

LEGISLATIVE FACT SHEET

DATE: March 31, 2023

BT or RC No: N/A

(Administration & City Council Bills)

SPONSOR: Office of Economic Development

(Department/Division/Agency/Council Member)

Contact for all inquiries and presentations: Office of Economic Development

Provide Name: Kirk Wendland Contact No: 255-5455

Email kwendland@coj.net

PURPOSE: White Paper (Explain why this legislation is necessary. Provide, who, what, when where, how and the impact.) Council Research will complete this form for Council introduced legislation and the Administration is responsible for all other legislation. (Minimum of 350 words – Maximum of 1 page)

Cecil Field POW/MIA Memorial, Inc. (Tenant) is a not-for-profit corporation leasing the following City-owned building and land at Cecil Commerce Center:

- Chapel Building at 6112 POW-MIA Memorial Parkway (approximately 14,774 square feet)
- Chapel Land (6-acre parcel adjacent to, and north and south of, the Chapel Building)
- Ground Parcel (20.5-acre parcel located west and south of the Chapel Land)

The Tenant's mission is two-fold: 1) to preserve the former NAS Cecil Field Chapel and memorial honoring the POW/MIA pilots and service members that were lost over the Vietnam and Desert Storm conflicts; and 2) to establish a national destination to honor and provide remembrance to all former American prisoners of war (POW) and the over 80,000 service members missing in action (MIA) still unaccounted for who have served the United States of America.

The Original Lease, approved per Ordinance 2017-394-E, started on October 2, 2017 for a term of 5 years with one renewal for a 20-year period. Ordinance 2018-422-E approved Amendment One to the Lease, authorizing a thirteen (13) month extension to the Improvements Deadline, to August 11, 2019. The Amendment also removed the reference to a specific type of aircraft in connection with the static display.

Ordinance 2021-240-E approved Amendment Two to the Lease, authorizing the following:

- Extension of the Term through March 31, 2023;
- Expansion of the leased space for the Chapel Building from 6,200 square feet to 14,744 square feet;
- Six-month extension for all Construction Deadlines;
- Six-month extension for Tenant's obligation to cover utility expenses;
- Modification of Reporting Periods to align with Tenant Fiscal Year. This changed the reporting from the periods covering January 1st – June 30th and July 1st – December 31st to the periods covering April 1st – September 30th and October 1st – March 31st; and
- Tenant was provided permission to apply for Agricultural Classification (Greenbelt) of the Ground Parcel.

Ordinance 2021-755-E approved Amendment Three to the Lease, authorizing the appropriation of \$100,000 to be used as advance payment to the Tenant for certain Site Work on a portion of the Ground Parcel for improvements related to the POW/MIA Memorial.

The Tenant has completed the improvements to the Chapel Building, including HVAC, window repairs, flooring, painting, and restoring interior to meet standard military chapel etiquette and décor. Following renovation of the Chapel Building, the building was renamed “Chapel of the High-Speed Pass” and has been designated as a local historic landmark by the City.

The Tenant has requested, and the Office of Economic Development recommends, Amendment Four to the Lease to include the following: five-year extension to the construction deadlines; updated definition of vertical construction; renewal of the Lease for the 20-year option period; and the addition of a performance schedule default and corresponding Landlord remedy.

APPROPRIATION: Total Amount Appropriated \$0 as follows: List the source **name** and provide Object and Subobject Numbers for each category listed below:

(Name of Fund as it will appear in the title of the legislation)

Name of Federal Funding Source(s)

From: _____ Amount: _____

To: _____ Amount: _____

Name of State Funding Source(s)

From: _____ Amount: _____

To: _____ Amount: _____

Name of COJ Funding Source(s)

From: _____ Amount: _____

To: _____ Amount: _____

Name of In-Kind Contributions:

From: _____ Amount: _____

To: _____ Amount: _____

Name & No. of Bond Account(s):

From: _____ Amount: _____

To: _____ Amount: _____

PLAIN LANGUAGE OF APPROPRIATION/FINANCIAL IMPACT/OTHER:

Explain: Where are the funds coming from, going to, how will the funds be used? Does the funding require a match? Is the funding for a specific time frame? Will there be ongoing maintenance and staffing obligation? Per Chapter 122 & 106 regarding funding of anticipated post-construction operation costs. (Minimum of 350 words – maximum of 1 page.

The Tenant has requested, and the Office of Economic Development recommends, Amendment Four to the Lease to include the following: five-year extension to the construction deadlines; updated definition of vertical construction; renewal of the Lease for the 20-year option period; and the addition of a performance schedule default and corresponding Landlord remedy.

ACTION ITEMS: Purpose/Check List. If "Yes" please provide detail by attaching justification and code provisions for each.

ACTION ITEMS:

Emergency? Yes _____ No **X** _____

Justification of Emergency: If yes, explanation must include detailed nature of emergency.

Federal or State Mandate? Yes _____ No **X** _____

Explanation: If yes, explanation must include detailed nature of mandate include Statue or Provision.

Fiscal Year Carryover? Yes _____ No **X** _____

Note: If yes, note must include explanation of all-year subfund carryover language.

CIP Amendment? Yes ___ No **X** _____

Attachment: If yes, attach appropriate CIP form(s). Include justification for mid-year amendment.

Contract/Agreement Approval? Yes **X** _____ No _____

Attachment & Explanation: If yes, attach the Contract/Agreement & provide name of the Department and include contact name and telephone number of the person r that will provide oversight. Indicate if negotiations are on-going and with whom. Has OGC reviewed/drafted? **OGC is reviewing the Amendment and OED will provide oversight and administration.**

Related RC/BT? Yes _____ No **X** _____ If yes, attach appropriate RC/BT form(s)

Waiver of Code? Yes ___ No **X** _____

Code Reference: If yes, identify code section(s) in space below & provide detailed explanation (including impacts) within white paper.

Code Exception: Yes _____ No **X** _____

Code Reference: If yes, identify code section(s) in space below & provide detailed explanation (including impacts) within white paper.

Related Enacted Ordinances? Yes **X** _____ No _____ Code Reference: If yes, identify related code section(s) and ORD reference number in the space below & provide detailed explanation and any changes necessary within whitepaper.

Ordinance 2017-394-E, 2018-422-E, 2021-240-E, and 2021-755-E.

ACTION ITEMS CONTINUED: Purpose/Check List. If "Yes" please provide detail by attaching justification and code provisions for each.

ACTION ITEMS:

Continuation of Grant? Yes _____ No X _____

Explanation: How will the funds be used? Does the funding require a match? Is the funding for a specific time frame and/or multi-year? If multi-year, note year of grant. Are there long-term implications for the General Fund?

Surplus Property Certification? Yes _____ No X _____ Attachment: If yes, attach appropriate form(s)

Reporting Requirements? Yes _____ No X _____

Explanation: List agencies (including City Council/Auditor) to receive reports and frequency of reports, including when reports are due. Provide name of the Department and include contact name and telephone number of the person responsible for generating.

Executive Director


(Signature)

Date:

3/31/2023

Prepared By:


(Signature)

Date:

3/31/2023

ADMINISTRATIVE TRANSMITTAL

To: MBRC, c/o Budget Office, St. James Bldg., Suite 325

Thru: N/A
(Name, Job Title, Department)

From: Kirk Wendland, Executive Director, Office of Economic Development (OED)
Initiating Department Representative (Name, Job Title, Department)

Phone: 255-5445 E-Mail: kwendland@coj.net

Primary Contact: Kirk Wendland, Executive Director, Office of Economic Development
(Name, Job Title, Department)

Phone: 255-5445 E-Mail: kwendland@coj.net

CC: Rachel Zimmer, Director of Intergovernmental Affairs, Office of the Mayor
Phone: 255-5006 E-Mail: rachelz@coj.net

COUNCIL MEMBER/INDEPENDENT AGENCY/CONSTITUTIONAL OFFICER TRANSMITTAL

To: Mary Staffopoulos, Office of General Counsel, St. James Bldg., Suite 480

Phone: 255-5062 E-Mail: mstaff@coj.net

From: N/A
Initiating Council Member/Independent Agency/Constitutional Officer

Phone: _____ E-Mail: _____

Primary Contact: N/A
(Name, Job Title, Department)

Phone: _____ E-Mail: _____

CC: Rachel Zimmer, Director of Intergovernmental Affairs, Office of the Mayor
Phone: 255-5006 E-Mail: rachelz@coj.net

Legislation from Independent Agencies requires a resolution from the Independent Agency Board approving the legislation

Independent Agency Action Item:

Board(s) Action/Resolution? Yes _____ No X _____

Attachment: If yes, attach appropriate documentation. If no, when is board action scheduled?

FACT SHEET IS REQUIRED BEFORE LEGISLATION IS INTRODUCED