

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

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4 **ORDINANCE 2024-102**

5 AN ORDINANCE APPROVING, AND AUTHORIZING THE
6 MAYOR, OR HER DESIGNEE, AND CORPORATION
7 SECRETARY TO EXECUTE AND DELIVER, AN AMENDMENT
8 FIVE TO ECONOMIC DEVELOPMENT AGREEMENT BETWEEN
9 THE CITY OF JACKSONVILLE AND A A AUTO PARTS,
10 INC. ("COMPANY") TO EXTEND THE COMPLETION OF
11 CONSTRUCTION DATE FROM SEPTEMBER 30, 2023 TO
12 SEPTEMBER 30, 2024; PROVIDING AN EFFECTIVE DATE.

13
14 **WHEREAS**, the City and A A Auto Parts, Inc. have previously
15 entered into that certain Economic Development Agreement dated
16 November 22, 2019 (the "Agreement"), as authorized by Ordinance 2019-
17 652-E, pursuant to which the City agreed to provide a \$150,000
18 Northwest Jacksonville Economic Development Fund ("NWJEDF") Loan and
19 a \$100,000 NWJEDF Business Infrastructure Grant ("BIG") in support
20 of the additional infrastructure and site improvements needed to
21 support the installation of a metal shredder system at the Company's
22 existing facility (the "Project"); and

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

29 **WHEREAS**, as authorized by Ordinance 2022-560-E, the Agreement
30 was amended a third time to extend the Project Completion Deadline
31 from July 1, 2022 to December 31, 2022; and

1 **WHEREAS**, as authorized by Ordinance 2023-78-E, the Agreement was
2 amended a fourth time to extend the Project Completion Deadline from
3 December 31, 2022 to September 30, 2023; and

4 **WHEREAS**, although all on-site infrastructure work, concrete pads
5 and concrete drainage systems have been installed, the remaining
6 items to complete the Project have experienced delays due to
7 circumstances beyond the Company's control, and the Company has
8 requested, and the City has agreed, subject to City Council approval,
9 to amend the Agreement to extend the Project Completion Deadline from
10 September 30, 2023 to September 30, 2024, so that the Company may
11 remain eligible for the NWJEDF Loan and NWJEDF BIG; now therefore

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

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

22 **Section 2. Effective Date.** This Ordinance shall become
23 effective upon signature by the Mayor or upon becoming effective
24 without the Mayor's signature.

25
26 Form Approved:

27
28 /s/ Joelle J. Dillard

29 Office of General Counsel
30 Legislation prepared by Joelle J. Dillard