

1 Introduced by the Council President at the request of the Downtown
2 Investment Authority:
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5 **ORDINANCE 2022-763**

6 MAKING CERTAIN FINDINGS AND APPROVING AND
7 AUTHORIZING THE MAYOR, OR HIS DESIGNEE, AND
8 CORPORATION SECRETARY TO EXECUTE A DISCOUNTED
9 PAYOFF AGREEMENT (THE "AGREEMENT"), BETWEEN THE
10 CITY AND W.A. KNIGHT BUILDING DEVELOPMENT,
11 L.L.C. ("DEVELOPER"), TO AUTHORIZE THE
12 ACCEPTANCE OF THREE HUNDRED TWENTY THREE
13 THOUSAND EIGHTY-THREE AND 30/100 DOLLARS
14 (\$323,083.30) AS PAYMENT IN FULL FOR A LOAN IN
15 THE ORIGINAL PRINCIPAL AMOUNT OF THREE HUNDRED
16 THOUSAND AND NO/100 DOLLARS (\$300,000.00) (THE
17 "LOAN") MADE PURSUANT TO TERMS OF THAT CERTAIN
18 REDEVELOPMENT AGREEMENT DATED AS OF MARCH 21,
19 2000, AS AMENDED BY THAT CERTAIN FIRST AMENDMENT
20 TO REDEVELOPMENT AGREEMENT DATED AUGUST 3, 2001;
21 PROVIDING FOR A TIMELINE OF THE LOAN PAYOFF BY
22 DEVELOPER; PROVIDING FOR LOAN REPAYMENTS TO BE
23 DEPOSITED INTO THE DOWNTOWN ECONOMIC DEVELOPMENT
24 FUND; PROVIDING AN EFFECTIVE DATE.
25

26 **WHEREAS**, the City of Jacksonville ("City"), the Jacksonville
27 Economic Development Commission ("JEDC") and LB Jax Development,
28 L.L.C. (the "Original Developer") entered into that certain
29 Redevelopment Agreement dated March 21, 2000, as subsequently amended
30 by that certain First Amendment to Redevelopment Agreement dated
31 August 3, 2001 by and among City, JEDC, the Original Developer and

1 W.A. Knight Building Development, L.L.C. (the "Developer"), (as
2 amended, the "Redevelopment Agreement"), pursuant to which the City
3 made a loan in the original principal amount of Three Hundred Thousand
4 and No/100 Dollars (\$300,000.00) to Developer for the acquisition and
5 rehabilitation of certain property located within the Northbank
6 Downtown Community Redevelopment Area with an address of 113 W. Adams
7 Street, Jacksonville, Florida; and

8 **WHEREAS**, the Developer is the successor in interest to the
9 Original Developer and the Downtown Investment Authority ("DIA") is
10 the successor contract manager of the Redevelopment Agreement to
11 JEDC; and

12 **WHEREAS**, the Loan matures on October 31, 2031 and the Developer
13 has requested to pay off the Loan in full on or before November 30,
14 2022 for the amount of \$323,083.30; and

15 **WHEREAS**, the DIA has authorized this discounted Loan payoff
16 pursuant to DIA Resolution 2022-08-04 attached hereto as **Exhibit 1**;
17 and

18 **WHEREAS**, the Council finds that it is in the best interests of
19 DIA, the City, and the public for the Loan to be paid off early at a
20 discount and provides, among other benefits, a guaranteed return on
21 and repayment of the Loan and immediate access to such funds for use
22 on other projects benefitting the public; now, therefore,

23 **BE IT ORDAINED** by the Council of the City of Jacksonville:

24 **Section 1. Findings.** It is hereby ascertained, determined,
25 found and declared as follows:

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

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

1 matter of legislative determination.

2 (c) This Ordinance is adopted pursuant to the provisions of
3 Chapters 163, 166 and 125, Florida Statutes, as amended, the City's
4 Charter, and other applicable provisions of law.

5 **Section 2. Approval and Authorization.** There is
6 hereby approved, and the Mayor, or his designee, and the Corporation
7 Secretary are authorized to execute a Discounted Payoff Agreement
8 (the "Agreement"), in substantially the form placed **On File** with the
9 Legislative Services Division. The Agreement may include such
10 additions, deletions and changes as may be reasonable, necessary and
11 incidental for carrying out the purposes thereof, as may be acceptable
12 to the Mayor, or his designee, with such inclusion and acceptance
13 being evidenced by execution of the Agreement by the Mayor or his
14 designee. No modification to the Agreement may increase the financial
15 obligations or the liability to the City and any such modification
16 shall be technical only and shall be subject to appropriate legal
17 review and approval of the General Counsel, or his or her designee,
18 and all other appropriate action required by law.

19 **Section 3. Loan Payoff.** If the Loan has not been paid off
20 pursuant to the Agreement on or before November 30, 2022, then the
21 City Council approval of and authorization for the discounted payoff
22 of the Loan are automatically revoked, provided however, that the
23 Chief Executive Officer of the DIA shall have the authority to extend
24 such payoff date in writing at his or her discretion for up to thirty
25 (30) days.

26 **Section 4. Repayment.** All repayments of the Loan shall be
27 deposited into the Downtown Economic Development Fund for future
28 appropriation by the DIA Board.

1 **Section 5. Effective Date.** This Ordinance shall become
2 effective upon signature by the Mayor or upon becoming effective
3 without the Mayor's signature.

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6 Form approved:

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8 /s/ John Sawyer

9 Office of General Counsel

10 Legislation Prepared By: Joelle J. Dillard

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