

CITY OF JACKSONVILLE  
DOWNTOWN INVESTMENT AUTHORITY  
BOARD MEETING

Proceedings held on Wednesday, July 19, 2017,  
commencing at 2:35 p.m., City Hall, Lynwood Roberts  
Room, 1st Floor, Jacksonville, Florida, before Diane M.  
Tropia, a Notary Public in and for the State of Florida  
at Large.

BOARD MEMBERS PRESENT:

JAMES BAILEY, Chairman.  
OLIVER BARAKAT, Board Member.  
DANE GREY, Board Member.  
BRENNAN DURDEN, Board Member.  
CRAIG GIBBS, Board Member.  
RON MOODY, Board Member.

ALSO PRESENT:

AUNDRA WALLACE, DIA, Chief Executive Officer.  
TOM DALY, DIA, Redevelopment Analyst.  
GUY PAROLA, DIA, Redevelopment Manager.  
JIM KLEMENT, DIA, Development Coordinator.  
JOHN SAWYER, Office of General Counsel.  
KAREN UNDERWOOD-EILAND, Executive Assistant.

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1 month.  
2 BOARD MEMBER DURDEN: "D," as in David?  
3 THE CHAIRMAN: "D," yes.  
4 BOARD MEMBER DURDEN: Okay.  
5 THE CHAIRMAN: Yes. "Durden."  
6 Okay. Do you want to -- would it be okay  
7 to go to 2017-06-06?  
8 MR. WALLACE: Yes, sir.  
9 THE CHAIRMAN: Legislation for Sale and  
10 Conveyance of --  
11 MR. WALLACE: Yes, sir.  
12 THE CHAIRMAN: -- Surplus Downtown Water  
13 Quality Compensatory Credits.  
14 MR. WALLACE: Yes, sir.  
15 Mr. Chairman, this is Resolution  
16 2017-06-06. It's a resolution of the Downtown  
17 Investment Authority, instructing the DIA  
18 Chief Executive Officer to pursue legislation  
19 to effectuate a process by which to sell or  
20 otherwise convey surplus water quality  
21 compensatory credits for the purpose of  
22 promoting redevelopment within downtown  
23 Jacksonville, approving a general process for  
24 the sale or conveyance or surplus water  
25 quality compensatory credits as identified in  
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1 PROCEEDINGS  
2 July 19, 2017 2:35 p.m.  
3  
4 THE CHAIRMAN: With that, that meeting is  
5 closed, and we open the Downtown Investment  
6 Authority Board meeting.  
7 Minutes are attached. Again, for the  
8 public, we don't have to approve the meeting,  
9 because it's a transcript, and it is what it  
10 is.  
11 We will start with Resolution 2017- --  
12 unless -- Mr. Wallace, there's not anything we  
13 need to do in advance?  
14 MR. WALLACE: If we could, let's take the  
15 matching grant up last --  
16 MR. CHAIRMAN: Okay.  
17 MR. WALLACE: -- after we finish the other  
18 actual resolutions, if you don't mind.  
19 THE CHAIRMAN: Okay. And so everyone is  
20 aware --  
21 MR. WALLACE: And also --  
22 THE CHAIRMAN: -- Item D is deferred,  
23 correct?  
24 MR. WALLACE: Yes, that is correct, sir.  
25 THE CHAIRMAN: Okay. So Item D, you can  
scratch as deferred by the applicant until next  
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1 Exhibit A.  
2 Mr. Chairman, legislation has been filed  
3 with City Council with regards to what is  
4 before you today.  
5 I think it may very well be in committee  
6 in a couple of weeks, Mr. Parola?  
7 MR. PAROLA: Through the Chair, I actually  
8 believe it's being filed today.  
9 MR. WALLACE: Okay.  
10 MR. PAROLA: So you will see it at the  
11 next full council meeting.  
12 MR. WALLACE: Okay. Guy, do you want to  
13 take this one?  
14 MR. PAROLA: Thank you.  
15 Through the Chair, I think it would be --  
16 if Mr. Joyce doesn't mind -- Mr. Joyce, kind of  
17 explaining conceptually what they are, how they  
18 are used, and then we can talk about the  
19 business end of it, if you will, after you kind  
20 of get the crux of what they are. I think  
21 Mr. Joyce is in the audience, actually.  
22 THE CHAIRMAN: He is. Very good.  
23 Mr. Joyce, thank you for being here. If  
24 you will identify yourself, and you can --  
25 (Mr. Joyce approaches the podium.)  
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1 THE CHAIRMAN: Right there. That's good.  
2 Identify yourself.  
3 MR. JOYCE: Bill Joyce with Public Works.  
4 I couldn't hear from the back. I'm sorry.  
5 I just heard my name.  
6 THE CHAIRMAN: Oh, okay. That's all  
7 right. Thank you for being here.  
8 MR. JOYCE: No problem.  
9 THE CHAIRMAN: Can you summarize this for  
10 us and help us understand the credits and so  
11 on?  
12 MR. JOYCE: Yes, sir.  
13 Through the Chair to the Committee, the  
14 downtown -- let's call it a storm water bank,  
15 if you will, was developed from a series of  
16 city storm water ponds. We had an engineer  
17 look at those ponds, and they notified or  
18 identified additional storm water credit within  
19 those facilities, if you will, and those were  
20 since permitted with the St. Johns River Water  
21 Management District for a defined boundary,  
22 which is the DIA's downtown boundary for  
23 credits for water quality purposes.  
24 There's two different -- it's important to  
25 understand a quality versus quantity when you  
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1 deal with storm water. So these are quality  
2 credits that are available for, if you will,  
3 potential development within the downtown area.  
4 And the process as I understand it right  
5 now that's being presented is, any proposed  
6 development would contact DIA. And then, in  
7 coordination with Public Works, we would  
8 determine the need or the amount of storm water  
9 credits available and -- two, three, four  
10 credits, whatever it might be, and the  
11 associated cost of those credits, which is made  
12 up of engineering, construction and operational  
13 costs of a potential storm water facility that  
14 would have supported that proposed development.  
15 That's part of where Public Works gets  
16 involved, in determining the need for those  
17 credits. And then from there, establish the  
18 cost of those credits and the process of, I  
19 guess, finalizing those and depositing them  
20 into the account.  
21 The Downtown -- I think it's going to --  
22 the legislation is proposed to set up an  
23 account. The Downtown Infrastructure  
24 Enhancement Account is where those dollars  
25 would be deposited.  
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1 THE CHAIRMAN: Thank you.  
2 Mr. Joyce, the cost of those facilities,  
3 is that updated on a regular basis?  
4 MR. JOYCE: Through the Chair, that's the  
5 thought. We would, depending on current  
6 construction costs, you know, for excavation,  
7 sodding type -- things of that nature, those  
8 costs would be amended accordingly, yes, sir.  
9 THE CHAIRMAN: Is that done on a regular  
10 basis or just when the need arises?  
11 MR. JOYCE: I think at each request, we  
12 would look at those costs and make sure they  
13 are up to date.  
14 THE CHAIRMAN: Does quality change the  
15 quantity?  
16 MR. JOYCE: I'm sorry. Through the Chair?  
17 THE CHAIRMAN: If the quality changes,  
18 does the quantity?  
19 MR. JOYCE: It depends on the nature of  
20 the development as to what is looked at because  
21 there's industrial. And the proposed  
22 development itself is part of the analysis in  
23 the number of credits that are given.  
24 THE CHAIRMAN: So we're fixed at a  
25 hundred-and-eighty-five acres?  
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1 MR. JOYCE: Correct.  
2 THE CHAIRMAN: And the only thing that  
3 would change is the cost of those facilities or  
4 any cost to build or whatever we might --  
5 MR. JOYCE: Correct. Those are existing  
6 facilities that are in place.  
7 THE CHAIRMAN: Okay. It's great having  
8 someone like you here to educate us. We need  
9 this. We might ask you to come back and give  
10 us a history lesson.  
11 MR. JOYCE: Sure.  
12 THE CHAIRMAN: Okay. While we have  
13 Mr. Joyce up here, let's -- Mr. Moody, do you  
14 have any questions?  
15 BOARD MEMBER MOODY: As far as calculating  
16 the credits, if I'm over on Riverside Avenue  
17 doing a new development or I'm at the JEA  
18 building getting to redevelop the building, how  
19 would those credits be calculated? And is  
20 there a great difference in the cost of each  
21 credit?  
22 MR. JOYCE: Through the Chair, it  
23 basically depends on the amount of impervious  
24 areas, the way we look at it. The more  
25 impervious area you're proposing, the more  
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1 storm water credit you will need.  
2 So that is part of the process in the  
3 evaluation we look at which determines the size  
4 of the facility you would need, which backs  
5 into the cost of that credit. So location is  
6 not necessarily important, it's the proposed  
7 development itself.

8 BOARD MEMBER MOODY: So, for example, the  
9 JEA building, if redone, would have very little  
10 impact?

11 MR. JOYCE: Through the Chair --

12 THE CHAIRMAN: Mic.

13 BOARD MEMBER MOODY: So if you were  
14 dealing with a developer of the JEA building,  
15 for the fact that it's an existing facility,  
16 you would have very little impact as far as the  
17 cost of credits?

18 MR. JOYCE: Through the Chair, it  
19 would depend on their discussions with the  
20 St. Johns River Water Management. Based on the  
21 nature of their redevelopment, they may --  
22 typically, when you start from the ground up,  
23 they hit you with current permitting  
24 requirements. That's where the water quality  
25 element would be factored in.

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1 If there was a requirement for the  
2 St. Johns River Water Management District, that  
3 would drive the potential ask to the City or to  
4 the DIA for those credits.

5 THE CHAIRMAN: Did that answer your  
6 question?

7 BOARD MEMBER MOODY: Yes.

8 THE CHAIRMAN: Okay. Mr. Gibbs.

9 BOARD MEMBER GIBBS: Who makes the  
10 determination of impervious land; is that  
11 something that the developer would bring to the  
12 City?

13 MR. JOYCE: Through the Chair, we  
14 definitely want to see their proposed  
15 development plan. And part of that is the  
16 ten-set process. They need to go through  
17 Development Services. That's when we get  
18 involved, have our engineer look at it and  
19 verify the amount of credits needed based on  
20 the impervious area in the site plan that  
21 they're proposing.

22 BOARD MEMBER GIBBS: Okay. Thank you.

23 THE CHAIRMAN: Very good.

24 Mr. Barakat.

25 BOARD MEMBER BARAKAT: Yes. Thank you,  
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1 Mr. Chairman.

2 The Downtown Infrastructure Enhancement  
3 Account, so a developer, to get the credits,  
4 pays dollars into that account, and then those  
5 dollars are used for capital improvement  
6 projects in the future; is that correct? Who  
7 could answer that question?

8 MR. JOYCE: I'll defer to the DIA.

9 MR. WALLACE: Yes.

10 BOARD MEMBER BARAKAT: And the  
11 jurisdiction over that account is who?

12 MR. PAROLA: Thank you.

13 The mayor will have the authority to spend  
14 up to a hundred thousand dollars. After a  
15 hundred thousand dollars -- I'm assuming a  
16 hundred thousand dollars, I'll look to the  
17 attorney -- because after that it triggers  
18 capital improvement, which is a beeline  
19 straight to Council, as I understand it.

20 BOARD MEMBER BARAKAT: Okay. Do those  
21 accounts occur or exist for other parts of the  
22 City? And is the jurisdiction of those  
23 accounts similar to ours? Does anybody know  
24 the answer to that?

25 MR. WALLACE: Through the Chair to  
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1 Mr. Barakat, I can't answer whether or not  
2 those accounts occur in other parts of the city  
3 or not. That, I do not know.

4 MR. PAROLA: Through the Chair, if I could  
5 offer maybe an anecdote; that would be the  
6 Mobility Plan. I believe you pay money into  
7 the Mobility Plan in your zone. That money has  
8 to stay in that zone. So I think, anecdotally,  
9 it's not unique that we've created something or  
10 that something is being created specific to a  
11 geographical boundary, no.

12 BOARD MEMBER BARAKAT: And that's fine.

13 So it stays in the zone, but my question  
14 is, who determines where the dollars go within  
15 those zones?

16 What I'm getting as is, this is dollars  
17 paid by developers that we probably recruit or  
18 have some influence in recruiting. And these  
19 dollars go into a fund that others, that may or  
20 may not be in touch with the CRA plan,  
21 determine where those dollars go.

22 So my question is, is that consistent  
23 throughout the City or a downtown process  
24 different? And I would like to know the answer  
25 to that; if we are being treated any

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1 differently than, let's say, Mandarin.  
2 MR. PAROLA: I apologize. I can't answer  
3 that question.  
4 THE CHAIRMAN: Council Member Boyer, can  
5 you enlighten us?  
6 COUNCIL MEMBER BOYER: I can perhaps  
7 answer it a little bit.  
8 To my knowledge, there are no segregated  
9 infrastructure capital funds for designated  
10 geographic areas of the city other than this.  
11 This would be new in that regard.  
12 Now, by analogy, to Mr. Parola's point,  
13 there are mobility zones, but as part of the  
14 mobility zone, there is an adopted list of  
15 priority projects that the Council has already  
16 adopted that the funds are to be spent on  
17 specifically designated projects. They are not  
18 projects that are subject to discretionary use.  
19 They're supposed to be spent in accordance with  
20 the priority list that was part of the adopted  
21 plan.  
22 There are other places -- I mean, frankly,  
23 the same way with CRA funds and other CRAs,  
24 they are supposed to be spent in accordance  
25 with the CRA plan. So when you have  
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1 geographically segregated funds in other  
2 contexts, that I am aware of, there is a  
3 predetermined plan that prioritizes the  
4 expenditure.  
5 This one sounds like it is up to future  
6 appropriation either by the City Council or --  
7 so the hundred thousand dollars that's  
8 referenced in here is typical of every City  
9 departmental account; the mayor has transfer  
10 authority to spend up to a hundred thousand  
11 dollars on something that he decides to spend  
12 it on.  
13 So that just is -- that's uniform. That's  
14 not unique, anything different about it here,  
15 except that it's different that we are setting  
16 aside a geographically bounded capital  
17 maintenance account.  
18 THE CHAIRMAN: Before any further  
19 discussion, Mr. Barakat, if you don't mind, can  
20 I get a motion on Resolution 06-06?  
21 BOARD MEMBER MOODY: So moved.  
22 BOARD MEMBER GIBBS: Second.  
23 THE CHAIRMAN: Okay. And we can continue  
24 our discussion. Thank you for that.  
25 Mr. Barakat, does that answer your  
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1 question adequately?  
2 BOARD MEMBER BARAKAT: Kind of. I mean,  
3 it -- I still think, given the fact that we are  
4 a CRA, and we have a plan, that to the extent  
5 private developers pay money into the City  
6 toward capital improvements, those capital  
7 improvements should be done in a wholistic  
8 manner attached to a long-term vision; i.e., a  
9 long-term plan.  
10 So it sounds like this is going to go into  
11 another fund that a body that may or may not be  
12 as privy as this body is to the CRA plan. And  
13 so we may have projects that are not connected  
14 to the plan. So I would -- I would be -- I  
15 would advocate for dollars going into this fund  
16 being under the jurisdiction of the DIA or the  
17 CRA.  
18 That makes sense to me, unless somebody  
19 has a reason why it shouldn't. So in that  
20 case, I would propose an amendment that those  
21 dollars should go under the jurisdiction of the  
22 DIA. I don't know whether that requires a  
23 change in ordinance or what that triggers, but  
24 unless somebody can give me a good, rational  
25 reason why it shouldn't, I would advocate that  
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1 the amendment be made to this resolution.  
2 Secondly, one thing I talked to  
3 Mr. Wallace about yesterday was the DIA chief  
4 being responsible for taking this process on  
5 behalf of the developer and making sure the  
6 resolution or at least this exhibit notes that,  
7 because there's four -- there's three or four  
8 approvals required. And I don't think we want  
9 developers to have to be responsible to get  
10 those approvals.  
11 So I just want to make sure it's noted  
12 that Mr. Wallace, who represents this position,  
13 will take the helm for the developer and get  
14 these credits through the bureaucracy.  
15 MR. WALLACE: That is the intent of this  
16 legislation. They start -- the Downtown  
17 Investment Authority is my responsibility, get  
18 with Public Works, make a review of the  
19 project, then take it, then, to the chief  
20 administrative officer to gain approval that  
21 we're moving forward. So that means you  
22 already have the Downtown Investment Authority  
23 and Public Works directors in agreement before  
24 we've actually gotten to the chief  
25 administrative officer. If approved there,  
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1 then we would be able to proceed.  
2 BOARD MEMBER BARAKAT: Okay. Great.  
3 The point being to make it as streamlined  
4 as possible for the private developer. So once  
5 it's in your hands, you will take it?  
6 MR. WALLACE: That is correct.  
7 BOARD MEMBER BARAKAT: Thank you.  
8 THE CHAIRMAN: Thank you, Mr. Barakat.  
9 Ms. Durden.  
10 BOARD MEMBER DURDEN: A couple of things.  
11 It's not really clear to me -- and I was  
12 even looking at the Exhibit A that's attached  
13 to the Resolution, but it's not really clear to  
14 me that it actually has to be tied to an actual  
15 project for the mayor to decide or his designee  
16 to decide to spend some money on an improvement  
17 for a project.  
18 THE CHAIRMAN: As long as it's downtown.  
19 BOARD MEMBER DURDEN: Well, that was  
20 another question. Is downtown -- is the  
21 geographic boundary of this downtown  
22 infrastructure, you know, of this plan, tied to  
23 our CRA boundaries or does it go beyond our  
24 boundaries?  
25 THE CHAIRMAN: Mr. Wallace, I don't know  
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1 how we would define downtown any other way,  
2 but it's clear, to perform capital maintenance  
3 projects in downtown.  
4 MR. WALLACE: For all intents and  
5 purposes, it is to be spent within downtown.  
6 So John, do you want to address the last  
7 question -- the prior question? I'm sorry.  
8 BOARD MEMBER DURDEN: It's possible that  
9 Mr. Joyce may actually -- is there a geographic  
10 boundary for the water quality compensatory  
11 credits?  
12 MR. JOYCE: Through the Chair, that's  
13 correct. The permit is tied to the DIA  
14 boundary.  
15 BOARD MEMBER DURDEN: It is?  
16 MR. JOYCE: Yes. Through the Chair, yes.  
17 BOARD MEMBER DURDEN: Okay. That's great  
18 to know.  
19 Okay. So back to my first question, which  
20 was -- I can't tell from this, because it says  
21 that the mayor is authorized to spend amounts  
22 up to a hundred thousand to perform capital  
23 maintenance projects in the downtown.  
24 I just -- I guess I don't understand, or  
25 what -- I guess I would like assurance that, in  
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1 fact, that it is tied to an actual project in  
2 downtown and not just, you know, something that  
3 needs to be done, which happens all the time.  
4 There's storm water issues throughout our  
5 community. So I just want to make sure that it  
6 would actually be tied to a redevelopment  
7 project, a new --  
8 THE CHAIRMAN: Mr. Sawyer --  
9 BOARD MEMBER DURDEN: -- a new project.  
10 THE CHAIRMAN: -- in the process -- I  
11 mean, the resolution, I don't know how you  
12 would address -- but how would we indicate this  
13 on the process if we want to be specific for  
14 the resolution itself?  
15 MR. SAWYER: The disclaimers -- I have not  
16 seen the legislation that's being filed, so I'm  
17 not aware of how cash flows are intended to  
18 work. My guess would be, it's a City permit,  
19 so ultimately, Council can decide where and how  
20 those moneys will be used.  
21 To the extent you want to identify either  
22 that a tie-in -- that any of the funds tie in  
23 to your CRA plan or that there be a restriction  
24 that it only be spent within the CRA or that  
25 you have authority over those funds, I think  
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1 you would need to make that a request of  
2 Council by this resolution. I don't think you  
3 can simply dictate, we're going to control the  
4 money.  
5 THE CHAIRMAN: Okay. Does that answer --  
6 BOARD MEMBER DURDEN: Not yet.  
7 THE CHAIRMAN: Okay.  
8 BOARD MEMBER DURDEN: Really, I mean, I  
9 think it's a concern, that it -- I think that  
10 it should be tied to an actual project as  
11 opposed to some concern that we might have.  
12 You know, a street keeps flooding or some other  
13 issue like that.  
14 And then the last thing is, I saw on  
15 Exhibit A that the storm water credits are  
16 going to run with the land and be appurtenant  
17 to a development project and that unused  
18 credits shall not entitle a developer to a  
19 refund of fees.  
20 I have some concern about that because  
21 what we're doing is creating a side market out  
22 there for a landowner potentially to give to  
23 somebody else or sell to somebody else, a third  
24 party, these unused credits.  
25 I think that it might be better to require  
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1 them to actually return any unused credits to  
2 us so that, in fact, we can offer them to the  
3 next great project coming down to the pike  
4 instead of leaving them unused. They're  
5 worth -- they are worth a tremendous amount to  
6 a developer, to not have to address to the  
7 degree the quality -- the water quality issues  
8 and create the infrastructure that might be  
9 necessary.

10 So I just -- I would like to have the  
11 staff explain what was the thought process  
12 behind that because there might be a really  
13 good reason that I just haven't thought of, but  
14 it seems backwards to me.

15 MR. PAROLA: Through the Chair, if I  
16 could -- and Bill can tell me if I'm wrong  
17 here, if I don't remember the discussion.

18 The discussion was -- first of all, to  
19 avoid a side market, there is no transfer  
20 between property. You're tied to a property.  
21 So you can't come in there with a development  
22 plan, decide you're going to build half of it  
23 and then monetize the leftover and decide just  
24 to sell it to somebody to use on another site.  
25 So that market's --

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1 BOARD MEMBER DURDEN: Okay. That's a good  
2 point.

3 MR. PAROLA: We take care of that market.  
4 The second one is, the overly cumbersome  
5 process of trying to refund somebody money  
6 because they don't use it is kind of -- gives  
7 you an equity situation, right? The equity  
8 being, if you pay for these credits, and you  
9 use all but 10 percent, they're going to ride  
10 with the land. And if in twenty years you  
11 redevelop your site, you've still got the same  
12 number of credits on your property. So that's  
13 how I --

14 BOARD MEMBER DURDEN: The rules will  
15 probably be changed by then.

16 MR. PAROLA: Well --

17 BOARD MEMBER DURDEN: Go ahead.

18 MR. PAROLA: So I think we were trying to  
19 create an equitable situation there.

20 And the fact that they're going through  
21 ten-set, you're required -- as you know,  
22 Ms. Durden, when you get to that point, you're  
23 spending money. You know what you're going to  
24 put on the ground, by and large. You  
25 understand the footprint because so much is

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1 tied to impervious.

2 BOARD MEMBER DURDEN: Well, maybe one way  
3 to not end up with unused credits -- that's my  
4 concern.

5 MR. PAROLA: Sure.

6 BOARD MEMBER DURDEN: I wouldn't -- I  
7 really don't want to leave any unused credits  
8 on the table, if we can help it, because it  
9 really does help to have the density downtown  
10 where we really want it to be and not have  
11 storm water infrastructure all over the place,  
12 even if it is just for quality, you know,  
13 versus quantity.

14 But perhaps the way to fashion it is, you  
15 would have to up -- you know, when you do your  
16 agreements, it would be up to a certain amount.  
17 And then once we actually -- it gets down to  
18 the nitty gritty and we actually know how many  
19 credits are going to be necessary, then it's  
20 only that number that is actually conveyed.

21 MR. PAROLA: So through the Chair, if we  
22 timed it to a CO instead of the payment prior  
23 to entering engineering, then your site's  
24 construction -- I don't know --

25 BOARD MEMBER DURDEN: Well, they're going  
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24

1 to -- maybe Mr. Joyce could tell us --

2 MR. PAROLA: Yeah.

3 BOARD MEMBER DURDEN: -- when the timing  
4 would be right.

5 MR. JOYCE: Through the Chair, the  
6 process -- typically, the way we're foreseeing  
7 it is, in the ten-set process, when they're --  
8 their last submittal, so they know exactly what  
9 they would like to be developing, it's pretty  
10 much of -- their engineering is (inaudible) so  
11 we know what we're proposing, so that we do  
12 identify the exact number of credits that are  
13 needed for those proposed -- the intent isn't  
14 to have this up during the PUD process. It is  
15 during the actual design process, and they're  
16 going through their ten-set, their final  
17 ten-set.

18 BOARD MEMBER DURDEN: So now, let me ask  
19 one other question. Well, this is probably so  
20 far out there that -- something like, what if  
21 that project never got built, would we have a  
22 clawback so that if the project never got  
23 built -- I would just ask John and all of you  
24 to consider having in our standard agreement  
25 some kind of a clawback because sometimes

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1 things happen and the project doesn't  
2 necessarily go forward.  
3 BOARD MEMBER MOODY: Question.  
4 Wouldn't that be somewhat like a property  
5 right that would go with the land for the  
6 potential next buyer if they have already paid  
7 it and ...  
8 BOARD MEMBER DURDEN: It could. It  
9 definitely could. It could be a benefit to the  
10 next guy, but it could also be sitting there  
11 for, you know, fifteen years. And as we know,  
12 there's lots of land downtown that's remained  
13 vacant for a long, long time.  
14 And it ties up just like it ties up -- we  
15 don't want to -- just like our development  
16 rights when we do a development rights  
17 allocation, we don't want it to be tied up  
18 forever. We want to have some chances for it  
19 to come back. So I would ask the staff to take  
20 those kinds of concepts into account when you  
21 are crafting the final process.  
22 The last thing is, I do want to make sure  
23 that -- I have a little comfort about the mayor  
24 being able to -- or designee being able to  
25 spend these amounts of money because the  
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1 second -- the third bullet says that no matter  
2 what, the DIA approval is necessary prior to  
3 the sale or conveyance. And I just want to  
4 emphasize, is that accurate?  
5 MR. WALLACE: Yes.  
6 BOARD MEMBER DURDEN: And so it wouldn't  
7 be such that the mayor could just go off and do  
8 something prior to our approval?  
9 THE CHAIRMAN: That's not -- that's two  
10 different things, though.  
11 BOARD MEMBER DURDEN: Okay. That's what I  
12 was asking.  
13 THE CHAIRMAN: Selling or conveying the  
14 surplus water is different than him being able  
15 to use those funds --  
16 BOARD MEMBER DURDEN: For something else.  
17 THE CHAIRMAN: Right.  
18 BOARD MEMBER DURDEN: Okay. So thank you  
19 very much for that clarification.  
20 So that just emphasizes the first comment  
21 about wanting to make sure that if we're going  
22 to say yes to the mayor having the right to  
23 spend the amounts, that it actually be tied to  
24 a real -- to an actual development project --  
25 redevelopment project, not -- maybe the best  
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1 way to describe it would be vertical  
2 development as opposed to, you know, some  
3 other -- although, I can't even say that  
4 because I'm thinking about some street projects  
5 that we have talked about. So ...  
6 THE CHAIRMAN: Ms. Durden, your first  
7 comment about whether to sell or convey, if you  
8 sell or convey, you don't have the right to go  
9 back and change it. So you're changing the  
10 resolution to not sell or convey, but to ---  
11 you want to sunset it at some time if not used;  
12 otherwise, we lose it.  
13 BOARD MEMBER DURDEN: Just like  
14 development rights.  
15 MR. SAWYER: Through the Chair, if I  
16 could, if they are paying value for it, I don't  
17 think you can have just a straight clawback.  
18 It would tend to be in the nature of a  
19 repurchase right if not used within the next  
20 years or whatever --  
21 THE CHAIRMAN: But a new purchase right  
22 would not -- we can't assume that we could  
23 repurchase.  
24 MR. SAWYER: That's right.  
25 THE CHAIRMAN: You could sit on it for --  
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1 indefinitely.  
2 MR. SAWYER: Again, if it's Council's  
3 will, you can structure it in a manner that,  
4 there's a sale, you own it, but whatever the  
5 restriction may be, a three-year, a five-year  
6 use period, when that tolls or they haven't  
7 commenced their development, then the City  
8 would have a repurchase option.  
9 THE CHAIRMAN: I can't imagine this is the  
10 first time that we've come across this in the  
11 City, is it?  
12 BOARD MEMBERS: (No response.)  
13 THE CHAIRMAN: I mean, there's -- I mean,  
14 do we commonly sell or convey surplus water --  
15 BOARD MEMBER DURDEN: We do compensatory.  
16 THE CHAIRMAN: -- quality credits that we  
17 can't change once it's done if somebody doesn't  
18 develop the property?  
19 BOARD MEMBER BARAKAT: If I may, sir,  
20 maybe I missed it, when does the purchase occur  
21 of those credits; is it at a permit review, is  
22 it at the building permit submission, or is it  
23 at any time prior to a permit?  
24 THE CHAIRMAN: Mr. Joyce, do you know  
25 that?  
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1 MR. JOYCE: I would think it would happen  
2 the day of the actual approval. They will not  
3 approve a ten-set or a project without the  
4 credits being purchased.

5 THE CHAIRMAN: But you can't determine  
6 that until you have seen the ten-set and you  
7 know what --

8 MR. JOYCE: Correct.

9 The thought is, you could actually go  
10 right to the tax collector and make a payment  
11 right then.

12 BOARD MEMBER BARAKAT: So the only time,  
13 then, a developer would have the credits and  
14 make the payment is if they have gone all the  
15 way and established their full set of permits,  
16 right? I.e., spent a lot of money to show good  
17 faith to do the development, and then something  
18 like the market crashes right after that or a  
19 Berkman Plaza-type situation happens.

20 I mean, I understand Ms. Durden's concern,  
21 but I think that risk is pretty de minimis  
22 based on what I think are an extraordinary set  
23 of circumstances that would have to happen,  
24 where a developer is in possession of those  
25 credits but does not follow through with the

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1 plan or if you want there to be a right of  
2 repurchase on the credits if no construction is  
3 commenced within five years, and you'll pay the  
4 full price that you received for it, or  
5 whatever you're suggesting there, I mean, you  
6 can come up with that list.

7 And there are certainly things that we  
8 have where we have clawbacks of -- or rights to  
9 repurchase things we've sold if they don't  
10 commence development. I mean, that's not  
11 unusual, we do it, but you want to give them  
12 plenty of time to start.

13 But I have certainly seen plenty of people  
14 come through that get all the way to the  
15 building permit stage and then something  
16 happens, and they don't actually do the  
17 construction.

18 THE CHAIRMAN: So for the ability for the  
19 administration to spend up to a hundred  
20 thousand for capital and maintenance projects,  
21 we can designate in accordance with the CRA  
22 plan for --

23 COUNCIL MEMBER BOYER: For projects  
24 authorized under the CRA plan, if that's the  
25 way you want to limit it. Whatever way you  
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1 development.

2 So unless I'm hearing it wrong, it seems  
3 to be a small -- there's a risk, but not a  
4 major risk.

5 THE CHAIRMAN: Okay. That's part two of  
6 her comment. Part one was the mayor's ability  
7 to spend it.

8 BOARD MEMBER BARAKAT: I share that  
9 concern.

10 MR. WALLACE: Mr. Chairman.

11 THE CHAIRMAN: Yes, sir, Mr. Wallace.  
12 Councilwoman.

13 COUNCIL MEMBER BOYER: First of all, to  
14 the process, if this has already been filed as  
15 Mr. Sawyer suggested, you can come up with a  
16 list of things that you think you would like --  
17 in the resolution that you would like to see as  
18 amendments to the legislation and kind of  
19 bullet point them. And so, you know, that  
20 would then be kind of instruction to me as  
21 liaison to offer those on behalf of the DIA as  
22 potential amendments to the bill.

23 So if you want any expenditure to have to  
24 be made in accordance with the -- out of the  
25 account to be made in accordance with the CRA

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1 want to go.

2 THE CHAIRMAN: Okay. Any further  
3 comments?

4 Ms. Durden.

5 BOARD MEMBER DURDEN: So would it be too  
6 onerous -- and I'm asking my fellow board  
7 members -- for the last bullet regarding the  
8 mayor's authority to spend those amounts, he  
9 said without further approval by the Council,  
10 but would it be too onerous to ask that that be  
11 reviewed and approved by the DIA so that we at  
12 least know how the funds are being used and  
13 have some say-so?

14 (Mr. Parola exits the proceedings.)

15 MS. DURDEN: Yes, I do agree with the idea  
16 about it being in accord with the CRA plan, but  
17 we know that there's a lot of ways to interpret  
18 our plan. And so this -- it would seem to me  
19 to be appropriate that we would at least have  
20 an opportunity to weigh in. It wouldn't mean  
21 that it was -- suppose we said no, we didn't  
22 like it, I don't know that that would  
23 absolutely stop the mayor from doing it, but at  
24 least it would -- he would have the benefit of  
25 our thought on it going forward.

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1 THE CHAIRMAN: Okay. Mr. Wallace, what is  
2 the timing on this? Tell me what drives this  
3 permit.  
4 MR. WALLACE: You've got a development  
5 that you approved a \$303,000 loan for, the  
6 LaVilla Lofts at Monroe, that is awaiting the  
7 approval of the storm water credit legislation  
8 so that they are able to purchase storm water  
9 credits to move their project forward.  
10 THE CHAIRMAN: So --  
11 MR. WALLACE: So, in essence, the longer  
12 the delay --  
13 THE CHAIRMAN: Yeah, we're actually  
14 behind.  
15 MR. WALLACE: -- the longer that project  
16 is delayed.  
17 THE CHAIRMAN: And do we have any other  
18 comments?  
19 Mr. Grey, any comments?  
20 BOARD MEMBER GREY: No.  
21 THE CHAIRMAN: Mr. Moody?  
22 BOARD MEMBER MOODY: No.  
23 THE CHAIRMAN: Mr. Gibbs?  
24 BOARD MEMBER GIBBS: No.  
25 THE CHAIRMAN: Okay. Mr. Barakat, are  
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1 you --  
2 MR. KLEMENT: Mr. Chair.  
3 THE CHAIRMAN: Yes.  
4 COUNCIL MEMBER BOYER: Mr. Chair, I have  
5 one question. I have a question for Mr. Joyce.  
6 When you said these are quality credits,  
7 are these the same kind of TMDL quality credits  
8 that we have in our settlement agreement with  
9 the EPA, that we have to achieve a certain  
10 number by -- I don't remember what the next  
11 year is -- 2017? I don't think so.  
12 MR. JOYCE: (Inaudible) deduction?  
13 COUNCIL MEMBER BOYER: 2019, whatever, are  
14 these the same kind of credits?  
15 MR. JOYCE: Same storm water quality  
16 credits, yes. These function in the same  
17 capacity as a wet pond would, which would  
18 qualify for TMDL credits.  
19 COUNCIL MEMBER BOYER: So these are  
20 credits that we, the City, actually earned on  
21 our own? These are not credits that we  
22 purchased from JEA?  
23 MR. JOYCE: Through the Chair, that's  
24 correct. These are existing storm water  
25 facilities that have been constructed that have  
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1 access, if you will, to water quality built in  
2 to those based on the level of design.  
3 COUNCIL MEMBER BOYER: Okay. And so since  
4 we, the City, have an obligation to achieve  
5 another threshold of storm water reduction by a  
6 date certain, if we didn't sell these credits  
7 to individuals, then the individuals would have  
8 to make additional improvements that would add  
9 to the total value of -- the total number,  
10 credit number, that the City has earned which  
11 would work toward that goal; is that right?  
12 So if there are 189 credits in these ponds  
13 and we didn't sell them to somebody who was  
14 developing whatever, the Lofts that you're  
15 talking about, and they needed two credits for  
16 the Lofts, they would have to do something on  
17 site that earned two credits. And those two  
18 credits would add to our total amount that the  
19 City has earned, chipping away at the EPA  
20 requirement; is that correct?  
21 MR. JOYCE: Through the Chair, that's  
22 correct, if you tie our credits to the permit,  
23 which they are not at this point.  
24 COUNCIL MEMBER BOYER: So what I'm trying  
25 to understand is that, in your calculation of  
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1 the value that we're selling it for, when we're  
2 talking about the value of what you're selling  
3 it for and you're talking about what the money  
4 gets used for, the suggestion here is to use it  
5 in accordance with the CRA plan.  
6 I understand that perspective, but from my  
7 perspective, I've got to spend General Fund  
8 dollars to earn more credits by a certain time  
9 certain. And if you're taking the money that  
10 is earned from the sale of these credits and  
11 using them to build a building or to make a  
12 street one way, then I've got to take other  
13 money to earn more credits to -- is that  
14 correct?  
15 MR. JOYCE: Through the Chair, that's  
16 correct.  
17 COUNCIL MEMBER BOYER: Okay. I'm just  
18 making sure I understand the deal.  
19 MR. JOYCE: That's correct.  
20 THE CHAIRMAN: Thank you for that.  
21 COUNCIL MEMBER BOYER: Y'all follow me  
22 there?  
23 THE CHAIRMAN: I think. Can you clarify?  
24 I understand perfectly. I just -- okay.  
25 Any other comments?  
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1 BOARD MEMBERS: (No response.)  
2 THE CHAIRMAN: Okay. With that, any  
3 comments from the public?  
4 BOARD MEMBER DURDEN: I do have one  
5 comment.  
6 THE CHAIRMAN: Yes, ma'am. Ms. Durden.  
7 BOARD MEMBER DURDEN: Thank you.  
8 Let me just ask, you mentioned that this  
9 is -- that what's driving this at this point in  
10 time is the Laura Street Trio; is that right?  
11 Is that what I heard?  
12 THE CHAIRMAN: No.  
13 MR. WALLACE: No. I said the LaVilla  
14 Lofts at Monroe and the LaVilla neighborhood,  
15 which is the second project by Vestcor --  
16 BOARD MEMBER DURDEN: Right.  
17 MR. WALLACE: -- for which we've provided  
18 them with a \$303,000 loan.  
19 BOARD MEMBER DURDEN: That's what's  
20 driving this right now at this point?  
21 MR. WALLACE: That is correct.  
22 BOARD MEMBER DURDEN: So ...  
23 MR. WALLACE: At a minimum.  
24 BOARD MEMBER DURDEN: I get it. It's just  
25 that that one's, like, driving right now.  
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1 MR. WALLACE: (Nods head.)  
2 BOARD MEMBER DURDEN: And so what I heard,  
3 the implication of that was, is that we don't  
4 have time to come back in the future and get  
5 DIA approval for expenditures that the mayor  
6 might want to make?  
7 THE CHAIRMAN: Again, I think that's two  
8 separate items. This is tied to a project,  
9 which, I think, lessens the concern that it's  
10 going to happen because it's tied to a project  
11 that has already happened or happening.  
12 Then the concern is how we manage the  
13 hundred thousand dollars that the mayor can  
14 spend to perform capital maintenance projects.  
15 And I think what we're trying to achieve is  
16 that -- they're projects that are within our  
17 CRA plan.  
18 BOARD MEMBER BARAKAT: If I could make --  
19 if I could make a suggestion that might be a  
20 compromise. Under the third bullet, proceeds  
21 from credit sale --  
22 MR. WALLACE: Which page, sir? I do  
23 apologize.  
24 BOARD MEMBER BARAKAT: Exhibit A. And I  
25 guess it's the last page of Exhibit A.  
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1 MR. WALLACE: Yeah. Exhibit A, sir?  
2 BOARD MEMBER BARAKAT: Yeah.  
3 MR. WALLACE: Okay.  
4 BOARD MEMBER BARAKAT: Just add "In  
5 accordance with the CRA plan."  
6 THE CHAIRMAN: Under Approvals?  
7 BOARD MEMBER BARAKAT: Under Process,  
8 third bullet.  
9 THE CHAIRMAN: Okay. Approvals.  
10 Approvals from the chief administrative  
11 officer, public director --  
12 BOARD MEMBER BARAKAT: You must have a  
13 different copy than mine. My third bullet --  
14 sorry, the fourth bullet. One, two, three.  
15 The bullet is called, Proceeds from Credit  
16 Sale.  
17 MR. WALLACE: Got you.  
18 THE CHAIRMAN: Okay. To be used for  
19 capital and maintenance projects in the  
20 downtown area --  
21 BOARD MEMBER BARAKAT: According to the  
22 CRA.  
23 THE CHAIRMAN: -- in accordance with the  
24 CRA plan.  
25 BOARD MEMBER BARAKAT: That doesn't give  
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1 DIA jurisdiction, but it ensures it's in  
2 connection to our plan.  
3 THE CHAIRMAN: You see under Exhibit A,  
4 the third bullet under Process?  
5 MR. WALLACE: Exhibit A, proceeds for  
6 credit to sale, is that where you're talking,  
7 Mr. Barakat?  
8 THE CHAIRMAN: Correct.  
9 BOARD MEMBER BARAKAT: Right.  
10 MR. WALLACE: And your suggested amendment  
11 would be, sir?  
12 BOARD MEMBER BARAKAT: Add to the end of  
13 the sentence, "in accordance with the CRA  
14 plan."  
15 BOARD MEMBER MOODY: Okay. You said "DIA"  
16 first, but did you mean CRA?  
17 BOARD MEMBER BARAKAT: Yes, CRA.  
18 MR. WALLACE: In accordance with the  
19 business and investment --  
20 THE CHAIRMAN: No.  
21 BOARD MEMBER BARAKAT: No.  
22 THE CHAIRMAN: No, just take out the  
23 period. Down -- "in accordance with the CRA  
24 plan."  
25 BOARD MEMBER BARAKAT: The CRA plan does  
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1 include the bid, correct?  
2 MR. WALLACE: Yes, sir.  
3 BOARD MEMBER BARAKAT: So the CRA should  
4 be an all-encompassing plan to transcend  
5 whatever, called DIA or anything else.  
6 MR. WALLACE: That's --  
7 BOARD MEMBER GIBBS: Can I make it even  
8 more instructive and say "pursuant to?"  
9 BOARD MEMBER BARAKAT: I will defer to  
10 esquire.  
11 MR. SAWYER: Yeah. And, again, this will  
12 be in the nature of a recommendation to Council  
13 that you make this change. I would say,  
14 "pursuant to and in accordance with the CRA  
15 plan."  
16 THE CHAIRMAN: "Pursuant to?"  
17 BOARD MEMBER BARAKAT: "And in  
18 accordance."  
19 THE CHAIRMAN: "And in accordance with the  
20 CRA plan." Everyone see that?  
21 MR. WALLACE: Yes.  
22 THE CHAIRMAN: This is a recommendation.  
23 It doesn't change the resolution.  
24 BOARD MEMBER BARAKAT: Well, just to make  
25 sure I understand, the resolution is a  
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1 recommendation, correct? We are asking --  
2 MR. SAWYER: Yeah. I imagine what we're  
3 going to do is just have a one-page addendum  
4 where you're making suggested changes. So  
5 you're going to approve the Exhibit A with the  
6 suggested changes, that you add this language  
7 under that bullet point. And if there are  
8 other changes or requests, we'll add that in.  
9 THE CHAIRMAN: Okay. With that, are  
10 there -- is there any further discussion on any  
11 other changes to --  
12 MR. WALLACE: Ms. Durden.  
13 THE CHAIRMAN: Ms. Durden.  
14 BOARD MEMBER DURDEN: So a couple of  
15 things. I still think that we should have a  
16 clawback provision maybe if the development  
17 doesn't happen within three years, that that --  
18 that there would be some type of a clawback  
19 provision. I don't want to get into  
20 wordsmithing exactly what that is, but it seems  
21 to me, if the development doesn't happen within  
22 three years, then we would --  
23 THE CHAIRMAN: But you can't --  
24 BOARD MEMBER DURDEN: -- want to be able  
25 to get those credits back.  
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1 And then the second thing is, coming back  
2 to the process -- and again, looking at Exhibit  
3 A, that Exhibit A doesn't actually talk about  
4 the last bullet that's in the process, that the  
5 mayor would have the authority to spend. Do we  
6 have any authority to spend --  
7 MR. WALLACE: No.  
8 BOARD MEMBER DURDEN: -- those dollars?  
9 MR. WALLACE: No, you do not.  
10 BOARD MEMBER DURDEN: And is that just  
11 because of this or is there something preceding  
12 this document that would prohibit us from  
13 spending those dollars?  
14 MR. WALLACE: Through the Chair to  
15 Ms. Durden, there is nothing, no other document  
16 before this.  
17 BOARD MEMBER DURDEN: Okay.  
18 MR. WALLACE: However, the account itself  
19 is not an account that is under the purview of  
20 the Downtown Investment Authority.  
21 BOARD MEMBER DURDEN: Well, we're just  
22 creating the account right now, aren't we?  
23 THE CHAIRMAN: The Downtown Enhancement  
24 Development account.  
25 BOARD MEMBER DURDEN: Right.  
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1 MR. SAWYER: If I may, through the Chair,  
2 right now, a convenient way of looking at it is  
3 the City owns those rights. They own those  
4 credit rights. The City can decide how to  
5 settle and to whom and also what to do with the  
6 proceeds.  
7 So again, to the extent you want DIA  
8 control, again, that would be the ask the Board  
9 will want to make to Council. You're making a  
10 request that it be amended to reflect that, and  
11 then whatever you want, the DIA to control it,  
12 to have to approve expenditures, whatever you  
13 may want.  
14 BOARD MEMBER DURDEN: I don't know that --  
15 I'm not all the way to where I feel like we're  
16 the ones who should control it, I don't have  
17 that sense at all, but I do think that we  
18 should have some say-so about how it's going to  
19 be used. And I would recommend that, you  
20 know -- you know, with -- maybe it would say  
21 "with DIA review." And then it doesn't get all  
22 the way to the point of being -- that we would  
23 have to approve something, but at least if it  
24 was "with DIA review," then we would at least  
25 be made aware of how the administration wants  
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1 to use the funds.

2 THE CHAIRMAN: Well, I think that's a

3 dangerous area to be if it's where we're aware

4 of it, but we have no control over it. It

5 doesn't do a thing for us.

6 BOARD MEMBER DURDEN: Well, right now, we

7 have nothing at all.

8 THE CHAIRMAN: Well, I know. No, we added

9 "pursuant to and in accordance with the CRA

10 plan," which -- I think at least we know it's

11 going to be within our district, but -- and

12 for -- but you had two comments. Your first

13 comment was about a clawback. And I think it

14 changes the resolution. You can't sell it or

15 otherwise convey the surplus water quality

16 credits and claw back. So --

17 BOARD MEMBER DURDEN: Sure, you can do

18 that, just like we do our development rights.

19 You can act -- you can have a provision that --

20 after a certain amount of years, that it has to

21 come back.

22 THE CHAIRMAN: We can buy it back.

23 BOARD MEMBER DURDEN: We can buy it back,

24 right.

25 THE CHAIRMAN: Okay. Let's move on. Any  
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1 other comments from anyone?

2 Mr. Grey, any comments?

3 BOARD MEMBER GREY: No.

4 THE CHAIRMAN: So, Mr. Sawyer, bottom

5 line, the resolution is unchanged. The

6 recommendation is that Exhibit A have -- extend

7 the third bullet to, "pursuant to and in

8 accordance with the CRA plan." No one has

9 provided any other language as far as a

10 clawback, but you clearly said it's a buyback.

11 MR. SAWYER: Yeah. I think it would need

12 to be a buyback. So if you want to address

13 that, it would just be such a term as

14 three years, five years, or just for Council to

15 address it, that there be a repurchase right

16 after X number of years.

17 THE CHAIRMAN: And how do you determine

18 that time period, Ms. Durden?

19 BOARD MEMBER DURDEN: Well, I think that

20 three years certainly seems like a reasonable

21 amount of time from -- I think Mr. Joyce has a

22 recommendation.

23 MR. JOYCE: Through the Chair, it might be

24 a thought that -- typically, these credits will

25 be coordinated with the St. Johns Water  
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1 Management District's storm water permit. I

2 believe they go in effect and (inaudible) for

3 five years. So that might be a starting point

4 or a thought.

5 THE CHAIRMAN: Good. Perfect.

6 BOARD MEMBER DURDEN: That's great.

7 THE CHAIRMAN: Okay. Now, how do we

8 incorporate that in the process?

9 MR. SAWYER: We will take care of that as

10 staff as part of the amendment.

11 THE CHAIRMAN: Okay.

12 MR. SAWYER: So if -- and I'm not saying

13 you're done, but, for example, if you are now

14 done, then you would just make a motion to

15 amend the Exhibit A to, one, address the

16 language in the third bullet point regarding

17 proceeds from a credit sale; and two, add

18 language to include a repurchase right at a

19 five-year term.

20 THE CHAIRMAN: Okay. That's a motion on

21 Exhibit A. We have a motion and a second on

22 the resolution at this point.

23 MR. SAWYER: So you address the motion on

24 Exhibit A first, and then the overall

25 resolution.  
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1 THE CHAIRMAN: Okay. Do we have a motion

2 for the changes on Exhibit A of Resolution

3 2017-06-06?

4 BOARD MEMBER BARAKAT: I'll make the

5 motion.

6 THE CHAIRMAN: That's five years, correct?

7 The buyback option at five years.

8 BOARD MEMBER DURDEN: There's several.

9 THE CHAIRMAN: And the permit -- I mean,

10 pursuant -- and pursuant and in accordance with

11 the CRA plan for the proceeds from a credit

12 sale; is that correct?

13 BOARD MEMBER BARAKAT: That is the only

14 two I'm aware of.

15 BOARD MEMBER DURDEN: And the only other

16 one that I have --

17 THE CHAIRMAN: Let's -- okay.

18 BOARD MEMBER DURDEN: -- that I have --

19 that I have spoken to is that it would be added

20 at the end where it says, "pursuant to and in

21 accordance with the CRA plan with DIA review."

22 THE CHAIRMAN: Okay.

23 BOARD MEMBER DURDEN: I would add the last

24 phrase.

25 THE CHAIRMAN: Yes, Mr. Gibbs.  
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1 BOARD MEMBER GIBBS: What does the next  
 2 bullet point mean to you, Ms. Durden?  
 3 THE CHAIRMAN: Yeah. I think what she is  
 4 saying is, add that on to what we had created  
 5 with, "pursuant and in accordance with CRA plan  
 6 with DIA review."  
 7 BOARD MEMBER GIBBS: We have review prior  
 8 to the sale. Isn't that what the next bullet  
 9 point means to you?  
 10 BOARD MEMBER DURDEN: No, actually that's  
 11 not. That's the whole --  
 12 BOARD MEMBER GIBBS: What does the next  
 13 bullet point mean to you, the one entitled  
 14 Approvals?  
 15 BOARD MEMBER DURDEN: That's exactly what  
 16 we just mentioned just a few minutes ago, was  
 17 that the -- and was made clear to me, that  
 18 the -- proceeds is a different function --  
 19 using the money for projects is a very  
 20 different project -- proceed than selling to  
 21 somebody or conveying the rights.  
 22 In other words, it's, the money goes -- we  
 23 get to approve the sale, but then the money  
 24 goes into an account. And what we're talking  
 25 about right now, and I'm proposing that it be  
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1 shot and rephrase it. Probably those two  
 2 sections should have been switched. So the  
 3 first thing that happens is, the City says,  
 4 okay, we want to sell water -- the -- I'll call  
 5 them water credits. You have to approve that.  
 6 BOARD MEMBER GIBBS: Exactly.  
 7 MR. SAWYER: So you're selling to this  
 8 developer to do this project. The proceeds  
 9 then come to the City. The mayor,  
 10 administratively, can now pick any project  
 11 presumably within your plan if it's approved.  
 12 We're talking about the approval of that.  
 13 And so what Ms. Durden is referencing is,  
 14 when the mayor says, I want to do that, that  
 15 the DIA have review or require notice rights to  
 16 the DIA of that use. So it's a different type  
 17 of approval.  
 18 BOARD MEMBER DURDEN: Thank you.  
 19 THE CHAIRMAN: The other is, the funds  
 20 will be deposited into an account called the  
 21 Downtown Infrastructure Enhancement Account  
 22 exclusively for projects within and that  
 23 benefit downtown. The mayor has the authority  
 24 to spend up to a hundred thousand toward  
 25 capital and maintenance projects in downtown.  
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1 with DIA review, is how those monies and  
 2 proceeds are actually used.  
 3 THE CHAIRMAN: So the funds are deposited  
 4 into another account --  
 5 BOARD MEMBER DURDEN: Here's the sale, and  
 6 then here's how the proceeds are going to be  
 7 used.  
 8 BOARD MEMBER GIBBS: Couldn't you, with  
 9 authority, dictate at that time, because you  
 10 have the approval right of the sale?  
 11 BOARD MEMBER DURDEN: I don't know whether  
 12 the --  
 13 THE CHAIRMAN: The approvals are --  
 14 BOARD MEMBER DURDEN: Mr. Wallace is  
 15 saying no.  
 16 THE CHAIRMAN: It's the chief  
 17 administrative officer, the director of public  
 18 works and the DIA are necessary for the sale.  
 19 BOARD MEMBER GIBBS: And the DIA are  
 20 necessary. So at the time, prior to your sale,  
 21 you make those concerns and articulate those  
 22 concerns. Okay? You may say three years for  
 23 this developer, you may say ten years for  
 24 another developer.  
 25 MR. SAWYER: If I could just take another  
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1 MR. WALLACE: Mr. Chairman.  
 2 THE CHAIRMAN: Yes.  
 3 MR. WALLACE: Calling it a "review," is  
 4 that a review by the Board or is that a staff  
 5 review? To ensure that we're in accordance  
 6 with the plan itself. What if there's an  
 7 emergency --  
 8 THE CHAIRMAN: Yeah.  
 9 MR. WALLACE: -- and he needs to tap that  
 10 fund? And let's just say it happens three days  
 11 after our board meeting, and our board meeting  
 12 isn't scheduled until the next third Wednesday  
 13 of the next month. So which way would you like  
 14 for the review to take place?  
 15 THE CHAIRMAN: I would be happy at the  
 16 staff level, but ...  
 17 BOARD MEMBER GIBBS: Me too.  
 18 MR. SAWYER: And you may just want to  
 19 consider, rather than "review," "notice" --  
 20 if you're not going to have approval rights --  
 21 THE CHAIRMAN: Right.  
 22 MR. SAWYER: -- maybe it's in the nature  
 23 of a notice.  
 24 THE CHAIRMAN: And, Ms. Durden, does that  
 25 satis- -- because you said we -- how would we  
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1 be aware, what would we know it's for. And  
2 that would at least inform us of how it's being  
3 used and what it's being used for, but I  
4 think -- downtown and projects downtown, to  
5 benefit downtown, we've got that covered.  
6 BOARD MEMBER DURDEN: I would be amenable  
7 to adding, after we say "pursuant to and in  
8 accordance with the CRA plan, with notice to  
9 the DIA Board."  
10 THE CHAIRMAN: Staff or board?  
11 BOARD MEMBER DURDEN: With notice. With  
12 notice to the Board.  
13 MR. WALLACE: That's on the proceeds --  
14 BOARD MEMBER DURDEN: That's on the  
15 proceeds.  
16 MR. WALLACE: -- for credit sale.  
17 BOARD MEMBER DURDEN: How to use the  
18 proceeds.  
19 MR. SAWYER: And the notice to the board  
20 would not require a meeting. That could be  
21 just sent in an individual email notice --  
22 THE CHAIRMAN: Right.  
23 BOARD MEMBER DURDEN: Right. But by  
24 having notice come to the Board, then I would  
25 presume that when those projects do happen,  
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1 that at a minimum --  
2 THE CHAIRMAN: It's information only.  
3 BOARD MEMBER DURDEN: -- Mr. Wallace would  
4 be bringing them to our attention so that we  
5 would know what was going on. You know, I  
6 think that's a fair compromise.  
7 THE CHAIRMAN: That's fair. I mean, at  
8 least we're informed of how and where they're  
9 going. Okay.  
10 BOARD MEMBER DURDEN: Is that part --  
11 THE CHAIRMAN: Where --  
12 BOARD MEMBER DURDEN: Would that be part  
13 of Mr. Barakat's amendment?  
14 BOARD MEMBER BARAKAT: I will add that to  
15 my proposed amendment.  
16 THE CHAIRMAN: With the CRA plan --  
17 BOARD MEMBER BARAKAT: Pursuant and in  
18 accordance with the CRA plan and with DIA  
19 notice. Or, excuse me, and with notice to the  
20 DIA Board.  
21 THE CHAIRMAN: Okay. Let's see if we have  
22 this. We're talking about a motion on Exhibit  
23 A that provides a five-year buyback option of  
24 these credits, and the proceeds from the credit  
25 sale -- if you read the third bullet, under  
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1 Process, would end with "pursuant and in  
2 accordance with the CRA plan and with notice to  
3 the DIA Board.  
4 Do we have a motion?  
5 BOARD MEMBER BARAKAT: That is the motion.  
6 THE CHAIRMAN: Second?  
7 BOARD MEMBER MOODY: Second.  
8 THE CHAIRMAN: Okay.  
9 BOARD MEMBER DURDEN: We also had the  
10 clawback, right?  
11 THE CHAIRMAN: That was the five-year  
12 buyback.  
13 BOARD MEMBER DURDEN: Okay.  
14 THE CHAIRMAN: I didn't refer to it as a  
15 clawback.  
16 BOARD MEMBER DURDEN: Okay. We won't call  
17 it that.  
18 THE CHAIRMAN: It would be great if we  
19 could just claw it back, but we're going to buy  
20 it back at that point.  
21 Okay. We have a motion and a second. Any  
22 further discussion?  
23 BOARD MEMBER GIBBS: Are we flipping the  
24 two; doing the approval and then the credit  
25 sale?  
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1 MR. SAWYER: I don't really think there's  
2 a need.  
3 BOARD MEMBER GIBBS: Okay.  
4 THE CHAIRMAN: Okay. Any comments from  
5 the public?  
6 AUDIENCE MEMBERS: (No response.)  
7 THE CHAIRMAN: Okay. All in favor of the  
8 motion to amend Exhibit A of 2017-06-06, say  
9 aye.  
10 BOARD MEMBERS: Aye.  
11 THE CHAIRMAN: Opposed, like sign.  
12 BOARD MEMBERS: (No response.)  
13 THE CHAIRMAN: Okay. Back to the  
14 Resolution 2017-06-06. We have a motion and  
15 second.  
16 Any further discussion?  
17 MR. SAWYER: To approve as amended.  
18 THE CHAIRMAN: As amended. To approve as  
19 amended. Everyone clear?  
20 Any further discussion?  
21 BOARD MEMBERS: (No response.)  
22 THE CHAIRMAN: Anyone from the audience?  
23 AUDIENCE MEMBERS: (No response.)  
24 THE CHAIRMAN: Okay. With that, all in  
25 favor, say aye.  
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1 BOARD MEMBERS: Aye.  
 2 THE CHAIRMAN: Opposed, like sign.  
 3 BOARD MEMBERS: (No response.)  
 4 THE CHAIRMAN: Very good.  
 5 Okay. That is going to bring us to --  
 6 thank you, Mr. Joyce. Thank you very much.  
 7 Very helpful. Appreciate it.  
 8 MR. JOYCE: No problem.  
 9 THE CHAIRMAN: That's going to bring us to  
 10 Item 2017-07-03.  
 11 MR. WALLACE: Correct.  
 12 THE CHAIRMAN: Mr. Wallace.  
 13 MR. WALLACE: Mr. Chairman, this is a  
 14 resolution of the Downtown Investment Authority  
 15 reaffirming the allocation of development  
 16 rights granted pursuant to the adoption of  
 17 Resolution 2015-08-01, extending the deadline  
 18 identified in Section 4 of Resolution  
 19 2015-08-01, from August 2016 2007 [sic] to  
 20 September 1st, 2018, and authorizing the chief  
 21 executive officer to execute the contracts and  
 22 documents and otherwise take all necessary  
 23 action in connection therewith to effectuate  
 24 the purposes of this resolution.  
 25 (Chairman Bailey exits the proceedings.)  
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1 is going to stay in effect.  
 2 I am asking now, proactively, to go ahead  
 3 and give me the authority to extend the  
 4 negotiation time frame, giving myself at least  
 5 a year, knowing that it will not take that  
 6 amount of time, hopefully. You never know when  
 7 you deal with the Florida Department of  
 8 Environmental Protection, but this allows us an  
 9 opportunity to continue to work.  
 10 They are not going to be able to close on  
 11 the property with JEA until this particular  
 12 issue is resolved. This gives me the  
 13 opportunity to continue working. And when this  
 14 issue is resolved, we can finalize a  
 15 redevelopment agreement and get it back to you,  
 16 but I know that it's already July 19th. We're  
 17 going to be bumping up against that August 26,  
 18 2017, deadline anyway. I'm asking for the  
 19 extension right now in the allocation of  
 20 development rights.  
 21 THE CHAIRMAN: Okay. Thank you,  
 22 Mr. Wallace.  
 23 So Mr. Bailey has stepped out for a minute  
 24 and has asked me to chair in the interim.  
 25 I think included in the package was a copy  
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1 MR. WALLACE: Mr. Chairman -- I'll assume  
 2 Mr. Barakat will step in?  
 3 BOARD MEMBER BARAKAT: Yes, sir.  
 4 (Board Member Barakat assumes the Chair.)  
 5 MR. WALLACE: This is a resolution that  
 6 the allocation of development rights were  
 7 granted to -- I think it's, Element, LLC, which  
 8 is the entity that would be developing the  
 9 project known as The District.  
 10 Right now, what we have received most  
 11 recently is a notice from -- they have, from  
 12 the Florida Department of Environmental  
 13 Protection. It's a Notice of Intent to issue a  
 14 Site Rehabilitation Completion Order with  
 15 Controls. And this has been issued to JEA.  
 16 That is going to delay us in an ability to  
 17 finalize an actual redevelopment agreement and  
 18 bring it to the Board before the deadline that  
 19 was established in 2015. So the deadline would  
 20 be -- the deadline established in 2015 was for  
 21 August 26, 2017.  
 22 So with this notice coming and being  
 23 issued on June 26th, 2017, we don't know how  
 24 long this Notice Of Intent to issue a Site  
 25 Rehabilitation Completion Order with Controls  
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1 of the 2015 resolution which does summarize the  
 2 amount of development rights that were given to  
 3 the developer; is that correct?  
 4 MR. WALLACE: That is correct, sir.  
 5 THE CHAIRMAN: That is the exact amount of  
 6 development rights we are looking to extend?  
 7 MR. WALLACE: That is correct, sir.  
 8 THE CHAIRMAN: So for Board members,  
 9 that's on Page 2 of the original resolution  
 10 2015-08-01.  
 11 Okay. Any comments? I'll start with  
 12 Mr. Moody.  
 13 BOARD MEMBER MOODY: Do we need a motion  
 14 first?  
 15 THE CHAIRMAN: Sure, go ahead. If someone  
 16 would like to make a motion.  
 17 BOARD MEMBER GIBBS: I move to approve  
 18 Resolution 2017-07-03.  
 19 BOARD MEMBER MOODY: Second.  
 20 THE CHAIRMAN: All right. So motion to  
 21 approve and second.  
 22 Yes, Mr. Sawyer.  
 23 MR. SAWYER: I apologize for interrupting.  
 24 A minimum of six votes are required. So  
 25 you can't actually take your vote until the  
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1 Chair returns.

2 THE CHAIRMAN: I understand. We'll wait

3 until he returns. So we'll discuss, and then

4 hopefully, he will return in time.

5 So, Mr. Moody, any comments?

6 BOARD MEMBER MOODY: Well, it looks to me

7 like this is a project that we all want to

8 happen. And as long as they're showing their

9 due diligence, I don't see why we couldn't

10 grant this change.

11 MR. WALLACE: Through the Chair, they

12 certainly are showing due diligence. This, as

13 I indicated, just popped up just before the 4th

14 of July break itself. So I provided this to

15 say let's just get this in place, not knowing

16 how much time this is actually going to take,

17 but we'll continue to work towards an agreement

18 on the redevelopment agreement.

19 (Chairman Bailey reenters the

20 proceedings.)

21 MR. WALLACE: So we've not stopped that

22 process. This is totally outside the

23 developer's hands and our hands. This is with

24 JEA and FDEP, but we have to keep going our

25 course, and we can't finalize things until JEA

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1 and FDEP resolve this issue.

2 BOARD MEMBER BARAKAT. Welcome back,

3 Mr. Chairman. We asked you to chair for

4 another two years. So thank you.

5 BOARD MEMBER DURDEN: That would be good.

6 THE CHAIRMAN: Great. Continue on until I

7 catch up if you don't mind.

8 BOARD MEMBER BARAKAT: Sure. Sure.

9 So we have a motion to approve the

10 amendment which has been seconded, and

11 Mr. Moody made his comments.

12 Mr. Gibbs.

13 BOARD MEMBER GIBBS: We would not -- I

14 would hesitate to lose this project. That was

15 why I asked for the motion to approve.

16 BOARD MEMBER BARAKAT: Okay.

17 BOARD MEMBER GIBBS: An extension sounds

18 reasonable dealing with FDEP.

19 BOARD MEMBER BARAKAT: Mr. Bailey, I'll

20 give you a moment. I'll come back to you.

21 Ms. Durden.

22 BOARD MEMBER DURDEN: I fully support the

23 extension of time.

24 BOARD MEMBER BARAKAT: Mr. Grey.

25 BOARD MEMBER GREY: I absolutely support

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1 the extension.

2 BOARD MEMBER BARAKAT: The only comment I

3 have is, as far as development rights, are they

4 running into any scarcity issues? Given the

5 amount of rights this development has, do we

6 have plenty for other potential developments in

7 the Southbank?

8 MR. WALLACE: In short, we don't have

9 enough of the residential development rights.

10 So there's a deferral today on the development

11 rights for an actual project that will come up

12 next month, but we're going to have to go to

13 our conversion chart in order to get the number

14 right from a residential standpoint.

15 So in terms of Phase I, total mitigated

16 rights on the Southbank, we are bumping up and

17 being very short, particularly on the

18 residential side.

19 BOARD MEMBER BARAKAT: So does the

20 extension into 2018 potentially inhibit other

21 proposed projects, in your view, or are we

22 going to be okay until that time?

23 MR. WALLACE: I think we're going to be

24 okay until that time.

25 BOARD MEMBER BARAKAT: Okay. Thank you,

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1 Mr. Wallace.

2 Mr. Bailey, any comments?

3 THE CHAIRMAN: No comments.

4 BOARD MEMBER BARAKAT: Okay. If there are

5 no other questions or comments, any public

6 comment on the resolution?

7 AUDIENCE MEMBERS: (No response.)

8 BOARD MEMBER BARAKAT: Seeing none, all in

9 favor, say aye.

10 BOARD MEMBERS: Aye.

11 BOARD MEMBER BARAKAT: Any opposed?

12 AUDIENCE MEMBERS: (No response.)

13 BOARD MEMBER BARAKAT: Thank you,

14 Mr. Bailey for that throwback experience.

15 (Chairman Bailey resumes the Chair.)

16 THE CHAIRMAN: I enjoyed it.

17 Okay. That moves us to Resolution 07-04,

18 Site Access Agreements.

19 MR. WALLACE: Mr. Chairman, this is a

20 resolution of the Downtown Investment Authority

21 authorizing the chief executive officer to

22 execute site access, license and related

23 agreements (collectively, the "agreements") for

24 purposes such as short-term construction

25 staging areas, temporary storage, events and

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1 other lawful purposes; limiting the term for  
2 such agreements to not more than 180 days  
3 unless specifically authorized by the DIA  
4 Board; and requiring the agreements to include  
5 a Termination for Conveyance clause; and  
6 instructing the CEO to obtain form approval  
7 from the Office of General Counsel prior to  
8 executing the agreements; and requiring  
9 approval by the City's Risk Management Division  
10 prior to executing the agreements as well.

11 So the bottom line, Mr. Chairman, this  
12 allows me to execute these short-term site  
13 access agreements to allow for a developer and  
14 others to take a look at property, also for  
15 events, et cetera, for staging, for the  
16 construction that may very well be going on  
17 within downtown for -- and they need to use  
18 some of our actual property.

19 As stands, under our current legislation,  
20 I don't have the particular authority to do  
21 that. That's why, in consultation with the  
22 Office of General Counsel, we crafted this  
23 language to give me the authority to do just  
24 this. That's it, in short.

25 Any corrections?

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1 MR. SAWYER: No. It's all accurate.

2 MR. WALLACE: Great.

3 THE CHAIRMAN: Okay. With that, do we  
4 have a motion on 2017-07-04?

5 BOARD MEMBER MOODY: So moved.

6 THE CHAIRMAN: Second?

7 BOARD MEMBER GIBBS: Second.

8 THE CHAIRMAN: Okay. Any discussion?

9 Mr. Moody.

10 BOARD MEMBER MOODY: No discussion. No  
11 comments.

12 THE CHAIRMAN: Mr. Gibbs.

13 BOARD MEMBER GIBBS: None.

14 THE CHAIRMAN: Mr. Barakat.

15 BOARD MEMBER BARAKAT: None.

16 THE CHAIRMAN: Ms. Durden.

17 BOARD MEMBER DURDEN: I just had a  
18 question about the -- apparently, the provision  
19 regarding -- I can't tell which one is the new  
20 one -- resolution. There was a last bullet, if  
21 you will, that if the accessing involved  
22 geotech environmental inspection or other  
23 invasive activities, that prior to the  
24 execution the CEO would obtain approval of the  
25 director of the Public Works. Is that no

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1 longer in there or is that -- I just --

2 MR. WALLACE: I don't think it's in there  
3 anymore.

4 BOARD MEMBER DURDEN: And was that --  
5 because I know yesterday we received -- I  
6 believe we received this new one. I'm just  
7 curious what happened. Why did we take that  
8 out?

9 MR. SAWYER: Through the Chair, there's  
10 been a rather vigorous debate within the OGC as  
11 to the -- both the appropriateness and the  
12 legal authority of the Board to, for example,  
13 authorize a Phase II on City-owned property  
14 when there is potential liability attached to  
15 that.

16 And so the thought is -- the answer is,  
17 you can, but there are limitations and  
18 qualifications to it. So because that is on a  
19 case-by-case basis, we just took it out. So  
20 the default is, it always will have to come to  
21 the Board if we're seeking approval for those.

22 BOARD MEMBER DURDEN: Okay. So it's been  
23 actually removed from the authority?

24 MR. SAWYER: Correct.

25 BOARD MEMBER DURDEN: Okay. Thank you.

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1 THE CHAIRMAN: So the liability you're  
2 talking about is more infrastructure,  
3 material --

4 MR. SAWYER: Well, there's a concept, and  
5 it wouldn't relate to the Board, but, for  
6 example, a City employee cannot authorize an  
7 expenditure of funds in violation of an  
8 appropriation.

9 And similar to that, there's just --  
10 there's some concern around, if a Phase II is  
11 done, and if it revealed something  
12 catastrophic, now the City, itself, is going to  
13 have financial liability. And City Council  
14 didn't authorize them going on the property.  
15 So for various concerns like that, we would  
16 prefer those be done on a case-by-case basis.

17 THE CHAIRMAN: Okay. Ms. Durden, does  
18 that answer your question?

19 BOARD MEMBER DURDEN: Yes. Thank you.

20 THE CHAIRMAN: Mr. Grey.

21 BOARD MEMBER GREY: None.

22 THE CHAIRMAN: Okay. With that, are there  
23 any comments from the public?

24 AUDIENCE MEMBERS: (No response.)

25 THE CHAIRMAN: Mr. Wallace, this does not

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1 refer to any -- there's no fees or revenue or  
 2 anything from any of these facilities?  
 3 MR. WALLACE: To my knowledge, no.  
 4 THE CHAIRMAN: Okay. With that, we have a  
 5 motion and second. All in favor of Resolution  
 6 2017-07-04, say aye.  
 7 BOARD MEMBERS: Aye.  
 8 THE CHAIRMAN: Opposed, like sign.  
 9 BOARD MEMBERS: (No response.)  
 10 THE CHAIRMAN: Great job. Okay.  
 11 MR. WALLACE: Mr. Chairman, that brings us  
 12 back to discussion about a matching grant, that  
 13 I think Mr. Barakat and I probably want to have  
 14 a conversation with, and I'd like Mr. Barakat  
 15 to lead off on the conversation should he  
 16 desire.  
 17 THE CHAIRMAN: Okay. Mr. Barakat.  
 18 BOARD MEMBER BARAKAT: Sure.  
 19 An artist -- I think it started when I was  
 20 chair. Artist Kathy Stark approached me about  
 21 developing artwork regarding natural resources  
 22 and showcasing our state parks and some  
 23 national forest within the city limits of  
 24 Jacksonville and in Northeast Florida in  
 25 general. So she put together a grant and  
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1 received funds from an endowment. I don't  
 2 recall --  
 3 MR. WALLACE: National Endowment of the  
 4 Arts.  
 5 BOARD MEMBER BARAKAT: National Endowment  
 6 of the Arts. Thank you. And the purpose of it  
 7 was for these signs to be installed somewhere  
 8 in downtown, and we never decided where those  
 9 signs would go.  
 10 In the interim, we agreed to bring to the  
 11 Board the notion of the DIA matching dollars  
 12 from the National Endowment grant. And I think  
 13 that is what is being brought to us today, the  
 14 approval of those dollars being matched. I  
 15 think the amount's -- correct me if I'm  
 16 wrong -- is \$10,000 --  
 17 MR. WALLACE: That's correct.  
 18 BOARD MEMBER BARAKAT: -- from our budget.  
 19 That would come from our operating budget?  
 20 MR. WALLACE: Yes.  
 21 BOARD MEMBER BARAKAT: And this falls  
 22 under the guidelines of, we have some  
 23 discretion where to spend certain line items.  
 24 And I think this would fall into that category.  
 25 So the decision is to ratify that.  
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1 And also, I think we ought to have  
 2 discussion on where these signs go. The signs  
 3 are finished. They are in storage, I think at  
 4 the symphony building in the Times-Union  
 5 Center, and there needs to be discussion  
 6 whether the downtown location is appropriate.  
 7 These showcase just some of our natural  
 8 assets and ecological assets in Jacksonville,  
 9 and they are informative and descriptive. And  
 10 it's artwork. So I don't know if any examples  
 11 were brought to us or if anything is going to  
 12 be shown to us, but that summarizes it.  
 13 If you want to add something Mr. Wallace?  
 14 MR. WALLACE: That's pretty much it.  
 15 At the time, in late -- between summer and  
 16 fall of 2015, I did provide her with a support  
 17 letter of \$10,000 to the National Endowment of  
 18 the Arts. And to be quite frank with you, so  
 19 much time has lapsed, I never really thought  
 20 about it until most recently.  
 21 Sometimes when you're applying for  
 22 competitive grants to large foundations and  
 23 organizations, they do take their time. So  
 24 they have gotten to the artist and did remind  
 25 us of the \$10,000 letter of support. So I  
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1 think it's something that we can do.  
 2 I think it's also appropriate for you to  
 3 determine where. And if you want to support it  
 4 today, that's fine, then we can come back and  
 5 have a conversation about where they go. I  
 6 think that's also very consistent with how you  
 7 approved your Urban Art Facade Program that's  
 8 being implemented now by the Cultural Council.  
 9 You approved the allocation, you came back to  
 10 have a conversation about where the art would  
 11 go. So I think this would follow suit just as  
 12 well.  
 13 THE CHAIRMAN: I think there's two pieces  
 14 to this because, if I remember correctly, we  
 15 did approve it, the \$10,000 match.  
 16 BOARD MEMBER BARAKAT: We may have  
 17 approved it through our budget. I don't know  
 18 if we approved it as a separate project,  
 19 because I don't think the Board -- I think what  
 20 would have ensued was, where do these things  
 21 go.  
 22 THE CHAIRMAN: Right.  
 23 BOARD MEMBER BARAKAT: And that  
 24 conversation never occurred.  
 25 THE CHAIRMAN: Well --  
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1 BOARD MEMBER BARAKAT: So through the  
 2 budget process, it may have already been  
 3 approved, but I think in prudence, Mr. Wallace  
 4 is bringing it specifically to the Board.  
 5 THE CHAIRMAN: I think the second part is  
 6 where. And I remember the discussion  
 7 concerning the wayfaring sign and how do these  
 8 fit in and so on. They're totally irrelevant  
 9 to the wayfaring signage, but we haven't seen  
 10 them. You have seen them. And, as you said,  
 11 they're a piece of art. How many are there?  
 12 BOARD MEMBER BARAKAT: There's four or  
 13 five. I don't -- I don't --  
 14 MR. WALLACE: I want to say five --  
 15 BOARD MEMBER BARAKAT: Yeah.  
 16 MR. WALLACE -- is the number, but I could  
 17 very well be wrong.  
 18 THE CHAIRMAN: Okay. Does DDRB need to be  
 19 brought in to location or how or what or why?  
 20 I mean, we can make that decision, but --  
 21 MR. WALLACE: I mean, I think you can --  
 22 should you want to support, I think you  
 23 instruct me to work with the artist, work with  
 24 the DDRB staff and to really look at where the  
 25 art could properly be installed and come back  
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1 to you with some locations and recommendations  
 2 for you to actually consider.  
 3 THE CHAIRMAN: Well, I think -- Mr.  
 4 Barakat and I, I know, were on the Board. I  
 5 think Mr. Gibbs was at the time when we  
 6 discussed this. So do you need this in the  
 7 form of a motion or a recommendation that we  
 8 pursue with the artist, the location and -- of  
 9 these signs? And where does the expense --  
 10 does that 10,000 match include the erection of  
 11 these signs?  
 12 MR. WALLACE: I could not tell you that it  
 13 includes the installation of the signs itself.  
 14 I'll have to really look more at the National  
 15 Endowment of the Arts.  
 16 The grant agreement that's provided to the  
 17 artist for that \$10,000, to understand what  
 18 those funds will be used for, and then that  
 19 will tell us our funding that will be proposed  
 20 would probably be used to help install the  
 21 actual art itself. So that's how we would  
 22 approach it.  
 23 THE CHAIRMAN: Well, I support spending  
 24 the money that we had already discussed. And  
 25 we had no control over the time that it took to  
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1 get here, but we did approve it. And at the  
 2 time, we did not know where it was going to be  
 3 moved out of the operating fund for this, but  
 4 we did approve it.  
 5 So Mr. Gibbs.  
 6 BOARD MEMBER GIBBS: Art is relative. And  
 7 before we vote on where, I'd like to see it  
 8 because art is so subjective. So because of  
 9 that, I think -- are we up against a deadline?  
 10 MR. WALLACE: I would say that if you want  
 11 to see what the art looks like and you want to  
 12 defer the conversation to the August board  
 13 meeting, I'm totally amenable to that so that  
 14 you will be able to see what's being proposed.  
 15 BOARD MEMBER GIBBS: And perhaps having  
 16 seen something, we could make that  
 17 determination then.  
 18 THE CHAIRMAN: Yeah, I think --  
 19 MR. WALLACE: We'll work with the  
 20 artist --  
 21 THE CHAIRMAN: -- that helps.  
 22 MR. WALLACE: -- on everything and bring  
 23 it up in the August board meeting.  
 24 THE CHAIRMAN: What's the construction?  
 25 What are they constructed out of? I mean, are  
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1 they --  
 2 BOARD MEMBER BARAKAT: Just -- I think  
 3 just metal poles into concrete. And so the  
 4 signs are there. I think the poles need to be  
 5 fabricated and installed. And the location is  
 6 to be determined.  
 7 I think given what we're talking about  
 8 with the Riverwalk, all the amenitization of  
 9 the Riverwalk, I think this is relevant. And  
 10 we need to make sure this will play into the  
 11 long-term plans that Ms. Boyer continues to  
 12 talk about, but this will help us market  
 13 natural resources when we have visitors  
 14 downtown that visit the hotels and visit the  
 15 landing.  
 16 I think the intent was, when they're  
 17 walking along the Riverwalk, they see that we  
 18 have Fort George Island or the Timucuan  
 19 Preserve. These are very unknown assets to the  
 20 typical visitor in downtown. So this artwork  
 21 does a very good job of describing what the  
 22 natural assets are, not only to visitors but  
 23 people that live in Jacksonville who are  
 24 probably oblivious to a lot of these parks.  
 25 So I thought it was a great cause, but as  
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1 far as the location, where in downtown, I think  
2 is a conversation we ought to have.  
3 Mr. Wallace, perhaps the resolution is one  
4 that we approve the funds and then approve a  
5 location all in one resolution.  
6 MR. WALLACE: Okay.  
7 THE CHAIRMAN: Okay. Do we have any  
8 comments?  
9 Mr. Grey.  
10 BOARD MEMBER GREY: No, sir.  
11 THE CHAIRMAN: Ms. Durden.  
12 BOARD MEMBER DURDEN: It says there's a  
13 resolution, but I can't find the resolution.  
14 MR. WALLACE: We're having that  
15 conversation right now. I didn't have the  
16 resolution.  
17 BOARD MEMBER DURDEN: We're looking at the  
18 one for the draft.  
19 MR. WALLACE: That's why we're having the  
20 conversation.  
21 BOARD MEMBER DURDEN: Okay. Good.  
22 MR. WALLACE: So you're okay?  
23 BOARD MEMBER DURDEN: Okay. So it was --  
24 and could I just ask, it was to approve the  
25 funds, and what about the location? Was that  
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1 part --  
2 THE CHAIRMAN: We're going to --  
3 BOARD MEMBER DURDEN: That was part of the  
4 motion or a suggestion for the resolution?  
5 BOARD MEMBER BARAKAT: So I think, if I  
6 may, Mr. Chairman, I mean, Mr. Wallace could,  
7 in consultation with the Parks Department, if  
8 the -- the Riverwalk, I think, is a logical  
9 place for these.  
10 Maybe make a suggestion at our next board  
11 meeting and we can debate, you know, the merits  
12 of that suggestion, where along the Riverwalk  
13 these signs would be appropriate.  
14 THE CHAIRMAN: Okay. But you indicated a  
15 resolution to approve the funding.  
16 BOARD MEMBER BARAKAT: The resolution  
17 would include both, the approval of the  
18 funding --  
19 THE CHAIRMAN: Okay.  
20 BOARD MEMBER BARAKAT: -- and a location.  
21 MR. WALLACE: Next month.  
22 THE CHAIRMAN: Okay. Very good.  
23 Any other comments?  
24 Mr. Moody.  
25 BOARD MEMBER MOODY: None.  
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1 THE CHAIRMAN: Okay. Mr. Gibbs.  
2 BOARD MEMBER GIBBS: No.  
3 THE CHAIRMAN: Would anybody from the  
4 public like to speak on this?  
5 AUDIENCE MEMBERS: (No response.)  
6 THE CHAIRMAN: Okay. You will bring that  
7 back to the next meeting, right?  
8 MR. WALLACE: That is correct.  
9 THE CHAIRMAN: Okay. Thank you very much.  
10 Good.  
11 And I'll tell you, sometimes things take a  
12 long time, but it's all coming back to me, and  
13 I remember that conversation as well.  
14 Okay. Mr. Wallace, could you give the  
15 Chief Executive Officer Report?  
16 MR. WALLACE: Yes, sir. It is that  
17 wonderful time again, that we talk about a  
18 slate of officers. And my recommendation to  
19 you would be the following:  
20 I know that the bylaws call for  
21 individuals serving no more than two  
22 consecutive terms, but I would ask you,  
23 Mr. Chairman, if you all would entertain  
24 suspending your bylaws, keeping your slate of  
25 officers as they are; Mr. Bailey as Chairman,  
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1 Mr. Meeks as Vice Chair, and Ms. Durden as our  
2 Secretary, for the actual organization.  
3 So that is something for you to think  
4 about in your deliberation, but we do need to  
5 have a slate of officers for current year of  
6 this organization.  
7 BOARD MEMBER MOODY: Mr. Chairman, could I  
8 make a motion, please?  
9 THE CHAIRMAN: Yes, you can make a motion.  
10 BOARD MEMBER MOODY: All right. I'd like  
11 to make a motion that the Board temporarily  
12 suspend Bylaws 4.3 and 4.4, pertaining to the  
13 election of officers for the coming year, and  
14 to nominate the following slate of officers:  
15 As Chair, Jim Bailey. Vice Chair, Jack  
16 Meeks. Secretary, Brenna Durden.  
17 BOARD MEMBER GIBBS: Second.  
18 THE CHAIRMAN: Okay. Thank you,  
19 Mr. Moody.  
20 Any discussion?  
21 BOARD MEMBERS: (No response.)  
22 THE CHAIRMAN: Mr. Grey?  
23 BOARD MEMBER GREY: No.  
24 THE CHAIRMAN: Ms. Durden?  
25 BOARD MEMBER DURDEN: No.  
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1 THE CHAIRMAN: Mr. Barakat?  
2 BOARD MEMBER BARAKAT: No.  
3 THE CHAIRMAN: Mr. Meeks? I mean -- I'm  
4 sorry, Mr. Gibbs?  
5 BOARD MEMBER GIBBS: No.  
6 THE CHAIRMAN: Mr. Moody?  
7 BOARD MEMBER MOODY: One --  
8 THE CHAIRMAN: Do you want to --  
9 BOARD MEMBER MOODY: One little --  
10 THE CHAIRMAN: Do you want to define --  
11 BOARD MEMBER MOODY: One little comment.  
12 THE CHAIRMAN: Do you want to define  
13 "temporary"?  
14 BOARD MEMBER MOODY: For the next year.  
15 THE CHAIRMAN: Okay. Any discussion from  
16 the public?  
17 AUDIENCE MEMBERS: (No response.)  
18 THE CHAIRMAN: Okay. All in favor, say  
19 aye.  
20 BOARD MEMBERS: Aye.  
21 THE CHAIRMAN: Opposed, like sign.  
22 BOARD MEMBERS: (No response.)  
23 BOARD MEMBER GIBBS: Congratulations.  
24 THE CHAIRMAN: Thank you, Mr. Gibbs.  
25 Very good. Now, let's move on to other  
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1 chief executive officer items.  
2 MR. WALLACE: That's Mr. Barakat's --  
3 THE CHAIRMAN: Oh, okay. You're going to  
4 move on too. We're jumping over to -- and,  
5 Jim, we'll come back to DDRB, but --  
6 Mr. Barakat, are you going to give us our  
7 CEO evaluation?  
8 BOARD MEMBER BARAKAT: Yes, sir. So I  
9 want to thank all the Board members for  
10 completing the evaluations, some on time, some  
11 not on time, but all have been in and reviewed,  
12 and as of this morning were we're inputted into  
13 our HR department system.  
14 I don't have a formal report. I will hand  
15 out the report for the August Board meeting.  
16 It is due in September. And the system may not  
17 allow us to officially input all the scores in  
18 the system by then, so I may not be able to  
19 give you a report until then.  
20 However, in the meantime, I will let you  
21 know that Mr. Wallace scored very high. If you  
22 recall, there were three general categories;  
23 core competency, job-specific competencies and  
24 performance objectives.  
25 The core competencies are really the  
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1 mayor's stated competencies for all employees  
2 at the executive level.  
3 And then the job-specific competencies and  
4 performance objectives were more specific to  
5 Mr. Wallace's position.  
6 The range of scores is 1 through 5, 5  
7 being the highest. Mr. Wallace -- so what we  
8 did is, we averaged all of your scores to the  
9 various subcategories, kind of a master average  
10 of all the subcategories, and rolled them up to  
11 three larger categories.  
12 So for core competencies, Mr. Wallace  
13 received a score of 4. And the other two,  
14 job-specific and performance objectives, he  
15 scored a 5. They were not exact. We averaged  
16 them, and we kind of rounded up or rounded down  
17 where necessary.  
18 And I would say the comments were almost  
19 unanimously positive. There were some areas of  
20 what I would call constructive criticism,  
21 which, I think, Mr. Wallace, being, you know,  
22 professional, will want to see those and  
23 understand how he can even improve beyond his  
24 current scores, but I think all in all, all the  
25 Board members are very, very satisfied with his  
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1 performance and his production.  
2 And I think, as well, to the extent we ask  
3 city council and the mayor for additional  
4 jurisdiction, additional dollars, additional  
5 whatever, knowing that we have a very competent  
6 CEO and a Board that is very satisfied with his  
7 performance.  
8 So in my official summary to you, once I  
9 get it in the system either next month or the  
10 month after, I'll give you more detail on the  
11 scores. I will also summarize every comment.  
12 I will provide to you every comment that was  
13 made. I'm not going to identify which Board  
14 member made which comment, but you will see all  
15 the comments.  
16 Mr. Wallace will see all of the comments  
17 from the Board members. And there were a fair  
18 amount of good -- a fair amount of comments on  
19 most of the criteria, not all of the criteria.  
20 So at any rate, that will be codified in  
21 the system, like I said, in the next sixty  
22 days. I'm happy to answer any other questions.  
23 THE CHAIRMAN: Any questions from members?  
24 BOARD MEMBERS: (No response.)  
25 THE CHAIRMAN: Mr. Wallace, any questions?  
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1 MR. WALLACE: No.

2 THE CHAIRMAN: I want to say thank you,

3 Mr. Barakat. This was important. It was very

4 important that we have this in place as we go

5 into this season. It is refreshing and

6 reassuring when you go in and want to talk

7 about the authority in the budget and so on to

8 have someone of Mr. Wallace's nature in our

9 grasp, and that it is important that he

10 understands that.

11 I found the evaluation was eye opening and

12 exceptional, to be able to answer those

13 questions and then talk about it. And so I

14 appreciate your assistance, your guidance and

15 taking the time to do that. It took a long

16 time. I'm sorry I was late, but I have spent a

17 lot of time on it. And it was growing on me as

18 I was doing it, but I appreciate it. It's very

19 helpful.

20 And, Mr. Wallace, I hope that tells you,

21 your board has a lot of confidence in you. And

22 we truly do appreciate you.

23 With that, do we have any more old

24 business?

25 BOARD MEMBERS: (No response.)  
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1 THE CHAIRMAN: Let's jump back very

2 quickly. Jim, what kind of -- do you have a

3 DDRB briefing update? I know you have a

4 meeting coming up next week.

5 MR. KLEMENT: Yes, sir.

6 Briefly, DDRB is going to actually meet

7 July 27th at 4:00 p.m. And the intent is -- we

8 have a short agenda. Basically, there's going

9 to be a discussion of officers, and we have one

10 application that's anticipated for a special

11 sign exception, but part of the discussion that

12 I had with the chair of the DDRB was to invite

13 our board in, at a late afternoon meeting, so

14 that they could participate.

15 There's a joint DIA/DDRB Brooklyn River

16 Road Diet discussion that will be open to the

17 public and be part of the presentation. And so

18 the intent was to have them terminate their

19 meeting and then move right into or close to

20 the full joint meeting with the DIA Board

21 members.

22 THE CHAIRMAN: That was scheduled for 4:00

23 to 7:00. Do you have any idea what time the

24 Brooklyn Road Diet may -- I mean, the last

25 half, the first item --  
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1 MR. KLEMENT: I'm thinking that they said

2 that they were getting the room at 6:00. So --

3 THE CHAIRMAN: Oh, okay. Okay.

4 MR. KLEMENT: -- I'm thinking, that

5 meeting with the DIA, or the joint meeting, is

6 right around 6:00 in this room here, too. Both

7 meetings are in this room.

8 THE CHAIRMAN: Again, the DDRB meeting

9 gives you great insight into items that are

10 coming up before the DIA. So if you have the

11 opportunity to attend, it's very helpful.

12 Did they move it to that time of day?

13 Typically, at 2 o'clock -- did they move it to

14 that time of day for a reason?

15 MR. KLEMENT: The DDRB meeting, at 2:00,

16 is when we normally have had it. And we moved

17 it to a 4 p.m. meeting this coming Thursday.

18 So if I hear your question, historically, it

19 has been a 2 p.m. meeting.

20 THE CHAIRMAN: Okay. Very good. Any

21 questions or comments of Mr. Klement?

22 BOARD MEMBERS: (No response.)

23 THE CHAIRMAN: We appreciate you and what

24 the DDRB does. I tell you, they have had a lot

25 of items. Oliver and I were there when they --  
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1 we were so busy, we couldn't keep up with

2 things. Then we got to the point, there wasn't

3 anything to do for a couple of years. And this

4 is a dedicated group. They work hard. I think

5 they're filling some -- a vacancy or two. So

6 that's good to see.

7 Mr. Wallace, we have a meeting on the 9th,

8 correct?

9 MR. WALLACE: Yes, sir, Mr. Chairman.

10 THE CHAIRMAN: Is everyone aware of the

11 time? We've got a quorum for --

12 MR. WALLACE: Yes. One, we do have a

13 quorum slated for August 9th. This is for a

14 DDRB appeal hearing on the Southbank Ventures

15 Apartments project, which is in the

16 marketplace, known as the Hines property site

17 on the Southbank. That appeal has been filed

18 by one of the adjacent property owners, and we

19 will hear that appeal on the 9th of August.

20 THE CHAIRMAN: That's a quasi-judicial

21 hearing. So --

22 MR. WALLACE: That is correct. So I would

23 say to you, you will probably receive phone

24 calls from both sides prior to the August 9th

25 time frame. So if you do get phone calls and  
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1 you do take the meeting, you will have to let  
2 us know prior to -- once the meeting is called  
3 to order on August 9th, declare what we call  
4 ex-parte communication. So I just want to let  
5 you know, that's going to take place on  
6 August 9th.  
7 THE CHAIRMAN: And it begins at 1 o'clock.  
8 You cannot be late. You cannot engage at a  
9 later time. You can't leave those proceedings.  
10 It could take a couple of hours, but we have to  
11 have a quorum for that appeal.  
12 MR. WALLACE: That's correct.  
13 THE CHAIRMAN: And we know we have  
14 seven -- six at this point.  
15 MS. UNDERWOOD: Seven.  
16 THE CHAIRMAN: Or seven.  
17 MR. WALLACE: We have seven.  
18 THE CHAIRMAN: Very good. Okay. We've  
19 only done this one time before.  
20 BOARD MEMBER MOODY: Are we going to be  
21 voting on that date, August 9th?  
22 MR. SAWYER: Most likely.  
23 THE CHAIRMAN: Yes.  
24 BOARD MEMBER MOODY: Okay.  
25 THE CHAIRMAN: We're going to hear the  
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1 testimony and make our decision on that date.  
2 MR. WALLACE: So just give me some  
3 updates. I've forgot, Ron, you're new to the  
4 process. Dane is new to the process.  
5 Ms. Durden probably knows the process.  
6 What I will normally do is have the  
7 chairperson from DDRB, or his or her designee  
8 from the Board, provide you with an overview of  
9 how DDRB rendered its decision.  
10 This is a project that started with a --  
11 started out conceptual, didn't receive  
12 conceptual approval at that time, got deferred  
13 to a workshop, had an actual workshop, came  
14 back for conceptual, then got final approval.  
15 So that's giving you the actual process of how  
16 this has come to you.  
17 So you are going to hear from the DDRB  
18 designee, along with the back-up information  
19 that you would need from OGC, with instructions  
20 and any staff reports that were provided during  
21 the final review.  
22 So you would have that information before  
23 the actual meeting. That's what you would get  
24 from the staff would be the final report.  
25 You're going to get plenty of information from  
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1 either side that they want to provide to you.  
2 We're going to ask them the following:  
3 That they give information to us in a  
4 reasonable period of time so that we can get it  
5 to you if they want to provide you with  
6 information.  
7 I do not want them, either party, to come  
8 here, provide you with a stack of papers in the  
9 meeting and expect you to go through that  
10 information on the fly. So we're going to make  
11 sure we get that request out to them this week  
12 and get whatever information they have to us so  
13 that we can provide it to you well in advance  
14 of that meeting.  
15 THE CHAIRMAN: It will be based on the  
16 evidence that's presented to you on that date.  
17 Each side will be given an opportunity, and I  
18 don't know if we have to limit it at fifteen  
19 minutes, twenty minutes, for the appellant, and  
20 then you would have the reaction from the  
21 applicant, and then another -- it's a process,  
22 but it's interesting. It will be fun.  
23 MR. WALLACE: Mr. Chairman.  
24 THE CHAIRMAN: Yes.  
25 BOARD MEMBER DURDEN: Do you already have  
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1 an idea about how long you will be -- or what  
2 the time frame will be between when you provide  
3 us the information and August 9th?  
4 THE CHAIRMAN: We put a drop-dead date on  
5 it last time, Mr. Wallace, and --  
6 MR. WALLACE: Yes. Today is the 19th.  
7 I'm going to try to see if we cannot get that  
8 information in from them by the 26th or 27th of  
9 next week. So I really want to have the  
10 information to you no later than the 31st of  
11 July. All right? That gives us the  
12 opportunity to review that week, and the  
13 meeting would be that Wednesday, August 9th.  
14 Okay?  
15 BOARD MEMBER DURDEN: That's very -- that  
16 is a generous amount of time for us to review.  
17 If it was only a week, I mean, I would be okay  
18 as long as I got the information a week ahead.  
19 THE CHAIRMAN: Yeah.  
20 MR. WALLACE: I'm sure there will be some  
21 pushback from the other side; however, my goal  
22 is to try to get information in by the 26th or  
23 27th of next week.  
24 BOARD MEMBER DURDEN: That's good.  
25 MR. WALLACE: So I can try to get it to  
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1 you by the 31st.

2 THE CHAIRMAN: Okay. Very good. Thank

3 you.

4 With that, any new business?

5 MR. SAWYER: I apologize. Council Member

6 Boyer made a request in my ear while she was

7 heading out of the room. She just requested

8 that staff coordinate bringing a resolution

9 before the Board regarding the DDRB appeal

10 process.

11 So right now, in the code it says you can

12 kind of create your own process or you can

13 default to -- there's an existing

14 administrative process. The existing process,

15 which is what the DIA Board correctly is

16 relying on, asks the appellants to file their

17 paperwork with the legislative -- or the

18 council auditor. I can't remember. I think it

19 was Legislative Services. So she wants the new

20 legislative process, when they appeal, to go

21 directly to the DIA staff because it creates

22 confusion with Legislative Services when they

23 don't know what's coming.

24 So we'll coordinate with staff for DIA to

25 take that up, and then she will -- if the Board

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1 approves it, she'll sponsor the legislation to

2 file it.

3 THE CHAIRMAN: Good. Great.

4 Okay. Thank you.

5 MR. WALLACE: Mr. Chairman.

6 THE CHAIRMAN: Any comments? Yes.

7 MR. WALLACE: On a different topic.

8 THE CHAIRMAN: Oh, okay. Okay. Any

9 comments on that process?

10 BOARD MEMBERS: (No response.)

11 THE CHAIRMAN: I see that as an asset to

12 the process.

13 Mr. Wallace.

14 MR. WALLACE: I'm still working with

15 General Counsel. I'm going to get out some

16 information to you by the end of this week with

17 regards to a stakeholder meeting regarding the

18 Cathedral District-Jax, Inc. They're holding a

19 meeting, and they would certainly love to have

20 as many people come to hear the work that's

21 being proposed in the Cathedral area itself.

22 And I know one or more Board members will

23 have an interest in going to this particular

24 meeting, so I need to get some instructions out

25 to you so that -- you are very well aware, you

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1 know, when you show up at a meeting of this

2 nature, one or more of you, you know, you can't

3 talk about that particular topic, particularly

4 when it may very well come before this

5 particular board. So I'll work with OGC.

6 We'll have some information out to you.

7 Ms. Durden and I talked yesterday

8 afternoon. We're still bouncing that concept

9 and idea around that she proposed, but I want

10 to make sure that we provide an opportunity for

11 one or more Board members to be present, but we

12 need to make sure that you're cognizant of

13 sunshine laws, et cetera, so that there's no

14 violations or no perceived violations or things

15 of that nature regarding conversations on a

16 potential project or projects that may come

17 before this board in any shape, form or fashion

18 for allocation of development rights or the

19 representatives or anything at all.

20 THE CHAIRMAN: You just can't opine on

21 anything that's going to be discussed, right?

22 MR. WALLACE: That's --

23 MR. SAWYER: Generally, that's the

24 concern. Obviously, whenever you have two or

25 more board members at another association's

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1 meeting, to the extent you discuss it or to the

2 extent you ask questions in front of other

3 members, if it's something that will

4 conceivably come back to the DIA Board, like

5 Aundra said -- in any form, an incentive

6 agreement, development rights -- you would

7 probably have a Sunshine Law violation at that

8 point.

9 As the bad cop in the room on Sunshine

10 Law, generally, if you're going to attend

11 those, we really ask that you don't make any

12 comments and that you actually just don't even

13 speak to each other to avoid even the

14 appearance of a Sunshine Law violation.

15 THE CHAIRMAN: Okay. Many of us probably

16 already got an e-mail about this meeting. So

17 Mr. Wallace, we'll await your --

18 BOARD MEMBER DURDEN: Mr. Chairman.

19 THE CHAIRMAN: Yes, Ms. Durden.

20 BOARD MEMBER DURDEN: May I comment on

21 this?

22 THE CHAIRMAN: It depends. Can she

23 comment? Yes, go ahead.

24 BOARD MEMBER DURDEN: We're in a public

25 meeting, a noticed public meeting. I want to

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1 encourage staff and the OGC to simply notice  
2 this meeting. I think that it is not an  
3 onerous burden on the City to notice it as a  
4 public meeting. It would -- it doesn't have to  
5 be advertised or published in a newspaper,  
6 anything of that sort, it just has to be  
7 noticed.

8 And then the second thing that would be  
9 required if it were a public meeting, noticed  
10 as a public meeting, would be some very simple  
11 minutes, you know, that would just say the  
12 meeting started at such and such. You know, it  
13 does not have to be verbatim or anything of  
14 that sort.

15 So I would -- and the reason that I think  
16 that it would be beneficial to us as a board  
17 would be that, we might want to ask questions.  
18 We might want to have some interface with the  
19 people who are presenting what they're  
20 proposing for the Cathedral District. We might  
21 want to have some dialogue.

22 And without the notice, I think that  
23 that's a real chilling effect on our ability to  
24 participate in any way, shape or form when we  
25 go except to sit there as lumps on a log and

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1 listen and not have an opportunity to ask. So  
2 I am encouraging staff and the OGC to consider  
3 noticing that. That's all I want to say.

4 I recognize that it's not our role to make  
5 that decision, but as a board member, I would  
6 really think that it would be beneficial in  
7 many ways to allow this -- to allow the two  
8 times. I understand it's two times, or maybe  
9 just one, and just say one -- you know, pick  
10 one.

11 Instead of making them both, just pick one  
12 of them and make that one the public meeting.  
13 I think it would be beneficial to this board.  
14 And actually, to even the DIA staff.

15 So I appreciate it. Thank you for letting  
16 me make that comment.

17 THE CHAIRMAN: Thank you, Ms. Durden.

18 I think these are presentations for  
19 information only, correct? From what I'm  
20 aware --

21 MR. SAWYER: That's what I gather.

22 THE CHAIRMAN: -- it's a presentation and  
23 discussion.

24 MR. SAWYER: Yeah.

25 THE CHAIRMAN: So it's not a vote or

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1 anything.

2 BOARD MEMBER DURDEN: Right. There's no  
3 vote.

4 MR. SAWYER: All I do is advise. You can  
5 notice a meeting and have a meeting and violate  
6 or not. We just advise what we recommend.

7 Generally, in a situation like that, the  
8 first problem you have, there's a policy, not a  
9 law, that all public meetings are held on  
10 City-owned property.

11 The reason that is in place is, you have  
12 to have free and open access. For example, the  
13 worst thing you can do is to try to have a  
14 public meeting at a restaurant. There may not  
15 be access. There may not be enough parking.  
16 There's no place for comment. It doesn't  
17 function well.

18 (Board Member Grey exits the proceedings.)

19 MR. SAWYER: The second part is, if you  
20 are going to notice a public meeting -- the  
21 reason there are Robert's Rules is, every  
22 single member of the public has to be able to  
23 hear every single thing you're saying.

24 And so if you're in an audience and you're  
25 talking -- even though the meeting is noticed,

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1 if you're talking to each other in an audience  
2 setting, you're violating Sunshine because  
3 everyone present can't hear what you're saying.

4 So if you are going to notice it and have  
5 a meeting, this board would need to appear,  
6 more or less like this, in addition to whoever  
7 is doing the presenting so that any time you  
8 have a question or a comment, the public can  
9 hear it. That's the recommendation.

10 Now, to the extent you want active  
11 involvement, you can send one board member who  
12 can be fully involved with as many staff as you  
13 would like, you can invite them here to present  
14 again and just have a full session and  
15 participate as much as you would like, but to  
16 go and be an audience member as a noticed  
17 meeting is extremely difficult. Again, that's  
18 just our advice to you.

19 THE CHAIRMAN: We're not dictating where  
20 they're having it, whether there's access,  
21 whether there's -- so an opportunity for each  
22 person to speak. So I think that gets a little  
23 deeper than we want to get into as far as I'm  
24 concerned. I think everyone who can attend --  
25 I see this more as a presentation, but I would

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1 hate to be there if someone -- I would hate to  
2 be there, at a noticed meeting, if someone  
3 didn't get an opportunity to speak.  
4 So with that, we don't need to vote on it  
5 because we don't have a quorum, but does that  
6 work for you?  
7 BOARD MEMBER DURDEN: Well ...  
8 THE CHAIRMAN: I mean, how do you notice  
9 if they're -- if they don't -- if it's not  
10 applicable with the location, are you going to  
11 ask Ms. Myrick to move the meeting?  
12 BOARD MEMBER DURDEN: She could move --  
13 possibly move the meeting.  
14 THE CHAIRMAN: Are you going to dictate  
15 that everyone present gets an opportunity to  
16 speak?  
17 BOARD MEMBER DURDEN: I'm not sure exactly  
18 what you mean by "everybody."  
19 THE CHAIRMAN: It's a public meeting.  
20 MR. SAWYER: At every public meeting,  
21 there has to be an opportunity for public  
22 comments.  
23 BOARD MEMBER DURDEN: Right.  
24 MR. SAWYER: So you will need to interject  
25 and require --  
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1 BOARD MEMBER DURDEN: Right.  
2 MR. SAWYER: -- that they have an  
3 opportunity for public comment.  
4 BOARD MEMBER DURDEN: Yeah. I -- I don't  
5 think that they're opposed to that.  
6 THE CHAIRMAN: Well, can't Ms. Myrick  
7 provide the public notice from --  
8 MR. SAWYER: DIA staff would need to  
9 notice their own meeting.  
10 THE CHAIRMAN: It's not our meeting.  
11 MR. SAWYER: It is if you're -- if you're  
12 declaring it to be a DIA publicly-noticed  
13 meeting, it's your meeting.  
14 THE CHAIRMAN: Then we would have to hold  
15 the meeting.  
16 Mr. Barakat.  
17 BOARD MEMBER BARAKAT: I was going to say,  
18 you are asking this private group to relinquish  
19 control of their process. I agree with  
20 Ms. Durden, it would be nice to have full  
21 access, and perhaps you have a date amongst  
22 each other, but this is somebody else's  
23 meeting.  
24 I think if we want -- if we want input and  
25 a presentation, we ought to ask them to come to  
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1 us, embed it into our forum -- into our forum  
2 here. I think that's the only way we can skin  
3 that cat. Or if we're going to alter their  
4 process, that's the process they have already  
5 started.  
6 THE CHAIRMAN: Mr. Wallace.  
7 MR. WALLACE: Would you like for them --  
8 would you want me to ask Ms. Myrick if they  
9 would be willing to present at our August  
10 meeting? I've got to figure out -- I have to  
11 work with her because she's got a consultant  
12 that is also presenting, and I don't know what  
13 their schedule is like.  
14 So I can certainly ask them to present to  
15 the DIA Board and work around their schedule  
16 when it can be convenient for them to be here.  
17 BOARD MEMBER DURDEN: I think --  
18 THE CHAIRMAN: I think it's separate from  
19 what they are trying to achieve. I think of  
20 two different things. They've got a consultant  
21 here and they're having a presentation and  
22 discussion. And if we want to have a meeting  
23 after that, or at our regular meeting, because  
24 I think their meetings are on the 7th and 9th,  
25 or 7th and 5th, or something, it would be prior  
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1 to our meeting.  
2 Any comments? Any --  
3 BOARD MEMBER BARAKAT: I think that's a  
4 good idea. They don't have to say yes.  
5 THE CHAIRMAN: Right.  
6 MR. WALLACE: It's an opportunity.  
7 THE CHAIRMAN: Okay. Ms. Durden, does  
8 that work or --  
9 BOARD MEMBER DURDEN: I fully understand  
10 the nuances, you know, of, you know, the  
11 complication.  
12 THE CHAIRMAN: As would Ms. Myrick.  
13 BOARD MEMBER DURDEN: Right. So I  
14 appreciate the staff's and the OGC's input.  
15 And --  
16 THE CHAIRMAN: Thank you. I think  
17 Ms. Myrick --  
18 BOARD MEMBER DURDEN: -- I would like  
19 Mr. Wallace to, in fact, call Ms. Myrick and  
20 try to see if there is some way, because I do  
21 think that it would be very valuable to this  
22 board to hear what -- and not only that, not  
23 only for us to hear what they're saying, but  
24 for them to hear what our comments are. I  
25 think it's extremely valuable.  
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1 So thank you.

2 THE CHAIRMAN: I think we all agree with

3 that, and I think that would be valuable, but

4 of all people Ms. Myrick knows this process

5 well and would do that if that was their

6 intent.

7 So let's go from there. Thank you.

8 And you'll reach out to Ms. Myrick?

9 MR. WALLACE: That is correct.

10 THE CHAIRMAN: Okay. Very good. With

11 that, we are moving on.

12 Any more new business?

13 BOARD MEMBERS: (No response.)

14 THE CHAIRMAN: We're moving on to public

15 comment. I have one card, Dr. Wood.

16 (Audience member approaches the podium.)

17 THE CHAIRMAN: JEA Land Swap, Universal

18 Marion Building. Two items. Still only a

19 minute and a half for each one, so ...

20 AUDIENCE MEMBER: Wayne Wood, 2821

21 Riverside Avenue.

22 Hello, everybody. I admit, I was out of

23 town the last meeting and didn't get to be here

24 to comment on the discussion for the resolution

25 for the JEA land swap with the Universal Marion

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1 Building.

2 As you may recall, there was an amendment

3 brought up that said -- asked to put language

4 into the resolution that the DIA's preference

5 was that the building be preserved if possible.

6 The vote was three to three. So the amendment

7 was not included.

8 And I would just like to come to you today

9 to urge the DIA to go on record as wanting to

10 preserve that building and not demolish it. I

11 don't think it cost anything for that to be

12 included in the discussion. It doesn't have

13 any effect of slowing down the project, but I

14 think going on record is important for you as a

15 board.

16 The Universal Marion Building is one of

17 the three most significant mid-century modern

18 buildings in downtown Jacksonville. At

19 nineteen stories, it's certainly one of the

20 tallest buildings in downtown and was the

21 second tallest building that was built.

22 Some people say it's funny looking, and

23 that might detract from some of the

24 appreciation of it. They said the same thing

25 about the Haydon Burns Library, that it should

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1 be torn down. The Universal Marion Building,

2 fifty years from now, will be one of the true

3 attractions to downtown's architectural

4 spectrum. It's fifty years old.

5 Mid-century modern architecture is

6 becoming more and more appreciated as these

7 buildings are becoming of age and eligible for

8 the National Register.

9 And I do believe and hope it is part of

10 the Downtown National Register Historic

11 District, which would add incentives of

12 20 percent tax credits for some future

13 developer to come in and fix that building up.

14 It is a truly outstanding example of this

15 architectural style.

16 At the last meeting it was stated that the

17 building is economically challenging, which it

18 is, although the JEA had a particular economic

19 challenge in that they have rigorous security

20 and infrastructure needs that a normal

21 developer would not have for just making it

22 into an office building.

23 So with the tax credits that are available

24 for that building, it really does make sense.

25 If you walk in the building today, it just

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1 looks like a cool building. And there's

2 nothing wrong with it. It does need some

3 upgrades, but the building itself is a very

4 valuable part of the downtown skyline as far as

5 its character goes too.

6 But here's the point: If that building

7 gets torn down, no one is ever going to build a

8 building of that size in that location. All

9 the large buildings are going to go closer to

10 the river. That's just the way economics work.

11 So if you tear that building down, you

12 have lost a place that would house a thousand

13 or more workers and a building that -- you

14 might get a two- or three-story building in its

15 place. I think it's important not just to keep

16 a significant critical mass of downtown

17 buildings -- we have so many parking lots and

18 empty spots that invite more buildings to be

19 built.

20 (Timer notification.)

21 DR. WOOD: If we can save that building --

22 it's an iconic building, it has architectural

23 value, the building will not get rebuilt if it

24 gets torn down, and one that I would urge you

25 as a board to support the preservation of if

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1 it's feasible --  
2 THE CHAIRMAN: Thank you, Dr. Wood.  
3 DR. WOOD: -- and not to let -- not let  
4 that go unnoticed.  
5 Thank you.  
6 THE CHAIRMAN: Thank you.  
7 I think that was our intent with marketing  
8 the building.  
9 Okay. With that, any other comments from  
10 the public?  
11 AUDIENCE MEMBERS: (No response.)  
12 THE CHAIRMAN: Thank you all for being  
13 here, media especially, we really appreciate  
14 you being here and getting this message out and  
15 all the effort that you make.  
16 With that, this meeting is adjourned.  
17 (The above proceedings were adjourned at  
18 4:30 p.m.)

19 - - -  
20  
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1 CERTIFICATE OF REPORTER  
2  
3 STATE OF FLORIDA)  
4 )  
5 COUNTY OF DUVAL )  
6  
7 I, Diane M. Tropa, Florida Professional  
8 Reporter, certify that I was authorized to and did  
9 stenographically report the foregoing proceedings and  
10 that the transcript is a true and complete record of my  
11 stenographic notes.

12  
13  
14  
15 DATED this 2nd day of August 2017.  
16

17 \_\_\_\_\_  
18 Diane M. Tropa  
19 Florida Professional Reporter  
20  
21  
22  
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