

# MANATEE COUNTY GOVERNMENT

## AGENDA MEMORANDUM

<b>SUBJECT</b>	Palmetto/North Manatee County EZDA	<b>TYPE AGENDA ITEM</b>	Appointment
<b>DATE REQUESTED</b>	December 7, 2010	<b>DATE SUBMITTED/REVISED</b>	November 24, 2010
<b>BRIEFINGS? Who?</b>	None	<b>CONSEQUENCES IF DEFERRED</b>	Delay in appointment
<b>DEPARTMENT/DIVISION</b>	Neighborhood Services Dept. Neighborhood Planning Div.	<b>AUTHORIZED BY TITLE</b>	Cheri R. Coryea, Director <i>Cheri 11/17/10</i>
<b>CONTACT PERSON TELEPHONE/EXTENSION</b>	Debbie DeLeon/Jeanne Watkins Ext. 3029	<b>PRESENTER/TITLE TELEPHONE/EXTENSION</b>	Cheri R. Coryea, Director Ext. 3468
<b>ADMINISTRATIVE APPROVAL</b>		<i>[Signature]</i>	

<b>ACTION DESIRED</b> INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED
Appointment of Commissioner Michael Gallen, District 2, to the Palmetto/North Manatee County Enterprise Zone Development Agency (EZDA).

<b>ENABLING/REGULATING AUTHORITY</b>
Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy
F.S. 290.056 – Creation of EZDA and Ordinance 08-24, Establishment of EZDA

<b>BACKGROUND/DISCUSSION</b>
<ul style="list-style-type: none"> <li>Florida Statute 290.056 provides for the creation of the EZDA.</li> <li>2/26/08 Manatee County adopted Ordinance 08-24 which established and defined the representation for the EZDA.</li> <li>Seat 1 is for the Commissioner representing District Two or, if the Manatee County Commissioner representing District Two is unable to serve, a County Commissioner elected at large may serve.</li> <li>Former Commissioner Gwen Brown previously served in this capacity and it is requested that Commissioner Gallen be appointed to fill this seat at this time.</li> </ul>

<b>COUNTY ATTORNEY REVIEW</b>	
<b>Check appropriate box</b>	
<input type="checkbox"/>	<b>REVIEWED</b> Written Comments: <input type="checkbox"/> Attached <input type="checkbox"/> Available from Attorney (Attorney's initials)
<input checked="" type="checkbox"/>	<b>NOT REVIEWED (No apparent legal issues.)</b> <div style="text-align: right;">                     APPROVED IN OPEN SESSION                      DEC 07 2010                      BOARD OF COUNTY COMMISSIONERS                      MANATEE COUNTY, FLORIDA                 </div>
<input type="checkbox"/>	<b>NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)</b>
<input type="checkbox"/>	<b>OTHER</b>

<b>ATTACHMENTS:</b> (List in order as attached)	<b>INSTRUCTIONS TO BOARD RECORDS:</b>	
Ordinance 08-24	N/A	
<b>COST:</b> No Cost to County	<b>SOURCE (ACCT # &amp; NAME):</b>	N/A
<b>COMMENTS:</b>	<b>AMT./FREQ. OF RECURRING COSTS:</b> (ATTACH FISCAL IMPACT STATEMENT)	

FILED FOR RECORD  
R. B. SHORE

ORDINANCE 08-24

2008 MAR -6 AM 11: 33

CLERK OF THE CIRCUIT COURT  
MANATEE CO. FLORIDA

AN ORDINANCE OF MANATEE COUNTY, FLORIDA,  
AMENDING SECTIONS 2-2-91 AND 2-2-92 OF THE CODE  
OF LAWS OF MANATEE COUNTY TO RE-ESTABLISH  
THE PALMETTO/NORTH MANATEE COUNTY  
ENTERPRISE ZONE DEVELOPMENT AGENCY;  
AMENDING SECTION 2-2-91; PROVIDING FOR A BOARD  
OF COMMISSIONERS; AND REPEALING AND  
SUPERSEDING MANATEE COUNTY ORDINANCES 95-50,  
96-39 AND 96-49; AND PROVIDING AN EFFECTIVE DATE.

DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

2008 MAR -3 AM 9: 41

FILED

WHEREAS, Manatee County has previously established the Palmetto/North Manatee County Enterprise Zone Development Agency as provided by Ordinance 95-50, and 96-39 and 96-49 and

WHEREAS, the City of Palmetto and Manatee County have reapplied for re-designation of the Palmetto/North Manatee County Enterprise Zone, effective January 1, 2006 through December 31, 2015 and received enterprise zone status for the area identified by Manatee County Board of County Commissioners Resolution 05-212 and the City of Palmetto Resolution 05-62; and

WHEREAS, the Board of County Commissioners of Manatee County has determined that it is necessary and in the best interest of the enterprise zone to expand the categories from which commissioners may be appointed and to re-establish the Palmetto/North Manatee County Enterprise Zone Development Agency.

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

Section 1. Sections 2-2-91 and 2-2-92 of the Code of Laws of Manatee County are amended to provide as follows:

Section 2-2-91. Creation and organization.

- (a) An Enterprise Zone Development Agency to be known as the Palmetto/North Manatee County EZDA is hereby re-established.
- (b) The Palmetto/North Manatee County EZDA shall be governed by a thirteen (13) member Board of Commissioners. Where possible, the Board of County Commissioners of Manatee County may appoint at least one member from the following categories:

- the local Chamber of Commerce;
- local financial or insurance entities;
- business owners operating in the zone;

- residents of the zone;
- non-profits operating in the zone;
- the Suncoast Workforce Board;
- a Code Enforcement employee or a supervisor of Code Enforcement for the City of Palmetto;
- the City of Palmetto Police Department;
- Manatee County Sheriff's Office;
- The Manatee County Commissioner representing District Two or, if the Manatee County Commissioner representing District Two is unable to serve, a County Commissioner elected at-large;
- The City of Palmetto Commissioner representing Ward One; or if the City of Palmetto Commissioner is unable to serve, a Commissioner elected at-large;
- the Palmetto Community Redevelopment Agency.

In making appointments, the importance of including individuals from within the zone shall be considered as well as the importance of minority representation so that the agency generally reflects the gender and ethnic composition of the community as a whole.

- (c) The terms of office of the Commissioners shall be for four (4) years, except the Manatee County Board of County Commissioners, in making the initial appointments, shall appoint two (2) Commissioners for a term of three (3) years, two (2) Commissioners for a term of two (2) years and one (1) Commissioner for a term of one (1) year.
- (d) A vacancy occurring during a term shall be filled for the unexpired term. 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 and the certificate is conclusive evidence of the due and proper appointment of the Commissioner.
- (e) The powers of the Palmetto/North Manatee County EZDA shall be exercised by the Commissioners. 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. Action may be taken by the agency upon a vote of a majority of the Commissioners present, unless in any case the bylaws require a large number.
- (f) The Manatee County Board of County Commissioners may remove a Commissioner for inefficiency, neglect of duty, or misconduct in the office 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. Any Commissioner whose relationship, with respect to the category provided in (b) above, is terminated, either permanently or temporarily, shall be deemed to have created a vacancy and the Manatee County Board of County

Commissioners may appoint a new Commissioner for the unexpired term or for the period of the vacancy.

Section 2-2-92. Operation.

- (a) The Palmetto/North Manatee County EZDA shall have powers and responsibilities provided under Section 290.006(8), Florida Statutes.
- (b) The Manatee County Board of County Commissioners shall have the powers and responsibilities provided in Section 290.006(9), Florida Statutes.
- (c) The Palmetto/North Manatee County EZDA shall file such reports and perform any other duties and/or services required by law and may perform the duties prescribed in subsection (a)(5) above in Section 290.0056(9), Florida Statutes, and any other applicable provisions of law as may be delegated to the Palmetto/North Manatee County EZDA by resolution of the Manatee County Board of County Commissioners.
- (d) The Clerk of the Circuit Court shall serve as Clerk to the EZDA as it serves as Clerk to the Manatee County Board of County Commissioners.
- (e) The Palmetto/North Manatee County EZDA shall adopt bylaws for the transaction of its business, and shall keep a record of its transactions, attendance and voting records of its Commissioners, which record shall be a public record.
- (f) Pursuant to Section 290.0056, Florida Statutes, the Palmetto/North Manatee County EZDA is a public body corporate and politic and as a public instrumentality all actions of the agency shall be in accordance with applicable law, to include, but not limited to the Florida Public Records Law (Chapter 1189, Florida Statutes) and the Florida Government-in-the Sunshine Law (Section 286.011, Florida Statutes).

Section 2. Ordinances 95-50, and 96-39 and 96-49 are hereby repealed and superseded by this Ordinance.

Section 3. This Ordinance shall take effect upon the filing with the Department of State.

ADOPTED with a quorum present and voting this the 26<sup>th</sup> day of February 2008.

ATTEST: R. B. SHORE  
Clerk of the Circuit Court

By: [Signature]  
Deputy Clerk



BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

By: [Signature]  
Chairman



STATE OF FLORIDA, COUNTY OF MANATEE  
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.  
Witness my hand and official seal this 27<sup>th</sup> day of February, 2008  
R.B. SHORE  
Clerk of Circuit Court  
By: [Signature] D.C.

**MANATEE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

<b>SUBJECT</b>	Draft 2009-10 Consolidated Annual Performance and Evaluation Report (CAPER) Public Hearing	<b>TYPE AGENDA ITEM</b>	Public Hearing - Presentation upon request
<b>DATE REQUESTED</b>	December 7, 2010	<b>DATE SUBMITTED/REVISED</b>	November 24, 2010
<b>BRIEFINGS? Who?</b>	None	<b>CONSEQUENCES IF DEFERRED</b>	Sanctions from the U.S. Department of Housing and Urban Development and possible loss of future funding.
<b>DEPARTMENT/DIVISION</b>	Neighborhood Services Department/ Community Development Division	<b>AUTHORIZED BY TITLE</b>	Cheri R. Coryea Director <i>CRC 11/17/10</i>
<b>CONTACT PERSON TELEPHONE/EXTENSION</b>	Suzie Dobbs Ext. 3937	<b>PRESENTER/TITLE TELEPHONE/EXTENSION</b>	Suzie Dobbs - Community Development Manager Ext. 3937 <i>[Signature]</i>
<b>ADMINISTRATIVE APPROVAL</b>		<i>[Signature]</i>	

**ACTION DESIRED**  
INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED

Public hearing to receive citizen comments on the Community Development Block Grant and Home Investment Partnership Program draft 2009/2010 Consolidated Annual Performance and Evaluation Report (CAPER).

**ENABLING/REGULATING AUTHORITY**  
Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy

24 CFR 91.520

**BACKGROUND/DISCUSSION**

Continued on Page 2 **APPROVED IN OPEN SESSION**

<b>COUNTY ATTORNEY REVIEW</b>		DEC 07 2010
<b>Check appropriate box</b>		<b>BOARD OF COUNTY COMMISSIONERS MANATEE COUNTY, FLORIDA</b>
<input type="checkbox"/>	<b>REVIEWED</b> <b>Written Comments:</b> <input type="checkbox"/> Attached <input type="checkbox"/> Available from Attorney (Attorney's initials: _____)	
<input checked="" type="checkbox"/>	<b>NOT REVIEWED (No apparent legal issues.)</b>	
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