

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

4 **ORDINANCE 2024-745**

5 AN ORDINANCE APPROPRIATING \$100,000 FROM THE  
6 NORTHWEST OED FUND - CONTINGENCY ACCOUNT, TO THE  
7 NORTHWEST OED FUND - SUBSIDIES AND CONTRIBUTIONS  
8 TO PRIVATE ORGANIZATIONS ACCOUNT, FOR THE  
9 PURPOSE OF PROVIDING A NORTHWEST JACKSONVILLE  
10 ECONOMIC DEVELOPMENT FUND ("NWJEDF") BUSINESS  
11 INFRASTRUCTURE GRANT TO PROJECT SOUL ("COMPANY")  
12 TO FUND CERTAIN INFRASTRUCTURE IMPROVEMENTS IN  
13 CONNECTION WITH THE RENOVATION AND EXPANSION OF  
14 AN EXISTING BUILDING ON THE PROPERTY LOCATED AT  
15 2509 N. MAIN STREET ("PROJECT"), AS INITIATED BY  
16 B.T. 24-143; MAKING CERTAIN FINDINGS, AND  
17 AUTHORIZING THE MAYOR, OR HER DESIGNEE, AND THE  
18 CORPORATION SECRETARY TO EXECUTE AND DELIVER,  
19 FOR AND ON BEHALF OF THE CITY, THE ECONOMIC  
20 DEVELOPMENT AGREEMENT BETWEEN THE CITY AND  
21 COMPANY; AUTHORIZING APPROVAL OF TECHNICAL  
22 AMENDMENTS BY THE EXECUTIVE DIRECTOR OF THE  
23 OFFICE OF ECONOMIC DEVELOPMENT ("OED");  
24 AFFIRMING THE PROJECT'S COMPLIANCE WITH THE  
25 NWJEDF GUIDELINES APPROVED AND ADOPTED BY  
26 ORDINANCE 2016-779-E, AS AMENDED; PROVIDING FOR  
27 CITY OVERSIGHT BY THE OED; PROVIDING AN  
28 EFFECTIVE DATE.

29  
30 **WHEREAS**, Section 288.075, Florida Statutes, allows certain  
31 confidentiality regarding economic development projects and Company

1 has requested confidentiality in accordance with such law and the OED  
2 has approved the Project Soul renovation and job creation ("Project")  
3 and advised that the Economic Development Agreement in substantially  
4 the form placed **On File** with the Legislative Services Division  
5 ("Economic Development Agreement") is necessary to effectuate the  
6 Project; and

7 **WHEREAS**, Project Soul (the "Company") is seeking public  
8 investment through the Northwest Jacksonville Economic Development  
9 Fund in the amount of \$100,000.00, which consists of a Northwest  
10 Business Infrastructure Grant (the "BIG Grant"), in order to support  
11 certain infrastructure improvements related to the renovation and  
12 expansion of an existing building (the "Project"); and

13 **WHEREAS**, the Company estimates capital investment of  
14 approximately \$1,000,000 and anticipates the creation of additional  
15 full-time equivalent job opportunities in Jacksonville, as further  
16 described in the Project Summary, attached hereto as **Exhibit 1** and  
17 incorporated herein by this reference; and

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

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

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

25 **WHEREAS**, the Office of Economic Development ("OED") has reviewed  
26 the application submitted by the Company for community development  
27 and, together with representatives of the City, has negotiated an  
28 Economic Development Agreement ("EDA") and, based upon the contents  
29 of the EDA, has determined the EDA and the uses contemplated therein  
30 to be in the public interest, and has determined that the public  
31 actions and financial assistance contemplated in the EDA take into

1 account and give consideration to the long-term public interests and  
2 public interest benefits to be achieved by the City; and

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

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

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

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

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

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

23 (d) The provision of the City's assistance as identified in  
24 the EDA is necessary and appropriate to make the Project feasible,  
25 and the City's assistance is reasonable and not excessive, taking  
26 into account the needs of the Company to make the Project economically  
27 and financially feasible and the extent of the public benefits  
28 expected to be derived from the Project.

29 (e) The Company is qualified to carry out and complete the  
30 construction and equipping of the Project, in accordance with the  
31 EDA.

1 (f) The authorizations provided by this Ordinance are for  
2 public uses and purposes for which the City may use its powers as a  
3 county, municipality and as a political subdivision of the State of  
4 Florida and may expend public funds, and the necessity in the public  
5 interest for the provisions herein enacted is hereby declared as a  
6 matter of legislative determination.

7 This Ordinance is adopted pursuant to the provisions of Chapters  
8 163, 166 and 125, *Florida Statutes*, as amended, the City's Charter,  
9 and other applicable provisions of law.

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

14 (B.T. 24-143, attached hereto as **Exhibit 2** and incorporated herein  
15 by this reference):

16 (a) Appropriated from:

17 See B.T. 24-143 \$100,000

18 (b) Appropriated to:

19 See B.T. 24-143 \$100,000

20 (c) Explanation of Appropriation

21 The funding above is an appropriation of \$100,000 from the  
22 Northwest OED Fund - Contingency account, to the Northwest  
23 OED Fund - Subsidies and Contributions to Private  
24 Organizations account, for the purpose of providing a  
25 Northwest Jacksonville Economic Development Fund  
26 ("NWJEDF") Business Infrastructure Grant to the Company to  
27 assist in funding infrastructure improvements to support  
28 the expansion and renovation of an existing building.

29 **Section 3. Purpose.** The purpose of the appropriation in  
30 Section 2 is to provide the Company funding in the form of a Northwest  
31 Jacksonville Business Infrastructure Grant in an amount not to exceed

1 \$100,000 to fund infrastructure improvements needed to complete the  
2 Project.

3 **Section 4. Economic Development Agreement approved.** The  
4 Mayor, or her designee, and the Corporation Secretary are hereby  
5 authorized to execute and deliver, for and on behalf of the City, the  
6 EDA between the City and the Company, in substantially the form placed  
7 **On File** with the Office of Legislative Services (with such "technical"  
8 changes as herein authorized), for the purpose of implementing the  
9 recommendations of the OED as set forth herein and further described  
10 in the Project Summary, attached hereto as **Exhibit 1**.

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

27 **Section 5. Designation of Authorized Official/OED Contract**  
28 **Monitor.** The Mayor is designated as the authorized official of the  
29 City for the purpose of executing and delivering any contracts, notes,  
30 and documents and furnishing such information, data, and documents  
31 for the EDA as may be required and otherwise to act as the authorized

1 official of the City in connection with the EDA, and is further  
2 authorized to designate one or more other officials of the City to  
3 exercise any of the foregoing authorizations and to furnish or cause  
4 to be furnished such information and take or cause to be taken such  
5 action as may be necessary to enable the City to implement the EDA  
6 according to its terms. The OED is hereby required to administer and  
7 monitor the EDA and to handle the City's responsibilities thereunder,  
8 including the City's responsibilities under the EDA working with and  
9 supported by all relevant City departments.

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

24 **Section 7. Oversight Department.** The OED shall oversee the  
25 Project described herein.

26 **Section 8. NWJEDF Guidelines.** This Ordinance conforms to  
27 the NWJEDF Guidelines adopted by City Council Ordinance 2016-779-E,  
28 as amended.

29 **Section 9. Effective Date.** This Ordinance shall become  
30 effective upon signature by the Mayor or upon becoming effective  
31 without the Mayor's signature.

1

2 Form Approved:

3

4 /s/John Sawyer

5 Office of General Counsel

6 Legislation prepared by John Sawyer

7 GC-#1646990-v1-Leg\_\_2024-\_\_Project\_Soul\_EDA.docx