsible for planning in the municipality, designed to halt the deterioration of property values in the district and to promote the economic growth of the district, and take such steps as may be necessary to persuade property owners to implement the plans to the fullest extent possible.
- f. Implement any plan of development in the district necessary to achieve the purposes of this act, in accordance with the powers of the Authority as granted by this act.
- g. Make and enter into contracts necessary or incidental to the exercise of its powers and the performance of its duties.
- h. Acquire by purchase or otherwise, on terms and conditions and in a manner the authority deems proper or own, convey or otherwise dispose of, or lease as lessor or lessee, land and other property, real or personal, or rights or interests therein, which the authority determines is reasonably necessary to achieve the purposes of this act, and to grant or acquire licenses, easements, and options with respect thereto.
- i. Improve land and construct, reconstruct, rehabilitate, restore and preserve, equip, improve, maintain, repair, and operate any building, including multiple-family dwellings, and any necessary or desirable appurtenances thereto, within the district for the use, in whole or in part, of any public or private person or corporation, or a combination thereof.
- j. Fix, charge, and collect fees, rents, and charges for the use of any building or property under its control or any part thereof, or facility therein, and pledge the fees, rents, and charges for the payment of revenue bonds issued by the authority.
- k. Lease any building or property under its control, or any part thereof.
- l. Accept grants and donations of property, labor, or other things of value from a public or private source.
- m. Acquire and construct public facilities.
- n. Submit financial reports to City Commission as needed.

- o. May recommend to the Mayor persons for appointment to fill vacancies on the Board.
- p. Adopt and amend by-laws.

Section 4. Attendance at Meetings: If a Board Member is absent from three consecutive meetings without valid reason, as determined by the Board, the Chairman may recommend to the City Commission that such member be removed for cause.

Section 5. Disclosure of Interest: A Board Member who has any interest in any matter before the Authority shall disclose his interest prior to the Board taking any action with respect to the matter, which disclosure shall become part of the record of the official proceedings, and the interested Board member shall refrain from participation in the proceedings related to that matter.

ARTICLE IV

OFFICERS

Section 1. Officers: Officers of the Authority shall be Chairman, Vice-Chairman and Secretary. The Secretary shall be appointed by the City Manager from a City staff position. The Secretary shall be a non-voting position of the Authority.

Section 2. Nomination and Election of Officers: Officers of the Authority shall be elected for a term of two years by the Board in January of each year.

Section 3. Term of Officers: Officers of the Authority shall be elected for a term of two years commencing on January 1. Members may not serve in the same office for more than two consecutive terms.

Section 4. Vacancies: A vacancy in office because of death, resignation, removal or otherwise shall be filled by the Chief Executive Officer upon recommendation from the Board and consent of the City Commission for the unexpired portion of the term.

Section 5. Chairman: The Chairman shall preside at meetings, appoint members to all committees, act as an ex-officio member of all committees, approve all expenditures of the Authority and perform other duties as directed by the Board.

Section 6. Vice-Chairman: In the absence of the Chairman the Vice-Chairman shall perform the duties of the Chairman. The Vice-Chairman shall also perform duties as assigned by the Board.

Section 7. Secretary: The Secretary shall maintain accurate records of the proceedings of the Authority, sign documents and correspondence as authorized by the Board and perform other duties as assigned by the Board.

ARTICLE V

MEETINGS

Section 1. Regular Meetings: The Authority shall meet as determined by the Board.

Section 2. Quorum: A quorum shall consist of a majority of the board members serving.

Section 3. Special Meetings: Special meetings may be called by the Chairman or by two Board Members by serving to other Board Members written notice of the date, time, and place of the special meeting. Notice may be served by delivering it to the members personally, by e-mail notification, or by leaving the notice at each member's residence with a person of the household at least 24 hours prior to the meeting. A special meeting also may be requested by the City Commission.

Section 4. All meetings shall be held in accordance with the Open Meetings Act.

ARTICLE VI

PARLIAMENTARY AUTHORITY

Where not in conflict with these by-laws or the laws of the State of Michigan, Robert's Rules of Order, Newly Revised shall govern the proceedings of the Authority meetings.

ARTICLE VII

AMENDMENTS

Portions of these by-laws not subject to State Statute or City Commission determination may be amended at any meeting by a majority vote of two-thirds of the total Board, provided written notice of the proposed amendment has been mailed to each member at least ten days prior to the meeting.

Adopted: 11-16-1990

Amended: 12-02-1992

Amended: 3-09-2017