

CITY OF JACKSONVILLE
DOWNTOWN INVESTMENT AUTHORITY
BOARD MEETING

Proceedings held on Wednesday, November 13, 2019,
commencing at 1:55 p.m., City Hall, Lynwood Roberts
Room, 1st Floor, 117 West Duval Street, Jacksonville,
Florida, before Diane M. Tropa, FPR, a Notary Public in
and for the State of Florida at Large.

BOARD MEMBERS PRESENT:

CRAIG GIBBS, Chairman.
RON MOODY, Vice Chair.
OLIVER BARAKAT, Board Member.
TODD FROATS, Board Member.
MARC PADGETT, Board Member.
CAROL WORSHAM, Board Member.

ALSO PRESENT:

LORI BOYER, Chief Executive Officer.
GUY PAROLA, DIA, Operations Manager.
JOHN CRESCIMBENI, DIA, Compliance Coordinator.
JOHN SAWYER, Office of General Counsel.
JOHNNY GAFFNEY, Office of the Mayor.
MICHAEL BOYLAN, City Council Liaison.
REGGIE GAFFNEY, City Council Member.
KAREN UNDERWOOD-EILAND, Executive Assistant.

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1 Resolution 2019-11-06, which is a map up
2 there, shows where the Blue Cross Blue Shield
3 of Florida parking garage is going to be.
4 You'll recall this body passed a
5 redevelopment agreement for disposition of this
6 property. It might actually just be a purchase
7 and sale agreement, but in any event, if one
8 were to drive by this today one would not see
9 water, it has been filled in. Because there's
10 a new pervious surface that's being built on
11 it, we have to accommodate for that somehow.
12 The chosen mechanism is the sale of the surplus
13 stormwater quality credits.
14 They are still doing some tweaking of the
15 design, but we feel that the credits they're
16 going to need fall within two-and-three-quarter
17 credit acres. So what's being asked of you is
18 to effectuate a sale of up to
19 two-and-three-quarter-credit acres. A credit
20 acre is one acre of land at 80 percent
21 impervious, in case you were wondering.
22 THE CHAIRMAN: Thank you.
23 What is the board's pleasure on Resolution
24 2019-11-06?
25 BOARD MEMBER PADGETT: Move to approve.
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1 PROCEEDINGS
November 13, 2019 1:55 p.m.
2 - - -
3 THE CHAIRMAN: We'll open the Downtown
4 Investment Authority.
5 Has everyone had an opportunity to look at
6 the minutes of October 16th, 2019?
7 Having reviewed them, I'll entertain a
8 motion.
9 BOARD MEMBER MOODY: So moved.
10 THE CHAIRMAN: Moved by Mr. Moody.
11 BOARD MEMBER BARAKAT: Second.
12 THE CHAIRMAN: Seconded by Mr. Barakat.
13 Any further comments?
14 BOARD MEMBERS: (No response.)
15 THE CHAIRMAN: Hearing none, all those in
16 favor of the minutes of October 16, 2019,
17 signify by saying aye.
18 BOARD MEMBERS: Aye.
19 THE CHAIRMAN: Any opposition by like
20 sign.
21 BOARD MEMBERS: (No response.)
22 THE CHAIRMAN: Passes unanimously.
23 The next resolution is Resolution
24 2019-11-06.
25 MR. PAROLA: Thank you, Mr. Chairman.
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1 THE CHAIRMAN: Move to approve by
2 Mr. Padgett.
3 BOARD MEMBER WORSHAM: Second.
4 THE CHAIRMAN: Seconded by Ms. Worsham.
5 Any further discussion?
6 Mr. Froats.
7 BOARD MEMBER FROATS: No questions.
8 THE CHAIRMAN: Ms. Worsham.
9 BOARD MEMBER WORSHAM: None.
10 THE CHAIRMAN: Mr. Moody.
11 BOARD MEMBER MOODY: None.
12 THE CHAIRMAN: Mr. Barakat.
13 BOARD MEMBER BARAKAT: None.
14 THE CHAIRMAN: Mr. Padgett.
15 BOARD MEMBER PADGETT: None.
16 THE CHAIRMAN: Anything from council?
17 COUNCIL MEMBER BOYLAN: No.
18 THE CHAIRMAN: Dr. Gaffney.
19 DR. GAFFNEY: No.
20 THE CHAIRMAN: Hearing none, all those in
21 favor of Resolution 2019-11-06 signify by
22 saying aye.
23 BOARD MEMBERS: Aye.
24 THE CHAIRMAN: Any opposition by like
25 sign.
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1 BOARD MEMBERS: (No response.)
 2 THE CHAIRMAN: Hearing none, it passes
 3 unanimously.
 4 Next is Resolution 2019-11-07.
 5 MR. PAROLA: Thank you, Mr. Chairman.
 6 2019-11-07 is a resolution authorizing
 7 your CEO to work with the administration, the
 8 director of Public Works, to come up with a
 9 process -- or add clarity to the ordinance code
 10 so that when we get situations like we did last
 11 week where we sold stormwater credits that were
 12 outside of our boundary, there's no ambiguity
 13 as to how that sale gets effectuated.
 14 Essentially, the terms and conditions that
 15 went through this board are still in existence,
 16 but as we move forward and if we come into a
 17 situation where there is something that's
 18 highly desirable such as a school that falls
 19 outside of our boundaries but is contiguous or
 20 adjacent to, that we have clarity in the
 21 ordinance code to move forward. So that's what
 22 this resolution does.
 23 Once that clarity has been evolved and we
 24 understand it, I assume we will report back to
 25 the board as to how that will work in the

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1 future.
 2 THE CHAIRMAN: Thank you, Mr. Parola.
 3 What is the pleasure of the board with
 4 regard to Resolution 2019-11-07?
 5 BOARD MEMBER PADGETT: Move to approve.
 6 THE CHAIRMAN: Move to approve by
 7 Mr. Padgett.
 8 BOARD MEMBER MOODY: Second.
 9 THE CHAIRMAN: Seconded by Mr. Moody.
 10 Let's start discussion.
 11 Mr. Froats.
 12 BOARD MEMBER FROATS: No questions.
 13 THE CHAIRMAN: Ms. Worsham.
 14 BOARD MEMBER WORSHAM: My only question
 15 is -- you mentioned being contiguous or
 16 adjacent to -- it's not stated in here, but it
 17 just says "for the benefit of downtown." Does
 18 that -- do we need it -- should it be adjacent
 19 or in some proximity or just "benefits
 20 downtown"?
 21 MR. PAROLA: Through the Chair, what I
 22 would say is -- I used those terms, but
 23 actually anything within the permit -- and the
 24 permit kind of runs coincidental with downtown.
 25 BOARD MEMBER WORSHAM: All right.

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1 MR. PAROLA: It may fall a little outside
 2 of it, but you can't dispose of credits from a
 3 permit if you're not part of that drainage.
 4 BOARD MEMBER WORSHAM: I understand.
 5 Thank you. That clarifies it.
 6 THE CHAIRMAN: Thank you.
 7 Mr. Moody.
 8 BOARD MEMBER MOODY: No questions.
 9 THE CHAIRMAN: Mr. Barakat.
 10 BOARD MEMBER BARAKAT: Yes. So how many
 11 credits do we currently have? And do we have
 12 any idea what kind of demand we're going to see
 13 or need in the next, I don't know, decade?
 14 MR. PAROLA: Through the Chair, fantastic
 15 question. As of the writing of this resolution
 16 there was 157 credits. We'll get down to 140
 17 pretty quickly. That said, we saw somewhere
 18 around 200 acres that could possibly use these
 19 credits. That said, there was an ordinance
 20 that went through City Council authorizing the
 21 expenditures by Public Works, for our benefit,
 22 of funds that have previously been collected in
 23 the stormwater account.
 24 We spoke with the director of Public Works
 25 and said we'd like to start accumulating more

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1 credits, and they want to engage their -- the
 2 City's consultant to continuously find more
 3 credits, if not within the permit then within
 4 permits adjacent to it. So --
 5 BOARD MEMBER BARAKAT: And then we'd have
 6 to pay for additional credits; is that correct?
 7 MR. PAROLA: Through the Chair, what would
 8 happen is, they would do the analysis of
 9 stormwater capacity again from the quality
 10 standpoint and hopefully identify even more
 11 capacity than we initially identified.
 12 Stormwater systems have been constructed
 13 since our last analysis and we want to account
 14 for those.
 15 BOARD MEMBER BARAKAT: Okay.
 16 MS. BOYER: In addition, Mr. Barakat, the
 17 program that council approved whereby we sell
 18 credits in that -- that cash goes into a
 19 segregated portion of the stormwater utility
 20 fund to be spent on drainage improvements
 21 downtown.
 22 So to the extent that the only place that
 23 can be spent is on drainage improvements
 24 downtown, those drainage improvements downtown
 25 have the opportunity to replenish the credit

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1 pool and add more credits back, but that's the
 2 only place that money can be spent and that is
 3 accumulating every time we sell one.
 4 BOARD MEMBER BARAKAT: Okay. I think I
 5 understand. I understand why we're doing this
 6 resolution. There's a lot of projects that are
 7 near downtown that benefit downtown. So the
 8 wording is a little bit loose for me, to be
 9 honest with you. I mean, I don't think as a
 10 matter of course you need to award stormwater
 11 credits for properties outside of downtown
 12 unless there's a significant and clear and
 13 present benefit to the downtown.
 14 So I think the -- I think the wording is a
 15 little soft in the third paragraph of the
 16 resolution. It just says "can be utilized in
 17 projects benefitting downtown." So I would say
 18 that "significantly benefit downtown" and --
 19 maybe just leave it at, "that significantly
 20 benefit downtown."
 21 MS. BOYER: Through the Chair to
 22 Mr. Barakat, one of the challenges -- and I
 23 might ask Mr. Sawyer to weigh in on this -- is
 24 that the ordinance that gives this board the
 25 authority to sell credits and designates these
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1 as available does not give you exclusive
 2 authority. And, therefore, our ability to
 3 limit what Public Works does and where Public
 4 Works sells those credits would really require,
 5 I believe -- and (inaudible) legislation, and
 6 that was one of the things that Mr. Sawyer had
 7 discussed with us.
 8 So if you want us to file legislation with
 9 City Council asking that these credits cannot
 10 be used anywhere except downtown, we can try to
 11 advocate for that, but at the moment it is
 12 permissible for Public Works and the City, who
 13 has paid for the improvements that generated
 14 the credits, to make that decision to use them
 15 elsewhere. And the requesting authority in
 16 this resolution is that you give me the
 17 authority to negotiate with Public Works about
 18 when they do that and how much money they give
 19 us for that.
 20 BOARD MEMBER BARAKAT: I understand. I
 21 think we can maybe table that discussion for
 22 later. I just wanted to voice the concern.
 23 Now that we're codifying this into a
 24 resolution, I don't want to broadcast that
 25 we're in the business of -- approving the
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1 notion of giving stormwater credits outside of
 2 downtown. They're very valuable.
 3 Thank you, Mr. Chairman.
 4 THE CHAIRMAN: Thank you, Mr. Barakat.
 5 Mr. Padgett.
 6 BOARD MEMBER PADGETT: No questions.
 7 THE CHAIRMAN: Any comments from council?
 8 COUNCIL MEMBER BOYLAN: No.
 9 THE CHAIRMAN: Hearing none, all those in
 10 favor of Resolution 2019-11-07 signify by
 11 saying aye.
 12 BOARD MEMBERS: Aye.
 13 THE CHAIRMAN: Opposition by like sign.
 14 BOARD MEMBERS: (No response.)
 15 THE CHAIRMAN: Passes unanimously.
 16 Next is the Chief Executive Officer's
 17 report.
 18 MS. BOYER: So I have a number of things
 19 that I would like to share with you today, and
 20 the first is -- so Mr. Ward doesn't have to
 21 spend any more time than necessary -- is to
 22 introduce David Ward.
 23 David, if you would come up and introduce
 24 yourself.
 25 (Mr. Ward approaches the podium.)
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1 MS. BOYER: As I mentioned, David's
 2 appointment by the mayor to serve on this board
 3 is currently going through City Council, and
 4 it's my understanding that, if confirmed, he
 5 would be here for our December meeting. So I
 6 want him to tell you a little about himself and
 7 get an opportunity just to get to know one
 8 another.
 9 THE CHAIRMAN: Thank you.
 10 Mr. Ward, welcome.
 11 MR. WARD: Thank you.
 12 And thank you, Mr. Boyer, for the
 13 opportunity to introduce myself.
 14 Again, my name is David Ward.
 15 Can you hear me all right, Ms. Tropa?
 16 THE REPORTER: Yes. Thank you.
 17 MR. WARD: We go way back to our Planning
 18 Commission days, so I have to make sure I'm
 19 enunciating.
 20 THE REPORTER: Thank you.
 21 MR. WARD: My name is David Ward. I am an
 22 attorney here in town. Currently, I'm going
 23 through the Rules Committee next week for my
 24 appointment and then the week thereafter will
 25 be going through full City Council for a final
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1 vote on the matter, for preferably a consent
2 agenda decision on the matter.

3 Like I mentioned, I'm an attorney here in
4 town. I sold my -- along with my business
5 partner, sold my software company last year to
6 a company out of Atlanta, who I now work for as
7 senior corporate counsel overseeing our
8 Jacksonville office here as well as about a
9 thousand-person business unit out in Dallas,
10 but I'm based here in Jacksonville. My wife
11 and I lived in Springfield, so not too far
12 away. So we, obviously, have a personal vested
13 interest in seeing a downtown that grows
14 rapidly, prudently, in a sustainable way for
15 the city as a whole.

16 So I'm very honored to be appointed --
17 potentially appointed to the DIA by the mayor
18 in his office. And I know I met some of you
19 already. Councilman Boylan and I recently
20 served on an enthralling Tower Review Committee
21 meeting just a couple of weeks ago.

22 So for those of you who I don't know
23 already, I'm looking forward to getting to know
24 each and every one of you. Please feel free to
25 reach out anytime with any questions, but --

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1 yeah, so does anybody have any -- I don't want
2 to take up any more of your time. I know that
3 Ms. Boyer has plenty of topics to cover that
4 are more exciting than me. Does anybody have
5 any questions for me at all?

6 THE CHAIRMAN: Well, it's our hope that
7 council does confirm you and that you join our
8 number posthaste.

9 MR. WARD: Thank you.

10 THE CHAIRMAN: We can ask you questions
11 now, but once you're on the board, Sunshine Act
12 being what it is, we'll refrain.

13 So does any member of the board have
14 questions?

15 BOARD MEMBERS: (No response.)

16 THE CHAIRMAN: Hearing none, again, we
17 look forward to you joining our board and
18 getting to work.

19 MR. WARD: Thank you.

20 THE CHAIRMAN: Thank you.

21 Thank you, Ms. Boyer.

22 MS. BOYER: Okay. So we have a couple of
23 visuals. The first one is -- for those of you
24 who were not able to attend the governor's
25 press conference and the announcement of the

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1 FIS headquarters, we have the video from the --
2 that announcement, so -- if it plays and it
3 works, we will show you a conceptual version.
4 (Video presentation.)

5 (Dr. Gaffney and Council Member Gaffney
6 exit the proceedings.)

7 MS. BOYER: And I'll share that, back in
8 the spring, when the revised Downtown Overlay
9 standards were under consideration, I spent a
10 fair amount of time with Hines and Gensler
11 going over the standards and how they would
12 apply to this building and working through the
13 details of that design.

14 What you notice is they do have the
15 setback from the river and then they have a
16 step up in height that relieves you from kind
17 of the tower wall along the frontage.

18 We don't have a formal presentation yet or
19 a submission for DDRB approval; however, it
20 certainly appears that they have complied and
21 are not asking for any waiver in that regard.

22 This illustration showed a green wall on
23 the parking garage, but as I indicated, they
24 are now planning to do the 20 foot of urban
25 open space and add -- you know, whether it's

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1 art or fountains, other architectural features
2 that would be visible from the TIAA frontage
3 across the street.

4 With that, I'm going to move to a quick
5 PowerPoint on where we stand on our CRA plan.
6 And I want to try to do this every month to
7 just give you a little update on progress so
8 you know what we have accomplished.

9 Hopefully, I'm going to get more detail
10 than what I have in terms of economic impact,
11 but just so you know, let's start out with, in
12 the CRA plan on the Northbank there are 22
13 projects that were provided as direction to
14 this board and to DIA to accomplish. Of those,
15 all the ones you see in red have either been
16 completely accomplished or substantially
17 completed.

18 We're going to pick three. So we're going
19 to start out and pick 1, 2, 3, and the next
20 meeting we'll go down -- or next meeting we'll
21 go down and pick up another three or four.

22 The first is the Retail Enhancement
23 Program scheduled to begin in 2014 and '15.
24 There was 750,000 originally provided for it.
25 To date, we have spent approximately 537- for

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1 the following businesses, all of which have
2 remained open since the date of inception. So
3 that business plan review, every one of these
4 that has received funding remains open. There
5 are several others that have been awarded but
6 not yet funded because they haven't completed
7 their work, but that's where we stand to date
8 on Retail Enhancement.

9 Hemming Plaza management. The original
10 cost was 800,000. It was allocated to this
11 back in 2014 and '15. The goals were to make
12 the plaza clean, safe, and attractive, activate
13 the space through programming, events, vendors
14 and partnering, and collaborate with
15 surrounding property owners and tenants.

16 I think those of you who recall what it
17 looked like back in 2010, 2011, 2012 would say
18 that it is greatly improved today and those
19 funds that we expended have been well worth it,
20 both in terms of programming and in terms of it
21 being clean, safe and attractive.

22 Urban Arts Facade and Streetscape Program
23 was the third listed project. Estimated cost
24 of 406-. Again, appropriated in 2014 and '15.
25 This was awarded to the Cultural Council in

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1 three phases. The first phase is complete. It
2 includes utility boxes, bike racks, street
3 furnishings, outdoor sculptures. The second
4 phase is mostly complete. It's still in
5 progress. And the third phase, they are
6 meeting with us to discuss which elements will
7 be included in Phase III.

8 Here is a map of where the various
9 elements are located (indicating). That is
10 available and will be available on our website
11 to show where those funds have been used.

12 On the Southbank there were six projects
13 listed, including -- every one of them on the
14 Southbank has either been completed or
15 partially completed. I'll tell you, that is a
16 factor attributable to the fact that the
17 Southbank was cash positive throughout this
18 term. The Northbank only went cash positive in
19 the last year. And so the ability to execute
20 projects in the Southbank was greatly
21 accelerated because there was funding.

22 Southbank, Riverplace Boulevard Road Diet,
23 any of you who drive or work over there -- I
24 know Ron knows that all too well, so does
25 Craig, and are hoping that it will be completed

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1 very soon. I'm told hopefully in the month of
2 November. It will be a great project. It will
3 enhance walkability, pedestrian access, retail,
4 on-street parking. Just as with all
5 construction projects, it's a painful process.

6 St. Johns River and tributary access was
7 the second project on the Southbank. There are
8 additional water access points in design or in
9 construction. At the school board building, a
10 kayak launch. At Riverplace Tower, an
11 additional publicly accessible dock space.
12 St. Johns River Park, a publicly accessible
13 dock space. The District will have both a
14 marina and a kayak launch, public kayak launch.
15 And St. Johns Marina ramp is also being
16 currently renovated.

17 Redesign of Friendship Park. This shows
18 you kind of a landscape design of the
19 redesigned Friendship Park. The element
20 between -- and, actually, it was called
21 Friendship Park in the CRA plan. Its true name
22 is St. Johns River Park.

23 The ship and Ribault Landing
24 playground is between the fountain and the
25 Main Street Bridge. The opposite side, next to

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1 River City Brewing, is a botanical garden space
2 called Bartram's Garden. And then there is the
3 redesigned Friendship Fountain, which -- this
4 is what it looks like (indicating).

5 They plan to start construction on the
6 fountain by approximately March and completed
7 by next spring.

8 You'll note the outer ring of the jets and
9 the center ring are the existing fountain jets
10 using the existing pumps, but the wall is
11 removed from the outside and there's a
12 waterfall tier in the middle. So one would be
13 able to put your hand in the water. Near the
14 outside edge it's more interactive.

15 The Parks Department has been working on
16 that design for several years and it will be
17 part of that full synchronized light and sound
18 (inaudible), coordinated with the JTA lighting
19 that they're providing on the Acosta Bridge and
20 the additional lighting features that we're
21 doing along the Northbank, behind the
22 Performing Arts Center. So it creates a
23 concentrated area where, if one were on a boat
24 or on either bridge or on either Riverwalk,
25 you'd have that kind of in-the-round feeling.

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1 So that's kind of where we are on a few of
2 the projects. And what I'm going to try to do
3 is, at each meeting give you an update on more
4 of the projects that we've completed just so
5 you're all aware of how many of the boxes we
6 have actually checked in that plan, which is
7 a -- I would say somewhere around 75 or
8 80 percent. It's a really high number.

9 THE CHAIRMAN: Did I hear you say that
10 this will be available on the website soon?

11 MS. BOYER: Yes. So in that regard, we
12 have been working to convert documents and
13 pages on our website to make them reader
14 accessible, so that is going on. IT has
15 developed a new City website for us, which
16 we've been reviewing the content on to make
17 sure it's accurate, but we expect that that
18 will go live before the end of November.

19 And various things like this video, I'm
20 envisioning that it will have many more
21 presentation-type materials available on the
22 website for people to see so that they get more
23 information on what's happening.

24 THE CHAIRMAN: It's important to tell the
25 story.

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1 So I think it would certainly be in our
2 interest to have more control over the
3 operation and management of those facilities,
4 at the very least, so that we can operate
5 them -- see that they're operated in a way that
6 perhaps the Haas Study recommends and provide
7 some more efficiency and return for that
8 capital investment we've made.

9 Next, I was asked to provide an update on
10 small cell 5G wireless bills that are pending
11 before City Council. So there are two bills
12 pending. One bill is a policy bill, that is
13 Ordinance 2019-770, and that is an ordinance
14 that amends the City-adopted standards for
15 small cell wireless facilities, 5G, allegedly
16 to conform with state law; however, the
17 following changes are not required by the state
18 law -- and we met with Mr. Teal yesterday and
19 he went through the bill with Mr. Parola and I.

20 So I'm going to just run down the list,
21 things that are not required by state law but
22 that are changed in -770:

- 23 Shrouding of the antenna is eliminated.
- 24 The restriction on pole diameter is eliminated.
- 25 The increased size of pole-mounted equipment

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1 Thank you.

2 Any other comments from the board?

3 MS. BOYER: So a couple other quick items.

4 THE CHAIRMAN: Sure.

5 MS. BOYER: The parking strategy and
6 privatization update, at the November 25th
7 Strategic Implementation Committee we'll be
8 presenting the approach that we're going to
9 recommend the board take to determine the scope
10 of any possible RFP for management or
11 operation. We're going to make recommendations
12 regarding how we handle the current proposal
13 that you have before you.

14 One element of that approach is to address
15 the MPS-owned and DIA-funded arena, sports
16 complex and courthouse garages. They are
17 integral to the Haas Parking Study
18 recommendations. So how we address or handle
19 those garages, or don't, will determine in many
20 ways what the next steps are because we can't
21 make a commitment to someone to use or not use
22 those facilities for 10 or 20 or 30 years when
23 they are currently out of our control.

24 We fund them to the tune of 4.2 to
25 \$4.4 million a year out of the Northbank CRA.

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1 goes from 10 cubic feet to 28 cubic feet, and
2 they don't count ancillary equipment in the
3 28 cubic feet. They eliminated the requirement
4 for flush-mounting to the pole. They
5 eliminated the depth of the pole-mounted
6 cabinet. They eliminated the width requirement
7 of the pole-mounted cabinet.

8 They eliminated the requirement that
9 everything in excess of 10 feet had to be
10 underground or in an architectural base at the
11 bottom of the pole. They deleted the review
12 requirements for collocation; that is, put it
13 on the same -- put it on a JEA pole, put it on
14 an existing streetlight pole, try to collocate
15 with an existing pole.

16 They eliminated the diameter requirement
17 for new poles. The bill eliminates the
18 locational criteria for new poles in reference
19 to how close to a sidewalk, how close to a
20 residence, business sight line.

21 So the original bill contemplated -- the
22 original City design standards asked that they
23 be located between two businesses so that
24 you're not blocking anybody's signage. They
25 eliminated that requirement.

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1 They eliminate the proximity to driveways,
2 eliminate proximity to fire hydrants, and
3 eliminate the distance from lot lines. And
4 they send waivers to the Tower Review Committee
5 rather than council.

6 This is a policy bill. The City Council
7 decided that they wanted more time to review
8 this and discussed at the meeting last night
9 that they'd be reviewing it -- sending it to
10 multiple committees.

11 It is being advocated for by Mr. Harden on
12 behalf of Verizon, who are alleging that these
13 are all required by state law. And Mr. Teal
14 takes a contrary position.

15 So that one you may or may not wish to
16 weigh in on, but that one is broad citywide
17 application.

18 2019-757 is of direct relevance to the
19 downtown. And last night -- Mr. Boylan, you
20 may have to help me because it went back and
21 forth 17 times.

22 COUNCIL MEMBER BOYLAN: I'll try my best.

23 MS. BOYER: I believe the final outcome
24 was the council adopted an amendment asking the
25 developer to grant them an extension --

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1 COUNCIL MEMBER BOYLAN: Correct.
2 MS. BOYER: -- so that they could make a
3 final decision December 10th rather than having
4 to make a decision at the LUZ Committee next
5 week and a final decision in November.

6 So where this stands right now is, if the
7 developer does not agree -- or if the applicant
8 doesn't agree to that extension of time, this
9 will be heard at the LUZ Committee next week.
10 And if the council doesn't take action, it will
11 be deemed approved.

12 The request is a waiver of basically all
13 of the objective design standards adopted by
14 City Council for seven facilities in the
15 downtown right-of-way. It includes -- the size
16 of pole-mounted cabinets is waived, the pole
17 diameter is waived, the pole locations are
18 waived, et cetera.

19 Mr. Parola reviewed the actual -- so this
20 is a very interesting challenge that we have.
21 We are being viewed as staff that will have to
22 write the staff report, much like a Planning
23 Commission staff report on these applications,
24 and provide it to LUZ by Tuesday.

25 However, we never received an actual

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1 waiver application that outlined what waivers
2 they were requesting. We received a set of
3 plans similar to a ten-set -- I believe
4 Mr. Parola said it's called a six-set -- that
5 simply showed various facilities in various
6 places. He provided comments on that
7 regarding, well, maybe it could be located here
8 or maybe this would be better if you made this
9 change, and we got no response to that. And
10 now this piece of legislation was filed with
11 City Council, which, when we discovered it, has
12 a 45-day time clock running. And I think we
13 are, I don't know, 25 days or so into those
14 45 days.

15 Absent action, it's deemed approved. So
16 what we're going to see is -- if I can back up
17 to the standards that the City Council adopted
18 a couple of years ago, they were sensitive to
19 downtown in particular to not having these
20 obstruct or be collocated on the historic
21 streetlight fixtures.

22 So think about the cabinet sizes you're
23 talking about. When you're talking about
24 10 cubic feet, it's larger than the size of
25 that podium (indicating). And the idea was --

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1 What we have been encouraging is we've
2 been encouraging the 5G carriers to consider
3 putting them at intersections with a design
4 that we might share the cost with them and let
5 it be a future signal device since we only have
6 signal devices on two of the four corners in
7 most intersections and they are fairly
8 cluttered anyway with walk signals and signs
9 and mast arms and things, that that would be a
10 preferable location to putting them mid-block
11 up and down the street.

12 There's also an issue with interference
13 with trees, and we hope to plant more trees on
14 our downtown sidewalks. So having this device
15 there, we would then be precluded from putting
16 a tree next to it. So we're quite concerned
17 about where they're located. We'd certainly
18 like to have input on that.

19 We think that the original standards that
20 were adopted were objective design standards
21 and served downtown well. That being said, we
22 are not opposed to 5G. We want to work with
23 the 5G carriers and try to see that we have
24 this service downtown, but this particular
25 bill, which pretty much asks for a carte

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1 blanche waiver of all the design standards and
2 the opportunity to put them wherever they
3 initially chose, if approved by council, will
4 likely lead to similar waiver bills from all
5 the other carriers that are also meeting with
6 us, and I think that we will quickly lose any
7 opportunity to have any input on how many of
8 these per block we see or where they are
9 located in relation to other facilities and
10 within the sidewalk.

11 Mr. Parola, you've been working on it. Do
12 you want to add more on this?

13 MR. PAROLA: Through the Chair to the
14 board, I think the only thing I would add is
15 there's a number of these coming. We have been
16 trying to work with the carriers. We met maybe
17 30 days ago and -- at 6:00 in the morning on a
18 Friday and walked 32 of these sites, and we
19 were making recommendations on trying to keep
20 them from being directly in front of buildings,
21 directly in front of signs.

22 But we're being advised by the Office of
23 General Counsel that we need to understand our
24 parameters, and as limited as those perimeters
25 are these waivers seem to chip away at those

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1 limited discretions even more.

2 COUNCIL MEMBER BOYLAN: Mr. Chair, if I
3 might add some context, at least from last
4 night's meeting. There's also an organized
5 effort, both nationally and now locally,
6 against 5G as a general health concern for a
7 lot of folks, and they see this as an
8 opportunity to squelch the growth of 5G in our
9 community. So there was a lot of conversation
10 last night and a lot of rationale for moving
11 forward and slowing this process down, and this
12 could give the community an opportunity to
13 react, to respond.

14 I fully expect our LUZ next Tuesday
15 evening to be a very, very long meeting because
16 I'm sure we'll hear from a lot more folks. And
17 it's going to have an impact on our ability to
18 move forward. My colleagues are being very
19 sensitive to the liability of being an advocate
20 for 5G, which we're going to be portrayed as if
21 we move forward.

22 But you're correct, this essentially --
23 we're following the law in this process. And a
24 few changes we're looking to make -- it's going
25 to be deliberative in terms of how we look at

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1 it. And three committees now will be looking
2 at -770, and -757 will stay in LUZ because it's
3 a quasi-judicial -- so having three different
4 committees decide on it will be kind of like
5 having three different court cases on the same
6 issue, so we'll probably keep that one in LUZ.

7 But I -- this is not going to be over soon
8 and it's not going to be an easy process to get
9 through. And I think your comments today help
10 me appreciate the greater incumbrance it's
11 going to cause in terms of our downtown
12 development.

13 THE CHAIRMAN: Is there anything you need
14 from us?

15 COUNCIL MEMBER BOYLAN: Prayers.

16 BOARD MEMBER WORSHAM: What's the height
17 of these? I understand the -- how tall are
18 they?

19 COUNCIL MEMBER BOYLAN: Well, they're
20 actually 20 cubic feet, which is the size of a
21 refrigerator. I mean, these are --

22 MS. BOYER: They're big. They're asking
23 for 28, right? It's huge, but the --

24 BOARD MEMBER WORSHAM: In the
25 right-of-way? It has to be in the

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1 right-of-way?

2 MS. BOYER: In the right-of-way.

3 And there is a state law requirement that
4 we must allow them, but we can have objective
5 design standards. So the objective design
6 standards were geared toward -- we had
7 looked -- going back to my service when I was
8 on that committee, Winter Park at the time had
9 required all of them to be underground, all of
10 the cabinets. The pole and the antenna can be
11 above ground. And the antenna itself was not
12 particularly offensive in appearance. The
13 problem is the cabinet that houses all of the
14 equipment -- which is what is the 10 or
15 28 cubic feet or whatever size one allows. And
16 that's why the council's previous position had
17 been, you could have 10 cubic feet on the pole,
18 and if it was more than 10 cubic feet, you need
19 to either put it underground or you needed to
20 build one of those -- and there were many
21 examples in other cities -- an architectural
22 pedestal base that you could house it in so
23 that it didn't appear like a cabinet attached
24 to the pole.

25 There's a general height range at which

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1 the signal apparently works best, which is
2 somewhere from, you know, 12 to 30 feet. It's
3 in that range that you see the typical devices.
4 They are not -- they don't work as well. We
5 encourage them to be on building tops, but that
6 only works if you have a one- or two-story
7 building. If you have a high building
8 downtown, the 5G service doesn't work as well
9 on top of the tall buildings. So there a lot
10 of challenges with them.

11 And the carriers -- it's appearing that
12 the carriers do not wish to use each other's
13 poles or work together, so everyone would be
14 putting up their own poles. And they don't
15 have a long range. So you could have a lot of
16 poles within the right-of-way space. So it
17 becomes very challenging in an urban area where
18 they're trying to have that coverage.

19 COUNCIL MEMBER BOYLAN: So a serious
20 answer to your question, having a response from
21 Mr. Parola and the DIA about the general
22 concern about proliferation of this for
23 downtown I think would be very helpful. And
24 having submitted material by next Tuesday, if
25 possible, for the LUZ I think would be

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1 appreciated.

2 BOARD MEMBER BARAKAT: If I may,
3 Mr. Chairman?

4 THE CHAIRMAN: Sure.

5 BOARD MEMBER BARAKAT: Given the level of
6 detail we request from private developers when
7 they put forth new projects, whether it's a
8 renovation or a new construction item, how do
9 we stay silent on something like this which
10 will have a profound effect on the
11 beautification of our downtown?

12 And this is in the public right-of-way.
13 We spent hours and hours thinking about how we
14 improve the public right-of-way and how that
15 impacts private development. So I don't see
16 how we stay silent as a board, not asking City
17 Council to consider our Downtown Overlay and
18 our design standards which we very carefully
19 and onerously try to comply with and request
20 private developers to comply with.

21 In the beginning years of DIA there were a
22 number of resolutions that this board made
23 messaging to City Council, and we haven't -- I
24 don't think we've done that in a while, but I
25 would be for Ms. Boyer putting together a

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1 resolution on our behalf, articulating our
2 concerns, particularly as it relates to
3 beautification.

4 Mr. Boylan, you referenced health
5 concerns. I've heard the same. I don't know
6 enough about that. That's kind of beyond our
7 purview, but beautification and getting -- and
8 having these things in the way of existing
9 business is a major concern.

10 MS. BOYER: Mr. Chairman, if I may --

11 THE CHAIRMAN: Yes.

12 MS. BOYER: -- what I would suggest is
13 that we certainly can do a resolution
14 expressing the board's concern as it relates to
15 -770, which is a policy matter. And I think --
16 my understanding of that bill is that it was
17 going to run into January, that there wasn't an
18 urgency on that.

19 COUNCIL MEMBER BOYLAN: Correct. It's
20 going to go to three different committees as
21 well.

22 MS. BOYER: Okay. So with respect to that
23 bill, I think we could even bring that
24 resolution to you and you could adopt it at the
25 December meeting. And we could communicate

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1 with you in the meantime.

2 But what I would ask you to do -- each of
3 you serve on this board in a particular
4 capacity of expertise. The LUZ hearing is a
5 quasi-judicial matter where evidence is what
6 counts. A resolution from the board that we're
7 concerned about aesthetics won't be considered
8 evidentiary, but if, Mr. Barakat, as you
9 shared -- I hesitate to say it out loud, but
10 I'm going to. If as you shared with me in your
11 capacity as a real estate broker, you are aware
12 that in some jurisdictions property owners now
13 have to disclose the fact that such a facility
14 is located in front of them because there is a
15 concern about the health impact, that would be
16 evidentiary content that would be of importance
17 to the committee.

18 If there are individuals here -- if
19 Mr. Moody happened to have a sense that some
20 obstruction in front of your signage would
21 reduce the property value, I think that is
22 worth -- it is evidentiary.

23 Ms. Worsham, in your planning capacity, if
24 you spoke to the impact on the streetscape,
25 that would be something that -- if the board

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1 felt strongly and was willing to attend the LUZ
2 meeting and speak in your professional
3 capacities, that would be very meaningful.

4 So, you know, you think about your own
5 perspectives and where you might lend to that
6 conversation, but I think those are all valid
7 factors that the committee would hear from you.

8 I will share with you, if the applicant
9 does agree to the extension and it gets
10 postponed one cycle, that decision was supposed
11 to be made by Friday of this week. Otherwise,
12 it will be next Tuesday evening at 5:00 in
13 Council Chambers.

14 Okay. A couple of very quick
15 announcements.

16 The market feasibility RFP that we put out
17 last year, we didn't get enough bids on, has
18 been reissued, it's on the street. It will be
19 on the street through mid December. It went
20 out for 60 days this time. So if you know
21 anyone that you want to pass along the
22 information -- this is not to get into a
23 conversation with them on the merits or not --
24 just simply let somebody know that there was an
25 RFP that has been published and check the

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1 City's website with Procurement. So that's
2 back out.

3 We had spoken at the last meeting about
4 doing a brokerage RFP for real estate services.
5 We did not get that prepared for this meeting.
6 I will have it for you in December because as
7 we started to look at the scope of what would
8 be in that, we kind of found a sample across
9 the board and thought we needed to put some
10 more research time in.

11 And then one last comment I wanted to make
12 is, you know that between last meeting and now
13 legislation was up before council, it was
14 ultimately withdrawn last night regarding the
15 addition of a million and a half dollars of
16 funding to the Historic Preservation Trust
17 Fund. As it has been reported -- I want to
18 make sure that everyone hears very clearly the
19 Historic Preservation Trust Fund Grant Program
20 is open for business, accepting applications,
21 and we are encouraging historic preservation
22 downtown.

23 And we have -- Mr. Greiner with Axis has
24 come forward, is talking to us about the
25 Independent Life building. We are hoping

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1 you'll see that in December. It may fall till
2 January. We're waiting for the Preservation
3 section of the Planning Department to get us
4 some information on that.

5 I anticipate that in December we will be
6 bringing a split of the old Ambassador deal
7 that you've already approved. It's not really
8 changing the terms at all as to the Ambassador
9 Hotel but allowing it to move forward while the
10 annex portion for the new construction is
11 redesigned because they're going to be
12 redesigning that parking garage and the
13 residential units that wrap the parking garage
14 in order to provide enough parking to serve the
15 Independent Life building.

16 And, in addition, we've actually had
17 conversations with them about, could they build
18 some extra parking to serve the needs of JFRD,
19 the fire department, who's across the street,
20 who has been using the surface lot. So we made
21 them make that surface lot available for
22 redevelopment.

23 So we're working on all of that, but we
24 also have some interest in the Snyder building.
25 I may be bringing to you a request at the

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1 December meeting -- I have spoken to
2 Mr. Padgett about this -- to use some of our
3 funding to do a structural analysis and maybe a
4 Phase I or Phase II environmental to provide
5 the base information that someone would need if
6 they were going to make a decision about using
7 the property. We have a couple of people
8 interested in it and I think if we could prime
9 the pump and get it ready, that that would be
10 helpful in the marketplace. So once we get
11 some cost estimates on that, I may be bringing
12 you those numbers at the December meeting as
13 well.

14 And there is a third historic building,
15 adaptive reuse project, that you're likely also
16 to see in December or January.

17 So the Historic Preservation Trust Fund is
18 alive and well and there are a lot of things
19 coming forward on it, and thank you for the
20 time.

21 THE CHAIRMAN: Of course. Thank you.
22 I have no chair's report.
23 DDRB briefing.

24 MR. PAROLA: Thank you, Mr. Chairman.

25 There is a DDRB meeting tomorrow. We have

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1 several items, including a sign waiver. We've
 2 got several items that are final, so we'll see
 3 (inaudible) new construction that is both, one,
 4 relating to the stormwater credits that were
 5 sold today for Blue Cross Blue Shield of
 6 Florida --
 7 The Ashley Square apartments, which is on
 8 Ashley and Newnan, that's up for final
 9 tomorrow, and that should go up as well.
 10 And happy to say that the other Lori has
 11 been taking the lion's share of DDRB, freeing
 12 up some of my time, so I'm pretty happy about
 13 that.
 14 THE CHAIRMAN: Very good.
 15 Any old business? Any new business?
 16 BOARD MEMBER WORSHAM: I just have a
 17 question.
 18 THE CHAIRMAN: Sure.
 19 BOARD MEMBER WORSHAM: I just want to
 20 clarify, these notices of disposition go out
 21 this week and we would be under the cone of
 22 silence with that?
 23 MS. BOYER: That is correct, with respect
 24 to both the fire station and the excess
 25 right-of-way strip.

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 3 STATE OF FLORIDA)
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 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.
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DATED this 23rd day of November 2019.

 Diane M. Tropa
 Florida Professional Reporter

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1 BOARD MEMBER WORSHAM: Exactly.
 2 Thank you.
 3 THE CHAIRMAN: Any other new business?
 4 (No response.)
 5 THE CHAIRMAN: Hearing none, we are
 6 adjourned.
 7 Thank you very much for coming.
 8 (The foregoing proceedings were adjourned
 9 at 2:45 p.m.)
 10 - - -
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