



A NEW DAY.

***RENEW ARLINGTON
COMMUNITY REDEVELOPMENT AGENCY BOARD MEETING
COUNCIL CHAMBERS
117 WEST DUVAL STREET, JACKSONVILLE, FL 32202
TUESDAY, JULY 23, 2024***

**MEETING MINUTES
TUESDAY, JULY 23, 2024 – 4:00 P.M.**

Location: Council Chambers, 1st Floor, City Hall at St. James, 117 West Duval Street, Jacksonville, FL 32202

Agency Board Members Present: Agency Board Chair Randy White, Agency Board Vice Chair Ju'Coby Pittman, Agency Board Members Ken Amaro, Raul Arias, Michael Boylan, Joe Carlucci, Matt Carlucci, Kevin Carrico, Michael Gay, Nick Howland, Will Lahnen, Chris Miller, Jimmy Peluso, Terrance Freeman, Ron Salem, and Reggie Gaffney, Jr.

Agency Board Members Excused: Agency Board Member Rory Diamond, Tyrona Clark-Murray, and Rahman Johnson

CALL TO ORDER

Chair White called the Renew Arlington Community Redevelopment Agency Board meeting to order at approximately 4:20 p.m. A quorum was confirmed.

II. ACTION ITEMS

APPROVAL OF THE MAY 14, 2024 RENEW ARLINGTON COMMUNITY REDEVELOPMENT AGENCY BOARD MEETING MINUTES

A MOTION WAS MADE AND SECONDED APPROVING THE MAY 14, 2024 RENEW ARLINGTON COMMUNITY REDEVELOPMENT AGENCY BOARD MEETING MINUTES. THE MOTION PASSED UNANIMOUSLY 15-0-0.

CONSIDERATION OF ALLOCATION OF \$2,184,446 IN FUNDING TO THE MANDATORY COMPLIANCE GRANT PROGRAM (RESOLUTION RA/CRA-2024-05)

Ms. Nasrallah reviewed Resolution RA/CRA-2024-05. She commented that as a reminder on January 20, 2020 the Renew Arlington (RA) Agency Board approved the RA Mandatory Compliance Grant Program (MCGP) for fencing, signage, landscaping/landscape buffers. The program would reimburse property owners 100% of the project costs for the categories mentioned to bring their properties into compliance. We are obligated to continue funding the MCGP and recommend that the Agency Board allocate the remaining balance of \$2,184,466 in the FY 2023/2024 Budget to the MCGP. If approved today, it will bring the total to \$6,395,650.27.

Chair White opened the floor for public comment of which there were none.

A MOTION WAS MADE AND SECONDED APPROVING THE ALLOCATION AND TRANSFER OF \$2,184,446 WITHIN THE FISCAL YEAR 2023/2024 AMENDED BUDGET AS ADDITIONAL FUNDING FOR THE RENEW ARLINGTON MANDATORY COMPLIANCE GRANT PROGRAM; DIRECTING THAT ADDITIONAL INVESTMENT POOL EARNINGS AND EXCESS FUNDS BE ALLOCATED TO THE MANDATORY COMPLIANCE GRANT PROGRAM. THE MOTION PASSED 15-0-0.

CONSIDERATION OF REVISION TO THE MANDATORY COMPLIANCE GRANT PROGRAM GUIDELINES TO INCREASE THE MAXIMUM ALLOWANCE FOR FENCING/SIGNAGE (RESOLUTION RA/CRA-2024-06)

Ms. Nasrallah referenced a memo dated July 23, 2024 from her and Brian Wheeler that was included with the CRA Agency Board packages that went out on Wednesday, July 17, 2024. She noted that by way of background, at the time the MCGP was developed, even though there were Agency Board Members who advocated for 100% reimbursement of all project costs for signage, fencing and landscaping/landscape buffers, they made it clear that they did not want us out there creating the Taj Mahal of projects, so we created a maximum allowance for fencing and signs, which was approved in the current guidelines.

Ms. Nasrallah advised that recently it has been noticed that the maximum allowances were not covering the full cost of the projects and some of the applicants were having to come out of pocket for some of those costs. She added that Vice-Chair Amaro heard from some of his constituents and asked us to research costs of the maximum allowance and our findings are provided in the July 23, 2024 memorandum provided to the Agency Board Members.

Ms. Nasrallah noted that they looked at the rate of inflation and spoke with several fencing and signage companies regarding current costs. She advised that they are recommending raising the maximum allowance for fencing from \$22 per linear foot to \$28 per linear foot. She referenced a chart in the memo that speaks to the recommended changes for signage. She added that they brought their findings to the RA Advisory Board who voted unanimously to bring the recommendation to the Agency Board for consideration.

Agency Board Member Boylan asked if this would be applicable to those who have already been reimbursed. Ms. Nasrallah responded that unfortunately it is not retroactive.

Agency Board Member Amaro commented that this is a fair priced for a number of reasons. At the old rate, no fencing company was doing anything at that price point, so they went back and reevaluated the situation and came back with something that is very fair considering inflation and COVID and its impact on the supply chain, etc.

Chair White opened the floor for public comment of which there were none.

A MOTION WAS MADE AND SECONDED AMENDING THE RENEW ARLINGTON MANDATORY COMPLIANCE GRANT PROGRAM GOALS, POLICIES AND GUIDELINES (“MCGP GUIDELINES”) TO INCREASE THE FUNDING AMOUNTS PERTAINING TO THE

MAXIMUM ALLOWANCE FOR FENCING AND SIGNAGE; PROVIDING AN EFFECTIVE DATE. THE MOTION PASSED 15-0-0.

Agency Board Member Gaffney, Jr. arrived at the meeting at approximately 4:30 p.m.

CONSIDERATION OF AMENDING THE COLLEGE PARK PROJECT MCGP SIGNAGE AGREEMENT (RESOLUTION RA/CRA-2024-07)

Ms. Nasrallah advised that the College Park Project is formerly the Town and Country Shopping Center and is located in the RA/CRA at the intersection of the Arlington Expressway and University Blvd. It is the gateway into the Renew Arlington CRA and the Arlington community and is also the gateway on Arlington Expressway into downtown from the east.

Ms. Nasrallah noted that the Town and Country Shopping Center was built in 1953 and it set the trend for the next twenty years for how Jacksonville would create shopping centers. The site comprises 19 acres. Over the years, Town and Country has become dated, underutilized and in desperate need of redevelopment. Enter, JWB Real Estate Capital. Ms. Nasrallah advised that they began working with Alex Sifakis and his team in 2020 and on June 22, 2021 the Agency Board approved two packages for him. One was for the MCGP, which included all the components of fencing, landscaping/landscape buffers and signage. The second was for the Tax Increment District Grant that will be talked about in the next agenda item.

Ms. Nasrallah commented that the MCGP is a reimbursable grant program. The applicant obtains the bids, does the work, pays for the work in accordance with the agreement and then they are reimbursed when all work is 100% complete, inspected by staff, the applicant proves that the costs have been paid in full, and submits a reimbursement package with completed project checklist items. She added that it is important to note for fencing and signage all grant agreements require the demolition and removal of existing out of compliance structures. For the Agency Board's consideration today is the College Park Signage Agreement.

Ms. Nasrallah showed illustrations of the project noting that the issue is the demolition and removal of the McDonald's off-site sign, that is part of the College Park MCGP Agreement; however, the sign is owned by McDonald's. She added that the McDonald's sign was illegally constructed off-site of the business property. The sign was constructed when McDonald's purchased an easement from the property owner many years ago; however, the easement has no legal standing.

Ms. Nasrallah advised that McDonald's has been cited 58 times by the City's Municipal Code Compliance Department for an illegal off-site sign adding that they have issued a rolling fine of \$255 per day with an unpaid balance of approximately \$15,000. She added that due to the unpaid status of the fines and nonresponse from the owner, the fines will increase to \$500 per day in the near future, if the current balance continues to be unaddressed.

Ms. Nasrallah commented that the developer for the College Park Project has completed their signage project, but is not eligible for payment until the McDonald's sign is removed and therefore staff is requesting an amendment to their agreement that will reimburse the developer \$224,840 for all the completed College Park signage costs.

She added that \$12,000 was set aside in the agreement for the demo and removal of the McDonald's sign and can be utilized when the legal issues are resolved and we are granted permission by either the owner or the court to remove the sign. She added that our Office of General Counsel and McDonald's legal counsel have been in a legal tug of war for quite possibly over a year. She added that the developer is being penalized for something completely out of his control and by absolutely no fault of his own and we hope that you will consider amending his agreement to allow for payment as described. It was noted that Mr. Sifakis was present to answer any questions.

Agency Board Member Salem advised that on the advice of General Counsel and the Ethics Office he would be abstaining from voting on this matter, as he has a voting conflict. Although he has no relationship with or investment in this particular property or project, he does invest in other projects with JWB Real Estate Capital LLC. Under the voting conflict laws, JWB Real Estate Capital LLC and its subsidiaries' related corporations are considered a business associate of mine and therefore he is abstaining and he will be abstaining on the next resolution as well. He would like to announce that he is unwinding his investment with JWB Real Estate by choice and he is in the process of doing that and he will at some point hopefully in the not too distant future no longer have to abstain.

Agency Board Member Arias asked if we are talking about allocating \$12,000 towards the removal of the McDonald's sign and we are charging the business owner (McDonald's) \$250 per day. He asked how we can still get compensated for what is owed to us versus investing \$12,000 into this. Is there a way to say that we are going to remove it, but How do we make sure that we also win in this scenario.

Ms. Nasrallah replied that she is not qualified to answer that question. This is a legal matter and she will have to defer to OGC to address that. Right now, she is just trying to amend an agreement that is in place. How they decide to handle this with Code Compliance and legal is something they have to speak to.

Carla Lopera advised that with this off-site sign the Municipal Code Compliance Division (MCCD) is involved in the fine, as Ms. Nasrallah explained. We cannot just go on the property and remove the sign unless there is an emergency order to do so or there is some sort of eminent danger to the public. Right now it is going through the MCCD process. There are some legal issues involved that hopefully will be resolved in the future and at that point the sign could come down.

Agency Board Member Amaro asked Ms. Lopera the status of the litigation. Ms. Lopera replied that the general litigation department in the Office of General Counsel is handling that and she is not involved with that litigation. She will find out and provide the information.

Agency Board Member Pittman asked if anything like this has ever happened before. She asked because there are other properties in the same situation throughout the City. She is wondering when does it stop.

Carla Lopera replied that it will go through the Code Compliance process and at the end of the day the City has the option to go through the court system to get an order to remove the sign. That could be a potential remedy.

Agency Board Member J. Carlucci commented that while on the topic he felt like the need to say a slight answer to CM Arias' point advised that he is working on a bill with MCCD and the Office of General Counsel to where these fines will not go away, they will roll onto their property tax bill, so it will be collected. He added that we are stuck with this illegal sign, we are stuck paying and removing it and we are not only out the money to remove it, but also the "pain and suffering" of having to deal with this in the first place. He commented that it is definitely an issue not just for District 5 but across the City.

Agency Board Member Freeman commented that he believes that this issue may be going to court in October.

Chair White opened the floor for public comment of which there were none.

A MOTION WAS MADE AND SECONDED AMENDING EXHIBIT G, EXHIBIT H AND EXHIBIT I TO THE COLLEGE PARK MANDATORY COMPLIANCE GRANT PROGRAM FOR SIGNAGE; PROVIDING OVERSIGHT BY THE OED; PROVIDING AN EFFECTIVE DATE. THE MOTION PASSED 14-0-1 (SALEM).

CONSIDERATION OF AMENDING THE COLLEGE PARK TID GRANT AGREEMENT (RESOLUTION RA/CRA-2024-08)

Ms. Nasrallah reviewed Resolution RA/CRA-2024-08. The redevelopment project as written consists of a mixed-use approach that includes a grocer, retail, open air food court and a residential component. The developer planned the Project in four phases: (i) rerouting, repaving, and landscaping the parking lot, (ii) installation of a new façade on the retail portion of the Project, (iii) construction of the new residential units, and (iv) construction of the shipping container food court.

She noted that all four phases were written in their EDA as "the Development" with the same commencement dates and ending dates for all of the phases. She added that there were unanticipated circumstances that impacted the project phasing such as supply chain shortages and FDOT extremely delayed reviews and approvals for the frontage on Arlington Expressway and University Blvd., resulting in different commencement times. She noted that we never anticipated that some of these phases would be occurring during the infrastructure construction, and we are requesting your consideration for some additional time.

Agency Board Member Salem advised that on the advice of General Counsel and the Ethics Office he would be abstaining from voting on this matter, as he has a voting conflict. Although he has no relationship with or investment in this particular property or project, he does invest in other projects with JWB Real Estate Capital LLC. Under the voting conflict laws, JWB Real Estate Capital LLC

and its subsidiaries' related corporations are considered a business associate of his and therefore he is abstaining.

Chair White opened the floor for public comment of which there were none.

A MOTION WAS MADE AND SECONDED AUTHORIZING AND APPROVING AMENDMENT THREE TO THE ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF JACKSONVILLE AND 903 UNIVERSITY BLVD LLC FOR THE COLLEGE PARK TAX INCREMENT DISTRICT INFRASTRUCTURE GRANT; PROVIDING OVERSIGHT BY THE OED; AUTHORIZING TECHNICAL AMENDMENTS BY THE EXECUTIVE DIRECTOR OF OED; AUTHORIZING EXECUTION OF ALL DOCUMENTS BY THE MAYOR AND CORPORATION SECRETARY; PROVIDING AN EFFECTIVE DATE. THE MOTION PASSED 14-0-1 (SALEM).

NEW BUSINESS

Ms. Nasrallah showed some before and after slides of the College Park Project. The grocer has solved for a food desert in the area adding that Winn Dixie did a fantastic job of building the store. They went to each department and personalized it "Keep it Fresh College Park". College Park is written throughout the store and it's wonderful. Part of their landscaping and one of their signs on University Blvd. I wanted to give you a quick update of what it looks like today.

IV. OLD BUSINESS

Ms. Nasrallah wanted to make sure that the Agency Board received the Mandatory Compliance Grant Program Report that was distributed on Wednesday. She noted that there are 212 applications that they are actively working on.

V. PUBLIC COMMENTS

There were no comments from the public.

VI. ADJOURNMENT

There being no further business, Chair White adjourned the Renew Arlington CRA Board meeting at approximately 4:41 p.m.

The written minutes for this meeting are only an overview of what was discussed. For verbatim comments of this meeting, an audio file of the meeting is available in its entirety upon request. Please contact Michelle Stephens at (904) 255-5452, or by email at msteph@coj.net.