

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 2021-437-A**

6 A RESOLUTION APPROPRIATING \$250,000 FROM THE
7 NORTHWEST JACKSONVILLE ECONOMIC DEVELOPMENT
8 FUND AS FOLLOWS: (1) \$150,000 FROM FUND BALANCE;
9 AND (2) \$100,000 FROM MISCELLANEOUS SALES AND
10 CHARGES, FOR THE PURPOSE OF PROVIDING A \$150,000
11 SMALL BUSINESS DEVELOPMENT INITIATIVE LOAN AND
12 A \$100,000 NORTHWEST ECONOMIC DEVELOPMENT FUND
13 BUSINESS INFRASTRUCTURE GRANT TO EASTERN WIRE
14 PRODUCTS, INC. ("COMPANY"), AS INITIATED BY
15 B.T. 21-089, IN CONNECTION WITH THE COMPANY'S
16 PURCHASE OF A NEW FACILITY IN THE CITY, LOCATED
17 GENERALLY AT 5415 LONGLEAF STREET, JACKSONVILLE,
18 FLORIDA ("PROJECT"); PURPOSE OF APPROPRIATION;
19 APPROVING AND AUTHORIZING THE MAYOR, OR HIS
20 DESIGNEE, AND THE CORPORATION SECRETARY TO
21 EXECUTE AND DELIVER, FOR AND ON BEHALF OF THE
22 CITY OF JACKSONVILLE, THE ECONOMIC DEVELOPMENT
23 AGREEMENT BETWEEN COMPANY AND THE CITY;
24 AUTHORIZING APPROVAL OF TECHNICAL AMENDMENTS BY
25 THE EXECUTIVE DIRECTOR OF THE OFFICE OF ECONOMIC
26 DEVELOPMENT ("OED"); PROVIDING FOR CITY OF
27 JACKSONVILLE OVERSIGHT BY THE OED; AFFIRMING THE
28 PROJECT'S COMPLIANCE WITH THE NWJEDF GUIDELINES
29 APPROVED AND ADOPTED BY ORDINANCE 2016-779-E;
30 AFFIRMING THE PROJECT'S COMPLIANCE WITH THE

1 PUBLIC INVESTMENT POLICY ADOPTED BY ORDINANCE
2 2016-382-E, AS AMENDED; REQUESTING TWO READING
3 PASSAGE PURSUANT TO COUNCIL RULE 3.305;
4 PROVIDING AN EFFECTIVE DATE.
5

6 **WHEREAS**, Eastern Wire Products, Inc. (the "Company") has
7 committed to create 10 permanent full-time equivalent new jobs in
8 Jacksonville with an average salary, exclusive of benefits, of \$32,500
9 within 36 months of disbursement of the Northwest Jacksonville
10 Business Infrastructure Grant ("BIG Grant"), and cause private
11 capital investment in the estimated amount of \$4,461,905, as further
12 described in the Project Summary attached hereto as **Exhibit 1**; and

13 **WHEREAS**, for the reasons more fully described in the Project
14 Summary, the \$150,000 Northwest Jacksonville Small Business
15 Development Initiative Loan ("SBDI Loan") and \$100,000 Northwest
16 Jacksonville Business Infrastructure Grant ("BIG Grant") in such
17 amounts serves a paramount public purpose; and

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

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

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

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

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

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

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

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

1 interest for the provisions herein enacted is hereby declared as a
2 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. Appropriation.** For the 2020-2021 fiscal year,
7 within the City's budget, there are hereby appropriated the indicated
8 sum(s) from the account(s) listed in subsection (a) to the account(s)
9 listed in subsection (b):

10 (B.T. 21-089, attached hereto as **Exhibit 2** and incorporated herein
11 by this reference):

12 (a) Appropriated from:

13 See B.T. 21-089 \$250,000

14 (b) Appropriated to:

15 See B.T. 21-089 \$250,000

16 (c) **Explanation of Appropriation**

17 The funding above appropriates \$150,000 from the
18 Northwest Jacksonville Economic Development Fund - Fund
19 Balance, to provide a \$150,000 SBDI Loan and \$100,000 from
20 the Northwest Jacksonville Economic Development Fund -
21 Miscellaneous Sales and Charges, to provide a \$100,000 BIG
22 Grant to the Company.

23 **Section 3. Purpose.** The purpose of the appropriation in
24 Section 2 is to provide funding to the Company in the form of a
25 \$150,000 Northwest Jacksonville Small Business Development Initiative
26 Loan and a \$100,000 Northwest Jacksonville Business Infrastructure
27 Grant to the Company. The Company manufactures steel wire and related
28 products and is investing \$4,461,905 in a new facility and proposes
29 to create 10 new full-time jobs at an average wage of \$32,500.00 per
30 year. The NWJEDF Advisory Board recommended City Council's approval
31 of the Company's grant application at its June 15, 2021 meeting.

1 **Section 4. Economic Development Agreement Approved.** The

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

23 **Section 5. Further Authorizations.** The Mayor, or his

24 designee, and the Corporation Secretary, are hereby authorized to
25 execute the Economic Development Agreement and all other contracts
26 and documents and otherwise take all necessary action in connection
27 therewith and herewith. The Executive Director of the OED, as contract
28 administrator, is authorized to negotiate and execute all necessary
29 changes and amendments to the Economic Development Agreement and
30 other contracts and documents, to effectuate the purposes of this
31 Resolution, without further Council action, provided such changes and

1 amendments are limited to amendments that are technical in nature (as
2 described in Section 4 hereof), and further provided that all such
3 amendments shall be subject to appropriate legal review and approval
4 by the General Counsel, or his or her designee, and all other
5 appropriate official action required by law.

6 **Section 6. Oversight Department.** The Office of Economic
7 Development shall oversee the Project described herein.

8 **Section 7. Execution of the Economic Development Agreement.**
9 If the Economic Development Agreement approved by this Resolution has
10 not been signed by the Company within ninety (90) days after the OED
11 delivers or mails the unexecuted Economic Development Agreement to
12 the Company for execution, then the City Council approval of the
13 Project and authorization for the Mayor to execute the Economic
14 Development Agreement is automatically revoked, provided however,
15 that the Executive Director of the OED shall have the authority to
16 extend such ninety (90) day period in writing at his discretion for
17 up to an additional ninety (90) days.

18 **Section 8. NWJEDF Guidelines.** This Resolution conforms
19 to the NWJEDF Guidelines adopted by City Council Ordinance 2016-779-
20 E.

21 **Section 9. Public Investment Policy.** This Resolution
22 conforms to the guidelines provided in the Public Investment Policy
23 adopted by City Council Ordinance 2016-382-E, as amended.

24 **Section 10. Requesting two reading passage pursuant to**
25 **Council Rule 3.305.** Two reading passage of this legislation is
26 requested pursuant to Council Rule 3.305.

27 **Section 11. Effective Date.** This Resolution shall become
28 effective upon signature by the Mayor or upon becoming effective
29 without the Mayor's signature.
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1 Form Approved:

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3 /s/ Margaret M. Sidman

4 Office of General Counsel

5 Legislation prepared by: John Sawyer

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