

Subject: Appointment of Directors of the Downtown Development Authority
Policy No.: 000-0012
Effective Date: 1/25/2010

BACKGROUND: On November 26, 2002 the Mayor and Council adopted a resolution to activate the Downtown Development Authority (DDA) pursuant to the Downtown Development Authority's law (O.C.G.A. 936-42-1 et sea). Pursuant to O.C.G.A. 936-42-4 the Council is to appoint seven directors for terms of four years. The Council may appoint one of its elected members as a director. Pursuant to O.C.G.A. 936-42-7 directors shall be:

- (1) A taxpayer residing in the municipal corporation for which the authority is created;
- (2) Owners or operators of businesses located within the Downtown Development Area and who shall be taxpayers residing in Cherokee County; or
- (3) Persons having a combination of the qualifications specified in paragraphs (1) and (2) above.
- (4) One owner or operator of a business located within the downtown development area may be a resident outside of Cherokee County.

Not less than four of the directors having the qualifications specified in subsection (a) shall be persons who in the judgment of the Council either have or represent a party who has an economic interest in the redevelopment and revitalization of the Downtown Development area. Successors to the directors shall be appointed by the Mayor and Council. Owners or Operators of a business shall have a City of Woodstock Business Occupation Tax Permit for a minimum of 90 days to be qualified for a position on the Board.

The Council desires that its individual members and the Mayor recommend appointees to serve as directors of the DDA to the Council as a whole to be approved by the Council. The Council also desires that the directors recommended by the individual Councilmember's and Mayor serve concurrent with the terms of the Councilmember's and Mayor and that the ex-officio director be appointed by the Mayor. This procedure would result in a staggering of terms to avoid a lack of experience on the DDA at any given time.

PROCEDURE:

While the directors do not need to be from any particular ward they shall be recommended by a Councilmember or the Mayor and shall, for reference purposes only, be considered to be the director associated with the Councilmember or Mayor who recommended them. This procedure is being put in place in order to better be able to determine the beginning and end of a director's term and which Councilmember or the Mayor should be recommending replacement directors in the event of a vacancy or end of a director's term. The ex officio director shall continue to serve at the will of the Mayor who may remove the ex officio director and appoint a new ex officio director at any time.

On or before December 4th of each year in which the Council is to appoint new directors, the Council shall obtain from the City Manager the following information concerning the directors who remain in office and whose terms do not expire:

- (1) Whether the director resides within the City limits;
- (2) Whether the director is an owner or operator of a business located within the Downtown Development area and is a taxpayer residing in Cherokee County;
- (3) Information from which the Council can determine whether the person either is a person who, or represents a party who, has an economic interest in the redevelopment and revitalization of the Downtown Development area.

The Council member making a recommendation for a director shall meet with the candidate the Councilmember selects, the Chair of the Downtown Development Authority, and the Executive Director to discuss the scope of duties of the director, the goals of the Downtown Development Authority and such other matters as may be appropriate.

No former Mayor and no former Councilmember shall hold the office of director until one-year after the expiration of the term for which he was elected.

No director shall continue as a director if elected to the office of Mayor or Councilmember of the City unless that person is named as the one director who is allowed to be a member of the Council by that Council.

In the event of a vacancy in the office of any director, the Councilmember who recommended that director shall follow the process set forth above to make a recommendation to the Council to replace the director whose office is vacant for the remainder of the term of the director who vacated the office.