

1 Introduced by the Council President at the request of the Mayor:  
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4 **RESOLUTION 2022-87**

5 A RESOLUTION APPROPRIATING \$200,000 FROM THE  
6 NORTHWEST JACKSONVILLE ECONOMIC DEVELOPMENT  
7 FUND FOR THE PURPOSE OF PROVIDING A \$200,000  
8 LARGE SCALE ECONOMIC DEVELOPMENT FUND GRANT TO  
9 USA BIG MOUNTAIN PAPER INC. D/B/A NATEEN  
10 ("COMPANY"), AS INITIATED BY B.T. 22-042, IN  
11 CONNECTION WITH THE COMPANY'S LEASE OF A NEW  
12 MANUFACTURING FACILITY, LOCATED GENERALLY AT  
13 2160 W. 33<sup>RD</sup> STREET, JACKSONVILLE, FLORIDA  
14 ("PROJECT"); PURPOSE OF APPROPRIATION;  
15 APPROVING AND AUTHORIZING THE EXECUTION OF AN  
16 ECONOMIC DEVELOPMENT AGREEMENT ("AGREEMENT")  
17 BETWEEN THE CITY OF JACKSONVILLE ("CITY") AND  
18 THE COMPANY; AUTHORIZING A LARGE SCALE ECONOMIC  
19 DEVELOPMENT FUND GRANT TO THE COMPANY IN THE  
20 AMOUNT OF \$200,000; AUTHORIZING APPROVAL OF  
21 TECHNICAL AMENDMENTS BY THE EXECUTIVE DIRECTOR  
22 OF THE OFFICE OF ECONOMIC DEVELOPMENT ("OED");  
23 PROVIDING FOR OVERSIGHT BY THE OED; PROVIDING A  
24 DEADLINE FOR THE COMPANY TO EXECUTE THE  
25 AGREEMENT; AFFIRMING THE PROJECT'S COMPLIANCE  
26 WITH THE NWJEDF GUIDELINES APPROVED AND ADOPTED  
27 BY ORDINANCE 2016-779-E; AFFIRMING THE PROJECT'S  
28 COMPLIANCE WITH THE PUBLIC INVESTMENT POLICY  
29 ADOPTED BY ORDINANCE 2016-382-E, AS AMENDED;  
30 REQUESTING TWO-READING PASSAGE PURSUANT TO  
31 COUNCIL RULE 3.305; PROVIDING AN EFFECTIVE DATE.

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2           **WHEREAS**, USA Big Mountain Paper Inc. d/b/a Nateen (the  
3 "Company") is proposing to establish a new manufacturing facility and  
4 create 50 permanent full-time equivalent new jobs in northwest  
5 Jacksonville with an average salary, exclusive of benefits, of at  
6 least \$40,000 per annum by December 31, 2024, with an estimated new  
7 capital investment of \$5,300,000, all as further described in the  
8 Project Summary attached hereto as **Exhibit 1** and incorporated herein  
9 by this reference; and

10           **WHEREAS**, for the reasons more fully described in the Project  
11 Summary, the payment of the Large Scale Economic Development Fund  
12 (LSEDF) Grant in such amounts serves a paramount public purpose; and

13           **WHEREAS**, the OED has reviewed the application submitted by the  
14 Company for community development; and, together with representatives  
15 of the City, negotiated the Agreement. Accordingly, based upon the  
16 contents of the Agreement, it has been determined that the Agreement  
17 and the uses contemplated therein to be in the public interest, and  
18 that the public actions and financial assistance contemplated in the  
19 Agreement take into account and give consideration to the long-term  
20 public interests and public interest benefits to be achieved by the  
21 City; and

22           **WHEREAS**, the Company has requested the City to enter into an  
23 agreement in substantially the form placed **On File** with the Office  
24 of Legislative Services; now therefore,

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

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

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

29           (b) The location of the Company's Project in northwest  
30 Jacksonville, Florida, is more particularly described in the  
31 Agreement. The Project will promote and further the public and

1 municipal purposes of the City.

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

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

19 (e) The Company is qualified to carry out and complete the  
20 construction and equipping of the Project, in accordance with the  
21 Agreement.

22 (f) The authorizations provided by this Resolution are for  
23 public uses and purposes for which the City may use its powers as a  
24 county, municipality and as a political subdivision of the State of  
25 Florida and may expend public funds, and the necessity in the public  
26 interest for the provisions herein enacted is hereby declared as a  
27 matter of legislative determination.

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

31 **Section 2. Appropriation.** For the 2021-2022 fiscal year,

1 within the City's budget, there are hereby appropriated the indicated  
2 sum(s) from the account(s) listed in subsection (a) to the account(s)  
3 listed in subsection (b):

4 (B.T. 22-042, attached hereto as **Exhibit 2** and incorporated herein  
5 by this reference):

6 (a) Appropriated from:

7 See B.T. 22-042 \$200,000

8 (b) Appropriated to:

9 See B.T. 22-042 \$200,000

10 (c) **Explanation of Appropriation**

11 The funding above appropriates \$200,000 from the Northwest  
12 Jacksonville Economic Development Fund - Fund Balance, to  
13 provide a \$200,000 Large Scale Economic Development Fund  
14 Grant to the Company.

15 **Section 3. Purpose.** The purpose of the appropriation in  
16 Section 2 is to provide a \$200,000 Large Scale Economic Development  
17 Fund Grant to the Company. The Company manufactures paper medical  
18 products and is investing \$5,300,000 in a new leased facility and  
19 proposes to create 50 new full-time jobs at an average wage of  
20 \$40,000.00 per year. The NWJEDF Advisory Board recommended City  
21 Council's approval of the Company's grant application at its December  
22 14, 2021 meeting.

23 **Section 4. Economic Development Agreement Approved.** There  
24 is hereby approved, and the Mayor and Corporation Secretary are  
25 authorized to execute and deliver, for and on behalf of the City, an  
26 agreement between the City and the Company, substantially in the form  
27 placed **On File** with the Office of Legislative Services (with such  
28 "technical" changes as herein authorized), for the purpose of  
29 implementing the recommendations of the OED, as are further described  
30 in the Project Summary attached hereto as **Exhibit 1**.

31 The Agreement may include such additions, deletions and changes

1 as may be reasonable, necessary and incidental for carrying out the  
2 purposes thereof, as may be acceptable to the Mayor, or his designee,  
3 with such inclusion and acceptance being evidenced by execution of  
4 the Agreement by the Mayor or his designee. No modification to the  
5 Agreement may increase the financial obligations or the liability of  
6 the City and any such modification shall be technical only and shall  
7 be subject to appropriate legal review and approval of the General  
8 Counsel, or his or her designee, and all other appropriate action  
9 required by law. "Technical" is herein defined as including, but not  
10 limited to, changes in legal descriptions and surveys, descriptions  
11 of infrastructure improvements and/or any road project, ingress and  
12 egress, easements and rights of way, performance schedules (provided  
13 that no performance schedule may be extended for more than one year  
14 without City Council approval) design standards, access and site  
15 plan, which have no financial impact.

16 **Section 5. Payment of Large Scale Economic Development Fund**  
17 **(LSEDF) Grant.** The Mayor, or his designee, is hereby authorized to  
18 and shall disburse the LSEDF Grant in accordance with this Resolution  
19 and the Agreement.

20 **Section 6. Designation of Authorized Official/OED Contract**  
21 **Monitor.** The Mayor is designated as the authorized official of the  
22 City for the purpose of executing and delivering any contracts and  
23 documents and furnishing such information, data and documents for the  
24 Agreement and related documents as may be required and otherwise to  
25 act as the authorized official of the City in connection with the  
26 Agreement, and is further authorized to designate one or more other  
27 officials of the City to exercise any of the foregoing authorizations  
28 and to furnish or cause to be furnished such information and take or  
29 cause to be taken such action as may be necessary to enable the City  
30 to implement the Agreement according to its terms. The OED is hereby  
31 required to administer and monitor the Agreement and to handle the

1 City's responsibilities thereunder, including the City's  
2 responsibilities under such Agreement working with and supported by  
3 all relevant City departments.

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

18 **Section 8. Oversight Department.** The OED shall oversee the  
19 Project described herein.

20 **Section 9. Execution of Agreement.** If the Agreement  
21 approved by this Resolution has not been signed by the Company within  
22 ninety (90) days after the OED delivers or mails the unexecuted  
23 Agreement to the Company for execution, then the City Council  
24 approvals in this Resolution and authorization for the Mayor to  
25 execute the Agreement are automatically revoked; provided, however,  
26 that the Executive Director of the OED shall have the authority to  
27 extend such ninety (90) day period in writing at his discretion for  
28 up to an additional ninety (90) days.

29 **Section 10. Public Investment Policy.** This Resolution  
30 conforms to the guidelines provided in the Public Investment Policy  
31 adopted by City Council Ordinance 2016-382-E, as amended.

1                **Section 11.      NWJEDF Guidelines.** This Resolution conforms to  
2 the NWJEDF Guidelines adopted by City Council Ordinance 2016-779-E.

3                **Section 12.      Requesting Two Reading Passage Pursuant to**  
4 **Council Rule 3.305.** Two reading passage of this legislation is  
5 requested pursuant to Council Rule 3.305.

6                **Section 13.      Effective Date.** This Resolution shall become  
7 effective upon signature by the Mayor or upon becoming effective  
8 without the Mayor's signature.

9  
10 Form Approved:

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12   /s/ John Sawyer  \_\_\_\_\_

13 Office of General Counsel

14 Legislation Prepared By: John Sawyer

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