

**Marquette Charter Township
Downtown Development Authority
Bylaws**

Section 1. Name and Area.

- A. This Downtown Development Authority (DDA) shall be known as the Marquette Charter Township Downtown Development Authority.
- B. The area served by the Marquette Charter Township DDA shall be the boundaries outlined in Marquette Charter Township Ordinance No. 061918-2 of August 27, 2018, amending Ordinance No. 053196 as part of Ordinance No. 040886 establishing the DDA.

Section 2. Authority, Mission, and Functions.

- A. The Marquette Charter Township Downtown Development Authority, hereafter referred to as the Authority, shall exercise the authority granted it by the Marquette Charter Township Board.
- B. It is the mission of the Authority to act as the principal planning, policy, and program development body which provides advice to the Marquette Charter Township Board on issues affecting the development of the activities within the DDA boundaries. Activities of the Authority will include those duties and responsibilities set forth in Act 57 P.A. of 2018, as amended, and as codified at MCL 125.4201, et seq.

Section 3. Membership.

- A. The membership of the Authority shall consist of nine (9) members, consisting of the Township Supervisor and eight (8) members that are not officers or trustees of the Township Board for staggered terms of four (4) years appointed by the Marquette Charter Township Supervisor, subject to approval of the Marquette Charter Township Board. Of the nine (9) members, not less than five (5) members shall have an interest in property located within the Downtown District, or shall be members, trustees, principals, or employees of a legal entity having an interest in property located in the Downtown District.
- B. Each member of the Authority shall be administered and subscribe to the constitutional oath of office.

Section 4. Officers.

At the first regular meeting of each year the Authority shall elect from its membership a Chairperson, Vice-Chairperson, and a Secretary.

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Section 5. Duties of the Officers.

- A. Chairperson. The Chairperson shall preside at all meetings, appoint committees, call special meetings, executes documents at the direction of the Authority, and see that all actions of the Authority are properly taken and perform such duties as may be ordered by the Authority.
- B. Vice-Chairperson. The Vice-Chairperson shall act in the capacity of Chairperson in his/her absence and in the event the office of the Chairperson becomes vacant, the Vice-Chairperson shall succeed to this office for the unexpired term and the Authority shall elect a successor to the office of Vice-Chairperson for the unexpired term at the next scheduled meeting.
- C. Secretary. The Secretary or their designee shall be responsible for the minutes of each meeting. All communications, petitions, and reports not otherwise delivered to the Director shall be addressed to the Authority and delivered or mailed to the Secretary. The Secretary or their designee shall inform the Authority of all correspondence. The Secretary shall execute documents in the name of the Authority at the direction of the Authority when a second signature is necessary, be a custodian of the Authority's records, and perform such duties as directed by the Authority.

Section 6. Director.

- A. The Marquette Charter Township Manager shall serve as Director of the Authority at the pleasure of the Authority. If the Director is absent, disabled or deemed unable to serve in office, the Authority may designate a qualified person as acting director to perform the duties of the office. A member of the Authority or the Township Board is not eligible to hold the position of director.
- B. The Director shall be the Chief Executive officer of the Authority. Subject to the approval of the Authority, the Director shall supervise, and be responsible for, the preparation of plans and the performance of the functions of the Authority in the manner prescribed by law. The Director shall attend the meetings of the Authority, and shall render to the Authority and to the Township Board a regular report covering the activities and financial condition of the Authority.
- C. All communications, petitions, and reports shall be addressed to the Authority and delivered or mailed to the Director. The Director or his/her designee shall inform the Authority of all correspondence relating to business of the Authority, shall attend to such correspondence, and shall deliver copies of all such correspondence and documents to the Secretary.
- D. Before entering upon the duties of the office, the Director shall take and subscribe to the constitutional oath, and filed with the Township Clerk.

Section 7. Treasurer.

- A. The Township Treasurer shall serve as Treasurer of the Authority.
- B. The Treasurer or his/her designee shall be responsible for the payment of all warrants as prepared by the Township Clerk on behalf of the Authority. The Treasurer shall execute financial documents in the name of the Authority and perform such duties as the Authority may determine and as may be provided by law. The Treasurer shall establish a separate fund which shall be kept in a depository bank account or accounts in a bank(s) approved by the Township Treasurer and provide to the Authority a record of bank deposits and accounts each month.

Section 8. Payment of Claims, Accounting, Audit or Records, Administrative Fees.

- A. Any claim for payment shall be considered by the Authority at a regular or special meeting, and any claim approved for payment by the Authority shall be presented to the Township Clerk who shall prepare and execute a warrant for each payment to the Treasurer.
- B. The Township Clerk shall maintain a copy of each claim and warrant by fund and account as prescribed by law, and provide to the Authority a financial report of all accounts each month.
- C. An audit of all financial records and accounts shall be conducted each year by a certified public accountant as determined by the Township Board, and at the expense of the Authority.
- D. The Authority shall refund the Township for administrative services in an amount as may mutually be agreed upon annually. Administrative costs as a result of special projects shall be determined in a separate manner.

Section 9. Meetings.

- A. Regular meetings will normally be on a quarterly basis. The day, time, and meeting place will be determined by a consensus of the Authority at the first meeting of the calendar year. All meetings will be posted and conducted in compliance with the Open Meetings Act, MCL 15.261 et seq.
- B. Special meetings shall be called at the request of the Chairperson or any two (2) members of the Authority. Notice of the special meeting shall be given by the Secretary, in writing, to the members of the Authority at least forty-eight (48) hours prior to such meeting and shall state the purpose, day, time, and location of the meeting.
- C. Five (5) members of the Authority shall constitute a quorum for the transaction of business and the taking of official action for all matters before the Authority.

Whenever a quorum is not present at a regular or special meeting, those present may adjourn the meeting to another day or hold the meeting for the purpose of considering such matters as are on the agenda. No action taken at such a meeting shall be final or official unless ratified and confirmed at a subsequent meeting at which a quorum is present.

- D. Order of Business. The following procedure will normally be observed; however, it may be rearranged by the Chairperson for individual items, if necessary, for the expeditious conduct of business:
1. Meeting Called to Order by Chairperson.
 2. Roll Call.
 3. Approval of the Agenda.
 4. Approval of Previous Meeting Minutes.
 5. Bills Payable
 6. Privileged Comment
 7. Public Comment.
 7. Unfinished Business.
 8. New Business.
 9. Correspondence.
 10. Reports.
 11. Announcements.
 12. Public Comments.
 13. Additional Comments by Authority Members.
 14. Adjournment.

No new agenda items will be discussed two hours after the start of the meeting, other than adjournment.

- E. Motion shall be restated by the Secretary before a vote is taken. The name of the maker and supporter of a motion shall be recorded.
- F. Voting shall be by voice and shall be recorded by yeas and nays. Roll call votes will be recorded only upon request by a member of the Authority. The Chair shall vote last.
- G. No member of the Authority shall have the power to bind the Authority nor act in its behalf, nor use its name, unless official sanction is granted by the Authority at a duly called regular or special meeting.
- H. Any member of the Authority who shall feel that they have a conflict of interest on any matter that is on the Authority agenda shall voluntarily excuse themselves, and give the reason of conflict. The Authority shall determine if a conflict does exist, either actual or apparent, and if so determined by vote shall excuse the member, requiring the member to temporarily vacate their seat, and refrain from discussing and voting on said items as an Authority member.

- I. Parliamentary procedure in Authority meetings shall be guided by Roberts Rules of Order in all cases not otherwise provided for in these Bylaws. If any requirement of these Bylaws conflict with a specific law, statute or Township ordinance, that law, statute or ordinance supersedes these Bylaws.

Section 10. Committees.

The Chairperson, upon approval of the Authority, shall appoint various standing committees and task force committees when the occasion arises.

Section 11. Member's Absence.

- A. Whenever a member of the Authority fails to attend three (3) consecutive regular scheduled meetings and the absences are unexcused pursuant to 11(b), the Secretary shall submit to the Township Board a written memorandum of the attendance record of such member, which may be considered cause for termination of membership on the Authority. Pursuant to notice and after having been given an opportunity to be heard, a member of the Authority may be removed for cause by the Township Board. Removal of an Authority member is subject to review by the Circuit Court in accordance with MCL 125.4204 94). If an Authority member is removed, the Chairperson will notify the member of his/her termination. The Township Supervisor shall then appoint a new member to serve out the unexpired term, subject to approval of the Township Board and consistent with Section 3 of these Bylaws.
- B. Each member of the Authority who has knowledge of the fact that they will not attend a scheduled meeting of the Authority shall notify the Chairperson and/or the assigned Township Staff at the earliest possible opportunity and, in any event, 2 hours prior to the scheduled meeting. Failure to do so will cause that absence to be unexcused unless in the opinion of the Chairperson a greater consideration exists.

Section 12. Amendments.

These Bylaws may be amended at any regular or special meeting on passage by a quorum of the members providing the following procedures have been met:

1. A proposed amendment to the Bylaws shall be signed by a member of the Authority and be presented in writing to the Authority at a regular scheduled meeting prior to the scheduled meeting at which the proposed amendment is to be heard.
2. The Secretary shall give at least forty-eight (48) hours written notice to each member of the Authority prior to the scheduled meeting at which the proposed amendment is to be heard.

Section 13. Review.

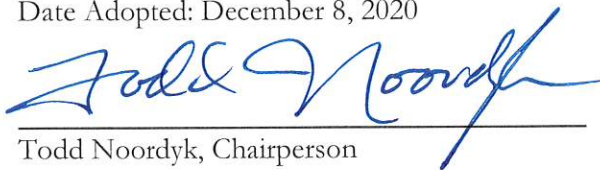
The Secretary shall distribute these Bylaws to each Authority member in January of each even-numbered year for review.

Section 14. Effective Date.

These Bylaws shall take effect immediately on passage by a quorum of the membership.

Ayes: 7 Nays: 0 Abstain: 0 Absent: 1

Date Adopted: December 8, 2020



Todd Noordyk, Chairperson

Amendment: March 8, 2004

Amendment: July 11, 2005

Reviewed March 1, 2010

Reviewed August 11, 2015

Amendment: December 8, 2020