

**DRAFT MINUTES OF THE REGULAR MEETING OF
THE TOURIST DEVELOPMENT COUNCIL**

Date October 12, 2021

Present: David Bear, Chairman
Mary Hoxeng
Mitesh Patel
James Reeves
Ronnie Rivera
Shirley Cronley
Robert D. Bender, District 4 Commissioner
Alison Rogers
Tina Arroyo, County Administrator's Office

Location: Ernie Lee Magaha Government Building, Board Chambers, First Floor
221 Palafox Place, Pensacola, Florida

Minutes prepared by Tina Arroyo

Regular TDC Meeting

1. Call to Order
Chairman Bear called the Regular Meeting of the Tourist Development Council to order at 3:03:57pm
2. Public Speakers
No Speakers
3. Approval of Prior TDC Minutes
Minutes approved 6-0
4. Presentation of TDC Role and Responsibility – Alison Rogers

The Tourist Development Council "TDC" is an advisory committee only. Both the state statute and county ordinances that outline responsibilities are as follows: Submit a plan for tourism development. Such a plan already exists, it is already adopted into county ordinances. That does not keep the TDC from making a recommendation to the Board of County Commissioners.

The TDC must meet, at least, once a quarter and from time to time, as necessary, and make recommendations to the BCC to allow for effective operations of special projects or uses of tourist development taxes.

The TDC is also required to do what the board asks, such as give input or consider a special project. By law the BCC has authority to ask.

The TDC is supposed to continuously review expenditures of revenue from the tourist development trust fund. The TDC receives quarterly expenditure reports from the BCC. It is TDC's obligation to report unauthorized expenditures to the BCC, the department of revenue and our clerk of court.

There is a new obligation from state law says when tourist development taxes are going to be spent on infrastructures or public facilities that are needed to increase tourism, the board is obligated to make a recommendation.

The statute is very specific on who is allowed to be on the TDC board. If anyone's status changes, it needs to be brought to the County Administrator or the BCC. If you are a TDT collector and are no longer collecting, then you need to let the BCC know. Statute says no fewer than three and no more than four of the members be TDT collectors. If you move outside of Escambia County or are no longer an elector, you also need to let BCC know.

The TDC is governed by the Sunshine Law. You legally only can discuss TDC business at the TDC meeting that is advertised to the public, open to the public and where minutes are kept. Emails, texts, third party individuals and social media are included in this. If a TDC board member wants an item on an upcoming agenda, utilize staff and do not send to the board.

TDC business can be subject to public records. Using a county email is best practices. County emails are searchable within the county. Do not delete, these need to be preserved. Texts messages are included. It is not the location of a record that governs, it is the content of the record.

Ethics – The TDC is a public body. There are some ethical obligations that attach to you. If anyone offers you anything in exchange for your vote, that is a crime. By state law, acceptance of gifts over \$100.00 from a lobbyist or a vendor are not allowed, and by county if it is over \$50.00. If you have a question whether someone is a vendor or a lobbyist, turn it down. If unsure, you can reach out to county attorney's office. Meals and alcoholic beverages are considered gifts. The thing that always gets the most attention are tickets/box seats to sporting events.



TDT - TDC Meeting
- 10.12.2021.pdf

5. Status of Funds Available

- I. TDT Financial Support – Mike Davis, Clerk of the Court. The numbers as of September 27 are as follows: We had a total of 17 million dollars in collections for fiscal year 2021. As of today, October 12, 2021, the collection is 17,658,986.00 which is an all-time high. Compared to last year's 4th cent, it is a 55% increase. If we include the 5th cent, it would be an 80% increase. 2019 was our best year. We had about 12.3 million. If we compare the 4th cent it was a

23% increase and if we include the 5th cent it would be a 43% increase for TDT collections. Also, 350,000.00 bay center from ARPA has been transferred into the account. This shows on the cover page of the revenue status report but when we go into the expenditure audit trail for the bay center it doesn't show that it was credited in that area. Instead, it still shows 1.85 million that went to the bay center which it did, but it didn't all come from TDT. Since this is a TDT report, can we update to show credit in expenditure audit trail? The reason we want to keep it there is to show the flow of funds. As it stands, the TDT revenue and expenditure report shows a bay center allocation of 1.85 million and it was not, it was borrowed then paid back. List a separate line item with the 350,000.00 as a loan from 119.

5. Bay Center Activity - Michael Capps

Getting ready for hockey opening season, celebrating last year's championship. August financials are at 253 which is much less than the 350. Projecting to come in below the 253. Success from Island Fight show Summer Jam and Cadillac's Summer Fest. It helps us by selling their ticket through box office with ticket master agreement which turns the fee back to bay center, helping bottom line.

Attendance is about 166,000. Last year it was 171,000. Usually around 385,00-400,000. Coming up in October the concert Mercy Me, which is a rescheduled event from COVID. Paw Patrol was cancelled and will try to come back in 2022. KLove Christmas tour coming in December. White Tie Rock Ensemble and Island Fights will have a November and a December show. Both White Tie and Island Fights are local promoters that we are working with to try to get 3-4-6 shows per year. In 2022, we have one pop show JoJo Siwa, which is rescheduled. Two classic rock shows, one is a reschedule. Four country shows, two comedy shows, one Christian show, the Globetrotters, Disney on Ice, Monster Jam, MMA, WWE. Second Baptist Church is coming back, it is a big event that houses all their students at Portofino for a week. Sunbelt conference championships will be back. Ice activities kicking off with youth hockey and ice skating. We brought back a full-time housekeeper for a total of 13 full time staff. Six positions are posted with an additional three that would get us to 22 staff.

Project-wise, the ice floor was repaired. Found a leak and repaired it with less expense than anticipated

6. Update on County Tourism Activity –Wesley Hall - NO Updates

7. Outside Agencies Update

1. Unified Budget Group

- a. Visit Pensacola – Darien Schaefer Visit Pensacola annual meeting Wednesday October 20 to recap the past year. Record breaking TDT collections. Over 17.6 million dollars have been collected. Looking at just the first 4 cents and compared to 2019, it will be over 15 million dollars. Hats off to lodging community with staffing and other challenges. 5th cent was added in April. The first five months which is May – September, is going to be 2.4 million dollars. The next three - six months looks like it will exceed what we have done in the last two years. Welcome Elliott Cooper to the marketing team. Won a Visit Florida Flagler Award for the Experience Pensacola App. The Blue Angels homecoming air show was at risk of not being held due to situation at naval base. A few organizations came together, Visit Pensacola stepped forward and guaranteed the expenses would be taken care of. In addition to the air show there is Beech-O-Ween and Foo Foo Festival. There is also Frank Brown International song writer festival and the great gulf coast arts festival. Budget overview – Total budget 16,106,250 county. Visit historically received 65% which is 10,420,053 which breaks down to Visit receiving 75% - 7,815,040 – ACE receiving 15.75% - 1,641,158 – PSA receiving 9.25% - 963,855. Visit Pensacola Revenue is 8,201,790. 95% comes from TDT revenue – 7,815,040 and 5% from private revenue – 386,750. Visit Pensacola expenses 6,576,620 - 80% of the budget is spent on direct programming. 397,681 – 5% is spent on operations and 1,227,474 – 15% is spent on personnel which a 1/3 of that is the marketing team.

Motion: Recommendation for county commissioners/administration increase Visit Pensacola's advance back to 2 million instead of 1.5 million
Made by: Ronald Rivera
Seconded by: Robert Bender
Disposition: Motion Passes 6-0 with James Reeves off the dais

- b. Pensacola Sports – Ray Palmer – Contacted by five flags speedway to promote Superstar Racing Experience proposed date is June 18, 2022. It will be broadcast live on CBS network from 7-9pm. To be on CBS network two hours on a Saturday night is astronomical, a dollar value

cannot be put on this. Average is about 1.3 million viewers on these types of broadcasts. Tim Bryant, general manager of Five Flags Speedway. This is a non-Nasar affiliated series. Mr. Bryant asked if we could have a 30 second spot, the answer was no but there is a 45 second – one minute to do a scene set which is the opening of the show, telling what track they are at and telling a little history. This is a very big production which is why we are asking for assistance. Visit Pensacola would do interface surveys to find out where visitors would be coming from.



five_flags_srx_one_s
heet.pdf

Motion: To recommend to the BCC to fund the Five Flags event by using the BCC unencumbered funds if they are available, if not the other source could be the overage from FY 2021
Made by: Ronald Rivera
Seconded by: Shirley Cronley
Disposition: Motion passes 7-0

c. ACE – Matt Davis – Treasurer for Art, Culture and Entertainment.

Concluded fiscal year as of September 30th. Paid out all 400,00.00 of operating grants to eleven local nonprofits. 10,000.00 total for mini grants. Mini grants are a dollar-for-dollar match for any nonprofits with an Art, Culture and Entertainment focus with a 50,000.00 or less annual revenue. The remaining 768,000.00 is currently being paid out allocated towards Foo Foo Fest.

2. National Naval Aviation Museum – Cindy McCalip Vice President for the Naval Aviation Museum Foundation. Recommended allowing tour buses to get back on base and are waiting to hear back.
3. UWF Historic Trust – Rob Overton executive director of UWF historic trust. Budget year is from July to September. Visitation for sites up 47% over last year and 22% over previous year. Paid admissions are up 88%. Rentals of spaces are up 56%.

4. African American Heritage Society – Cheryl Howard via teams. Fantastic year. Were able to expend the full amount of grant. Expended the grant by virtue of exhibit which was on for six months as voices of Pensacola. Also paid speakers for the program regarding the exhibit, speakers and or cultural art exhibit every month. Were part of the Juneteenth inaugural event. We did facilitate African American heritage trail guide and received several visitors from the state and outside the state who did utilize the guide.



Figlio Letter to
Represent.pdf

9. Other Business

1. TDT Audit Update – TDC authorized David Bear to send a letter on behalf of the board authorizing Rick Figlio, an attorney, to speak on the TDC's behalf at the joint legislative auditing committee meeting. This letter was sent to the department of revenue and the board of county commissioners what we believe to be unauthorized expenditures. The BCC discussed it at one of their meetings, asking the county administrator to send a letter in support of the audit. The letter is from former administrator Janice Gilley, it is not a request for an audit but to review the letter from the TDC and the letter from the clerk's office regarding the subject and to take whatever action necessary. After speaking to general counsel at the auditor general's office and the staff at the joint legislative auditing committee (JLAC), they said unless they get a request to do an audit, they do not do one and this letter was not requesting the audit. The letter did not go to JLAC. The auditor general is statutorily required to do certain audits every year, school board, counties, other municipalities, and any other local government entity may request an audit through JLAC and then if they choose, they will direct the auditor general to do that audit. Under statute 11.45 the TDC's are a local government entity, and they request directly to the JLAC for an audit. David Bear reached out to the TDC's local delegation, Senator Broxson, representative Andrade and Salzman and asked if they would jointly request this audit. They all agreed and signed the letter that was sent to the Joint Legislative Auditing Committee co-chairs, representative Zika and senator Baxley, who put this item on their upcoming agenda. They asked David Bear to attend and speak on the matter but, with a schedule conflict has asked Rick Figlio to be there to speak on the TDC's behalf. For him to do this, the TDC board must approve.

Motion: Recommendation for TDC board to approve David Bear to sign letter giving Rick Figlio authorization to speak on the TDC behalf at the joint legislative auditing committee meeting
Made by: Shirley Cronley
Seconded by: Robert Bender
Disposition: Motion Passes 6-0 with James Reeves off the dais

ADJOURNMENT

There being no further business to come before the Board, Chairman Bear declared the Budget Workshop Meeting of The Tourist Development Council adjourned at:5:30:20pm