

RESOLUTION NUMBER 2009-34

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF FLAGLER COUNTY, FLORIDA ESTABLISHING FINDINGS; ESTABLISHING A POLICY FOR PUBLIC TOURISM INFRASTRUCTURE PROJECT GRANTS; PROVIDING A PROCESS FOR THE SELECTION AND MONITORING OF PUBLIC TOURISM INFRASTRUCTURE PROJECT GRANTS; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the provisions of Section 125.0104, Florida Statutes authorizes the Board of County Commissioners, in and for Flagler County Florida, to impose Tourist Development Taxes in amounts specified therein, and

**WHEREAS**, on October 16, 1986, the Board of County Commissioners, in and for Flagler County Florida, pursuant to the provisions of Flagler County Ordinance Number 86-14, levied a Tourist Development Tax of 2 percent of each whole and major fraction of each dollar of the total rental charged every person who rents, leases, or lets for consideration any living quarters or accommodations in any hotel, apartment hotel, motel, resort motel, apartment, apartment motel, rooming house, tourist or trailer camp or condominium for a term of six (6) months or less; and

**WHEREAS**, on January 12, 2004, the Board of County Commissioners, in and for the Flagler County Florida, pursuant to the provisions of Flagler County Ordinance Number 04-02, levied an additional Tourist Development Tax of 1 percent, as authorized by the provisions of Section 125.0104(3)(d), Florida Statutes; and

**WHEREAS**, the Board of County Commissioners, pursuant to the referenced ordinances, has partitioned the proceeds derived from the levy of the 3 percent tourist development tax into three distinct categories, Capital Projects (30%), Promotion and Advertising (55%), and Beach Restoration and Maintenance (15%); and

**WHEREAS**, the Board of County Commissioners, desires, by means of this resolution, to adopt a set of formal policies which provide for the selection and monitoring of public tourism infrastructure project grants awarded from the proceeds generated in the capital projects account;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Flagler County, Florida, as follows:

1. This resolution shall be known as the Flagler County Tourist Development Tax Public Tourism Infrastructure Project Grant Policy.

- 2 Allocation of Amounts Available in the Flagler County Tourist Development Tax Capital Projects Fund (Fund 109) To the extent that the funds currently available, or to be generated in the future in the Flagler County Tourist Development Tax Capital Projects Fund (Fund 109) have not been previously committed for other purposes, the Flagler County Board of County Commissioners shall annually appropriate funds, subject to the following limitations.
  - A. No less than 90% shall be allocated for public tourism infrastructure projects; and
  - B. No more than 10% shall be allocated for grant awards related to operational costs and not-for-profit tourism infrastructure projects. Applications submitted under this part shall comply with the provisions of Section 125.0104(5)(a)(1), Florida Statutes as now or hereinafter amended as it relates to the utilization of funds
- 3 Consideration of Funding Requests – All funding requests for public tourism infrastructure projects and grant awards related to operational costs and not-for-profit tourism infrastructure costs shall be considered by the Tourist Development Council at the next regularly scheduled meeting where the request can reasonably be heard.
- 4 Maximum Award –
  - A. For Public Tourism Infrastructure Projects to a Local (City or County) Government Organization –
    - i. Maximum of \$150,000 per project,
    - ii. No more than two public tourism infrastructure projects will be funded to an organization at one time; and
    - iii. Public tourism infrastructure projects will be evaluated based on multiple criteria
  - B. For Grant Awards Related to Operational Costs and Not-for-profit Tourism Infrastructure Projects –
    - i. For Operational Cost Grants –
      - a. Maximum Award of \$5,000, and
      - b. All requests will be evaluated within the constraints of funding availability

- ii. For Not-for-profit Tourism Infrastructure Projects –
  - a. Maximum Award of \$5,000 per Project,
  - b. Maximum of two projects every ten years; and
  - c. Not-for-profit tourism infrastructure project requests will be subjectively evaluated using multiple criteria.

C. Reporting Requirements:

- i. Public Tourism Infrastructure Project Grant Recipients must complete a written final report on a form approved by the Flagler County Tourist Development Council, which will include expenditure documentation and other pertinent details concerning the completion of the project.
- ii. Public Tourism Infrastructure Project Grant Recipients must provide a five (5) minute presentation using a format prescribed by the Tourist Development Council that details the event and be prepared to answer any questions about the report/event by the Tourist Development Council.
- iii. Completion of larger Public Tourism Infrastructure Project Grant Projects may involve formal groundbreaking and/or ribbon cutting events. Members of the Tourist Development Council will be invited to participate in such events.

**SEVERABILITY.** If any section, subsection, sentence, clause or provision of this Resolution is held unconstitutional, inoperative, or void by a court of competent jurisdiction, such holding shall not affect the remainder of the Resolution.

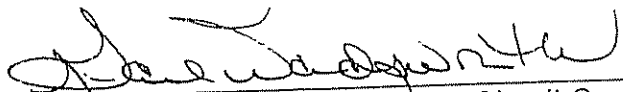
**EFFECTIVE DATE.** This Resolution shall take effect for all funding obligations commencing with the fiscal year which begins on October 1, 2009.

DONE, ORDERED, AND ADOPTED this 20<sup>th</sup> day of July, 2009


Board of County Commissioners  
Flagler County, Florida

  
Milissa Holland, Chair

Attest.

  
Gail Wadsworth, Clerk of the Circuit Court  
and Ex-Officio Clerk to the Board of  
County Commissioners

Approved as to form:

  
Albert J. Hadeed  
Flagler County Attorney