

1 Introduced by Council President at the request of the Duval County
2 Tourist Development Council:

3
4 **ORDINANCE 2020-356**

5 AN ORDINANCE REGARDING THE DUVAL COUNTY
6 TOURIST DEVELOPMENT PLAN; AMENDING CHAPTER 70
7 (DUVAL COUNTY TOURIST DEVELOPMENT COUNCIL),
8 SECTIONS 70.102 (MEMBERSHIP; TERMS), 70.104
9 (POWERS AND DUTIES), AND 70.105
10 (ADMINISTRATION OF TOURIST DEVELOPMENT PLAN),
11 *ORDINANCE CODE*; AMENDING CHAPTER 111 (SPECIAL
12 REVENUE AND TRUST ACCOUNTS), PART 6 (ECONOMIC
13 AND COMMUNITY DEVELOPMENT), SECTIONS 111.600
14 (TOURIST DEVELOPMENT TAX SPECIAL REVENUE FUND;
15 DEVELOPMENT, CONTINGENCY, CONVENTION GRANTS
16 AND EQUESTRAIN CENTER GRANTS ACCOUNTS), AND
17 111.601 (TOURIST DEVELOPMENT DONATIONS AND
18 SPONSORSHIPS SPECIAL REVENUE FUND), *ORDINANCE*
19 *CODE*; AMENDING CHAPTER 666 (DUVAL COUNTY
20 TOURIST DEVELOPMENT PLAN), SECTIONS 666.106
21 (TOURIST DEVELOPMENT TAX), AND 666.108
22 (TOURIST DEVELOPMENT PLAN), *ORDINANCE CODE*;
23 REPEALING ORDINANCES 2018-472-E AND 2019-152-E
24 (TOURIST DEVELOPMENT COUNCIL GRANT
25 GUIDELINES); PROVIDING FOR CODIFICATION
26 INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.

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

28 **Section 1. Amending Chapter 70 (Duval County Tourist**
29 **Development Council), Section 70.102 (Membership; terms), Section**
30 **70.104 (Powers and duties), Section 70.105 (Administration of**
31 **tourist development plan) Ordinance Code.** Chapter 70 (Duval County

1 Tourist Development Council) Section 70.102 (Membership; terms),
2 Section 70.104 (Powers and duties), Section 70.105 (Administration
3 of tourist development plan) *Ordinance Code*, is hereby amended to
4 read as follows:

5 **CHAPTER 70. DUVAL COUNTY TOURIST DEVELOPMENT COUNCIL**

6 * * *

7 **Sec. 70.102. - Membership; terms.**

8 (a) The Tourist Council shall be composed of nine members
9 appointed by the City Council in accordance with the following
10 requirements:

11 (1) The City Council President shall be a member ex
12 officio.

13 (2) ~~One member shall be the City Council Vice President~~
14 ~~at the time of the initial appointment. Upon a vacancy of such~~
15 ~~seat, the City Council Vice President at the time of such vacancy~~
16 ~~shall be appointed to such seat for the duration of the appointment~~
17 ~~term~~ The City Council Vice President shall be a member ex officio.

18 (3) One member shall be a current City Council member,
19 with preference given to a past City Council President or a City
20 Council member with an demonstrated interest and experience in
21 tourism.

22 (4) Three members shall be owners or operators of motels,
23 hotels, recreational vehicle parks or other tourist accommodations
24 located in the General Services District and subject to the tourist
25 development tax levied by the city. Such members shall be involved
26 in the tourist industry and have demonstrated an interest in
27 tourist development.

28 (5) One member shall have experience and background in
29 the commercial airline industry or the Jacksonville Aviation
30 Authority. Such member shall also be involved in the tourist
31 industry and have demonstrated an interest in tourist development.

1 (6) Two members shall be persons who are involved in the
2 tourist industry and who have demonstrated an interest in tourist
3 development, but who are not persons described by subsection (a)(4)
4 of this section.

5 (7) All nine members shall be electors of the General
6 Services District.

7 (8) At least two of the nine members shall be residents
8 of the Second, Third, Fourth or Fifth Urban Services District, or
9 owners or operators of tourist accommodations or attractions
10 located within the Second, Third, Fourth or Fifth Urban Services
11 District, or individuals whose involvement in the tourist industry
12 is directly related to activities within the Second, Third, Fourth
13 or Fifth Urban Services District. Such members may be elected
14 municipal officials, if permitted by law.

15 (b) All members of the Tourist Council, except the Council
16 President, Vice President, and third City Council Member, shall
17 serve for staggered terms of four years. All terms of office shall
18 begin on July 1 and members shall serve until their successors have
19 been appointed.

20 * * *

21 **Sec. 70.104. - Powers and duties.**

22 The Tourist Council shall have the following powers and
23 duties:

24 (a) To conduct public hearings to receive information from the
25 public with respect to the effectiveness of the existing tourist
26 development efforts by both public and private agencies,
27 organizations and businesses and the need for additional or
28 different tourist development efforts-;

29 (b) To recommend a method of coordination of existing tourist
30 development efforts by both public and private agencies,
31 organizations and businesses and of new or additional tourist

1 development efforts to obtain maximum economy, efficiency and
2 effectiveness of the tourist development efforts in and for the
3 General Services District-;

4 (c) To identify and recommend methods of eliminating
5 unnecessary duplications in existing tourist development efforts by
6 both public and private agencies, organizations and businesses and
7 preventing or minimizing such duplications of new or proposed
8 tourist development efforts-;

9 (d) To identify and develop new tourist development efforts by
10 both public and private agencies, organizations and businesses-;

11 (e) To create, prepare and submit to the Council a tourist
12 development plan in the manner prescribed by F.S. § 125.0104, and,
13 from time to time thereafter, make recommendations to the Council
14 for changes to the tourist development plan-;

15 (f) From time to time, to make recommendations to the Council
16 for the effective operation of the special projects or uses of the
17 tourist development tax revenue provided for in the tourist
18 development plan-;

19 (g) To review the expenditures of revenues from the Tourist
20 Development Tax Special Revenue Fund and to report unauthorized
21 expenditures to the City Council and the State Department of
22 Revenue as required by F.S. § 125.0104-;

23 (h) To adopt, amend and repeal rules and to implement the
24 provisions of any ordinance for which it is responsible-;

25 (i) To submit an annual report to the Mayor and the Council of
26 its activities and of the problems and progress of the tourist
27 development efforts in and for the General Services District-;

28 (j) To implement and administer the Tourist Development Plan
29 provided in Section 666.108, Ordinance Code, and in accordance with
30 Section 70.105, Ordinance Code-;

1 (k) ~~Award~~ To establish grant guidelines consistent with the
2 Tourist Development Plan without further City Council approval, and
3 to award grants pursuant to such Tourist Council approved grant
4 guidelines ~~the Tourist Development Council Grant Guidelines~~
5 ~~approved in Ordinance 2018-472-E ("Grant Guidelines") and recommend~~
6 ~~to City Council for approval amendments to the Grant Guidelines~~
7 ~~provided that such amendments are consistent with the Tourist~~
8 ~~Development Plan.;~~

9 (l) To recommend activities and projects to the City Council
10 to be funded from the Development Account ~~and Contingency Account~~
11 established pursuant to Sections 111.600 and 666.108, Ordinance
12 Code;

13 (m) To authorize during each contract year of a contract term
14 a one-time lump sum advance payment to the City's contracted
15 "county destination marketing organization (DMO)", as defined in
16 F.S. § 288.923, of up to ten percent of each year's contract
17 amount, including any renewal terms, to provide necessary start-up
18 funds for the DMO to commence services under the Plan for the
19 contract year; and

20 (n) To develop and implement rules, policies and restrictions
21 regarding the advance payments authorized by the Tourist Council
22 under subsection (m) of this Section.

23 **Sec. 70.105. - Administration of tourist development plan.**

24 The Tourist Council shall be responsible for administration of
25 the Tourist Development Plan prescribed in in Section 666.108,
26 Ordinance Code. Any deviation by the Tourist Council from the
27 services, activities and uses described in the Tourist Development
28 Plan shall require approval by the City Council by way of an
29 amendment to the plan. The Tourist Council shall annually submit a
30 proposed budget to the Mayor, at the time and in the manner
31 specified by the Mayor, and the Mayor shall submit a legislative

1 budget for the Tourist Council as a part of his annual budget
2 proposal. The Tourist Council shall administer the budget approved
3 by the City Council in accordance with the Tourist Development
4 Plan, subject to the provisions of Chapter 106 and Chapter 666,
5 Ordinance Code. The Tourist Council shall have authority to
6 negotiate and award necessary contracts with organizations, firms
7 and persons in order to implement and administer the Tourist
8 Development Plan, subject to the competitive solicitation
9 requirements of Chapter 126, Ordinance Code, unless otherwise
10 exempt under Chapter 126. ~~For purposes of this Section, contract~~
11 ~~approval and awards by the Tourist Council shall be approved by the~~
12 ~~Tourist Council in the same manner as independent agencies as set~~
13 ~~forth in Section 126.303, Ordinance Code. The Tourist Council, not~~
14 ~~the Mayor, shall have final approval of all recommendations from~~
15 ~~the Professional Services Evaluation Committee (PSEC), the~~
16 ~~Competitive Sealed Proposal Evaluation Committee (CSPEC) and the~~
17 ~~General Governmental Awards Committee (GGAC).~~ All contracts
18 negotiated and awarded by the Tourist Council pursuant
19 to Chapter 126 shall be executed by the Mayor and Corporation
20 Secretary and countersigned by the Tourist Council Chairman.
21 Additionally, the Mayor and the Corporation Secretary are
22 authorized to execute all grant contracts awarded by the Tourist
23 Council pursuant to the grant guidelines established by the Tourist
24 Council City Council approved Tourist Development Council Grant
25 Guidelines without further approval by the City Council.
26 Reimbursement and approval of travel expenses for TDC contract
27 providers providing services under the Tourist Development Plan
28 shall be governed by Section 106.717, Ordinance Code.

29 * * *

30 **Section 2. Amending Chapter 111 (Special Revenue and**
31 **Trust Accounts) Part 6 (Economic and Community Development),**

1 **Section 111.600. (Tourist Development Tax Special Revenue Fund;**
2 **Development, Contingency, Convention Grants and Equestrian Center**
3 **Grants Accounts), Section 111.601. (Tourist Development Donations**
4 **and Sponsorships Special Revenue Fund Ordinance Code.** Chapter 111
5 (Special Revenue and Trust Accounts) Part 6 (Economic and Community
6 Development), Section 111.600. (Tourist Development Tax Special
7 Revenue Fund; Development, Contingency, Convention Grants and
8 Equestrian Center Grants Accounts), Section 111.601 (Tourist
9 Development Donations and Sponsorships Special Revenue Fund)
10 *Ordinance Code* is hereby amended to read as follows:

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

12 * * *

13 **PART 6. Economic and Community Development**

14 **Sec. 111.600. - Tourist Development Tax Special Revenue Fund;**
15 **Development, Contingency, Convention Grants, and Equestrian Center**
16 **Grants Accounts.**

17 (a) *Creation.* There is created the *Tourist Development Tax*
18 *Special Revenue Fund*, a permanent special revenue fund of the City,
19 into which shall be paid all moneys received from the Tax Collector
20 as proceeds of the tourist development tax levied by the City
21 Council and approved by the people. The funds in the Tourist
22 Development Tax Special Revenue Fund shall be expended in
23 accordance with the Tourist Development Plan in Section 666.108,
24 Ordinance Code, as approved by the people, and thereafter as may be
25 amended by the City Council. The Director of Finance and
26 Administration is authorized and directed to make disbursements
27 from this fund upon the ~~written~~ requisition of the Executive
28 Director and/or the Chairman of the Duval County Tourist
29 Development Council; provided, that payments of the debt service
30 requirements of any revenue bonds issued pursuant to the Tourist
31 Development Plan shall be made from this fund as required by the

1 revenue bonds. All revenues and funds deposited into this fund
2 shall not lapse to the General Fund.

3 (b) *Development account; expenditures.* There is hereby
4 established, in addition to the Tourist Development Tax Special
5 Revenue Fund, a separate development account ("Development
6 Account") ~~composed of the balances transferred as required~~
7 ~~by Section 666.108(d), Ordinance Code, at the end of each fiscal~~
8 ~~year together with annual budgeted allocations.~~ The Executive
9 Director and/or Administrator of the Tourist Council shall keep a
10 record of the balances ~~so transferred~~, and these funds shall be
11 available for withdrawal as provided in this Section. The
12 Development Account funds shall be for the purpose of acquiring,
13 constructing, extending, enlarging, remodeling, or improving
14 publicly owned convention centers, coliseums (e.g., arena), or
15 auditoriums (e.g., performing arts center) and aquariums or museums
16 that are publicly owned and operated or owned and operated by a not
17 for profit organization and open to the public. In acquiring,
18 constructing, extending, enlarging, remodeling, or improving such
19 facilities, the usual City procedures shall be followed. No funds
20 in the Development Account shall be used for the general or routine
21 maintenance, operation or promotion of such facilities. It is not
22 required that the funds in the Development Account be expended on
23 an activity or project in each fiscal year, and any such funds
24 transferred or appropriated to the Development Account pursuant
25 to Section 666.108(d), Ordinance Code, shall accumulate from year
26 to year until sufficient funds are available to adequately fund an
27 acquisition, construction, extension, enlargement, remodeling, or
28 improvement project for such facilities. All revenues and funds
29 deposited into the Development Account shall not lapse to the
30 General Fund. Any projects and activities funded from the
31 Development Account shall be approved by the City Council.

1 (c) Contingency Account; expenditures. There is hereby
2 established, in addition to the Tourist Development Tax Special
3 Revenue Fund, a separate contingency account ("Contingency
4 Account") to receive the funding allocations and appropriations to
5 the Tourist Development Plan component described in
6 subsection 666.108(b)(7), Ordinance Code, to be used for unforeseen
7 opportunities of major significance to tourism in the City. ~~Any~~
8 ~~activities and projects funded from the Contingency Account shall~~
9 ~~be approved by the City Council.~~ Any unspent and unencumbered funds
10 in the Contingency Account at the end of each fiscal year shall
11 accumulate from year to year. All revenues and funds deposited into
12 the Contingency Account shall not lapse to the General Fund.

13 (d) Convention Grants Account; expenditures. There is hereby
14 established, in addition to the Tourist Development Tax Special
15 Revenue Fund, a separate account ("Convention Grants Account") to
16 receive funding allocations and appropriations to the Tourist
17 Development Plan subcomponent for convention grant awards described
18 in 666.108(b)(3)(vi), Ordinance Code. Monies in this account shall
19 only be used for convention grant awards. Monies and interest
20 appropriated into this account shall be for the purpose set forth
21 herein and shall not lapse to the General Fund at the close of any
22 fiscal year, but instead shall carry over into subsequent fiscal
23 years. Subject to the availability of appropriated funds in this
24 account, the Director of Finance and Administration, or his
25 designee, is authorized and directed to make disbursements from
26 this account upon receipt of the Tourist Development Council
27 Executive Director's ~~written~~ disbursement request.

28 (e) Equestrian Center Grants Account; expenditures. There is
29 hereby established, in addition to the Tourist Development Tax
30 Special Revenue Fund, a separate account ("Equestrian Center Grants
31 Account") to receive funding allocations and appropriations to the

1 Tourist Development Plan component for equestrian center grant
2 awards described in 666.108(b)(8), Ordinance Code. Monies in this
3 account shall only be used to award equestrian center grants.
4 Monies and interest appropriated into this account shall be for the
5 purpose set forth herein and shall not lapse to the General Fund at
6 the close of any fiscal year, but instead shall carry over into
7 subsequent fiscal years. Subject to the availability of
8 appropriated funds in this account, the Director of Finance and
9 Administration, or his designee, is authorized and directed to make
10 disbursements from this account upon receipt of the Tourist
11 Development Council Executive Director's ~~written~~ disbursement
12 request.

13 **Sec. 111.601. - Tourist Development Donations and Sponsorships**
14 **Special Revenue Fund.**

15 There is created within the Special Revenue Funds a special
16 revenue fund account to be known as the Tourist Development
17 Donations and Sponsorships Special Revenue Fund ("Fund"), into
18 which shall be deposited all donations, monetary gifts, sponsorship
19 monies, and other non-tourist development tax monies designated for
20 the approved uses in this section. Monies deposited into the Fund
21 shall be used to defray the costs and expenses related to (i) the
22 Tourist Development Plan components described in Section 666.108,
23 Ordinance Code; and (ii) existing and future tourist activities,
24 tourist facilities and tourist attractions in Duval County.
25 Expenditures from the Fund shall not be subject to the Tourist
26 Development Plan requirements set forth in Chapter 666, Ordinance
27 Code. All monies and interest placed into the Fund are hereby
28 appropriated for the purposes of the Fund and such shall not lapse
29 to the General Fund at the close of any fiscal year, but instead
30 shall carry over to the next fiscal year. The Executive Director of
31 the Tourist Development Council shall make expenditure

1 recommendations to the Tourist Development Council ("TDC") for
2 approval. The Director of Finance and Administration, or his
3 designee, is authorized and directed to make disbursements from the
4 Fund upon receipt of the Executive Director's ~~written~~ request and
5 upon approval of such expenditure recommendations by the TDC,
6 subject to the availability of funds in the Fund. Each Fund
7 expenditure by the TDC in excess of \$75,000 shall require prior
8 approval by the City Council.

9 **Section 3. Amending Chapter 666 (Duval County Tourist**
10 **Development Plan), Section 666.106 (Tourist Development Tax),**
11 **Section 666.108 (Tourist Development Plan) Ordinance Code.** Chapter
12 666 (Duval County Tourist Development Plan), Section 666.106
13 (Tourist Development Tax), Section 666.108 (Tourist Development
14 Plan) *Ordinance Code*, is hereby amended to read as follows:

15 **CHAPTER 666. DUVAL COUNTY TOURIST DEVELOPMENT PLAN**

16 * * *

17 **Sec. 666.106. - Tourist Development Tax.**

18 (a) *Amount; taxable privileges.* There is hereby levied and
19 imposed throughout the General Services District an "original"
20 tourist development tax at a rate of two percent pursuant to F.S. §
21 125.0104(3)(c), and, commencing on the effective date as provided
22 by law, an (i) "additional" tourist development tax at a rate of
23 one percent pursuant to F.S. § 125.0104(3)(1), and (ii) an
24 "additional" tourist development tax at a rate of one percent
25 pursuant to F.S. § 125.0104(3)(n) of the whole and major fraction
26 of each dollar of the total rental charged every person who rents,
27 leases or lets for consideration any living quarters or
28 accommodations in any hotel, apartment hotel, motel, resort motel,
29 apartment, apartment motel, rooming house, mobile home park,
30 recreational vehicle park, condominium, or timeshare resort for a
31 term of six months or less. When receipt of consideration is by way

1 of property other than money, the tax shall be levied and imposed
2 on the fair market value of such nonmonetary consideration. The tax
3 shall be in addition to any other tax imposed pursuant to F.S. Ch.
4 212 and in addition to all other taxes, fees and consideration for
5 the rental or lease.

6 (b) *Collection; limitations; prohibitions.* The tax shall be
7 charged by the person receiving the consideration for the lease or
8 rental and it shall be collected from the lessee, tenant or
9 customer at the time of payment of the consideration for such lease
10 or rental. The provisions contained in F.S. § 125.0104(3) shall be
11 applicable to persons collecting the tax, except that the tax shall
12 be remitted by the person receiving the tax to the Duval County Tax
13 Collector pursuant to F.S. § 125.0104(10). Such tax shall be
14 administered according to the provisions of F.S. Ch. 212, pt. I.
15 The prohibitions and penalties contained in F.S. § 125.0104(8)
16 shall be applicable.

17 (c) *Administration; recordkeeping; audit; enforcement.* The
18 initial collection of the tax shall be made in the same manner as
19 the tax imposed under F.S. Ch. 212, pt. I. Tax revenues shall be
20 used only in accordance with F.S. § 125.0104. The Tax Collector
21 shall keep appropriate books, records and accounts for the purpose
22 of the collection, administration, and remittance of this tax. The
23 provisions for payment of a dealer's credit, as required by F.S.
24 Ch. 212, pt. I, shall be provided for by the Tax Collector and the
25 payment of such credit is hereby authorized. Pursuant to F.S. §
26 125.0104, three percent of the tax collected shall be used by the
27 City for actual administrative costs incurred. Such three percent
28 for administrative costs shall be allocated within the City as
29 follows: (i) one percent shall be allocated to the Tax Collector,
30 and ~~(ii) two percent shall be allocated to the Tourist Council.~~

1 (d) County and city responsibilities. The County hereby
2 assumes all responsibility for auditing the records and accounts of
3 dealers, and assessing, collecting and enforcing payment of
4 delinquent taxes and penalties. The Director of Finance and
5 Administration of the City of Jacksonville may use any power
6 granted by F.S. § 125.0104 to the State Department of Revenue to
7 determine the amount of tax, penalties, and interest to be paid by
8 each dealer and to enforce payment of such tax, penalties, and
9 interest. The Council Auditor is hereby authorized to audit all
10 such collection and administration transactions.

11 * * *

12 **Sec. 666.108. - Tourist Development Plan.**

13 (a) *Legislative findings; plan adoption.* The City Council
14 finds and declares that the Duval County Tourist Development Plan
15 ("Tourist Development Plan" or "Plan"), consisting of the eight
16 components described in Section 666.108(b) below, will provide for
17 the advancement, generation, growth and promotion of tourism,
18 enhancement of the tourist industry, attraction of conventioners
19 and tourists from within and without the state to the City. The
20 City Council hereby adopts, creates and establishes the Tourist
21 Development Plan which shall be funded by the "original" tourist
22 development tax revenues imposed by Section 666.106, Ordinance
23 Code, and deposited into the Tourist Development Tax Special
24 Revenue Fund pursuant to this Chapter and Section 111.600,
25 Ordinance Code.

26 (b) *Plan components.* The Tourist Development Plan shall
27 consist of the eight components described in Section 666.108(b)(1)–
28 (8). Tax revenues shall only be expended on the services,
29 activities and/or uses described in each component. The Tourist
30 Council shall implement and administer the Plan in strict
31 compliance with the Plan components. The Tourist Council shall not

1 deviate from the Plan components and the services, activities
2 and/or uses described therein in the implementation and
3 administration of the Plan without City Council approval pursuant
4 to a Plan amendment. The eight Plan components are as follows:

5 (1) ~~Tourist Bureau~~ Destination Services. This component
6 shall require the establishment of a tourist bureau, which shall
7 operate and serve as the City's premier expert on tourist
8 attractions, activities and events, accommodations, and restaurants
9 available to tourists who visit the City, which includes Atlantic
10 Beach, Neptune Beach, Jacksonville Beach (collectively, the
11 "Beaches") and the town of Baldwin. Such tourist bureau shall
12 provide the following services:

13 (i) *Visitor Centers*. The establishment, operation
14 and staffing of a visitor kiosk at the Jacksonville Airport, as
15 well as any additional locations as determined and funded by the
16 Tourist Council. ~~at least one visitor center in Downtown~~
17 ~~Jacksonville, and one visitor center in the Atlantic, Neptune and~~
18 ~~Jacksonville Beaches area (individually and collectively, the~~
19 ~~"Visitor Center" or "Visitor Centers"). Each Visitor Center shall~~
20 ~~be open a minimum of 50 hours per week, including both Saturday and~~
21 ~~Sunday for a minimum of five hours each day.~~ The Visitor Centers
22 shall be located so as to maximize visibility and accessibility by
23 tourists and preference shall be given to use of City-owned
24 property for such purpose. ~~Signage on the Interstate directing~~
25 ~~tourists to the Visitor Center shall be pursued and installed.~~
26 ~~Supplemental unstaffed kiosks at strategic tourist attractions~~
27 ~~shall be pursued;~~

28 (ii) *Comprehensive listings*. The establishment of
29 continually updated comprehensive and all-inclusive listings as
30 determined by the Tourist Council, which may include, without
31 limitation, ~~of~~ all public and private museums including library

1 special collections; guided tours; event listings at all City-owned
2 facilities such as the arena, performing arts center, baseball
3 grounds, stadium and other City-owned venues; other events and
4 activities submitted to the website host which are open to the
5 public; golf courses and other sports facilities open to the
6 public; activity rentals (bicycle, kayak, power boats, etc.);
7 charter fishing captains; manufacturing facility tours; links to
8 Jacksonville Parks, Libraries and other public facilities offered
9 within the City of Jacksonville; hotels, motels, bed and breakfasts
10 and other accommodations; restaurants, bars, clubs, and similar
11 food and entertainment establishments; and other similar listings
12 of tourist oriented facilities and activities. Such listings may
13 not show preference to, or otherwise emphasize, any particular
14 event or service provider. This service shall also include a pro-
15 active development of such listings by reaching out to a wide
16 spectrum of community organizations and resources to ascertain the
17 activities, facilities, and events currently available, and such
18 activity shall be an on-going and continuous effort to ascertain
19 all that the City has to offer tourists. ~~While some listings may be~~
20 ~~acquired by the purchase of prepared lists, others will require in-~~
21 ~~house research and creation; and~~

22 (iii) *Assembly of available information.* The
23 assembly or creation of available information ~~on, or creation of as~~
24 determined by the Tourist Council, which may include, without
25 limitation, new running routes/trails; bicycling tour routes;
26 scenic walks; historic walking tours; tourist attraction and
27 activity locations; public docks, boat ramps, non-motorized
28 launches and waterfront facilities accessible to those on the water
29 such as restaurants with docks, etc., and such other maps and
30 guides that identify attributes of the City for which tourists
31 commonly search.

1 (2) *Marketing of existing tourist-oriented facilities,*
2 *attractions, activities and events, located or occurring within the*
3 *City, and identified in Plan component (1) above through*
4 *advertising and marketing campaigns as described below or through*
5 *the marketing of the City ~~pursuant to Marketing Grants~~.* This
6 component shall require the marketing of existing tourist-oriented
7 facilities, attractions, activities and events identified in Plan
8 component (1) above through advertising and marketing campaigns
9 conducted outside the City, regionally, nationally and
10 internationally, which may include, without limitation ~~through~~ the
11 maintenance of a website, publication of an annual visitor
12 magazine, and publication or production of brochures, maps, videos
13 and similar materials for distribution at Visitor Centers and
14 tourist facilities, or through the marketing of the City pursuant
15 to Marketing Grants awarded in accordance with the grant guidelines
16 established by the Tourist Development Council Grant Guidelines
17 ~~approved by City Council~~. Within the overall funding allocation for
18 this component (2), adequate funding shall be set aside annually
19 for subparts (v), (vii), (ix) and (x) to perform the activities in
20 each such subpart of this component. The marketing services to be
21 provided under this component shall include, without limitation,
22 the following advertising, tourist engagement strategies and
23 marketing services:

24 (i) *Name branding.* Branding of Jacksonville as a
25 unique destination focusing on our waterways, beaches, and parks
26 and opportunities for outdoor adventure; the City's extraordinary
27 cultural and historical resources; ~~and~~ the City's passion for
28 sports by showcasing the City's numerous sporting events, ~~and~~
29 teams, and venues for at all levels; ~~culinary destinations,~~ ale
30 trails, and medical tourism capacity ~~may be included in the~~

1 ~~branding but shall not be a primary focus area of the branding~~
2 ~~plan);~~

3 (ii) *Market targeting.* Target geographic markets
4 based on ~~study~~ industry data and past tourist tracking as provided
5 by the Tourist Council before the start of each fiscal year;

6 (iii) Demographic Audience targeting. Target
7 audiences of the destination branding attributes identified in (i)
8 above, with advertising and promotions, also including (a)
9 Jacksonville Jaguars and other professional sports teams' opponents
10 around away game cities and grow out of town visitation for home
11 games, and local leisure tourism by targeting opponent's cities,
12 and (b) audiences based on activities unique to the area and that
13 attract large numbers of tourists (i.e. golf, beaches and
14 watersports, etc.); and

15 (iv) *Targeting direct flight markets.* Coordination
16 with Jacksonville Aviation Authority to advertise in direct flight
17 markets and assist in attraction and retention of direct flight
18 service activities.

19 (v) *Website.* The establishment and maintenance of a
20 continually updated website as the official tourist website for the
21 City. Such website shall contain comprehensive and all-inclusive
22 listings of all existing tourist oriented facilities, attractions,
23 activities and events identified in (1) above. While accommodations
24 and restaurants are recognized as essential to the tourist
25 experience, equal emphasis shall be given to things to do and see
26 in the City. Such listings shall be all-inclusive and may not show
27 preference to, or otherwise emphasize, any particular event or
28 service provider, in exchange for monetary or in-kind support.
29 Listings shall be sortable by business type/special interest
30 category. Individual locations, venues and activities may be
31 featured in specific content articles and itineraries but based on

1 consumer interest ratings, or recognized tourist attraction rating
2 entities. ~~and not on any request or payment by the entity~~
3 ~~advertised.~~ If out of City day trips are promoted through such
4 website, contributions from the jurisdictions in which such
5 facilities are located shall be negotiated and used to offset the
6 expense of publication. In no event shall the primary focus of any
7 local webpage be devoted to out of City activities, venues, or
8 services unless paid for by such jurisdiction;

9 (vi) *Social media sites and digital advertising.*

10 The maintenance of social media sites which shall include links to,
11 excerpts from, and mirror the material contained in the website
12 above. Individual locations, venues, and activities may be featured
13 in specific content articles and itineraries but based on consumer
14 interest ratings, or recognized tourist attraction rating entities
15 and not on any request or payment by the entity advertised. This
16 subpart shall also include online digital advertising to targeted
17 markets of the destination branding attributes identified in (i)
18 above;

19 (vii) *Visitor magazine.* The ~~publication~~ production
20 of an electronic or hard copy Visitor Magazine ~~no less often than~~
21 ~~annually which shall also include the comprehensive listings~~
22 ~~described above~~ at a frequency determined by the Tourist Council.

23 Individual locations, venues, and activities may be featured in
24 specific content articles and itineraries ~~but~~ based on consumer
25 interest ratings, or recognized tourist attraction rating entities
26 and ~~not on any request or payment by the entity advertised~~ not in
27 exchange for monetary or in-kind contributions. If out of City day
28 trips are promoted through such Visitor magazine, contributions
29 from the jurisdictions in which such facilities are located shall
30 be negotiated and used to offset the expense of publication. In no
31 event shall the primary focus of any publication be devoted to out

1 of City activities, venues, or services unless paid for by such
2 jurisdiction;

3 (viii) *Media Relations*. Promotion of the City's
4 tourist related facilities and programs on a state, national and
5 international level to media writers of magazines, newspapers,
6 blogs, websites and other public relations oriented outlets;

7 (ix) *Maps*. The publication of maps on the website
8 and in print may include, without limitation, identifying running
9 routes/trails; bicycling tour routes; scenic walks; historic
10 walking tours; tourist attraction and activity locations; public
11 docks, boat ramps, non-motorized launches and waterfront facilities
12 accessible to those on the water such as restaurants with docks,
13 etc.;

14 (x) *Topic specific brochures, videos, etc.* The
15 publication of other topic specific brochures and videos, such as
16 brochures and videos focused on water related activities and parks
17 and outdoor adventures, area history trails and brochures or other
18 types of businesses if expressly requested by and deemed
19 appropriate by the Tourist Council; and

20 (xi) *Collection of brochures, videos, etc.* The
21 collection and distribution of brochures, videos, and other
22 advertising prepared by existing tourist oriented facilities,
23 attractions, activities, and events at all visitor centers, kiosks,
24 and such other opportunities as may arise.

25 ~~(xii) *Marketing Grants*. Marketing of the City as a~~
26 ~~tourism destination pursuant to Marketing Grants awarded in~~
27 ~~accordance with the Tourist Development Council Grant Guidelines~~
28 ~~approved by the City Council.~~

29 (3) ~~*Promotion of the City as a convention and meeting*~~
30 ~~*site*~~ *Convention/Group Attraction & Services*. This component shall
31 require the promotion and further expansion of the City as a

1 convention and meeting site for tourists. The promotion services to
2 be provided under this component shall include:

3 (i) *Promotion to Tourist Groups.* Promotion and
4 marketing of the City as a convention and meeting destination to
5 meeting planners, trade associations, industry groups, professional
6 associations, etc.;

7 (ii) *Convention market targeting.* Target markets
8 based on study data and past tourist tracking;

9 (iii) *Convention sales activities.* Convention sales
10 activities actively pursuing potential meetings, conferences,
11 conventions and groups and coordinating bookings with conference
12 and convention facilities and accommodations that meet the
13 expressed needs of the group. Preferences for accommodations or
14 facilities shall be based solely on the needs of the client and not
15 as a result of monetary or in-kind exchange ~~In this regard, no~~
16 ~~preference shall be shown to any particular private accommodation~~
17 ~~or facility;~~

18 (iv) *Coordination with City convention center*
19 *manager.* Coordination with the City's convention center manager to
20 assist with fully booking that facility and meeting the
21 accommodation needs of conventions booked at the Convention Center;

22 (v) *Convention service activities.* Convention
23 service activities that support the needs of tourists attending
24 conventions and conferences in the City; and

25 (vi) *Convention grants.* Convention grants payable to
26 or on behalf of convention or conference groups or businesses as
27 incentives for selection of the City as their destination for group
28 or business conventions, conferences, or meetings in accordance
29 with the grant guidelines established by the ~~Tourist Development~~
30 ~~Council Grant Guidelines approved by City Council.~~ Convention
31 grants shall be funded from the Convention Grants Account set forth

1 in Section 111.600(d), Ordinance Code.

2 (4) ~~Development and planning of additional tourist~~
3 ~~facilities and attractions in the City~~ Planning and Research. This
4 component shall require the development and planning of additional
5 tourist facilities and attractions in the City. The services to be
6 provided under this component shall include:

7 (i) *Identification of undeveloped tourist*
8 *attractions*. Identification of potential or undeveloped tourist
9 attractions, (other than a convention center), in the City which
10 will include a study to determine the existence, location, and
11 potential tourist benefit to the City of such attractions, and the
12 beginning of a short range plan to develop such of these
13 attractions as may indicate an economically feasible benefit; and

14 (ii) *Planning*. Development of a strategic plan for
15 the expansion of business at existing tourist accommodations, and
16 expansion of existing developed tourist attractions ~~(attractions~~
17 ~~herein shall not include accommodations or dining, but~~
18 ~~entertainment and recreation venues and opportunities)~~ for
19 coordination of development efforts, advertising and promotion of
20 such facilities.

21 (5) *Special Event grants*. This component shall authorize
22 the Tourist Council to award special event grants in accordance
23 with grant guidelines established by the Tourist ~~Development~~
24 Council ~~Grant Guidelines approved by the~~ without further City
25 Council approval.

26 (6) Development. Acquisition of and improvements to
27 certain publicly owned facilities or certain facilities publicly
28 owned and operated or owned and operated by a not for profit and
29 open to the public. This component shall consist of a development
30 account used to acquire, construct, extend, enlarge, remodel or
31 improve publicly owned convention centers, coliseums (e.g., arena)

1 or auditoriums (e.g., performing arts center), or aquariums or
2 museums that are publicly owned and operated or owned and operated
3 by a not for profit organization. Such ~~aquariums and museums~~
4 facilities owned and operated by a not for profit corporation must
5 be open to the public. Activities and projects funded from this
6 account shall be approved by the City Council.

7 (7) *Contingency for any uses authorized under F.S. §*
8 *125.0104(5)(a)*. This component shall consist of a reserve account
9 used to fund unforeseen opportunities of major significance to
10 tourism in the City. Activities and projects funded from this
11 account may be for any uses authorized under F.S. § 125.0104(5)(a)
12 ~~and shall be approved by the City Council.~~

13 (8) *Promotion of the Jacksonville Equestrian Center*. This
14 component shall require the promotion of the Jacksonville
15 Equestrian Center. The promotion services to be provided under this
16 component shall be awarded through Equestrian Center Grants in
17 accordance with the grant guidelines established by the Tourist
18 ~~Development Council Grant Guidelines approved by Council.~~
19 Equestrian Center grants shall be for:

20 (c) *Funding Allocations for Plan Components*. The Plan
21 components shall be funded with tax revenues. Minimum and maximum
22 funding levels, as applicable, for each Plan component shall be
23 allocated as a percentage of the Tourist Council's
24 anticipated/budgeted tourist development tax revenue ~~over a three~~
25 ~~year period (fiscal years 2016-2017, 2017-2018, and 2018-2019), and~~
26 ~~it is anticipated that the tax revenues, less administrative costs~~
27 ~~pursuant to Section 666.106(c), will be at least \$6,500,000 per~~
28 ~~fiscal year during this period.~~ The funding allocations for each
29 Plan component are provided in Table 1.1 below. ~~Allocations of tax~~
30 ~~revenues in future fiscal years will be made by the City Council by~~
31 ~~means of an amendment to the Plan in the manner prescribed in~~

1 subsection (g) below. In the event that City Council does not amend
 2 the Plan prior to the end of the third fiscal year (2018-2019), the
 3 allocations listed for the third fiscal year in Table 1.1 shall
 4 also be applied to future fiscal years. The Tourist Council shall
 5 adhere to the minimum and maximum funding levels, as applicable,
 6 provided in Table 1.1 in the preparation of its annual budget
 7 submittal to the Mayor.

8 **Table 1.1**
 9 **Funding Allocations for Plan Components**

Plan components by abbreviated reference to Section 666.108 subsections only See Plan component descriptions in Section 666.108 (b) (1)–(8) for full component descriptions	Minimum./Max. Funding Amount FY16-17	Min./Max. Funding Amount FY17-18	Min./Max. Funding Amount FY18-19
(b) (1) Tourist bureau	\$300,000 <u>4%</u>	\$300,000	\$300,000
(b) (2) Marketing (including Marketing Grants)	\$2,250,000 <u>30%</u>	\$2,300,000	\$2,350,000
(b) (3) <u>Convention/Group Attraction Promotion of the City as a convention and meeting site*</u> (see note below) (including Convention Grants)	\$2,000,000 (maximum of \$2,250,000 <u>25%</u>	\$2,000,000 (maximum of \$2,250,000)	\$2,000,000
(b) (4) Development and planning of additional tourist facilities <u>Planning</u>	\$150,000 <u>0%</u>	\$100,000	\$50,000

<u>& Research</u>			
(b) (5) Special event grants	\$800,000 0%	\$800,000	\$800,000
(b) (6) Acquisition of and improvements to certain publicly owned facilities <u>Development</u>	\$500,000 plus any amounts transferred pursuant to Section 666.108(d) 0%	\$500,000 plus any amounts transferred pursuant to Section 666.108(d)	\$500,000 plus any amounts transferred pursuant to Section 666.108(d)
(b) (7) Contingency	\$500,000 0%	\$500,000	\$500,000
(b) (8) Promotion of Equestrian Center	n/a 0.25%	n/a 0.25%	\$20,000

~~*This Plan component (Section 666.108(b)(3)) has a maximum funding level due to the limited nature of the City's existing convention center facility (i.e., Prime Osborn Center) as a tourist meeting site. At such time that the existing facility is improved, or a new facility is constructed, to better accommodate tourist meetings (e.g., substantial increase in meeting space, attached lodging, etc.), the minimum funding level for this component may be increased or the maximum funding level deleted.~~

(d) Separate accounts established.

(1) *Development account.* There shall be a separate development account ("Development Account") established, in addition to the Tourist Development Tax Special Revenue Fund, to receive the annual budgeted allocations, ~~the unspent and unencumbered balances of appropriated funds allocated to the Plan components and subcomponents described in subsections (b)(1), (2)(3)(i)-(v), (4), (5) and (8) above at the end of each fiscal year, and any unallocated funds remaining in the special revenue fund at the end of each fiscal year.~~ The development account shall only be used to fund the Plan component activities described in subsection (b)(6) (i.e., acquisition, construction,

1 extension, enlargement, remodel or improvement of publicly owned
2 convention centers, coliseums (e.g., arena) or auditoriums (e.g.,
3 performing arts center), or aquariums or museums that are publicly
4 owned and operated or owned and operated by a not for profit
5 organization and open to the public). The Development Account shall
6 be created pursuant to Section 111.600, Ordinance Code, and any
7 activities and projects funded from the account shall be approved
8 by City Council.

9 (2) *Contingency Account*. There shall be a separate
10 contingency account ("Contingency Account") established within the
11 Tourist Development Tax Special Revenue Fund to receive the funding
12 allocated to the Plan component described in
13 subsection 666.108(b)(7), as well as the unspent and unencumbered
14 balances of appropriated funds allocated to the Plan components and
15 subcomponents described in subsections (b)(1), (2)(3)(i)-(v), (4), (5)
16 and (6) above at the end of each fiscal year, and any unallocated
17 funds remaining in the special revenue fund at the end of each
18 fiscal year. The Contingency Account is to be used for unforeseen
19 opportunities of major significance to tourism in the City, and any
20 awards funded from this account shall not require further City
21 Council approval. The Contingency Account shall be created pursuant
22 to Section 111.600, Ordinance Code, and any unspent balance in the
23 Contingency Account at the end of each fiscal year shall carry over
24 to the next fiscal year and any activities and projects funded from
25 the account shall be approved by City Council.

26 (3) *Convention Grants Account*. There shall be a separate
27 convention grants account ("Convention Grants Account") established
28 within the Tourist Development Tax Special Revenue Fund to receive
29 the funding allocated to the Plan subcomponent described in
30 subsection 666.108(b)(3)(vi) to be used for convention grant
31 awards. The Convention Grants Account shall be created pursuant

1 to Section 111.600, Ordinance Code, and any convention grant awards
2 funded from this account shall not require further City Council
3 approval. Any unspent balance in the Convention Grants Account at
4 the end of each fiscal year shall carry over to the next fiscal
5 year.

6 (4) *Equestrian Center Grants Account.* There shall be a
7 separate equestrian center grants account ("Equestrian Center
8 Grants Account") established within the Tourist Development Tax
9 Special Revenue Fund to receive the funding allocated to the Plan
10 component described in subsection 666.108(b)(8) to be used for
11 equestrian center grant awards. The Equestrian Center Grants
12 Account shall be created pursuant to Section 111.600, Ordinance
13 Code, and any equestrian center grant award funded from this
14 account shall not require further City Council approval ~~action~~.
15 Any unspent balance in the Equestrian Center Grants Account at the
16 end of each fiscal year shall carry over to the next fiscal year.

17 (e) *Contract providers.* Contract providers of Plan components
18 shall be procured pursuant to Chapter 126, Ordinance Code. Contract
19 providers that are contracted to market and promote the area for
20 tourism or convention business shall be deemed "county destination
21 marketing organizations" as defined in F.S. § 288.923.

22 (f) *Plan Review.* The Tourist Council pursuant to Chapter 70,
23 Ordinance Code, shall conduct a continuing review of the progress
24 of the Plan, the effectiveness of the current allocation of tax
25 revenues and the problems and deficiencies of the Plan in order to
26 make recommendations to the City Council for changes in the Plan,
27 including the addition or deletion of Plan components and changes
28 to the services, activities and/or uses contained therein.

29 (g) *Amendments.* As required by F.S. § 125.0104, the Plan
30 created and established in this Section may not be amended except
31 by an ordinance enacted by an affirmative vote of a majority plus

1 one additional member of the City Council.

2 **Section 4. Repeal of Ordinances 2018-472 and 2019-0152**
3 **(Tourist Development Council Grant Guidelines).** Ordinances 2018-
4 472-E and 2019-0152-E (Tourist Development Council Grant
5 Guidelines) are hereby repealed.

6 **Section 5. Codification Instructions.** The Codifier and
7 the Office of General Counsel are authorized to make all chapter
8 and division "table of contents" consistent with the changes set
9 forth herein. Such editorial changes and any others necessary to
10 make the *Ordinance Code* consistent with the intent of this
11 legislation are approved and directed herein, and changes to the
12 *Ordinance Code* shall be made forthwith and when inconsistencies are
13 discovered with notification to and approval of the Tourist
14 Development Council.

15 **Section 6. Effective Date.** This ordinance shall become
16 effective upon signature by the Mayor or upon becoming effective
17 without the Mayor's signature.

18
19 Form Approved:

20
21 /s/Mary E. Staffopoulos

22 Office of General Counsel

23 Legislation Prepared By: Lawsikia J. Hodges

24 GC-#1369881-v3-Omnibus_TDC_Legislation

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