

ROCHELLE MARKETPLACE DOWNTON DEVELOPMENT AUTHORITY (DDA)

BOARD OF DIRECTORS QUALIFICATIONS: (Statutory DDA)

Composed of **seven (7)** members initially confirmed by the
Mayor and City Council
(O.C.G.A. 36-42-4)

Directors serve staggered for 4 years terms.
But initially, they will be appointed as
follow: 2 to a 2-year term; 2 to a 4-
year term and 3 to a 6-year term.

As per O.C.G.A, 36-42-7 (2010)

1. Must be a taxpayer residing in the municipal corporation for which the authority is created (*who lives in the city*).
2. Resident of the City or **County** who owns or operates a business in the downtown development area.
3. Qualified under both 1 and 2.
4. One elected official **may** serve on the board. The appointed city official's term ends when he or she is **no** longer in office.
5. Persons having a combination of the qualifications specified in Paragraphs (1) and (2) of this subsection. Provided, however, that one of such directors **may** be a member of the governing body of the municipal corporation (*council member*).
6. **§36-42-7 (c.1)**: Resident of **Georgia** who owns a business in the downtown development area. Only **one** director can hold this position.

7. **§36-42-7 (b):** At least **4 of the Directors** in the above categories must have an economic interest or represent an economic interest in the redevelopment and revitalization of the downtown development area.
8. **§36-42-7 (d):** **Except for the director who is also a member of the governing body of a municipal corporation,** each director shall attend and complete at least eight hours of training.
9. **§36-42-7 (d):** The directors shall elect one of their members as President and another as Vice-president and shall also elect a secretary and a treasurer or secretary-treasurer. Either of who may but need **not** be a director.

OTHER GUIDELINES:

- A quorum is (4) Directors which must be present to hold a meeting.
- A majority of quorum (4) is needed to pass a resolution except when issuing debt, which requires a unanimous vote from the board.
- It is required by law that all Directors, with the **exception of the elected official,** must completed 8 hours of DDA training within the first year of appointment to the board.

SERVICE AREA:

“The governing body of the municipality **may change** the downtown development area by **resolution** as long as the change, “at the time constitutes the central business district.”

BYLAWS:

Best practice includes matters not dictated by governing law such as:

- Officer terms
- Officer responsibilities
- Attendance policy
- Meeting schedules
- Special called meetings
- Accounting practices
- Audit practices
- Conflict of interest guidelines

- Code of conduct
- Robert’s Rules of Order
- Directors must comply with procedures in bylaws such as number of “yes” votes and notice required before amending bylaws.

STATE REQUIREMENTS

- Downtown Development Authorities are required to register annually with the Department of Community Affairs.
- They must also complete an annual financial report to be submitted to the Department of Community Affairs.
- For information regarding registration and financial reporting please visit the Department of Community Affairs Local Government Authorities website page at:

www.dca.ga.gov/local-government-assistance/research-surveys/local-government-authorities

LAWS APPLICABLE TO DDAs:

- Open Meetings Act, O.C.G.A. Sec. 50-14-1 et seq.,
- Open Records Act, O.C.G.A. Sec. 50-18-70, et seq.
- State Code of Ethics, O.C.G.A. Sec. 45-10-3.
- Reporting of “public benefits” it provides (*applies to certain incentives*). See O.C.G.A. Sec. 50-36-1
- Georgia Local Government Public Works Construction Law. O.C.G.A. Sec. 36-91-1 et seq.
- Federal and State environmental laws
- Local Government Authorities Registration Act O.C.G.A. 36-80-16
- Annual Reporting of Development Authority Revenues O.C.G.A 36-81-8