

1 Introduced by the Council President at the request of the Mayor and  
2 amended by the Finance Committee:  
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5 **RESOLUTION 2021-375-A**

6 A RESOLUTION MAKING CERTAIN FINDINGS, AND  
7 APPROVING AND AUTHORIZING THE EXECUTION OF AN  
8 ECONOMIC DEVELOPMENT AGREEMENT ("AGREEMENT")  
9 BETWEEN THE CITY OF JACKSONVILLE ("CITY") AND  
10 THE BOEING COMPANY ("COMPANY"), TO SUPPORT THE  
11 EXPANSION OF THE COMPANY'S EXISTING FACILITY  
12 LOCATED GENERALLY AT 5868 APPROACH ROAD,  
13 JACKSONVILLE, FLORIDA ("PROJECT"); AUTHORIZING  
14 AN INFRASTRUCTURE GRANT IN THE MAXIMUM AMOUNT  
15 OF \$425,000 ("INFRASTRUCTURE GRANT") PAYABLE  
16 IN TWO ANNUAL INSTALLMENTS FOLLOWING: (1)  
17 ACQUISITION AND IMPROVEMENT OF THE PROJECT  
18 PARCEL BY THE COMPANY; AND (2) THE CREATION OF  
19 AT LEAST 334 NEW JOBS AT THE PROJECT PARCEL BY  
20 NO LATER THAN DECEMBER 31, 2026; APPROVING AND  
21 AUTHORIZING THE EXECUTION OF DOCUMENTS BY THE  
22 MAYOR, OR HIS DESIGNEE, AND CORPORATION  
23 SECRETARY; AUTHORIZING APPROVAL OF TECHNICAL  
24 AMENDMENTS BY THE EXECUTIVE DIRECTOR OF THE  
25 OFFICE OF ECONOMIC DEVELOPMENT ("OED");  
26 PROVIDING FOR OVERSIGHT BY THE OED; WAIVER OF  
27 THAT PORTION OF THE PUBLIC INVESTMENT POLICY  
28 ADOPTED BY ORDINANCE 2016-382-E, AS AMENDED,  
29 TO AUTHORIZE THE INFRASTRUCTURE GRANT, WHICH  
30 IS NOT AUTHORIZED BY THE PUBLIC INVESTMENT  
31 POLICY; REQUESTING TWO-READING PASSAGE

1 PURSUANT TO COUNCIL RULE 3.305; PROVIDING AN  
2 EFFECTIVE DATE.

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4 **WHEREAS**, The Boeing Company (the "Company") has committed to  
5 expand its existing facility at Cecil Airport by leasing an  
6 additional 373,000 square feet of hangar, offices and support space  
7 for its operations and create 334 new jobs with an average annual  
8 salary of \$65,000 in connection therewith, with an anticipated  
9 private capital investment of \$116,500,000 (the "Project"), all as  
10 further described in the Project Summary attached hereto as **Exhibit**  
11 **1** and incorporated herein by this reference; and

12 **WHEREAS**, the City wishes to support the Project by providing a  
13 \$425,000 Infrastructure Grant to the Company payable after  
14 completion of the improvements and creation of 334 new jobs in  
15 compliance with the terms and conditions of the Economic  
16 Development Agreement ("Agreement") to be entered into between the  
17 City and the Company; and

18 **WHEREAS**, for the reasons more fully described in the Project  
19 Summary, the payment of the Infrastructure Grant in such amounts  
20 serves a paramount public purpose; and

21 **WHEREAS**, the OED has reviewed the application submitted by the  
22 Company for community development; and, together with  
23 representatives of the City, negotiated the Agreement.  
24 Accordingly, based upon the contents of the Agreement, it has been  
25 determined that the Agreement and the uses contemplated therein to  
26 be in the public interest, and that the public actions and  
27 financial assistance contemplated in the Agreement take into  
28 account and give consideration to the long-term public interests  
29 and public interest benefits to be achieved by the City; and

30 **WHEREAS**, the Company has requested the City to enter into an  
31 agreement in substantially the form placed **Revised On File** with the

1 Legislative Services Division; now therefore,

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

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

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

6 (b) The location of the Company's Project in Jacksonville,  
7 Florida, is more particularly described in the Agreement. The  
8 Project will promote and further the public and municipal purposes  
9 of the City.

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

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

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

30 (f) The authorizations provided by this Resolution are for  
31 public uses and purposes for which the City may use its powers as a

1 county, municipality and as a political subdivision of the State of  
2 Florida and may expend public funds, and the necessity in the  
3 public interest for the provisions herein enacted is hereby  
4 declared as a matter of legislative determination.

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

8 **Section 2. Economic Development Agreement Approved.**

9 There is hereby approved, and the Mayor and Corporation Secretary  
10 are authorized to execute and deliver, for and on behalf of the  
11 City, an agreement between the City and the Company, substantially  
12 in the form placed **Revised On File** with the Legislative Services  
13 Division (with such "technical" changes as herein authorized), for  
14 the purpose of implementing the recommendations of the OED, as are  
15 further described in the Project Summary attached hereto as **Exhibit**  
16 **1.**

17 The Agreement may include such additions, deletions and  
18 changes as may be reasonable, necessary and incidental for carrying  
19 out the purposes thereof, as may be acceptable to the Mayor, or his  
20 designee, with such inclusion and acceptance being evidenced by  
21 execution of the Agreement by the Mayor or his designee. No  
22 modification to the Agreement may increase the financial  
23 obligations or the liability of the City and any such modification  
24 shall be technical only and shall be subject to appropriate legal  
25 review and approval of the General Counsel, or his or her designee,  
26 and all other appropriate action required by law. "Technical" is  
27 herein defined as including, but not limited to, changes in legal  
28 descriptions and surveys, descriptions of infrastructure  
29 improvements and/or any road project, ingress and egress, easements  
30 and rights of way, performance schedules (provided that no  
31 performance schedule may be extended for more than one year without

1 City Council approval) design standards, access and site plan,  
2 which have no financial impact.

3           **Section 3. Designation of Authorized Official/OED**  
4 **Contract Monitor.** The Mayor is designated as the authorized  
5 official of the City for the purpose of executing and delivering  
6 any contracts and documents and furnishing such information, data  
7 and documents for the Agreement and related documents as may be  
8 required and otherwise to act as the authorized official of the  
9 City in connection with the Agreement, and is further authorized to  
10 designate one or more other officials of the City to exercise any  
11 of the foregoing authorizations and to furnish or cause to be  
12 furnished such information and take or cause to be taken such  
13 action as may be necessary to enable the City to implement the  
14 Agreement according to its terms. The OED is hereby required to  
15 administer and monitor the Agreement and to handle the City's  
16 responsibilities thereunder, including the City's responsibilities  
17 under such Agreement working with and supported by all relevant  
18 City departments.

19           **Section 4. Further Authorizations.** The Mayor, or his  
20 designee, and the Corporation Secretary, are hereby authorized to  
21 execute and deliver the Agreement and all other contracts and  
22 documents and otherwise take all necessary action in connection  
23 therewith and herewith. The Executive Director of the OED, as  
24 contract administrator, is authorized to negotiate and execute all  
25 necessary changes and amendments to the Agreement and other  
26 contracts and documents, to effectuate the purposes of this  
27 Resolution, without further Council action, provided such changes  
28 and amendments are limited to amendments that are technical in  
29 nature (as described in Section 2 hereof), and further provided  
30 that all such amendments shall be subject to appropriate legal  
31 review and approval by the General Counsel, or his or her designee,

1 and all other appropriate official action required by law.

2       **Section 5. Oversight Department.** The OED shall oversee  
3 the Project described herein.

4       **Section 6. Waiver of Public Investment Policy.** The  
5 requirements of the Public Investment Policy adopted by City  
6 Council Ordinance 2016-382-E, as amended, are waived to authorize  
7 the Infrastructure Grant, which is not authorized pursuant to the  
8 Public Investment Policy. The waiver is justified due to the fact  
9 that the Project will cause private capital investment in the  
10 Project in the estimated amount of \$116,500,000 and the creation of  
11 334 new jobs.

12       **Section 7. Requesting Two Reading Passage Pursuant to**  
13 **Council Rule 3.305.** Two reading passage of this legislation is  
14 requested pursuant to Council Rule 3.305.

15       **Section 8. Effective Date.** This Resolution shall become  
16 effective upon signature by the Mayor or upon becoming effective  
17 without the Mayor's signature.

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19 Form Approved:

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21       /s/ Paige H. Johnston      

22 Office of General Counsel

23 Legislation Prepared By: John Sawyer

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