

RESOLUTION NO. 2022 - 331

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE AN AMENDED AGREEMENT WITH JAXUSA PARTNERSHIP, ON BEHALF OF ST. JOHNS COUNTY; PROVIDING FOR THE EFFECT OF RECITALS; PROVIDING FOR THE CORRECTION OF ERRORS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, by Resolution 2019-306, the County and JAXUSA (hereafter collectively the “Parties”) entered into the Agreement on September 26, 2019; and

WHEREAS, the duration of the Agreement is from October 1, 2019, through and including September 30, 2022; and

WHEREAS, JAXUSA engages in economic development for the seven-county Northeast Florida region, including St. Johns County, for the purpose of marketing the region nationally and internationally to attract new businesses and talent to the region; and

WHEREAS, the County continues to desire to contract with JAXUSA for the purpose of working cooperatively to encourage capital investment and job growth within St. Johns County, from both the expansion of existing businesses and the recruitment of new businesses for the benefit of economic development of the County and its residents and businesses; and

WHEREAS, in the upcoming fiscal year, the County plans to develop an Economic Development Strategic Master Plan as a guiding document for the County’s economic development efforts; and

WHEREAS, following the conclusion of the development of the County’s Economic Development Strategic Master Plan, the County will assess its existing partnerships against the findings and recommendations of the plan and make adjustments to those partnerships and agreements as appropriate, which will include the JAXUSA agreement; and

WHEREAS, the current Agreement has the option for an extension of the contract term, which is a single three-year extension; and

WHEREAS, the Parties would like to amend the extension of the contract term section to up to three one-year extensions of the term of the Agreement; and

WHEREAS, the County finds that this amendment is in the best interest of St. Johns County.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. Incorporation of Recitals.

The Recitals expressed above are incorporated by reference into the body of this Resolution and are hereby adopted as findings of fact.

SECTION 2. Authorization to Execute.

The County Administrator, or his designee, is hereby authorized to execute an agreement substantially in the same form as the attached First Amended Agreement on behalf of the County for the purposes mentioned above.

SECTION 3. Correction of Errors.

To the extent that there are typographical or administrative errors or omissions that do not change the tone, tenor, or context of this Resolution, this Resolution may be revised without subsequent approval of the Board of County Commissioners.

SECTION 4. Effective Date.

This Resolution shall be effective upon execution by the Chair of the Board of County Commissioners.

PASSED AND ADOPTED by the Board of Board of County Commissioners of St. Johns County, Florida this 14th day of September 2022.

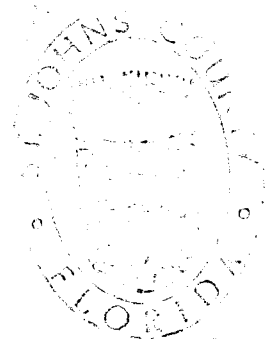
BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

By: 
Henry Dean, Chair

ATTEST: BRANDON J. PATTY,
CLERK OF THE CIRCUIT COURT & COMPTROLLER

By: 
Deputy Clerk

Rendition Date 9/8/22



**FIRST AMENDED CONTRACT BETWEEN
ST. JOHNS COUNTY, FLORIDA
AND
JAXUSA PARTNERSHIP**

THIS FIRST AMENDMENT (First Amendment) to the Contract Agreement (Agreement) approved by Resolution 2019-306, and executed September 26, 2019, by and between St. Johns County, Florida (the County), a political subdivision of the State of Florida, whose address is 500 San Sebastian View, St. Augustine, Florida 32084, and JAXUSA Partnership (JAXUSA), a private, non-profit division of the JAX Chamber, a corporation organized and existing under the laws of the State of Florida, whose address is 3 Independent Drive, Jacksonville, Florida 32202.

RECITALS

WHEREAS, by Resolution 2019-306, the County and JAXUSA (hereafter collectively the “Parties”) entered into the Agreement on September 26, 2019; and

WHEREAS, the duration of the Agreement is from October 1, 2019, through and including September 30, 2022; and

WHEREAS, JAXUSA engages in economic development for the seven-county Northeast Florida region, including St. Johns County, for the purpose of marketing the region nationally and internationally to attract new businesses and talent to the region; and

WHEREAS, the County continues to desire to contract with JAXUSA for the purpose of working cooperatively to encourage capital investment and job growth within St. Johns County, from both the expansion of existing businesses and the recruitment of new businesses for the benefit of economic development of the County and its residents and businesses; and

WHEREAS, in the upcoming fiscal year, the County plans to develop an Economic Development Strategic Master Plan as a guiding document for the County’s economic development efforts; and

WHEREAS, following the conclusion of the development of the County’s Economic Development Strategic Master Plan, the County will assess its existing partnerships against the findings and recommendations of the plan and make adjustments to those partnerships and agreements as appropriate, which will include the JAXUSA agreement; and

WHEREAS, the current Agreement has the option for an extension of the contract term, which is a single three-year extension; and

WHEREAS, the Parties would like to amend the single three-year extension to “up to three one-year extensions” of the term of the Agreement; and

WHEREAS, the County finds that this amendment is in the best interest of St. Johns County.

NOW THEREFORE, the Parties, County and JAXUSA, in consideration of the provisions set forth below, the sufficiency of which is mutually acknowledged, agree to amend the Agreement as follows:

Section 1. Effect of Recitals.

The Recitals expressed above are incorporated by reference into the body of the Agreement, and such Recitals shall be adopted as findings of fact.

Section 2. Conditions of Compliance; Consequence for Failure to Comply.

Section 7 of the Agreement shall be amended as follows:

Section 7. Extension of Contract Term.

Either the County or JAXUSA may request up to three one-year extensions of the term of this Contract by submitting a written request to the other party no later than June 1st of the last year of the Contract Term or of any Extension Term. Pursuant to such written request, the non-requesting party will approve or deny the extension of the Contract Term prior to September 30th of the year the extension request is made. Such extended term shall begin on October 1st and continue through September 30th (Extension Term).

It is expressly noted that extension of the Contract Term shall be upon mutual consent of the parties hereto, and that neither the County nor JAXUSA shall be obligated to extend the Contract Term.

Section 3. Severability.

If any part or application of this Amendment is declared unconstitutional, or otherwise invalid, for any reason by a court of competent jurisdiction, such part shall be severable and the remainder of the agreement shall remain in full force and effect.

Section 4. Effect of Agreement Amendment.

With the exception of the amendments and revisions noted in this First Amendment, the Agreement remains in full force and effect.

IN WITNESS WHEREOF, the parties have set their hand and seals as of the _____
day of _____, 2022.

ST. JOHNS COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

By: _____
Hunter S. Conrad,
County Administrator

Legal Review by:

By: _____
County Attorney's Office

ATTEST: BRANDON J. PATTY,
CLERK OF THE CIRCUIT COURT & COMPTROLLER

By: _____

JAXUSA PARTNERSHIP

By: _____
Name: _____
Title: _____

WITNESS AS TO:

By: _____
Print: _____