

Bylaws

Of

The Muskegon Lakeside Business Improvement District

Adopted
Nov. 12, 2019

Purpose

The Muskegon Lakeside Business Improvement District was created to provide enhanced services in the Lakeside Business District through marketing activities, common area maintenance such as snow removal and beautification. The intention in the BID's creation was to provide a "funding bridge" to a newly created Lakeside Corridor Improvement District and eventually have the BID expire as the CIA becomes able to fund the activities of the BID.

Article 1

Property Classifications

Class "A" Properties

Properties located within Muskegon Lakeside Business Improvement District which are currently used for, or zoned for commercial, office, retail or other similar activities not listed below.

Class "B" Properties

Properties located within the Muskegon Lakeside Business Improvement District which are currently use for, or zoned for industrial, automotive or public utility.

Class "C" Properties

Properties located within the Muskegon Lakeside Business Improvement District which are currently used for nonprofit or religious activities

Class "D" Properties

Properties located within the Muskegon Lakeside Business Improvement District which are currently used for, or zoned for educational or governmental activities.

Note: Under current law of the state of Michigan, properties zoned for or exclusively used for residential within a Business Improvement District are exempt from special assessments.

Article 2

Governing Board

Section 2.1 – Composition

The Muskegon Lakeside Business Improvement District Board shall consist of seven (7) members. Board composition shall be consistent with the State of Michigan enabling legislation, Act No. 120 of the Public Acts of 1961. Statute allows for between seven (7) and fifteen (15) members. Board membership may be increased or decreased by a recommendation of the BID Board at the first quarterly annual meeting in January with the new board composition taking effect the following January 1.

Section 2.2 – Board Terms

Each board member will be appointed to a three (3) year term with no more than half of board seats expiring in one year. For the initial board, board members will draw lots to determine what members will serve one (1), two (2) and three (3) year teams. Board terms end on December 31 of the expiring year. The first year term for inaugural board members will expire on December 31, 2016 following the first full year of service.

Section 2.3 – Board Openings

Nominees for annual openings shall be indorsed by the Muskegon Lakeside Business Improvement District board at its fall quarterly meeting and then sent to the Muskegon City Commission for formal appointment with terms beginning at the end of each January.

Section 2.4 – Regular Openings

Individuals seeking nomination/appointment to the board should complete an application of interest through the city of Muskegon's Talent Bank. If more individuals express interest in open positions than there are positions the Muskegon Lakeside Business Improvement District will make a final recommendation to the city commission with a majority vote.

Section 2.5 – Vacancies, Resignations and Removals

Vacancies which occur between fall quarterly meetings shall be filled by appointment via a recommendation of the Muskegon Lakeside Business Improvement District Board to the Muskegon City Commission.

Section 2.6 – Compensation

Muskegon Lakeside Business Improvement District Board members shall not receive any compensation for their services.

Article 3

Officers

Section 3.1 – Appointment of Chair and Vice-Chair

The Muskegon Lakeside Business Improvement District Board shall annually select one of its members to serve as Chair and Vice-Chair.

The Chair shall preside at all meetings.

The Vice-Chair shall act in the capacity of the Chair in the absence of the Chair. In the event of a vacancy in the office of Chair, the Vice-Chair will assume the office of Chair and the Muskegon Lakeside Business Improvement District Board shall select a successor to the office of Vice-Chair at the earliest practical time.

Section 3.2 – Secretary

The Muskegon Lakeside Business Improvement District Board shall designate a qualified member or members of city of Muskegon staff to serve as secretary or co-secretaries of the Muskegon Lakeside Business Improvement District Board. The Secretary shall file a detailed record of all proceedings of the board and as manager take all other action as necessary for the proper and expeditious execution of all board actions. The Muskegon Lakeside Business Improvement District Board may pay a reasonable administrative fee to the city for such secretarial/managerial services.

Section 3.4 – Treasurer

The Muskegon Lakeside Business Improvement District Board will not have a designated treasurer but appoints the city of Muskegon Finance Department to handle all accounting and financial management needs of the Muskegon Lakeshore Business Improvement District.

Article 4

Meetings

Section 4.1 – Open Meetings Act

All meeting of the Muskegon Lakeside Business Improvement District Board shall be conducted at a public meeting held in compliance with the Michigan Open Meetings Act, Act No. 267 of the Public Acts of 1976. Any property owner or business owner located within the Muskegon Lakeside Business Improvement District shall be given the opportunity to be heard.

Section 4.2 – Meetings Held

The Muskegon Lakeside Business Improvement District Board shall meet a minimum of once per quarter. Additional meetings may be called between standing meetings with no less than 48 hours notice or special meetings with no less than 18 hours notice per the state's Opening Meetings Act.

Standing quarterly meeting should cover:

- 1st Quarterly Meeting – Annual report/selection of chair & Vice-chair
- 2nd Quarterly Meeting – Discussion of following year's services
- 3rd Quarterly Meeting – Discussion of assessment based on recommended services
- 4th Quarterly Meeting – Recommendation of Assessment & recommendation of new board members.

Section 4.3 – Notice of Meetings

Notices of all meetings (regularly scheduled and special) shall be posted per the state's Opening Meetings Act on the City of Muskegon's website and the appropriate Lakeside Business District website.

Section 4.4 – Amending Bylaws

The Muskegon Lakeside Business Improvement District Bylaws may be amended by a simple majority vote of the board.

Article 5

Administration

Section 5.1 - Records

All records of the Muskegon Lakeside Business Improvement District board are available to the public in compliance with the Michigan Freedom of Information Act. Meeting agendas, board packets, meeting minutes and annual financials shall be posted district's city website page.

Section 5.2 – Annual Meeting

Once the Muskegon Lakeside Business Improvement District is operating through a special assessment, the board will schedule a public annual meeting to present the current and future budget of the Muskegon Lakeside Improvement District, discussion of future needs and directions and allow the public to ask questions and provide input.
