

DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF LAPEER

BYLAWS

ARTICLE I

BOARD MEMBERSHIP

Section 1. The Lapeer Downtown Development Authority (hereafter known as “DDA”) shall be under the supervision and control of a board consisting of the Mayor of the City of Lapeer or his or her designee from the governing body of the City of Lapeer and not less than 8 or more than 12 members as determined by the governing body of the City of Lapeer. Members shall be appointed by the Mayor of the City of Lapeer, subject to approval by the governing body of the City of Lapeer. Not less than a majority of the members shall be persons having an interest in property located in the downtown district or officers, members, trustees, principals, or employees of a legal entity having an interest in property located in the downtown district. Not less than 1 of the members shall be a resident of the downtown district, if the downtown district has 100 or more persons residing within it. Of the members first appointed, an equal number of the members, as near as is practicable, shall be appointed for 1 year, 2 years, 3 years, and 4 years. A member shall hold office until the member's successor is appointed. Thereafter, each member shall serve for a term of 4 years. An appointment to fill a vacancy shall be made by the Mayor of the City of Lapeer for the unexpired term only.

Section 2. Members of the Board shall serve without compensation, but shall be reimbursed for actual and necessary expenses.

Section 3. A member of the Board who has a direct interest in any matter before the DDA shall comply with the conflict of interest policy as adopted by the Board.

Section 4. Before assuming the duties of office, a member of the Board shall qualify by taking and subscribing to the constitutional oath of office.

ARTICLE II

OFFICERS

Section 1. The officers of the DDA shall consist of a chairperson, vice-chairperson, secretary, treasurer and executive director.

Section 2. The officers of the DDA shall be elected in January of each year by the members of the Board. Each officer shall serve for one year or until his or her successor shall take office. Vacancies in office shall be filled by election of the Board.

Section 3. The signatures of any two officers or directors designated by the Board shall be required on all bonds, contracts, and other obligations of the Authority.

Section 4. The chairperson shall preside at all meetings of the Board and shall perform such other duties as may be assigned to him or her by the Board.

Section 5. The vice-chairperson shall preside whenever the chairperson is unavailable. If neither the chairperson nor vice-chairperson is available to preside at a meeting, a temporary presiding officer shall be elected for that meeting.

Section 6. The secretary shall maintain custody of the official seal and of records, books and documents or other papers not required to be maintained by the treasurer. The secretary or his or her designee shall prepare a meeting agenda under the direction of the chairperson, provide notice of meetings to members of the Board, post proper legal notice of meetings, attend meetings of the Board and keep a record of its proceedings, attend to the correspondence of the DDA, and carry out such other duties as is normally incidental to the office of secretary. The secretary shall make all records of the DDA open to the public.

Section 7. The treasurer shall have custody of all funds of the DDA, shall sign all receipts for payments made to the DDA, shall endorse and deposit any checks paid to the DDA, and shall, together with the executive director approve all vouchers for expenditure of funds of the DDA. The treasurer shall further render statements of the accounts of the DDA as requested by the Board and shall keep the account books of the DDA. The treasurer shall be bonded for the faithful discharge of his duties in an amount to be determined by the City Commission.

Section 8. The Board may employ and fix the compensation of an executive director, subject to the approval of the Lapeer City Commission. The executive director shall serve at the pleasure of the Board. A member of the Board is not eligible to hold the position of executive director. Before entering upon the duties of office, the executive 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 DDA, payable to the DDA for use and benefit of the DDA, approved by the Board, and filed with the Clerk of the City of Lapeer. The premium on the bond shall be considered as an operating expense of the DDA, payable from funds available to the DDA for expenses of operation. The executive director shall in the chief executive officer of the DDA. Subject to the approval of the Board, the executive director shall supervise and be responsible for the preparation of plans and the performance of the functions of the DDA in the manner authorized by Act No. 197 of the Public Acts of 1975, as amended. The executive director shall attend the meetings of the Board and shall render to the Board and to the governing body a regular report covering the activities and financial condition of the DDA. If the executive director is absent or disabled, the Board may designate a qualified person as acting director to perform the duties of the office, oath and furnish bond as required by the Lapeer City Commission. The executive director shall furnish the Board with information or reports governing the

operation of the DDA as the Board requires. Together with the treasurer, the executive director shall approve all vouchers for the expenditure of funds of the DDA. The executive director shall prepare and submit for the approval of the Board a budget for the operation of the DDA for the ensuing fiscal year.

ARTICLE III

MEETINGS

Section 1. Regular meetings of the Board shall be held at Lapeer City Hall.

Section 2. For regular meetings of the Board, there shall be posted within ten (10) days after the first meeting of the Board in each calendar year a public notice stating the dates, times and places of its regular meetings. A meeting of the Board which is recessed for more than 36 hours shall be reconvened only after public notice.

Section 3. If there is a change in the schedule of regular meetings of the Board, there shall be posted within three (3) days after the meeting at which the change is made, a public notice stating the new dates, times and places of its regular meetings.

Section 4. Special meetings may be called by the chairperson, by the secretary, or by any two members who submit a written request to the secretary.

Section 5. For a rescheduled regular or a special meeting of the Board, a public notice stating the date, time and place of the meeting shall be posted at least 18 hours before the meeting and an attempt to notify each member shall be made.

Section 6. All notices under this Article shall contain the name and address of the Board and shall be posted at its principal office.

Section 7. A majority of the membership of the Board shall constitute a quorum for any meeting.

Section 8. All meetings and records of the DDA shall be open to the public. Copies of proposed meeting minutes shall be made available within 8 business days after the meeting. Copies of the approved minutes shall be made available within 5 business days after the meeting which at which they were approved. All expense items of the DDA shall be publicized monthly by the treasurer.

Section 9. Members of the public shall have a reasonable opportunity to address the Board at such times as are designated by the chairperson.

Section 10. The normal order of business shall be:

- a. call to order
- b. roll call
- c. approval of minutes
- d. approval of bills
- e. old business
- f. new business
- g. adjournment

Section 11. The annual meeting of the DDA shall be held in January of each year. The business of the annual meeting shall include the election of officers and presentation of the annual audit. The fiscal year of the DDA shall be July 1 through June 30.

ARTICLE IV

AMENDMENTS

Amendments to these Bylaws may be proposed at any meeting of the Board. Any amendments to these Bylaws must be approved by at least two-thirds of the regular members of the Board and approved by the Lapeer City Commission.

The undersigned secretary of the Board of the DDA of the City of Lapeer hereby certifies that these Bylaws were duly adopted by the Board at a meeting held on the 25 day of April, 2023.

Ashley Fanson, Secretary

The undersigned City Clerk of the City of Lapeer hereby certifies that these Bylaws were approved by the City Commission of the City of Lapeer at a regular meeting held on the 15 day of May, 2023.

Ramona Sanchez, City Clerk