

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2019-652**

5 AN ORDINANCE APPROPRIATING \$250,000 FROM THE
6 NORTHWEST JACKSONVILLE ECONOMIC DEVELOPMENT
7 FUND - INTEREST INCOME TO SUBSIDIES &
8 CONTRIBUTIONS TO PRIVATE ORGANIZATIONS (IN THE
9 AMOUNT OF \$100,000) AND LOANS (IN THE AMOUNT
10 OF \$150,000) TO AA AUTO PARTS, INC.
11 ("COMPANY") FOR THE PURPOSE OF PROVIDING A
12 \$100,000 NORTHWEST JACKSONVILLE BUSINESS
13 INFRASTRUCTURE GRANT AND A \$150,000 NORTHWEST
14 JACKSONVILLE ECONOMIC DEVELOPMENT FUND
15 ("NWJEDF") LOAN IN CONNECTION WITH THE
16 INSTALLATION BY COMPANY OF A METAL SHREDDER
17 SYSTEM ON THE COMPANY'S PROPERTY LOCATED
18 GENERALLY AT 6641 WEST BEAVER STREET, AS
19 INITIATED BY B.T. 19-117; APPROVING AND
20 AUTHORIZING EXECUTION OF DOCUMENTS BY THE
21 MAYOR OR HIS DESIGNEE AND CORPORATION
22 SECRETARY; AUTHORIZING APPROVAL OF TECHNICAL
23 AMENDMENTS BY THE EXECUTIVE DIRECTOR OF THE
24 OED; PROVIDING FOR CITY OVERSIGHT BY THE OED;
25 AFFIRMING THE PROJECT'S COMPLIANCE WITH THE
26 NWJEDF GUIDELINES APPROVED AND ADOPTED BY
27 ORDINANCE 2016-779-E; PROVIDING AN EFFECTIVE
28 DATE.

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

31 **Section 1. Findings.** It is hereby ascertained,

1 determined, found and declared as follows:

2 The location of the Company's project in Jacksonville, Florida,
3 ("Project") is more particularly described in the Economic
4 Development Agreement. The Project will promote and further the
5 public and municipal purposes of the City.

6 Enhancement of the City's tax base and revenues, are matters of
7 State and City policy and State and City concern in order that the
8 State and its counties and municipalities, including the City, shall
9 not continue to be endangered by unemployment, underemployment,
10 economic recession, poverty, crime and disease, and consume an
11 excessive proportion of the State and City revenues because of the
12 extra services required for police, fire, accident, health care,
13 elderly care, charity care, hospitalization, public housing and
14 housing assistance, and other forms of public protection, services
15 and facilities.

16 The provision of the City's assistance as identified in the
17 Economic Development Agreement is necessary and appropriate to make
18 the Project feasible; and the City's assistance is reasonable and
19 not excessive, taking into account the needs of the Company to make
20 the Project economically and financially feasible, and the extent of
21 the public benefits expected to be derived from the Project, and
22 taking into account all other forms of assistance available.

23 The Company is qualified to carry out and complete the
24 construction and equipping of the Project, in accordance with the
25 Economic Development Agreement.

26 The authorizations provided by this Ordinance are for public
27 uses and purposes for which the City may use its powers as a county,
28 municipality and as a political subdivision of the State of Florida
29 and may expend public funds, and the necessity in the public
30 interest for the provisions herein enacted is hereby declared as a
31 matter of legislative determination.

1 This Ordinance is adopted pursuant to the provisions of
2 Chapters 163, 166 and 125, Florida Statutes, as amended, the City's
3 Charter, and other applicable provisions of law.

4 **Section 2. Appropriation.** For the 2018-2019 fiscal year,
5 within the City's budget, there are hereby appropriated the
6 indicated sum(s) from the account(s) listed in subsection (a) to
7 the account(s) listed in subsection (b):

8 (B.T. 19-117 attached hereto as **Exhibit 1** and incorporated herein
9 by this reference)

10 (a) Appropriated from:

11 See Revised B.T. 19-117 \$250,000

12 (b) Appropriated to:

13 See Revised B.T. 19-117 \$250,000

14 (c) Explanation of Appropriation: the appropriation
15 above is appropriating \$250,000 from the Northwest
16 Jacksonville Economic Development Fund to provide a
17 grant and loan to the Company to assist in funding
18 improvements relating to the installation of a metal
19 shredding system on the project site.

20 **Section 3. Purpose of Appropriation.** The purpose of the
21 appropriation above is to assist the Company in making site
22 improvements as necessary to support the installation of a metal
23 shredding system on the project site, including but not limited to
24 costs attendant to stormwater improvements, installation of curb
25 and gutters for 1,550 linear feet, and sidewalk improvements along
26 West Beaver Street. A copy of the Project Summary is attached
27 hereto as **Exhibit 2**.

28 **Section 4. Economic Development Agreement and Loan**
29 **Documents Approved.** There is hereby approved, and the Mayor or his
30 designee and Corporation Secretary are authorized to enter into an
31 Economic Development Agreement and the Loan Documents referenced

1 therein (collectively, the "Agreement") between the City and the
2 Company, in substantially the same form as has been placed **On File**
3 with the Legislative Services Division (with such "technical"
4 changes as herein authorized).

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

22 **Section 5. Designation of Authorized Official/OED**
23 **Contract Monitor.** The Mayor is designated as the authorized
24 official of the City for the purpose of executing and delivering
25 any contracts, notes and documents and furnishing such information,
26 data and documents for the Agreement as may be required and
27 otherwise to act as the authorized official of the City in
28 connection with the Agreement, and is further authorized to
29 designate one or more other officials of the City to exercise any
30 of the foregoing authorizations and to furnish or cause to be
31 furnished such information and take or cause to be taken such

1 action as may be necessary to enable the City to implement the
2 Agreement according to its terms. The OED is hereby required to
3 administer and monitor the Agreement and to handle the City's
4 responsibilities thereunder, including the City's responsibilities
5 under the Agreement working with and supported by all relevant City
6 departments.

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

21 **Section 7. Oversight Department.** The OED shall
22 oversee the project described herein.

23 **Section 8. NWJEDF Guidelines.** This Ordinance conforms to
24 the NWJEDF Guidelines adopted by City Council Ordinance 2016-779-E.

25 **Section 9. Effective Date.** This Ordinance shall become
26 effective upon signature by the Mayor or upon becoming effective
27 without the Mayor's signature.

1 Form Approved:

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3 /s/ John Sawyer

4 Office of General Counsel

5 Legislation prepared by: John Sawyer

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