

MONROE COUNTY TOURIST DEVELOPMENT COUNCIL'S

OPERATIONS MANUAL

SECTION I

**TOURIST DEVELOPMENT COUNCIL
MEMBERS**

MONROE COUNTY
TOURIST DEVELOPMENT COUNCIL

The Monroe County Tourist Development Council (MCTDC, TDC or the Council) is a public body, created by referendum of the electors. Monroe County is one of 42 Florida counties whose people elected to have a Tourist Development Council (TDC); a joining of private and public sector effort to assist in development of a tourism economy.

The MCTDC is an advisory board to the Board of County Commissioners (F.S. 125.0104(4e), which appoints its nine members. Six of the Council's nine members must represent the five TDC taxing districts and be actively engaged in tourism marketing through ownership or managerial operation of a tourism-dependent business. The Mayor of Monroe County, or his/her designee and two other elected municipal officials fill the remaining three seats to represent the interests of the public sector. (See Resolution No. 258-1993)(Section I, Page 4)

By statute, the MCTDC shall make recommendations to the county governing board for the effective operation of the special projects or for uses of the tourist development tax revenue and shall continuously review expenditures of revenues from the tourist development trust fund. Expenditures which the council believes to be unauthorized shall be reported to the county governing board and the Department of Revenue. All expenditures recommended by the MCTDC come from the levy of a tourism tax (four percent) on the cost of short-term lodging (six months or less). This tax is paid, almost entirely, by those who visit the county to vacation or do business, rather than by residents. All recommended expenditures must be approved by the Board of County Commissioners, first as acceptable budget items, and again, for payment by the County Finance Office after the expenditure is made, and an invoice(s) is submitted.

The composition, membership qualifications, responsibilities and duties of all TDC's are defined by Florida Statute 125.0104 (see Section VII, Pages 1 - 14). The MCTDC is further governed by Monroe County Ordinances 015-1988 and 017-1988 (see Section VII, Pages 20 - 27).

When a member of a local board, is required to abstain pursuant to s112.3143(3), F.S., the local board member is disqualified from voting and may not be counted for purposes of determining a quorum. (See pg. 47 of the 1994 Government-in-the-Sunshine Manual)

Resolution No. 258-1993

A RESOLUTION PROVIDING PROCEDURE FOR THE SELECTION OF TOURIST DEVELOPMENT COUNCIL MEMBERS

Repealed by Resolution No. 300-2007 (BOCC 8/15/07) see below

Resolution No. 300-2007

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY REPEALING RESOLUTION 258-1993, AND CLARIFYING THE APPOINTMENT PROCESS FOR THE TOURIST DEVELOPMENT COUNCIL.

WHEREAS, Section 125.0104(4)(e), FS, requires the tourist development council for each county adopting a tourism development tax to have a specified composition appointed by the board of county commissioners, to wit: three elected officials, of which one shall be either the chair of the governing board of the county or any other member of the governing board as designated by the chair, and two of which shall be elected municipal officials, at least one of whom shall be from the most populous municipality in the county; at least three, but no more than four, shall be from the lodging industry; and at least two, but no more than three, shall be from the tourism (non-lodging) industry; and

WHEREAS, the County code further provides that the BOCC appointments shall be based on the percentage of collections of the tourist development tax in each district, but that each district will have at least one representative; and

WHEREAS, County Commission districts are not the same as the TDC districts; and

WHEREAS, the Monroe County Board of County Commissioners issued Resolution No. 258-1993 to clarify the process for making nominations and appointments to the Monroe County Tourist Council; and

WHEREAS, it is desired to further clarify the process set forth in Resolution 258-1993;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1: Resolution No. 258-1993 is hereby repealed.

Section 2: Three (3) of the officials are essentially selected by the statute in that one is the Chairman of the Board of County Commissioners and two (2) are elected representatives of municipalities located within the County, one (1) of which is the most populous municipality, and these nominations shall be and remain the nominations of the Board of County Commissioners.

Section 3: (a) Of the remaining six (6) appointments, there shall be at all times on the TDC an appointment which was nominated by a commissioner representing each tourist development district as defined in Monroe County code Section 2-299(G)¹, and confirmed

<u>TDC DISTRICT</u>	<u>COMMISSIONER REPRESENTATION</u>
District I	BOCC District 3
District II	BOCC District 1
District III	BOCC District 2
District IV	BOCC District 4
District V	BOCC District 5

(b) The Mayor shall have the right to select a second nominee (6th lodging/tourism member) in his/her capacity as Mayor. This appointment shall only be made when vacancy occurs either through natural expiration of a term or the early vacation of the term by the member.²

(c) These six (6) nominations shall satisfy the statutory requirements with respect to occupation as well as the ordinance requirement with respect to geographic locale, and shall be the Board's appointees to the Tourist Development Council.

Section 4: The TDC District representation by specified County Commission Districts would also include the three (3) At Large appointments to the District Advisory Committees (DAC's) and the nominees by the county commissioner for that district shall be appointed by the Board of County Commissioners.

Section 5: This Resolution shall become effective on the date written below.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a meeting of said Board held on the 15th day of August, A.D., 2007.

Mayor Mario DiGennaro	<u>Yes</u>
Mayor Pro Tem Dixie M. Spehar	<u>Yes</u>
Commissioner Charles "Sonny" McCoy	<u>Yes</u>
Commissioner Sylvia Murphy	<u>Yes</u>
Commissioner George Neugent	<u>Yes</u>

Resolution No. 050-1996

AN ORDINANCE AMENDING SECTION 2-299-(B)(1), MONROE COUNTY CODE IN ORDER TO CONFORM TO RECENTLY AMENDED STATUTE; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA THAT:

Section 1. Section 2-299 (B)(1) shall be amended to read as follows:

The Monroe County Tourist development Council, following the expiration of terms of its members heretofore established and appointed, shall be composed of nine (9) members, Eight (8) members of the board shall be appointed by the governing board of Monroe County based on a percentage of the funds collected throughout the five (5) tax collection districts, as set forth in subsection (G) of this section. Each tax collection district shall have no less than one (1) representative, who is a resident of the district, on the council. The ninth member of the council shall be the chairman of the governing board of Monroe County or any other member of the governing board as designated by the chairman. Two (2) members of the council shall be elected municipal officials, at least one (1) of whom shall be from the most populous municipality in the county. ~~Three (3) members of the council shall be owners or operators of motels, hotels, recreational vehicle parks, or other tourist accommodations in the county and subject to the tax, one (1) of whom shall be engaged in the accommodations industry within the City of Key West. Three (3)~~ Six (6) members of the council shall be persons who are involved in the tourist industry and who have demonstrated an interest in tourist development, but who are not of which members, not less than three (3) nor more than four (4) shall be owners or operators of motels, hotels, recreational vehicle parks, or other tourist accommodations in the county or subject to the tax. All members of the council shall be electors of the county. The governing board of the county shall allow the council to elect a chairman. The chairman shall be elected annually and may be reelected.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 4. The provision of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 5. This ordinance shall take effect immediately upon receipt of official notice from the Office of the Secretary of State of Florida that this ordinance has been filed with said Office.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 19th day of September, 1996.

Commissioner Douglass	<u>Yes</u>
Commissioner Harvey	<u>Yes</u>
Commissioner London	<u>Yes</u>
Commissioner Reich	<u>Yes</u>
Mayor Freeman	<u>Yes</u>

TDC BOARD MEMBERS

Ms. Rita Irwin, Chairperson 289-1121 (w)
Dolphin Research Center 743-7627 (fax)
58901 Overseas Highway
Grassy Key, FL 33050-6019
(Reappointed by Commissioner Neugent as a District 3 appointment on 7/16/08,
term expires 8/17/2012)

Mr. James Bernardin 664-4343 (w)
Pines and Palms Resort NO FAX
148 Gulfside Dr.
Islamorada, FL 33036
(Appointed by Commissioner DiGennaro as a District 4 appointment on 5/20/09 to fulfill
remaining term of Frank Rego, term expires 2/1/2012)

Mayor Craig Cates 809-3840 (w)
City of Key West 809-3886 (fax)
525 Angela St.
Key West, FL 33040
(BOCC Appointment on 11/18/09, term expires 11/17/2013)

Mr. George L. Fernandez, Co-Treasurer 296-2988 (w)
The Key West Butterfly & Nature Conservancy 296-2901 (fax)
1316 Duval St.
Key West, FL 33040
(Appointed by Mayor Neugent as a Mayoral Appointment on 7/15/09, term expires
7/15/2013)

Ms. Ronnie Harris 852-7200 (w)
Kona Kai Resort 852-4629 (fax)
97802 Overseas Highway
Key Largo, FL 33037
(Appointed by Commissioner Murphy as a District 5 Appointment on 8/20/08 to fulfill
remaining term of Todd Firm, term expires 8/1/2011)

Mr. Lou Hernandez, Co-Treasurer 292-8445 (w)
1623 Spalding Court Unit #4 NO FAX
Key West, FL 33040
(BOCC Reappointment on 8/19/09, term expires 8/19/13)

Mr. Jay Marzella 872-2157 (w)
Parmer's Resort 872-2014 (fax)
565 Barry Ave.
Little Torch Key, FL 33042
(Appointed by Commissioner Spehar as a District 2 appointment 8/15/07, term expires 8/15/2011)

Mayor Sylvia J. Murphy 453-8787 (w)
Monroe County BOCC, Murray E. Nelson Government Center 453-8789 (fax)
102050 Overseas Highway, Ste 234
Key Largo, FL 33037
(Appointed by Mayor Neugent on 8/19/09 to serve as the Mayor's designee as per Statute)

Mr. Douglas Wright, CHA, Vice Chairperson 293-9338 (w)
Spottswood Management, Inc. 294-6122 (fax)
506 Fleming Street
Key West, FL 33040
(Appointed by Mayor McCoy as a District 1 appointment on 9/20/06, term expires 9/20/10)

By statute, appointments are four-year terms, except for elected officials, whose terms may be limited by tenure in office and for those who are appointed to fulfill the unexpired term of a member whose seat becomes vacant.

TDC Administrative Office

Monroe County (305) 296-1552
Tourist Development Council
1201 White St., Suite 102
Key West, FL 33040-3328

Mr. Harold Wheeler, Director
Ms. Lynda M. Stuart, Office Manager

District reference is to that of the BOCC and not the TDC