

Sponsor: Kitchen/Elliott

ORDINANCE NO. 30-19

A ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO AUTHORIZING THE MAYOR OF THE CITY OF JACKSON TO EXECUTE AN ADDENDUM TO THE JACKSON ENTERPRISE ZONE AGREEMENT, FOR THE MEDICAL CLINIC, WITH BF NLA, LLC TO DESIGNATE THE JACKSON COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP AS THE RECIPIENT OF THE ANNUAL ADMINISTRATIVE FEE AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to ORD 37-18, the City and BF NLA, LLC executed an Enterprise Zone Agreement for the Medical Clinic of BF NLA, LLC that designated the City of Jackson as the recipient of the annual administrative fee; and

WHEREAS, the proper administration of the Agreement requires an addendum to designate the Jackson County Economic Development Partnership as the annual recipient of the annual administrative fee as they serve as the enterprise zone manager of Ohio Enterprise Zone #205 that includes the City of Jackson; and

WHEREAS, this matter constitutes an emergency as the Addendum is required to allow for BF NLA, LLC. to be properly invoiced for the administrative fee and that the fee is correctly paid to the Jackson County Economic Development Partnership as the enterprise zone manager.

NOW, THEREFORE, BE IT ORDAINED THAT THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON DIRECTS THE MAYOR TO EXECUTE THE ADDENDUM ATTACHED HERETO AS EXHIBIT "A", OR ONE MATERIALLY SIMILAR THERETO, AND DECLARING AN EMERGENCY.

This Ordinance is hereby declared to be an emergency Ordinance necessary to maintain the public health, safety and welfare for the reasons set forth above. Therefore, this Ordinance shall go into effect upon passage and as provided in Ohio Revised Code Section 731.30.

In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause, and shall take effect at the earliest time permitted by law.

It is hereby found and determined that all formal acts of this council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this council and that the deliberations of the council and any of its committees resulted in such formal action, where in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 12<sup>th</sup>  
day of August, 2019.

E. A. Brown  
President of Council

ATTEST:

Cindi R. Kuhn  
Clerk of the Legislative Authority

Approved this 12<sup>th</sup> day of August, 2019.

Randy Keatts  
Mayor

**ADDENDUM TO  
ENTERPRISE ZONE AGREEMENT  
OF  
BF NLA, LLC**

Now comes the City of Jackson and BF NLA, LLC and amends the Enterprise Zone Agreement for the Medical Clinic so as to designate the Jackson County Economic Development Partnership as the recipient of the annual administrative fee. Therefore, it is agreed that Paragraph 6 of the Enterprise Zone Agreement be replaced in its entirety with the following:

6. **BF NLA, LLC.** shall pay an annual fee equal to the greater of one percent of the dollar value of incentives offered under the agreement or five hundred dollars: provided, however, that if the value of the incentives exceeds two hundred fifty thousand dollars, the fee shall not exceed two thousand five hundred dollars.

The fee shall be made payable to the **Jackson County Economic Development Partnership** once per year for each year the agreement is effective on the days and in the following form: check or certified check. The fee is to be paid to the **Jackson County Economic Development Partnership**. This fee shall be used exclusively for the purpose of complying with sections 5709.68 and 5709.85 of the revised code exclusively for the purposes of performing the duties prescribed under that section.

**IN WITNESS WHEREOF**, this Agreement has been executed by the Mayor of the City of Jackson and by the authorized representative of BF NLA, LLC.

  
CITY OF JACKSON

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BF NLA, LLC