

ORDINANCE 2001-25

AN ORDINANCE CREATING THE ENTERPRISE ZONE DEVELOPMENT AGENCY (EZDA) OF HERNANDO COUNTY, FLORIDA IN ACCORDANCE WITH SECTION 290.0056, FLORIDA STATUTES.

FILED
2001 DEC 25 PM 1:21
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

- SECTION 1: PROVIDING FOR CREATION OF EZDA
- SECTION 2: PROVIDING FOR EZDA RESPONSIBILITIES
- SECTION 3: PROVIDING FOR MEMBER APPOINTMENTS
- SECTION 4: PROVIDING FOR EXERCISE OF POWERS
- SECTION 5: PROVIDING FOR MEMBER TERMS OF OFFICE
- SECTION 6: PROVIDING FOR MEMBER NON-COMPENSATION
- SECTION 7: PROVIDING FOR MEMBER REMOVAL
- SECTION 8: PROVIDING FOR EZDA FINANCIAL AND OPERATIONS REPORTS
- SECTION 9: PROVIDING FOR EFFECTIVE DATE

WHEREAS, Chapter 290, Florida Statutes, known as the "Florida Enterprise Zone Act of 1994" provides for the creation of an Enterprise Zone for areas with chronic and unacceptable economic problems; and

WHEREAS, Section 290.002, Florida Statutes, finds that revitalization of such areas can occur only if the private sector can be induced to invest; and

WHEREAS, businesses within an Enterprise Zone are eligible to receive tax credits, exemptions, and refunds, in exchange for the providing of jobs and property rehabilitation; and

WHEREAS, an Enterprise Zone Strategic Revitalization Plan has been created to assist these businesses in the economic development of the area and; and

WHEREAS, Section 290.0056, Florida Statutes provides for the creation of an Enterprise Zone Development Agency to implement that Enterprise Zone Strategic Revitalization Plan.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Creation of EZDA.

The Enterprise Zone Development Agency (EZDA) is hereby created as a joint endeavor of the City of Brooksville and Hernando County, Florida, pursuant to Section 290.0056, Florida Statutes.

Section 2. EZDA Responsibilities.

The EZDA shall have the following powers and responsibilities including but not limited to:

- (1) Implementing the Enterprise Zone Strategic Revitalization Plan.
- (2) Making quarterly reports to the governing body evaluating the progress in implementing the Strategic Revitalization Plan.
- (3) Identifying and recommending to the governing body ways to remove regulatory barriers
- (4) Identifying the financial needs and resources available to eligible businesses in the Enterprise Zone.
- (5) Any other power or responsibility granted or authorized by Florida Statutes 290.0056 or any other law as may be enacted from time to time.

Section 3. Member Appointments.

A Board of Commissioners of the EZDA shall be appointed consisting of nine (9) members. The membership shall consist of at least one (1) representative from each of the following:

- (1) The businesses operating within the nominated area
- (2) The residents residing within the nominated area
- (3) Local financial or insurance agencies
- (4) Local law enforcement
- (5) Local code enforcement
- (6) The local private industry council or workforce development board
- (7) Nonprofit community-based organizations operating within the nominated area
- (8) Local chamber of commerce

The governing body shall designate a chair and vice-chair from among the commissioners.

Section 4. Exercise of Powers.

The powers of the Enterprise Zone Development Agency shall be subject to Section 290.0056, Florida Statutes and Chapter 290, Florida Statutes. A majority of the commissioners constitutes a quorum for the purpose of conducting business and exercising the powers of the agency and for all other purposes. The powers of the Enterprise Zone Development Agency shall be exercised by the commissioners.

Section 5. Member Terms of Office.

The terms of office of the commissioners shall be for four (4) years, except that, in making the initial appointments, the governing body shall appoint:

- (1) Two members for terms of three years
- (2) Two members for terms of two years
- (3) One member for a term of one year, and
- (4) The remaining initial members shall serve for terms of four (4) years.

A vacancy occurring during a term shall be filled for the unexpired term. The importance of minority representation on the agency shall be considered in making appointments so that the agency generally reflects the gender and ethnic composition of the community as a whole.

Each commissioner shall hold office until a successor has been appointed and has qualified. A certificate of the appointment or reappointment of any commissioner shall be filed with the clerk of the county. The certificate is conclusive evidence of the due and proper appointment of the commissioner.

Section 6. Member Non-compensation.

Appointed commissioners of the EZDA shall receive no compensation for their services, but is entitled to the necessary expenses, including travel expenses, incurred in the discharge of their duties.

Section 7. Member Removal.

The governing body may remove a commissioner for inefficiency, neglect of duty, or misconduct in office only after a hearing and only if the commissioner has been given a copy of the charges at least ten (10) days prior to the hearing and has had an opportunity to be heard in person or by counsel.

Section 8. EZDA Financial and Operations Reports.

The Enterprise Zone Development Agency shall file with the governing body and the Auditor General of Florida, on or before March 31 of each year, a report of its activities for the preceding fiscal year. This report shall include a complete financial statement setting forth its assets, liabilities, income, and operating expenses as of the end of such fiscal year. At the time of filing the report, the EZDA shall publish in a newspaper of general circulation in the community a notice to the effect that such report has been filed and is available for inspection during business hours in the office of the clerk.

Also, prior to December 1st of each year, the EZDA shall submit to the Florida Office of Tourism, Trade, and Economic Development, (OTTED) a complete and detailed written report setting forth:

- (1) Its operations and accomplishments during the fiscal year.
- (2) The accomplishments and progress concerning implementation of the Enterprise Zone Strategic Revitalization Plan.
- (3) The number and types of businesses assisted by the EZDA during the fiscal year.
- (4) The number of jobs created within the Enterprise Zone during the fiscal year.
- (5) The use and revenue impact of state and local incentives granted during the calendar year.
- (6) Any other information required by the office

Section 9. Effective Date.

This Ordinance shall become effective upon receipt of the official acknowledgment from the office of the Secretary of State of Florida that this Ordinance has been filed with said office.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS IN REGULAR SESSION THIS 18TH DAY OF DECEMBER 2001.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA


CHRISTOPHER A. KINGSLEY, CHAIRMAN

ATTEST 
KAREN NICOLAI, CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY 
County Attorney's Office