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FORT
WALTON
BEACH
FLORIDA

TOURIST DEVELOPMENT COUNCIL BYLAWS

TDC November 15, 2021

BCC November 16, 2021

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A. LEGAL AUTHORITY

Legal authority for the Okaloosa County Tourist Development Council (the "Council") is found under Section 125.0104, Florida Statutes, known as "The Local Option Tourist Development Act", Okaloosa County Ordinance 89-23 as subsequently amended, and Resolution No. 89-40 establishing the Council and stating the intent to levy a Tourist Development Tax (the "Act"). As an appointed Advisory Board, the Council is bound by State and County Laws, ordinances, and procedures governing the Council members and their activities, as well as procedures for reviewing expenditures of tourist development tax revenues.

B. STATEMENT OF ORGANIZATION

Pursuant to the Act, Okaloosa County (the "County") has: established an advisory group known as the Okaloosa County Tourist Development Council; imposed a Tourist Development Tax; and approved a Tourist Development Plan pursuant to the mission set forth in A.300.

The Council is responsible for advising the Okaloosa Board of County Commissioners (the "Board") on the implementation of the Tourist Development Plan in accordance with State and County laws, regulations and procedures and within budgetary limitations imposed by the Tourist Development Tax Revenues.

In order to establish the procedures by which the Council will carry out its business, the Board has adopted these TDC Bylaws as the guiding instrument.

C. MISSION

The Council's primary responsibility is to advise and make recommendations to the Board on matters related to the annual Sales & Marketing Plan and budget, including tourism sales, marketing, and advertising in order to help increase overall visitation and lodging facility occupancy and ensure conformity with the Tourist Development Plan and the provisions of Section 125.0104, Florida Statutes. The Council shall advise and make recommendations to the Board for the effective operation of special projects and for uses of the Tourist Development Tax revenue. The Council shall continuously review expenditures of revenues from the Tourist Development Trust Fund and shall receive expenditure reports, at least quarterly, from the Tourist Development Department Director (the "Director").

D. LOCATION OF OFFICE

The Council has established its business offices at 1540 Miracle Strip Parkway SE, Fort Walton Beach, FL 32548. All official business correspondence with the Council or any of its members shall be directed to the Okaloosa County Tourist Development Council at this address.

E. COUNCIL COMPOSITION AND VACANCIES

- 1) **Composition.** The composition of the Council shall be as set forth in the Act.
- 2) **Terms.** All Council members shall serve for staggered terms of four (4) years, with the exception of the members of the municipalities and the Board who serve as appointed by their respective governing bodies. Their terms are subject to re-appointment or term expiration, whichever comes first. No Council member shall serve more than two (2) consecutive terms which shall be no more than eight (8) consecutive years. The Council member terms shall begin on October 1st of the year of appointment and terminate on September 30th of the fiscal year the term expires.

The Board may designate the Council Chair or allow the Council to elect a Chair. Terms for the Chair and Vice-Chair of the Council shall be for one (1) fiscal year and they may be reappointed.

- 3) **Orientation.** All newly appointed Council members shall participate in an orientation process, which shall include, but is not limited to, an overview of Sunshine Law, Public Records, Ethics (financial disclosure, gifts law, conflicts of interest) and relevant statutes, ordinances and TDD operating policies. From time-to-time, the Council shall participate in a refresher briefing on the topics included in the orientation.
- 4) **Vacancies for Non-Municipality-Designated Members.** A committee comprised of the Deputy County Administrator-Operations, TDD Deputy Director of Finance & Compliance, and Council Chair shall review applications and provide a recommendation to the Board for appointment. If the Council Chair is eligible for re-appointment, then another member of the Council not eligible for re-appointment shall be designated by the County Administrator to serve on the committee.
- 5) **Removal/Resignation.** Any member may be subject to removal from the Council if they miss three (3) Council meetings per fiscal year or upon a majority vote of the Board. Special consideration/leniency will be given for any absences due to Acts of God, personal illness/medical, and/or family emergencies. If one of the elected municipal or county officials on the Council is removed for this reason, the applicable governing entity shall be required to appoint another elected representative as their replacement. In the event a Council member no longer conforms to the criteria listed in Section A.600(1) above to hold the seat to which they were appointed, said Council member shall tender a letter of resignation.

F. COUNCIL CHAIR

The principal role of the Council Chair is to provide leadership to the Council and manage Council meetings. The Chairman is accountable to the Council and acts as a direct liaison between the Council, Board, and Tourist Development Department Director.

G. TDC BYLAWS AMENDMENT

These Bylaws may be amended from time to time by the Board. The Council may provide recommendations to the Board as to proposed modifications.

H. REGULAR COUNCIL MEETINGS

The Council shall meet at least once each quarter. To the extent that more meetings are necessary, they may be called by the Director and/or the Chair.

I. LOCATION AND NOTICE

Council meetings will be held at the Convention Center or as otherwise designated by the Director. All meetings shall be duly noticed on the Okaloosa County website meeting calendar and open to the public.

J. AGENDA

There shall be an official agenda for every Council meeting, which shall determine the order of business conducted at the meeting. The agenda will be prepared for each Council meeting by the Director and reviewed by the Chair. Individuals or entities wishing to place an item on an upcoming agenda for Council action must submit a written request to the Director at least two (2) weeks prior to a regularly scheduled meeting along with any supporting documentation. Department staff, and the Council attorney if necessary, shall provide background information on each agenda item and such information shall be available to Council members at least two (2) business days prior to a scheduled meeting. Items may be added to the agenda when deemed necessary, by majority vote of the Council, in emergency

situations when the issues are time critical or cost sensitive. Except as otherwise provided for herein, non-agenda matters shall be confined to items that are informational only.

K. RULES OF PARTICIPATION

- 1) **Rules.** The Council meetings shall be subject to all the procedural requirements of Chapter 286, Florida Statutes. All Council meetings must be duly noticed and open to the public. Council members are prohibited from discussing with any other Council member any matter on which foreseeable action will be taken by the Council.
- 2) **Public Participation.** Council meetings will be conducted by the Council Chair, the Vice-Chair, or a designee, in a manner to permit the greatest possible participation by all Council members and the interested public.
- 3) **Council Participation.** Council members must be present at the meeting to vote, but may participate virtually. Proxy vote is prohibited.
- 4) **Majority/Quorum.** Approval of a motion requires an affirmative vote of a simple majority vote of the Council members present and voting. Five (5) Council members shall constitute a quorum of the Council for purposes of conducting business.
- 5) **Abstention.** Any Council member desiring to abstain from voting shall publicly disclose the reason for the abstention before the vote is taken, in compliance with Section 286.012 and Chapter 112, Florida Statutes. Full disclosure must be made in writing within fifteen (15) days after the date of such meeting by completing a Voting Conflict Form (see Appendix) and filing it with the Director. The Voting Conflict Form shall be attached to the minutes of the meeting in which the abstention took place.

L. MINUTES

Written minutes shall be kept of each Council meeting and be presented at the next meeting for approval by the Council. Such written summary shall include the Council members in attendance, major items of discussion, formal action taken at such meetings, and items presented during public comments. The Council shall abide by Florida Statutes in regard to minutes and public participation.