

1 Introduced by the Council President at the request of the DIA and
2 Co-Sponsored by Council Members R. Gaffney and Newby:

3
4 **ORDINANCE 2019-897**

5 MAKING CERTAIN FINDINGS AND APPROVING AND
6 AUTHORIZING THE MAYOR OR HIS DESIGNEE AND
7 CORPORATION SECRETARY TO EXECUTE AND DELIVER:

8 (1) A REDEVELOPMENT AGREEMENT ("AGREEMENT")
9 BETWEEN THE CITY OF JACKSONVILLE AND VC
10 LAVILLA TOWNHOMES, LTD., AN AFFILIATE OF THE
11 VESTCOR COMPANIES, INC. ("DEVELOPER"), WHICH
12 AGREEMENT PROVIDES FOR THE CONSTRUCTION BY
13 DEVELOPER OF 88 TOWNHOMES, IMPROVEMENTS TO
14 LIFT EV'RY VOICE PARK ("PARK"), AND
15 IMPROVEMENTS TO THE LAVILLA HERITAGE TRAIL
16 ("TRAIL"), A SEGMENT OF THE EMERALD TRAIL, AS
17 WELL AS \$100,000 CASH CONTRIBUTIONS TO EACH OF
18 THE PARK AND TRAIL, WITHIN THE NORTHBANK
19 DOWNTOWN COMMUNITY REDEVELOPMENT AREA (THE
20 "PROJECT"); (2) A QUITCLAIM DEED CONVEYING
21 APPROXIMATELY 3.45 ACRES OF CITY-OWNED LAND
22 LOCATED GENERALLY AT THE INTERSECTION OF
23 JOHNSON AND HOUSTON STREETS, JACKSONVILLE,
24 FLORIDA, IN COUNCIL DISTRICT 7 TO THE
25 DEVELOPER FOR \$100, TOGETHER WITH AN ADJACENT
26 5' STRIP OF THE JOHNSON STREET RIGHT-OF-WAY
27 PROPOSED FOR CLOSURE; (3) RELATED AGREEMENTS
28 AND CLOSING DOCUMENTS AS DESCRIBED IN THE
29 AGREEMENT, AND OTHERWISE TO TAKE ALL NECESSARY
30 ACTION TO EFFECTUATE THE PURPOSES OF THE
31 AGREEMENT; DESIGNATING THE DOWNTOWN INVESTMENT

1 AUTHORITY AS CONTRACT MONITOR; PROVIDING FOR
2 OVERSIGHT OF THE PROJECT BY THE DEPARTMENT OF
3 PUBLIC WORKS; PROVIDING AN EFFECTIVE DATE.

4
5 **WHEREAS**, the City of Jacksonville ("City") is the owner of
6 approximately 3.45 acres of real property comprised of portions of
7 the following R.E. numbers: 074834 0000, 074844 0000, 074832 0000,
8 074830 0000, 074847 0000, 074843 0000, 074846 0000, and 074828
9 0005, as well as a 5' strip of an adjacent portion of the Johnson
10 Street right-of-way proposed for closure, all as more specifically
11 described in the redevelopment agreement between the City and VC
12 LaVilla Townhomes, Ltd. ("Developer") placed **On File** with the
13 Legislative Services Division, and located in the LaVilla
14 neighborhood within the Northbank Downtown Community Redevelopment
15 Area (collectively, the "Property"); and

16 **WHEREAS**, the Downtown Investment Authority ("DIA") issued its
17 Notice of Disposition for a City-owned property providing notice to
18 developers who may be interested in purchasing and developing the
19 Property, and The Vestcor Companies, Inc. ("Vestcor") was the
20 selected bidder; and

21 **WHEREAS**, the Property will be conveyed to the VC LaVilla
22 Townhomes, Ltd., an affiliate of Vestcor, for \$100 in exchange for:
23 (i) the Developer making a \$100,000 contribution to the City to be
24 utilized for improvements to Lift Ev'Ry Voice and Sing Park as well
25 as certain landscaping improvements to the Park; (ii) a \$100,000
26 contribution to the City to be utilized for improvements to the
27 LaVilla Heritage Trail segment of the Emerald Trail as well as
28 paving of the trail; and (iii) for the development of 88 townhomes
29 (the "Townhomes") together with associated roadways and sidewalks
30 (collectively, the "Project"); and

31 **WHEREAS**, upon the sale of each Townhome unit, the City shall

1 receive at closing seventy-five percent (75%) of the net revenues
2 to Developer in excess of \$250,000; and

3 **WHEREAS**, in the event the Developer fails to commence
4 construction of the Project on or before July 1, 2020, title to the
5 Property shall revert to the City; and

6 **WHEREAS**, supporting the development of the Project will
7 redevelop and create a more intense use of the Property, generate
8 new ad valorem taxes on the Property, eliminate blight conditions
9 in the area, and provide job opportunities to residents of the
10 area; and

11 **WHEREAS**, a copy of the DIA Resolution authorizing the
12 transaction is attached hereto as **Exhibit 1**; now, therefore

13 **BE IT ORDAINED** by the Council of the City of Jacksonville:

14 **Section 1. Findings.** It is hereby ascertained,
15 determined, found and declared as follows:

16 (a) The recitals set forth herein are true and correct.

17 (b) The Project will greatly enhance the City and otherwise
18 promote and further the municipal purposes of the City.

19 (c) The City's assistance for the Project will enable and
20 facilitate the Project, the Project will enhance and increase the
21 City's tax base and revenues, and the Project will improve the
22 quality of life necessary to encourage and attract business
23 expansion in the City.

24 (d) Enhancement of the City's tax base and revenues are
25 matters of State and City concern.

26 (e) The Developer is qualified to carry out the Project.

27 (f) The authorizations provided by this Ordinance are for
28 public uses and purposes for which the City may use its powers as a
29 municipality and as a political subdivision of the State of Florida
30 and may expend public funds, and the necessity in the public
31 interest for the provisions herein enacted is hereby declared as a

1 matter of legislative determination.

2 (g) This Ordinance is adopted pursuant to the provisions of
3 Chapters 163, 166 and 125, Florida Statutes, as amended, the City's
4 Charter, and other applicable provisions of law.

5 **Section 2. Approval and Authorization.** There is hereby
6 approved and the Mayor, or his designee, and the Corporation
7 Secretary, are hereby authorized to execute and deliver on behalf
8 of the City the Redevelopment Agreement, Quitclaim Deed, and
9 related documents referenced therein between the City of
10 Jacksonville and Developer, in substantially the form placed **On**
11 **File** with the Legislative Services Division (collectively, the
12 "Agreements"), and all such other documents, necessary or
13 appropriate to effectuate the purpose of this Ordinance (with such
14 "technical" changes as herein authorized).

15 The Agreements may include such additions, deletions and
16 changes as may be reasonable, necessary and incidental for carrying
17 out the purposes thereof, as may be acceptable to the Mayor, or his
18 designee, with such inclusion and acceptance being evidenced by
19 execution of the Agreement by the Mayor, or his designee; provided
20 however, no modification to the Agreements may increase the
21 financial obligations or liability of the City to an amount in
22 excess of the amount stated in the Agreements or decrease the
23 financial obligations or liability of the Developer, and any such
24 modification shall be technical only and shall be subject to
25 appropriate legal review and approval by the Office of General
26 Counsel. For purposes of this Ordinance, the term "technical
27 changes" is defined as those changes having no financial impact to
28 the City, including, but not limited to, changes in legal
29 descriptions or surveys, ingress and egress, easements and rights
30 of way, design standards, access and site plan, resolution of title
31 defects, if any, and other non-substantive changes that do not

1 substantively increase the duties and responsibilities of the City
2 under the provisions of the Agreements.

3 **Section 3. Designation of Contract Monitor.** The Downtown
4 Investment Authority shall provide oversight and administration of
5 the Agreements for the duration thereof.

6 **Section 4. Oversight Department.** The Department of
7 Public Works shall oversee the project described herein.

8 **Section 5. Further Authorizations.** The Mayor, or his
9 designee, and the Corporation Secretary, are hereby authorized to
10 execute the Agreements and all other contracts and documents and
11 otherwise take all necessary action in connection therewith and
12 herewith. The Chief Executive Officer of the DIA, as contract
13 administrator, is authorized to negotiate and execute all necessary
14 changes and amendments to the Agreements and other contracts and
15 documents, to effectuate the purposes of this Ordinance, without
16 further Council action, provided such changes and amendments are
17 limited to amendments that are technical in nature (as described in
18 Section 2 hereof), and further provided that all such amendments
19 shall be subject to appropriate legal review and approval by the
20 General Counsel, or his or her designee, and all other appropriate
21 official action required by law.

22 **Section 6. Effective Date.** This Ordinance shall become
23 effective upon signature by the Mayor or upon becoming effective
24 without the Mayor's signature.

25
26 Form Approved:

27
28 /s/ John Sawyer

29 Office of General Counsel

30 Legislation Prepared By: John Sawyer

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