

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2022-405**

5 AN ORDINANCE APPROVING AND AUTHORIZING THE
6 MAYOR, OR HIS DESIGNEE, AND CORPORATION
7 SECRETARY TO EXECUTE AND DELIVER GLOBAL
8 AMENDMENT TWO TO ECONOMIC DEVELOPMENT AGREEMENTS
9 BETWEEN THE CITY OF JACKSONVILLE ("CITY") AND
10 THOSE BUSINESSES SET FORTH ON **EXHIBIT 1** ATTACHED
11 HERETO, AMENDING THE AGREEMENTS SET FORTH ON
12 **EXHIBIT 1** ATTACHED HERETO TO PERMIT CERTAIN
13 GEOGRAPHICAL CONDITIONS FOR INCENTIVES GRANTED
14 IN THE AGREEMENTS TO BE FULFILLED BY EMPLOYEES
15 WORKING REMOTELY DUE TO COVID-19 WHO RESIDED IN
16 THE METROPOLITAN STATISTICAL AREA (COMPRISED OF
17 DUVAL COUNTY, CLAY COUNTY, ST. JOHNS COUNTY,
18 NASSAU COUNTY AND BAKER COUNTY); REQUIRING
19 BACKUP DOCUMENTATION TO BE PROVIDED TO THE
20 OFFICE OF ECONOMIC DEVELOPMENT; PROVIDING AN
21 EFFECTIVE DATE.

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23 **WHEREAS**, the City and those businesses set forth on **Exhibit 1**
24 attached hereto (each, a "Company"), previously entered into those
25 certain respective agreements set forth on **Exhibit 1** attached hereto
26 (each, an "Agreement"), as authorized by the respective Ordinances
27 and Resolutions set forth on **Exhibit 1** attached hereto;

28 **WHEREAS**, each Agreement provides for certain incentives to the
29 respective Company in connection with such Company's Project as
30 defined in such Agreement (the "Project"), all as more particularly
31 set forth in each respective Agreement in accordance with its terms

1 (the "Incentives"); and

2 **WHEREAS**, each Agreement requires, as a condition precedent to
3 the Incentives, that the respective Company create certain new jobs
4 (the "New Jobs") and that the New Jobs and the employees filling the
5 New Jobs be located at certain and particular locations (the
6 "Geographical Condition"); and

7 **WHEREAS**, due to the impacts resulting from the COVID-19
8 pandemic, including limitations with regard to workforce density and
9 implementation of other protective measures, the City enacted
10 Ordinance 2021-449-E and approved Global Amendment One to Economic
11 Development Agreements which authorized certain employees working
12 remotely to count with respect to the New Jobs under each Agreement
13 for calendar years 2020 and 2021, provided certain conditions were
14 met; and

15 **WHEREAS**, the City has been requested to continue to allow such
16 employees working remotely to count with respect to the New Jobs
17 through the end of the term of each Agreement respectively; and

18 **WHEREAS**, the City has been requested to enter into Global
19 Amendment Two to Economic Development Agreements in substantially the
20 form attached hereto as **Exhibit 2**; now therefore,

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

22 **Section 1. Approval and authorization to execute Global**
23 **Amendment Two to Economic Development Agreement approved.** There is
24 hereby approved, and the Mayor or his designee and Corporation
25 Secretary are authorized to execute and deliver on behalf of the City
26 a Global Amendment Two to Economic Development Agreement
27 ("Amendment") between the City and each Company, in substantially the
28 form attached hereto as **Exhibit 2**. The Amendment permits the Company
29 to satisfy the Geographical Condition to the Incentives through the
30 end of the term of the respective Agreement, if the Company is able
31 to demonstrate to the City that the employee filling the New Job

1 resided within the geographical borders of the Metropolitan
2 Statistical Area (comprised of Duval County, Clay County, St. Johns
3 County, Nassau County and Baker County), and such New Job was based,
4 but not necessarily located, at the Project Parcel (as defined in the
5 respective Agreement), with all other terms and conditions of the
6 Agreement remaining unchanged. The Agreement also requires the
7 Company to provide any and all records and back-up documentation
8 reasonably requested by the City in order to verify the residency of
9 the Company's employees and the location of the New Jobs. The
10 foregoing shall not be construed as a waiver or modification of any
11 other conditions or requirements under the Agreement with respect to
12 the Incentives or otherwise.

13 **Section 2. Oversight Department.** The OED shall oversee
14 the Agreement and each respective Project.

15 **Section 3. Effective Date.** This Ordinance shall become
16 effective upon signature by the Mayor or upon becoming effective
17 without the Mayor's signature.

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19 Form Approved:

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22 Office of General Counsel

23 Legislation prepared by: Joelle J. Dillard

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