



## **TEU Committee Fire Station Updates**

December 6, 2022

### **FS-4 [Duval St. and Jefferson St.]**

- Construction complete

### **FS-10 [Roosevelt and McDuff]**

- Construction @ 98% completion
  - ATS switch schedule for ship mid-December. Once install is completed we will call for a final electrical and then a building final inspection.
  - Brick Screen wall construction to begin mid-December

### **FS-12 [St. Nicholas]**

- 10 Set resubmitted on 11/4/22 and 100% signed and sealed drawings in permitting for review.
- 100% plans resubmitted to permitting on Nov 21, 2022

### **FS-17 [Woodstock Park]**

- 10 Set resubmitted on 11/19/22 and 100% signed and sealed drawings in permitting for review.
- 100% plans resubmitted to permitting on Nov 30, 2022

### **FS22 [Lenox and Lane]**

- Property closing- Awaiting flood plain assessment
- 30% Civil drawings completed
- 90% Architectural drawings completed
- Geotechnical survey requested

### **FS39 [Channel 7]**

- Request for Qualifications for Design Build completed 11/16/22. Awaiting Procurement to release proposals
- Conceptual 2 story station proposed
- DIA working on property acquisition

**ONE CITY • ONE JACKSONVILLE!**

**FS47 [Lannie Rd.]**

- Permitting update:
  - 10-Set approved; 1<sup>st</sup> round comments addressed on the 10-set. 2<sup>nd</sup> round resubmittal pending approval
  - DEP: Application was submitted on 10/27, anticipating 60-day review process so should get those comments along with acceptance of the proposed mitigation plan by end of year.
  - Building Permit; Plans have been submitted and pending review..

**FS64 [Harts Rd.]**

- Deadline to designers to have all design criteria submitted by 12/9/22 to finalize to 100% building drawings
- Tentative schedule submission to Building Department for permitting by mid-December
- Expected building permit by mid-January

**FS65 [Arlington Rd. and Atlantic Blvd.]**

- Construction @ 80% completion as of last Progress meeting held on 11/18/22
- Paving begun
- Delay on MDP electrical panel – ship date scheduled for end of December

**FS66 [Merrill Rd. and Hartsfield Rd.]**

- Request for Qualifications for Design Build completed 11/16/22. Awaiting Procurement to release proposals for grading.

**FS67 [Sibbald Rd. and Fredricksburg Av.]**

- Request for Qualifications for Design Build completed 11/16/22. Awaiting Procurement to release proposals for grading.

**FS68 [NAS area of the St. Johns River]**

- Request for Qualifications for Design Build completed 11/16/22. Awaiting Procurement to release proposals for grading.
- Currently working on land acquisition

**FS75 [Wilson Blvd. and Firestone Rd.]**

- Construction @ 15% completion
- Traffic signed off on the 10-set.
- Site permit pulled for foundation work – first phase of foundations being poured 12/8/22
- Plumbing and electrical rough ins in progress

**FS76 [Cedar Point Rd. and Boney Rd.]**

- Request for Qualifications for Design Build completed 11/16/22. Awaiting Procurement to release proposals for grading.
- Expecting tree survey and topo in for Temporary fire station by middle of this week 12/7/22

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**Fire Station Apron Repairs (\$3.4M)**

<b>FS-02</b>	Awaiting GSAC awards/PO
<b>FS-04</b>	Awaiting GSAC awards/PO
<b>FS-07</b>	Awaiting GSAC awards/PO
<b>FS-11</b>	Awaiting GSAC awards/PO
<b>FS-18</b>	Working on Scope of work for the project
<b>FS-21</b>	Work currently in progress
<b>FS-25</b>	Working on Scope of work for the project
<b>FS-27</b>	Work currently in progress
<b>FS-31</b>	Working on Scope of work for the project
<b>FS-34</b>	On site meeting (12/5/22) to evaluate scope of work
<b>FS-36</b>	On site meeting (12/5/22) to evaluate scope of work
<b>FS-60</b>	Completed

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**Exhibit A**

**Property Legal Description for Uplands Area and Submerged Lands Area**

Approximately 2.5 acres of the property commonly known as the "Shipyards" generally located along the north bank of the St. Johns River at 750 East Bay Street in downtown Jacksonville, Duval County, Florida as shown in the attached survey.

**Revised Exhibit 1**

**Rev Agmt**

**June 18, 2018 - NCSPHS**

**Page 15 of 78**

**Exhibit A****Property Legal Description for Uplands Area and Submerged Lands Area**

Approximately 2.5 acres of the property commonly known as the "Shipyards" generally located along the north bank of the St. Johns River at 750 East Bay Street in downtown Jacksonville, Duval County, Florida as shown in the attached survey.



9:46

750 East Bay Street



Restaurants



Coffee



Gas



51°

E State St

E Union St

Arlington Expy

WINTOWN

E Bay St

750 E Bay

Daily's

Amended 6/26/18  
Enacted 6/26/18

1 Introduced by Council Member Schellenberg and Co-Sponsored by  
2 Council Members Bowman, Ferraro and Anderson and amended by the  
3 Neighborhoods, Community Services, Public Health and Safety  
4 Committee:

ORDINANCE 2018-358-E

AN ORDINANCE APPROVING AND AUTHORIZING THE  
CHIEF EXECUTIVE OFFICER OF THE DOWNTOWN  
INVESTMENT AUTHORITY ("DIA") TO EXECUTE AND  
DELIVER ON BEHALF OF THE CITY OF JACKSONVILLE  
THAT CERTAIN 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,  
SUBJECT TO THE MUTUAL AGREEMENT OF THE  
PARTIES, FOR JHNSA TO CONSTRUCT, OPERATE AND  
MAINTAIN THE SHIP MUSEUM, AUTHORIZING THE DIA  
TO AMEND THE DEVELOPMENT AGREEMENT AND LICENSE  
AGREEMENT IN ACCORDANCE WITH THE DEVELOPMENT

1 City, including the obligation of JHNSA to relocate or remove the  
2 Ship Museum, at no cost to the City, if the DIA determines at  
3 anytime that the Ship Museum is not contributing to the improvement  
4 of Downtown Jacksonville; and

5 **WHEREAS**, the DIA, pursuant to its Resolution dated May 23,  
6 2018, attached hereto as **Exhibit 2**, has requested that the Council  
7 of the City of Jacksonville, Florida approve this ordinance; now  
8 therefore

9 **BE IT ORDAINED** by the Council of the City of  
10 Jacksonville:

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

13 **Section 2. Authorization.** There is hereby approved and  
14 the Chief Executive Officer of the DIA is hereby authorized to  
15 execute and deliver that certain Development Agreement (the  
16 "Agreement") between the City and JHNSA for the relocation of the  
17 USS Adams to Downtown Jacksonville as a floating museum ("Ship  
18 Museum") at the former Jacksonville Shipyard site in Jacksonville's  
19 Northbank community redevelopment area, in substantially the same  
20 form attached hereto as **Revised Exhibit 1**, labeled as "Revised  
21 Exhibit 1, Rev Agmt, June 18, 2018 - NCSPHS", and all such other  
22 documents, necessary or appropriate to effectuate the purpose of  
23 this ordinance, including the ten (10) year license agreement for  
24 JHNSA to construct, operate and maintain the Ship Museum, together  
25 with two (2) five (5) year license renewal options subject to the  
26 mutual agreement of the parties, upon JHNSA's satisfaction of  
27 certain conditions precedent contained in the Agreement.

28 **Section 3. Additional Authorization.** The Chief Executive  
29 Officer of the DIA is hereby authorized to execute additional  
30 amendments to the Development Agreement and License Agreement where  
31 authorized in accordance with the Development Agreement and License



# USS ADAMS

Jax Shipyard



THE USS ADAMS MUSEUM  
1000 S. Adams Street  
Jacksonville, Florida



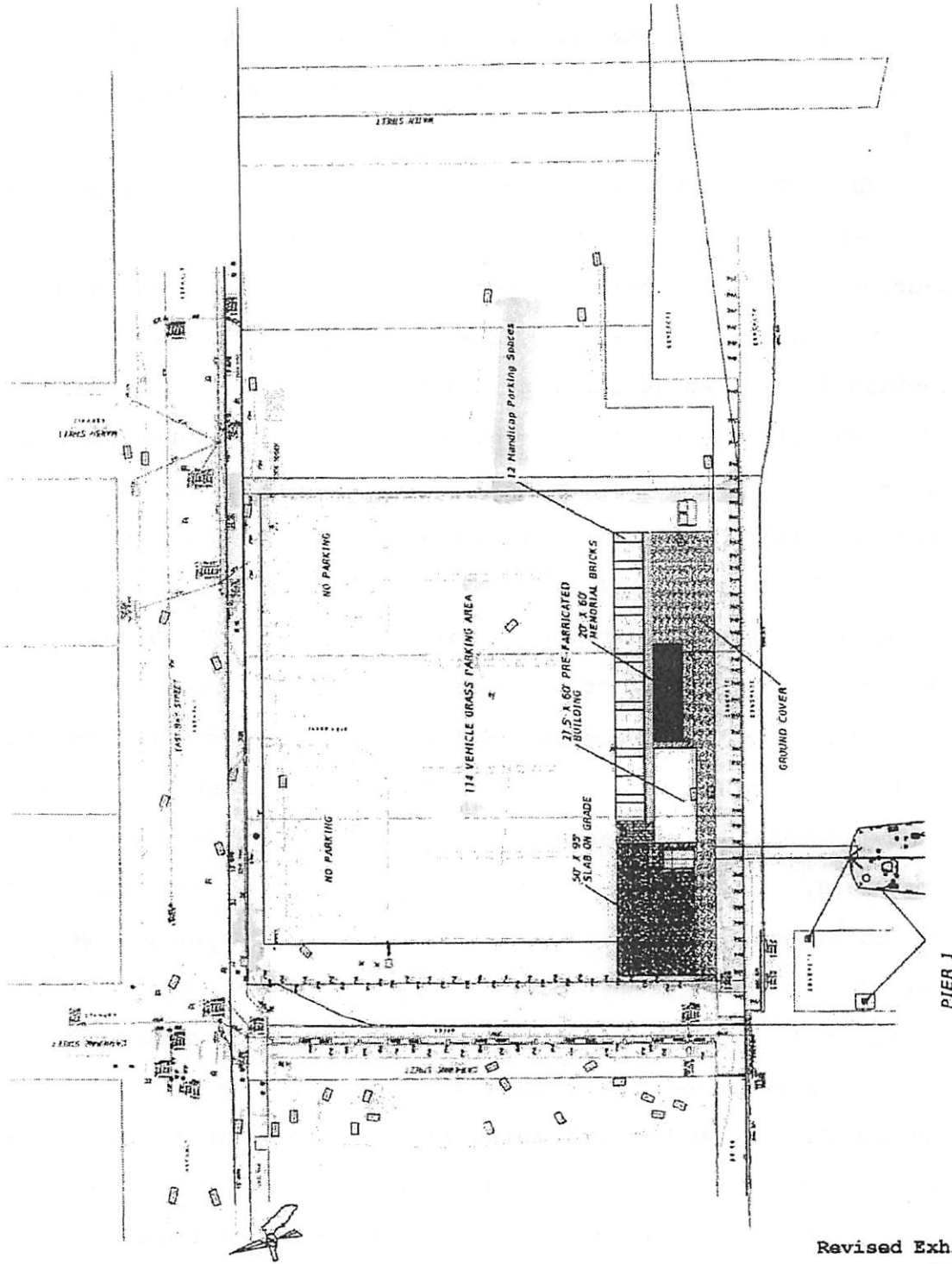
MORALES  
CONSULTING  
ENGINEERS

1000 S. Adams Street  
Suite 100  
Jacksonville, Florida 32217  
Phone: 904.444.4444  
Fax: 904.444.4444  
Certificate of Authorization No. 20712

SHIPYARDS  
UPLAND  
SITE PLAN

Project No. 1000  
Drawing No. 1000  
Revision No. 1000  
Date: 10/1/18

C-1



NCS PHS  
2018-358

**DEVELOPMENT AGREEMENT**  
(USS Charles F. Adams Ship Museum)

THIS DEVELOPMENT AGREEMENT ("*Agreement*"), is entered into the \_\_\_\_ day of \_\_\_\_\_, 2018 ("*Effective Date*"), between the DOWNTOWN INVESTMENT AUTHORITY ("*DIA*") on behalf of the CITY OF JACKSONVILLE, a Florida municipal corporation (the "*City*"), and JACKSONVILLE HISTORIC NAVAL SHIP ASSOCIATION, INC., a Florida non-profit corporation (the "*Association*").

**BACKGROUND FACTS**

A. The City owns certain uplands (the "*Uplands Area*") and certain submerged lands (the "*Submerged Lands Area*") more particularly described on Exhibit A and located along the north bank of the St. Johns River in downtown Jacksonville, Duval County, Florida, on property commonly known as the "Shipyards." The Uplands Area and Submerged Lands Area shall be collectively referred to herein as the "*Property*"; and

B. The Association was organized in 2008 as a volunteer-based nonprofit Florida corporation exempt from taxation under Section 501(c) (3) of the Internal Revenue Code, as amended, and was created to excite, inspire, educate and entertain the general public, to create a venue dedicated to the mission, memory and men of the Adams class destroyers; and to promote the role of the U.S. Navy in securing a free and safe world; and

C. The Association has the opportunity to obtain ownership and possession of the retired naval vessel USS Charles F. Adams (DDG-2) (the "*Vessel*") by donation from the U.S. Navy and relocate the Vessel to Jacksonville; and

D. The Association plans to renovate and maintain the Vessel as a Downtown floating museum ("*Ship Museum*") open to the public on the Submerged Lands Area and construct associated improvements on the Uplands Area along a pier, to include parking, an access walkway, restroom facilities, and a guest services area (collectively, the "*Project*"); and

E. The Association through the Project will promote and operate educational and recreational programs and provide economic benefits to Jacksonville; and

F. The Association and DIA previously entered into that certain Development Agreement dated October 3, 2014, as authorized by Ordinance 2014-426-E (the "*Prior Agreement*"), to provide the Association the opportunity to obtain ownership to the Vessel, recondition the same and transit the Vessel to the City pursuant to the Prior Agreement; and

G. The Prior Agreement has expired in accordance with its terms, and the Association and DIA desire to enter into this Agreement to re-authorize the Project; and

H. The DIA believes that the Project will be beneficial to the citizens of Jacksonville and the Jacksonville Downtown area and pursuant to Ordinance 2018-\_\_\_\_-E, the DIA desires to assist the Association with the Project by entering into this development agreement with the Association and, contingent upon certain condition precedents being met, granting the Association a ten (10) year license with no annual license fees, together with two (2) five (5) year renewal options upon the mutual agreement of the parties, to use the Property for the Project subject to the conditions contained herein.

15. 2022-0875

**EMERGENCY**

**Contact:**  
**Lori Boyer**

ORD Apv, & Auth the Mayor, or His Designee, & Corp Sec to Execute & Deliver That Certain Temp Construction Easement Btwn the City & Jacksonville Historic Naval Ship Association, Inc., For a Term of 4 Months, Over ±4.5 Acres of City-Owned Submerged Lands & Pier One Located on the Westerly Boundary of the Property Generally Known as the Shipyards, to Allow for the Installation by Company at its Expense of 8 Mooring Bollards & 3 Mooring Dolphins as Necessary to Support the Mooring of the USS Orleck at That Location, As Further Detailed in the Easement; Prov For Oversight by Public Works; Req 1 Cycle Emergency Passage (Sawyer) (Introduced by CP at Req of Mayor)

11/22/22 CO Introduced: NCSPHS, TEU

Public Hearing Pursuant to Ch 166, F.S. & CR 3.601 – 12/13/22

- The term of the easement extends beyond the expiration of the development agreement (3/31/23)

**COMMENT:**

The Jacksonville Historic Naval Ship Association has not yet provided DIA evidence of funding necessary to complete the project in the amount of \$2,656,719. This is a requirement to enter into the future license agreement to operate the ship museum. The license agreement must be entered into by 3/31/23.

**NOTE:** The next regular meeting will be held on Wednesday, January 4, 2023.

\*\*\*\*\*Note: Items may be added at the discretion of the Chair.\*\*\*\*\*

Pursuant to the American with Disabilities Act, accommodations for persons with disabilities are available upon request. Please allow 1-2 business days notification to process; last minute requests will be accepted; but may not be possible to fulfill. Please contact Disabled Services Division at: V 904-255-5466, TTY-904-255-5476, or email your request to KaraT@coj.net.

1 Introduced by the Council President at the request of the DIA and  
2 amended by the Finance Committee:  
3  
4

5 **ORDINANCE 2021-358-E**

6 AN ORDINANCE APPROVING AND AUTHORIZING THE  
7 CHIEF EXECUTIVE OFFICER OF THE DOWNTOWN  
8 INVESTMENT AUTHORITY ("DIA") TO EXECUTE AND  
9 DELIVER ON BEHALF OF THE CITY OF JACKSONVILLE  
10 THAT CERTAIN DEVELOPMENT AGREEMENT BETWEEN THE  
11 DOWNTOWN INVESTMENT AUTHORITY ("DIA") AND THE  
12 JACKSONVILLE HISTORIC NAVAL SHIP ASSOCIATION,  
13 INC. ("JHNSA"), FOR THE ~~RELOCATION~~ OF THE  
14 RETIRED NAVAL VESSEL USS ORLECK (DD-886) ("USS  
15 ORLECK") TO DOWNTOWN JACKSONVILLE AS A  
16 FLOATING MUSEUM ("SHIP MUSEUM"), AT THE FORMER  
17 JACKSONVILLE SHIPYARD SITE ON JACKSONVILLE'S  
18 NORTHBANK, SAID AGREEMENT BEING FOR A THREE  
19 (3) YEAR PERIOD AND CONTINGENT UPON CERTAIN  
20 CONDITIONS PRECEDENT BEING MET BY JHNSA PRIOR  
21 TO THE CITY'S ENTERING INTO A TEN (10) YEAR  
22 LICENSE AGREEMENT WITH JHNSA, TOGETHER WITH  
23 TWO (2) FIVE (5) YEAR LICENSE RENEWAL OPTIONS,  
24 SUBJECT TO THE MUTUAL AGREEMENT OF THE  
25 PARTIES, FOR JHNSA TO CONSTRUCT, OPERATE AND  
26 MAINTAIN THE SHIP MUSEUM; AUTHORIZING THE DIA  
27 TO AMEND THE DEVELOPMENT AGREEMENT AND LICENSE  
28 AGREEMENT IN ACCORDANCE WITH THE DEVELOPMENT  
29 AND LICENSE AGREEMENT TERMS WITHOUT FURTHER  
30 COUNCIL APPROVAL; PROVIDING FOR OVERSIGHT BY

1 THE DIA; PROVIDING AN EFFECTIVE DATE.

2  
3 **WHEREAS**, the Jacksonville Historic Naval Ship Association,  
4 Inc. ("JHNSA") has approached the Downtown Investment Authority  
5 ("DIA") with plans to moor the retired naval vessel USS Orleck at  
6 the former Jacksonville Shipyard's north/south bulkhead on the  
7 north bank of the St. Johns River; and

8 **WHEREAS**, establishing the USS Orleck in downtown Jacksonville  
9 as a Ship Museum and tourist attraction would benefit the City, the  
10 Navy, and the public; and

11 **WHEREAS**, the JHNSA has taken title to the USS Orleck and has  
12 approached the Downtown Investment Authority ("DIA") with plans to  
13 moor the USS Orleck at the former Jacksonville Shipyard's  
14 north/south bulkhead on the north bank of the St. Johns River and  
15 to operate the Ship Museum (the "Project"); and

16 **WHEREAS**, the DIA has evaluated the Project and has proposed a  
17 development agreement and license agreement to ensure the Project's  
18 overall operation is satisfactory and contributing to the City,  
19 including the obligation of JHNSA to relocate or remove the USS  
20 Orleck, at no cost to the City, if the DIA determines at anytime  
21 that the USS Orleck is not contributing to the improvement of  
22 Downtown Jacksonville; and

23 **WHEREAS**, the DIA, pursuant to its Resolution dated January 15,  
24 2020, attached hereto as Exhibit 1, has requested that the Council  
25 of the City of Jacksonville, Florida approve this Ordinance; now  
26 therefore

27 **BE IT ORDAINED** by the Council of the City of  
28 Jacksonville:

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

31 **Section 2. Authorization.** There is hereby approved and

**RESOLUTION 2020-01-02**

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY ("DIA") APPROVING AND AUTHORIZING THE CHIEF EXECUTIVE OFFICER ("CEO") OF THE DIA, TO EXECUTE AND DELIVER ON BEHALF OF THE CITY OF JACKSONVILLE ("CITY") A DEVELOPMENT AGREEMENT, LICENSE AGREEMENT AND OTHER NECESSARY DOCUMENTS BETWEEN THE CITY AND THE JACKSONVILLE HISTORIC NAVAL SHIP ASSOCIATION, INC., A FLORIDA NONPROFIT CORPORATION ("JHNSA"), FOR THE RELOCATION OF THE RETIRED NAVAL VESSEL USS ORLECK (DD-886) ("USS ORLECK") TO DOWNTOWN JACKSONVILLE AS A FLOATING MUSEUM ("SHIP MUSEUM"), AT THE FORMER JACKSONVILLE SHIPYARD SITE ON JACKSONVILLE'S NORTHBANK, SAID AGREEMENT BEING FOR A ONE (1) YEAR PERIOD AND CONTINGENT UPON CERTAIN CONDITIONS PRECEDENT BEING MET BY JHNSA PRIOR TO THE DIA'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 Downtown Investment Authority ("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 DIA and Jacksonville City Council have previously expressed their support of efforts by the Jacksonville Historic Naval Ship Association, Inc., a Florida non-profit corporation ("JHNSA") to bring the retired naval vessel USS Adams (DDG-2) ("USS Adams") to Jacksonville as a downtown floating museum ("Ship Museum"); and

WHEREAS, DIA Resolution 2018-05-05 and City Ordinance 2018-358-E, previously approved that certain development agreement (the "Prior Agreement") and License Agreement ("Prior License Agreement"), and

WHEREAS, in December 2018, JHNSA became aware that the USS Adams would likely not be made available for donation for the purpose of a retired naval museum, and



**WHEREAS**, JHNSA has since located an alternate retired naval vessel, the USS Orleck (DD-886) ("USS Orleck), available for donation from the USS Orleck Naval Museum, Inc., a non-profit organization in Lake Charles, Louisiana, and

**WHEREAS**, the JHNSA has approached the DIA with new plans to instead moor the USS Orleck 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 DIA has evaluated the Project and has proposed a new development agreement, license agreement and any other documents necessary 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 USS Orleck at no cost to the City for the reasons enumerated in the Term Sheet or at the sole discretion of DIA, now therefore

**BE IT RESOLVED**, by the Downtown Investment Authority:

**Section 1.** The DIA finds that the recitals set forth above are true and correct and are incorporated herein by this reference.

**Section 2.** The CEO of DIA is hereby authorized to negotiate a new Development Agreement (the "Agreement"), License Agreement ("License") and any other necessary documents between the City and JHNSA for the relocation of the USS Orleck to Downtown Jacksonville as a floating Ship Museum at the former Shipyards site in Jacksonville's Northbank community redevelopment area, the additional terms of which are outlined in **Exhibit "A"** attached hereto.

**Section 3.** The CEO of DIA is hereby authorized to file legislation to approve the Development Agreement, License Agreement and other necessary documents, and following approval by the City Council, execute the same.

**Section 4.** The Effective Date of this Resolution is the date of execution of the Resolution by the Chairman of the DIA Board.

The remainder of this page intentionally left blank.

[Signature Page to Follow]

**DEVELOPMENT AGREEMENT**  
**(Jacksonville Naval Museum)**

**THIS DEVELOPMENT AGREEMENT ("Agreement")**, is entered into on this \_\_\_ day of \_\_\_\_\_, 2021 ("**Effective Date**"), by and between the **DOWNTOWN INVESTMENT AUTHORITY ("DIA")** on behalf of the City of Jacksonville, a Florida municipal corporation (the "**City**"), and **JACKSONVILLE HISTORIC NAVAL SHIP ASSOCIATION, INC.**, a Florida non-profit corporation (the "**Association**").

**RECITALS**

WHEREAS, the City owns certain uplands (the "**Uplands Area**") and certain submerged lands (the "**Submerged Lands Area**") more particularly described on **Exhibit A** and located along the north bank of the St. Johns River in downtown Jacksonville, Duval County, Florida, on property commonly known as the "Shipyards." The Uplands Area, Pier 1 and Submerged Lands Area shall be collectively referred to herein as the "**Property**"; and

WHEREAS, the Association was organized in 2008 as a volunteer-based non-profit Florida corporation exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, as amended, and was created to excite, inspire, educate and entertain the general public, to create a venue dedicated to the mission, memory and men of the Gearing-class destroyers, and to promote the role of the U.S. Navy in securing a free and safe world; and

WHEREAS, the Association has the opportunity to obtain ownership and possession of the retired naval vessel USS Orleck (DD-886) (the "**Vessel**") by donation from the U.S. Navy and to relocate the Vessel to Jacksonville; and

WHEREAS, the Association plans to renovate and maintain the Vessel as a Downtown floating museum ("**Ship Museum**"), open to the public on the Submerged Lands Area, and to construct associated improvements on the Uplands Area and on Pier 1, to include an access walkway, restroom facilities, and a guest services area (collectively, the "**Project**"); and

WHEREAS, the Association's operation of the Ship Museum will promote and operate educational and recreational programs and provide economic benefits to Jacksonville; and

WHEREAS, the DIA believes that the Project will be beneficial to the citizens of Jacksonville and the Jacksonville Downtown area and pursuant to Ordinance 2021-\_\_\_-E, the DIA desires to assist the Association with the Project by entering into this Agreement with the Association and, contingent upon certain conditions precedent being met, granting the Association a ten (10) year license with no annual license fees, together with two (2) five (5) year renewal options upon the mutual agreement of the parties, to use the Property for the Project subject to the conditions contained herein.

**NOW, THEREFORE**, in consideration of the mutual promises and covenants, and for other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, the parties agree as follows:


1. **RECITALS.**

The above stated Recitals are true and correct and, by this reference, are made a part hereof and are incorporated herein.

2. AGREEMENT TERM.

This Agreement shall be effective for the period beginning on the Effective Date and ending one (1) year thereafter, unless sooner terminated by the parties pursuant to the provisions herein. This Agreement may be extended for a period of up to six (6) months at the sole discretion of the Chief Executive Officer of the DIA.

3. PROJECT SCOPE OF WORK.



The Association shall relocate, renovate and maintain the Vessel as a Downtown Ship Museum open to the public. The Vessel will be moored on the Submerged Lands Area in the location depicted on Exhibit A. The Association shall, at its sole cost and expense, construct associated upland improvements on the Property, to include an access walkway, a ticket booth, restroom facilities and a guest services area (the "**Upland Improvements**"). The Association shall construct within the Submerged Lands Area and on Pier 1, the necessary improvements to accommodate the mooring of the Vessel in accordance with the Plans attached hereto as Exhibit B (the "**Mooring Improvements**"). The Upland Improvements and the Mooring Improvements are sometimes collectively referred to herein as the "**Improvements**". The Mooring Improvements have been designed and approved and the plans attached reflect actual work to be performed. The Upland Improvements have not been fully designed and must obtain DDRB approval but shall be located entirely within the boundaries of the Upland Parcel. The Performance Schedule attached hereto as Exhibit C, and the Scope of Work for Mooring Improvements and Preliminary Scope of Work for Upland Improvements attached hereto as Exhibit D-1 and the Project Budget attached hereto as Exhibit D-2 are considered part of this Agreement and incorporated herein by this reference. The parties agree that the Scope of Work for the Mooring Improvements and Preliminary Scope of Work for Upland Improvements and Project Budget provide the estimated minimum amount of funding and work necessary for the Association to complete the Improvements. After executing the License Agreement, upon satisfaction of the Conditions Precedent (defined below), and prior to performing any construction or dredging on the Submerged Lands Area, the Association shall obtain the DIA's approval of any changes to the plans and scope of work for the Mooring Improvements. Prior to commencement of any construction on the Uplands Parcel, the Association shall obtain DDRB approval of any improvements to be constructed thereon and DIA's approval of the final plans for the Upland Improvements and final scope of work for the same which shall be attached hereto as Exhibit B-1.

4. PROPERTY EXAMINATION.

- A. Title and Survey. The Association, at its sole expense, shall obtain and deliver to the DIA a current ALTA survey of the **Property** (the "**Survey**"), certified to the DIA and the City for reliance thereon, and a title examination report showing all liens and encumbrances of record affecting the Property ("**Title Report**"). The Title Report shall be delivered to the DIA together with copies of all exception documents referenced

✓

**Exhibit A**

**Property Legal Description for Uplands Area and Submerged Lands Area**

A portion of the City-owned property commonly known as the "Shipyards" generally located along the north bank of the St. Johns River at 750 East Bay Street in downtown Jacksonville, Duval County, Florida as shown in the attached survey. ~~\_\_\_\_\_~~

An upland parcel 50' x 90' and including approximately 4500 Square feet. Said parcel is 50 feet deep measured from a point 30 feet off the current bulkhead (the width of the proposed Riverwalk) thus from the interior line of the proposed Riverwalk extending 50 feet toward Bay street and 90 feet in length parallel to the Riverwalk and Bulkhead. The parcel's western boundary is 83 feet from the easterly ROW line of Catherine Street and extends 90 feet west to east. The Uplands parcel is depicted below.

The Submerged lands consist of area parallel to and immediately adjacent to Pier1 that is 55 feet wide as measured perpendicular to Pier 1 and running form the bulkhead to the outward extent of the City submerged land adjacent to Pier which is approximately 480 feet.

• Pier 1- The westernmost City pier with the property commonly known as the Shipyards. •  
• \_\_\_\_\_ •

9:46

750 East Bay Street



Restaurants



Coffee



Gas



51°

E State St

E Union St

Arlington Expy

WINTOWN

E Bay St

750 E Bay

Daily's

Exhibit A

**Property Legal Description for Uplands Area and Submerged Lands Area**

Approximately 2.5 acres of the property commonly known as the "Shipyards" generally located along the north bank of the St. Johns River at 750 East Bay Street in downtown Jacksonville, Duval County, Florida as shown in the attached survey.

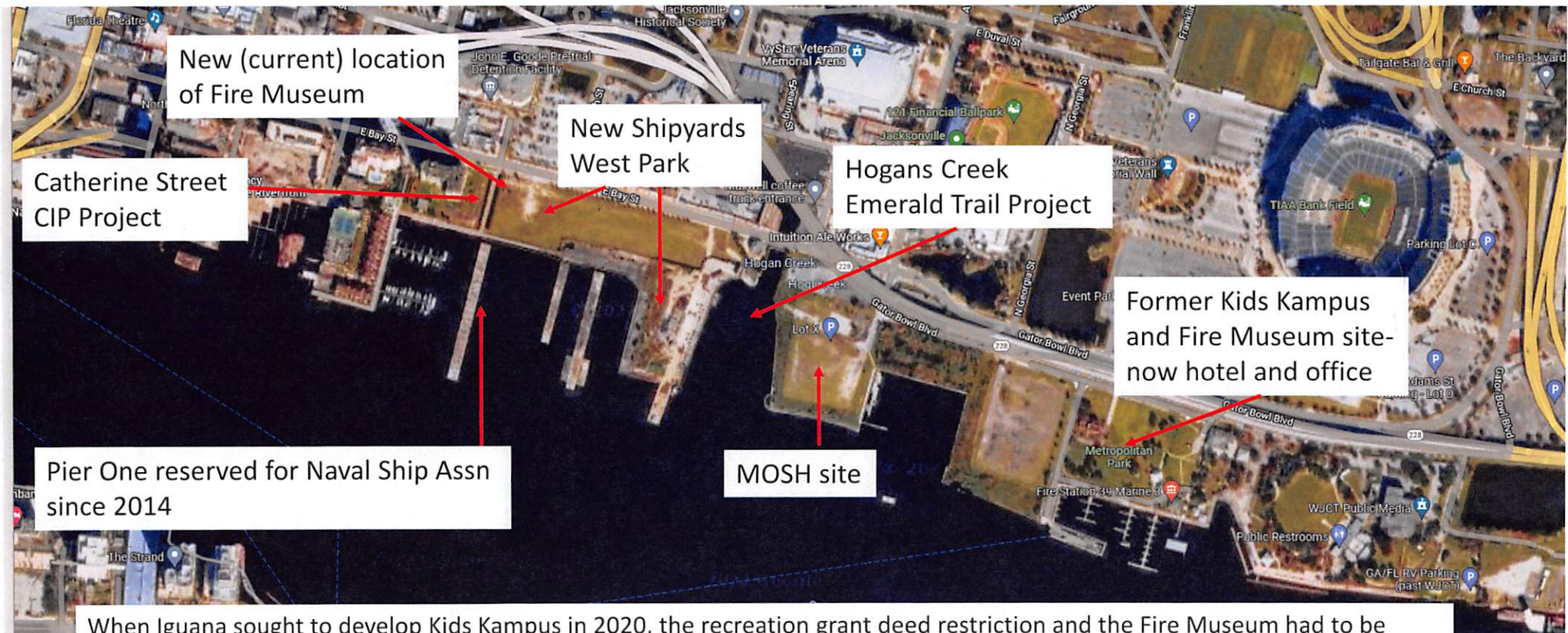
Revised Exhibit 1

Ray Agut

June 18, 2018 - NCSPHS

Page 15 of 78





When Iguana sought to develop Kids Kampus in 2020, the recreation grant deed restriction and the Fire Museum had to be relocated

- Based in part on Adams/Orleck commitment, Shipyard's West was determined to be best replacement park site
- Fire Museum was moved to Catherine Street to create museum synergy
- DuPont Study engaged public and Riverfront Parks Now regarding what they wanted to see in the park and how to activate
- Contract for park design bid and awarded, and is underway assuming Pier One location
- Deed covenant requiring public recreation was relocated to Shipyard's West and ship museum expressly allowed at Pier One
- CIP approved construction funds for Shipyard's West Park

**Comments by the Veterans Museum's Leadership**  
**City Council Committees: December 5 and 6, 2022**

- 1. USS ORLECK (DD-886) should be relocated as expeditiously as possible to honor the request of Hyatt Hotel's management and that of the City's political leadership.**
- 2. Ordinance 2022-875 should NOT be heard as an Emergency, sending ORLECK to Shipyard West Park's Pier 1, because it immediately kills (a) any further consideration by the current donors for support of the Veterans Museum and (b) the availability of the \$2 million seed money offered by the lead donors of the Veterans Museum. The "Pier 1 Emergency" also effectively eliminates any hope of receiving a presently proposed \$2 million matching State grant. In effect, this ORLECK relocation "Pier 1 emergency" is the end of the Veterans Museum vision. (See Page 2)**
- 3. Ordinance 2022-875 should NOT be heard as an emergency because it is NOT an emergency. The March and April 2022 actions by the DIA so changed the restrictive site conditions and public access/parking of the Pier 1 area from being functional (as of 2018) to what by April 2022 has become a hopelessly flawed hell-hole site for ORLECK and/or the Veterans Museum. (See Page 3).**
- 4. There is a contradictory mix of ORLECK's assigned destinations in multiple prior Ordinances to Pier 4 and conflicting DIA Agreement documents to Pier 1. These conflicts need to be understood and resolved by our City Council members. (See Page 4)**
- 5. There may be far superior alternate mooring destinations for ORLECK that meet the Veterans Museum donors' required proximity to ORLECK while avoiding the issue that make the Pier 1 site unacceptable due to its access conditions. Such issues need to be understood and resolved by City Council members' involvement. (See Page 5).**
- 6. Secrecy surrounding the DIA the Shipyard West Park "stakeholders" and the presentations by such stakeholders to Agency Landscape should be discussed and challenged. Past information should be promptly made public. (See Page 6)**
- 7. Jacksonville is a Navy town. These two military museums deserve a chance to succeed. Give us a chance to be heard at the City Council level.**

## **Ordinance 2022-875 is NOT an emergency: Veterans Museum Impact**

- a. Sending ORLECK to Pier 1 on this "2022-875 Emergency" basis immediately kills the Veterans Museum vision and the project's funding (\$2-4 million) and likely sets ORLECK on a predictable path toward financial stress/failure.**
  - i. It kills the availability of the \$2 million seed money offered by the lead donors because their funding commitment requires:**
    - 1. proximity to ORLECK.**
    - 2. adequate adjacent public access/parking for both museums.**
  - ii. That effectively eliminates any hope of receiving a presently proposed \$2 million matching Florida State grant.**
  - iii. This ORLECK move to Pier 1 as an "Emergency" is the effective end of the Veterans Museum and will lead to the likely gradual financial failure of ORLECK, because there is hopelessly inadequate public access/parking there.**
  - iv. The Veterans/ORLECK Museums' required public access/parking issues need to be much better understood and resolved with City Council members involvement.**
- b. The DIA effectively eliminated the public access/parking to Pier 1 by:**
  - i. The expensive March 2022 relocation of the Fire Museum to the "grassy parking" area previously assigned to ORLECK (2018-358).**
    - 1. Will this Fire Museum ever be able to function as a "museum"?**
    - 2. Can it ever be more than just an inaccessible apparatus storage facility – with inadequate public access/parking?**
    - 3. Was moving the Fire Museum money wisely spent?**
  - ii. The transfer of the Florida DEP's Restrictive Land-Use parking Covenants from Kids Kampus to the Shipyard West Park applies to the Pier 1 site.**
  - iii. Those Covenants eliminate Pier 1 as an acceptable site for the Veterans Museum's partnership with ORLECK. There is no parking now, nor will there ever be.**
- c. A required move of ORLECK to Pier 1 ends the vision of the Veterans Museum project by its lead donors, primarily due to the restrictive public access/parking Covenants.**
- d. Does such a draconian "Emergency Pier 1" action that kills the Veterans Museum at the next City Council meeting (December 13<sup>th</sup>) really need to be an "emergency"?**

## **Ordinance 2022-875 is NOT an emergency: ORLECK Impact per Veterans Museum**

- a. The contradictory ORLECK destinations in multiple City Council Ordinances (to Pier 4) vs subsequent DIA directed JHNSA Agreements (to Pier 1) needs to be better understood and resolved with City Council members involvement.**
- b. Ordinance 2018-385 directed ORLECK be moored at 750 East Bay Street” (aka: north/south bulkhead and/or Pier 4). However, the DIA Development Agreement directs that ORLECK be moored at Pier 1. Under what authority?**
- c. The DIA’s 2018 Development Agreement with JHNSA included a very wide portion of the Shipyard West property north of the Pier 1 area from the St. Johns River to East Bay Street. This 2018 Agreement’s large property size required specific site improvements by JHNSA, including a 114-vehicle grass parking area, 12 paved handicap pier-side parking sites and a waterfront prefab metal building and concrete slab connecting the museum warship’s gangway to the existing Riverwalk’s easterly terminus.**
- d. The current Pier 1 mooring site issues include radically eliminated public access/parking conditions in the Pier 1 Shipyard West Parks property. While public access/parking was adequate in the summer of 2018 (though the DIA’s Pier 1 site conflicted with the Pier 4 site specified in Ordinance 2018-385), the Pier 1 mooring site is no longer tolerable after the DIA’s 2022 actions.**
- e. In March 2022 the DIA moved the Fire Museum onto this Pier 1 property, occupying a significant portion of the property that the DIA had previously designated for ORLECK’s 114-vehicle parking area.**
- f. On April 25, 2022, the DIA’s Agreement with the Florida DEP’s transferred the restricted-use land Covenants from the Kids Kampus onto 10 of the 12.5 acres of the Shipyard West Park. This action eliminated any public parking on this newly restricted property (among other restrictions). As of April 2022, Pier 1 became a “hell-hole” destination for ORLECK, or any museum. Functional public access/parking became virtually non-existent.**
- g. Allowing the Ordinance 2022-875 to go forward as a “Pier 1 Emergency” virtually assures the gradual financial failure of ORLECK, accelerated by wasting over \$500,000 of their funds on the hell-hole Pier 1 site work required by this Ordinance to be spent during the next 2-3 months.**

## Pier 4 vs. Pier 1 Mooring Sites and Recent Pier 1 Site Issues

**A. Why is Pier 1 even an ORLECK destination topic when all Ordinances specify Pier 4?**

- |                         |   |               |
|-------------------------|---|---------------|
| 1. Ordinance 2013-408-E | former Shipyard's north/south bulkhead                            | (aka: Pier 4) |
| 2. Ordinance 2014-426-E | at 750 East Bay Street  | (aka: Pier 4) |
| 3. Ordinance 2018-358-E | on the north bank of the St Johns River<br>at 750 East Bay Street | (aka: Pier 4) |
| 4. Ordinance 2021-358-E | north/south bulkhead on the north bank                            | (aka: Pier 4) |

**DIA Resolution 2020-01-02 Shipyard's north/south bulkhead (aka: Pier 4)  
Replacing USS Adams (DDG-2) with USS Orleck (DD-886)**

**B. Why force ORLECK to go to Pier 1, then destroy the adjacent, attractive Riverwalk segment connecting the river and Bay Street to get a few (12?) hopelessly inadequate “Catherine Street” parking places to serve 3 museums (ORLECK, Veterans and Fire)?**

**C. The DIA's Nov 18<sup>th</sup> "White Paper" about Emergency Ordinance 2022-875 states that JHNSA "requested" ORLECK's urgent move to Pier 1. That statement should be taken in the context of the DIA's unilateral, contractual right to order the ship out of Jacksonville with 90-days' notice. Why would JHNSA otherwise "volunteer" to relocate ORLECK to a hell-hole site with hopelessly inadequate public access/parking that kills their partnering Veterans Museum project?**

**D. The DIA's April 25, 2022 Declaration of Restrictive Covenants (DRC) with the Florida DEP transferred the Kids Kampus encumbrances to the Shipyards West Park. Those Covenants appears to eliminate any future parking in the Shipyard West Park/Pier 1 area. Has the DIA effectively destroyed any hope of the Pier 1 area ever being an appropriate site for a Fire Museum, much less Orleck or the Veterans Museums?**

**E. That DEP's Restrictive Covenant newly applicable to 10 of the 12.5 acres of Shipyard West Park still requires the City and Shipyard West Park designers to extend the Riverwalk, directs the park designers to consider including meeting spaces, museums, food establishments, visitors center, park office and storage... (and for ORLECK)... a public restroom, ticket booth and gift shop, but with NO parking allowed. Yet the DIA has stated that JHNSA wants (?) to move ORLECK their now, on an "emergency" basis, years before those necessities are designed and constructed?**



## **Alternate ORLECK Mooring Sites: ORLECK and Veterans Museum**

### **NORTHBANK:**

#### **A. Pier 4: the west side of the north/south bulkhead at 750 East Bay Street**

This is the site that four Ordinances since 2013 have designated as the warship museums mooring site. It may be possible with DIA's cooperation to solve the public access/parking issues at this site there are 2.5 acres of land that appears to NOT be under the Florida DEP's restricted land use Covenants. Of equal importance this "available" 2.5 acres is also NOT under the design authority of Agency Landscape, though their instructions from the DIA is that they may only design that shipyard Parks West site based on the requirement that ORLECK be moored at Pier 1 (which land is in Agency's Contract). The Agency Landscape contract should be modified to include that land as it is visually all the Shipyard West Park and the possible relocation of ORLECK to Pier 4 would require Agency's consideration of nearby parking options, including that 2.5 acres to make Pier 4 a valid option for the ORLECK and Veterans Museums.

#### **B. The northbank riverfront bulkhead at the Center for the Performing Arts building.**

This site is between CSX and the Landing. There are several site options there that would accommodate the 390' length of ORLECK while still enabling small boat access to the existing floating docks there. The water depth of approximately 25' eliminates any need for dredging (which would be required at both Pier 1 and Pier 4 sites). This may significantly expedite the move of ORLECK from its current Hyatt Annex site. The use of this site may enable the Veterans Museum to rent space in the Center for Performing Arts. Hyatt was offered this summer up to \$10,000 per month for an adequate Veterans Museum starting space. If space was available in the Performing Arts facility, this could quickly expand the Veterans Museum's ability to share the stories of our area veterans and that of their families, including accepting artifact displays from our many area veterans. This site ensures that ORLECK is moored at a waterfront site associated with an existing public building.

### **SOUTHBANK:**

#### **C. Adjacent to Friendship Park near the present MOSH building**

This site could be parallel to the shoreline or parallel to the Main Street Bridge. Ordinance 2010-675 directed that USS Adams (DDG-2) be moored near the River City Brewing Company waterfront, parallel to the Acosta Bridge. This site or the northbank Performing Arts site may facilitate a mutually beneficial relationships with the Veterans Museum and MOSH both before and after they move to their new northbank site.



## **DIA Secrecy Issues that Warrant City Council Attention**

- 1. Why is Agency Landscape prohibited from expressing their professional judgment about Shipyard West Park's best site for ORLECK and the Veterans Museum? Without adequate parking, Pier 1 is hopelessly useless for those purposes. That makes Pier 4 a better alternative than Pier 1. Maybe a site other than in the Shipyard West Park would be a better site? For example, maybe the northbank near the Performing Arts facility is a better site, or the Southbank near Friendship Park, or....? Why should the DIA leadership have instructed Agency Landscape that the ONLY site Agency may consider during their design of the Shipyard West Park was for ORLECK to be at Pier 1. That requirement about Pier 1 is what the Veterans Museum presenters were told during their portion of the JHNSA presentation time during their October 18<sup>th</sup> presentations to Agency Landscape, when the pros and cons of Pier 1 and Pier 4 were brought up.**
- 2. Why the secrecy at the Oct 17-18 Agency Landscape stakeholder meetings?**
  - a) Who are the DIA's "secret" Stakeholders? Why are they secret from each other?**
  - b) Why were all such presentations secret (not open to the public/media)?**  
**DIA's explanation to me at 9:55 a.m. on October 17<sup>th</sup> was that "they were technical, not policy, thus not public".**
  - c) What were the parting comments by DIA's leadership to Agency concerning each stakeholder's presentation? Why are those comments secret?**
- 3. Secrecy just attracts public suspicion and the media, and on occasions, can result in very awkward subsequent publicity.**

**MICRO SHIPYARDS PARCELS & OWNERSHIPS**

