

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

3
4 **ORDINANCE 2020-251**

5 AN ORDINANCE APPROPRIATING \$785,000 FROM
6 RESERVES ACCOUNT FOR THE PERFORMING ARTS
7 CENTER-DOWNTOWN VISITOR CENTER CIP PROJECT TO
8 DUVAL COUNTY TOURIST DEVELOPMENT COUNCIL
9 ("TDC") OPERATIONS ACCOUNT; PURPOSE; AMENDING
10 THE TDC FISCAL YEAR 2019-2020 BUDGET (REVISED
11 SCHEDULE W) APPROVED BY ORDINANCE 2019-504-E
12 (CITY'S ANNUAL BUDGET), TO PROVIDE FUNDING FOR
13 TDC OPERATIONS TO OFFSET THE ANTICIPATED
14 LOSSES IN TOURIST DEVELOPMENT TAXES DUE TO
15 COVID-19; AMENDING THE 2020-2024 FIVE-YEAR
16 CAPITAL IMPROVEMENT PROGRAM APPROVED BY
17 ORDINANCE 2019-505-E TO REDUCE FUNDING FOR THE
18 "PERFORMING ARTS CENTER-DOWNTOWN VISITOR
19 CENTER" CIP PROJECT; PROVIDING FOR WAIVER OF
20 CHAPTER 666 (DUVAL COUNTY TOURIST DEVELOPMENT
21 PLAN), SECTION 666.108(D)(1) (DEVELOPMENT
22 ACCOUNT), ORDINANCE CODE, TO ALLOW FOR ANY
23 UNALLOCATED FUNDS REMAINING FROM THE \$785,000
24 APPROPRIATED HEREIN TO TRANSFER AT THE END OF
25 THE 2019-2020 FISCAL YEAR TO THE TDC
26 CONTINGENCY ACCOUNT; PROVIDING A TDC
27 RECOMMENDATION REGARDING THE DOWNTOWN VISITOR
28 CENTER LOCATION PURSUANT TO ORDINANCE 2019-
29 854-E; PROVIDING FOR OVERSIGHT BY THE TDC;
30 PROVIDING AN EFFECTIVE DATE.

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

5 **WHEREAS**, the TDC chairman at its January 23, 2020, regular
6 meeting appointed a Tourist Bureau Committee to make
7 recommendations regarding the downtown visitor center as required
8 in Ordinance 2019-854-E;

9 **WHEREAS**, the TDC called an emergency meeting on April 17,
10 2020, to discuss among other things the Tourist Bureau Committee's
11 downtown visitor center recommendations and the impacts of COVID-19
12 on existing TDC contracts and the Duval county tourism industry in
13 general; and

14 **WHEREAS**, after extensive discussions, the TDC at its emergency
15 meeting on April 17, 2020, unanimously voted to (1) transfer \$785,000
16 from the reserves account for the Times Union Performing Arts-Downtown
17 Visitor Center project to the TDC operations account to offset
18 anticipated losses in tourist development tax revenues; and (2)
19 authorize Visit Jacksonville to pursue lease negotiations to relocate
20 the existing downtown visitor center to a site other than the Times
21 Union Performing Arts Center, including, but not limited to, the 100
22 N. Laura Street (Center State Bank Building) site and other potential
23 lease site locations downtown; now therefore

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

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

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

31 (The account information is attached hereto as **Exhibit 1** and

1 incorporated herein by this reference)

2 (a) Appropriated from:

3 See attached **Exhibit 1** \$785,000.00

4 (b) Appropriated to:

5 See attached **Exhibit 1** \$785,000.00

6 (c) **Explanation of Appropriation.** This ordinance appropriates
7 \$785,000.00 from "Reserves" for the Performing Arts-
8 Downtown Visitor Center Project to Trust Fund Authorized
9 Expenditures in the Tourist Development Council
10 Operations Account.

11 **Section 3. Purpose.** The purpose of the appropriation
12 above is to transfer funding originally appropriated for a new
13 downtown visitor center to be located at the Times Union Performing
14 Arts Center to Tourist Development Council operations to help
15 offset the anticipated losses in tourist development taxes due to
16 COVID-19.

17 **Section 4. Amending the TDC Fiscal Year 2019-2020 Budget**
18 **(Revised Schedule W) approved by Ordinance 2019-504-E (City's**
19 **Annual Budget).** There is hereby amended the Fiscal Year 2019-2020
20 budget for the Tourist Development Council by replacing Revised
21 Schedule W, approved by Ordinance 2019-504-E (City's annual
22 budget), with the Second Revised Schedule W attached hereto as
23 **Exhibit 2** and incorporated herein by this reference, to provide
24 funding to help offset the anticipated losses in tourist
25 development taxes due to COVID-19.

26 **Section 5. Amendment to Capital Improvement Program.**
27 Ordinance 2019-505-E, being the 2020-2024 Five-Year Capital
28 Improvement Program for the City and certain of its independent
29 agencies, is hereby amended to reduce the project funding for the
30 project entitled "Performing Arts Center - Downtown Visitor
31 Center". The amended project description is more fully described in

1 the Project Information Sheet, attached hereto as **Exhibit 3**. The
2 Council finds that the deferral of this amendment of the CIP until
3 the next annual budget and CIP review will be detrimental to the
4 best interests of the community because the TDC no longer desires
5 to have a downtown visitor center at the Performing Arts Center and
6 needs the CIP funding allocated to "Performing Arts Center -
7 Downtown Visitor Center" project to assist with offsetting the
8 anticipated losses in tourist development taxes for fiscal year
9 2019-2020 due to COVID-19. Pursuant to Section 122.605(c),
10 *Ordinance Code*, enactment of this ordinance requires the
11 affirmative vote of two-thirds of the Council members present at
12 the meeting because of the CIP amendment set forth in this section.
13 This ordinance shall constitute an amendment to Ordinance 2019-505-
14 E. In all other respects, the Five-Year Capital Improvement
15 Program approved by Ordinance 2019-505-E shall continue in full
16 force and effect.

17 **Section 6. Waiver of the provisions in Chapter 666 (Duval**
18 **County Tourist Development Plan), Section 666.108(d)(1) (Development**
19 **Account), Ordinance Code.** The City hereby waives the provisions in
20 Chapter 666 (Duval County Tourist Development Plan), Section
21 666.108(d)(1) (Development Account), *Ordinance Code*, with respect to
22 the transfer of unallocated funds to the Development Account. The
23 waiver is needed in order to allow any funds from the \$785,000
24 appropriated herein not used to offset anticipated losses in
25 tourist development tax revenue to be transferred at the end of the
26 2019-2020 fiscal year to the Tourist Development Council
27 Contingency Account, which the TDC believes is the more appropriate
28 TDC account during COVID-19 for unallocated funds to be
29 transferred. Pursuant to Section 666.108(g), *Ordinance Code*,
30 enactment of this ordinance requires the affirmative vote of a
31 majority plus one additional member of the City Council.

1 **Section 7. Downtown Visitor Center Recommendation.** The
2 City hereby approves the TDC's recommendation to not move forward
3 with constructing a new downtown visitor center at the Times Union
4 Performing Arts Center and to pursue a downtown visitor center
5 lease at another site downtown.

6 **Section 8. Oversight.** The TDC shall oversee the funds
7 appropriated herein.

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

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14 Form Approved:

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16 /s/ Lawsikia J. Hodges

17 Office of General Counsel

18 Legislation Prepared By: Lawsikia J. Hodges

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