

RESOLUTION 2022-10-01

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) INSTRUCTING ITS CHIEF EXECUTIVE OFFICER (“CEO”) TO ISSUE A 30-DAY NOTICE OF DISPOSITION IN ACCORDANCE WITH THE NEGOTIATED DISPOSITION PROCEDURE ADOPTED BY DIA; AUTHORIZING THE PUBLICATION OF A NOTICE OF DISPOSITION FOR THE FEE SIMPLE DISPOSITION OF ALL OR A PORTION OF AN APPROXIMATELY 5.18 ACRE PARCEL AS DESCRIBED ON EXHIBIT A (THE “RETENTION POND PARCEL”) OF CITY-OWNED REAL PROPERTY LOCATED WITHIN THE BOUNDARY OF THE PARCEL IDENTIFIED BY DUVAL COUNTY TAX PARCEL NUMBER RE#130574-0150, (THE “PROPERTY”), CURRENTLY DEVELOPED AS A RETENTION POND AND LOCATED BETWEEN GATOR BOWL BOULEVARD AND THE ST. JOHNS RIVER; ESTABLISHING THE TERMS OF THE PUBLISHED NOTICE OF DISPOSITION; FINDING THAT THIS RESOLUTION FURTHERS THE BUSINESS INVESTMENT AND DEVELOPMENT (“BID”) PLAN, INCLUDING THE COMMUNITY REDEVELOPMENT AREA PLAN; AUTHORIZING THE CEO OF THE DIA TO TAKE ALL ACTION NECESSARY TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, via Ordinance 2012-0364-E, the City Council created the Downtown Investment Authority, designating the DIA as the City’s Community Redevelopment Agency for the Combined Northbank Downtown Community Redevelopment Area and authorizing it to approve and negotiate economic development agreements and dispose of City-Owned property; and

WHEREAS, the City owns an approximately 14.38-acre parcel of real property currently which is identified by Duval County Tax Parcel Number RE# 130574-0150 (the “Property”); and

WHEREAS, Developer is the owner of the adjacent parcel identified by Duval County Tax Parcel Number RE# 130574-0000 consisting of approximately 20.37 upland acres (“Developer’s Parcel”); and

WHEREAS, Developer has approached the City and DIA regarding the acquisition of some or all of the Retention Pond Parcel in exchange for conveyance to the City of one or more portions of Developer’s Parcel, one to provide the City with a riverfront site and adjacent submerged lands to accommodate construction of a new marine fire station to serve Downtown, and a potentially a second which the City would use as additional parking in the sports complex vicinity;

WHEREAS, in light of the redevelopment of Kids Kampus which has been approved by City Council and has closed, the existing marine fire station serving Downtown has been displaced and a new waterfront location must be secured; and

WHEREAS, the City-owned property originally contemplated for the fire station will require significant dredging to serve the needs of JFRD, at substantial expense to the City; and

WHEREAS, In April 2022, the DIA approved Resolution 2022-04-07 pursuant to which a notice of disposition was published for the pond site calling for the respondent to provide a replacement pond site; and

WHEREAS, it was originally contemplated that the parcel offered by AR Polar as a replacement pond site would be suitable for such use, however updated survey, title and site inspections have revealed encroachments such that the City would not use the site for a replacement pond but would nevertheless consider it for use as an additional parking lot; and

WHEREAS, the City has determined that the Retention Pond Parcel could be made available for a more economically productive use without development of a replacement pond and that the loss of some or all of the associated stormwater credits will not impede development within Downtown due to other qualified improvements; and

WHEREAS, in order to determine fair value for the property pursuant to Florida Statutes Chapter 163.380(2), and as required by City of Jacksonville Code of Ordinances §122.432, the DIA has obtained appraisals of the various parcels involved in the disposition including the Retention Pond Parcel, the Fire Station Parcel, the swap parcel and the AR Polar master parcel; and

WHEREAS, cost estimates have been obtained by Public Works from Waitz and Moye regarding the cost to fill the Retention Pond Parcel, the cost to construct a new access road to the Fire Station Parcel and the AR Polar master parcel and the cost of associated improvements to the WJCT parking lot; and

WHEREAS, both the Retention Pond Parcel and the Developer's Parcel are located within the Combined Downtown Northbank Community Redevelopment Area ("Northbank CRA"); and

WHEREAS, DIA entered into negotiations with Developer regarding the terms of the disposition and redevelopment in accordance with DIA's approved negotiated disposition process and has continued such negotiation since the close of the prior disposition notice; and

WHEREAS, DIA is the designated Community Redevelopment Agency for the Northbank CRA, for which an updated Business Investment and Development Plan, inclusive of a Community Redevelopment Plan, ("BID/CRA Plan") was adopted by Ordinance 2022-372-E; and

WHEREAS, Section 55.108 of the Jacksonville Code of Ordinances grants certain powers and duties to the DIA, including:

Interpreting the BID/CRA Plan and approving development and redevelopment projects within Downtown;

Implementing the BID/CRA Plan, and negotiating and approving downtown development and redevelopment agreements, grant agreements, license agreements, and lease agreements;

Planning and proposing Projects and Public facilities within Downtown; and

WHEREAS, DIA has established the terms upon which a new notice of disposition will be published as set forth in **Exhibit 'B'**; and

WHEREAS, at a publicly noticed meeting held on October 13, 2022, the DIA Retail Enhancement and Property Disposition Committee ("REPD") recommended that the DIA Board adopt Resolution 2022-10-01; and

WHEREAS, upon adoption of this Resolution, a new 30-day notice for the solicitation of proposals pursuant to Section 163.380(3)(a), Florida Statutes, and Sections 122.434(a) and (b), Jacksonville Ordinance Code, will be issued; and

WHEREAS, the DIA finds that the proposed disposition and redevelopment proposal further the following Redevelopment Goal and Strategic Objectives currently found in the BID/CRA Plan and those proposed by the DIA Board for adoption by City Council within the BID/CRA Plan Update:

Redevelopment Goal No. 5 | Improve the safety, accessibility, and wellness of Downtown Jacksonville and cleanliness and maintenance of public spaces for residents, workers, and visitors.

Strategic Objectives:

- Support a clean and safe Downtown 24-7, including the work of Downtown Vision Inc
- 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 beyond code requirements
- Expand the installation of public infrastructure that enhances safety such as countdown timer pedestrian signals, enhanced lighting, security cameras, etc.

Redevelopment Goal 8 | Simplify and increase the efficiency of the approval process for Downtown development and improve departmental and agency coordination.

Strategic Objective:

- Streamline and improve the transparency of the disposition process for publicly owned land and building space.

- Initiate public/private partnerships where private participation can accelerate achievement of Years Table projects or provide more efficient or cost-effective project management.
- Identify motivated and cooperative property owners/developers and develop key pilot initiatives.
- Promote clean-up and redevelopment of brownfields through coordination with the state and the Department of Public Works.

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

Section 1. The recitals set forth above are true and correct and are hereby incorporated herein by this reference.

Section 2. The DIA instructs the Chief Executive Officer of the Downtown Investment Authority to take all necessary action necessary to effectuate the thirty (30) day Notice of Disposition for the Retention Pond Parcel in accordance with its Negotiated Notice of Disposition Process and pursuant to the terms set forth in Exhibit B and consistent with Florida Statutes and the Ordinance Code.

Section 3. Proposals received, if any, will be reviewed by the DIA Chief Executive Officer, who will make a recommendation to the DIA Board regarding any responsive proposals received.

Section 4. If no alternate responsive and qualified proposals are received, or if they are determined by the CEO to be lower in value or unresponsive, the DIA authorizes its CEO to finalize negotiation of a term sheet with Developer and present it to the Board for final approval at the next regularly scheduled meeting following closure of the required notice period.

Section 6. The DIA Board hereby authorizes the CEO of the Downtown Investment Authority to take all action necessary to effectuate the purposes of this Resolution.

Section 7. This Resolution, 2022-10-01, shall become effective on the date it is signed by the Chair of the DIA Board.

WITNESS:

DOWNTOWN INVESTMENT AUTHORITY

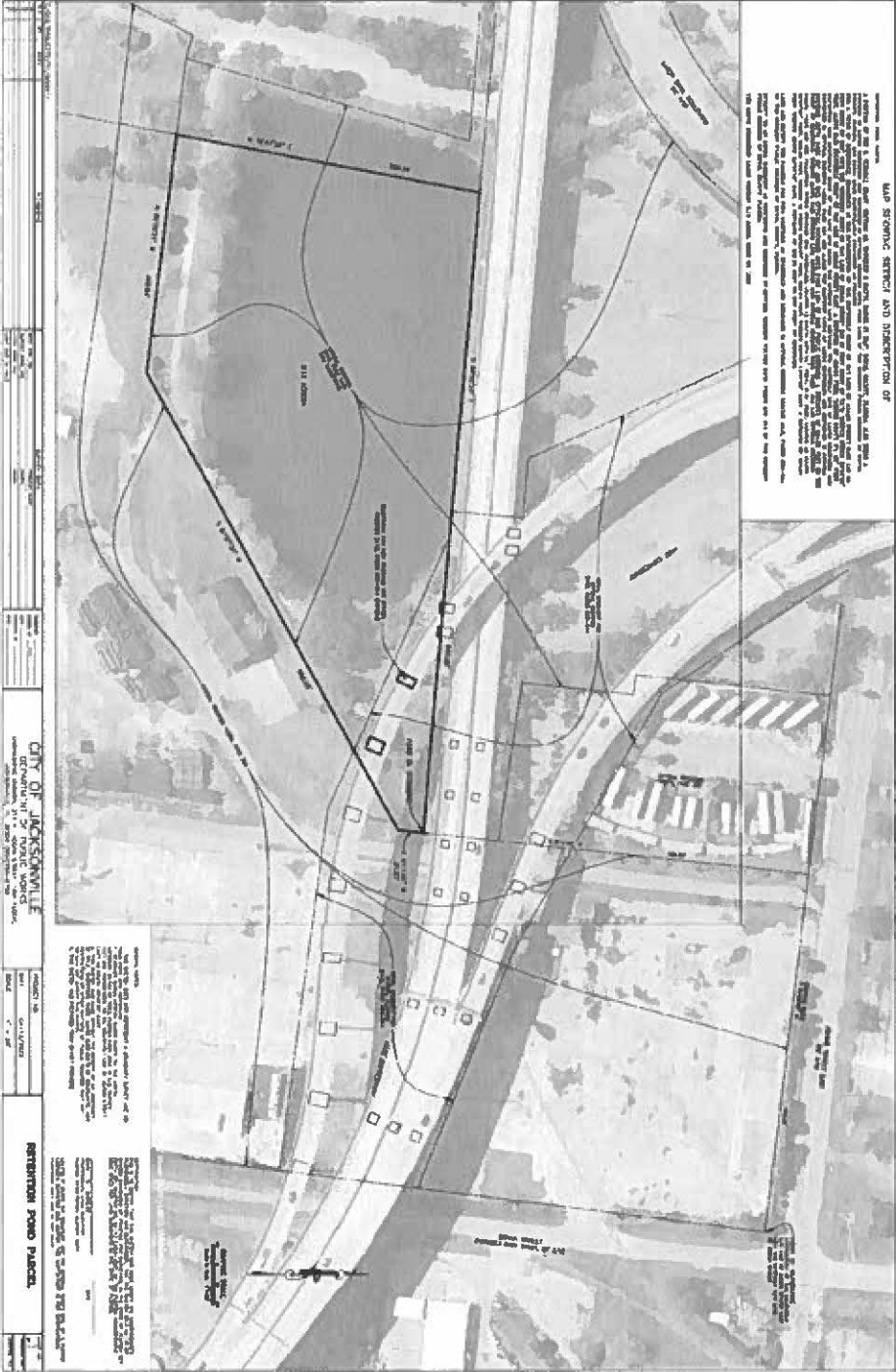
Ina Mezini

Carol C. Worsham
Carol Worsham, Chairman

10/20/22
Date

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

Exhibit A to Resolution 2022-04-07
Retention Pond Parcel



**Exhibit B
to Resolution 2022-10-01**

Essential Terms of Disposition Notice

1. Location: South of Gator Bowl Blvd and east of WJCT leased parcel, currently developed as a retention pond, which is a portion of the larger tax parcel RE #130574-0150.
2. Property Interest considered for disposition: Fee simple title to all or a portion of the "Retention Pond Parcel" depicted on Exhibit A map which consists of the easterly 5.18 acres, plus or minus, of the existing retention pond and is depicted in the survey sketch above.
3. Restriction on Use: Proposals must be consistent with the adopted CRA and BID Plan for Downtown. The property may remain as a retention pond or may be filled and redeveloped at the new owner's discretion, however, the Retention Pond Parcel will be deed restricted to prevent use that would be exempt from payment of property taxes, except with respect to any publicly dedicated and accepted park or recreation area.
4. A waterfront parcel with the Downtown Northbank CRA of no less than 1.20 acres of upland and approximately .4 acres of submerged lands, and of sufficient width and depth to accommodate development as a marine fire station, with sufficient water depth to accommodate marine fire vessels, and with public roadway access, must be provided to the City.
6. Proposal must include cash purchase price offered, if any, in addition to the required land parcel. Replacement land capable of use as a parking area in proximity to the Sports Complex may be considered as part of the purchase price at a value reflective of its use as a parking lot.
7. Proposal shall include the square footage and location of that portion of the Retention Pond Parcel desired for acquisition.
8. Closing and conveyance of swap parcels must occur no later than March 31, 2023.
9. Clear marketable title to the fire station parcel must be provided to the City.
10. Respondent must agree to provide access to and execute documents necessary to facilitate permitting of the marine fire station immediately open approval of a term sheet for disposition by the DIA Board.