



Downtown Investment Authority Agenda

Hybrid Virtual In-Person Meeting
Thursday, October 20, 2022 at 1:00 p.m.

MEMBERS:

Carol Worsham, Chair
Jim Citrano, Vice Chair
Oliver Barakat

Todd Froats
Craig Gibbs, Esq.
Braxton Gillam, Esq.

BOARD MEMBERS EXCUSED:

I. CALL TO ORDER

II. PUBLIC COMMENTS

III. COMMUNITY REDEVELOPMENT AGENCY

- A. September 21, 2022, Community Redevelopment Agency Meeting Minutes
- B. Consent Agenda
 - i. Resolution 2022-10-01: Retention Pond Disposition (A R Polar)
 - ii. Resolution 2022-10-02: JFRD Parking Lot Disposition (Jones Bros)
 - iii. Resolution 2022-10-03: Ambassador Extension
- C. Other Matters to be Added at the Discretion of the Chair

IV. DOWNTOWN INVESTMENT AUTHORITY

- A. September 21, 2022, Downtown Investment Authority Board Meeting Minutes
- B. Consent Agenda
- C. Resolution 2022-10-04: Jax River Jams Event Contribution
- D. Resolution 2022-10-05: Sip & Stroll Event Contribution
- E. Resolution 2022-10-06: CEO Contract Extension
- F. Resolution 2022-10-07: Carlucci DPRP Amendment
- G. Other Matters to be Added at the Discretion of the Chair

V. OLD BUSINESS

VI. NEW BUSINESS

VII. CEO INFORMATIONAL BRIEFING

VIII. CHAIRMAN REPORT

IX. ADJOURN

[CONTINUED ON FOLLOWING PAGE]

PHYSICAL LOCATION

Jacksonville Public Library-Main Library/Downtown
303 North Laura Street
Multipurpose Room (located in the Conference Center)
Jacksonville, Florida 32202

PLEASE NOTE: The multipurpose room will **not be accessible through the Main Street entrance**. The Main Street entrance will be closed. Please use the Laura Street entrance to enter the building.

Directions to Multipurpose Room: Upon entering Laura Street entrance to the Library, follow directions and signage for temperature check, then proceed into the Main Library. Walk counterclockwise around the grand staircase and you will see signs for the public elevators. Take the elevator down to level C for Conference Level. Exit the elevator and follow hallway out. Turn left out of the hallway and proceed through glass doors into Conference Center. The Multipurpose Room is the first room on the left.

Visitors are encouraged not to enter City owned public buildings if they have: symptoms of COVID-19, a fever of 100.4 degrees Fahrenheit or higher, are currently undergoing evaluation for COVID-19 infection, a diagnosis of COVID-19 in the prior 10 days, or have had close contact with someone infected with COVID-19 during the prior 14 days. Any member of the public entering City owned public building may choose to wear a mask inside the building.

VIRTUAL LOCATION

Interested persons desiring to attend this meeting virtually can do so via Zoom (including by computer or telephone) using the following meeting access information:

Join Zoom Meeting

<https://zoom.us/j/94074017448?pwd=WklzbHNRRCT6cFBqL0M4YkNrMkxrQT09>

Meeting ID: 940 7401 7448

Passcode: 642945

One tap mobile

+1 (301) 715-8592 (Washington D.C.)

+1 (312) 626-6799 US (Chicago)

Find your local number: <https://zoom.us/u/aclhApq5DJ>

TAB III.A

**SEPTEMBER 21, 2022,
COMMUNITY REDEVELOPMENT AGENCY MEETING MINUTES**



Downtown Investment Authority
Hybrid Meeting
Wednesday, September 21, 2022 – 2:00 p.m.

Community Redevelopment Agency
MEETING MINUTES

DIA Board Members (BM): Carol Worsham, Chair; Jim Citrano, Vice Chair; Oliver Barakat; Todd Froats; Craig Gibbs, Esq.; and Braxton Gillam, Esq.

DIA Board Members Excused: Stephanie Burch, Esq., Secretary and David Ward Esq.

Mayor's Staff: None

Council Members: None

DIA Staff: Lori Boyer, Chief Executive Officer; Xzavier Chisholm, Administrative Assistant; Wanda J. Crowley, Financial Analyst (via Zoom); Steve Kelley, Director of Downtown Real Estate and Development (via Zoom); Susan Kelly, Redevelopment Coordinator (via Zoom) Ina Mezini, Communication and Marketing Specialist; Guy Parola, Operations Manager; and Antonio Posey, Project Manager

Office of General Counsel: John Sawyer, Esq. and Joelle Dillard, Esq. (via Zoom)

I. CALL TO ORDER

Chair Worsham called the CRA Board Meeting to order at 2:00 p.m. The Chair then called for the Pledge of Allegiance and introductions.

II. PUBLIC COMMENTS

Chair Worsham opened the floor to public comment.

The following persons made in-person public comments, made public comments virtually through Zoom, or provided comments that were read into the record by DIA Staff. Note: the subject matter of the comment(s) indicated to the right of each person:

Nancy Powell Expressed her support for the adaptive reuse project in LaVilla (525 W Beaver Street) and called for more projects of this type; advocated for a park funding commitment from the American Lions project as well as more public-private partnerships for downtown park maintenance.

Stanley Scott Expressed opposition to developing apartments on the river.

John Nooney Advocated for a resolution from DIA supporting a request of state dollars for artificial reefs.

III. COMMUNITY REDEVELOPMENT AGENCY MEETING

A. AUGUST 17, 2022 COMMUNITY REDEVELOPMENT AGENCY MEETING MINUTES

Having called for corrections or other edits by her fellow board members and after receiving none, Chair Worsham asked for a motion and second on the item.

Motion: BM Gillam moved to approve the minutes as presented

Seconded: BM Citrano seconded the motion

Vote: Aye: 6 Nay: 0 Abstain: 0

THE MOTION PASSED UNANIMOUSLY 6-0-0.

B. CONSENT AGENDA

Chair Worsham called for any requests from board members to remove any items from the consent agenda for further discussion.

i. RESOLUTION 2022-09-01: IGUANA OFFICE PARCEL DISPOSITION

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) AUTHORIZING THE FEE SIMPLE DISPOSITION OF A 1.05 ACRE PARCEL (THE “OFFICE PARCEL”) OF CITY-OWNED REAL PROPERTY WHICH WAS THE SUBJECT OF RESOLUTION 2022-06-04 AND IS AS DEPICTED ON THE SITE PLAN ATTACHED HERETO AS EXHIBIT “A” AND COMPRISING A PORTION OF THE LAND GENERALLY KNOWN AS KIDS KAMPUS LOCATED BETWEEN GATOR BOWL BOULEVARD AND THE ST. JOHNS RIVER, AND IDENTIFIED BY DUVAL COUNTY TAX PARCEL NUMBER RE# (A PORTION OF) 130572-0110 (F/K/A 130572-0100), “THE PROPERTY”;
AUTHORIZING THE DISPOSITION OF THE PROPERTY AND ITS REDEVELOPMENT BY IGUANA INVESTMENTS OF FLORIDA, LLC (THE “DEVELOPER”) ON THE TERMS SET FORTH ON EXHIBIT B;
AUTHORIZING THE AMENDMENT OF THE REDEVELOPMENT AGREEMENT INTO BETWEEN THE CITY, DIA AND THE DEVELOPER DATED NOVEMBER 2021, AND ANCILLARY AGREEMENTS ASSOCIATED THEREWITH ALL IN ACCORDANCE WITH THE TERMS SET FORTH ON EXHIBIT B; FINDING THAT THIS RESOLUTION FURTHERS THE BUSINESS INVESTMENT AND DEVELOPMENT (“BID”) PLAN, INCLUDING THE COMMUNITY REDEVELOPMENT AREA PLAN; AUTHORIZING THE CEO OF THE DIA TO NEGOTIATE THE REDEVELOPMENT AGREEMENTS AND ASSOCIATED DOCUMENTS; AUTHORIZING THE CEO TO INITIATE THE FILING OF LEGISLATION WITH THE CITY COUNCIL REGARDING THE SAME; AUTHORIZING THE CEO OF THE DIA TO TAKE ALL ACTION

NECESSARY TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION, INCLUDING THE EXECUTION OF REDEVELOPMENT AGREEMENTS, A PURCHASE AND SALE AGREEMENT, OR FUNCTIONAL EQUIVALENTS; PROVIDING FOR AN EFFECTIVE DATE.

Recommended for approval by the Retail Enhancement and Property Disposition (REPD) Committee.

ii. RESOLUTION 2022-09-02: AMERICAN LIONS RIVERFRONT PLAZA

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) APPROVING THE TERM SHEET ATTACHED HERETO AS EXHIBIT ‘A’; AUTHORIZING THE DISPOSITION AND REDEVELOPMENT OF A CITY-OWNED PROPERTY OF APPROXIMATELY ONE ACRE COMPRISED OF A PORTION OF DUVAL COUNTY TAX PARCELS RE#: 074457-1100 AND 074445-0700 (THE “PROPERTY”) IN ACCORDANCE WITH THE AWARD OF ISP-0362-22 TO AMERICAN LIONS (“DEVELOPER”) AND RESOLUTION 2022-05-02; FINDING THE AMERICAN LIONS PROJECT PROPOSAL ATTACHED HERETO AS EXHIBIT ‘B,’ IN FURTHERANCE OF THE DOWNTOWN NORTHBANK CRA PLAN AND IN THE PUBLIC INTEREST; AUTHORIZING THE CEO OF THE DIA TO NEGOTIATE A PURCHASE AND SALE AGREEMENT, AND A REDEVELOPMENT AGREEMENT AND OTHERWISE TAKE ALL NECESSARY ACTION TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION INCLUDING THE FILING OF LEGISLATION; PROVIDING AN EFFECTIVE DATE.

Recommended for approval by the REPD Committee.

CEO Boyer spoke to previous discussions of the characterization of the incentive amount, and how it may overstate the overall incentive loan. She then referred to a handout provided to the board that illustrates that all together the loan will cost the City approx. \$2.4M.

iii. RESOLUTION 2022-09-03: MOSH DISPOSITION AMENDED TERMS

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) MODIFYING THE TERM SHEET FOR DISPOSITION OF THE PROPERTY PREVIOUSLY APPROVED BY THE DIA PURSUANT TO RESOLUTION 2022-01-03; FINDING THAT THIS RESOLUTION FURTHERS THE BUSINESS INVESTMENT AND DEVELOPMENT (“BID”) PLAN, INCLUDING THE COMMUNITY REDEVELOPMENT AREA PLAN; AUTHORIZING THE CEO OF THE DIA TO TAKE ALL ACTION NECESSARY TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

Recommended for approval by the REPD Committee.

iv. **RESOLUTION 2022-09-04: 525 W BEAVER STREET DPRP**

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) RECOMMENDING THAT CITY COUNCIL APPROVE A DOWNTOWN PRESERVATION AND REVITALIZATION PROGRAM FORGIVABLE LOAN PACKAGE FOR REHABILITATION OF THE BUILDING LOCATED AT 525 W BEAVER ST (THE “PROPERTY”) PURSUANT TO A REDEVELOPMENT AGREEMENT WITH 525 BEAVER, LLC OR ASSIGNS (“OWNER” OR “DEVELOPER”); FINDING THAT THE PLAN OF DEVELOPMENT IS CONSISTENT WITH THE DIA’S BUSINESS INVESTMENT AND DEVELOPMENT PLAN (“BID PLAN”) AND THE DOWNTOWN NORTHBANK COMMUNITY REDEVELOPMENT AREA PLAN (“CRA PLAN”); AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXECUTE THE CONTRACTS AND DOCUMENTS AND OTHERWISE TAKE ALL NECESSARY ACTION IN CONNECTION THEREWITH TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE.

Recommended for approval by the Strategic Implementation Committee.

Chair Worsham called for a motion.

Motion: BM Gillam moved to approve the consent agenda as presented

Seconded: BM Froats seconded the motion

Vote: Aye: 6 Nay: 0 Abstain: 0

THE MOTION PASSED UNANIMOUSLY 6-0-0

C. **RESOLUTION 2022-09-05: AMERICAN LIONS ACCESS AGREEMENT**

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) AUTHORIZING ITS CHIEF EXECUTIVE OFFICER (“CEO”) TO EXECUTE A SITE ACCESS AGREEMENT (“AGREEMENT”) WITH AMERICAN LIONS, LLC. (“LICENSEE”), FOR THAT CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS A ONE (1) ACRE PORTION DUVAL COUNTY TAX PARCELS 074457 1100 AND 074445 0700, AS MORE FULLY ILLUSTRATED BY EXHIBIT ‘A’ (“PROPERTY”); INSTRUCTING ITS CHIEF EXECUTIVE OFFICER (“CEO”) TO OBTAIN APPROVAL FROM THE CITY’S RISK MANAGER, DIRECTOR OF PUBLIC WORKS AND THE OFFICE OF GENERAL COUNSEL PRIOR TO EXECUTION OF THE AGREEMENT; INSTRUCTING THE CEO TO TAKE ALL NECESSARY ACTION TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

CEO Boyer introduced the resolution, stating that it authorizes the CEO to conditionally grant a limited license for access to the riverfront plaza development pad parcel for 6-months to perform environmental and geotechnical testing.

Motion: BM Gibbs moved to approve the resolution as presented

Seconded: BM Gillam seconded the motion

Vote: Aye: 6 Nay: 0 Abstain: 0

THE MOTION PASSED UNANIMOUSLY 6-0-0.

D. RESOLUTION 2022-09-06: MOSH ACCESS AGREEMENT

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) AUTHORIZING ITS CHIEF EXECUTIVE OFFICER (“CEO”) TO EXECUTE A SITE ACCESS AGREEMENT (“AGREEMENT”) WITH THE MUSEUM OF SCIENCE AND HISTORY OF JACKSONVILLE, INC. (“LICENSEE”), FOR THAT CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS THE WESTERN 6.86 ACRES OF DUVAL COUNTY TAX PARCEL 130571 0000, AS MORE FULLY ILLUSTRATED BY EXHIBIT ‘A’ (“PROPERTY”); INSTRUCTING ITS CHIEF EXECUTIVE OFFICER (“CEO”) TO OBTAIN APPROVAL FROM THE CITY’S RISK MANAGER, DIRECTOR OF PUBLIC WORKS AND THE OFFICE OF GENERAL COUNSEL PRIOR TO EXECUTION OF THE AGREEMENT; INSTRUCTING THE CEO TO TAKE ALL NECESSARY ACTION TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

CEO Boyer introduced the resolution, stating that it authorizes the CEO to conditionally grant a limited license for access to the 2.5-acre riverfront parcel located on a portion of the site formally known as Kids Kampus for 3-months to perform environmental and geotechnical testing.

Motion: BM Gibbs moved to approve the resolution as presented

Seconded: BM Gillam seconded the motion

CEO Boyer and OGC’s John Sawyer confirmed for BM Barakat that the City can request any information or results gathered from the site by the licensee as result of the site testing.

Vote: Aye: 6 Nay: 0 Abstain: 0

THE MOTION PASSED UNANIMOUSLY 6-0-0.

E. RESOLUTION 2022-09-07: BEYOND VAN GOGH EVENT CONTRIBUTION

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) AUTHORIZING A TEN THOUSAND DOLLAR (\$10,000) EVENT CONTRIBUTION TO BUILD UP DOWNTOWN TO SUPPORT THE ACTIVATION OF HOGAN STREET FOR THE BEYOND VAN GOGH JACKSONVILLE IMMERSIVE EXPERIENCE; AUTHORIZING THESE FUNDS FROM THE DOWNTOWN NORTHBANK CRA TRUST FUND’S EVENT CONTRIBUTION BUDGET; AUTHORIZING ITS CHIEF EXECUTIVE OFFICER TO TAKE ALL NECESSARY ACTIONS TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

CEO Boyer presented the resolution, stating that it authorizes a monetary contribution to the activation of Hogan Street associated with the Beyond Van Gogh event.

Motion: BM Gillam moved to approve the resolution as presented

Seconded: BM Citrano seconded the motion

BM Froats asking if the fixtures will be permanent or temporary. CEO Boyer responded they will be temporary. Some of the wraps may stay on the columns longer than the event (approx. 2 months), and the lights will be reusable.

BM Gibbs praised the number of tickets that have been sold already, which is 40,000.

Vote: Aye: 6 Nay: 0 Abstain: 0

THE MOTION PASSED UNANIMOUSLY 6-0-0.

ADJOURNMENT: The Community Redevelopment Agency proceedings are adjourned at 2:23 p.m.

The written minutes for this meeting are only an overview of what was discussed. For verbatim comments of this meeting, a recording is available upon request. Please contact Xzavier Chisholm at xchisholm@coj.net to acquire a recording of the meeting.

TAB III.B.i

RESOLUTION 2022-10-01: RETENTION POND DISPOSITION (A R POLAR)

RESOLUTION 2022-10-01

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) INSTRUCTING ITS CHIEF EXECUTIVE OFFICER (“CEO”) TO ISSUE A 30-DAY NOTICE OF DISPOSITION IN ACCORDANCE WITH THE NEGOTIATED DISPOSITION PROCEDURE ADOPTED BY DIA; AUTHORIZING THE PUBLICATION OF A NOTICE OF DISPOSITION FOR THE FEE SIMPLE DISPOSITION OF ALL OR A PORTION OF AN APPROXIMATELY 5.18 ACRE PARCEL AS DESCRIBED ON EXHIBIT A (THE “RETENTION POND PARCEL”) OF CITY-OWNED REAL PROPERTY LOCATED WITHIN THE BOUNDARY OF THE PARCEL IDENTIFIED BY DUVAL COUNTY TAX PARCEL NUMBER RE#130574-0150, (THE “PROPERTY”), CURRENTLY DEVELOPED AS A RETENTION POND AND LOCATED BETWEEN GATOR BOWL BOULEVARD AND THE ST. JOHNS RIVER; ESTABLISHING THE TERMS OF THE PUBLISHED NOTICE OF DISPOSITION; FINDING THAT THIS RESOLUTION FURTHERS THE BUSINESS INVESTMENT AND DEVELOPMENT (“BID”) PLAN, INCLUDING THE COMMUNITY REDEVELOPMENT AREA PLAN; AUTHORIZING THE CEO OF THE DIA TO TAKE ALL ACTION NECESSARY TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, via Ordinance 2012-0364-E, the City Council created the Downtown Investment Authority, designating the DIA as the City’s Community Redevelopment Agency for the Combined Northbank Downtown Community Redevelopment Area and authorizing it to approve and negotiate economic development agreements and dispose of City-Owned property; and

WHEREAS, the City owns an approximately 14.38-acre parcel of real property currently which is identified by Duval County Tax Parcel Number RE# 130574-0150 (the “Property”); and

WHEREAS, Developer is the owner of the adjacent parcel identified by Duval County Tax Parcel Number RE# 130574-0000 consisting of approximately 20.37 upland acres (“Developer’s Parcel”); and

WHEREAS, Developer has approached the City and DIA regarding the acquisition of some or all of the Retention Pond Parcel in exchange for conveyance to the City of one or more portions of Developer’s Parcel, one to provide the City with a riverfront site and adjacent submerged lands to accommodate construction of a new marine fire station to serve Downtown, and a potentially a second which the City would use as additional parking in the sports complex vicinity;

WHEREAS, in light of the redevelopment of Kids Kampus which has been approved by City Council and has closed, the existing marine fire station serving Downtown has been displaced and a new waterfront location must be secured; and

WHEREAS, the City-owned property originally contemplated for the fire station will require significant dredging to serve the needs of JFRD, at substantial expense to the City; and

WHEREAS, In April 2022, the DIA approved Resolution 2022-04-07 pursuant to which a notice of disposition was published for the pond site calling for the respondent to provide a replacement pond site; and

WHEREAS, it was originally contemplated that the parcel offered by AR Polar as a replacement pond site would be suitable for such use, however updated survey, title and site inspections have revealed encroachments such that the City would not use the site for a replacement pond but would nevertheless consider it for use as an additional parking lot; and

WHEREAS, the City has determined that the Retention Pond Parcel could be made available for a more economically productive use without development of a replacement pond and that the loss of some or all of the associated stormwater credits will not impede development within Downtown due to other qualified improvements; and

WHEREAS, in order to determine fair value for the property pursuant to Florida Statutes Chapter 163.380(2), and as required by City of Jacksonville Code of Ordinances §122.432, the DIA has obtained appraisals of the various parcels involved in the disposition including the Retention Pond Parcel, the Fire Station Parcel, the swap parcel and the AR Polar master parcel; and

WHEREAS, cost estimates have been obtained by Public Works from Waitz and Moye regarding the cost to fill the Retention Pond Parcel, the cost to construct a new access road to the Fire Station Parcel and the AR Polar master parcel and the cost of associated improvements to the WJCT parking lot; and

WHEREAS, both the Retention Pond Parcel and the Developer's Parcel are located within the Combined Downtown Northbank Community Redevelopment Area ("Northbank CRA"); and

WHEREAS, DIA entered into negotiations with Developer regarding the terms of the disposition and redevelopment in accordance with DIA's approved negotiated disposition process and has continued such negotiation since the close of the prior disposition notice; and

WHEREAS, DIA is the designated Community Redevelopment Agency for the Northbank CRA, for which an updated Business Investment and Development Plan, inclusive of a Community Redevelopment Plan, ("BID/CRA Plan") was adopted by Ordinance 2022-372-E; and

WHEREAS, Section 55.108 of the Jacksonville Code of Ordinances grants certain powers and duties to the DIA, including:

Interpreting the BID/CRA Plan and approving development and redevelopment projects within Downtown;

Implementing the BID/CRA Plan, and negotiating and approving downtown development and redevelopment agreements, grant agreements, license agreements, and lease agreements;

Planning and proposing Projects and Public facilities within Downtown; and

WHEREAS, DIA has established the terms upon which a new notice of disposition will be published as set forth in **Exhibit ‘B’**; and

WHEREAS, at a publicly noticed meeting held on October 13, 2022, the DIA Retail Enhancement and Property Disposition Committee (“REPD”) recommended that the DIA Board adopt Resolution 2022-10-01; and

WHEREAS, upon adoption of this Resolution, a new 30-day notice for the solicitation of proposals pursuant to Section 163.380(3)(a), Florida Statutes, and Sections 122.434(a) and (b), Jacksonville Ordinance Code, will be issued; and

WHEREAS, the DIA finds that the proposed disposition and redevelopment proposal further the following Redevelopment Goal and Strategic Objectives currently found in the BID/CRA Plan and those proposed by the DIA Board for adoption by City Council within the BID/CRA Plan Update:

Redevelopment Goal No. 5 | Improve the safety, accessibility, and wellness of Downtown Jacksonville and cleanliness and maintenance of public spaces for residents, workers, and visitors.

Strategic Objectives:

- Support a clean and safe Downtown 24-7, including the work of Downtown Vision Inc
- Promote safe and equitable access to all Downtown facilities by improving access to buildings and other properties, amenities, transit, events, and attractions; by eliminating obstacles; and by designing for all ages and abilities beyond code requirements
- Expand the installation of public infrastructure that enhances safety such as countdown timer pedestrian signals, enhanced lighting, security cameras, etc.

Redevelopment Goal 8 | Simplify and increase the efficiency of the approval process for Downtown development and improve departmental and agency coordination.

Strategic Objective:

- Streamline and improve the transparency of the disposition process for publicly owned land and building space.

- Initiate public/private partnerships where private participation can accelerate achievement of Years Table projects or provide more efficient or cost-effective project management.
- Identify motivated and cooperative property owners/developers and develop key pilot initiatives.
- Promote clean-up and redevelopment of brownfields through coordination with the state and the Department of Public Works.

NOW THEREFORE BE IT RESOLVED, by the Downtown Investment Authority:

Section 1. The recitals set forth above are true and correct and are hereby incorporated herein by this reference.

Section 2. The DIA instructs the Chief Executive Officer of the Downtown Investment Authority to take all necessary action necessary to effectuate the thirty (30) day Notice of Disposition for the Retention Pond Parcel in accordance with its Negotiated Notice of Disposition Process and pursuant to the terms set forth in Exhibit B and consistent with Florida Statutes and the Ordinance Code.

Section 3. Proposals received, if any, will be reviewed by the DIA Chief Executive Officer, who will make a recommendation to the DIA Board regarding any responsive proposals received.

Section 4. If no alternate responsive and qualified proposals are received, or if they are determined by the CEO to be lower in value or unresponsive, the DIA authorizes its CEO to finalize negotiation of a term sheet with Developer and present it to the Board for final approval at the next regularly scheduled meeting following closure of the required notice period.

Section 6. The DIA Board hereby authorizes the CEO of the Downtown Investment Authority to take all action necessary to effectuate the purposes of this Resolution.

Section 7. This Resolution, 2022-10-01, shall become effective on the date it is signed by the Chair of the DIA Board.

WITNESS:

DOWNTOWN INVESTMENT AUTHORITY

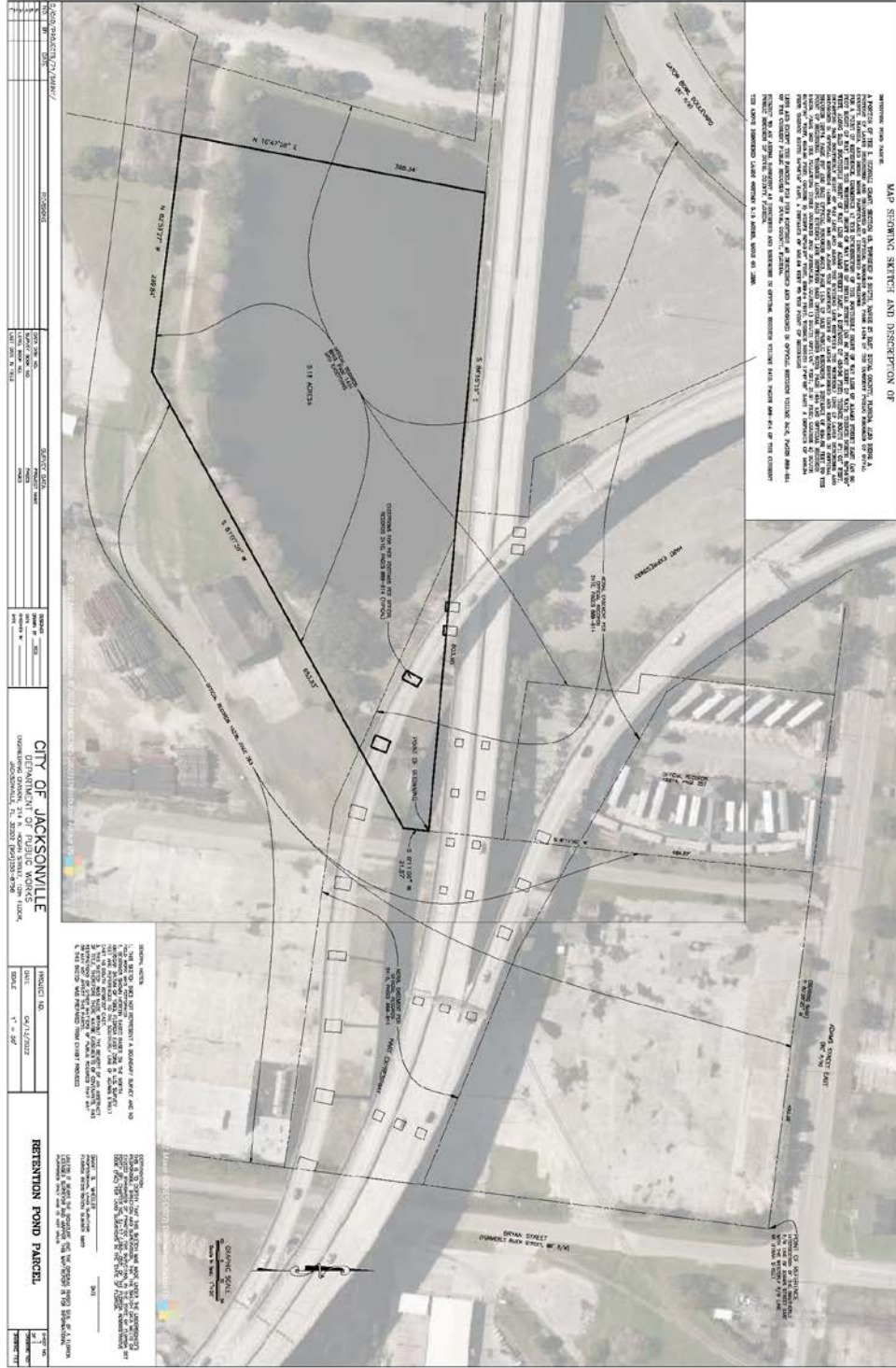
Carol Worsham, Chairman

Date

VOTE: In Favor: ____ Opposed: ____ Abstained: ____

Exhibit A to Resolution 2022-04-07

Retention Pond Parcel



**Exhibit B
to Resolution 2022-10-01**

Essential Terms of Disposition Notice

1. Location: South of Gator Bowl Blvd and east of WJCT leased parcel, currently developed as a retention pond, which is a portion of the larger tax parcel RE #130574-0150.
2. Property Interest considered for disposition: Fee simple title to all or a portion of the “Retention Pond Parcel” depicted on Exhibit A map which consists of the easterly 5.18 acres, plus or minus, of the existing retention pond and is depicted in the survey sketch above.
3. Restriction on Use: Proposals must be consistent with the adopted CRA and BID Plan for Downtown. The property may remain as a retention pond or may be filled and redeveloped at the new owner’s discretion, however, the Retention Pond Parcel will be deed restricted to prevent use that would be exempt from payment of property taxes, except with respect to any publicly dedicated and accepted park or recreation area.
4. A waterfront parcel with the Downtown Northbank CRA of no less than 1.20 acres of upland and approximately .4 acres of submerged lands, and of sufficient width and depth to accommodate development as a marine fire station, with sufficient water depth to accommodate marine fire vessels, and with public roadway access, must be provided to the City.
6. Proposal must include cash purchase price offered, if any, in addition to the required land parcel. Replacement land capable of use as a parking area in proximity to the Sports Complex may be considered as part of the purchase price at a value reflective of its use as a parking lot.
7. Proposal shall include the square footage and location of that portion of the Retention Pond Parcel desired for acquisition.
8. Closing and conveyance of swap parcels must occur no later than March 31, 2023.
9. Clear marketable title to the fire station parcel must be provided to the City.
10. Respondent must agree to provide access to and execute documents necessary to facilitate permitting of the marine fire station immediately open approval of a term sheet for disposition by the DIA Board.

SUPPLEMENTAL INFORMATION



Downtown Investment Authority

**Downtown Investment Authority
Revised Retention Pond Disposition Terms
Resolution 2022-10-01
Staff Report
October 6, 2022**

Project: Disposition of all or a portion of the retention pond located east of WJCT on Gator Bowl Boulevard in exchange for the fire station site and additional land or cash proceeds

Property location: A portion of a 14.38-acre parcel owned by the City and identified by RE# 130574-0150

Acreage to be sold:	up to 5.18 acres
Appraised value of the pond parcel, if filled	\$52.00/PSF
Appraised value of the pond parcel as is (buyer to fill)	\$38.20/PSF

Background:

Several years ago, the adjacent landowner, A.R. Polar, initiated conversations with the City regarding the acquisition of the retention pond located east of WJCT. Negotiations were delayed by the Hart Bridge ramp project and resumed once those plans were clear. Initially, the concept was to swap the pond site south of Gator Bowl Boulevard for other property of AR Polar on which a new pond could be constructed. Valuation discussions ensued. In the interim, the Four Seasons disposition became reality, and the need to relocate the marine fire station was created. The AR Polar riverfront was evaluated as one potential relocation site, and the provision of a fire station parcel was added to the negotiation mix. In April 2022, DIA staff presented to the Board a resolution requesting the issuance of a disposition notice for the pond site following the negotiated disposition process. The terms approved required the respondent to provide a fire station site and a replacement pond site as part of the consideration for the retention pond site. No other responsive bids were received. A final term sheet has not yet been presented to or approved by the Board.

Subsequently, as negotiations continued, DIA staff obtained title information, surveys, and updated appraisals on all parcels. Due to various encroachments, unknown contaminants, and visible improvements that imply underground utilities and installations, the City has determined that the replacement pond site would be too costly to acquire and redevelop for pond use. Nevertheless, the parcel would have value to the city as additional parking, principally to serve gameday activities and other events associated with TIAA Bank Stadium. Again, additional appraisal information was obtained, leading to a potential term sheet but requiring the publication of a new 30-day disposition notice that eliminates the need for the provision of a replacement pond parcel.

City Pond:

The parcel available for disposition has now been surveyed and includes the easternmost 5.18 acres of the pond parcel as depicted on Exhibit A to the Resolution. The westernmost strip of the pond parcel would be retained by the City, and potentially filled for the construction of a new access roadway to serve the fire station and enhance the development potential of the A.R. Polar lands to the east. The remaining 5.18 acres available for disposition have an appraised value of \$52.00 PSF as developable land, assuming they have been filled. The 5.18 acres have an appraised per square-foot value of \$39.00 unfilled (arrived at by deducting the cost to fill and a 10% entrepreneurial benefit for doing so). The City Public Works Department has concluded that the City can offer the pond for redevelopment without replacing it as there are adequate stormwater credits available and more in the pipeline to be certified. The terms of the disposition notice would allow a respondent to acquire all or a portion of the pond site (the remainder would remain a functional pond). DIA staff also obtained through Public Works cost estimates to fill the pond, the cost to build the potential roadway, etc.

Fire Station Site:

The City needs a replacement site for the marine fire station and has performed due diligence on the adjacent A R Polar location and begun conceptual design. If another respondent were to wish to acquire the retention pond, we would require the provision of a riverfront site for the fire station.

Disposition terms:

The terms would allow a respondent to acquire all or a portion of the pond site and pay cash or provide acceptable land in exchange for the property acquired but must include the provision of a fire station site.

Negotiated Disposition

The specific terms of any disposition to AR Polar or another respondent will come back to the Board for approval upon the close of the notice period. For your information, attached is a memo sent to AR Polar regarding the various value options under consideration if they were the winning respondent. If we are able to arrive at an acceptable term sheet prior to the date of the Board meeting, it would be provided for your information only, and presentation for Board approval would still await the close of the notice period and other potential bids. In any event, we would not present a disposition proposal to the Board that did not achieve an ROI of 1 or greater for the pond meaning that the cash or appraised value of property received in exchange must equal or exceed the value of the pond property sold.



Downtown Investment Authority

MEMORANDUM

Re: AR Polar/City parcel valuations
From: Lori Boyer
To: File
Date: September 29, 2022

City Pond

The City Pond parcel is 5.93 acres total. Of that, .75 acres on the eastern edge will be retained by the City for an access drive to the future fire station site, or if AR Polar elects, a public roadway. The remaining 5.18 acres is available for disposition.

In the March draft valuation analysis, an assumed acreage of 5.12 acres or 222,981 square feet was used based on a February appraised value of \$48.00/PSF (Colliers Feb 18, 2022). That appraisal *assumes that the City will fill the pond at the City's expense and the valuation reflects the filled value.*

Subsequent survey information reveals that the actual parcel size available for disposition is 5.18 acres. A subsequent appraisal by Colliers dated September 28, 2022 reflects a revised value of \$52PSF filled and usable. Assuming AR Polar would be responsible for fill, the revised appraisal utilizes the Waitz and Moye fill estimate of \$2,833,495 plus a 10% entrepreneurial profit or risk factor as a deduction (total \$3,120,000) from the original \$11,730,000 value filled. This yields an adjusted value of \$8,610,000 if AR Polar fills the pond or \$11,730,000 if the City fills the pond. Alternatively, if we are considering a partial pond disposition- we are looking at the difference of \$38.00PSF unfilled to \$52.00PSF filled.

Value of entire parcel available for disposition if City fills:	\$11,730,000
Value of entire parcel available for disposition if AR Polar takes as is:	\$ 8,610,000

A comment was made in our most recent meeting that the portion of the pond site under the ramps should be discounted. The impacted parcel size- from GIS calculation not an accurate survey- appears to be 12,500 square feet. In the swap parcel analysis, the land under aerial easement was assigned 33% of the full value, yielding a value of \$214,500 (\$52.00 x 33% x 12,500sf) for this sub-parcel.

Fire Station Site

The March preliminary valuation assumed the fire station site was 1.68 acres but actual surveys have reduced the size to 1.20 acres of upland and .4 acres of submerged land. The March valuation also assumed a \$60PSF value based on the appraisal of Kids Kampus upland provided for the Four Seasons. The subsequent Colliers appraisal for this site increases the value per

square foot from \$60PSF to \$75PSF but only assigns value to the uplands. This revised analysis results in a reduction in the March value from \$4,390,000 (73,217sf x \$60psf) to \$3,900,000 (52,272sf x \$75psf).

Based on a recent appraisal obtained for One Riverside, adjacent submerged lands were assigned a value of \$2.43psf. Since the submerged lands do have value to the City even though an additional state lease will be required, it would be reasonable to add the \$2.34 psf value times the 17,424 SF of submerged land included in the fire station parcel or \$40,772, to the total parcel value.

Total Fire Station Value = \$3,941,000.

AR Polar Swap Parcel

The AR Polar Swap parcel was assumed to be 5.10 acres or 222,072 square feet and assigned a value of \$19.00 psf in the preliminary analysis and March appraisal. This appraisal assumes full development capacity, removal of all title issues, and no environmental contamination. Our initial disposition contemplated use of this parcel for a replacement pond. After detailed review of surveys and title, the various aerial easements, non-exclusive access easements, and visible evidence of other underground infrastructure and likely contamination, the parcel has been determined to be significantly impaired in value and many of the encroachments cannot be cured or eliminated (ie the non-exclusive access easement and aerial easements). An area of approximately 153,000 square feet could be usable for development or a pond if it were not contaminated and all structures and visible utilities relocated but this appears costly at best. In the case of Lot J, the cost of remediation was estimated, after extensive geo-tech investigation, to be approximately \$7.60 psf.

A separate value analysis was provided by Colliers dated September 26, 2020 taking into account the various easements and aerial limitations. That appraisal arrives at a blended value of \$16psf for the entire parcel, but still assumes the larger 153,000 square foot parcel to have clean title, no contamination and be fully developable unrestricted by other underground utilities or infrastructure. We do not believe AR Polar wants to incur the unknown costs necessary to deliver the parcel in that clean condition.

Therefore, while the swap parcel is not suitable for a pond site without knowledge of environmental conditions and remediation, it does hold value for the City as a surface parking area. We reviewed the value of adjacent surface parking areas, one of which was a comp in the Collier appraisal and sold for \$8.20 psf in 2021. If we take the blended appraised value of \$16.00 psf of clean land, and deduct the Lot J remediation cost of \$7.60 psf we arrive at an un-remediated parking lot value of approximately \$8.40 psf. This site does have several structures that require demolition if sold “as-is” further impacting its value and a title exception parcel owned by JTA.. If this entire parcel were to be included in the swap in “as-is” condition, the value to the City would be no more than \$8.25psf for the entire 222,072 square feet or \$1,832,094.

Swap Parcel value to City “as is” = \$1,832,094.

Enhanced Roadway Access:

The AR Polar property is currently accessible via East Adams Street and Bryan Street. While this access is fully functional, access from Gator Bowl Boulevard that would allow either right or left turns from a signalized intersection is certainly desirable and of benefit to future redevelopment potential. The current Festival Park entrance to WJCT has been impacted by the Hart Bridge project and is now only a right in, right out entrance and exit. Festival Park is not a public right of way at this time. A new signalized entrance will provide full access in and out of the WJCT leased property adjacent to Metropolitan Park.

The fire station, as a marine station, could continue to access the fire station property through the current WJCT parking area and Festival Park since the access will be serving JFRD staff.

DIA has engaged in discussions with WJCT regarding reconstruction of their parking lot in order to permit construction of a new public roadway parallel to Gator Bowl Boulevard and then turning south across the eastern most portion of the City pond. This project would reconstruct the parking lot providing WJCT with an equivalent number of spaces, construct a new access road to City Standards (including filling a portion of the pond) and provide full signalized access for future redevelopment of the AR Polar Property, as well as enhanced access for the fire station.

We have received estimates from Waitz and Moye that reflect a cost of \$811,629 to reconstruct the parking lot, \$413,619 for construction of the roadway and sidewalks, and \$547,533 to fill the portion of the pond required to support the new roadway (assumes only filling this portion which requires slopes, and includes stormwater outfall changes). The Colliers appraisal references a total project cost of \$1,563,600 and ½ of that value or \$781,800 was deducted from the final appraised value of the AR Polar site. That number was based on the initial February estimates from Waitz and Moye that did not include the required pond fill and included some work specific to the fire station. The new cumulative total from Waitz and Moye is \$1,772,781.

While there is certainly value of an enhanced access for the fire station, and to WJCT of a newly resurfaced and reconstructed parking lot, neither are required. Thus a split of costs between the benefitted parties seems appropriate. We are proposing that that \$886,000 of cost would be absorbed by AR Polar and \$886,000 of the cost borne by the fire station project.

The table below reflects these values:

Pond Parcel (As filled)	Acres	SF	\$ SF	Total
City portion	0.75	32,540	\$ 52.00	\$ 1,692,080
Disposition portion	5.18	225,641	\$ 52.00	\$ 11,730,000
Total	5.93	258,181	\$ 52.00	\$ 13,422,080

Extrapolated
Appraisal JAX220233

Cost to fill City retention pond	Acres	Proportion	Cost Share	W Ent Profit
City portion	0.75	12.6%	\$ 410,255	\$ 450,000
Disposition portion	5.18	87.4%	\$ 2,833,495	\$ 3,120,000
Total	5.93	100.0%	\$ 3,243,750	\$ 3,570,000

Extrapolated¹
Appraisal JAX220233

1 - These costs contemplate filling the full pond with that cost shared on a pro rata basis based on estimated parcel sizes. If the City portion is filled to provide for Festival Park Blvd support, the cost for that portion alone is estimated at \$547,533.

Pond Parcel (As Is)	Acres	SF	\$ SF	Total
City portion	0.75	32,540	\$ 38.20	\$ 1,242,080
Disposition portion	5.18	225,641	\$ 38.20	\$ 8,610,000
Total	5.93	258,181	\$ 38.20	\$ 9,852,080

Extrapolated
Extrapolated

Fire Station Parcel	Acres	SF	\$ SF	Total
Upland	1.20	52,272	\$ 75.00	\$ 3,900,000
Submerged	0.40	17,424	\$ 2.34	\$ 41,000
Total	1.60	69,696		\$ 3,941,000

Appraisal JAX220233
Interpolated from One Riverside

Swap Parcel (As appraised)	Acres	SF	\$ SF	Total
Unencumbered ¹	3.53	153,600	\$ 20.00	\$ 3,070,000
Ingress/egress easement	0.30	12,937	\$ 10.00	\$ 129,000
Aerial easement	1.19	51,986	\$ 6.60	\$ 340,000
Both easements	0.08	3,549	\$ 3.30	\$ 12,000
Total	5.10	222,072		\$ 3,550,000

Appraisal 220359
Appraisal 220359
Appraisal 220359
Appraisal 220359

1 - Extraordinary assumptions
 * We have not been provided an environmental report and have assumed that the site is not contaminated.
 * We have not been provided with a recent title report for the subject and have assumed that the subject is not encumbered by any detrimental easements and/or encroachments other than those noted within the report
 * Per the deed there is a 5,613 SF exception on the north end of the property extending from west to east that follows the path of the abandoned train tracts. The client has instructed us to include the 5,613 SF and assume that it will be part of the subject site.

DIA Adjusted Value	Acres	SF	\$ SF	Total
Total¹	5.10	222,072	\$ 8.25	\$ 1,832,000

1 - Factors Considered
 * Value as a parking lot most similar to area subject to aerial easement, \$6.60 sf
 * Just Market Value ascribed to Lot J by Property Appraiser of \$10 sf
 * Remediation costs ascribed to Lot J of \$7.60 sf
 * E Beaver Street parking lot comp of \$8.20 sf (Closest comp to the subject)
 * Just Market Value ascribed to Tailgaters Parking by Property Appraiser of \$3 sf

As a result, and considering the need to achieve an ROI of 1 for the City, we would propose one of the following structures:

Option 1		
COJ receives Fire Station Site	3,941,000 value	
AR Polar receives 75,789 square feet of pond (1/3 approx) filled by City		3,941,000 value
AR Polar pays		\$886,000
AR Polar receives new public roadway access constructed by City	\$886,000	

Option 2		
COJ receives Fire Station Site	\$3,941,000 value	
AR Polar receives 111,019 square feet of pond filled by City		\$5,773,000 value
AR Polar pays		\$886,000
AR Polar receives new public roadway access constructed by City	\$886,000	
COJ Receives Swap Parcel	\$1, 832,000	

Option 3		
COJ receives Fire Station Site	\$3,941,000 value	
AR Polar receives 225,641 square feet of pond "as is"		\$8,610,000 value
AR Polar pays		\$886,000
AR Polar receives new public roadway access constructed by City	\$886,000	
COJ Receives Swap Parcel	\$1, 832,000	
AR Polar pays difference in value to City	\$2, 837,000	

Option 4		
COJ receives Fire Station Site	\$3,941,000 value	
AR Polar receives 151,126 square feet of pond "as is"		\$5,773,000 value
AR Polar pays		\$886,000
AR Polar receives new public roadway access constructed by City	\$886,000	
COJ Receives Swap Parcel	\$1, 832,000	

Of course, there are other variations that we would consider, but the approach should allow your client to find an acceptable solution.

TAB III.B.ii

RESOLUTION 2022-10-02: JFRD PARKING LOT DISPOSITION (JONES BROS)

RESOLUTION 2022-10-02

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) INSTRUCTING ITS CHIEF EXECUTIVE OFFICER (“CEO”) TO ISSUE A 30-DAY NOTICE OF DISPOSITION IN ACCORDANCE WITH THE NEGOTIATED DISPOSITION PROCEDURE ADOPTED BY DIA; AUTHORIZING THE PUBLICATION OF A NOTICE OF DISPOSITION FOR THE FEE SIMPLE DISPOSITION OF ALL OR A PORTION OF AN APPROXIMATELY 0.17 ACRE PARCEL OF CITY-OWNED REAL PROPERTY IDENTIFIED BY DUVAL COUNTY TAX PARCEL NUMBER RE# 073856-0000, (THE “PROPERTY”), CURRENTLY DEVELOPED AS A PARKING LOT AND LOCATED ON WEST ASHLEY STREET BETWEEN HOGAN AND JULIA STREETS; ESTABLISHING THE TERMS OF THE PUBLISHED NOTICE OF DISPOSITION; FINDING THAT THIS RESOLUTION FURTHERS THE BUSINESS INVESTMENT AND DEVELOPMENT (“BID”) PLAN, INCLUDING THE COMMUNITY REDEVELOPMENT AREA PLAN; AUTHORIZING THE CEO OF THE DIA TO TAKE ALL ACTION NECESSARY TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, via Ordinance 2012-0364-E, the City Council created the Downtown Investment Authority, designating the DIA as the City’s Community Redevelopment Agency for the Combined Northbank Downtown Community Redevelopment Area and authorizing it to approve and negotiate economic development agreements and dispose of City-Owned property; and

WHEREAS, the City owns an approximately .17-acre parcel of real property, which is identified by Duval County Tax Parcel Number RE# 073856-0000 (the “Property”); and

WHEREAS, Developer is the owner of the adjacent parcels identified by Duval County Tax Parcel Number RE# 073857-0000 and 073855-0000 (“Developer’s Parcel”); and

WHEREAS, Developer has approached the City and DIA regarding the acquisition of the Property, has negotiated the provision of replacement parking with JFRD, and has had an appraisal prepared for the Property; and

WHEREAS, the Developer has offered to provide JFRD, at no charge, an equal number of parking spaces in the parking facility to be constructed by Developer on the Property and Developer’s adjacent parcels, as well as temporary parking during construction, all at no charge to the City; and

WHEREAS, DIA entered into negotiations with Developer regarding the terms of the disposition and redevelopment in accordance with DIA’s approved negotiated disposition process; and

WHEREAS, Pursuant to approvals granted by DIA in Resolution 2018-03-01 and by City Council in Ordinance 2018-630, on February 8, 2019, the Developer, the City of Jacksonville, and DIA entered into a Redevelopment Agreement which has now expired but which contemplated conveyance of the Property to Developer; and

WHEREAS, the property is currently used for City purposes by JFRD, but if such Property is made available for disposition, a 30-day notice of disposition is required for all property within Downtown; and

WHEREAS, in order to determine fair value for the property pursuant to Florida Statutes Chapter 163.380(2), and as required by City of Jacksonville Code of Ordinances §122.432, the DIA has ordered its own appraisal of the Property; and

WHEREAS, the Property is located within the Combined Downtown Northbank Community Redevelopment Area (“Northbank CRA”); and

WHEREAS, DIA is the designated Community Redevelopment Agency for the Northbank CRA, for which an updated Business Investment and Development Plan, inclusive of a Community Redevelopment Plan, (“BID/CRA Plan”) was adopted by Ordinance 2022-372-E; and

WHEREAS, Section 55.108 of the Jacksonville Code of Ordinances grants certain powers and duties to the DIA, including:

WHEREAS, DIA has established the terms upon which a notice of disposition will be published as set forth in **Exhibit ‘A’**; and

WHEREAS, at a publicly noticed meeting held on October 13, 2022, the DIA Retail Enhancement and Property Disposition Committee (“REPD”) recommended that the DIA Board adopt Resolution 2022-10-02; and

WHEREAS, upon adoption of this Resolution, a 30-day notice for the solicitation of proposals pursuant to Section 163.380(3)(a), Florida Statutes, and Sections 122.434(a) and (b), Jacksonville Ordinance Code, will be issued; and

WHEREAS, the DIA finds that the proposed disposition and redevelopment proposal further the following Redevelopment Goal and Strategic Objectives currently found in the BID/CRA Plan:

Redevelopment Goal No. 2 | Increase rental and owner-occupied housing Downtown targeting diverse populations identified as seeking a more urban lifestyle.

Strategic Objectives:

- Actively pursue a minimum of 8,140 built and occupied multi-family dwelling units by 2030; and strive to induce the construction of 425 multifamily dwelling units per year, on average (T/E).
- Maximize utilization of existing parking structures and minimize construction of new parking structures exclusively for use of single building tenants by employing tools such as shared-use parking, proximity to shared transportation, and similar programs.
- Facilitate the restoration and rehabilitation of Downtown Jacksonville’s historic building stock for multifamily and attached dwelling units.

Redevelopment Goal No. 5 | Improve the safety, accessibility, and wellness of Downtown Jacksonville and cleanliness and maintenance of public spaces for residents, workers, and visitors.

Strategic Objectives:

- Promote safe and equitable access to all Downtown facilities by improving access to buildings and other properties, amenities, transit, events, and attractions; by eliminating obstacles; and by designing for all ages and abilities beyond code requirements

Redevelopment Goal 8: Simplify and increase the efficiency of the approval process for Downtown development and improve departmental and agency coordination.

Strategic Objective:

- Streamline and improve the transparency of the disposition process for publicly owned land and building space.

NOW THEREFORE BE IT RESOLVED, by the Downtown Investment Authority:

Section 1. The recitals set forth above are true and correct and are hereby incorporated herein by this reference.

Section 2. The DIA instructs the Chief Executive Officer of the Downtown Investment Authority to take all necessary action necessary to effectuate the thirty (30) day Notice of Disposition for the Property in accordance with its Negotiated Notice of Disposition Process and pursuant to the terms set forth in Exhibit A and consistent with Florida Statutes and the Ordinance Code.

Section 3. Proposals received, if any, will be reviewed by the DIA Chief Executive Officer, who will make a recommendation to the DIA Board regarding any proposals received.

Section 4. If no alternate responsive and qualified proposals are received, or if they are determined by the CEO to be lower in value or unresponsive, the DIA authorizes its CEO to negotiate a term sheet with Developer and present it to the Board for final approval at the next regularly scheduled meeting following closure of the required notice period.

Section 5. The DIA Board hereby authorizes the CEO of the Downtown Investment Authority to take all action necessary to effectuate the purposes of this Resolution.

Section 6. This Resolution, 2022-10-02, shall become effective on the date it is signed by the Chair of the DIA Board.

[Signatures on following page]

WITNESS:

DOWNTOWN INVESTMENT AUTHORITY

Carol Worsham, Chair

Date

VOTE: In Favor: ____ Opposed: ____ Abstained: ____

**Exhibit A to Resolution 2022-10-02
Essential Terms of Disposition Notice**

1. Location: An approximately .17- acre parcel of real property which is identified by Duval County Tax Parcel Number RE# 073856-0000 located on West Ashley Street between Julia and Hogan Streets and currently developed as a surface parking lot.
2. Property Interest considered for disposition: Fee simple including air rights.
3. Restriction on Use: Any use consistent with the adopted CRA and BID Plan for Downtown. The property will be deed restricted to prevent use that would be exempt from payment of property taxes, except with respect to any publicly dedicated and accepted park or recreation area or reconveyance to the City for government use.
4. Proposals must include the provision of replacement parking for JFRD in the immediate vicinity of their offices at 515 N. Julia Street as well as any charges associated with such parking and the duration of parking rights.
5. Proposals must include cash purchase price offered, if any, in addition to the required replacement parking.
6. Closing and conveyance of swap parcels must occur no later than March 31, 2023.

SUPPLEMENTAL INFORMATION



Downtown Investment Authority

**Downtown Investment Authority
JFRD Parking Lot Disposition Terms
Resolution 2022-10-02
Staff Report
October 6, 2022**

Project: Disposition of a .17-acre parcel of City Owned land currently used as a parking lot for JFRD

Property location: On West Ashley Street between Hogan and Julia Streets and identified by RE# 073856-0000

Acreage to be sold: .17 acres

Appraised value of parcel TBD

Background:

Several years ago, the DIA approved resolution 2018-03-01, which authorized the sale of the subject parcel, a Historic Preservation Trust Fund Grant in the amount of \$1,500,000, and a \$750,000 loan to ACE JAX LLC in support of the renovation and redevelopment of the Jones Bros Furniture building. The Agreement was approved by City Council pursuant to Ordinance 2018-630, and the Redevelopment Agreement was executed February 8, 2019. That Redevelopment Agreement has since expired, the developer and affiliated parties have acquired adjacent parcels, a new DPRP program has been adopted, and state law has been interpreted to require a 30-day notice of disposition for all property sold within the CRA boundaries.

The Developer of the new multi-parcel project, which includes the original historic building as well as new construction on other parcels, has met with staff regarding the acquisition of this parking parcel as well as other potential incentives for the adjacent development. Because the parcel is currently used for JFRD parking and Chief Powers has repeatedly communicated the need for parking for staff in this

immediate location, DIA staff directed the developer to discuss a mutually agreeable parking solution directly with JFRD. Having done so, we are now able to offer this parcel for disposition subject to the terms identified in the notice.

Parking Lot:

The parcel is currently paved and used as a surface parking lot for JFRD. There are 17 spaces currently in this lot, and the entrance is on West Ashley Street. The lot is immediately adjacent to the JFRD Emergency Operations Center, and staff works 24-hour shifts at the location. The proximity of this parking, without having to cross a street, is of paramount importance to JFRD and the safety of their employees. An appraisal provided by the Developer values the lot at \$300,000 however, DIA has ordered an independent appraisal as required by law.

Disposition terms:

The terms would allow a respondent to acquire the parcel but will require the provision of at least 17 dedicated spaces at grade or first level of any structured parking on site for exclusive use by JFRD. Temporary parking during construction must be provided for JFRD use within a one-block radius of 515 N. Julia Street. Respondent may pay cash or propose alternate consideration for the land, and the response must identify any charges associated with JFRD's use of the dedicated parking and the duration of dedicated parking rights.

Negotiated Disposition

The specific terms of any disposition to the developer or another respondent will come back to the RE & PD Committee and Board for approval upon the close of the notice period. The terms of the disposition will reflect the independent appraised value of the parcel as well as the value of the replacement parking provided. We anticipate that the final term sheet will include the redevelopment scope and proposal for the adjacent properties and the historic structure, as well as any incentives requested and recommended by staff.

Subject parcel



TAB III.B.iii

RESOLUTION 2022-10-03: AMBASSADOR EXTENSION

RESOLUTION 2022-10-03

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) RECOMMENDING AN EXTENSION TO THE BUILDING IMPROVEMENTS COMPLETION DATE FOR THE REHABILITATION AND ADAPTIVE REUSE OF THE AMBASSADOR HOTEL (THE “PROJECT”) AS FOUND IN THE SECOND AMENDED AND RESTATED REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF JACKSONVILLE, THE DOWNTOWN INVESTMENT AUTHORITY, AND AXIS HOTELS, LLC (“DEVELOPER”) WITH AN EFFECTIVE DATE OF MARCH 25, 2022; AUTHORIZING THE DIA’S CHIEF EXECUTIVE OFFICER (CEO) TO EXECUTE THE EXTENSION AGREEMENT AND OTHERWISE TAKE ALL NECESSARY ACTION IN CONNECTION THEREWITH TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in July 2018, the Developer purchased the property commonly known as Ambassador Hotel with a street address of 420 N. Julia Street, as well as the remaining undeveloped portion of the block (collectively, the “Original Parcel”), all of which are located within the boundaries of the Downtown East CRA; and

WHEREAS, the Developer proposed to renovate the Ambassador Hotel building, a historically designated structure, into a 127-room hotel, and on the undeveloped portion of the site, construct 200 units of multifamily market-rate housing and a structured parking facility of a size and nature to serve both the hotel and the housing project; and

WHEREAS, at their meeting of September 19, 2018, the DIA approved Resolution 2018-09-03 authorizing a Historic Preservation Trust Fund (HPTF) Grant upon redevelopment completion in an amount not to exceed \$1.5 million funded by the Downtown Historic Preservation and Revitalization Trust Fund; and

WHEREAS, at their meeting of January 22, 2019, the Jacksonville City Council approved Ordinance 2018-872, which included a Redevelopment Agreement with terms for the aforementioned HPTF, as well as specific performance criteria related thereto, and

WHEREAS, on March 26, 2019, the Redevelopment Agreement was executed by the Developer, the City of Jacksonville and DIA, and

WHEREAS, pursuant to Resolution 2019-12-03, the DIA approved a modification to the above referenced Redevelopment Agreement, which in turn was approved by City Council pursuant to Ordinance 2020-0625; and

WHEREAS, the Amended and Restated Redevelopment Agreement was executed by the parties thereto on June 25, 2020; and

WHEREAS, the Developer then requested and received all permissible extensions of the Performance Schedule allowed under the terms of the Amended and Restated Redevelopment Agreement; and

WHEREAS, following notice of default for failure to commence, the Developer timely commenced to cure said default, and pursuant to Resolution 2021-06-08, the DIA approved at its regularly scheduled Board meeting of June 17, 2021, an amendment to the Performance Schedule as found in the Amended and Restated Redevelopment Agreement of June 25, 2020, which in turn was approved by City Council pursuant to Ordinance 2021-0459; and

WHEREAS, Developer closed on financing for the Project and subsequently Commenced Construction on July 30, 2021; and

WHEREAS, the Second Amended and Restated Redevelopment Agreement was executed by the parties thereto on March 25, 2022, but made effective as of August 15, 2021, providing a Building Improvements Completion Date of December 31, 2022; and

WHEREAS, the Second Amended and Restated Redevelopment Agreement provides the DIA Board with the authority to extend the Building Improvements Completion Date by up to six months in its sole discretion for good cause shown by the Developer, and

WHEREAS, the Developer has identified that it is unable to meet the Building Improvements Completion Date and has formally requested an extension supported by a letter from the general contractor for the project summarizing the challenges faced in the delivery of materials and other factors contributing to delays in completion; and

WHEREAS, DIA staff, in discussion with the Developer, believe that an extension of the Completion Date from December 31, 2022, to March 31, 2023, is appropriate to determine the date of when the Project will be completed and allow sufficient time to assess further actions that may become necessary; and

WHEREAS, the authority to enter into a three-month extension as outlined herein is vested in the DIA Board,

NOW THEREFORE BE IT RESOLVED, by the Downtown Investment Authority,

Section 1. The DIA finds that the recitals set forth above are true and correct and are incorporated herein by this reference.

Section 2. The DIA instructs the Chief Executive Officer of the Downtown Investment Authority to take all necessary actions to modify and amend the Performance Schedule contained in the March 25, 2022, Second Amended and Restated Redevelopment Agreement between the City of Jacksonville, the Downtown Investment Authority, and AXIS Hotels, LLC, in a manner necessary to extend the Completion of Construction Date from December 31, 2022, to March 31, 2023.

Section 3. The Chief Executive Officer is hereby authorized to execute the contracts and documents and otherwise take all necessary action in connection therewith to effectuate the purposes of this Resolution.

Section 4. The Effective Date of this Resolution is the date upon execution of this Resolution by the Chair of the DIA Board.

WITNESS:

DOWNTOWN INVESTMENT AUTHORITY

Carol Worsham, Chair

Date

VOTE: In Favor: _____ Opposed: _____ Abstained: _____

TAB IV.A

**SEPTEMBER 21, 2022, DOWNTOWN INVESTMENT AUTHORITY BOARD MEETING
MINUTES**



Downtown Investment Authority
Hybrid Meeting
Wednesday, September 21, 2022 – 2:23 p.m.

Downtown Investment Authority
MEETING MINUTES

DIA Board Members (BM): Carol Worsham, Chair; Jim Citrano, Vice Chair; Oliver Barakat; Todd Froats; Craig Gibbs, Esq.; and Braxton Gillam, Esq.

DIA Board Members Excused: Stephanie Burch, Esq., Secretary and David Ward Esq.

Mayor's Staff: None

Council Members: None

DIA Staff: Lori Boyer, Chief Executive Officer; Xzavier Chisholm, Administrative Assistant; Wanda J. Crowley, Financial Analyst (via Zoom); Steve Kelley, Director of Downtown Real Estate and Development (via Zoom); Susan Kelly, Redevelopment Coordinator (via Zoom); Ina Mezini, Communication and Marketing Specialist; Guy Parola, Operations Manager; and Antonio Posey, Project Manager

Office of General Counsel: John Sawyer, Esq. and Joelle Dillard, Esq. (via Zoom)

CALL TO ORDER: Chair Worsham called to order the Downtown Investment Authority Board Meeting at 2:23 p.m.

IV. DOWNTOWN INVESTMENT AUTHORITY MEETING

A. AUGUST 17, 2022 DOWNTOWN INVESTMENT AUTHORITY BOARD MEETING MINUTES

Having called for corrections or other edits by her fellow board members and after receiving none, Chair Worsham asked for a motion and second on the item.

Motion: BM Gillam moved to approve the minutes as presented

Seconded: BM Barakat seconded the motion

Vote: Aye: 6 Nay: 0 Abstain: 0

THE MOTION PASSED UNANIMOUSLY 6-0-0

B. CONSENT AGENDA

None.

C. RESOLUTION 2022-09-08: INVEST DT JAX

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY AUTHORIZING ITS CHIEF EXECUTIVE OFFICER TO EXECUTE AN AGREEMENT OR FUNCTIONAL EQUIVALENT WITH DOWNTOWN VISION, INC. FOR THE UPDATE, MAINTENANCE AND HOSTING OF THE INVEST IN DOWNTOWN JACKSONVILLE WEBSITE (WWW.INVESTDTJAX.COM); AUTHORIZING FUNDING IN THE AMOUNT OF EIGHTEEN THOUSAND AND ZERO DOLLARS (\$18,000.00) TO BE PAID TO DOWNTOWN VISION, INC. FOR THESE WEBSITE SERVICES; AUTHORIZING THESE FUNDS PARTIALLY FROM THE GENERAL FUND'S ADVERTISING AND PROMOTION BUDGET AND PARTIALLY FROM THE DOWNTOWN NORTHBANK CRA TRUST FUND'S MARKETING BUDGET; PROVIDING AN EFFECTIVE DATE.

CEO Boyer presented the resolution, stating that it authorizes a monetary contribution for Downtown Vision, Inc. (DVI) for the update, maintenance, and hosting of www.investdtjax.com, which is a tool to recruit investors, developers and lenders to downtown Jacksonville.

D. RESOLUTION 2022-09-09: LIVE DT JAX

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY AUTHORIZING ITS CHIEF EXECUTIVE OFFICER TO EXECUTE AN AGREEMENT OR FUNCTIONAL EQUIVALENT WITH DOWNTOWN VISION, INC. FOR THE UPDATE, MAINTENANCE AND HOSTING OF THE LIVE DOWNTOWN JAX WEBSITE (WWW.LIVEDTJAX.COM); AUTHORIZING FUNDING IN THE AMOUNT OF TEN THOUSAND AND ZERO DOLLARS (\$10,000.00) TO BE PAID TO DOWNTOWN VISION, INC. FOR THESE WEBSITE SERVICES; AUTHORIZING THESE FUNDS PARTIALLY FROM THE GENERAL FUND'S ADVERTISING AND PROMOTION BUDGET AND PARTIALLY FROM THE DOWNTOWN NORTHBANK CRA TRUST FUND'S MARKETING BUDGET; PROVIDING AN EFFECTIVE DATE.

CEO Boyer presented the resolution, stating that it authorizes a monetary contribution for DVI for the update, maintenance, and hosting of www.livedtjax.com, which provides a plethora of features aimed at promoting downtown Jacksonville as a vibrant neighborhood to prospective residents.

BM Gillam asked what DIA is doing to increase awareness of these websites. DIA's Ina Mezini responded that they are working with the coding team to ramp up search engine optimization so that the websites are more likely to come up when someone searches something about downtown Jacksonville.

BM Barakat stated for the record that he will be filing a Form 8B for both Resolution 2022-09-08 and Resolution 2022-09-09.

BM Barakat commented that there also needs to be on-the-ground promotion of these websites in the community to help increase awareness.

Motion: BM Gillam moved to approve Resolution 2022-09-08 and Resolution 2022-09-09 as presented

Seconded: BM Gibbs seconded the motion

Vote: Aye: 6 Nay: 0 Abstain: 0

THE MOTION PASSED UNANIMOUSLY 6-0-0

E. RESOLUTION 2022-09-10: ARTEA STORMWATER CREDITS PURCHASE

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) APPROVING THE SALE OF UP TO 8.24 CREDIT ACRES OF SURPLUS WATER QUALITY COMPENSATORY CREDITS TO CORNER LOT DEVELOPMENT GROUP OR AFFILIATED ENTITY (“DEVELOPER”) FOR USE ON CERTAIN PROPERTY IDENTIFIED BY DUVAL COUNTY TAX PARCELS 080104 0000, 080103 0000, 080099 0000, 080101 0000, 080100 0000, 080102 0000 AND 080098 0010 (COLLECTIVELY THE “PROPERTY”); AUTHORIZING THE DIA CHIEF EXECUTIVE OFFICER TO EXECUTE ANY CONTRACTS AND DOCUMENTS AND OTHERWISE TAKE ALL NECESSARY ACTION IN CONNECTION THEREWITH TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

CEO Boyer presented the resolution, stating that it authorizes the sale of up to 8.24 credit acres of surplus water quality compensatory credits for the Artea multi-family development on the Southbank. There are approximately 850 credits still available.

Motion: BM Gillam moved to approve the resolution as presented

Seconded: BM Gibbs seconded the motion

BM Citrano asked if there is a formula utilized to determine the number of credits a project can receive. DIA’s Guy Parola confirmed that there is a formula, and the 8.24 credit acres for the project is the result of that formula.

BM Barakat asked if there is an expiration date on the credits. Mr. Parola confirmed that the developer has 1 year to effectuate the purpose of the credits, else they are returned to the City.

Vote: Aye: 6 Nay: 0 Abstain: 0

THE MOTION PASSED UNANIMOUSLY 6-0-0

V. OTHER MATTERS TO BE ADDED AT THE DISCRETION OF THE CHAIR

None.

VI. OLD BUSINESS

None.

VII. NEW BUSINESS

None.

VIII. CEO INFORMATIONAL BRIEFING

CEO Boyer reported the following:

- A \$2,500 event sponsorship contribution was made to Scenic Jax for the Great Cities Symposium.
- DIA and OPP budgets were approved by MBRC and are moving to City Council for final approval next week.
- Continued evaluation of mechanisms to address perennially high demand at the Ed Ball and Duval Street garages and excessive vacancy at the Yates and Water Street garages.
- Noel Famy (Public Works Dept.) has requested funds for one-time projects (e.g., clean-ups and bench replacement) through Public Works via a budget request.
- Interviewing for the two new staff positions and discussing additional office space with the administration.
- There was a kickoff meeting with DeZyn for the water activation that will show on the Performing Arts Center building and on Friendship Fountain.
- There was a kickoff meeting with Agency Landscape and Design for the Shipyards West park design.
- Perkins & Will continues to work on the design of Riverfront Plaza. 100 percent designs should be complete by January which means it will likely be bid for construction in February and end in April or May.
- The Hogan Street design (Emerald Trail corridor) is anticipated to be at 90 percent design by December.
- Design of the two-way street conversion of Forsyth and Adams Streets will be complete and a bid package will be out by October. Construction will begin at the first of the year.
- The LaVilla Heritage Trail and Gateways Committee continues to meet and work on the Call to Artists for the logo design for LaVilla.
- DIA's Ina Mezini continues to work on the banners and new downtown banners should be up by November, with more coming online in the Winter.
- Continuing to work with the Jacksonville Historical Society on historic markers. All of the historic buildings will have matching bronze identification markers, and some will have story boards.

- A MOT document has been completed for the riverwalk to establish what portions of the riverwalk will be closed for construction at what point in time.
- Gary Monahan is the new Employee-on-Loan for the Parks Department, a position funded by the duPont fund to work on downtown parks programming.
- The parcel swap for A R Polar continues to be worked on as title issues and onsite physical issues are addressed.
- The Trio (Southeast Development Group) has resubmitted a financial package that staff will be reviewing.
- The USS Orleck has requested a 6-month extension and there is an ongoing discussion with the administration regarding their desire to stay in front of the Hyatt Hotel longer.
- There are two groundbreaking scheduled in the next two weeks – Tribridge Residential at One Riverside and the Johnson Commons Lavilla Townhomes.
- 3 DIA budget bills currently going through City Council to help reconcile various budget amounts.

CEO Boyer and Ms. Mezini presented a slideshow showing illustrations of various downtown projects and their progress.

IX. CHAIRMAN REPORT

None.

X. ADJOURN

ADJOURNMENT: There being no further business, Chair Worsham adjourned the meeting at 2:57 p.m.

The written minutes for this meeting are only an overview of what was discussed. For verbatim comments of this meeting, a recording is available upon request. Please contact Xzavier Chisholm at xchisholm@coj.net to acquire a recording of the meeting.

TAB IV.C

RESOLUTION 2022-10-04: JAX RIVER JAMS EVENT CONTRIBUTION

RESOLUTION 2022-10-04

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) AUTHORIZING A FIFTY THOUSAND DOLLAR (\$50,000.00) EVENT CONTRIBUTION TO THE DOWNTOWN VISION, INC. TO SUPPORT THE JACKSONVILLE RIVER JAMS EVENT; AUTHORIZING THESE FUNDS FROM THE DIA FISCAL YEAR 2022-2023 ADMINISTRATIVE BUDGET’S EVENT CONTRIBUTION FUNDS; AUTHORIZING ITS CHIEF EXECUTIVE OFFICER TO TAKE ALL NECESSARY ACTIONS TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION, INCLUDING EXECUTION OF AN EVENT CONTRIBUTION AGREEMENT OR FUNCTIONAL EQUIVALENT THEREOF; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the mission of the DIA is, “To drive growth in business and investment, create a vibrant urban living environment and enhance quality of life in Downtown Jacksonville through the transparent and responsible leveraging of public investments, assets, infrastructure, and policy”; and

WHEREAS, the efforts of the DIA seek to facilitate success towards achieving Community Redevelopment Area Goals in support of the aforementioned mission. Specifically:

Redevelopment Goal No. 4 Increase the vibrancy of Downtown for residents and visitors through arts, culture, history, sports, theater, events, parks, and attractions; and

WHEREAS, activation of Downtown is essential to implementation of the adopted BID and CRA Plan; and

WHEREAS, Jax River Jams is a free, four-week concert series on Downtown Jacksonville’s scenic riverfront that features national headliners and local and regional openers; and

WHEREAS, the Downtown Vision, Inc. is the organization responsible for Jacksonville River Jams; and

WHEREAS, the DIA Board via Resolution 2022-05-03 and the City Council via Ordinance 2022-0504-E adopted DIA’s Administrative Budget for Fiscal Year 22-23, which included \$125,000 for Event Contributions; and

WHEREAS, City Council via Ordinance 2021-0499 amended Chapter 55 to allow for DIA to directly enter into agreements with Downtown Vision, Inc. for the programming of parks and public spaces located within Downtown without further need for City Council approval.

NOW THEREFORE, BE IT RESOLVED by the Downtown Investment Authority:

Section 1. The DIA authorizes a contribution of fifty thousand dollars (\$50,000) to Downtown Vision, Inc. in accordance with Exhibit ‘A’.

Section 2. The DIA authorizes its Chief Executive Officer to take all necessary actions to effectuate the purpose of this Resolution.

Section 3. This Resolution shall become effective on the date it is signed by the Chair of the DIA Board.

WITNESS:

DOWNTOWN INVESTMENT AUTHORITY

Carol Worsham, Chair

Date

VOTE: In Favor: ____ Opposed: ____ Abstained: ____

EXHIBIT A

Jax River Jams 2023 - Scope of Event Contribution Work

Downtown Vision, Inc. (DVI) has requested \$50,000 in funding from DIA to support the Jax River Jams concert series. The DIA funding will be utilized to pay for musical talent for the April program series.

Payment of \$50,000,00 as an Event Contribution will be made upon delivery of the executed contract with the performers and evidence that payment under the contract has been made to secure the performance.

TAB IV.D

RESOLUTION 2022-10-05: SIP & STROLL EVENT CONTRIBUTION

RESOLUTION 2022-10-05

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) PROVIDING FOR A SIXTY THOUSAND DOLLAR (\$60,000.00) CONTRIBUTION TO DOWNTOWN VISION INC. (“DVI”) FOR MONTHLY PROGRAMMING OF THE SOUTHBANK RIVERWALK; AUTHORIZING THESE FUNDS FROM THE DIA FISCAL YEAR 2022-2023 ADMINISTRATIVE BUDGET’S EVENT CONTRIBUTION FUNDS; INSTRUCTING ITS CHIEF EXECUTIVE OFFICER TO TAKE ALL NECESSARY ACTIONS TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the mission of the DIA is, “To drive growth in business and investment, create a vibrant urban living environment and enhance quality of life in Downtown Jacksonville through the transparent and responsible leveraging of public investments, assets, infrastructure, and policy”; and

WHEREAS, the efforts of the DIA seek to facilitate success towards achieving Community Redevelopment Area Goals in support of the aforementioned mission. Specifically:

Redevelopment Goal No. 4 Increase the vibrancy of Downtown for residents and visitors through arts, culture, history, sports, theater, events, parks, and attractions; and

WHEREAS, activation of Downtown is essential to implementation of the adopted BID and CRA Plan; and

WHEREAS, Sip and Stroll occurs every Third Thursday of the month on the Southbank Riverwalk (except April), spanning from the DoubleTree Hotel to The Southbank Hotel, providing live music, food vendors, bars and a picnic area; and

WHEREAS, at the suggestion of DIA staff and in collaboration with the COJ Department of Parks, Recreation and Community Services which manages the Southbank Riverwalk, DVI developed a budget and plan for a monthly “Sip and Stroll” on the Southbank Riverwalk; and

WHEREAS, City Council via Ordinance 2021-0499 amended Chapter 55 to allow for DIA to directly enter into agreements with Downtown Vision, Inc. for the programming of parks and public spaces located within Downtown without further need for City Council approval; and

WHEREAS, staff has reviewed the budget and plans for Sip and Stroll and recommends that the Board approve the use of \$60,000 from the DIA fiscal year 2022-2023 administrative budget’s event contribution funds to support this initiative.

NOW THEREFORE, BE IT RESOLVED by the Downtown Investment Authority:

Section 1. The DIA authorizes a payment of sixty thousand dollars (\$60,000.00) to Downtown Vision, Inc. from the DIA fiscal year 2022-2023 administrative budget’s event contribution funds to be used for production of the monthly Sip and Stroll event described on Exhibit ‘A’ attached hereto.

Section 2. The DIA authorizes its Chief Executive Officer to take all necessary actions to effectuate the purpose of this Resolution, including execution of a contract for such services.

Section 3. This Resolution shall become effective on the date it is signed by the Chair of the DIA Board.

WITNESS:

DOWNTOWN INVESTMENT AUTHORITY

Carol Worsham, Chair

Date

VOTE: In Favor: ____ Opposed: ____ Abstained: ____

EXHIBIT A

Sip & Stroll Program – DIA Park Programming Scope of Work

Request

Downtown Vision, Inc. (DVI) requests \$60,000 in funding from DIA to support the production of Sip and Stroll during City of Jacksonville Fiscal Year 2022-2023. Each event in the Sip and Stroll series shall occur on the third Thursday of each month except for the month of April of 2023, for a total of 11 events, barring cancellation due to weather or other events outside of DVI's control.

Eligible Expenses

Sip and Stroll production expenses eligible for reimbursement by DIA (Eligible Expenses) include:

- Musical talent fees
- Musical production expenses, including lighting, staging, and attendee seating
- Security fees
- Signage and supplies
- Additional activation expenses, including artistic seating, interactive art, street theater fees, digital sculpture, ambiance lighting, etc...

Budget

An approximate budget regarding the expenditure of the request across funding categories can be seen below:

Expense	Per Event Expenditures	Total 11 Events Expenditures
Musical Talent	\$2,000	\$22,000
Musical Production	\$4,000	\$44,000
Security	\$1,857	\$20,427
Signage & supplies	\$4,532	\$49,852
Additional Activation	\$3,400	\$37,400
TOTAL	\$15,789	\$173,679

Payment

Two payments will be made- one upon completion of the first three events in the series and one at the end of the series.

Downtown Vision
214 N. Hogan Street #120, Jacksonville, FL 32202

- **Payment One:** A payment of \$30,000 upon completion of the first three events (Nov-Jan). The amount of the payment is fixed at \$30,000 regardless of the total of paid invoices to date.
- **Payment Two:** A payment not to exceed \$30,000 payable upon completion of the series and delivery of paid invoices and receipts for Eligible Expenses for each event in the series. In the event the total of all invoices paid equals or exceeds \$60,000.00 the entire 30,000 second payment will be made. In the event the total of all paid invoices for Eligible Expenses is less than \$60,000. The amount of Payment Two will be reduced accordingly

TAB IV.E

RESOLUTION 2022-10-06: CEO CONTRACT EXTENSION

RESOLUTION 2022-10-06

RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) AUTHORIZING A ONE-YEAR EXTENSION OF THAT EMPLOYMENT AGREEMENT ENTERED INTO BETWEEN THE DIA AND LORI N. BOYER, CHIEF EXECUTIVE OFFICER (“CEO”), DATED JUNE 20, 2019, WITH AN EFFECTIVE DATE OF JULY 1, 2019; AUTHORIZING THE DIA GOVERNING BOARD CHAIR TO EXECUTE THE FIRST EXTENSION TO THE EMPLOYMENT AGREEMENT”; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City Council adopted Ordinance 2012-364-E, thereby creating a new Chapter 55, Jacksonville Code of Ordinances, the purpose of which is to establish “a single, comprehensive organizational structure for the Authority [DIA] and a single, comprehensive method of addressing downtown redevelopment”; and

WHEREAS, pursuant to §55.108, Jacksonville Code of Ordinances, the DIA shall “Appoint a Chief Executive Officer (“CEO”), prescribe his or her duties, and fix his or her compensation...”; and

WHEREAS, Lori N. Boyer and the DIA entered into the terms of employment, which are memorialized in an Employment Agreement dated June 20, 2019, having an effective date of July 1, 2019; and

WHEREAS, the aforementioned Employment Agreement allows for two, one-year renewals upon mutual agreement by its CEO and the DIA; and

WHEREAS, the DIA and its CEO desire to exercise the first one-year renewal option,

NOW THEREFORE, BE IT RESOLVED, by the Downtown Investment Authority:

Section 1. The DIA finds that the abovementioned recitals are true and correct.

Section 2. The DIA hereby exercises its option for a one-year renewal of the Employment Agreement, as amended, with its CEO. All other terms and conditions will remain in effect.

Section 3. This Resolution shall become effective on the date it is signed by the Chair of the DIA Board.

[SIGNATURES ON FOLLOWING PAGE]

WITNESS:

DOWNTOWN INVESTMENT AUTHORITY

Carol Worsham, Chair

Date

VOTE: In Favor: _____ Opposed: _____ Abstained: _____

TAB IV.F

RESOLUTION 2022-10-07: CARLUCCI DPRP AMENDMENT

RESOLUTION 2022-10-07

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”), AS THE COMMUNITY REDEVELOPMENT AGENCY FOR THE DOWNTOWN NORTHBANK COMMUNITY REDEVELOPMENT AREA AND THE SOUTHSIDE COMMUNITY REDEVELOPMENT AREA RECOMMENDING [APPROVAL/DENIAL/APPROVAL WITH AMENDMENT] OF THE LEGISLATION ATTACHED HERETO AS EXHIBIT A REVISING THE TERMS OF THE DPRP AND HPRTF GUIDELINES TO LIMIT REIMBURSABLE CONSTRUCTION COSTS TO THOSE INCURRED AFTER CITY COUNCIL APPROVAL; AUTHORIZING ITS CHIEF EXECUTIVE OFFICER TO TAKE ALL NECESSARY ACTIONS TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the current Historic Preservation and Revitalization Trust Fund Guidelines were adopted pursuant to Ordinance 2020-527-E (the “HPRTF Guidelines”), which established a \$100,000 cap per eligible property and established percentages of eligible expenditures to be used in determining grant amounts; and

WHEREAS, the current Downtown Preservation and Revitalization Program Guidelines (“DPRP Guidelines”) were also adopted pursuant to Ordinance 2020-527-E, which created a new Downtown Preservation and Revitalization Program and Guidelines to incentivize the preservation and revitalization of unoccupied or deteriorating historic and qualified non-historic buildings in downtown Jacksonville; and

WHEREAS, over the last two years City Council has approved a number of redevelopment incentives for historic properties that authorized reimbursement for otherwise eligible work that occurred prior to authorization of funding by City Council, and

WHEREAS, Councilman Carlucci has prepared and plans to introduce legislation to modify the HPRTF Guidelines and DPRP Guidelines pursuant to this Ordinance to clarify that reimbursement pursuant to either program shall only be available for work performed and costs incurred after authorization of funding therefore by City Council; and

WHEREAS, the DIA has been requested to offer its opinion on such modification.

NOW THEREFORE, BE IT RESOLVED by the Downtown Investment Authority:

Section 1. The recitals set forth above are true and correct and are hereby incorporated herein by this reference.

[SELECT ONE OF THE FOLLOWING]

Section 2. The DIA recommends that City Council approve the legislation and guideline changes included as Exhibit A without modification.

Section 2. The DIA recommends that the City Council reject the legislation and guideline changes included as Exhibit A.

Section 2. The DIA recommends that City Council approve the legislation and guideline changes attached as Exhibit A with the following modifications:

1. Delete any reference to HPRTF Guidelines as this program does not require City Council Approval of awards and is final when awarded by DIA; HPRTF Guidelines could be revised to allow reimbursement only for construction incurred after DIA approval.
2. Limit reimbursement for expenses incurred prior to City Council approval for DPRP or DIA Board approval for HPRTF to expenses incurred after receipt of a complete submission package has been acknowledged by DIA.
3. Modify the DPRP and HPRTF guidelines to include in the process description a specific acknowledgement by DIA when a complete submission package has been received.
4. _____

Section 3. The DIA authorizes its Chief Executive Officer to take all necessary actions to effectuate the purposes of this resolution.

Section 4. This Resolution shall become effective on the date it is signed by the Chair of the DIA Board.

WITNESS:

DOWNTOWN INVESTMENT AUTHORITY

Carol Worsham, Chair

_____ Date

VOTE: In Favor: ____ Opposed: ____ Abstained: ____

Exhibit A

Introduced by the Council Member Carlucci:

ORDINANCE 2022-

AN ORDINANCE APPROVING AND ADOPTING UPDATED: (1) HISTORIC PRESERVATION AND REVITALIZATION TRUST FUND GUIDELINES; AND (2) DOWNTOWN PRESERVATION AND REVITALIZATION PROGRAM GUIDELINES; PROVIDING A 90-DAY PHASE-IN PERIOD; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the current Historic Preservation and Revitalization Trust Fund Guidelines were adopted pursuant to Ordinance 2020-527-E (the "HPRTF Guidelines"), which established a \$100,000 cap per eligible property and established percentages of eligible expenditures to be used in determining grant amounts; and

WHEREAS, the current Downtown Preservation and Revitalization Program Guidelines ("DPRP Guidelines") were also adopted pursuant to Ordinance 2020-527-E, which created a new Downtown Preservation and Revitalization Program and Guidelines to incentivize the preservation and revitalization of unoccupied or deteriorating historic and qualified non-historic buildings in downtown Jacksonville; and

WHEREAS, over the last two years City Council has approved a number of redevelopment incentives for historic properties that authorized reimbursement for otherwise eligible work that occurred prior to authorization of funding by City Council, and Council desires to modify the HPRTF Guidelines and DPRP Guidelines pursuant to this Ordinance to clarify that reimbursement pursuant to either program shall only be available for work performed and costs incurred after authorization of funding therefore by City Council; now, therefore

BE IT ORDAINED by the Council of the City of Jacksonville:

Section 1. Downtown Historic Preservation and Revitalization Trust Fund Guidelines. The updated Downtown Historic Preservation and Revitalization Trust Fund Guidelines (the "HPRTF Guidelines"), attached hereto as **Exhibit 1**, shall replace the guidelines authorized by Ordinance 2020-527-E. The HPRTF Guidelines clarify that eligibility for incentive reimbursement shall apply only to costs incurred following approval of funding for the Development by City Council.

Section 2. DIA Downtown Preservation and Revitalization Loan Program Guidelines. The updated DIA Downtown Preservation and Revitalization Loan Program Guidelines (the "DPRP Guidelines") are attached hereto as **Exhibit 2** and shall replace the guidelines authorized by Ordinance 2020-527-E. The DPRP Guidelines clarify that eligibility for incentive reimbursement shall apply only to costs incurred following approval of funding for the Development by City Council.

Section 3. Phase-in period. This Ordinance shall apply prospectively from the enactment date hereof, and shall not affect any existing, duly executed agreements authorizing HPRTF or DPRP funding as set forth therein.

Section 4. Effective Date. This Ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

Form Approved:

Office of General Counsel

Legislation Prepared By: John Sawyer

Downtown Preservation and Revitalization Program Guidelines

Revised Exhibit 1 to Ordinance 2020-0527 (as further revised 1/21/22 and 6/28/22)

The intent of the Downtown Preservation and Revitalization Program (the “DPRP”) is to foster the preservation and revitalization of unoccupied, underutilized, and/or deteriorating historic, and qualified non-historic, buildings located in downtown Jacksonville. This program is designed to serve historic projects applying for in excess of \$100,000, and non-historic code compliance projects.

Development projects eligible for this program will be those deemed to promote the following downtown Community Redevelopment Area Goals:

Redevelopment Goal No. 1: Reinforce Downtown as the City’s unique epicenter for business, history, culture, education, and entertainment. Program specific emphasis will be placed on retail activity, food and beverage establishments, culture, and entertainment including the activation of open spaces.

Redevelopment Goal No. 2: Increase rental and owner-occupied housing downtown, targeting key demographic groups seeking a more urban lifestyle. Building on the success of growth in multi-family housing across the downtown corridor, providing additional housing units in historic buildings contributes to the unique residential atmosphere of our City and the opportunity to maximize Jacksonville’s historic attributes.

Performance Measures of the City of Jacksonville’s Downtown Investment Authority (DIA).

Such developments are considered particularly impactful meaning that their completion is expected to provide the highest level of interest and benefits for residents and visitors to the City, and the greatest impact on creating further demand for surrounding properties thereby stimulating additional investment in development and redevelopment activity.

Single-user, multi-tenant office space, or buildings without retail or public spaces will be considered eligible under this program in limited circumstances based on unique contributions made to the City and its residents such as healthcare providers, financial services, regional or nationally known owners or principal tenants that provide employment in Downtown Jacksonville.

Article 1. The DPRP has three general components for which funding will be considered:

- 1. Historic Preservation Restoration and Rehabilitation Forgivable Loan (“HPRR Forgivable Loan”)**
- 2. Code Compliance Renovations Forgivable Loan (“CCR Forgivable Loan”)**
- 3. Downtown Preservation and Revitalization Program Deferred Principal Loan (“DPRP Deferred Principal Loan”)**

The DPRP program will be administered in the form of a forgivable loan or loan and each project will require City Council approval. All funds will be disbursed upon completion of improvements subject to cost verification and other approvals as specified below.

A. General Program Requirements applicable to all proposed projects:

1. Project must be located within the DIA boundary. For this program, a project will be considered within the DIA boundary if, as of the effective date of this program, any portion of the tax parcel on which the building or buildings to be restored or renovated are located, is within the boundary of DIA.
2. Must conform to the goals and objectives of the BID and CRA Plan.
3. Applicant and/or its General Contractor, working in conjunction with the project Architect as applicable, must demonstrate significant, relevant experience and performance on projects of similar type and scale.
4. Total Development Costs ("TDC") is defined as:
 - a. For properties under contract or owned less than one year, the lesser of the current appraised value or the costs for the acquisition of eligible buildings and associated land, less any associated debt, and;
 - b. the negotiated construction costs with a qualified General Contractor; and
 - c. additional soft costs typically eligible for capitalization in development activity of this type.
 - d. Developer Fee is to be excluded from both Sources and Uses.
 - e. The current market value of property owned for more than one year, and any related debt, may be included in TDC for purposes of these calculations. Appraisals must be dated within one year of the application.
5. The following limits apply to Total Development Costs unless otherwise stated (Existing property owners are also considered the Developer for these purposes):
 - a. Developer equity *plus* third-party debt *plus* outside tax credit or other subsidies of not less than:
 - i. 50% if Developer Equity (less Developer Fee) is > 15% of TDC; or
 - ii. 60% if Developer Equity (less Developer Fee) is ≤ 15% of TDC.
 - b. Developer Equity (less Developer Fee) shall be not less than 10% of TDC.
 - c. COJ total capitalization from all sources not to exceed:
 - i. 50% if Developer Equity (less Developer Fee) is > 15% of TDC; or
 - ii. 40% if Developer Equity (less Developer Fee) is ≤ 15% of TDC; or
 - iii. 25% if the property being improved does not have, nor is applying for, local landmark status (i.e. No HPRR Forgivable Loan component in the request).
 - d. HPRR Forgivable Loan not to exceed 30% of TDC, as applicable.
 - e. CCR Forgivable Loan not to exceed:
 - i. 25% of TDC if the property does not have historic landmark status; or
 - ii. 30% of TDC if the property has historical landmark status
 - f. DPRP Deferred Principal Loan not to exceed 20% of TDC, as applicable.
 - g. DPRP Deferred Principal Loan shall be *not less than* 20% of the aggregate gap funding requirement for any project where Developer Equity is less than 25% of TDC.

- h. Funding for the project from all other DIA programs may not exceed 10% TDC, subject to further limitations found in the guidelines for each such program.
 - i. If the property is designated, or applying to become a historic landmark, the request must exceed \$100,000. (requests for \$100,000 or less should proceed under the HPRTF)
6. Total Development Costs must be determined reasonable for the scope of the project utilizing third-party verification where available.
7. Gap funding need must be demonstrated on all projects where the total funding request is greater than \$1 million.
8. ROI must reach 0.50X minimum incorporating the following assumptions:
 - i. Ad valorem real property taxes calculated on the cost basis using a twenty-year time horizon from the date property is projected to be placed into service.
 - ii. Ad valorem property taxes on historic properties are abated for ten years from placed into service date. *(Note: Projects receiving a CCR Forgivable Loan without historic landmark status are not eligible for the property tax abatement, and the ROI will be calculated using the incremental ad valorem for the full twenty-year period).*
 - iii. Tangible Personal Property tax included based on FF & E information provided by the applicant.
 - iv. Local Opportunity Sales Tax and Employment based on 50% of any speculative commercial lease space and employment information provided by the applicant.
 - v. Estimated interest revenue on the DPRP Deferred Principal Loan to be included as additional benefit to the City.
 - vi. Where preservation and revitalization activities are being performed on a property where business operations are established, ROI will be calculated on existing ad valorem, local opportunity sales tax, and employee metrics.
9. All loan components pursuant to the Redevelopment Agreement will be secured by a subordinate-lien position on the real property behind any senior secured, third-party lender providing construction, mini-perm, or permanent financing.
10. All COJ and DIA program funding under the DPRP will be subject to cross-default, meaning a default under one DPRP component triggers a default under outstanding funding of all DPRP components at such time, subject to applicable cure periods.
11. All property, business, and income taxes must be current at the time of application and maintained in a current status during the approval process, the term of the Redevelopment Agreement and through the DPRP loan period.
12. Payment defaults, bankruptcy filings, or other material defaults during the DPRP loan period will trigger the right for the City of Jacksonville to accelerate all amounts funded and outstanding under any or all programs at such time plus 20% of any amounts amortized or prepaid prior to that date.
13. DPRP Loan funding under any component is subject to standard claw back language related to disposition of the property prior to each component's respective maturity, or similar circumstances of conversion.

14. DIA reserves the right to approve any sale, disposition of collateral property, or refinance of senior debt during the DPRP loan period.

15. Construction costs eligible for funding under the DPRP shall be limited to those costs incurred following approval by the City Council. For clarity, development costs, which may include construction costs, incurred prior to approval by City Council may be included in the calculation of Total Development Cost but will not be eligible for incentive payments under the program.

B. Historic Preservation Restoration and Rehabilitation Forgivable Loan Component (“HPRR Forgivable Loan”)

1. The building must be designated as a local historic landmark at the time of application or an application for local landmark status must be filed and pending. Application may be made for an award under the DPRP prior to final designation; however, request for funding under this component will not be approved prior to the building receiving designation as a local historic landmark.
2. All work must be reviewed and approved by the Planning and Development Department for consistency with the United States Secretary of Interior Standards and applicable design guidelines during application processing and for verification upon completion and request for funding.
3. This HPRR Forgivable Loan component may include up to:
 - a. 75% of eligible costs for the Restoration or Rehabilitation of the building Exterior
 - b. 75% of eligible costs for the Restoration of Historic features on the building Interior
 - c. 30% of eligible costs for the Rehabilitation of the building Interior; and
 - d. 20% of eligible costs for General Requirements and Overhead of the GC
4. Funding attributable to the HPRR Forgivable Loan may not exceed 30% of Total Development Cost.
5. Downtown Preservation and Revitalization Program funding in the amount of the HPRR Forgivable Loan component will be forgiven 20% per year over the first five years of the loan.
6. This funding component of the Downtown Preservation and Revitalization Program will be interest free.

C. Code Compliance Renovations Forgivable Loan Component (“CCR Forgivable Loan”)

1. The building need not be designated a local historic landmark but must be a contributing structure in the National Historic District or a structure at least 50 years old and meet the applicable general program requirements above.
2. This CCR Forgivable Loan component may include up to:
 - a. 75% of eligible costs for bringing the property up to levels as required for Code Compliance or related fire and safety requirements.
 - b. Cost of environmental remediation or abatement on the property or within the building, such as asbestos removal, as included in Total Development Cost, may be included as well as new code requirements.

3. If a building is historically designated with local landmark status and therefore exempt from certain code compliance requirements, the cost of any elective renovations may not be included in this section.
4. If a building is historically designated with local landmark status, all work must be reviewed and approved by the Planning and Development Department for consistency with the United States Secretary of Interior Standards and applicable design guidelines.
5. If a building is historically designated with local landmark status, the scope of Building and Fire Code Improvement work must use the Downtown Historic Building Code Matrix and be approved by the Building Inspection Division of the Public Works Department and the Fire Marshall.
6. If a building is not historically designated but is a contributing structure in the National Historic District, plans must be reviewed and approved by COJ PDD to ensure that no work included in the application would render the building ineligible for local landmark designation. Further, the property must remain in good standing as eligible for local landmark designation during the compliance period of the DPRP.
7. If a building is neither a local landmark nor a contributing structure, but is at least 50 years old, the eligibility of code compliance expenditures will be determined by DIA with the assistance of COJ Planning.
8. Funding derived from the CCR Forgivable Loan component may not exceed 30% of the Total Development Cost when the building is a locally designated landmark.
9. Redevelopment projects where the property being improved neither has, nor is applying for, local landmark status, are only eligible for a CCR Forgivable Loan if the total scope of work of the redevelopment project is CCR eligible and no other work is contemplated. In this event, eligibility is limited to 25% of Total Development Costs. Other program requirements remain applicable, including that 20% of COJ funding must come in the form of a DPRP Deferred Principal Loan, unless waived under any other provision found in the program guidelines.
10. Downtown Preservation and Revitalization Program funding in the amount of the CCR Forgivable Loan component will be forgiven 10% per year over the ten-year life of the loan when not used in combination with an HPRR Forgivable Loan. When combined with a HPRR Forgivable Loan, both loans will be forgiven over a five-year period at 20% per year, and therefore shall be coterminous.
11. This funding component of the Downtown Preservation and Revitalization Program will be interest free.

D. Downtown Preservation and Revitalization Program Deferred Principal Loan Component (“DPRP Deferred Principal Loan”)

1. The DPRP Deferred Principal Loan amount shall be determined by the gross funding gap found in the Total Development Costs with a requirement that the amount will be not less than 20% of gap funding requirement in any development plan where developer equity (net of developer fee) is less than 25% of TDC.
2. Downtown Preservation and Revitalization Program funding in the amount of the DPRP Deferred Principal Loan component will be structured as non-amortizing with a maturity of ten years from closing.

4. Although principal payments on the DPRP Deferred Principal Loan are not required on the loan prior to maturity, interest payments will be due and payable annually based on a rate of the Ten-Year Treasury Note Rate at the time of closing.
5. Partial principal reductions may be made after the fifth anniversary with no prepayment penalty; however, 50% of the loan balance must remain outstanding through the loan maturity date unless the property is sold or refinanced during that period, subject to DIA approval.
6. The loan balance is due in full upon maturity, sale, or refinancing of the property prior to maturity subject to terms of the disposition and value of the property at the time of such event.
7. Funding derived from DPRP Deferred Principal Loan may not exceed 20% of the Total Development Costs and may not be used on a stand-alone basis.

E. Other DIA programs

Applicants for funding pursuant to this Downtown Preservation and Revitalization Program may also seek funding from DIA pursuant to the other programs for which they may qualify and choose to fund the applicable portion of redevelopment costs under the program of their choice. However, the Construction Budget provided with the each application must clearly delineate costs by the program for which application is made and no portion of a single line item cost can be considered for or qualify for partial funding under more than one program. For example, the operator of a restaurant could seek funding for build out of a restaurant while the building owner seeks funding under this DPRP program for the building exterior, interior of other spaces, and code compliance. See the separate guidelines for each program for more information.

F. Project Approval Process

For applications under the Downtown Preservation and Revitalization Program, the following apply:

1. If the total amount requested is \$100,000 or less, and the property has or is seeking local historic landmark status, the Historic Preservation and Revitalization Trust Fund ("HPRTF") Guidelines shall apply.
2. If total amount requested is more than \$100,000, and the applicant is seeking funding under the HPRR Forgivable Loan component, the redevelopment agreement requires Historic Preservation Commission Landmark (Local) Recommendation, City Council Landmark Designation, Planning and Development Department Approval of Scope of Work, DIA Board Approval, and City Council approval.
3. If applicant requests funding under the CCR Forgivable Loan:
 - a. In any amount, and the property does not have and is not seeking local historic landmark status, the redevelopment agreement requires Planning and Development

Department Approval of the Scope of Work, DIA Board Approval, and City Council approval; or

- b. In excess of \$100,000, and the property has or is seeking local historic landmark status, the redevelopment agreement requires Historic Preservation Commission Landmark (Local) Recommendation, City Council Landmark Designation, Planning and Development Department Approval of Scope of Work, DIA Board Approval, and City Council approval.
4. For any one project, the dollar amounts in all applications for loans or Forgivable Loans submitted within five years of the first HPTRF grant, or loan or Forgivable Loan approved under this program shall be aggregated to determine if the project requires City Council approval.

Article 2. PRE-APPLICATION

1. A pre-application meeting will be held for all proposed developments planning to utilize the DPRP loan program. Attendees shall include the Applicant and related members of the proposed development team, members of the COJ Planning and Development Department (PDD) Historical Preservation Section staff, Downtown Development Review Board (DDRB) staff, and Downtown Investment Authority (DIA) staff, as appropriate. From this meeting, a strategy that incorporates the following steps and requirements will be formulated to include task assignments and a timeline for target dates to accomplish the application processing goals.

Article 3. APPLICATION and PROCESSING

1. General

Application and processing of historic designation, Certificate of Appropriateness approval and DPRP funding approval through the Planning and Development Department and DIA may occur simultaneously, except as provided below.

2. Landmark Designation

Application shall be made to the Planning and Development Department (PDD) for Local Landmark designation unless the building is already a local landmark, or the program request is for a CCR loan only.

- a. The Planning and Development Department shall verify whether the building is already a local Landmark or is eligible for designation. PDD shall assist the applicant in Local Landmark Designation Procedures as needed and process any landmark designation application through the Historic Preservation Commission and City Council approval process.
- b. A staff report recommending designation must be provided to DIA Staff and an application regarding the same must be filed with the Planning and Development Department prior to any DIA action.

3. Scope of Work

- a. Application shall also be made to PDD for a Certificate of Appropriateness or other approval for the scope of work to be performed on any local landmark, or for approval of any CCR work on a contributing structure in the National Historic District.
 - i. Such application shall break down the work to be performed between exterior restoration and renovation work, interior restoration, interior renovation, and code compliance work.
- b. The Planning and Development Department shall review applications for work to be performed on any local landmark for compliance with the United States Secretary of the Interior Standards for Restoration or Rehabilitation, and any applicable historic preservation design guidelines, and shall issue an approval, denial, or approval with conditions and comments to the DIA. PDD may rely on National Park Service determination, or process locally. In the absence of final NPS approval, a conditional approval letter may be provided to DIA identifying by category any improvements that are considered ineligible. PDD Staff conditional approval shall serve as the basis for determination of qualified eligible expenses in reviewing incentive requests and calculating the “up to” award amount, however actual disbursement of loans will be based on final COA or NPS approved eligible expenses.
- c. All work on local landmarks must be consistent with United States Secretary of Interior’s Standards, approved by Certificate of Appropriateness (COA) by the Historic Preservation Commission, and approved by DDRB.
- d. PDD shall review applications for CCR work to be performed on contributing structures in the National Historic District to determine whether any of the proposed improvements would render the building ineligible for local landmark designation and identify the same. HPS shall issue a staff report to DIA with the results of their review and indicating whether the elimination of any particular improvements would allow the building to remain eligible for local landmark status.
- e. The application for a COA or approval of the scope of work can be submitted and reviewed simultaneously with landmark designation, and the HPS staff report regarding the scope of work may be issued to DIA prior to the filing of legislation for landmark status so long as the applicant fully understands the total set of approvals needed prior to being eligible for full approval and funding.
- f. Any work not approved through the COA review process by the Jacksonville Historic Preservation Commission, Planning and Development Department Staff or NPS, or determined to not meet the Secretary of the Interior Standards or other design guidelines will be removed from the list of qualified eligible expenses for consideration, even if previously approved by PDD Staff Conditional Approval as described in letter b. of this section.

4. DPRP Loan Approval

Simultaneously, the application shall be made to DIA for funding pursuant to one or more components of this DPRP. For all applications under the DPRP loan program, DIA Staff shall receive and analyze project information as outlined below:

- a. Business plan to include:
 - i. Proposed usage of the property following completion and contribution towards the relevant DIA Redevelopment Goals and Performance Measures.
 - ii. Names and descriptive summary of relevant experience for all members of the development team including principals, General Contractor, architect, consultants, and others as applicable.
 - iii. Market analysis summary and strategy relied upon in support of the development decision.
 - iv. Names of tenants where lease negotiations are near completion or have been finalized. Executed leases, or those ready for execution, should be provided for consideration in ROI calculations.
 - v. Anticipated job creation, both direct and from commercial spaces whether existing or to be created.
- b. Applications to include detailed Total Development Cost estimate for proposed acquisition and/or improvements along with sources and uses of funds, a thorough and detailed three-year pro forma financial statements (including time to stabilization), evidence of ownership or control of the subject property.
- c. A detailed construction budget must be provided that reconciles to the contract with the General Contractor, and that clearly allocates costs between Restoration or Rehabilitation of the building Exterior, Restoration of Historic features on the building Interior, Rehabilitation of the building Interior, General Requirements and Overhead of the GC, and Code Compliance Renovations, as may be appropriate per the DPRP loan request being made.
- d. Operating pro forma must be provided and DIA must generally agree with projected operating or rental income, operating expenses, and debt service. Market study or third-party data (CoStar or similar) will be relied upon where available.
- e. Provide evidence that all property, business, and income taxes are current.
- f. Evidence of Landmark status for the subject property as outlined above or application for the same, to be submitted as appropriate for the request made.
- g. All code compliance work on buildings not designated local landmarks shall require review by Planning and Development Department to ensure that no contributing structure is rendered ineligible for local landmark designation by the proposed work, and shall require DDRB and DIA Board approval, and City Council approval.
- h. PDD staff recommendation as to the eligibility of the approved scope of work on any local landmark shall be required prior to DIA board approval of any program funding, however, a contingent staff report will be accepted. The level of certainty required before presentation to the DIA Board and City Council will depend on the extent to which eligible costs exceed the request.
- i. Upon approval by the DIA Board of DPRP funding, DIA staff will negotiate a proposed

Redevelopment Agreement and associated loan documents, possibly combining other sources of revenue, and file the same for approval through MBRC and City Council.

5. Following Final City Council Approval

- a. The Redevelopment Agreement will be routed for execution.
- b. During the development process, JSEB goals and implementation will be consistent with the City JSEB Policy.
- c. DIA to be provided copies of periodic inspections and/or progress reports as applicable.

6. Loan Closing/Funding Requirements

- a. The DPRP loan will be funded following review and approval of the Request for Disbursement by the Applicant following the issuance of the last needed Certificate of Occupancy for the project.
- b. All work on locally designated historic landmarks must be inspected by the Planning and Development Department or designee for compliance with the approved application prior to funding.
- c. COJ PDD, and DIA jointly, or other appropriate COJ Department, will verify that paid invoices submitted for reimbursement align with the construction budget as approved and confirm Developer's compliance with previously approved building permits, Certificate of Appropriateness ("COA"), and all Planning and Development Department and NPS approvals, as applicable.
- d. All existing liens and code violations must be cleared prior to disbursement of funds and recordation of Loan security documents.
- e. Funds will be authorized for distribution in accordance with the approved Redevelopment Agreement including evidence of all permanent funding commitments, satisfaction of all liens and waiver of claims from general contractor and subcontractors, verification that there are no delinquent property taxes or other tax obligations outstanding beyond their respective due dates, and other requirements as may be found in that agreement.

Historic Preservation and Revitalization Trust Fund Guidelines

HPRTF Guidelines

The purpose of the Historic Preservation and Revitalization Trust Fund Guidelines (“HPRTF”) is to establish the parameters for use of the Trust Fund to facilitate renovation of historically designated landmarks within the DIA boundaries (Downtown). The Trust Fund was created to foster the preservation and revitalization of unoccupied, underutilized, and/or deteriorating historic buildings located in downtown Jacksonville. The Downtown Investment Authority (“DIA”) shall, in coordination with the Planning and Development Department (“PDD”), process applications for and the DIA shall administer grants awarded from the Trust Fund.

1. Only projects that apply for \$100,000 or less in the aggregate are eligible for funding from the Trust Fund.
2. All DIA approvals of Trust Fund allocations are subject to the available unencumbered balance in the Trust Fund at time of award, and all grants awarded by the DIA shall encumber the related balance in the Trust Fund upon execution of a Redevelopment Agreement.
3. Projects that apply for \$100,000, or less may be approved by DIA without further Council approval in compliance with the following criteria:
 - a. The building must be a locally designated historic landmark at the time of application or an application for local landmark status must be filed and pending. Application may be made for a HPRTF Grant prior to final designation; however, no funds under this component will be disbursed prior to the building receiving formal designation as a local historic landmark. Any grant award will expire unless designation is obtained within 12 months of the award by the DIA.
 - b. All work must be reviewed and approved by the Planning and Development Department for consistency with the United States Secretary of Interior Standards and applicable design guidelines during application processing and for verification upon completion and request for funding.
 - c. Eligible expenses include up to:
 - i. 75% of eligible costs for the Restoration or Rehabilitation of the building Exterior
 - ii. 75% of eligible costs for the Restoration of Historic features on the building Interior
 - iii. 30% of eligible costs for the Rehabilitation of the building Interior, and
 - iv. 75% of eligible costs for bringing the property up to levels as required for Code Compliance or related fire and safety requirements. Environmental remediation or abatement within the building such as asbestos removal is included as well as new code requirements.
 - v. 20% of the above eligible costs for General Requirements and Overhead of the GC
 - d. HPRTF grants will be awarded for a five-year term and will be forgiven 20% per year over the term of the grant with a claw-back in the event of sale, transfer, or default.
 - e. The HPRTF Grant will be interest free.

- f. All funds will be disbursed upon completion of improvements subject to cost verification and other approvals as specified below.
- g. Construction costs eligible for funding under the HPRTF shall be limited to those costs incurred following approval by the DIA Board. For clarity, development costs, which may include construction costs, incurred prior to approval by the DIA Board may be included in the calculation of Total Development Cost but will not be eligible for incentive payments under the program.**
- h. Project must be located within the DIA boundary.
- i. Must conform to the goals and objectives of the BID and CRA Plan.
- j. Applicant and/or its General Contractor must demonstrate significant, relevant experience and performance on projects of similar type and scale.
- k. Total Development Costs ("TDC") is defined as:
 - i. costs for the acquisition of eligible buildings and associated land, and;
 - ii. the negotiated construction costs with a qualified General Contractor; and
 - iii. additional soft costs typically eligible for capitalization in development activity of this type.
 - iv. Developer Fee is to be excluded from both Sources and Uses.
 - v. The market value of property owned, and any related debt, may be included in TDC for purposes of these calculations.
- l. DIA funding, including HPRTF funds, in the aggregate may not exceed 40% of Total Development Costs.
- m. Developer Equity (less Developer Fee) shall be not less than 10% of TDC.
- n. Total Development Costs must be determined reasonable for the scope of the project utilizing third party verification where available.
- o. ROI must reach 0.50X minimum incorporating the following assumptions:
 - i. Ad valorem real property taxes calculated on the cost basis using twenty-year time horizon from date property is projected to be placed into service.
 - ii. Ad valorem property taxes on historic properties are abated for ten years from placed into service date.
 - iii. Tangible Personal Property tax included based on FF & E information provided by the applicant
 - iv. Local Opportunity Sales Tax and Employment based on 50% of any speculative commercial lease space and employment information provided by the applicant
 - v. Where preservation and revitalization activities are being performed on a property where business operations are established, ROI will be calculated on existing ad valorem, local opportunity sales tax, and employee metrics.
- p. All property, business, and income taxes must be current at the time of application and maintained in a current status during the approval process, the term of the Redevelopment Agreement and through the HPRTF grant period.

- q. Payment defaults, bankruptcy filings, or other material defaults during the HPRTF Grant period will trigger the right for the City of Jacksonville to accelerate all amounts funded and outstanding under any or all programs at such time.
- r. HPRTF funding is subject to standard claw back language related to disposition of the property within 5 years of disbursement, or similar circumstances of conversion.
- s. DIA reserves the right to approve any sale, disposition of collateral property during the HPRTF Grant period.

Article 4.

Other DIA programs

Applicants for funding pursuant to the HPRTF Guidelines may also seek funding from DIA pursuant to the other programs for which they may qualify and choose to fund the applicable portion of redevelopment costs under the program of their choice. However, the Construction Budget provided with the each application must clearly delineate costs by the program for which application is made and no portion of a single line item cost can be considered for or qualify for partial funding under more than one program. For example, the operator of a restaurant could seek funding for build out of a restaurant while the building owner seeks funding under the HPRTF for the building exterior, interior of other spaces, and code compliance. See the separate guidelines for each program for more information.

Project Approval Process

1. If total amount requested is \$100,000 or less then the redevelopment agreement requires Historic Preservation Commission Landmark (Local) Recommendation, City Council Landmark Designation, Planning and Development Department Historic Preservation Section Approval of Scope of Work, and DIA Board Approval.
2. For any one project, the dollar amounts in all applications for grants submitted within five years of the first grant approved under this program shall be aggregated to determine if the project qualifies.

PRE-APPLICATION

1. A pre-application meeting will be held for all proposed developments planning to utilize the HPRTF program. Attendees shall include the Applicant and related members of the proposed development team, members of the COJ Planning and Development Department (PDD) Historical Preservation Section staff, Downtown Development Review Board (DDRB) staff, and Downtown Investment Authority (DIA) staff, as appropriate. From this meeting, a strategy that incorporates the following steps and requirements will be formulated to include task assignments and a timeline for target dates to accomplish the application processing goals.

APPLICATION and PROCESSING

1. General

Application and processing of historic designation, Certificate of Appropriateness approval and HPRTF funding approval through the Planning and Development Department and DIA may occur simultaneously, except as provided below.

2. Landmark Designation

Application shall be made to the Planning and Development Department (PDD) for Local Landmark designation unless the building is already a local landmark.

- a. The Planning and Development Department shall verify whether the building is already a local Landmark or is eligible for designation. PDD shall assist the applicant in Local Landmark Designation Procedures as needed and process any landmark designation application through the Historic Preservation Commission and City Council approval process.
- b. A staff report recommending designation and legislation regarding the same must be filed prior to any DIA action.

3. Scope of Work

- a. Application shall also be made to PDD for a Certificate of Appropriateness or other approval for the scope of work to be performed on any local landmark.
 - i. Such application shall break down the work to be performed between exterior restoration and renovation work, interior restoration, interior renovation, and code compliance work.
- b. The Planning and Development Department shall review applications for work to be performed on any local landmark for compliance with the United States Secretary of the Interior Standards for Restoration or Rehabilitation, and any applicable historic preservation design guidelines, and shall issue an approval, denial, or approval with conditions and comments to the DIA. PDD may rely on National Park Service determination, or process locally. In the absence of final NPS approval, a conditional approval letter may be provided to DIA identifying by category any improvements that are considered ineligible. PDD Staff conditional approval shall serve as the basis for determination of qualified eligible expenses in reviewing incentive requests and calculating the “up to” award amount, however actual disbursement of loans will be based on final COA or NPS approved eligible expenses.
- c. All work on local landmarks must be consistent with United States Secretary of Interior’s Standards, approved by Certificate of Appropriateness (COA) by the Historic Preservation Commission, and approved by DDRB.
- d. The application for a COA or approval of the scope of work can be submitted and reviewed simultaneously with landmark designation; however, no staff report

regarding scope of work will be issued to DIA prior to the filing of legislation for landmark status.

- e. Any work not approved through the COA review process by the Jacksonville Historic Preservation Commission, Planning and Development Department Staff or NPS, or determined to not meet the Secretary of the Interior Standards or other design guidelines will be removed from the list of qualified eligible expenses for consideration, even if previously approved by PDD Staff Conditional Approval as described in letter b. of this section.

4. HPRTF Grant Approval

Simultaneously, application shall be made to DIA for funding pursuant to the HPRTF Guidelines. DIA Staff shall receive and analyze project information as outlined below:

- a. Business plan to include:**
 - i. Proposed usage of the property following completion and contribution towards the relevant DIA Redevelopment Goals and Performance Measures.**
 - ii. Names and descriptive summary of relevant experience for all members of the development team including principals, General Contractor, architect, consultants, and others as applicable.**
 - iii. Market analysis summary and strategy relied upon in support of the development decision, unless waived by DIA.**
 - iv. Names of tenants where lease negotiations are near completion or have been finalized. Executed leases, or those ready for execution, should be provided for consideration in ROI calculations.**
 - v. Anticipated job creation, both direct and from commercial spaces whether existing or to be created.**
- b. Applications to include detailed Total Development Cost estimate for proposed acquisition and/or improvements along with sources and uses of funds, evidence of ownership or control of the subject property, and unless waived by DIA, a thorough and detailed three-year pro forma financial statements (including time to stabilization).**
- c. A detailed construction budget must be provided that reconciles to the contract with the General Contractor, and that clearly allocates costs between Restoration or Rehabilitation of the building Exterior, Restoration of Historic features on the building Interior, Rehabilitation of the building Interior, General Requirements and Overhead of the GC, and Code Compliance Renovations, as may be appropriate per the HPRTF Grant request being made.**
- d. Corporate applicants shall submit two most recent years' tax returns (if available).**
- e. Applications must be accompanied with a personal financial statement and the two most recent years' tax returns of principals with ownership of more than 20% of the project, the project's general partner, and/or the project's controlling member.**
- f. Provide evidence that all property, business, and income taxes are current.**
- g. Evidence of Landmark status for the subject property as outlined above or application for the same, to be submitted as appropriate for the request made.**

- h. PDD staff recommendation as to eligibility of the approved scope of work on any local landmark shall be required prior to DIA board approval of any program funding, however a contingent staff report will be accepted. The level of certainty required before presentation to the DIA Board will depend on the extent to which eligible costs exceed the request.**

5. Following Final DIA Approval

- a. Upon approval by the DIA Board of HPRTF funding, DIA staff will negotiate a proposed Redevelopment Agreement and associated grant documents.
- b. The Redevelopment Agreement will be routed for execution.
- c. During the development process, JSEB goals and implementation will be consistent with the City JSEB Policy.
- d. DIA to be provided copies of periodic inspections and/or progress reports as applicable.

6. Closing/Funding Requirements

- a. The HPRTF Grant will be funded following review and approval of the Request for Disbursement by the Applicant following issuance of the last needed Certificate of Occupancy for the project.**
- b. All work on locally designated historic landmarks must be inspected by the Planning and Development Department or designee for compliance with the approved application prior to funding.
- c. COJ PDD, and DIA jointly, or other appropriate COJ Department, will verify that paid invoices submitted for reimbursement align with the construction budget as approved, and confirm Developer's compliance with previously approved building permits, Certificate of Appropriateness ("COA"), and all Planning and Development Department and NPS approvals, as applicable.**
- d. All existing liens and code violations must be cleared prior to disbursement of funds and recordation of Loan security documents.
- e. Funds will be authorized for distribution in accordance with the approved Redevelopment Agreement including evidence of all permanent funding commitments, satisfaction of all liens and waiver of claims from general contractor and subcontractors, verification that there are no delinquent property taxes or other tax obligations outstanding beyond their respective due dates, and other requirements as may be found in that agreement.