

RESOLUTION 2021-02-02

A RESOLUTION OF THE DOWNTOWN INVESTMENT AUTHORITY (“DIA”) AUTHORIZING ITS CHIEF EXECUTIVE OFFICER (“CEO”) TO EXECUTE A SITE ACCESS AGREEMENT (“AGREEMENT”) WITH IGUANA INVESTMENTS FLORIDA, LLC, TO CONDUCT ENVIRONMENTAL AND GEOTECHNICAL DUE DILIGENCE ACTIVITIES FOR PART OF THE UPLAND PORTIONS OF THOSE CERTAIN REAL PROPERTIES GENERALLY DESCRIBED AS “THE SHIPYARDS” AND IDENTIFIED BY DUVAL COUNTY PROPERTY APPRAISER PARCEL NUMBERS 130571 0000 TOGETHER WITH THE WESTERN PORTION OF DUVAL COUNTY PROPERTY APPRAISER PARCEL NUMBER 130572 0100, EXPRESLLY EXCLUDING THE ENTIRETY OF METROPOLITAN PARK AS CURRENTLY RESTRICTED BY THE NATIONAL PARK SERVICE AND DEPICTED ON THE MAP ATTACHED HERETO AS EXHIBIT 1; INSTRUCTING ITS CEO TO OBTAIN APPROVAL FROM THE CITY’S RISK MANAGER, DIRECTOR OF PUBLIC WORKS AND THE OFFICE OF GENERAL COUNCIL PRIOR TO EXECUTION OF THE AGREEMENT; INSTRUCTING THE CEO TO TAKE ALL NECESSARY ACTION TO EFFECTUATE THE PURPOSE OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, through the adoption of Ordinance 2014-560-E the City assigned management of certain City-owned properties and buildings to the DIA; and

WHEREAS, from time to time it is requested of the DIA’s Chief Executive Officer to allow for temporary use of its managed properties by others for such purposes as conducting due diligence activities in advance of disposition of property; and

WHEREAS, the DIA adopted Resolution 2017-07-04, which set parameters for the execution of Access Agreements by its Chief Executive Officer, establishing that Access Agreements that include environmental, geotechnical, and other invasive due diligence activities, or Access Agreements that have terms for greater than six (6) months, require approval by the DIA Board prior to execution by its Chief Executive Officer; and

WHEREAS, as presented to the DIA several months ago, Iguana has the desire to develop a portion of the Shipyards and requires additional information in order to properly evaluate the cost and feasibility of development thereon; and

WHEREAS, in order to further knowledgeable evaluation of development potential on the eastern half of Parcel 130571 0000 and the western portion of Parcel 130572 0100 the City

and the DIA find it warranted to undertake certain environmental and geotechnical due diligence activities,

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. DIA hereby authorizes its Chief Executive Officer to execute a site Access Agreement to conditionally grant to Iguana Investments Florida, LLC (“Licensee”), its agents, representatives, employees, consultants, contractors, and subcontractors a limited license for access to enter upon the eastern half of Parcel 130571 0000 and the western portion of Parcel 130572 0100 expressly excluding the entirety of Metropolitan Park as currently restricted by the National Park Service and depicted on the map attached hereto as Exhibit 1 for the sole purpose of performing environmental and geotechnical due diligence activities, the scope of which shall be limited to those activities approved by the Director of Public Works, the Office of General Counsel and the DIA Chief Executive Officer. The due diligence activities shall be at no cost to DIA nor the City, shall be limited to the uplands (i.e., shall be limited to landward of the landward side of the bulkhead) and shall be coordinated with the City’s Public Works Department and the DIA Chief Executive Officer.

Section 3. The Access Agreement shall continue for one, six (6) month period beginning at execution of the Access Agreement, and will expire without any further action by the City or the DIA, unless the Access Agreement term is extended in writing by the DIA Chief Executive Officer, whose ability to extend the term shall be limited to one, ninety (90) day extension.

Section 4. Prior to execution of an Agreement by the DIA Chief Executive Officer, they shall first obtain approvals of the Access Agreement by the City’s Risk Manager, Director of Public Works and the Office of General Counsel.

Section 5. The DIA instructs its CEO to take all necessary action to effectuate the purpose of this Resolution.

Section 7. This Resolution is predicated on the requirement that the DIA Chief Executive Officer, the Director of Public Works and the Office of General Counsel shall receive copies of all reports, work products and other information that results from this grant of site Access Agreement.

Section 8. This Resolution shall become effective on the date it is signed by the Chair of the DIA Board.

[SIGNATURES ON FOLLOWING PAGE]

WITNESS:

DOWNTOWN INVESTMENT AUTHORITY

Ron Moody, Chair

Date

VOTE: In Favor: _____ Opposed: _____ Abstained: _____

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EXHIBIT 1

Metro Park, Duval County, Florida, in Sec 45, T2S-R27E
DEP LWCF Metro Park Acreage
14.32 (+/-) acres



Prepared by Chris Jackson
May 8, 2019
Florida Department of Environmental Protection
Office of Operations
Bureau of State Owned Lands Inventory
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File Location: \\FLDEP1\oop_mapping__GIS_MAPS19\20190508_LWCF Metro Park_CU\LWCFAcres.mxd

