

1 Introduced by the Council President at the request of the Downtown
2 Investment Authority and amended by the Neighborhoods, Community
3 Services, Public Health and Safety Committee:
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6 **ORDINANCE 2022-763-E**

7 MAKING CERTAIN FINDINGS AND APPROVING AND
8 AUTHORIZING THE MAYOR, OR HIS DESIGNEE, AND
9 CORPORATION SECRETARY TO EXECUTE A DISCOUNTED
10 PAYOFF AGREEMENT (THE "AGREEMENT"), BETWEEN THE
11 CITY AND W.A. KNIGHT BUILDING DEVELOPMENT,
12 L.L.C. ("DEVELOPER"), TO AUTHORIZE THE
13 ACCEPTANCE OF THREE HUNDRED TWENTY THREE
14 THOUSAND EIGHTY-THREE AND 30/100 DOLLARS
15 (\$323,083.30) AS PAYMENT IN FULL FOR A LOAN IN
16 THE ORIGINAL PRINCIPAL AMOUNT OF THREE HUNDRED
17 THOUSAND AND NO/100 DOLLARS (\$300,000.00) (THE
18 "LOAN") MADE PURSUANT TO TERMS OF THAT CERTAIN
19 REDEVELOPMENT AGREEMENT DATED AS OF MARCH 21,
20 2000, AS AMENDED BY THAT CERTAIN FIRST AMENDMENT
21 TO REDEVELOPMENT AGREEMENT DATED AUGUST 3, 2001;
22 PROVIDING FOR A TIMELINE OF THE LOAN PAYOFF BY
23 DEVELOPER; PROVIDING FOR LOAN REPAYMENTS TO BE
24 DEPOSITED INTO THE DOWNTOWN ECONOMIC DEVELOPMENT
25 FUND; PROVIDING AN EFFECTIVE DATE.
26

27 **WHEREAS**, the City of Jacksonville ("City"), the Jacksonville
28 Economic Development Commission ("JEDC") and LB Jax Development,
29 L.L.C. (the "Original Developer") entered into that certain
30 Redevelopment Agreement dated March 21, 2000, as subsequently amended
31 by that certain First Amendment to Redevelopment Agreement dated

1 August 3, 2001 by and among City, JEDC, the Original Developer and
2 W.A. Knight Building Development, L.L.C. (the "Developer"), (as
3 amended, the "Redevelopment Agreement"), pursuant to which the City
4 made a loan in the original principal amount of Three Hundred Thousand
5 and No/100 Dollars (\$300,000.00) to Developer for the acquisition and
6 rehabilitation of certain property located within the Northbank
7 Downtown Community Redevelopment Area with an address of 113 W. Adams
8 Street, Jacksonville, Florida; and

9 **WHEREAS**, the Developer is the successor in interest to the
10 Original Developer and the Downtown Investment Authority ("DIA") is
11 the successor contract manager of the Redevelopment Agreement to
12 JEDC; and

13 **WHEREAS**, the Loan matures on October 31, 2031 and the Developer
14 has requested to pay off the Loan in full on or before November 30,
15 2022 for the amount of \$323,083.30; and

16 **WHEREAS**, the DIA has authorized this discounted Loan payoff
17 pursuant to DIA Resolution 2022-08-04 attached hereto as **Exhibit 1**;
18 and

19 **WHEREAS**, the Council finds that it is in the best interests of
20 DIA, the City, and the public for the Loan to be paid off early at a
21 discount and provides, among other benefits, a guaranteed return on
22 and repayment of the Loan and immediate access to such funds for use
23 on other projects benefitting the public; now, therefore,

24 **BE IT ORDAINED** by the Council of the City of Jacksonville:

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

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

28 (b) The authorizations provided by this Ordinance 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 (c) This Ordinance 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. Approval and Authorization.** There is hereby
7 approved, and the Mayor, or his designee, and the Corporation
8 Secretary are authorized to execute a Discounted Payoff Agreement
9 (the "Agreement"), in substantially the form placed **Revised On File**
10 with the Legislative Services Division. The Agreement may include
11 such additions, deletions and changes as may be reasonable, necessary
12 and incidental for carrying out the purposes thereof, as may be
13 acceptable to the Mayor, or his designee, with such inclusion and
14 acceptance being evidenced by execution of the Agreement by the Mayor
15 or his designee. No modification to the Agreement may increase the
16 financial obligations or the liability to the City and any such
17 modification shall be technical only and shall be subject to
18 appropriate legal review and approval of the General Counsel, or his
19 or her designee, and all other appropriate action required by law.

20 **Section 3. Loan Payoff.** If the Loan has not been paid off
21 pursuant to the Agreement on or before November 30, 2022, then the
22 City Council approval of and authorization for the discounted payoff
23 of the Loan are automatically revoked, provided however, that the
24 Chief Executive Officer of the DIA shall have the authority to extend
25 such payoff date in writing at his or her discretion for up to thirty
26 (30) days.

27 **Section 4. Repayment.** All repayments of the Loan shall be
28 deposited into the Downtown Economic Development Fund for future
29 appropriation by the DIA Board.

30 **Section 5. Effective Date.** This Ordinance shall become
31 effective upon signature by the Mayor or upon becoming effective

1 without the Mayor's signature.

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3 Form Approved:

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5 /s/ Mary E. Staffopoulos

6 Office of General Counsel

7 Legislation Prepared By: Joelle J. Dillard

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