

RESOLUTION 2019-10-01

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) AUTHORIZING ITS CHIEF EXECUTIVE OFFICER (“CEO”) TO EXECUTE A PROPERTY ACCESS AGREEMENT (“AGREEMENT”) WITH JACKSONVILLE I-C PARCEL ONE HOLDING COMPANY, LLC, FOR THAT CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS THE LOT J SURFACE PARKING LOT AND IDENTIFIED BY DUVAL COUNTY PROPERTY APPRAISER PARCEL NUMBER 130572 0150 (“PROPERTY”); INSTRUCTING THE DIA 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 DIA staff is requested to allow for temporary use of its managed properties for such purposes as conducting due diligence activities in advance of disposition of real property; and

WHEREAS, DIA Resolution 2017-07-04 authorized the CEO of the DIA to execute certain access agreements within the parameters set forth therein, without the need to obtain approval by the DIA Board; and

WHEREAS, access agreements that include environmental, geotechnical, and other invasive due diligence activities, and access agreements that have terms for greater than six (6) months, require approval by the DIA Board prior to execution by its CEO, 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 conditionally grants to Jacksonville I-C Parcel One Holding Company, LLC (“Licensee”), its agents, representatives, employees, consultants, contractors, and subcontractors, a limited license for access to enter upon the Property for the sole purpose of performing certain testing including but not limited to collection of groundwater samples from the monitoring wells, making of soil borings, taking of soil samples from the borings, the proper abandonment of any monitoring wells, disposal of soil and water generated from the testing (collectively, the “Work”). The Work shall be at no cost to DIA or the City.

Section 3. The Agreement shall continue for a period of sixty (60) days at which time it will expire unless extended in writing by the CEO of the DIA for up to an additional two (2) month period.

Section 4. Prior to execution of the Agreement by the DIA CEO, the CEO shall first obtain approvals of the 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 6. This Resolution shall become effective on the date it is signed by the Chair of the DIA Board.

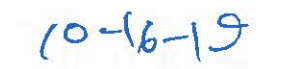
WITNESS:

DOWNTOWN INVESTMENT AUTHORITY





Craig Gibbs, Esq., Chair



Date

VOTE: In Favor: 6 Opposed: 0 Abstained: 0