

1 Introduced by the Council President at the request of the Mayor:
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4 **RESOLUTION 2021-437**

5 A RESOLUTION APPROPRIATING \$250,000 FROM THE
6 NORTHWEST JACKSONVILLE ECONOMIC DEVELOPMENT
7 FUND AS FOLLOWS: (1) \$150,000 FROM FUND
8 BALANCE; AND (2) \$100,000 FROM MISCELLANEOUS
9 SALES AND CHARGES, FOR THE PURPOSE OF
10 PROVIDING A \$150,000 SMALL BUSINESS
11 DEVELOPMENT INITIATIVE LOAN AND A \$100,000
12 NORTHWEST ECONOMIC DEVELOPMENT FUND BUSINESS
13 INFRASTRUCTURE GRANT TO EASTERN WIRE PRODUCTS,
14 INC. ("COMPANY"), AS INITIATED BY REVISED
15 B.T. 21-089, IN CONNECTION WITH THE COMPANY'S
16 PURCHASE OF A NEW FACILITY IN THE CITY,
17 LOCATED GENERALLY AT 5415 LONGLEAF STREET,
18 JACKSONVILLE, FLORIDA ("PROJECT"); PURPOSE OF
19 APPROPRIATION; APPROVING AND AUTHORIZING THE
20 MAYOR, OR HIS DESIGNEE, AND THE CORPORATION
21 SECRETARY TO EXECUTE AND DELIVER, FOR AND ON
22 BEHALF OF THE CITY OF JACKSONVILLE, THE
23 ECONOMIC DEVELOPMENT AGREEMENT BETWEEN COMPANY
24 AND THE CITY; AUTHORIZING APPROVAL OF
25 TECHNICAL AMENDMENTS BY THE EXECUTIVE DIRECTOR
26 OF THE OFFICE OF ECONOMIC DEVELOPMENT ("OED");
27 PROVIDING FOR CITY OF JACKSONVILLE OVERSIGHT
28 BY THE OED; AFFIRMING THE PROJECT'S COMPLIANCE
29 WITH THE NWJEDF GUIDELINES APPROVED AND
30 ADOPTED BY ORDINANCE 2016-779-E; AFFIRMING THE
31 PROJECT'S COMPLIANCE WITH THE PUBLIC

1 INVESTMENT POLICY ADOPTED BY ORDINANCE 2016-
2 382-E, AS AMENDED; REQUESTING TWO READING
3 PASSAGE PURSUANT TO COUNCIL RULE 3.305;
4 PROVIDING AN EFFECTIVE DATE.
5

6 **WHEREAS**, Eastern Wire Products, Inc. (the "Company") has
7 committed to create 10 permanent full-time equivalent new jobs in
8 Jacksonville with an average salary, exclusive of benefits, of
9 \$32,500 within 36 months of disbursement of the Northwest
10 Jacksonville Business Infrastructure Grant ("BIG Grant"), and cause
11 private capital investment in the estimated amount of \$4,461,905,
12 as further described in the Project Summary attached hereto as
13 **Exhibit 1**; and

14 **WHEREAS**, for the reasons more fully described in the Project
15 Summary, the \$150,000 Northwest Jacksonville Small Business
16 Development Initiative Loan ("SBDI Loan") and \$100,000 Northwest
17 Jacksonville Business Infrastructure Grant ("BIG Grant") in such
18 amounts serves a paramount public purpose; and

19 **WHEREAS**, the City's Office of Economic Development ("OED") has
20 reviewed the application submitted by the Company for community
21 development, and, together with representatives of the City,
22 negotiated the Economic Development Agreement and, based upon the
23 contents of the Economic Development Agreement, has determined the
24 Economic Development Agreement and the uses contemplated therein to
25 be in the public interest, and has determined that the public
26 actions and financial assistance contemplated in the Economic
27 Development Agreement take into account and give consideration to
28 the long-term public interests and public interest benefits to be
29 achieved by the City; and

30 **WHEREAS**, the Company has requested the City to enter into an
31 Economic Development Agreement; now therefore,

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

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

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

5 (b) The location of the Company's Project in Jacksonville,
6 Florida, is more particularly described in the Economic Development
7 Agreement. The Project will promote and further the public and
8 municipal purposes of the City.

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

19 (d) The provision of the City's assistance as identified in
20 the Economic Development Agreement is necessary and appropriate to
21 make the Project feasible; and the City's assistance is reasonable
22 and not excessive, taking into account the needs of the Company to
23 make the Project economically and financially feasible, and the
24 extent of the public benefits expected to be derived from the
25 Project, and taking into account all other forms of assistance
26 available.

27 (e) The Company is qualified to carry out and complete the
28 construction and equipping of the Project, in accordance with the
29 Economic Development Agreement.

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

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

5 (g) This Resolution 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. Appropriation.** For the 2020-2021 fiscal year,
9 within the City's budget, there are hereby appropriated the
10 indicated sum(s) from the account(s) listed in subsection (a) to
11 the account(s) listed in subsection (b):

12 (B.T. 21-089, attached hereto as **Exhibit 2** and incorporated herein
13 by this reference):

14 (a) Appropriated from:

15 See B.T. 21-089 \$250,000

16 (b) Appropriated to:

17 See B.T. 21-089 \$250,000

18 (c) **Explanation of Appropriation**

19 The funding above appropriates \$150,000 from the
20 Northwest Jacksonville Economic Development Fund - Fund
21 Balance, to provide a \$150,000 SBDI Loan and \$100,000
22 from the Northwest Jacksonville Economic Development Fund
23 - Miscellaneous Sales and Charges, to provide a \$100,000
24 BIG Grant to the Company.

25 **Section 3. Purpose.** The purpose of the appropriation in
26 Section 2 is to provide funding to the Company in the form of a
27 \$150,000 Northwest Jacksonville Small Business Development
28 Initiative Loan and a \$100,000 Northwest Jacksonville Business
29 Infrastructure Grant to the Company. The Company manufactures steel
30 wire and related products and is investing \$4,461,905 in a new
31 facility and proposes to create 10 new full-time jobs at an average

1 wage of \$32,500.00 per year. The NWJEDF Advisory Board recommended
2 City Council's approval of the Company's grant application at its
3 June 15, 2021 meeting.

4 **Section 4. Economic Development Agreement Approved.** The
5 Mayor, or his designee, and the Corporation Secretary are hereby
6 authorized to execute and deliver, for and on behalf of the City,
7 the Economic Development Agreement substantially in the form placed
8 **On File** with the Office of Legislative Services. The Economic
9 Development Agreement may include such additions, deletions, and
10 changes as may be reasonable, necessary, and incidental for
11 carrying out the purposes thereof, as may be acceptable to the
12 Mayor or his designee, with such inclusion and acceptance being
13 evidenced by execution of the Economic Development Agreement by the
14 Mayor or his designee. No modification of the Economic Development
15 Agreement may increase the financial obligations or the liability
16 of the City and any such modification shall be technical only and
17 shall be subject to appropriate legal review and approval of the
18 General Counsel or his or her designee and all other appropriate
19 action required by law. "Technical" is herein defined as including,
20 but not limited to, changes in legal descriptions and surveys,
21 descriptions of infrastructure improvements and/or any road
22 project, ingress and egress, easements and rights of way,
23 performance schedules (provided that no performance schedule may be
24 extended for more than one year without City Council approval),
25 design standards, access and site plans which have no financial
26 impact.

27 **Section 5. Further Authorizations.** The Mayor, or his
28 designee, and the Corporation Secretary, are hereby authorized to
29 execute the Economic Development Agreement and all other contracts
30 and documents and otherwise take all necessary action in connection
31 therewith and herewith. The Executive Director of the OED, as

1 contract administrator, is authorized to negotiate and execute all
2 necessary changes and amendments to the Economic Development
3 Agreement and other contracts and documents, to effectuate the
4 purposes of this Resolution, without further Council action,
5 provided such changes and amendments are limited to amendments that
6 are technical in nature (as described in Section 4 hereof), and
7 further provided that all such amendments shall be subject to
8 appropriate legal review and approval by the General Counsel, or
9 his or her designee, and all other appropriate official action
10 required by law.

11 **Section 6. Oversight Department.** The Office of Economic
12 Development shall oversee the Project described herein.

13 **Section 7. Execution of the Economic Development**
14 **Agreement.** If the Economic Development Agreement approved by this
15 Resolution has not been signed by the Company within ninety (90)
16 days after the OED delivers or mails the unexecuted Economic
17 Development Agreement to the Company for execution, then the City
18 Council approval of the Project and authorization for the Mayor to
19 execute the Economic Development Agreement is automatically
20 revoked, provided however, that the Executive Director of the OED
21 shall have the authority to extend such ninety (90) day period in
22 writing at his discretion for up to an additional ninety (90) days.

23 **Section 8. NWJEDF Guidelines.** This Resolution conforms
24 to the NWJEDF Guidelines adopted by City Council Ordinance 2016-
25 779-E.

26 **Section 9. Public Investment Policy.** This Resolution
27 conforms to the guidelines provided in the Public Investment Policy
28 adopted by City Council Ordinance 2016-382-E, as amended.

29 **Section 10. Requesting two reading passage pursuant to**
30 **Council Rule 3.305.** Two reading passage of this legislation is
31 requested pursuant to Council Rule 3.305.

1 **Section 11. Effective Date.** This Resolution shall become
2 effective upon signature by the Mayor or upon becoming effective
3 without the Mayor's signature.

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5 Form Approved:

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7 /s/ John Sawyer

8 Office of General Counsel

9 Legislation prepared by: John Sawyer

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