

1 Introduced by the Council President at the request of the Mayor:
2
3

4 **ORDINANCE 2024-362**

5 AN ORDINANCE APPROPRIATING \$100,000 FROM THE
6 NORTHWEST OED FUND - MISCELLANEOUS SALES AND
7 CHARGES ACCOUNT, TO THE NORTHWEST OED FUND -
8 SUBSIDIES AND CONTRIBUTIONS TO PRIVATE
9 ORGANIZATIONS ACCOUNT, FOR THE PURPOSE OF
10 PROVIDING A NORTHWEST JACKSONVILLE ECONOMIC
11 DEVELOPMENT FUND ("NWJEDF") BUSINESS
12 INFRASTRUCTURE GRANT TO 2210 MELSON MZL LLC
13 ("COMPANY") TO FUND CERTAIN INFRASTRUCTURE
14 IMPROVEMENTS IN CONNECTION WITH THE RENOVATION
15 OF AN EXISTING WAREHOUSE BUILDING ON THE
16 PROPERTY LOCATED AT 2210 MELSON AVENUE
17 ("PROJECT"), AS INITIATED BY B.T. 24-096; MAKING
18 CERTAIN FINDINGS, AND AUTHORIZING THE MAYOR, OR
19 HER DESIGNEE, AND THE CORPORATION SECRETARY TO
20 EXECUTE AND DELIVER, FOR AND ON BEHALF OF THE
21 CITY, THE ECONOMIC DEVELOPMENT AGREEMENT BETWEEN
22 THE CITY AND COMPANY; AUTHORIZING APPROVAL OF
23 TECHNICAL AMENDMENTS BY THE EXECUTIVE DIRECTOR
24 OF THE OFFICE OF ECONOMIC DEVELOPMENT ("OED");
25 AFFIRMING THE PROJECT'S COMPLIANCE WITH THE
26 NWJEDF GUIDELINES APPROVED AND ADOPTED BY
27 ORDINANCE 2016-779-E, AS AMENDED; PROVIDING FOR
28 CITY OVERSIGHT BY THE OED; PROVIDING AN
29 EFFECTIVE DATE.

30
31 **WHEREAS,** 2210 Melson MZL LLC (the "Company") is seeking public

1 investment through the Northwest Jacksonville Economic Development
2 Fund in the amount of \$100,000.00, which consists of a Northwest
3 Business Infrastructure Grant (the "BIG Grant"), in order to support
4 certain infrastructure improvements related to the renovation of an
5 existing warehouse building (the "Project"); and

6 **WHEREAS**, the Company estimates capital investment of
7 approximately \$3,734,000 and anticipates the creation of additional
8 full-time equivalent job opportunities in Jacksonville, as further
9 described in the Project Summary, attached hereto as **Exhibit 1** and
10 incorporated herein by this reference; and

11 **WHEREAS**, for the reasons more fully described in the Project
12 Summary, the payment of the BIG Grant in the aforesaid amount serves
13 a paramount public purpose; and

14 **WHEREAS**, the recommended level of assistance is within Public
15 Investment Guidelines for a Northwest BIG Grant; and

16 **WHEREAS**, the Project will have a positive return of investment
17 for the City; and

18 **WHEREAS**, the Office of Economic Development ("OED") has reviewed
19 the application submitted by the Company for community development
20 and, together with representatives of the City, has negotiated an
21 Economic Development Agreement ("EDA") and, based upon the contents
22 of the EDA, has determined the EDA and the uses contemplated therein
23 to be in the public interest, and has determined that the public
24 actions and financial assistance contemplated in the EDA take into
25 account and give consideration to the long-term public interests and
26 public interest benefits to be achieved by the City; and

27 **WHEREAS**, the Company has requested the City to enter into an EDA
28 in substantially the form placed **On File** with the Office of
29 Legislative Services Division; now therefore,

30 **BE IT RESOLVED** by the Council of the City of Jacksonville:

31 **Section 1. Findings.** It is hereby ascertained, determined,

1 found and declared as follows:

2 (a) The recitals set forth herein are true and correct.

3 (b) The location of the Company's Project in Jacksonville,
4 Florida, is more particularly described in the EDA. The Project will
5 promote and further the public and municipal purposes of the City.

6 (c) Enhancement of the City's tax base and revenues, are
7 matters of State and City policy and State and City concern in order
8 that the State and its counties and municipalities, including the
9 City, shall not continue to be endangered by unemployment,
10 underemployment, economic recession, poverty, crime and disease, and
11 consume an excessive proportion of the State and City revenues because
12 of the extra services required for police, fire, accident, health
13 care, elderly care, charity care, hospitalization, public housing and
14 housing assistance, and other forms of public protection, services
15 and facilities.

16 (d) The provision of the City's assistance as identified in
17 the EDA is necessary and appropriate to make the Project feasible,
18 and the City's assistance is reasonable and not excessive, taking
19 into account the needs of the Company to make the Project economically
20 and financially feasible and the extent of the public benefits
21 expected to be derived from the Project.

22 (e) The Company is qualified to carry out and complete the
23 construction and equipping of the Project, in accordance with the
24 EDA.

25 (f) The authorizations provided by this Ordinance are for
26 public uses and purposes for which the City may use its powers as a
27 county, municipality and as a political subdivision of the State of
28 Florida and may expend public funds, and the necessity in the public
29 interest for the provisions herein enacted is hereby declared as a
30 matter of legislative determination.

31 This Ordinance is adopted pursuant to the provisions of Chapters

1 163, 166 and 125, *Florida Statutes*, as amended, the City's Charter,
2 and other applicable provisions of law.

3 **Section 2. Appropriation.** For the 2023-2024 fiscal year,
4 within the City's budget, there are hereby appropriated the indicated
5 sum(s) from the account(s) listed in subsection (a) to the account(s)
6 listed in subsection (b):

7 (B.T. 24-096, attached hereto as **Exhibit 2** and incorporated herein
8 by this reference):

9 (a) Appropriated from:

10 See B.T. 24-096 \$100,000

11 (b) Appropriated to:

12 See B.T. 24-096 \$100,000

13 (c) Explanation of Appropriation

14 The funding above is an appropriation of \$100,000 from the
15 Northwest OED Fund - Miscellaneous Sales and Charges
16 account, to the Northwest OED Fund - Subsidies and
17 Contributions to Private Organizations account, for the
18 purpose of providing a Northwest Jacksonville Economic
19 Development Fund ("NWJEDF") Business Infrastructure Grant
20 to the Company to assist in funding infrastructure
21 improvements to support renovation of an existing warehouse
22 building.

23 **Section 3. Purpose.** The purpose of the appropriation in
24 Section 2 is to provide the Company funding in the form of a Northwest
25 Jacksonville Business Infrastructure Grant in an amount not to exceed
26 \$100,000 to fund infrastructure improvements needed to complete the
27 Project.

28 **Section 4. Economic Development Agreement approved.** The
29 Mayor, or her designee, and the Corporation Secretary are hereby
30 authorized to execute and deliver, for and on behalf of the City, the
31 EDA between the City and the Company, in substantially the form placed

1 **On File** with the Office of Legislative Services (with such "technical"
2 changes as herein authorized), for the purpose of implementing the
3 recommendations of the OED as set forth herein and further described
4 in the Project Summary, attached hereto as **Exhibit 1**.

5 The EDA may include such additions, deletions, and changes as
6 may be reasonable, necessary, and incidental for carrying out the
7 purposes thereof, as may be acceptable to the Mayor or her designee,
8 with such inclusion and acceptance being evidenced by execution of
9 the EDA by the Mayor or her designee. No modification of the EDA may
10 increase the financial obligations or the liability of the City and
11 any such modification shall be technical only and shall be subject
12 to appropriate legal review and approval of the General Counsel or
13 his or her designee and all other appropriate action required by law.
14 "Technical" is herein defined as including, but not limited to,
15 changes in legal descriptions and surveys, descriptions of
16 infrastructure improvements and/or any road project, ingress and
17 egress, easements and rights of way, performance schedules (provided
18 that no performance schedule may be extended for more than one year
19 without City Council approval), design standards, access, and site
20 plans which have no financial impact.

21 **Section 5. Designation of Authorized Official/OED Contract**
22 **Monitor.** The Mayor is designated as the authorized official of the
23 City for the purpose of executing and delivering any contracts, notes,
24 and documents and furnishing such information, data, and documents
25 for the EDA as may be required and otherwise to act as the authorized
26 official of the City in connection with the EDA, and is further
27 authorized to designate one or more other officials of the City to
28 exercise any of the foregoing authorizations and to furnish or cause
29 to be furnished such information and take or cause to be taken such
30 action as may be necessary to enable the City to implement the EDA
31 according to its terms. The OED is hereby required to administer and

1 monitor the EDA and to handle the City's responsibilities thereunder,
2 including the City's responsibilities under the EDA working with and
3 supported by all relevant City departments.

4 **Section 6. Further Authorizations.** The Mayor, or her
5 designee, and the Corporation Secretary, are hereby authorized to
6 execute the EDA and all other contracts and documents and otherwise
7 take all necessary action in connection therewith and herewith. The
8 Executive Director of the OED, as contract administrator, is
9 authorized to negotiate and execute all necessary changes and
10 amendments to the EDA and other contracts and documents, to effectuate
11 the purposes of this legislation without further Council action,
12 provided such changes and amendments are limited to amendments that
13 are technical in nature (as described in Section 4 hereof), and
14 further provided that all such amendments shall be subject to
15 appropriate legal review and approval by the General Counsel, or his
16 or her designee, and all other appropriate official action required
17 by law.

18 **Section 7. Oversight Department.** The OED shall oversee the
19 Project described herein.

20 **Section 8. NWJEDF Guidelines.** This Ordinance conforms to
21 the NWJEDF Guidelines adopted by City Council Ordinance 2016-779-E,
22 as amended.

23 **Section 9. Effective Date.** This Ordinance shall become
24 effective upon signature by the Mayor or upon becoming effective
25 without the Mayor's signature.

1 Form Approved:

2

3 /s/ Joelle J. Dillard

4 Office of General Counsel

5 Legislation prepared by Joelle J. Dillard

6 GC-#1625914-v3-Leg_2024_-_2210_Melson_MZL_-_BIG_Grant_(BT_24-096).docx