

**RESOLUTION 2024-08-03**

**A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) ACTING AS THE DOWNTOWN ECONOMIC DEVELOPMENT AGENCY (“GRANTOR”) APPROVING THE AWARD OF DIA CODE COMPLIANCE SUPPORT GRANT AGREEMENT TO MILAM, HOWARD, NICANDRI & GILLAM, PA (“APPLICANT” OR “GRANTEE”); AUTHORIZING THE CEO OF THE DIA TO NEGOTIATE A FORGIVABLE LOAN AGREEMENT; AUTHORIZING THE DIA CEO TO EXECUTE SUCH AGREEMENT; AND FINDING THAT THE DEVELOPMENT PLAN IS CONSISTENT WITH THE DIA’S BUSINESS INVESTMENT AND DEVELOPMENT PLAN (“BID PLAN”) AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, at their August 16, 2023, meeting the Downtown Investment Authority (“DIA”) approved Resolution 2023-08-13 establishing the DIA Code Compliance Support Program, to provide funding for existing property owners and tenants within the DIA boundary for required compliance with newly enacted code requirements as noticed by a public body, with funding provided through the Downtown Northbank CRA Redevelopment Trust Fund or as may be reallocated from the Downtown Economic Development Fund by the DIA in its capacity as the Downtown Economic Development Agency; and

**WHEREAS**, the Applicant owns eligible property located at 14 E. Bay Street (RE# 074457-0010) within the Downtown Northbank CRA and applied for funding under the DIA Code Compliance Support Program to facilitate required upgrades to the elevator system and related infrastructure; and

**WHEREAS**, the application was reviewed by the DIA staff, found to be consistent with program guidelines and the BID Plan and Northbank CRA Redevelopment Plan; and

**WHEREAS**, the DIA Strategic Implementation Committee, at their meeting of August 16, 2024, voted to recommend approval of the subject application to the DIA Board; and

**WHEREAS**, to assist the Grantee in making upgrades to the elevator system and related infrastructure of the commercial building located at 14 E. Bay Street (the “Project”) the DIA proposes to provide a Grant in the form of a forgivable loan in an amount not to exceed FORTY-FOUR THOUSAND FIVE HUNDRED FORTY-FIVE DOLLARS (\$44,545.00) to the Grantee; and

**WHEREAS**, the financial assistance to the Project will be in the form of the proposed terms and incentives on the Term Sheet, attached as Exhibit A to this Resolution,

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

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

**Section 2.** The DIA hereby finds that the Project supports the following Goal(s) and Strategic Objective(s) of the BID Plan:

- Goal Number 1: Increase commercial office utilization, occupancy, and job growth to reinforce Downtown as the region's epicenter for business.
  - Improve the occupancy rates of existing Downtown commercial office buildings
  - Facilitate restoration and rehabilitation of Downtown's historic building stock for productive commercial office use
- Goal Number 5: Improve the safety, accessibility, and wellness of Downtown Jacksonville and cleanliness and maintenance of public spaces for residents, workers, and visitors.
  - Promote safe and equitable access to all Downtown facilities by improving access to buildings and other properties, amenities, transit, events, and attractions; by eliminating obstacles; and by designing for all ages and abilities.
- Goal 8: Simplify and increase the efficiency of the approval process for downtown development and improve departmental and agency coordination.
  - Continually look for ways to simplify application and permitting processes.

**Section 3.** The DIA, in its capacity as the Downtown Economic Development Agency, hereby awards a DIA Code Compliance Grant to Grantee in an amount not to exceed \$44,545 from the Downtown Economic Development Fund in accordance with the terms of the term sheet attached hereto as Exhibit A.

**Section 4.** The Chief Executive Officer is hereby authorized to negotiate and execute the contracts necessary to document this approval and otherwise take all additional actions necessary to effectuate the purposes of this Resolution.

**Section 5.** The Effective Date of this Resolution is the date of execution of this Resolution by the Chair of the DIA Board.

(SIGNATURES ON FOLLOWING PAGE)

WITNESS:

**DOWNTOWN INVESTMENT AUTHORITY**

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Patrick Krechowski, Esq., Chair

8/26/24  
\_\_\_\_\_  
Date

VOTE: In Favor: 7 Opposed: 0 Abstained: 0

**EXHIBIT A - TERM SHEET  
Resolution 2024-08-03**

**Milam, Howard, Nicandri & Gillam, PA  
14 E Bay Street  
Code Compliance Support Program**

**Project Name:** 14 E Bay Street  
**Applicant:** Milam, Howard, Nicandri & Gillam, PA  
Erin Juzapavicus, Owner's Representative

**Project Location:** 14 E Bay Street  
Jacksonville, Florida 32202

Estimated Budget: \$89,090  
Eligible Code Compliance Costs: \$89,090  
Maximum Grant Funding: \$44,545

**Project:** Elevator Modernization for 14 E Bay Street in accordance with the application received, materially consistent narrative and budget found in FIGURE 1., subject to DIA Board approval in its capacity as the Downtown Economic Development Agency.

**DIA Funding:** Not more than \$44,545, Grant to be documented as a forgivable loan and funded through the Downtown Economic Development Fund.

**Infrastructure:** No City of Jacksonville or CRA infrastructure funding or support is requested.

**Land:** No City of Jacksonville land or building is requested.

**Loans:** No further City of Jacksonville or CRA loans have been requested.

**Facade Grant:**

- Maximum funding limited to the lesser of 50% of actual costs incurred on eligible improvements as supported by invoices as approved by the DIA, with funding to not exceed \$44,545.
- Eligible costs are those outlined in Figure 1 below and are further limited to expenditures made on improvements to the elevator and associated infrastructure.
- The Grant will be funded following submission and processing of a funding request form following completion of the work.
- Work shall be inspected for compliance with the application as submitted, and all invoices or other documentation satisfactory to the DIA in its sole discretion must be submitted for satisfactory review and approval by DIA Staff to demonstrate all contractors and subcontractors performing work on the Project have been paid in full.
- The Grant approval is contingent upon the following:

## RESOLUTION 2024-08-03

1. Only work on the elevator and associated infrastructure as outlined in the application submitted is eligible for reimbursement.
2. Applicant to provide documentation demonstrating compliance with the relevant updated code requirements.
3. Applicant must be in good standing with the City (no unpaid taxes, Municipal Code Compliance outstanding citation on any property of applicant, outstanding defaults on any City contract, or previous uncured grant defaults or non-compliance).
4. The property being improved may not have any outstanding liens or violations from the City of Jacksonville.
5. Applicant must not be engaged in an active lawsuit with or have an unresolved claim from or against the City or its agencies that is related to the property from which the grant is sought or other similar rehabilitation grants.
6. Applicant agrees to utilize City-approved JSEBs for renovation work associated with the grant where possible.
7. Must maintain the improvements in good repair.
8. All improvements must adhere to Downtown Overlay Zone and Downtown District Use and Form Regulations, and DDRB approvals, as applicable.

### **Performance Schedule:**

1. Code Compliance Grant Agreement or appropriate loan document to be executed not later than six (6) months of approval by the DIA Board which will establish the Code Compliance Grant Agreement Effective Date.
2. Commencement of Construction of Improvements: Within three (3) months following the Grant Agreement Effective Date, Applicant commits to commencement of construction, meaning receipt of all required approvals, permitting, and closing on all required financing to allow the start of construction activities and has begun work in earnest.
3. Substantial Completion: Within twelve (12) months following Commencement of Construction as defined above.
4. The DIA CEO will have authority to extend this Performance Schedule, at the CEO's sole discretion, for up to three (3) cumulative months for good cause shown by the Applicant. Any extensions to the Commencement Date shall have the same effect of extending the Substantial Completion Date simultaneously.

### **Conditions:**

This Term Sheet is limited by the following conditions:

1. Downtown Investment Authority to receive copies of any necessary permits, invoices, cancelled checks or documentation from other methods of payment, and other items as may be requested by the DIA in its sole discretion as evidence of eligible expenditures; and
2. Annual reporting required to demonstrate compliance with terms and conditions as approved; and

RESOLUTION 2024-08-03

3. There may be additional terms, conditions, rights, responsibilities, warranties, and obligations for both parties which shall be determined in a later negotiated mutually agreeable written contract.

**FIGURE 1. CODE COMPLIANCE IMPROVEMENTS**

<b>Scope of Work</b>	<b>Amount</b>
TKE Modernization	\$76,499
AC for Elevator Mechanical Room	\$536
ECT for wiring upgrades	\$6,250
Johnson Controls for wiring upgrades	\$5,805
<b>Total</b>	<b>\$89,090</b>
<b>50% Maximum Funding</b>	<b>\$44,545</b>