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Consent Agenda Item

MEMORANDUM

TO: Mayor Teresa Jacobs
and
County Commissioners

FROM: Jeffrey J. Newton, County Attorney *JJN*
Kate Latorre, Assistant County Attorney *KL*
Contact: (407) 836-7320

DATE: October 18, 2017

RE: **Consent Agenda Item for Board Meeting on October 31, 2017**
Approval and Execution of Resolution of the Orange County Board of
County Commissioners Regarding the Tourist Development Tax Grant
Application Review Committee

I. BACKGROUND:

In 2015, the Orange County Charter Review Commission (CRC) created a Tourist Development Tax Procedures and Priorities Workgroup to consider placing a charter amendment establishing an evaluation process for awarding unencumbered Tourist Development Tax (TDT) funds to grant applicants. After a series of meetings, the CRC initially approved a proposed charter amendment for a TDT application and evaluation process. In response to the many legal and technical concerns about that charter proposal, the TDC recommended a county ordinance process rather than one embedded in the county charter. On June 21, 2016, the CRC rescinded the proposed charter amendment. Subsequently, over the course of several months, County staff held three stakeholder meetings on the TDT and met with tourism industry representatives to develop appropriate draft applications for eligible projects and events.

On November 29, 2016, the Board of County Commissioners (BCC) enacted Ordinance 2016-30, which created a priority in the TDT plan for a grant program to be cash funded in those years in which the BCC determines that excess TDT funds are available. The ordinance calls for an eleven (11) member Application Review Committee to be established by county resolution.

II. APPLICATION REVIEW COMMITTEE:

Pursuant to the Ordinance, three members of the committee will be recommended by the Tourist Development Council, two of which must represent owner/operators of tourist accommodations, and the third which must represent community arts organizations. The eight remaining committee members will be selected by the BCC,

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Paralegals
Melessia Lofgren
Maria Vargas, ACP

with one member recommended by each district commissioner and two recommended by Mayor Jacobs. All committee appointments are made by the BCC.

The subject resolution requires that members of the committee be registered Orange County voters. Further, the terms of appointment shall be four (4) years, except for the initial terms, which shall be staggered to provide for successive membership. No committee member may serve more than two (2) full terms consecutively. The County will supply staff support to the committee.

Once established, the committee will develop grant application review procedures. The draft application forms developed by county staff in cooperation with tourism industry representatives will be submitted to the committee for its review. Finalized applications will then be submitted to the BCC for approval in the form of a county administrative regulation.

For those years when TDT grant funds are determined to be available, the committee will develop an allocation of those funds between capital projects and events applications. Grant applicants will submit completed applications to the committee. The committee will evaluate applications and will make a recommendation to both the TDC and the BCC. The TDC will make recommendations on such applications to the BCC. Consistent with Florida law, the BCC will continue to make the ultimate decision on TDT expenditures.

The committee must convene its first meeting no later than 60 days following the adoption of the resolution.

III. ACTION REQUESTED: **Approval and Execution of Resolution of the
Orange County Board of County
Commissioners regarding the Tourist
Development Tax Grant Application Review
Committee.**

KWL/eh
Attachment

c: Ajit Lalchandani, County Administrator
Lila I. McHenry, Senior Assistant County Attorney