



Downtown Investment Authority Agenda

Hybrid Virtual In-Person Meeting
Wednesday, February 17th, 2021 at 2 p.m.

MEMBERS:

Ron Moody, Chairman
Braxton Gillam, Esq, Vice Chairman
Carol Worsham, Secretary
William Adams, Esq., Board Member
Oliver Barakat, Board Member

Jim Citrano, Board Member
Todd Froats, Board Member
Craig Gibbs, Esq., Board Member
David Ward, Esq., Board Member

I. CALL TO ORDER

II. PUBLIC COMMENTS

III. COMMUNITY REDEVELOPMENT AGENCY

- A. January 20, 2021 Community Redevelopment Agency Meeting Minutes
- B. Resolution 2021-02-01: Performance Waiver Extension (John Crescimbeni, Contract and Regulatory Compliance Manager)
- C. Resolution 2021-02-02: Shipyards Access Agreement (Lori Boyer, CEO)
- D. Resolution 2021-02-03: The District Contract Amendment (Lori Boyer, CEO)
- E. Resolution 2021-02-04: The District Performance Schedule (Lori Boyer, CEO)

IV. DOWNTOWN INVESTMENT AUTHORITY

- A. January 20, 2021 Downtown Investment Authority Board Meeting Minutes
- B. Resolution 2021-02-05: Meter Rental (Bagging) Rate Schedule
- C. Update on Meter Bagging Policy (John Crescimbeni, Contract and Regulatory Compliance Manager)

V. NEW BUSINESS

VI. CEO INFORMATIONAL BRIEFING

VII. CHAIRMAN REPORT

VIII. ADJOURN

Please be advised that this will be a hybrid virtual in person meeting. Attendees may participate in person or virtually.

PHYSICAL LOCATION

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

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At present, all visitors are subject to a COVID-19 screening upon entering a City of Jacksonville building. In addition, a mandatory face covering requirement is in place for all public buildings pursuant to Emergency Executive Proclamation 2020-005.

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

VIRTUAL LOCATION

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

Join Zoom Meeting

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

Meeting ID: 940 7401 7448

Passcode: 642945

One tap mobile

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

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

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

Public Comment

Persons attending this meeting in-person or via Zoom will be given an opportunity to provide public comment during the designated public comment period. Interested persons who cannot attend this Hybrid meeting but who wish to submit public comments to be read during the public comment portion of the meeting regarding any matter on the agenda for consideration at the meeting may do so by emailing [Ina Mezini](mailto:Ina.Mezini@coj.net) at RMezini@coj.net up to 2:05 p.m. on February 16th, 2021. Public comments submitted by email must be received no later than 2:05 p.m. on February 16th, 2021; comments will be read during the public comment portion of the meeting. The meeting agenda and materials can be obtained electronically at <https://dia.coj.net/Meetings/DIA-Meetings>.

TAB III.A

JANUARY 20, 2021 COMMUNITY REDEVELOPMENT AGENCY MEETING MINUTES



Downtown Investment Authority
In Meeting Hybrid

Wednesday, January 20, 2021 – 2:00 p.m.

Community Redevelopment Agency
MEETING MINUTES

DIA Board Members: Ron Moody, Chairman; Braxton Gillam, Esq., Vice Chairman; Carol Worsham, Secretary; Oliver Barakat; Craig Gibbs, Esq.; David Ward, Esq.; Jim Citrano; Bill Adams, Esq.; and Todd Froats (* Participated virtually pursuant to Section 6.4 of the DIA Bylaws.)

DIA Board Members Excused: None

Mayor's Staff: None

Council Members: Council Member LeAnna Cumber, District 5

DIA Staff: Lori Boyer, Chief Executive Officer; Steve Kelley, Director of Downtown Real Estate and Development; John Crescimbeni, Contract and Regulatory Compliance Manager; Guy Parola, Operations Manager; Lori Radcliffe-Meyers, Redevelopment Coordinator; and Ina Mezini, Marketing and Communications Specialist.

Office of General Counsel: John Sawyer, Esq.

I. CALL TO ORDER

Chairman Moody called the CRA Board Meeting to order at 2:00 p.m. and provided a statement relating to COVID-19.

Chairman Moody read an opening statement regarding authority and procedures for the virtual meeting.

Beginning with Board Member Citrano, each member introduced themselves while stating how many years each has been a member of the DIA Board.

II. PUBLIC COMMENTS

Chairman Moody provided instruction for the public comment process.

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

Charlie Cofer, Esq., Public Defender's Office

Spoke to parking rates in the library garage and requested City employee discounts be extended to the Public Defenders office

Nancy Powell

Spoke to riverfront parks, representing Riverfront Parks Now advocacy group. *Due to technical difficulties Nancy Powell's comments were deferred until end of the meeting.*

III. COMMUNITY REDEVELOPMENT AGENCY MEETING

A. NOVEMBER 18, 2020, APPROVAL OF THE COMMUNITY REDEVELOPMENT AGENCY MEETING REVISED MINUTES

Not provided for action.

B. RESOLUTION 2021-01-03: RELATED GROUP REVISED TERM SHEET

A RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER (“CEO”) OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) TO NEGOTIATE AND ENTER INTO A REDEVELOPMENT AGREEMENT FOR THE CONVEYANCE OF AN APPROXIMATELY 3.43 ACRE PARCEL OF CITY-OWNED REAL PROPERTY LOCATED GENERALLY BETWEEN MUSEUM CIRCLE AND THE ST. JOHNS RIVER, BETWEEN ST. JOHNS RIVER PARK AND MOSH ON THE EAST AND ST JOHNS MARINA BOAT RAMP AND THE ACOSTA BRIDGE ON THE WEST, AS MORE FULLY IDENTIFIED BY DUVAL COUNTY TAX PARCEL NUMBERS 080270-1000 AND 08270-1001 TOGETHER WITH A PORTION OF PARCEL 080269-0500, COLLECTIVELY “THE PROPERTY”; APPROVING THE TERMS AND CONDITIONS OF SAID DISPOSITION INCLUDED AS EXHIBIT ‘B’; FINDING THAT THIS RESOLUTION FURTHERS THE BUSINESS INVESTMENT AND DEVELOPMENT (“BID”) PLAN, INCLUDING THE COMMUNITY REDEVELOPMENT AREA PLAN; AUTHORIZING THE CEO TO INITIATE THE FILING OF LEGISLATION WITH THE CITY COUNCIL REGARDING THE SAME; AUTHORIZING THE CEO OF THE DIA TO TAKE ALL ACTION NECESSARY TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION, INCLUDING THE EXECUTION OF A REDEVELOPMENT AGREEMENT, PURCHASE AND SALE AGREEMENT, OR FUNCTIONAL EQUIVALENTS; PROVIDING FOR AN EFFECTIVE DATE.

Steve Kelley, Director of Downtown Real Estate and Development, provided a summary of Resolution 2021-01-03 and presented the terms of the revised Related Group Term Sheet approved as part of Resolution 2020-11-01. As part of his presentation, Mr. Kelley identified modifications and additions to the Term Sheet previously approved by Resolution 2020-11-01, including:

- Modification of the Right-of-First Refusal for that City-owned property currently housing the Museum of Science and History;
- Provisions for a Completion Guarantee with the City as a beneficiary;
- Modifications to the restaurant parcel;

- An additional City incentive of \$500,000 to offset additional costs relating to soil stabilization; and
- The addition of a 158 square foot frontage parcel within the development site.

The above modifications are not intended to be a complete identification of all changes, material or otherwise, to the term sheet approved by Resolution 2020-11-01.

Strategic Implementation Committee (“SIC”) Chair Oliver Barakat presented the SIC Report.

Chair Moody then brought the item into the Committee for discussion. In order of Board Member acknowledged by the Chair, the following discussion occurred:

Board Member Ward

- Requested clarification on Term Sheet language for the Completion Guarantee, more specifically seeking assurances that no language in the Term Sheet gave the Developer an option to provide the Completion Guarantee, as opposed to a mandate to provide such. Both Mr. Kelley and Developer representative Steve Diebenow, Esq., confirmed that providing a Completion Guarantee with the City as co-beneficiary with the Senior Lender or direct beneficiary of a stand-alone agreement is a mandate, not an option. However, the form of such agreement will mirror what is provided to the Senior Lender and will not be subject to negotiation by the City. Modification to the term sheet to capture this distinction more clearly was made by Mr. Ward.

Board Member Oliver Barakat

- Speaking to the restaurant pad, sought confirmation as to final location and design going through the Downtown Development Review Board (“DDRB”) process. Confirmation was provided by Mr. Kelley.

Board Member Froats:

- Speaking to the Right of First Refusal: approves of the language modifications as contained in the revised Term Sheet.
- Speaking to the Site Plan: concerned about the 6’ sidewalk width along the western site boundary.

Vice Chair Gillam:

- No comments.

Secretary Worsham:

- No comments.

Board Member Gibbs:

- No comments.

Board Member Citrano:

- No comments.

Board Member Adams

- Speaking to the Right of First Refusal: requested that Mr. Kelley provide a further summary. Mr. Kelley provided a summary of the revised language. Mr. Adams offered that he could not support the Resolution and term sheet as presented due to the provision of the Right of First Refusal as negotiated.

CEO Boyer, speaking to questions regarding timing of the restaurant pad development approval raised by Secretary Worsham and Board Member Barakat, provided clarification and identified the specific section of the Term Sheet governing such.

Motion: Board Member Ward moved to adopt Resolution 2021-01-03 with the following Term Sheet amendment:

Developer Obligation section, Subsection 2, the last sentence to read: “Developer will provide to the City, in the form of which to be in developer’s sole and reasonable discretion, a completion guarantee” [with remaining language in the term sheet to remain]

Seconded: Vice Chair Gillam seconded the motion.

Ms. Mezini reads Board Member Citrano’s voting conflict Form 8B into the record pursuant to Section 112.3143 of the Florida Statutes.

Vote: **Aye: 8** **Nay: 1** (Adams) **Abstain: 0**

THE MOTION PASSED 8-1-0.

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C. RESOLUTION 2021-01-04: BAPTIST CONVENTION BUILDING & FEDERAL RESERVE BUILDING – DOWNTOWN PRESERVATION AND REVITALIZATION PROGRAM

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) RECOMMENDING THAT CITY COUNCIL APPROVE A DOWNTOWN PRESERVATION AND REVITALIZATION PROGRAM FORGIVABLE LOAN PACKAGE FOR RENOVATIONS TO THE FLORIDA BAPTIST CONVENTION BUILDING LOCATED AT 218 W CHURCH STREET AND THE FEDERAL RESERVE BUILDING LOCATED AT 424 N HOGAN STREET (THE “PROPERTY”) PURSUANT TO A REDEVELOPMENT AGREEMENT WITH JWB REAL ESTATE CAPITAL (“JWB”) OR ASSIGNS (“DEVELOPER”); FINDING THAT THE PLAN OF DEVELOPMENT IS CONSISTENT WITH THE DIA’S BUSINESS INVESTMENT AND DEVELOPMENT PLAN (“BID PLAN”) AND THE NORTH BANK DOWNTOWN AND SOUTHSIDE COMMUNITY REDEVELOPMENT AREA PLAN (“CRA PLAN”); AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXECUTE THE CONTRACTS AND DOCUMENTS AND OTHERWISE TAKE ALL NECESSARY ACTION IN CONNECTION THEREWITH TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE.

Steve Kelley, Director of Downtown Real Estate and Development, provided a summary of Resolution 2021-01-04.

Mr. Kelley stated that Resolution 2021-01-04 is an application for Downtown Preservation and Revitalization Program (“DPRP”) for the former Florida Baptist Conventional Building located at 218 West Church Street and the former Federal Reserve Building located at 424 North Hogan Street. Mr. Kelley noted that The Historic Preservation section of the Planning and Development Department has reviewed the application in conjunction with the application to the State Historic Preservation Office, SHPO, and the National Park Service for historic tax credits, which are integral to the capital stack.

After providing a summary of the DPRP process, Mr. Kelley presented the terms of the funding, as contained in Exhibit A attached to Resolution 2021-01-04, including DPRP funding in an amount up to \$8,624,321.

Strategic Implementation Committee (“SIC”) Chair Oliver Barakat presented the SIC Report.

Chair Moody then brought the item into the Committee for discussion. In order of Board Member acknowledged by the Chair, the following discussion occurred:

Vice Chair Gillam:

- Speaking to how loans are funded, asked of staff: Are these loans based upon projected expenses or based upon actual costs as they are incurred? CEO Boyer confirmed paid after costs incurred and verified.

- Expressed concerns regarding the project’s Return on Investment; with specific reference to the Hogan Street portion [Federal Reserve Building] expressed concerns about the potential consequence of inflated property sales prices through infusion of City incentives into the capital stack.

Secretary Worsham:

- Speaking to the DPRP, inquired as to the difference between “restoration” and “rehabilitation”. CEO Boyer provided clarification, defining “restoration” as addressing finishes.
- Speaking to the state of the building[s], questioned if 24-month completion time is adequate. Mr. Kelley identified the developer’s contractor and their experience in historic restoration/rehabilitation projects as being sufficient to complete the project in the 24-month time frame.

Board Member Adams:

Meeting paused due to technical difficulties.

Meeting reconvenes with Board Member Adams continuing:

- Speaking to Return on Investment, views ROI on projects such as this as just one metric, with the value of saving historic buildings as the stronger metric.

Board Member Citrano:

- Speaking to the deferred principal loan, asks Mr. Kelly to confirm the ten year maturity and due-on-sale clause, to which Mr. Kelley confirms the ten year maturity and clarifies that there is not a restriction on sale and added that Principal may be paid down to 50% after the fifth year.
- Speaking to Return on Investment, echoes Board Member Adams.

Board Member Froats:

- Addressing the developer, asks for clarification on property purchase and the 24-month completion timeframe. Mr. Alex Sifakis confirms that the properties have been purchased.

Due to technical difficulties, Mr. Sifakis is inaudible, and his representative Steve Diebenow, Esq., continues to address the questions.

Mr. Diebenow expands on the purchase price and concerns brought up by Vice Chair Gillam as echoed by Board Member Froats. Mr. Diebenow confirms confidence in a 24-month completion horizon.

Board Member Gibbs:

- Speaking to Return on Investment, echoes Board Members Adams and Citrano.

Board Member Ward:

- No Comments.

Chairman Moody:

- Provided comments on this project's relationship to other projects in the area.

Chairman Moody opened the floor to additional Board Member comments.

Vice Chair Gillam:

- Speaking to Return on Investment, clarified that his concern is relating purchase price to equity.

Board Member Citrano:

- Speaking to Sources and Use, suggests that developers provide evidence of 100% project funding, recognizing that City funding only paid upon completion.

Chairman Moody recognizes Councilperson Cumber.

Councilperson Cumber:

- No comments.

Motion: Board Member Adams moved approve Resolution 2021-01-04 as provided to the Board.

Seconded: Board Member Barakat seconded the motion.

Vote: **Aye: 8** **Nay: 1 (Gillam)** **Abstain: 0**

THE MOTION PASSED 8-1-0.

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D. RESOLUTION 2021-01-05: REGIONS JACKSONVILLE HEADQUARTERS DOWNTOWN PRESERVATION AND REVITALIZATION PROGRAM (“DPRP”) AND ECONOMIC DEVELOPMENT GRANT

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) APPROVING AN ECONOMIC DEVELOPMENT GRANT AND RECOMMENDING THAT CITY COUNCIL APPROVE A DOWNTOWN PRESERVATION AND REVITALIZATION PROGRAM FORGIVABLE LOAN PACKAGE FOR RENOVATIONS TO THE REGIONS BANK HEADQUARTERS LOCATED AT 51 W. BAY STREET, RE# 073663 0000 (THE “PROPERTY”) PURSUANT TO A REDEVELOPMENT AGREEMENT WITH REGIONS BANK, AN ALABAMA STATE BANKING CORPORATION (“REGIONS”); FINDING THAT THE PLAN OF DEVELOPMENT IS CONSISTENT WITH THE DIA’S BUSINESS INVESTMENT AND DEVELOPMENT PLAN (“BID PLAN”) AND THE NORTH BANK DOWNTOWN AND SOUTHSIDE COMMUNITY REDEVELOPMENT AREA PLAN (“CRA PLAN”); AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXECUTE THE CONTRACTS AND DOCUMENTS AND OTHERWISE TAKE ALL NECESSARY ACTION IN CONNECTION THEREWITH TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE.

Steve Kelley, Director of Downtown Real Estate and Development, provided a summary of Resolution 2021-01-05 and a summary of terms, including: \$900,000 in DPRP forgivable loans, and a \$200,000 Economic Development Grant structured as matching funds relating to the sale of adjacent property.

Strategic Implementation Committee (“SIC”) Chair Oliver Barakat presented the SIC Report.

Chair Moody then brought the item into the Committee for discussion. In order of Board Member acknowledged by the Chair, the following discussion occurred:

Vice Chair Gillam:

- No comments.

Secretary Worsham:

- Sought clarification on the funding terms, to which CEO Boyer provided.
- Speaking to DPRP funding draws and statements made by Mr. Kelley regarding uncertainty in timing of funds, asked if Regions should come back with a defined plan for funding draws.

Representing Vystar, Steve Diebenow, Esq., asks to be recognized by the Chair. After being recognized by the Chair, Mr. Diebonow provides clarification on the relationship between Regions and the Vystar parking garage [previously approved by DIA].

Board Member Adams:

- No Comments.

Board Member Barakat:

- No Comments.

Board Member Citrano:

- No Comments.

Board Member Gibbs:

- No Comments.

Board Member Ward:

- Speaking to the \$200,000 Economic Development Grant, asked of Mr. Kelley if it was common for DIA to provide funding assistance for professional and legal service fees. CEO Boyer responds that it is out of the ordinary, but analogous to the purposes of providing parking incentives, further citing the Florida Blue parking garage completion grant.

Board Member Froats:

- Speaking to the \$900,000 DPRP grant, recognized that this is a unique situation and should not be considered by others as precedent.

Chairman Moody recognizes Councilperson Cumber.

Councilperson Cumber:

- No comments.

Chairman Moody recognizes Steve Diebenow, Esq.

Mr. Diebenow:

- Speaking to the multi-year tranche requests, recommends that the Term Sheet be amended to include clarifications that Regions may seek up to two (2) tranche requests a year, but no more than five (5) in total.

Motion: Board Member Ward moved to adopt Resolution 2021-01-04 with the following Term Sheet amendment:

“There may be up to two (2) [tranche] requests by the Developer [Regions] per year.”

Board Member Gibbs asks for clarification on tranche requests for the DPRP funds, specifically any limitation on per-tranche funding amount. CEO Boyer clarifies that there is no limitation on a per-tranche request amount.

Seconded: Board Member Gibbs seconded the motion.

Vote: Aye: 9 Nay: 0 Abstain: 0

THE MOTION PASSED 9-0-0.

E. RESOLUTION 2021-01-06: VISTA BROOKLYN ADDITIONAL RECAPTURED ENHANCED VALUE (“REV”) GRANT

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (THE “DIA”) APPROVING CHANGES TO THE SCOPE OF THE PROJECT IMPROVEMENTS OF THE PREVIOUSLY EXECUTED REDEVELOPMENT AGREEMENT BETWEEN THE CITY AND HP-BDG 200 RIVERSIDE, LLC, DATED MAY 15, 2017 FOR THE 200 RIVERSIDE AVENUE APARTMENTS PROJECT (A/K/A VISTA BROOKLYN), WITH ALL OTHER TERMS AND CONDITIONS OF THE REDEVELOPMENT AGREEMENT REMAINING UNCHANGED; AUTHORIZING THE AWARD OF A SUPPLEMENTAL REV GRANT IN ACCORDANCE WITH THE TERMS ATTACHED HERETO AS EXHIBIT A; AUTHORIZING THE CHIEF EXECUTIVE OFFICER OF THE DIA (THE “CEO”) TO FILE LEGISLATION TO ENACT THE MODIFICATIONS TO THE PREVIOUS REDEVELOPMENT AGREEMENT AND APPROVE THE SUPPLEMENTAL REDEVELOPMENT AGREEMENT; AUTHORIZE THE CEO TO EXECUTE ALL DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Steve Kelley, Director of Downtown Real Estate and Development, provided: a summary of Resolution 2021-01-06; a summary of the operative change from the previously approved REV Grant by allowing for both ground-floor retail and Class A office space; and a summary of terms. The terms include: a term of 10-years with a maximum REV Grant value of \$1,556,000, which is in addition to the current \$9,000,000 REV Grant.

Strategic Implementation Committee (“SIC”) Chair Oliver Barakat presented the SIC Report.

Chair Moody then brought the item into the Committee for discussion. In order of Board Member acknowledged by the Chair, the following discussion occurred:

Secretary Worsham:

- Speaking to the uniqueness of the request, asked if this would affect other projects. Citing “The Ford on Bay” and challenges with requiring ground floor retail in this economic environment, spoke to a potential need for new-construction ground floor funding assistance.

Board Member Adams:

- Echoed CEO Boyer’s discussion on a need for new ground floor retail funding assistance.

Board Member Citrano:

- Acknowledged his filing of form 8B.
- Speaking to a REV Grant of \$1,556,000, asked if the \$120 per square foot of which it is based relates to allocated cost of retail space or projected improvement costs. Mr. Kelley clarified that the \$125 per square is a combination of rent abatement and tenant improvements.

Board Member Froats:

- Acknowledges that these are unique economic times justifying the request, but that he would otherwise not be supportive of the request.

Board Member Gibbs:

- Echoed Board Member Froats.

Board Member Ward:

- No Comments.

Chairman Moody recognizes Councilperson Cumber.

Councilperson Cumber:

- No comments.

Chairman Moody:

- Echoes the comments of Board Members Froats and Gibbs.

Ms. Mezini reads Board Member Citrano’s voting conflict Form 8B into the record pursuant to Section 112.3143 of the Florida Statutes.

Motion: Secretary Worsham moved approve Resolution 2021-01-06 as provided to the Board.

Seconded: Board Member Gibbs seconded the motion.

Vote: **Aye: 9 Nay: 0 Abstain: 0**

THE MOTION PASSED 9-0-0.

ADJOURNMENT: Chairman Moody adjourned the Community Redevelopment Agency portion of the meeting at 3:33 p.m.

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

DRAFT

TAB III.B

RESOLUTION 2021-02-01 PERFORMANCE WAIVER EXTENSION

RESOLUTION 2021-02-01

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) EXTENDING THE WAIVER OF JOB CREATION AND OTHER BUSINESS COVENANT REQUIREMENTS THROUGH JUNE 30, 2021 FOR THE LOAN RECIPIENTS IDENTIFIED ON EXHIBIT A ATTACHED HERETO; AUTHORIZING ITS CHIEF EXECUTIVE OFFICER (“CEO”) TO TAKE ALL NECESSARY ACTION TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Downtown Investment Authority (“DIA”) has awarded and entered into forgivable loan agreements with the entities listed on Exhibit A attached hereto; and

WHEREAS, the agreements authorizing such loans and providing for their forgiveness require that the businesses remain open for business and maintain a certain number of employees during the period of the loan; and

WHEREAS, as a result of the COVID 19 pandemic and the local and state declarations of emergency, the businesses were required to close to the public and continue to have limitations on their operation; and

WHEREAS, the DIA previously adopted Resolution 2020-06-05, waiving such Job Creation and Business Covenant requirements for the period March 13, 2020 through September 1, 2020; and

WHEREAS, the DIA also adopted Resolution 2020-09-08, extending the waiver of such Job Creation and Business Covenant requirements for the period September 1, 2020 through December 31, 2020; and

WHEREAS, the continuation of the COVID-19 pandemic has adversely affected the number of people working and visiting businesses in the Downtown Investment Authority’s Community Redevelopment Areas.

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

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

Section 2. The DIA hereby extends the waiver of such Job Creation and Business Covenant requirements through June 30, 2021 for the loan recipients identified on Exhibit A attached hereto.

Section 3. The DIA instructs its CEO to take all necessary action to effectuate the purposes of this resolution.

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

WITNESS:

DOWNTOWN INVESTMENT AUTHORITY

Witness

Ron Moody, Chairman

Date

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

EXHIBIT A

The following recipients of forgivable loans are parties to agreements that include Job Creation and Business Covenant requirements:

217-229 N Hogan Street, LLC (Bryan Building): Loan: two (2) events/month in the public space for seven years

AKC Jacksonville, Inc. (Dogtopia): two (2) full-time jobs for five years

Bhalani & Sons-3, Inc. (Tossgreen-Downtown): two (2) full-time jobs for five years

Bhalani & Sons-4, Inc. (Tossgreen-Riverside): seven (7) full-time jobs for five years

Black Sheep Downtown, LLC (Bellwether): two (2) full-time jobs for five years

Bold City Downtown, LLC: two (2) full time jobs for five years

Daniel James Salon, Inc.: two (2) full-time jobs for five years

Nightlife Innovations, Inc. (Elements Bistro Bar & Lounge): two (2) full-time jobs for five years

Riverchefs, LLC (Bread and Board): twenty-five (25) full-time jobs for five years

Zeta Jax, LLC (Ruby Beach Brewing): six (6) full-time jobs for five years

Shotgun Subs VII (Jimmy Johns): two (2) full-time jobs for five years

TAB III.C

RESOLUTION 2021-02-02 SHIPYARDS ACCESS AGREEMENT

RESOLUTION 2021-02-02

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) AUTHORIZING ITS CHIEF EXECUTIVE OFFICER (“CEO”) TO EXECUTE A SITE ACCESS AGREEMENT (“AGREEMENT”) WITH IGUANA INVESTMENTS FLORIDA, LLC, TO CONDUCT ENVIRONMENTAL AND GEOTECHNICAL DUE DILIGENCE ACTIVITIES FOR PART OF THE UPLAND PORTIONS OF THOSE CERTAIN REAL PROPERTIES GENERALLY DESCRIBED AS “THE SHIPYARDS” AND IDENTIFIED BY DUVAL COUNTY PROPERTY APPRAISER PARCEL NUMBERS 130571 0000 TOGETHER WITH THE WESTERN PORTION OF DUVAL COUNTY PROPERTY APPRAISER PARCEL NUMBER 130572 0100, EXPRESLLY EXCLUDING THE ENTIRETY OF METROPOLITAN PARK AS CURRENTLY RESTRICTED BY THE NATIONAL PARK SERVICE AND DEPICTED ON THE MAP ATTACHED HERETO AS EXHIBIT 1; INSTRUCTING ITS CEO TO OBTAIN APPROVAL FROM THE CITY’S RISK MANAGER, DIRECTOR OF PUBLIC WORKS AND THE OFFICE OF GENERAL COUNCIL PRIOR TO EXECUTION OF THE AGREEMENT; INSTRUCTING THE CEO TO TAKE ALL NECESSARY ACTION TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, through the adoption of Ordinance 2014-560-E the City assigned management of certain City-owned properties and buildings to the DIA; and

WHEREAS, from time to time it is requested of the DIA’s Chief Executive Officer to allow for temporary use of its managed properties by others for such purposes as conducting due diligence activities in advance of disposition of property; and

WHEREAS, the DIA adopted Resolution 2017-07-04, which set parameters for the execution of Access Agreements by its Chief Executive Officer, establishing that Access Agreements that include environmental, geotechnical, and other invasive due diligence activities, or Access Agreements that have terms for greater than six (6) months, require approval by the DIA Board prior to execution by its Chief Executive Officer; and

WHEREAS, as presented to the DIA several months ago, Iguana has the desire to develop a portion of the Shipyards and requires additional information in order to properly evaluate the cost and feasibility of development thereon; and

WHEREAS, in order to further knowledgeable evaluation of development potential on the eastern half of Parcel 130571 0000 and the western portion of Parcel 130572 0100 the City

and the DIA find it warranted to undertake certain environmental and geotechnical due diligence activities,

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

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

Section 2. DIA hereby authorizes its Chief Executive Officer to execute a site Access Agreement to conditionally grant to Iguana Investments Florida, LLC (“Licensee”), its agents, representatives, employees, consultants, contractors, and subcontractors a limited license for access to enter upon the eastern half of Parcel 130571 0000 and the western portion of Parcel 130572 0100 expressly excluding the entirety of Metropolitan Park as currently restricted by the National Park Service and depicted on the map attached hereto as Exhibit 1 for the sole purpose of performing environmental and geotechnical due diligence activities, the scope of which shall be limited to those activities approved by the Director of Public Works, the Office of General Counsel and the DIA Chief Executive Officer. The due diligence activities shall be at no cost to DIA nor the City, shall be limited to the uplands (i.e., shall be limited to landward of the landward side of the bulkhead) and shall be coordinated with the City’s Public Works Department and the DIA Chief Executive Officer.

Section 3. The Access Agreement shall continue for one, six (6) month period beginning at execution of the Access Agreement, and will expire without any further action by the City or the DIA, unless the Access Agreement term is extended in writing by the DIA Chief Executive Officer, whose ability to extend the term shall be limited to one, ninety (90) day extension.

Section 4. Prior to execution of an Agreement by the DIA Chief Executive Officer, they shall first obtain approvals of the Access Agreement by the City’s Risk Manager, Director of Public Works and the Office of General Counsel.

Section 5. The DIA instructs its CEO to take all necessary action to effectuate the purpose of this Resolution.

Section 7. This Resolution is predicated on the requirement that the DIA Chief Executive Officer, the Director of Public Works and the Office of General Counsel shall receive copies of all reports, work products and other information that results from this grant of site Access Agreement.

Section 8. This Resolution shall become effective on the date it is signed by the Chair of the DIA Board.

[SIGNATURES ON FOLLOWING PAGE]

WITNESS:

DOWNTOWN INVESTMENT AUTHORITY

Ron Moody, Chair

Date

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

RESOLUTION 2021-02-02

EXHIBIT 1

Metro Park, Duval County, Florida, in Sec 45, T2S-R27E
DEP LWCF Metro Park Acreage
14.32 (+/-) acres



Prepared by Chris Jackson
May 8, 2019
Florida Department of Environmental Protection
Office of Operations
Bureau of State Owned Lands Inventory
Rm 370.05 Carr Building
3800 Commonwealth Blvd.
Tallahassee, FL 32399
Phone 850-245-2747



NOT A SURVEY
FOR ILLUSTRATIVE AND
INFORMATIONAL PURPOSES ONLY

File Location: \\FLDEP1\oop_mapping\GIS_MAPS19\20190508_LWCF Metro Park_CU\LWCFAcres.mxd



TAB III.D

RESOLUTION 2021-02-03 THE DISTRICT CONTRACT AMENDMENTS

RESOLUTION 2021-02-03

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) RECOMMENDING AMENDMENTS TO THE REDEVELOPMENT AGREEMENT AMONG THE CITY OF JACKSONVILLE (“CITY”), DIA, ELEMENTS DEVELOPMENT OF JACKSONVILLE, LLC (“ELEMENTS”), THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT (“CDD”) DATED JULY 12, 2018, (“RDA) AND RELATED DOCUMENTS, INCLUDING BUT NOT LIMITED TO THE CRA INFRASTRUCTURE IMPROVEMENTS COSTS DISBURSEMENT AGREEMENT (“DISBURSEMENT AGREEMENT”) BETWEEN THE DIA, CDD AND ELEMENTS DATED DECEMBER 22, 2020 AND THE INTERLOCAL AGREEMENT (“INTERLOCAL AGREEMENT”) AMONG THE CITY, DIA AND THE CDD DATED DECEMBER 22, 2020, TO REFLECT THAT THE DEFINITION OF GENERAL CONTRACTOR BE REVISED TO PERMIT THE USE OF TWO GENERAL CONTRACTORS FOR THE CRA INFRASTRUCTURE IMPROVEMENTS AT THE DISTRICT AND SUCH OTHER REVISIONS TO SAID DOCUMENTS AS MAY BE NECESSARY TO EFFECTUATE SUCH PERMISSION TO USE TWO GENERAL CONTRACTORS, WITH ALL OTHER TERMS AND CONDITIONS OF THE RDA AND RELATED DOCUMENTS REMAINING UNCHANGED; AUTHORIZING THE CHIEF EXECUTIVE OFFICER OF THE DIA (THE “CEO”) TO FILE LEGISLATION TO ENACT THE MODIFICATIONS TO THE RDA AND RELATED DOCUMENTS; AUTHORIING THE CEO TO EXECUTE ALL DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the DIA and City Council approved the RDA, Disbursement Agreement, Interlocal Agreement and related documents via DIA Resolution 2018-04-01 and Ordinance 2018-313-E, respectively; and

WHEREAS, the CDD recently closed on the bonds to fund construction of the CDD Infrastructure Improvements and CRA Infrastructure Improvements and in December of 2020 Elements conveyed to the City the City Parcels for the Riverwalk, several waterfront parks and a marsh front park in accordance with the terms of the RDA; and

WHEREAS, Elements and the CDD have been diligently pursuing completing the design and permitting of the CDD Infrastructure Improvements and CRA Infrastructure Improvements including the bulkhead, Riverwalk, parks, road and parking facilities; and

WHEREAS, the CDD and Elements are ready to begin construction of the bulkhead portion of the CRA Infrastructure Improvements and wish to execute a contract for construction of the bulkhead portion of the CRA Infrastructure Improvements but have yet to finish final designs of the remaining portions of the CRA Infrastructure Improvements and are thus unable to bid the remaining CRA Infrastructure Improvements at this time; and

WHEREAS, after consultation with the Office of General Counsel, DIA has concluded that the RDA, Disbursement Agreement, and Interlocal Agreement contemplated the use of a single General Contractor for construction of the CRA Infrastructure Improvements; and

WHEREAS, it is beyond the authority of the DIA as contract administrator to authorize the use of two general contractors for construction of the CRA Infrastructure Improvements and amend the contracts previously approved by City Council; and

WHEREAS, DIA, the CDD and Elements wish to amend the definition of General Contractor to allow the use of two separate General Contractors for the construction of the CRA Infrastructure Improvements, to authorize the Director of Public Works and the CEO of DIA to jointly approve the use of up to three General Contractors for construction of the CDD Infrastructure Improvements, and to make all other necessary changes to the RDA, Disbursement Agreement, Interlocal Agreement and related documents to effectuate such change, with all other terms and conditions remaining un-modified; and

WHEREAS, all capitalized terms not otherwise defined herein shall have the meaning ascribed to such terms in the RDA.

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

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

Section 2. The DIA recommends the amendment of the RDA and related documents to permit the use of two General Contractors in construction of the CRA Infrastructure Improvements, one for bulkhead portion of the CRA Infrastructure Improvements and one for all remaining CRA Infrastructure Improvements.

Section 3. The DIA recommends the amendment of the RDA and related documents to authorize the Director of Public Works and the CEO of DIA to jointly approve, in their discretion for good cause shown, the use of up to three General Contractors in construction of the CDD Infrastructure Improvements.

Section 4. The DIA authorizes the CEO to initiate filing legislation with the City Council to enact the changes incorporated within this Resolution 2021-02-03.

Section 5. The Chief Executive Officer is hereby authorized to execute the contracts and documents and otherwise take all necessary action in connection therewith to effectuate the purposes of this Resolution.

Section 6. This Resolution 2021-02-03, shall become effective on the date it is signed by the Chair of the DIA Board.

[SIGNATURES ON FOLLOWING PAGE]

WITNESS:

DOWNTOWN INVESTMENT AUTHORITY

Ron Moody, Chairman

Date

VOTE: In Favor: ___ Opposed: ___ Abstained:

TAB III.E

RESOLUTION 2021-02-04 THE DISTRICT PERFORMANCE SCHEDULE

RESOLUTION 2021-02-04

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) REVISING THE PERFORMANCE SCHEDULE CONTAINED IN EXHIBIT J OF THE REDEVELOPMENT AGREEMENT (“RDA”) BETWEEN THE CITY OF JACKSONVILLE (“CITY”), DIA, ELEMENTS DEVELOPMENT OF JACKSONVILLE, LLC (“ELEMENTS”), AND THE DISTRICT COMMUNITY DEVELOPMENT DISTRICT (“CDD”) DATED JULY 12, 2018 AND RELATED DOCUMENTS, INCLUDING BUT NOT LIMITED TO THE CRA INFRASTRUCTURE IMPROVEMENTS COSTS DISBURSEMENT AGREEMENT (“DISBURSEMENT AGREEMENT”) BETWEEN THE DIA, CDD AND ELEMENTS DATED DECEMBER 22, 2020 AND THE INTERLOCAL AGREEMENT (“INTERLOCAL AGREEMENT”) AMONG THE CITY, DIA AND THE CDD DATED DECEMBER 22, 2020, TO ESTABLISH REVISED DATES FOR EXECUTION OF EACH OF THE GENERAL CONTRACTS CONTEMPLATED FOR CONSTRUCTION OF THE CRA INFRASTRUCTURE IMPROVEMENTS, FOR COMMENCEMENT OF THE BULKHEAD PORTION AND REMAINING PORTIONS OF THE CRA INFRASTRUCTURE IMPROVEMENTS, AND SUCH OTHER SUBSEQUENT AND DEPENDENT REVISIONS AS MAY BE NECESSARY TO EFFECTUATE THE EXECUTION OF THE CONSTRUCTION CONTRACT AND COMMENCEMENT OF CONSTRUCTION OF THE BULKHEAD AS QUICKLY AS POSSIBLE; AUTHORIZING THE CHIEF EXECUTIVE OFFICER OF THE DIA (“CEO”) TO EXECUTE ALL NECESSARY DOCUMENTS TO EVIDENCE SUCH EXTENSION OF THE PERFORMANCE SCHEDULES WITHIN THE RDA, DISBURSEMENT AGREEMENT AND INTERLOCAL AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the DIA and City Council approved the RDA, Disbursement Agreement, and Interlocal Agreement via DIA Resolution 2018-04-01 and Ordinance 2018-313, respectively; and

WHEREAS, the CDD recently closed on the bonds to fund construction of the CDD Infrastructure Improvements and CRA Infrastructure Improvements and in December 2020 Elements conveyed to the City the City Parcels for the Riverwalk, several waterfront parks and a marsh front park in accordance with the terms of the RDA; and

WHEREAS, Elements and the CDD have been diligently pursuing completing the design and permitting of the CDD Infrastructure Improvements and CRA Infrastructure Improvements including the bulkhead, Riverwalk, parks, roads and parking facilities; and

WHEREAS, the CDD and Elements are ready to begin construction of the bulkhead portion of the CRA Infrastructure Improvements and wish to execute a contract for construction of the bulkhead but have yet to finish final designs of the remaining portions of the CRA

Infrastructure Improvements and are thus unable to bid the remaining portions of the CRA Infrastructure Improvements at this time; and

WHEREAS, in order to begin work as quickly as possible the CDD has initiated the process to bid the bulkhead work separately; and

WHEREAS, after consultation with the Office of General Counsel, DIA has concluded that in order to allow commencement of construction on the bulkhead portion of the CRA Infrastructure Improvements, it will be necessary to seek City Council approval of an amendment to the RDA, Disbursement Agreement and/or Interlocal Agreement (“Amendment”) allowing for more than one General Contractor for construction of the CRA Infrastructure Improvements; and

WHEREAS, it is anticipated that the general contract for the bulkhead portion of the CRA Infrastructure Improvements can be executed by the end of May, or possibly sooner; and

WHEREAS, the Permit Approval Date is established in Item (h) of the Performance Schedule (as defined in the RDA) as the date by which the CDD shall (i) have obtained all permits needed for the construction of the Project; and (ii) have signed the contract for construction of the Project with a general contractor and is currently March 3, 2021; and

WHEREAS, the Commencement of Construction date is a Material Milestone established in Item (i) in the Performance Schedules of the RDA, Disbursement Agreement and Interlocal Agreement and is currently April 2, 2021; and

WHEREAS, in accordance with Section 3.2 of the RDA, the Permit Approval Date and Commencement of Construction milestone and other dates within the Performance Schedules can be extended by approval of the DIA Board; and

WHEREAS, all capitalized terms not otherwise defined herein shall have the meaning ascribed to such terms in the RDA.

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

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

Section 2. The Revised Performance Schedule attached hereto as Exhibit A shall be substituted for the remainder of the performance milestones established in Exhibit J to the RDA and in the Disbursement Agreement and Interlocal Agreement.

Section 3. The DIA acknowledges that as of this date Elements and the CDD have satisfied the Revised Performance Schedule milestones prior hereto, as previously extended.

Section 4. This Resolution will utilize _____ days of the possible _____ day extension of the Performance Schedule authorized under Section 3.2 of the RDA with a balance of _____ days available by action of the DIA Board.

Section 5. The CEO is hereby authorized to execute such contracts and documents and otherwise take all necessary action in connection therewith to effectuate the purposes of this Resolution.

Section 6. This Resolution, 2021-02-04, shall become effective on the date it is signed by the Chair of the DIA Board.

WITNESS:

DOWNTOWN INVESTMENT AUTHORITY

Ron Moody, Chairman

Date

VOTE: In Favor: ___ Opposed: ___ Abstained:

Exhibit A to Resolution 2021-02-04

Exhibit J Performance Schedule Revised PERFORMANCE SCHEDULE as of February 17, 2021 (including prior extensions)

(a) On or before the Effective Date, the Developer shall have entered into a fully executed DCSB Agreement in form and substance acceptable to the DIA and shall provide a copy thereof to the DIA. The DCSB Agreement shall provide that, in the event the Developer or CDD default under the DCSB Agreement, the DCSB Agreement at the option of the City may be collaterally assigned to the City.

(b) Within thirty (30) days from the Effective Date, the Developer shall have engaged a design, engineering and permitting team ("Design Team") and authorized that Design Team to proceed with the design and engineering plans and specifications for the Project and shall have provided the DIA with copies of the Contracts of engagements, evidence of the notice to proceed and schedule for production of the plans and specifications (the "Plans and Specifications"). Within sixty (60) days thereafter, and every thirty (30) days thereafter, the Design Team shall meet with and provide the Chief Engineer for the City (the "Chief Engineer") the Plans and Specifications produced during the prior thirty (30) days and all design and engineering of the CRA Infrastructure Improvements shall be subject to the reasonable approval of the Chief Engineer. This schedule may be reasonably modified by the Chief Engineer and the Design Team for better coordination and effectiveness of the review process.

(c) Within ninety (90) days from the Effective Date, the Developer shall have submitted the Preliminary Plat for the Project Parcel to the City;

(d) On or before October 1, 2020:

(i) Prior to December 31, 2018, the Developer shall have overseen, petitioned the City and caused the creation of the CDD pursuant to Chapter 190, Florida Statutes, for the purposes of causing the development and construction of the Project, and prior to December 31, 2020, the CDD shall have purchased the Design and Engineering Plans (as defined in the Disbursement Agreement) from the Developer; and

(ii) The Developer and/or the CDD shall have substantially completed the final design and engineering for the Project and the final plat for the Project Parcel (excluding the final design and engineering for the marina improvements, including the water taxi stop, transient boat docking facilities and kayak launch).

(e) Prior to December 31, 2020, the CDD shall have issued the CDD Bonds the proceeds of which shall be sufficient to fund the CDD Infrastructure Improvements and to satisfy reasonable capitalized interest and debt service reserves together with reasonable placement agent fees and other CDD bond industry standard issuance costs attendant to the issuance of the bonds.

(f) Prior to December 31, 2020, but after issuance of the CDD Bonds, the Closing on the City Parcels shall have occurred in accordance with this Agreement.

Exhibit A to Resolution 2021-02-04

(g) On or before December 31, 2020, the CDD shall have applied for all permits reasonably necessary for the commencement of construction of the Project, and the CDD shall provide to the DIA all permit documents and information required by the City under its standard permit application processes.

(h) On or before 60 days following the City Council Approval Date, or 30 days following the DIA's approval of the contract with the General Contractors for the bulkhead and parking lots respectively, whichever occurs first, (the "Permit Approval Date"):

- (i) The CDD shall have obtained all permits reasonably necessary for commencement of construction of portions of the CRA Infrastructure Improvements and CDD Infrastructure Improvements; and
- (ii) The CDD shall have signed contracts with General Contractors for construction of the bulkhead portion of the CRA Infrastructure Improvements and the contract for construction of the DCSB parking lot portion of the CDD Infrastructure Improvements;

(i) On or before 30 days following the Permit Approval Date, the CDD shall Commence Construction of the bulkhead portion of the CRA Infrastructure Improvements and the DCSB parking lot portion of the CDD Infrastructure Improvements (the "Initial Commencement of Construction Date") and provide written notice of the date thereof to the DIA.

(j) On or before 180 days following the City Council Approval Date, or 30 days following DIA's approval of the contract with the General Contractor for the remaining CRA Infrastructure, whichever occurs first, the CDD shall have signed a contract with a General Contractor for the remaining CRA Infrastructure Improvements, including the marsh boardwalk and excluding the bulkhead (the "Upland CRA Infrastructure Improvements") and with a general contractor for the remaining CDD Infrastructure Improvements, with the exception of the marina improvements, including the water taxi stop, transient boat docking facilities and kayak launch.

(k) On or before 210 days following the City Council Approval Date, the CDD shall Commence Construction of the Upland CRA Infrastructure Improvements and the remainder of the CDD Infrastructure Improvements and provide written notice of the date thereof to the DIA.

(l) The CDD shall Complete Construction of the CRA Infrastructure Improvements no later than thirty-six (36) months after the Initial Commencement of Construction Date of the CRA Infrastructure Improvements.

(m) The CDD shall Complete Construction of the CDD Infrastructure Improvements no later than forty-eight (48) months after the Initial Commencement of Construction Date of the CDD Infrastructure Improvements.

In the event of any conflict between this Performance Schedule and the Performance Schedule in the Disbursement Agreement, this Performance Schedule shall control.

TAB IV.A

**JANUARY 20, 2021 DOWNTOWN INVESTMENT AUTHORITY
BOARD MEETING MINUTES**



Downtown Investment Authority
In Person Hybrid

Wednesday, January 20, 2021, at 3:33 p.m.

Downtown Investment Authority
MEETING MINUTES

DIA Board Members: Ron Moody, Chairman; Braxton Gillam, Esq., Vice Chairman; Carol Worsham, Secretary; Oliver Barakat; Craig Gibbs, Esq.; David Ward, Esq.; Jim Citrano; Bill Adams, Esq.*; and Todd Froats (* Participated virtually pursuant to Section 6.4 of the DIA Bylaws.)

DIA Board Members Excused: None

Mayor's Staff: None

Council Members: Council Member LeAnna Cumber, District 5

DIA Staff: Lori Boyer, Chief Executive Officer; Steve Kelley, Director of Downtown Real Estate and Development; John Crescimbeni, Contract and Regulatory Compliance Manager; Guy Parola, Operations Manager; Lori Radcliffe-Meyers, Redevelopment Coordinator; and Ina Mezini, Marketing and Communications Specialist.

Office of General Counsel: John Sawyer, Esq.

CALL TO ORDER: Chairman Moody called to order the Downtown Investment Authority Board Meeting at 3:33 p.m.

IV. DOWNTOWN INVESTMENT AUTHORITY MEETING

A. NOVEMBER 18, 2020, DOWNTOWN INVESTMENT AUTHORITY BOARD MEETING APPROVAL OF THE MINUTES.

Not provided for action.

B. RESOLUTION 2021-01-01: OFF STREET PARKING RATES

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) INSTRUCTING ITS CHIEF EXECUTIVE OFFICER (“CEO”) AND THE CITY’S PUBLIC PARKING OFFICER TO ADOPT REVISIONS TO THE OFF-STREET PARKING RATE SCHEDULE FOR EACH MUNICIPAL PARKING LOT FACILITY; PROVIDING FOR AN EFFECTIVE DATE.

CEO Boyer noted that as previously approved garage parking rate structures were being implemented, numerous parking arrangements, as opposed to contractually memorialized arrangements, were discovered and likewise not addressed in the Tim Haahs study. Speaking to the specific request made by Mr. Cofer to extend City employee parking rate discounts to the Public

Defenders Office, CEO Boyer spoke more globally to the expiration of other parking discounts, as recommended by the Tim Haahs study (e.g. Jessie Ball DuPont). CEO Boyer acknowledged that, due to COVID, many parking spaces are unused, at least temporarily.

Chairman Moody recognizes John Crescimbeni, Contract and Regulatory Compliance Manager.

Mr. Crescimbeni expounded upon CEO Boyer's comments regarding the discovery of parking arrangements not otherwise memorialized contractually. Mr. Crescimbeni further discussed a need to establish a nighttime parking rate in the Ed Ball garage, and the challenges of implementing parking voucher programs.

Mr. Crescimbeni provided a Table of Rates, with revisions as proposed, specifically noting: a night time monthly parking rate of \$80.00 for the Ed Ball parking garage; a \$120.00 reserved rate in the Duval Street (a/k/a Library) garage; and transient garage rates at the Ed Ball Garage of \$1 for the first half-hour, \$2 for the second half-hour; \$3 for the third half-hour; \$4 for the fourth half-hour; and rates of \$20.00 per hour for the third and fourth hours to a maximum of \$50.00.

Chair Moody then brought the item into the Committee for discussion. In order of Board Member acknowledged by the Chair, the following discussion occurred:

Vice Chair Gillam:

- Speaking to extending discount rates to the Public Defenders Office, inquired as to the need to file legislation. CEO Boyer clarified DIA's ability to set rates with notification of those rates to City Council, further explaining that absent action by City Council within 30 days of notification those DIA approved changes would become effective. Mr. Gillam notes his support of the extension of employee discounts to the Public Defenders Office through 2021.

Secretary Worsham:

- No comments.

Board Member Adams:

- Expressed concern over implications to others by the extension of City Employee discount rates to the Public Defenders Office.

Board Member Citrano:

- Echoed Board Member Adams' concern over implications to others by the extension of City Employee discount rates to the Public Defenders Office.

Board Member Froats:

- Spoke in favor of the proposed rates.

Board Member Gibbs:

- Addressing CEO Boyer, requested clarification on the City Employee parking discount. CEO Boyer provided legislative clarifications.
- Echoed Vice Chair Gillam's concerns regarding the implications to other of extending the City Employee parking discount to the Public Defenders Office.

Chairman Moody recognizes Mr. Crescimbeni

Mr. Crescimbeni:

- Provides further legislative history on the City Employee parking discount program.

Chairman Moody recognizes CEO Boyer

CEO Boyer:

- Speaking to the rate changes as proposed, this is a separate action from extension of any parking discount program.
- Speaking to extension of a parking rate discount to the Public Defenders Office, instructed that this would be a separate action.

Board Member Ward:

- No Comments.

Chairman Moody:

- No Comments.

Motion: Secretary Worsham moved to approve Resolution 2020-01-01 as provided to the Board.

Seconded: Board Member Gibbs seconds the motion

Vote: **Aye: 9** **Nay: 0** **Abstain: 0**

THE MOTION PASSED 9-0-0.

Chairman Moody recognizes Vice Chair Gillam, at which point the following actions occur:

Motion: Vice Chair Gillam moved to extend a 50% parking rate discount to employees of the Public Defenders Office.

Seconded: Board Member Gibbs seconds the motion

Chairman Moody recognizes Board Member Barakat.

Board Member Barakat:

- Speaking to comments made by Vice Chair Gillam regarding an extension of City Employee 50% parking rate discounts to the Public Defenders Office, sought clarity that Mr. Gillam was proffering this extension.

Discussion between CEO Boyer and various Board Members regarding the rates that would be the baseline for any discount extended to the Public Defenders Office occurred. The discussion resulted in a clarification that a parking discount rate would be applied to the baselines monthly rate of \$80.00; i.e., a 50% discounted rate would be \$40.00 per month.

Vice Chair Gillam:

- Clarified that his proposal was to extend the 50% discount to the Public Defenders Office employees through September 30, 2021.

Board Member Adams:

- Speaking to the rate chart included as part of Resolution 2021-01-01 and the Public Defenders Office 13 vehicles currently not being charged a monthly parking rate: notes a difference between individual employee and fleet vehicles.
- Requested clarity on the motion, specifically if the rate structure provided as part of Resolution 2021-01-01 would apply to individual and fleet vehicles, citing the parking of City fleet vehicles in garages at no cost to the City.

Chairman Moody calls for the vote.

Vote: Aye: 7 Nay: 2 (Adams, Froats) Abstain: 0

THE MOTION PASSED 7-2-0.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

C. RESOLUTION 2021-01-02: ON STREET PARKING RATES

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) INSTRUCTING ITS CHIEF EXECUTIVE OFFICER (“CEO”) AND THE CITY’S PUBLIC PARKING OFFICER TO ADOPT A REVISION TO THE ON-STREET PARKING RATES; PROVIDING FOR AN EFFECTIVE DATE.

John Crescimbeni, Contract and Regulatory Compliance Manager, provided a summary of the rate structure for on street parking that would be effectuated with the adoption of Resolution 2021-01-02. Mr. Crescimbeni guided the Board to the attachment to Resolution 2021-01-02, which is the rate structure recommended by Tim Haahs in 2019. Proposed rates for on street parking within high demand areas are: \$1 for each of the first two (2) half-hour periods, increasing to a rate of \$2 per hour for each hour thereafter. In low-demand areas, the current rate of \$0.50 per hour would continue.

Chair Moody then brought the item into the Committee for discussion. In order of Board Member acknowledged by the Chair, the following discussion occurred:

Board Member Ward:

- No Comment.

Board Member Gibbs:

- Questioned the reasoning for keeping low demand areas at \$0.50 per hour. Mr. Crescimbeni stated that, in part, it is due to low demand areas have mechanical (i.e. coin operated) meters.

Board Member Froats:

- Speaking to low demand area mechanical meters, would support revised rates being extended to these low demand areas once technological meter changes permits.

Board Member Citrano:

- No comments.

Board Member Barakat:

- No comments.

Board Member Adams:

- No Comments.

Secretary Worsham:

- Thank staff for the effort.

Vice Chair Gillam:

- No Comments.

Motion: Vice Chair Gillam moved adopt Resolution 2021-01-02 as provided to the Board.

Seconded: Secretary Worsham seconds the motion

Vote: **Aye: 9** **Nay: 0** **Abstain: 0**

THE MOTION PASSED 9-0-0.

V. NEW BUSINESS

None.

VI. DRI UPDATE

Guy Parola, Operations Manager, provided a brief update, confirming that the DRI is officially abandoned, and discussed next steps.

VII. CEO INFORMATIONAL BRIEFING

- Speaking to the BID and CRA Update, CEO Boyer presented and discussed a district parks map;
- CEO Boyer provided an update on The District; and
- CEO Boyer provided a summary and update on the Landing Design RFP.

VIII. CHAIRMAN REPORT

- Requested that staff supply reports and documents at least seven (7) days prior to a meeting; and
- Speaking to a map of developments in Downtown, discussed the development accomplishments completed, in permitting and pending.

Chairman Moody recognizes Board Member Froats.

Board Member Froats:

- Speaking to The District as a reference, noted that the Board should capitalize on large developments as they arise.

Chairman Moody recognizes Nancy Powell.

Nancy Powell: no further comments made

IX. ADJOURN

ADJOURNMENT: Seeing no further discussion from the Board, Chairman Moody adjourned the meeting at 4:45 p.m.

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

TAB IV.B

RESOLUTION 2021-02-05 METER RENTAL (BAGGING) RATE SCHEDULE

RESOLUTION 2021-02-05

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) INSTRUCTING ITS CHIEF EXECUTIVE OFFICER (“CEO”) AND THE CITY’S PUBLIC PARKING OFFICER TO ADOPT A REVISED METER RENTAL (BAGGING) RATE SCHEDULE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Office of Public Parking falls under the purview of the Downtown Investment Authority; and

WHEREAS, the Office of Public Parking is authorized, pursuant to Section 802.105(c) of the Ordinance Code, to issue permits and to rent parking meters in the City; and

WHEREAS, to visibly show this rental use, the Office of Public Parking shall place a meter bag over each meter so rented; and

WHEREAS, the practice of taking on-street parking spaces temporarily out of service through “meter bagging” has become problematic in that (i) meters have been taken out of service or reserved for single businesses for extended periods of time, and (ii) on-street parking spaces in large areas, and in some instances, entire blocks, have been removed from service during high-demand periods thereby adversely affecting adjacent businesses by removing customer parking and by also blocking visibility of the businesses; and

WHEREAS, in 2017 the DIA commissioned a study of downtown parking rates and operations and in 2019 received from Tim Haahs & Associates a Downtown Parking Strategy and Implementation Plan (the “Plan”); and

WHEREAS, the Plan recommended a revision to current meter bagging (rental) procedures and policies; and

NOW THEREFORE BE IT RESOLVED by the Downtown Investment Authority:

Section 1. The Downtown Investment Authority finds the above recitals true and correct and they are incorporated herein by reference.

Section 2. The Downtown Investment Authority hereby recommends adoption and implementation of the revised meter rental rate schedule attached hereto as Exhibit A.

Section 3. The Downtown Investment Authority instructs its CEO, through the Office of Public Parking, to forward legislation to the City Council amending the application fee, permit fee, daily rental fee and/or monthly rental fee of meters pursuant to the rate schedule attached hereto as Exhibit A.

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

WITNESS: DOWNTOWN INVESTMENT AUTHORITY

Witness

Ron Moody, Chairman

Date

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

EXHIBIT A

METER RENTAL (BAGGING) RATE SCHEDULE

Activity	Current Rate	Proposed Rate
Temporary Removal of parking meter and post	\$10.00 per post and meter per day	The greater of 1.5 times the meter revenue for 8 hours/per day OR \$10/per day
Temporary Removal of parking meter and post – Permit Application Fee	\$30.00	\$30.00
Parking meter rental (bagging) by contractor or business	\$6.00/day per meter or \$120/month per meter	The greater of 1.5 times the meter revenue for 8 hours/ per day OR \$10/per day
Parking meter rental (bagging) by contractor or business – Permit Application Fee	\$1.00	\$25.00
Special Sign Exception	\$25.00	Delete