ARTICLE XIV. MAINSTREET DOWNTOWN DEVELOPMENT AUTHORITY*

*Editor's note: The user of this volume may wish to note that § 2 of Ord. No. 1002, adopted March 7, 1990, approves and adopts the development plan and tax increment financing plan for the downtown development authority of the city.

Sec. 2-97. Establishment.

In recognition of the fact that it is necessary for the best interests of the public to halt property value deterioration and increase property tax valuation in the city downtown business district and to promote the economic growth of the city downtown business district, a downtown development authority is hereby established pursuant to Act No. 197 of the Public Acts of 1975, to be known as the City of Holland Mainstreet/Downtown Development Authority.

(Ord. No. 717; Ord. No. 1017, 7-10-91)

Sec. 2-98. Powers; duties; boundaries.

The downtown development authority shall have all of the powers and duties prescribed by Act No. 197 of the Public Acts of 1975, as amended (MCL 125.1651 et seq.), including but not limited to implementing development plans, acquiring and disposing of interests in real and personal property, levying an ad valorem tax, not to exceed two (2) mills, on the real and tangible personal property in the downtown development district, issuing bonds and other evidence of indebtedness and authorizing the use of tax increment financing, all as more fully delineated in Act 197 of the Public Acts of 1975, as amended, to promote the economic growth of the downtown development district. The city shall exercise its powers within the following described area which shall be the "downtown development district":

All property bounded by the existing corporate limits of the City of Holland between Fairbanks and Maple Avenues, if extended, to the waters of Lake Macatawa on the north, Fairbanks Avenue on the east, 11th Street on the south, and an area described as west of Maple Avenue, if extended, to the water's edge of Lake Macatawa and north of 9th Street, if extended, to the water's edge of Lake Macatawa on the west, including such additional property which is legally described as follows:

Part of Sections 20, 21, 28, and 29 of T5N, R15W, City of Holland, Ottawa County, Michigan, described as: Beginning at the intersection of the North line of the CSX Railroad spur track with the East line of Section 29, said point being distance North 426.35 feet from the East 1/4 corner of Section 29 and proceeding thence Easterly and Northeasterly along the Northerly and Northwesterly right-of-way line of the CSX Railroad to the centerline of the Macatawa River; thence Northwesterly, Southwesterly and Westerly along the centerline of the Macatawa River to the intersection with the centerline of the Northerly extension of College Avenue; thence South along the centerline of the extension of College Avenue to the South edge of the Macatawa River marsh; thence Southeasterly along the Southerly and Southwesterly edge of Macatawa River marsh to the East line of Section 29; thence South along the East line of Section 29 to the point of beginning.

which is zoned commercial (C-4, C-3, C-2, or C-1, or such future commercial classifications as shall be established), Windmill Island Neighborhood Business District, Planned Unit Development-Commercial, PRD, Planned Residential Development District, or Industrial (D-1 or D-2).

(Ord. No. 717; Ord. No. 909, 8-20-86; Ord. No. 958, 8-3-88; Ord. No. 971, 2-15-89; Ord. No. 1228, 12-2-98)
Sec. 2-98.1. Board; membership; terms.

The downtown development authority shall be under the supervision and control of a board consisting of the city manager and twelve (12) members. The board shall be appointed by the city manager and approved by city council. Not less than a majority of the members shall be persons having an interest in property located in the downtown development district. Not less than one (1) of the members shall be persons having an interest in property zoned Industrial and located in the downtown development district. Not less than one (1) of the members shall be a resident of the downtown development district, if the downtown district has one hundred (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 one (1) year, two (2) years, three (3) years, and four (4) years. Notwithstanding, no member shall serve more than two (2) consecutive four (4) year terms or a total of eight (8) consecutive years. If a member desires to serve on the board after two (2) consecutive four (4) year terms or eight (8) consecutive years, he or she will not be eligible to serve until one (1) year has elapsed since the expiration of the two (2) consecutive four (4) year terms or eight (8) consecutive years. An appointment to fill a vacancy shall be made by the city manager for the unexpired term only. Members of the board shall serve without compensation, but shall be reimbursed for actual and necessary expenses. The board shall elect a member as a chairperson and vice-chairperson of the board. A member shall not serve as either a chairperson or a vice-chairperson for more than two (2) year term. After the chairperson's two (2) year term has expired, the vice-chairperson shall become chairperson of the board for a two (2) year term. In the event a vice-chairperson declines to become chairperson at the end of the two (2) year term, the board shall elect a chairperson and vice-chairperson from the remaining members of the board. A former chairperson may not serve as a vice-chairperson until two (2) years have elapsed since the expiration of the chairperson's two (2) year term. The operation and activities of the board shall comply with Act 197 of the Public Acts of 1975, as amended; MCLA 125.1651 et seq.

(Ord. No. 972, 2-15-89; Ord. No. 1375, 11-19-03; Ord. No. 1421, 8-17-05)

Sec. 2-99. Director; bond.

Any director of the downtown development authority shall, before entering upon the duties of his office, post a bond in the penal sum of ten thousand dollars ($10,000.00), payable to the authority for the 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.

(Ord. No. 717)