

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

2
3
4 **ORDINANCE 2024-285**

5 AN ORDINANCE MAKING CERTAIN FINDINGS AND
6 AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO
7 EXECUTE: (1) AN AMENDED AND RESTATED
8 REDEVELOPMENT AGREEMENT ("AMENDED REDEVELOPMENT
9 AGREEMENT") BETWEEN THE CITY OF JACKSONVILLE
10 ("CITY") AND THE DUVAL COUNTY FAIR ASSOCIATION,
11 INC. ("DCFA"); (2) AN AMENDED AND RESTATED
12 GROUND LEASE AGREEMENT ("LEASE") BETWEEN THE
13 CITY AND DCFA FOR THE LEASE OF APPROXIMATELY
14 82.37 ACRES OF CITY-OWNED LAND LOCATED GENERALLY
15 AT 13611 NORMANDY BLVD., ADJACENT TO THE
16 EQUESTRIAN CENTER, WITH AN INITIAL TERM OF
17 THIRTY YEARS WITH TWO, TEN-YEAR RENEWAL OPTIONS
18 WITH NOMINAL RENT; AND (3) RELATED AGREEMENTS AS
19 DESCRIBED IN THE AMENDED REDEVELOPMENT
20 AGREEMENT, FOR THE CONSTRUCTION BY DCFA OF AN
21 80,000 SQUARE FOOT EXPOSITION HALL AND RELATED
22 IMPROVEMENTS ("PROJECT"); AUTHORIZING A
23 \$1,500,000 CITY DEVELOPMENT LOAN TO THE
24 DEVELOPER FOR A TWENTY YEAR TERM WITH TWO
25 PERCENT INTEREST, TO BE APPROPRIATED BY
26 SUBSEQUENT LEGISLATION; AUTHORIZING A
27 COMPLETION GRANT IN THE AMOUNT OF \$1,500,000
28 UPON SUBSTANTIAL COMPLETION OF THE PROJECT, TO
29 BE APPROPRIATED BY SUBSEQUENT LEGISLATION;
30 PROVIDING FOR CITY OVERSIGHT OF THE PROJECT BY
31 THE OFFICE OF ECONOMIC DEVELOPMENT; AUTHORIZING

1 THE EXECUTION OF ALL DOCUMENTS RELATING TO THE
2 ABOVE AGREEMENTS AND TRANSACTIONS, AND
3 AUTHORIZING TECHNICAL CHANGES TO THE DOCUMENTS;
4 WAIVER OF THAT PORTION OF THE PUBLIC INVESTMENT
5 POLICY ADOPTED BY ORDINANCE 2022-726-E, AS
6 AMENDED, TO AUTHORIZE THE LOAN AND COMPLETION
7 GRANT; PROVIDING AN EFFECTIVE DATE.
8

9 **WHEREAS,** the City and the Duval County Fair Association, Inc.
10 ("DCFA") have previously entered into that certain Redevelopment
11 Agreement as authorized by Ordinance 2023-209-E to provide in part
12 for the ground lease from the City to DCFA of an approximately 82.37-
13 acre parcel of unimproved City-owned real property located adjacent
14 to the City's Equestrian Center in northwest Jacksonville, on which
15 DCFA will construct its new headquarters and related facilities (the
16 "Project"); and

17 **WHEREAS,** the Project will include the construction by DCFA of
18 a new exposition hall facility of approximately 80,000 square feet
19 and other related improvements; and

20 **WHEREAS,** due to increased construction costs, DCFA has
21 requested and the City has agreed to amend and restate the
22 Redevelopment Agreement ("Amended RDA") to provide: (i) a \$1,500,000
23 Completion Grant (as defined in the Amended RDA); and (ii) an up-to
24 \$1,500,000 City Development Loan (as defined in the Amended RDA) to
25 DCFA, pursuant to the terms and conditions as set forth in the Amended
26 RDA; and

27 **WHEREAS,** the City Development Loan will be for a term of twenty
28 (20) years, to be disbursed pro rata with all other funding sources
29 for the Project, with payments of principal and interest at the rate
30 of two percent (2%) commencing after substantial completion of the
31 Project; and

1 **WHEREAS**, the Completion Grant will be paid lump sum to DCFA upon
2 substantial completion of the Project in accordance with the terms
3 and conditions of the Amended RDA; and

4 **WHEREAS**, the parties also desire to amend the ground lease (the
5 "Amended Ground Lease") to shorten the term of the lease from 40
6 years to thirty years, with two, 10-year extension options, and to
7 set forth certain other requirements of the National Park Service
8 with regard to the lease of the parcel to DCFA; and

9 **WHEREAS**, the City has considered DCFA's requests and has
10 determined that the Amended RDA, Amended Ground Lease, and other
11 agreements authorized hereby will enable DCFA to construct the Project
12 as described in the Amended Redevelopment Agreement; and

13 **WHEREAS**, it has been determined to be in the interest of the
14 City to enter into the Amended Redevelopment Agreement and Amended
15 Ground Lease and approve of and adopt the matters set forth in this
16 Ordinance; now, therefore

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

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

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

21 (b) The Project will greatly enhance the City and otherwise
22 promote and further the municipal purposes of the City.

23 (c) The City's assistance for the Project will enable and
24 facilitate the Project, the Project will enhance and increase the
25 City's revenues, and the Project will improve the quality of life
26 necessary to encourage and attract business expansion in the City.

27 (d) Enhancement of the City's tax base and revenues are matters
28 of State and City concern.

29 (e) DCFA is qualified to carry out the Project.

30 (f) The authorizations provided by this Ordinance are for public
31 uses and purposes for which the City may use its powers as a

1 municipality and as a political subdivision of the State of Florida
2 and may expend public funds, and the necessity in the public interest
3 for the provisions herein enacted is hereby declared as a matter of
4 legislative determination.

5 (g) This Ordinance is adopted pursuant to the provisions of
6 Chapters 163, 166 and 125, Florida Statutes, as amended, the City's
7 Charter, and other applicable provisions of law.

8 **Section 2. Execution of Agreements.** The Mayor (or his
9 authorized designee) and the Corporation Secretary are hereby
10 authorized to execute and deliver the Amended RDA, Amended Ground
11 Lease, and the loan documents and related documents described in the
12 Amended RDA (collectively, the "Agreements") substantially in the
13 forms placed **On File** with the Legislative Services Division (with
14 such "technical" changes as herein authorized), for the purpose of
15 implementing the recommendations of the City as further described in
16 the Amended RDA.

17 The Agreements may include such additions, deletions and changes
18 as may be reasonable, necessary and incidental for carrying out the
19 purposes thereof, as may be acceptable to the Mayor, or his designee,
20 with such inclusion and acceptance being evidenced by execution of
21 the Agreements by the Mayor or his designee. No modification to the
22 Agreements may increase the financial obligations or the liability
23 of the City and any such modification shall be technical only and
24 shall be subject to appropriate legal review and approval of the
25 General Counsel, or his or her designee, and all other appropriate
26 action required by law. "Technical" is herein defined as including,
27 but not limited to, changes in legal descriptions and surveys,
28 descriptions of infrastructure improvements and/or any road project,
29 ingress and egress, easements and rights of way, performance schedules
30 (provided that no performance schedule may be extended for more than
31 one year without Council approval), design standards, access and site

1 plan, which have no financial impact.

2 **Section 3. City Development Loan Authorized.** An up-to
3 \$1,500,000 City Development Loan ("Loan') is hereby authorized, and,
4 subject to subsequent appropriation by Council, the City is authorized
5 to disburse the Loan to DCFA in accordance with the terms and
6 conditions of the Amended RDA. The Loan shall be for a term of 20
7 years with two percent (2%) interest, with payments of principal and
8 interest commencing upon substantial completion of the Project.

9 **Section 4. Payment of Completion Grant to DCFA.** The
10 Completion Grant is hereby authorized, and, subject to subsequent
11 appropriation by Council, the City is authorized to disburse the
12 Completion Grant to DCFA in an amount not to exceed \$1,500,000,
13 pursuant to and as set forth in the Amended RDA.

14 **Section 5. Designation of Authorized Official; Contract**
15 **Monitor.** The Mayor is designated as the authorized official of the
16 City for the purpose of executing and delivering any contracts and
17 documents and furnishing such information, data and documents for the
18 Agreements and related documents as may be required and otherwise to
19 act as the authorized official of the City in connection with the
20 Agreements, and is further authorized to designate one or more other
21 officials of the City to exercise any of the foregoing authorizations
22 and to furnish or cause to be furnished such information and take or
23 cause to be taken such action as may be necessary to enable the City
24 to implement the Agreements according to their terms. The Department
25 of Public Works is hereby required to administer and monitor the
26 Project set forth in the Amended RDA and related agreements referenced
27 therein and to handle the City's responsibilities thereunder,
28 including the City's responsibilities under such agreements working
29 with and supported by all relevant City departments.

30 **Section 6. Oversight Department.** The Office of Economic
31 Development shall oversee the Project described herein and administer

1 the Agreements.

2 **Section 7. Further Authorizations.** The Mayor, or his
3 designee, and the Corporation Secretary, are hereby authorized to
4 execute the Agreements and all other contracts and documents and
5 otherwise take all necessary action in connection therewith and
6 herewith. The Mayor, or his designee, as contract administrator, is
7 authorized to negotiate and execute all necessary changes and
8 amendments to the Agreements and other contracts and documents, to
9 effectuate the purposes of this Ordinance, without further Council
10 action, provided such changes and amendments are limited to amendments
11 that are technical in nature (as described in Section 2 hereof), and
12 further provided that all such amendments shall be subject to
13 appropriate legal review and approval by the General Counsel, or his
14 or her designee, and all other appropriate official action required
15 by law.

16 **Section 8. Waiver of Public Investment Policy.** The
17 requirements of the Public Investment Policy ("PIP") adopted by
18 Ordinance 2022-726-E, as amended, are waived to authorize the Loan
19 and Completion Grant outlined herein that are not authorized
20 incentives under the PIP. This waiver is justified because the
21 Project entails capital investment of \$20,00,000 for a new DCFA
22 headquarters and event space.

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.

26
27
28
29
30
31

1 Form Approved:

2

3 /s/ John Sawyer

4 Office of General Counsel

5 Legislation Prepared By: John Sawyer

6 GC-#1617120-v2-Leg__2024-__DCFA_Amended_and_Restated_RDA_-_Fairgrounds.DOCX