



# RESOLUTION

## Number 2023-023

To Amend the Gateway TIF Bylaws and Advisory Board

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WHEREAS, Section 5.1 of the Town Charter vests in the Town Council the powers of the legislative and governing bodies; and

WHEREAS, the Town Council established the Gateway TIF District under Resolution #2020-015; and

WHEREAS, the Town Council established an Advisory Board under Resolution #2020-054 to provide input and guidance on TIF District activities; and

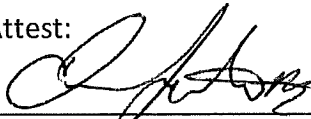
WHEREAS, legislative changes have allowed greater flexibility with the composition of the Advisory Board,

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Council hereby amends the Gateway TIF District Bylaws to provide additional flexibility with the composition of the Advisory Board, to operate in accordance with the attached By-Laws.

This Resolution shall take effect immediately upon its passage.

Adopted: April 4, 2023

Attest:

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Charles Foote, Council Chair

Date: April 4, 2023

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Cristina Guilford, Town Clerk

Date: April 4, 2023

# Town of Derry

## Gateway Tax Increment Financing

### District Advisory Board

### Bylaws

#### I. Mission

The Gateway TIF Advisory Board shall advise the Town Council and district administrator on planning, construction and implementation of the development program and on maintenance and operation of the district program.

#### II. Goals & Duties

- Review compliance with the Gateway TIF District Financing and Development Plan.
- Review the Annual Report with the financial data as required by 162-K:11 and make a report to the Derry Town Council.
- Review and consult with the District Administrator regarding maintenance, operations, construction, and development within the TIF District.
- Make recommendations to the Town Council in the event of changes to legislation or should modification to the TIF District Financing and Development Plan be suggested.
- Meeting as scheduled by the District Administrator, to:
  - Execute Advisory Board goals and duties as set forth above;
  - Provide an opportunity for the Advisory Board to provide comments on any changes/phases of the development program, at least 30 days in advance of the Council's consideration of any changes;
  - Pursuant to RSA 162-K:14 III the Advisory Board may appeal to the Town Council when conflicts arise between the Advisory Board and staff regarding the development program. Such appeal shall be made no later than seven days following the Advisory Board's opportunity to provide comments as set forth above.

#### III. Membership

The Advisory Board shall consist of five voting members, appointed by the Town Council in the following manner:

- One member of the Town Council as a voting ex-officio member.
- At least one member shall be an owner or occupant of real property within the development

district.

- All members shall be residents of Derry or owner or occupant of real property within the development district.

All members shall serve a three-year term on a staggered basis.

All vacancies will be filled by individuals selected by the Town Council.

#### IV. Officers

The Advisory Board shall elect the following officers at its first meeting:

- Chairperson shall preside at all meetings of the Advisory Board when he or she is present. The chair shall submit a report to the Town Council after the Advisory Board has met for 6 months.
- Vice chairperson shall assume all duties and powers of the chairperson in his or her absence. The Vice Chair shall assist the Chair in all Advisory Board planning and activities.
- Secretary shall keep minutes of all meetings and proceedings of the Advisory Board and record any action taken.

#### V. Meetings

The Advisory Board meetings shall be open to the public in accordance with NH RSA 91-A.

The time and place of each meeting shall be posted in accordance with these requirements.

All meetings will be held in accordance with the Derry Town Charter.

Three members shall constitute a quorum. Members shall make every effort to attend all meetings and perform such duties as are assigned. Any member unable to attend a meeting shall notify the Chair of the Advisory Board in advance whenever possible.

#### VI. Amendment

These by-laws may be amended any time through the Council's customary process for adopting resolutions, either by the Town Council independently or as may be requested by the Advisory Board and/or staff.