



**Downtown Investment Authority**  
**Retail Enhancement and Property Disposition Committee Hybrid**  
**Meeting**  
***Tuesday, October 19, 2021 – 2:00 p.m.***

**RE&PD Committee Hybrid Meeting**  
***MEETING MINUTES***

**Retail Enhancement and Property Disposition Committee Members in Attendance:**

Oliver Barakat, Chair	David Ward, Esq., Committee Member
Carol Worsham, Committee Member	Todd Froats, Committee Member

**Committee Members Excused:** None

**Board Members in Attendance:** Braxton Gillam, Esq., DIA Chair, via Zoom

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

**Office of General Counsel:** John Sawyer, Esq.

**I. CALL TO ORDER**

The Retail Enhancement and Property Disposition Committee meeting of October 19, 2021, was called to order at 2:0a p.m. by Chairman Barakat.

Chairman Barakat called for each Committee Member and DIA staff present to introduce themselves.

**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:

John Nooney Spoke to 2017-0160 public participation legislation; spoke to legislation 2021-0727

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**III. SEPTEMBER 09, 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 Ward moved to approve the minutes as presented

**Seconded:** Committee Member Worsham seconded the motion

Chairman Barakat called for a vote.

**Vote: Aye: 4      Nay: 0      Abstain: 0**

**THE MOTION PASSED UNANIMOUSLY 4-0-0.**

**IV. RESOLUTION 2021-10-05: BELLWETHER SIDEWALK GRANT**

**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 FURTHERS THE DIA’S BUSINESS INVESTMENT AND DEVELOPMENT PLAN, INCLUDING THE NORTHBANK CRA PLAN (“BID PLAN”) AND PROVIDING AN EFFECTIVE DATE.**

Lori Boyer, CEO, provided an overview of the Resolution with a requested funding \$1,312.00 for sidewalk outdoor furnishings.

Chairman Barakat called for Committee Member comments, and in order of acknowledgement by the Chair the following discussion occurred:

Committee Member Worsham stated that she is happy to see this Resolution come through; Ms. Worsham noted several typos in the Resolution.

Committee Member Ward: no comments

Committee Member Froats: asked for a brief summary of materials to be purchased; CEO Boyer responded with the requested summary. Following CEO Boyer’s response, Committee Member Froats had no further comments or questions.

DIA Chair Gillam: No questions or comments

Committee Chairman Barakat: having no questions or comments, Chairman Barakat called for a motion.

**Motion:** Committee Member Worsham approve Resolution 2021-10-05 as provided subject to scrivener error corrections as noted during discussion.

**Seconded:** Committee Member Ward seconded the motion

Chairman Barakat called for a vote.

**Vote: Aye: 4      Nay: 0      Abstain: 0**

**THE MOTION PASSED UNANIMOUSLY 4-0-0.**

**V. RESOLUTION 2021-10-01: COURTHOUSE PROPERTY DISPOSITION**

**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.**

CEO Boyer provided overview of the Resolution. The following revised exhibits were provided for discussion and consideration: Exhibit 1, Notice Timeline, Exhibit 2, Conceptual Notice of Disposition Terms (Redline Version), and Exhibit 3, Scoring Criteria; a Revised Resolution correcting a scrivener error in, section 4 of the Resolution was provided at committee.

Chair Barakat opened by reiterating the prior meeting discussions and noted that comments from Board since September have been incorporated into the revised documents as noted by CEO Boyer.

CEO Boyer provided an overview of the revised Exhibit 2, including clarification that we did not proceed past conceptual design of the marina due to lack of funding.

Speaking to Exhibit 2, Section D, Bay Street Activation: brought the Committee's attention to the inclusion of "...and both the quality and quantity of retail on Bay..." language. **Note: Exhibit 3, Evaluation Criteria, identifies Bonus Points for Bay Street Retail. This criteria was revised to mirror the revised Exhibit 2, Section D, with the inclusion of "quantity and quality" language.**

CEO Boyer summarized an alternate to the existing Exhibit 2, Section D, as revised, which deleted the entire paragraph constituting Exhibit 2, Section D, and its proposed revision and substituted new language that transitioned Bay Street retail from an aspirational "bonus" criteria to a prescribed minimum percentage requirement based linear frontage (i.e., a minimum percentage of the linear frontage along Bay Street to be retail).

CEO anecdotally spoke to her conversations with multiple developers interested in the site, while reminding the Committee that CBRE counseled that we provide a bonus scoring criteria for retail instead of a prescribed minimum.

Speaking to the minimum St. Johns River setback in Exhibit 2, Section E, Paragraph i, with respect to the St. Johns River and citing a conversation with a developer who expressed an interest in a marina-front restaurant, CEO Boyer suggested that a free standing restaurant on the riverfront (note: this would actually be on the marina front) could be considered under certain mitigating circumstances.

Chairman Barakat called for Committee Member comments, and in order of acknowledgement by the Chair the following discussion occurred regarding the proposed revision to Exhibit 2, Section E, Paragraph i:

Committee Member Froats: no objection to the revision

Chairman Barakat polled the Committee to see if any other members wished to comment or discuss the revisions to Exhibit 2, Section E, Paragraph i, and seeing none, closed the discussion on Exhibit 2, Section E, Paragraph i, and opened discussion on Exhibit 2, Section D.

Chairman Barakat opened the discussion on Exhibit 2, Section D, by noting the changes to Downtown in the last 60 days, including the passing of the 4 Seasons legislation, the impending demolition of Berkman II, the prospect of M.O.S.H. relocating to the Northbank, etc. Mr. Barakat cited the changes as justification for the need to require a minimum retail presence on Bay Street as proffered by the Exhibit 2, Section D alternate language.

Committee Member Worsham stated that she is not opposed to percentage, but is unsure as to what the percentage should be.

Committee Member Ward stated that he is likewise supportive of a retail requirement along Bay Street, clarifying further that he would support would support a requirement in the 35% range or lower.

Committee Member Froats stated that he is not supportive of retail as a requirement along Bay Street and that it is appropriate as a Bonus Criteria. Mr. Froats asked of the CEO if a free-standing restaurant would be permitted under the revised Exhibit 2, Section D language. CEO Boyer clarified that the alternative language would not preclude a free-standing restaurant.

Chairman Barakat recognized Mr. Joe Ayers from CBRE.

Joe Ayers, CBRE, in speaking to the required minimum retail percentage does not believe that by requiring retail you going to eliminate your buyer pool, but does maintain that a lower percentage increases optionality resulting in a larger “buyer pool”.

Committee Member Froats asks of CEO Boyer if we are seeing primarily residential developer interest in the property. CEO Boyer responds that we are seeing mixed-use and primarily residential developer interest at this time.

Committee Member Froats speaking to Joe Ayers, asks if you were to require retail, would you required it to be a percentage of frontage or a minimum square footage. Mr. Ayers responds that the goal is activation on Bay Street and that linear footage is more important that square footage.

Chairman Barakat to the Committee comments that we (the DIA Board) required retail after the fact on River City, and had we required retail on the front end (i.e. in the Notice of Disposition) they would have attracted mixed-use development.

Committee Member Ward opined that excluding purely residential developers may be what is best for this site, and a minimum retail presence on Bay Street would do that. Mr. Ward contemplated for further discussion a minimum 25% retail requirement along Bay Street.

Committee Member Froats reiterated his objection to a prescribed percentage of retail along Bay Street.

DIA Chairman Gillam stated that he supports Mr. Barakat’s position, and reminded the Committee that the DIA Board as a whole will not be scoring the proposals, further suggesting that a minimum percentage provides clarity to an Evaluation Committee of the DIA Board’s position.

After internal discussion, the Committee collectively agrees to 30% as the minimum retail percentage along Bay Street as measured as a percentage of the building’s ground floor Bay Street Frontage.

Chairman Barakat speaking to Exhibit 3, Evaluation Criteria, suggest the Committee move the bonus retail to the Project Development and Design Criteria.

After further discussion by the Committee, the Committee collectively agrees to eliminate Bay Street Retail as a Bonus Criteria, and increase the “Retail Density, type, location above minimum required and quality of tenants, if known” from 15 points to 25 points.

Committee Chairman Barakat: having no questions or comments, Chairman Barakat called for a motion.

**Motion:** Committee Member Worsham moved to approve Resolution 2021-10-01 as revised as presented to the Committee; approve Exhibit 1 as revised as presented to the Committee; approve a revised Exhibit 2 as follows: accepting revisions to Exhibit 2, Section A as provided to the Committee; delete Exhibit 2, Section D in its entirety and substitute a new Exhibit 2, Section D with the requirement for a minimum of 30% retail frontage along Bay Street as measured as a percentage of the building's ground floor Bay Street Frontage; and accepting revisions to Exhibit 2, Section E, Paragraph i, as presented to the Committee; approve a revised Exhibit 3 by eliminating "Bay Street Retail" as a bonus point criteria, and increase the "Retail Density, type, location above minimum required and quality of tenants, if known" criteria from 15 points to 25 points.

**Seconded:** Committee Member Ward seconded the motion

Chairman Barakat called for a vote.

**Vote: Aye: 4      Nay: 0      Abstain: 0**

**THE MOTION PASSED UNANIMOUSLY 4-0-0.**

## **VI. OTHER MATTERS TO BE ADDED AT THE DISCRETION OF THE CHAIR**

CEO Boyer brought to the Committee's attention the pending Harper Street property disposition, noting it would proceed to the DIA Board.

Committee Member Worsham asked CEO Boyer if we (DIA) are seeing more R.E.P. (Retail Enhancement Program) applications. CEO Boyer noted that there are more restaurants and bars coming in for D.P.R.P. (Downtown Preservation and Revitalization Program) because the funding is richer than the Retail Enhancement Program.

## **VII. ADJOURNMENT**

Seeing no further matters for discussion, Chairman Barakat adjourned the meeting at 3:08 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](mailto:xchisholm@coj.net) to acquire a recording of the meeting.*