

TOWNSHIP OF LOWER MERION

Building & Planning Committee

Issue Briefing

Topic: Resolution to amend the Articles of Incorporation of the Ardmore Business District Authority “aka” Ardmore Initiative.

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Date: February 26, 2019

I. Action To Be Considered By The Board:

Adoption of a resolution authorizing the Ardmore Municipal District Authority known as the Ardmore Initiative (AI) to amend their Articles of Incorporation changing the number of board members.

II. Why This Issue Requires Board Consideration:

An Authority can amend its by-laws without the involvement of the municipality that created it. However, it can only amend the articles of incorporation with the approval of the municipality. The AI Board of Directors have amended their By-Laws to change the number of board members. Because the By-Laws change modifies the number of board members, the Articles of Incorporation also requires amendment, and that must be approved by the Township Board of Commissioners.

III. Current Policy or Practice (If Applicable):

The Board of Commissioners have generally approved amendment requests from AI in accord with the Articles of Incorporation. The last amendment approval was in 2007.

IV. Other Relevant Background Information:

On September 14, 1993, the Lower Merion Township Board of Commissioners executed Articles of Incorporation creating the Ardmore Business District Authority (AI) as a Pennsylvania Municipal Authority in compliance with the Municipalities Authorities Act of May 2, 1945, P.L. 382 as amended. Their current Articles of Incorporation identifies a Board of Directors consisting of less than seventeen members but more than eleven. The Municipal Authorities Act requires only that the number of directors be no fewer than five.

Following recommendations developed within the Ardmore Initiative Strategic Plan in 2018, the board amended their by-laws to change the number of board members from not more than fifteen (15) nor less than nine (9).

V. **Impact on Township Finances:**

There is no impact on Township finances.

VI. **Staff Recommendation:**

Staff recommends that the Board of Commissioners approve the resolution.