

1 Introduced by the Council President at the request of the DIA:
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4 **ORDINANCE 2021-358**

5 AN ORDINANCE APPROVING AND AUTHORIZING THE
6 CHIEF EXECUTIVE OFFICER OF THE DOWNTOWN
7 INVESTMENT AUTHORITY ("DIA") TO EXECUTE AND
8 DELIVER ON BEHALF OF THE CITY OF JACKSONVILLE
9 THAT CERTAIN DEVELOPMENT AGREEMENT BETWEEN THE
10 DOWNTOWN INVESTMENT AUTHORITY ("DIA") AND THE
11 JACKSONVILLE HISTORIC NAVAL SHIP ASSOCIATION,
12 INC. ("JHNSA"), FOR THE RELOCATION OF THE
13 RETIRED NAVAL VESSEL USS ORLECK (DD-886) ("USS
14 ORLECK") TO DOWNTOWN JACKSONVILLE AS A
15 FLOATING MUSEUM ("SHIP MUSEUM"), AT THE FORMER
16 JACKSONVILLE SHIPYARD SITE ON JACKSONVILLE'S
17 NORTHBANK, SAID AGREEMENT BEING FOR A THREE
18 (3) YEAR PERIOD AND CONTINGENT UPON CERTAIN
19 CONDITIONS PRECEDENT BEING MET BY JHNSA PRIOR
20 TO THE CITY'S ENTERING INTO A TEN (10) YEAR
21 LICENSE AGREEMENT WITH JHNSA, TOGETHER WITH
22 TWO (2) FIVE (5) YEAR LICENSE RENEWAL OPTIONS,
23 SUBJECT TO THE MUTUAL AGREEMENT OF THE
24 PARTIES, FOR JHNSA TO CONSTRUCT, OPERATE AND
25 MAINTAIN THE SHIP MUSEUM; AUTHORIZING THE DIA
26 TO AMEND THE DEVELOPMENT AGREEMENT AND LICENSE
27 AGREEMENT IN ACCORDANCE WITH THE DEVELOPMENT
28 AND LICENSE AGREEMENT TERMS WITHOUT FURTHER
29 COUNCIL APPROVAL; PROVIDING FOR OVERSIGHT BY
30 THE DIA; PROVIDING AN EFFECTIVE DATE.
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1 **WHEREAS**, the Jacksonville Historic Naval Ship Association,
2 Inc. ("JHNSA") has approached the Downtown Investment Authority
3 ("DIA") with plans to moor the retired naval vessel USS Orleck at
4 the former Jacksonville Shipyard's north/south bulkhead on the
5 north bank of the St. John's River; and

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

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

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

21 **WHEREAS**, the DIA, pursuant to its Resolution dated January 15,
22 2020, attached hereto as **Exhibit 1**, has requested that the Council
23 of the City of Jacksonville, Florida approve this Ordinance; now
24 therefore

25 **BE IT ORDAINED** by the Council of the City of
26 Jacksonville:

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

29 **Section 2. Authorization.** There is hereby approved and
30 the Chief Executive Officer of the DIA is hereby authorized to
31 execute and deliver that certain Development Agreement (the

