

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

**ORDINANCE 2022-372-E**

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

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

27           **WHEREAS**, the legislature of Florida has adopted a number of  
28           statutes finding that community redevelopment serves a valid public  
29           purpose for which public assistance may be provided, and that it  
30           constitutes a public purpose to expend public funds for community  
31           redevelopment activities, including, but not limited to, developing  
          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  
10 CRA and the Downtown East CRA into the "Northbank Downtown CRA" in  
11 order to provide a more flexible framework to achieve the City's  
12 similar 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  
12 and staff of the DIA and DDRB, supported by the Consultant, held a  
13 number of public meetings and public forums in order to solicit and  
14 obtain the views of the citizens of Jacksonville on the issues,  
15 opportunities and vision for the future of downtown and to ensure  
16 that public participation was a meaningful component of the BID Plan;  
17 and

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

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

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

30 **WHEREAS**, the DIA (pursuant to Resolution 2022-02-08 made at its  
31 regular meeting on February 23, 2022, as set forth in the composite  
32

1 materials placed **Second Revised On File** with the Legislative Services  
2 Division) has approved the BID Plan and requests that the Council of  
3 the City of Jacksonville, Florida approve this ordinance; and

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

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

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

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

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

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

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

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

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

subsection (a) to the account listed in subsection (b):

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

(a) Appropriated from:

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

(b) Appropriated to:

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

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

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



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

9           Pursuant to Ordinance 55.108(a)(1) the Chief Executive Officer  
10 ("CEO") of the DIA has been granted the authority to, subject to  
11 available funding, appoint, employ and/or remove such additional  
12 staff as is deemed necessary for the efficient and effective  
13 administration of the activities of the office. The DIA Board has  
14 directed the CEO to pursue the addition of up to five new positions  
15 to DIA staff in order to efficiently and responsively fulfill the  
16 mission of DIA without unnecessary delays in implementation of  
17 projects and programs, utilizing up to \$500,000 of CRA resources. The  
18 CEO has requested the addition of two positions in the current fiscal  
19 year utilizing a small portion of the savings from the recently  
20 approved Metropolitan Park Solutions ("MPS") settlement agreement,  
21 previously approved by Ordinance 2022-138-E. One position is  
22 necessary to responsibly manage the contracts, leases, and repairs  
23 associated with the MPS garages within the Northbank CRA, now under  
24 management of the DIA. The second position is necessary to implement  
25 currently funded programs approved in prior CRA budgets which have  
26 been delayed due to a lack of staff capacity. The appropriations  
27 necessary to fund these positions for the remainder of fiscal year  
28 2021-2022 are as set forth in B.T. 2022-074 attached to this  
29 ordinance.

30                   **Section 6.           Amending the City's Public Investment Policy.**  
31 The City's Public Investment Policy originally authorized by 2016-  
32

382-E, as subsequently amended, is hereby revised to remove the Downtown Programs incentives and replace them with the Downtown Programs Incentives consistent with the BID Plan authorized hereby, consistent with the revised Public Investment Policy placed **Second Revised On File** with the Legislative Services Division.

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

## **CHAPTER 55. DOWNTOWN INVESTMENT AUTHORITY**

### **PART 1. DOWNTOWN INVESTMENT AUTHORITY**

\* \* \*

#### **Sec. 55.108. Powers and Duties.**

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

\* \* \*

(8) Implement the BID Plan, and negotiate and grant final approval of downtown development and redevelopment agreements, grant agreements, license agreements, and lease agreements, including retail, commercial and ground lease agreements, subject to the Authority's budget without further action of Council, in furtherance of the BID Plan. The Board may approve Recapture Enhanced Value ("REV") Grants of up to seventy-five percent (75%) authorized in accordance with the BID Strategy criteria with the 2045 tax year as the final year of eligibility, payable in 2046, without Council approval, and the Mayor, or his designee, is authorized to enter into the applicable development or redevelopment agreements with the DIA and third party recipients for the purposes of acknowledging the City's payment obligations under a REV Grant when the term of which

1 extends beyond the expiration date of the applicable Trust Fund, as  
2 successor in interest to the DIA.

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

17 \* \* \*

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

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

28 \* \* \*

29 (14) Approve and execute all contracts and other documents,  
30 adopt all proceedings, and perform all acts determined by the Board  
31 to be necessary or desirable to carry out the purposes of this

Chapter, unless expressly subject to the approval, ~~where applicable,~~ of the City Council. The Board may authorize the CEO to execute contracts and other documents on behalf of the Board. The DIA shall forward executed final copies of all agreements and exhibits electronically to the Office of General Counsel for additional retention.

\* \* \*

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

**CHAPTER 55. DOWNTOWN INVESTMENT AUTHORITY**

**PART 1. DOWNTOWN INVESTMENT AUTHORITY**

\* \* \*

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

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

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

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

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

1           (~~4d~~)With respect to any construction projects, a draw  
2 schedule shall be used that ties the funding to the progress of the  
3 construction;

4           (~~5e~~)With respect to construction projects, the person or  
5 public body shall provide the City with monthly construction reports;

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

9           (~~7g~~)Such insurance provisions as approved by the City Risk  
10 Management Division.

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

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

\* \* \*

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

**CHAPTER 122. PUBLIC PROPERTY**

\* \* \*

**PART 4. REAL PROPERTY**

\* \* \*

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

\* \* \*

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

\* \* \*

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

(e) Consistent with the notice and execution requirements set forth in subsection (d) above, the DIA is authorized to dispose of

1 property for a sales price less than the appraised value, provided:

2 (1) the appraised value of the property does not exceed  
3 \$250,000;

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

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

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

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

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

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

1 the prior written consent of the DIA until the purchaser or lessee has  
2 completed the construction of any or all improvements which it has  
3 obligated itself to construct thereon.

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

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

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

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



1 and applied as if any section, clause, sentence, or provision  
2 held inoperative, invalid, or unconstitutional had not been included  
3 in this act.

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

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

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

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

28  
29 Form Approved:

30  
31 /s/ Paige H. Johnston

1 Office of General Counsel

2 Legislation Prepared by: John Sawyer

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