

1 The Rules Committee offers the following Substitute to File No.
2 2024-836:

3
4 Introduced by the Council President at the request of the Mayor:
5

6
7 **RESOLUTION 2024-836**

8 A RESOLUTION MAKING CERTAIN FINDINGS, AND
9 APPROVING AND AUTHORIZING THE EXECUTION OF AN
10 ECONOMIC DEVELOPMENT AGREEMENT ("AGREEMENT")
11 BETWEEN THE CITY OF JACKSONVILLE ("CITY") AND
12 PROJECT PAPER ("COMPANY") TO SUPPORT THE
13 ESTABLISHMENT OF COMPANY'S MORTGAGE TECHNOLOGY
14 DIVISION NATIONAL HEADQUARTERS AT A NEW FACILITY
15 LOCATED IN JACKSONVILLE ("PROJECT");
16 AUTHORIZING A THIRTEEN-YEAR RECAPTURE ENHANCED
17 VALUE (REV) GRANT IN AN AMOUNT NOT-TO-EXCEED
18 \$16,000,000; AUTHORIZING A LOCAL TARGETED
19 INDUSTRY EMPLOYMENT GRANT IN AN AMOUNT
20 NOT-TO-EXCEED \$5,000,000; APPROVING AND
21 AUTHORIZING THE EXECUTION OF DOCUMENTS BY THE
22 MAYOR, OR HER DESIGNEE, AND CORPORATION
23 SECRETARY; AUTHORIZING APPROVAL OF TECHNICAL
24 AMENDMENTS BY THE EXECUTIVE DIRECTOR OF THE
25 OFFICE OF ECONOMIC DEVELOPMENT ("OED");
26 PROVIDING FOR OVERSIGHT BY THE OED; PROVIDING A
27 DEADLINE FOR THE COMPANY TO EXECUTE THE
28 AGREEMENT; WAIVING CERTAIN REQUIRMENTS OF THE
29 PUBLIC INVESTMENT POLICY ADOPTED BY ORDINANCE
30 2024-286-E, TO AUTHORIZE THE LOCAL TARGETED
31 INDUSTRY EMPLOYMENT GRANT AT A RATE OF \$10,000

1 PER NEW JOB TO BE PAID OVER A TWO YEAR PERIOD
2 INSTEAD OF AT A RATE OF UP TO \$5,000 PER NEW JOB
3 OVER A FOUR YEAR PERIOD AS PERMITTED BY THE
4 PUBLIC INVESTMENT POLICY; REQUESTING
5 TWO-READING PASSAGE PURSUANT TO COUNCIL RULE
6 3.305; PROVIDING AN EFFECTIVE DATE.

7
8 **WHEREAS**, Project Paper (the "Company") has committed to create
9 an estimated 500 permanent full-time equivalent new jobs in
10 Jacksonville with an average annual salary of not less than \$100,000
11 by December 31, 2031 with a minimum capital investment of
12 \$173,000,000, and also retain an estimated 1,500 permanent full-time
13 equivalent jobs all as further described in the Revised Project
14 Summary attached hereto as **Revised Exhibit 1**, and incorporated herein
15 by this reference; and

16 **WHEREAS**, for the reasons more fully described in the Project
17 Summary, the payment of the REV Grant and the Local Targeted Industry
18 Employment Grant in the amounts set forth therein serves a paramount
19 public purpose; and

20 **WHEREAS**, the Office of Economic Development ("OED") has
21 reviewed the application submitted by the Company for economic
22 development and, together with representatives of the City,
23 negotiated an agreement with the Company in substantially the form
24 placed **Revised On File** with the Legislative Services Division (the
25 "Agreement"). Accordingly, based upon the contents of the Agreement,
26 it has been determined that the Agreement and the uses contemplated
27 therein to be in the public interest, and that the public actions and
28 financial assistance contemplated in the Agreement take into account
29 and give consideration to the long-term public interests and public
30 interest benefits to be achieved by the City; now therefore

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

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

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

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

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

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

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

28 (f) The authorizations provided by this Resolution are for
29 public uses and purposes for which the City may use its powers as a
30 county, municipality and as a political subdivision of the State of
31 Florida and may expend public funds, and the necessity in the public

1 interest for the provisions herein enacted is hereby declared as a
2 matter of legislative determination.

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

6 **Section 2. Economic Development Agreement Approved.** There
7 is hereby approved, and the Mayor, or her designee, and Corporation
8 Secretary are authorized to execute and deliver, for and on behalf
9 of the City, the Agreement between the City and the Company,
10 substantially in the form placed **Revised On File** with the Office of
11 Legislative Services (with such "technical" changes as herein
12 authorized), for the purpose of implementing the recommendations of
13 the City, as are further described in the Revised Project Summary
14 attached hereto as **Revised Exhibit 1**.

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

31 **Section 3. Payment of Local Targeted Industry Employment**

1 **Grant.** The Local Targeted Industry Employment Grant is hereby
2 authorized and, subject to subsequent appropriation by Council, the
3 City is authorized to disburse the Local Targeted Industry Employment
4 Grant to the Company in an amount not-to-exceed \$5,000,000, pursuant
5 to and as set forth in the Agreement.

6 **Section 4. Payment of REV Grant.**

7 (a) The REV Grant in an amount not-to-exceed \$16,000,000, shall
8 not be deemed to constitute a debt, liability, or obligation of the
9 City or of the State of Florida or any political subdivision thereof
10 within the meaning of any constitutional or statutory limitation, or
11 a pledge of the faith and credit or taxing power of the City or of
12 the State of Florida or any political subdivision thereof, but shall
13 be payable solely from the funds provided therefor as provided in
14 this Section. The Agreement shall contain a statement to the effect
15 that the City shall not be obligated to pay any installment of its
16 financial assistance to the Company except from the non-ad valorem
17 revenues or other legally available funds provided for that purpose,
18 that neither the faith and credit nor the taxing power of the City
19 or of the State of Florida or any political subdivision thereof is
20 pledged to the payment of any portion of such financial assistance,
21 and that the Company, or any person, firm or entity claiming by,
22 through or under the Company, or any other person whomsoever, shall
23 never have any right, directly or indirectly, to compel the exercise
24 of the ad valorem taxing power of the City or of the State of Florida
25 or any political subdivision thereof for the payment of any portion
26 of such financial assistance.

27 (b) The Mayor, or her designee, is hereby authorized to and
28 shall disburse the annual installments of the REV Grant as provided
29 in this Section in accordance with this Resolution and the Agreement.

30 **Section 5. Designation of Authorized Official/OED Contract**
31 **Monitor.** The Mayor is designated as the authorized official of the

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

14 **Section 6. Further Authorizations.** The Mayor, or her
15 designee, and the Corporation Secretary, are hereby authorized to
16 execute and deliver the Agreement and all other contracts and
17 documents and otherwise take all necessary action in connection
18 therewith and herewith. The Executive Director of the OED, as contract
19 administrator, is authorized to negotiate and execute all necessary
20 changes and amendments to the Agreement and other contracts and
21 documents, to effectuate the purposes of this Resolution, without
22 further Council action, provided such changes and amendments are
23 limited to amendments that are technical in nature (as described in
24 Section 2 hereof), and further provided that all such amendments
25 shall be subject to appropriate legal review and approval by the
26 General Counsel, or his or her designee, and all other appropriate
27 official action required by law.

28 **Section 7. Oversight Department.** The OED shall oversee
29 the project described herein.

30 **Section 8. Execution of Agreement.** If the Agreement
31 approved by this Resolution has not been signed by the Company within

1 ninety (90) days after the OED delivers or mails the unexecuted
2 Agreement to the Company for execution, then the City Council
3 approvals in this Resolution and authorization for the Mayor to
4 execute the Agreement are automatically revoked; provided, however,
5 that the Executive Director of the OED shall have the authority to
6 extend such ninety (90) day period in writing at his discretion for
7 up to an additional ninety (90) days.

8 **Section 9. Waiving Certain Requirements of the Public**
9 **Investment Policy.** The requirements of the Public Investment Policy
10 adopted by City Council through Ordinance 2024-286-E are hereby waived
11 to authorize the Local Targeted Industry Employment Grant at a rate
12 of \$10,000 per new job, to be paid over a two year period which is
13 above the rate of \$5,000 per new job, paid over a four year period
14 as permitted by the Public Investment Policy. The waiver is justified
15 due to the fact that the Project will cause a minimum private capital
16 investment in the project of \$173,000,000 and result in increased ad
17 valorem revenues to the City.

18 **Section 10. Requesting Two Reading Passage Pursuant to**
19 **Council Rule 3.305.** Two reading passage of this legislation is
20 requested pursuant to Council Rule 3.305.

21 **Section 11. Effective Date.** This Resolution shall become
22 effective upon signature by the Mayor or upon becoming effective
23 without the Mayor's signature.

24
25 Form Approved:

26
27 /s/ Mary E. Staffopoulos

28 Office of General Counsel

29 Legislation Prepared By: Joelle J. Dillard

30 GC-#1659489-v3-2024-836_Rules_Sub.docx