

CHAPTER 151: ECONOMIC DEVELOPMENT

Section

- 151.01 Purpose and findings
- 151.02 Economic Development Commission; authority of Commission
- 151.03 Powers of city
- 151.04 Funds
- 151.05 Geographical limits of city authority
- 151.06 Cooperation with other economic development agencies

§ 151.01 PURPOSE AND FINDINGS.

(A) It is hereby declared that the economic growth and development of the city is dependent upon attracting new enterprises to the city and its surrounding area, the retention and development of existing enterprises, and the promotion of job-creation activities and enterprises.

(B) To accomplish such purposes it is declared that the city shall discover, acquire, and use money or other property from all lawful sources, accept contributions, grants, gifts, services, or other assistance from the federal or state governments, and provide and use the funds and resources of the city for such purposes.

(C) The objectives and purposes as set forth in this chapter are hereby declared to be a public purpose for the city.
(’75 Code, § 19.800) (Ord. 1049.84, passed 7-12-84; Am. Ord. 1062.88, passed 1-7-88)

§ 151.02 ECONOMIC DEVELOPMENT COMMISSION; AUTHORITY OF COMMISSION.

(A) *Economic Development Commission.*

(1) *Composition.* There is hereby created an Economic Development Commission consisting of five Commissioners appointed by the City Council, two of whom shall initially serve for a term of four years, and the remainder for terms of one, two, and three years, respectively. Thereafter, all Commissioners shall be appointed for four-year terms. Each vacancy in an unexpired term shall be filled in the same manner in which the original appointment was made. Members of the City Council shall be eligible to serve as Commissioners. All Commissioners shall serve without compensation, but shall be entitled to receive necessary expenses, including travel expenses, included in the performance of their duties.

(2) *Organization, meetings, and the like.* The Commission shall select a Chairperson and a Secretary from among its Commissioners to serve for a one-year term and shall adopt such rules for the conduct of its affairs as it deems appropriate. It shall meet upon the call and notice of its Chairperson.

(3) *Purposes and powers of Commission.*

(a) The Commission shall initiate, receive, discover, propose, and recommend economic or job-development projects for the city and its surrounding area.

(b) The Commission shall consider and receive proposals for economic or job-development projects within the city or its surrounding area.

(c) The Commission shall discover resources and methods to provide funding and other assistance to accomplish the purposes of this chapter.

(d) The Commission shall do any and all other things necessary and proper to carry out and fulfill the purposes of this chapter.

(e) The Commission shall act only in an advisory capacity to the City Council and shall have no power to legislate or transact any business for the city.

(B) *Authority of Commission.* The Council of the city shall have the sole and exclusive authority in carrying out the provisions of this chapter and the Economic Development Commission created hereunder shall act only in an advisory capacity to the City Council and said Commission shall have no authority to transact any business for and in behalf of the city, legislate any matters for or in behalf of the city, or legally bind or commit the city in any matters, act, or thing in carrying out its duties as provided for herein. ('75 Code, §§ 19.801 and 19.805) (Ord. 1049.84, passed 7-12-84; Am. Ord. 1062.88, passed 1-7-88)

§ 151.03 POWERS OF CITY.

The city is hereby authorized to exercise all powers necessary or convenient to carry out the purposes of this chapter and shall also have the following powers in addition thereto:

(A) To promote and assist in projects, programs, activities, and enterprises for economic development and growth for the city and its surrounding areas;

(B) To encourage and assist in the retention and development of existing enterprises in the city and its surrounding area;

(C) To promote and assist in job-creation enterprises in the city and its surrounding area;

(D) To acquire real and personal property or any interest therein by gift, grant, purchase, exchange, lease, transfer, bequest, devise, or otherwise, and also to acquire real estate by eminent domain to accomplish the purposes of this chapter;

(E) To cooperate with industrial development corporations, state and federal agencies, and private persons or corporations in its effort to promote and accomplish the purposes of this chapter;

(F) To conduct studies and investigations for the purpose of obtaining information concerning enterprises, activities, projects, and proposals relating to the purposes of this chapter;

(G) To cooperate with and act as agent for the federal government, the state, and any other state public body or any agency or instrumentality thereof in carrying out the provisions of this chapter or any related federal, state, or local legislation;

(H) To consider the recommendations and proposals of the Economic Development Commission created herein and also to refer all matters it deems necessary to said Commission for its consideration, study, recommendations, or other appropriate action;

(I) To sell, transfer, convey, or otherwise dispose of real or personal property or any interest therein, and to execute such leases, deeds, conveyances, negotiable instruments, purchase agreements, and other contracts or instruments and take such other action as may be necessary to carry out the purposes of this chapter. This chapter shall constitute authority to sell or otherwise transfer real estate to accomplish the purposes of this chapter without enactment of any other ordinance to authorize the sale of real estate;

(J) To make loans on such terms and conditions as may be approved by the City Council to accomplish the purposes of this chapter.
(‘75 Code, § 19.802)

§ 151.04 FUNDS.

(A) The city shall have authority to discover, acquire, use, and disburse funds and property from all lawful sources to carry out the purposes of this chapter, including but not limited to the acceptance of contributions, grants, gifts, services, or other assistance from federal or state governments or their respective agencies or instrumentalities.

(B) The city shall have authority to use and disburse its funds to accomplish the purposes of this chapter, except as prohibited by the City Charter or the laws of the state.

(C) The city shall establish an Economic Development Revolving Loan Fund for the purpose of providing a separate fund for the deposit of all funds to be used for the making of loans under this chapter and for the deposit of all payments made on such loans and to provide an accounting therefrom.
(‘75 Code, § 19.803) (Ord. 1049.84, passed 7-12-84; Am. Ord. 1062.88, passed 1-7-88)

§ 151.05 GEOGRAPHICAL LIMITS OF CITY AUTHORITY.

The city shall have authority to engage in projects and enterprises under the provisions of this chapter within the enterprises under the provisions of this chapter within the geographical limits of the city as well as its surrounding area, provided, however, that the City Council shall make a specific finding by resolution that such projects and enterprises located outside of the

geographical limits of the city are for the economic development and growth of the city as contemplated and intended by the provisions of this chapter.

('75 Code, § 19.804) (Ord. 1049.84, passed 7-12-84; Am. Ord. 1062.88, passed 1-7-88)

§ 151.06 COOPERATION WITH OTHER ECONOMIC DEVELOPMENT AGENCIES.

The Economic Development Commission and the city shall cooperate with all other local agencies in carrying out the purposes of this chapter, to specifically include the Future Development Committee, the Benson Industrial Development Corporation, and the Benson Area Chamber of Commerce, and the city does solicit their cooperation and assistance in achieving these objectives.

('75 Code, § 19.806) (Ord. 1049.84, passed 7-12-84; Am. Ord. 1062.88, passed 1-7-88)