

RESOLUTION 2021-10-05

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) ACTING AS THE COMBINED NORTHBANK COMMUNITY DEVELOPMENT AGENCY (“GRANTOR”) APPROVING THE AWARD OF A RETAIL ENHANCEMENT PROGRAM FORGIVABLE SIDEWALK ENHANCEMENT LOAN TO BLACK SHEEP DOWNTOWN LLC (“GRANTEE”); AUTHORIZING THE CEO OF THE DIA TO NEGOTIATE A FORGIVABLE LOAN AGREEMENT OR EQUIVALENT; AUTHORIZING THE DIA CEO TO EXECUTE SUCH AGREEMENT; AND FINDING THAT THE PROPOSED SIDEWALK CAFÉ FURTHERS THE DIA’S BUSINESS INVESTMENT AND DEVELOPMENT PLAN, INCLUDING THE NORTHBANK CRA PLAN (“BID PLAN”) AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Grantee submitted a Retail Enhancement Program - Sidewalk Enhancement application to the DIA under the Targeted Retail Activation: Food and Beverage Establishments Program adopted by DIA pursuant to Resolution 2020-06-01; and

WHEREAS, the application, attached hereto as Exhibit A, was reviewed by the DIA staff, found to be consistent with the BID Plan and CRA Plan for Downtown Northbank; and

WHEREAS, the DIA is authorized to utilize the Northbank Combined Tax Increment District funds, in accordance with the CRA Plan, to foster the redevelopment of the Downtown Northbank Community Redevelopment Area; and

WHEREAS, there are sufficient funds available within the Northbank CRA approved budget for Retail Enhancement to fund this request; and

WHEREAS, to assist the Grantee in activating Downtown by adding additional sidewalk service area to their existing restaurant, DIA staff recommends that the DIA approve a Sidewalk Enhancement Forgivable Loan in amount not to exceed \$1312.00 (One thousand three hundred and twelve dollars) to the Grantee in accordance with the terms of the established program and the application attached hereto as Exhibit A; and

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 is supported by the following Goal(s) and Strategic Objective(s) of the BID Plan:

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- Goal 1: Reinforce Downtown as the City's unique epicenter for business, history, culture, education, and entertainment.
- Goal 2: Increase rental and owner-occupied housing downtown, targeting key demographic groups seeking a more urban lifestyle.
 - Promote and attract neighborhood retail to support downtown residents.
- Goal 4: Maintain a clean and safe 24-7 Downtown for residents, workers, and visitors.
 - Provide increased walkability through:
 - Support and attract additional commercial, service, residential, transportation, recreation, and open space uses.
 - Redevelop the major road corridors with pedestrian-scale neighborhood retail and services.

Section 3. The DIA hereby approves the award of a Retail Enhancement Grant in the amount of \$1,312.00 from the Combined Northbank TID to Grantee to be provided in accordance with the application attached hereto as Exhibit A and the adopted Sidewalk Enhancement program guidelines.

Section 4. This award is subject to each of the following prior to reimbursement for eligible expenditures as may be submitted:

- a) Maximum funding limited to 80% of actual costs incurred as supported by invoices, but not more than \$1,312.00, and
- b) Evidence that the lease for the subject property and operation of the subject business has been renewed for a period of not less than five years.
- c) Issuance of a Sidewalk Café permit to Grantee that would allow use of the subject sidewalk for the intended purpose, and
- d) A notarized statement from 100 N. Laura Street, LLC, as property owner and landlord, authorizing operations related to this Sidewalk Enhancement application.

Section 5. The Chief Executive Officer is hereby authorized to negotiate and execute the Loan Agreement or equivalent and otherwise take all necessary action in connection therewith to effectuate the purposes of this Resolution.

Section 6. The Effective Date of this Resolution is the date of execution of this Resolution by the Chair of the DIA Board.

*** SIGNATURES FOUND ON THE FOLLOWING PAGE ***

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WITNESS:

DOWNTOWN INVESTMENT AUTHORITY

Xavier Chisholm
Witness

W. Braxton Gillam
W. Braxton Gillam, Esq., Chair

10-20-2021
Date

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



For Official Use Only:
Application#: _____ Date Received: _____ Date Found Complete: _____

**RETAIL ENHANCEMENT PROGRAM
TARGETED RETAIL ACTIVATION: FOOD AND BEVERAGE ESTABLISHMENTS
SIDEWALK ENHANCEMENT APPLICATION FOR OUTDOOR SERVICE
(For use on a stand-alone basis)
Upon completion, please submit application to DIAprograms@coj.net**

Note: DIA "Grants" are structured as forgivable loans with related performance requirements and rights and remedies in the event of default. Upon approval, applicants will be required to enter into a loan agreement that details these requirements and may be supported by personal guarantees from the business and property owners.

PART 1: To be completed by Business Owner

I. APPLICANT INFORMATION:

- A. Business Operating Name (d/b/a): Bellwether
- B. Type of Business (i.e. café, ice cream shop, restaurant, etc.): Restaurant
- C. Property Address: 100 N Laura St. 100, Jacksonville, FL 32202
- D. Business Mailing Address: 117 W. Forsyth, Jacksonville, FL 32202
- E. Business Telephone: 904.802.7745 Website URL: bellwetherjax.com
- F. Business Legal Name: Black Sheep Downtown LLC
- G. Form of Ownership (sole proprietorship, partnership, LLC, S-Corp.): LLC
- H. State of Business Formation: LLC
- I. Employer Tax ID: 47-5675125 Business Tax Receipt #: 280072
- J. Contact Person (Name/Title): Jason Eddy
- K. Contact Mailing Address: 117 W. Forsyth, Jacksonville, FL 32202
- L. Contact Telephone: 904.200.6539 Contact E-Mail: jason@blacksheepjax.com
- M. Number of Years of Business Operations at this site or location: 4 years

II. PROPERTY INFORMATION: (A Sidewalk Café Permit is required to be issued prior to the award of this Grant. A copy of the Sidewalk Café Permit and Application shall be submitted with this Application.)

- A. The applicable Targeted Food and Beverage District: Hogan x Laura Elbow
- B. Are ad valorem property taxes on the Building current? Yes No
- C. Does the Business have a Sidewalk Café permit currently? Yes No

III. ESTABLISHMENT LEASE INFORMATION:

- A. Lease term (number of years, 5-year minimum): 5 years
- B. Lease term start date: 11/13/15
- C. Lease end date: 10/31/21 (5 year extensions)
- D. Landlord Business Name: 100 N. Laura Street, LLC
- E. Landlord Contact Name: Dana Kane
- F. Landlord Address: 4114 Sunbeam Road, Building 300 Jacksonville, FL 32257
- G. Landlord Phone Number: (904)733-0039

IV. SIDEWALK ENHANCEMENT INFORMATION

- A. Any and all funding under the Sidewalk Enhancement Grant program may only be used within the area described in the valid Sidewalk Café Permit (*referred to as "Sidewalk Area"*).
- B. Describe the proposed Sidewalk Area Enhancements. Include anticipated Furniture, Fixtures, and Equipment to be acquired: 4 two top tables, eight chairs, and 4 umbrellas

- C. Describe how the proposed Sidewalk Area Enhancements will be used to improve or expand the business and the Downtown area, including any other activities planned for the sidewalk in front of your business: We anticipate the furniture to draw more attention to our restaurant, liven up the downtown area with colorful umbrellas, and provide more outdoor seating.

- D. Describe what measures will be undertaken by the Business Owner to preserve and protect Furniture, Fixtures, and Equipment acquired with grant funds from damage, theft, or other loss beyond normal wear and tear.

We will be bringing in the furniture inside at the end of every day when we are closed.

E. Provide information on any DIA incentives or funding the Building or Business has received in the past or any application currently under consideration (*NOTE: Sidewalk Enhancement Grant funds may not be used for costs of improvements submitted as part of any other application or previously approved by the City of Jacksonville or the DIA.*)

V. ENHANCEMENT COSTS AND REQUESTED FUNDING FROM DIA:

A. TOTAL SIDEWALK AREA ENHANCEMENT COST and SOURCES

- | | | |
|---|------------|--------|
| 1. Estimated total cost of Sidewalk Area Enhancement: | \$ 1639.87 | 100 % |
| 2. Applicant contribution (amount and % of total (min. 20%)): | \$ _____ | ____ % |

B. TOTAL AMOUNT REQUESTED FROM DIA:

- | | | |
|--|----------|--------|
| 1. Eligible Costs x 80% (Not to exceed \$5,000): | \$ _____ | ____ % |
|--|----------|--------|

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Part 2: Required Documentation to be Provided

- A. A detailed budget identifying all Sidewalk Area enhancement costs, as follows:
 - 1. If performing any construction work, identify all work to be performed, including work not to be paid for by the Sidewalk Enhancement Grant.
 - a. See the FAB-REP Grant and REP Grant guidelines for additional information on costs generally considered eligible or ineligible.
 - 2. Identify all furniture, fixtures, and equipment to be purchased as part of enhancement of the Sidewalk Area, including items not to be paid for by the Sidewalk Enhancement Grant.
 - 3. Furniture, fixtures, and equipment already owned or purchased prior to the submission of this application are not eligible for funding or reimbursement.
- B. A copy of a valid and current Sidewalk Café Permit for the Business and all supporting documents, including the Application, that was submitted for the Sidewalk Café Permit.
- C. A detailed written description and drawing depicting the size, dimension, and location of the Sidewalk Area enhancements and modifications, with samples when applicable.
- D. A copy of the property tax bill to confirm payment of Ad Valorem taxes.
- E. Unless the property owner is the applicant, a notarized statement from the property owner authorizing any construction, improvements, and operations related to this Sidewalk Enhancement application.
- F. A copy of the deed to confirm ownership of the property.
- G. A legally valid and binding lease for a period of at least five years with use restricted to an allowable retail use.
- H. A legally binding agreement with a licensed and qualified contractor, if applicable.
- I. Executed applicable authorization affidavit(s), for example: Agent Authorization for LLC, General Partnership, Corporation, or General Partnership, and Property Ownership Affidavit.

**THIS APPLICATION MUST BE SUBMITTED TO THE DOWNTOWN
INVESTMENT AUTHORITY AND APPROVED BY THE DOWNTOWN
INVESTMENT AUTHORITY BOARD PRIOR TO THE COMMENCEMENT OF
ANY WORK OR PURCHASE OF ANY FURNITURE, FIXTURES, OR EQUIPMENT
SOUGHT TO BE REIMBURSED UNDER THE PROGRAM**

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APPLICANT ATTESTATION

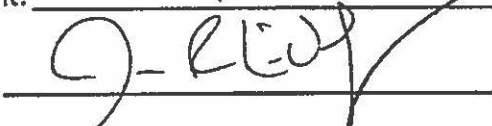
The Applicant, as Business Owner, Jason Eddy attests that the information submitted as part of this application package, as well as any subsequent information submitted for review by the Downtown Investment Authority ("DIA") Staff, Retail Enhancement and Property Disposition Committee, or the DIA Board, is true and correct, and that all information and documentation submitted, including this application and attachments, is deemed public record under the Florida Public Records Law, Ch. 119 of the Florida Statutes. Falsification or omission of information will result in rejection of the application and potential criminal penalties. The DIA reserves the right to request any additional information needed to process this Application.

If the Applicant is awarded funding from the DIA Sidewalk Enhancement Grant Program, the Applicant agrees that the DIA's payment of funds will occur only upon completion of the improvements or purchase of furniture, fixtures, and equipment as approved and the satisfactory review of evidence of costs incurred and paid in accordance with the budget as submitted at the time of application. Applicant acknowledges and agrees that the DIA retains the right to review and audit any and all records related to the Sidewalk Enhancement Grant Improvements. Applicant agrees to protect and maintain the Sidewalk Enhancements and furniture, fixtures, and equipment in good repair for at least five (5) years.

By signing below, the Applicant acknowledges that he or she has read and agrees to adhere to the Sidewalk Enhancement Program Guidelines.

By signing below, the Applicant authorizes the DIA to submit a credit verification request and criminal background check from local, state, and federal agencies. Please note that the review of this application will incorporate that information as may be relevant.

Legal Business Name of Applicant: Black Sheep Downtown LLC

Business Owner Signature:  Date: 09/23/2021

Business Owner Name: Jason Eddy