

GAINESVILLE ENTERPRISE ZONE DEVELOPMENT AGENCY**BY-LAWS****ARTICLE I****Objectives**

The objectives and purposes of the Gainesville Enterprise Zone Development Agency of Gainesville, Alachua County, Florida, are those powers and duties delegated to the Agency by the Code of Ordinances for the City of Gainesville to carry out the economic development and redevelopment purposes of Chapter 290, Florida Statutes.

As stated in the Code of Ordinances, the Gainesville Enterprise Zone Development Agency shall consist of nine (9) members appointed by the City Commission. Each member shall be appointed for a term of four years and shall hold office until a successor has been appointed and qualifies, except the initial terms shall be staggered. Vacancies shall be filled by appointment of the Commission for the unexpired term of any member whose term becomes vacant.

ARTICLE II**Powers**

Section 1 The Agency shall have the following powers and responsibilities:

- (a) To assist in the development and implementation of the strategic plan;
- (b) To oversee and monitor the implementation of the strategic plan. The agency shall make quarterly reports to the City Commission evaluating the progress in implementing the strategic plan;
- (c) To identify and recommend to the City Commission ways to remove regulatory barriers;
- (d) To identify to the City Commission or other governments the financial needs of, and local resources or assistance available to eligible businesses in the zone;
- (e) To review, process, and certify applications for State enterprise zone tax incentives pursuant to ss. 212.08(5)(g), 212.08(5)(h), 212.08(15), 212.096, 220.181, and 220.182;
- (f) To provide assistance to businesses and residents within the enterprise zone;

- (g) To promote the development of the enterprise zone, including preparing, purchasing and distributing by mail or other means of advertising, literature and other materials concerning the enterprise zone and enterprise zone incentives;

Section 2

The Agency shall also have the following powers and responsibilities, which shall only be used upon approval of the City Commission:

- (h) To borrow money and apply for and accept advances, loans, grants, contributions, and any form of financial assistance from the Federal government or the state, County or other public body or from any sources, public or private for the purposes of this act, and to give such security as may be required and to enter into and carry out contracts or agreements in connection therewith; and to include in any contract for financial assistance with the Federal government for or with respect to the development of the enterprise zone and related activities such conditions imposed pursuant to federal laws as the governing body deems reasonable and appropriate which are not inconsistent with the purposes of this section;
- (i) To appropriate such funds and make such expenditures as are necessary to carry out the purposes of the act.
- (j) To make and execute contracts and other instruments necessary or convenient to the exercise of its powers under this section;
- (k) To procure insurance or require bond against any loss in connection with its property in such amounts and from such insurers as may be necessary or desirable;
- (l) To invest any funds held in reserves or sinking funds, or any funds not required for immediately disbursement, in such investments as may be authorized by the act;
- (m) To purchase, sell or hold stock, evidences of indebtedness and other capital participation instruments.

ARTICLE III

Membership and Procedure

Section 1

Number of Members - As stated in the Code of Ordinances, the Agency shall consist of nine (9) members appointed by the City Commission.

Section 2 Term - The term of office of the members shall be for four (4) years, except that, in making the initial appointments, the City Commission shall designate a member to serve for each of the following terms:

- (1) Two terms of three (3) years;
- (2) Two terms of two (2) years;
- (3) One term of one (1) year;

the remaining initial members shall serve for terms of four (4) years. Each term will expire on March 31 of its respective year. No member shall serve more than two consecutive four-year terms.

Section 3 Attendance - Any appointee of the City Commission to any Board, Commission, or Committee shall be automatically removed from any such Board, Commission, or Committee upon filing with the Clerk of Commission, the attendance record that indicates:

- (1) The board member has failed to attend four (4) or more consecutive **and or** two-thirds percent (66 2/3%) **meetings** for any ~~six~~ **twelve** month period. Tardiness and attendance will be determined based on the time indicated in the public notice of the meeting as being the starting time of the meeting. As used in this section, attendance means presence at the meeting no later than fifteen minutes after the meeting is scheduled to begin in accordance with the public notice. is called to order as verified by the secretary on the attendance record.
- (2) An excused absence is defined as an absence caused by a known conflict of which staff or the Chair has been notified by the member at least 24 hours in advance of the date for which the meeting was publicly noticed.

Section 4 Vacancies - Any vacancy shall be filled by appointment of the City Commission for the unexpired term of any member whose term becomes vacant.

ARTICLE IV

Officers and Their Duties

Section 1 The officers of the Agency shall consist of a Chair, Vice-Chair, Secretary, and Treasurer.

Section 2 The Chair shall preside at all meetings and hearings of the Agency and shall have the duties normally conferred by parliamentary usage on such officers. The Chair shall have the privilege of discussing all matters before the Agency and voting thereon.

Section 3 The Vice-Chair shall act for the Chair in the Chair's absence.

Section 4 It is the duty of the Secretary to provide adequate notice of each meeting to the Clerk of the Commission and Agency members to comply with Public notice rules prior to the meeting. The Secretary shall make, or cause to be made, the minutes of each meeting, and shall verify the attendance of Agency members at each meeting. The Secretary shall file the attendance record with the Clerk of the Commission as soon as practicable.

Section 5 The Treasurer shall have the duties normally conferred by parliamentary usage on such officers. The Treasurer shall monitor the funds of the Agency and make a full financial report at the annual meeting and as directed by the Agency.

Section 6 In the absence of the Chair and Vice-Chair, the quorum present shall select a Chair for the meeting.

ARTICLE V

Appointment and Election of Officers

Section 1 The City Commission shall designate a Chair and Vice-Chair from among the members of the Agency. Nomination of Secretary and Treasurer shall be made from the floor at the annual organization meeting which shall be held at a regular or special meeting in April of each year, and the elections shall follow immediately thereafter.

Section 2 A candidate receiving a majority vote of the entire membership of the Agency shall be declared elected and shall serve at the pleasure of the Agency or until a successor shall take office.

Section 3 Officers shall be seated immediately following their election or appointment.

Section 4 Vacancies in office shall be filled immediately by regular appointment or election procedures.

ARTICLE VI

Meetings

Section 1 Meetings shall be held at least ~~once per month~~ **every other month**, and at such additional times as deemed necessary for proper performance of Agency duties. The meetings will be for the purpose of hearing all items of public business; exercising the powers of the Agency; and fulfilling the responsibilities of the Agency as listed in the City of Gainesville Code of Ordinances and Chapter 290 of the Florida Statutes.

Section 2 A majority of the membership of the Board, five (5) members, shall constitute a quorum. Action may be taken by the Agency upon a vote of a majority of the members present.

Section 3 Special meetings may be called by the Chair. It shall be the duty of the Chair to call a special meeting when requested to do so in writing by a majority of the members of the Board. The notice of a special meeting shall specify the purpose of the meeting and no other business may be considered except by unanimous consent of the Board. All members of the Board shall be notified in advance of such special meetings.

ARTICLE VII

Order of Business

Section 1 The order of business at regular meetings shall be:

- (a) Roll Call
- (b) Adoption of Agenda
- (c) Approval of Minutes of Previous Meeting
- (d) Requests to Address the Board
- (e) Communications
- (f) Report of Officers and Committees
- (g) Old Business
- (h) New Business
- (i) Adjournment

ARTICLE VIII

Hearings

Section 1 The Agency may at its discretion hold public hearings when it decides that such hearings will be in the public interest.

Section 2 Notice of such hearings shall be published in the official newspaper of the municipality or in a newspaper of general circulation at least ten days before the time of public hearings.

Section 3 A record shall be kept of those speaking before the Agency.

ARTICLE IX

Section 1 The ~~Business and Industry Development Manager~~ Economic Development Director or designee shall act as clerk or administrative agent for the Agency. The ~~Business and Industry Development Manager~~ Economic Development

Director or designee shall keep the minutes of all meetings, prepare agendas, provide notices for all meetings, arrange proper and legal notice of hearings, attend to correspondence of the Agency, submit all reports as required by Florida Statute 290 and the City of Gainesville Code of Ordinances, and attend to such other duties as are normally carried out by the Secretary.

ARTICLE X

Section 1 These rules may be amended by a favorable vote of six (6) members of the Agency.

ARTICLE XI

Section 1 Parliamentary procedure in Agency meetings shall be governed by Robert's' Rules of Order.

Approved by the City Commission October 23, 1995.

Amended per December 18, 1996 meeting on February 5, 1997.

Amended per Agency direction at December 8, 2004 meeting.