

1 Introduced by the Council President at the request of the Mayor and
2 amended by the Rules Committee:

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5 **RESOLUTION 2024-946-A**

6 A RESOLUTION MAKING CERTAIN FINDINGS, AND
7 APPROVING AND AUTHORIZING THE EXECUTION OF AN
8 ECONOMIC DEVELOPMENT AGREEMENT ("AGREEMENT")
9 AMONG THE CITY OF JACKSONVILLE ("CITY"),
10 DOWNTOWN INVESTMENT AUTHORITY ("DIA") AND
11 PROJECT BLUE SKY ("COMPANY"), TO SUPPORT THE
12 RELOCATION OF COMPANY'S INTERNATIONAL
13 HEADQUATERS AT A TO BE DETERMINED LOCATION
14 WITHIN THE SOUTHSIDE COMMUNITY REDEVELOPMENT
15 AREA OF JACKSONVILLE, FLORIDA ("PROJECT");
16 AUTHORIZING A FIFTEEN-YEAR RECAPTURE ENHANCED
17 VALUE (REV) GRANT IN AN AMOUNT NOT TO EXCEED
18 \$2,300,000; AUTHORIZING A LOCAL TRAINING GRANT
19 IN AN AMOUNT NOT TO EXCEED \$1,200,000;
20 AUTHORIZING A LOCAL TARGETED INDUSTRY EMPLOYMENT
21 GRANT IN AN AMOUNT NOT TO EXCEED \$750,000;
22 APPROVING AND AUTHORIZING THE EXECUTION OF
23 DOCUMENTS BY THE MAYOR, OR HER DESIGNEE, AND
24 CORPORATION SECRETARY; AUTHORIZING APPROVAL OF
25 TECHNICAL AMENDMENTS BY THE CHIEF EXECUTIVE
26 OFFICER OF THE DOWNTOWN INVESTMENT AUTHORITY
27 ("DIA"); PROVIDING FOR OVERSIGHT BY THE DIA;
28 PROVIDING A DEADLINE FOR THE COMPANY TO EXECUTE
29 THE AGREEMENT; WAIVER OF THAT PORTION OF THE
30 PUBLIC INVESTMENT POLICY ADOPTED BY ORDINANCE
31 2024-286-E, REGARDING CERTAIN REQUIREMENTS FOR

1 EACH OF THE LOCAL TRAINING GRANT AND LOCAL
2 TARGETED INDUSTRY EMPLOYMENT GRANT; REQUESTING
3 TWO-READING PASSAGE PURSUANT TO COUNCIL RULE
4 3.305; PROVIDING AN EFFECTIVE DATE.

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6 **WHEREAS**, Section 288.075, Florida Statutes, allows certain
7 confidentiality regarding economic development projects and Company
8 has requested confidentiality in accordance with such law and the DIA
9 has approved the Project Blue Sky international headquarters
10 relocation and job creation ("Project") and advised that the Economic
11 Development Agreement in substantially the form placed **Revised On**
12 **File** with the Legislative Services Division ("Economic Development
13 Agreement") is necessary to effectuate the Project; and

14 **WHEREAS**, Project Blue Sky ("Company"), a Targeted Industry
15 Company, has committed to relocating its international headquarters
16 to the Southside Community Redevelopment Area in downtown,
17 Jacksonville, with an anticipated capital investment of \$20,000,000,
18 and has committed to retain 600 existing jobs, and create 150 new
19 jobs with an average salary, exclusive of benefits, of \$118,000 by
20 December 31, 2031, and such wage is greater than the State of Florida
21 average wage as determined by the Florida Department of Commerce; and

22 **WHEREAS**, the Company has requested and the City has agreed to
23 provide public investment in Project in the form of: (i) a 15-year,
24 75% REV Grant in the maximum amount of \$2,300,000; (ii) a Local
25 Training Grant in the maximum amount of \$1,200,000, calculated as
26 \$2,000 per employees trained, capped at 600 employees; and (iii) a
27 Local Targeted Industry Employment Grant in the maximum amount of
28 \$750,000, calculated as \$5,000 per new job created, capped at 150 new
29 jobs, with a minimum average wage of \$118,000; and

30 **WHEREAS**, the DIA has reviewed the application submitted by the
31 Company for community development, and, together with representatives

1 of the City, negotiated an Economic Development Agreement in
2 substantially the form placed **Revised On File** with the Legislative
3 Services Division (the "Agreement"). Accordingly, based upon the
4 contents of the Agreement, it has been determined that the Agreement
5 and the uses contemplated therein to be in the public interest, and
6 that the public actions and financial assistance contemplated in the
7 Agreement take into account and give consideration to the long-term
8 public interests and public interest benefits to be achieved by the
9 City; and

10 **WHEREAS**, the DIA has approved its resolutions 2024-10-06 and
11 2024-11-14 (collectively, the "Resolutions"), said Resolutions being
12 attached hereto as **Exhibit 1**; and

13 **WHEREAS**, the Company has requested the City to enter into the
14 Agreement in substantially the form placed **Revised On File** with the
15 Legislative Services Division; now therefore

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

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

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

20 (b) The location of the Company's Project in Jacksonville,
21 Florida, is more particularly described in the Agreement. The Project
22 will promote and further the public and municipal purposes of the
23 City.

24 (c) Enhancement of the City's tax base and revenues, are matters
25 of State and City policy and State and City concern in order that the
26 State and its counties and municipalities, including the City, shall
27 not continue to be endangered by unemployment, underemployment,
28 economic recession, poverty, crime and disease, and consume an
29 excessive proportion of the State and City revenues because of the
30 extra services required for police, fire, accident, health care,

1 elderly care, charity care, hospitalization, public housing and
2 housing assistance, and other forms of public protection, services
3 and facilities.

4 (d) The provision of the City's assistance as identified in the
5 Agreement is necessary and appropriate to make the Project feasible;
6 and the City's assistance is reasonable and not excessive, taking
7 into account the needs of the Company to make the Project economically
8 and financially feasible, and the extent of the public benefits
9 expected to be derived from the Project, and taking into account all
10 other forms of assistance available.

11 (e) The Company is qualified to carry out and complete the
12 construction and equipping of the Project, in accordance with the
13 Agreement.

14 (f) The authorizations provided by this Resolution are for
15 public uses and purposes for which the City may use its powers as a
16 county, municipality and as a political subdivision of the State of
17 Florida and may expend public funds, and the necessity in the public
18 interest for the provisions herein enacted is hereby declared as a
19 matter of legislative determination.

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

23 **Section 2. Economic Development Agreement Approved.** There
24 is hereby approved, and the Mayor and Corporation Secretary are
25 authorized to execute and deliver, for and on behalf of the City, the
26 Agreement between the City and the Company, substantially in the form
27 placed **Revised On File** with the Legislative Services Division (with
28 such "technical" changes as herein authorized), for the purpose of
29 implementing the recommendations of the DIA.

30 The Agreement may include such additions, deletions and changes
31 as may be reasonable, necessary and incidental for carrying out the

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

15 **Section 3. Payment of REV Grant.**

16 (a) The REV Grant, in an amount not-to-exceed \$2,300,000, shall
17 not be deemed to constitute a debt, liability, or obligation of the
18 City or of the State of Florida or any political subdivision thereof
19 within the meaning of any constitutional or statutory limitation, or
20 a pledge of the faith and credit or taxing power of the City or of
21 the State of Florida or any political subdivision thereof, but shall
22 be payable solely from the funds provided therefor as provided in
23 this Section. The Agreement shall contain a statement to the effect
24 that the City shall not be obligated to pay any installment of its
25 financial assistance to the Company except from the non-ad valorem
26 revenues or other legally available funds provided for that purpose,
27 that neither the faith and credit nor the taxing power of the City
28 or of the State of Florida or any political subdivision thereof is
29 pledged to the payment of any portion of such financial assistance,
30 and that the Company, or any person, firm or entity claiming by,
31 through or under the Company, or any other person whomsoever, shall

1 never have any right, directly or indirectly, to compel the exercise
2 of the ad valorem taxing power of the City or of the State of Florida
3 or any political subdivision thereof for the payment of any portion
4 of such financial assistance.

5 (b) The Mayor, or her designee, is hereby authorized to and
6 shall disburse the annual installments of the REV Grant as provided
7 in this Section in accordance with this Resolution and the Agreement.

8 **Section 4. Payment of Local Training Grant.** The Local
9 Training Grant is hereby authorized and, subject to subsequent
10 appropriation by Council, the City is authorized to disburse the
11 Local Training Grant to the Company in an amount not to exceed
12 \$1,200,000, pursuant to and as set forth in the Agreement.

13 **Section 5. Local Targeted Industry Employment Grant.** The
14 Local Targeted Industry Employment Grant is hereby authorized and,
15 subject to subsequent appropriation by Council, the City is authorized
16 to disburse the Local Targeted Industry Employment Grant to the
17 Company in an amount not to exceed \$750,000, pursuant to and as set
18 forth in the Agreement.

19 **Section 6. Designation of Authorized Official/DIA Contract**
20 **Monitor.** The Mayor is designated as the authorized official of the
21 City for the purpose of executing and delivering any contracts and
22 documents and furnishing such information, data and documents for the
23 Agreement and related documents as may be required and otherwise to
24 act as the authorized official of the City in connection with the
25 Agreement, and is further authorized to designate one or more other
26 officials of the City to exercise any of the foregoing authorizations
27 and to furnish or cause to be furnished such information and take or
28 cause to be taken such action as may be necessary to enable the City
29 to implement the Agreement according to its terms. The DIA is hereby
30 required to administer and monitor the Agreement and to handle the
31 City's responsibilities thereunder, including the City's

1 responsibilities under such Agreement working with and supported by
2 all relevant City departments.

3 **Section 7. Further Authorizations.** The Mayor, or her
4 designee, and the Corporation Secretary, are hereby authorized to
5 execute and deliver the Agreement and all other contracts and
6 documents and otherwise take all necessary action in connection
7 therewith and herewith. The Executive Director of the DIA, as contract
8 administrator, is authorized to negotiate and execute all necessary
9 changes and amendments to the Agreement and other contracts and
10 documents, to effectuate the purposes of this Resolution, without
11 further Council action, provided such changes and amendments are
12 limited to amendments that are technical in nature (as described in
13 Section 2 hereof), and further provided that all such amendments
14 shall be subject to appropriate legal review and approval by the
15 General Counsel, or his or her designee, and all other appropriate
16 official action required by law.

17 **Section 8. Oversight Department.** The DIA shall oversee the
18 Project described herein.

19 **Section 9. Waiver of Public Investment Policy.** The
20 requirements of the Public Investment Policy ("PIP") adopted by City
21 Council Ordinance 2024-286-E are waived to authorize the Local
22 Training Grant to be paid in the amount of \$2,000 (exceeding the
23 \$1,000 per employee maximum amount) per employee trained, exceed the
24 \$200,000 maximum grant amount, and to authorize training for existing
25 employees. The waiver is justified due to the fact that the proposed
26 Project is expected to generate a private capital investment of
27 approximately \$20,000,000 and increase ad valorem taxes payable to
28 the City and Duval County School Board, retain 600 jobs and create
29 150 new jobs with an average annual salary of \$118,000.

30 **Section 10. Requesting Two Reading Passage Pursuant to**
31 **Council Rule 3.305.** Two reading passage of this legislation is

1 requested pursuant to Council Rule 3.305.

2 **Section 11. Effective Date.** This Resolution shall become
3 effective upon signature by the Mayor or upon becoming effective
4 without the Mayor's signature.

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6 Form Approved:

7
8 /s/ Mary E. Staffopoulos

9 Office of General Counsel

10 Legislation Prepared By: John Sawyer

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