

1 Introduced by Council President at the request of the Duval County
2 Tourist Development Council and amended by the Neighborhoods,
3 Community Services, Public Health & Safety Committee:
4
5

6 **ORDINANCE 2019-769-E**

7 AN ORDINANCE APPROPRIATING \$40,000.00 FROM THE
8 TOURIST DEVELOPMENT COUNCIL FUND TO FUND
9 EQUESTRIAN CENTER GRANTS AWARDED PURSUANT TO
10 SECTION 666.108(B)(8) UNDER THE TOURIST
11 DEVELOPMENT PLAN SET FORTH IN CHAPTER 666,
12 *ORDINANCE CODE*, TO SEPARATELY ACCOUNT FOR
13 EQUESTRIAN CENTER GRANTS AND ALLOW GRANT
14 FUNDING TO CARRYOVER EACH YEAR; PURPOSE;
15 INVOKING THE EXCEPTION OF 126.107(G)
16 (EXEMPTIONS), CHAPTER 126 (PROCUREMENT CODE),
17 *ORDINANCE CODE*, TO ALLOW THE DESIGNATED
18 CONVENTION SALES AND SERVICES CONTRACTOR TO
19 AWARD CONVENTION GRANTS AND THE EQUESTRIAN
20 CENTER FACILITY MANAGER TO AWARD EQUESTRIAN
21 CENTER GRANTS; AMENDING SECTION 111.600
22 (TOURIST DEVELOPMENT TAX SPECIAL REVENUE FUND;
23 DEVELOPMENT, CONTINGENCY AND CONVENTION GRANTS
24 ACCOUNT), PART 6 (ECONOMIC AND COMMUNITY
25 DEVELOPMENT), CHAPTER 111 (SPECIAL REVENUE AND
26 TRUST ACCOUNTS), *ORDINANCE CODE*; AMENDING
27 SECTION 666.108 (TOURIST DEVELOPMENT PLAN),
28 CHAPTER 666 (DUVAL COUNTY TOURIST DEVELOPMENT
29 PLAN), *ORDINANCE CODE*; AMENDING THE TOURIST
30 DEVELOPMENT COUNCIL GRANT GUIDELINES;
31 PROVIDING FOR CODIFICATION INSTRUCTIONS;

1 PROVIDING AN EFFECTIVE DATE.

2
3 **WHEREAS**, the Duval County Tourist Development Council (the
4 "Tourist Development Council" or "TDC"), pursuant to Chapter 70,
5 *Ordinance Code*, administers the Tourist Development Plan set forth in
6 Chapter 666, *Ordinance Code*; and

7 **WHEREAS**, the Tourist Development Council pursuant to Section
8 70.104(e) and Section 70.104(k), *Ordinance Code*, may recommend changes
9 to the City Council regarding the Tourist Development Plan and the
10 Tourist Development Council Grant Guidelines approved in Ordinance
11 2018-472-E, and amended by Ordinance 2019-152-E (the "Grant
12 Guidelines"); and

13 **WHEREAS**, the Tourist Development Council at its regular meeting
14 on September 26, 2019 recommended changes to the Tourist Development
15 Plan and Grant Guidelines as set forth in the Tourist Development
16 Council meeting minutes, a copy of which is attached hereto as **Exhibit**
17 **1**; and

18 **WHEREAS**, the Tourist Development Council requests the City
19 Council to approve this ordinance and the proposed changes to the
20 Tourist Development Plan and the Grant Guidelines contemplated
21 herein; now therefore

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

23 **Section 1. Recitals.** The recitals set forth above are
24 true and correct and incorporated herein by reference.

25 **Section 2. Appropriation.** For the 2019-2020 fiscal year,
26 within the City's budget, there are hereby appropriated the
27 indicated sum(s) from the account(s) listed in subsection (a) to
28 the account(s) listed in subsection (b):

29 (The account information is attached hereto as **Revised Exhibit 2**,
30 labeled as "Revised Exhibit 2, Rev Acct Info, November 18, 2019 -
31 NCSPHS" and incorporated herein by this reference)

1 (a) Appropriated from:

2 See attached **Revised Exhibit 2** \$40,000.00

3 (b) Appropriated to:

4 See attached **Revised Exhibit 2** \$40,000.00

5 (c) **Explanation of Appropriation.** This ordinance appropriates
6 \$40,000.00 from the Tourist Development Council Fund to
7 separately account for equestrian center grants awarded
8 under Section 666.108(b)(8), *Ordinance Code*.

9 **Section 3. Purpose.** The purpose of the appropriation
10 above is to provide funding for Tourist Development Council
11 equestrian center grants awarded under Section 666.108(b)(8),
12 *Ordinance Code* and allow grant funding to carryover to maximize the
13 dollars available for equestrian center grants rather than having
14 those funds lapse at fiscal year-end.

15 **Section 4. Invoking the exception to Sec. 126.107(g),**
16 **Ordinance Code.** The City is hereby authorized to procure the use
17 of the professional services of the designated Convention Sales and
18 Services Contractor (as defined in the Tourist Development Council
19 Grant Guidelines) to award convention grants and the Equestrian
20 Center Facility Manager (as defined in the Tourist Development
21 Council Grant Guidelines) to award equestrian center grants.
22 Pursuant to Section 126.107(g) (Exemptions), Part 1 (General
23 Regulations), Chapter 126 (Procurement Code), *Ordinance Code*, such
24 procurement is exempted from competitive solicitation because the
25 supplies or services are to be provided by those specifically
26 prescribed within authorizing legislation that appropriates the
27 same. With the exception of the foregoing, all other provisions of
28 Chapter 126, *Ordinance Code*, shall remain in full force and effect.

29 **Section 5. Amending Section 111.600 (Tourist Development**
30 **Tax Special Revenue Fund; Development, Contingency, and Convention**
31 **Grants Account), Part 6 (Economic and Community Development),**

Chapter 111 (Special Revenue and Trust Accounts), Ordinance Code.

Section 111.600 (Tourist Development Tax Special Revenue Fund; Development, Contingency and Convention Grants Account), Part 6 (Economic and Community Development), Chapter 111 (Special Revenue and Trust Accounts), *Ordinance Code*, is hereby amended to read as follows:

CHAPTER 111 SPECIAL REVENUE AND TRUST ACCOUNTS

* * *

PART 6 (ECONOMIC AND COMMUNITY DEVELOPMENT)

* * *

Sec. 111.600. - (Tourist Development Tax Special Revenue Fund; Development, Contingency, and Convention Grants, and Equestrian Center Grants Accounts).

* * *

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

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

17 * * *

18 **Section 6. Amending Section 666.108 (Tourist Development**
 19 **Plan), Chapter 666 (Duval County Tourist Development Plan),**
 20 **Ordinance Code.** Section 666.108 (Tourist Development Plan),
 21 Chapter 666 (Duval County Tourist Development Plan), *Ordinance*
 22 *Code*, is hereby amended to read as follows:

23 **CHAPTER 666 DUVAL COUNTY TOURIST DEVELOPMENT PLAN**

24 * * *

25 **Sec. 666.108 - Tourist development plan.**

26 * * *

27 (d) *Separate accounts established.*

28 * * *

29 (4) Equestrian Center Grants Account. There shall be a
 30 separate equestrian center grants account ("Equestrian Center
 31 Grants Account") established within the Tourist Development

1 Tax Special Revenue Fund to receive the funding allocated to
2 the Plan component described in subsection 666.108(b)(8) to
3 be used for equestrian center grant awards. The Equestrian
4 Center Grants Account shall be created pursuant to Section
5 111.600, Ordinance Code, and any equestrian center grant
6 award funded from this account shall not require further City
7 Council.

8 * * *

9 **Section 7. Amending the Tourist Development Council Grant**
10 **Guidelines.** The Grant Guidelines are hereby amended as provided in
11 **Revised Exhibit 3,** Rev Grant Guidelines, November 18, 2019 -
12 NCSPHS" attached hereto. Unless otherwise provided in this
13 ordinance, any additional amendments to the Grant Guidelines shall
14 require approval by the City Council.

15 **Section 8. Codification Instructions.** The Codifier and
16 the Office of General Counsel are authorized to make all chapter
17 and division "tables of contents" consistent with the changes set
18 forth herein. Such editorial changes and any others necessary to
19 make the *Ordinance Code* consistent with the intent of this
20 legislation are approved and directed herein, and changes to the
21 *Ordinance Code* shall be made forthwith and when inconsistencies are
22 discovered.

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

26 Form Approved:

27
28 /s/ Margaret M. Sidman

29 Office of General Counsel

30 Legislation Prepared By: Lawsikia J. Hodges