

1 Introduced by the Council President at the request of the Mayor:
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4 **RESOLUTION 2022-834**

5 A RESOLUTION MAKING CERTAIN FINDINGS AND
6 APPROPRIATING \$50,000 FROM THE NORTHWEST OED
7 FUND - TRANSFER FROM FUND BALANCE FOR THE
8 PURPOSE OF PROVIDING A \$50,000 NORTHWEST
9 JACKSONVILLE SMALL BUSINESS DEVELOPMENT
10 INITIATIVE ("SBDI") GRANT TO SPORTS ADDIX, LLC
11 ("COMPANY"), AS INITIATED BY B.T. 23-016, IN
12 CONNECTION WITH THE INFRASTRUCTURE COSTS AND
13 BUILDING IMPROVEMENTS FOR THE BUILDING LOCATED
14 GENERALLY AT 1708 MARSHALL STREET TO BE MADE
15 BY THE COMPANY; APPROVING AND AUTHORIZING THE
16 MAYOR, OR HIS DESIGNEE, AND THE CORPORATION
17 SECRETARY TO EXECUTE AND DELIVER, FOR AND ON
18 BEHALF OF THE CITY OF JACKSONVILLE, THE
19 ECONOMIC DEVELOPMENT AGREEMENT BETWEEN COMPANY
20 AND THE CITY; AUTHORIZING APPROVAL OF
21 TECHNICAL AMENDMENTS BY THE EXECUTIVE DIRECTOR
22 OF THE OFFICE OF ECONOMIC DEVELOPMENT ("OED");
23 PROVIDING FOR CITY OF JACKSONVILLE OVERSIGHT
24 BY THE OED; AFFIRMING THE PROJECT'S COMPLIANCE
25 WITH THE NWJEDF GUIDELINES APPROVED AND
26 ADOPTED BY ORDINANCE 2016-779-E; AFFIRMING THE
27 PROJECT'S COMPLIANCE WITH THE PUBLIC
28 INVESTMENT POLICY ADOPTED BY ORDINANCE 2022-
29 372-E, AS AMENDED; REQUESTING TWO READING
30 PASSAGE PURSUANT TO COUNCIL RULE 3.305;
31 PROVIDING AN EFFECTIVE DATE.

1
2 **WHEREAS**, Sports Addix, LCC (the "Company") has committed to
3 create 25 permanent full-time equivalent new jobs in Jacksonville
4 with an average salary, exclusive of benefits, of \$51,000 within 24
5 months of disbursement of the Northwest Jacksonville Small Business
6 Development Initiative Grant ("SBDI Grant"), and cause private
7 capital investment in the estimated amount of \$679,000, as further
8 described in the Project Summary attached hereto as **Exhibit 1**; and

9 **WHEREAS**, for the reasons more fully described in the Project
10 Summary, the \$50,000 SBDI Grant in such amount serves a paramount
11 public purpose; and

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

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

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

26 **Section 1. Findings.** It is hereby ascertained,
27 determined, 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 Jacksonville,
30 Florida, is more particularly described in the Economic Development
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
3 matters of State and City policy and State and City concern in
4 order that the State and its counties and municipalities, including
5 the City, shall not continue to be endangered by unemployment,
6 underemployment, economic recession, poverty, crime and disease,
7 and consume an excessive proportion of the State and City revenues
8 because of the extra services required for police, fire, accident,
9 health care, elderly care, charity care, hospitalization, public
10 housing and housing assistance, and other forms of public
11 protection, services and facilities.

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

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

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

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

1 **Section 2. Appropriation.** For the 2022-2023 fiscal
2 year, within the City's budget, there are hereby appropriated the
3 indicated sum(s) from the account(s) listed in subsection (a) to
4 the account(s) listed in subsection (b): (B.T. 23-016, attached
5 hereto as **Exhibit 2** and incorporated herein by this reference):

6 (a) Appropriated from:

7 See B.T. 23-016 \$50,000

8 (b) Appropriated to:

9 See B.T. 23-016 \$50,000

10 (c) **Explanation of Appropriation**

11 The funding above appropriates \$50,000 from the Northwest
12 OED Fund - Fund Balance, to provide a Northwest
13 Jacksonville Small Business Development Initiative
14 ("SBDI") Grant to the Company to assist with costs
15 associated with infrastructure and building upgrades
16 needed to complete the Project.

17 **Section 3. Purpose.** The purpose of the appropriation in
18 Section 2 is to provide Company funding in the form of a Northwest
19 Jacksonville SBDI Grant in an amount not to exceed \$50,000 to fund
20 infrastructure improvements and building upgrades on the project
21 parcel.

22 **Section 4. Economic Development Agreement Approved.** The
23 Mayor, or his designee, and the Corporation Secretary are hereby
24 authorized to execute and deliver, for and on behalf of the City,
25 the Economic Development Agreement substantially in the form placed
26 **On File** with the Office of Legislative Services. The Economic
27 Development Agreement may include such additions, deletions, and
28 changes as may be reasonable, necessary, and incidental for
29 carrying out the purposes thereof, as may be acceptable to the
30 Mayor or his designee, with such inclusion and acceptance being
31 evidenced by execution of the Economic Development Agreement by the

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

14 **Section 5. Further Authorizations.** The Mayor, or his
15 designee, and the Corporation Secretary, are hereby authorized to
16 execute the Economic Development Agreement and all other contracts
17 and documents and otherwise take all necessary action in connection
18 therewith and herewith. The Executive Director of the OED, as
19 contract administrator, is authorized to negotiate and execute all
20 necessary changes and amendments to the Economic Development
21 Agreement and other contracts and documents, to effectuate the
22 purposes of this Resolution, without further Council action,
23 provided such changes and amendments are limited to amendments that
24 are technical in nature (as described in Section 4 hereof), and
25 further provided that all such amendments shall be subject to
26 appropriate legal review and approval by the General Counsel, or
27 his or her designee, and all other appropriate official action
28 required by law.

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

31 **Section 7. Execution of the Economic Development**

1 **Agreement.** If the Economic Development Agreement approved by this
2 Resolution has not been signed by the Company within ninety (90)
3 days after the OED delivers or mails the unexecuted Economic
4 Development Agreement to the Company for execution, then the City
5 Council approval of the Project and authorization for the Mayor to
6 execute the Economic Development Agreement is automatically
7 revoked, provided however, that the Executive Director of the OED
8 shall have the authority to extend such ninety (90) day period in
9 writing at his discretion for up to an additional ninety (90) days.

10 **Section 8. NWJEDF Guidelines.** This Resolution conforms
11 to the NWJEDF Guidelines adopted by City Council Ordinance 2016-
12 779-E.

13 **Section 9. Public Investment Policy.** This Resolution
14 conforms to the guidelines provided in the Public Investment Policy
15 adopted by City Council Ordinance 2022-372-E, as amended.

16 **Section 10. Requesting two reading passage pursuant to**
17 **Council Rule 3.305.** Two reading passage of this legislation is
18 requested pursuant to Council Rule 3.305.

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

22
23 Form Approved:

24
25 /s/ John Sawyer

26 Office of General Counsel

27 Legislation prepared by: John Sawyer

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