

**DOWNTOWN DEVELOPMENT AUTHORITY
OF THE CITY OF CADILLAC**

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 chairperson and one of its members as vice chairperson. 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 City Council. 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 ordinance 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 7. The board shall cause an annual audit of its business to be made and the result thereof shall be submitted to the City Council.

**ARTICLE II
MEETINGS**

Section 1. Meetings of the board shall be held in accordance with the provisions of the Michigan Open Meetings Act, being Act 267 of the Public Acts of Michigan, 1976, as amended and shall be held in the City of Cadillac, County of Wexford, Michigan.

Section 2. Within 10 days after the first regular meeting of the fiscal year in July, the board shall post a public notice stating the dates, times, and places of its regular meetings.

Section 3. Special meetings shall be held whenever called by direction of the chairperson, Director, City Manager of the City of Cadillac, or any two (2) members of the board on two (2) days written notice of the time and place of meeting. A waiver of notice in writing signed by a member entitled to such notice, whether before or after the time of the meeting, shall be deemed equivalent to the giving of such notice.

Section 4. Six (6) members of the board shall constitute a quorum. A majority vote of those present shall be necessary for the transaction of any and all business or the passage of any resolution.

Section 5. At meetings of the board, business shall be transacted in such order as from time to time the board may determine.

Section 6. Members of the board shall be expected to attend all regular and special meetings of the board unless otherwise excused. Three unexcused absences during a calendar year (January through December) from any regular or special meeting of the board, or three consecutive absences shall result in automatic dismissal of that member from the board. Members may excuse themselves from any regular or special meeting of the board as necessary, by notifying the Director of their planned absence.

ARTICLE III OFFICIALS

Section 1. The chairperson shall preside at meetings of the board and shall do and perform such other duties as may be from time to time assigned by the board. The vice chairperson shall perform the duties of the chairperson in the chairperson's absence and such other duties as shall from time to time be assigned by the board.

Section 2. (1) The Director shall be the chief executive officer of the authority. Before entering upon the duties of the 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 Council 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.

(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 City Council. Funds of the City shall not be included in the budget of the authority except those funds authorized by law and by the City Council.

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 authority. The treasurer shall perform such other duties as may be delegated by the board and shall furnish bond in an amount as prescribed by the board.

Section 5. All checks shall be signed by the treasurer and countersigned by either the chairperson or the secretary, except as otherwise provided by the board.

ARTICLE IV BYLAWS

Section 1. The board shall have power to make, alter or amend the bylaws in whole or in part, to be effective upon approval of the City Council. Written copies of the proposed changes shall be delivered to the board prior to submission for approval at the next preceding regular or special meeting of the board.

Section 2. These bylaws shall become effective upon approval of the City Council of the City of Cadillac. Until such approval, the bylaws shall become temporary bylaws for the authority.

Adopted November 17, 1992

R.A. Hamilton

Secretary

Approved by the City Council
of the City of Cadillac

on December 7, 1992

Janice E. Nelson

City Clerk