Introduced by the Council President at the request of the Mayor:

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## ORDINANCE 2023-78

AN ORDINANCE APPROVING, AND AUTHORIZING THE MAYOR AND CORPORATION SECRETARY TO EXECUTE AND AMENDMENT DELIVER, AN FOUR ТО ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF JACKSONVILLE AND A A AUTO PARTS, INC. ("COMPANY") ТО EXTEND THE COMPLETION OF CONSTRUCTION DATE FROM DECEMBER 31, 2022 TO SEPTEMBER 30, 2023; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City and A A Auto Parts, Inc. have previously 14 15 entered into that certain Economic Development Agreement dated November 22, 2019 (the "Agreement"), as authorized by Ordinance 2019-16 652-E, pursuant to which the City agreed to provide a \$150,000 17 Northwest Jacksonville Economic Development Fund ("NWJEDF") Loan and 18 a \$100,000 NWJEDF Business Infrastructure Grant ("BIG") in support 19 20 of the additional infrastructure and site improvements needed to support the installation of a metal shredder system at the Company's 21 22 existing facility (the "Project"); and

WHEREAS, as authorized by Section 12.6 of the Agreement, the Agreement has been amended twice to extend the Completion of Construction deadline (the "Project Completion Deadline") from July 1, 2021 to December 31, 2021, and then from December 31, 2021 to June 30, 2022, with no further administrative authority to extend the performance schedule of the Agreement; and

WHEREAS, as authorized by Ordinance 2022-560-E, the Agreement was amended a third time to extend the Project Completion Deadline from July 1, 2022 to December 31, 2022; and 2 WHEREAS, the Project has experienced further unanticipated delays due to supply chain interruptions and labor shortages resulting 3 from the COVID-19 pandemic and other circumstances beyond the 4 5 Company's control, and the Company has requested, and the City has agreed, subject to City Council approval, to amend the Agreement to 6 7 extend the Project Completion Deadline from December 31, 2022 to 8 September 30, 2023, so that the Company may remain eligible for the NWJEDF Loan and NWJEDF BIG; now therefore 9

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

11 Section 1. Amendment Four to Economic Development Agreement 12 approved and execution authorized. There is hereby approved, and the 13 Mayor and Corporation Secretary are hereby authorized to execute and deliver, Amendment Four to Economic Development Agreement between the 14 City of Jacksonville and A A Auto Parts, Inc., in substantially the 15 form attached hereto as **Exhibit 1** and incorporated herein by this 16 reference ("Amendment Four"). Amendment Four amends the Economic 17 18 Development Agreement by extending the Project Completion Deadline by an additional nine months. 19

20 Section 2. Effective Date. This ordinance shall become 21 effective upon signature by the Mayor or upon becoming effective 22 without the Mayor's signature.

24 Form Approved:

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26 /s/ Joelle J. Dillard

27 Office of General Counsel

28 Legislation prepared by Joelle J. Dillard

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