

(i) The principal economic interests of the proposed district or EDD, including business, industry, finance, transportation, utilities, the professions, labor, agriculture, Federal and State recognized American Indian tribes and education. In meeting this requirement, the representatives of the principal economic interests may be private citizens, part-time elected officials, or minority representatives also selected under paragraph (c)(1)(ii) of this section;

(ii) Minority and low-income populations whose representatives may be private citizens, elected officials, or government employees; and

(iii) Representatives of the unemployed and underemployed who may also be minority representatives selected under paragraph (c)(1)(ii) of this section.

(2) There is at least a simple majority of its membership who are elected officials and/or employees of a general purpose unit of local government who have been appointed to represent the government.

(i) Where appointment of local government members is not otherwise provided for by the district organization charter or by-laws, each county and major unit of local government which joins the proposed district or EDD shall name an elected official or an employee to represent it.

(ii) Where appropriate to their non-governmental occupations, part-time elected officials may also represent the principal economic interests.

(3) There is at least one-fifth of its membership who are private citizens who are neither elected officials of a general purpose unit of local government nor employees of such a government who have been appointed to represent that government.

(i) The district organization shall demonstrate that persons fulfilling this requirement represent the interests of groups listed in paragraphs (c)(1)(i) or (iii) of this section. Minority and low-income representatives who meet these criteria may be counted toward the fulfillment of the private citizen requirement.

(ii) Except where these private citizens are also selected as minority/low-income representatives under para-

graph (c)(1)(ii) of this section, these representatives shall be appointed by the governing bodies of the counties actively participating in the district organization or as otherwise provided in the district organizational charter and by-laws.

(d) Staff support is provided as follows:

(1) The district organization shall be assisted by a professional staff drawn from qualified persons in planning, economics, business administration, engineering and related disciplines.

(2) EDA may provide planning grants to economic development districts to employ professional staff in accordance with part 307 of this chapter.

(e) District organizations shall provide access for persons who are not members of the district organization to make their views known concerning ongoing and proposed district activities of the proposed district or EDD in accord with the following requirements:

(1) The district organization shall conduct meetings open to the public at least once a year and shall also publish the date and agenda of the meeting at least four weeks in advance to allow the public a reasonable time to prepare to participate effectively in the meetings.

(2) The district organization shall adopt a system of parliamentary procedures to assure that board members and others have access to and an effective opportunity to participate in the affairs of the proposed district or EDD.

(3) Information should be provided sufficiently in advance of public decisions to give the public adequate opportunity to review and react to proposals. District organizations should seek to relate technical data and other material to the public so that they may understand the impact of public programs, available options and alternative decisions.

[60 FR 49678, Sept. 26, 1995, as amended at 61 FR 7982, Mar. 1, 1996]

#### **§ 302.5 District organization functions and responsibilities.**

(a) District organizations must arrange to carry out two classes of functions and responsibilities: Those which every EDD must carry out (paragraph

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(b) of this section), and those which EDDs receiving grants must carry out (paragraph (c)).

(b) Subject to the requirements of §302.4, district organizations are responsible for seeing that the following functions are provided for on a continuing basis:

(1) Organizational actions, including:

(i) Arranging the legal form of organization which will be used;

(ii) Arranging for the membership of the governing body to meet §302.4 requirements;

(iii) Recruiting staff to carry out the economic development functions;

(iv) Establishing a management system;

(v) Contracting for services to carry out district functions;

(vi) Establishing and directing activities of economic development subcommittees; and

(vii) Submitting reports as determined by EDA to comply with civil rights requirements under part 317 of this chapter.

(2) Actions to develop and maintain the required district OEDP, and any subsequent supplements or revisions, including:

(i) Preparing the analytic, strategic and implementation components of the OEDP;

(ii) Identifying growth centers, i.e., economic development centers and redevelopment centers, and any later boundary modifications;

(iii) Adopting the OEDP by formal action of the EDD governing board;

(iv) Submitting the OEDP, any supplements or revisions and annual reports for reviews by appropriate governmental bodies and interested organized groups, and attaching dissenting opinions and comments received; and

(v) Submitting to EDA an approvable OEDP.

(3) Preparation of proposals that EDA take actions which:

(i) Establish or change the designation status of the district or its growth centers; or

(ii) Affect economic development projects available to the EDD.

(4) Coordination and implementation of economic development activities in the district, including:

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(i) Assisting other eligible units within the district to apply for grant assistance for economic development purposes;

(ii) Carrying out economic development related research, planning, implementation and advisory functions as are necessary and helpful to the coordination with other local, State, Federal, and private organizations, and as are necessary and helpful to the development and implementation of the OEDP;

(iii) Coordinating the development and implementation of the OEDP with other local, State, Federal and private organizations (including minority organizations); and

(iv) Carrying out the annual OEDP plan for implementation.

### **§302.6 Coordination with state and local organizations.**

EDA shall cooperate with state and local organizations in accordance with §403 of PWEDA.

### **§302.7 Modification of district boundaries.**

EDA (with concurrence of the State or States affected, unless such concurrence is waived by EDA) may modify the boundaries of a district consistent with standards for authorizing new districts set forth in §302.1, if it determines that such modification will contribute to a more effective program for economic development.

### **§302.8 Termination and suspension of district designation.**

EDA may, upon 30 days prior notice, terminate the designation status of an economic development district:

(a) When the district no longer meets the standards for designation as set forth in §302.2 (a), (b), (c), (d), (f), or (g); or §302.2(e), except that district designation status may be continued if those counties which would maintain their commitment to support economic development activities are determined by EDA to meet the other standards of §302.2 and the standards of §302.1;

(b) When a district has not maintained a currently approved OEDP in accordance with part 303 of this chapter;