

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2019-395**

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

1 OFFICE TO MAKE TECHNICAL AMENDMENTS; PROVIDING
2 FOR AN ORGANIZATIONAL CHART; PROVIDING AN
3 EFFECTIVE DATE.
4

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

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9 attached hereto as **Exhibit 1**, is hereby repealed and reserved in its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

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

16 **CHAPTER 28. PARKS, RECREATION AND COMMUNITY SERVICES**

17 * * *

18 **PART 2. SPORTS AND ENTERTAINMENT DIVISION**

19 **Sec. 28.201. - Sports and Entertainment; establishment;**
20 **functions.**

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

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

27 (b) The Division shall be responsible for identifying sports
28 and entertainment opportunities, benchmarking and assessment of
29 opportunities, ensuring the development of a program design,
30 relationship management, identification of funding mechanisms to
31 support the events, and the tracking of value created through sports

1 and entertainment opportunities.

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

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

7 **Sec. 28.202. - Division Chief.**

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

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

16 The Division Chief shall have and may exercise the following
17 powers:

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

25 (a) The Sports and Entertainment Division shall be responsible
26 for the operation and maintenance of the facilities (whether directly
27 or through a facility manager retained in accordance with the
28 requirements and limitations of chapter 126), and the Chief
29 Administrative Officer, may, in conjunction with the facilities
30 manager when appropriate, execute fixed dollar amount promotional
31 and/or sponsorship contracts and agreements with sponsors, promoters,

1 exhibitors, performers and other persons for the use of the facility,
2 including agreements with renters of the facility to staff and
3 maintain restroom facilities at the facility through contractual
4 services, volunteers or through a nominal gratuity system, approved
5 by the officer. A nominal gratuity system would allow the City to
6 include parking and/or meals complimentary to the volunteers,
7 pursuant to a budget previously approved by Council. Except for
8 revenue producing events approved by contract, all other use of the
9 facilities shall be reserved to the City.

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

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

19 **Sec. 28.204. - Special Events**

20 The function of the Special Events is housed within Sports and
21 Entertainment Division

22 (a) The Division of Sports and Entertainment shall be
23 responsible for the coordination, planning, and implementation of all
24 Special Events conducted by the City, and implement the provisions of
25 chapter 191 (Special Events), Ordinance Code.

26 (b) The Division of Sports and Entertainment no later than 60
27 days after the last day of an event, shall deliver to the Director of
28 Finance and Administration and the Council Auditor a complete
29 accounting of revenues by source, and expenditures by category and
30 source including, but not limited to, General Fund, Trust Fund, and
31 any other funds.

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

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

11 **CHAPTER 26. ECONOMIC DEVELOPMENT**

12 * * *

13 **PART 2. FUNCTIONS AND ACTIVITIES**

14 **Sec. 26.201. - Economic Development.**

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

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

- (c) Providing support to the Council in its role as the governing body acting as the City's community redevelopment agency under F.S. Pt. III, Ch. 163;
- (d) Providing support to the Council in its role as the City's industrial development authority under F.S. Part III, Chapter 159;
- (e) Managing Cecil Commerce Center;
- (f) Operating the access to capital program as defined in Section 126.602;
- (g) Administering the Northwest Jacksonville Economic Development Fund;
- (h) Operating the Office of Small Business and Entrepreneurship; and
- (i) Operating the Office of International Trade—;
- (j) Operating the Jacksonville Film and Television Office; and
- (k) Provide support to the Mayor's Advisory Commission on Television, Motion Picture and Commercial Production established by Executive Order 99-3.

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

CHAPTER 111. SPECIAL REVENUE AND TRUST ACCOUNT

PART 1. PARKS, RECREATION, CULTURE AND ENTERTAINMENT

* * *

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

- (a) *Special Events Trust Fund.* There is created an account to be known as the Special Events Trust Fund, into which shall be deposited all funds appropriated from time to time by the Council

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

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

10 * * *

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

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

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

28 The Sports and Entertainment ~~Officer~~ Chief, no later than 60 days
29 after the last day of a sports event where Trust Fund money was used,
30 shall deliver to the ~~Financial Services Officer~~ Director of Finance
31 and Administration ~~(a/k/a the Chief Financial Officer)~~, Council

1 Members and the Council Auditor a complete accounting of revenues by
2 source and expenditures by category and source including but not
3 limited to General Fund, Trust Fund and any other funds, on a form
4 agreed to by the Sports and Entertainment ~~Officer~~ Chief, the
5 ~~Financial Services Officer~~ Director of Finance and Administration/~~CFO~~
6 and the Council Auditor.

7 * * *

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

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

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

19 * * *

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

21 **Sec. 20.401. - Director of Strategic Partnerships;**
22 **Establishment; Functions.**

23 There is hereby established a Director of Strategic
24 Partnerships with in the Executive Office of the Mayor. The Director
25 of Strategic Partnerships will operate within the Office of the Mayor
26 under the authority and direction of the Chief Administrative
27 Officer. The Director of Strategic Partnerships will facilitate
28 collaborations and partnerships with the public, private and
29 philanthropic sectors to develop a shared commitment to work
30 together. The Director of Strategic Partnerships will serve as the
31 Mayor's designate to the Mayor's Education Initiative Trust Fund.

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

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

25 **Section 9. Authorizing the Council Auditor's and General**
26 **Counsel's Office to make "Technical Amendments"**. The Council Auditors
27 and the General Counsel's Offices are authorized to take all
28 necessary action in connection with this legislation, to execute the
29 finalization and codification of the legislation to effectuate the
30 purposes of this Ordinance as recommended by the Council Committees
31 and enacted by Council, without further Council action, provided such

1 changes and amendments are limited to "technical amendments" and do
2 not change the fiscal impact and, further provided, that all such
3 amendments shall be subject to appropriate legal review and approval
4 by the General Counsel, or designee, and all other appropriate
5 official action required by law.

6 **Section 10. Organizational Chart.** For informational purposes
7 only for this legislation, an organizational chart is attached hereto
8 as **Exhibit 3.**

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

12

13 Form Approved:

14

15 /s/ *Margaret M. Sidman*

16 Office of General Counsel

17 Legislation prepared by: Margaret M. Sidman

18 GC-#1279948-v5-Ch_28_New_Part_2_-_Sports_and_Entertainment_
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