AGENDA
MUNICIPAL BUILDING AUTHORITY
OF THE CITY OF OREM
May 26, 2015

CALL TO ORDER

APPROVAL OF MINUTES

1. MINUTES of Municipal Building Authority Meeting of June 10, 2014

SCHEDULED ITEMS

2. ANNUAL REVIEW - Municipal Building Authority of the City of Orem (MBA) Bylaws

REQUEST: The Chief Executive Officer of the Municipal Building Authority of the City of Orem requests that the Board of Directors make no changes to the existing Bylaws.

BACKGROUND: The MBA Bylaws stipulate that the Bylaws "shall be reviewed by the Board of Directors at each annual meeting" and may be amended "by majority vote of the Board of Directors of the Authority at a regular or special meeting." The Chief Executive Officer is not recommending any changes to the Bylaws at this time.

ADJOURN

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL MUNICIPAL BUILDING AUTHORITY MEETINGS.
If you need a special accommodation to participate in the Municipal Building Authority Meetings, please call the City Recorder's Office at least 3 working days prior to the meeting.
(Voice 229-7074)

This agenda is also available on the City's Internet webpage at orem.org

DRAFT

MUNICIPAL BUILDING AUTHORITY
of the
CITY OF OREM
June 10, 2014

CONDUCTING	Chair Richard F. Brunst, Jr.
BOARD OF DIRECTORS	Hans Andersen, Margaret Black, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner
APPOINTED STAFF	Jamie Davidson, Chief Executive Officer; Brenn Bybee, Richard Manning, Greg Stephens, Karl Hirst, Taraleigh Gray

The Municipal Building Authority (MBA) Meeting convened at 9:46 p.m.

APPROVAL OF MINUTES – June 11, 2013

Mr. Andersen **moved** to approve the minutes from the June 11, 2013, meeting of the Municipal Building Authority as presented. Mr. Macdonald s**econded** the motion. Those voting aye: Mr. Andersen, Mrs. Black, Mr. Brunst, Mr. Mcdonald, Mr. Seastrand, Mr. Spencer, and Mr. Sumner. The motion **passed** unanimously.

SCHEDULED ITEMS

ANNUAL REVIEW - Municipal Building Authority of the City of Orem (MBA) Bylaws

The MBA Bylaws stipulate that the Bylaws "shall be reviewed by the Board of Directors at each annual meeting" and may be amended "by majority vote of the Board of Directors of the Authority at a regular or special meeting." The Chief Executive Officer is not recommending any changes to the Bylaws at this time.

Jamie Davidson, Chief Executive Officer, presented a staff recommendation that the Board of Directors, by motion, adopt the bylaws as written.

Mayor Brunst **moved** to adopt the MBA Bylaws as written**.** Mr. Spencer **seconded** the motion**.** Those voting aye: Mr. Andersen, Mrs. Black, Mr. Brunst, Mr. Macdonald, Mr. Seastrand, Mr. Spencer, and Mr. Sumner. The motion **passed** unanimously.

ADJOURN

Mr. Macdonald **moved** to adjourn the meeting. Mr. Andersen **seconded** the motion. Those voting aye: Hans Andersen, Margaret Black, Richard F. Brunst, Tom Macdonald, Mark E. Seastrand, David Spencer, and Brent Sumner. The motion **passed** unanimously.

The meeting adjourned at 9:47 p.m.

CITY OF OREM

MUNICIPAL BUILDING AUTHORITY MEETING

MAY 26, 2015

REQUEST:	**ANNUAL REVIEW - Municipal Building Authority of the City of Orem (MBA) Bylaws**
APPLICANT:	Municipal Building Authority
FISCAL IMPACT:	None

NOTICES:
-Posted in 2 public places
-Posted on City webpage
-Posted at utah.gov/pmn
-Faxed to newspapers
-E-mailed to newspapers
-Neighborhood Chair

PREPARED BY:
Donna Weaver Secretary

RECOMMENDATION:

The Chief Executive Officer of the Municipal Building Authority of the City of Orem recommends that the Board of Directors make no changes to the existing bylaws.

BACKGROUND:

The MBA Bylaws stipulate that the Bylaws "shall be reviewed by the Board of Directors at each annual meeting" and may be amended "by majority vote of the Board of Directors of the Authority at a regular or special meeting." The Chief Executive Officer is not recommending any changes to the bylaws at this time.

AMENDED

BYLAWS OF THE

MUNICIPAL BUILDING AUTHORITY

OF THE

CITY OF OREM, UTAH

ADOPTED BY CITY COUNCIL RESOLUTION NO. 2059-90
AMENDED BY MUNICIPAL BUILDING AUTHORITY RESOLUTION NO. MBA-RE-04-0004

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BYLAWS OF THE
MUNICIPAL BUILDING AUTHORITY
OF THE
CITY OF OREM, UTAH

ARTICLE I - THE AUTHORITY

Section 1. Name of Authority. The name of the authority shall be the "Municipal Building Authority of the City of Orem, Utah" in accordance with Resolution # 2059-90 adopted by the City Council of the City of Orem, Utah, dated April 3 ,1990.

Section 2. Purpose of Authority. The purpose of the Authority is to provide the City of Orem a municipal building authority and take action that would finance the revitalization, upgrading and developing certain areas of the City with quality developments which are conducive to the long range goals of the City.

Section 3. Governing Board. The governing board of the Authority shall be known as the Board of Directors of the Municipal Building Authority of the City of Orem, Utah. The Board of Directors shall be composed of the seven members of the City Council. Each member shall have one vote.

Section 4. Seal of Authority. The Seal of the Authority shall be in the form of a circle and shall bear the name of the Authority and the year of its organization.

Section 5. Office of Authority. The offices of the Authority shall be located in the Orem City Center located at 56 North State Street, Orem, Utah.

Section 6. Fiscal Year of Authority. The fiscal Year of the Authority shall be from July 1 through June 30 of each year.

Section 7. Annual Audit. The Authority shall cause an annual independent audit, in conjunction with the audit of the City of Orem, of the immediate past fiscal Year financial

transactions and operations to be completed in accordance with State Law and professional auditing standards, requirements, and practices established for governmental entities.

Section 8. Annual Budget. The Authority shall review and approve an annual budget in accordance with State Law.

Section 9. Required Reports. The Authority shall file any required reports with other agencies in accordance with State Law.

ARTICLE II - OFFICERS AND BOARDMEMBERS

Section 1. Officers. The officers of the Authority shall be a Chair and a Vice-Chair. The Chair shall be the Mayor of the City of Orem and the Vice-Chair shall be the Mayor Pro-Tem of the City of Orem.

Section 2. Chair. The Chair shall preside at all meetings of the Authority, execute all Authority approved resolutions, contracts, agreements and be the titular head of the Authority.

Section 3. Vice-Chair. The Vice-Chair of the Authority shall perform the duties of the Chair in the absence or incapacity of the Chair.

Section 4. Boardmembers. The members of the City Council of the City of Orem shall be boardmembers of the Authority.

Section 5. Additional Duties. At the meetings of the Authority, any Boardmember may submit such recommendations and information as they may consider proper concerning the business, affairs, and policies of the Authority. The Officers and Boardmembers of the Authority shall perform such other duties and functions as may from time to time be required by the Authority, the bylaws, or rules and regulations of the Authority.

Section 6. Reimbursement for Expenses. The Board of Directors of the Authority shall be reimbursed for expenses incurred in carrying out their official responsibilities by the Authority.

ARTICLE III - EMPLOYEES

Section 1. Chief Executive Officer. The Chief Executive Officer shall be the City Manager of the City of Orem. Under the policy direction of the Board of Directors of the Authority, the Chief Executive Officer shall:

A. Direct the affairs of the Authority;

B. Ensure, through the Treasurer, the proper care and custody of all Authority funds;

C. Ensure proper disbursement and deposit of funds, in the name of the Authority, in or from such bank or banks as the Authority may select;

D. Prepare or cause to be prepared all contracts, agreements, resolutions, deeds and other instruments necessary for Authority business;

E. Execute all administrative documents or instruments that carry out Authority policies.

F. Ensure that all checks or vouchers of the Authority have two (2) of the following signatures:
(1)The Treasurer, and/or his/her designee; and
(2) The Financial Officer, and/or his/her designee.

G. Ensure, through the Secretary, the proper keeping of minutes and other official records.

H. Provide a regular accounting of the financial transactions and conditions of the Authority;

I. Implement the necessary administrative policies and procedures to carry out the affairs of the Authority.

J. Do all other things necessary for the proper conduct of Authority affairs.

Section 2. Secretary. The Secretary shall be the City Recorder of the City of Orem. The Secretary shall, under the general direction of the Chief Executive Officer, keep the official minutes and records of the Authority, shall act as the secretary for the meetings of the Authority and record all votes, shall keep a record of the proceedings of the Authority, shall keep the seal of the Authority, and shall have the power to affix such seal to all documents authorized to be executed by the Authority. The Assistant Secretaries shall be the Deputy Recorders of the City of Orem.

Section 3. Treasurer. The Treasurer shall be the Treasurer of the City of Orem. The Treasurer shall, under the general direction of the Chief Executive Officer, be responsible to ensure the proper care and custody of all funds of the Authority and shall ensure proper disbursement of and deposit of the funds in the name of the Authority in or from such bank or banks as the Authority may select.

Section 4. Attorney. The Attorney shall be the City Attorney of the City of Orem. The Attorney shall, under the general direction of the Chief Executive Officer, provide legal advice, and services to the Authority. When appropriate, the services of legal specialists may be utilized.

Section 5. Financial Officer. The Financial Officer shall be the Director of Administrative Services for the City of Orem. The Financial Officer shall, under the general direction of the Chief Executive Officer, be responsible for the financial affairs of the Authority including the preparation of financial reports, annual audits and the general caring for the financial affairs of the Authority.

Section 6. Other Employees. The Chief Executive Officer may, from time to time, employ such additional personnel as may be necessary to exercise the powers, duties and functions of the Authority prescribed by the laws of the State of Utah, after approval of the Board of Directors of the Authority. The selection and compensation of such personnel shall be determined by the Chief Executive Officer subject to the policies established by the Board of Directors of the Authority.

Section 7. Compensation. The Board of Directors of the Authority may establish compensation rates for employees from time to time. The employees of the Authority shall be reimbursed for expenses incurred in carrying out their official responsibilities by the Authority.

ARTICLE IV - MEETINGS

Section 1. Open Meetings. The Authority's meetings shall be open to the public except for closed door meetings as outlined in this Article.

Section 2. Organizational Meeting. The organizational meeting of the Authority shall be held on such day and at such time as determined by the Mayor of the City of Orem.

Section 3. Annual Meeting. The Annual Meeting of the Authority shall be held during the months of May or June in conjunction with the Authority's adoption of the Fiscal Year Budet, or at a time and place set by the Chair. In the event such date shall fall on a legal holiday, the annual meeting shall be held on the next succeeding business day or at another convenient time set by the Chair.

Section 4. Regular Meetings. The regular meetings of the Authority shall be held at intervals deemed appropriate by the Authority. Official notice shall be given of the time, place, and agenda of the meeting.

Section 5. Special Meetings. The Chair may call special meetings of the Authority as deemed necessary by the Chair and shall call special meetings upon the request of at least two (2) Boardmembers or upon the request of the Chief Executive Officer for the specified purpose of carrying out Authority business. The call for a special meeting shall be in writing and delivered to each Boardmember at the business or home of each, at least twenty-four (24) hours prior to the time of such special meeting. At such special meeting, no business shall be considered other than that designated in the call.

Section 6. Emergency Meetings. The Chair shall call an emergency meeting of the Board whenever the Chair deems it imperative for the Board to take emergency action on business affairs of the Authority.

Section 7. Closed Door Meetings. The Authority may meet in Closed Door Meetings upon approval of the Board to discuss matters allowed by state law for public entities.

Section 8. Meeting Information. At each meeting, the Boardmembers and the Chief Executive Officer may submit such recommendations and information as they may consider proper concerning the business, affairs, and policies of the Authority.

Section 9. Quorum. The power of the Authority shall be vested in the Board of Directors of the Authority. Four (4) members shall constitute a quorum for the purpose of conducting its

business and exercising its powers and for all other purposes. Action may be taken by the Board of Directors upon a positive vote of at least four (4) members.

Section 10. Order of Business. At the regular meetings of the Authority, the following shall be the order of business:

1. Call to order.
2. Invocation - if appropriate.
3. Approval of Minutes.
4. Scheduled Items.
5. Adjournment.

Section 11. Official Book of Minutes and Resolutions. The Chief Executive Officer shall cause Official Books of approved Minutes and Resolutions to be created and maintained.

ARTICLE V - AMENDMENTS OF THE BYLAWS

Section 1. Amendments of the Authority Bylaws. The Bylaws of the Authority may be amended by majority vote of the Board of Directors of the Authority at a regular or special meeting.

Section 2. Review of Bylaws. The Bylaws of the Authority shall be reviewed by the Board of Directors at each annual meeting.

ARTICLE VI - MISCELLANEOUS

Section 1. Performance Bonds. The Officers, Boardmembers, and Employees of the Authority shall be bonded for faithful performance of their duties as the Authority may determine appropriate. The Authority shall pay the costs of these bonds.

Section 2. Rules and Regulations. Upon recommendation of the Chief Executive Officer, the Board of Directors may establish rules and regulations governing the affairs of the Authority.