

**Nassau County Board of County Commissioners
Special Session, June 26, 2019, 4:00 p.m.
Commission Chambers, 96135 Nassau Place, Yulee, Florida**

Call to Order, Invocation and Pledge of Allegiance to the American Flag.

Commissioners:

Present: Chairman Justin Taylor, Commissioners Daniel B. Leeper, Aaron C. Bell, Pat Edwards, and Thomas R. Ford.

Other Officials Present: Michael S. Mullin, County Attorney/County Manager.

Staff Present: Megan Diehl, Office of Management and Budget Director; and representing the Clerk's office Brenda Linville and Peggy Snyder, Deputy Clerks.

Official Agenda Summary:

NEW BUSINESS:

SS190626 - 4:01:34 (Tab A) Address recommendations for a new contract between the Board of County Commissioners and the Amelia Island Convention and Visitor's Bureau (CVB).

Discussion: Mr. Mullin explained that the purpose of the meeting was to address the proposed contract between the Amelia Island Convention and Visitor's Bureau (CVB) and the Board of County Commissioners. The TDC had reviewed the contract and made their recommendations. Mr. Mullin provided a brief presentation and outlined how the language of Ordinance No. 88-31 levied and imposed the two-percent Tourist Development Tax. He discussed the revisions to the language in the agreements since the TDC's Ten-Year Marketing Plan (Exhibit A of Ordinance 88-31.) He further discussed the language in the current TDC contract and the revised contract recommended by the TDC. Mr. Mullin detailed the 15 percent Research and Administration budget allocation. At the recommendation of the outside auditing firm, Purvis Gray and Company, LLP, an analysis was performed by the Office of Management and Budget (OMB) and the Clerk's office to determine the appropriateness of the

15 percent fee. In turn, Purvis Gray and Company, LLP, can then review the analysis. The language related to the "declining" 15 percent should also be addressed. In his opinion, Mr. Mullin explained that the analysis should be based upon the appropriateness of that fee followed by a public hearing to change the ordinance to eliminate any language that states that the 15 percent would decline in out years and state specifically what the percentage should be based on the analysis of information provided by the TDC followed by an independent review by OMB and the Clerk's office resulting in a recommendation to be brought to the Board of County Commissioners when they address the ordinance.

Public Input: Jack Healan came forward to provide an explanation of the origin of the percentage language and why it has been utilized since 1988. He stated that it began with the City and County not having any means to promote Amelia Island as a destination. The TDC was borne out of the Chamber of Commerce who was going to administer the TDC via shared salaries; however, the TDC outgrew the Chamber of Commerce. He advised that if the 15 percent was lowered, it would have substantial negative impacts on the ability of the TDC to efficiently expend the monies. A lengthy discussion ensued.

Mr. Mullin explained how the contract had been prepared and reviewed for over a year by the Clerk's Office, OMB and others. Original discussion for the term of the contract was five years with a five year renewal. There is no termination for convenience provision. He advised that the accountability will be easier to track with this draft where the money is and how it is spent. In his opinion, this new contract will solve numerous legal issues and will address the issues brought forward by Purvis Gray and Company, LLP. The Board will need to address the term of this agreement and the percentage rate.

The Board members discussed the performance of the TDC and the economic impact to the county, length of contract and terms, contract review, and the percentage rate. Commissioner Leeper agreed with the recommendation of the TDC. Commissioner Edwards expressed concern that as a Board member, the term of the contract would not allow a newly elected board member the ability to address this contract during their four-year term. Commissioner Bell suggested the contract have a three-year term with two-year renewals

and a review conducted at each renewal. Commissioner Ford agreed with the longer term of five or ten years.

The following members of the audience came forward to speak regarding this draft contract: Jim McManemon, Vice Chairman of the TDC, regarding the effect of tourism and marketing in the area; Len Kreger, Vice Mayor City of Fernandina Beach, recommended a ten-year term in order for the contract to match the ten-year strategic plan of the TDC; Phyllis Davis, Museum of History Director, thanked TDC for their support of the museum's efforts to preserve history; Olivia Hoblit, Seaside Amelia Inn, supports the five-year term and the 15 percent administrative fee; Robert Hartman, TDC board member and General Manager of the Residence Inn, suggested a long term contract of a minimum of 7.5 years and maintain the 15 percent administrative in order to provide jobs and careers; Kevin Donahue, Director of Sales and Marketing at the Ritz-Carlton Amelia Island, wants to work with a partner capable of working with large groups who book six to ten years in advance; and Gil Langley, TDC Director, explained that the Board's support is a big part of success of the TDC and requested that the Board adopt the contract as written.

Motion: Accept and approve the recommendation as presented by the Tourist Development Council (TDC) with a ten-year term and a ten-year renewal for the contract between the Board of County Commissioners and the Amelia Island Convention and Visitor's Bureau and authorize the Chairman to sign the contract.

Maker: Commissioner Leeper

Second: Commissioner Ford

Action: Aye: Commissioners Leeper, Ford and Taylor

Nay: Commissioners Edwards and Bell

Follow Up: Finance, OMB, Contract Management

Discussion: Mr. Mullin requested clarification that the first year of the TDC contract would state 15 percent and if there is a change in that percentage based on the earlier discussion; the percentage would change in the contract in the subsequent years. The 15 percent is not locked in for ten years because the Purvis Gray and Company, LLP, report requires an analysis of the appropriateness of the fee. The language stating that the fee is "diminishing" needs to be addressed to avoid non-compliance with the ordinance. Provided this language is

amended to utilize whatever the percentage turns out to be based on the analysis coming from the TDC within the next few weeks, OMB, and the Clerk's office, Purvis Gray would then review it prior to adoption of the percentage to determine if there is a basis to do so. He assumed it was Commissioner Leeper's intent in his motion to authorize the Chairman to sign and include the term that was approved by motion. Commissioner Leeper concurred with Mr. Mullin.

There being no further business, the special session of the Nassau County Board of County Commissioners adjourned at 4:50 p.m.

Justin Taylor, Chairman

Attest:

John A. Crawford, Ex-Officio Clerk