

**261—59.4 (15E) Enterprise zone commission.** Following notice of enterprise zone certification by the board, the applicant city or county shall establish an enterprise zone commission. The commission shall review applications from eligible businesses and eligible housing businesses located in the zone and forward approved applications to the department for final review and approval. A county eligible to designate enterprise zones which contains a city which is eligible to designate enterprise zones, upon mutual agreement between the board of supervisors and the city council and in consultation with the department, may elect to establish one enterprise zone commission to serve both the county and the city.

**59.4(1) Commission composition.**

*a. County enterprise zone commission.* A county shall have only one enterprise zone commission to review applications for incentives and assistance for businesses (including eligible housing businesses) located or requesting to locate within a certified enterprise zone. The enterprise zone commission shall consist of nine members. Five of these members shall be comprised of:

- (1) One representative of the county board of supervisors,
- (2) One member with economic development expertise selected by the department,
- (3) One representative of the county zoning board,
- (4) One member of the local community college board of directors, and
- (5) One representative of the local workforce development center selected by the Iowa workforce development department unless otherwise designated by a regional advisory board.

The five members identified above shall select the remaining four members. If the enterprise zone is located in a county that does not have a county zoning board, the representatives identified in 59.4(1) “a”(1), (2), (4), and (5) shall select an individual with zoning expertise to serve as a member of the commission.

*b. City enterprise zone commission.* A city in which an eligible enterprise zone is certified shall have only one enterprise zone commission. A city which includes at least three census tracts with at least 50 percent of the population in each census tract located in the city, as shown by the 2000 federal census, in which an eligible enterprise zone is certified shall establish an enterprise zone commission to review applications from qualified businesses located within or requesting to locate within an enterprise zone to receive incentives or assistance. The commission shall consist of nine members. Six of these members shall consist of:

- (1) One representative of an international labor organization,
- (2) One member with economic development expertise chosen by the department of economic development,
- (3) One representative of the city council,
- (4) One member of the local community college board of directors,
- (5) One member of the city planning and zoning commission, and
- (6) One representative of the local workforce development center selected by the Iowa workforce development department unless otherwise designated by a regional advisory board.

The six members identified above shall select the remaining three members. If the enterprise zone consists of an area meeting the requirements for eligibility for an urban enterprise community under Title XIII of the federal Omnibus Budget Reconciliation Act of 1993, one of the remaining three members shall be a representative of that community. If a city contiguous to the city designating the enterprise zone is included in an enterprise zone, a representative of the contiguous city, chosen by the city council, shall be a member of the commission.

**59.4(2) Department review of composition.**

*a.* Once a county or city has established an enterprise zone commission, the county or city shall provide the department with the following information to verify that the commission is constituted in accordance with the Act and these rules:

- (1) The name and address of each member.
- (2) An identification of what group the member is representing on the commission.
- (3) Copies of the resolution or other necessary action of a governing body, as appropriate, by which a member was appointed to the commission.
- (4) Any other information that the department may reasonably request in order to permit it to determine the validity of the commission's composition.

*b.* If a city has established an enterprise zone commission prior to July 1, 1998, the city may petition to the department of economic development to change the structure of the existing commission. A petition to amend the structure of an existing city enterprise zone commission shall include the following:

- (1) The names and addresses of the members of the existing commission.
- (2) The date the commission was approved by the department.
- (3) The proposed changes the city is requesting in the composition of the commission.
- (4) Copies of the resolution or other necessary action of a governing body, as appropriate, by which a member was appointed to the commission.

**59.4(3)** *Commission policies and procedures.* Each commission shall develop policies and procedures which shall, at a minimum, include:

- a.* Processes for receiving and evaluating applications from qualified businesses seeking to participate within the enterprise zone; and
- b.* Operational policies of the commission such as meetings; and
- c.* A process for the selection of commission officers and the filling of vacancies on the commission; and
- d.* The designation of staff to handle the day-to-day administration of commission activities.
- e.* Additional local eligibility requirements for businesses, if any, as discussed in subrule 59.9(1).