

1 Introduced by the Council President at the request of the Mayor and
2 Co-Sponsored by Council Member Gaffney and amended by the Finance
3 Committee:
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6 **RESOLUTION 2022-87-A**

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

1 REQUESTING TWO-READING PASSAGE PURSUANT TO
2 COUNCIL RULE 3.305; PROVIDING AN EFFECTIVE DATE.

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

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

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

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

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

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

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

31 (b) The location of the Company's Project in northwest

1 Jacksonville, Florida, is more particularly described in the
2 Agreement. The Project will promote and further the public and
3 municipal purposes of the City.

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

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

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

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

30 (g) This Resolution is adopted pursuant to the provisions of
31 Chapters 163, 166 and 125, Florida Statutes, as amended, the City's

1 Charter, and other applicable provisions of law.

2 **Section 2. Appropriation.** For the 2021-2022 fiscal year,
3 within the City's budget, there are hereby appropriated the indicated
4 sum(s) from the account(s) listed in subsection (a) to the account(s)
5 listed in subsection (b):

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

8 (a) Appropriated from:

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

10 (b) Appropriated to:

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

12 (c) **Explanation of Appropriation**

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

17 **Section 3. Purpose.** The purpose of the appropriation in

18 Section 2 is to provide a \$200,000 Large Scale Economic Development
19 Fund Grant to the Company. The Company manufactures paper medical
20 products and is investing \$5,300,000 in a new leased facility and
21 proposes to create 50 new full-time jobs at an average wage of
22 \$40,000.00 per year. The NWJEDF Advisory Board recommended City
23 Council's approval of the Company's grant application at its December
24 14, 2021 meeting.

25 **Section 4. Economic Development Agreement Approved.** There

26 is hereby approved, and the Mayor and Corporation Secretary are
27 authorized to execute and deliver, for and on behalf of the City, an
28 agreement between the City and the Company, substantially in the form
29 placed **Revised On File** with the Office of Legislative Services (with
30 such "technical" changes as herein authorized), for the purpose of
31 implementing the recommendations of the OED, as are further described

1 in the Project Summary attached hereto as **Exhibit 1**.

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

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

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

1 to implement the Agreement according to its terms. The OED is hereby
2 required to administer and monitor the Agreement and to handle the
3 City's responsibilities thereunder, including the City's
4 responsibilities under such Agreement working with and supported by
5 all relevant City departments.

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

20 **Section 8. Oversight Department.** The OED shall oversee the
21 Project described herein.

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

31 **Section 10. Public Investment Policy.** This Resolution

1 conforms to the guidelines provided in the Public Investment Policy
2 adopted by City Council Ordinance 2016-382-E, as amended.

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

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

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

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12 Form Approved:

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14 /s/ Paige H. Johnston

15 Office of General Counsel

16 Legislation Prepared By: John Sawyer

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