

RESOLUTION 2018-05-05

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY APPROVING AND AUTHORIZING THE CHIEF EXECUTIVE OFFICER OF THE DOWNTOWN INVESTMENT AUTHORITY ("DIA"), SUBJECT TO CITY COUNCIL APPROVAL, TO EXECUTE AND DELIVER ON BEHALF OF THE CITY OF JACKSONVILLE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF JACKSONVILLE ("CITY") AND THE JACKSONVILLE HISTORIC NAVAL SHIP ASSOCIATION, INC., A FLORIDA NONPROFIT CORPORATION ("JHNSA"), FOR THE RELOCATION OF THE RETIRED NAVAL VESSEL USS CHARLES F. ADAMS (DDG-2) ("USS ADAMS") TO DOWNTOWN JACKSONVILLE AS A FLOATING MUSEUM ("SHIP MUSEUM"), AT THE FORMER JACKSONVILLE SHIPYARD SITE ON JACKSONVILLE'S NORTHBANK, SAID AGREEMENT BEING FOR A THREE (3) YEAR PERIOD AND CONTINGENT UPON CERTAIN CONDITIONS PRECEDENT BEING MET BY JHNSA PRIOR TO THE CITY'S ENTERING INTO A TEN (10) YEAR LICENSE AGREEMENT WITH JHNSA, TOGETHER WITH TWO (2) FIVE (5) YEAR LICENSE RENEWAL OPTIONS; RECOMMENDING CITY COUNCIL ADOPT LEGISLATION EFFECTUATING THE PURPOSES OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the DIA is the designated Community Redevelopment Agency for the North Bank Community Redevelopment Area for which a Community Redevelopment Plan was adopted by Ordinance 2014-560-E; and

WHEREAS, the Council of the City of Jacksonville unanimously approved Ordinance 2013-408-E supporting the efforts of the Jacksonville Historic Naval Ship Association, Inc., a Florida non-profit corporation ("JHNSA") to bring the retired naval vessel USS Charles F.

Adams (DDG-2) ("USS Adams") to Jacksonville as a downtown floating museum ("Ship Museum"); and

WHEREAS, the DIA and JHNSA, as authorized by DIA Resolution dated November 20, 2013, and City Ordinance 2014-426-E, previously entered into that certain development agreement dated October 3, 2014 (the "Prior Agreement"), which agreement expired in accordance with its terms prior to JHNSA taking ownership of the USS Adams;

WHEREAS, establishing the USS Adams in downtown Jacksonville as a Ship Museum and tourist attraction would benefit the City, the Navy, and the public; and

WHEREAS, the JHNSA has approached the Downtown Investment Authority ("DIA") with refined plans to moor the USS Adams at the former Jacksonville Shipyard's north/south bulkhead on the north bank of the St. John's River and to operate the Ship Museum (the "Project"); and

WHEREAS, the United States Department of the Navy has approved donating the USS Adams to JHNSA for the Project pending evidence of the City's authorization to enter into a development agreement and license grant with JHNSA; and

WHEREAS, the DIA has evaluated the Project and has proposed a new development agreement and license agreement to accomplish the goals and objectives of the Prior Agreement and to ensure the Project's overall operation is satisfactory and contributing to the City, including the obligation of JHNSA to relocate or remove the Ship Museum, at no cost to the City, if the DIA determines at any time that the Ship Museum is not contributing to the improvement of Downtown Jacksonville; now therefore

BE IT RESOLVED by the Downtown Investment Authority:

Section 1. Recitals Correct. The above recitals are true and correct, and by this reference are incorporated herein.

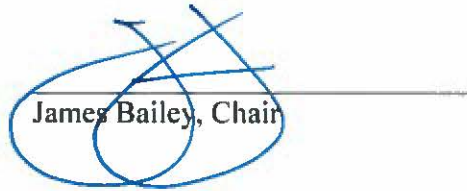
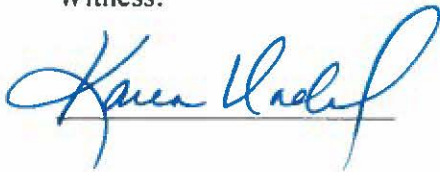
Section 2. Authorization. There is hereby approved and the Chief Executive Officer of the DIA is hereby authorized to execute and deliver that certain Development Agreement (the "Agreement") between the City and JHNSA for the relocation of the USS Adams to Downtown Jacksonville as a floating museum ("Ship Museum") at the former

Jacksonville Shipyard site in Jacksonville's Northbank community redevelopment area, in substantially the same form attached hereto as **Exhibit 1**, and all such other documents, necessary or appropriate to effectuate the purpose of this ordinance, including the ten (10) year license agreement for JHNSA to construct, operate and maintain the Ship Museum, together with two (2) five (5) year license renewal options..

Section 5. Effective Date. This Resolution shall become effective upon the approval of the DIA Board.

Witness:

Downtown Investment Authority



James Bailey, Chair

Vote:

In Favor: 8 Opposed: 0 Abstained: 0