

1 Introduced by the Council President at the request of the Mayor and
2 Co-Sponsored by Council Member Johnson and amended by the Finance
3 Committee:

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6 **ORDINANCE 2024-745-E**

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

1 **WHEREAS**, Section 288.075, *Florida Statutes*, allows certain
2 confidentiality regarding economic development projects and Company
3 has requested confidentiality in accordance with such law and the OED
4 has approved the Project Soul renovation and job creation ("Project")
5 and advised that the Economic Development Agreement in substantially
6 the form placed **Revised On File** with the Legislative Services Division
7 ("Economic Development Agreement") is necessary to effectuate the
8 Project; and

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

15 **WHEREAS**, the Company estimates capital investment of
16 approximately \$1,000,000 and anticipates the creation of additional
17 full-time equivalent job opportunities in Jacksonville, as further
18 described in the Project Summary, attached hereto as **Revised Exhibit**
19 **1**, labeled as "Revised Exhibit 1, Rev Proj Summary, October 1, 2024
20 - Finance" and incorporated herein by this reference; and

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

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

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

28 **WHEREAS**, the Office of Economic Development ("OED") has
29 reviewed the application submitted by the Company for community
30 development and, together with representatives of the City, has
31 negotiated an Economic Development Agreement ("EDA") and, based upon

1 the contents of the EDA, has determined the EDA and the uses
2 contemplated therein to be in the public interest, and has determined
3 that the public actions and financial assistance contemplated in the
4 EDA take into account and give consideration to the long-term public
5 interests and public interest benefits to be achieved by the City;
6 and

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

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

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

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

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

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

27 (d) The provision of the City's assistance as identified in
28 the EDA is necessary and appropriate to make the Project feasible,
29 and the City's assistance is reasonable and not excessive, taking
30 into account the needs of the Company to make the Project economically
31 and financially feasible and the extent of the public benefits

1 expected to be derived from the Project.

2 (e) The Company is qualified to carry out and complete the
3 construction and equipping of the Project, in accordance with the
4 EDA.

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

11 This Ordinance is adopted pursuant to the provisions of Chapters
12 163, 166 and 125, *Florida Statutes*, as amended, the City's Charter,
13 and other applicable provisions of law.

14 **Section 2. Appropriation.** For the 2024-2025 fiscal year,
15 within the City's budget, there are hereby appropriated the indicated
16 sum(s) from the account(s) listed in subsection (a) to the account(s)
17 listed in subsection (b):

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

20 (a) Appropriated from:

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

22 (b) Appropriated to:

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

24 (c) Explanation of Appropriation

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

1 the expansion and renovation of an existing building.

2 **Section 3. Purpose.** The purpose of the appropriation in
3 Section 2 is to provide the Company funding in the form of a Northwest
4 Jacksonville Business Infrastructure Grant in an amount not to exceed
5 \$100,000 to fund infrastructure improvements needed to complete the
6 Project. The 10-year Return on Investment ("ROI") for the Project is
7 less than 1 and the Project is estimated to take 12 years to achieve
8 an ROI of 1.

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

18 The EDA may include such additions, deletions, and changes as
19 may be reasonable, necessary, and incidental for carrying out the
20 purposes thereof, as may be acceptable to the Mayor or her designee,
21 with such inclusion and acceptance being evidenced by execution of
22 the EDA by the Mayor or her designee. No modification of the EDA may
23 increase the financial obligations or the liability of the City and
24 any such modification shall be technical only and shall be subject
25 to appropriate legal review and approval of the General Counsel or
26 his or her designee and all other appropriate action required by law.
27 "Technical" is herein defined as including, but not limited to,
28 changes in legal descriptions and surveys, descriptions of
29 infrastructure improvements and/or any road project, ingress and
30 egress, easements and rights of way, performance schedules (provided
31 that no performance schedule may be extended for more than one year

1 without City Council approval), design standards, access, and site
2 plans which have no financial impact.

3 **Section 5. Designation of Authorized Official/OED Contract**
4 **Monitor.** The Mayor is designated as the authorized official of the
5 City for the purpose of executing and delivering any contracts, notes,
6 and documents and furnishing such information, data, and documents
7 for the EDA as may be required and otherwise to act as the authorized
8 official of the City in connection with the EDA, and is further
9 authorized to designate one or more other officials of the City to
10 exercise any of the foregoing authorizations and to furnish or cause
11 to be furnished such information and take or cause to be taken such
12 action as may be necessary to enable the City to implement the EDA
13 according to its terms. The OED is hereby required to administer and
14 monitor the EDA and to handle the City's responsibilities thereunder,
15 including the City's responsibilities under the EDA working with and
16 supported by all relevant City departments.

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

31 **Section 7. Oversight Department.** The OED shall oversee the

1 Project described herein.

2 **Section 8. NWJEDF Guidelines.** This Ordinance conforms to
3 the NWJEDF Guidelines adopted by City Council Ordinance 2016-779-E,
4 as amended.

5 **Section 9. Effective Date.** This Ordinance shall become
6 effective upon signature by the Mayor or upon becoming effective
7 without the Mayor's signature.

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9 Form Approved:

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11 /s/ Mary E. Staffopoulos

12 Office of General Counsel

13 Legislation Prepared By: John Sawyer

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