

**DOWNTOWN DEVELOPMENT AUTHORITY
FOR THE CITY OF WESTLAND**

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. 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.

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 each fiscal year shall designate one of its members as chairperson, one of its members as vice chairperson, one of its members as secretary and one of its members as treasurer. 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 of the City of Westland. The director shall not be a member of the board. The board may employ and fix the compensation of a deputy director, deputy secretary and deputy treasurer, who need not be members of the board. The director, deputy director, deputy secretary and deputy 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 Westland, County of Wayne, Michigan.

Section 2. Regular meetings of the board shall be held at 8:00 am on the fourth Thursday of each month

Section 3. Special meetings shall be held whenever called by direction of the chairperson, director, Mayor of the City of Westland, 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 the equivalent to the giving of such notice.

Section 4. A majority of the 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 the board may determine.

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, if appointed, or other officer of the authority 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 Westland. Until such approval the bylaws shall be temporary bylaws for the authority.

Adopted August 19, 2016



Michael Londeau, Chairman

Approved by the City Council
of the City of Westland on



City Clerk

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, if appointed, shall be the chief executive officer of the authority.

Before entering upon the duties of office, the director shall take and subscribe to the constitutional oath, and furnish bond, by posting a penal bond as required in the resolution establishing the authority payable to the authority for use and benefit of the authority, approved by the board, and filed with the City 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, if appointed, and otherwise the chairperson or other member directed by the board 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.

RESOLUTION OF THE WESTLAND CITY COUNCIL TO APPROVE THE AMENDMENT TO THE DDA BYLAWS TO PROVIDE THAT THE MEETINGS OF THE DDA SHALL BE HELD AT 8:00 AM

RESOLUTION NO. 2016-09-173

WHEREAS, Article II, Section 2 of the Bylaws of the Westland Downtown Development Authority ("DDA") provide the time and day of the Board's monthly meetings; and

WHEREAS, the DDA board adopted a resolution to amend Article II, Section 2 of the Bylaws to provide:

"Section 2. Regular meetings of the board shall be held at 8:00 o'clock a.m. on the fourth Thursday of each month"; and

WHEREAS, Article IV, Section 1 of the DDA Bylaws provides that the board shall have the power to amend the bylaws, and that such amendments shall be effective upon the approval of the Westland City Council.

NOW THEREFORE BE IT RESOLVED that the Westland City Council approves the amendment to Article II, Section 2 of the DDA Bylaws to provide:

"Section 2. Regular meetings of the board shall be held at 8:00 o'clock a.m. on the fourth Thursday of each month"; and

ROLL CALL:

AYE Coleman **NAY** None **ABSENT** Cicirelli Bryant
Hammons, Herzberg
Johnson, Kehrer
Godbout

CERTIFICATION

I Richard LeBlanc, City Clerk for the City of Westland, hereby certify that the foregoing is a true and accurate copy of a Resolution adopted by the Westland City Council for the City of Westland at a regular meeting held on the 19th day of September, 2016, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meeting Act, being Act 267, Public Acts of Michigan, 1976, and that the Minutes of said meeting were kept and will be or have been available as required by said Act.



Richard LeBlanc
Westland City Clerk



Interoffice Memorandum Department of City Clerk

September 20, 2016

To: Bruce Thompson, AICP Director

Cc: Michael Londeau, DDA Chairman
Mayor William R. Wild

From: Richard LeBlanc, City Clerk

Re: Resolution to amend DDA By-Laws

At a regular meeting of the Westland City Council held on Monday, September 19, 2016, the following resolution was adopted: (Resolution 2016-09-173)

"RESOLVED that Council grants adoption of Prepared Resolution to approve amendment to Westland Downtown Development Authority By-Laws to move the regular meeting time from 12:00 p.m. to 8:00 a.m."

A copy of the resolution is attached.

RL/dd

Enclosure

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