

1 Introduced by the Council President at the request of the DIA and
2 amended by the Finance Committee:

3
4
5 **ORDINANCE 2022-372-E**

6 AN ORDINANCE ADOPTING THE DOWNTOWN INVESTMENT
7 AUTHORITY ("DIA") UPDATED BUSINESS INVESTMENT
8 AND DEVELOPMENT PLAN ("BID PLAN") PURSUANT TO
9 SECTION 55.108(A)(7), *ORDINANCE CODE*, WHICH
10 INCLUDES (1) AN UPDATE OF THE COMMUNITY
11 REDEVELOPMENT AREA ("CRA") PLANS FOR DOWNTOWN
12 CONSISTING OF THE SOUTHSIDE COMMUNITY
13 REDEVELOPMENT AREA AND THE NORTHBANK DOWNTOWN
14 COMMUNITY REDEVELOPMENT AREA, AND (2) AN UPDATE
15 OF THE BUSINESS INVESTMENT STRATEGY; REQUIRING
16 ALL DEVELOPMENT AND REDEVELOPMENT IN DOWNTOWN TO
17 BE COMPATIBLE AND CONSISTENT WITH THE BID PLAN;
18 AMENDING THE NORTHBANK TAX INCREMENT DISTRICT
19 BUDGET FOR FISCAL YEAR 2021-22 TO TRANSFER
20 \$1,900,000.00 FROM THE METROPOLITAN PARKING
21 SOLUTIONS ("MPS") FINANCIAL OBLIGATION TO THE
22 DOWNTOWN NORTHBANK CRA TRUST: (1) \$72,061.50 IN
23 SUPERVISORY ALLOCATION TO AUTHORIZE AND FUND THE
24 SALARY AND BENEFITS OF TWO FULL TIME EMPLOYEES
25 WITHIN THE DOWNTOWN INVESTMENT AUTHORITY;
26 \$72,938.50 TO NORTHBANK PLAN PROFESSIONAL
27 SERVICES; (3) \$225,000.00 TO NORTHBANK ENHANCED
28 MAINTENANCE; (4) \$500,000.00 TO PROVIDE FUNDING
29 FOR THE NEW NORTHBANK COMMERCIAL REVITALIZATION
30 PROGRAM; (5) \$200,000.00 TO PROVIDE FUNDING FOR

1 THE NEW NORTHBANK SMALL SCALE RESIDENTIAL
2 INCENTIVE; AND (6) \$830,000.00 TO PROVIDE
3 FUNDING FOR THE LAVILLA HERITAGE TRAIL AND
4 GATEWAY ENTRANCES, AS INITIATED BY B.T. 22-074;
5 PURPOSE; APPROVING AND AUTHORIZING AN INCREASE
6 TO THE EMPLOYEE CAP FOR THE DOWNTOWN INVESTMENT
7 AUTHORITY FROM NINE (9) TO ELEVEN (11) IN ORDER
8 TO ALLOW FOR THE ADDITION OF TWO (2) NEW
9 POSITIONS WITHIN THE GENERAL FUND (FUND 00111)
10 AND FUNDED THROUGH A SUPERVISION ALLOCATION FROM
11 THE COMMUNITY REDEVELOPMENT AGENCIES FOR
12 DOWNTOWN, AS INITIATED BY R.C. 22-118; AMENDING
13 THE CITY'S PUBLIC INVESTMENT POLICY AUTHORIZED
14 BY 2016-382-E, AS AMENDED, TO REMOVE AND REPLACE
15 THE DOWNTOWN PROGRAMS INCENTIVES TO BE
16 CONSISTENT WITH THE BID PLAN INCENTIVES
17 AUTHORIZED HEREBY; AMENDING CHAPTER 55 (DOWNTOWN
18 INVESTMENT AUTHORITY), PART 1 (DOWNTOWN
19 INVESTMENT AUTHORITY), SECTION 55.108 (POWERS
20 AND DUTIES), TO AUTHORIZE: (1) THE DIA BOARD TO
21 APPROVE PUBLIC INVESTMENT POLICY INCENTIVES
22 WITHOUT THE NEED FOR CITY COUNCIL APPROVAL; (2)
23 THE DIA BOARD TO APPROVE RECAPTURED ENHANCED
24 VALUE ("REV") GRANTS THROUGH THE 2045 TAX YEAR;
25 AND (3) THE DIA BOARD TO NEGOTIATE, APPROVE AND
26 ENTER INTO, ON BEHALF OF THE CITY, COST
27 DISBURSEMENT AGREEMENTS FOR CITY CAPITAL
28 PROJECTS THEN CURRENTLY IDENTIFIED IN THE CITY'S
29 CAPITAL IMPROVEMENTS PLAN ("CIP PROJECTS");
30 AMENDING CHAPTER 55 (DOWNTOWN INVESTMENT
31 AUTHORITY), PART 1 (DOWNTOWN INVESTMENT

1 AUTHORITY), SECTION 55.114 (FORM AGREEMENTS;
2 REDEVELOPMENT AGREEMENTS), TO AUTHORIZE A FORM
3 OF COSTS DISBURSEMENT AGREEMENT RELATING TO CIP
4 PROJECTS; AMENDING CHAPTER 122 (PUBLIC
5 PROPERTY), PART 4 (REAL PROPERTY), SUBPART C
6 (COMMUNITY REDEVELOPMENT REAL PROPERTY
7 DISPOSITIONS), TO AUTHORIZE THE DISPOSITION OF
8 REAL PROPERTY HAVING AN APPRAISED VALUE OF LESS
9 THAN \$250,000 AT LESS THAN THE APPRAISED VALUE,
10 UPON SATISFACTION OF CERTAIN CONDITIONS, AND TO
11 AUTHORIZE THE DIA TO DISPOSE OF REAL PROPERTY
12 HAVING AN APPRAISED VALUE OF UP TO \$750,000
13 WITHOUT COUNCIL APPROVAL; PROVIDING FOR
14 SEVERABILITY; PROVIDING FOR LIBERAL
15 CONSTRUCTION; AUTHORIZING THE COUNCIL AUDITOR'S
16 AND GENERAL COUNSEL'S OFFICE TO MAKE TECHNICAL
17 AMENDMENTS TO BID PLAN; APPROVING FORM COST
18 DISBURSEMENT AGREEMENT; PROVIDING AN EFFECTIVE
19 DATE.

20
21 **WHEREAS**, the City is a consolidated municipality and county
22 government for Duval County in the State of Florida, and has and may
23 exercise the fullest extent of home rule powers conferred upon
24 municipalities and chartered counties by Article VIII of the Florida
25 Constitution and Chapters 125 and 166, Florida Statutes; and

26 **WHEREAS**, the legislature of Florida has adopted a number of
27 statutes finding that community redevelopment serves a valid public
28 purpose for which public assistance may be provided, and that it
29 constitutes a public purpose to expend public funds for community
30 redevelopment activities, including, but not limited to, developing
31 or improving local infrastructure and making grants for the

1 development of community redevelopment areas in attacking slum and
2 blight found to be existing in the Downtown Community Redevelopment
3 Area of the City; and

4 **WHEREAS**, the City created the Southside Community Redevelopment
5 Area ("Southside CRA") in 1980, the Northside West Community
6 Redevelopment Area ("Northside West CRA") in 1981, and the Downtown
7 East Community Redevelopment Area ("Downtown East CRA") in 1985; and

8 **WHEREAS**, pursuant to Ordinance 2000-1078-E, codified at Section
9 500.114, *Ordinance Code*, the City consolidated the Northside West CRA
10 and the Downtown East CRA into the "Northbank Downtown CRA" in order
11 to provide a more flexible framework to achieve the City's similar
12 objectives in both of those CRA's; and

13 **WHEREAS**, the Southside CRA and the Northbank Downtown CRA are
14 collectively referred to herein as the "Downtown CRAs"; and

15 **WHEREAS**, the City Council determined in 2012 that an update and
16 consolidation of the two separate community redevelopment plans
17 existing for downtown Jacksonville was needed to guide development
18 and redevelopment within the Jacksonville downtown area and initiated
19 the process by forming the Downtown Investment Authority ("DIA"), as
20 successor to the Downtown Development Authority and partly the
21 Jacksonville Economic Development Commission, and establishing a
22 Board of Directors for the DIA, which was granted the authority of
23 Community Redevelopment Agency for the Downtown CRAs pursuant to
24 Ordinance 2012-364-E; and

25 **WHEREAS**, pursuant to Ordinance 2014-560-E, the City adopted a
26 Business Investment and Development Plan, comprised of a Business
27 Investment Strategy, the Downtown Northbank CRA Plan, the Southside
28 CRA Plan, and other exhibits thereto; and

29 **WHEREAS**, pursuant to Section 55.108(a)(7), the DIA Board is
30 required to review the BID Plan every five years and the Board
31 retained GAI Consultants ("Consultant") in order to: (1) update the

1 community redevelopment plans for the Downtown CRAs (the "Community
2 Redevelopment Plans"), including the incorporation of other planning
3 initiatives completed after adoption of the initial BID Plan, the
4 adoption of updated goals and strategic objectives, and the revision
5 and addition of CRA redevelopment projects, and (2) update the
6 Business Investment Strategy that provides the market support for,
7 and establishes criteria for incentive programs, consistent with the
8 updated Community Redevelopment Plans (collectively, the "BID Plan");
9 and

10 **WHEREAS**, the Consultant conducted a number of public surveys,
11 focus groups, stakeholder interviews and workshops, and the Board and
12 staff of the DIA and DDRB, supported by the Consultant, held a number
13 of public meetings and public forums in order to solicit and obtain
14 the views of the citizens of Jacksonville on the issues, opportunities
15 and vision for the future of downtown and to ensure that public
16 participation was a meaningful component of the BID Plan; and

17 **WHEREAS**, after public participation and subsequent review and
18 refinement by the DIA Board and staff, the BID Plan in accordance
19 with Section 55.108(a)(7) was developed by the DIA; and

20 **WHEREAS**, the DIA, as Community Redevelopment Agency for the
21 Downtown CRAs, has complied with the requirements of Chapter 163,
22 Part III, Florida Statutes, and Chapter 55, Part 3, Ordinance Code,
23 and the BID Plan conforms to the 2030 Comprehensive Plan for the City
24 of Jacksonville; and

25 **WHEREAS**, the BID Plan is sufficiently complete to indicate such
26 land acquisition, demolition and removal of structures, redevelopment
27 improvements, and rehabilitation as is proposed to be carried out in
28 the Downtown CRAs; and

29 **WHEREAS**, the DIA (pursuant to Resolution 2022-02-08 made at its
30 regular meeting on February 23, 2022, as set forth in the composite
31 materials placed **Second Revised On File** with the Legislative Services

1 Division) has approved the BID Plan and requests that the Council of
2 the City of Jacksonville, Florida approve this ordinance; and

3 **WHEREAS**, the DIA (pursuant to Resolution 2022-03-03 made at its
4 regular meeting on March 16, 2022, as set forth in the composite
5 materials placed **Second Revised On File** with the Legislative Services
6 Division) has directed the CEO to pursue the addition of up to five
7 new positions to DIA staff in order to efficiently and responsively
8 fulfill the mission of DIA without unnecessary delays in
9 implementation of projects and programs, utilizing up to \$500,000 of
10 CRA resources; and

11 **WHEREAS**, the CEO has requested the addition of two positions in
12 the current fiscal year utilizing a portion of the savings from the
13 recently approved Metropolitan Park Solutions ("MPS") settlement
14 agreement, previously approved by Ordinance 2022-138-E; and

15 **WHEREAS**, to provide greater efficiency to the development
16 community, the DIA desires to amend Chapter 55 (Downtown Investment
17 Authority) Part 1 (Downtown Investment Authority), Section 55.108
18 (Powers and Duties), to authorize economic incentive packages for
19 Downtown pursuant to the City's Public Investment Policy, as amended
20 hereby, without further Council approval and provided funding
21 therefore exists within the appropriate DIA Trust Fund, approved
22 budget, or by separate Council appropriation, and to authorize REV
23 Grants with a term extending through the 2045 tax year; and

24 **WHEREAS**, to better assist the DIA in the implementation of the
25 BID Plan, the DIA desires to: amend Chapter 122 (Public Property),
26 Part 4 (Real Property), Subpart C (Community Redevelopment Real
27 Property Dispositions), in order to provide greater flexibility to
28 the DIA and streamline the time frame for real property dispositions
29 within the Downtown Community Redevelopment Area; now therefore

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

31 **Section 1. Approval and Adoption of update for the two**

1 **Downtown Community Redevelopment Area Plans and the Business**
2 **Investment Strategy (together referred to as the Business Investment**
3 **and Development Plan "BID Plan")**. The Downtown Community
4 Redevelopment Plan Update and the Business Investment Plan
5 (collectively, the "BID Plan"), a revised copy of which has been
6 placed **Second Revised On File** with the Legislative Services Division,
7 having been duly received and considered, is hereby approved and
8 adopted as the plan governing all development and redevelopment within
9 the Jacksonville Downtown area (as defined in Section 55.106,
10 Ordinance Code). The Jacksonville downtown area ("Downtown"), which
11 is currently coextensive with the Downtown Overlay Zone pursuant to
12 Section 656.361.2, *Ordinance Code*, is comprised of the following
13 districts: Brooklyn District, LaVilla District, Church (NorthCore)
14 District, Central Core District (City Center), Cathedral (Cathedral
15 Hill) District, Sports and Entertainment District, Working Waterfront
16 District, and Southbank District, all of which are described, shown
17 and delineated in the BID Plan. The BID Plan is supported by a
18 Jacksonville Downtown Market Feasibility Study, a copy of which is
19 contained in the BID Plan.

20 **Section 2. All Development and Redevelopment in Downtown**
21 **Redevelopment Area to be Compatible and Consistent with BID Plan.**

22 All development and redevelopment within the Downtown
23 Redevelopment Area, including, but not limited to, all Public Works
24 projects and streetscape, partnerships with the City that require
25 funding and all projects requiring permits, shall be compatible and
26 consistent with the BID Plan goals, policies, and strategies including
27 the Downtown Zoning Overlay.

28 **Section 3. Appropriation.** For the 2021-2022 fiscal year,
29 within the City's and Northbank CRA's budget, as applicable, there
30 is hereby appropriated the indicated sum from the account listed in
31 subsection (a) to the account listed in subsection (b):

1 (B.T. 22-074, attached hereto as **Exhibit 1** and incorporated herein
2 by this reference):

3 (a) Appropriated from:

4 See B.T. 22-074 \$1,900,000.00

5 (b) Appropriated to:

6 See B.T. 22-074 \$1,900,000.00

7 (c) Explanation of Appropriation - The funding above is being
8 appropriated from the MPS subsidy for downtown garages to
9 establish the Northbank Commercial Revitalization Program,
10 the Northbank Small Scale Residential Grant incentive, the
11 Northbank Parking Screening Grant incentive, provide
12 funding for the LaVilla Heritage Trail and Gateways
13 project, increase the Plan Professional Services budget
14 and increase the Supervision Allocation as set forth in
15 the updated BID Plan authorized by this ordinance, and to
16 authorize an additional supervision allocation for two new
17 full time DIA employees.

18 **Section 4. Purpose.** The purpose of the appropriation in
19 Section 3 is to provide funding in the amount of \$500,000 to fund the
20 new Northbank Commercial Revitalization Program, \$200,000 to
21 establish the new Northbank Small-Scale Residential incentive program
22 (also known as the Small Scale Multi-Family Housing Grant), \$225,000
23 to Northbank Enhanced Maintenance, provide \$830,000 in funding for
24 the LaVilla Heritage Trail and Gateways project, increase the Plan
25 Professional Services budget by \$72,938.50, and increase the
26 Supervision Allocation by \$72,061.50 as set forth in the updated BID
27 Plan authorized by this ordinance, to authorize and fund salary and
28 benefits of two full time employees, the first a DIA Parking Strategy
29 Coordinator, and the second a DIA Strategic Initiatives Coordinator.

30 **Section 5. Approval and Authorization of Increase to**
31 **Employee Cap in Fund 00111 and Authorization of Positions.** There is

1 hereby approved an increase to the employee cap for the Downtown
2 Investment Authority within the General Fund (Fund 00111) from nine
3 (9) to Eleven (11) in order to allow for the addition of two (2) new
4 positions, a DIA Strategic Initiatives Coordinator, and a DIA Parking
5 Strategy Coordinator, as more fully described in R.C. 22-118, attached
6 hereto as **Exhibit 2** and incorporated herein by this reference.

7 Pursuant to Ordinance 55.108(a)(1) the Chief Executive Officer
8 ("CEO") of the DIA has been granted the authority to, subject to
9 available funding, appoint, employ and/or remove such additional
10 staff as is deemed necessary for the efficient and effective
11 administration of the activities of the office. The DIA Board has
12 directed the CEO to pursue the addition of up to five new positions
13 to DIA staff in order to efficiently and responsively fulfill the
14 mission of DIA without unnecessary delays in implementation of
15 projects and programs, utilizing up to \$500,000 of CRA resources. The
16 CEO has requested the addition of two positions in the current fiscal
17 year utilizing a small portion of the savings from the recently
18 approved Metropolitan Park Solutions ("MPS") settlement agreement,
19 previously approved by Ordinance 2022-138-E. One position is
20 necessary to responsibly manage the contracts, leases, and repairs
21 associated with the MPS garages within the Northbank CRA, now under
22 management of the DIA. The second position is necessary to implement
23 currently funded programs approved in prior CRA budgets which have
24 been delayed due to a lack of staff capacity. The appropriations
25 necessary to fund these positions for the remainder of fiscal year
26 2021-2022 are as set forth in B.T. 2022-074 attached to this
27 ordinance.

28 **Section 6. Amending the City's Public Investment Policy.**

29 The City's Public Investment Policy originally authorized by 2016-
30 382-E, as subsequently amended, is hereby revised to remove the
31 Downtown Programs incentives and replace them with the Downtown

1 Programs Incentives consistent with the BID Plan authorized hereby,
2 consistent with the revised Public Investment Policy placed **Second**
3 **Revised On File** with the Legislative Services Division.

4 **Section 7. Amending Chapter 55 (Downtown Investment**
5 **Authority), Part 1 (Downtown Investment Authority), Section 55.108**
6 **(Powers and Duties), Ordinance Code.** Chapter 55 (Downtown Investment
7 Authority), Part 1 (Downtown Investment Authority), Section 55.108
8 (Powers and Duties), *Ordinance Code*, is hereby amended to read as
9 follows:

10 **CHAPTER 55. DOWNTOWN INVESTMENT AUTHORITY**

11 **PART 1. DOWNTOWN INVESTMENT AUTHORITY**

12 * * *

13 **Sec. 55.108. Powers and Duties.**

14 (a) The Board shall have the following powers and duties, subject
15 to appropriated funds, within Downtown:

16 * * *

17 (8) Implement the BID Plan, and negotiate and grant final
18 approval of downtown development and redevelopment agreements, grant
19 agreements, license agreements, and lease agreements, including
20 retail, commercial and ground lease agreements, subject to the
21 Authority's budget without further action of Council, in furtherance
22 of the BID Plan. The Board may approve Recapture Enhanced Value
23 ("REV") Grants of up to seventy-five percent (75%) authorized in
24 accordance with the BID Strategy criteria with the 2045 tax year as
25 the final year of eligibility, payable in 2046, without Council
26 approval, and the Mayor, or his designee, is authorized to enter into
27 the applicable development or redevelopment agreements with the DIA
28 and third party recipients for the purposes of acknowledging the
29 City's payment obligations under a REV Grant when the term of which
30 extends beyond the expiration date of the applicable Trust Fund, as
31 successor in interest to the DIA.

1 (9)a. Negotiate economic incentive packages for Downtown, just
2 as OED does for areas outside of Downtown, and monitor compliance of
3 the same pursuant to the City's approved Public Investment Policy,
4 as may be amended from time to time, regarding Programs 1 through 26
5 contained in the BID Strategy document, with the assistance of the
6 Economic Development Officer, without Council approval, unless
7 otherwise required in the BID Strategy, and provided sufficient funds
8 exist and are currently appropriated within the appropriate Trust
9 Fund or the DIA's approved budget, or the incentive program is self-
10 funding (i.e., a REV Grant).~~and subject to the approval of Council.~~
11 The updated Public Investment Policy dated June 28, 2016 was made
12 operational by ~~the 2006 JEDC Public Investment Policy Manual Ordinance~~
13 2016-382-E, and as amended from time to time is hereby incorporated
14 into the BID Plan by reference.

15 * * *

16 c. The Authority shall provide semi-annual reports: (i) to Council
17 reflecting the status of compliance with incentive requirements and
18 such reports shall be made available on-line; and (ii) to Council, the
19 Council Finance Committee and the Council Auditor's Office reflecting
20 all incentives approved by the DIA Board, identifying the project,
21 incentive type and funding source, anticipate payout by fiscal year,
22 and authorizing resolution.

23 d. Council approval shall be required when the total incentives
24 for a project approved by the Authority exceed \$18,000,000 in the
25 aggregate.

26 * * *

27 (14) Approve and execute all contracts and other documents,
28 adopt all proceedings, and perform all acts determined by the Board
29 to be necessary or desirable to carry out the purposes of this
30 Chapter, unless expressly subject to the approval, ~~where applicable,~~
31 of the City Council. The Board may authorize the CEO to execute

1 contracts and other documents on behalf of the Board. The DIA shall
2 forward executed final copies of all agreements and exhibits
3 electronically to the Office of General Counsel for additional
4 retention.

5 * * *

6 **Section 8. Amending Chapter 55 (Downtown Investment**
7 **Authority), Part 1 (Downtown Investment Authority), Section 55.114**
8 **(Form Agreements; Redevelopment Agreements), Ordinance Code.** Chapter
9 55 (Downtown Investment Authority), Part 1 (Downtown Investment
10 Authority), Section 55.114 (Form Agreements; Redevelopment
11 Agreements), *Ordinance Code*, is hereby amended to read as follows:

12 **CHAPTER 55. DOWNTOWN INVESTMENT AUTHORITY**

13 **PART 1. DOWNTOWN INVESTMENT AUTHORITY**

14 * * *

15 **Sec. 55.114. Form Agreements; Redevelopment Agreements.**

16 (a) The Authority may execute the form agreements approved via
17 Ordinance 2014-560-E with any person or public bodies in accordance
18 with this Part without further Council approval. The Authority may
19 also execute redevelopment agreements, grant agreements, incentive
20 agreements, and use rights such as easements, leases, and licenses,
21 all containing terms approved by the Board, which agreements shall
22 contain the following provisions:

23 (1a) Public funds shall be kept by the person or public body
24 in a separate bank account for DIA and/or City monitoring purposes;

25 (2b) The DIA and/or City, including the Council Auditor's
26 Office, shall have the right to access and review all documents and
27 expenditures of a person or public body regarding the agreement;

28 (3e) Adequate financial records shall be provided to the DIA
29 and/or City by the person or public body;

30 (4d) With respect to any construction projects, a draw
31 schedule shall be used that ties the funding to the progress of the

1 construction;

2 (5e)With respect to construction projects, the person or
3 public body shall provide the City with monthly construction reports;

4 (6f)Indemnity provision in favor of the DIA and the City,
5 subject to the approval of the Office of General Counsel and City
6 Risk Management Division; and

7 (7g)Such insurance provisions as approved by the City Risk
8 Management Division.

9 (b) The Authority may execute cost disbursement agreements on
10 behalf of the City substantially in the form approved by Ordinance
11 2022-372-E, with such changes as approved by the CEO, the Department
12 of Public Works, the Risk Management Division and the Office of
13 General Counsel, for Capital Improvement Projects then currently
14 identified in the City's Capital Improvement Plan ("CIP") and
15 provided: (i) such agreements shall be subject to a lawful
16 appropriation of funds to the applicable Capital Improvement Project
17 and no additional funds are required; (ii) the applicable developer
18 shall be obligated to cover all cost overruns for the applicable
19 project; and (iii) the Capital Improvement Project will be funded no
20 earlier than the year as set forth in the CIP.

21 All such agreements may include administrative authority for an
22 extension of the applicable performance schedule for a period of up
23 to six (6) months (unless a greater time frame is subsequently
24 authorized by Council), and shall be prepared, reviewed and approved
25 by the Office of General Counsel as to both form and legality, prior
26 to execution by any party. All agreements related to development
27 projects that include economic incentives or real property
28 dispositions approved by the DIA Board but not recommended for
29 approval by Authority staff shall require Council approval.

30 * * *

1 **Section 9. Amending Chapter 122 (Public Property), Part 4**
2 **(Real Property), Ordinance Code.** Chapter 122 (Public Property), Part
3 4 (Real Property), Section 122.434 (Procedure for disposition of
4 Community Development Property), *Ordinance Code*, is hereby amended
5 to read as follows:

6 **CHAPTER 122. PUBLIC PROPERTY**

7 * * *

8 **PART 4. REAL PROPERTY**

9 * * *

10 **SUBPART C. COMMUNITY REDEVELOPMENT REAL PROPERTY**

11 **DISPOSITIONS**

12 * * *

13 **Sec. 122.434. Procedure for disposition of Community**
14 **Development Property.**

15 * * *

16 (d) A notification of intention to accept a proposal for
17 redevelopment or rehabilitation must be filed with the City Council
18 of the City of Jacksonville not less than 30 days prior to any such
19 acceptance, in accordance with Florida Statutes Section 163.380.
20 Thereafter, the DIA, acting as the community redevelopment agency,
21 and the Mayor, may execute such contracts, and the Mayor may execute
22 and deliver deeds, leases, and other instruments and take all steps
23 necessary to effectuate such contracts; provided however, that where
24 the sales price of the property to be disposed equals or exceeds the
25 appraised value of the property and is greater than \$750,000~~25,000~~,
26 then the Council approval of shall approve the sales contract must
27 be obtained by ordinance prior to execution of the documents by the
28 Mayor and DIA.

29 (e) Consistent with the notice and execution requirements set
30 forth in subsection (d) above, the DIA is authorized to dispose of
31 property for a sales price less than the appraised value, provided:

1 (1) the appraised value of the property does not exceed
2 \$250,000;

3 (2) the return on investment to the City is greater than
4 or equal to 1, as verified by the Council Auditor's Office, with
5 ROI calculations for property dispositions that include other
6 incentives calculated over a maximum of twenty (20) years or the
7 life of the incentive, whichever is greater and with stand-alone
8 property dispositions calculated over a maximum of twenty (20)
9 years, with any disposition having an ROI of less than 1 as
10 determined by the Council Auditors Office requiring City Council
11 approval; and

12 (3) the "sales price" of the property pursuant to Section
13 163.380(2), Florida Statutes, is equal to or greater than the
14 fair value.

15 (f) For property having a Property Appraiser's Office market
16 value of \$25,000 or less, the DIA and Mayor, consistent with this
17 subsection, may sell such properties irrespective of sales price.

18 (g) The purchasers or lessees and their successors and assigns
19 shall be obligated to devote the use of such real property only to
20 the uses specified in the community redevelopment plan and may be
21 obligated to comply with such other requirements as the City or the
22 DIA may determine to be in the public interest, including the
23 obligation to begin any improvements on such real property required
24 by the community redevelopment plan within a reasonable time.

25 (h) The disposal of property in a community redevelopment area
26 which is acquired by eminent domain is subject to the limitations set
27 forth in Florida Statute Section 73.013.

28 (i) The DIA may provide in any instrument of conveyance to a
29 private purchaser or lessee that such purchaser or lessee is without
30 power to sell, lease, or otherwise transfer the real property without
31 the prior written consent of the DIA until the purchaser or lessee

1 has completed the construction of any or all improvements which it
2 has obligated itself to construct thereon.

3 (~~j~~)Real property acquired by the City and the DIA is to be
4 transferred as rapidly as feasible in the public interest, consistent
5 with the provisions of the community redevelopment plan.

6 (~~k~~)Any contract for such transfer and the community
7 redevelopment plan, or such part or parts of such contract or plan
8 as the DIA may determine, may be recorded in the land records of the
9 clerk of the circuit court in such manner as to afford actual or
10 constructive notice thereof.

11 (~~l~~)Subject to the provisions of duly enacted ordinances or
12 otherwise directed by Council, all proceeds from the sale or
13 disposition of public property designated in the Business Investment
14 and Development Plan set forth in Section 55.106(d) pursuant to this
15 subpart that occur within Downtown, less all costs associated with
16 such sale or disposition, shall be deposited in the Redevelopment
17 Special Revenue Fund of the Downtown Investment Authority, as created
18 in Section 111.640, Ordinance Code, and shall be expended specifically
19 for the purposes as set forth in such Section.

20 **Section 10. Severability.** If any section, clause,
21 sentence, or provision of this act or the application of such section,
22 clause, sentence, or provision to any person or bodies or under any
23 circumstances shall be held to be inoperative, invalid, or
24 unconstitutional, the invalidity of such section, clause, sentence,
25 or provision shall not be deemed, held, or taken to affect the
26 validity or constitutionality of any of the remaining parts of this
27 act, or the application of any of the provisions of this act to
28 persons, bodies, or in circumstances other than those as to which it
29 or any part thereof shall have been inoperative, invalid, or
30 unconstitutional, and it is intended that this act shall be construed
31 and applied as if any section, clause, sentence, or provision held

1 inoperative, invalid, or unconstitutional had not been included in
2 this act.

3 **Section 11. Providing for liberal construction.** The
4 provisions of this ordinance shall be liberally construed to affect
5 its purposes and shall be deemed cumulative, supplemental and
6 alternative for the exercise of the powers provided herein.

7 **Section 12. Authorizing the Council Auditor's and General**
8 **Counsel's Office to make "Technical Amendments"**. The Council Auditors
9 and the General Counsel's Offices are authorized to take all necessary
10 action in connection with this ordinance, to effectuate the purposes
11 of this ordinance without further Council action, provided such
12 changes and amendments are limited to correction of scrivener's errors
13 in the BID Plan and "technical amendments" that do not change the
14 fiscal impact and further provided, that all such amendments shall
15 be subject to appropriate legal review and approval by the General
16 Counsel, or designee, and all other appropriate official action
17 required by law. The revised BID Plan authorized hereby shall be
18 placed On File with the Legislative Services Division within thirty
19 (30) days after the date of enactment of this Ordinance.

20 **Section 13. Approval of Cost Disbursement Agreement**
21 **template.** The Cost Disbursement Agreement template referenced in
22 Section 8 of this legislation is hereby placed **Second Revised On File**
23 with the Legislative Services Division.

24 **Section 14. Effective Date.** This ordinance shall
25 become effective upon signature by the Mayor or upon becoming
26 effective without the Mayor's signature.

27
28 Form Approved:

29
30 /s/ Paige H. Johnston

31 Office of General Counsel

1 Legislation Prepared by: John Sawyer

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