

1 Introduced by Council Member Boylan:
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4 **RESOLUTION 2024-965**

5 A RESOLUTION STRONGLY ENCOURAGING AND REQUESTING
6 THE MAYOR, OR HER DESIGNEE, TO EXECUTE AND
7 DELIVER, FOR AND ON BEHALF OF THE CITY, AN
8 AGREEMENT WITH LIVE OAK ANCIENT CITY LIVING,
9 LLC, IN ACCORDANCE WITH THE LIEN WAIVER
10 PROCEDURES AUTHORIZED PURSUANT TO ORDINANCE
11 2006-631-E, TO SETTLE CODE ENFORCEMENT FINES
12 IMPOSED BY THE CITY'S SPECIAL MAGISTRATE/CODE
13 ENFORCEMENT BOARD ON CERTAIN PROPERTIES LOCATED
14 IN DOWNTOWN JACKSONVILLE AS MORE FULLY DESCRIBED
15 HEREIN; REQUESTING EMERGENCY PASSAGE UPON
16 INTRODUCTION; PROVIDING AN EFFECTIVE DATE.
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18 **WHEREAS,** the City Council has clearly established that it is
19 a priority of the Council to preserve and rehabilitate historic
20 buildings in downtown Jacksonville; and

21 **WHEREAS,** the Council believes that preservation,
22 revitalization, and reuse of Jacksonville's historic buildings, when
23 accomplished appropriately and in keeping with the City's Code of
24 Ordinances, is economically beneficial to the City, serves to enhance
25 and beautify the corridors in which such structures are located, and
26 is in the best interests of the City and the public; and

27 **WHEREAS,** Live Oak Ancient City Living, LLC (the "Developer"),
28 is the prospective purchaser of the properties located at 51 W.
29 Forsyth Street, 47 W. Forsyth Street, and 117 N. Laura Street in
30 downtown Jacksonville (collectively, the "Properties"), and intends
31 to rehabilitate and renovate certain historic and/or qualified

1 non-historic buildings located on said Properties, including the
2 former Florida National Bank Building, the Bisbee Building, and the
3 Florida Life Insurance Building (collectively, the "Buildings"); and

4 **WHEREAS,** the Properties are subject to a fine imposed by the
5 City's Special Magistrate/Code Enforcement Board under the authority
6 of Chapter 162, *Florida Statutes*, and Chapter 91, *Ordinance Code*, for
7 certain violations of Chapter 518 and Chapter 656 of the City's
8 Ordinance Code; and

9 **WHEREAS,** an order describing the Code violations and
10 establishing a \$250 per day fine was recorded in the current public
11 records of Duval County as a lien against the Properties (the "Lien")
12 and fines will continue to accrue pursuant to that order and Lien
13 until the Properties are brought into compliance; and

14 **WHEREAS,** pursuant to Ordinance 2006-631-E, the City Council
15 has authorized permanent, streamlined Municipal Code Enforcement
16 Board lien waiver procedures whereby the City and the owner or
17 prospective purchaser of property that is subject to City code
18 enforcement fines and the resulting lien(s) may agree to settle the
19 fines/liens subject to compliance with the terms and conditions of a
20 settlement agreement; and

21 **WHEREAS,** Developer, as the prospective purchaser of the
22 Properties, has requested the City enter into such a settlement
23 agreement in an effort to facilitate Developer's ability to
24 successfully complete the sale/purchase of the Properties with the
25 intent to rehabilitate the Buildings and bring the Properties into
26 compliance with City Code; and

27 **WHEREAS,** the City Council strongly supports Developer's
28 proposal to enter into a settlement agreement to address the
29 outstanding fines/lien and strongly encourages and requests the Mayor
30 execute such an agreement in accordance with the procedures authorized
31 by Ordinance 2006-631-E; now therefore

1 **BE IT RESOLVED** by the Council of the City of Jacksonville:

2 **Section 1. Strongly Encouraging and Requesting the Mayor**
3 **Execute a Settlement Agreement with Live Oak Ancient City Living,**
4 **LLC, as Described Herein.** The City Council hereby strongly encourages
5 and requests the Mayor, or her designee, and the Corporation Secretary
6 to execute and deliver, for and on behalf of the City, a settlement
7 agreement or lien forgiveness agreement in accordance with the
8 Municipal Code Enforcement Board lien waiver procedures approved and
9 authorized by Ordinance 2006-631-E, providing the terms and
10 conditions for the City's release of the Lien against the Properties
11 subject to Developer bringing all outstanding violations into
12 compliance. The Council strongly encourages and requests that, at a
13 minimum, the agreement include a nine month period wherein Live Oak
14 Ancient City Living, LLC, would be required to demonstrate it has the
15 necessary financial and other resources to complete a renovation and
16 rehabilitation of the Properties and Buildings to bring the Properties
17 into compliance, which may include a development incentive package
18 from the City that is reasonably consistent with comparable incentives
19 that have been advanced by the Downtown Investment Authority.

20 **Section 2. Requesting Emergency Passage Upon Introduction**
21 **Pursuant to Council Rule 4.901 Emergency.** Emergency passage upon
22 introduction of this legislation is requested. The nature of the
23 emergency is that Developer proposes to purchase the Properties and
24 has requested the City enter into a settlement agreement pertaining
25 to the outstanding Liens. The City Council desires to facilitate and
26 encourage the Mayor's execution of a settlement agreement as soon as
27 possible to aid Developer in completion of said purchase of the
28 Properties.

29 **Section 3. Effective Date.** This Resolution shall become
30 effective upon signature by the Mayor or upon becoming effective
31 without the Mayor's signature.

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Mary E. Staffopoulos

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