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Interlocal Agreement (ILA)

Background:

Charter Township of Avon, City of Rochester and Township of Oakland on January 20, 1983 joined together to establish Older Persons Commission under the Urban Cooperation Act through an Interlocal Agreement.

The three communities were futuristic in their thinking. The buzz words today in local government are cooperation and collaboration. Which was put into practice by the three communities 29 years ago.



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Purpose:

To provide activities and services for older persons including transportation and actions directed toward the improvement of social, health, housing, educational, emotional, nutritional, recreational and mobility status.



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Vision:

To be the premier community resource for the changing needs of older adults and those who love and care for them.

Mission:

To provide high quality programs and services that stimulate and advance active and healthy living for all ages of older persons.



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- **Governing Structure – as set under the 1983 Agreement – 7 member Governing Board:**
 - Two elected members from Charter Township of Avon.
 - Two older persons appointed by Avon Township Board.
 - One elected member of Rochester City Council.
 - One older person appointed by Rochester City Council.
 - One elected member of Charter Township of Oakland



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- Amended and Restated Agreement – 1985

- Oakland Township approves one-quarter mill (1/4). (Initially Oakland Township gave funding from General Fund)
- Charter Township of Avon incorporated into City of Rochester Hills
- Change to Governing Structure – adding an additional board member
 - One older person appointed by Oakland Township Board



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First Amendment – January 1988

- Change of registered address from 1275 West Avon Road to 1000 Rochester Hills Drive, Rochester Hills.
- Clarify Commission's authority to apply for and obtain grants.
 - **Accept funds, grants, voluntary work, or other assistance, from any source, public or private, including, but not limited to, local, state and federal, and private donations.**



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Second Amendment – October 1995

- Purpose – Incorporate previous amendments and new changes into one document.
 - New changes
 - Change in registered office to 312 Woodward Street, Rochester.
 - Treasurer – (previously City of Rochester Hills Treasurer) Shall have the responsibility of custody and control of all funds of the Commission. Treasurer to make a full and complete financial report to the Commission and to the governing bodies at the end of each fiscal year. Report shall include a complete audit by a CPA according to the audit requirements.



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Second Amendment – October 1995

- **Administration – Treasurer shall administer financial aspects of the Commission (previously City of Rochester Hills)**
 - Each of the parties shall pay their share of funding to OPC (previously to City of Rochester Hills)
- **Participation – Parties agree to participate in the activities and program and provide funds through 2002 (previously thru 1991)**
- **All other provisions of previous Amended and Restated are affirmed.**



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Recommending new changes to the ILA:

Purpose: For better operations and increase the effectiveness of OPC for the three communities.

Governing Structure – stays intact

Clarification of certain sections



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Recommended Changes

- **Article III – Section 6 QUORUM**
 - A majority of the Commission shall constitute a quorum (simply restates existing language)
- **Article III – Section 7 VOTING**
 - A majority of the votes cast is sufficient for adoption of any motion or taking of any official action.
- **Article III – Section 10 REGISTERED OFFICE**
 - 650 Letica Drive, Rochester, MI

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- **Article IV – POWERS**

- **SECTION 1.B. – Delete**

- ~~Subject to the approval of the governing bodies of each of the parties hereto, contract with any other governmental units, public agencies, or private persons or organizations, as appropriate, to carry out Commission functions or fulfill Commission obligations. Approval of the governing bodies of the parties hereto shall not be required for a contract with private persons or organizations when the contract involves less than \$3,000 in expenditures, or in an employment contract or for a purchase authorized in an approved budget, as provided herein.~~

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- Article IV – POWERS
 - SECTION 1.C. – Director changed to Executive Director.
 - SECTION 2. LIMITATIONS ON AUTHORITY
 - A. Annually, ~~by August 1, of each year,~~ **within 30 days of adoption,** the Commission shall submit its **approved and /or amended** budget to each of the parties participating in the program, which shall outline the programs to be carried on for the ensuing year, together with the costs projected for those programs. ~~Upon the approval of a budget the~~ commission shall be bound to carry on only such programs and expend such funds as approved in the budget for the ensuing year ~~by the parties hereto who are participating in the program.~~

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- Article V – FINANCE
 - SECTION 2. ANNUAL BUDGET
 - A. The budget shall be submitted to the clerks of each of the parties ~~hereto by August 1~~ of each year. ~~The governing bodies of each of the parties hereto shall review and either approve as presented or as modified, an identical budget, no later than October 1~~ of each year.

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- Article V – FINANCE
 - SECTION 3. TREASURER
 - A. ~~The Treasurer~~ **City of Rochester Hills**, shall have the responsibility of custody and control of all funds of the Commission.

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- Article V – FINANCE
 - SECTION 4. ADMINISTRATION
 - **A. The Treasurer shall administer the financial aspects of the Commission. All expenditures shall be approved by the Commission pursuant to ~~the~~ its budget ~~approved by the parties hereto,~~ and paid by the ~~City of Rochester Hills~~ **Treasurer** according to the methods and procedures established by the Commission.**

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- Article V – FINANCE
 - SECTION 4. ADMINISTRATION
 - **C. Each of the parties hereto shall pay to ~~the City of Rochester Hills, in advance, on a quarterly basis, one fourth of the funds to be provided to the Commission, on January 1, April 1, July 1, of each year~~ their share of the funding for the Older Person's Commission as taxes are collected according to the schedule established by the County for deposit of taxes ~~collected for public schools.~~**

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- ARTICLE VI – ON-GOING RESPONSIBILITIES & DISSOLUTION

- SECTION 1. PARTICIPATION

The parties hereto agree that they will participate in the activities and programs and provide funds on an on-going basis ~~for the period through 2002~~ consistent with a proposition approved by the electors in each of the governmental units, to finance transportation, activities and services for older persons and to operate, equip and maintain an Older Persons' Activity Center ~~to the extent of a levy up to one quarter mill on each dollar of State Equalized Valuation of all taxable property in the Township and the Cities.~~

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- ARTICLE VI – ON-GOING RESPONSIBILITIES & DISSOLUTION

- SECTION 1. TERMINATION OF PARTICIPATION

The parties hereto may terminate their membership only by giving ~~ninety (90) days~~ written notice to the Commission and the governing bodies of the parties hereto, no later than ~~May 1 of any year in which such~~ **One Hundred Eighty (180) days prior to the expiration of a millage voted to support the Commission. The termination shall be effective on the millage expiration date.** If notice of termination is given, that party shall remain liable for all obligations incurred by it pursuant to this Agreement, prior to the Actual termination and according to the budget approved for that fiscal year.

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- ARTICLE VI – ON-GOING RESPONSIBILITIES & DISSOLUTION
 - SECTION 3. DISSOLUTION

Notwithstanding anything contained or otherwise to the contrary, upon receiving the notice of membership termination.....remaining parties may agree to continue the Commission as contemplated in which event the remaining parties shall purchase from the terminating party, its percentage interest as established in Article II and the terminating party's notice shall not cause a dissolution of the Commission



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**Thank You for your leadership and
commitment to
OPC!**