

1 Introduced by the Council President at the request of the Mayor and
2 amended by the Neighborhoods, Community Services, Public Health &
3 Safety Committee:

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6 **ORDINANCE 2019-395-E**

7 AN ORDINANCE REPEALING CHAPTER 27 (OFFICE OF
8 SPORTS AND ENTERTAINMENT), *ORDINANCE CODE*, AND
9 RESERVING THE CHAPTER IN ITS ENTIRETY; CREATING
10 A NEW PART 2 (SPORTS AND ENTERTAINMENT
11 DIVISION), CHAPTER 28 (PARKS, RECREATION AND
12 COMMUNITY SERVICES), *ORDINANCE CODE*, TO MOVE THE
13 SPORTS AND ENTERTAINMENT OFFICE INTO THE
14 DEPARTMENT OF PARKS, RECREATION AND COMMUNITY
15 SERVICES AS A DIVISION; AMENDING SECTION 26.201
16 (ECONOMIC DEVELOPMENT), CHAPTER 26 (ECONOMIC
17 DEVELOPMENT), *ORDINANCE CODE*, TO ADD THE
18 FUNCTIONS OF OPERATING THE JACKSONVILLE FILM AND
19 TELEVISION OFFICE TO THE OFFICE OF ECONOMIC
20 DEVELOPMENT; AMENDING CHAPTER 111 (SPECIAL
21 REVENUE AND TRUST ACCOUNTS), PART 1 (PARKS,
22 RECREATION, CULTURE AND ENTERTAINMENT),
23 *ORDINANCE CODE*, TO CLARIFY AUTHORIZING ENTITY
24 FOR EXPENDITURE OF FUNDS; REPEALING PART 4
25 (PHILANTHROPIC OFFICER), CHAPTER 20 (EXECUTIVE
26 OFFICE OF THE MAYOR), *ORDINANCE CODE*; CREATING A
27 NEW PART 4 (DIRECTOR OF STRATEGIC PARTNERSHIPS),
28 CHAPTER 20 (EXECUTIVE OFFICE OF THE MAYOR),
29 *ORDINANCE CODE*, TO ESTABLISH A DIRECTOR OF
30 STRATEGIC PARTNERSHIPS WITHIN THE EXECUTIVE

OFFICE OF THE MAYOR; PROVIDING FOR TRANSITION AND CODIFICATION OF THE TABLE OF CONTENTS; AUTHORIZING THE COUNCIL AUDITOR'S AND GENERAL COUNSEL'S OFFICE TO MAKE TECHNICAL AMENDMENTS; PROVIDING FOR AN ORGANIZATIONAL CHART; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Repealing Chapter 27 (Office of Sports and Entertainment), Ordinance Code, in its entirety. Chapter 27 (Office of Sports and Entertainment), *Ordinance Code*, a copy of which is attached hereto as **Exhibit 1**, is hereby repealed and reserved in its entirety.

Section 2. Creating a new Part 2 (Sports and Entertainment Division), Chapter 28 (Parks, Recreation and Community Services), Ordinance Code. A new Part 2 (Sports and Entertainment Division), Chapter 28 (Parks, Recreation and Community Services), *Ordinance Code*, is hereby created to read as follows:

CHAPTER 28. PARKS, RECREATION AND COMMUNITY SERVICES

* * *

PART 2. SPORTS AND ENTERTAINMENT DIVISION

Sec. 28.201. - Sports and Entertainment; establishment; functions.

There is created a Sports and Entertainment Division. The division shall be responsible for sports and entertainment activities within the City including:

(a) The Division shall be responsible for overseeing and managing sports and entertainment interactions with the City of Jacksonville.

(b) The Division shall be responsible for identifying sports and entertainment opportunities, benchmarking and assessment of

1 opportunities, ensuring the development of a program design,
2 relationship management, identification of funding mechanisms to
3 support the events, and the tracking of value created through sports
4 and entertainment opportunities.

5 (c) The Division shall be responsible for overseeing the
6 Sports and Entertainment Trust Fund, pursuant to Section 111.155,
7 *Ordinance Code*.

8 (d) The Division shall be responsible for operating the Office
9 of Special Events.

10 **Sec. 28.202. - Division Chief.**

11 The Chief of Sports and Entertainment is the Division Chief of
12 the Sports and Entertainment Division. The Chief shall be appointed
13 by the Mayor, subject to confirmation by the Council, and shall serve
14 at the pleasure of the Mayor. The Chief shall have a bachelor's
15 degree or higher from an accredited college or university. The Chief
16 shall possess at least 5 years of professional experience in an
17 executive or management position.

18 **Sec. 28.203. - Powers of Division Chief.**

19 The Division Chief shall have and may exercise the following
20 powers:

21 The Chief shall have the following powers, functions and duties
22 with respect to the City-owned facilities including but not limited
23 to the Vystar Veterans Memorial Arena, the Baseball Grounds of
24 Jacksonville, TIAA Bank Field, The Ritz Theatre, the Convention
25 Center, the Times Union Performing Arts Center, and any other
26 facility assigned to the Chief (collectively hereinafter referred to
27 as the "facilities" or the "facility"):

28 (a) The Sports and Entertainment Division shall be responsible
29 for the operation and maintenance of the facilities (whether directly
30 or through a facility manager retained in accordance with the
31 requirements and limitations of Chapter 126), and the Chief

1 Administrative Officer, may, in conjunction with the facilities
2 manager when appropriate, execute fixed dollar amount promotional
3 and/or sponsorship contracts and agreements with sponsors, promoters,
4 exhibitors, performers and other persons for the use of the facility,
5 including agreements with renters of the facility to staff and
6 maintain restroom facilities at the facility through contractual
7 services, volunteers or through a nominal gratuity system, approved
8 by the officer. A nominal gratuity system would allow the City to
9 include parking and/or meals complimentary to the volunteers,
10 pursuant to a budget previously approved by Council. Except for
11 revenue producing events approved by contract, all other use of the
12 facilities shall be reserved to the City.

13 (b) The Director of Parks, Recreation and Community Services
14 shall participate in and make recommendations to the Mayor and the
15 Council concerning the planning and financing of City sponsored
16 events at the facilities.

17 (c) The Director of Parks, Recreation and Community Services
18 shall authorize the expenditure of funds lawfully appropriated by the
19 Council for hospitality expenses in the interest of promoting the
20 facility for City-sponsored events and shall comply with expenditures
21 on food, pursuant to § 106.1202, Ordinance Code.

22 **Sec. 28.204. - Special Events**

23 The function of the Office of the Special Events is housed within
24 the Sports and Entertainment Division.

25 (a) The Division of Sports and Entertainment shall be
26 responsible for the coordination, planning, and implementation of all
27 Special Events conducted by the City, and implement the provisions of
28 Chapter 191 (Special Events), Ordinance Code.

29 (b) The Division of Sports and Entertainment no later than 60
30 days after the last day of an event, shall deliver to the Director of
31 Finance and Administration and the Council Auditor a complete

1 accounting of revenues by source, and expenditures by category and
2 source including, but not limited to, General Fund, Trust Fund, and
3 any other funds.

4 (c) There is established a liaison relationship between the
5 Special Events activity and the Downtown Investment Authority Chief
6 Executive Officer. Upon request, but at least quarterly, Special
7 Events shall provide the Downtown Investment Authority Chief
8 Executive Officer information regarding special event permits
9 Downtown.

10 **Section 3. Amending Section 26.201 (Economic Development),**
11 **Chapter 26 (Economic Development), Ordinance Code.** Section 26.201
12 (Economic Development), Chapter 26 (Economic Development), *Ordinance*
13 *Code*, is hereby amended to read as follows:

14 **CHAPTER 26. ECONOMIC DEVELOPMENT**

15 * * *

16 **PART 2. FUNCTIONS AND ACTIVITIES**

17 **Sec. 26.201. - Economic Development.**

18 The functions and activities of the Office of Economic
19 Development shall include, but not be limited to:

- 20 (a) Negotiating economic incentive packages for the City (e.g.
21 Qualified Targeted Industry Refunds, Recapture Enhanced Value
22 Grants, and other incentives as approved by the City Council
23 in the City's Economic Development Investment Policy), except
24 that the DIA shall negotiate economic incentive packages for
25 the Downtown area, with the assistance of the Office of
26 Economic Development, in accordance with the BID Plan (as
27 defined in Chapter 55, Part 1), and monitoring compliance
28 with the same, which such monitoring compliance duties may be
29 delegated by the Office or the DIA, as the case may be, to an
30 appropriate City department or agency, with approval by the
31 Mayor. Quarterly reports reflecting the status of compliance

1 with incentive requirements shall be provided to City Council
2 and shall be made available online;

3 (b) Providing staff to the City's Enterprise Zone;

4 (c) Providing support to the Council in its role as the governing
5 body acting as the City's community redevelopment agency
6 under F.S. Pt. III, Ch. 163;

7 (d) Providing support to the Council in its role as the City's
8 industrial development authority under F.S. Part III, Chapter
9 159;

10 (e) Managing Cecil Commerce Center;

11 (f) Operating the access to capital program as defined in Section
12 126.602;

13 (g) Administering the Northwest Jacksonville Economic Development
14 Fund;

15 (h) Operating the Office of Small Business and Entrepreneurship;
16 and

17 (i) Operating the Office of International Trade—;

18 (j) Operating the Jacksonville Film and Television Office; and

19 (k) Providing support to the Mayor's Advisory Commission on
20 Television, Motion Picture and Commercial Production
21 established by Executive Order 99-3.

22 **Section 4. Amending Chapter 111 (Special Revenue and Trust**
23 **Accounts), Part 1 (Parks, Recreation, Culture and Entertainment),**
24 **Ordinance Code.** Chapter 111 (Special Revenue and Trust Accounts),
25 Part 1 (Parks, Recreation, Culture and Entertainment), *Ordinance*
26 *Code*, is hereby amended to read as follows:

27 **CHAPTER 111. SPECIAL REVENUE AND TRUST ACCOUNTS**

28 **PART 1. PARKS, RECREATION, CULTURE AND ENTERTAINMENT**

29 * * *

30 **Sec. 111.105 - Special Events and Parks, Recreation and Community**
31 **Services Trust Funds.**

1 (a) *Special Events Trust Fund*. There is created an account to be
2 known as the Special Events Trust Fund, into which shall be
3 deposited all funds appropriated from time to time by the Council
4 and all event-related monies (which shall include, but not be
5 limited to, ticket sales, donations, gifts, sponsorship
6 underwriting fees and event participation fees which are sold by
7 the City or given to the City from nongovernmental sources),
8 together with the interest thereon, to assist in defraying the
9 operational and production costs and expenses of City-sponsored
10 or City-cosponsored special events, as such special events are
11 determined by the Mayor or City Council. The Director of Parks,
12 Recreation and Community Services, and the Director of Finance
13 and Administration is authorized and directed to make
14 disbursements from this fund upon the written requisition of the
15 Mayor, or his or her designee, and the Mayor, or his or her
16 designee is authorized to negotiate and execute contracts and
17 agreements with entertainers, promoters, co-sponsors and other
18 public or private parties or entities which are necessary both to
19 outline and define the duties and responsibilities of the City
20 and such other persons or entities and to assure successful
21 special events; provided, however, that the Director of Finance
22 and Administration shall certify on such contracts or agreements
23 that there are current funds available in this trust fund or in
24 the current appropriation to the ~~Office of~~ Sports and
25 Entertainment Division for special events to fund the particular
26 special event in question, and provided further that an assistant
27 general counsel in the Office of General Counsel shall approve
28 such contracts and agreements as to form. No operating funds may
29 be transferred into this trust fund unless specifically approved
30 by City Council. All event-related monies and interest placed
31 into this trust fund are hereby appropriated for the purposes of

1 this trust fund and such appropriations (event-related monies and
 2 City-provided funding) shall not lapse at the close of any fiscal
 3 year, but instead shall carry over to the next fiscal year.

4 The ~~Special Events Office~~ Sports and Entertainment Division, no later
 5 than 60 days after the last day of an event, shall deliver to the
 6 ~~Financial Services Officer~~ Director of Finance and Administration
 7 ~~(a/k/a the Chief Financial Officer)~~ and the Council Auditor a
 8 complete accounting of revenues by source, and expenditures by
 9 category and source including but not limited to General Fund, Trust
 10 Fund, and any other funds, on a form agreed to by the Sports and
 11 Entertainment ~~Officer~~ Chief, the ~~Financial Services Officer~~ Director
 12 of Finance and Administration/~~CFO~~, and the Council Auditor.

13 * * *

14 **Sec. 111.155. - Sports and Entertainment Trust Fund.**

15 There is created an account to be known as the Sports and
 16 Entertainment Trust Fund, into which shall be deposited funds
 17 appropriated from time to time by Council and all event-related
 18 monies including, but not limited to, ticket sales, donations, gifts,
 19 sponsorship underwriting fees, advertising charges and commissions,
 20 and event participation fees which are sold by the ~~Office of~~ Sports
 21 and Entertainment Division or given to the ~~Office of~~ Sports and
 22 Entertainment Division from nongovernmental sources, together with
 23 interest thereon. These funds are designated to pay commissioned
 24 advertising expenses and to assist in subsidizing events and in
 25 defraying the direct costs and expenses associated with events that
 26 are sponsored or co-sponsored by the ~~Office of~~ Sports and
 27 Entertainment Division, as such events are determined by the ~~Office~~
 28 ~~of~~ Sports and Entertainment Division. The ~~Sports and Entertainment~~
 29 ~~Officer~~ Director of Parks, Recreation and Community Services, and the
 30 Director of Finance and Administration shall make disbursements from
 31 this fund upon the written requisition of the Sports and

1 Entertainment ~~Officer~~ Chief, and the Director of Finance and
2 Administration shall make disbursements from this fund upon the
3 written requisition of the Chief Administrative Officer. The Sports
4 and Entertainment ~~Officer~~ Chief shall ensure payment for all direct
5 expenses and operating expenses for any Sports and Entertainment
6 ~~Officer~~ Chief requested use of the Facility Venues. Any use of the
7 Facility Venues shall require prior to the event either i) City
8 Council approval or ii) certification from the Facilities Manager,
9 which shall not be unreasonably withheld, that no direct expenses are
10 being added to the approved budget and being charged as an operating
11 expense. The Sports and Entertainment ~~Officer~~ Chief shall approve,
12 after consultation with the facilities manager when appropriate
13 regarding the availability of the venue, all fixed dollar amount
14 promotional and/or sponsorship contracts and agreements with
15 promoters, co-sponsors and other public or private parties or
16 entities, and the Chief Administrative Officer is authorized to
17 negotiate and execute such fixed dollar amount promotional and/or
18 sponsorship contracts and agreements, provided, however, that the
19 ~~Financial Service Officer~~ Director of Finance and Administration
20 ~~(a/k/a the Chief Financial Officer)~~ shall certify on such contracts
21 or agreements that there are current funds available (i.e. funds are
22 on account at the time of contract execution) in this trust fund to
23 fund the particular event in question, and provided further that an
24 assistant general counsel in the Office of General Counsel shall
25 approve such contracts and agreements as to form. All event-related
26 monies and interest placed into this trust fund are hereby
27 appropriated for the purposes of this trust fund and all
28 appropriations (event-related monies and City-provided funding) shall
29 not lapse at the close of any fiscal year, but instead shall carry
30 over to the next fiscal year.

1 The Sports and Entertainment ~~Officer~~ Chief, no later than 60 days
2 after the last day of a sports event where Trust Fund money was used,
3 shall deliver to the ~~Financial Services Officer~~ Director of Finance
4 and Administration ~~(a/k/a the Chief Financial Officer)~~, Council
5 Members and the Council Auditor a complete accounting of revenues by
6 source and expenditures by category and source including but not
7 limited to General Fund, Trust Fund and any other funds, on a form
8 agreed to by the Sports and Entertainment ~~Officer~~ Chief, the
9 ~~Financial Services Officer~~ Director of Finance and Administration/CFO
10 and the Council Auditor.

11 * * *

12 **Section 5. Repealing Part 4 (Philanthropic Officer),**
13 **Chapter 20 (Executive Office of the Mayor), Ordinance Code.** Part 4
14 (Philanthropic Officer), Chapter 20 (Executive Office of the Mayor),
15 *Ordinance Code*, a copy of which is attached hereto as **Exhibit 2**, is
16 hereby repealed in its entirety.

17 **Section 6. Creating a new Part 4 (Director of Strategic**
18 **Partnerships), Chapter 20 (Executive Office of the Mayor), Ordinance**
19 **Code.** A new Part 4 (Director of Strategic Partnerships), Chapter 20
20 (Executive Office of the Mayor), *Ordinance Code*, is hereby created to
21 read as follows:

22 **CHAPTER 20. EXECUTIVE OFFICE OF THE MAYOR**

23 * * *

24 **PART 4. DIRECTOR OF STRATEGIC PARTNERSHIPS**

25 **Sec. 20.401. - Director of Strategic Partnerships;**
26 **Establishment; Functions.**

27 There is hereby established a Director of Strategic
28 Partnerships with in the Executive Office of the Mayor. The Director
29 of Strategic Partnerships will operate within the Office of the Mayor
30 under the authority and direction of the Chief Administrative
31 Officer. The Director of Strategic Partnerships will facilitate

1 collaborations and partnerships with the public, private and
2 philanthropic sectors to develop a shared commitment to work
3 together. The Director of Strategic Partnerships will serve as the
4 Mayor's designate to the Mayor's Education Initiative Trust Fund.

5 **Section 7. Transition.** The Mayor or designee is authorized
6 to effect the transition and implementation required by this
7 ordinance through the transfer or other disposition of the records,
8 property, and personnel (those not confirmed by Council) affected by
9 this legislation. The appointed positions of the City within the
10 affected Departments and Divisions are hereby redesignated as the
11 corresponding positions in the new Department or Division, as
12 applicable.

13 **Section 8. Codification Instructions.** The Codifier is
14 authorized to make all chapter and division "tables of contents"
15 consistent with the changes set forth herein. Furthermore, the Office
16 of General Counsel, working together with and through the contracted
17 codifier of the City Ordinance Code, is hereby authorized and
18 directed to make such editorial changes throughout the Ordinance Code
19 to reflect the name change from the Office of Sports and
20 Entertainment to the Sports and Entertainment Division, in regard to
21 all to departments, divisions and sub-titles therein, and to reflect
22 such changes in duties, functions and responsibilities throughout the
23 *Ordinance Code* resulting from the changes and the restructuring of
24 the Executive Branch of the City government as set forth herein.
25 Such editorial changes, and any others necessary to make the
26 *Ordinance Code* consistent with this legislation, and changes to the
27 *Ordinance Code* shall be made forthwith and when inconsistencies are
28 discovered.

29 **Section 9. Authorizing the Council Auditor's and General**
30 **Counsel's Office to make "Technical Amendments"**. The Council Auditors
31 and the General Counsel's Offices are authorized to take all

1 necessary action in connection with this legislation, to execute the
2 finalization and codification of the legislation to effectuate the
3 purposes of this Ordinance as recommended by the Council Committees
4 and enacted by Council, without further Council action, provided such
5 changes and amendments are limited to "technical amendments" and do
6 not change the fiscal impact and, further provided, that all such
7 amendments shall be subject to appropriate legal review and approval
8 by the General Counsel, or designee, and all other appropriate
9 official action required by law.

10 **Section 10. Organizational Chart.** For informational purposes
11 only for this legislation, an organizational chart is attached hereto
12 as "**Revised Exhibit 3**, labeled as "Revised Exhibit 3, Rev Org Chart,
13 June 17, 2019 - NCSPHS".

14 **Section 11. Effective Date.** This ordinance shall become
15 effective upon signature by the Mayor or upon becoming effective
16 without the Mayor's signature.

17

18 Form Approved:

19

20 /s/ Paige Hobbs Johnston

21 Office of General Counsel

22 Legislation prepared by: Margaret M. Sidman

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