

CITY OF ITHACA
CODE OF ORDINANCES

Chapter 12: Community Development

Article II. Downtown Development Authority

Amending Sec. 12-33. Downtown Development Authority Board

An Ordinance to amend Chapter 12 of the Code of Ordinances of the City of Ithaca, by amending Article II. Downtown Development Authority, Section 12-33 to redefine the appointment and makeup of the Authority Board of Directors, in order to preserve and protect the health, safety and welfare of persons within the City.

THE PEOPLE OF THE CITY OF ITHACA, MICHIGAN DO ORDAIN:

That Chapter 12, Article II, Section 12-33 be amended as follows:

Section 12-33. Downtown Development Authority Board

(a) The Downtown Development Authority shall be under the supervision and control of a board which shall consist of the Mayor and ~~ten-eight~~ members appointed by the Mayor, subject to approval by the City Council. Not less than a majority of the board 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. No less than one of the board members shall be a resident of the downtown district if the downtown district has 100 or more persons residing within it. Terms of office for members other than the Mayor shall be four years. The term of office of the Mayor shall run coterminous with the Mayor's term on the City Council. Terms of office for other members shall be staggered such that no more than two board positions expire each calendar year. A member shall hold office until the member's successor is appointed. Of the board members first appointed, an equal number of the board members, as near as practical, shall be appointed for terms of one year, two years, three years and four years. An appointment to fill a vacancy on the board shall be made by the Mayor for the unexpired term only. Members of the board shall serve without compensation, but shall be reimbursed for actual and necessary expenses. The officers of the board shall be elected by the board.

(b) Before assuming the duties of office, a board member shall qualify by taking and subscribing to the constitutional oath of office.

(c) The board shall adopt ~~rules-by-laws~~ governing its procedure and the holding of regular meetings, subject to the approval of the City Council. Special meetings may be held when called in the manner provided in the ~~rules-by-laws~~ of the board. Meetings of the board shall be open to the public as required by the Michigan Open Meetings Act, Public Act No. 267 of 1976 (MCL 15.261 to 15.275et-seq.)

(d) Pursuant to notice, and after having been given an opportunity to be heard, a member of the board may be removed for cause by the City Council. Removal of a board member is subject to review by the circuit court.

(e) All expense items of the ~~board~~-Authority shall be publicized monthly, and financial records shall be open to the public.

(f) In addition to the items and records prescribed in subsection (e) of this section, a writing prepared, owned, used, in the possession of or retained by the board in the performance of an official function shall be made available to the public in compliance with the Michigan Freedom of Information Act, Public Act No. 442 of 1976 (MCL 15.231 to 15.246~~et seq.~~)

~~(Code 1968, § 2-903)~~

State law references: Similar provisions, MCL 125.1654.

This Ordinance Amendment is hereby adopted by the following recorded vote as moved by _____, and seconded by _____:

Ayes: ()
Nays: ()
Absent: ()
Abstain: ()

Barbara Fandell, Clerk-Treasurer

Introduced: 9-19-2017
Adopted:
Published:
Effective: