

1 Introduced by Council President at the request of the Duval County
2 Tourist Development Council and Substituted by the Neighborhoods,
3 Community Services, Public Health & Safety Committee:
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6 **ORDINANCE 2020-356**

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

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

30 **Section 1. Amending Chapter 70 (Duval County Tourist**
31 **Development Council), Section 70.102 (Membership; terms), Section**

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

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

8 * * *

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

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

13 (1) The City Council President shall be a member ex
14 officio.

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

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

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

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

1 demonstrated an interest in tourist development.

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

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

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

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

20 * * *

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

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

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

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

1 effectiveness of the tourist development efforts in and for the
2 General Services District-; i

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

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

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

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

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

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

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

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

30 (k) ~~Award~~ To establish grant guidelines consistent with the
31 Tourist Development Plan without further City Council approval, and

1 to award grants pursuant to such Tourist Council approved grant
2 guidelines ~~the Tourist Development Council Grant Guidelines approved~~
3 ~~in Ordinance 2018-472-E ("Grant Guidelines") and recommend to City~~
4 ~~Council for approval amendments to the Grant Guidelines provided that~~
5 ~~such amendments are consistent with the Tourist Development Plan.;~~

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

9 (m) To authorize during each contract year of a contract term a
10 one-time lump sum advance payment to the City's contracted "county
11 destination marketing organization (DMO)", as defined in F.S. §
12 288.923, of up to ten percent of each year's contract amount,
13 including any renewal terms, to provide necessary start-up funds for
14 the DMO to commence services under the Plan for the contract year;
15 and

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

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

20 The Tourist Council shall be responsible for administration of
21 the Tourist Development Plan prescribed in in Section 666.108,
22 Ordinance Code. Any deviation by the Tourist Council from the
23 services, activities and uses described in the Tourist Development
24 Plan shall require approval by the City Council by way of an amendment
25 to the plan. The Tourist Council shall annually submit a proposed
26 budget to the Mayor, at the time and in the manner specified by the
27 Mayor, and the Mayor shall submit a legislative budget for the Tourist
28 Council as a part of his annual budget proposal. The Tourist Council
29 shall administer the budget approved by the City Council in accordance
30 with the Tourist Development Plan, subject to the provisions of
31 Chapter 106 and Chapter 666, Ordinance Code. The Tourist Council

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

23 * * *

24 **Section 2. Amending Chapter 111 (Special Revenue and Trust**
25 **Accounts) Part 6 (Economic and Community Development), Section**
26 **111.600. (Tourist Development Tax Special Revenue Fund; Development,**
27 **Contingency, Convention Grants and Equestrian Center Grants**
28 **Accounts), Section 111.601. (Tourist Development Donations and**
29 **Sponsorships Special Revenue Fund Ordinance Code. Chapter 111**
30 **(Special Revenue and Trust Accounts) Part 6 (Economic and Community**
31 **Development), Section 111.600. (Tourist Development Tax Special**

1 Revenue Fund; Development, Contingency, Convention Grants and
2 Equestrian Center Grants Accounts), Section 111.601 (Tourist
3 Development Donations and Sponsorships Special Revenue Fund)
4 *Ordinance Code* is hereby amended to read as follows:

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

6 * * *

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

8 **Sec. 111.600. - Tourist Development Tax Special Revenue Fund;**
9 **Development, Contingency, Convention Grants, and Equestrian Center**
10 **Grants Accounts.**

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

27 (b) *Development account; expenditures.* There is hereby
28 established, in addition to the Tourist Development Tax Special
29 Revenue Fund, a separate development account ("Development Account")
30 ~~composed of the balances transferred as required by Section~~
31 ~~666.108(d), Ordinance Code, at the end of each fiscal year together~~

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

24 (c) Contingency Account; expenditures. There is hereby
25 established, in addition to the Tourist Development Tax Special
26 Revenue Fund, a separate contingency account ("Contingency Account")
27 to receive the funding allocations and appropriations to the Tourist
28 Development Plan component described in subsection 666.108(b)(7),
29 Ordinance Code, to be used for unforeseen opportunities of major
30 significance to tourism in the City. ~~Any activities and projects~~
31 ~~funded from the Contingency Account shall be approved by the City~~

1 ~~Council. Any unspent and unencumbered funds in the Contingency Account~~
2 ~~at the end of each fiscal year shall accumulate from year to year.~~
3 All revenues and funds deposited into the Contingency Account shall
4 not lapse to the General Fund.

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

20 (e) Equestrian Center Grants Account; expenditures. There is
21 hereby established, in addition to the Tourist Development Tax Special
22 Revenue Fund, a separate account ("Equestrian Center Grants Account")
23 to receive funding allocations and appropriations to the Tourist
24 Development Plan component for equestrian center grant awards
25 described in 666.108(b)(8), Ordinance Code. Monies in this account
26 shall only be used to award equestrian center grants. Monies and
27 interest appropriated into this account shall be for the purpose set
28 forth herein and shall not lapse to the General Fund at the close of
29 any fiscal year, but instead shall carry over into subsequent fiscal
30 years. Subject to the availability of appropriated funds in this
31 account, the Director of Finance and Administration, or his designee,

1 is authorized and directed to make disbursements from this account
2 upon receipt of the Tourist Development Council Executive Director's
3 ~~written~~ disbursement request.

4 **Sec. 111.601. - Tourist Development Donations and Sponsorships**
5 **Special Revenue Fund.**

6 There is created within the Special Revenue Funds a special
7 revenue fund account to be known as the Tourist Development Donations
8 and Sponsorships Special Revenue Fund ("Fund"), into which shall be
9 deposited all donations, monetary gifts, sponsorship monies, and
10 other non-tourist development tax monies designated for the approved
11 uses in this section. Monies deposited into the Fund shall be used
12 to defray the costs and expenses related to (i) the Tourist
13 Development Plan components described in Section 666.108, Ordinance
14 Code; and (ii) existing and future tourist activities, tourist
15 facilities and tourist attractions in Duval County. Expenditures from
16 the Fund shall not be subject to the Tourist Development Plan
17 requirements set forth in Chapter 666, Ordinance Code. All monies and
18 interest placed into the Fund are hereby appropriated for the purposes
19 of the Fund and such shall not lapse to the General Fund at the close
20 of any fiscal year, but instead shall carry over to the next fiscal
21 year. The Executive Director of the Tourist Development Council shall
22 make expenditure recommendations to the Tourist Development Council
23 ("TDC") for approval. The Director of Finance and Administration, or
24 his designee, is authorized and directed to make disbursements from
25 the Fund upon receipt of the Executive Director's ~~written~~ request and
26 upon approval of such expenditure recommendations by the TDC, subject
27 to the availability of funds in the Fund. Each Fund expenditure by
28 the TDC in excess of \$75,000 shall require prior approval by the City
29 Council.

30 **Section 3. Amending Chapter 666 (Duval County Tourist**
31 **Development Plan), Section 666.106 (Tourist Development Tax), Section**

1 **666.108 (Tourist Development Plan) Ordinance Code.** Chapter 666 (Duval
2 County Tourist Development Plan), Section 666.106 (Tourist
3 Development Tax), Section 666.108 (Tourist Development Plan)
4 *Ordinance Code*, is hereby amended to read as follows:

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

6 * * *

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

8 (a) *Amount; taxable privileges.* There is hereby levied and
9 imposed throughout the General Services District an "original"
10 tourist development tax at a rate of two percent pursuant to F.S. §
11 125.0104(3)(c), and, commencing on the effective date as provided by
12 law, an (i) "additional" tourist development tax at a rate of one
13 percent pursuant to F.S. § 125.0104(3)(l), and (ii) an "additional"
14 tourist development tax at a rate of one percent pursuant to F.S. §
15 125.0104(3)(n) of the whole and major fraction of each dollar of the
16 total rental charged every person who rents, leases or lets for
17 consideration any living quarters or accommodations in any hotel,
18 apartment hotel, motel, resort motel, apartment, apartment motel,
19 rooming house, mobile home park, recreational vehicle park,
20 condominium, or timeshare resort for a term of six months or less.
21 When receipt of consideration is by way of property other than money,
22 the tax shall be levied and imposed on the fair market value of such
23 nonmonetary consideration. The tax shall be in addition to any other
24 tax imposed pursuant to F.S. Ch. 212 and in addition to all other
25 taxes, fees and consideration for the rental or lease.

26 (b) *Collection; limitations; prohibitions.* The tax shall be
27 charged by the person receiving the consideration for the lease or
28 rental and it shall be collected from the lessee, tenant or customer
29 at the time of payment of the consideration for such lease or rental.
30 The provisions contained in F.S. § 125.0104(3) shall be applicable
31 to persons collecting the tax, except that the tax shall be remitted

1 by the person receiving the tax to the Duval County Tax Collector
2 pursuant to F.S. § 125.0104(10). Such tax shall be administered
3 according to the provisions of F.S. Ch. 212, pt. I. The prohibitions
4 and penalties contained in F.S. § 125.0104(8) shall be applicable.

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

20 (d) County and city responsibilities. The County hereby assumes
21 all responsibility for auditing the records and accounts of dealers,
22 and assessing, collecting and enforcing payment of delinquent taxes
23 and penalties. The Director of Finance and Administration of the City
24 of Jacksonville may use any power granted by F.S. § 125.0104 to the
25 State Department of Revenue to determine the amount of tax, penalties,
26 and interest to be paid by each dealer and to enforce payment of such
27 tax, penalties, and interest. The Council Auditor is hereby authorized
28 to audit all such collection and administration transactions.

29 * * *

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

31 (a) *Legislative findings; plan adoption.* The City Council finds

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

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

22 (1) ~~*Tourist Bureau*~~ *Destination Services*. This component
23 shall require the establishment of a tourist bureau, which shall
24 operate and serve as the City's premier expert on tourist attractions,
25 activities and events, accommodations, and restaurants available to
26 tourists who visit the City, which includes Atlantic Beach, Neptune
27 Beach, Jacksonville Beach (collectively, the "Beaches") and the town
28 of Baldwin. Such tourist bureau shall provide the following services:

29 (i) *Visitor Centers.* The establishment, operation and
30 staffing of a visitor kiosk at the Jacksonville Airport, as well as
31 any additional locations as determined and funded by the Tourist

1 ~~Council. at least one visitor center in Downtown Jacksonville, and~~
2 ~~one visitor center in the Atlantic, Neptune and Jacksonville Beaches~~
3 ~~area (individually and collectively, the "Visitor Center" or "Visitor~~
4 ~~Centers"). Each Visitor Center shall be open a minimum of 50 hours~~
5 ~~per week, including both Saturday and Sunday for a minimum of five~~
6 ~~hours each day. The Visitor Centers shall be located so as to maximize~~
7 ~~visibility and accessibility by tourists and preference shall be~~
8 ~~given to use of City-owned property for such purpose. Signage on the~~
9 ~~Interstate directing tourists to the Visitor Center shall be pursued~~
10 ~~and installed. Supplemental unstaffed kiosks at strategic tourist~~
11 ~~attractions shall be pursued;~~

12 (ii) *Comprehensive listings.* The establishment of
13 continually updated comprehensive and all-inclusive listings as
14 determined by the Tourist Council, which may include, without
15 limitation, of all public and private museums including library
16 special collections; guided tours; event listings at all City-owned
17 facilities such as the arena, performing arts center, baseball
18 grounds, stadium and other City-owned venues; other events and
19 activities submitted to the website host which are open to the public;
20 golf courses and other sports facilities open to the public; activity
21 rentals (bicycle, kayak, power boats, etc.); charter fishing
22 captains; manufacturing facility tours; links to Jacksonville Parks,
23 Libraries and other public facilities offered within the City of
24 Jacksonville; hotels, motels, bed and breakfasts and other
25 accommodations; restaurants, bars, clubs, and similar food and
26 entertainment establishments; and other similar listings of tourist
27 oriented facilities and activities. Such listings may not show
28 preference to, or otherwise emphasize, any particular event or service
29 provider. This service shall also include a pro-active development
30 of such listings by reaching out to a wide spectrum of community
31 organizations and resources to ascertain the activities, facilities,

1 and events currently available, and such activity shall be an on-
2 going and continuous effort to ascertain all that the City has to
3 offer tourists. ~~While some listings may be acquired by the purchase~~
4 ~~of prepared lists, others will require in-house research and creation;~~
5 and

6 (iii) *Assembly of available information.* The assembly
7 or creation of available information ~~on, or creation of~~ as determined
8 by the Tourist Council, which may include, without limitation, new
9 running 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., and such other maps and guides that identify attributes of the
14 City for which tourists commonly search.

15 (2) *Marketing of existing tourist-oriented facilities,*
16 *attractions, activities and events, located or occurring within the*
17 *City, and identified in Plan component (1) above through advertising*
18 *and marketing campaigns as described below or through the marketing*
19 *of the City ~~pursuant to Marketing Grants.~~* This component shall require
20 the marketing of existing tourist-oriented facilities, attractions,
21 activities and events identified in Plan component (1) above through
22 advertising and marketing campaigns conducted outside the City,
23 regionally, nationally and internationally, which may include,
24 without limitation ~~through~~ the maintenance of a website, publication
25 of an annual visitor magazine, and publication or production of
26 brochures, maps, videos and similar materials for distribution at
27 Visitor Centers and tourist facilities, or through the marketing of
28 the City pursuant to Marketing Grants awarded in accordance with the
29 grant guidelines established by the Tourist Development Council Grant
30 Guidelines approved by City Council. Within the overall funding
31 allocation for this component (2), adequate funding shall be set

1 aside annually for subparts (v), (vii), (ix) and (x) to perform the
2 activities in each such subpart of this component. The marketing
3 services to be provided under this component shall include, without
4 limitation, the following advertising, tourist engagement strategies
5 and marketing services:

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

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

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

26 (iv) *Targeting direct flight markets.* Coordination
27 with Jacksonville Aviation Authority to advertise in direct flight
28 markets and assist in attraction and retention of direct flight
29 service activities.

30 (v) *Website.* The establishment and maintenance of a
31 continually updated website as the official tourist website for the

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

19 (vi) *Social media sites and digital advertising*. The
20 maintenance of social media sites which shall include links to,
21 excerpts from, and mirror the material contained in the website above.
22 Individual locations, venues, and activities may be featured in
23 specific content articles and itineraries but based on consumer
24 interest ratings, or recognized tourist attraction rating entities
25 and not on any request or payment by the entity advertised. This
26 subpart shall also include online digital advertising to targeted
27 markets of the destination branding attributes identified in (i)
28 above;

29 (vii) *Visitor magazine*. The ~~publication~~ production of
30 an electronic or hard copy Visitor Magazine ~~no less often than~~
31 ~~annually which shall also include the comprehensive listings~~

1 ~~described above~~ at a frequency determined by the Tourist Council.
2 Individual locations, venues, and activities may be featured in
3 specific content articles and itineraries ~~but~~ based on consumer
4 interest ratings, or recognized tourist attraction rating entities
5 and ~~not on any request or payment by the entity advertised~~ not in
6 exchange for monetary or in-kind contributions. If out of City day

7 trips are promoted through such Visitor magazine, contributions from
8 the jurisdictions in which such facilities are located shall be
9 negotiated and used to offset the expense of publication. In no event
10 shall the primary focus of any publication be devoted to out of City
11 activities, venues, or services unless paid for by such jurisdiction;

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

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

22 (x) *Topic specific brochures, videos, etc.* The
23 publication of other topic specific brochures and videos, such as
24 brochures and videos focused on water related activities and parks
25 and outdoor adventures, area history trails and brochures or other
26 types of businesses if expressly requested by and deemed appropriate
27 by the Tourist Council; and

28 (xi) *Collection of brochures, videos, etc.* The
29 collection and distribution of brochures, videos, and other
30 advertising prepared by existing tourist oriented facilities,
31 attractions, activities, and events at all visitor centers, kiosks,

1 and such other opportunities as may arise.

2 ~~(xii) Marketing Grants. Marketing of the City as a~~
3 ~~tourism destination pursuant to Marketing Grants awarded in~~
4 ~~accordance with the Tourist Development Council Grant Guidelines~~
5 ~~approved by the City Council.~~

6 (3) ~~Promotion of the City as a convention and meeting site~~
7 Convention/Group Attraction & Services. This component shall require
8 the promotion and further expansion of the City as a convention and
9 meeting site for tourists. The promotion services to be provided
10 under this component shall include:

11 (i) *Promotion to Tourist Groups*. Promotion and
12 marketing of the City as a convention and meeting destination to
13 meeting planners, trade associations, industry groups, professional
14 associations, etc.;

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

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

25 (iv) *Coordination with City convention center*
26 *manager*. Coordination with the City's convention center manager to
27 assist with fully booking that facility and meeting the accommodation
28 needs of conventions booked at the Convention Center;

29 (v) *Convention service activities*. Convention service
30 activities that support the needs of tourists attending conventions
31 and conferences in the City; and

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

9 (4) ~~Development and planning of additional tourist~~
10 ~~facilities and attractions in the City~~ Planning and Research. This
11 component shall require the development and planning of additional
12 tourist facilities and attractions in the City. The services to be
13 provided under this component shall include:

14 (i) *Identification of undeveloped tourist*
15 *attractions*. Identification of potential or undeveloped tourist
16 attractions, (other than a convention center), in the City which will
17 include a study to determine the existence, location, and potential
18 tourist benefit to the City of such attractions, and the beginning
19 of a short range plan to develop such of these attractions as may
20 indicate an economically feasible benefit; and

21 (ii) *Planning*. Development of a strategic plan for
22 the expansion of business at existing tourist accommodations, and
23 expansion of existing developed tourist attractions ~~(attractions~~
24 ~~herein shall not include accommodations or dining, but entertainment~~
25 ~~and recreation venues and opportunities)~~ for coordination of
26 development efforts, advertising and promotion of such facilities.

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

31 (6) Development. Acquisition of and improvements to certain

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

12 (7) *Contingency for any uses authorized under F.S. §*
13 *125.0104(5)(a)*. This component shall consist of a reserve account
14 used to fund unforeseen opportunities of major significance to tourism
15 in the City. Activities and projects funded from this account may be
16 for any uses authorized under F.S. § 125.0104(5)(a) ~~and shall be~~
17 ~~approved by the City Council.~~

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

25 (c) *Funding Allocations for Plan Components*. The Plan components
26 shall be funded with tax revenues. Minimum and maximum funding levels,
27 as applicable, for each Plan component shall be allocated as a
28 percentage of the Tourist Council's anticipated/budgeted tourist
29 development tax revenue ~~over a three year period (fiscal years 2016-~~
30 ~~2017, 2017-2018, and 2018-2019), and it is anticipated that the tax~~
31 ~~revenues, less administrative costs pursuant to Section 666.106(c),~~

1 ~~will be at least \$6,500,000 per fiscal year during this period.~~ The
 2 funding allocations for each Plan component are provided in Table 1.1
 3 below. ~~Allocations of tax revenues in future fiscal years will be~~
 4 ~~made by the City Council by means of an amendment to the Plan in the~~
 5 ~~manner prescribed in subsection (g) below. In the event that City~~
 6 ~~Council does not amend the Plan prior to the end of the third fiscal~~
 7 ~~year (2018-2019), the allocations listed for the third fiscal year~~
 8 ~~in Table 1.1 shall also be applied to future fiscal years.~~ The Tourist
 9 Council shall adhere to the minimum ~~and maximum~~ funding levels, as
 10 applicable, provided in Table 1.1 in the preparation of its annual
 11 budget submittal to the Mayor.

12 **Table 1.1**

13 **Funding Allocations for Plan Components**

14

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	<u>Minimum./Max. Funding Amount</u> FY16-17	<u>Min./Max. Funding Amount</u> FY17-18	<u>Min./Max. Funding Amount</u> 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)	\$ 2,000,000 (maximum of \$2,250,000) <u>25%</u>	\$2,000,000 (maximum of \$2,250,000)	\$2,000,000

(including Convention Grants)			
(b) (4) Development and planning of additional tourist facilities <u>Planning & Research</u>	\$150,000 <u>0%</u>	\$100,000	\$50,000
(b) (5) <u>Special event grants</u>	\$800,000 <u>0%</u>	\$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) <u>0%</u>	\$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) <u>Contingency</u>	\$500,000 <u>0%</u>	\$500,000	\$500,000
(b) (8) <u>Promotion of Equestrian Center</u>	n/a <u>0.25%</u>	n/a	\$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~~

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

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

22 (3) *Convention Grants Account.* There shall be a separate
23 convention grants account ("Convention Grants Account") established
24 within the Tourist Development Tax Special Revenue Fund to receive
25 the funding allocated to the Plan subcomponent described in
26 subsection 666.108(b)(3)(vi) to be used for convention grant awards.
27 The Convention Grants Account shall be created pursuant to Section
28 111.600, Ordinance Code, and any convention grant awards funded from
29 this account shall not require further City Council approval. Any
30 unspent balance in the Convention Grants Account at the end of each
31 fiscal year shall carry over to the next fiscal year.

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

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

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

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

28 **Section 4. Repeal of Section 3 of Ordinance 2018-472-E and**
29 **Section 6 of 2019-0152-E (Tourist Development Council Grant**
30 **Guidelines).** Section 3 of Ordinance 2018-472-E and Section 6 of
31 Ordinance 2019-0152-E (Tourist Development Council Grant Guidelines)

1 are hereby repealed.

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

10 **Section 6. Effective Date.** This ordinance shall become
11 effective upon signature by the Mayor or upon becoming effective
12 without the Mayor's signature.

13
14 Form Approved:

15
16 /s/ Paige H. Johnston

17 Office of General Counsel

18 Legislation Prepared By: David M. Migut

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