

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2023-78-E**

5 AN ORDINANCE APPROVING, AND AUTHORIZING THE
6 MAYOR AND CORPORATION SECRETARY TO EXECUTE AND
7 DELIVER, AN AMENDMENT FOUR TO ECONOMIC
8 DEVELOPMENT AGREEMENT BETWEEN THE CITY OF
9 JACKSONVILLE AND A A AUTO PARTS, INC.
10 ("COMPANY") TO EXTEND THE COMPLETION OF
11 CONSTRUCTION DATE FROM DECEMBER 31, 2022 TO
12 SEPTEMBER 30, 2023; PROVIDING AN EFFECTIVE DATE.
13

14 **WHEREAS**, the City and A A Auto Parts, Inc. have previously
15 entered into that certain Economic Development Agreement dated
16 November 22, 2019 (the "Agreement"), as authorized by Ordinance 2019-
17 652-E, pursuant to which the City agreed to provide a \$150,000
18 Northwest Jacksonville Economic Development Fund ("NWJEDF") Loan and
19 a \$100,000 NWJEDF Business Infrastructure Grant ("BIG") in support
20 of the additional infrastructure and site improvements needed to
21 support the installation of a metal shredder system at the Company's
22 existing facility (the "Project"); and

23 **WHEREAS**, as authorized by Section 12.6 of the Agreement, the
24 Agreement has been amended twice to extend the Completion of
25 Construction deadline (the "Project Completion Deadline") from July
26 1, 2021 to December 31, 2021, and then from December 31, 2021 to June
27 30, 2022, with no further administrative authority to extend the
28 performance schedule of the Agreement; and

29 **WHEREAS**, as authorized by Ordinance 2022-560-E, the Agreement
30 was amended a third time to extend the Project Completion Deadline
31 from June 30, 2022 to December 31, 2022; and

1 **WHEREAS**, the Project has experienced further unanticipated
2 delays due to supply chain interruptions and labor shortages resulting
3 from the COVID-19 pandemic and other circumstances beyond the
4 Company's control, and the Company has requested, and the City has
5 agreed, subject to City Council approval, to amend the Agreement to
6 extend the Project Completion Deadline from December 31, 2022 to
7 September 30, 2023, so that the Company may remain eligible for the
8 NWJEDF Loan and NWJEDF BIG; now therefore

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

10 **Section 1. Amendment Four to Economic Development Agreement**
11 **approved and execution authorized.** There is hereby approved, and the
12 Mayor and Corporation Secretary are hereby authorized to execute and
13 deliver, Amendment Four to Economic Development Agreement between the
14 City of Jacksonville and A A Auto Parts, Inc., in substantially the
15 form attached hereto as **Exhibit 1** and incorporated herein by this
16 reference ("Amendment Four"). Amendment Four amends the Economic
17 Development Agreement by extending the Project Completion Deadline
18 by an additional nine months.

19 **Section 2. Effective Date.** This ordinance shall become
20 effective upon signature by the Mayor or upon becoming effective
21 without the Mayor's signature.

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23 Form Approved:

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25 /s/ Mary E. Staffopoulos

26 Office of General Counsel

27 Legislation prepared by Joelle J. Dillard

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