



**Downtown Investment Authority
Retail Enhancement and Property Disposition Committee**

**Hybrid Virtual In-Person Meeting
Tuesday, October 19th at 2:00 p.m.**

RE&PD AGENDA

Oliver Barakat, Chair
Carol Worsham, Committee Member

Todd Froats, Committee Member
David Ward, Esq., Committee Member

- I. CALL TO ORDER
- II. PUBLIC COMMENTS*
- III. SEPTEMBER 9, 2021 RETAIL ENHANCEMENT AND PROPERTY DISPOSITION COMMITTEE MEETING MINUTES APPROVAL
- IV. RESOLUTION 2021-10-05: BELLWETHER SIDEWALK GRANT
- V. DISCUSSION OF FORD ON BAY STATUS AND APPROACH
 - A. RESOLUTION 2021-10-01: DISPOSITION 330 EAST BAY (Former Courthouse Parcel)
- VI. OTHER MATTERS TO BE ADDED AT THE DISCRETION OF THE CHAIR
- VII. ADJOURN

** Only individuals attending the meeting in-person will have an opportunity to provide live public comments. Persons who cannot attend the meeting in-person, but who wish to submit public comments regarding any matter on the agenda for consideration at the meeting, may do so by sending their public comments via electronic mail to DIAPublicComments@coj.net prior to the start of the meeting. Public comments received prior to the meeting will not be read during the meeting but will instead be forwarded to all DIA Board members for review in advance of the meeting and will remain a part of the permanent record for the meeting itself. You are encouraged to submit public comments well in advance of the start of the meeting to provide DIA Board members with adequate time to read them in preparation for the meeting.*

[CONTINUED ON FOLLOWING PAGE]



**Downtown Investment Authority
Retail Enhancement and Property Disposition Committee**

**Hybrid Virtual In-Person Meeting
Tuesday, October 19th at 2:00 p.m.**

Please be advised that this will be a hybrid virtual in person meeting.

PHYSICAL LOCATION

City Hall at St. James
117 West Duval Street
First Floor, Lynwood Roberts Room
Jacksonville, FL 32202

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://us02web.zoom.us/j/82363263280?pwd=MytYei9tSUdja3NNbDIEMzIvbXVvUT09>

Meeting ID: 823 6326 3280

Passcode: 534965

One tap mobile

+1 (312) 626-6799 (Chicago)

+1 (646) 558-8656 (New York)

Find your local number: <https://us02web.zoom.us/j/82363263280?pwd=MytYei9tSUdja3NNbDIEMzIvbXVvUT09>

TAB III.

**SEPTEMBER 9, 2021 RETAIL ENHANCEMENT AND PROPERTY DISPOSITION
COMMITTEE MEETING MINUTES**



Downtown Investment Authority
Retail Enhancement and Property Disposition Committee Hybrid Meeting
Thursday, September 9, 2021 – 1:00 p.m.

RE&PD Committee Hybrid Meeting
MEETING MINUTES

Retail Enhancement and Property Disposition Committee Members in Attendance:

Oliver Barakat, Chair
Carol Worsham, Committee Member

David Ward, Esq., Committee Member

Committee Members Excused: Todd Froats

Board Members in Attendance:

DIA Staff Present: Lori Boyer, Chief Executive Officer; Guy Parola, Operations Manager; Steve Kelley, Director of Downtown Real Estate and Development; and Xzavier Chisholm, Administrative Assistant

Office of General Counsel: Joelle Dillard, Esq.

I. CALL TO ORDER

The Retail Enhancement and Property Disposition Committee meeting of August 13, 2021, was called to order at 1:02 p.m. by Chairman Barakat.

Chairman Barakat announced each Committee Member and DIA staff present.

II. PUBLIC COMMENTS

Chairman Barakat 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:

Cliff Miller Acosta Bridge Pedestrian Experience

III. AUGUST 13, 2021 RETAIL ENHANCEMENT AND PROPERTY DISPOSITION COMMITTEE MEETING MINUTES APPROVAL

Having called for corrections or other edits by his fellow committee members and after receiving none, Chairman Barakat asked for a motion and second on the item.

Motion: Committee Member Worsham moved to approve the minutes as presented
Seconded: Committee Member Ward seconded the motion

Chairman Barakat called for a vote.

Vote: Aye: 3 Nay: 0 Abstain: 0

THE MOTION PASSED UNANIMOUSLY 4-0-0.

IV. WORKSHOP RE: TERMS OF DISPOSITION OF 330 EAST BAY AND SCORING CRITERIA

CEO Boyer provided an overview of the previous discussion and decision regarding Ford on Bay, stating that no commitment has been to the terms of disposition for 330 East Bay and the goal is address previous challenges.

CEO Boyer introduced illustrations that were requested during the previous meeting and provided a brief overview via PowerPoint that discussed setbacks and activation.

Chairman Barakat opened the floor to discussion on Bay Street frontage requirements.

CEO Boyer responding to a question from Committee Member Worsham, stated that the Bread and Board frontage on Bay Street measures approx. 150 ft and the total block measures approx. 106 ft.

Chairman Barakat and Committee Member Worsham agreed that there needs to be a requirement for retail on Bay Street but are unsure of what the number or percentage should be. It was noted from the previous meeting's discussion that any onerous retail requirements may discourage quality bidders. CEO Boyer stated if there is no retail requirement, DIA recommends there should be a bonus [in the scoring criteria] for including it.

Committee Member Ward spoke to the long-term vision for desired retail space, even if that is not the initial use. There was unanimous agreement among committee members for a retail or office requirement. CEO Boyer responding to a question from Chairman Barakat, discussed recommendations regarding what the remaining space could be used for if there is a 35 percent requirement for retail/office. There was unanimous agreement among committee members for a minimum 35 percent requirement for retail/office space.

Chairman Barakat opened the floor to discussion on waterfront requirements.

CEO Boyer briefly discussed the waterfront recommendations, stating the following:

- Minimum of 7,500 sq ft of enclosed conditioned space on the riverfront ground floor at least 5,000 of which must be a single full-service restaurant with at least 1000 sq ft of outdoor bar/dining
- Bare minimum of 10,000 sq ft of retail on some frontage
- Potential bonus points for upper deck/rooftop bar or dining

- Potential bonus points for higher retail density

Chairman Barakat asked for more information regarding the oral presentation points. CEO Boyer responded that it includes their materials presented as well as how they explain their proposals.

CEO Boyer noted that Bay Street retail could be included in the bonus points, as opposed to including it in the overall retail. There was unanimous agreement by the committee to consider lessening the oral presentation points and increasing points for retail.

Chairman Barakat opened the floor for discussion of the site design.

CEO Boyer briefly discussed the need to accommodate parking for marina users. Responding to a question from Board Member Worsham, CEO Boyer confirmed that Courthouse Drive will not be used for vehicular traffic.

CEO Boyer discussed the setback requirement as well as parking as it pertains to the setback. The question was proposed of whether a greater setback is encouraged as well as what could be used in that space and how that would impact the view corridor requirement. Chairman Barakat stated the setback requirement makes sense when a public space is being developed but the setback in and of itself does not necessarily mean it will be activated or better with a mix of private/public space. There was unanimous agreement among committee members to not include additional points for a greater setback.

CEO Boyer stated that she is in communication with the City's Chief Resiliency Officer with the goal of coming back to the board with recommendations. As of now proposals are expected to address resiliency, however there may be specific requirements incorporated later based on the recommendations of the Chief Resiliency Officer.

Chairman Barakat opened the floor for discussion of donation to maintenance of Riverwalk/marina.

CEO Boyer stated that a new criteria for park and programing contributions has been added with the goal of developing public-private partnerships with adjacent property owners to help activate area. There was unanimous agreement among committee members to support the new criteria.

Chairman Barakat opened the floor for discussion of financial offer and incentives.

CEO Boyer explained that the intention is to communicate to the market that a multi-family REV grant is available if the developer meets the criteria. While the REV grant has value, cash offers are preferred because they allow for other initiatives to be advanced. Guidance for the incentive will be laid out in the terms of disposition. There was unanimous agreement among committee members to include the financial offer and incentives.

Chairman Barakat opened the floor for discussion of scoring considerations.

Downtown Investment Authority
Retail Enhancement and Property Disposition Committee Meeting, September 9, 2021
Page 4 of 5

CEO Boyer stated that Board Member Froats suggested that civic spaces be able to score well enough to be competitive. Responding to a question from Chairman Barakat, CEO Boyer confirmed that civic spaces are not prohibited.

CEO Boyer described the scoring criteria changes that have been decided upon thus far.

- Under project development and design, changed retail density above minimum to 25 points.
- Changed oral presentation to 5 points.
- Eliminated points for additional setback from the river beyond 50 ft.
- Added Bay St retail bonus points of up to 10 points.

CEO Boyer described the scoring criteria changes that are reflected in the handout.

Committee Member Worsham and Chairman Barakat agreed that they are in favor of offering more points for quality of construction material and design. CEO Boyers responding to a question from Committee Member Worsham, stated that part of the BID/CRA update considers quality of construction material and designs.

Chairman Barakat reestablished changes to the scoring criteria.

- Retail density – 15 points
- Quality of construction material and design – 15 points
- Civic and community benefits – 5 points
- Bonus points for Bay St retail.
- Financial feasibility and cash flow analysis – 5 points
- New total – 132 points.

Mr. Cliff Taylor provided an overview of CBRE's findings, which advocates for flexibility and utilizing the bonus points to steer the market instead of an all or nothing approach.

Chairman Barakat expressed his concern

CEO Boyer reestablished further changes to the scoring criteria.

- Retail density – 15 points
- Quality of construction material and design – 10 points; add 15 bonus points for unique architectural features.
- Activated additional setback from river – 10 points

Chairman Barakat called for a motion.

Motion: Committee Member Worsham moved to proceed with the established terms, criteria, and recommendations to the board as well as the general approval of Resolution 2021-09-01 for recommendation to the board

Seconded: Committee Member Ward seconded the motion

Chairman Barakat called for a vote.

Downtown Investment Authority
Retail Enhancement and Property Disposition Committee Meeting, September 9, 2021
Page 5 of 5

Vote: Aye: 3 Nay: 0 Abstain: 0

THE MOTION PASSED UNANIMOUSLY 3-0-0.

V. ADJOURNMENT

Chairman Barakat adjourned the meeting at 2:42 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.

DRAFT

TAB IV.

RESOLUTION 2021-10-05: BELLWETHER SIDEWALK GRANT

RESOLUTION 2020-10-05

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) ACTING AS THE COMBINED NORTHBANK COMMUNITY DEVELOPMENT AGENCY (“GRANTOR”) APPROVING THE AWARD OF A RETAIL ENHANCEMENT PROGRAM FORGIVABLE SIDEWALK ENHANCEMENT LOAN TO BLACK SHEEP DOWNTOWN LLC (“GRANTEE”); AUTHORIZING THE CEO OF THE DIA TO NEGOTIATE A FORGIVABLE LOAN AGREEMENT OR EQUIVALENT; AUTHORIZING THE DIA CEO TO EXECUTE SUCH AGREEMENT; AND FINDING THAT THE PROPOSED SIDEWALK CAFÉ FURHERS THE DIA’S BUSINESS INVESTMENT AND DEVELOPMENT PLAN, INCLUDING THE NORTHBANK CRA PLAN (“BID PLAN”) AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Grantee submitted a Retail Enhancement Program - Sidewalk Enhancement application to the DIA under the Targeted Retail Activation: Food and Beverage Establishments Program adopted by DIA pursuant to Resolution 202-06-01; and

WHEREAS, the application, attached hereto as Exhibit A, was reviewed by the DIA staff, found to be consistent with the BID Plan and CRA Plan for Downtown Northbank; and

WHEREAS, the DIA is authorized to utilize the Northbank Combined Tax Increment District funds, in accordance with the CRA Plan, to foster the redevelopment of the Downtown Northbank Community Redevelopment Area; and

WHEREAS, there are sufficient funds available within the Northbank CRA approved budget for Retail Enhancement to fund this request; and

WHEREAS, to assist the Grantee in activating Downtown by adding additional sidewalk service area to their existing restaurant, DIA staff recommends that the DIA approve a Sidewalk Enhancement Forgivable Loan in amount not to exceed \$1312.00 (One thousand three hundred and twelve dollars) to the Grantee in accordance with the terms of the established program and the application attached hereto as Exhibit A; and

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 hereby finds that the Project is supported by the following Goal(s) and Strategic Objective(s) of the BID Plan:

- Goal 1: Reinforce Downtown as the City’s unique epicenter for business, history, culture, education, and entertainment.
- Goal 2: Increase rental and owner-occupied housing downtown, targeting key demographic groups seeking a more urban lifestyle.
 - Promote and attract neighborhood retail to support downtown residents.
- Goal 4: Maintain a clean and safe 24-7 Downtown for residents, workers, and visitors.
 - Provide increased walkability through:
 - Support and attract additional commercial, service, residential, transportation, recreation, and open space uses.
 - Redevelop the major road corridors with pedestrian-scale neighborhood retail and services.

Section 3. The DIA hereby approves the award of a Retail Enhancement Grant in the amount of \$1312 from the Combined Northbank TID to Grantee to be provided in accordance with the application attached hereto as Exhibit A and the adopted Sidewalk Enhancement program guidelines.

Section 4. This award is subject to the issuance of a Sidewalk Café permit to Grantee that would allow use of the subject sidewalk for the intended purpose.

Section 5. The Chief Executive Officer is hereby authorized to negotiate and execute the Loan Agreement or equivalent and otherwise take all necessary action in connection therewith to effectuate the purposes of this Resolution.

Section 6. The Effective Date of this Resolution is the date of execution of this Resolution by the Chair of the DIA Board.

WITNESS:

DOWNTOWN INVESTMENT AUTHORITY

Witness

W. Braxton Gillam, Esq., Chairman

Date

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



For Official Use Only:
Application#: _____ Date Received: _____ Date Found Complete: _____

RETAIL ENHANCEMENT PROGRAM
TARGETED RETAIL ACTIVATION: FOOD AND BEVERAGE ESTABLISHMENTS
SIDEWALK ENHANCEMENT APPLICATION FOR OUTDOOR SERVICE

(For use on a stand-alone basis)

Upon completion, please submit application to DIAPrograms@coj.net

Note: DIA "Grants" are structured as forgivable loans with related performance requirements and rights and remedies in the event of default. Upon approval, applicants will be required to enter into a loan agreement that details these requirements and may be supported by personal guarantees from the business and property owners.

PART 1: To be completed by Business Owner

I. APPLICANT INFORMATION:

- A. Business Operating Name (d/b/a): Bellwether
- B. Type of Business (i.e. café, ice cream shop, restaurant, etc.): Restaurant
- C. Property Address: 100 N Laura St. 100, Jacksonville, FL 32202
- D. Business Mailing Address: 117 W. Forsyth, Jacksonville, FL 32202
- E. Business Telephone: 904.802.7745 Website URL: bellwetherjax.com
- F. Business Legal Name: Black Sheep Downtown LLC
- G. Form of Ownership (sole proprietorship, partnership, LLC, S-Corp.): LLC
- H. State of Business Formation: LLC
- I. Employer Tax ID: 47-5675125 Business Tax Receipt #: 280072
- J. Contact Person (Name/Title): Jason Eddy
- K. Contact Mailing Address: 117 W. Forsyth, Jacksonville, FL 32202
- L. Contact Telephone: 904.200.6539 Contact E-Mail: jason@blacksheepg.com
- M. Number of Years of Business Operations at this site or location: 4 years

II. PROPERTY INFORMATION: *(A Sidewalk Café Permit is required to be issued prior to the award of this Grant. A copy of the Sidewalk Café Permit and Application shall be submitted with this Application.)*

- A. The applicable Targeted Food and Beverage District: Hogan x Laura Elbow
- B. Are ad valorem property taxes on the Building current? Yes No
- C. Does the Business have a Sidewalk Café permit currently? Yes No

III. ESTABLISHMENT LEASE INFORMATION:

- A. Lease term (number of years, 5-year minimum): 5 years
- B. Lease term start date: 11/13/15
- C. Lease end date: 10/31/21 (5 year extensions)
- D. Landlord Business Name: 100 N. Laura Street, LLC
- E. Landlord Contact Name: Dana Kane
- F. Landlord Address: 4114 Sunbeam Road, Building 300 Jacksonville, FL 32257
- G. Landlord Phone Number: (904)733-0039

IV. SIDEWALK ENHANCEMENT INFORMATION

- A. Any and all funding under the Sidewalk Enhancement Grant program may only be used within the area described in the valid Sidewalk Café Permit (*referred to as "Sidewalk Area"*).
- B. Describe the proposed Sidewalk Area Enhancements. Include anticipated Furniture, Fixtures, and Equipment to be acquired: 4 two top tables, eight chairs, and 4 umbrellas

- C. Describe how the proposed Sidewalk Area Enhancements will be used to improve or expand the business and the Downtown area, including any other activities planned for the sidewalk in front of your business: We anticipate the furniture to draw more attention to our restaurant, liven up the downtown area with colorful umbrellas, and provide more outdoor seating.

- D. Describe what measures will be undertaken by the Business Owner to preserve and protect Furniture, Fixtures, and Equipment acquired with grant funds from damage, theft, or other loss beyond normal wear and tear.
We will be bringing in the furniture inside at the end of every day when we are closed.

E. Provide information on any DIA incentives or funding the Building or Business has received in the past or any application currently under consideration (*NOTE: Sidewalk Enhancement Grant funds may not be used for costs of improvements submitted as part of any other application or previously approved by the City of Jacksonville or the DIA.*)

V. ENHANCEMENT COSTS AND REQUESTED FUNDING FROM DIA:

A. TOTAL SIDEWALK AREA ENHANCEMENT COST and SOURCES

- 1. Estimated total cost of Sidewalk Area Enhancement: \$ 1639.87 100 %
- 2. Applicant contribution (amount and % of total (min. 20%)): \$ _____ %

B. TOTAL AMOUNT REQUESTED FROM DIA:

- 1. Eligible Costs x 80% (Not to exceed \$5,000): \$ _____ %

----- The Remainder of this page intentionally left blank -----

Part 2: Required Documentation to be Provided

- A. A detailed budget identifying all Sidewalk Area enhancement costs, as follows:
 - 1. If performing any construction work, identify all work to be performed, including work not to be paid for by the Sidewalk Enhancement Grant.
 - a. See the FAB-REP Grant and REP Grant guidelines for additional information on costs generally considered eligible or ineligible.
 - 2. Identify all furniture, fixtures, and equipment to be purchased as part of enhancement of the Sidewalk Area, including items not to be paid for by the Sidewalk Enhancement Grant.
 - 3. Furniture, fixtures, and equipment already owned or purchased prior to the submission of this application are not eligible for funding or reimbursement.
- B. A copy of a valid and current Sidewalk Café Permit for the Business and all supporting documents, including the Application, that was submitted for the Sidewalk Café Permit.
- C. A detailed written description and drawing depicting the size, dimension, and location of the Sidewalk Area enhancements and modifications, with samples when applicable.
- D. A copy of the property tax bill to confirm payment of Ad Valorem taxes.
- E. Unless the property owner is the applicant, a notarized statement from the property owner authorizing any construction, improvements, and operations related to this Sidewalk Enhancement application.
- F. A copy of the deed to confirm ownership of the property.
- G. A legally valid and binding lease for a period of at least five years with use restricted to an allowable retail use.
- H. A legally binding agreement with a licensed and qualified contractor, if applicable.
- I. Executed applicable authorization affidavit(s), for example: Agent Authorization for LLC, General Partnership, Corporation, or General Partnership, and Property Ownership Affidavit.

**THIS APPLICATION MUST BE SUBMITTED TO THE DOWNTOWN
INVESTMENT AUTHORITY AND APPROVED BY THE DOWNTOWN
INVESTMENT AUTHORITY BOARD PRIOR TO THE COMMENCEMENT OF
ANY WORK OR PURCHASE OF ANY FURNITURE, FIXTURES, OR EQUIPMENT
SOUGHT TO BE REIMBURSED UNDER THE PROGRAM**

----- The Remainder of this page intentionally left blank -----

APPLICANT ATTESTATION

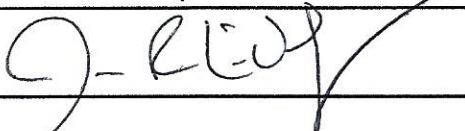
The Applicant, as Business Owner, Jason Eddy attests that the information submitted as part of this application package, as well as any subsequent information submitted for review by the Downtown Investment Authority (“DIA”) Staff, Retail Enhancement and Property Disposition Committee, or the DIA Board, is true and correct, and that all information and documentation submitted, including this application and attachments, is deemed public record under the Florida Public Records Law, Ch. 119 of the Florida Statutes. Falsification or omission of information will result in rejection of the application and potential criminal penalties. The DIA reserves the right to request any additional information needed to process this Application.

If the Applicant is awarded funding from the DIA Sidewalk Enhancement Grant Program, the Applicant agrees that the DIA’s payment of funds will occur only upon completion of the improvements or purchase of furniture, fixtures, and equipment as approved and the satisfactory review of evidence of costs incurred and paid in accordance with the budget as submitted at the time of application. Applicant acknowledges and agrees that the DIA retains the right to review and audit any and all records related to the Sidewalk Enhancement Grant Improvements. Applicant agrees to protect and maintain the Sidewalk Enhancements and furniture, fixtures, and equipment in good repair for at least five (5) years.

By signing below, the Applicant acknowledges that he or she has read and agrees to adhere to the Sidewalk Enhancement Program Guidelines.

By signing below, the Applicant authorizes the DIA to submit a credit verification request and criminal background check from local, state, and federal agencies. Please note that the review of this application will incorporate that information as may be relevant.

Legal Business Name of Applicant: Black Sheep Downtown LLC

Business Owner Signature:  Date: 09/23/2021

Business Owner Name: Jason Eddy

TAB V.A
**RESOLUTION 2021-10-01: DISPOSITION 330 EAST BAY (FORMER COURTHOUSE
PARCEL)**

RESOLUTION 2021-10-01

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) APPROVING THE CONCEPTUAL FRAMEWORK FOR THE TERMS AND CONDITIONS, SCORING CRITERIA AND TIMELINE TO BE INCLUDED IN A FUTURE NOTICE OF DISPOSITION OF THAT CERTAIN CITY-OWNED PROPERTY COMMONLY REFERRED TO AS THE FORMER COURTHOUSE PROPERTY, SUBJECT TO FURTHER REFINEMENT AND APPROVAL BY THE DIA; AUTHORIZING THE MARKETING IN ACCORDANCE WITH THE TERMS ESTABLISHED HEREIN; INSTRUCTING ITS CHIEF EXECUTIVE OFFICER (“CEO”) TO TAKE ALL NECESSARY ACTION TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION; FINDING THAT THIS RESOLUTION FURTHERS THE BUSINESS INVESTMENT AND DEVELOPMENT (“BID”) PLAN, INCLUDING THE COMMUNITY REDEVELOPMENT AREA PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, DIA is the designated Community Redevelopment Agency for the North Bank CRA, for which a BID Plan, inclusive of a Community Redevelopment Plan, was adopted by Ordinance 2014-560-E; and

WHEREAS, the City owns an approximately 2.75 acres of upland riverfront property, exclusive of Courthouse Drive right of way, comprising a portion of Duval County Tax Parcel Number 073358 0000, hereto referred to as the “Property”; and

WHEREAS, DIA desires to seek proposals for the redevelopment of the Property, and to that end has contracted with CBRE for real estate consulting and representation services, including the development of a Notice of Disposition; and

WHEREAS, to allow marketing of the Property to begin in accordance with the Timeline attached hereto as Exhibit 1, the DIA has established the conceptual framework for the terms and conditions and scoring criteria to be included in a future Notice of Disposition, attached hereto as Exhibit 2 and Exhibit 3, respectively; and

WHEREAS, DIA envisions that the property and anticipated disposition will be marketed following adoption of this Resolution with the Notice of Disposition issued in November immediately following the November Board meeting; and

WHEREAS, the terms of the disposition and scoring criteria will be adopted in final form at the November board meeting; and

WHEREAS, the DIA finds that this resolution furthers the following Redevelopment Goal and Strategic Objectives found in the BID Plan:

Redevelopment Goal No. 1

Reinforce Downtown as the City’s unique epicenter for business, history, culture, education, and entertainment; and

Redevelopment Goal No. 3

Simplify the approval process for downtown development and improve departmental and agency coordination, NOW THERFORE

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 approves the Timeline attached hereto as Exhibit 1

Section 3. The DIA approves the conceptual framework of the Terms attached hereto as Exhibit 2 and Scoring Criteria attached hereto as Exhibit 3 for use in marketing the anticipated disposition.

Section 4. The DIA will take up final approval of the Timeline, Terms, and Scoring Criteria at its October meeting prior to issuance of the formal Notice of Disposition.

Section 5. The DIA anticipates issuance of a 30 day Notice of Disposition regarding the Property in November in accordance with the Timeline.

Section 6. The DIA instructs the Chief Executive Officer of the Downtown Investment Authority to take all necessary action necessary to effectuate the purposes of this Resolution.

Section 7. This Resolution shall become effective on the date it is signed by the Chair of the DIA Board.

WITNESS:

DOWNTOWN INVESTMENT AUTHORITY

W. Braxton Gillam, Esq., Chair

Date

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

RESOLUTION 2021-10-01
EXHIBIT 1

Timeline with conceptual terms and scoring approved October; final terms and scoring approved November 17:

Marketing period pre NOD: October 20- November 18, 2021

NOTICE TIMELINE	DATE*
Issue Notice	November 18, 2021
Pre-proposal Conference	November 29, 2021
Written Questions Due	December 3, 2021
Written Answers Due	December 10, 2021
Bids Due	December 20, 2021
Oral Presentations for short listed Respondents	Week of January 3-7, 2022
Evaluation Committee recommendation to REPD Committee	January 14, 2022
DIA Board Meeting for Selection of Proposal	January 19, 2022
Award Posted	January 20, 2022

*Date to be interpreted as “on or by” with a fourteen (14) calendar day extension at the sole discretion of the DIA CEO. Should the DIA Board not be able to meet within 14 calendar days of its January, 2022 Board Meeting, it will select a proposal at the earlier of a special meeting or its February 2022 regularly scheduled Board Meeting, and the Award Posted date will correspond accordingly.

RESOLUTION 2021-10-01

EXHIBIT 2

By its adoption of Resolution 2021-10-01, the Downtown Investment Authority approves the following Conceptual Terms for inclusion into a Notice of Disposition and for use in pre-marketing.

A. The Site

This NOD shall be issued only for Area 2 identified in the 2019 disposition- the former County Courthouse site – comprising the City block between Liberty and Market streets east to west and Bay Street and Courthouse Drive on the north and south and shall exclude the existing Courthouse Drive ROW.

(There were three (3) areas included in the 2019 NOD: Area 1 (former Annex site), Area 2 (former Courthouse site) and Area 3 (submerged lands). The City has contracted for design of a public marina to be constructed within Area 3, the submerged lands. Courthouse Drive will remain public but is envisioned to be a pedestrian plaza closed to vehicular traffic)

B. Phasing

The primary-use structures per bid accepted must commence within 120 days of closing. Closing to occur upon receipt of DDRB approvals and proof of financial capacity to complete construction- which shall be completed within nine months of City Council approval of disposition.

C. Mixed Use Development

Proposals shall include a mix of uses such as, but not limited to, multifamily, retail, office, open space and/or hospitality. Unless a stand-alone entertainment venue or restaurant and open /public space is proposed for the site, buildings directly fronting Bay Street shall have a vertical mix of uses. Ground floor retail/restaurant (open to Bay is strongly encouraged and will be rewarded in scoring. No responses will be accepted that do not activate Bay Street with entrances, and elements such as common areas, leasing offices, etc. If residential units are proposed, only market rate units should be proposed for this location and a preference for higher density will be communicated to prospective developers.

Retail density, whether located on Bay Street, or on the riverfront in excess of the minimum required, will be scored. Bay Street retail provided at the time of project opening is eligible for bonus points.

D. Bay Street Activation

Ground floor retail/restaurant (open to Bay is strongly encouraged and will be rewarded in scoring. No responses will be accepted that do not activate Bay Street with entrances, and elements such as common areas, leasing offices, etc. No more than 10% of the Bay Street frontage may be a directly visible parking garage. Ground floor uses other than retail or restaurant shall meet all transparency requirements. Activated tenant spaces such as gyms and community rooms must comprise at least 35% of the Bay Street frontage. Work/live units or office could comprise the remainder of the frontage, but bonus points will be awarded for true

RESOLUTION 2021-10-01
EXHIBIT 2

retail or restaurants on Bay Street and additional incentive consideration will be available. No less than 35% of the Bay Street frontage shall be designed so as to facilitate future conversion to street level retail if such space is contemplated for office or activated tenant private spaces at the time of project completion.

E. St. Johns River

- i) Setback. Proposals shall conform to a minimum building setback of fifty (50) feet from the St. Johns River as measured from the landward side of a bulkhead and the Courthouse Drive right of way is not intended to be included in the disposition but will not remain open to vehicular traffic. Any proposal that is set back only to the property line between the subject parcel and Courthouse Drive right of way will be required to comply with height step-backs as well as include the required view corridor between Bay Street and the River.

An optional alternative design would be considered if vertical construction is set back an average of 100 feet or more from the bulkhead to create an activated public plaza. If this design alternative is pursued, DIA staff will support a waiver of the view corridor requirement based on existing block widths and provided adequate façade differentiation is incorporated along Bay Street. Some publicly accessible outdoor seating, etc. could be incorporated in the 50 feet closest to the private development and perhaps a restaurant could extend into this zone but development not generally open to the public would be set back beyond this line. Additional bonus points may be available for activated additional public space as described above.

- ii) Riverfront Activation. Proposals shall include riverfront activation and shall include a riverfront Activity Node consistent with the Great Fire of 1901 node described in the “Riverfront Design Guidelines and Activity Nodes Plans” dated August 25, 2018.

Furthermore, a minimum of 10,000 square feet of restaurant/bar space shall be provided on the riverfront, of which at least 7500 square feet must be ground floor. Retail waterfront space must have a minimum frontage on the Riverwalk of 75 linear feet. The DIA desires a full-service restaurant providing a dining opportunity for boaters on the waterfront. The restaurant shall have the ability to serve at meals to at least 100 patrons at one time. Bonus points are available to rooftop/upper story dining/bar accessible to the public.

- iii) Marina Parking. The adjacent basin between Market and Liberty will be developed as a public marina (no boat launch). Parking for visitors to the marina should be contemplated in the project design, whether on-street or in a proposed garage.

- F. Resiliency. The use of resilient construction materials and how the proposal addresses potential flooding and site elevation will be considered. If the site is to be filled, how the

RESOLUTION 2021-10-01
EXHIBIT 2

development remains pedestrian friendly from the sidewalk will be important. Wave attenuation and on site-storage capability in storm events will be evaluated.

- G. Design and Materials. As a prominent waterfront and Bay Street location, the design and choice of construction materials will be taken into consideration, and we encourage high quality product with architectural details and exterior finish worthy of the site. Bonus points will also be available for unique architectural features that elevate the design.
- H. Construction and Maintenance Contribution. Proposals should include Developer's proposed monetary or in-kind contribution to the construction and ongoing maintenance of the Riverwalk and adjacent plaza/park space at this location, if any.
- I. Development Team
The following criteria will be used to pre-qualify proposals:
- i) Bid Bond
A bid bond of \$25,000.00 shall be included with all proposals in a form to be determined by the DIA Chief Executive Officer.
 - ii) Proposals shall be from developers with experience of a singular project with aggregate value in excess of \$50 million and minimum square footage of 300,000. The principal individual or company submitting the proposal shall meet this criterion and the financial capacity of lenders and partners will not replace the experience and financial capacity of the Developer who is leading the project.
 - iii) Proposals shall include descriptions and visual materials related to the qualifying projects detailed above.
 - iv) No proposal shall be accepted for evaluation if the developer has judgement liens (related to development performance) in excess of \$10 million, unpaid taxes in excess of \$1 million or active judgement liens not related to development performance in excess of \$10 million.
- J. Financial Offer and Incentives. Depending upon cash offer price, a multi-family market rate REV grant (Property tax rebate) may be considered for projects meeting the program criteria as well as the goals of this notice of disposition.

EXHIBIT 3
Resolution 2021-10-01

	REPD RECOMMENDATION
Experience and Qualifications	20
Experience developing mixed use projects of comparable size in an urban setting	10
Financial Strength of Development Team	10
Active litigation, judgement liens and outstanding tax payments	0 to minus 5
Economic Benefit	25
Fee Simple acquisition price	8
Financial return to the City (ROI), Economic impact (e.g. job creation, tax revenues)	9
Equal opportunity / local participation	3
Park & Programming contribution	5
Project Development and Design	65
Project's ability to activate Downtown	10
Thoughtful Mix of Uses	5
Retail Density, type, location above minimum required	15
Development timeline (e.g. construction commencement and delivery timing)	6
Civic and community benefits (e.g. open and green space, access to the river)	5
Activation of the riverfront	5
Incorporation of Designated City Storyline for Site and Activity Node	4
Quality of Construction Material and Design	10
Design for Resiliency	5
Financial Proposal	12
Defined source and percentage of debt and equity	5
Financial feasibility and cash flow analysis	5
Post-Completion Management Plan	2
Oral Presentation	5
Total base score available	132
Bonus Points	50
Roof top/upper story dining/bar	5
Activated setback from river beyond 50'	10
Bay Street Retail	20
Unique Architectural Features, Character	15