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Public Hearing

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MEMORANDUM

TO: Mayor Jerry Demings
and
County Commissioners

FROM: Jeffrey J. Newton, County Attorney
Lila I. McHenry, Senior Assistant County Attorney
Contact: (407) 836-7320

DATE: October 7, 2019

RE: **Public Hearing for Board Meeting on October 22, 2019**
before the Board of County Commissioners to Consider an Ordinance
Pertaining to Taxation in Orange County, Florida; Amending Article IV
of Chapter 25 of the Orange County Code Section 25-140, Tourist
Development Plan; Providing for an Effective Date.

I. EXPLANATION & SUMMARY:

The Tourist Development Plan, Article IV of Chapter of the Orange County Code, (the "Plan") was enacted in 1978 and has been amended and added to more than 30 times. As a result, the Plan currently contains numerous outdated priorities which were completed or expired many years ago. The attached ordinance consolidates Plan priorities for tourism promotion and deletes the many outdated provisions.

The proposed update to the Plan was presented to the Tourist Development Council ("TDC") on September 20, 2019 and the TDC unanimously recommended approval. The consolidated Plan authorizes tourism promotion funding for Visit Orlando of up to 30% of total TDT revenues and streamlines the Plan down from twenty-nine different priorities to eleven. In addition to the Visit Orlando revisions, the attached ordinance also includes \$2 million annual increases for both United Arts and Sports Incentive funding. The Tourism Promotion Agreement containing the terms and conditions for Visit Orlando's funding as well as the United Arts agreements are being submitted to the Board for consideration during the October 22, 2019 meeting under separate memos.

If you have any questions, please do not hesitate to contact Fred Winterkamp, me or Lila McHenry.

October 7, 2019
Re: Public Hearing (October 22, 2019)
TDT Plan Amendment
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II. ACTION REQUESTED:

**APPROVAL OF AN ORDINANCE
PERTAINING TO TAXATION IN ORANGE
COUNTY, FLORIDA; AMENDING SECTION
25-140 OF THE ORANGE COUNTY CODE
("THE TOURIST DEVELOPMENT PLAN") TO
CONSOLIDATE, RESTRUCTURE AND
UPDATE PRIORITIES UNDER THE PLAN;
AND PROVIDING FOR AN EFFECTIVE DATE.**

LIM/eh
Attachment

c: Byron Brooks, County Administrator
Randy Singh, Deputy County Administrator
Fred Winterkamp, Manager, Fiscal and Business Services Division
Stephanie Taub, Assistant Manager, Fiscal and Business Services Division

ORDINANCE NO. 2019-_____

2 AN ORDINANCE PERTAINING TO TAXATION IN ORANGE
4 COUNTY, FLORIDA; AMENDING SECTION 25-140 OF THE
6 ORANGE COUNTY CODE (“THE TOURIST DEVELOPMENT
8 PLAN”) TO CONSOLIDATE, RESTRUCTURE AND UPDATE
PRIORITIES UNDER THE PLAN; AND PROVIDING FOR AN
EFFECTIVE DATE.

10 WHEREAS, since 1983, the Board of County Commissioners of Orange County, Florida
12 (the “Board”) has contracted with the Orlando/Orange County Convention and Visitors Bureau, Inc.,
14 currently doing business as Visit Orlando (“Visit Orlando”) pursuant various provisions of Section
25-140 of the Orange County Code, known as the Tourist Development Plan (the “Plan”); and

16 WHEREAS, the Board now desires to continue its funding to Visit Orlando under the Plan
and to consolidate, restructure and update its funding priorities under the Plan.

18 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
ORANGE COUNTY:

20 *Section 1.* Chapter 25, Article IV, Section 25-140 of the Orange County Code, is hereby
amended, with such amendments being indicated below in Section 2 with the new text being
22 underlined and the deleted text being ~~struck through~~.

24 *Section 2.* The Orange County Tourist Development Plan set forth in Section 25-140 of
the Orange County Code is hereby amended to read as follows:

26 **Sec. 25-140. Tourist development plan.**

28 (1) *Initial priority.* The initial priority for the use of the revenues derived
from the tourist development tax is as follows: a. ——— payment of priority expenses
of operations, maintenance and promotion of the convention center in each fiscal year
30 in an amount up to four hundred thousand dollars (\$400,000.00) or, if higher, one and
seventy-four hundredths (1.74) percent of the proceeds of the tourist development tax
32 received by or on behalf of the county during the preceding fiscal year, such amount
having been found by the Board of county commissioner to be sufficient, together
34 with available gross operating revenues of the convention center, so that no funding
from other sources will be required. From time to time, the four hundred thousand
36 dollars (\$400,000.00) and the one and seventy-four hundredths (1.74) percent may be
adjusted to an amount and a rate determined by the Board of county commissioners
38 to reflect the correct anticipated priority expenses of operation, maintenance and
promotion of the expanded convention center prior to the issuance of any bonds or

40 other obligations to pay for such expansion. The convention center will be
42 constructed and expanded in phases as funds become available from the tourist
development tax or from the proceeds of revenue bonds issued in anticipation thereof.

44 ~~b. Construction and expansion of a convention center of approximately~~
46 ~~seven hundred seventy one thousand (771,000) square feet plus appurtenant facilities~~
48 ~~and improvements, designed to accommodate large conventions and multi-purpose~~
50 ~~community activities, and designed to be expanded in the future. The first part of the~~
52 ~~initial phase of construction consisted of approximately one hundred fifty thousand~~
~~(150,000) square feet of exhibit space plus appurtenant facilities and improvements,~~
~~and cost approximately fifty five million dollars (\$55,000,000.00), plus interest.~~
~~Subsequent construction in Phase II increased the convention center to approximately~~
~~three hundred fifty thousand (350,000) square feet of exhibit space, at a cost of~~
~~approximately seventy six million dollars (\$76,000,000.00).~~

54 ~~c. Payment of other operation, maintenance and promotion expenses of the~~
~~convention center, up to three million dollars (\$3,000,000.00) annually.~~

56 ~~(2) — Second priority. The second priority of the plan was the construction~~
~~of the Orlando Arena. Of the total cost of the arena, approximately fifty million~~
58 ~~dollars (\$50,000,000.00) was paid from tourist development tax revenues or bonds~~
~~secured thereby.~~

60 ~~(32) Third Second priority. For The third second priority of the plan, tourist~~
~~development tax revenues shall be used for payment of debt service on bonds secured~~
62 ~~under and compliance with that certain Second Amended and Restated Indenture of~~
~~Trust dated as of July 15, 2000, as amended or supplemented from time to time,~~
64 ~~including but not limited to the Fifteenth Supplemental Indenture of Trust to Second~~
~~Amended and Restated Indenture of Trust, dated as of July 1, 2017 between the~~
66 ~~County and U.S. Bank National Association, successor in interest to certain other~~
~~banking institutions, as Trustee (collectively, the "Indenture").~~ ~~construction and~~
68 ~~expansion of the convention center (including payment of debt service and~~
~~compliance with indentures securing bonds relating to the financing thereof)~~
70 ~~ultimately to a size of approximately three million (3,000,000) square feet plus~~
~~appurtenant structures, facilities and improvements designed to accommodate large~~
72 ~~conventions and multi-purpose community activities, as set forth in the following~~
~~phases of construction:~~

74 ~~a. — Phase IIa consisted of approximately ninety thousand (90,000)~~
~~gross square footage of concourse space connecting the front portion of the Phase II~~
76 ~~lobby with Phase I. Phase IIa included a concourse and registration area, enclosure of~~
~~the Vietnam memorial courtyard, increased the number of available restrooms,~~
78 ~~expansion of the covered passenger arrival area, creation of a new box office area,~~
~~and added additional office space. Most of the items included in Phase IIa were~~
~~originally identified in the master plan study of June 1984.~~

80 ~~b. — Phases III and IV of construction consisted of an expansion~~
~~which included approximately seven hundred fifty thousand (750,000) square feet of~~
82 ~~exhibit space for the convention center plus additional square footage for appurtenant~~

84 ~~facilities which included meeting rooms, registration areas, concourse space, food~~
86 ~~preparation and serving areas, work and storage areas, plus facilities for parking. At~~
~~completion of Phases III and IV, the convention center consists of approximately one~~
~~million, one hundred thousand (1,100,000) square feet of exhibit space plus~~
~~appurtenant facilities and improvements.~~

88 ~~c. Phase V of construction consists of an expansion to include land~~
~~acquisition and design, permitting and construction of approximately one million~~
90 ~~(1,000,000) square feet of additional exhibit space for the convention center and~~
~~additional square footage for appurtenant facilities to include meeting rooms and~~
92 ~~registration areas, plus facilities for parking and public infrastructure to support the~~
~~expansion. Phase V shall also include provision, through construction or acquisition~~
94 ~~by purchase or lease purchase or otherwise, for adequate transportation facilities and~~
~~improvements to support the convention center and activities at the convention~~
96 ~~center, including but not limited to the acquisition of land and improvements for~~
~~parking, access roads or other transportation related purposes. Upon completion of~~
98 ~~Phase V, the convention center will consist of approximately two million, one~~
~~hundred thousand (2,100,000) square feet of exhibit space plus appurtenant facilities~~
100 ~~and improvements.~~

102 ~~d. Phase VI of construction consists of an expansion to include land~~
~~acquisition and design, permitting and construction of approximately one million~~
104 ~~(1,000,000) square feet of additional exhibit space for the convention center and~~
~~additional square footage for appurtenant facilities to include meeting rooms and~~
106 ~~registration areas, plus facilities for parking and public infrastructure to support the~~
~~expansion. Phase VI shall also include provision, through construction or acquisition~~
108 ~~by purchase or lease purchase or otherwise, for adequate transportation facilities and~~
~~improvements to support the convention center and activities at the convention~~
110 ~~center, including but not limited to the acquisition of land and improvements for~~
~~parking, access roads or other transportation related purposes. Upon completion of~~
112 ~~Phase VI, the convention center will consist of approximately three million, one~~
~~hundred thousand (3,100,000) square feet of exhibit space plus appurtenant facilities~~
~~and improvements.~~

114 ~~e. The county may elect to incur eighteen million dollars~~
~~(\$18,000,000.00) in expenses for transportation improvements and related~~
116 ~~renovations for Phases I through IV, and may elect to incur fifty three million dollars~~
~~(\$53,000,000.00) (in 1997 dollars) for capital expenditures, to be paid as debt or~~
118 ~~service contract payments, to provide convention center patrons with transportation~~
~~services between the convention center and its parking facilities.~~

120 ~~(43) *Fourth Third priority.* The fourth third priority of the plan is to~~
~~provide additional funding for the payment of other expenses of operation,~~
122 ~~maintenance and promotion of the convention center in an amount equal to six~~
~~million dollars (\$6,000,000.00) for fiscal year 2002/03 and in an amount equal to~~
124 ~~seven million dollars (\$7,000,000.00) for each year thereafter. from legally available~~
~~unallocated prior or current year revenues as approved during the county budgetary~~
126 ~~process for expenses of operation, maintenance, necessary capital improvements and~~

128 renovations to, and promotion of, the convention center, including adequate
130 transportation facilities and improvements to support the convention center and
activities therein, including but not limited to parking, access roads and other
transportation related purposes.

132 (54) ~~*Fifth-Fourth*~~ *Priority*. The ~~fifth~~ fourth priority of the plan is to
134 provide, subject to the terms and limitations of a tourism promotion agreement
approved by the Board, to the Orlando/Orange County Convention and Visitors
136 Bureau, Inc. (doing business as "Visit Orlando"), an amount of revenues collected
under Section 25-136 of the Orange County Code ("Code") which, when added to
138 50% of the tax collected under Section 25-136.2 of the Code, equals up to 30% of
total tax collections beginning in fiscal year 2019/20 and for all subsequent fiscal
140 years (such total tax calculation being inclusive of tax collected under Sections 25-
136, 25-136.1 and 25-136.2 of the Code), for bureau operations and marketing
142 activities equal to the revenues attributable to the tax at a rate of one-fourth (1/4) of
one (1) percent, plus (b) an additional seven hundred fifty thousand dollars
144 (\$750,000.00), plus (c) for each of the fiscal years 1998/99 through 2002/03,
additional funding in an amount not less than two million dollars (\$2,000,000.00) and
146 not more than four million dollars (\$4,000,000.00) per fiscal year, plus (d) a one-time
expenditure during fiscal year 2001/02 in the amount of one million dollars
148 (\$1,000,000.00) to be used by the bureau for marketing activities for the purpose of
promoting vehicular tourist travel to the Orange County area, plus (e) for fiscal year
150 2003/04 only, additional funding in an amount equal to two million dollars
(\$2,000,000.00) in accordance with the terms and limitations of the 1996 Tourism
152 Promotion Agreement, as amended, between the County and the Visitors Bureau,
plus (f) an additional one-time amount of up to two million dollars (\$2,000,000.00)
154 to be paid, subject to the same terms and limitations described in clause (e) above,
after the final collections for July 2004 are known and as soon as practical after the
156 July 2004 TDT collections are received, if, and to the extent that the ten-month
aggregate tourist development tax collections have exceeded eighty-five million,
158 three hundred thousand dollars (\$85,300,000) which represents the anticipated tourist
development tax budget for the ten-month period beginning October 2003 through
160 July 2004. This additional amount will be paid only if the Visitors Bureau shall have
presented to the Board, and the Board shall have approved, a plan for private sector
162 tourism-related businesses to contribute matching funds for such additional payment,
plus (g) during the 2004/05 fiscal year additional funding as follows may be provided
164 if: 1) following the final confirmation of the April 2005 collections, cumulative 2005
TDT collections through April are in excess of \$66,800,000 then payment of up to
166 \$2,000,000 may be made to the O/OCCVB based on amounts collected in excess of
\$66,800,000, and 2) following the confirmation of the final 2005 TDT collections,
168 TDT collections are in excess of \$108,200,000, a TDT payment will be calculated as
the FY 2005 TDT in excess of \$108,200,000 up to a maximum payment of
170 \$4,000,000; with the resulting final payment to be reduced by any TDT amounts
previously paid to the O/OCCVB under condition #1 above, and 3) as an additional
condition on the payment under clause 2, the O/OCCVB demonstrates to the Board
of County Commissioners that satisfactory private sector matching funds have been

172 combined in a public/private advertising effort with a measurable return on such
174 advertising investment, plus (h) for fiscal year 2005/06 only, an additional funding in
176 an amount up to \$4,000,000 to be paid in four equal installments at the beginning of
178 each quarter with the first payment being made on October 1, 2005 or as soon as
180 practical on, before or after this date, if, and to the extent that tourist development tax
182 collections for the preceding 12 month period ending two months before each
184 payment date equals or exceeds \$118,000,000 (the "Projected Amount"). Should
186 collections be less than the Projected Amount, then the quarterly payment will be
188 reduced by the difference between the Projected Amount and the actual collections.
190 Further, any reduced payment may be added to subsequent quarterly payments to the
192 extent that collections rebound within fiscal year 2005/06 to an amount of collections
that would provide for all payments authorized to be paid under this paragraph (h)
from collections exceeding the Projected Amount at the time of payment, plus (i)
additional funding in the amount of four million dollars (\$4,000,000.00) for fiscal
year 2006/07 only for tourism advertising campaigns, to be paid in monthly
installments with the first payment being made on October 1, 2006, or as soon as
practical on, before or after this date; plus (j) additional annual funding for fiscal
years 2007/08 and thereafter, in the amount of four million dollars (\$4,000,000) only
for tourism advertising campaigns, to be paid in monthly installments with the first
payment being made on October 1, 2007, or as soon as practical before or after such
date.

194 (6) — *Sixth Priority.* In order to provide for the expansion of the Citrus
196 Bowl, tourist development tax revenues were and are pledged to service the debt on
198 bonds up to thirty eight million dollars (\$38,000,000.00), subject to the City of
200 Orlando making certain other improvements to the Citrus Bowl and providing
202 additional security for convention center debt from available city revenues, and
providing the name of the Citrus Bowl stadium is hereafter known and has been
officially designated as the "Florida Citrus Bowl Orange County/Orlando Stadium."
In order to provide for the further renovation of the Citrus Bowl, tourist development
tax revenues may be expended, or otherwise may be pledged to service debt to be
issued for such purposes, in an aggregate amount (or, if debt is issued, in an
aggregate principal amount) up to nine million dollars (\$9,000,000.00).

204 (7) — *Seventh priority.* The seventh funding priority of the plan is for
206 additional funding for the Orlando/Orange County Convention and Visitors Bureau to
208 reach a goal of two and one half million dollars (\$2,500,000.00) per year (in addition
210 to the funding under the fifth priority) in an amount equivalent to the tax revenues
212 attributable to a tax rate of one fourth (1/4) of one (1) percent. Together, the fifth and
214 seventh priorities provide an amount equivalent to the tax revenues attributable to a
tax rate of one half (1/2) of one (1) percent, plus seven hundred fifty thousand dollars
(\$750,000.00) per year to the Orlando/Orange County Convention and Visitors
Bureau, plus, for each of the fiscal years 1998/99 through 2002/03, additional funding
in an amount not less than two million dollars (\$2,000,000.00) and not more than four
million dollars (\$4,000,000.00) per fiscal year.

216 (8) — *Eighth priority.* The eighth priority is to provide additional funding
each year to the Orlando/Orange County Convention and Visitors Bureau for its

218 operations and marketing activities in an amount equal to three million three hundred
thousand dollars (\$3,300,000.00), subject to any reductions necessitated by the
220 funding under the ninth priority, below.

222 (9) — *Ninth priority*. The ninth priority is to promote and advertise tourism in
the state and nationally and internationally by providing the following guarantees or
other contractual assurances of funding:

224 a. — To Florida Citrus Sports Events, Inc. ("FCSE"), in each fiscal
year through and including fiscal year 1996/97, an assurance of funding for the
operation and promotion of the 1996 Olympic Games; and

226 b. — To Florida Citrus Sports Association, Inc. (FCSA), in each fiscal
year through and including fiscal year 2000/01, an assurance of funding for the
228 operation and promotion of the annual Citrus Bowl Game.

230 The aggregate amount of tourist development tax revenues to be expended for
the foregoing shall not exceed one million dollars (\$1,000,000.00) in any fiscal year.
232 To the extent in any year that such funding is provided to either FCSE or FCSA, or
both, the funding provided to the Orlando/Orange County Convention and Visitors
234 Bureau under the eighth priority shall be reduced by a like amount in the same or
subsequent year, as may be provided by agreements, guarantees, or other instruments
236 entered into by the county from time to time with the Orlando/Orange County
Convention and Visitors Bureau, FCSE, and FCSA.

(10) — *Tenth priority*. Reserved.

238 (11) — *Eleventh priority*. The eleventh priority of the plan is to provide
funding to United Arts of Central Florida in the following amounts, which shall be
240 allocated in their entirety to the science museum known as the Orlando Science
Center to provide funding for its operation and maintenance:

242	10/01/99 to 9/30/00	\$300,000.00
	10/01/00 to 9/30/01	300,000.00

244 (12) *Twelfth priority*. The twelfth funding priority of the plan is to provide
funding for the promotion of tourism through the staging of the Florida Classic
246 football game between Bethune Cookman University and Florida A&M University to
be located at the Camping World Stadium (formerly known as the Citrus Bowl) in
248 Orlando. Funding in the amount of one hundred thirty seven thousand five hundred
dollars (\$137,500.00) per fiscal year for fiscal year 2016/17 through fiscal year
250 2020/21 may be granted as provided in and subject to the terms and conditions of a
contract to be entered into by the County and Florida Classic Consortium,
252 Corporation.

254 (13) *Thirteenth-Fifth priority*. The thirteenth fifth priority of the plan is to
provide funding each year, beginning in fiscal year 2001/02, in an amount equal to
256 three (3) percent of tourist development tax revenues collected for such year under
subsections 25-136(a) through (d) and, beginning in fiscal year 2019/20 and, subject

258 to the terms and limitations set forth in an agreement with United Arts of Central
260 Florida, Inc., up to an additional two million dollars, to the extent permitted by F.S. §
262 125.0104, for: 1) arts and cultural activities, venues, services and events when one (1)
264 of the main purposes of such activities, venues, services and events is to attract
266 tourists; and 2) the acquisition, construction, extension, enlargement, remodeling,
repair, improvement, maintenance, operation or promotion of auditoriums or
museums to be used primarily for arts and culture. The expenditure of all revenues
apportioned to this priority shall be governed by a resolution to be adopted by the
Board of county commissioners that will, at a minimum, provide or set forth the
following:

268 a. The establishment of an advisory council to be named the "arts
and cultural affairs advisory council" (or otherwise as the Board may determine in the
resolution);

270 b. A direction to the council to study the potential uses of the
272 revenues apportioned hereunder, to review requests for funding from the revenues
274 apportioned hereunder, and to make recommendations each year to the Board of
county commissioners with respect to budgeting the revenues apportioned hereunder;
and

276 c. Such other procedures, requirements, restrictions, and directions
as the Board may determine to be necessary or useful to the lawful and prudent use of
the revenues apportioned hereunder.

278 ~~(14) Fourteenth priority. The fourteenth priority of the plan is to provide~~
280 ~~funding in fiscal year 2001/02 in the amount of seventy five thousand dollars~~
~~(\$75,000.00) to the Association to Preserve the Eatonville Community, Inc. to be~~
282 ~~utilized as part of Challenge Grant No. 02-3005 to support the project entitled~~
~~"Florida Black Arts Trail."~~

284 ~~(15) Fifteenth Priority. The fifteenth funding priority of the plan is to~~
~~provide funding during fiscal years 2004/05 and 2005/06, and subject to the terms~~
286 ~~and conditions of a contract to be entered into by the County and Central Florida~~
~~Sports Commission, Inc., in the amount of seventy five thousand dollars (\$75,000.00)~~
288 ~~per fiscal year for promotion of tourism through the staging of the NBC Action~~
~~Sports Tour Extreme Sports X-Games, provided such games are to be located in~~
290 ~~Orlando at the TD Waterhouse Centre. Additional funding, from reserve funds, may~~
~~be granted in the amount of seventy five thousand dollars (\$75,000) annually per~~
292 ~~fiscal year during fiscal years 2006/2007, 2007/2008 and 2008/2009, subject to the~~
~~same terms and conditions of the Agreement between Orange County, Florida and~~
294 ~~Central Florida Sports Commission, Inc., dated December 6, 2005, as amended,~~
~~provided such games are to be located in Orlando at the Amway Arena.~~

296 ~~(16) Sixteenth Sixth priority. The sixteenth sixth funding priority of the~~
298 ~~plan is to provide funding annually from legally available unallocated prior or current~~
~~year revenues as approved during the county budgetary process for expenses of~~
~~operation, maintenance, necessary capital improvements and renovations to, for~~

300 reimbursement of actual operation and maintenance expenses of, and to allow capital
302 spending and carryover (from fiscal year 2018-2019 and fiscal years thereafter) for,
the Orange County Regional History Center, beginning in fiscal year 2005-2006,
304 initially in the amount up to two million, five hundred thousand dollars
(\$2,500,000.00, the "maximum funding amount"), with annual increases of the
306 maximum funding amount in each subsequent year equal to the lesser of three (3)
percent or the Consumer Price Index - All Urban Consumers, whichever is less, and,
subject to annual budget approval by the board..

308 ~~(17) Seventeenth priority.~~ The seventeenth priority of the plan is to provide
funding in the amount of two million dollars (\$2,000,000.00) per year for five (5)
310 years, beginning in fiscal year 2005/06 and continuing through fiscal year 2009/10 to
the hotel revenue surcharge account to be used solely for purposes consistent with the
312 Local Option Tourist Development Act, F.S. § 125.0104.

314 ~~(18) Eighteenth priority.~~ The eighteenth priority of the plan is to provide
funding to Tangerine Sports Association, Inc., in an amount not to exceed one million
316 one hundred thousand dollars (\$1,100,000.00) per year for up to four (4) years,
beginning in fiscal year 2006/07, to fund a Champs Sports Bowl ticket guarantee for
318 up to eighteen thousand (18,000) tickets at sixty dollars (\$60.00) per ticket pursuant
to the terms of an agreement to be subsequently approved by the board.

320 ~~(7) Nineteenth Seventh priority.~~ The nineteenth seventh priority of the plan
is to provide funding, as set forth in an interlocal agreement between the county, the
322 City of Orlando and the City of Orlando Community Redevelopment Agency (the
"interlocal agreement") for certain costs associated with the construction of a new
324 performing arts center and with the renovation and expansion of the Citrus Bowl, in
order to finance and estimate three hundred fifty-two million dollars
326 (\$352,000,000.00) in project costs plus certain adjustments as further provided for
and pursuant to the terms and limitations of such interlocal agreement.

328 ~~(20) Twentieth priority.~~ The twentieth priority of the plan is to provide
additional funding from legally available unallocated prior or current year revenues
330 as approved during the county budgetary process for expenses of operation,
maintenance, necessary capital improvements and renovations to, and promotion of,
332 the convention center.

334 ~~(21) Twenty first priority.~~ The twenty first priority of the plan is to
provide additional funding from legally available unallocated prior or current year
336 revenues to the Orlando/Orange County Convention and Visitors Bureau d/b/a Visit
Orlando for up to five million dollars (\$5,000,000.00) per year for five (5) years for
increased marketing and promotion and for fiscal year 2018-19 to provide up to ten
338 million dollars (\$10,000,000.00) for increased marketing and promotion.

340 ~~(22) Twenty second priority.~~ The twenty second priority of the plan is to
provide additional funding from legally available unallocated prior or current year
revenues to the Orlando/Orange County Convention and Visitors Bureau d/b/a Visit

342 Orlando for up to five hundred thousand dollars (\$500,000.00) per year for five (5)
years for marketing and promotion for major athletic events.

344 (23) ~~Twenty-third priority.~~ The twenty-third priority of the plan is to
provide funding up to one hundred thirty seven thousand five hundred dollars
346 (\$137,500.00) per event for promotion of tourism through incentivizing the staging of
multi day NCAA championship competitions or college conference athletic
348 championships and ancillary events related thereto in facilities located in Orange
County and expected to have attendance in excess of forty thousand (40,000) as may
350 be approved during the county budgetary process and provided that each such
approved funding shall be allocated pursuant to the terms of a funding agreement.

352 (24) ~~Twenty-fourth priority.~~ The twenty-fourth priority of the plan is to
provide an assurance of funding to offset operating deficits associated with the
354 hosting of at least two Copa America Centenario 2016 soccer games at the Citrus
Bowl in an amount not to exceed four hundred seventy five thousand dollars
356 (\$475,000.00) pursuant to the terms of a funding assurance agreement approved by
the board of county commissioners.

358 (25) ~~Twenty-fifth priority.~~ Twenty-fifth Eighth priority. The twenty-fifth eighth priority of the plan
is the promotion of tourism through the staging of significant sporting events in
360 publicly-owned Orange County venues with major economic impact as recommended
for funding by the Tourist Development Council the National Football League Pro
Bowl, the Camping World Stadium. Funding for the 2017, 2018 and 2019 Pro Bowl
for National Football League incentive payments may be granted in the following
364 amounts and subject to the amounts, terms and conditions of a funding agreements
approved by the Board, entered into with Florida Citrus Sports Events, Inc.:

366 2017 Pro Bowl: One million dollars (\$1,000,000.00);

2018 Pro Bowl: Two million dollars (\$2,000,000.00);

368 2019 Pro Bowl: One million dollars (\$1,000,000.00).

370 (26) ~~Twenty-sixth priority.~~ Twenty-sixth Ninth priority. The twenty-sixth ninth priority of the plan
is to provide funding to Visit Orlando, subject to the terms and limitations set forth in
a funding agreement with Visit Orlando, beginning in fiscal year 2016-17 from
372 legally available unallocated revenue in an initial annual amount not to exceed five
four million dollars (\$54,000,000.00) (which may include the funding authorized
374 under the twelfth, twenty-third and twenty-fifth priorities of the plan for the Florida
Classic, collegiate conference championships and the NFL Pro Bowl, respectively)
376 and in an amount up to two million dollars (\$2,000,000.00) annually thereafter for
expenses associated with promoting or incentivizing major significant athletic events
378 in Orange County, provided that such events are staged in Orange County venues
and that all funding awarded for any such athletic event is memorialized in a funding
380 agreement.

2 (27) ~~Twenty-seventh priority.~~ Twenty-seventh Tenth priority. The twenty-seventh tenth priority of
the plan is to provide funding in an amount not to exceed sixty million dollars
(\$60,000,000) for project costs associated with the construction of improvements to

384 ~~the Camping World football stadium, as set forth in a funding agreement approved by~~
386 ~~the Board. of county commissioners. from legally available unallocated revenue in an~~
388 ~~amount determined by the board of county commissioners to be available for capital~~
~~projects and events which shall be authorized pursuant to the application and~~
~~evaluation process set forth in this article.~~

390 ~~(28-11) Twenty-eighth Eleventh priority. The twenty-eighth eleventh priority~~
392 ~~of the plan is to provide funding from legally available unallocated revenue in an~~
394 ~~amount determined by the Board to be available for capital projects and events which~~
396 ~~shall be authorized pursuant to the application and evaluation process set forth in~~
~~Section 25-147 of the Code. this article. in an amount not to exceed sixty million~~
~~dollars (\$60,000,000) for project costs associated with the construction of~~
~~improvements to the Camping World football stadium, as set forth in a funding~~
~~agreement approved by the board of county commissioners.~~

398 ~~(29-11) Amendments to plan. The above and foregoing tourist development plan may~~
400 ~~not be amended except by ordinance enacted by an affirmative vote of a~~
402 ~~majority plus one (1) additional member of the Board. of county~~
404 ~~commissioners.~~

402 **Section 3. Codification.** The amendments to the Orange County Code set forth in
Section 2 shall be codified. No other sections or parts of sections of this ordinance shall be codified.

404 **Section 4. Effective date.** This ordinance shall become effective pursuant to general
law.

406 **ADOPTED THIS _____ DAY OF _____, 2019.**

408 **ORANGE COUNTY, FLORIDA**
410 By: Board of Orange County Commissioners

412 BY: _____
414 Jerry L. Demings
County Mayor

416 **ATTEST: Phil Diamond, CPA County Comptroller**
As Clerk of the Board of County Commissioners

418 By: _____
420 Deputy Clerk