

RESOLUTION NO. 2018-08

A RESOLUTION OF THE CITY OF LAKE WORTH, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A HOTEL OCCUPANCY TAX POLICY TO PROMOTE TOURISM AND THE CONVENTION AND HOTEL INDUSTRY IN THE CITY; ESTABLISHING GUIDELINES AND CRITERIA FOR THE USE OF FUNDS COLLECTED FROM THE TAX; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Chapter 351 of the Texas Tax Code authorizes communities to collect a Hotel Occupancy Tax (HOT) and use these funds to promote tourism and the convention and hotel industry; and

WHEREAS, the Council recognizes the importance of attracting visitors to support the convention and hotel industry in the City; and

WHEREAS, the Council recognizes that tourism stimulates commercial activity and supports existing businesses in the City; and

WHEREAS, the City Council (Council) of the City of Lake Worth, Texas (City) on April 12, 2005 passed Ordinance 791 establishing a Hotel Occupancy Tax; and

WHEREAS, Hotel Occupancy Tax funds have been collected and the City desires to utilize these funds in accordance with provisions of Chapter 351 of the Texas Tax Code; and

WHEREAS, upon full review and consideration of the Hotel Occupancy Tax Policy (Policy) attached as Exhibit A and all matters attendant and related thereto, the Council is of the opinion that the Policy will assist in implementing programs whereby tourism and the convention and hotel industry will be promoted and business and commercial activity will be stimulated in the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF Lake Worth, TEXAS, THAT:

SECTION 1.

The facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

SECTION 2.

The City Council finds that the guidelines and criteria of the Policy will promote tourism and the convention and hotel industry in the City.

SECTION 3.

The City Council hereby adopts the Policy authorizing the City to grant Hotel Occupancy Tax Funds and take other specified actions, in accordance with the guidelines and criteria outlined in the Policy.

SECTION 4.


The guidelines and criteria of the Policy, having been reviewed by the City Council of Lake Worth and found to be acceptable and in the best interest of the City and its citizens and businesses, are hereby approved.

SECTION 5.

This Resolution shall become effective from and after its passage.

PASSED AND APPROVED, this the 13th day of March, 2018.

ATTEST:


Monica Solko, TRMC
City Secretary





Walter Bowen, Mayor

EXHIBIT A
Hotel Occupancy Tax Policy

Lake Worth, Texas
Hotel Occupancy Tax Policy



WHEREAS, upon full review and consideration of this Hotel Occupancy Tax Policy (Policy), the City Council of Lake Worth, Texas (Council) is of the opinion that this Policy will assist in implementing programs whereby Tourism and the Convention and Hotel industry and will be stimulated in the City.

BE IT KNOWN, that the Council on March 13, 2018 approved Resolution 2018-08 adopting the following guidelines and criteria as the City of Lake Worth's Hotel Occupancy Tax Policy.

Section 1.
Introduction & Goals

It is the intent of this Policy to provide guidelines and criteria, requirements, and procedures to evaluate and approve any HOT Funds deemed necessary by the City to promote Tourism and the Convention and Hotel industry in the City. Nothing herein shall imply or suggest that the City is under any obligation to provide any HOT Funds to any Applicant. The Council retains the right to evaluate applications and grant HOT Funds, if any, as deemed appropriate on a case-by-case basis without the necessity of amending any contrary provisions of this Policy. Following are the goals of this Policy:

- 1.1. When in the best interests of the City, provide HOT Funds to applicants to promote Tourism and the Convention and Hotel Industry in the City;
- 1.2. Support Programs and Events that bring Visitors to the City;
- 1.3. Fund facilities that encourage and support attracting Visitors to the City; and
- 1.4. Ensure that all policies, procedures and any resulting Performance Agreements related to the use of HOT Funds shall comply with all applicable state statutes.

Section 2.
Definitions

The following definitions shall apply to the terms used in this Policy. *Definitions taken or adapted from Chapter 351 of the Texas Tax Code (Code).

Applicant: Shall mean the person(s) signing the Application.

Application: Shall mean the Application for HOT Funds as maintained by Staff.

Authorized Representative: Shall mean the Person having the capacity and authority to sign legal agreements on behalf of the applicable Party.

City: The City of Lake Worth, Texas.

Code: Shall mean Chapter 351 of the Texas Tax Code.

Convention Center: Shall mean facilities that are primarily used to host conventions and meetings, including civic centers, civic center buildings, auditoriums, exhibition halls, and coliseums that are owned by the City or other governmental entity or that are managed in whole or in part by the City.*

Council: The City Council of the City.

Documentation: Shall mean detailed invoicing from contractors and evidence of payments made, along with proof of completed construction.

Eligible Expense: Shall mean an expense meeting the requirements noted in Section 3 of the Policy.

Event: Shall mean an event held within the City limits having broad appeal and interest by attendees both from the City and Visitors.

Event Schedule: Shall mean a document showing the timing and general description of events.

Good Standing: A Person shall be deemed in Good Standing with the City upon determination that there are no taxes due, no liens held by the City, and no unresolved code violations related to the Project requesting HOT Funds.

Grant: Funds provided by the City for a particular Project in accordance with this Policy.

Historical Use: Shall have the meaning assigned in Section 5.2.2.E herein.

HOT Funds: Funds held by the City and derived from the payment of the City's Hotel Occupancy Tax, including interest generated by these Funds.

Hotel: Shall mean a building in which members of the public obtain sleeping accommodations for consideration. The term includes a hotel, motel, tourist home, tourist house, tourist court, lodging house, inn, rooming house, or bed and breakfast. The term does not include a hospital, sanitarium, or nursing home, or a dormitory or other housing facility owned or leased and operated by an institution of higher education or a private or independent institution of higher education, that is used by the institution for the purpose of providing sleeping accommodations for persons engaged in educational program or activity at the institution.*

Hotel Occupancy Tax (HOT): Shall mean the tax authorized by the Code and collected by the City.

Improvements: Shall mean the New Construction or Modernization of buildings, interiors, site work, Public Works Improvements, parking and drives, landscaping, irrigation, lighting and specifically excluding land and / or Business Personal Property.

In-Kind Participation: Shall mean the utilization of City personnel, providing of City equipment, utilization of City Facilities or similar participation as approved by Staff. Examples might include: Police protection, emergency medical services, street closure set-up / take-down, banner displays, website exposure, cooperative marketing, etc.

Local Overnight Stay: Shall mean the rental of a room in a Hotel within the City limits subject to the collection of the Hotel Occupancy Tax.

Logo Use Agreement: Shall mean an agreement prepared by the City authorizing the use of the City's logo or other branding components, subject to limitations included in the agreement.

Marketing Plan: Shall mean a plan identifying the resources and activities intended to be used to market a Program or Event.

New Construction: Shall mean the first-time construction of Improvements utilizing newly purchased materials, and specifically excluding any remodeling or renovations undertaken after issuance of the first Certificate of Occupancy.

Non-Profit Organization: Shall mean a not-for-profit organization meeting the definition contained in Chapter 22 of the Texas Business Organization Code.

Performance Agreement: Shall mean a written agreement summarizing the performance requirements of a business or developer and the HOT Funds to be provided by the City upon fulfillment of those performance requirements.

Policy: Shall mean this HOT Policy.

Post-Project Analysis: Shall mean an analysis of all factors relevant to organizing and effectuating a Program or Event soon after holding such Program or Event.

Project: Shall mean an Event or Program as defined herein.

Promotional Items: Shall mean physical items intended to be given away for the purpose of promoting a Program or Event.

Retail Vendor: Shall mean a vendor participating in the Project that provides goods or services to attendees and is subject to Sales Tax collection.

Sales Tax Form: Shall mean a form prepared by the City that obligates a temporary sales tax vendor to collect sales taxes on behalf of the City and report same to the Comptroller.

Staff: The City Manager or their designee.

Tourism: Shall mean the guidance or management of Tourists.*

Tourist / Visitor: Shall mean an individual who travels from the individual's residence to a different municipality, county, state, or country for pleasure, recreation, education, or culture.*

Tourist Attraction: Shall mean any kind of natural, man-made, or created Program, Event, or feature that draws Tourists to a destination.

Tourist Information Center: Shall mean a building or a portion of a building used to distribute or disseminate information to Tourists.*

Transportation System: Shall be as defined in Section 5.2.2.G herein.

Visitor: See Tourist.

Visitor Survey: Shall mean a survey implemented during or soon after a Program or Event which engages visitors and determines various factors regarding their attendance or participation.

Section 3.

Statutory Regulations

The following Statutory Regulations authorize and regulate the collection and use of HOT Funds as identified in this Policy. It is the intent of the City to comply with all statutory regulations on the use of HOT Funds for Projects as authorized by the Codes referenced below.

3.1. Authorizing Code: Chapter 351 of the Texas Tax Code provides all statutory authorization for imposition, use and administration of HOT Funds in the City.

3.1.1. Imposition of HOT: Section 351.002 authorizes the imposition of a tax on a person who, under a lease, concession, permit, right of access, license, contract, or agreement, pays for the use or possession or for the right to the use or possession of a room that is in a Hotel, costs \$2 or more each day, and is ordinarily used for sleeping.

3.2. Authorized Use and Allocation of HOT Funds: Subchapter B of Chapter 351 provides for the use and allocation of revenues derived from the HOT.

3.2.1. Threshold No. 1 – General: Section 351.101(a) provides that HOT Funds may be used only to promote Tourism and the Convention and Hotel industry, and that such use is limited to the uses noted in Threshold No. 2 below.

3.2.2. Threshold No. 2 - Project Type: A proposed use of HOT Funds must meet the requirements of Threshold No. 1 above before being evaluated against the requirements of Threshold No. 2. Following are Project Types authorized for use of HOT Funds. Additional details for each use are provided in Section 5.2.2. herein.

- A. Convention Centers
- B. Convention Registrants
- C. Promotional Programs
- D. Arts
- E. Historical Uses
- F. Sports Facilities

- G. Signage
- H. Transportation Systems

Section 4. ***Priorities***

The City has determined that the following are priorities for the HOT Funds potentially granted pursuant to this Policy. The evaluation of the merits of any Application shall take into consideration whether or not the proposed Project meets these priorities.

- 4.1. Open to the public;
- 4.2. Serves a diverse population;
- 4.3. Draws Visitors to the City;
- 4.4. Enhances other City promotional programs; and
- 4.5. Generates Sales Taxes or Hotel Occupancy Taxes for the City.

Section 5. ***Required Information***

To accommodate a comprehensive understanding and review of the request for HOT Funds, the following information shall be required from the Applicant and reflected on the Application.

- 5.1. Applicant: The following information shall be provided on the Applicant.
 - 5.1.1. Contact Information: All contact information on the Applicant(s).
 - 5.1.2. Type of Entity: Provide a description of the status of the sponsoring Entity (i.e. Non-Profit, For-Profit) and reference / provide documentation to substantiate this status.
 - 5.1.3. Entity Information: If the Applicant is representing an Entity, provide the requested information related to the Entity.
 - 5.1.4. Community Involvement: A description of the Applicant's past involvement in the Community, if any.
 - 5.1.5. Relevant Experience: A description of the Applicant's history holding or implementing the Project. Has the Applicant worked successfully with the City on this or similar Projects?
 - 5.1.6. Capabilities: A description of the Applicant's ability to perform the duties necessary to fund and implement the Project (e.g. resources, people).
 - 5.1.7. Property Owner Acknowledgement: An acknowledgement that the owner of the Property to be used for the Project grants permission for the Applicant to use the Property to hold the Project.
- 5.2. Project: The following information shall be provided on the Project proposed.
 - 5.2.1. Threshold #1: Describe how the Project promotes tourism and the convention and Hotel industry.
 - 5.2.2. Threshold #2: The extent to which the Project falls within one of the following categories.
 - A. Convention Centers: The acquisition of sites for and the construction, improvement, enlarging, equipping, repairing, operation, and maintenance of Convention Center facilities or Visitor Information Centers, or both.

- B. Convention Registrants: The furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants.
 - C. Promotional Programs: Advertising and conducting solicitations and promotional programs to attract Tourists and convention delegates or registrants to the City or its vicinity.
 - D. Arts: The encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms.
 - E. Historical Uses: Historical restoration and preservation projects or activities or advertising and conducting solicitations and promotional programs to encourage Tourists and convention delegates to visit preserved historic sites or museums:
 - i. At or in the immediate vicinity of Convention Center facilities or Visitor Information Centers; or
 - ii. Located elsewhere in the City or its vicinity that would be frequented by Tourists and convention delegates.
 - iii. 15% Limitation: Section 351.103(c) of the Code further provides that not more than fifteen percent (15%) of the HOT Funds collected may be used for uses in this Section.
 - F. Signage: Signage directing the public to sights and attractions that are visited frequently by Hotel guests in the City.
 - G. Transportation Systems: A transportation system to transport Tourists from Hotels in and near the City to:
 - i. The commercial center of the City;
 - ii. A Convention Center in the City;
 - iii. Other Hotels in or near the City; and
 - iv. Tourist Attractions in or near the City.
- 5.2.3. Marketing: Submit a Marketing Plan for the Project including, at a minimum, the following information. A recommended Marketing Plan skeleton is available from the City.
- A. Advertising (Paid or In-Kind): Venues to be used? Distribution? Target audience?
 - B. City Exposure: What exposure is planned for the City? What level of "Sponsor" would the City be recognized as for their contribution?
- 5.2.4. Schedule and Description of Activities: Provide a Schedule and Description of all Activities including, but not limited to: set-up and break-down, clean up, daily hours of operation, entertainment (rides, intended target group, purpose of activity).
- 5.2.5. Site Layout: Provide a graphic plan showing the proposed location of tents, booths, ticket sales, security, generators, restroom facilities, emergency facilities, activities, bands, speaker systems,
- 5.2.6. Historic Information: Has this Project been held previously? Provide details on the times held and any pertinent information related to that specific Project.

- 5.2.7. Retail Vendors: Describe the extent to which Retail Vendors shall be used to supplement the activities of the Project.
- 5.3. Funds Requested: The following information shall be provided on the amount and purpose of the Funds requested.
 - 5.3.1. Requested HOT Funds: The Applicant shall itemize the HOT Funds they are requesting from the City and provide a description of how the HOT Funds are to be used.
 - 5.3.2. Other Fund Sources: Provide a list of other sources of funds used to execute the Project, including amounts provided by those sources.
 - 5.3.3. In-Kind Participation: An itemized description of any In-Kind Participation requested.
 - A. Facilities: (e.g. Parks, gyms, Library)
 - B. Equipment: (e.g. Bleachers, lights, AV equipment, electric services)
 - C. Staffing: (e.g. Fire, EMS, Public Works, Police)
 - D. Services: (e.g. street closures)
 - 5.3.4. Funding Limitations:
 - A. Availability: HOT Funds must be available for use.
 - B. Funding Caps: No single Project shall receive HOT Funds from the City in excess of twenty thousand dollars (\$20,000), excluding In-Kind Participation.
 - C. In-Kind Limitations: No In-Kind Participation shall be granted unless the resources and Staff needed are available to support the Project.
- 5.4. Impacts: The following information shall be provided on the anticipated Impacts of the Project.
 - 5.4.1. Attendance: Provide attendance data on any previously held Projects and an estimate of total anticipated attendance and percentage of attendees that are Visitors.
 - 5.4.2. Local Overnight Stays: Describe the extent that you have arranged for Room Blocks to accommodate the Project as well as an estimate of anticipated Local Overnight Stays.
 - 5.4.3. Taxes Generated: Provide an estimate of direct and indirect sales taxes generated during the Project and an estimate of direct and indirect Hotel Occupancy Taxes generated during the Project.
 - 5.4.4. Existing Business Support: To what extent will the Project involve hiring the services of or acquiring the products of existing Local Businesses?
 - 5.4.5. Surveys: To what extent will Surveys be used to determine or verify anticipated Impacts of the Project?
- 5.5. Project Revenues & Proceeds: Provide a Financial Pro-Forma describing the anticipated revenues from the Project, anticipated costs, and net proceeds as well as the planned disposition of any net proceeds.
- 5.6. Applicant Certifications: The Applicant shall certify to the following as part of the Application.
 - 5.6.1. Application Accuracy: The information provided in this Application, and all that may have been affixed hereto, is true and correct, and that the City may rely on all of the information herein contained, and all that may have been affixed hereto, as being true and correct.
 - 5.6.2. Discretionary Rights: The City has the absolute right of discretion in deciding whether or not to approve an incentive relative to this application, whether or not such discretion is deemed arbitrary or without basis in fact.

- 5.6.3. Performance Agreement: A Performance Agreement (PA) meeting the provisions of Section 6.5 must be executed prior to the beginning of the Project in order to receive any HOT Funds.
- 5.6.4. Post-Project Analysis: Our team shall meet with City representatives upon completion of the Project and participate in a formal Post-Project Analysis.
- 5.6.5. Compliance with Regulations: The Project shall be implemented in compliance with all City, County and State regulations, including, though not exclusively: Sign Ordinance, Noise Ordinance, Solicitation Ordinance, Texas Alcohol and Beverage Commission (TABC) and City and County Health Regulations.
- 5.6.6. In-Kind Participation: Any In-Kind Participation provided by the City is subject to a 50/50 matching grant and that the Applicant must match the cost of the In-Kind Participation, e.g. if Staff hours for an Event was equal to \$5,000, the Applicant would be required to make a payment of \$2,500 to the City immediately after the Project.
- 5.6.7. Sales Tax Collections: The undersigned will distribute the City's Sales Tax Forms to all Vendors generating taxable sales and demand compliance from each Vendor.
- 5.6.8. Neutrality: The Project is non-partisan politically and makes no effort to promote or facilitate the promotion of a particular position or political candidate. Further, all religions and ethnical backgrounds are allowed to attend and participate.
- 5.6.9. Representation: The undersigned must appear before the Council to represent their Application and that failing to appear may be grounds for denial of the Application.
- 5.6.10. Non-Transferability: Rights granted through this Application are exclusive to the parties named herein and are not assignable or transferable.
- 5.6.11. Authorized Representative(s): The undersigned are duly authorized to represent this Project before the City and individually have the capacity and authority to sign this Application for HOT Funds.

Section 6.

Administrative Procedures

The Applicant shall follow the Administrative Procedures noted below to apply for HOT Funds as identified herein.

- 6.1. Pre-Submittal: All Applicants are encouraged to meet with Staff prior to preparation of an Application.
- 6.2. Application: The submittal of an Application is required prior to any evaluation of a request for HOT Funds. The Application shall be on a form prepared by Staff and available on the City's website or in the office of the City Secretary.
 - 6.2.1. Required Information: The Application shall include all Required Information as noted in Section 5.
 - 6.2.2. Timing: The Application must be complete and formally submitted a minimum of ninety (90) days before the anticipated date of the Project.
 - 6.2.3. Amendments: Staff may amend the form of the Application as needed to more efficiently evaluate the merits of the requested HOT Funds.

- 6.3. Review Criteria: Following are criteria to review and evaluate the Application.
- 6.3.1. Completeness of Application: Completeness of the Application; including all required documentation.
 - 6.3.2. Priorities: Does the Application address the Priorities identified in Section 4?
 - 6.3.3. General Eligibility: Does the Project meet the General Eligibility requirements?
 - 6.3.4. Impacts: An evaluation of the positive and negative Impacts that the Project might have, including, but not limited to the items identified in Section 5.4 herein.
- 6.4. Review and Consideration: The following shall be required for approval of HOT Funds.
- 6.4.1. Consulting Services: To the extent that a consulting service is deemed necessary by the City to aid in their evaluation (e.g. financial impacts / cost-benefit analysis, infrastructure impacts or capabilities), the City may require that the Applicant participate up front in the cost of obtaining these services.
 - 6.4.2. Staff Evaluation and Recommendation: The coordinating Staff member shall convene a team of the appropriate Staff members to evaluate the Application. Upon review, Staff shall prepare a recommendation to forward to the Council.
 - 6.4.3. Council: Council shall make the final decision regarding the merits of the Application and the appropriate HOT Funds to be provided, if any.
- 6.5. Performance Agreement: Upon approval by the Council including a determination of the HOT Funds to be provided by the City, if any, a Performance Agreement, in a form provided by the City, shall be executed by the Applicant. At a minimum, the Performance Agreement shall contain the following items. An example of this Agreement is available for review at the City.
- 6.5.1. Indemnification: An Indemnification clause to the benefit of the City.
 - 6.5.2. Insurance: Acquisition of Insurance protecting the City.
 - 6.5.3. Execution: The Performance Agreement must be executed by Authorized Representatives prior to the City providing any HOT Funds.
- 6.6. Post-Project Analysis: At a joint meeting with City Staff, the Applicant shall convene its operational Team after the Project has been completed and complete a *Post-Project Analysis Form* provided by the City. An example *Post-Project Analysis Form* is provided as Exhibit A.

Section 7.

General Provisions

- 7.1. Flexibility: The terms and conditions of this Policy are to be considered guidelines for City Council during their deliberation and evaluation. The City reserves the right to modify the terms and conditions herein at any time, including for any pending application, and may approve a Performance Agreement or provide services on terms and conditions contrary to the guidelines of this Policy.
- 7.2. Section or Other Headings: Section or other headings contained in this Policy are for reference purposes only and shall not affect in any way the meaning or interpretation of this Policy.
- 7.3. Severability: In the event that any provision of this Policy is illegal, invalid, or unenforceable under present or future laws, the remainder of this Policy shall not be affected thereby.

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Exhibit A
Example Post-Project Analysis Form

Post-Project Analysis



Project Name: _____

Project Date: _____

Attendees:

- Name, agency _____
- _____

Item
A. Application process
+ Perceived positives
+
- Perceived negatives
-
• Questions / comments / recommendations
•
B. Marketing / Advertising
+
-
•
C. Sponsorships /
+
-
•
D. Operations
+
-
•
E. Layout /
+
-
•
F. Financials
+
-
•

Exhibit B
Application for Hotel Occupancy Tax Funds



Lake Worth, Texas
Hotel Occupancy Tax Funds Application

Stacey Almond
City Manager
(817) 237-1211
salmond@lakeworthtx.org

1.	APPLICANT INFORMATION
A	<u>Primary Contact:</u> _____ <u>Title:</u> _____
B	<u>Business Name:</u> _____
C	<u>Business Address:</u> _____
D	<u>Wk Phone:</u> _____ <u>Cell:</u> _____ <u>Fax:</u> _____
E	<u>Email:</u> _____
F	<u>Secondary Contact:</u> _____ <u>Title:</u> _____
G	<u>Business Name:</u> _____
H	<u>Business Address:</u> _____
I	<u>Wk Phone:</u> _____ <u>Cell:</u> _____ <u>Fax:</u> _____
J	<u>Email:</u> _____
K	<u>Property Owner Acknowledgement:</u> I acknowledge that I have granted permission to the above Applicant to host the Project described herein on property that I own. <u>Company:</u> _____ <u>Work:</u> _____ <u>Cell:</u> _____ <u>Signed:</u> _____ <u>EM:</u> _____ <u>Address:</u> _____ <u>Name:</u> _____ <u>Title:</u> _____
2.	SPONSORING ENTITY (If any)
A	<u>Business Name:</u> _____ <u>Website:</u> _____
B	<u>Business Address:</u> _____
C	<u>Year Business Established:</u> _____
D	<u>Type of Entity (e.g. For-Profit, Not-for-Profit):</u> _____
E	<u>Tax Classification if NFP:</u> _____
F	<u>Business Description:</u> _____
G	<u>Describe extent of Community Involvement:</u> _____
H	<u>Describe relevant experience:</u> _____
I	<u>Describe capabilities (e.g. resources, people) to execute:</u> _____
3.	PROJECT INFORMATION (Policy Section 5)
A	<u>Threshold #1:</u> Describe how the Project promotes tourism and the convention and hotel industry:
B	<u>Threshold #2:</u> Describe the extent to which the Project meets the requirements of one or more of the following categories (Described in detail in Section 5.2.2 of the HOT Policy).
C	- <u>Convention Centers:</u> _____
D	- <u>Convention Registrants:</u> _____
E	- <u>Promotional Programs:</u> _____
F	- <u>Arts:</u> _____
G	- <u>Historical Uses:</u> _____
H	- <u>Sports Facility:</u> _____
I	- <u>Signage:</u> _____
J	- <u>Transportation Systems:</u> _____
K	____ Yes / ____ No - Marketing Plan meeting the requirements of Section 5.2.3 attached?
L	____ Yes / ____ No - Schedule of Activities meeting the requirements of Section 5.2.4 attached?
M	____ Yes / ____ No - Site Layout meeting the requirements of Section 5.2.5 attached?
N	<u>Historical Information:</u> Has this Project been held Previously? Provide details on the times held and any pertinent information related to that specific project.
O	<u>Retail Vendors:</u> Describe the extent to which Retail Vendors shall be used to supplement the activities of the Project.

4.	ESTIMATED SCHEDULE		
A	Provide an estimate of milestones to be accomplished prior to the Project.		
B	DD-MM	Item / Task / Milestone	Notes
C	2-09		•
D			•
E			•
F			•
G			•
H			•
5.	IMPACTS		
A	<u>Anticipated Attendance:</u>		
B	<u>Anticipated Over-night Stays:</u>		
C	<u>Room Blocks:</u> Describe the extent that you have arranged for Room Blocks to accommodate the Project:		
D	<u>HOT Generated:</u> Describe anticipated HOT generated:		
E	<u>Sales Tax Generated:</u>		
F	<u>Surveys:</u> To what extent will Surveys be used to determine or verify anticipated impacts of the Project?		
6.	PROJECT REVENUES & PROCEEDS		
A	Yes / No – <i>Financial Pro-Forma</i> Attached?		
B	Revenues	Item	Notes
C		•	•
D		•	•
E		•	•
F		•	•
G		•	•
H	Costs	Item	Notes
I		•	•
J		•	•
K		•	•
L		ESTIMATED NET PROCEEDS	•
M	Disposition of proceeds: Please describe the planned disposition of any net proceeds from the Project.		
N	Amount	Recipient	Notes
O		•	•
P		•	•
Q		•	•
R		•	•
7.	HOT FUNDS REQUESTED (Policy Section 5.3)		
A	HOT Funds Requested		
B	Amount	Intended Use	Notes / Justification
C			•
D			•
E			•
F		TOTAL AMOUNT REQUESTED	•
G	In-Kind Participation Requested (See Section 5.3.3 of the Policy for examples) Costs shall be estimated by Staff.		
H	Cost	Facilities	Notes / Justification
I		•	•
J		•	•
K	Cost	Equipment	Notes / Justification
L		•	•
M		•	•
N	Cost	Staff	Notes / Justification
O		•	•
P		•	•

Q	Cost	Services	Notes / Justification
R		•	•
S		•	•
T	Cost	Misc.	Notes / Justification
U		•	•
V		•	•
8.	APPLICANT CERTIFICATIONS		
	In accordance with the Hotel Occupancy Tax Policy, the undersigned do hereby certify the following:		
A	Application Accuracy: The information provided in this Application, and all that may have been affixed hereto, is true and correct, and that the City may rely on all of the information herein contained, and all that may have been affixed hereto, as being true and correct.		
B	Discretionary Rights: The City has the absolute right of discretion in deciding whether or not to approve an incentive relative to this application, whether or not such discretion is deemed arbitrary or without basis in fact.		
C	Performance Agreement: A Performance Agreement (PA) meeting the provisions of Section 6.5 must be executed prior to the beginning of the Project in order to receive any HOT Funds.		
D	Post-Project Analysis: Our team shall meet with City representatives upon completion of the Project and participate in a formal Post-Project Analysis.		
E	Compliance with Regulations: The Project shall be implemented in compliance with all City, County and State regulations, including, though not exclusively: Sign Ordinance, Mass-Gathering Ordinance, Noise Ordinance, Solicitation Ordinance, Texas Alcohol and Beverage Commission (TABC) and City and County Health Regulations.		
F	In-Kind Participation: Any In-Kind Participation provided by the City is subject to a 50/50 matching grant and that the Applicant must match the cost of the In-Kind Participation, e.g. if Staff hours for an Event was equal to \$5,000, the Applicant would be required to make a payment of \$2,500 to the City immediately after the Project.		
G	Sales Tax Collections: The undersigned will distribute the City's Sales Tax Forms to all Vendors generating taxable sales and demand compliance from each Vendor.		
H	Representations: The undersigned must appear before the Council to represent their Application and that failing to appear may be grounds for denial of the Application.		
I	Neutrality: The Project is non-partisan politically and makes no effort to promote or facilitate the promotion of a particular position or political candidate. Further, all religions and ethnical backgrounds are allowed to attend and participate.		
J	Non-Transferability: Rights granted through this Application are exclusive to the parties named herein and are not assignable or transferable.		
K	Authorized Representative(s): The undersigned are duly authorized to represent this Project before the City and individually have the capacity and authority to sign this Application for HOT Funds.		
9.	I (we) hereby affirm the Certifications noted above and approve the submittal of the Application for HOT Funds as identified herein.		
Company:		Company:	
Signed:		Signed:	
Name:		Name:	
Title:		Title:	
W:	C:	W:	C:
EM:		EM:	
Address:		Address:	