

1 Introduced by the Council President at the request of the Mayor:  
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4 **RESOLUTION 2021-436**

5 A RESOLUTION MAKING CERTAIN FINDINGS, AND  
6 APPROVING AND AUTHORIZING THE EXECUTION OF AN  
7 ECONOMIC DEVELOPMENT AGREEMENT ("AGREEMENT")  
8 BETWEEN THE CITY OF JACKSONVILLE ("CITY") AND  
9 PROJECT END GAME ("COMPANY"), TO SUPPORT THE  
10 CREATION OF THE COMPANY'S OFFICES IN A TO-BE-  
11 DETERMINED LOCATION WITHIN THE CITY  
12 ("PROJECT"); AUTHORIZING A TARGETED INDUSTRY  
13 GRANT IN THE MAXIMUM AMOUNT OF \$1,831,500 ("TI  
14 GRANT"), CALCULATED IN THE AMOUNT OF \$4,500  
15 FOR EACH NEW JOB CREATED, FOR A MAXIMUM OF 407  
16 NEW JOBS TO BE CREATED BY DECEMBER 31, 2024;  
17 APPROVING AND AUTHORIZING THE MAYOR, OR HIS  
18 DESIGNEE, AND CORPORATION SECRETARY;  
19 AUTHORIZING APPROVAL OF TECHNICAL AMENDMENTS  
20 BY THE EXECUTIVE DIRECTOR OF THE OFFICE OF  
21 ECONOMIC DEVELOPMENT ("OED"); PROVIDING FOR  
22 OVERSIGHT BY THE OED; WAIVER OF THAT PORTION  
23 OF THE PUBLIC INVESTMENT POLICY ADOPTED BY  
24 ORDINANCE 2016-382-E, AS AMENDED, TO AUTHORIZE  
25 THE TI GRANT, WHICH IS NOT AUTHORIZED BY THE  
26 PUBLIC INVESTMENT POLICY; REQUESTING TWO-  
27 READING PASSAGE PURSUANT TO COUNCIL RULE  
28 3.305; PROVIDING AN EFFECTIVE DATE.

29  
30 **WHEREAS**, Section 288.075, Florida Statutes, allows certain  
31 confidentiality regarding economic development projects and Company

1 has requested confidentiality in accordance with such law and the  
2 OED has approved the Project End Game renovation and job creation  
3 ("Project") and advised that the Economic Development Agreement in  
4 substantially the form placed **On File** with the Legislative Services  
5 Division ("Economic Development Agreement") is necessary to  
6 effectuate the Project; and

7 **WHEREAS**, Project End Game (the "Company") has committed to  
8 create 407 permanent full-time equivalent new jobs in Jacksonville  
9 with an average salary, exclusive of benefits, of \$63,990 per annum  
10 by December 31, 2024, as further described in the Project Summary  
11 attached hereto as **Exhibit 1**; and

12 **WHEREAS**, such average salary is at least 125% of the State of  
13 Florida's average annual wage effective as of January 1, 2021; and

14 **WHEREAS**, for the reasons more fully described in the Project  
15 Summary, the TI Grant in such amounts serves a paramount public  
16 purpose; and

17 **WHEREAS**, the City's Office of Economic Development ("OED") has  
18 reviewed the application submitted by the Company for community  
19 development, and, together with representatives of the City,  
20 negotiated the Economic Development Agreement and, based upon the  
21 contents of the Economic Development Agreement, has determined the  
22 Economic Development Agreement and the uses contemplated therein to  
23 be in the public interest, and has determined that the public  
24 actions and financial assistance contemplated in the Economic  
25 Development Agreement take into account and give consideration to  
26 the long-term public interests and public interest benefits to be  
27 achieved by the City; and

28 **WHEREAS**, the Company has requested the City to enter into an  
29 Economic Development Agreement; now therefore,

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

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

1 determined, found and declared as follows:

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

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

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

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

25 (e) The Company is qualified to carry out and complete the  
26 construction and equipping of the Project, in accordance with the  
27 Economic Development Agreement.

28 (f) The authorizations provided by this Resolution are for  
29 public uses and purposes for which the City may use its powers as a  
30 county, municipality and as a political subdivision of the State of  
31 Florida and may expend public funds, and the necessity in the

1 public interest for the provisions herein enacted is hereby  
2 declared as a matter of legislative determination.

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

6 **Section 2. Economic Development Agreement Approved.** The  
7 Mayor, or his designee, and the Corporation Secretary are hereby  
8 authorized to execute and deliver, for and on behalf of the City,  
9 the Economic Development Agreement. The Economic Development  
10 Agreement may include such additions, deletions, and changes as may  
11 be reasonable, necessary, and incidental for carrying out the  
12 purposes thereof, as may be acceptable to the Mayor or his  
13 designee, with such inclusion and acceptance being evidenced by  
14 execution of the Economic Development Agreement by the Mayor or his  
15 designee. No modification of the Economic Development Agreement may  
16 increase the financial obligations or the liability of the City and  
17 any such modification shall be technical only and shall be subject  
18 to appropriate legal review and approval of the General Counsel or  
19 his or her designee and all other appropriate action required by  
20 law. "Technical" is herein defined as including, but not limited  
21 to, changes in legal descriptions and surveys, descriptions of  
22 infrastructure improvements and/or any road project, ingress and  
23 egress, easements and rights of way, performance schedules  
24 (provided that no performance schedule may be extended for more  
25 than one year without City Council approval), design standards,  
26 access and site plans which have no financial impact.

27 **Section 3. Further Authorizations.** The Mayor, or his  
28 designee, and the Corporation Secretary, are hereby authorized to  
29 execute the Economic Development Agreement and all other contracts  
30 and documents and otherwise take all necessary action in connection  
31 therewith and herewith. The Executive Director of the OED, as

1 contract administrator, is authorized to negotiate and execute all  
2 necessary changes and amendments to the Economic Development  
3 Agreement and other contracts and documents, to effectuate the  
4 purposes of this Resolution, without further Council action,  
5 provided such changes and amendments are limited to amendments that  
6 are technical in nature (as described in Section 2 hereof), and  
7 further provided that all such amendments shall be subject to  
8 appropriate legal review and approval by the General Counsel, or  
9 his or her designee, and all other appropriate official action  
10 required by law.

11 **Section 4. Oversight Department.** The Office of Economic  
12 Development shall oversee the Project described herein.

13 **Section 5. Execution of the Economic Development**  
14 **Agreement.** If the Economic Development Agreement approved by this  
15 Resolution has not been signed by the Company within ninety (90)  
16 days after the OED delivers or mails the unexecuted Economic  
17 Development Agreement to the Company for execution, then the City  
18 Council approval of the Project and authorization for the Mayor to  
19 execute the Economic Development Agreement is automatically  
20 revoked, provided however, that the Executive Director of the OED  
21 shall have the authority to extend such ninety (90) day period in  
22 writing at his discretion for up to an additional ninety (90) days.

23 **Section 6. Waiver of Public Investment Policy.** The  
24 requirements of the Public Investment Policy adopted by City  
25 Council Ordinance 2016-382-E, as amended, are waived to authorize  
26 the TI Grant, which is not authorized pursuant to the Public  
27 Investment Policy. The waiver is justified due to the fact that  
28 the Project will cause private capital investment in the Project in  
29 the estimated amount of \$6,400,000 and the creation of 407 new  
30 jobs.

31 **Section 7. Requesting two reading passage pursuant to**

