

1 The Neighborhoods, Community Services, Public Health & Safety
2 Committee offers the following Substitute to File No. 2020-356:

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5 Introduced by Council President at the request of the Duval County
6 Tourist Development Council:

7
8 **ORDINANCE 2020-356**

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

30
31 **BE IT ORDAINED** by the Council of the City of Jacksonville:

1 **Section 1. Amending Chapter 70 (Duval County Tourist**
2 **Development Council), Section 70.102 (Membership; terms), Section**
3 **70.104 (Powers and duties), Section 70.105 (Administration of tourist**
4 **development plan) Ordinance Code.** Chapter 70 (Duval County Tourist
5 Development Council) Section 70.102 (Membership; terms), Section
6 70.104 (Powers and duties), Section 70.105 (Administration of tourist
7 development plan) *Ordinance Code*, is hereby amended to read as
8 follows:

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

10 *** * ***

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

12 (a) The Tourist Council shall be composed of nine members
13 appointed by the City Council in accordance with the following
14 requirements:

15 (1) The City Council President shall be a member ex
16 officio.

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

22 (3) One member shall be a current City Council member, with
23 preference given to a past City Council President or a City Council
24 member with an ~~demonstrated~~ interest and experience in tourism.

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

1 (5) One member shall have experience and background in the
2 commercial airline industry or the Jacksonville Aviation Authority.
3 Such member shall also be involved in the tourist industry and have
4 demonstrated an interest in tourist development.

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

9 (7) All nine members shall be electors of the General
10 Services District.

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

19 (b) All members of the Tourist Council, ~~except the Council~~
20 ~~President,~~ shall serve for staggered terms of four years. All terms
21 of office shall begin on July 1 and members shall serve until their
22 successors have been appointed.

23 * * *

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

25 The Tourist Council shall have the following powers and duties:

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

1 (b) To recommend a method of coordination of existing tourist
2 development efforts by both public and private agencies,
3 organizations and businesses and of new or additional tourist
4 development efforts to obtain maximum economy, efficiency and
5 effectiveness of the tourist development efforts in and for the
6 General Services District-; i

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

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

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

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

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

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

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

1 (j) To implement and administer the Tourist Development Plan
2 provided in Section 666.108, Ordinance Code, and in accordance with
3 Section 70.105, Ordinance Code-;

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

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

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

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

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

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

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

28 * * *

29 **Section 2. Amending Chapter 111 (Special Revenue and Trust**
30 **Accounts) Part 6 (Economic and Community Development), Section**
31 **111.600. (Tourist Development Tax Special Revenue Fund; Development,**

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

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

11 * * *

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

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

16 (a) *Creation.* There is created the *Tourist Development Tax*
17 *Special Revenue Fund*, a permanent special revenue fund of the City,
18 into which shall be paid all moneys received from the Tax Collector
19 as proceeds of the tourist development tax levied by the City Council
20 and approved by the people. The funds in the Tourist Development Tax
21 Special Revenue Fund shall be expended in accordance with the Tourist
22 Development Plan in Section 666.108, Ordinance Code, as approved by
23 the people, and thereafter as may be amended by the City Council. The
24 Director of Finance and Administration is authorized and directed to
25 make disbursements from this fund upon the ~~written~~ requisition of the
26 Executive Director and/or the Chairman of the Duval County Tourist
27 Development Council; provided, that payments of the debt service
28 requirements of any revenue bonds issued pursuant to the Tourist
29 Development Plan shall be made from this fund as required by the
30 revenue bonds. All revenues and funds deposited into this fund shall
31 not lapse to the General Fund.

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

29 (c) *Contingency Account; expenditures.* There is hereby
30 established, in addition to the Tourist Development Tax Special
31 Revenue Fund, a separate contingency account ("Contingency Account")

1 to receive the funding allocations and appropriations to the Tourist
2 Development Plan component described in subsection 666.108(b)(7),
3 Ordinance Code, to be used for unforeseen opportunities of major
4 significance to tourism in the City. ~~Any activities and projects~~
5 ~~funded from the Contingency Account shall be approved by the City~~
6 ~~Council. Any unspent and unencumbered funds in the Contingency Account~~
7 ~~at the end of each fiscal year shall accumulate from year to year.~~
8 All revenues and funds deposited into the Contingency Account shall
9 not lapse to the General Fund.

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

25 (e) Equestrian Center Grants Account; expenditures. There is
26 hereby established, in addition to the Tourist Development Tax Special
27 Revenue Fund, a separate account ("Equestrian Center Grants Account")
28 to receive funding allocations and appropriations to the Tourist
29 Development Plan component for equestrian center grant awards
30 described in 666.108(b)(8), Ordinance Code. Monies in this account
31 shall only be used to award equestrian center grants. Monies and

1 interest appropriated into this account shall be for the purpose set
2 forth herein and shall not lapse to the General Fund at the close of
3 any fiscal year, but instead shall carry over into subsequent fiscal
4 years. Subject to the availability of appropriated funds in this
5 account, the Director of Finance and Administration, or his designee,
6 is authorized and directed to make disbursements from this account
7 upon receipt of the Tourist Development Council Executive Director's
8 ~~written~~ disbursement request.

9 **Sec. 111.601. - Tourist Development Donations and Sponsorships**
10 **Special Revenue Fund.**

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

1 to the availability of funds in the Fund. Each Fund expenditure by
2 the TDC in excess of \$75,000 shall require prior approval by the City
3 Council.

4 **Section 3. Amending Chapter 666 (Duval County Tourist**
5 **Development Plan), Section 666.106 (Tourist Development Tax), Section**
6 **666.108 (Tourist Development Plan) Ordinance Code.** Chapter 666 (Duval
7 County Tourist Development Plan), Section 666.106 (Tourist
8 Development Tax), Section 666.108 (Tourist Development Plan)
9 *Ordinance Code*, is hereby amended to read as follows:

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

11 * * *

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

13 (a) *Amount; taxable privileges.* There is hereby levied and
14 imposed throughout the General Services District an "original"
15 tourist development tax at a rate of two percent pursuant to F.S. §
16 125.0104(3)(c), and, commencing on the effective date as provided by
17 law, an (i) "additional" tourist development tax at a rate of one
18 percent pursuant to F.S. § 125.0104(3)(l), and (ii) an "additional"
19 tourist development tax at a rate of one percent pursuant to F.S. §
20 125.0104(3)(n) of the whole and major fraction of each dollar of the
21 total rental charged every person who rents, leases or lets for
22 consideration any living quarters or accommodations in any hotel,
23 apartment hotel, motel, resort motel, apartment, apartment motel,
24 rooming house, mobile home park, recreational vehicle park,
25 condominium, or timeshare resort for a term of six months or less.
26 When receipt of consideration is by way of property other than money,
27 the tax shall be levied and imposed on the fair market value of such
28 nonmonetary consideration. The tax shall be in addition to any other
29 tax imposed pursuant to F.S. Ch. 212 and in addition to all other
30 taxes, fees and consideration for the rental or lease.

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

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

26 (d) *County and city responsibilities.* The County hereby assumes
27 all responsibility for auditing the records and accounts of dealers,
28 and assessing, collecting and enforcing payment of delinquent taxes
29 and penalties. The Director of Finance and Administration of the City
30 of Jacksonville may use any power granted by F.S. § 125.0104 to the
31 State Department of Revenue to determine the amount of tax, penalties,

1 and interest to be paid by each dealer and to enforce payment of such
2 tax, penalties, and interest. The Council Auditor is hereby authorized
3 to audit all such collection and administration transactions.

4 * * *

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

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

18 (b) *Plan components.* The Tourist Development Plan shall consist
19 of the eight components described in Section 666.108(b)(1)-(8). Tax
20 revenues shall only be expended on the services, activities and/or
21 uses described in each component. The Tourist Council shall implement
22 and administer the Plan in strict compliance with the Plan components.
23 The Tourist Council shall not deviate from the Plan components and
24 the services, activities and/or uses described therein in the
25 implementation and administration of the Plan without City Council
26 approval pursuant to a Plan amendment. The eight Plan components are
27 as follows:

28 (1) ~~*Tourist Bureau*~~ *Destination Services*. This component
29 shall require the establishment of a tourist bureau, which shall
30 operate and serve as the City's premier expert on tourist attractions,
31 activities and events, accommodations, and restaurants available to

1 tourists who visit the City, which includes Atlantic Beach, Neptune
2 Beach, Jacksonville Beach (collectively, the "Beaches") and the town
3 of Baldwin. Such tourist bureau shall provide the following services:

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

18 (ii) *Comprehensive listings*. The establishment of
19 continually updated comprehensive and all-inclusive listings as
20 determined by the Tourist Council, which may include, without
21 limitation, ~~of~~ all public and private museums including library
22 special collections; guided tours; event listings at all City-owned
23 facilities such as the arena, performing arts center, baseball
24 grounds, stadium and other City-owned venues; other events and
25 activities submitted to the website host which are open to the public;
26 golf courses and other sports facilities open to the public; activity
27 rentals (bicycle, kayak, power boats, etc.); charter fishing
28 captains; manufacturing facility tours; links to Jacksonville Parks,
29 Libraries and other public facilities offered within the City of
30 Jacksonville; hotels, motels, bed and breakfasts and other
31 accommodations; restaurants, bars, clubs, and similar food and

1 entertainment establishments; and other similar listings of tourist
2 oriented facilities and activities. Such listings may not show
3 preference to, or otherwise emphasize, any particular event or service
4 provider. This service shall also include a pro-active development
5 of such listings by reaching out to a wide spectrum of community
6 organizations and resources to ascertain the activities, facilities,
7 and events currently available, and such activity shall be an on-
8 going and continuous effort to ascertain all that the City has to
9 offer tourists. ~~While some listings may be acquired by the purchase~~
10 ~~of prepared lists, others will require in-house research and creation;~~
11 and

12 (iii) *Assembly of available information.* The assembly
13 or creation of available information ~~on, or creation of~~ as determined
14 by the Tourist Council, which may include, without limitation, new
15 running routes/trails; bicycling tour routes; scenic walks; historic
16 walking tours; tourist attraction and activity locations; public
17 docks, boat ramps, non-motorized launches and waterfront facilities
18 accessible to those on the water such as restaurants with docks,
19 etc., and such other maps and guides that identify attributes of the
20 City for which tourists commonly search.

21 (2) *Marketing of existing tourist-oriented facilities,*
22 *attractions, activities and events, located or occurring within the*
23 *City, and identified in Plan component (1) above through advertising*
24 *and marketing campaigns as described below or through the marketing*
25 *of the City* ~~*pursuant to Marketing Grants.*~~ This component shall require
26 the marketing of existing tourist-oriented facilities, attractions,
27 activities and events identified in Plan component (1) above through
28 advertising and marketing campaigns conducted outside the City,
29 regionally, nationally and internationally, which may include,
30 without limitation ~~through~~ the maintenance of a website, publication
31 of an annual visitor magazine, and publication or production of

1 brochures, maps, videos and similar materials for distribution at
2 Visitor Centers and tourist facilities, or through the marketing of
3 the City pursuant to Marketing Grants awarded in accordance with the
4 grant guidelines established by the Tourist Development Council Grant
5 Guidelines approved by City Council. Within the overall funding
6 allocation for this component (2), adequate funding shall be set
7 aside annually for subparts (v), (vii), (ix) and (x) to perform the
8 activities in each such subpart of this component. The marketing
9 services to be provided under this component shall include, without
10 limitation, the following advertising, tourist engagement strategies
11 and marketing services:

12 (i) *Name branding*. Branding of Jacksonville as a
13 unique destination focusing on our waterways, beaches, and parks and
14 opportunities for outdoor adventure; the City's extraordinary
15 cultural and historical resources; ~~and~~ the City's passion for sports
16 by showcasing the City's numerous sporting events, ~~and~~ teams, ~~and~~
17 venues for at all levels; ~~(culinary destinations, ale trails, and~~
18 medical tourism capacity may be included in the branding but shall
19 not be a primary focus area of the branding plan);

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

23 (iii) *Demographic Audience targeting*. Target
24 audiences of the destination branding attributes identified in (i)
25 above, with advertising and promotions, also including (a)
26 Jacksonville Jaguars and other professional sports teams' opponents
27 around away game cities and grow out of town visitation for home
28 games, and local leisure tourism by targeting opponent's cities, and
29 (b) audiences based on activities unique to the area and that attract
30 large numbers of tourists (i.e. golf, beaches and watersports, etc.);
31 and

1 (iv) *Targeting direct flight markets.* Coordination
2 with Jacksonville Aviation Authority to advertise in direct flight
3 markets and assist in attraction and retention of direct flight
4 service activities.

5 (v) *Website.* The establishment and maintenance of a
6 continually updated website as the official tourist website for the
7 City. Such website shall contain comprehensive and all-inclusive
8 listings of all existing tourist oriented facilities, attractions,
9 activities and events identified in (1) above. While accommodations
10 and restaurants are recognized as essential to the tourist experience,
11 equal emphasis shall be given to things to do and see in the City.
12 Such listings shall be all-inclusive and may not show preference to,
13 or otherwise emphasize, any particular event or service provider, in
14 exchange for monetary or in-kind support. Listings shall be sortable
15 by business type/special interest category. Individual locations,
16 venues and activities may be featured in specific content articles
17 and itineraries but based on consumer interest ratings, or recognized
18 tourist attraction rating entities. ~~and not on any request or payment~~
19 ~~by the entity advertised.~~ If out of City day trips are promoted
20 through such website, contributions from the jurisdictions in which
21 such facilities are located shall be negotiated and used to offset
22 the expense of publication. In no event shall the primary focus of
23 any local webpage be devoted to out of City activities, venues, or
24 services unless paid for by such jurisdiction;

25 (vi) *Social media sites and digital advertising.* The
26 maintenance of social media sites which shall include links to,
27 excerpts from, and mirror the material contained in the website above.
28 Individual locations, venues, and activities may be featured in
29 specific content articles and itineraries but based on consumer
30 interest ratings, or recognized tourist attraction rating entities
31 and not on any request or payment by the entity advertised. This

1 subpart shall also include online digital advertising to targeted
2 markets of the destination branding attributes identified in (i)
3 above;

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

8 Individual locations, venues, and activities may be featured in
9 specific content articles and itineraries ~~but~~ based on consumer
10 interest ratings, or recognized tourist attraction rating entities
11 ~~and not on any request or payment by the entity advertised~~ not in
12 exchange for monetary or in-kind contributions. If out of City day
13 trips are promoted through such Visitor magazine, contributions from
14 the jurisdictions in which such facilities are located shall be
15 negotiated and used to offset the expense of publication. In no event
16 shall the primary focus of any publication be devoted to out of City
17 activities, venues, or services unless paid for by such jurisdiction;

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

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

28 (x) *Topic specific brochures, videos, etc.* The
29 publication of other topic specific brochures and videos, such as
30 brochures and videos focused on water related activities and parks
31 and outdoor adventures, area history trails and brochures or other

1 types of businesses if expressly requested by and deemed appropriate
2 by the Tourist Council; and

3 (xi) *Collection of brochures, videos, etc.* The
4 collection and distribution of brochures, videos, and other
5 advertising prepared by existing tourist oriented facilities,
6 attractions, activities, and events at all visitor centers, kiosks,
7 and such other opportunities as may arise.

8 ~~(xii) *Marketing Grants.* Marketing of the City as a~~
9 ~~tourism destination pursuant to Marketing Grants awarded in~~
10 ~~accordance with the Tourist Development Council Grant Guidelines~~
11 ~~approved by the City Council.~~

12 (3) ~~*Promotion of the City as a convention and meeting site*~~
13 *Convention/Group Attraction & Services.* This component shall require
14 the promotion and further expansion of the City as a convention and
15 meeting site for tourists. The promotion services to be provided
16 under this component shall include:

17 (i) *Promotion to Tourist Groups.* Promotion and
18 marketing of the City as a convention and meeting destination to
19 meeting planners, trade associations, industry groups, professional
20 associations, etc.;

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

23 (iii) *Convention sales activities.* Convention sales
24 activities actively pursuing potential meetings, conferences,
25 conventions and groups and coordinating bookings with conference and
26 convention facilities and accommodations that meet the expressed
27 needs of the group. Preferences for accommodations or facilities
28 shall be based solely on the needs of the group and not as a result
29 of monetary or in-kind exchange ~~In this regard, no preference shall~~
30 ~~be shown to any particular private accommodation or facility;~~

31 (iv) *Coordination with City convention center*

1 manager. Coordination with the City's convention center manager to
2 assist with fully booking that facility and meeting the accommodation
3 needs of conventions booked at the Convention Center;

4 (v) *Convention service activities.* Convention service
5 activities that support the needs of tourists attending conventions
6 and conferences in the City; and

7 (vi) *Convention grants.* Convention grants payable to
8 or on behalf of convention or conference groups or businesses as
9 incentives for selection of the City as their destination for group
10 or business conventions, conferences, or meetings in accordance with
11 the grant guidelines established by the Tourist ~~Development~~ Council
12 ~~Grant Guidelines approved by City Council~~. Convention grants shall
13 be funded from the Convention Grants Account set forth in Section
14 111.600(d), Ordinance Code.

15 (4) ~~Development and planning of additional tourist~~
16 ~~facilities and attractions in the City~~ Planning and Research. This
17 component shall require the development and planning of additional
18 tourist facilities and attractions in the City. The services to be
19 provided under this component shall include:

20 (i) *Identification of undeveloped tourist*
21 *attractions.* Identification of potential or undeveloped tourist
22 attractions, (other than a convention center), in the City which will
23 include a study to determine the existence, location, and potential
24 tourist benefit to the City of such attractions, and the beginning
25 of a short range plan to develop such of these attractions as may
26 indicate an economically feasible benefit; and

27 (ii) *Planning.* Development of a strategic plan for
28 the expansion of business at existing tourist accommodations, and
29 expansion of existing developed tourist attractions ~~(attractions~~
30 ~~herein shall not include accommodations or dining, but entertainment~~
31 ~~and recreation venues and opportunities)~~ for coordination of

1 development efforts, advertising and promotion of such facilities.

2 (5) *Special Event grants*. This component shall authorize
3 the Tourist Council to award special event grants in accordance with
4 grant guidelines established by the Tourist Development Council Grant
5 Guidelines approved by the without further City Council approval.

6 (6) Development. Acquisition of and improvements to certain
7 publicly owned facilities or certain facilities publicly owned and
8 operated or owned and operated by a not for profit and open to the
9 public. This component shall consist of a development account used
10 to acquire, construct, extend, enlarge, remodel or improve publicly
11 owned convention centers, coliseums (e.g., arena) or auditoriums
12 (e.g., performing arts center), or aquariums or museums that are
13 publicly owned and operated or owned and operated by a not for profit
14 organization. Such ~~aquariums and museums~~ facilities owned and
15 operated by a not for profit corporation must be open to the public.
16 Activities and projects funded from this account shall be approved
17 by the City Council.

18 (7) *Contingency for any uses authorized under F.S. §*
19 *125.0104(5)(a)*. This component shall consist of a reserve account
20 used to fund unforeseen opportunities of major significance to tourism
21 in the City. Activities and projects funded from this account may be
22 for any uses authorized under F.S. § 125.0104(5)(a) ~~and shall be~~
23 ~~approved by the City Council~~.

24 (8) *Promotion of the Jacksonville Equestrian Center*. This
25 component shall require the promotion of the Jacksonville Equestrian
26 Center. The promotion services to be provided under this component
27 shall be awarded through Equestrian Center Grants in accordance with
28 the grant guidelines established by the Tourist Development Council
29 ~~Grant Guidelines approved by Council~~. Equestrian Center grants shall
30 be for:

31 (c) *Funding Allocations for Plan Components*. The Plan components

1 shall be funded with tax revenues. Minimum and maximum funding levels,
 2 as applicable, for each Plan component shall be allocated as a
 3 percentage of the Tourist Council's anticipated/budgeted tourist
 4 development tax revenue over a three year period (fiscal years 2016-
 5 2017, 2017-2018, and 2018-2019), and it is anticipated that the tax
 6 revenues, less administrative costs pursuant to Section 666.106(c),
 7 will be at least \$6,500,000 per fiscal year during this period. The
 8 funding allocations for each Plan component are provided in Table 1.1
 9 below. ~~Allocations of tax revenues in future fiscal years will be~~
 10 ~~made by the City Council by means of an amendment to the Plan in the~~
 11 ~~manner prescribed in subsection (g) below. In the event that City~~
 12 ~~Council does not amend the Plan prior to the end of the third fiscal~~
 13 ~~year (2018-2019), the allocations listed for the third fiscal year~~
 14 ~~in Table 1.1 shall also be applied to future fiscal years.~~ The Tourist
 15 Council shall adhere to the minimum ~~and maximum~~ funding levels, as
 16 applicable, provided in Table 1.1 in the preparation of its annual
 17 budget submittal to the Mayor.

18 **Table 1.1**

19 **Funding Allocations for Plan Components**

20

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) Convention/Group Attraction Promotion of the City as a convention and meeting site* (see note below) (including Convention Grants)	\$2,000,000 (maximum of \$2,250,000) 25%	\$2,000,000 (maximum of \$2,250,000)	\$2,000,000
(b) (4) Development and planning of additional tourist facilities <u>Planning & Research</u>	\$150,000 0%	\$100,000	\$50,000
(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	\$20,000

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

9 (d) Separate accounts established.

10 (1) *Development account.* There shall be a separate
11 development account ("Development Account") established, in addition
12 to the Tourist Development Tax Special Revenue Fund, to receive the

1 annual budgeted allocations, ~~the unspent and unencumbered balances~~
2 ~~of appropriated funds allocated to the Plan components and~~
3 ~~subcomponents described in subsections (b) (1), (2) (3) (i) - (v), (4), (5)~~
4 ~~and (8) above at the end of each fiscal year, and any unallocated~~
5 ~~funds remaining in the special revenue fund at the end of each fiscal~~
6 ~~year.~~ The development account shall only be used to fund the Plan
7 component activities described in subsection (b) (6) (i.e.,
8 acquisition, construction, extension, enlargement, remodel or
9 improvement of publicly owned convention centers, coliseums (e.g.,
10 arena) or auditoriums (e.g., performing arts center), or aquariums
11 or museums that are publicly owned and operated or owned and operated
12 by a not for profit organization and open to the public). The
13 Development Account shall be created pursuant to Section 111.600,
14 Ordinance Code, and any activities and projects funded from the
15 account shall be approved by City Council.

16 (2) *Contingency Account.* There shall be a separate
17 contingency account ("Contingency Account") established within the
18 Tourist Development Tax Special Revenue Fund to receive the funding
19 allocated to the Plan component described in subsection 666.108(b) (7)
20 to be used for unforeseen opportunities of major significance to
21 tourism in the City, and any awards funded from this account shall
22 not require further City Council approval. The Contingency Account
23 shall be created pursuant to Section 111.600, Ordinance Code, ~~and~~
24 ~~any activities and projects funded from the account shall be approved~~
25 ~~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 awards.
31 The Convention Grants Account shall be created pursuant to Section

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

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

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

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

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

1 **Section 4. Repeal of Section 3 of Ordinance 2018-472-E and**
2 **Section 6 of 2019-0152-E (Tourist Development Council Grant**
3 **Guidelines).** Section 3 of Ordinance 2018-472-E and Section 6 of
4 Ordinance 2019-0152-E (Tourist Development Council Grant Guidelines)
5 are hereby repealed.

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

14 **Section 6. 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/ Margaret M. Sidman

21 Office of General Counsel

22 Legislation Prepared By: David M. Migut

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