

RESOLUTION NO. RS2019-1644

A resolution authorizing an economic and community development incentive grant to be made to The Industrial Development Board of The Metropolitan Government of Nashville and Davidson County (the "IDB") for the benefit of Amazon, Inc.

WHEREAS, The Metropolitan Government of Nashville and Davidson County ("Metropolitan Government") is vitally interested in the economic welfare of the citizens living within the area of the Metropolitan Government (such area, the "County") and wishes to provide the leadership necessary to enhance this area's capabilities for growth and development; and,

WHEREAS, the provision of quality jobs to area citizens by local business is both necessary and vital to the economic well-being of the Metropolitan Government; and,

WHEREAS, pursuant to Tenn. Code Ann. § 5-9-101(26), the Metropolitan Government is authorized to use available funds to make grants for economic and community development purposes; and,

WHEREAS, pursuant to Chapter 2.210 of the Metropolitan Code, in order to encourage economic and community development within the County, the Metropolitan Government is authorized to make economic and community development incentive grants with respect to "qualified projects" and "qualified companies" (as such terms are defined in Section 2.210.010 of the Metropolitan Code) if the location of such qualified project or such qualified company's applicable facility within the County is expected to result in the creation of at least five hundred additional jobs within the County during the first five years of operations or during the first five years of an expansion of operations; and,

WHEREAS, Chapter 2.210 of the Metropolitan Code provides that the actual amount and period of economic and community development incentive grants pursuant to such Chapter 2.210 shall be made by taking into account, among other things, the number of jobs created, the amount of revenue from all sources that is anticipated to be received by the Metropolitan Government with respect to the location of the qualified company and its operations in the County (or in the qualified project), and other economic and community development opportunities that the qualified company and/or the qualified project is expected to create; and,

WHEREAS, Amazon, Inc. ("Amazon"), an online retail and web services company with employees worldwide, has announced its decision to build an Operations Center of Excellence, a regional headquarters, in the County (the "Project"), and in connection therewith, Amazon reasonably expects to create over 5,000 new jobs in the County during the next five years; and,

WHEREAS, in its initial scope and configuration, the Project will eventually consist of approximately five hundred thousand square feet of office and associated space located at the intersection of Church Street and 10th Avenue North, Nashville, Tennessee; and,

WHEREAS, the Metropolitan Government has found that Amazon meets the criteria to be eligible to receive the benefits of an economic and community development incentive grant as authorized by Chapter 2.210.020(B) of the Metropolitan Code; and,

WHEREAS, the Metropolitan Government has found that Amazon's location of the Project in the County and the related investment and growth in connection therewith will maintain and expand significant employment and other commercial opportunities for area citizens; and,

WHEREAS, in order to promote industry and develop trade and to create jobs and reduce unemployment and to further other public purposes of the Metropolitan Government from the investment and growth in connection with the Project and other economic and community development opportunities that Amazon is expected to create within the County, it is in the best interest of the Metropolitan Government to make an economic and community development incentive grant to the IDB for the benefit of Amazon in an amount calculated each "Grant Year" by multiplying the number of "Amazon Jobs" (as defined in Exhibit A hereto) by \$500 for a period of seven years from the commencement of the Project; and,

WHEREAS, it is in the interest and welfare of the citizens of the Metropolitan Government to approve and execute the Economic and Community Development Incentive Grant Agreement with the Board and Amazon in the form attached hereto as Exhibit A (the "Agreement").

NOW, THEREFORE BE IT RESOLVED BY THE METROPOLITAN COUNTY COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the Metropolitan Government shall make annual economic and community development incentive grant payments to the Board for the benefit of Amazon, or an Amazon Entity, during the seven year Grant Period (as defined in Exhibit A hereto).

Section 2. That the amount of the annual incentive grant payments authorized hereby be calculated by multiplying the number of Amazon Jobs (as defined in Exhibit A hereto) for each Grant Year (as defined in Exhibit A hereto) by five hundred dollars (\$500.00).

Section 3. Notwithstanding anything to the contrary herein, the Metropolitan Government's obligation to make any payments hereunder is contingent upon the annual appropriation of funds for such purpose by the Metropolitan Council.

Section 4. That the Agreement by and among the Metropolitan Government, the Board and Amazon.com Services, Inc., the form of which is attached hereto as Exhibit A and incorporated herein by reference, is hereby approved, and the Mayor is authorized to execute the same; provided, however, that such Agreement must be approved as to legality by the Metropolitan Government Department of Law prior to being executed by the Metropolitan Government or the Board.

Section 5. That other than as provided at Section 4 of this Resolution, any material amendments, renewals, or extension of the terms of the Agreement must be approved by resolution of the Metropolitan Council.

Section 6. That this Resolution shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED:

INTRODUCED BY:

Matthew A. Wiltshire
Director of the Mayor's Office
Economic and Community Development

APPROVED AS TO AVAILABILITY
OF FUNDS:

Talia Lomax-O'dneal
Director of Finance

Member(s) of Council

APPROVED AS TO FORM AND
LEGALITY:

Assistant Metropolitan Attorney