

To: Bryan City Secretary

From: Councilmembers Saenz and Pena

Subject: Agenda Item Titled: Downtown Bryan Association and HOT Tax

Please place the following item on the Bryan City Council Regular Agenda for the ~~July 15~~ ^{June 24} 2014 meeting: **Discussion consideration and possible action to direct staff to develop a council policy to:** Require the Downtown Bryan Association to use the "City of Bryan Hotel Tax Fund Expenditure Grant Application Packet" (attached) to request hotel motel tax funding and to send the request to the Convention & Visitors Bureau for processing.

Description: The attached application and process was designed by the Convention & Visitors Bureau and the City of Bryan to establish guidelines to apply universally to all events and activities requesting funds from the City of Bryan in regards to financial support from the City Hotel Tax Fund. There are stringent requirements in the Tax Code regulating the use of HOT funds. A copy of the applicable sections of the Tax Code has been included in this packet (Page 11). A Convention & Visitors Bureau Committee will review the application and make recommendations to the City of Bryan regarding approval or denial of the request. The need in the local community for the event and the economic impact will be considered relative to other previously scheduled events in the community at the same time. The committee will also provide a recommendation on the amount of the funding based on the estimated economic impact of the event. This process will encourage any applicant to pursue event visitors from out of town. Visitors from out of town have a much greater impact on restaurant sales, retail sales tax, liquor sales and hotel/motel occupancy. Following this process can only result in growing the impact of Downtown Bryan Association events.

Presentations: Councilmember Pena and Saenz.

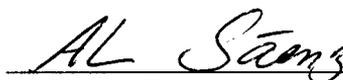
This agenda item placement is in accordance with the Bryan City Charter (j) (1) a. 2. Also the Texas Attorney General Opinion Number DM-228 (1993) states no policy can preclude a councilmember from placing an item on the agenda for public discussion.

Any changes to this agenda item must be approved in writing by both under signs prior to posting to the agenda.



Rafael Pena, Councilmember, District 2

Date: 6-11-14

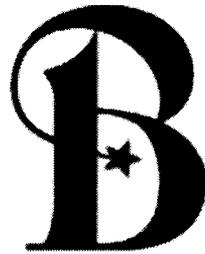
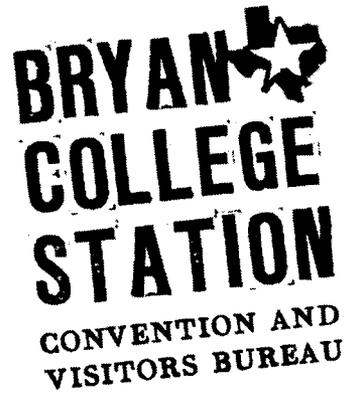


Al Saenz, Councilmember, District 1

Date: 6-11-2014

Attachment: City of Bryan Hotel Tax Fund Expenditure Grant Application Packet





CITY OF BRYAN

City of Bryan
Hotel Tax Fund Expenditure
Grant Application Packet



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Overview Of The Application Process

This packet was designed to establish guidelines to apply universally to all events and activities requesting funds from the City of Bryan in regards to financial support from the City Hotel Tax Fund. There are stringent requirements in the Tax Code regulating the use of HOT funds. A copy of the applicable sections of the Tax Code has been included in this packet (Page 11) for your review.

A Convention & Visitors Bureau (CVB) Staff Representative will review the application and make recommendations to the City of Bryan city designee regarding approval or denial of the request and give additional comments as to the size of the financial funding request based on estimated economic impact relevant to the request, as well as taking into consideration the need for local community economic impact relevant to the community calendar. The Convention & Visitors Bureau (CVB) Staff Representative will work with the applicant to ensure that all necessary documentation is included when presenting to the City of Bryan city designee. The City of Bryan city designee will make the final decision on funding the event and at what level.

To apply for support, the event must take place within Brazos County.

If there is a sponsoring organization they will be required to provide their tax filing status and ID number as part of the application. The sponsoring organization must be tax-exempt. It is preferred that the sponsoring organizations have 501(c) tax-exempt status, but it is not required.

Rules Governing Your Application

1. The applicant must present reasonable evidence that the expenditure or event will directly promote tourism AND impact the hotel/convention business in Brazos County.
2. For any applicant applying for HOT funds to advertise an event, the CVB recommends these funds focus on targeting visitors outside a 60 to 150 -mile radius of Bryan-College Station. *Applicant must also attach copy of their marketing plan for advertising including (1) venue for advertising; what medium (magazine, newspaper, radio etc.); (2) rate card/sheet for said venue (3) expected run date or issue.*
3. The applicant must ensure that a direct link to the CVB website is included on ANY information provided to a registrant, vendor/event attendee, including but not limited to any event website. The CVB website will contain a completed list of all hotels and Bed and Breakfasts in good standing.
4. If the request is for cooperative advertising support, the CVB Director or its designee must approve the final advertising copy for appropriate representation of the community and local lodging three (3) weeks before the ad or publication's proof deadline.
5. Any promotional materials (brochures, website, advertisements, etc.) using HOT funds are required to include the appropriate Bryan-College Station CVB logo with the visitaggieland.com website below the brand. The CVB logo must be used on all advertising, print, television and online; and a website link provided. *(Contact the Bryan-College Station CVB @ 979-260-9898 for approval and the correct version of the brand and link to use for promotional item.)*
6. After the application process is complete, and upon recommendation from a CVB Staff Representative for approval, the applicant may be expected to present an overview of the information and/or items included in the application such as expected visitor attendance to event, hotel selection, and expected overnight stays directly attributed to the event and to the City designee or any other group or entity that the City deems necessary.

Process Overview

The Pre-Event Funding And Reimbursement Process:

1. The City of Bryan reserves the right to decide how funds will be dispensed; annually, quarterly, or monthly.
2. The City of Bryan reserves the right to decide if **partial** or **all** funding should be reimbursed to the city provided the organization or event did not meet the requirements of said contract.
3. The City of Bryan reserves the absolute and ongoing right to conduct an audit of anyone receiving HOT Funds to ensure correct use of HOT Funds.
4. The application must be submitted by February 14, 2013.

Review of Applications Process:

A review panel will meet yearly to review all applications received.

Review Panel Members:

- President of Convention & Visitors Bureau
- Vice President of Convention & Visitors Bureau
- Minimally 3 Convention & Visitors Bureau Executive Board Members
- Representative from Bryan City Manager's Office
- Representative from College Station City Manager's Office
- Arts Council Executive Director

The Applicant will have the opportunity to be present at the review panel discussions to answer any questions and provide more information. If the Applicant cannot be present the Convention & Visitors Bureau Staff can be present on their behalf.

Decisions will be made by majority vote of the review panel at the early March meeting. For the future of this HOT Grant Application process, yearly meetings will be held in October as close to the first of the month as possible.

Post Review Panel:

The client will be notified within 14 days after the review panel meeting as to the outcome of the meeting.

In College Station, if the amount being recommended is over \$25,000; it will be scheduled for the next available City Council meeting for Council approval. In Bryan, the city manager has the ability to make the decision to fund up to \$50,000. If the

07/03/2013



Hotel Tax Fund Event Grant Application Packet



amount exceeds this limit, it will be scheduled for the next available City Council meeting for Council approval.

The Post-Event Process:

The Post Event Analysis must include all of the items outlined in the application, including samples of advertisements produced with the use of HOT funds. If the Post Event Analysis and the final accounting of room nights are not received by the due date, the City of Bryan reserves the right to reject any future application by the organization and to request reimbursement of partial or all HOT Funding.

It is the responsibility of the event to monitor the number of out-of-town guests who stay in Bryan and College Station lodging properties in relation to their event. We strongly recommend working with the CVB and the hotels to ensure proper credit and tracking. Some suggestions for tracking out-of-town guests would be to use a zip code tracking system or a survey distributed to attendees. Please note that stated room nights generated will be subject to an audit by the City Manager and/or staff or the City designee.

A hotel list has been included in this packet for your reference in coordinating room blocks and/or directing people to overnight accommodations. Please note that room nights generated in other surrounding areas do not fulfill the requirements of the state law and will not be credited to your event.

Payment to Client:

Applicant will receive 25% of the grant approval Pre-Event and the remaining 75% Post-Event.

The remaining 75% will be distributed based on the room night pick up, the burden of proof lies exclusively on the applicants.

It is extremely important that applications be filled out completely and accurately. If you need assistance in completing the application or have further questions, please do not hesitate to contact Kindra Fry at 979-260-9898 or via e-mail at kindra@bcscvb.org.

Support Considerations Checklist

Name of Event _____

Year Applying _____

- _____ The event “directly enhances and promotes tourism AND the convention and hotel industry.” (Tax Code, Section 351.101)
- _____ The event qualifies under AT LEAST ONE of the following categories:
(Please circle category number)
- (1) the establishment, improvement, or maintenance of a convention center or visitor information center
 - (2) the facilitation of convention registration
 - (3) advertising, solicitations and promotions that attract tourists and convention delegates to Brazos County
NOTE: If applying under this category, legitimate media must be utilized IN ADVANCE of the event (examples include direct mail, postage, newspapers, magazines, radio, television, billboards, newsletters, brochures and other collateral material).
 - (4) the encouragement, promotion, improvement and application of the arts
NOTE: Must be a viable art form (examples include 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)
 - (5) the enhancement of historical restoration and preservation projects
 - (6) funding costs in certain counties to hold sporting events that substantially increase hotel activity: (City within counties of under 1 million population
****Brazos County currently qualifies under this statute**)
 - (7) the enhancement or upgrading of existing sports facilities or sports fields for certain municipalities
 - (8) funding transportation systems for tourists
- _____ The application is filled out thoroughly and completely with all requested documentations attached.
- _____ The Post Event Analysis for last year’s event have been previously submitted. (Write “N/A” if you did not receive support last year)
- _____ It has been determined how the event will track out-of-town guests, demonstrating that the event will attract tourists that will support the convention and hotel industry.

Please note: All items must be completed before the application can be submitted.



Application For Event Support

Organization/Business Information

Today's Date: _____ Event Date: _____

Name of Organization/Business: _____

City, State, Zip: _____

Contact Name: _____

Contact Phone Number: _____ Email: _____

Status of organization: Non-Profit _____ Private/For Profit _____ Govt. Agency _____

Tax ID #: _____ Social Security # _____

Purpose of your organization/business:

Event or Expenditure Description

Please answer all items that apply to your request.

Name of your event/expenditure: _____

Website address of your event/expenditure: _____

Date(s) of event/expenditure: _____

How will the funds be used to directly enhance and promote tourism AND the hotel and convention industry in Brazos County?



Hotel Tax Fund Event Grant Application Packet



List other means of financial support including in-kind support

<u>Name</u>	<u>Amount to receive</u>

Primary location of event/expenditure: _____

Number of total persons expected to attend this event/expenditure: _____

Number of persons expected to visit event or expenditure monthly/yearly: _____

Approximate number of people attending/visiting event or expenditure will stay overnight in local hotels, motels or bed & breakfasts?

List host hotel or hotels that currently have a block of rooms for this event: Organization must provide proof of listing or link of hotels on advertising and website.

<u>Hotel</u>	<u># of Rooms Blocked</u>	<u>Room Rate</u>

Required Attachments:

Check all documents that are attached along with the application

- _____ P&L from previous year's program
- _____ Projected budget for entire program
- _____ Itemized, detailed list of expenditures relevant for HOT revenue use
- _____ Advertising / Marketing Plan, including target audience
- _____ List of Board of Directors with contact phone numbers
- _____ Event planning timeline, if applicable
- _____ Schedule of activities relating to your event/expenditure
- _____ Copy of Tax Exempt certificate, if applicable
- _____ Copy of previous year's finances upon request



HOT Tax Fund Grant Agreement Form

Please return completed application with necessary attachments and signature to the Bryan-College Station CVB located at 715 University Drive East College Station, TX 77840 no later than **February 14, 2014**.

I have read the HOT Tax Fund Grant Application Process including the Rules Governing the Application and the Reimbursement Process.

I fully understand the HOT Tax Fund Grant Application Process, Rules Governing the Application and the process established by the City of Bryan. I intend to use this grant for the aforementioned event/project to forward the efforts of Brazos County and the Convention & Visitors Bureau in directly enhancing and promoting tourism and the convention and hotel industry by attracting visitors and hotel guests from outside Brazos County into the city or its vicinity.

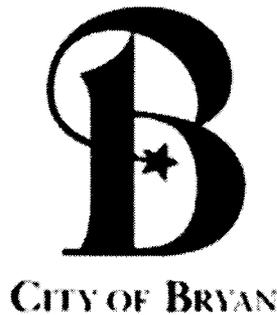
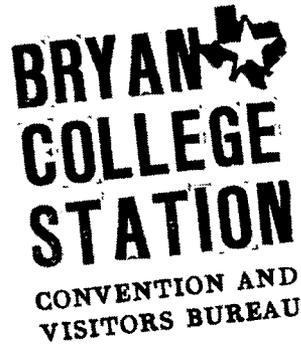
I understand that if I am awarded a HOT Tax Fund Grant , any deviation from the approved project or from the rules governing the application may result in the partial or total withdrawal of the HOT Fund Grant or a requirement to refund any and all funds received.

Business/Organization Name _____

Applicant's Signature _____ ***Date*** _____



Hotel Tax Fund Event Grant Application Packet



Staff Recommendation

CVB Staff Representative Recommended Grant Amount: \$ _____

Terms of Grant: Monthly _____ Quarterly _____ Annual _____

Date of Payment: _____

Conditions of Grant:

Five horizontal lines for writing conditions of grant.

City of Bryan Designee Approvals

Signature: _____

Date: _____

City of Bryan Designee: _____



Post Event Analysis

***This Form Must Be Completed And Returned To The Bryan-College Station CVB
No Later Than 30 Days Following Your Event Along With All Proof Of
Advertising And Hotel Room Night Pick Ups.***

Event Information

Event Name: _____

Event Dates: _____

Event Expected And/Or Final Outcome

Attendance: _____

Hotel Room Nights*: _____

**Subject To Audit*

The above accounting of our Special Event is accurate and true to the best of my knowledge.

Authorized Signature

Date

Printed Name

Title/Responsibility

Return this form, supporting documentation and check (if applicable) to:

**Bryan-College Station CVB
Attn: Kindra Fry
715 University Drive East
College Station, TX 77840**

If you have any questions, please contact Kindra Fry at 979-260-9898 or by email at Kindra@bcscvb.org.

Tax Code – Use of Hotel Occupancy Tax Revenue

§ 351.101. USE OF TAX REVENUE.

(a) Revenue from the municipal hotel occupancy tax may be used only to promote tourism and the convention and hotel industry, and that use is limited to the following:

- (1) 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;
- (2) the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants;
- (3) advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the municipality or its vicinity;
- (4) 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;
- (5) 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;
- (6) for a municipality located in a county with a population of one million or less, expenses, including promotion expenses, directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the municipality or its vicinity.
- (7) the promotion of tourism by the enhancement and upgrading of existing sports facilities or fields, including facilities or fields for baseball, softball, soccer, and flag football
- (8) for funding transportation systems for tourists

§ 351.108. RECORDS.

(a) A municipality shall maintain a record that accurately identifies the receipt and expenditure of all revenue derived from the tax imposed under this chapter.

(b) A municipality or entity that spends revenue derived from the tax imposed under this chapter shall, before making an expenditure, specify in a list each scheduled activity, program, or event that:

- (1) is directly funded by the tax or has its administrative costs funded in whole or in part by the tax; and
- (2) is directly enhancing and promoting tourism and the convention and hotel industry.

(c) If a municipality delegates to another entity the management or supervision of an activity or event funded by the tax imposed under this chapter, each entity that is ultimately funded by the tax shall, before making an expenditure, specify in a list each scheduled activity, program, or event that:

- (1) is directly funded by the tax or has its administrative costs funded in whole or in part by the tax; and
- (2) is directly enhancing and promoting tourism and the convention and hotel industry.



Bryan-College Station Accommodations

Hotels/Motels

Name-URL	Units	Services	Location	Phone

Bed & Breakfasts

Name-URL	Units	Services	Location	Phone

**HOT Tax Fund Grant
Project Fund Worksheet**

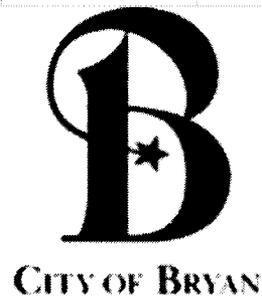
Round Numbers to the nearest dollar.

Attach any additional documents that will assist in our decision. (i.e. marketing plans, etc.)

A. Expenditures	A. Applicant's Grant Request	B. Cash from all other sources	C. In-Kind (no cash paid for services)	Total of a, b & c
1. Personnel				
Administrative				
Artistic				
Technical				
Other Personnel				
2. Fees for outside professional services				
Administrative				
Artistic				
Technical/Other				
3. Space Rental				
4. Equipment Rental				
5. Travel/Transportation				
6. Promotion/Printing				
7. Costumes/Royalties				
8. Other (Supplies, Postage, etc.)				
9. Totals				

B REVENUES- (For this project only)

1. This Grant Request			
2. Admission & Ticket Sales			
3. Concessions			
4. Individual Donations			
5. General Funds Budgeted			
6. Additional Grants			
a. Arts			
b.. Texas ATM/Blinn			
c. Chamber			
d. Other			
Total Income and Contributions			
		Total In-Kind	
		Total Revenues	



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