
CITY COUNCIL AGENDA

Notice is hereby given that the Rockport City Council will hold a regular meeting on Tuesday, September 27, 2022, at 6:30 p.m. The meeting will be held in person at the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas. **The live stream link to view the meeting is:** <https://www.youtube.com/channel/UCuF3nzgKHU1OjXHv8Yyj4QQ>.

Public participation is valued and citizens wishing to express their views on any topic or agenda item can electronically submit a citizen participation form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation> or scanning the QR code to the right, or if attending the meeting in person register before the meeting begins. Using the same form, citizens can also provide written comments to the City Secretary by 4:00 p.m. on the day of the meeting. The comments will be read and summarized in the minutes of the meeting.



The matters to be discussed and acted upon are as follows:

Opening Agenda

1. Call meeting to order.
2. Pledge of Allegiance.
3. Proclamation: National 4-H Week – October 2-8, 2022.
4. Recognition: Diane Neilsen – Texas Association for the Education of Young Children Advocate of the Year award.
5. Presentation: Promotions in Police Department.

6. Citizens to be heard.

At this time, comments limited to three (3) minutes will be taken from the audience from persons who have signed the speaker's card located on the table in the back of the Training Room of the Service Center and delivered to the City Secretary before the meeting begins, or written comments received by 4:00 p.m. on the day of the meeting, on any **Agenda** item or any subject matter, will be read and summarized in the minutes of the meeting. Persons wishing to address the Council and who have registered using the Citizen Participation Form will have up to three minutes to speak. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the agenda. While civil public criticism is not prohibited; disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender's time to speak.

Consent Agenda

All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

7. Deliberate and act on approval of Regular Meeting Minutes of September 13, 2022.
8. Deliberate and act on request from First Assembly of God church for closing of East Laurel Street from North Live Oak Street to North Church Street on October 31, 2022, from 5:00 p.m. until 8:00 p.m. for First Assembly of God's Fall Festival.

9. Deliberate and act on Fiscal Year 2021-2022 Hotel Occupancy Tax Agreement with the Aransas County Council on Aging for the 2021 Bountiful Bowl Pottery Fair.
10. Deliberate and act on Fiscal Year 2021-2022 Hotel Occupancy Tax Agreement with the Rockport Center for the Arts for advertising and tourism promotion.
11. Deliberate and act on Fiscal Year 2021-2022 Hotel Occupancy Tax Agreement with the Rockport Cultural Arts District for advertising and tourism promotion.
12. Deliberate and act on Fiscal Year 2021-2022 Hotel Occupancy Tax Agreement with the Friends of the Fulton Mansion State Historical Site for advertising and tourism promotion.
13. Deliberate and act on Fiscal Year 2021-2021 Hotel Occupancy Tax Agreement with the Rockport-Fulton Chamber of Commerce for advertising and tourism promotion.
14. Deliberate and act on Fiscal Year 2021-2022 Hotel Occupancy Tax Agreement with the Rockport-Fulton Chamber of Commerce for the 2022 HummerBird Celebration.
15. Deliberate and act on Fiscal Year 2021-2022 Hotel Occupancy Tax Agreement with the Rockport-Fulton Chamber of Commerce for the 2021 SeaFair Celebration.
16. Deliberate and act on Fiscal Year 2021-2022 Hotel Occupancy Tax Agreement with the Rockport Yacht Club for the 2022 Nautical Flea Market.
17. Deliberate and act on Fiscal Year 2021-2022 Hotel Occupancy Tax Agreement with the Texas Maritime Museum for advertising and tourism promotion.
18. Deliberate and act on Fiscal Year 2021-2022 Hotel Occupancy Tax Agreement with the University of Texas Marine Science Institute/Mission Aransas National Estuarine Research Reserve for advertising and tourism promotion of Bay Education Center.
19. Deliberate and act on report from Pan American Civic Association for marketing expenditures made for 2022 The Little Bay Labor Day Music Festival.

Public Hearings

20. Call to Order – Rockport Planning & Zoning Commission.
21. Conduct a Joint Public Hearing with the Planning & Zoning Commission to consider a request for a Conditional Use Permit to allow the use of a manufactured home on the property, while they rebuild their home that was recently burned, located at 157 Kluge Trail; also known as McCombs, part of Lots 55 & 56, being 3.494 acres, City of Rockport, Aransas County, Texas and currently zoned R-1 (1st Single Family Dwelling District).
22. Adjourn – Rockport Planning & Zoning Commission.

Regular Agenda

23. Deliberate and act to reject all bids received on, or before August 31, 2022, for the Nassau Drive Bulkhead replacement.

24. Reports from Council.

At this time, the City Council will report/update on activities in respective Wards, and all committee assignments, which may include the following: Aransas County Alliance Local Government Corporation; Aransas Pathways Steering Committee; Building and Standards Commission; Coastal Bend Bays and Estuaries Program; Coastal Bend Council of Government; Coastal Bend Mayors Group; Park & Leisure Services Advisory Board; Planning & Zoning Commission; Rockport-Fulton Chamber of Commerce; Aransas County Storm Water Management Advisory Committee; Swimming Pool Operations Advisory Committee; Tourism Development Council; Tree & Landscape Committee; YMCA Development Committee; Texas Maritime Museum, Fulton Mansion, Rockport Center for the Arts, Aransas County, Aransas County Independent School District, Aransas County Navigation District, Town of Fulton, and Texas Municipal League. No formal action can be taken on these items at this time.

Executive Session

City Council will hold an executive session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in:

25. Section 551.071 Consultations with Attorney seeking the advice of attorney about pending or contemplated litigation or a settlement offer; and on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: 1) Burnside Services, Inc., and 2) Concho Street Drainage Project.

Open Session

City Council will reconvene into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

26. Adjournment.

Special Accommodations

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (361) 729-2213, ext. 225 or FAX (361) 790-5966 or email citysec@cityofrockport.com for further information. Braille is not available. The City of Rockport reserves the right to convene into executive session under Government Code §§ 551.071-551.074 and 551.086.

In accordance with the requirements of Texas Government Code Section 551.127, a member of the governing body may participate in this meeting from a remote location. A quorum of the governing body as well as the presiding officer shall be physically present at the above posted location, which shall be open to the public. Those participating remotely shall be visible and audible to the public for all open portions of the meeting. A member of a governmental body who participates in a meeting remotely as provided by law, shall be counted as present at the meeting for all purposes.

Certification

I certify that the above notice of meeting was posted on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas on Friday, September 23, 2022, at 9:30 a.m. and on the City's website at www.cityofrockport.com. I further certify that the following News Media were properly notified of this meeting as stated above: *The Rockport Pilot* and *Corpus Christi Caller Times*.



Teresa Valdez, City Secretary

CITY COUNCIL AGENDA

Regular Meeting: September 27, 2022

AGENDA ITEM: 3

Proclamation: National 4-H Week.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: KH

BACKGROUND: The first club in Texas originated in 1908 as “The Corn Club” with 25 boys. The number of clubs grew steadily and by 1912 they were called 4-H clubs for Head, Heart, Hands, and Health. The 4-H program was nationalized in 1914 with the creation of the Cooperative Extension system—a community of more than 100 public universities across the nation that provides experiences where young people learn by doing. For more than 100 years, 4-H has welcomed young people of all beliefs and backgrounds, giving kids a voice to express who they are and how they make their lives and communities better.

In 4-H programs, kids and teens complete hands-on projects in areas like health, science, agriculture and civic engagement in a positive environment where they receive guidance from adult mentors and are encouraged to take on proactive leadership roles. Kids experience 4-H in every county and parish in the country through in-school and after-school programs, school and community clubs, and 4-H camps. The reach and depth of 4-H are unmatched, touching kids in every corner of America – from urban neighborhoods to suburban schoolyards to rural farming communities.

In Aransas County there are two clubs – Rockport Fulton Heritage and Aransas County 4-H. There are a total of 87 youth members and 22 adult volunteers. The county has seven 4-H Ambassadors who promote 4-H using the skills, knowledge, and leadership abilities acquired in 4-H with fellow members, area residents, community leaders, elected officials, and non-4-H youth. There is currently one Healthy South Texas Youth Ambassador, who is high school age youth with a passion for health and wellness. These youth are trained at the regional level to become youth health experts who can motivate others to make a change in their lifestyle to improve their health. Youth in the Aransas County clubs currently have more than 20 projects, which have four components: (1) six or more sequential learning experiences of 20-60 minutes in length; (2) community service; (3) leadership; and (4) exhibition of project work.

Please see the accompanying proclamation for more information.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Not an action item.

National 4-H Week

Proclamation

Celebrating Opportunity 4 All

WHEREAS, The City of Rockport is proud to honor the 4-H Youth Development Program of the Texas A&M AgriLife Extension Service for 115 years of providing experience-based education to youngsters throughout the Lone State; and

WHEREAS, This admirable program, which seeks to provide a learning experience for the whole child, including head, heart, hands, and health, helps young Texans to acquire knowledge, develop life skills, and form attitudes to enable them to become self-directed, productive, and contributing members of our society; and

WHEREAS, Its more than 550,000 urban, suburban, and rural youth participants, ranging in age from eight to nineteen, hail from diverse ethnic and socioeconomic backgrounds and truly represent a cross-section of the state; and

WHEREAS, The program undoubtedly could not have achieved the success that it has today were it not for the service of its more than 22,000 volunteers, who have given generously of their time, talents, energies, and resources to the youth of Texas; and

WHEREAS, Throughout its proud history, the 4-H program has developed positive role models for countless Texans and through its innovative and inspiring programs, continues to build character and to instill the values that have made our state strong and great; now, therefore, be it

RESOLVED, The City of Rockport, hereby designates October 2-8, 2022, as National 4-H Week in Rockport and commend the 4-H Youth Development Program of the Texas A&M AgriLife Extension Service and the many men and women who have made the program a success.

Mayor, City of Rockport

Ward 1 Council Member

Ward 2 Council Member

Ward 3 Council Member

Ward 4 Council Member

Date

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 27, 2022

AGENDA ITEM: 4

Recognition: Diane Neilsen – Texas Association for the Education of Young Children Advocate of the Year award.

SUBMITTED BY: Mayor Tim Jayroe

APPROVED FOR AGENDA: KH

BACKGROUND: Diane Neilson was nominated and received the Texas Association for the Education of Young Children Advocate of the Year Award. This is an annual award that honors individuals who made extraordinary contributions to the field of early childcare and education in the State of Texas. Mrs. Neilson is a passionate advocate for children and continues her work on behalf of the Children's Coalition of Aransas County.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Not an action item.

CITY COUNCIL AGENDA
Regular Meeting: September 27, 2022

AGENDA ITEM: 5

Presentation – Promotions in Police Department

SUBMITTED BY: Police Chief Greg Stevens

APPROVED FOR AGENDA: City Manager Vanessa Shrauner

BACKGROUND: The following Rockport Police Department (RPD) officers are being promoted as follows:

Detective David Gerloff is promoting to Lieutenant

Patrol Officer Juan Canales is promoting to Detective

These officers were selected for promotion based on an assessment of performance; relevant training, education and experience; department needs; officer interests and predicted success; and managerial prerogative.

The rank of Lieutenant is the first line of supervision in the RPD. Lieutenant Gerloff will be assigned as the Night Watch Patrol Supervisor tasked with supervising uniformed patrol services during overnight hours weekdays throughout the City. Detective Canales will be assigned to the RPD Investigations Division where he will be responsible for follow up investigations of property crimes and person crimes ranging from minor thefts to violent assaults and potentially homicides.

The Police Chief will ceremoniously present these newly promoted officers with new credentials and publicly recognize their promotions in the presence of their family and friends and the Rockport City Council as well as any members of the public in attendance.

See attached biographically information on following pages for each officer.

FISCAL ANALYSIS: None.

RECOMMENDATION: Not an action item.

David Gerloff – Promoting to Lieutenant, Patrol

David Gerloff has been a certified Texas Peace Officer for nearly 19 years and has been with the Rockport Police Department for two years and is currently assigned as a Detective. Prior to Rockport, he served with the Elgin Police Department for 13 years, the last 6 as a Patrol Sergeant. David began his law enforcement career with the Columbus Police Department where he served for almost 3 years.

David holds a Master Peace Officer certification through the Texas Commission On Law Enforcement (TCOLE). Additionally, David is certified through TCOLE as a Law Enforcement Instructor, a Firearms Instructor, a Mental Health Peace Officer and as an Intoxilyzer Breath Test Operator.

David has nearly 3000 hours of continuing education with focuses on investigations, professional standards, supervision and leadership. He has completed training through FBI-LEEDA covering Internal Affairs Investigations and the FBI-LEEDA Trilogy (Supervisor, Command and Executive Leadership Survival). David has also completed the Bill Blackwood Public Information Officer Course and has been accepted to the Bill Blackwood Law Enforcement Management Institute of Texas (LEMIT) Leadership Command College.

David has been married to his wife, Jennifer, for over 17 years. They have two children, Kymberlyn and Brylan, who both attend Rockport-Fulton High School. During their time off, the Gerloff family spends time together working around the home, fishing and traveling.

Juan Emmanuel Canales – Promoting to Detective, CID

Juan Emmanuel Canales was born and raised in Corpus Christi, Texas, graduating from Benavides Secondary School in 2008. He attended the 77th session of the Corpus Christi Police Academy in 2018 and has been with the Rockport Police Department for over three years working as a Patrol Officer. Prior to joining the RPD, Juan served for more than three years as a Community Supervision Officer for Nueces County.

Juan holds an Intermediate Peace Officer certification through TCOLE. In 2013, he graduated from Texas A&M University-Kingsville with Bachelor of Science Degree.

When not at work, Juan enjoys his free time going to the gym and spending time with his family and 2 dogs.

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 27, 2022

AGENDA ITEM: 7

Deliberate and act on approval of City Council Regular Meeting Minutes of September 13, 2022.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: KH

BACKGROUND: Please see the accompanying City Council regular meeting minutes and special meeting minutes.

FISCAL ANALYSIS: N/A

RECOMMENDATION: Staff recommends Council approve the Minutes, as presented.

CITY OF ROCKPORT

MINUTES

CITY COUNCIL REGULAR MEETING

6:30 p.m., Tuesday, September 13, 2022

Rockport Service Center, 2751 State Highway 35 Bypass

Members of the public could view the meeting via live stream. Public participation is valued and citizens wishing to express their views on any topic or agenda item could electronically submit a Citizen Participation Form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation> or scanning the QR code provided on the Agenda, or if attending the meeting in person register before the meeting begins. Using the same form, citizens could also provide written comments to the City Secretary by 4:00 p.m. on the day of the meeting. The comments were read and summarized in the minutes of the meeting.

On the 13th day of September 2022, the City Council of the City of Rockport, Aransas County, Texas, convened in a Regular Meeting at 6:30 p.m., at the Training Room of the Rockport Service Center and notice of meeting giving time, place, date, and subject was posted as described in V.T.C.A., Government Code § 551.041.

CITY COUNCIL MEMBERS PRESENT

Mayor Tim Jayroe
Mayor Pro-Tem Andrea Hattman, Ward 4
Council Member Danielle Hale, Ward 2
Council Member Katy Jackson, Ward 1
Council Member Brad Brundrett, Ward 3

CITY COUNCIL MEMBER(S) ABSENT

STAFF MEMBERS PRESENT

City Manager Vanessa Shrauner
Assistant to City Manager Kimberly Henry
City Secretary Teresa Valdez
City Attorney Allison Bastian-Rodriguez – *Via ZOOM*
Director of Finance Katie Griffin
Parks & Leisure Services Administrative & Recreation Program Assistant Brittany Elkins
Director of Public Works and Building & Development Services Mike Donoho
Information Technology Director Bob Argetsinger
Police Patrol Captain Nathan Garcia

ELECTED OFFICIALS PRESENT

Opening Agenda

1. Call meeting to order.

With a quorum of the Council Members present, the Regular Meeting of the Rockport City Council was called to order by Mayor Jayroe at 6:30 p.m. on Tuesday, September 13, 2022, in the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

2. Pledge of Allegiance.

Council Member Brundrett led the Pledge of Allegiance to the U.S. flag.

3. Citizens to be heard.

At this time, comments limited to three (3) minutes will be taken from the audience from persons who have signed the speaker's card located on the table in the back of the Training Room of the Service Center and delivered to the City Secretary before the meeting begins, or written comments received by 4:00 p.m. on the day of the meeting, on any Agenda item or any subject matter, will be read and summarized in the minutes of the meeting. Persons wishing to address the Council and who have registered using the Citizen Participation Form will have up to three minutes to speak. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the agenda. While civil public criticism is not prohibited, disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender's time to speak.

Chris Kappmeyer, 27 Riveria, addressed the Council and stated a Short Term Rental Alliance has been formed with about 20-25 members and they will be having a meeting at the Chamber tomorrow.

Jeff Hutt, 2201 Prairie Road, addressed the Council, and voiced discontent regarding the Council receiving all citizen comments, either on Agenda items or other subject matter, at the "Citizens to be heard" section of the Agenda only. Mr. Hutt declared his dissatisfaction saying the Council was continuing with corruption and deception and stated: "Forget it."

Jeff Dinger, 108 Marion Drive, addressed the Council, and stated he submitted a bid for the old City Hall property and he wanted to find out: 1) why the City is selling the property, 2) why did the City put the property out for bid, 3) who bid on the property, and 4) why the bids are being rejected. Mr. Dinger also stated it appeared the Council rubber stamped the amendment that was made to the Pearl Point housing development that allows HUD vouchers.

Mayor Jayroe said the City had received several Citizen Participation Forms and they were read:

- 1) Evalee Von Villas, 933 Hickory Avenue, (Mayor Jayroe read the comments): Opposed to the 9.29% increase in property taxes and city increases. You are going to make it cost prohibitive to live and work here.
- 2) Kristie Rutledge, 1411 Dana Drive, (Council Member Brundrett read the comments): Urge Council to vote "no" against Agenda Item 7 because the budget is based on the "unused increment" rate which increases property taxes 9.3%. The City's Long Range Spending Plan includes 9% property tax rate increases through 2025; the City pool can be funded by HOT tax; the budget includes unnecessary items; sales tax and interest on investment revenues are under-estimated while expenses are over-exaggerated. Vote "no" against Agenda Item 8 – the City Financial Director misled the public and City Council last week claiming that the proposed "unused increment" rate did not represent a property tax increase; the City can adopt the no new revenue rate again this year and revenues will be sufficient to cover expenses. Vote "no" on any tax rate above the no new revenue rate. Vote "no" against Agenda Item 11 – the City must accept any offer to purchase the old city hall and use the funds to offset tax increases.

Consent Agenda

All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

4. **Deliberate and act on approval of Regular Meeting Minutes of August 23, 2022, and Special Meeting Minutes of September 6, 2022.**
5. **Deliberate and act on request for closure of Market Street between Business Highway 35 North and Magnolia Street; Market Street at intersections of Young Street, Mathis Street, Ann Street, Pearl Street, Church Street, and Live Oak Street; Magnolia Street at intersections of St. Mary's Street, Main Street, North Street, Peter Street, and Cornwall Street; Austin Street at intersection of Cornwall Street, Concho Street, and Mimosa Street; and Business Highway 35 North at Live Oak Street and Magnolia Street for the Seafair parade on October 8, 2022.**
6. **Deliberate and act on approval of 2022-2023 Property Tax Assessment/Collection Agreement with Aransas County.**

Mayor Jayroe called for requests to remove any item from the Consent Agenda for separate discussion.

MOTION: Council Member Jackson moved to approve the Consent Agenda Items, as presented. Mayor Pro-Tem Hattman seconded the motion. Motion carried unanimously.

Regular Agenda

Mayor Jayroe announced a question has arisen about a possible conflict of interest for a Council Member so there will be two separate motions regarding the consideration on adoption of the budget. The first motion for adoption would state adoption of the Budget with the exception of Line Item 01-602-2049 Economic Development Council. The second motion would state approval of that Budget Line Item.

7. **Deliberate and act to adopt, on first and only reading, of an Ordinance of the City of Rockport adopting a budget and appropriating resources for Fiscal Year 2022-2023, beginning October 1, 2022, and ending September 30, 2023; in accordance with existing statutory requirements; repealing all conflicting ordinances; containing a severability clause; and providing for an effective date.**

Director of Finance Katie Griffin gave a PowerPoint presentation (below) on the proposed budget. Ms. Griffin stated there had been no changes to the proposed budget since August 9, 2022, when it was presented to Council. Ms. Griffin said the total budget is \$64,724,088, including capital projects, use of bond proceeds, and vehicle and equipment purchases.

Fiscal Year 2022-2023 Budget and Tax Rate

Consolidated Resources vs Expenditure Summary

	FY 20-21 Actual	FY 21-22 Budget	FY 21-22 Projected	FY 22-23 Proposed	% Change Budget to Proposed
Resources					
General Fund	\$ 11,505,340	\$ 13,625,334	\$ 13,386,238	\$ 12,616,118	-7.4%
Utility Fund - Water and Wastewater	12,196,262	12,236,256	12,327,259	12,645,249	3.3%
Natural Gas Fund	2,494,328	2,656,008	3,070,477	3,135,041	16.1%
Aquatic Center Fund	441,828	471,432	472,088	443,979	-5.8%
Sanitation Fund	2,897,793	2,454,000	2,454,000	2,719,000	10.8%
Utility Surcharge Fund	189,654	175,300	175,300	175,699	0.2%
Fleet Maintenance Fund	889,017	559,638	917,575	1,051,606	9.6%
Hotel Occupancy Tax Fund	1,320,425	1,120,000	1,120,000	1,608,399	43.6%
Communications Center Fund	960,715	971,463	971,463	1,059,550	9.1%
Municipal Court Security & Technology Fund	5,768	7,700	9,813	13,700	77.9%
Municipal Court Juvenile Case Manager Fund	3,468	15,000	15,000	15,000	0.0%
IRS Debt Service Fund	3,067,039	3,253,587	3,253,587	3,588,838	9.7%
Utility Debt Service Fund	2,144,932	2,430,013	2,430,013	2,158,070	-11.5%
Vehicle & Equipment Replacement Fund	874,316	1,640,619	2,385,891	917,000	-20.3%
General Fund CIP	962,250	4,200,000	4,200,000	16,968,845	304.0%
Utility System CIP	541,761	700,000	541,761	5,622,000	703.1%
Total Resources	\$ 40,083,946	\$ 47,132,650	\$ 47,738,885	\$ 64,724,088	37.3%
Expenditures					
General Fund	\$ 16,935,946	\$ 13,625,334	\$ 13,250,538	\$ 12,616,118	-7.4%
Utility Fund - Water and Wastewater	11,345,985	12,236,256	11,932,783	12,645,249	3.3%
Natural Gas Fund	2,120,950	2,656,008	3,067,785	3,135,041	16.1%
Aquatic Center Fund	441,828	471,432	453,127	443,979	-5.8%
Sanitation Fund	2,456,189	2,454,000	2,454,000	2,719,000	10.8%
Utility Surcharge Fund	355,545	175,300	175,300	175,699	0.2%
Fleet Maintenance Fund	854,234	991,885	941,907	1,051,606	12.8%
Communications Center Fund	961,717	971,463	992,289	1,059,550	9.1%
Hotel Occupancy Tax Fund	752,180	1,120,000	1,078,500	1,608,399	43.6%
Municipal Court Security & Technology Fund	-	7,700	9,813	13,700	77.9%
Municipal Court Juvenile Case Manager Fund	15,725	15,000	15,000	15,000	0.0%
IRS Debt Service Fund	3,053,209	3,253,587	3,253,587	3,588,838	9.7%
Utility Debt Service Fund	2,177,286	2,430,013	2,430,013	2,158,070	-11.5%
Vehicle & Equipment Replacement Fund	267,115	1,154,143	1,074,616	917,000	-20.5%
General Fund CIP	962,250	4,200,000	4,200,000	16,968,845	304.0%
Utility System CIP	541,761	700,000	541,761	5,622,000	703.1%
Total Expenditures	\$ 37,231,242	\$ 46,412,120	\$ 46,078,996	\$ 64,724,088	38.5%
Resources Over(Under) Expenditures	\$ 2,852,604	\$ 720,430	\$ 1,659,889	\$ 0	

FY 2022-2023 Consolidated Resources vs Expenditures Summary

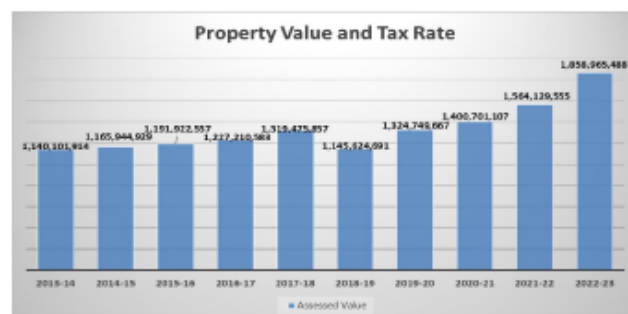
Certified Ad Valorem Tax Rate Comparison

Certified Ad Valorem Tax Rate Comparison FY 2022-2023					8/2/2022
	Adopted 2021 Tax Rate	2022 No-New Revenue Tax Rate	2022 Voter-Approval Tax Rate	De Minimis Tax Rate \$500,000 Above NNR	2022 Unused Increment Tax Rate
Percentage Tax Rate Change from 2021		-10.14%	-10.24%	-5.00%	-3.71%
M & O Tax Rate	\$ 0.208434	\$ 0.195250	\$ 0.194884	\$ 0.215428	\$ 0.220511
I & S Tax Rate	\$ 0.184286	\$ 0.157635	\$ 0.157638	\$ 0.157638	\$ 0.157638
Total Tax Rate	\$ 0.392720	\$ 0.352885	\$ 0.352522	\$ 0.373066	\$ 0.378149
Total Taxable Value	\$ 1,564,129,555	\$ 1,858,965,488	\$ 1,858,965,488	\$ 1,858,965,488	\$ 1,858,965,488

Budget Highlights

- General Fund – Revenues
 - Property Tax
 - Voter-Approved Tax Rate of \$0.378149
 - Maintenance & Operation = \$0.220511
 - Interest & Sinking = \$0.157638
 - Sales Tax
 - Projected 6% increase over projected current year
 - Building Permits
 - Projected .0021% decrease under projected current year
 - FEMA Reimbursement
 - Projected \$0 due to completion of majority of Hurricane Harvey recovery projects

History of Property Tax Rates Compared to Property Tax Assessed Valuation History



Budget Highlights

- General Fund – Expenditure
 - Inflationary Factors
 - June 2022 Municipal Cost Index of 12.24%
 - June 2022 Consumer Price Index of 8.98%
 - Increased Personnel Costs
 - Health Insurance Approximately \$50k
 - Following change to coverage for less expensive option
 - Texas Municipal Retirement System \$50k
 - Result of national economy impact
 - Health Insurance Approximately \$50k
 - Following change to coverage for less expensive option
 - Acting Pay for three employees for increased duties
 - Human Resources, Information Technologies, & Public Relations
 - Additional costs for brining in new city manager
 - Housing allowance, moving expenses, insurance

Budget Highlights

- Enterprise Funds
 - Utility Fund
 - Rate Increase
 - Water – 3%
 - San Patricio Municipal Water District proposed increase 8-10%
 - WasteWater – 3%
 - Expenses increased 3.2% due to inflationary factors
 - Personnel Costs include 5% COLA and insurance and TMRS increases
 - Natural Gas Fund
 - Rate Increase – 12.5%
 - Expenses increased 15% due to inflationary factors and regulator compliance initiatives
 - Personnel Costs include 5% COLA and insurance and TMRS increases

Budget Highlights

- Aquatic Center Fund
 - Revenues
 - Partnership Contribution maintain the same
 - Aransas County - \$30k
 - Town of Fulton - \$7k
 - City of Rockport - \$263k (Transfer from General Fund) increased
 - Use of Community Disaster Loan expired
 - Expenditures
 - Costs decreased due to reduced cost of chemicals and maintenance supplies
 - Reduction in part-time employee expense

Projected Fund Balance Summary - 9/30/22						
Fund	Audited Beginning Balance 10/1/2021	Estimated FY 2021-2022 Revenue	Estimated FY 2021-2022 Expenditures	Estimated FY22 Ending Fund Balance	Days of Working Fund Balance	Above/ (Below) Policy Goal
General	\$ 4,411,681	\$ 13,386,138	\$ 13,250,538	\$ 4,547,381	125	(51)
Debt Service	\$ 1,043,742	\$ 3,253,587	\$ 3,253,587	\$ 1,043,742	117	(63)
Utility	\$ 5,989,116	\$ 12,327,259	\$ 11,932,763	\$ 6,383,612	195	15
Natural Gas	\$ (491,633)	\$ 3,070,477	\$ 3,067,785	\$ (488,941)	-58	(238)
Aquatic Center	\$ (266,226)	\$ 472,688	\$ 453,127	\$ (246,665)	-199	(379)
HOT	\$ 1,595,888	\$ 1,120,000	\$ 1,078,500	\$ 1,637,388	554	189
Revised 07/11/22						
Projected Fund Balance Summary - 9/30/23						
Fund	Estimated Beginning Balance 10/1/2022	Estimated FY 2022-2023 Revenue	Estimated FY 2022-2023 Expenditures	Estimated FY23 Ending Fund Balance	Days of Working Fund Balance	Above/ (Below) Policy Goal
General	\$ 4,547,381	\$ 12,618,118	\$ 12,618,118	\$ 4,547,381	132	(48)
Debt Service	\$ 1,043,742	\$ 3,568,838	\$ 3,568,838	\$ 1,043,742	107	(73)
Utility	\$ 6,383,612	\$ 12,645,249	\$ 12,645,249	\$ 6,383,612	184	4
Natural Gas	\$ (488,941)	\$ 3,139,050	\$ 3,139,041	\$ (488,932)	-57	(237)
Aquatic Center	\$ (246,665)	\$ 443,979	\$ 443,979	\$ (246,665)	-203	(383)
HOT	\$ 1,637,388	\$ 1,608,393	\$ 1,608,393	\$ 1,637,388	372	7
Revised 08/09/22						

Fund Balance Summaries

Mayor Pro-Tem Hattman asked Ms. Griffin if she had looked at the surrounding cities and how they pay their employees and if Ms. Griffin was comfortable with the City's employee

compensation built into this budget. Mayor Pro-Tem Hattman asked if we see employees leaving because of the City not providing benefits.

Ms. Griffin said in 2020 the City had a compensation study done and she anticipates another one being conducted. Ms. Griffin stated included in this budget is increased pay for three employees who have been receiving acting pay for increased duties. Ms. Griffin added the City of Rockport, and every other city is having trouble recruiting and hiring qualified individuals. Ms. Griffin said as for as the City's pay being compatible with other cities, she would say yes, except for we do not pay for employee dependent insurance and some other cities do pay for that. Ms. Griffin answered she did know of some field workers who left employment because of pay and benefits and that is becoming a factor.

Ms. Griffin reviewed the Fund Balance Summaries and stated the City's current policy is 180 days of operating capital and 365 days of hotel occupancy tax funds. Ms. Griffin stated she does not anticipate seeing a positive increase in Fund Balance this year and right now there are still items/expenditures coming in because the year does not end until September 30, 2022.

Council Member Jackson asked how many days of operating capital Ms. Griffin is estimating for the close of 2021-2022.

Ms. Griffin answered 125 days and maybe 132 days next year, but we will still be short 35-50 days.

Council Member Brundrett asked about the citizen comment regarding the budget being based on a 9.3% increase in property taxes.

Ms. Griffin responded that relates to the pages 221 and 222 of the 2021-2022 Budget where there is a multi-year forecast and we use different projections. Ms. Griffin explained in property tax we use a 3% increase and there is a bullet point that has a typographical error that says "... the property tax rate increasing 9%...." and that should have said ".... a revenue increase of 9%." Ms. Griffin explained for this year there is a new plan and new projections.

Mayor Jayroe expressed it was important that everyone understand that this Council cannot affect next year's tax rate; it is set year to year.

Council Member Brundrett asked Ms. Griffin to explain the "property tax increase" that was referenced in the citizen comments and that the tax rate decreased.

Ms. Griffin explained the 9.42% stated in the Public Hearing Notices is the increase in property tax revenue which is the amount raised from new property added to the tax roll; will raise more revenue than last years property tax. Ms. Griffin expressed the tax rate is not increasing. Ms. Griffin said the tax rate did decrease but property values did not.

Mayor Jayroe reminded the Council there will be two separate motions and added that the City's legal counsel said there was not a conflict of interest.

MOTION: Council Member Brundrett moved to approve Budget Line Item 01-602-2049 Economic Development Council as presented in the Budget. Council Member Jackson seconded the motion. Motion carried 4:0.

FOR MOTION: Council Member Jackson, Council Member Hale, Council Member Brudrett, and Mayor Jayroe.

ABSTAIN: Mayor Pro-Tem Hattman (filed Affidavit of Conflict of Interest with City Secretary).

MOTION: Mayor Pro-Tem Hattman moved to approve the first and only reading of an Ordinance of the City of Rockport adopting a budget and appropriating resources for Fiscal Year 2022-2023, beginning October 1, 2022, and ending September 30, 2023, excluding Budget Line Item 01-602-2049; in accordance with existing statutory requirements; repealing all conflicting ordinances; containing a severability clause; and providing for an effective date. Council Member Jackson seconded the motion. Motion carried unanimously.

9. Deliberate and act to ratify the property tax increase reflected in the 2022-2023 Annual Budget and Capital Improvement Plan.

Council Member Jackson asked why the tax rate is not adopted before the budget is adopted.

City Attorney Allison Bastian-Rodriguez responded whenever there is an increase in the amount of revenue this has to come before the vote on the tax levy and that is according to Texas Local Government Code Section 102.007.

MOTION: Council Member Jackson moved to ratify the property tax increase reflected in the 2022-2023 Annual Budget and Capital Improvement Plan. Council Member Brundrett seconded the motion. Motion carried unanimously.

8. Deliberate and act on second and final reading of an Ordinance of the City of Rockport approving the assessment and renditions for the 2022 taxable property as submitted by the Appraisal District; levying a tax rate for \$100.00 valuation for the City of Rockport, Aransas County, Texas, for the Tax Year 2022 of \$0.220511 for the purposes of Maintenance and Operation, \$0.157638 for the payment of Principal and Interest on debt of the City for a total tax rate of \$0.378149; and providing an effective date.

Director of Finance Katie Griffin stated this is the final step in the budget process of adopting an *ad valorem* tax rate in order for the City to maintain operations and support debt service. Ms. Griffin said the proposed 2022 tax rate is \$0.378149 with \$0.220511 for Maintenance and Operation and \$0.157638 for debt service and interest and sinking. Ms. Griffin said staff recommends approval of the second and final reading of the Ordinance.

Council Member Brundrett asked Ms. Griffin to restate the average property increase based on the property valuations.

Ms. Griffin stated based on the average residential home with a value of \$273,658 for 2022 and which the 2021 value was \$248,794, the property tax would be a \$69.14 increase for that same

home.

Council Member Brundrett stated the tax increase only happens if the property value increases.

Ms. Griffin responded that was correct.

MOTION: Mayor Pro-Tem Hattman moved to approve the second and final reading of an Ordinance of the City of Rockport approving the assessment and renditions for the 2022 taxable property as submitted by the Appraisal District; levying a tax rate for \$100.00 valuation for the City of Rockport, Aransas County, Texas, for the Tax Year 2022 of \$0.220511 for the purposes of Maintenance and Operation, \$0.157638 for the payment of Principal and Interest on debt of the City for a total tax rate of \$0.378149; and providing an effective date. Council Member Hale seconded the motion. Motion carried unanimously.

10. Deliberate and act on approval to purchase Equipment and Implementation Services for the Back-up Communications Center from Motorola (DIR Contract DIR-TSO-4101) and Intrado 911 Life and Safety Solutions (HGAC Contract EC07-20), authorizing City Manager Vanessa Shrauner to negotiate and execute all necessary documents.

Communications Center Director Lee Brown addressed the Council and said she was pleased to let them know the Communications Center Board has approved moving forward with the proposed Back-up Communications Center. Ms. Brown stated the initial proposed cost has been cut in half by eliminating some things and the new cost is \$386,422.00 which includes the entire Motorola radio system.

Mayor Jayroe asked how many consoles are included.

Ms. Brown responded there are two consoles included.

Council Member Brundrett thanked Ms. Brown for finding cost savings and going back to the Communications Board and working on this. Council Member Brundrett asked about the Criminal Justice Information Services Security Policy (CJIS) requirements.

Ms. Brown responded the room will be secured and they will not actually bring the CJIS data base here.

Council Member Hale stated she wanted to personally thank Ms. Brown for her work on this project and she actually found out how old this project really was. Council Member Hale said this makes good sense and this is a big win for emergency preparedness and resiliency for this community.

MOTION: Council Member Hale moved to approve purchasing Equipment and Implementation Services for the Back-up Communications Center from Motorola (DIR Contract DIR-TSO-4101) and Intrado 911 Life and Safety Solutions (HGAC Contract EC07-20) and authorize City Manager Vanessa Shrauner to negotiate and execute all necessary documents. Council Member Brundrett seconded the motion. Motion carried unanimously.

11. Deliberate and act to reject all bids received on, or before, August 5, 2022, for the sale of old City Hall being Lot E/2, Block 2, Doughty and Mathis Outlots O.L 3, also known as 622 E. Market Street.

City Manager Vanessa Shrauner stated Council reviewed two bids received in Executive Session on August 23, 2022. Ms. Shrauner said it is in the best interest of the City to reject all bids and begin the request for proposals process for development of the old City Hall property. Ms. Shrauner added one bid received was to trade some property valued at \$366,840.00 with additional cash of \$23,240.00, but staff determined that property was of no value to the City. Ms. Shrauner said the other bid was for \$156,727.00.

Mayor Pro-Tem Hattman asked what the appraised value of the property is.

Ms. Shrauner answered the appraised value is over \$400,000.00.

MOTION: Council Member Brundrett moved to reject all bids received on, or before, August 5, 2022, for the sale of old City Hall being Lot E/2, Block 2, Doughty and Mathis Outlots, Outlot 3, also known as 622 East Market Street, and begin the Request For Proposals process for development of said property. Council Member Jackson seconded the motion. Motion carried unanimously.

12. Reports from Council.

At this time, the City Council will report/update on activities in respective Wards, and all committee assignments, which may include the following: Aransas County Alliance Local Government Corporation; Aransas Pathways Steering Committee; Building and Standards Commission; Coastal Bend Bays and Estuaries Program; Coastal Bend Council of Government; Coastal Bend Mayors Group; Park & Leisure Services Advisory Board; Planning & Zoning Commission; Rockport-Fulton Chamber of Commerce; Aransas County Storm Water Management Advisory Committee; Swimming Pool Operations Advisory Committee; Tourism Development Council; Tree & Landscape Committee; YMCA Development Committee; Texas Maritime Museum, Fulton Mansion, Rockport Center for the Arts, Aransas County, Aransas County Independent School District, Aransas County Navigation District, Town of Fulton, and Texas Municipal League. No formal action can be taken on these items at this time.

Council Member Jackson announced the Sidewalk Sale in Ward 1 is this weekend on Austin Street. Council Member Jackson said the South Rockport Neighbors are having a meeting on Thursday at 7:30 pm. Council Member Jackson stated Ward 1 is getting ready for Seafair.

Council Member Hale said she attended about one-half of the Coastal Bend Council of Governments meeting on September 9, 2022, and discussion was held regarding the \$180 million for this region. Council Member Hale stated on September 12, 2022, she attended the Stormwater Advisory Committee meeting with Mayor Jayroe and discussion was held about Tule Creek and the County pursuing a grant. Council Member Hale added she had served as the master of ceremonies for the Livestock Booster Club event on Saturday and they raised a lot of money.

Council Member Brundrett stated Ward 3 is pretty quiet except for the projects not completed and hears about that daily. Council Member Brundrett expressed the City is working on getting

the projects completed.

Mayor Pro-Tem Hattman thanked the City staff for doing some vegetation clean-up in Tule Creek.

Mayor Jayroe said he had attended the Coastal Bend Council of Governments meeting where the \$179 million available for low to moderate income areas; Aransas County received \$4 million and the City received \$3 million. Mayor Jayroe stated he had attended the Stormwater Advisory Committee meeting and it was discussed that it is extremely important for all entities in the County to work together on the funding available for projects since funding is extremely hard to get. Mayor Jayroe said he had attended the Texas Municipal League Region 11 meeting in Victoria last week Friday where Representative Todd Hunter spoke about the work of the Legislature. Mayor Jayroe stated one of the topics was the Harbor Bridge and in Representative Hunter's opinion by the end of this month they will be getting back to work. Mayor Jayroe added Chairman Hunter is very supportive of our community and of others not in his District.

Executive Session

City Council will hold an executive session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in:

- 13. Section 551.071 Consultations with Attorney seeking the advice of attorney about pending or contemplated litigation or a settlement offer; and on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: 1) Burnside Services, Inc., and 2) Concho Street Drainage Project.**

Open Session

City Council will reconvene into open session pursuant to the provisions of Chapter 551 of the Texas Government Code to take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

Council did not hold an Executive Session.

14. Adjournment.

At 7:40 p.m., Council Member Jackson moved to adjourn. Motion was seconded by Mayor Pro-Tem Hattman. Motion carried unanimously.

APPROVED:

Tim Jayroe, Mayor

ATTEST:

Teresa Valdez, City Secretary

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 27, 2022

AGENDA ITEM: 8

Deliberate and act on request from First Assembly of God Church for closing of East Laurel Street from North Live Oak Street to North Church Street on October 31, 2022, from 5:00 p.m. until 8:00 p.m. for First Assembly of God Fall Festival.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: KH

BACKGROUND: Please see the attached email from the Rockport First Assembly of God requesting the closure of one block of East Laurel Street from North Live Oak Street to North Church Street from 5:00 p.m. to 8:00 p.m. on October 31, 2022, for a Fall Festival. This request is the same as other temporary closures they have made the last several years. Please see the accompanying aerial map for details.

FISCAL ANALYSIS: The Street Department will have minimal labor and equipment cost for providing barricades.

RECOMMENDATION: Staff recommends Council approve a request from First Assembly of God Church for closing of East Laurel Street from North Live Oak Street to North Church Street on October 31, 2022, from 5:00 p.m. until 8:00 p.m. for First Assembly of God Fall Festival, as presented.

Teresa Valdez

From: bbrucelf@aol.com
Sent: Monday, September 19, 2022 5:24 PM
To: Teresa Valdez
Subject: Street closure of 813 e laurel for Rockport First Assembly church
Attachments: Street map of church 001.jpg

To whom it may concern,
I am requesting the closure of E. Laurel St in front of our church (from Live oak to church st), on October 31 from 5-8 pm.
This will allow us to safely have our Fall Festival community event.

This has been an annual event for the last 10 years. Thank you for your consideration.
Thanks you

Bruce Frazier
Senior Pastor

First Assembly of God Street Closure Request



CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 27, 2022

AGENDA ITEM: 9

Deliberate and act on Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Aransas County Council on Aging for the 2023 Bountiful Bowl Pottery Fair.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: KH

BACKGROUND: At the July 26, 2022, City Council Meeting, the Aransas County Council on Aging application requesting funding from Hotel Occupancy Tax for Fiscal Year 2022-2023 was received by the City Council. Deliberation and action regarding allocations were held on July 26, 2022, regarding requested Hotel Occupancy Tax funding for Fiscal Year 2022-2023. The proposed Agreement remains the same as the previous year except for the amount funded, and verbiage was added to track “heads in beds” per State statutes.

See the accompanying agreement for additional details.

FISCAL ANALYSIS: Budget account 6602043. Disbursement of these funds will be made upon submittal of Fiscal Year 2022-2023 HOT Funding Expense Report and subsequent approval by the City Council.

STAFF RECOMMENDATION: Staff recommends Council approve the Fiscal Year 2022-2023 Agreement with the Aransas County Council on Aging for the Bountiful Bowl Pottery Fair in the amount of \$5,000.00, as presented.

**CITY OF ROCKPORT
AND
ARANSAS COUNTY COUNCIL ON AGING**

**An Agreement Concerning the Use of
Funds from the Hotel Occupancy Tax
Single-Sum Payment
Bountiful Bowl Pottery Fair – February 4-5, 2023**

**STATE OF TEXAS §
 §
COUNTY OF ARANSAS §**

This Agreement is made by and between the City of Rockport, a Texas home rule municipal corporation, hereinafter called “City,” and Aransas County Council on Aging, hereinafter called “Recipient”.

SECTION 1. LEGAL AUTHORITY

The City collects a local hotel occupancy tax as authorized by Chapter 351 of the Texas Tax Code (“Act”). Pursuant to the Act, the City expends funds collected for the purpose of advertising with any media outlet that is outside 75 miles of the City of Rockport (Resolution No. 09-15) and encouraging the growth of tourism and convention and hotel activity in the City as codified in Chapter 94, Article IV, Hotel Occupancy Tax of the City of Rockport Code of Ordinances (“Code”). The City may, by contract, allow Recipient to expend hotel occupancy taxes for such purposes.

SECTION 2. TERM OF AGREEMENT

Conditioned upon City Council approval, this Agreement shall become effective on the date signed by Recipient. This Agreement shall continue until Recipient has fulfilled all obligations to account for proper expenditure of hotel occupancy tax funds.

SECTION 3. SERVICES TO BE PROVIDED

The City hereby agrees to pay to Recipient, from money actually received by the City from local hotel occupancy tax, the sum of **FIVE THOUSAND DOLLARS (\$5,000.00)**. Subject to the terms and conditions hereof, Recipient agrees to expend such funds received for advertising and promoting tourism for the out-of-town visitor market from which the hotel industry within the City derives direct tourist income benefits from the Bountiful Bowl Pottery Fair.

SECTION 4. INDEPENDENT CONTRACTOR

It is expressly understood and agreed by and between the parties that Recipient is engaged as an independent contractor and is not an officer, agent or employee of the City.

SECTION 5. MANAGEMENT OF FUNDS

- 5.1 It is understood and agreed by and between the parties that a fiduciary duty is created in the Recipient with respect to expenditure of the revenue provided.
- 5.2 The Recipient shall maintain complete and accurate financial records of each receipt and expenditure of the hotel occupancy funds and, upon request of the City Council or other person, shall make the records available for inspection and review during normal business hours, in accordance with the provisions of the Texas Public Information Act (Texas Government Code, Chapter 552).
- 5.3 Hotel occupancy funds may be spent by the Recipient for only those expenditures shown on the Hotel Occupancy Tax Application (See Exhibit "C") and approved by the City Council and shown to be directly related to the promotion of tourism and the hotel industry. (See Exhibit "A".)
- 5.4 Recipient shall prepare and file with the City Secretary a post event financial report, on a form prescribed by the City (See Exhibit "B"), no later than 60 days after the event for which hotel occupancy tax funds were spent by the Recipient. This report shall identify a budget comparison of the hotel occupancy funds received by contract and the uses thereof as defined in the overall budget. It shall show the amount budgeted by category item and the actual expenditures of such. It shall compare the projected attendance and heads in beds from the application submitted prior to the event with the actual attendance and number of heads in beds generated by the event.
- 5.5 The City may request an annual audited financial statement reflecting the financial position of the Recipient for the period of time this Agreement is in effect. The Recipient agrees to provide a current audit (current defined as no later than the last calendar year), such copy to be delivered within twenty (20) days upon receiving a request from the City Manager or Mayor.

SECTION 6. TRANSFER OF FUNDS

Upon compliance with all conditions precedent, the City Secretary shall remit to the Recipient hotel occupancy tax receipts as follows: **Lump-sum payment - \$5,000.00.**

SECTION 7. FORCE MAJEURE – SUFFICIENT FUNDS NOT AVAILABLE

The City's obligation to make payment to Recipient pursuant to this Agreement is contingent upon anticipated receipt of a minimal amount of hotel occupancy tax from the collecting entities within the City. The dollar figure to be paid to the Recipient was based in part upon this anticipated, budgeted income. Recipient understands that other agreements have also been made by the City, providing for disbursement by third parties of a portion of hotel occupancy tax funds collected. Should it happen, by act of nature or other means outside the control of the City, that the actual hotel occupancy tax funds received are less than the anticipated and budgeted funds, the City may, after notice to the Recipient, reduce the total obligated payment should the governing body determine that such action is necessary to fund any other third-party agreement(s).

SECTION 8. RETURN OF FUNDS UPON TERMINATION OF CONTRACT

Should this Agreement be terminated, the Recipient shall remit and return to the City, with a final accounting thereof, all unused and unspent hotel occupancy tax funds in its possession, within thirty (30) days from the date of such termination.

SECTION 9. INDEMNIFICATION

The Recipient agrees to indemnify the City, its officers, agents, and employees, from any and all claims, losses, causes of action and damages, suits and liability of every kind, including all expenses of litigation, courts costs and attorney fees, for injury to or death or any person, or for damage to any property arising from or in connection with the operations or actions of the Recipient, its officers, agents and employees carried out in furtherance of this Agreement.

SECTION 10. TERMINATION

If Recipient is in breach of this Agreement, the City may terminate the Agreement by providing ten (10) days' written notice to Recipient to cure the breach. If the breach is not cured within the time provided, the City Manager or Mayor may immediately declare Agreement terminated.

SECTION 11. NON-RENEWAL

It is understood and agreed that the Recipient is not entitled to any right of automatic renewal of this Agreement for the ensuing year, or years, since such option under the Act rests exclusively with the City Council.

SECTION 12. NOTICE

All communications required by this Agreement between the City and the Recipient shall be in writing and addressed to the attention of the City Manager, 2751 State Highway 35 Bypass, Rockport, TX 78382 or to the Recipient at Aransas County Council on Aging, Attn: Mary Ellen Nies, 912 S. Church Street, Rockport, TX 78382.

SECTION 13. COMPLIANCE WITH LAWS

In performing its duties under this Agreement, the Recipient shall at all times comply with the City of Rockport Code and all the State of Texas Acts. (See Section 1.)

SECTION 14. PROHIBITION AGAINST DISCRIMINATION

In the performance of this Agreement, the Recipient shall not discriminate against any employee or applicant for employment because of an individual's race, color, religion, national

origin, sex, or mental or physical disability. Violation of this provision may be regarded as a material breach of this Agreement.

It is understood and agreed that in the event any provision of this Agreement is inconsistent with the requirements of the Act, or any other applicable state law, the requirements of the law will control and supersede the terms set forth herein.

SECTION 16. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties, relative to the hotel occupancy tax funds made the basis hereof.

IN WITNESS WHEREOF, the parties have herein unto set their hands on duplicate originals, in the City of Rockport, Aransas County, Texas on this ____ day of _____ 2022.

CITY OF ROCKPORT

ARANSAS COUNTY COUNCIL ON AGING

Tim Jayroe, Mayor

_____, Board President

ATTEST:

ATTEST:

Teresa Valdez, City Secretary

Mary Ellen Nies, Executive Director

EXHIBIT “A”

CATEGORY	GRANT AMOUNT
Newspaper	\$1,200.00
TV	\$1,200.00
Other Paid Advertising	\$2,600.00
TOTAL	\$5,000.00

EXHIBIT "B"

HOT FUNDING EXPENSE REPORT FY 2022-2023			
Description of Expense	Approved Budget	Amount of Expense	*Number of Heads in Beds
Total Reimbursement Request			

***Must attach supporting documentation.**

Hotel Occupancy Tax Funding ApplicationDate: 5-31-22**Organization Information**Name of Organization: ARANSAS COUNTY COUNCIL ON AGINGAddress: 912 S. CHURCH ST.City, State, Zip: ROCKPORT TX 78382Contact Name: MARY ELLEN NIES Contact Phone Number: 361 729 5352HOT Contract Email: menies46@yahoo.comWeb Site Address for Event or Sponsoring Organization: BOUNTI FULL BOWL POTTERY FAIR
ROCKPORT CLAY EXPOType of Organization: ☐ Governmental ☒ Non-Profit ☐ Private/ For-ProfitTax ID #: 74-213-9516 Organization's Creation Date: 1977Purpose of Organization: To enhance the lives of those
over 60 in Aransas County**Event Information**Name of Event or Project: Beautiful Bowl Pottery FairDate of Event or Project: FEB 4 & 5 2023Primary Location of Event or Project: ROCKPORT CENTER FOR THE ARTSAmount Requested: \$ 5000How will the funds be used: To market the event to the
public using print, broadcast, TV
signage and marketing consultant.

05/10/22

ARANSAS COUNTY COUNCIL ON AGING
Income/Expenses Bountiful Bowl
 August 2021 through April 2022

	Aug '21 - Apr 22
Ordinary Income/Expense	
Income	
LOCAL MATCH	
Fundraisers	
Bountiful Bowl Pottery Fair	
Income	
Advertising Support	3,700.00
Sponsorships	3,275.00
Vendor Space Rental	1,125.00
Income - Other	4,429.65
Total Income	12,529.65
Total Bountiful Bowl Pottery Fair	12,529.65
Total Fundraisers	12,529.65
Total LOCAL MATCH	12,529.65
Total Income	12,529.65
Gross Profit	12,529.65
Expense	
Fundraiser Expenses	
Bountiful Bowl Expenses	
Awards/Prizes	525.00
Misc Expenses	900.00
Bountiful Bowl Expenses - Other	-325.00
Total Bountiful Bowl Expenses	1,100.00
Total Fundraiser Expenses	1,100.00
Total Expense	1,100.00
Net Ordinary Income	11,429.65
Net Income	11,429.65

EXHIBIT "C"

additional expenses K111 - TV 1200
backroom printing 454

Primary Purpose of Funded Activity/Facility:

To promote the appreciation and sale of pottery. To raise money for our meals-on-wheels program. To attract visitors to galleries and other art attractions.

Percentage of Hotel Tax Support of Related Costs

45% Percentage of Total Event Costs Covered by Hotel Occupancy Tax

10% Percentage of Total Facility Costs Covered by Hotel Occupancy Tax for the Funded Event

0 Percentage of Staff Costs Covered by Hotel Occupancy Tax for the Funded Event

If staff costs are covered, estimate percentage of time staff spends annually on the funded event(s) compared to other activities 0 %

Which Category or Categories Apply to Funding Request, and Amount Requested Under Each Category:

- ☐ 1) **Convention Center or Visitor Information Center:** 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. Amount requested under this category: \$ _____
- ☐ 2) **Registration of Convention Delegates:** the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants. Amount requested under this category: \$ _____
- ☐ 3) **Advertising, Solicitations and Promotions that directly promote tourism and the Hotel & Convention Industry:** to attract tourists and convention delegates or registrants to the municipality or its vicinity. Amount requested under this category: \$ _____
- ☒ 4) **Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry:** 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 picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms: Amount requested under this category: \$ 5000

- ☐ **5) Historical Restoration and Preservation Activities that Directly Promote Tourism and the Hotel and Convention Industry:** historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums. Amount requested under this category: \$ _____

- ☐ **6) Sporting Event Expenses that Substantially Increase Economic Activity at Hotels:** Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the municipality or its vicinity. Amount requested under this category: \$ _____

How many individuals are expected to participate in the sporting related event? _____

How many of the participants at the sporting related event are expected to be from another city or county? _____

Quantify how the sporting related event will substantially increase economic activity at hotels within the city or its vicinity?

- ☐ **7) Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations:** a) the commercial center of the city; b) a convention center in the city; c) other hotels in or near the city; and d) tourist attractions in or near the city. Amount requested under this category: \$ _____

What sites or attractions will tourists be taken to by this transportation? _____

Will members of the general public (non-tourists) be riding on this transportation? _____

What percentage of the ridership will be local citizens? _____

- ☐ **8) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality.** Amount requested under this category: \$ _____

What tourist attractions will be the subject of the signs?

Questions for All Funding Request Categories:

1. How many years have you held this Event or Project: 20
2. Expected Attendance: 1200 Prior year's attendance: 600
3. How many people attending the Event or Project will use City of Rockport hotels? 150
- Number of nights will they stay: 2

Do you reserve a room block for this event at an area hotel and if so, for how many rooms and at which hotels:

TBD

4. List other years (over the last three years) that you have hosted your Event or Project with amount of assistance given from and the number of hotel rooms used:

Event Date	Assistance Amount		Number of Hotel Rooms Used
	City HOT Funds	Others	
<u>2022</u>	\$ <u>1200</u>	\$ <u> </u>	<u> </u>
<u>2021</u>	\$ <u>1200</u>	\$ <u> </u>	<u> </u>
<u>2020</u>	\$ <u>Cancelled</u>	<u> </u>	<u> </u>

5. How will you measure the impact of your event on area hotel activity (e.g.: room block usage information, survey of hoteliers, etc.)?

Survey attendees

6. Please list other organization, government entities, and grants that have offered financial support to your project:

7. Will the event charge admission? Do you anticipate a net profit from the event? If there is a net profit, what is the anticipated amount and how will it be used?

\$5.00 donation admission

Used to cover expenses for meals on wheels program

8. Please list all promotion efforts your organization is coordinating, and the amount financially committed to each media outlet:

Newspaper: \$ 1200
 Radio: \$ _____
 TV: \$ 1200
 Other Paid Advertising: \$ 2600

Number of Press Releases to Media 20

Number Direct Mailings to out-of-town recipients e-mails only 150

Other Promotions _____

9. Will you include a link to local hotels on your website for booking during this event?

yes

10. Will you negotiate a special rate or hotel/event package to attract overnight stays?

yes

11. What new marketing initiatives will you utilize to promote hotel and convention activity for this event?

Ad placement in Ceramic Monthly

12. What geographic areas does your advertising and promotion reach?

Regional Texas & neighboring states

13. How many individuals will your proposed marketing reach who are located in another city or county? Thousands especially Houston, Austin

14. If the funding requested is related to a permanent facility (e.g., museum, visitor center):

Expected Attendance Monthly/Annually: ? Art Center

Percentage of those in attendance that are staying at area hotels/lodging facilities: 30 %

Please Submit to:
 City of Rockport
 City Secretary
tvaldez@cityofrockport.com

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 27, 2022

AGENDA ITEM: 10

Deliberate and act on Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Rockport Center for the Arts for advertising and tourism promotion.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: KH

BACKGROUND: At the July 26, 2022, City Council Meeting, Luis Purón, Executive Director, of the Rockport Center for the Arts presented their Fiscal Year 2022-2023 budget request to the City Council. Deliberation and action regarding allocations were held on July 26, 2022, regarding requested Hotel Occupancy Tax funding for Fiscal Year 2022-2023. The proposed Agreement remains the same as the previous year except for the amount funded and verbiage was added to track “heads in beds” per State statutes.

See the accompanying agreement for additional details.

FISCAL ANALYSIS: Budget account 6602040. Disbursement of funds will be made in accordance with Section 6 of the Agreement.

STAFF RECOMMENDATION: Staff recommends Council approve the Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Rockport Center for the Arts for advertising and tourism promotion in the amount of \$295,000.00, or \$73,750.00 per quarter, as presented.

**CITY OF ROCKPORT
AND
ROCKPORT CENTER FOR THE ARTS**

**An Agreement Concerning the Use of
Funds from the Hotel Occupancy Tax**

STATE OF TEXAS §
 §
COUNTY OF ARANSAS §

This Agreement is made by and between the City of Rockport, a Texas home rule municipal corporation, hereinafter called “City,” and the Rockport Center for the Arts, a private non-profit association, hereinafter called “RCA,” acting by and through its duly elected officers.

SECTION 1. LEGAL AUTHORITY

The City collects a local hotel occupancy tax as authorized by Chapter 351 of the Texas Tax Code (“Act”). Pursuant to the Act, the City expends funds collected for the purpose of advertising with any media outlet that is outside 75 miles of the City of Rockport (Resolution No. 09-15) and encouraging growth of tourism and convention/hotel activity in the City as outlined in Chapter 94, Article IV, Hotel Occupancy Tax of the City of Rockport Code of Ordinances (“Code”).

SECTION 2. TERM OF AGREEMENT

This Agreement shall become effective on October 1, 2021 and terminate on September 30, 2022.

SECTION 3. SERVICES TO BE PROVIDED

As authorized under the Act, the City hereby agrees to pay to RCA ***TWO HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$295,000.00)*** of the money actually received by the City from local hotel occupancy tax. Subject to the terms and conditions herein, RCA agrees to expend such funds received for advertising and promoting tourism for the out-of-town visitor market from which the hotel industry within the City derives direct tourist income benefits.

SECTION 4. INDEPENDENT CONTRACTOR

It is expressly understood and agreed by and between the parties that RCA is engaged as an independent contractor and is not an officer, agent or employee of the City.

SECTION 5. MANAGEMENT OF FUNDS

5.1 RCA shall maintain a separate financial account of the hotel occupancy tax funds received from the City and may not commingle the funds with any other account. It is understood and agreed by and between the parties that, upon budget approval by the City, a fiduciary duty is created in RCA with respect to expenditure of the revenue provided.

- 5.2 RCA shall maintain complete and accurate financial records of each receipt and expenditure of the hotel occupancy funds and upon request of the City Council or other person, shall make the records available for inspection and review during normal business hours in accordance with the provisions of the Texas Public Information Act (Texas Government Code, Chapter 552).
- 5.3 Hotel occupancy funds may be spent by RCA for day-to-day operations including supplies, salaries, office rental, travel expenses, and other administrative costs, only if such expenditures were shown on the Hotel Occupancy Tax Application (See Exhibit "C") and approved by the City Council and shown to be directly related to promotion of tourism and the hotel industry. (See Exhibit "A".)
- 5.4 RCA shall submit an annual report of activities and provide therein a projected line item budget to the City Council for approval that will include itemized personnel costs by singular job descriptions and capital outlay expenses if any. Such report and budget shall be provided no later than June 1st of each year for the next fiscal year.

The budget shall provide a complete financial plan and shall contain the following:

- (1) A budget message, explanatory of the tourism/promotional activity contracted, which message shall contain an outline of the plan of the activity and, in the following years, set forth the reasons for the salient changes from the previous year (as applicable) and any major budgetary revisions. Any subsequent budgetary revision exceeding 25% of any line item, or 10% of the entire budget, or \$10,000.00 will require City Council approval. All items of expenses shall contain detailed narratives as to the basis of the expenditure.
 - (2) A consolidated statement of anticipated receipts and expenditures for all funds.
 - (3) Anticipated revenues shall be placed in parallel columns and display therein the:
 - a) Actual amount for the last completed year;
 - b) Estimated amount for the current fiscal year;
 - c) Proposed amount for the ensuing fiscal year.
 - (4) Planned expenditures shall be placed in parallel columns opposite the various items of expenditures and display the:
 - a) Actual amount of such items of expenditures for the last completed fiscal year;
 - b) Estimated amount for the current fiscal year; and
 - c) Proposed amount for the ensuing fiscal year.
- 5.5 Fiscal quarterly financial reports, on a form prescribed by the City (See Exhibit "B"), are required to be submitted to the City Secretary no later than sixty (60) days after the end of each fiscal quarter. These reports shall identify a budget comparison of the hotel occupancy funds received by agreement and the uses thereof as defined in the overall

budget. It shall show the amount budgeted for the fiscal year by category item and the actual expenditures of such within the fiscal year quarter being reported. It shall compare the projected attendance and heads in beds from the Application submitted with the actual number of heads in beds generated. In addition, all administrative expenses shall be reported in detail comparing the current fiscal year expenses projection, the current fiscal year actual expenses and the percent of the fiscal year projection.

- 5.6 RCA shall upon request submit an audited financial report to the City, showing in detail the disbursement and use of hotel occupancy funds paid to the RCA pursuant to this Agreement, no later than sixty (60) days after the end of each fiscal year of this Agreement. In addition, the City reserves the right to request an annual audited financial statement reflecting the financial position of the entire RCA for the duration of this Agreement. RCA agrees to provide a current audit (current defined as no later than the last fiscal year), such copy to be delivered within twenty (20) days upon receiving a request from the City Manager or Mayor.

SECTION 6. TRANSFER OF FUNDS

Upon compliance with all conditions precedent, the City Secretary shall remit to RCA **TWO HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$295,000.00)** of the hotel occupancy tax receipts in four (4) quarterly payments of **SEVENTY-THREE THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$73,750.00)** each. RCA shall receive its first quarterly payment on the effective date hereof or the date of final execution of this Agreement, whichever is later. Each quarterly payment thereafter shall be made to RCA within ten (10) business days after receipt of the required quarterly report, but not sooner than the 31st day after the end of each calendar quarter, and after approval of said report by the City Council. The City Council may not approve any quarterly report or portion thereof if it determines that any reported expense in the reporting quarter was an improper use of funds or outside the authorized use of hotel occupancy tax and may reduce subsequent quarterly payments by the amount determined improper or unauthorized.

SECTION 7. FORCE MAJEURE – SUFFICIENT FUNDS NOT AVAILABLE

The City's obligation to make quarterly payments to RCA pursuant to this Agreement is contingent upon anticipated receipt of minimal amount of hotel occupancy tax from the collecting entities within the City. Based upon this anticipated, budgeted income, the total dollar figure to be paid to RCA pursuant to this Agreement was determined. Other agreements have also been made by the City with local organizations, providing for disbursement of a portion of hotel occupancy tax funds collected. Should it happen, by act of nature or other means outside the control of the City, that the actual hotel occupancy tax funds received are less than the anticipated and budgeted funds, then in that event the City, upon prior notice to RCA may unilaterally reduce the payment(s) to be made pursuant to this Agreement. Unless otherwise agreed by the City, any reduction in payments pursuant hereto shall be made from the final (fourth) quarter payment. The City shall reduce the actual payment pro rata by a percentage of the amount obligated as it relates to the total hotel occupancy tax dollars actually received.

SECTION 8. RETURN OF FUNDS UPON TERMINATION OF CONTRACT

Should this Agreement be terminated by either party hereto or by its own terms, and unless express agreement is otherwise made, RCA shall remit and return to the City, with a final accounting thereof, all unused and unspent hotel occupancy tax funds in its possession, within thirty (30) days from the date of such termination.

SECTION 9. INDEMNIFICATION

RCA agrees to indemnify the City, its officers, agents, and employees, from any and all claims, losses, causes of action and damages, suits, and liability of every kind, including all expenses of litigation, courts costs and attorney fees, for injury to or death of any person, or for damage to any property arising from or in connection with the operations or actions of RCA, its officers, agents and employees carried out in furtherance of this Agreement.

SECTION 10. INSURANCE

RCA shall maintain a comprehensive general liability insurance policy, with an insurance company or companies authorized to do business in the State of Texas, which shall include bodily injury, property damage, contractual and automobile liability coverage with a minimum of not less than \$500,000.00. In addition, workers' compensation insurance coverage shall be provided by RCA in accordance with state law.

SECTION 11. TERMINATION

If either party materially breaches this Agreement, the other party may terminate the Agreement by providing thirty (30) days' written notice to the defaulting party. Should a dispute arise regarding the existence of a material breach, either party may request that the issue be presented to a licensed mediator.

SECTION 12. NON-RENEWAL

It is understood and agreed that RCA is not entitled to any right of automatic renewal of this Agreement for the ensuing year, or years, since such option under the Act rests exclusively with the City Council.

SECTION 13. NOTICE

All communications required by this Agreement between the City and RCA shall be in writing and addressed to the attention of the City Manager, 2751 State Highway 35 Bypass, Rockport, TX 78382 or to the President of Rockport Center for the Arts, 638 East Market Street, Rockport, TX 78382.

SECTION 14. COMPLIANCE WITH LAWS

In performing its duties under this Agreement, RCA shall at all times comply with the City of Rockport Code and all the State of Texas Acts. (See Sections 1 & 5.)

SECTION 15. PROHIBITION AGAINST DISCRIMINATION

In the performance of this Agreement, RCA shall not discriminate against any employee or applicant for employment because of an individual's race, color, religion, national origin, sex, or mental or physical disability. Proven breach of this provision may be regarded as a material breach of this Agreement allowing for termination.

SECTION 16. CONTROLLING LAW

It is understood and agreed that in the event any provision of this Agreement is inconsistent with the requirements of the Act, or any other applicable state law, the requirements of the law will control and supersede the terms set forth herein.

SECTION 17. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties, relative to the hotel occupancy tax funds made the basis hereof.

IN WITNESS WHEREOF, the parties have herein unto set their hands on duplicate originals, in the City of Rockport, Aransas County, Texas on this ____ day of _____ 2022.

CITY OF ROCKPORT

ROCKPORT CENTER FOR THE ARTS

Tim Jayroe, Mayor

_____, President
(Print Name)

ATTEST:

ATTEST:

Teresa Valdez, City Secretary

Luis Purón, Executive Director

EXHIBIT “A”

CATEGORY	AMOUNT REQUESTED	GRANT AMOUNT
Convention Center or Visitor Information Center	\$85,000.00	
Registration of Convention Delegates	\$15,000.00	
Advertising, Solicitations and Promotions	\$50,000.00	
Promotion of the Arts	\$145,000.00	
TOTAL	\$295,000.00	\$295,000.00

EXHIBIT “B”

HOT FUNDING EXPENSE REPORT FY 2022-2023							
Description of Expense	Approved Budget	1st Quarter Expenses	2nd Quarter Expenses	3rd Quarter Expenses	4th Quarter Expenses	TOTAL	* Number of Heads in Beds
TOTAL REQUESTED							

*Must attach supporting documentation.

Description of Administrative Expenses	Current Fiscal Year Administrative Expenses Projection	Fiscal Year Administrative Actual Expenses	Percentage of Fiscal Year Projections
TOTALS			

Hotel Occupancy Tax Funding Application
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Date: 5/27/22

Organization Information

Name of Organization: Rockport Center for the Arts

Address: 638 E Market St

City, State, Zip: Rockport, TX 78382

Contact Name: Luis Puron Contact Phone Number: 361-450-8022

HOT Contract Email: luis@rockportartcenter.com

Web Site Address for Event or Sponsoring Organization: www.rockportartcenter.com, www.the-rocc.com

Type of Organization: ☐ Governmental ☒ Non-Profit ☐ Private/ For-Profit

Tax ID #: 74-1652612 Organization's Creation Date: 5/20/1969

Purpose of Organization: Rockport Center for the Arts' mission is to be the catalyst and epicenter to explore the creative arts.

Event Information

Name of Event or Project: Promotion of the Arts, Promotion of the Hotel and Convention Industry

Date of Event or Project: 10/1/2022 - 9/30/2023

Primary Location of Event or Project: 106 S Austin Street, 204 S Austin Street

Amount Requested: \$ 295,000

How will the funds be used: Promotion of the Arts - \$145,000

Promotion of the Hotel and Convention Industry - \$150,000

A detailed budget is attached in the Marketing Proposal.

Primary Purpose of Funded Activity/Facility:

Arts: Annual Calendar of Multidisciplinary Arts Programming

Hotel & Convention Industry: Operation, Advertising and Promotion of the Rockport Conference Center

Percentage of Hotel Tax Support of Related Costs

72% Percentage of Total **Event Costs** Covered by Hotel Occupancy Tax

0% Percentage of Total **Facility Costs** Covered by Hotel Occupancy Tax for the Funded Event

28% Percentage of **Staff Costs** Covered by Hotel Occupancy Tax for the Funded Event

If staff costs are covered, estimate percentage of time staff spends annually on the funded event(s) compared to other activities 100 %

Which Category or Categories Apply to Funding Request, and Amount Requested Under Each Category:

- ☒ **1) Convention Center or Visitor Information Center:** 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. Amount requested under this category: \$ 85,000
- ☒ **2) Registration of Convention Delegates:** the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants. Amount requested under this category: \$ 15,000
- ☒ **3) Advertising, Solicitations and Promotions that directly promote tourism and the Hotel & Convention Industry:** to attract tourists and convention delegates or registrants to the municipality or its vicinity. Amount requested under this category: \$ 50,000
- ☒ **4) Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry:** 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 picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms: Amount requested under this category: \$ \$145,000

A detailed budget of category 4 is included in the Marketing Proposal

- ☐ **5) Historical Restoration and Preservation Activities that Directly Promote Tourism and the Hotel and Convention Industry:** historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums. Amount requested under this category: \$ _____

- ☐ **6) Sporting Event Expenses that Substantially Increase Economic Activity at Hotels:** Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the municipality or its vicinity. Amount requested under this category: \$ _____

How many individuals are expected to participate in the sporting related event? _____

How many of the participants at the sporting related event are expected to be from another city or county? _____

Quantify how the sporting related event will substantially increase economic activity at hotels within the city or its vicinity?

- ☐ **7) Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations:** a) the commercial center of the city; b) a convention center in the city; c) other hotels in or near the city; and d) tourist attractions in or near the city. Amount requested under this category: \$ _____

What sites or attractions will tourists be taken to by this transportation? _____

Will members of the general public (non-tourists) be riding on this transportation? _____

What percentage of the ridership will be local citizens? _____

- ☐ **8) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality. Amount requested under this category: \$ _____**

What tourist attractions will be the subject of the signs?

Questions for All Funding Request Categories:

1. How many years have you held this Event or Project: 53 Years
2. Expected Attendance: 35,000-40,000 Prior year's attendance: 24,642
3. How many people attending the Event or Project will use City of Rockport hotels? 10,863

Number of nights will they stay: 19,122

Do you reserve a room block for this event at an area hotel and if so, for how many rooms and at which hotels:

For major events and programs, blocks of rooms are reserved at Intrepid Hotels properties.

For the Rockport Conference Center we are partnering with 9 local hotel properties.

4. List other years (over the last three years) that you have hosted your Event or Project with amount of assistance given from and the number of hotel rooms used:

Event Date	Assistance Amount		Number of Hotel Rooms Used
	City HOT Funds	Others	
FY 2022	\$ <u>250,000</u>	\$ <u>300,000</u>	<u>thousands</u>
FY 2021	\$ <u>125,000</u>	\$ <u>288,543</u>	<u>thousands</u>
FY 2020	\$ <u>126,500</u>	\$ <u>248,603</u>	<u>thousands</u>

5. How will you measure the impact of your event on area hotel activity (e.g.: room block usage information, survey of hoteliers, etc.)?

Please refer to appendix attached to the back of this application.

6. Please list other organization, government entities, and grants that have offered financial support to your project:

Aransas County, Texas Commission on the Arts, National Endowment for the Arts, Texas

Women for the Arts

7. Will the event charge admission? Do you anticipate a net profit from the event? If there is a net profit, what is the anticipated amount and how will it be used?

Admission is charged at ticketed and gated events. End of year surpluses for our

programs are expended at the discretion of the Board of Directors.

8. Please list all promotion efforts your organization is coordinating, and the amount financially committed to each media outlet:

Please refer to pages 12 and 13 of the Media Plan and Buy section of the Marketing Proposal.

Newspaper: \$ _____
 Radio: \$ _____
 TV: \$ _____
 Other Paid Advertising: \$ _____

Number of Press Releases to Media _____

Number Direct Mailings to out-of-town recipients _____

Other Promotions _____

9. Will you include a link to local hotels on your website for booking during this event?
 Yes. Nine major local properties are listed in the Rockport Conference Center website.

10. Will you negotiate a special rate or hotel/event package to attract overnight stays?
 Yes.

11. What new marketing initiatives will you utilize to promote hotel and convention activity for this event?
 Promotion of a new facility opening October 2022 designed to attract Hotel and

 Convention Industry activity.

12. What geographic areas does your advertising and promotion reach?
 Statewide

13. How many individuals will your proposed marketing reach who are located in another city or county? 6 Million impressions
14. If the funding requested is related to a permanent facility (e.g., museum, visitor center):
 Expected Attendance Monthly/Annually: 35,000-40,000
 Percentage of those in attendance that are staying at area hotels/lodging facilities: 56 %

Please Submit to:

City of Rockport

City Secretary

tvaldez@cityofrockport.com

Appendix

City of Rockport Application for Hotel Occupancy Tax Funding

How will you measure the impact of your event on area hotel activity?

Highest impact: During the largest event, July's Rockport Art Festival we survey the artists that come from different parts of the southern United States (from California to Florida) to inquire about length of stay, location of lodging used during their visit, and economic impact through their specific sales and their expenditures in area businesses. This data is then tabulated to compare results to prior year(s) and shared with City Council.

We also record zip code data as follows:

- 1) Every visitor is asked for a zip code. The zip code is recorded and at the end of the month all attendance data is tabulated, counted, analyzed and compared against the PR/media campaign itself and against prior year performance.
- 2) The same technique is employed at all major events – the Art Festival, the Art Fair and the Film Festival.
- 3) All zip code data is tabulated, analyzed and synthesized into reports that provide a detailed account of visitor geographic zones and target markets of interest which helps craft the annual media buy for the art center. The annual media buy and PR campaign is amended annually based on the most current visitation analysis.
- 4) Major metropolitan areas and rural areas beyond a 75 mile circumference of are also targeted for marketing. The most robust market is analyzed on a quarterly basis to identify any fluctuations and it is compared against media dollars spent for promotion.
- 5) Corpus Christi and Victoria DMA are also tracked.
- 6) The Rockport Conference Center will provide us with a new avenue for zip code tracking and participants visiting the space for a variety of activities. Their zip code data will be tracked using methods described above that we have been utilizing for decades.

##

May 27, 2022

Honorable Mayor Tim Jayroe
City of Rockport
2751 State Highway 35 Bypass
Rockport, Texas 78383

Subject: Marketing and Promotion Plan, 2022 – 2023

Dear Mayor Jayroe,

Please accept the attached application and marketing proposal from Rockport Center for the Arts which includes both highlights of activities and tourism data for the 2021-2022 fiscal year, as well as a documentation for our financial request for the upcoming fiscal year, 2022-2023.

As per the Texas Tax Code, Chapter 351, you will see in the required application a tourism budget for the Promotion of the Arts and a budget for the promotion of the Tourism and Hotel and Convention Industry in preparation for a fall 2022 opening of our new facilities.

The new facilities comprise a 1.2 acre campus, 22,000 sf of new space and a 16,000 sf sculpture park that will unify our properties at the intersection of S. Austin St. and North St. in the heart of downtown Rockport.

An expansion of space for existing and new programs has been the goal since strategic planning sessions began in 2014, to *Imagine* a capital project valued at \$12.3M. These facilities will be fully paid for and will help generate additional tourism as the multiplicity of new programs are promoted statewide.

For the past 53 years, we have set the bar high in providing authentic and compelling cultural programming for our community and visitors from across the United States. For the past five years we have placed more thoughtful analysis into the synthesis of zip code and visitor data that comprise our quarterly statistical reports to council. We have improved our marketing team, branding and promotional strategies. We have used collected data, and the changing face of advertising in the 21st century to craft publicity and marketing campaigns that bring demographics to the forefront in consideration of our cultural tourist. You can expect the same when we begin to market to the business traveler, an avenue that will bring tourism to our coastal community during the mid-week market – Sunday to Thursday. We have invested in human resources and consultants with national renown to make our goals happen. We are partnering with local hotel properties to bring tourism to support our events.

Since 2017 we have added three signature events to the three that were in existence prior. We remain cognizant of the importance tourism has towards the betterment of our great City and the integral role it plays in the quality of life of our community.

Rockport Center for the Arts is very grateful for the financial support the City of Rockport provides annually through the Hotel Occupancy Tax Grant. Please accept our proposal for consideration for the upcoming fiscal year budget. Thank you,

Luis Purón
Executive Director



**Marketing and Promotion Plan
2022 – 2023**

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 - d. Media Plan and Buy, Projected 2023 Budget (October 2022).
 - e. Annual Attendance Impact, Visitors to Major Events
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 - g. Program Highlights
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 - Category 4 - Promotions of the Arts that Directly Promote Tourism and the Hotel and Convention Industry
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- Appendix. Strategic Brand Positioning – The Rockport Conference Center

a. Executive Summary

Our Mission

Rockport Center for the Arts' mission is to be the catalyst and epicenter for opportunities to explore the creative arts.

Our Caption

Explore. Discover. Express.

Our Vision

Rockport Center for the Arts (RCA) continuing its legacy as one of the top ten coastal art colonies in the US, expanding during its next fifty years with an iconic, architecturally significant space and innovative cultural programs and initiatives that engage, teach and inspire students, artists, residents and visitors while spurring economic development and revitalization.

Our Organization's History and Existing Programs

Established in 1969 by a group of artists as an Art Guild, Rockport Center for the Arts is host to nationally recognized and well-funded programming in several areas, drawing visitors to the Texas coast that engage in visual arts and art education programming. RCA has also partnered artists from around the world to engage with the local community through a variety of well-funded and endowed programs:

- 1. Arts Education for Youth, Families and Adults*
- 2. Promotion of the Arts as a Career through Scholarships and Awards for Higher Education*
- 3. Visual Arts Exhibition Program*
- 4. Artists in Residence Program*
- 5. Visiting Artists Lecture Series*
- 6. Sculpture Garden Permanent Collection*
- 7. Major Annual Events that Promote Tourism and Economic Development*

Our Program Performance by the Numbers

*Art Education for Youth, Families and Adults Programs**

Program Name	History (Years)	Served Annually	Funding	Other
<i>ArtSpace Summer Art Camp</i>	<i>24</i>	<i>500</i>	<i>Fully-funded, Endowed</i>	<i>Affiliate: SW School of Art</i>
<i>Free Family Saturdays</i>	<i>7</i>	<i>3,000</i>	<i>Fully-funded</i>	<i>Affiliate: Other Local Attractions</i>
<i>Art Educator Days</i>	<i>20</i>	<i>60</i>	<i>Tuition-funded</i>	<i>CEUs provided to 20 ISD in TX</i>
<i>The Penny Redmon Fund</i>	<i>7</i>	<i>120</i>	<i>Fully-funded, Endowed</i>	<i>-</i>
<i>Workshops and Classes</i>	<i>53</i>	<i>1,400</i>	<i>Student tuition funded</i>	<i>-</i>

**All programs employ and pay working artists.*

Visual Arts Exhibition Program

Program Name	History (Yr)	Served Annually	Funding	Other
<i>Annual Art Exhibition Calendar</i>	53	27,000	<i>Exhibit sales and grants</i>	<i>27 exhibits per year in 3 galleries</i>

Our Signature Events*

Every year RCA energizes local economic development with six signature events designed to bring tourism to the Texas coast:

Event Name	Time of the Year	Tradition	Attendance
<i>Rockport Clay Expo**</i>	<i>February</i>	<i>19 years</i>	<i>800</i>
<i>Spring Art Fair</i>	<i>March</i>	<i>2 years</i>	<i>1,300</i>
<i>Rockport Art Festival</i>	<i>July</i>	<i>54 years</i>	<i>10,000</i>
<i>Silver Meltdown</i>	<i>October</i>	<i>5 years</i>	<i>400</i>
<i>Guy Clark Festival</i>	<i>November</i>	<i>1 year</i>	<i>1,000</i>
<i>Rockport Film Festival***</i>	<i>November</i>	<i>16 years</i>	<i>1,000</i>

**The Art Fair, Art Festival and Film Festival are 3-4 day weekend events with media buy budgets.*

***A partnership with the Aransas County Council on Aging, Meals on Wheel Program.*

****A partnership with the Rotary Club of Rockport.*

Our Biggest Asset

At RCA we believe that- whether staff, board member, visiting artist, volunteer, contractor, consultant, local guest, or visitors from across the United States people are our biggest asset. People that interact with RCA in a significant way are our most effective brand ambassadors and will have a direct impact on the organization's revenue potential which will give us the operational funds to succeed as Rockport's top non-profit organization.

Our Annual Budget & Endowment

\$1.3 M

\$560,000

Our Competitive Advantage

Our competitive advantage can be encapsulated with 5 concepts: History, Innovation, Leadership, Resilience, and Outside the Box Thinking.

As a leader in the Arts in the State of Texas, Rockport Center for the Arts has been transforming lives for over 53 years. In 2014, RCA started addressing growth through strategic planning. In 2016, we invested in land to build a new facility and expand programming. In 2017, Hurricane Harvey accelerated plans to build a new facility. In 2018, we launched a major gift campaign that allowed us to break ground in 2021 on an ambitious 1.2 acre campus with 22,000 sf of new space in downtown Rockport. A partnership with the City of Rockport allowed us to obtain a

\$5M grant from the Economic Development Administration (EDA) March 2019. In March 2021 the Kline Building Cafe was relocated to make way for construction. Construction started April 5, 2021 and is slated for completion September 6, 2022. The new \$12.3M campus will add new programs and revenue centers that will make the added space sustainable. Award winning architects, David and Elizabeth Chu Richter of Richter Architects are the lead designers on the project. Teal Construction Company is the contractor. The brick and mortar project has a guaranteed maximum price of \$8.733,920. GrantWorks is administering the EDA grant.

Our New Programs

Performing Arts

Media Arts

Culinary Arts

Literary Arts

Our New Tourism Target – The Hotel and Convention Industry

Small Conventions

Business and Association Conferences

Sales Meetings

Trade Shows

Expos

Travel Summits

Destination Management

Symposiums

The Rockport Conference Center Website

<https://www.the-rocc.com/>

The Rockport Conference Center Meeting Planning Platforms

Eventective – a lead referral service for conferences, conventions and meeting rooms only

Cvent – the major lead generator for hotels and corporate businesses for conferences and hotels

Social Tables – marketing tool for meetings rooms, conventions, and conference centers to show clients in real time venue set-up options, final room diagrams to move forward to the completion of a contract

Our Local Hotel Partners

Fairfield Inn and Suites, by Marriott

Hampton Inn and Suites

La Quinta Inn and Suites

Holiday Inn Express and Suites

Quality Inn on Aransas Bay

The Inn at Fulton Harbor

Pelican Bay Resorts

Days Inn Rockport

The Lighthouse Inn at Aransas Bay

b. Adding Density to Downtown Rockport: Where We Are Today, And Where We Are Going



Building 1: Rockport Center for the Arts

Height: Two-story Building

Size: 14,000 sf

Purpose: Art Education, Visual Arts, Administration

Main Features: 5 classroom spaces including a standalone fully equipped clay studio, 4 galleries, gift shop, elevator, restrooms in both floors, an administration suite, roof top terrace, connectivity through porches, state of the art audiovisual, loading dock

Building 2: Rockport Conference Center (The ROCC)

Height: One-story Building

Size: 8,000 sf

Purpose: Business Conferences, Trade Shows, Expos, Performing Arts, Media Arts, Culinary Arts, Literary Arts, the Home of the Clay Expo, Film Festival, Silver meltdown, Guy Clark Music Festival

Main Features: a foyer, a 4,500 ballroom, restrooms, a fully equipped catering and culinary arts kitchen, storage bay, partitions to break ballroom into 4 spaces, state of the art audiovisual, loading dock

Sculpture Park: Exterior Green Spaces with Sculptural Works from the Art Center's Permanent Collection

Size: 16,000 sf

Purpose: Connectivity between the Building 1 and 2, access to 70 parking spaces on Austin and Water St.

Main Features: Green spaces, water features, exterior performing arts space, extension of the visual arts program through the display of sculptural work by artists of regional, national and international renown, state of the art audio

Offsite Parking: Located on-block away from the campus at the intersection of Magnolia and North St.

Size: 60 spaces

Sate of the Art Facilities: Other Campus Features:

- Dedicated fiber optic cable line for high speed internet solely dedicated and provided for the campus.
- Services from Network Cabling Services of Houston, Texas and Layer One Networks of Corpus Christi for telephone, audio visual, structured cabling, Wi-Fi integration, and campus-wide security monitoring.
- Underground electrical utilities.
- Resilient concrete and steel construction, elevated above FEMA requirements.





RICHTER ARCHITECTS **ROCKPORT CENTER FOR THE ARTS**
 PROJECT NUMBER: 2020-01
 PROJECT NAME: ROCKPORT CENTER FOR THE ARTS
 PROJECT LOCATION: ROCKPORT, TEXAS
 PROJECT TYPE: DETAIL
 PROJECT DATE: 09/2022
 PROJECT STATUS: A501

ROCKPORT ART ASSOCIATION, INC
OPERATING UNDER TWO BRANDS:
ROCKPORT CENTER FOR THE ARTS & THE ROCKPORT CONFERENCE CENTER

\$12.3 MILLION DOLLAR TOTAL INVESTMENT
22,000 SQUARE FEET OF NEW SPACE IN DOWNTOWN ROCKPORT
DEBT FREE
CONSTRUCTION COMPLETION DATE SEPTEMBER 2022

c. Marketing Campaign and Creative Partnerships

A Global Campaign

Rockport Center for the Arts' advertising and publicity campaign is designed around the Art Festival and the Visual Arts Program, the largest direct advertising buys in the calendar year. Art Festival dollars leverage a media buy for the rest of the calendar year, and events.

Team Approach

Award winning public relations team with results oriented towards tourism:

<i>Brand Positioning:</i>	<i>Legend Labs</i>
<i>Design Creatives:</i>	<i>Snyder + Associates</i>
<i>Media Market Analysis:</i>	<i>BucketWorks</i>
<i>Media Buyer:</i>	<i>BucketWorks</i>
<i>Public Relations:</i>	<i>Winfrey Media Relations & Prokell Publicity, Inc.</i>
<i>Videographer:</i>	<i>Enlightened Images, MiSA, Ty Husak Photography</i>
<i>Spokesperson:</i>	<i>Kimmi Norvelle Moake</i>
<i>Media Partners TV:</i>	<i>KRIS-TV</i>
<i>Media Partners Radio:</i>	<i>KEDT 90.3 FM Corpus Christi and the Rio Grande Valley KVRT 90.7 FM Victoria & RGV, KMFA 89.5 Austin</i>
<i>Media Partners Online:</i>	<i>Glasstire</i>

d. Media Plan and Buy, Projected 2023 Budget (Budget is presented to the Board October 2022).



Rockport Center for the Arts
2022-2023 Media Buy Overview

711 N. Carancahua, Suite 1603
Corpus Christi, TX 78401
Telephone (361) 884-2992
www.bucketworksadvertising.com

DEMOGRAPHICS

AGE

- TV, CABLE, RADIO: 35+
- Spotify & Social Media: 25-64

DMAs

- | | | | |
|------------------|-----------------|---------------------|---------------|
| • Alice | • Houston | • Port Aransas | • San Antonio |
| • Austin | • Kingsville | • Portland | • San Diego |
| • Beeville | • Kyle | • Premont | • Seguin |
| • Bishop | • Mathis | • Refugio | • Sinton |
| • Corpus Christi | • New Braunfels | • Rio Grande Valley | • Skidmore |
| • Dallas | • Odem | • Robstown | • Victoria |
| • Fort Worth | • Orange Grove | • Rockport | • Woodsboro |
| | • Pleasanton | • Round Rock | |

INTERESTS

- Arts & Culture
- Travel
- Supporter of public broadcasting
- News



MEDIA PLATFORMS PER MARKET

- **Coastal Bend**
 - TV: KIII TV, KRISTV, MeTV, Fox 38, Fox News, TV Land, HGTV, HLN, ID, Animal Planet, OXYG, Fox Business, Nat Geo, CMT, OWN, DIY, GOLF, BBBCA, TRU, ESPN2, CCTV, CNBC, TWC, Paramount)
 - Radio: KEDT, 93.9FM
 - Billboard: Lamar
 - Social Media: KRISTV, CCBucketList
- **Rio Grande Valley**
 - Radio: KEDT
 - Billboard: Media Choice
- **San Antonio Area**
 - TV (Fox 29, NBC 4)
 - Spotify
 - Digital Ads: KRISTV
 - Eblasts/Newsletters: ACTX, MISA
 - Web ads: ACTX
 - Billboard: Sign Ad
 - Social Media: ACTX, MISA, Fox 29, NBC 4
- **Austin Area**
 - Radio: KMFA
 - Spotify
 - Digital Ads: KRISTV
 - Eblast: ACTX
 - Web ads: KMFA, ACTX
 - Billboard: Vibe
 - Social Media: ACTX, KMFA
- **Houston Area**
 - Spotify
 - Digital Ads: KRISTV
 - Eblast: ACTX
 - Web ads: ACTX
 - Billboard: Media Choice
 - Social Media: ACTX, It's Not Hou It's Me
- **Dallas Area**
 - Eblast: ACTX
 - Web ads: ACTX
 - Social Media: ACTX



NEW STRATEGY WITH KRISTV PARTNERSHIP

- **Investment**
 - \$3,500 Trade for Patron Sponsorship
 - \$4,000 Cash
- **KRISTV Deliverables**
 - Production of & airing of PSA across all stations (KRIS, KZTV, the CW, and KDF) using station talent
 - Coastal Living Segment with Clarissa Serna with on-air ticket giveaways
 - 52 spots
 - Custom landing page on KRISTV.com and KZTV10.com that link to event website
 - Targeted digital ads in Houston, San Antonio, and Austin using specific behavioral targeting, brand targeting, and proximity targeting
 - Facebook post promoting event on the KRIS 6 News Facebook page
 - All press releases and event information will be directly provided to each station's news director
- **RCA Deliverables**
 - List KRISTV as Patron Sponsor and provide all benefits
 - Provide 4 ticket pack for Coastal Living Segment

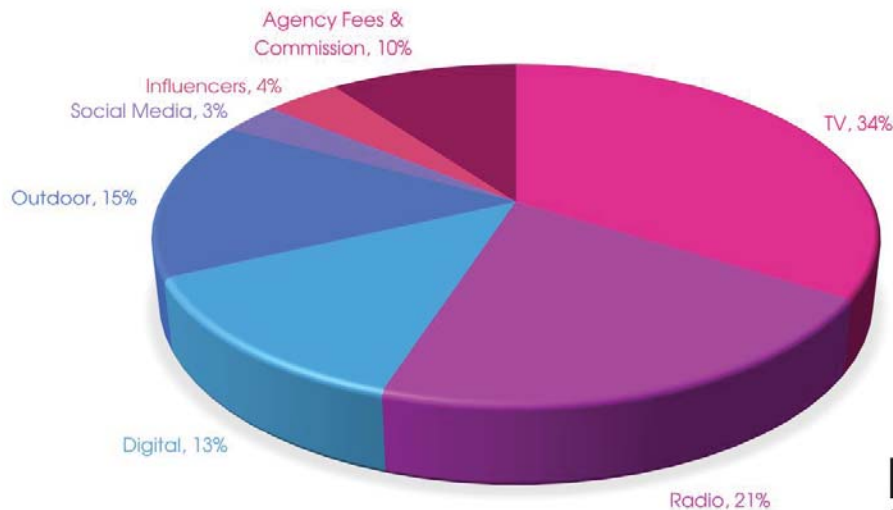


DIGITAL ADVERTISING STRATEGIES FOR SAN ANTONIO, AUSTIN, AND HOUSTON MARKETS

- **Behavioral Targeting**
 - Art enthusiasts
 - Travel enthusiasts
 - Retirees
- **Brand Targeting (targeting specific brand/retail within a specific time frame)**
 - RV retailers
 - Boat and marine retailers
 - Home decorating and improvement retailers
 - Luxury retailers (BMW, Neiman Marcus, etc.)
- **Proximity Targeting (targeting a defined vicinity or location)**
 - Museums and galleries
 - Houston Art Bike Festival (May 21)
 - Houston Art on the Yard by TSU Museum Studies (June 3-4)
 - Houston Andy Warhol Exhibit at University of Houston Clear Lake Art Gallery (May 19-June 24)
 - Round Rock PopUp Art Show (June 18)
 - Blanton Museum of Art
 - San Antonio Memorial Day River Walk Artisan Show (May 27-30)
 - ArtRageous by the Art Museum of South Texas (June 9)
 - ArtWalk & Mural Fest by Downtown Corpus Christi (June 3-4)

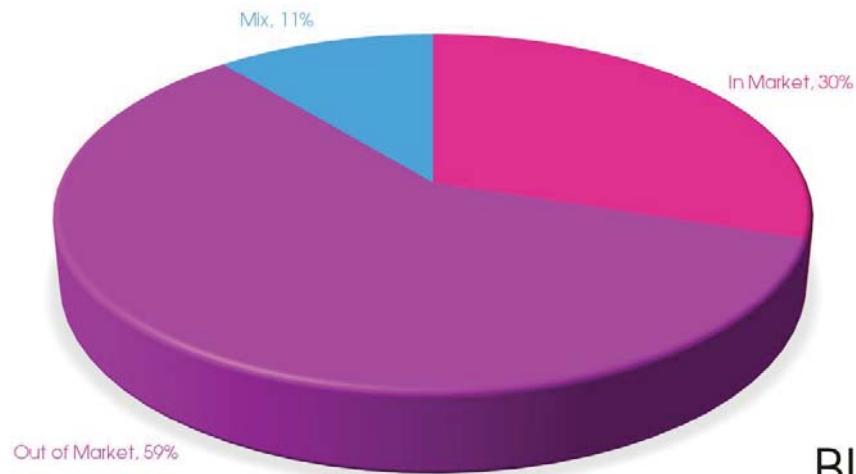
BUCKET
WORKS
●●●●●

MEDIA OUTLET ALLOCATION



BUCKET
WORKS
●●●●●

DOLLARS PLACED IN AND OUT OF MARKET



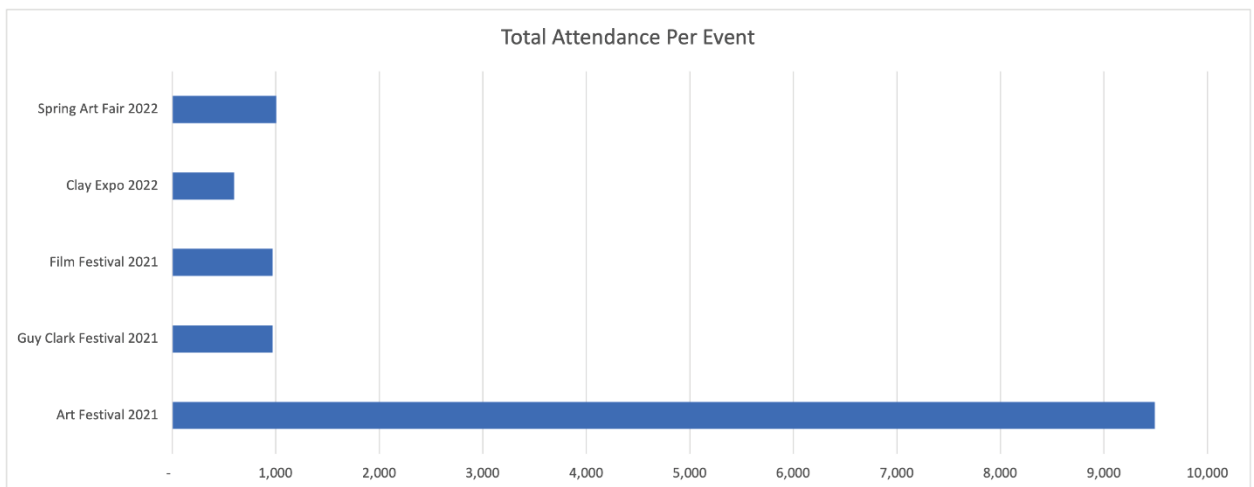
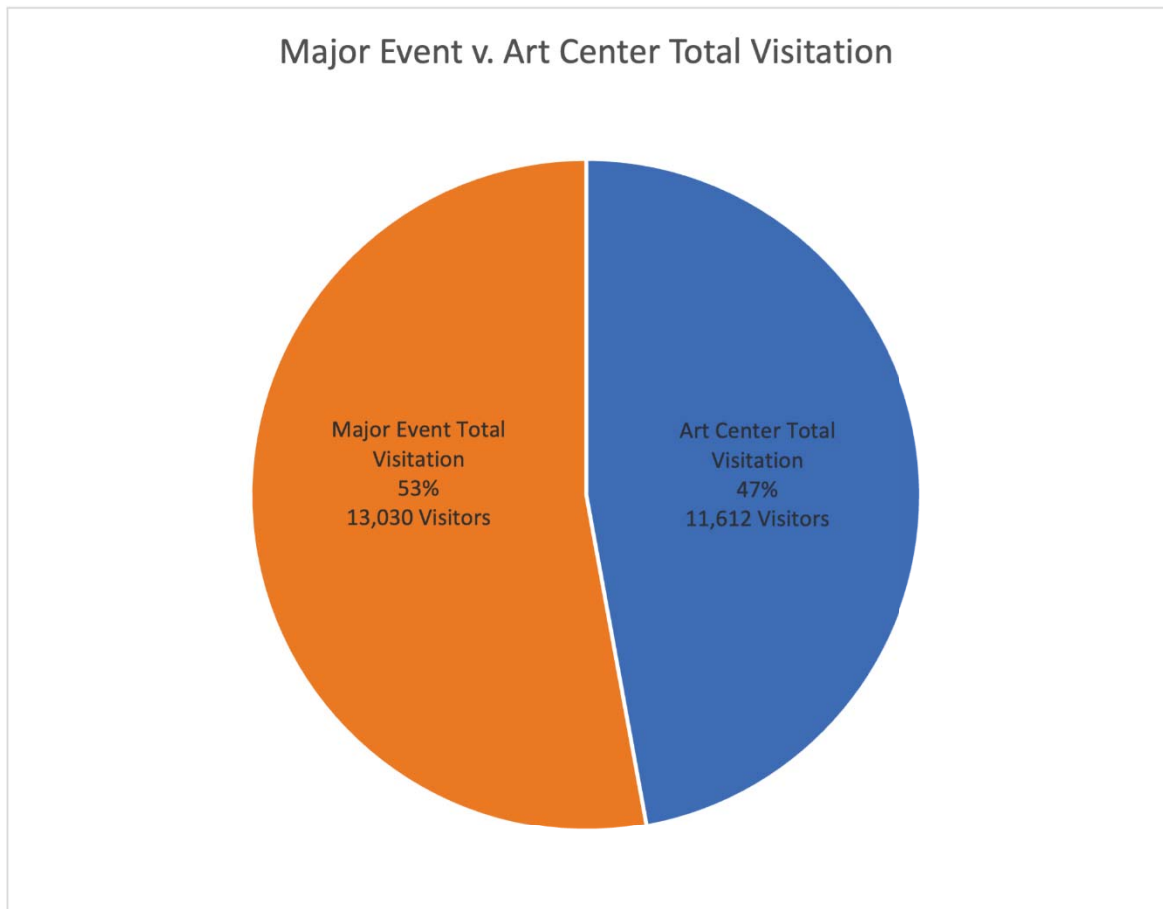
*Some outlets cannot provide DMA % breakdowns until buy has officially ran. Includes \$3,500 trade investment in local dollars with KRISTV. Does not include social.

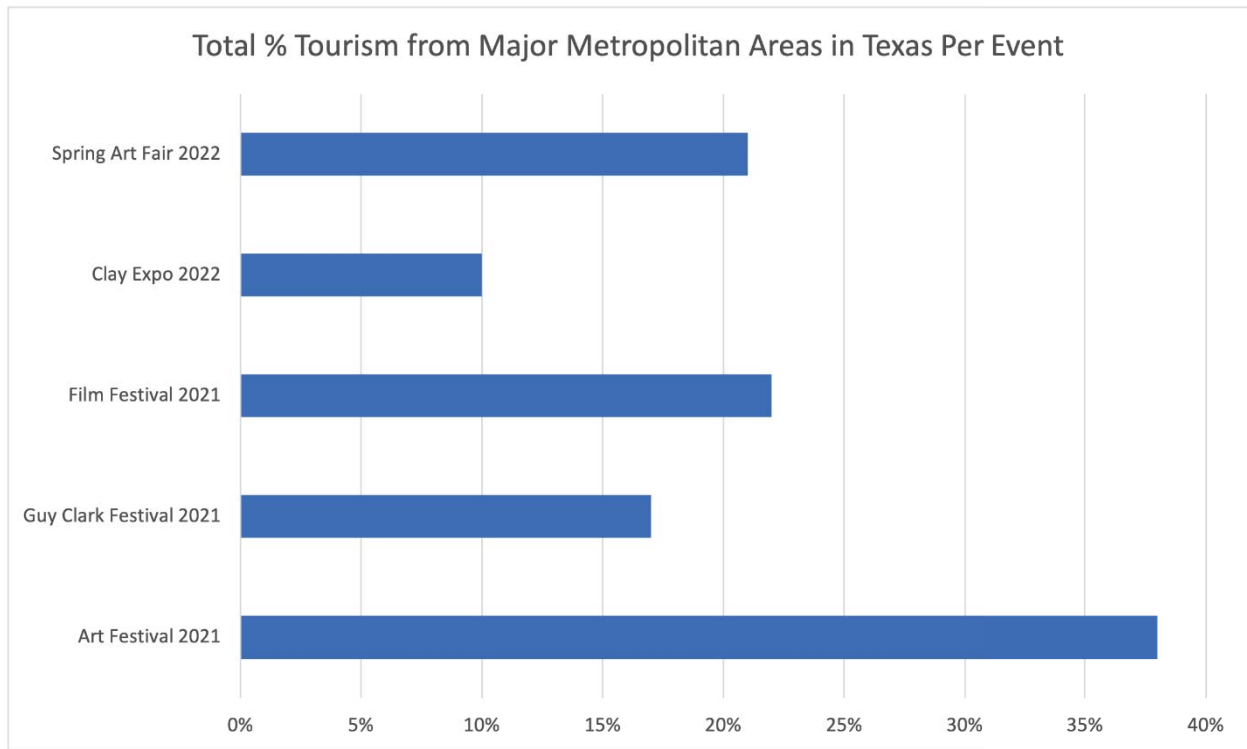
**BUCKET
WORKS**
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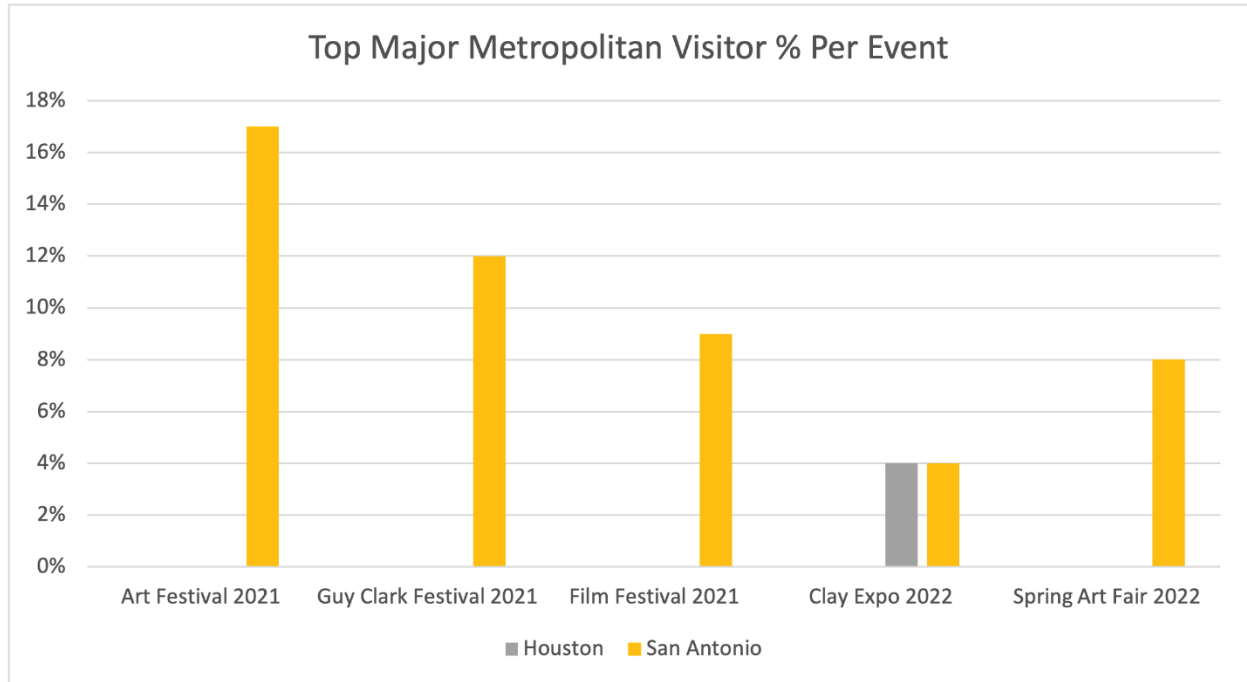
TOTAL MEDIA BUY 2022 MARKETING BUDGET: \$113,000
61% HIGHER VS. 2021 MARKETING BUDGET

PROJECTED MEDIA BUY 2023 MARKETING BUDGET: \$140,000
24% HIGHER VS. 2022 MARKETING BUDGET

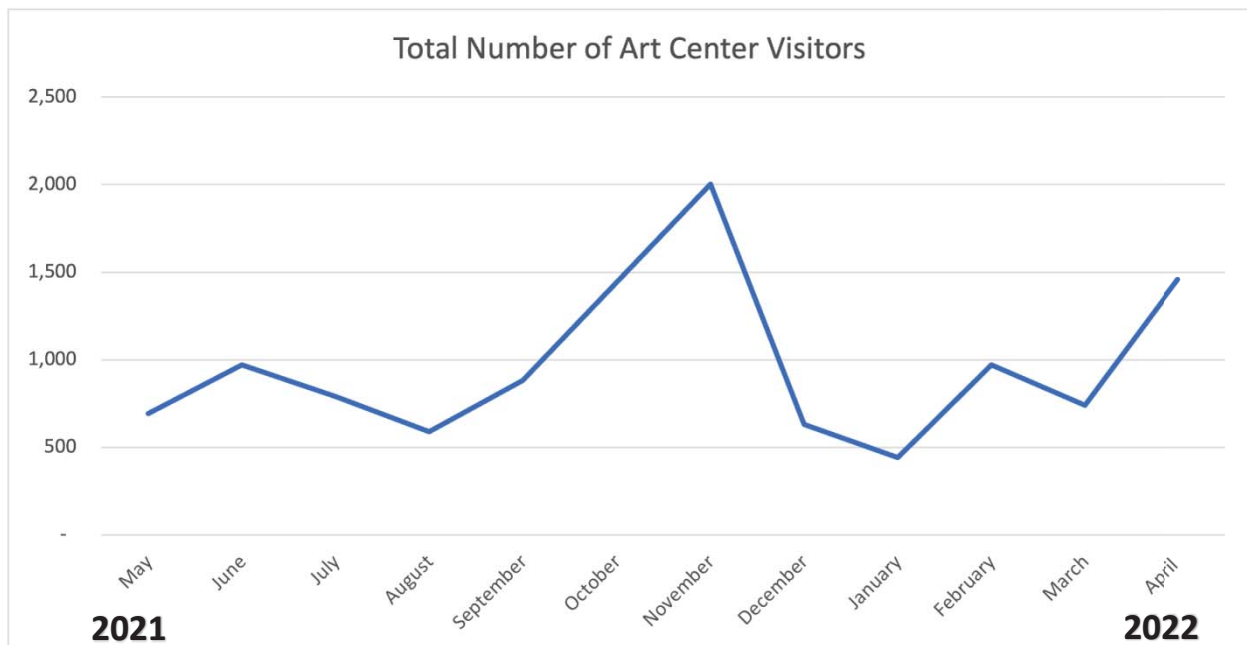
e. Annual Attendance Impact, Visitors to Major Events
May 2021 to April 2022

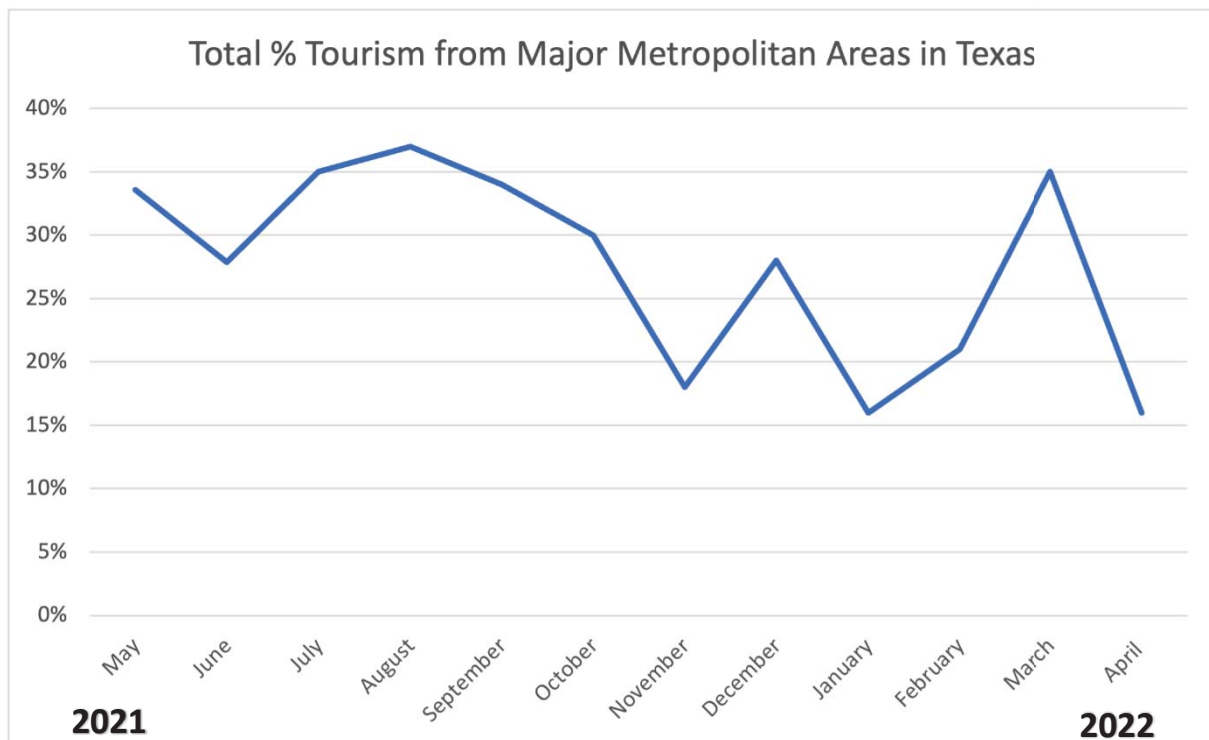
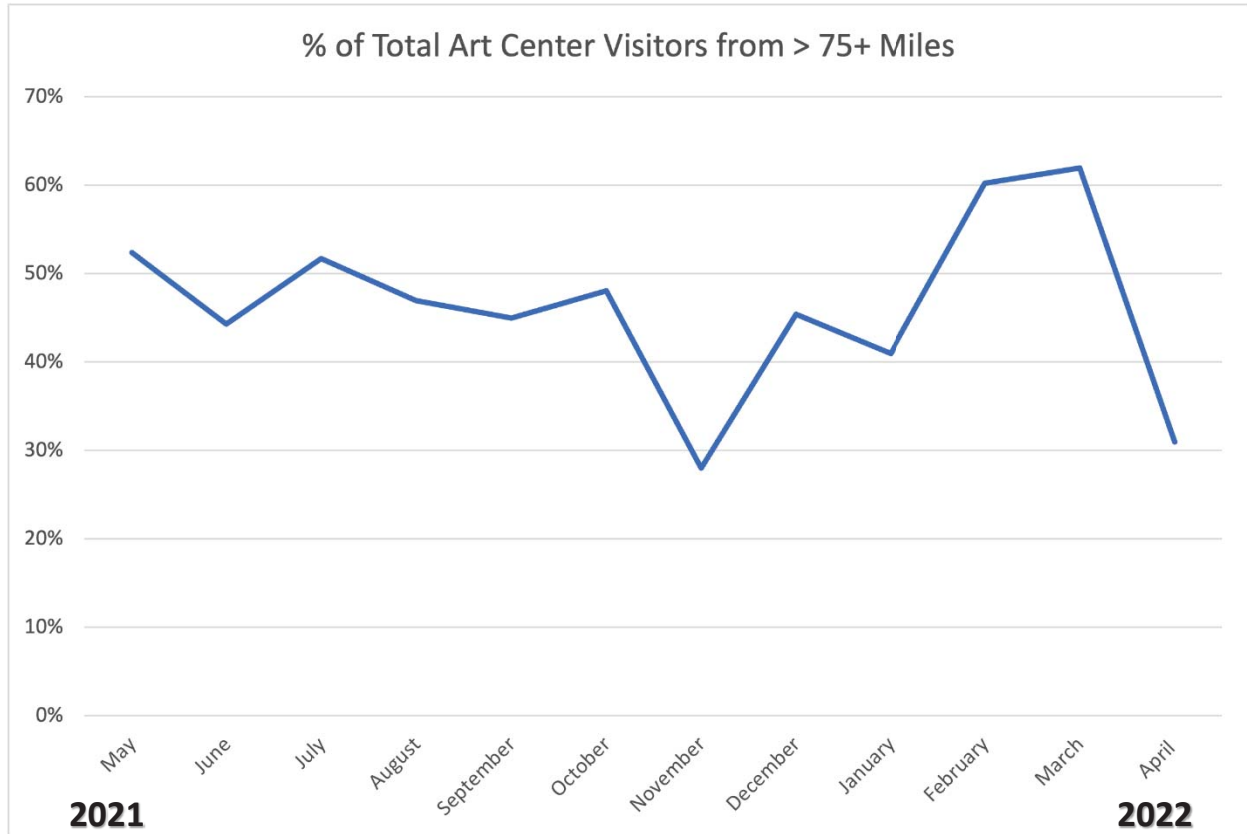


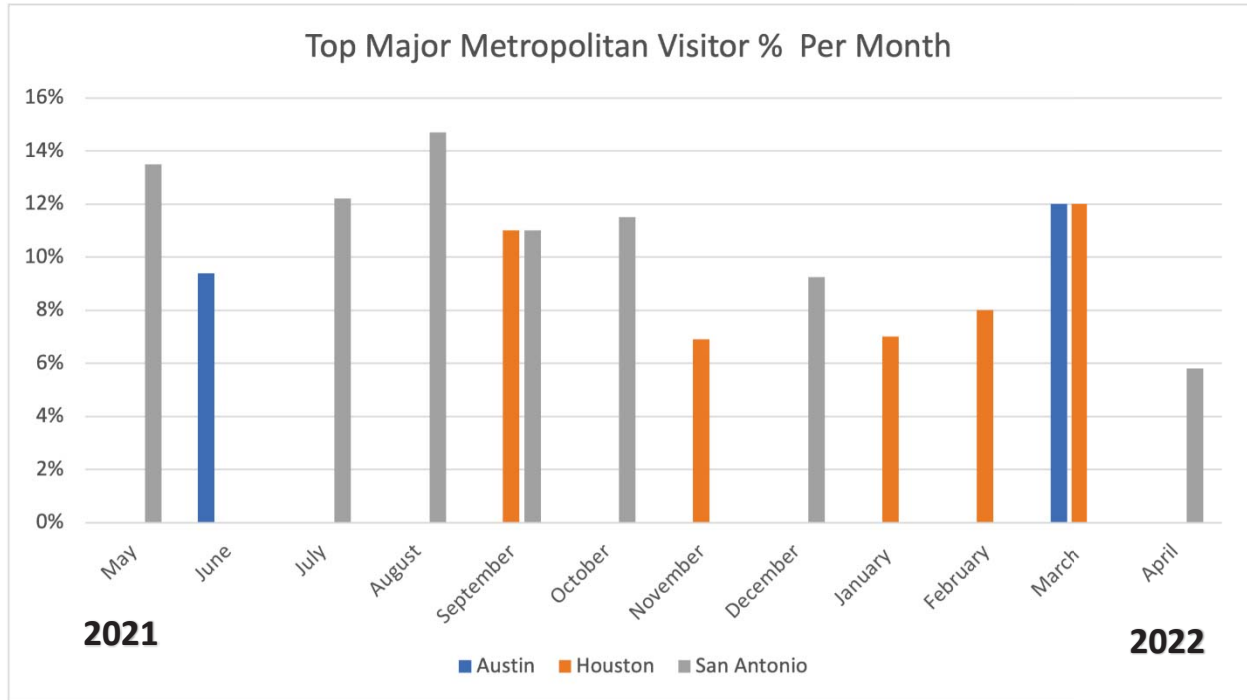




f. Annual Attendance Impact, Visitors to the Art Center Showroom and Classrooms
May 2021 to April 2022







g. Program Highlights



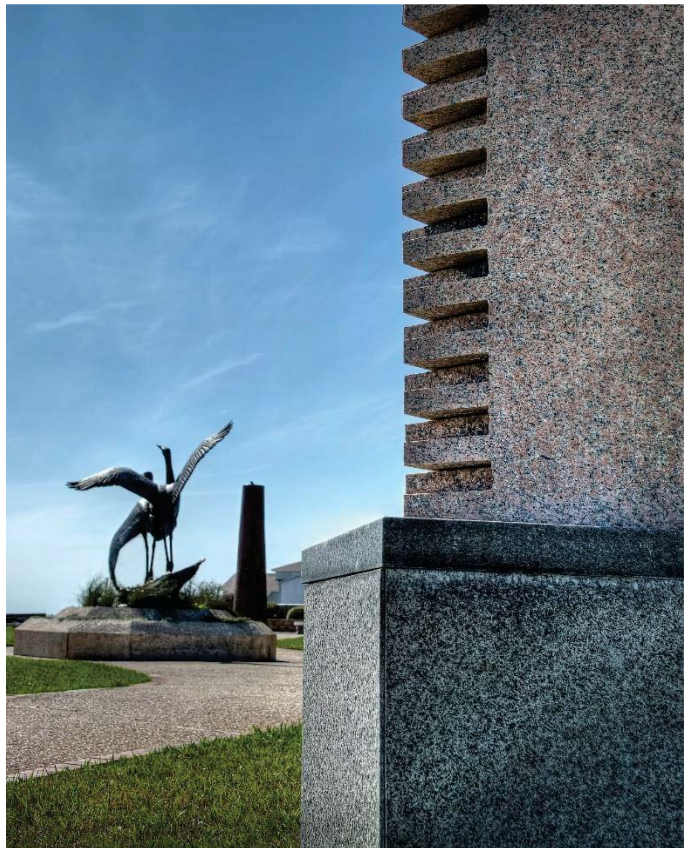
Traveling Exhibits from
Major Museums







**A Growing Permanent
Collection of Sculptural
Works Connecting
Downtown Rockport to
Aransas Bay and
Little Bay**



h. A Message from Carla Ligon, Creative Director of The Rockport Conference Center (The ROCC)

The Brand New ROCC is a state-of-the-art venue, created with a vision of modern industrial elegance and artistic flair, and settled in the BEST location in scenic Rockport, Texas. The view and this distinctive design will provide a flawless backdrop for all events and deliver a customized and curated experience, proving that the difference is MOST certainly in the details.

The ROCC is an innovative alternative from traditional meeting spaces and its creative director, Carla Ligon, is a match for this project. With over 350 new builds under her belt and over 150 successful conversion properties opened, Carla understands and thrives on creative marketing. With a clear vision of the directive to advertise and promote this 8,000 square foot building with 4,400 square feet of event space supported by a 1,300 foyer and an 800 sf catering kitchen, Carla is using her extensive contacts and experiences to bring solicitations to the door. From the moment Carla accepted the Creative Director role at The ROCC, she made lists of who are the best lead providers – who has the best diagraming program – who gives the best marketing exchange to link with our website – who are the best industry partners for feeder cities – AND how can she create the easiest touch point possible.

Booking corporate conferences, board meetings, client parties, social events, expos, trade shows, and non-profit gatherings at The ROCC will add tourism revenue and new faces to the City of Rockport and impress all that attend. Carla's sales delivery and investigation of each client will bring them into this world of endless adventures and upscale surroundings. The ability to do breakout rooms (4 total) is a definite win for companies that need meetings all day, and events at night. To move from your classroom training to your awards night, all in the same stunning venue, is an exceptional selling point.

There are now ROCC banquet event order forms, proposals, contracts, and multiple collateral pieces. Every ROCC contract has an opportunity for that client/company to donate to the Center for the Arts. ROCC collateral, as well as the website, is growing and changing as required, and will list our lodging, catering, AV, and tourist attraction partners. There is always the call to action for clients to come early and stay over an extra night or two. Our ROCC audience will be asked to choose an add-on experience like golf, spa treatments, fitness studios, hair salons, cooking demos, local coastal entertainment, or a hands-on studio class at the Art Center. Having a catering kitchen inside The ROCC will please both our vendors and our clients. The spacious ROCC Foyer is the perfect spot for event registrations and light *h'ordeuvres* with a glass of wine. Our ever-present initiative to merge meetings and events with personal Rockport

experiences provide a legacy of repeat and spin-off clients that solidifies the success of this venture. Every time someone visits The ROCC, their imagination will encourage their next event!

Carla is having conversations with Government Entities, Business Journals, Fishing, Hunting, Cooking publications and groups, and corporate markets in San Antonio, Austin, Houston, and Dallas. The hub of comments – the central, reoccurring theme – is pure excitement, both from vendors, cooperating partners, and most certainly from potential clients. They embrace a change. They want an expanded view of what a venue stands for and what it can offer. Unique. Stunning. Personal.

Marketing is as important as occupancy, especially in the first year after opening a new facility. Each person that occupies a chair - a room - an event at The ROCC, represents a marketing strategy along with an opportunity.

The Art of Success relies on the ability to create and inspire in every action and in every conversation!

Carla Ligon
Creative Director

i. Brand Positioning- Rockport Conference Center



In preparation for the launch of the ROCC brand, we retained brand consultants Legend Labs (Austin, Texas, <https://legendlabs.com/>) to perform the following strategic brand positioning scope of work:

1. Peer Benchmarking
2. Discovery Themes
3. Brand Personality
4. Positioning Directions

Strategic work is currently underway and scheduled to be completed in June. Please refer to the Appendix at the end of the Marketing Proposal for the work that has been accomplished so far.

j. Marketing Budget**Category 4 - Promotions of the Arts that Directly Promote Tourism and the Hotel and Convention Industry**

Line Item	Activity: Category 4 - Promotions of the Arts that Directly Promote Tourism and the Hotel and Convention Industry	Promotion of the Arts
1	<i>Direct Advertising and Public Relations</i>	34,000
2	<i>Exhibitions (Includes Blockbuster Exhibits - Birds in Art Jan-Mar 2023)</i>	40,000
3	<i>Rockport Art Festival</i>	30,000
4	<i>Rockport Film Festival</i>	4,000
5	<i>Sculpture Garden</i>	10,000
6	<i>Spring Art Fair by the Bay</i>	12,000
7	<i>Workshops and Classes</i>	15,000
	Total Request	145,000

k. Marketing Budget**Category 1 - Convention Centers****Category 2 – Registration of Convention Delegates****Category 3 – Advertising and Promotions that Directly Promote Tourism and the Hotel Convention Industry**

HOT Category #	Activities	Promotion of Tourism and the Hotel Convention Industry
1	<i>Convention Centers</i>	85,000
2	<i>Registration of Convention Delegates</i>	15,000
3	<i>Advertising Solicitation and Promotions that Directly Promote Tourism and the Hotel Convention Industry</i>	50,000
	Total Request	150,000

Support through Hotel Occupancy Tax Funding allows Rockport Center for the Arts to develop, nurture and promote authentic programming that is a boon for tourism to the City of Rockport. *Thank you for your support.*

##

LEGEND LABS

THE ROCC STRATEGIC BRAND POSITIONING

Appendix. Strategic Brand Positioning – The Rockport Conference Center

Brand Positioning

WHY ?

The launch of a new initiative requires a strategic brand narrative and identity that guides every decision to come

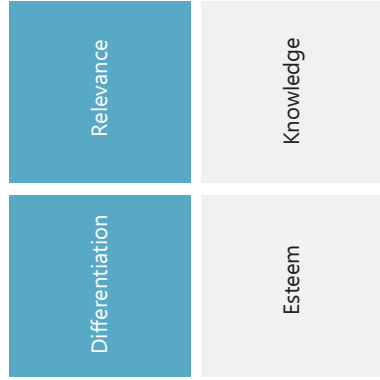
Grand opening

Major crisis

Market/category disruption

HOW ?

A brand positioning is developed in close collaboration with leadership, employees, and other key stakeholders through in-depth interviews and secondary research to establish what makes a brand different/unique and why key audiences should care



WHAT ?

A brand positioning is an internal-facing articulation of an organization's DNA that serves as the "North Star" for marketing, messaging and visual identity

- | | |
|-------------------------------------|-------------------------|
| ☒ | Durable |
| ☒ | Internal-facing |
| ☒ | Establishes brand tone |
| ☒ | Sets up brand messaging |
| ☒ | Informs visual identity |
| ☒ | An ad campaign |

DISCOVERY

PEER BENCHMARKING

LEGEND LABS

Peer Benchmarking

Competitors



Aspirational



DISCOVERY

APPENDIX

LEGEND LABS

Peer Benchmarking

Competitors



Aspirational



Peer Benchmarking

Rockport, TX

KEY TAKEAWAYS

All about the space

The Aransas County Navigation District offers different facility and space rentals for different events.

With a transactional service, the main focus is the location of their facilities on the Rockport beach.



Who We Are

Rockport Beach: Texas' First Blue Wave Beach

Differentiator

Integrated with the Rockport beach

Brand Personality

Local | Simple

Features and Benefits (Why Choose Us?)

- Prime location
- Integration with the environment
- Glass-fronted rooms
- Multiple pavilions to choose from
- Detailed information that is easy to find

Platforms



Peer Benchmarking

Fulton, TX

KEY TAKEAWAYS

Flexibility on the waterfront

The Fulton Convention Center offers a laid back and simple event experience in a unique location on the waterfront.

Relying on the history of the facility, the Fulton Convention Center highlights the beauty of its location, offering "a different kind of venue" that fits all sorts of events and audiences and provides with total flexibility and freedom to create "DIY" events.



Who We Are

The newly reconstructed Fulton Convention Center is a 10,113 square-foot event facility located in Fulton, Texas overlooking Aransas Bay and can accommodate up to 550 guests for Weddings, Business Events, Quinceañeras, Etc

Mission

After all, it is your event not ours... we just give you a beautiful place to have it!

Brand Personality

Simple | Laid back

Differentiators

- Our picture-perfect waterfront setting on the Texas Coast makes a perfect backdrop for whatever you have in mind.
- We are a DIY Venue with an open vendor policy, you will not be restricted in your choice of caterer, bartender, dj, or any other vendors. We also welcome you to use the services of friends and family.

Messaging

- Imagine YOUR event on the waterfront
- One and all can be done at Fulton Convention Center
- A different kind of venue

Platforms



Peer Benchmarking

Aransas Pass, TX

KEY TAKEAWAYS

Location and service to the community

The Aransas Pass Civic Center belongs to the community-oriented initiatives that the local government has activated.

Focused on offering good service and style, the Civic Center positions itself as "a small-town facility with big city capabilities."

The mission and purpose of the Center goes back to serving the community and treating with respect those who come in contact with it.



Who We Are

The Aransas Pass Civic Center is the ideal venue for conferences, trade shows, concerts, theatrical events, banquets, weddings, receptions and more. We are a small-town facility with big city capabilities. We pride ourselves on service and style.

Mission

We pledge, through a strong sense of teamwork and customer service, to be respectful of individual dignity and rights, to remain fiscally responsible, to ethically and responsively interact with our citizens, to innovate when addressing community needs, and, in doing all that, be an organization in which we are all proud to serve.

Brand Personality

Organized | Simple | Laid back

Differentiators

Integrated with the Aransas Pass Government and its initiatives.

Messaging

- The Aransas Pass Civic Center prides itself on being a small-town facility with capabilities for exquisite events. Our focus is on service and style.
- We work closely with our citizens to provide services and facilities that provide an outstanding quality of life.
- Island gate away

Platforms



Peer Benchmarking

Corpus Christi, TX

KEY TAKEAWAYS

Historic, spacious, staff-oriented

The Ortiz Center focuses its differentiator on a blend between the space it offers and an attentive staff.

They position themselves as an innovative and state of the art center, built on a historic site that offers a space for all types of events and audiences.

The Ortiz Center also offers international cuisine services led by their in-house chefs.



CONGRESSMAN
SOLOMON P. ORTIZ
INTERNATIONAL CENTER

Who We Are & Mission

The Congressman Solomon P. Ortiz International Center celebrates a proud shipping heritage as it embraces its new role as a strikingly modern meeting and banquet facility. Upon this singular foundation we have created the most thoroughly accommodating, skillfully designed facility of its kind in South Texas. The special character of The Ortiz Center is perfectly complemented by the professional and attentive staff.

Brand Personality

Professional | High-quality | Informational

Differentiators

From high profile motivational speakers to casino nights and live music, our staff will make your organization's event "an event to remember" by all who attend.

Messaging

- Waterfront venue
- International cuisines
- "Everything's Fresh"

Features and Benefits | Why Choose Us?

Our Corpus Christi Ballroom features the original historic steel beams, brick walls and ceilings from the 1930's. The spacious floorplan of 17,390 square feet is host to many Coastal Bend community events. From the State of the Port to the American Heart Association's Annual Heart Ball to glamorous weddings with a view of Port Corpus Christi. The ballroom's airwalls allow for the perfect space for events with a guest list ranging from 150 to 800.

Platforms



Peer Benchmarking

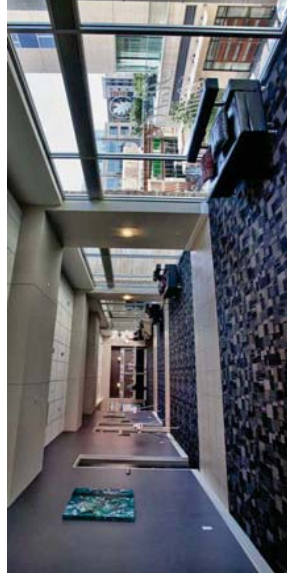
San Antonio, TX

KEY TAKEAWAYS

High-quality customer service

The Norris Conference Center focuses on high-quality customer service. Taking pride on their staff, they highlight and attribute the Center's success to their years of experience and expertise on event planning and service.

The Norris Center establishes long lasting relationships with their clients through the connection with their staff, as well as personal and responsive customer service and assistance.



Who We Are

Norris Conference Centers and the Red Oak Ballroom have been serving the Texas meeting and events market since 1990. Our clients think of us as a refreshing alternative to traditional hotel meeting space. These highly successful meeting facilities host over 11,000 events and special celebrations annually.

Mission

Our commitment is simple. We will apply our years of experience and expertise from marketing, sales and operations management resources to the success of this project, consistent with our existing successful portfolio of our own Norris Conference Centers.

Brand Personality

Service-oriented | Functional | Organized

Differentiators

Clients that value our service and goal of making their job easier. Norris staff members take pride in keeping up with industry trends and best practices. The result is unsurpassed, personal customer service that begins with:

- Listening – which allows us to customize and create events based on the unique needs of each client
- Retained knowledge – allowing us to easily duplicate previous events and past successes
- Limited if not single-point contact – we are right here, visible and available, with the authority and desire to take care of our customers
- Responsive to last minute requests – such as additional A/V equipment, copying training materials and meal changes – our staff is here to help

Messaging

- Meeting planners have become believers of the Norris Conference Centers experience – evidenced by our history of building long-term relationships with clients who have learned they can trust us.
- Designed to facilitate adult learning:
 - No crazy color schemes to distract attendees
 - All of the services focus on the task at hand
- Follow the high standards of other Norris Conference Centers in Texas

Features and Benefits | Why Choose Us?

- Ergonomic Seating – to lessen fatigue from sitting for extended periods
- Full Spectrum Lighting – to keep participants alert
- Individual Room Thermostats – to maintain comfort
- Soundproofed Meeting Rooms – to ensure confidentiality and attention
- Day Meeting Packages – to simplify the budgeting process
- Ample and Free Parking – providing convenience to participants and no hidden costs
- Free High Speed/Wireless Internet Access – providing convenience to participants with no hidden costs

Platforms



Peer Benchmarking

San Antonio, TX

KEY TAKEAWAYS

Community and faith

As a convention center, Tripoint offers a wide variety of spaces for all audiences and types of events.

As part of the Trinity Baptist Church, Tripoint aims at bringing the community together and explore the purpose of life under the teachings of Jesus and God.

Beyond offering a space, the center has become a part of the community to find each other and connect through what they have in common.



Who We Are

"TriPoint is a ministry event center operated by Trinity Baptist Church in San Antonio, TX. We partner with ministries from all over the region to host meetings, concerts, conferences and related activities."

Mission

"The hands and feet of God for whatever mission he lays on our hearts"
Bring the community together to connect and follow God's path.

Brand Personality

Calm | Functional | Faithful

Differentiators

Partnership with Summer Moon Coffee Shop

Belonging to the community

Messaging

- A Center for Life

Platforms



Peer Benchmarking

New York, NY



KEY TAKEAWAYS

Elevated events in the heart of New York

The Javits Center positions itself as a driver for the New York State and New York City economies. Creation of a Javits Guide featuring different business around the New York Metropolitan area.

Integrated in the city of New York, the Javits Center prides itself in the architectural design of its space, making it part of the unique experience it offers.

The center offers services in helping clients plan their "elevated" event as well as total flexibility with the space. The staff has curated a "Toolkit" that explains all the elements to consider when planning an event (cleaning, lighting, catering, etc.).



Who We Are

The Javits Center is more than just a convention center. Named after the legendary and lifelong New Yorker, Senator Jacob K. Javits, this self-sustaining New York icon has become a wildlife sanctuary, a community partner and a nationwide nexus where the latest ideas in business and pop culture converge under one very green roof.

Mission

The mission of the New York Convention Center Operating Corporation (NYCCOC) is to serve the citizens of the State and City of New York by generating new business and employment opportunities, serving as a catalyst for the continued redevelopment of the local community and operating in the public interest, consistent with the social, economic and environmental priorities of existing state policy.

Brand Personality

Sustainable | Innovative | Technological

Differentiators

Nowhere in the country will you find a venue with the extensive resources, services and staff of elite professionals dedicated to making every trade show, convention and special event a success.

Messaging

- Memorable and lasting experiences
- We bring event details together seamlessly
- See what's next
- Your event, elevated
- Anything but conventional
- The Javits Center puts New York at your feet

Features and Benefits (Why Choose Us?)

- State-of-the-art food courts
- Multiple business on-site such as Starbucks, and FedEx
- Multiple rooms and open spaces

Platforms



Peer Benchmarking

Houston, TX

KEY TAKEAWAYS

Planning to make **your event easy**

Intended to entertain guests in well-organized formal events. The Bell Tower offers high-quality customer service and a unique space reminiscent of grand Italian villas. Their goal is to make events easy to organize, plan and enjoy.



Who We Are

Supporting Meeting Planners and Corporate Events since 2009, The Bell Tower on 34th is a mainstay in the Greater Houston area

Mission

Whether it's Energy, Non-Profit, Tech, or any other market, our in-house Technical Director, Event Producers and Culinary Team will certainly help to ensure a successful event so you look great every single time

Brand Personality

Elegant | Romantic | Simple

Messaging

- Events should ALWAYS be this easy. Let us be your guide.
- The perfect venue for your perfect event

Features and Benefits (Why Choose Us?)

- Award Winning Service
- Delicious chef-curated food
- A unique venue
- Customer testimonial and reviews
- Day of event coordinator

Platforms



DISCOVERY

KEY THEMES

LEGEND LABS

Key Discovery Themes

1. Integrated with Rockport
2. The ROCC as Rockport's front door
3. Experience-oriented
4. Stimulate human connection and creativity
5. Masterful Service
6. Selective and exclusive

Integrated with Rockport

"Everybody in Rockport that can contribute to the creative distinction of what we offer becomes an extension of our brand"

"Our toolkit goes beyond the four walls of the center; our space is Rockport"

"Rockport has a lot to offer and a wide variety of activities that suit all audiences"

"The ROCC can offer experiences that utilize the different elements of the community"

"The ROCC could become the anchor for downtown"

"The beauty of the Bay Area is a real asset. It leaves a mark on the people that come here"

EXHIBIT "C"



The ROCC as Rockport's front door

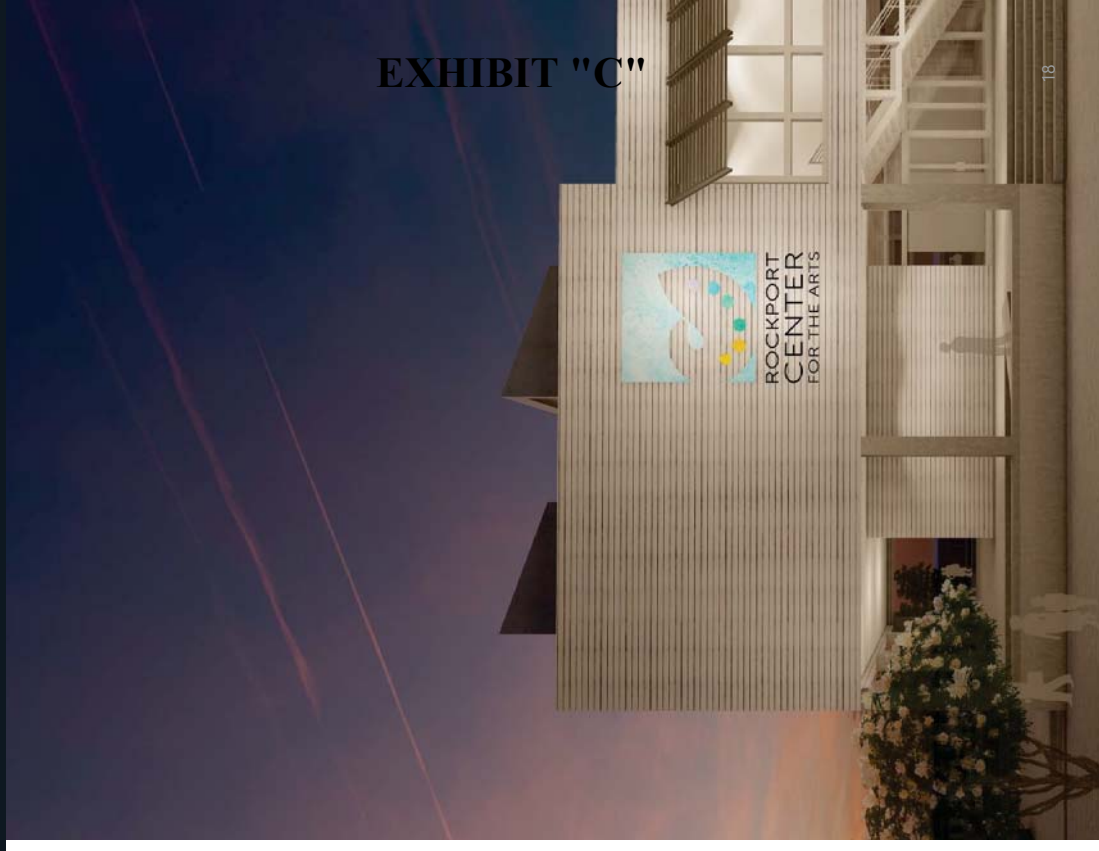
"Rockport has incredible potential because of the Art and Conference Centers. We have an opportunity to drift away from a fisherman or retiree town reputation"

"Everyone that comes to Rockport really likes it and is usually surprised to find out there is a place like this on the coast"

"The ROCC presents a good exposure and economic development opportunity for local businesses"

"When we started thinking of a convention center, we were looking to add more to the Center of the Arts. A location right on the water, a space with balconies and spaces where attendees can enjoy the environment. A space that introduces others to Rockport and what it has to offer"

EXHIBIT "C"



An experience over a space

"The ROCC will help its clients put together an event that goes beyond the walls of the convention center and leaves attendees feeling inspired and motivated"

"It goes from "let me sell you a space" to "let me help you create an experience""

"The ROCC will help unlock the fullest potential and value of any event they create"

"It is all about creating an event that sticks in your mind. An event that is memorable and that you will want to experience again"

"The ROCC is in the business of creating experiences that are invaluable"

EXHIBIT "C"



Stimulate human connection and creativity

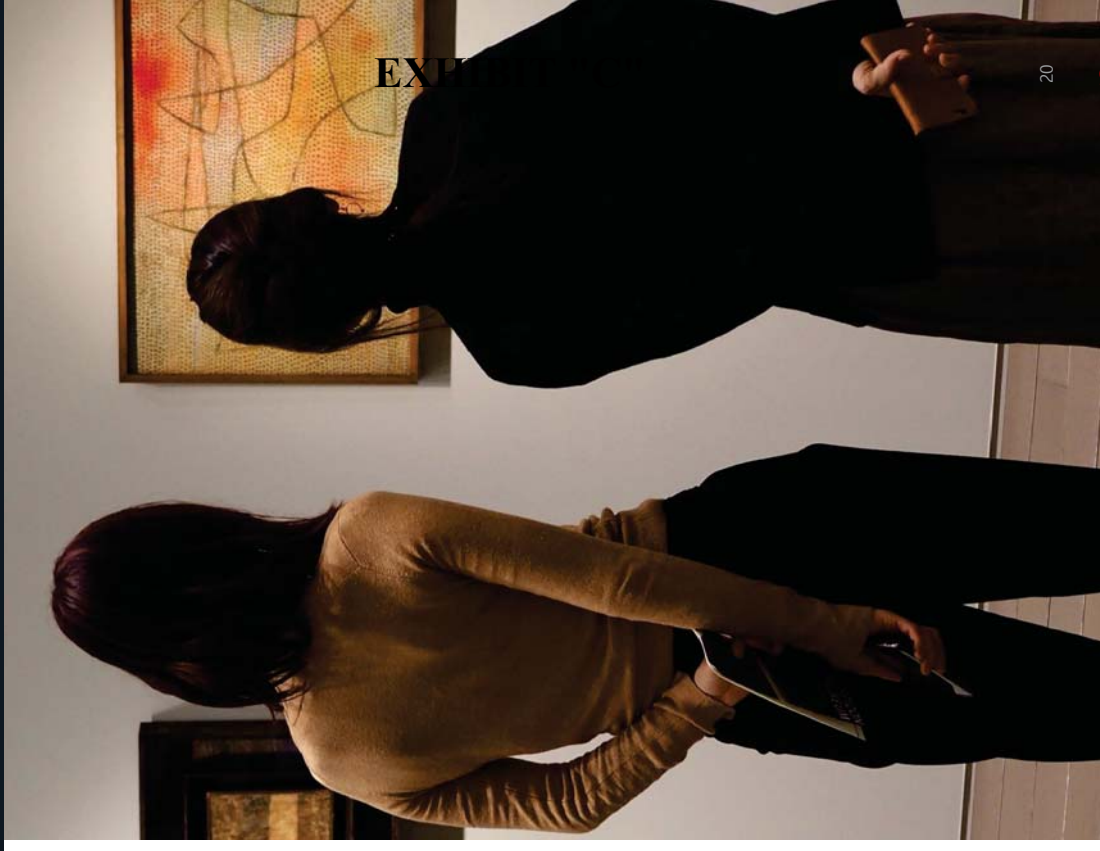
"Take people on a journey that fuels creativity and conversation through the space and the different experiences that The ROCC has to offer"

"A celebration of life. Put ideas in people's heads that they hadn't thought of before"

"These experiences can be food for thought and inspiration for the themes and topics covered in the conference"

"Give attendees the chance to take time off, relax, get to know each other and gain perspective"

"Art is the ultimate conversation starter and The ROCC has that to offer"



Masterful service

"We live the next day to exceed, delight and surprise in everything we do"

"The goal is to raise eyebrows not necessarily for it being better but different"

"High-quality customer service, attention to detail and going the extra mile is what will make The ROCC successful"

"Tell me what picture you want, and we will help you paint it"

"Each group is different. Each conference attendee has different needs. You need to find what appeals to each of them"

EXHIBIT "C"



Selective and exclusive

"Specially in a town like Rockport, it is not the wisest idea to host big events. Be mindful of what events you book . Keep it small and selective"

"Have a clear idea of what will you say no to and why"

"Accept to host events that add to your brand value and align with your vision"

"Choose events that you know will lead you to good reputation and word of mouth"

"We are not a Civic Center"

"Create your own selectivity. It's exclusive but not snobby"

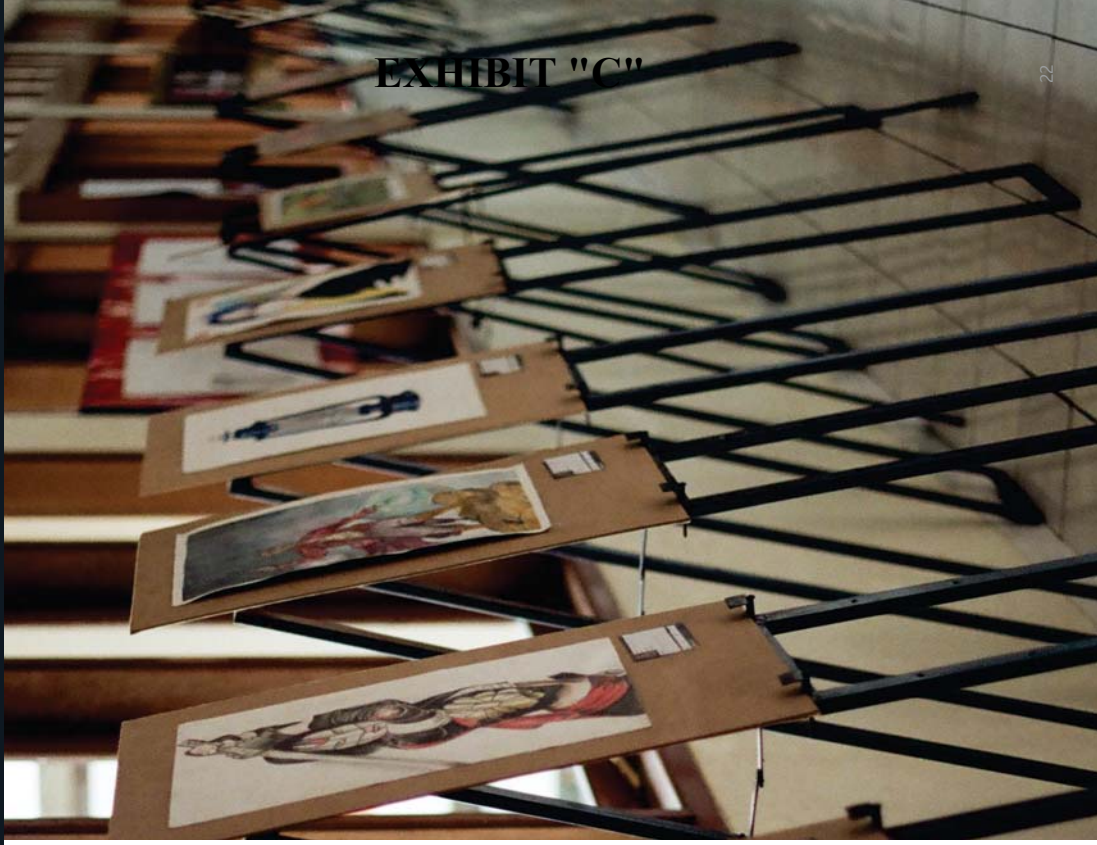


EXHIBIT "C"

DISCOVERY

BRAND PERSONALITY

LEGEND LABS

If The ROCC were a person...

They would be...

Inspiring	Playful
Artistic	Exuberant
Creative	Adaptive
Worldly	Warm
Curated	A memory maker
Accountable	Cultured
Resourceful	Friendly
Innovative	Wearing a flowing dress
Thoughtful	Talented
Welcoming	Connected
Forward-thinking	Productive



DISCOVERY

POSITIONING DIRECTIONS

LEGEND LABS

About Our Brand Positionings

We put ourselves in the shoes of the meeting planner to...

Inspire

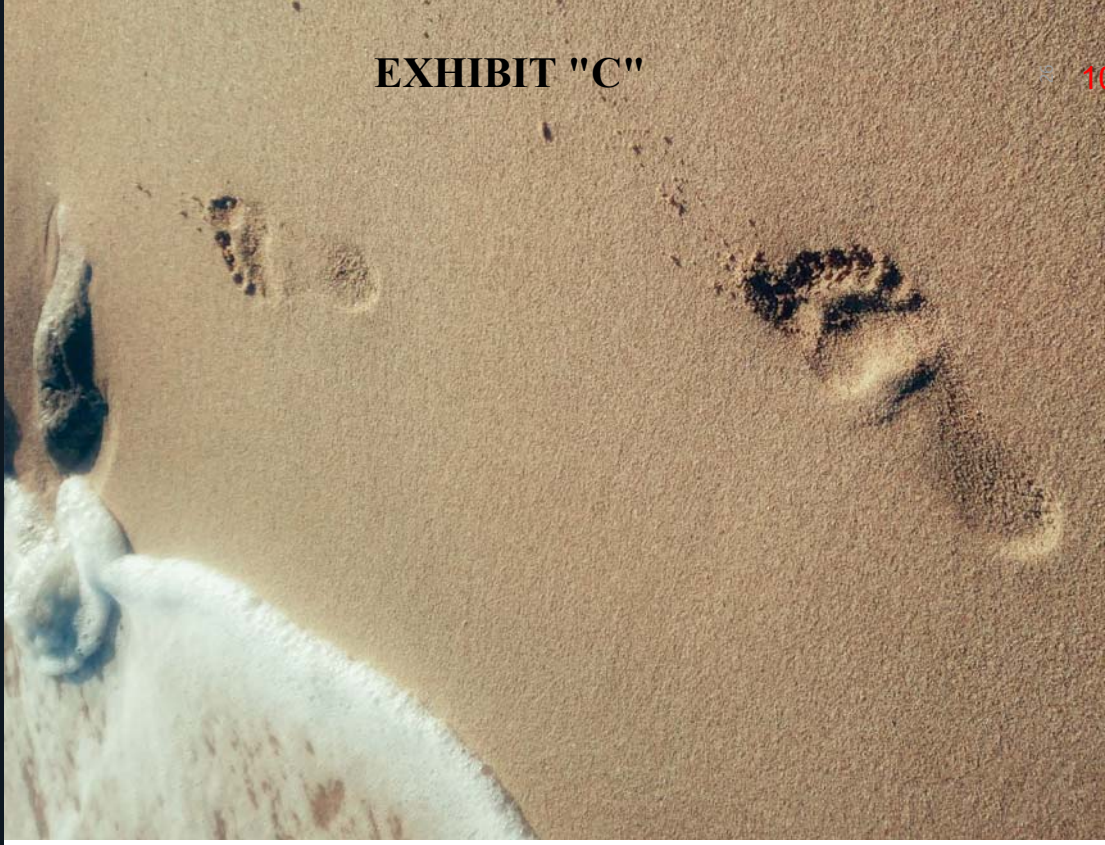
Motivate

Create actionable impact

Conceptualize memorable and
transformational experiences

EXHIBIT "C"

103



Positioning Directions

1. Impactful Engagement
2. The Art of Conversation
3. Boundaryless Gatherings
4. Art and Soul

EXHIBIT "C"



LEGEND LABS

THE ROCC STRATEGIC BRAND POSITIONING

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 27, 2022

AGENDA ITEM: 11

Deliberate and act on Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Rockport Cultural Arts District for advertising and tourism promotion.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: KH

BACKGROUND: At the July 26, 2022, City Council Meeting, Jennifer Day, Executive Director of Rockport Cultural Arts District, presented their Fiscal Year 2022-2032 budget request to the City Council. Deliberation and action regarding allocations was held on July 26, 2022, regarding requested Hotel Occupancy Tax funding for Fiscal Year 2022-2023. The proposed Agreement remains the same as the previous year except for the amount funded and verbiage was added to track “heads in beds” per State statutes.

See the accompanying agreement for additional details.

FISCAL ANALYSIS: Budget account 6602040. Disbursement of funds will be made in accordance with Section 6 of the Agreement.

STAFF RECOMMENDATION: Staff recommends Council approve the Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Rockport Center for the Arts for advertising and tourism promotion in the amount of \$100,000 or \$25,000.00 per quarter, as presented.

**CITY OF ROCKPORT
AND
ROCKPORT CULTURAL ARTS DISTRICT**

**An Agreement Concerning the Use of
Funds from the Hotel Occupancy Tax**

**STATE OF TEXAS §
 §
COUNTY OF ARANSAS §**

This Agreement is made by and between the City of Rockport, a Texas home rule municipal corporation, hereinafter called “City,” and the Rockport Cultural Arts District, a private non-profit association, hereinafter called “RCAD,” acting by and through its duly elected officers.

SECTION 1. LEGAL AUTHORITY

The City collects a local hotel occupancy tax as authorized by Chapter 351 of the Texas Tax Code (“Act”). Pursuant to the Act, the City expends funds collected for the purpose of advertising with any media outlet that is outside 75 miles of the City of Rockport (Resolution No. 09-15) and encouraging growth of tourism and convention/hotel activity in the City as outlined in Chapter 94, Article IV, Hotel Occupancy Tax of the City of Rockport Code of Ordinances (“Code”).

SECTION 2. TERM OF AGREEMENT

This Agreement shall become effective on October 1, 2022, and terminate on September 30, 2023.

SECTION 3. SERVICES TO BE PROVIDED

As authorized under the Act, the City hereby agrees to pay to RCAD ***ONE HUNDRED EIGHTEEN THOUSAND FOUR HUNDRED DOLLARS (\$118,400.00)*** of the money actually received by the City from local hotel occupancy tax. Subject to the terms and conditions herein, RCAD agrees to expend such funds received for advertising and promoting tourism for the out-of-town visitor market from which the hotel industry within the City derives direct tourist income benefits.

SECTION 4. INDEPENDENT CONTRACTOR

It is expressly understood and agreed by and between the parties that RCAD is engaged as an independent contractor and is not an officer, agent or employee of the City.

SECTION 5. MANAGEMENT OF FUNDS

5.1 RCAD shall maintain a separate financial account of the hotel occupancy tax funds received from the City and may not commingle the funds with any other account. It is

understood and agreed by and between the parties that, upon budget approval by the City, a fiduciary duty is created in RCAD with respect to expenditure of the revenue provided.

- 5.2 RCAD shall maintain complete and accurate financial records of each receipt and expenditure of the hotel occupancy funds and upon request of the City Council or other person, shall make the records available for inspection and review during normal business hours in accordance with the provisions of the Texas Public Information Act (Texas Government Code, Chapter 552).
- 5.3 Hotel occupancy funds may be spent by RCAD for day-to-day operations including supplies, salaries, office rental, travel expenses, and other administrative costs, only if such expenditures were shown on the Hotel Occupancy Tax Application (See Exhibit "C") and approved by the City Council and shown to be directly related to promotion of tourism and the hotel industry. (See Exhibit "A".)
- 5.4 RCAD shall submit an annual report of activities and provide therein a projected line item budget to the City Council for approval that will include itemized personnel costs by singular job descriptions and capital outlay expenses if any. Such report and budget shall be provided no later than June 1st of each year for the next fiscal year.

The budget shall provide a complete financial plan and shall contain the following:

- (1) A budget message, explanatory of the tourism/promotional activity contracted, which message shall contain an outline of the plan of the activity and, in the following years, set forth the reasons for the salient changes from the previous year (as applicable) and any major budgetary revisions. Any subsequent budgetary revision exceeding 25% of any line item, or 10% of the entire budget, or \$10,000.00 will require City Council approval. All items of expenses shall contain detailed narratives as to the basis of the expenditure.
- (2) A consolidated statement of anticipated receipts and expenditures for all funds.
- (3) Anticipated revenues shall be placed in parallel columns and display therein the:
 - a) Actual amount for the last completed year;
 - b) Estimated amount for the current fiscal year;
 - c) Proposed amount for the ensuing fiscal year.
- (4) Planned expenditures shall be placed in parallel columns opposite the various items of expenditures and display the:
 - a) Actual amount of such items of expenditures for the last completed fiscal year;
 - b) Estimated amount for the current fiscal year; and
 - c) Proposed amount for the ensuing fiscal year.
- 5.5 Fiscal quarterly financial reports, on a form prescribed by the City (See Exhibit "B"), are required to be submitted to the City Secretary no later than sixty (60) days after the

end of each fiscal quarter. These reports shall identify a budget comparison of the hotel occupancy funds received by agreement and the uses thereof as defined in the overall budget. It shall show the amount budgeted for the fiscal year by category item and the actual expenditures of such within the fiscal year quarter being reported. It shall compare the projected attendance and heads in beds from the Application submitted with the actual number of heads in beds generated. In addition, all administrative expenses shall be reported in detail comparing the current fiscal year expenses projection, the current fiscal year actual expenses and the percent of the fiscal year projection.

- 5.6 RCAD shall upon request submit an audited financial report to the City, showing in detail the disbursement and use of hotel occupancy funds paid to the RCAD pursuant to this Agreement, no later than sixty (60) days after the end of each fiscal year of this Agreement. In addition, the City reserves the right to request an annual audited financial statement reflecting the financial position of the entire RCAD for the duration of this Agreement. RCAD agrees to provide a current audit (current defined as no later than the last fiscal year), such copy to be delivered within twenty (20) days upon receiving a request from the City Manager or Mayor.

SECTION 6. TRANSFER OF FUNDS

Upon compliance with all conditions precedent, the City Secretary shall remit to RCAD **ONE HUNDRED EIGHTEEN THOUSAND FOUR HUNDRED DOLLARS (\$118,400.00)** of the hotel occupancy tax receipts in four (4) quarterly payments of **TWENTY-NINE THOUSAND SIX HUNDRED DOLLARS (\$29,600.00)** each. RCAD shall receive its first quarterly payment on the effective date hereof or the date of final execution of this Agreement, whichever is later. Each quarterly payment thereafter shall be made to RCAD within ten (10) business days after receipt of the required quarterly report, but not sooner than the 31st day after the end of each calendar quarter, and after approval of said report by the City Council. The City Council may not approve any quarterly report or portion thereof if it determines that any reported expense in the reporting quarter was an improper use of funds or outside the authorized use of hotel occupancy tax and may reduce subsequent quarterly payments by the amount determined improper or unauthorized.

SECTION 7. FORCE MAJEURE – SUFFICIENT FUNDS NOT AVAILABLE

The City's obligation to make quarterly payments to RCAD pursuant to this Agreement is contingent upon anticipated receipt of minimal amount of hotel occupancy tax from the collecting entities within the City. Based upon this anticipated, budgeted income, the total dollar figure to be paid to RCAD pursuant to this Agreement was determined. Other agreements have also been made by the City with local organizations, providing for disbursement of a portion of hotel occupancy tax funds collected. Should it happen, by act of nature or other means outside the control of the City, that the actual hotel occupancy tax funds received are less than the anticipated and budgeted funds, then in that event the City, upon prior notice to RCAD may unilaterally reduce the payment(s) to be made pursuant to this Agreement. Unless otherwise agreed by the City, any reduction in payments pursuant hereto shall be made from the final (fourth) quarter payment. The City shall reduce the actual payment pro rata by a percentage of the amount obligated as it relates to the total hotel occupancy tax dollars actually received.

SECTION 8. RETURN OF FUNDS UPON TERMINATION OF CONTRACT

Should this Agreement be terminated by either party hereto or by its own terms, and unless express agreement is otherwise made, RCAD shall remit and return to the City, with a final accounting thereof, all unused and unspent hotel occupancy tax funds in its possession, within thirty (30) days from the date of such termination.

SECTION 9. INDEMNIFICATION

RCAD agrees to indemnify the City, its officers, agents, and employees, from any and all claims, losses, causes of action and damages, suits, and liability of every kind, including all expenses of litigation, courts costs and attorney fees, for injury to or death of any person, or for damage to any property arising from or in connection with the operations or actions of RCAD, its officers, agents and employees carried out in furtherance of this Agreement.

SECTION 10. INSURANCE

RCAD shall maintain a comprehensive general liability insurance policy, with an insurance company or companies authorized to do business in the State of Texas, which shall include bodily injury, property damage, contractual and automobile liability coverage with a minimum of not less than \$500,000.00. In addition, workers' compensation insurance coverage shall be provided by RCA in accordance with state law.

SECTION 11. TERMINATION

If either party materially breaches this Agreement, the other party may terminate the Agreement by providing thirty (30) days' written notice to the defaulting party. Should a dispute arise regarding the existence of a material breach, either party may request that the issue be presented to a licensed mediator.

SECTION 12. NON-RENEWAL

It is understood and agreed that RCAD is not entitled to any right of automatic renewal of this Agreement for the ensuing year, or years, since such option under the Act rests exclusively with the City Council.

SECTION 13. NOTICE

All communications required by this Agreement between the City and RCAD shall be in writing and addressed to the attention of the City Manager, 2751 State Highway 35 Bypass, Rockport, TX 78382 or to the Jennifer Day, Executive Director of Rockport Cultural Arts District, 902 Cornwall Street, Rockport, TX 78382.

SECTION 14. COMPLIANCE WITH LAWS

In performing its duties under this Agreement, RCAD shall at all times comply with the City of Rockport Code and all the State of Texas Acts. (See Sections 1 & 5.)

SECTION 15. PROHIBITION AGAINST DISCRIMINATION

In the performance of this Agreement, RCAD shall not discriminate against any employee or applicant for employment because of an individual's race, color, religion, national origin, sex, or mental or physical disability. Proven breach of this provision may be regarded as a material breach of this Agreement allowing for termination.

SECTION 16. CONTROLLING LAW

It is understood and agreed that in the event any provision of this Agreement is inconsistent with the requirements of the Act, or any other applicable state law, the requirements of the law will control and supersede the terms set forth herein.

SECTION 17. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties, relative to the hotel occupancy tax funds made the basis hereof.

IN WITNESS WHEREOF, the parties have herein unto set their hands on duplicate originals, in the City of Rockport, Aransas County, Texas on this ____ day of _____ 2022.

CITY OF ROCKPORT

ROCKPORT CULTURAL ARTS DISTRICT

Tim Jayroe, Mayor

_____, Chair
(Print Name)

ATTEST:

ATTEST:

Teresa Valdez, City Secretary

Jennifer Day, Executive Director

EXHIBIT “A”

CATEGORY	AMOUNT REQUESTED	GRANT AMOUNT
Promotion of the Arts through events and activities	\$26,400.00	
Historical Restoration and Preservation Activities	\$37,500.00	
Signage directing tourists	\$6,500.00	
Administration/Staffing	\$48,000.00	
TOTAL	\$118,400.00	\$118,400.00

EXHIBIT “B”

HOT FUNDING EXPENSE REPORT FY 2022-2023							
Description of Expense	Approved Budget	1st Quarter Expenses	2nd Quarter Expenses	3rd Quarter Expenses	4th Quarter Expenses	TOTAL	* Number of Heads in Beds
TOTAL REQUESTED							

*Must attach supporting documentation.

Description of Administrative Expenses	Current Fiscal Year Administrative Expenses Projection	Fiscal Year Administrative Actual Expenses	Percentage of Fiscal Year Projections
TOTALS			

Hotel Occupancy Tax Funding Application
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Date: 5/29/22

Organization Information

Name of Organization: Rockport Cultural Arts District (RCAD)

Address: 902 E. Cornwall Street

City, State, Zip: Rockport, TX 78382

Contact Name: Jennifer Day

Contact Phone Number: 214-395-7156

HOT Contract Email: jdayrose@gmail.com

Web Site Address for Event or Sponsoring Organization: www.rockportculturalartsdistrict.com

Type of Organization: Governmental XX Non-Profit Private/ For-Profit

Tax ID #: 32062715191 Organization's Creation Date: 1/27/17

Purpose of Organization: RCAD is an arts and humanities organization that sponsors historic restoration, museum creation, public art, including sculptures and murals, musical and transportation history events, literary publications about Texas History, artist presentations, while focusing on economic development marketing and partnering with the many facets of tourism within the District. RCAD is designated by the State of Texas Commission on the Arts (TCA) as one of 51 Cultural Arts Districts, (CAD), has official Resolutions of Support from the City of Rockport, Aransas County, and the Aransas County Navigation District, and provides the sole link for qualified organizations in the District to access State CAD Funding.

Event Information

Name of Event or Project: Promotion of the Arts through Events and Activities, Historic Restoration and Preservation Activities, and Advertising and Promotion of the District

Date of Event or Project: Multiple Tourism Events, Depot Restoration and Heritage Events and Programs- Ragtime Events, Model T Events, Stroll thru Rockport, Numerous Engaging Musical and Performance Events, Placement and Reveal of "Cultural Interface" Bronze Sculptures by renowned local artist Steve Russell, Festive District Promotion of Visual Arts through Murals, Bold Signage, and Colorful Flags, and many District Merchant Events such as Second Saturdays, Halloween in the District, Christmas in the District

Primary Location of Event or Project: Within the 44 blocks of the District, which includes Little Bay, Festival Grounds, Beach Park, Rockport Railroad Depot, Austin, Magnolia and Live Oak Streets

Amount Requested: \$ 118,400

How will the funds be used: Supporting RCAD events, projects, and programs, which provide positive residual benefits to the area economy, other entities and non-profits.

Primary Purpose of Funded Activity/Facility:

To draw tourists to Rockport from outside 75 miles by offering one of a kind experiences and promoting the Districts existing unique amenities. The Rockport Railroad Depot provides that unique experience alone, but also in partnership with RCAD's initiated Passport to the Past program, in partnership with The Fulton Mansion, The Texas Maritime Museum, and the History Center for Aransas County, tourists are enticed to visit all venues to receive a prize at the end of their Passport journey, while educating and highlighting Aransas County's rich and vibrant history. To support the RCAD sponsored "Cultural Interface" bronze multi-cultural sculptures, the only public art of its kind in the world, showcasing Rockport's own renowned artist Steve Russell, and his very unique artistic license. To continue offering unique public art, including sculptures and murals, musical, literary and heritage events, artists presentations, and adding additional targeted unique events such as RCAD's first Art Colony Symposium June 2022 featuring the unique history of Rockport-Fulton's 74 year old Art Colony History with art historians, colony founders and artists in conjunction with the release of a book chronicling the history of the Colony published by Texas A&M Press- "The Story of Rockport-Fulton Art Colony: How A Coastal Texas Town Became An Art Enclave," by RCAD Advisory Board Member Kay Betz and previous Rockport resident Vickie Merchant.

Percentage of Hotel Tax Support of Related Costs

 5 Percentage of Total **Event Costs** Covered by Hotel Occupancy Tax

 29 Percentage of Total **Facility Costs** Covered by Hotel Occupancy Tax for the Funded Event

 38 Percentage of **Staff Costs** Covered by Hotel Occupancy Tax for the Funded Event

If staff costs are covered, estimate percentage of time staff spends annually on the funded event(s) compared to other activities 85 %

Which Category or Categories Apply to Funding Request, and Amount Requested Under Each Category:

- ☐ **1) Convention Center or Visitor Information Center:** 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. Amount requested under this category: \$ _____
- ☐ **2) Registration of Convention Delegates:** the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants. Amount requested under this category: \$ _____
- ☐ **3) Advertising, Solicitations and Promotions that directly promote tourism and the Hotel & Convention Industry:** to attract tourists and convention delegates or registrants to the municipality or its vicinity. Amount requested under this category: \$ _____
- ◀ **4) Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry:** 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 picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms: Amount requested under this category: \$ 26,400

XX **5) Historical Restoration and Preservation Activities that Directly Promote Tourism and the Hotel and Convention Industry:** historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums. Amount requested under this category: \$ 37,500

☐ **6) Sporting Event Expenses that Substantially Increase Economic Activity at Hotels:** Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the municipality or its vicinity. Amount requested under this category: \$ _____

How many individuals are expected to participate in the sporting related event? _____

How many of the participants at the sporting related event are expected to be from another city or county? _____

Quantify how the sporting related event will substantially increase economic activity at hotels within the city or its vicinity?

☐ **7) Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations:** a) the commercial center of the city; b) a convention center in the city; c) other hotels in or near the city; and d) tourist attractions in or near the city. Amount requested under this category: \$ _____

What sites or attractions will tourists be taken to by this transportation? _____

Will members of the general public (non-tourists) be riding on this transportation? _____

What percentage of the ridership will be local citizens? _____

◀◀ **8) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality. Amount requested under this category: \$ 6,500**

What tourist attractions will be the subject of the signs?

Rockport Cultural Arts District – Art, History, Museums, Shopping, Dining, Lodging and with the ability to add Convention Center, Rockport City Hall, Aransas County Courthouse and Community Center

Note: RCAD raised funds and proactively replaced two rotted/dangerous City Heritage District Signs with bold attractive signage at the north and south Austin Street District entrances. An additional sign would replace the previous Heritage District sign at Market Street and Hwy35 Business, directing traffic and potential revenue straight on Market Street to enter RCAD. Most traffic turns left on Hwy 35 Business bypassing RCAD.

Questions for All Funding Request Categories:

1. How many years have you held this Event or Project: Various events held over 5+ years
2. Expected Attendance: 15,000+ Prior year's attendance: 10,000+
3. How many people attending the Event or Project will use City of Rockport hotels? 1000+

Number of nights will they stay: 2+

Do you serve a room block for this event at an area hotel and if so, for how many rooms at which hotels:

Previously-10 Rooms–Blue Wave Hotel; 20 Rooms–Hampton Inn, more rooms were booked than blocked

Art Colony Symposium–20 Rooms–Fairfield Inn and Hampton Inn in 2022 & expect more in 2023

4. List other years (over the last three years) that you have hosted your Event or Project with amount of assistance given from the and number of hotel rooms used:

Event Date	Assistance Amount		Number of Hotel Rooms Used
	City HOT Funds	Others	
<u>8/24/19</u> <u>Harvey Encore Fest</u>	<u>\$ -0-</u>	<u>\$ 3,500</u>	<u>Unknown-over 2K attending</u>
<u>4/27-28/19</u> <u>Kite Festival</u>	<u>\$ 3,300</u>	<u>\$ -0-</u>	<u>Unknown-over 1.3K attending</u>
<u>3/27/21</u> <u>Model T Event</u> <u>Stroll thru Rockport</u>	<u>\$ 2,600</u>	<u>\$ -0-</u>	<u>34</u>

5. How will you measure the impact of your event on area hotel activity (e.g.: room block usage information, survey of hoteliers, etc.)?

Zip Code Collection-Polling and Through Merchandise Sales, From Attendees, Hotel Room Blocks

6. Please list other organization, government entities, and grants that have offered financial support to your project:

Texas Commission on the Arts, Aransas County, Texas Historical Commission, Ed Rachel Foundation, Margaret Sue Rust Foundation, Summerlee Foundation, HEB, Prosperity Bank, Salemi's Ace Hardware, Nystrom Foundation, Castaways, South Rockport Neighbors

7. Will the event charge admission? Do you anticipate a net profit from the event? If there is a net profit, what is the anticipated amount and how will it be used?

RCAD Events have been FREE to the public the past 5+ years, with the one exception of the "Cultural Interface" ("CI") Fundraising Event July 2021, however, the "CI" project sculptures will be FREE for all to enjoy and will attract millions worldwide. In addition to upcoming FREE RCAD Events, other exception fundraising events will be held for "CI" anticipating netting ~\$200K.

1. Please list all promotion efforts your organization is coordinating, and the amount financially committed to each media outlet:

Newspaper: \$ 700
 Radio: \$ 300
 TV: \$ 0
 Other Paid Advertising: \$ 4,400

Number of Press Releases to Media Various and Continuous

Number Direct Mailings to out-of-town recipients 300+

Other Promotions – Art Colony Book Symposium, National/International: Texas A&M Press Website and Social Media, University Press Consortium, Amazon, Barnes & Nobel, Walmart; State and Regional: Texas Highways, Social Media Sites -Texas Tropical Trails, Texas Artists and Art History, Texas Gulf Coast History, Center for the Advanced Study of Early Texas Art, The Bend Magazine, Corpus Christi TV Coverage being solicited, The Pilot Newspaper

2. Will you include a link to local hotels on your website for booking during this event?

Yes

3. Will you negotiate a special rate or hotel/event package to attract overnight stays?

Yes

4. What new marketing initiatives will you utilize to promote hotel and convention activity for this event?

Utilize the benefits of Social Media with a focus on strong visual presentation to draw attention and results; Solicit specialized groups through Social Media - examples heritage tourists, railroad enthusiasts, museum enthusiasts, artists of various mediums.

5. What geographic areas does your advertising and promotion reach?

All – International, National, State, Regional, Local

6. How many individuals will your proposed marketing reach who are located in another city or county? Thousands/Millions

7. If the funding requested is related to a permanent facility (e.g., museum, visitor

center): Expected Attendance Monthly/Annually: 100+ / 1200+

Percentage of those in attendance that are staying at area hotels/lodging facilities: 50 %

Please Submit to:

City of Rockport

City Secretary

tvaldez@cityofrockport.com

Rockport Cultural Arts District City of Rockport HOT Estimated Projected Budget 2022-2023

Promotion of the Arts

Public Art

"Cultural Interface" Sculptures

8,600

Installation and Landscaping Summer 2023

Murals

9,000

Rock Bottom Fence and 4 the Birds North Wall; 2022-2023

Art Events

6,000

Art Colony Symposium June 2023

Performing Events (Musical) Monthly

Arts Promotion Marketing

S.Media\$2000, Newspaper\$400; Direct Mail\$400

2,800

Sub Total

\$26,400

Historical Restoration & Preservation Project/Activities

Restoration

\$15,000

Operating Expense / Utilities/Insurance/Maintenance

\$14,000

Marketing

\$2,500

S.Media\$1,500;Radio\$300;Newspaper\$300;Direct Mail\$400

Heritage Projects and Educational Childrens' Programs

\$6,000

Passport to the Past Software Enhancement

Events / Exhibits

Sub Total

\$37,500

Signage Directing Tourists to Sights and Attractions

RCAD Signage - Bus.Hwy 35 & Market Street 2022

\$6,500

Administration/Staffing

\$48,000

Executive Director

NEW - Manager, Museum/Events

(supports full week museum opening)

TOTAL

\$118,400

Rockport Cultural Arts District

Rockport Depot Project Budget
May 26, 2022Budget

Revenues

Foundations/Grants/HOT	125,000
Matching Funds	15,000
Business Sponsors	10,000
Public Support	10,000
Merchandising	5,000
Programs/Exhibits	4,000
Venue Rentals	<u>2,000</u>
Total	171,000

Expenditures

Hard Construction Costs	87,000
Interior, Deck, ADA Walkways, Awning	
Furniture, Fixtures and Equipment	16,000
Maintenance/Utilities/Insurance	14,000
Landscaping	2,500
Marketing/Promotion	2,500
Programs/Exhibits	6,000
Administration/Staffing	<u>43,000</u>
Total	171,000

Excess of Revenues Over Expenditures	<u>0</u>
--------------------------------------	----------

City of Rockport
2022-2023 HOT
Funding
Application
Visuals



Rockport Cultural Arts District

44 Block Area on the Rockport Bayfront With

- Rockport San Antonio Aransas Pass Railroad Depot
- Texas Maritime Museum
- Bay Education Center –UT Austin Marine Science Institute
- District – Galleries, Studios, Merchants, Restaurants, Winery and Brewery, Farmers and Makers Markets
- ACND Festival Grounds – two locations
- Rockport Beach Park, Harbor, Public Piers, Kayak Launch
- 20 Historical Markers / Other Significant Historical Assets
- Rockport-Fulton Chamber of Commerce
- Rockport Yacht Club and Aquarium Education Building
- Veterans Memorial Park
- Rockport Little Theatre
- Rockport Center for the Arts Complex (future)
- Aransas County Court House, Celebration Square and Community Building (future)
- City of Rockport City Hall (future)
- ACND Development Property (future)
- Bass Family Development (future)



“Cultural Interface”
Bronze Sculptures –
European Series

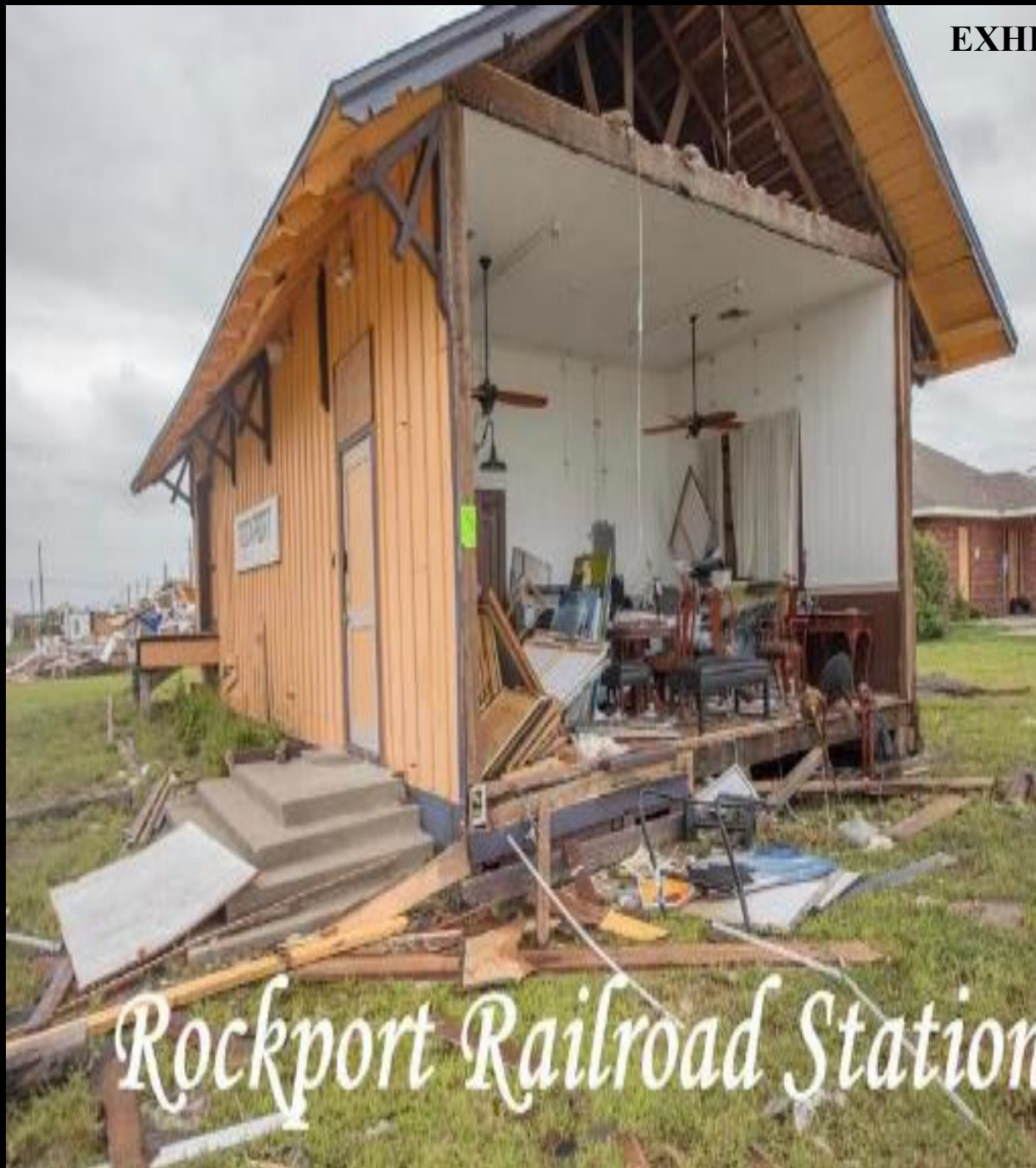
EXHIBIT "C"

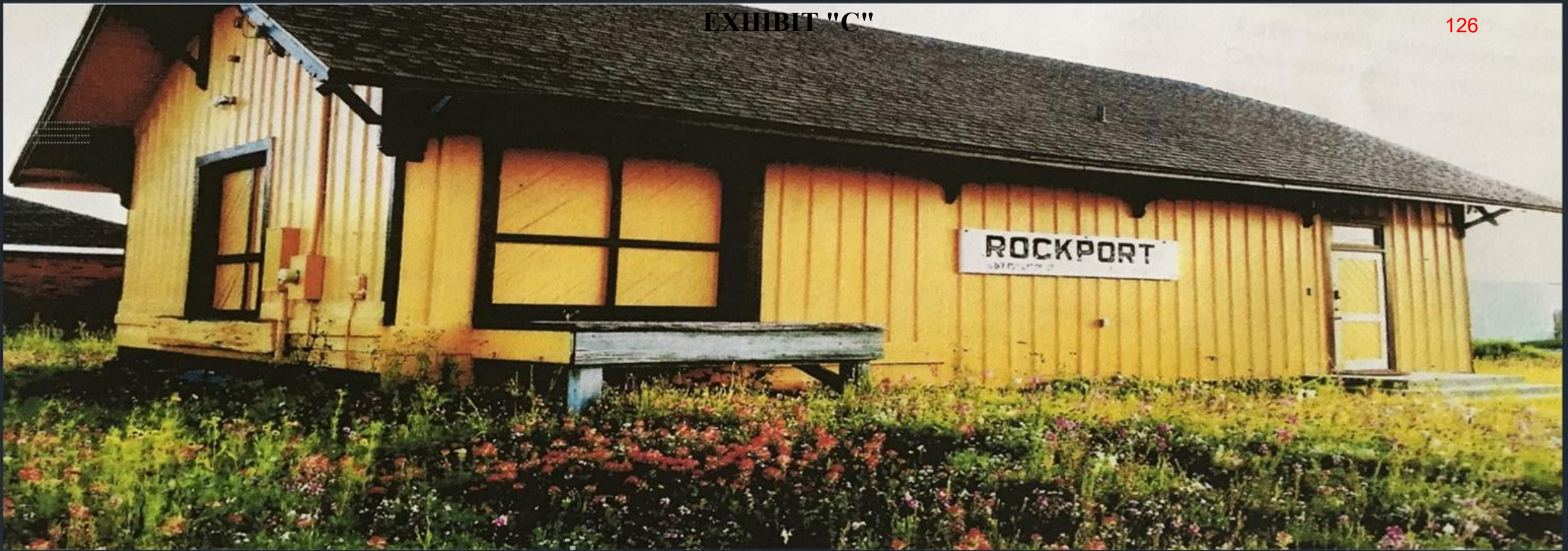
123



“Cultural Interface”
Bronze Sculptures –
Native Indian Series







Museum Soft Opening May 2022!



EXHIBIT "C"

Passport To The Past

Passport to Aransas County's Rich and Vibrant History

Your Aransas County adventure begins with 4 exciting venues to explore. Visit the **Fulton Mansion**, **Texas Maritime Museum**, **Rockport Railroad Depot**, and the **Aransas County History Center** to get your passport stamped and complete the challenge. Each of the participating venues offers a unique learning and exploring experience, check in at each of these venues to fill your passport and **receive a prize!**

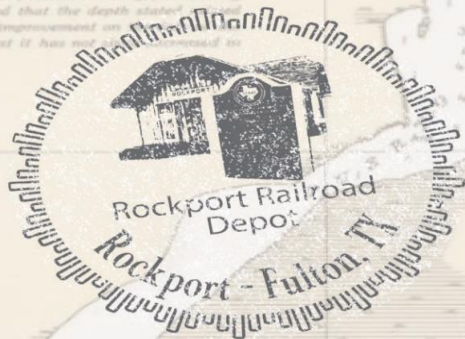


Heritage Tourism Initiative
Launched May 2022



ROCKPORT RAILROAD DEPOT

The Rockport Cultural Arts District (RCAD) has restored and repurposed the historic Rockport San Antonio and Aransas Pass Railroad Depot into a museum, showcasing this important landmark in the center of the Downtown District. The museum will host exhibits, meetings, live music performances, and serve as a charming rentable venue.



HISTORY CENTER FOR ARANSAS COUNTY

The History Center tells the history of the people who developed this county via dynamic exhibits. Outdoor and indoor exhibits tell the stories of the real people of Aransas County. The Center provides a space for displays, workshops, meetings, and gatherings.



THE FULTON MANSION

George and Harriet Fulton completed their stately mansion in 1877. Now a historic house museum operated by the Texas Historical Commission, Fulton Mansion provides a rare glimpse into Victorian decor and domestic technology.





ROCKPORT CULTURAL ARTS DISTRICT

and Heritage District

Art • History • Museums

Shopping • Dining • Lodging





The Rockport-Fulton Art Colony
Creating Art Since 1948

#ROCKPORTCULTURE



April 25-26 / 10 am-5 pm



ROCKPORT CULTURAL
ARTS DISTRICT

Free Family Event!

RCAD
Sponsored
Art Colony
Symposium

June 17th-19th

EXHIBIT "C"

134

SYMPOSIUM ON THE ROCKPORT-FULTON ART COLONY TEXAS A&M UNIVERSITY PRESS • BOOK RELEASE AND SIGNING

The Story of the
**ROCKPORT-FULTON
ART COLONY** How a Coastal Texas
Town Became an
Art Enclave
BY KAY BETZ & VICKIE MERCHANT



Presented by the Rockport Cultural Arts District
IN COLLABORATION WITH
The Fulton Mansion, History Center for Aransas County,
Rockport Railroad Depot Museum, and the Texas Maritime Museum
Information at <https://www.facebook.com/RockportFultonTexasArtColony>

Keynote Address By
William and Linda Reaves
JUNE 17-19, 2022
FREE AND OPEN TO THE PUBLIC



Rockport Cultural Arts District
902 E. Cornwall
Rockport, TX 78382

EXHIBIT "C"

135

Gary Gibbs,
Executive Director
Texas Commission on the Arts
920 Colorado Street, Suite 501
Austin, TX 78701

Sponsored by:



**The Story of the
Rockport-Fulton Art
Colony: How A
Coastal Texas Town
Became
An Art Enclave**

by Kay Betz and
Vickie Merchant

Showcases the
Rockport-Fulton 74-
year-old Art Colony

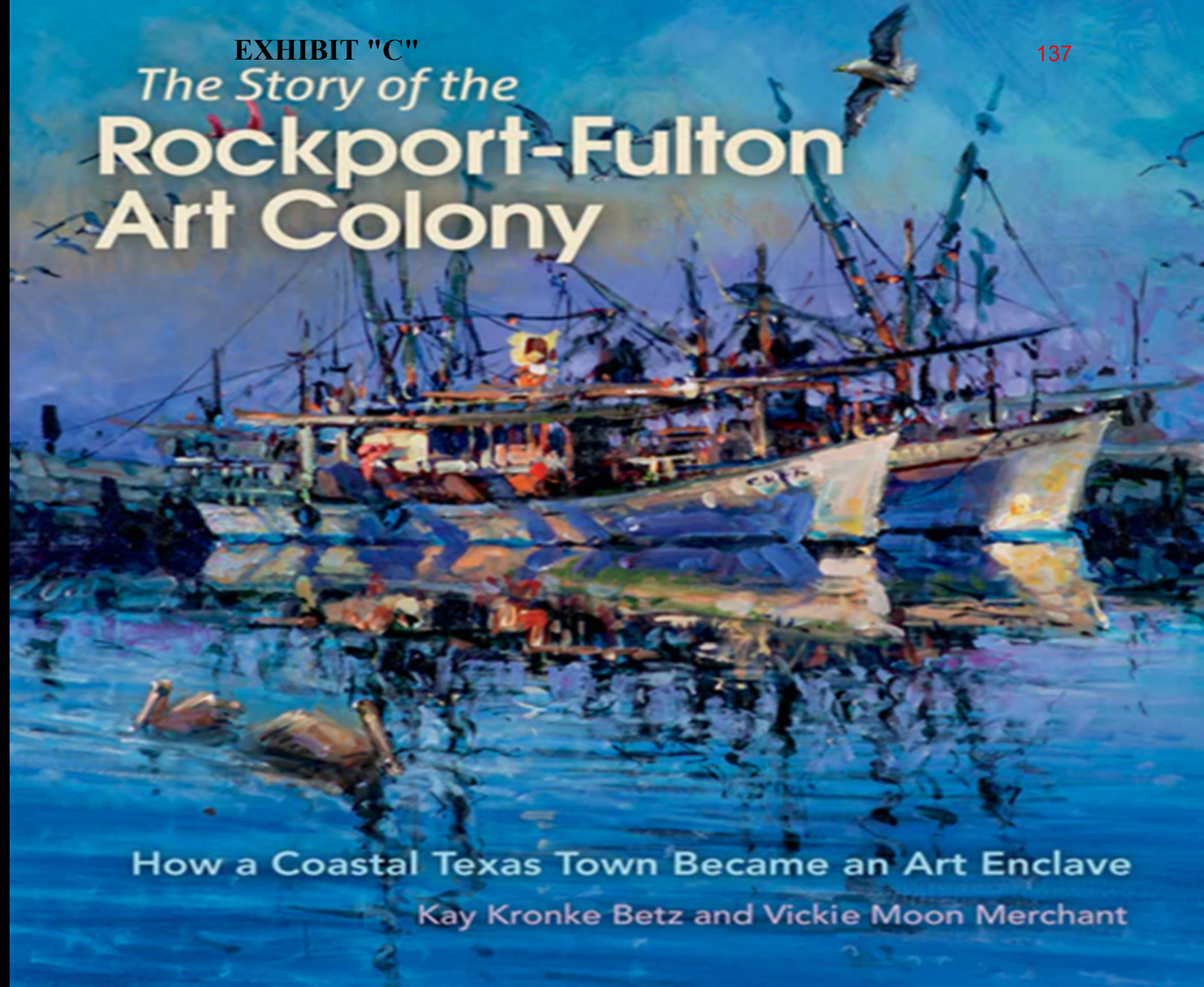


EXHIBIT "C"

137

The Story of the
**Rockport-Fulton
Art Colony**

How a Coastal Texas Town Became an Art Enclave

Kay Kronke Betz and Vickie Moon Merchant



EXHIBIT "C"

139



Stroll thru Rockport

140

Historical Sites in Downtown

1. Chamber of Commerce
2. Packeries of Rockport
3. Wharves and Pavilions
4. Site of Aransas Hotel
5. Rockport's Grand Hotels
6. Sorenson/ Stair /
Coastal Mercantile
7. San Antonio to Aransas Pass/
R.R. Depot
8. R H. Wood House
9. LM Bracht House/ Angel
Rose B&B/ Rockport Cultural
Arts
10. Sacred Heart Catholic
Church
11. Aransas County Communi-
ty Garden
12. Aransas County Courthouse
13. St. Peter Episcopal Church/
Heritage Place
14. 1st Presbyterian Church



Directions

Begin at Chamber, head down-
town Austin St.
Take a LEFT on North St.
RIGHT on Water St.
RIGHT on Main St.
Right on Austin St.
LEFT on Wharf
RIGHT on Magnolia
LEFT on Cornwall St.
RIGHT on Pearl St.
LEFT on Concho St.
RIGHT on Ann St.
RIGHT on Mimosa St.
LEFT on Live Oak, turn around
RIGHT on Cedar, Turn around
RIGHT on Magnolia
RIGHT on Laurel
LEFT on Live Oak
LEFT on Mimosa

Vintage Christmas at the Railroad Depot

Saturday Afternoon

1pm – 4pm

105 South Magnolia



ROCKPORT
RAILROAD DEPOT



A Happy Christmas

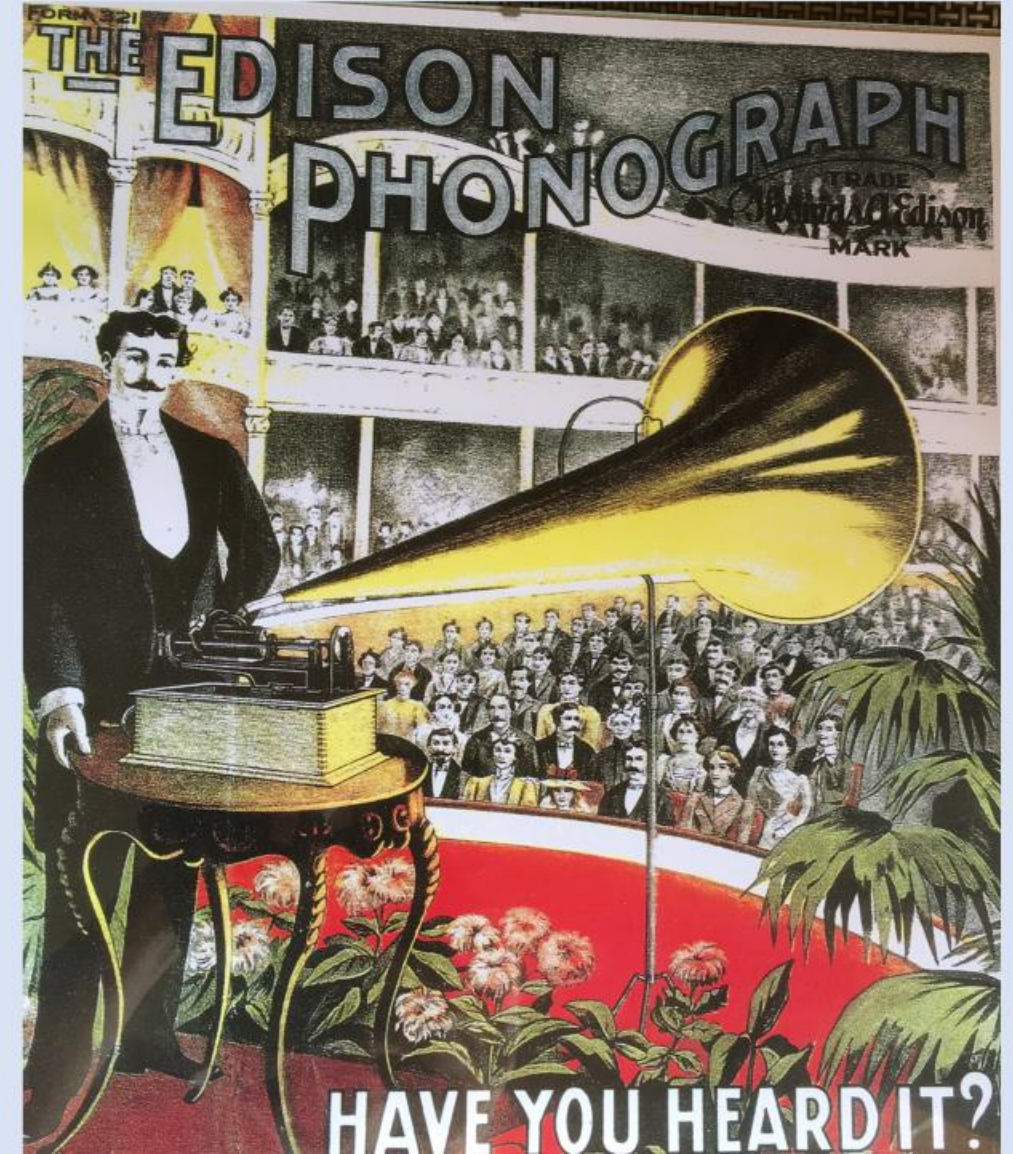
The San Antonio Ragtime Society Performs Dec 4th

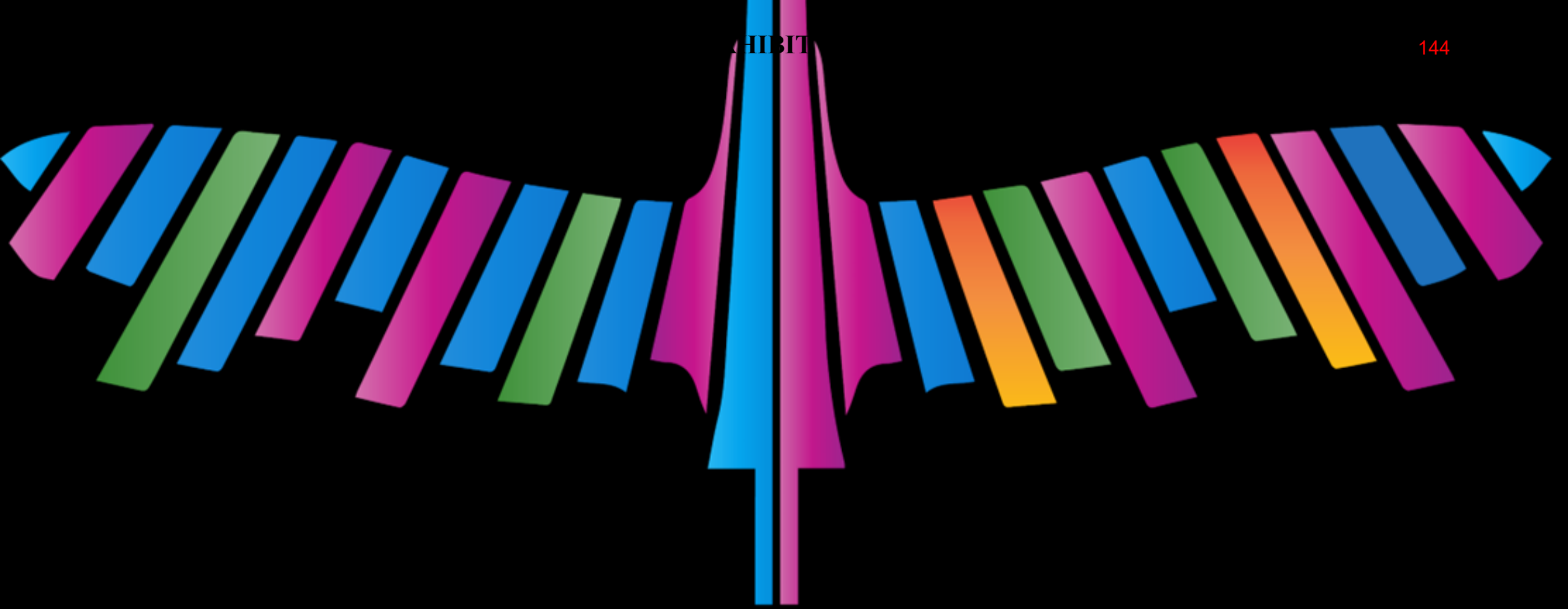
EXHIBIT "C"

142



Dr. Bill Ricketts and his Private Collection of Vintage Phonographs, Sheet Music, and Records Dec 11 & 18th





ROCKPORT CULTURAL ARTS DISTRICT

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 27, 2022

AGENDA ITEM: 12

Deliberate and act on Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Friends of the Fulton Mansion State Historical Site for advertising and tourism promotion.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: KH

BACKGROUND: At the July 26, 2022, City Council Meeting, Allen Lea, Site Manager for the Fulton Mansion State Historic Site presented the Fiscal Year 2022-2023 budget request to the City Council. Deliberation and action regarding allocations was held on July 26, 2022, regarding requested Hotel Occupancy Tax funding for Fiscal Year 2022-2023. The proposed Agreement remains the same as the previous year except for the amount funded and verbiage was added to track “heads in beds” per State statutes.

See the accompanying agreement for additional details.

FISCAL ANALYSIS: Budget account 6602009. Disbursement of funds will be made according to Section 6 of the Agreement.

STAFF RECOMMENDATION: Staff recommends Council approval of the Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Friends of the Fulton Mansion State Historical Site for advertising and tourism promotion in the amount of \$50,000.00 or \$12,500.00 per quarter, as presented.

**CITY OF ROCKPORT
AND
FRIENDS OF THE FULTON MANSION STATE HISTORIC SITE**

**An Agreement Concerning the Use of
Funds from the Hotel Occupancy Tax**

**STATE OF TEXAS §
 §
COUNTY OF ARANSAS §**

This Agreement is made by and between the City of Rockport, a Texas home rule municipal corporation, hereinafter called “City,” and Friends of the Fulton Mansion State Historic Site, a private non-profit association, hereinafter called “Friends,” acting by and through its duly elected officers.

SECTION 1. LEGAL AUTHORITY

The City collects a local hotel occupancy tax as authorized by Chapter 351 of the Texas Tax Code (“Act”). Pursuant to the Act, the City expends funds collected for the purpose of advertising with any media outlet that is outside 75 miles of the City of Rockport (Resolution No. 09-15) and encouraging growth of tourism and convention/hotel activity in the City as outlined in Chapter 94, Article IV, Hotel Occupancy Tax of the City of Rockport Code of Ordinances (“Code”).

SECTION 2. TERM OF AGREEMENT

This Agreement shall become effective on October 1, 2022, and terminate on September 30, 2023.

SECTION 3. SERVICES TO BE PROVIDED

As authorized under the Act, the City hereby agrees to pay to the Friends **FIFTY THOUSAND DOLLARS (\$50,000.00)** of the money actually received by the City from local hotel occupancy tax. Subject to the terms and conditions herein, Friends agrees to expend such funds received for advertising and promoting tourism for the out-of-town visitor market from which the hotel industry within the City derives direct tourist income benefits.

SECTION 4. INDEPENDENT CONTRACTOR

It is expressly understood and agreed by and between the parties that Friends is engaged as an independent contractor and is not an officer, agent or employee of the City.

SECTION 5. MANAGEMENT OF FUNDS

5.1 The Friends shall maintain a separate financial account of the hotel occupancy tax funds received from the City and may not commingle the funds with any other account. It is understood and agreed by and between the parties that, upon budget approval by the City,

a fiduciary duty is created in the Friends with respect to expenditure of the revenue provided.

- 5.2 The Friends shall maintain complete and accurate financial records of each receipt and expenditure of the hotel occupancy funds and upon request of the City Council or other person shall make the records available for inspection and review during normal business hours in accordance with the provisions of the Texas Public Information Act (Texas Government Code, Chapter 552).
- 5.3 Hotel occupancy funds may be spent by the Friends for day-to-day operations including supplies, salaries, office rental, travel expenses, and other administrative costs, only if such expenditures that have been previously budgeted and approved by the City in advance and shown to be directly related to promotion of tourism and the hotel industry. (See Exhibit "A".)
- 5.4 The Friends shall submit an annual report of activities and provide therein a projected line item budget to the City Council for approval that will include itemized personnel costs by singular job descriptions and capital outlay expenses if any. Such report and budget shall be provided no later than June 1st of each year for the next fiscal year.

The budget shall provide a complete financial plan and shall contain the following:

- (1) A budget message explanatory of the tourism/promotional activity contracted, which message shall contain an outline of the plan of the activity and, in the following years, set forth the reasons for the salient changes from the previous year (as applicable) and any major budgetary revisions. Any subsequent budgetary revision exceeding 25% of any line item, or 10% of the entire budget, will require City Council approval. All items of expenses shall contain detailed narratives as to the basis of the expenditure.
- (2) A consolidated statement of anticipated receipts and expenditures for all funds.
- (3) Anticipated revenues shall be placed in parallel columns and display therein the:
 - a) Actual amount for the last completed year;
 - b) Estimated amount for the current fiscal year;
 - c) Proposed amount for the ensuing fiscal year.
- (4) Planned expenditures shall be placed in parallel columns opposite the various items of expenditures and display the:
 - a) Actual amount of such items of expenditures for the last completed fiscal year;
 - b) Estimated amount for the current fiscal year; and
 - c) The proposed amount for the ensuing fiscal year.
- 5.5 Fiscal quarterly financial reports, on a form prescribed by the City (See Exhibit "B"), are required to be submitted to the City Secretary no later than SIXTY (60) days after the end

of each fiscal quarter. These reports shall identify a budget comparison of the hotel occupancy funds received by agreement and the uses thereof as defined in the overall budget. It shall show the amount budgeted for the fiscal year by category item and the actual expenditures of such within the fiscal year quarter being reported. In addition, all administrative expenses shall be reported in detail comparing the current fiscal year expenses projection, the current fiscal year actual expenses and the percent of the fiscal year projection.

- 5.6 The Friends shall upon request submit an audited financial report to the City, showing in detail the disbursement and use of hotel occupancy funds paid to the Friends pursuant to this Agreement, no later than sixty (60) days after the end of each fiscal year of this Agreement. In addition, the City reserves the right to request an annual audited financial statement reflecting the financial position of the entire Friends for the duration of this Agreement. The Friends agree to provide a current audit (current defined as no later than the last fiscal year), such copy to be delivered within twenty (20) days upon receiving a request from the City Manager or Mayor.

SECTION 6. TRANSFER OF FUNDS

Upon compliance with all conditions precedent, the City Secretary shall remit to the Friends **FIFTY THOUSAND DOLLARS (\$50,000.00)** of the hotel occupancy tax receipts in four (4) quarterly payments of **TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$12,500.00)** each. The Friends shall receive its first quarterly payment on about the effective date hereof or the date of final execution of this Agreement, whichever is later. Each quarterly payment thereafter shall be made to the Friends within ten (10) business days after receipt of the required quarterly report, but not sooner than the 31st day after the end of each calendar quarter, and after approval of said report by the City Council. The City Council may not approve any quarterly report or portion thereof if it determines that any reported expense in the reporting quarter was an improper use of funds or outside the authorized use of hotel occupancy tax and may reduce subsequent quarterly payments by the amount determined improper or unauthorized.

SECTION 7. FORCE MAJEURE – SUFFICIENT FUNDS NOT AVAILABLE

The City's obligation to make quarterly payments to the Friends pursuant to this Agreement is contingent upon anticipated receipt of a minimal amount of hotel occupancy tax from the collecting entities within the City. Based upon this anticipated, budgeted income, the total dollar figure to be paid to the Friends pursuant to this Agreement was determined. Other agreements have also been made by the City with local organizations, providing for disbursement of a portion of hotel occupancy tax funds collected. Should it happen, by act of nature or other means outside the control of the City, that the actual hotel occupancy tax funds received are less than the anticipated and budgeted funds, then in that event the City, upon prior notice to the Friends, may unilaterally reduce the payment(s) to be made pursuant to this Agreement. Unless otherwise agreed by the City, any reduction in payments pursuant hereto shall be made from the final (fourth) quarter payment. The City shall reduce the actual payment pro rata by a percentage of the amount obligated as it relates to the total hotel occupancy tax dollars actually received.

SECTION 8. RETURN OF FUNDS UPON TERMINATION OF CONTRACT

Should this Agreement be terminated by either party hereto or by its own terms, and unless express agreement is otherwise made, the Friends shall remit and return to the City, with a final accounting thereof, all unused and unspent hotel occupancy tax funds in its possession, within thirty (30) days from the date of such termination.

SECTION 9. INDEMNIFICATION

The Friends agree to indemnify the City, its officers, agents, and employees, from any and all claims, losses, causes of action and damages, suits, and liability of every kind, including all expenses of litigation, courts costs and attorney fees, for injury to or death of any person, or for damage to any property arising from or in connection with the operations or actions of the Friends, its officers, agents and employees carried out in furtherance of this Agreement.

SECTION 10. INSURANCE

The Friends shall maintain a comprehensive general liability insurance policy, with an insurance company or companies authorized to do business in the State of Texas, which shall include bodily injury, property damage, contractual and automobile liability coverage with a minimum of not less than \$500,000.00. In addition, workers' compensation insurance coverage shall be provided by the Friends in accordance with State law.

SECTION 11. TERMINATION

If either party materially breaches this Agreement, the other party may terminate the Agreement by providing thirty (30) days' written notice to the defaulting party. Should a dispute arise regarding the existence of a material breach, either party may request that the issue be presented to a licensed mediator.

SECTION 12. NON-RENEWAL

It is understood and agreed that the Friends are not entitled to any right of automatic renewal of this Agreement for the ensuing year, or years, since such option under the Act rests exclusively with the City Council.

SECTION 13. NOTICE

All communications required by this Agreement between the City and the Friends shall be in writing and addressed to the attention of the City Manager, 2751 State Highway 35 Bypass, Rockport, TX 78382 or to the Friends of the Fulton Mansion State Historical Site, ATTN: Board President, 317 Fulton Beach Road, Rockport, TX 78382.

SECTION 14. COMPLIANCE WITH LAWS

In performing its duties under this Agreement, the Friends shall at all times comply with the City of Rockport Code and all the State of Texas Acts. (See Sections 1 & 5.)

SECTION 15. PROHIBITION AGAINST DISCRIMINATION

In the performance of this Agreement, the Friends shall not discriminate against any employee or applicant for employment because of an individual's race, color, religion, national origin, sex, or mental or physical disability. Proven breach of this provision may be regarded as a material breach of this Agreement allowing for termination.

SECTION 16. CONTROLLING LAW

It is understood and agreed that in the event any provision of this Agreement is inconsistent with the requirements of the Act, or any other applicable State law, the requirements of the law will control and supersede the terms set forth herein.

SECTION 17. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties, relative to the Hotel Occupancy Tax funds made the basis hereof.

IN WITNESS WHEREOF, the parties have herein unto set their hands on duplicate originals, in the City of Rockport, Aransas County, Texas on this ____ day of _____ 2022.

CITY OF ROCKPORT

**FRIENDS OF THE FULTON MANSION
STATE HISTORIC SITE**

Tim Jayroe, Mayor

_____, Board President
(Print Name)

ATTEST:

ATTEST:

Teresa Valdez, City Secretary

Allen Lea, Site Manager

EXHIBIT “A”

CATEGORY	GRANT AMOUNT
Historical Restoration & Preservation Activities	\$20,000.00
Advertising, Solicitations & Promotions	\$6,000.00
Promotion of the Arts	\$24,000.00
TOTAL	\$50,000.00

EXHIBIT "B"

HOT FUNDING EXPENSE REPORT FY 2022-2023

Description of Expense	Approved Budget	1st Quarter Expenses	2nd Quarter Expenses	3rd Quarter Expenses	4th Quarter Expenses	TOTAL
TOTAL REQUESTED						

Description of Administrative Expenses	Current Fiscal Year Administrative Expenses Projection	Fiscal Year Administrative Actual Expenses	Percentage of Fiscal Year Projections
TOTALS			

Hotel Occupancy Tax Funding Application
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Date: 5/31/2022

Organization Information

Name of Organization: Friends of Fulton Mansion

Address: 317 S Fulton Beach Road

City, State, Zip: Rockport, Texas 78382

Contact Name: Allen Lea Contact Phone Number: 361-230-2600

HOT Contract Email: allen.lea@thc.texas.gov

Web Site Address for Event or Sponsoring Organization: www.friendsoffultonmansion.org

Type of Organization: ☐ Governmental ☒ Non-Profit ☐ Private/ For-Profit

Tax ID #: 74-2591329 Organization's Creation Date: 1998

Purpose of Organization: Friends of Fulton Mansion is a 501(c)3 nonprofit organization dedicated to supporting the preservation of historic Fulton Mansion in Rockport, Texas.

Event Information

Name of Event or Project: Fulton Mansion Garden Restoration / Staff Support

Date of Event or Project: 2022-2023

Primary Location of Event or Project: 317 S Fulton Beach Road

Amount Requested: \$ 50,000.00

How will the funds be used: _____

HOT funds will be used to provide tour guides and customer service support to visitors throughout the year.

This year we are requesting additional funds to revitalize and enhance the garden and grounds. This historic preservation and enhancement to the grounds will make the Mansion a more attractive site for rentals and destination weddings and can be enjoyed by tourists and local residents alike as they learn about the history and tag their beautiful pictures on social media. The additional funding will help with replanting and upkeep as well as ads for holiday events and rental options. The Friends of Fulton Mansion are requesting \$50,000 from the HOT funds to enable this work.

Primary Purpose of Funded Activity/Facility:

Beautification of the Fulton Mansion Campus to attract new and return visitors to the Rockport Fulton Area & provide visitors with a quality educational experience.

Percentage of Hotel Tax Support of Related Costs

26 Percentage of Total **Event Costs** Covered by Hotel Occupancy Tax

26 Percentage of Total **Facility Costs** Covered by Hotel Occupancy Tax for the Funded Event

48 Percentage of **Staff Costs** Covered by Hotel Occupancy Tax for the Funded Event

If staff costs are covered, estimate percentage of time staff spends annually on the funded event(s) compared to other activities 100 %

Which Category or Categories Apply to Funding Request, and Amount Requested Under Each Category:

- ☐ **1) Convention Center or Visitor Information Center:** 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. Amount requested under this category: \$ _____
- ☐ **2) Registration of Convention Delegates:** the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants. Amount requested under this category: \$ _____
- ☒ **3) Advertising, Solicitations and Promotions that directly promote tourism and the Hotel & Convention Industry:** to attract tourists and convention delegates or registrants to the municipality or its vicinity. Amount requested under this category: \$ 6000
- ☒ **4) Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry:** 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 picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms: Amount requested under this category: \$ 24000

☒ **5) Historical Restoration and Preservation Activities that Directly Promote Tourism and the Hotel and Convention Industry:** historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums. Amount requested under this category: \$ 20000

☐ **6) Sporting Event Expenses that Substantially Increase Economic Activity at Hotels:** Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the municipality or its vicinity. Amount requested under this category: \$ _____

How many individuals are expected to participate in the sporting related event? _____

How many of the participants at the sporting related event are expected to be from another city or county? _____

Quantify how the sporting related event will substantially increase economic activity at hotels within the city or its vicinity?

☐ **7) Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations:** a) the commercial center of the city; b) a convention center in the city; c) other hotels in or near the city; and d) tourist attractions in or near the city. Amount requested under this category: \$ _____

What sites or attractions will tourists be taken to by this transportation? _____

Will members of the general public (non-tourists) be riding on this transportation? _____

What percentage of the ridership will be local citizens? _____

☐ **8) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality. Amount requested under this category: \$ _____**

What tourist attractions will be the subject of the signs?

Questions for All Funding Request Categories:

- How many years have you held this Event or Project: 10
- Expected Attendance: 30000 Prior year's attendance: 26687
- How many people attending the Event or Project will use City of Rockport hotels? 60%

Number of nights will they stay: 2-3

Do you reserve a room block for this event at an area hotel and if so, for how many rooms and at which hotels:

n/a

- List other years (over the last three years) that you have hosted your Event or Project with amount of assistance given from and the number of hotel rooms used:

Event Date	Assistance Amount		Number of Hotel Rooms Used
	City HOT Funds	Others	
<u>2019</u>	\$ <u>36250</u>	\$ <u>15000</u>	
<u>2020</u>	\$ <u>30000</u>	\$ <u>15000</u>	<u>unknown</u>
<u>2021</u>	\$ <u>22500</u>	\$ <u>15000</u>	<u>6000</u>

- How will you measure the impact of your event on area hotel activity (e.g.: room block usage information, survey of hoteliers, etc.)?

We collect this information on our POS system by asking visitors "Are you staying in an area hotel? If so, how many days?" We also use geofencing to track visitor information/demographics.

- Please list other organization, government entities, and grants that have offered financial support to your project:

n/a

- Will the event charge admission? Do you anticipate a net profit from the event? If there is a net profit, what is the anticipated amount and how will it be used?

All of our outdoor events are free and open to the public.

8. Please list all promotion efforts your organization is coordinating, and the amount financially committed to each media outlet:

Newspaper: \$ 2000
Radio: \$ _____
TV: \$ _____
Other Paid Advertising: \$ 4000

Number of Press Releases to Media 10

Number Direct Mailings to out-of-town recipients quarterly

Other Promotions social media, printed flyers

9. Will you include a link to local hotels on your website for booking during this event?

n/a

10. Will you negotiate a special rate or hotel/event package to attract overnight stays?

Yes. We can also offer free passes to the museum to hotels as incentive packages.

11. What new marketing initiatives will you utilize to promote hotel and convention activity for this event?

Increased marketing in local, San Antonio, Austin and other statewide markets.

12. What geographic areas does your advertising and promotion reach?

Central / South Texas. Social media reaches multiple locations.

13. How many individuals will your proposed marketing reach who are located in another city or county? 50000

14. If the funding requested is related to a permanent facility (e.g., museum, visitor center):

Expected Attendance Monthly/Annually: 2500/30000

Percentage of those in attendance that are staying at area hotels/lodging facilities: 60 %

Please Submit to:

City of Rockport

City Secretary

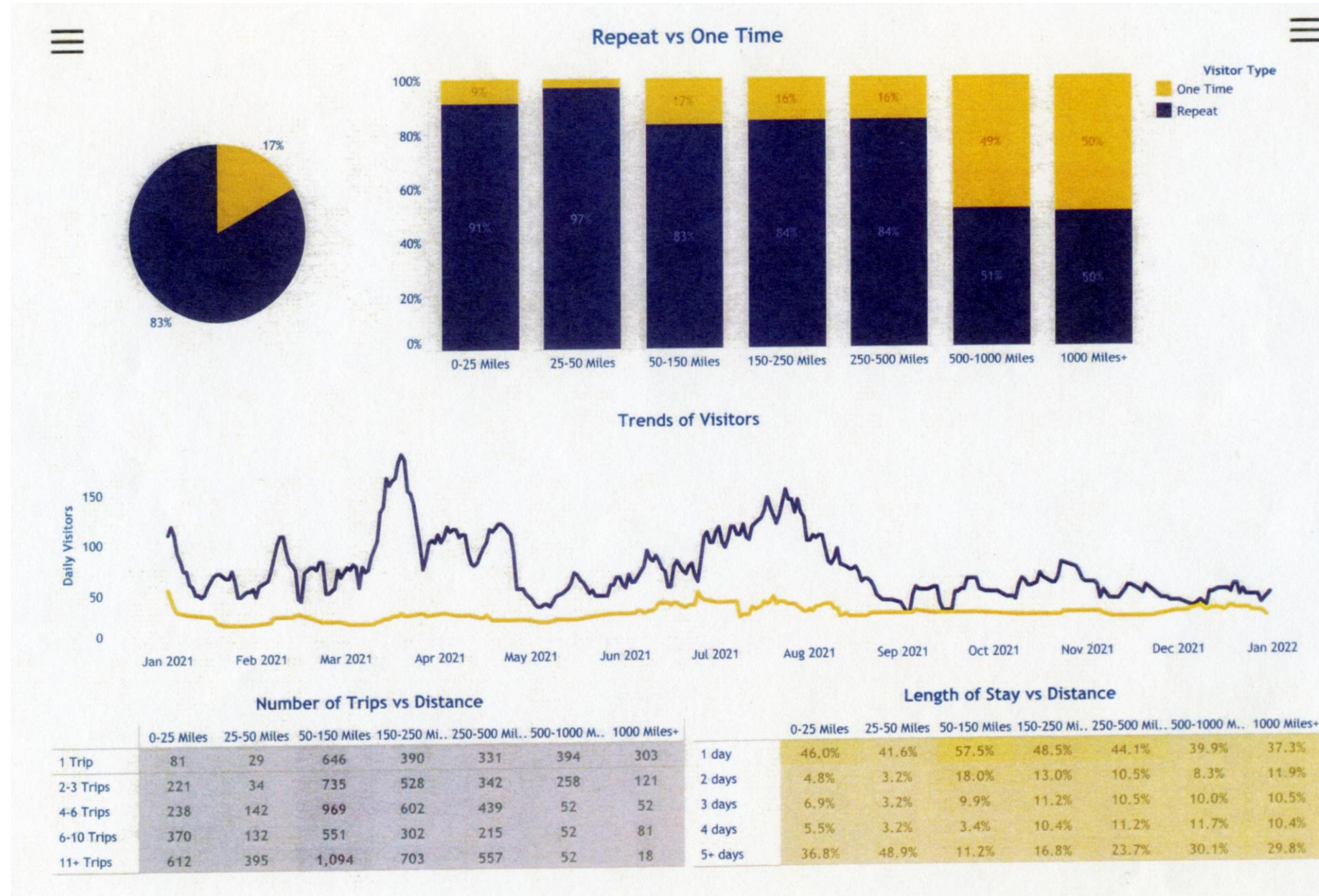
tvaldez@cityofrockport.com

City of Rockport

HOT tax request 2022-2023

The Stats

Funding in past years has supported extra staffing, enabling us to provide quality tour experiences to tens of thousands of visitors, approximately 60% of them from more than 70 miles away.



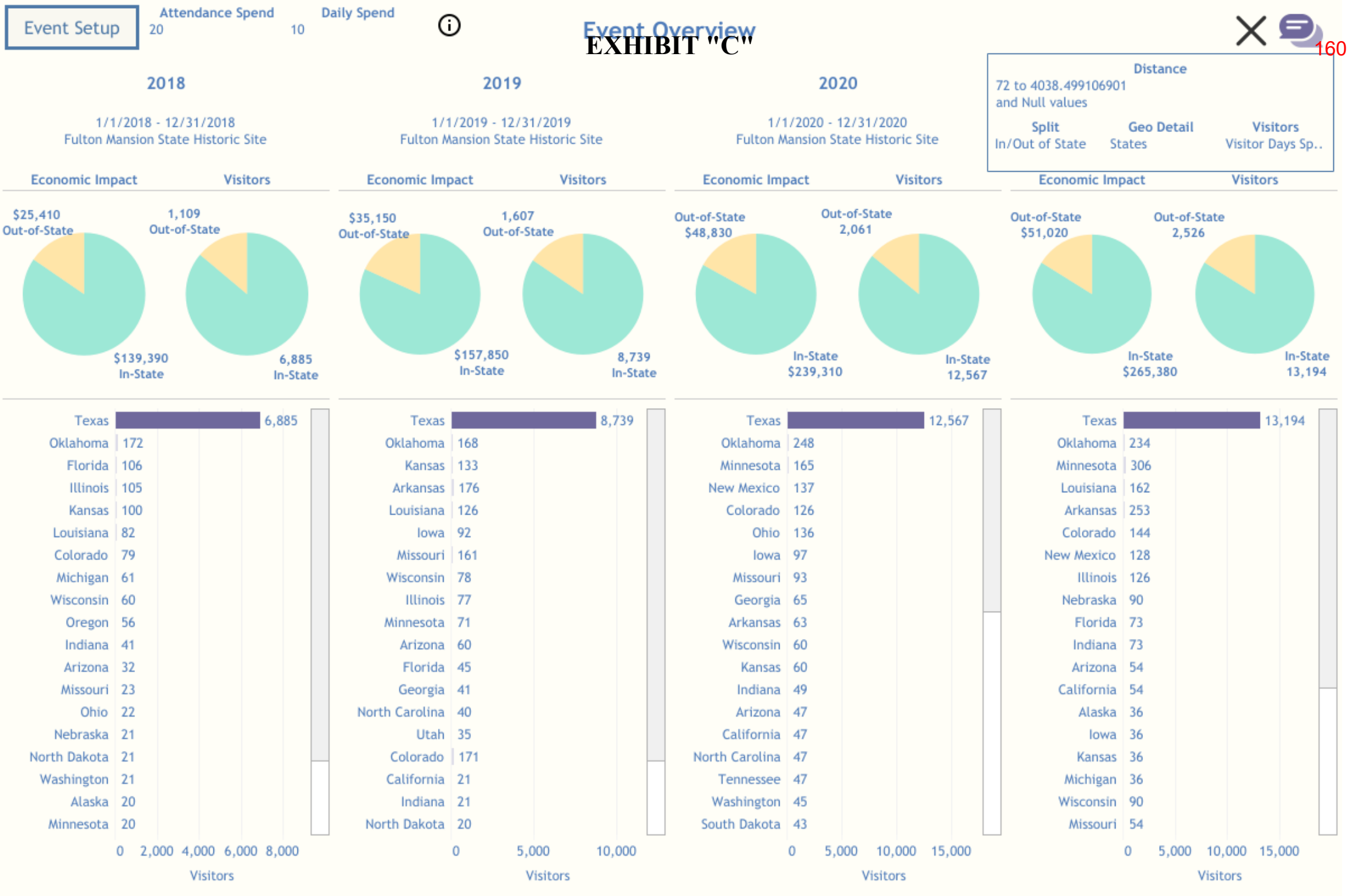
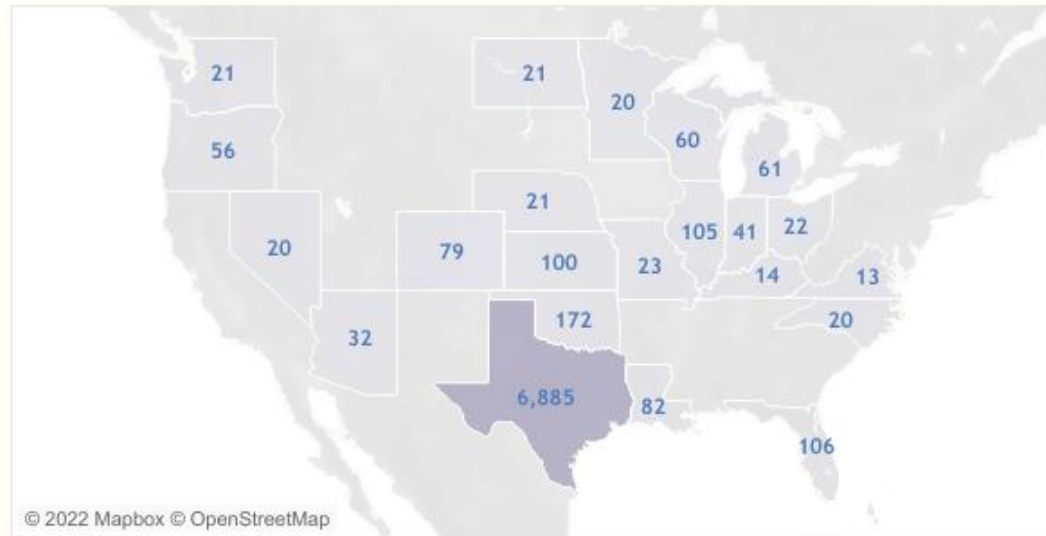
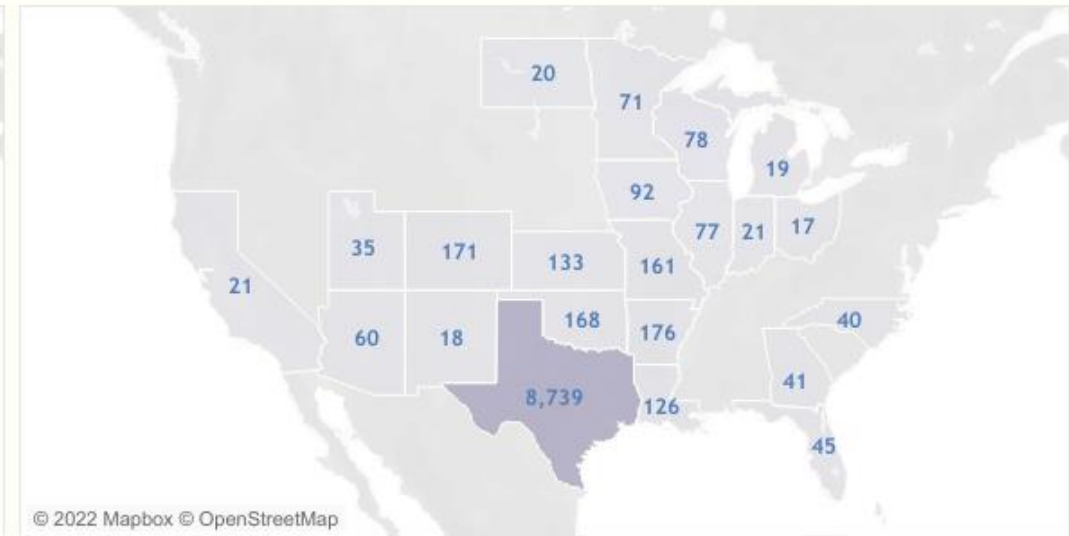


EXHIBIT "C"

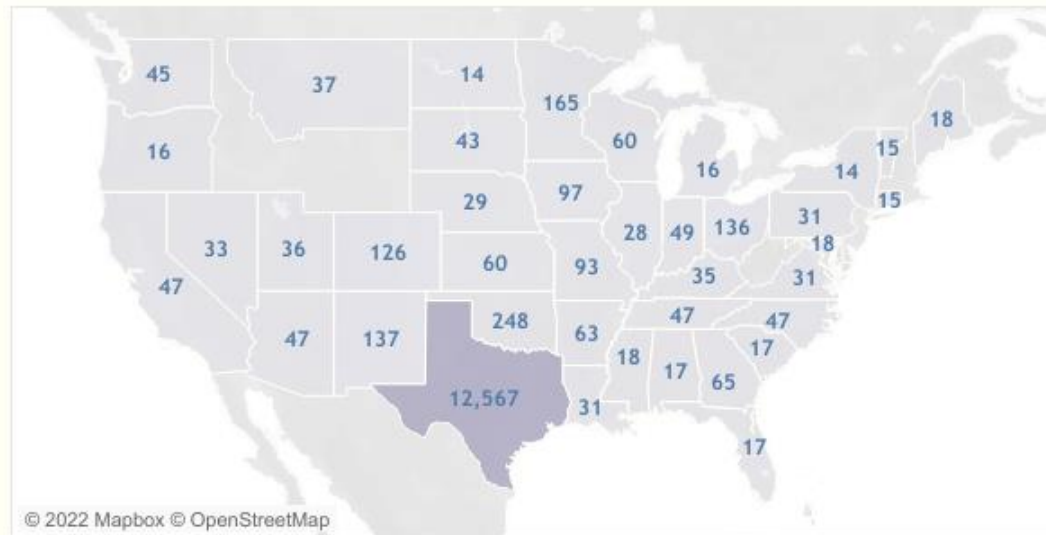
2018

1/1/2018 - 12/31/2018
Fulton Mansion State
Historic Site

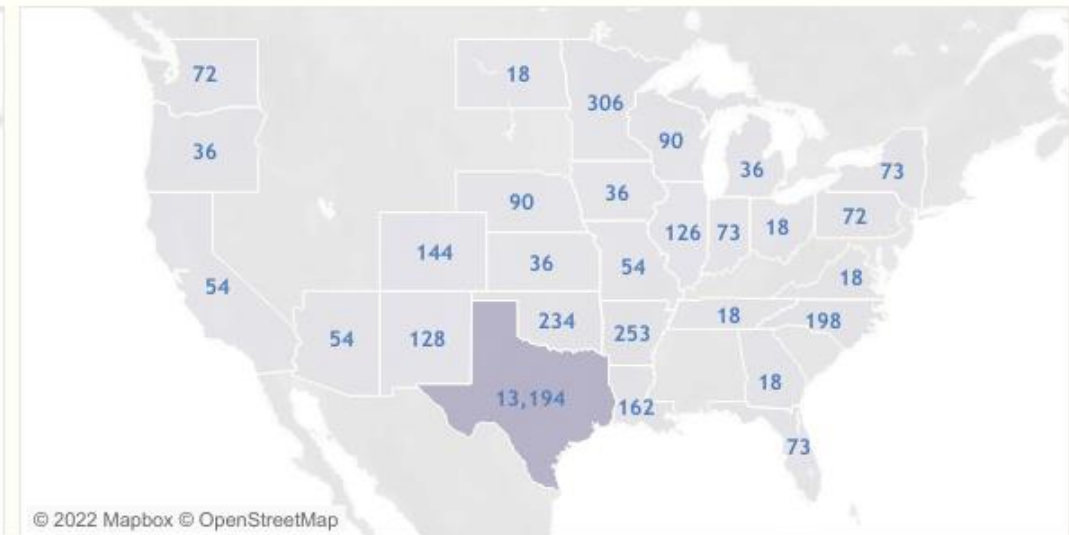
2019

1/1/2019 - 12/31/2019
Fulton Mansion State
Historic Site

2020

1/1/2020 - 12/31/2020
Fulton Mansion State
Historic Site

2021

1/1/2021 - 12/31/2021
Fulton Mansion State
Historic Site

IMPORTER OF <i>New and Rare Plants</i> ALL KINDS OF BEDDING PLANTS, WHOLESALE & RETAIL. BOQUETS, Wreaths and Floral Designs Furnished to Order. L. McGrane, print, 21 Commercial Place, N. O.			<i>New Orleans, Jan'y 20th 1896</i> FAIR GROUND NURSERY OFFICE: Corner Canal and Dauphine Sts., <i>W. C. W. Fulton Fulton Texas</i> BOUGHT OF J. MULLER.		
✓ 1	Shhd composed ground	3 00			
	Empty Shhd & drayage ³⁵	1 75			
✓ 1	Shhd flower pots (208 potted pots 4 to 12 in)	15 75			
	Empty Shhd & drayage ³⁵	1 75			
1	Assortment of vegetable seeds	5 50			
1	do do flower do	2 50			
✓ 2	Frozen pansy plants @ .50	1 00			
✓ 2	Multiflora Jasmine @ .50	1 00			
✓ 1	Frozen Dracaenas 6 varieties 2 of each .50	6 00			
✓ 1	Trumpet Vine plant	1 00			
✓ 12	Assorted Geraniums @ .25	3 00			
✓ 2	Assorted fine Rose Bushes @ .50	10 00			
✓ 2	Maréchal Niel roses @ .50	1 00			
✓ 6	fine Laurier Armande or mild peach @ .25	15 00			
✓ 17	do four Orange trees @ .10	12 00			
✓ 2	Watering pots copper handle & bottom 1 big 1 small	6 00			
✓ 1	pair trimming shears	3 00			
✓ 1	trimming shears	1 25			
✓ 1	pruning knife	2 00			
✓ 1	Budding do	1 00			
✓ 1	Garden saw	1 25			
✓ 12	Assd choice Caladium tubs with name @ .50	6 00			
✓ 4	do Hibiscus 2 double, 2 single @ .50	2 00			
✓ 6	do Cape Myrtles @ .50	3 00			
	Boxing & packing	1 00			
					4106 75
2	do Assd Gladiolus tubs (gratis)				

EXHIBIT "C"

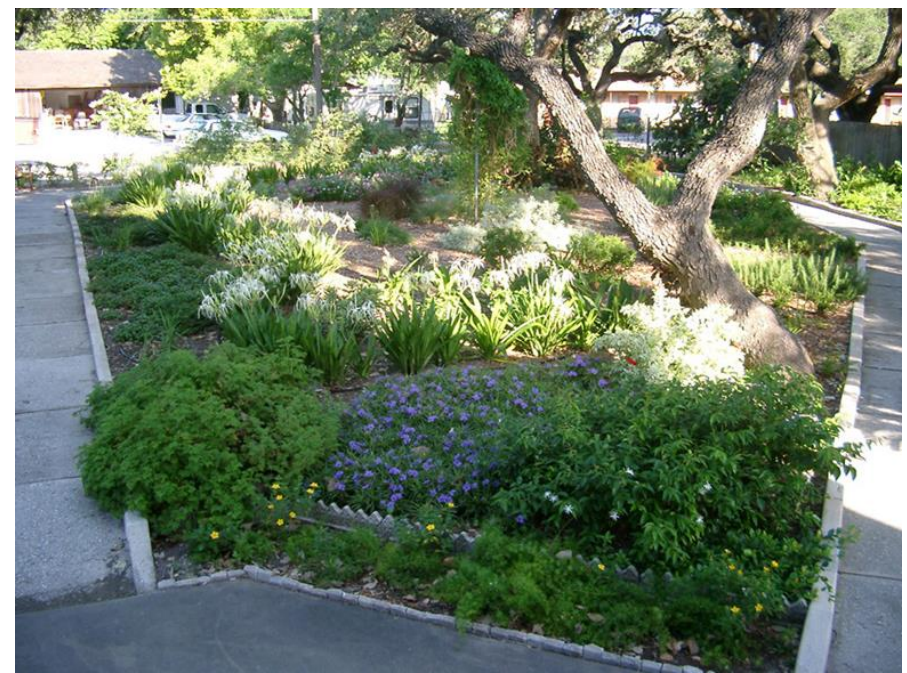
The history

The Fultons planted a variety of decorative and kitchen garden plants and experimented with which varieties would grow in the Rockport environment. We want to pay homage to this history by growing these plants, utilizing them in culinary programs, and educating the public in botany and horticulture.





EXHIBIT "C"
The garden before
we lost many of
the mature trees
and shrubs



In addition to increased rental and event opportunities, funding the garden renovation will allow us to re-introduce educational programming around botany and the culinary arts and participate more fully in events such as the City Nature Challenge and Hummerfest.



Time, termites, storms and freezes have combined to devastate our live oaks and our butterfly and bird attracting plants. We are working to reintroduce them to be true to our history and better for the natural environment.

EXHIBIT "C"



2022-2023 Request

- \$6,000 in category 3 advertising the Mansion as a rental venue with renovated garden facilities
- \$24,000 in category 4 to support educational tours on art and historical topics
- \$20,000 in category 5 to restore and preserve the Victorian gardening efforts of the Fultons
- Total: \$50,000
- This funding will promote year round visitation, not just on holiday or festival weekends.
- Improved tour and garden facilities will increase our visibility as a rental venue
- Improved garden facilities will expand our arts programs to feature horticulture and culinary programs
- A portion of the money will stay local in landscaping, staffing, etc.

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 27, 2022

AGENDA ITEM: 13

Deliberate and act on Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Rockport-Fulton Chamber of Commerce for advertising and tourism promotion.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: KH

BACKGROUND: At the July 26, 2022, City Council Meeting Diane Probst, President & Chief Executive Officer, Beth Journeay, Interim President & Chief Executive Officer, Donna Townsend with the Tourism Development Council, Jana Hill, Vice President of Marketing and Promotion and Laney Johnson with Short-Term Rentals group of the Rockport-Fulton Chamber of Commerce, presented their Fiscal Year 2022-2023 budget request to the City Council. Deliberation and action regarding allocations was held on July 26, 2022, regarding requested Hotel Occupancy Tax funding for Fiscal Year 2022-2023. The proposed Agreement remains the same as the previous year except for the amount funded and verbiage was added to track “heads in beds” per State statutes.

See the accompanying agreement for additional details.

FISCAL ANALYSIS: Budget account 6602001. Disbursement of funds will be made according to Section 6 of the Agreement.

STAFF RECOMMENDATION: Staff recommends Council approve the Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Rockport-Fulton Chamber of Commerce for advertising and tourism promotion in the amount of \$369,000.00, or \$92,250.00 per quarter, as presented.

**CITY OF ROCKPORT
AND
ROCKPORT-FULTON CHAMBER OF COMMERCE**

**An Agreement Concerning the Use of
Funds from the Hotel Occupancy Tax**

**STATE OF TEXAS §
 §
COUNTY OF ARANSAS §**

This Agreement is made by and between the City of Rockport, a Texas home rule municipal corporation, hereinafter called “City,” and the Rockport-Fulton Chamber of Commerce, a private non-profit association, hereinafter called “Chamber,” acting by and through its duly elected officers.

SECTION 1. LEGAL AUTHORITY

The City collects a local hotel occupancy tax as authorized by Chapter 351 of the Texas Tax Code (“Act”). Pursuant to the Act, the City expends funds collected for the purpose of advertising with any media outlet that is outside 75 miles of the City of Rockport (Resolution No. 09-15) and encouraging growth of tourism and convention/hotel activity in the City as outlined in Chapter 94, Article IV, Hotel Occupancy Tax of the City of Rockport Code of Ordinances (“Code”).

SECTION 2. TERM OF AGREEMENT

This Agreement shall become effective on October 1, 2022, and terminate on September 30, 2022.

SECTION 3. SERVICES TO BE PROVIDED

- 3.1 As authorized under the Act, the City hereby agrees to pay to the Chamber ***THREE HUNDRED SIXTY-NINE THOUSAND DOLLARS (\$369,000.00)*** of the money actually received by the City from local hotel occupancy tax. Subject to the terms and conditions herein, the Chamber agrees to expend such funds received for advertising and promoting tourism for the out-of-town visitor market from which the hotel industry within the City derives direct tourist income benefits.
- 3.2 The Chamber agrees to conduct a continuing program of advertising and promotion for the purpose of attracting visitors, tourists, and conventions to the City by publishing and distributing brochures and community information packets, by advertising in various, appropriate tourist publications and general media publications, by representing the City at travel shows and other such events, by participating with state and regional agencies in tourist development programs of benefit to the City, and by using all appropriate means to increase the traveling public’s awareness of the resort and recreational advantages of the

City. The Chamber shall distribute information on all local accommodation establishments that pay hotel occupancy taxes to the City via an accommodation guide to be updated by the Chamber annually.

3.3 The Chamber agrees to provide the City:

- (1) Complimentary seats to quarterly luncheons;
- (2) Complimentary table at annual Chamber banquet;
- (3) City logo recognition signage at luncheons & annual banquet;
- (4) Sponsorship recognition equal to or greater than Platinum Level sponsorship.

SECTION 4. INDEPENDENT CONTRACTOR

It is expressly understood and agreed by and between the parties that the Chamber is engaged as an independent contractor and is not an officer, agent or employee of the City.

SECTION 5. MANAGEMENT OF FUNDS

- 5.1 The Chamber shall maintain a separate financial account of the hotel occupancy tax funds received from the City and may not commingle the funds with any other account. It is understood and agreed by and between the parties that, upon budget approval by the City, a fiduciary duty is created in the Chamber with respect to expenditure of the revenue provided.
- 5.2 The Chamber shall maintain complete and accurate financial records of each receipt and expenditure of the hotel occupancy funds and upon request of the City Council or other person, shall make the records available for inspection and review during normal business hours in accordance with the provisions of the Texas Public Information Act (Texas Government Code, Chapter 552).
- 5.3 Hotel occupancy funds may be spent by the Chamber for day-to-day operations including supplies, salaries, office rental, travel expenses, and other administrative costs, only if such expenditures have been previously budgeted and approved by the City in advance and shown to be directly related to promotion of tourism and the hotel industry. (See Exhibit “A”.)
- 5.4 The Chamber shall submit an annual report of activities and provide therein a projected line item budget to the City Council for approval that will include itemized personnel costs by singular job descriptions and capital outlay expenses if any. Such report and budget shall be provided no later than June 1st of each year for the next fiscal year.

The budget shall provide a complete financial plan and shall contain the following:

- (1) A budget message explanatory of the tourism/promotional activity contracted, which message shall contain an outline of the plan of the activity and, in the following years, set forth the reasons for the salient changes from the previous year (as applicable) and

- any major budgetary revisions. Any subsequent budgetary revision exceeding 25% of any line item, or 10% of the entire budget, or \$10,000.00 will require City Council approval. All items of expenses shall contain detailed narratives as to the basis of the expenditure.
- (2) A consolidated statement of anticipated receipts and expenditures for all funds.
 - (3) Anticipated revenues shall be placed in parallel columns and display therein the:
 - a) Actual amount for the last completed year;
 - b) Estimated amount for the current fiscal year;
 - c) Proposed amount for the ensuing fiscal year.
 - (4) Planned expenditures shall be placed in parallel columns opposite the various items of expenditures and display the:
 - a) Actual amount of such items of expenditures for the last completed fiscal year;
 - b) Estimated amount for the current fiscal year; and
 - c) Proposed amount for the ensuing fiscal year.
- 5.5 Fiscal quarterly financial reports, on a form prescribed by the City (See Exhibit "B"), are required to be submitted to the City Secretary no later than sixty (60) days after the end of each fiscal quarter. These reports shall identify a budget comparison of the hotel occupancy funds received by agreement and the uses thereof as defined in the overall budget. It shall show the amount budgeted for the fiscal year by category item and the actual expenditures of such within the fiscal year quarter being reported. In addition, all administrative expenses shall be reported in detail comparing the current fiscal year expenses projection, the current fiscal year actual expenses and the percent of the fiscal year projection.
- 5.6 The Chamber shall upon request submit an audited financial report to the City, showing in detail the disbursement and use of hotel occupancy funds paid to the Chamber pursuant to this Agreement, no later than sixty (60) days after the end of each fiscal year of this Agreement. In addition, the City reserves the right to request an annual audited financial statement reflecting the financial position of the entire Chamber for the duration of this Agreement. The Chamber agrees to provide a current audit (current defined as no later than the last fiscal year), such copy to be delivered within twenty (20) days upon receiving a request from the City Manager or Mayor.

SECTION 6. TRANSFER OF FUNDS

Upon compliance with all conditions precedent, the City Secretary shall remit to the Chamber **THREE HUNDRED SIXTY-NINE THOUSAND DOLLARS (\$369,000.00)** of the hotel occupancy tax receipts in four (4) quarterly payments of **NINETY-TWO THOUSAND TWO HUNDRED FIFTY DOLLARS (\$92,250.00)** each. The Chamber shall receive its first quarterly payment on the effective date hereof or the date of final execution of this Agreement, whichever

is later. Each quarterly payment thereafter shall be made to the Chamber within ten (10) business days after receipt of the required quarterly report, but not sooner than the 31st day after the end of each calendar quarter, and after approval of said report by the City Council. The City Council may not approve any quarterly report or portion thereof if it determines that any reported expense in the reporting quarter was an improper use of funds or outside the authorized use of hotel occupancy tax and may reduce subsequent quarterly payments by the amount determined improper or unauthorized.

SECTION 7. FORCE MAJEURE – SUFFICIENT FUNDS NOT AVAILABLE

The City's obligation to make quarterly payments to the Chamber pursuant to this Agreement is contingent upon anticipated receipt of a minimal amount of hotel occupancy tax from the collecting entities within the City. Based upon this anticipated, budgeted income, the total dollar figure to be paid to the Chamber pursuant to this Agreement was determined. Other agreements have also been made by the City with local organizations, providing for disbursement of a portion of hotel occupancy tax funds collected. Should it happen, by act of nature or other means outside the control of the City, that the actual hotel occupancy tax funds received are less than the anticipated and budgeted funds, the City, upon prior notice to the Chamber, may unilaterally reduce the payment(s) to be made pursuant to this Agreement. Unless otherwise agreed by the City, any reduction in payments pursuant hereto shall be made from the final (fourth) quarter payment. The City shall reduce the actual payment pro rata by a percentage of the amount obligated as it relates to the total hotel occupancy tax dollars actually received.

SECTION 8. RETURN OF FUNDS UPON TERMINATION OF CONTRACT

Should this Agreement be terminated by either party hereto or by its own terms, and unless express agreement is otherwise made, the Chamber shall remit and return to the City, with a final accounting thereof, all unused and unspent hotel occupancy tax funds in its possession, within thirty (30) days from the date of such termination.

SECTION 9. INDEMNIFICATION

The Chamber agrees to indemnify the City, its officers, agents, and employees, from any and all claims, losses, causes of action and damages, suits, and liability of every kind, including all expenses of litigation, courts costs and attorney fees, for injury to or death of any person, or for damage to any property arising from or in connection with the operations or actions of the Chamber, its officers, agents and employees carried out in furtherance of this Agreement.

SECTION 10. INSURANCE

The Chamber shall maintain a comprehensive general liability insurance policy, with an insurance company or companies authorized to do business in the State of Texas, which shall include bodily injury, property damage, contractual and automobile liability coverage with a minimum of not less than \$500,000.00. In addition, workers' compensation insurance coverage shall be provided by the Chamber in accordance with state law.

SECTION 11. TERMINATION

If either party materially breaches this Agreement, the other party may terminate the Agreement by providing thirty (30) days' written notice to the defaulting party. Should a dispute arise regarding the existence of a material breach, either party may request that the issue be presented to a licensed mediator.

SECTION 12. NON-RENEWAL

It is understood and agreed that the Chamber is not entitled to any right of automatic renewal of this Agreement for the ensuing year, or years, since such option under the Act rests exclusively with the City Council.

SECTION 13. NOTICE

All communications required by this Agreement between the City and the Chamber shall be in writing and addressed to the attention of the City Manager, 2751 State Highway 35 Bypass, Rockport, TX 78382 or to the President of the Rockport-Fulton Chamber of Commerce, 319 Broadway, Rockport, TX 78382.

SECTION 14. COMPLIANCE WITH LAWS

In performing its duties under this Agreement, the Chamber shall at all times comply with the City of Rockport Code and all the State of Texas Acts. (See Sections 1 & 5.)

SECTION 15. PROHIBITION AGAINST DISCRIMINATION

In the performance of this Agreement, the Chamber shall not discriminate against any employee or applicant for employment because of an individual's race, color, religion, national origin, sex, or mental or physical disability. Proven breach of this provision may be regarded as a material breach of this Agreement allowing for termination.

SECTION 16. CONTROLLING LAW

It is understood and agreed that in the event any provision of this Agreement is inconsistent with the requirements of the Act, or any other applicable state law, the requirements of the law will control and supersede the terms set forth herein.

SECTION 17. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties relative to the hotel occupancy tax funds made the basis hereof.

IN WITNESS WHEREOF, the parties have herein unto set their hands on duplicate originals, in the City of Rockport, Aransas County, Texas, on this ____ day of _____ 2022.

CITY OF ROCKPORT**ROCKPORT-FULTON CHAMBER
OF COMMERCE**

Tim Jayroe, Mayor

_____, Chair of the Board
(Print Name)**ATTEST:****ATTEST:**

Teresa Valdez, City Secretary

Beth Journeay, Interim President/Chief Executive
Officer

RFCC Marketing Plan Budget 2022-23 Year		
<u>Revenues</u>		
Rockport	369,000.00	Incl. 2.5% increase to support rising costs in advertising/production
Fulton	60,000.00	Incl. 20% increase to support rising costs in advertising/production
County	60,000.00	Incl. 20% increase to support rising costs in advertising/production
Total	\$489,000.00	
<u>Expenses</u>		
Accounting	2,300.00	Annual Audit
Administrative Services	81,300.00	Administrative Services to operate Visitor Center and Marketing and Promotion Campaign
Advertising & Promotion	363,600.00	Full DMO Advertising, promotion, public relations and research program
Bank Fees	300.00	Fees related
Contract Services	4,000.00	Digital Tour/GeoTour
Conference Fees	3,500.00	Staff professional development related to tourism
Dues & Subscriptions	2,000.00	State and regional organization partners
Event Funding Assistance	3,000.00	Spring Fling Media Event
Food, Beverage & Meals	3,500.00	Groups, Charmer Appreciation, Media, etc.
Mileage & Travel	4,000.00	Trade Shows, media travel, workshops, trainings, education travel
Postage & Freight	1,500.00	Bulk items sent to Visitor Centers, Travel Centers
Printing & Publication	6,000.00	Gen. Brochure, 100 TT, Bags, Visitor Maps
Prizes, Gifts & Awards	500.00	Basket Promotion Items, Promos, Awards, etc.
Rentals & Fees	1,000.00	Trade Show Booth Rentals, Meeting Planners
Supplies	4,500.00	Promotion items, Trade Show Banner with New Photos, etc.
Website Maintenance	8,000.00	Enhance site, New Updated Look
Total	\$489,000.00	

Administrative Services to operate Visitor Center and Marketing and Promotion Campaign				
\$500,000 Total Marketing Program	Rockport	Fulton	County	Total
	67.90%	26.57%	5.54%	20%*
Accounting	1,018.45	398.52	83.03	1,500.00
Equipment Lease - copier and postage machine	814.76	318.82	66.42	1,200.00
Insurance -	1,493.73	584.50	121.77	2,200.00
Payroll - Visitor Center, Marketing/Promotion, Fulfillment	33,948.34	13,284.13	2,767.53	50,000.00
Payroll related - SS, FICA,	4,752.77	1,859.78	387.45	7,000.00
Employee insurance	4,073.80	1,594.10	332.10	6,000.00
Employee IRA	339.48	132.84	27.68	500.00
Postage - Inquiries, packets, mailings	1,629.52	637.64	132.84	2,400.00
Printing - Envelopes, letterhead, business cards	950.55	371.96	77.49	1,400.00
Security System - Visitor Center	135.79	53.14	11.07	200.00
Supplies - copier paper, color copies, folders, packets, etc.	2,036.90	797.05	166.05	3,000.00
Telephone, Internet, Mobile	2,172.69	850.18	177.12	3,200.00
Utilities	1,833.21	717.34	149.45	2,700.00
Total	\$ 55,200.00	\$ 21,600.00	\$ 4,500.00	\$ 81,300.00

EXHIBIT “B”

HOT FUNDING EXPENSE REPORT FY 2022-2023							
Description of Expense	Approved Budget	1st Quarter Expenses	2nd Quarter Expenses	3rd Quarter Expenses	4th Quarter Expenses	TOTAL	* Number of Heads in Beds
TOTAL REQUESTED							

***Must attach supporting documentation.**

Description of Administrative Expenses	Current Fiscal Year Administrative Expenses Projection	Fiscal Year Administrative Actual Expenses	Percentage of Fiscal Year Projections
TOTALS			

Hotel Occupancy Tax Funding ApplicationDate: 5-20-2022**Organization Information**Name of Organization: Rockport-Fulton Chamber of CommerceAddress: 319 Broadway StCity, State, Zip: Rockport, TX 78382Contact Name: Sandy Jumper Contact Phone Number: 361-729-6445HOT Contract Email: tourism@1rockport.orgWeb Site Address for Event or Sponsoring Organization: www.rockport-fulton.orgType of Organization: ☐ Governmental ☒ Non-Profit ☐ Private/ For-ProfitTax ID #: 74-1066091 Organization's Creation Date: 1952Purpose of Organization: To work in partnership with businesses, individuals and governmental entities to promote commerce and tourism while maintaining the environment.

Event InformationName of Event or Project: 2022-23 Marketing and Promotion Plan for the Rockport-Fulton areaDate of Event or Project: Oct. 1-Sept.30, 2023Primary Location of Event or Project: Marketing our area as a tourism destinationAmount Requested: \$ 369,000.00How will the funds be used: For buying all forms of media to promote the Rockport-Fulton area as a tourism destination

Primary Purpose of Funded Activity/Facility: To grow the economy by bringing visitors to our community creating maximum hotel occupancies year-round.

Percentage of Hotel Tax Support of Related Costs

_____ Percentage of Total **Event Costs** Covered by Hotel Occupancy Tax

_____ Percentage of Total **Facility Costs** Covered by Hotel Occupancy Tax for the Funded Event

_____ Percentage of **Staff Costs** Covered by Hotel Occupancy Tax for the Funded Event

If staff costs are covered, estimate percentage of time staff spends annually on the funded event(s) compared to other activities _____%

Which Category or Categories Apply to Funding Request, and Amount Requested Under Each Category:

- ☐ **1) Convention Center or Visitor Information Center:** 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. Amount requested under this category: \$ _____
- ☐ **2) Registration of Convention Delegates:** the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants. Amount requested under this category: \$ _____
- ☒ **3) Advertising, Solicitations and Promotions that directly promote tourism and the Hotel & Convention Industry:** to attract tourists and convention delegates or registrants to the municipality or its vicinity. Amount requested under this category: \$ 369,000.00
- ☐ **4) Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry:** 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 picture, radio, television, tape and sound recording, and other arts related to the presentation, performance,

execution, and exhibition of these major art forms: Amount requested under this category: \$

☐

5) Historical Restoration and Preservation Activities that Directly Promote Tourism and the Hotel and Convention Industry: historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums. Amount requested under this category: \$ _____

☐

6) Sporting Event Expenses that Substantially Increase Economic Activity at Hotels: Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the municipality or its vicinity. Amount requested under this category: \$ _____

How many individuals are expected to participate in the sporting related event? _____

How many of the participants at the sporting related event are expected to be from another city or county? _____

Quantify how the sporting related event will substantially increase economic activity at hotels within the city or its vicinity?

☐

7) Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations: a) the commercial center of the city; b) a convention center in the city; c) other hotels in or near the city; and d) tourist attractions in or near the city. Amount requested under this category: \$ _____

What sites or attractions will tourists be taken to by this transportation? _____

Will members of the general public (non-tourists) be riding on this transportation? _____

What percentage of the ridership will be local citizens? _____

☐

8) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality. Amount requested under this category: \$ _____

What tourist attractions will be the subject of the signs?

Questions for All Funding Request Categories:

1. How many years have you held this Event or Project: As a program since 1986.
2. Expected Attendance: n/a Prior year's attendance: n/a See attached model showing annual visitor numbers. Source: Prost Marketing.
3. How many people attending the Event or Project will use City of Rockport hotels? n/a See attached Marketing Plan page 19

Number of nights will they stay: n/a

Do you reserve a room block for this event at an area hotel and if so, for how many rooms and at which hotels:

n/a

4. List other years (over the last three years) that you have hosted your Event or Project with amount of assistance given from and the number of hotel rooms used:

Event Date	Assistance Amount		Number of Hotel Rooms Used
	City HOT Funds	Others	
<u> </u>	\$ <u> </u>	\$ <u> </u>	<u> </u>
<u> </u>	\$ <u> </u>	\$ <u> </u>	<u> </u>
<u> </u>	\$ <u> </u>	\$ <u> </u>	<u> </u>

5. How will you measure the impact of your event on area hotel activity (e.g.: room block usage information, survey of hoteliers, etc.)? Venue tax totals, room nights sold, hotel occupancy, Google analytics, -5-year strategic plan, Target SA Survey Data.

6. Please list other organization, government entities, and grants that have offered financial support to your project: Aransas County, Town of Fulton See overall Marketing Plan

7. Will the event charge admission? Do you anticipate a net profit from the event? If there is a net profit, what is the anticipated amount and how will it be used? n/a

-
8. Please list all promotion efforts your organization is coordinating, and the amount financially committed to each media outlet: See overall marketing plan attached.

Newspaper: \$ _____
 Radio: \$ _____
 TV: \$ _____
 Other Paid Advertising: \$ _____

Number of Press Releases to Media Continual throughout the year

Number Direct Mailings to out-of-town recipients all electronic and continual throughout the year

Other Promotions _____

9. Will you include a link to local hotels on your website for booking during this event? n/a

10. Will you negotiate a special rate or hotel/event package to attract overnight stays? n/a
-

11. What new marketing initiatives will you utilize to promote hotel and convention activity for this event? Rockport-Fulton Foodie Trail, GeoTour, Christmas on the Beach and County. We are excited about the exhibit for the 5th anniversary featuring Hurricane Harvey and our journey through the last 5-years.
-
-
-

12. What geographic areas does your advertising and promotion reach? Promotion of the Rockport-Fulton area as a tourism destination. San Antonio, Houston, Austin, Hill Country and our Winter Visitors coming in from the north.
-

13. How many individuals will your proposed marketing reach who are located in another city or county? \$1M plus visitors around the state and nation

14. If the funding requested is related to a permanent facility (e.g., museum, visitor center):

Expected Attendance Monthly/Annually: n/a

Percentage of those in attendance that are staying at area hotels/lodging facilities: _____%

Please Submit to:

City of Rockport

City Secretary

tvaldez@cityofrockport.com

FIND YOURSELF IN



2022-23 Marketing & Promotion Plan

Marketing and Promotion

Local Attractions

Christmas on the Beach

Venue Support Committee

Attending State Events

Geo Tour

Hospitality Training

Aransas Pathways

#3 in USA Today's Best Coastal Small Town

Foodie Trail

Moving Forward



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Executive Summary

The 2022-23 Marketing Plan is a strategic document designed to outline the process used to advertise and promote the Rockport-Fulton area.

The process begins in late spring of each year where our media buying team, marketing research consultant and our creative artist collaborate on best performances and what worked and didn't work.

The Tourism Development Council (TDC) then during its annual Marketing Workshop is presented with an overview of the year in terms of marketing and advertising. At this workshop, approximately 20 to 25 members of TDC, elected officials, and the media buyers, marketing research consultant and creative team members gather. They review highlights of the year with Chamber staff. They hold a goal setting session to prioritize a strategy for the coming year and beyond.

The Chamber staff works with the media buying team and the marketing research firm to draw conclusions, create the artwork, and study visitor behaviors and trends.

VENUE TAX UP
43% THIS YEAR
OVER LAST YEAR.

The total media budget for the combined marketing plan totals just under \$500,000. It includes advertising purchases for radio, TV, print, online, outdoor (billboards) and an extensive digital ad campaign including all aspects of social media. It also includes a public relations program and ongoing marketing research programs. Careful evaluation is made in terms of Social Media.

The plan was approved by the TDC in May and submitted for approval to the Rockport-Fulton Chamber of Commerce Board of Directors in June. A presentation requesting the plan to be approved and funded is given to each entity receiving the hotel occupancy tax: City of Rockport, Town of Fulton and Aransas County.

The plan is set in motion for the fiscal year beginning October 1 and ending September 30.

The Rockport-Fulton Chamber of Commerce is privileged and honored to coordinate the combined marketing effort for the Rockport-Fulton area. The hotel occupancy tax was implemented in the early 1980s. Since that time, the funds have grown to more than \$2.5 million. The Chamber began receiving these hotel occupancy tax funds, for marketing and promoting the community, in 1983. This has allowed the marketing and promotion plan to expand from a single newspaper ad to a full Marketing and Promotion Campaign.

As you review this plan, you will find an overview of the TDC, the year's goals and objectives listing what we would like to achieve - a situation analysis, our target market and strategy, a budget for the year, an implementation plan and evaluation and control metrics. In the Appendix section, we have included pertinent charts and graphs of marketing research and samples of creative ads we feel are important and complete the plan.



The Spring Fling Outdoor Writers Event held each April continues to yield very good articles featuring the Rockport-Fulton area in the news. This year, the media was interested in the traveling Spanish explorer. They fished and visited local attractions and Aransas Pathways sites.

Straight from
the bay right to
your plate.



FIND YOURSELF IN
ROCKPORT
GO NOW **FULTON**

2021-22 Tourism Highlights

- Marketing and Promotion - New Ad Campaign and Digital Tour developed “Find Yourself on the RF Foodie Trail”, Press releases, Media interviews, updates on the website. Hosting meetings Local Attractions, Collaboration with Aransas Pathways and Local Attractions. Consistent Postings “Live” on social media. Spring Fling Media Event to attract travel and tourism stories to our area.
- RF Foodie Trail on YouTube - Fully Digital Restaurant Weeks with 25 restaurants participating allowed us to promote the unique restaurant experience available here.
- Local Attractions and Events Oct 2021 – June 2022 - Local Attractions meet monthly, reviewing and revising calendars and upcoming events as needed. Grand Opening of the Fulton Pier, Halloween on Fulton Harbor, Halloween in the District, Rocktoberfest, Rockport Film Festival, Guy Clark Festival, Aransas Pathways Southern Trail Opening, Lamar Market Days, Shop Small Saturday, Tropical Christmas, Christmas in the District, Caroling at the Mansion, Gospel Music Festival, Winter Texan Appreciation Day, Clay Expo, Bountiful Bowl, Car Art Show, Oysterfest, Whooping Crane Strut, Crawfish Festival, Art Festival, Kite Festival, Wine Festival and other local events. At least 1 big event per month throughout the year.
- Rockport named #3 in USA Today’s Best Coastal Small Town – This year at #3, we were honored once again to be named among the Top 10 Best Coastal Small towns in the United States. Received nomination for 2022 in May.
- HummerBird and Seafair – Continue to coordinate these events with a focus to help the economy during this slow period.
- Christmas on the Beach –5,059 people visited the Christmas on the Beach Drive Thru Display 62.54% visiting the display were locals and 37.46% came to visit from outside our community. \$8,000. Distributed among 15 non-profit organizations.
- Attending State Events –Texas Festival and Events Annual Conference - San Antonio, Winter Texan Expo –McAllen, Texas Travel Tourism College, Texas Travel Alliance’s Unity Dinner and Conference.
- Hospitality Training – Quarterly Training scheduled. One off site training available
- Introduced GeoTour – Generating over \$6,600 to date for the community in overnight stays, dining out, Gas and Groceries. This only accounts for caches that have been finished. Many more to come.
- Aransas Pathways - New Aransas Pathways Map developed which includes the newest southern trail now highlights bike trails, changes, and improvements along with a QR code. History Center exhibits including Vietnamese Heritage focus.
- Venue Support Committee – A new venue support committee has formed. Meetings will commence as we develop this position.
- Moving Forward - Recovery Campaign including Our Journey - A multi-dimensional exhibit in the Visitor Center including 8 panels with a storyline, a Hurricane machine, and artifacts on shelves.

Our Journey ... We united, remained strong and we prevailed.

It takes a team: Tourism, our economic engine, is a collaborative effort by so many people

*By Diane Probst, CCE
President/CEO*

USA Today readers said it best naming our community #3 on the Best Coastal Small Town List.

Digital Advertising has been a big part of this past year allowing us to reach so many more people through geofencing and geotargeting.

We continue to get phenomenal news coverage throughout the year keeping our community in the forefront. When I say “we” I am speaking of the many, many people in the community working to increase bringing more visitors, improving our tourism product and keeping the public informed about what there is to do in our community. This joint effort is amazing and something I think everyone is very proud of.



Diane Probst, CCE

Here are dynamic figures defining the impact of tourism on the Rockport-Fulton area:

- Tourism is the largest employer in Aransas County employing some 1,160 people and growing.
- Spending from visitors in Rockport, Fulton and the County totals to \$117.9 million annually, a 5.9% change since 1990, when tourism spending was \$26.9 million. In the late 1980s and the early 1990s, the local entities began collecting the hotel occupancy tax at the request of the Chamber. The entities have contracted with the Chamber for the marketing and promotion of the area as a joint promotion effort since that time period. The marketing and promotion fund began with a bank loan at \$30,000. The Marketing Plan budget now is \$500,000.
- Venue tax collections, the 2% portion of the tax on overnight stays voted by the general public in 2011 to spend on the recreation projects of Aransas Pathways, are on a steady increase. This collection is a good measurement for determining our marketing efforts are working because it is a flat tax collected by all properties equally. It should exceed \$750,000 this year. This is remarkable since early projections showed the figure at \$300,000.
- Tourism has a \$3.6 million impact in local tax receipts and \$6.8 Million in state tax receipts due to tourism.
- Aransas County ranks in the top 25% of counties in Texas in terms of tourism impact.

We continue to put forth our best efforts in training our staff in the area of Visitor Center, our tourism department and staying abreast of legislative changes as they relate to tourism. It takes teamwork and I congratulate our staff for raising the standard. Our dedication and devotion to this community is shown in our delivery.

Our Tourism Development Council continues to meet six times a year reviewing the marketing and promotion strategy of the area. The Marketing Workshop continues to be the highlight of the year as we focus on upcoming projects and promotions.

As you review the material in this marketing and promotion plan, it is our hope you get a real sense of how the promotion of our community is “Working together ... with a common goal... increase the number of visitors staying overnight.”

“A great team working together with a common goal... increase the number of visitors staying overnight and in turn help our community prosper.”

Moving forward with our Journey... Embracing Change

By Sandy Jumper
VP Marketing & Promotion

It seems that in this fast paced world, our workplace, our life and everything around us is changing daily, and we have to adapt and move forward! We have to find innovative ways to keep relevant. Embracing change has been our theme for the past years and in doing that, it has allowed us to keep moving forward.

We hold monthly meetings with staff and/or leaders of our Attractions. We introduce new ideas and work closely with entities on local events.

We are constantly trying to think of ways to bring visitors to our town. We incorporate new programs such as the GeoTour and the Rockport-Fulton Foodie Trail. We try to make improvements and seek out different ideas for our tried and true events such as HummerBird, Seafair, Spring Fling media event and others. We assist all other community events with marketing and promotion in some form or fashion.



Sandy Jumper, CTE, TDM
VP Marketing & Promotion

Once again Rockport-Fulton has received national publicity. We were named # 3 *Best Coastal Small Town* in USA Today's 10Best. We are once again in the running for the 2022 nominations. We continue to advertise in newspaper publications, magazines, billboards and online ads. The Tourism Email program has a reach of over 70,000. Social Media continues to grow. Facebook has over 67,000 likes. Advertising in Austin, Houston and San Antonio, allow us to reach an otherwise unattainable audience. We promote our local hotels, restaurants and attractions and events through appearances on San Antonio TV, Austin Cable Channels, and *What's Rockin in Rockport-Fulton* live radio show in New Braunfels. We have a great rapport with our area TV stations and have received much coverage on our events and other local activities.

My personal goal is to continue education and skill development within the tourism industry. I continue to stay involved with state and regional associations such as Texas Travel Alliance, Maintaining my Certified Tourism Executive status; Texas Association of Convention and Visitor Bureaus, currently on the Destination Marketing Specialist committee, I am a board member for Texas Tropical Trails and Texas Coastal Bend Regional Tourism Council and also on the Aransas Pathways Committee.

Special thanks to our three governmental entities: Aransas County, City of Rockport, and Town of Fulton for your support and for keeping our community on an upward progression! Thank you to Chamber President/CEO, Diane Probst, for being dedicated to moving ahead during a very difficult year. Thank you to our TDC Chair, Jessee Pilgrim and our remarkable Tourism Development Council, also to Helen Thompson Media, Prost Marketing, our dedicated Chamber Staff and to everyone who assists in helping people to "Find themselves in Rockport-Fulton "!

Be sure to share posts from our Social Media channels.

Facebook Page - VisitRockportFulton

Twitter - CharmofTxCoast

Instagram - visitrockportfulton

Always remember to #findyourselfinrockportfulton

Visitor Center is serving visitors throughout the year

The Visitor Center is here to serve the visitors to the Rockport-Fulton area. It continues to be a very popular stopping place for tourists and locals alike. Annually, we serve just under 15,000 walk-in visitors.

We have received a great response from inquiries generated by advertising in publications such as Texas Monthly, Texas Highways, Tour Texas and Go Texas online. As we receive these addresses via electronic mail, we email a digital event listing to them.

Visitors coming to the building continue to be amazed at what a beautiful addition it is to our area. The landscaping is geared to attracting various species of birds, especially hummingbirds. Donated landscape glass rock was added to allow for less overall maintenance.

Our Charmers are a very important feature to the Visitor Center. They are volunteers who make all of our visitors feel welcome. They are ready to help make everyone's visit more interesting, and showcase the Rockport-Fulton area. We present them with an update on our community and calendar of events along with a monthly tour of the town and lunch in appreciation for their time and dedication.

Once inside the Visitor Center, guests spend time looking at the map room with its beautiful bird mural, our history timeline and the viewing panels. We often get comments about how much it is like a museum, we have had people in here for a long time just taking in all the information. To expand on that interest we have the digitized Historical Driving Tour.

Our gift shop continues to offer maps and postcards. We are constantly on the lookout for brochures and items that will reflect our wonderful coastal home as well as promote our member businesses. Come by and say "howdy" and see this jewel for yourself.

The Chamber continues to stay up with what the visitor wants.

Activity in the Visitor Center Jan-Dec. 2021

Visitor Emails 12,125	Walk-ins 15,641
Relocation Packets 183	Goodie Bags 1,139
Phone Inquiries 557	Website 21,000 monthly



Front door of Visitor Center; Welcome and inviting

Our Journey Exhibit coming in August for the 5th Anniversary of Hurricane Harvey

A "Our Journey" exhibit is in the works that will tell about the hurricane and what we went through. It will open on the 5th anniversary week of Hurricane Harvey. It will feature panels of information as well as a hurricane simulator machine. A visitor will walk through and read about what our community went through in terms of the timeline, the heartfelt giving, the debris, the news, volunteers and more.

The Visitor Center will be the starting point and the visitor will receive information on other locations such as a "It's Still Standing Exhibit...A Hurricane History of the Fulton Mansion, special programming at the Friends of the History Center for Aransas County and a listing of places to visit around the community showing remnants of Hurricane Harvey.

Tourism Development Council Overview

The Tourism Development Council (TDC) is an 18-member representative mix of businesses, individuals and government officials. TDC, also known as The Council, is the governance aspect of the marketing and promotion effort. The Council sets forth the goals and objectives for the year. It identifies prospective target groups and studies the types of visitors who are coming here and why they come. This information allows the Council to make informative and effective decisions. There are six meetings per year.

A creative team, media buying experts, and Chamber staff review ads for their placement and creativity, length of run and return on investment, budgeting, etc. As a result, a multi-page Marketing Plan is created.

The combined efforts of the above and a lot of energy result in a plan to impact our economy through tourism in the Rockport-Fulton area. Current members of the Council are:

Jessee Pilgrim, Chair
 Dawn Huff, Vice Chair
 Bubba Casterline, Aransas County Commissioner
 Andrea Hattman, Rockport City Councilwoman
 Mary Ann Pahmiyer, Town of Fulton
 Robert Mitchell, Past Chairman of the Board
 Donna Townsend, Chairman of the Board
 Courtney Sanchez, Chair-elect of the Board
 Jatin Bhakta, Hampton, Fairfield, LaQuinta

Craig Griffin, Inn at Fulton,
 TG's, Charlotte Plummers
 Luis Puron, Rockport Center for the Arts
 Pam Stranahan, History and Aransas Pathways
 Justin Parkoff, Texas Maritime Museum
 Dawn Walker, Anglers RV Retreat
 Eric Soness, Rockport Little Theatre
 Amy Garcia, Spears & Co.
 Suzanne Villa, 1st Community Bank



Members of the Rockport-Fulton Chamber of Commerce Tourism Development Council met to review the media selections for the 2022-23 year. The group heard presentations on best media in use for promotion in the state of Texas, social media results, visitor website and social media analytics and hotel occupancy numbers.

The group reviewed the budget numbers in terms of collections per entity and moving forward. The 8-strategic goals, strategies and tactics are in the last stages of development. A special presentation of those goals and where we are is available upon request.

The group met for its annual workshop at the end of March at the Rockport Country Club with 22 members and media representatives present.

Situation Analysis

The Rockport-Fulton Chamber of Commerce is under contract with the City of Rockport, Town of Fulton and Aransas County Commissioners' Court to advertise and promote the community with funding from the hotel occupancy tax. Expenditures of the hotel occupancy tax are required by statutory law to be spent to directly enhance and promote tourism and the convention and hotel industry.

Tourism is a good investment of taxpayer dollars – for the state of Texas every \$1 spent on Texas travel advertising, it generates \$7 in return tax revenues to the state.

Hotel occupancy tax imposed on an overnight stay in Rockport, Fulton or the County totals 15%. To break that down, each governmental entity collects 7%, the state receives 6% and the remaining 2% is the Aransas County Venue Tax. The Venue Tax funds the Aquarium Education Center (when it is rebuilt) and Aransas Pathways Projects.

We fluctuate around 1,500 hotel rooms and just under 1,000 short term rentals. If these rooms were full one half of the year (182 days), that would mean $(2,500 \times 2.5 \text{ [less than state avg. of people in a group]} = 6,250 @ 182 \text{ days})$ (annual occupancies are averaging a little more than 50 percent) approximately 1,137,500 visitors are driving to our community and staying in our establishments. Also, we need to take into account the visitors that come to our homes year round or visit relatives for the weekend.

We have additional visitors staying in our resorts and RV parks. During the winter months, RV Park occupancies reach 95 %. We have approximately 5,500 RV spaces (hookups) so with that you can estimate approximately 3,000 to 5,000 Winter Texans adding to our population during this winter month period.

Also, if you tally visitors coming into town to enjoy our local attractions, events and festivals you can account for approximately 50,000 to 60,000 day trippers. (See

Our local attraction leaders and staff gather monthly to collaborate and coordinate calendars. This area is fortunate to have many local attractions to enhance the visitor experience. Those local attractions include Rockport Beach, Aransas National Wildlife Refuge, Goose Island State Park and the Big Tree, Fulton Mansion, Texas Maritime Museum, Rockport Center for the Arts, Aquarium at Rockport Harbor (to be rebuilt), Key Allegro Island, Connie Hagar Wildlife Refuge and Sanctuary, Golf Courses, Community Aquatic Park, Memorial Park, Lamar Cemetery, Stella Maris Chapel and Schoenstatt Shrine, Copano Causeway, Bay Education Center Science on a Sphere, Fulton Convention Center, Fulton Pier, Fulton Schoolhouse Museum, Rockport Community Theatre, piers, and harbors and Aransas Pathways - featuring sites for birding, history, kayaking and hike and bike trails.

Market definitions are:

- Core – Cities within a 200 mile radius. (San Antonio, Austin, Houston)
- Secondary – Cities within a 75 mile radius.
- Out of State – Minnesota, Michigan, Iowa, Illinois, Wisconsin, Kansas, New York and Canadians are the major states/countries where our winter visitors originate from.



USA Today readers voted Rockport as the #3 Best Coastal Small Towns in the USA. We have been able to incorporate the logo in the advertising throughout.

All local photographers' photos are featured.

Collateral materials include:

- General brochure/New Welcome piece
- 100 things to do list
- Pathways Map
- Lamar “Across the bridge” brochure
- Event Listings
- Fishing Guide List
- Birding Boat Tour Sheet
- Restaurant listing / Foodie Trail
- Visitor Map

Trade Show participation includes: Houston - San Antonio – McAllen and the Coastal Bend Region. Those shows are: International Travel Fair in McAllen and the Coastal Bend Travel Fair at various locations in the region.

Professional partners, alliances, support organizations, etc. include:

- Texas Assoc. of Convention and Visitors Bureaus
- Texas Travel Alliance
- Texas Hotel and Lodging Association
- Texas Festivals & Events Association
- Texas Department of Economic Development – Tourism Division
- Texas Department of Transportation – Tourism Division
- Texas Coastal Bend Regional Tourism Council (*Sandy Jumper is serving as President this year*)
- Texas Parks & Wildlife / Great Texas Birding Classic / Paddling Trails Program
- Texas Tropical Trails
- Texas Independence Trails
- Texas Chamber of Commerce Executives/Texas Assoc. of Business
- US Chamber of Commerce



Texas Travel Alliance Unity Dinner

(Pictured L to r, Mayor of Rockport Pat Rios and his wife Patty, Jordan Pilgrim with his wife, Jessee Pilgrim and chair of TDC, Jared East, Marketing Assistant, Sandy Jumper, VP of Marketing and Promotion, Diane Probst, President/CEO and her husband Mike Probst, editor and publisher of the Rockport Pilot. The event was held in Houston at the George R Brown Convention Center. It featured legislative and tourism officials from across the state.

Target Market - It is unrealistic to think we can attract everyone to our community. We have defined our target market through ongoing marketing research with Prost Marketing. Defining our target market has helped decide where to commit resources and what kinds of promotional methods and messages to use. Our defined target market is the following:

- 1.) Targeted priority travel areas
 - Feeder Markets (San Antonio, Houston, Austin/New Braunfels)
 - Special Interest Categories (General/families with kids, fishing, birding, art, and history)
 - 2.) Targeted (Primary) Adults 45+, college plus educated with household income levels of \$100K+
 - 3.) Targeted (Secondary) Adults 25-54 with some college education and household income levels of \$75K.
- * Source: Prost Marketing, San Antonio, Texas*

Media Strategy/Rationale

- How are we going to reach our target?
 - Texas Magazines
 - San Antonio Broadcast TV & Cable
 - Hill Country/New Braunfels Radio
 - Targeted Digital Banner Display
 - Mobile banner Geo-targeting
 - Digital Video Pre-Roll
 - Travel eNewsletters
 - Outdoor billboards between Dallas, Austin, San Antonio, Houston, Corpus Christi
 - Social Media Ads and promoted posts

Competitive & Environmental Assessment

Strengths, Weaknesses, Opportunities and Threats (SWOT) Analysis

This offers us a realistic assessment of our destination's total picture. Strength is an asset that can be used to improve our competitive position. A weakness is just the opposite – a resource or capability that may cause us to have a less competitive position, which can adversely affect tourism. Opportunities are developed from our positive circumstances. Threats are viewed as problems that focus on our weaknesses and create a potential negative situation. A competitive and environmental assessment is a factual analysis that is both objective and subjective.

This analysis includes looking at our competition, looking at ourselves as a community, and looking ahead to the next five years.

We continue to monitor our SWOT (strengths, weaknesses, opportunities and threats) Performance Analysis of our community.

The continual review is as follows:

Strengths include the usual great variety of outdoor activities, coastal friendly community, artistic, events, safety, venues, climate, pride, charm, family oriented, and overall maintenance upkeep of parks, facilities and amenities. New and bright future with growth over the next five years. The Silver Linings coming our way due to the hurricane are helping our community shine in the recovery efforts.

Weaknesses include keeping our charming coastal community atmosphere as we grow, a worker shortage, weak affordable housing market, poor labor pool, not enough youth activities, hard to communicate, no place for the youth to hang out, not enough higher paying jobs, petty theft and costly medical facilities.

Opportunities include a great place to do business, more marketing of venues to attract the midweek business, more marketing to promote the history in our community, more marketing of Aransas Pathways and filling vacant buildings. The onset of economic diversity through assistance from the Economic Development Corporation.

Lastly, **T**hreats identified were weather (i.e. Hurricane, flooding, wind, etc.), Oil spills, bacteria in the water, Red tide, advanced technology leaving us behind the times and our infrastructure. Transportation through town will be more difficult. Growing too fast and losing our charming coastal appeal.

Vision & Mission Statement

The vision of the Tourism Development Council (TDC) is to be a vibrant tourist destination where natural beauty abounds.

The mission of the TDC is to provide the City of Rockport, Town of Fulton and Aransas County and its residents with a coordinated, professional advertising and promotional program to make Aransas County and the Rockport-Fulton area a premier travel destination.

The primary objective of TDC is to create maximum hotel occupancy within our community through a marketing program aimed at attracting and securing overnight visitors who will impact the economy of the Rockport-Fulton area.

Through our tourism efforts, we can stimulate trade and commerce and help diversify the economy. This sustains jobs and improves the quality of life for the residents of the Rockport-Fulton area.

Find Yourself on the Rockport-Fulton Foodie Trail

297 users in a two-month period

(285 from Texas, others from New Jersey, Michigan, Oklahoma, Mississippi, California and Wisconsin)



Pictured, l to r, Craig Griffin, Mayor Rios, Judge Mills, Sandy Jumper, Sam Lalamia, Mayor Cole, and the Meinhausen girls.

With 25 restaurants, coffee shops and dining establishments on the tour, it allowed focus on just the restaurant experience. We have a unique opportunity here in the Rockport-Fulton area with the majority of our restaurants not being owned by chains or franchises. Each of our restaurants have their own unique identity.

We held a press conference to announce the tour. At the press conference, one of our Charmers, our volunteer greeter in the Visitor Center, prepared seafood gumbo. The Foodie Trail includes prizes of Coffee, Fish Rubs, T-Shirt, and a chance on the Wall of Fame when visitors or locals check-in to participating restaurants.

We took the opportunity a step further and loaded YouTube videos for each participating establishment. The content of the videos allowed us to promote the restaurants from a visual perspective.

Goals & Objectives

During the annual Rockport-Fulton Chamber of Commerce “Tourism Marketing Workshop”, elected officials, members of the Tourism Development Council, media buyers of Helen Thompson Media and our marketing research person – Deb Prost Marketing of San Antonio reviewed past performance, data, future promotion possibilities and goals for the coming year.

Prior to the goal setting process, a presentation of four research data studies completed over the course of several years was reviewed. This helped bring forward a more clear and thorough picture for better overall decision making. The sessions then focused on the media buys for the coming year as prepared by Helen Thompson Media out of San Antonio. The buys included new ventures with online media with a focus on “GeoFollow” of targeted demographic clientele interested in visiting our area, print, broadcast TV in major markets including live interviews on radio and TV shows. The top goals the group are focused on include:

Goal #1: Develop, Implement, Market On-Going Evening Excitement/Activities

Goal #2: Visually Communicate Post-Storm Rebuilding To Date

Goal #3: Develop Consumer Packages And Then Market Them

Goal #4: Encourage More Use Of Aransas Pathways Sites

Goal #5: Training For Hospitality Employees

Goal #6: Food And Beverage Concessions On The Beach

Goal #7: Increase/Enhance Festivals

Goal #8: Build The Meeting Market (Particularly Mid-Week)

The Tourism Strategic Plan is available upon request where you will find the method/steps, obstacles, responsibility, milestones, and measurements for each goal.

Strategy Forward:

Increase outdoor boards to \$42,350. This has allowed for better boards and to extend the contract for a month or 2 longer. It all depends on supply and demand, but we feel comfortable this will get us a really good program.

For Digital, we are spending \$81,000 over 12 months and changing some of the tactics. Over the next couple of years, we want to take that up to \$125,000, to increase our presence and add in more Geo-tracking. We added the SA Report eblast this year and look forward to more growth with great results there.

More analytics derived from mobile devices.

Increased emphasis on midweek business and leisure travelers by targeting organizations through a sales and services approach.

For TV advertising, we would love to be able to add Austin TV/Cable back into the mix, or add more weeks to our SA TV schedule so we can start advertising earlier in the year.

The Find Yourself in Rockport-Fulton Foodie Trail was a great addition to the mix and we plan to continue each year.

RFCC Marketing Plan Budget 2022-23 Year		
<u>Revenues</u>		
Rockport	369,000.00	Incl. 2.5% increase to support rising costs in advertising/production
Fulton	60,000.00	Incl. 20% increase to support rising costs in advertising/production
County	60,000.00	Incl. 20% increase to support rising costs in advertising/production
Total	\$489,000.00	
<u>Expenses</u>		
Accounting	2,300.00	Annual Audit
Administrative Services	81,300.00	Administrative Services to operate Visitor Center and Marketing and Promotion Campaign
Advertising & Promotion	363,600.00	Full DMO Advertising, promotion, public relations and research program
Bank Fees	300.00	Fees related
Contract Services	4,000.00	Digital Tour/GeoTour
Conference Fees	3,500.00	Staff professional development related to tourism
Dues & Subscriptions	2,000.00	State and regional organization partners
Event Funding Assistance	3,000.00	Spring Fling Media Event
Food, Beverage & Meals	3,500.00	Groups, Charmer Appreciation, Media, etc.
Mileage & Travel	4,000.00	Trade Shows, media travel, workshops, trainings, education travel
Postage & Freight	1,500.00	Bulk items sent to Visitor Centers, Travel Centers
Printing & Publication	6,000.00	Gen. Brochure, 100 TT, Bags, Visitor Maps
Prizes, Gifts & Awards	500.00	Basket Promotion Items, Promos, Awards, etc.
Rentals & Fees	1,000.00	Trade Show Booth Rentals, Meeting Planners
Supplies	4,500.00	Promotion items, Trade Show Banner with New Photos, etc.
Website Maintenance	8,000.00	Enhance site, New Updated Look
Total	\$489,000.00	

EXHIBIT "C"

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Administrative Services to operate Visitor Center and Marketing and Promotion Campaign				
\$500,000 Total Marketing Program	Rockport	Fulton	County	Total
	67.90%	26.57%	5.54%	20%*
Accounting	1,018.45	398.52	83.03	1,500.00
Equipment Lease - copier and postage machine	814.76	318.82	66.42	1,200.00
Insurance -	1,493.73	584.50	121.77	2,200.00
Payroll - Visitor Center, Marketing/Promotion, Fulfillment	33,948.34	13,284.13	2,767.53	50,000.00
Payroll related - SS, FICA,	4,752.77	1,859.78	387.45	7,000.00
Employee insurance	4,073.80	1,594.10	332.10	6,000.00
Employee IRA	339.48	132.84	27.68	500.00
Postage - Inquiries, packets, mailings	1,629.52	637.64	132.84	2,400.00
Printing - Envelopes, letterhead, business cards	950.55	371.96	77.49	1,400.00
Security System - Visitor Center	135.79	53.14	11.07	200.00
Supplies - copier paper, color copies, folders, packets, etc.	2,036.90	797.05	166.05	3,000.00
Telephone, Internet, Mobile	2,172.69	850.18	177.12	3,200.00
Utilities	1,833.21	717.34	149.45	2,700.00
Total	\$ 55,200.00	\$ 21,600.00	\$ 4,500.00	\$ 81,300.00

Media Selections

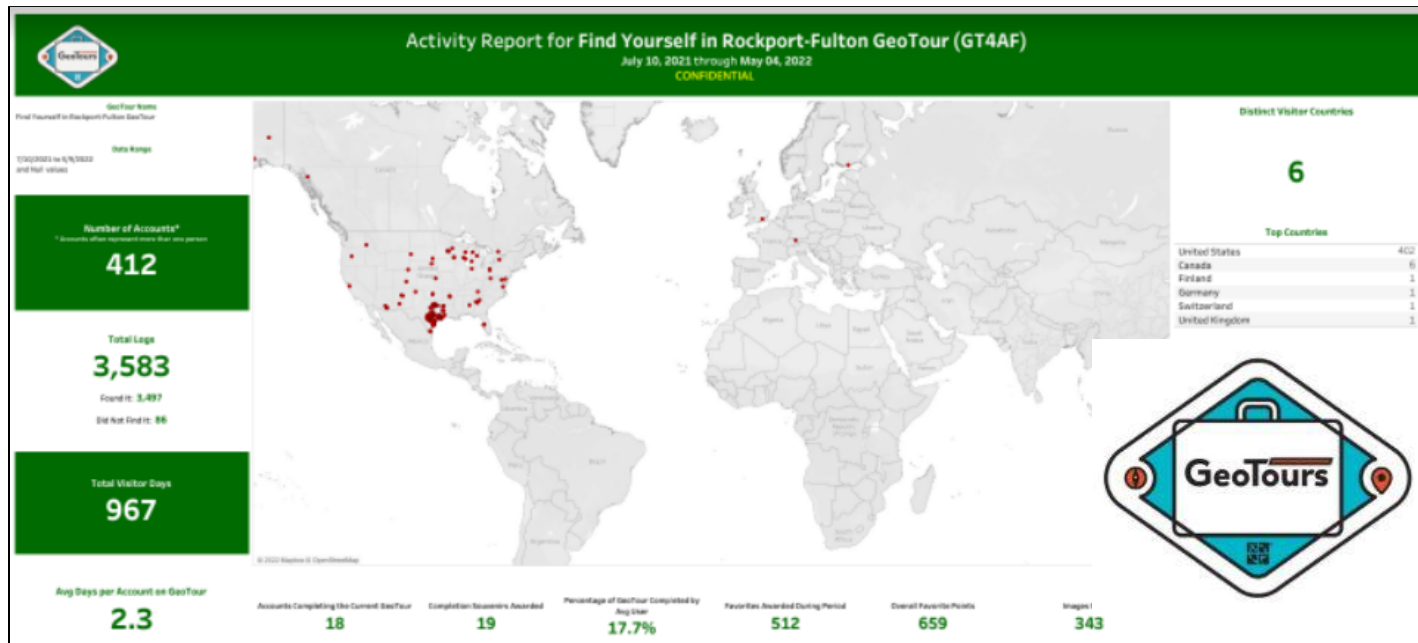
The media is selected with assistance from Chamber staff through the expert leadership from Helen Thompson Media Team.

A full report of the media selected and placement is a separate attachment or available upon request.

Evaluation and metrics

The tools used to measure the success of the marketing efforts are in the appendix section of this plan. Prost Marketing has provided excellent support to this organization since 2004. Although website analytics, visitor center numbers, inquiries, emails, reader responses, ad responses, surveys and others are used in the measurement process, the main areas of measurement for the 2021-22 year are:

- Venue Tax Collections
- Hotel & Lodging Data
- Google Analytics, Digital, Online, Facebook, Google My Business
- San Antonio Market Consumer Survey
- 5-Year Strategic Plan



GeoTour generates 3,583 logs in one year from those visiting from US, Canada, & Europe



The Rockport-Fulton GeoTour officially has 51 sites. The average days per user is 2.3. The tour has generated 659 favorite points compared to Beaumont's 299, Baytown's 594, Pearland's 299 and something to strive for with Conroe's 2,191.

A second year anniversary celebration is being planned for July 9 where an adventure lab will be added to the tour making it even more enticing. The special pathtag will be popular with attendees. A special thanks to the South Texas Geocaching Association for help in putting together this tour.



Appendix I – Venue Tax Collections

The Aransas County Venue Tax is the additional 2% on each overnight stay bringing the grand total of tax on a room to 15%.

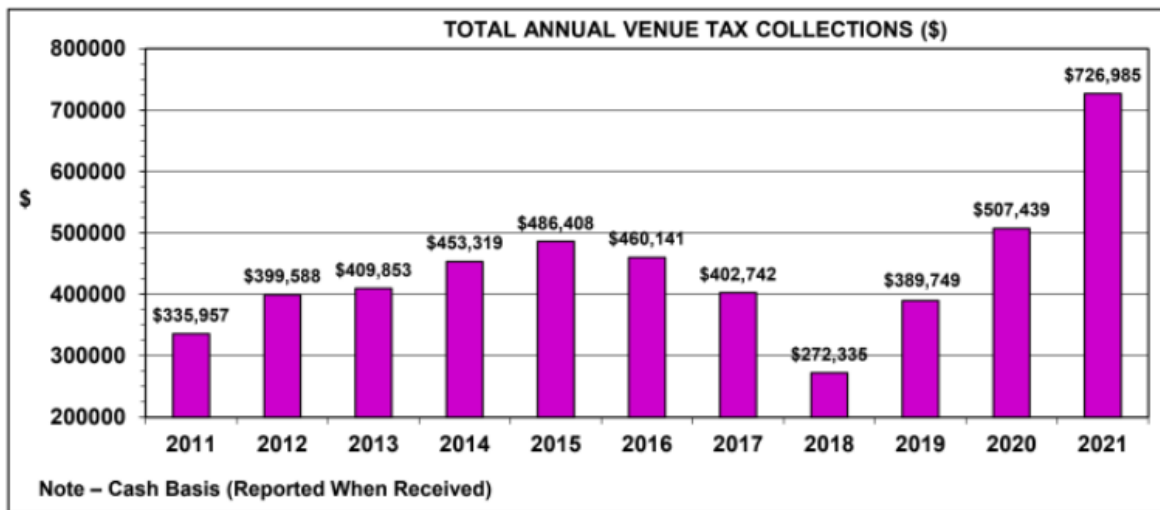
As Short Term Rentals (STRs) exploded in bookings during the pandemic, total collections reached an all time high of \$728,000. This is a 42% increase over the previous year.

The Venue Tax Collections have become a significant indicator of activity and measurement for the marketing plan. The Venue Tax funds the Aquarium Education Center and the Aransas Pathways Project.

**Source: Aransas County Treasurer. Tax collections are posted as they are received into the County as opposed to the month they are collected by the property.*

ARANSAS COUNTY ANNUAL VENUE TAX COLLECTIONS (\$)

- Calendar year 2021 broke all Venue Tax Collections nearly reaching \$727,000 in revenue. This is a 43% increase from 2020.
- Calendar year 2018 was the low point for Venue Tax Collections, and since then (through 2021), the collections are up almost three times the 2018 level.



SOURCE: Aransas County Treasurer Data

Appendix II– Hotel Annual Occupancy Percentage

Overnight Room Revenue in the Cities of Rockport and Fulton reached Bellwether level estimated at just over \$34 Million in 2021. This calculates into a 43% in room Revenues in 2021 vs 2020

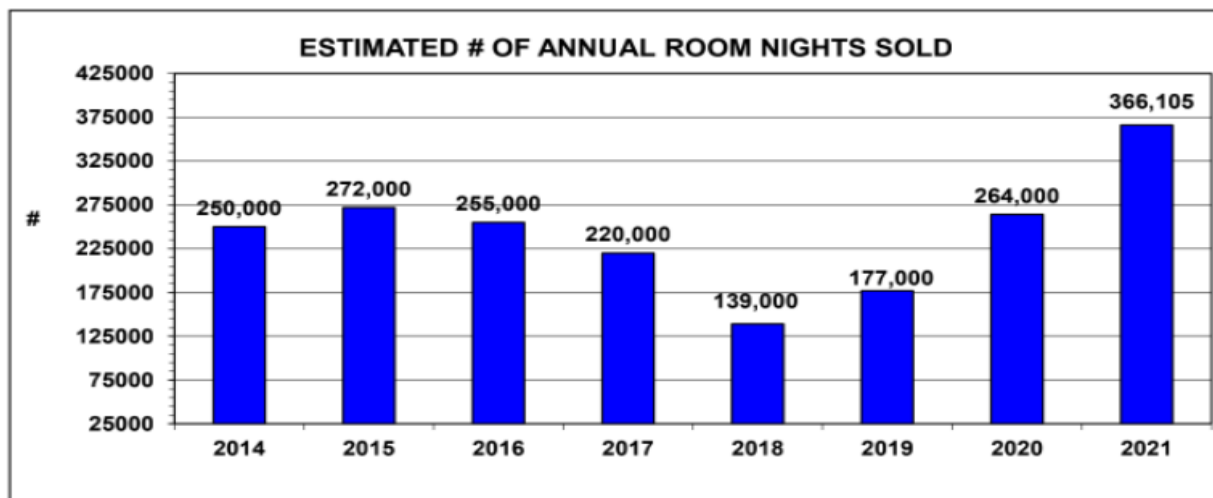
The estimated Room Nights Sold for 2021 shows a high of 340,077 rooms. The data reflects a 40% increase over 2020

Room Revenues in Aransas County reached an even higher bellwether level in 2021 (\$36 Million) after having topped out at the highest level ever (\$25 Million) in 2020

**Source: Interpolation of Aransas County Treasurer, Texas Comptroller and Source Strategies Data*

ARANSAS COUNTY ESTIMATED # OF ANNUAL ROOM NIGHTS SOLD

- 2021 data shows an estimated 366,105 Room Nights Sold in Aransas County. This is the highest ever # of Room Nights Sold and reflects an increase of almost 40% from 2020.



SOURCE: Interpolation of Texas State Comptroller, Aransas County, and Source Strategies Data



Appendix III – Sample Ads

Outdoor Boards - 7 in major locations across the state. A proof of performance is available.



Much time and effort went into the development of the creative material for the ads this year as our community is growing and changing.

Through the pro bono work of Jeff Hunt of Legend Labs a positioning statement was created. This positioning defined the identity of the Rockport-Fulton area and what it wants to be. This document is available upon request. A workshop will be held soon to review and further develop.

The photos, titles, colors all lead you to a solid look and feel of what the visitor is looking for while visiting the Rockport-Fulton area.

**Rockport-Fulton Chamber of Commerce**

319 Broadway

Rockport, TX 78382

361-729-6445

www.rockport-fulton.org

tourism@1rockport.org



CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 27, 2022

AGENDA ITEM: 14

Deliberate and act on Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Rockport-Fulton Chamber of Commerce for the 2023 HummerBird Celebration.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: KH

BACKGROUND: At the July 26, 2022, City Council Meeting Diane Probst, President & Chief Executive Officer of the Rockport-Fulton Chamber of Commerce, presented the Fiscal Year 2022-2023 budget request for the HummerBird Celebration. Deliberation and action regarding allocations was held on July 26, 2022, regarding requested Hotel Occupancy Tax funding for Fiscal Year 2022-2023. The proposed Agreement remains the same as the previous year except verbiage was added to track “heads in beds” per State statutes.

See the accompanying agreement for additional details.

FISCAL ANALYSIS: Budget account 6602048. Disbursement of funds will be made upon submittal of Fiscal Year 2022-2023 HOT Funding Expense Report and subsequent approval by the City Council.

STAFF RECOMMENDATION: Staff recommends Council approve Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Rockport-Fulton Chamber of Commerce for the 2023 HummerBird Celebration in the amount of \$1,500.00, as presented.

**CITY OF ROCKPORT
AND
ROCKPORT-FULTON CHAMBER OF COMMERCE**

**An Agreement Concerning the Use of
Funds from the Hotel Occupancy Tax
Single-Sum Payment
HummerBird Committee 2023**

**STATE OF TEXAS §
 §
COUNTY OF ARANSAS §**

This Agreement is made by and between the City of Rockport, a Texas home rule municipal corporation, hereinafter called “City,” and Rockport-Fulton Chamber of Commerce, HummerBird Committee, hereinafter called “Recipient.”

SECTION 1. LEGAL AUTHORITY

The City collects a local hotel occupancy tax as authorized by Chapter 351 of the Texas Tax Code (“Act”). Pursuant to the Act, the City expends funds collected for the purpose of advertising with any media outlet that is outside 75 miles of the City of Rockport (Resolution No. 09-15) and encouraging the growth of tourism and convention and hotel activity in the City as codified in Chapter 94, Article IV, Hotel Occupancy Tax of the City of Rockport Code of Ordinances (“Code”). The City may, by contract, allow Recipient to expend hotel occupancy taxes for such purposes.

SECTION 2. TERM OF AGREEMENT

Conditioned upon City Council approval, this Agreement shall become effective on the date signed by Recipient. This Agreement shall continue until Recipient has fulfilled all obligations to account for proper expenditure of hotel occupancy tax funds.

SECTION 3. SERVICES TO BE PROVIDED

The City hereby agrees to pay to Recipient, from money actually received by the City from local hotel occupancy tax, the sum of **ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00)**. Subject to the terms and conditions hereof, Recipient agrees to expend such funds received for advertising and promoting tourism for the out-of-town visitor market from which the hotel industry within the City derives direct tourist income benefits from the HummerBird Celebration.

SECTION 4. INDEPENDENT CONTRACTOR

It is expressly understood and agreed by and between the parties that Recipient is engaged as an independent contractor and is not an officer, agent or employee of the City.

SECTION 5. MANAGEMENT OF FUNDS

- 5.1 It is understood and agreed by and between the parties that a fiduciary duty is created in the Recipient with respect to expenditure of the revenue provided.
- 5.2 The Recipient shall maintain complete and accurate financial records of each receipt and expenditure of the hotel occupancy funds and, upon request of the City Council or other person, shall make the records available for inspection and review during normal business hours, in accordance with the provisions of the Texas Public Information Act (Texas Government Code, Chapter 552).
- 5.3 Hotel occupancy funds may be spent by the Recipient for only those expenditures shown on the Hotel Occupancy Tax Application (See Exhibit "C") and approved by the City Council and shown to be directly related to the promotion of tourism and the hotel industry. (See Exhibit "A".)
- 5.4 Recipient shall prepare and file with the City Secretary a post event financial report, on a form prescribed by the City (See Exhibit "B"), no later than 60 days after the event for which hotel occupancy tax funds were spent by the Recipient. This report shall identify a budget comparison of the hotel occupancy funds received by contract and the uses thereof as defined in the overall budget. It shall show the amount budgeted by category item and the actual expenditures of such. It shall compare the projected attendance and heads in beds from the application submitted prior to the event with the actual attendance and number of heads in beds generated by the event.
- 5.5 The City may request an annual audited financial statement reflecting the financial position of the Recipient for the period of time this Agreement is in effect. The Recipient agrees to provide a current audit (current defined as no later than the last calendar year), such copy to be delivered within twenty (20) days upon receiving a request from the City Manager or Mayor.

SECTION 6. TRANSFER OF FUNDS

Upon compliance with all conditions precedent, the City Secretary shall remit to the Recipient hotel occupancy tax receipts as follows: **Lump-sum payment - \$1,500.00.**

SECTION 7. FORCE MAJEURE – SUFFICIENT FUNDS NOT AVAILABLE

The City's obligation to make payment to Recipient pursuant to this Agreement is contingent upon anticipated receipt of a minimal amount of hotel occupancy tax from the collecting entities within the City. The dollar figure to be paid to the Recipient was based in part upon this anticipated, budgeted income. Recipient understands that other agreements have also been made by the City, providing for disbursement by third parties of a portion of hotel occupancy tax funds collected. Should it happen, by act of nature or other means outside the control of the City, that the actual hotel occupancy tax funds received are less than the anticipated and budgeted

funds, the City may, after notice to the Recipient, reduce the total obligated payment should the governing body determine that such action is necessary to fund any other third-party agreement(s).

SECTION 8. RETURN OF FUNDS UPON TERMINATION OF CONTRACT

Should this Agreement be terminated, the Recipient shall remit and return to the City, with a final accounting thereof, all unused and unspent hotel occupancy tax funds in its possession, within thirty (30) days from the date of such termination.

SECTION 9. INDEMNIFICATION

The Recipient agrees to indemnify the City, its officers, agents, and employees, from any and all claims, losses, causes of action and damages, suits and liability of every kind, including all expenses of litigation, courts costs and attorney fees, for injury to or death of any person, or for damage to any property arising from or in connection with the operations or actions of the Recipient, its officers, agents and employees carried out in furtherance of this Agreement.

SECTION 10. TERMINATION

If Recipient is in breach of this Agreement, the City may terminate the Agreement by providing ten (10) days' written notice to Recipient to cure the breach. If the breach is not cured within the time provided, the City Manager or Mayor may immediately declare Agreement terminated.

SECTION 11. NON-RENEWAL

It is understood and agreed that the Recipient is not entitled to any right of automatic renewal of this Agreement for the ensuing year, or years, since such option under the Act rests exclusively with the City Council.

SECTION 12. NOTICE

All communications required by this Agreement between the City and the Recipient shall be in writing and addressed to the attention of the City Manager, 2751 State Highway 35 Bypass, Rockport, TX 78382 or to the Recipient at Rockport-Fulton Chamber of Commerce, HummerBird Committee, Attn: Chairperson, 319 Broadway, Rockport, TX 78382.

SECTION 13. COMPLIANCE WITH LAWS

In performing its duties under this Agreement, the Recipient shall at all times comply with the City of Rockport Code and all the State of Texas Acts. (See Section 1.)

SECTION 14. PROHIBITION AGAINST DISCRIMINATION

In the performance of this Agreement, the Recipient shall not discriminate against any employee or applicant for employment because of an individual's race, color, religion, national origin, sex, or mental or physical disability. Violation of this provision may be regarded as a material breach of this Agreement.

SECTION 15. CONTROLLING LAW

It is understood and agreed that in the event any provision of this Agreement is inconsistent with the requirements of the Act, or any other applicable state law, the requirements of the law will control and supersede the terms set forth herein.

SECTION 16. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties, relative to the hotel occupancy tax funds made the basis hereof.

IN WITNESS WHEREOF, the parties have herein unto set their hands on duplicate originals, in the City of Rockport, Aransas County, Texas on this ____ day of _____ 2022.

CITY OF ROCKPORT

**ROCKPORT-FULTON CHAMBER
OF COMMERCE**

Tim Jayroe, Mayor

_____, HummerBird
(Please print name) Committee Chairperson

ATTEST:

ATTEST:

Teresa Valdez, City Secretary

Beth Journeay, Interim President/Chief Executive Officer

EXHIBIT “A”

	GRANT AMOUNT
Paid Advertising	
TOTAL	\$1,500.00

EXHIBIT "B"

HOT FUNDING EXPENSE REPORT FY 2022-2023			
Description of Expense	Approved Budget	Amount of Expense	*Number of Heads in Beds
Total Reimbursement Request			

***Must attach supporting documentation**

Hotel Occupancy Tax Funding Application
--

Date: 5-20-2022

Organization Information

Name of Organization: Rockport – Fulton Chamber of Commerce

Address: 319 Broadway

City, State, Zip: Rockport TX 78382

Contact Name: Sandy Jumper

Contact Phone Number: 361-729-6445

HOT Contract Email: tourism@1rockport.org

Web Site Address for Event or Sponsoring Organization: www.rockporthummingbird.com

Type of Organization: ☐ Governmental ☒ Non-Profit ☐ Private/ For-Profit

Tax ID #: 74-1066091

Organization's Creation Date: Charter 1952 – Event 1988

Purpose of Organization: To impact the economy and support the community

Event Information

Name of Event or Project: HummerBird Celebration

Date of Event or Project: September 15-18,2022

Primary Location of Event or Project: Rockport-Fulton High School and other venues around the community

Amount Requested: \$ 1500.00

How will the funds be used: Advertising in Birding Locations

Primary Purpose of Funded Activity/Facility: To impact the economy in a slow period and bring awareness to our natural resources, namely the Hummingbird migration.

Percentage of Hotel Tax Support of Related Costs

5 Percentage of Total Event Costs Covered by Hotel Occupancy Tax

 Percentage of Total Facility Costs Covered by Hotel Occupancy Tax for the Funded Event

 Percentage of Staff Costs Covered by Hotel Occupancy Tax for the Funded Event

If staff costs are covered, estimate percentage of time staff spends annually on the funded event(s) compared to other activities %

Which Category or Categories Apply to Funding Request, and Amount Requested Under Each Category:

- ☐ **1) Convention Center or Visitor Information Center:** 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. Amount requested under this category: \$
- ☐ **2) Registration of Convention Delegates:** the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants. Amount requested under this category: \$
- ☒ **3) Advertising, Solicitations and Promotions that directly promote tourism and the Hotel & Convention Industry:** to attract tourists and convention delegates or registrants to the municipality or its vicinity. Amount requested under this category: \$ 1500.00
- ☐ **4) Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry:** 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 picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms: Amount requested under this category: \$

- ☐ **5) Historical Restoration and Preservation Activities that Directly Promote Tourism and the Hotel and Convention Industry:** historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums. Amount requested under this category: \$_____

- ☐ **6) Sporting Event Expenses that Substantially Increase Economic Activity at Hotels:** Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the municipality or its vicinity. Amount requested under this category: \$_____

How many individuals are expected to participate in the sporting related event? _____

How many of the participants at the sporting related event are expected to be from another city or county? _____

Quantify how the sporting related event will substantially increase economic activity at hotels within the city or its vicinity?

- ☐ **7) Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations:** a) the commercial center of the city; b) a convention center in the city; c) other hotels in or near the city; and d) tourist attractions in or near the city. Amount requested under this category: \$_____

What sites or attractions will tourists be taken to by this transportation? _____

Will members of the general public (non-tourists) be riding on this transportation? _____

What percentage of the ridership will be local citizens? _____

- ☐ **8) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality. Amount requested under this category: \$_____**

What tourist attractions will be the subject of the signs?

Questions for All Funding Request Categories:

1. How many years have you held this Event or Project: 33
2. Expected Attendance: 5000 Prior year's attendance: 3000-5000
3. How many people attending the Event or Project will use City of Rockport hotels? 75% of Attendees

Number of nights will they stay: 3-4

Do you reserve a room block for this event at an area hotel and if so, for how many rooms and at which hotels:

No

4. List other years (over the last three years) that you have hosted your Event or Project with amount of assistance given from and the number of hotel rooms used:

Event Date	Assistance Amount		Number of Hotel Rooms Used
	City HOT Funds	Others	
2019	\$ 1500.00	\$ _____	75%
2020	\$ 1500.00	\$ _____	undetermined/Covid
2021	\$ 1500.00	\$ _____	75%

5. How will you measure the impact of your event on area hotel activity (e.g.: room block usage information, survey of hoteliers, etc.)?

Hotel occupancy numbers, Room nights sold, Survey attendees, Collect Zip Codes, Capture origins of attendees through online ticket system

6. Please list other organization, government entities, and grants that have offered financial support to your project: Birding and Nature Related Corporations and organizations provide sponsorships.
7. Will the event charge admission? Do you anticipate a net profit from the event? If there is a net profit, what is the anticipated amount and how will it be used?
Hummer Homes and Mall are free entry. Programs and Birding Trips require admission fees. Proceeds from the event are used to cover costs, promotion, and supplies.
8. Please list all promotion efforts your organization is coordinating, and the amount financially committed to each media outlet: **Please See attached listing**

Newspaper: \$ _____
 Radio: \$ _____
 TV: \$ _____
 Other Paid Advertising: \$ _____

Number of Press Releases to Media _____
Number Direct Mailings to out-of-town recipients _____

Other Promotions **Please See attached listing**

9. Will you include a link to local hotels on your website for booking during this event?

Yes

10. Will you negotiate a special rate or hotel/event package to attract overnight stays? No. All hotels, condos, rentals are promoted equally for this event.

11. What new marketing initiatives will you utilize to promote hotel and convention activity for this event?

Digital Advertising, more videos and cross marketing with speakers.

12. What geographic areas does your advertising and promotion reach?

Corpus Christi

Houston

San Antonio

Austin

Victoria

Plus, birding enthusiasts across the US and internationally

13. How many individuals will your proposed marketing reach who are located in another city or county? Over 1 Million

14. If the funding requested is related to a permanent facility (e.g., museum, visitor center):

Expected Attendance Monthly/Annually: _____

Percentage of those in attendance that are staying at area hotels/lodging facilities: _____%

Please Submit to:

City of Rockport

City Secretary

tvaldez@cityofrockport.com

**Rockport-Fulton Chamber of Commerce
Seafair Budget**

	Canceled COVID		No Carnival Excellent Weather
	Budget 2020	Budget 2021	Actual 2021
Revenues:			
Event Contributions	63,000	30,000	32,162
Beverage Sales	-	-	2,590
Sponsors	24,000	34,000	34,000
Entry and ticket sales (not in 201	91,000	90,900	104,164
Vendor fees	38,500	20,000	31,550
Raffle and Games	700	-	-
Auction Sales	-	300	1,000
Miscellaneous	750	750	722
Event Merchandise Sales	8,000	8,000	6,113
Less cost of merchandise sold	(2,250)	(2,250)	(3,510)
Total Revenues	223,700	181,700	208,790
Expenses			
Advertising & Promotion	14,700	10,000	12,470
Bank fees	225	225	88
Contract Services	22,200	22,200	21,645
Donations & Event Funding	-	-	-
Dues, Lists & Subscriptions	100	-	129
Entertainment	34,350	25,000	25,999
Food, Bev. & Meals	22,000	5,000	3,051
Insurance	7,500	9,000	8,508
Maintenance & Repair	1,000	1,000	280
Mileage & Travel	150	-	-
Postage, Shipping & Freight	300	300	1,822
Printing & Publications	350	350	2,388
Prizes, Gifts & Awards	3,000	3,500	3,320
Rentals & Fees	45,000	46,500	48,227
Supplies	5,300	2,500	3,300
Tax & License	462	462	200
Utilities	1,200	700	466
Web Site Maintenance	-	-	-
Total Expenses	157,837	126,737	131,892
NET INCOME	65,863	54,963	76,899

	Shane & The Saints - Friday	Jason Boland - Friday	Jason Boland - Friday
	Spazmatics - Saturday	Spazmatics - Saturday	Spazmatics - Saturday
	Tejano - Sunday	Hilda Lamas - Sunday	Hilda Lamas - Sunday
Entertainment		85 degrees	
	Canceled due to COVID	through out, no rain, hot and muggy	Excellent weather thru weekend
Weather			



EXHIBIT "C"

Texas A&M Hotel and
Conference Center

DOUG PITCOCK '49

217

May 20, 2022

RESERVATION CONFIRMATION

Diana Pardue

Howdy, Diana Pardue!

Thank you for selecting the Texas A&M Hotel and Conference Center for your upcoming stay. We look forward to introducing you to Howdy Hospitality in the heart of Aggieland. Below are the details of your reservation:

Guest Details

Name: Diana Pardue

Work/Home Address:

Group: 2022 Travel and Tourism College

Reservation Number: 152103

Arrival Date: 6/13/22

Departure Date: 6/17/22

Number of Nights: 4

Number of Guests:

From Monday, June 13, 2022 to Friday, June 17, 2022

Daily Rate: 4 night(s) at \$149.00 in a Deluxe King

Total Charges: \$596.00

Taxes: \$93.88

**Please note that if you are a tax exempt guest, the applicable taxes above will not be applied.

Total Amount Due: \$689.88

We're pleased to welcome Reveille's four legged friends to our property! Please review our dog policy and contact our reservations team to confirm your dog's stay.

PLEASE NOTE OUR HOTEL POLICIES, CHECK-IN INFORMATION, CANCELLATION AND OTHER IMPORTANT RESERVATION CONFIRMATION DETAILS

Thanks and Gig 'em,

Greg Stafford
General Manager

2022 HummerBird Celebration Marketing and Promotion Plan

Television

Media Exposure – Corpus

Setup link from general Chamber site
Web address on all materials

Outdoor

Street Banner at Wal-Mart
Street Banner at 3036

Calendars of Events

State Calendars
Area Chambers of Commerce
Company Newsletters
American Profile
Area Newspaper Calendars
Web Calendars

Radio

PSAs on featured speakers

Chamber Membership

Broadcast to membership
Publish calendar of events in Newsletter

Signage

ACND Sign at Festival Grounds
Ask Dairy Queen, Whataburger, Little Bay,
Blue Marlin Car Wash and Walgreens to put
up Seafair Info on marquees.

Newspaper

Newspaper Supplement Oct. – Pilot
Sponsor Ad - Pilot

Flyers/Posters

Deliver 100 around community
End of the Isle display at HEB & Wal-Mart

Web Site

Civic Club Speaker

Rotary Club
Others as they appear
Business After Hours in August
Announce at Chamber Luncheon Sept.

EBlast

Send three notices to past attendees

Schools

Make announcements
Posters in the Commons
Speakers into schools

PR

Media appearances:
Live Interview on KAVU Victoria TV
Live Interview on KIXS Victoria Radio
Live Interview on KRIS Noon Show
Live Interview on KIII TV Corpus Ch. 3
Morning Show
Press Releases

- Hummers Are Coming Aug. 15
- General Press Release sent to surrounding media
- Hummer Homes “get together” photo

Social Media

Facebook posts daily until the event
Instagram before and at the event
Paid advertising on Facebook

Direct Mail

Postcard to past attendees

Rockport-Fulton Chamber of Commerce
HummerBird Celebration Budget Worksheet
 Sept. 15-18, 2022

	2021	2021	2022	2022
Income	Budget	Actuals	Budget	Actuals
Special Events & Activities				
Auction Sales	750.00	1,965.00	1,500.00	
Event Contributions	200.00	69.00	270.00	
Participation & Fees	40,000.00	40,272.00	25,000.00	
Raffle & Games	1,500.00			
Event Merchandise Sales	12,000.00	8,354.00	6,500.00	
Sponsors	5,250.00	12,240.00	11,000.00	
Vendors	5,875.00	10,595.00	16,500.00	
	65,575.00	73,495.00	60,770.00	
Cost of Goods Sold				
Event Merchandise Sales		2,167.00		
Total COGS	0.00	2,167.00	0.00	
Gross Profit	\$ 65,575.00	\$ 71,328.00	\$ 60,770.00	
Expenses				
Advertising & Promotion	4,650.00	2,913.00	4,500.00	
Bank & Credit Card Fees	200.00	1,000.00	250.00	
Contract Services		24,997.00	6,000.00	
Dues, Lists and Subscriptions		25.00		
Entertainment	300.00		300.00	
Food, Bev. & Meals		3,135.00	4,000.00	
Insurance	500.00		4,500.00	
Maintenance & Repair		328.00		
Mileage & Travel		2,225.00	3,500.00	
Postage, Shipping & Freight	991.79	1,353.00	2,000.00	
Printing & Publications	3,500.00	3,605.00	4,500.00	
Prizes, Gifts & Awards		200.00	1,800.00	
Rentals & Fees		5,300.00	10,000.00	
Supplies		615.00	1,200.00	
Web Site Maintenance			600.00	
	10,141.79	45,696.00	43,150.00	
Net Income	\$ 55,433.21	\$ 25,632.00	\$ 17,620.00	

HummerBird Celebration Marketing Plan

___	Send Press Release to all media in the Coastal Bend as to featured speakers
___	Help write/update other press releases to send on: vendors needed; volunteers needed; general information
___	Sandy give presentation at June City Hall meeting for HB
___	Send information for Poster to Rockport Printing; proof and help distribute to local community
___	Get HB website all up to date
___	Post brochure link and description on FB, Twitter and Instagram Accounts (Setup event listing)
(Use these hashtags: #HummerBird2020 #RockportFulton #Rockport-Fulton etc)	
___	Sandy with scheduling posts on FB
___	Send link to committee members and ask them to notify their clubs and organizations
___	Call list of group tour companies that might be interested in bringing a bus load of passengers to attend
___	Bob create and send out his email inviting attendees to register now
___	Send email blast to past registrants inviting them to purchase tickets
___	Develop stand alone constant contact e-blast to promote the event ticket sales this will be sent to Chamber Membership in August
___	List in all Monday Memos mid August to mid September
___	Announce at all August and September Events; Community Chat & Cheers, Tool Kit Talks, Network Wednesdays, Regional Chambers, etc.
___	Call 20 businesses that you think would benefit with having a booth at HummerBird and send them to link to sign up
___	Develop a powerpoint slide show promoting the event for us to show at non-profit organization talks
___	Call or stop by llocal birding type businesses to make sure they have 50 copies of the brochure and show them how to access it online
___	Mail 25 copies to Chambers/Visitor Centers in the region and Rio Grand Valley
___	Develop stories for newspaper supplement
___	Search all event listing pages on the internet for birding events; hummingbird events and post our event and link
___	Sign up at ACND Grounds
___	Banner Street Sign up at locations across from Walmart and on FM 3036, can we do a third location South of Town?

HummerBird Celebration Advertising Placement and Add-ed Value		
Heavy PR	0.00	Press releases six weeks prior, TV shows, interviews, etc.
Brochures, Flyers, Banners	500.00	Distribute for promotion
Direct Mail Postcard	1,500.00	Mail to past attendees mid-June
Constant Contact Emails - Attendee email list	0.00	Schedule three times: May, July, Late August
Social Media	1,000.00	Target advertising setup; create audience, Facebook
KIII TV Ch. 3	1,000.00	Showcase vendors mostly
Cornell University – Living Bird Eblasts	1,000.00	Eblast to HB enthusiasts
	\$5,000.00	

34th Annual HummerBird Celebration Events

	REGISTRATION & TICKET PICK UP	OUTDOOR EXHIBITS	BIRDING PANEL DISCUSSION at Saltwater Pavilion	WELCOME OPENING RECEPTION	OPENING TEXAS BBQ DINNER at Saltwater Pavilion	HUMMER MALL	EXHIBITS:
Location:	Auditorium Box Office	Between HS Commons and Auditorium	Saltwater Pavilion Rockport Beach 212 Seabreeze Dr	Rockport Center for the Arts 401 S. Austin Street - 1st floor of Baker Law	Saltwater Pavilion Rockport Beach 212 Seabreeze Dr	Rockport-Fulton High School Commons	History Center 801 E Cedar St
Thursday	2 pm - 6 pm		3:40 pm - 4:40pm	5 pm - 6 pm	6:30 pm - 8:30 pm		
Friday	8:30 am - 6 pm	10 am - 5 pm				9 am - 5 pm	Exhibit 10 am - 4 pm
Saturday	8:30 am - 6 pm	10 am - 5 pm				9 am - 5 pm	Breakfast 8 am - 10 am Exhibit 10 am - 4 pm
Sunday		10 am - 3 pm				10 am - 3 pm	

	SELF-GUIDED HUMMER HOMES	HUMMER HOME BUS TRIPS	HUMMINGBIRD BANDING Master Bander	BOAT BIRDING TRIPS	HALF-DAY BUS BIRDING TRIPS	BIRD PHOTOGRAPHY CLASSES	BIRD WITH THE EXPERT
Location:	Map provided at info tables.	Bus Stop	Selected Hummer Home	Fulton Harbor	Bus Stop	Inn at Fulton Harbor 215 N Fulton Beach Rd, Fulton	Walk thru the park Ben Horstmann
Thursday	Dawn to dusk			3 pm & 6 pm			
Friday	Dawn to dusk	7:15 & 9:30 am, 1:30 & 3:45 pm	7:30 - 11 am, 1:30 - 4:30 pm	9 am, 3 pm, 6 pm	6:30 am to Welder Wildlife Refuge	9 am, 10:20 am	8:30 am - 11:30 am
Saturday	Dawn to dusk	7:15 & 9:30 am, 1:30 & 3:45 pm	7:30 - 11 am, 1:30 - 4:30 pm	10 am, 3 pm, 6 pm	6:30 am to Fennessy Ranch	9 am, 10:20 am	
Sunday	Dawn to dusk	9:30 am	8 - 11 am	Brunch 9 am			8:30 am - 11:30 am



2022 Planning EXHIBIT "G" 33rd HummerBird Celebration²²³ In Progress

September 16-19, 2021

www.rockporthummingbird.com

319 Broadway, Rockport, TX 78382 (361) 729-6445

* Denotes Virtual Event Offered

Join us for the 33rd Annual HummerBird Celebration in the coastal Texas towns of Rockport and Fulton, Texas. We hope to have a spectacular fall migration of Ruby-throated Hummingbirds, the stars of the show. You might also see Rufous, Black-chinned, and Buff-bellied Hummingbirds. We work really hard to offer something for everyone, from backyard birders to more experienced birders. Topics and activities are available to meet most interests in: birds, hummingbirds, butterflies, and habitat development in your own backyard. See schedule for pricing, times, locations and virtual events.

Parts of the event will be available as virtual events * denotes those programs.

COME EARLY! - Visit select Hummer Homes starting the week prior to the event on Saturday, Sept. 11. This list can only be obtained at the Rockport-Fulton Chamber Visitor Center upon arrival.

The 2021 T-SHIRT ARTIST Clementina Rivera will sign T-shirts at her booth during the event.

ARANSAS PATHWAYS CENTER AND-BRIDGE - Free All day. Interpretative Signage. Maps of the entire venue project. Located just north of the Wal-Mart on Business 35 at Tule Creek West.

THURSDAY EVENTS:

(6pm— vendors setup in High School Commons)

SELF-GUIDED HUMMER HOME - Booklets are available at the Chamber office. Home Owners welcome you from dawn to dusk Thursday through Sunday.

ARANSAS PATHWAYS EVENT Free Event Join in as volunteers set you up as a card playing nature lover at 9:30 a.m. Thursday, Sept. 16 at the Pavilion Center located north of the Wal-Mart on Business 35 at Tule Creek West. Prizes and fun for all. Free Event

DECORATE YOUR HUMMINGBIRD FEEDER - Arts and Crafts Program at the Fulton Mansion, 317 Fulton Beach Rd, Rockport 1pm.\$20 material cost. Pay at Mansion.

2-HOUR BOAT BIRDING TRIPS with Captain Tommy Moore on "The Skimmer" departs from Fulton Harbor.

BIRDING PANEL DISCUSSIONS— 3:40 pm—Local birders discuss and share tips on birding experiences and premier locations. Saltwater Pavilion, 210 Seabreeze Dr.*

WELCOME RECEPTION - 5 pm – 6 pm - Free Event Enjoy Wine and Cheese along with special announcements and introduc-

tions. Location: Rockport Center for the Arts, 401 S. Austin, Suite B Downtown Rockport (Baker Law Building).

KEYNOTE PRESENTATION & DINNER – 6:30 pm - 8:30 pm – Enjoy a presentation by native South Texan and nationally recognized photographer and videographer, Cissy Beasley. Her lively presentation is inspirational and enlightening. Dinner includes Texas BBQ, Smoked Chicken and all the trimmings plus dessert. Location: Rockport Beach, (at end of the beach) Saltwater Pavilion, 210 Seabreeze Dr. *

FRIDAY EVENTS:

BUS BIRDING TRIP to Welder Wildlife Refuge. Enjoy a ranch managed for wildlife including portions of the Mission River and a lake. Bus departs 6:30 am from Bus Stop behind the Martha Luigi Auditorium and will return before lunch.

2-HOUR BOAT BIRDING TRIPS with Captain Tommy Moore on "The Skimmer" departs from Fulton Harbor. See schedule.

HUMMER HOME GUIDED BUS TRIPS – Visit 3 homes guided by experienced birders, and see exclusive hummingbird banding by Master Bander, Susan Heath.

SPEAKER PROGRAMS 10:20am - 6pm in Auditorium & High School Commons Library. 5pm Keynote is Sky King Falconry with "Wildlife Revealed" - Birds in flight indoors - in the Auditorium. *

BIRD PHOTOGRAPHY CLASSES - Join expert photographers John Martell, or Stephen Fisher. See schedule for times. Location: The Inn at Fulton Harbor, 215 Fulton Beach Rd, Fulton.

SELF-GUIDED HUMMER HOMES - List available in the booklet. Booklet at the event or Chamber office.

BANDING DEMONSTRATION - Master Bander, Sumita Prasad, demonstrates the importance of banding. See schedule for times and location. Open to the public.

OUTDOOR EXHIBITS all day, along the greenspace in front of the auditorium.

HUMMER MALL INCLUDES FOOD VENDOR - Shop for bird and nature related products. 9am-5pm in High School Commons. See list in booklet and map for directions.

SATURDAY EVENTS:

BUS BIRDING TRIP to Fennessey Ranch. Enjoy a guided trip on a Privately owned 3,361 acre wildlife oasis which hosts numerous birds, plants, amphibians, mammals and more.. Bus departs 6:30 am from Bus Stop behind Marta Luigi auditorium, will return before lunch.

HUMMER BREAKFAST AT THE HISTORY CENTER 8 am to 10 am. Join us for the popular Hummer Breakfast at the History Center for Aransas County.

Breakfast, features herbs harvested from the extensive garden on the History Center grounds. Admire the beauty, stamina and spirit of the hummingbird while enjoying a fine breakfast an ode to the very nectar and system that supports this one-of-a-kind creature. Come and go style. Limited to 80 persons.

2-HOUR BOAT BIRDING TRIPS with Captain Tommy Moore on "The Skimmer" departing from Fulton Harbor. See schedule.

HUMMER HOME GUIDED BUS TRIPS – Visit 3 homes guided by experienced birders, and see exclusive hummingbird banding by Master Bander, Susan Heath.

SELF-GUIDED HUMMER HOMES - List available in the booklet. Booklet at the event or Chamber office.

BANDING DEMONSTRATION Master Bander, Sumita Prasad, demonstrates the importance of banding. See schedule for times and location. Open to the public. *

SPEAKER PROGRAMS 10:20am –6pm in Auditorium & High School Commons Library. Keynote speaker is Sneed Collard III on "A Father-Son Big Year of Birding and Beyond" at 5 pm in the Auditorium.*

BIRD PHOTOGRAPHY CLASSES - Join expert photographers John Martell, or Stephen Fisher. See schedule for times. Location: The Inn at Fulton Harbor, 215 Fulton Beach Rd, Fulton.

OUTDOOR EXHIBITS all day, along the greenspace in front of the auditorium.

HUMMER MALL INCLUDES FOOD VENDOR - Shop for bird and nature related products. 9am-5pm in High School commons. See list in booklet and map for directions.

SUNDAY EVENTS:

BOAT BIRDING 4-HOUR BRUNCH-

ON-THE-BAY TRIP with Captain Tommy Moore on "The Skimmer" offers extensive bay birding. The boat offers inside and outside exposures on two decks and restrooms.

BIRDING TOUR OF TEXAS STATE PARKS IN SOUTH TEXAS – Head to Goose Island State Park in historic "CCC" building with presentation followed by a birding tour to look for birds of the Coastal Bend. Led by expert Ben Horstmann. 8:30 to 11:30 a.m. Refreshments provided.

HUMMER HOME GUIDED BUS TRIPS – Visit 3 homes guided by experienced birders, and see exclusive hummingbird banding by Master Bander, Susan Heath.

SELF-GUIDED HUMMER HOMES - List available in the booklet. Booklet at the event or Chamber office.

SUNDAY SPEAKER PROGRAMS 10:20-2pm in High School Commons Library

OUTDOOR EXHIBIT 10-3pm along the greenspace in front of the auditorium.

HUMMER MALL INCLUDES FOOD VENDOR - Shop for bird and nature related products. 10am-3pm in High School Commons See list in booklet and map for directions.

ONLINE REGISTRATION INFORMATION

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www.rockporthummingbird.com

Advance online registration is recommended, but not required. It will guarantee a date and time for hummingbird bus and birding boat tours, and field trips. Special arrangements can be made for those who don't have online capabilities by calling the Rockport-Fulton Chamber of Commerce prior to Sept. 1. Special bus groups of 25 or more are also encouraged to contact: Sandy Jumper at tourism@1rockport.org as a special step-on guide will be coordinated for the group. For lodging and dining information, visit the Rockport-Fulton Chamber of Commerce and Visitor Center at 319 Broadway, Rockport, TX 78382 www.rockport-fulton.org or call 361-729-6445.

Register early for your choices. All trips and tours have limited availability. Programs are subject to change. COVID 19 CDC guidelines apply.

Item	Description	Times Please arrive 10-15 minutes early	Price Per Person
All Speaker Program Pass High School Commons & Auditorium	Includes <u>all</u> one hour lectures. (All in person programs are \$5 in advance and at the door) Children 12 & under with an adult attend free	Speaker pass includes all speaker programs during event at High School Commons & Auditorium (Does not include Thursday dinner)	All Program Pass \$30 All Programs \$5 Per Lecture
Virtual Programs	5 Programs are offered virtually for \$20. * denotes virtual programs	Includes: Keynote Presentations Thu, Fri, Sat ; Birding Panel Discussion, and Saturday Banding.	\$20
Welcome Opening Reception	Special introductions and announcements. Wine and Cheese Reception. Meet and greet for all attendees. Location: Rockport Center for the Arts, 401 S Austin, Downtown Rockport (Baker Law Building)	Thursday 5 p.m. to 6 p.m.	Free
Keynote Presentation & Dinner 33rd Anniversary	Enjoy a special presentation by native South Texan and nationally recognized photographer & videographer, Cissy Beasley "A Pictorial Celebration of Indigenous and Migratory South Texas Birds". Dinner Includes South Texas BBQ, sides & dessert. Located at 212 Sea breeze Dr. (Rockport Beach). Drive the length of the beach to the north end. Parking available. Enter building through the south steps.	Thursday 6:30 p.m. - 8:30 p.m.	\$35
Hummer Breakfast at the History Center Seating outdoors under Live Oak Trees	Gourmet meal by Mermaid's Kitchen: Classic Quiche Lorraine, Seasonal Fruit with Honey Lime Mint Dressing, Lemon Lavender Scones, Country Maple Sausage, Ginger/Orange Fizz, Coffee, and more. Historians in costume speaking about the life of legendary Connie Hagar. Located at 801 E. Cedar at the History Center for Aransas County.	Saturday 8 a.m. to 10 a.m. Come & Go is appropriate. Coastal casual dress. Exhibits "Connie Hagar's Corner" and "Voices from the Past"	\$30
Hummer Home Bus Trips	Guided by experienced birders, visit two sites and see private hummingbird banding demonstration by Master Bander Sue Heath.	Departs Bus Stop promptly Friday & Saturday 7:15 a.m., 9:30 a.m., 1:30 p.m., & 3:45 pm Sunday 9:30 a.m.	\$15
Boat Birding Trips	Two Hour Boat trips depart from Fulton Harbor on "The Skimmer"	Thursday 3 p.m., 6 p.m., Friday and Saturday 9 a.m., 3 p.m. & 6 p.m.	\$45
	Sunday Brunch On The Bay Trip departs from Fulton Harbor on "The Skimmer" - 4 hour tour includes boxed brunch.	Sunday Brunch 9 a.m.	\$100
Welder Wildlife Refuge Birding Field Trip	Enjoy birding on an historic and special conservation ranch for wildlife and research managed by Welder Wildlife Foundation. See hummingbirds and other birds in a natural ranch setting. Led by experienced birders.	Friday—Departs Bus Stop promptly at 6:30 a.m. (1/2 day)	\$45
Fennessey Ranch. Birding Field Trip	Enjoy a guided trip on a Privately owned 3,361 acre wildlife oasis which hosts numerous birds, plants, amphibians, mammals and more.. Includes snack	Saturday 6:30 a.m. (1/2 day)	\$50
Goose Island State Park Birding Talk & Guided Field Trip	Enter Goose Island State Park Entrance Gate. Begin "Birds of Texas" program in historical pavilion built in the 1930s by the CCC then onto birding led by expert birder Ben Horstmann - Limited to 30 people	Sunday 8:30 a.m. to 11:30 a.m.	\$25
Photography Class—"How to Photograph Songbirds and Hummingbirds"	John Martell, Wildlife Photographer	Friday 9:00 a.m. Saturday 9:00 a.m.	\$12
Photography Class—"A Reintroduction to Digital Nature Photography"	Stephen Fisher, Wildlife Photographer	Friday 10:20 a.m. Saturday 10:20 a.m.	\$12

	10:20 AM	11:40 AM	1:00 PM	2:20 PM	3:40 PM	5:00 PM	6:30 PM Dinner <i>Saltwater Pavilion</i>
THURSDAY				Saltwater Pavilion Glenn Olsen Warblers: Jewels of North American Birds	Saltwater Pavilion Special Presentation by Local Birders*	Opening Reception Welcome Wine & Cheese Reception at Rockport Center for the Arts: Baker Law, 401 S. Austin.	Cissy Beasley A Pictorial Velebration of Indigenous & Migratory Sout Texas Birds*
FRIDAY Auditorium	Tania Homayoun Connecting iNaturalist to the Flora & Fauna of Texas	Joan Garland Whooping Cranes	Martha McLeod The Secrets to Kids and Birding	Ginger Easton Smith Attracting Hummers to Your Garden	David Sarkozi Bird ID Challenges of the Coast	KEYNOTE: Sky Kings Falconry*	
FRIDAY High School Library	Neil Spurrell Life Migration Story of the Monarchs	Sid Rucker Living, Laughing & Loving with Hummingbirds	Glenn Olsen Hummingbirds of the World	Sneed Collard III A Father & Son Big Year of Birding	Brent Ortego Hummingbirds 101 - The Basics		
SATURDAY Auditorium	Cissy Beasley A Pictorial Celebration of Indigenous and Migratory South Texas Birds	Sid Rucker Living, Laughing & Loving with Hummingbirds	Martha McLeod The Secrets to Kids and Birding	Glenn Olsen Hummingbirds of the World	Dawn Hewitt Birding by Ear	KEYNOTE: Sneed Collard III A Father & Son Big Year of Birding*	
SATURDAY High School Library	Ginger Easton Smith Attracting Hummers to Your Garden	Neil Spurrell Life Migration Story of the Monarchs	David Sarkozi Bird ID Challenges of the Coast	Sky Kings Raptors A Bird in Hand	Glenn Olsen Warblers: Jewels of North American Birds		
SUNDAY High School Library	Brent Ortego Hummingbirds 101 - The Basics	Tania Homayoun Connecting iNaturalist to the Flora & Fauna of Texas	Dawn Hewitt Birding by Ear				

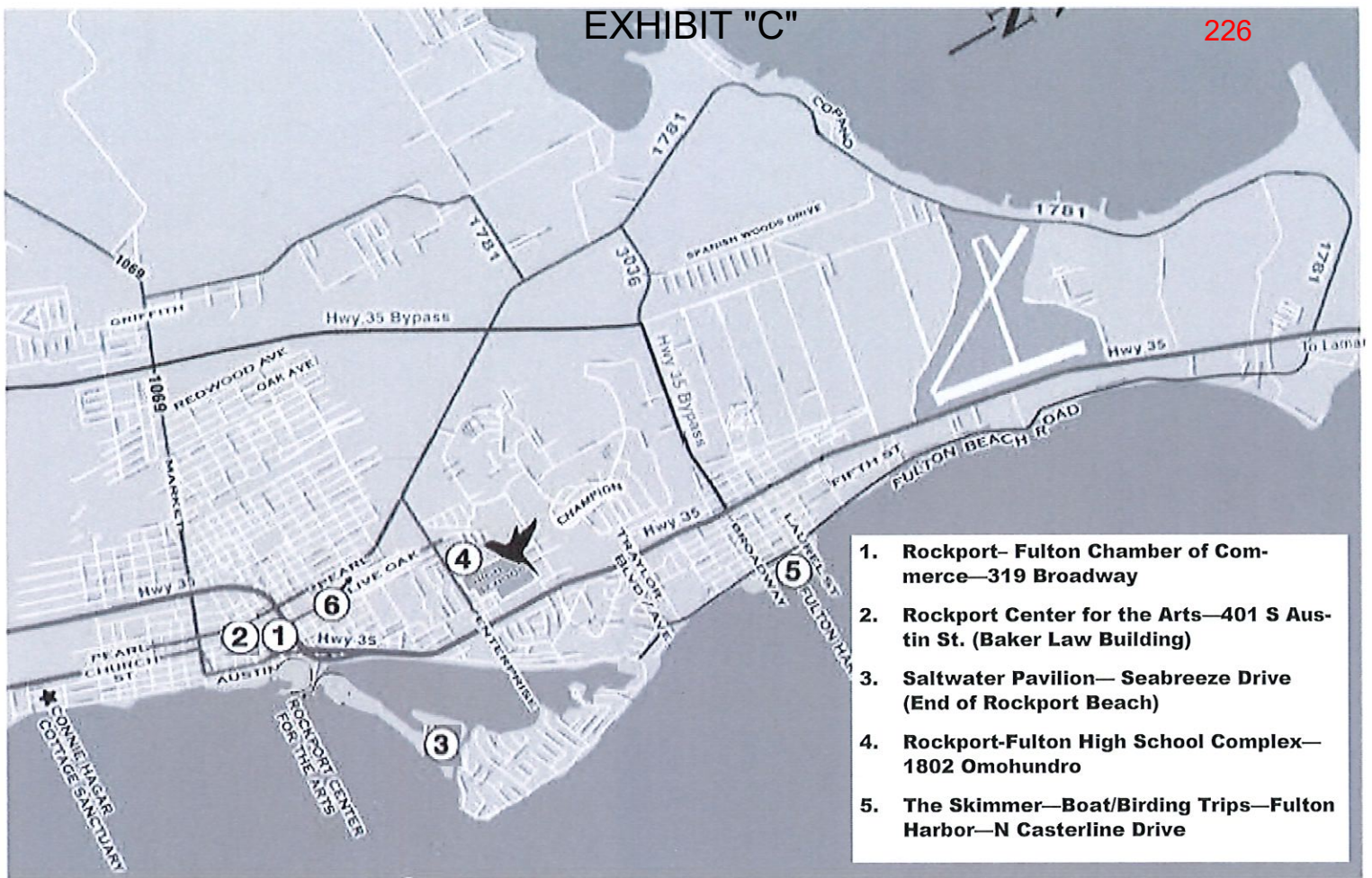
*Virtual presentation offered.

33rd Annual HummerBird Celebration Events

	REGISTRATION & TICKET PICK UP	OUTDOOR EXHIBITS	BIRDING PANEL DISCUSSION at Saltwater Pavilion*	WELCOME OPENING RECEPTION	OPENING TEXAS BBQ DINNER at Saltwater Pavilion*	HUMMER MALL	EXHIBITS: "Connie Hagar's Corner" & "Voices from the Past"
Location:	Auditorium Box Office	Between HS Commons and Auditorium	Saltwater Pavilion Rockport Beach 212 Seabreeze Dr	Rockport Center for the Arts 401 S. Austin Street - 1st floor of Baker Law	Saltwater Pavilion Rockport Beach 212 Seabreeze Dr	Rockport-Fulton High School Commons	History Center 801 E Cedar St
Thursday	5 pm - 7 pm		3:40 pm - 4:40pm	5 pm - 6 pm	6:30 pm - 8:30 pm		
Friday	8 am - 6 pm	10 am - 5 pm				9 am - 5 pm	Exhibit 10 am - 4 pm
Saturday	8 am - 6 pm	10 am - 5 pm				9 am - 5 pm	Breakfast 8 am - 10 am Exhibit 10 am - 4 pm
Sunday		10 am - 3 pm				10 am - 3 pm	

	SELF-GUIDED HUMMER HOMES	HUMMER HOME BUS TRIPS	HUMMINGBIRD BANDING Master Bander Sumita Prasad*	BOAT BIRDING TRIPS	HALF-DAY BUS BIRDING TRIPS	BIRD PHOTOGRAPHY CLASSES	BIRD WITH THE EXPERT Walk thru the park Ben Horstmann*
Location:	Map provided at info tables.	Bus Stop	Selected Hummer Home	Fulton Harbor	Bus Stop	Inn at Fulton Harbor 215 N Fulton Beach Rd, Fulton	Goose Island State Pard Park Rd 13, Lamar
Thursday	Dawn to dusk			3 pm & 6 pm			
Friday	Dawn to dusk	7:15 & 9:30 am, 1:30 & 3:45 pm	7:30 - 11 am, 1:30 - 4:30 pm	9 am, 3 pm, 6 pm	6:30 am to Welder Wildlife Refuge	9 am, 10:20 am	
Saturday	Dawn to dusk	7:15 & 9:30 am, 1:30 & 3:45 pm	7:30 - 11 am, 1:30 - 4:30 pm	10 am, 3 pm, 6 pm	6:30 am to Fennessy Ranch	9 am, 10:20 am	
Sunday	Dawn to dusk	9:30 am	8 - 11 am	Brunch 9 am			8:30 am - 11:30 am

*Virtual presentation offered.



HummerBird Celebration

Rockport-Fulton Chamber of Commerce
 319 Broadway
 Rockport, TX 78382
www.rockporthummingbird.com
www.rockport-fulton.org

FIND YOURSELF IN

ROCKPORT
FULTON

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 27, 2022

AGENDA ITEM: 15

Deliberate and act on Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Rockport-Fulton Chamber of Commerce for the 2022 SeaFair Celebration.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: KH

BACKGROUND: At the July 26, 2022, City Council Meeting, Jordan Pilgrim, Co-Chair of the Seafair Committee presented the Fiscal Year 2022-2023 budget request for Seafair. Deliberation and action regarding allocations was held on July 26, 2022, regarding requested Hotel Occupancy Tax funding for Fiscal Year 2022-2023. The proposed Agreement remains the same as the previous year except that verbiage was added to track “heads in beds” per State statutes.

See the accompanying agreement for additional details.

FISCAL ANALYSIS: Budget account 6602047. Disbursement of funds will be made upon submittal of Fiscal Year 2022-2023 HOT Funding Expense Report and subsequent approval by the City Council.

STAFF RECOMMENDATION: Staff recommends Council approve the Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Rockport-Fulton Chamber of Commerce for the 2022 SeaFair Celebration in the amount of \$1,500.00, as presented.

**CITY OF ROCKPORT
AND
ROCKPORT-FULTON CHAMBER OF COMMERCE**

**An Agreement Concerning the Use of
Funds from the Hotel Occupancy Tax
Single-Sum Payment
Seafair Committee 2022**

**STATE OF TEXAS §
 §
COUNTY OF ARANSAS §**

This Agreement is made by and between the City of Rockport, a Texas home rule municipal corporation, hereinafter called “City,” and Rockport-Fulton Chamber of Commerce, Seafair Committee, hereinafter called “Recipient.”

SECTION 1. LEGAL AUTHORITY

The City collects a local hotel occupancy tax as authorized by Chapter 351 of the Texas Tax Code (“Act”). Pursuant to the Act, the City expends funds collected for the purpose of advertising with any media outlet that is outside 75 miles of the City of Rockport (Resolution No. 09-15) and encouraging the growth of tourism and convention and hotel activity in the City as codified in Chapter 94, Article IV, Hotel Occupancy Tax of the City of Rockport Code of Ordinances (“Code”). The City may, by contract, allow Recipient to expend hotel occupancy taxes for such purposes.

SECTION 2. TERM OF AGREEMENT

Conditioned upon City Council approval, this Agreement shall become effective on the date signed by Recipient. This Agreement shall continue until Recipient has fulfilled all obligations to account for proper expenditure of hotel occupancy tax funds.

SECTION 3. SERVICES TO BE PROVIDED

The City hereby agrees to pay to Recipient, from money actually received by the City from local hotel occupancy tax, the sum of **ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00)**. Subject to the terms and conditions hereof, Recipient agrees to expend such funds received for advertising and promoting tourism for the out-of-town visitor market from which the hotel industry within the City derives direct tourist income benefits from the Seafair Festival.

SECTION 4. INDEPENDENT CONTRACTOR

It is expressly understood and agreed by and between the parties that Recipient is engaged as an independent contractor and is not an officer, agent or employee of the City.

SECTION 5. MANAGEMENT OF FUNDS

- 5.1 It is understood and agreed by and between the parties that a fiduciary duty is created in the Recipient with respect to expenditure of the revenue provided.
- 5.2 The Recipient shall maintain complete and accurate financial records of each receipt and expenditure of the hotel occupancy funds and, upon request of the City Council or other person, shall make the records available for inspection and review during normal business hours, in accordance with the provisions of the Texas Public Information Act (Texas Government Code, Chapter 552).
- 5.3 Hotel occupancy funds may be spent by the Recipient for only those expenditures shown on the Hotel Occupancy Tax Application (See Exhibit “C”) and approved by the City Council and shown to be directly related to the promotion of tourism and the hotel industry. (See Exhibit “A”.)
- 5.4 Recipient shall prepare and file with the City Secretary a post event financial report, on a form prescribed by the City (See Exhibit "B"), no later than 60 days after the event for which hotel occupancy tax funds were held and/or spent by the Recipient. This report shall identify a budget comparison of the hotel occupancy funds received by contract and the uses thereof as defined in the overall budget. It shall show the amount budgeted by category item and the actual expenditures of such. It shall compare the projected attendance and heads in beds from the application submitted prior to the event with the actual attendance and number of heads in beds generated by the event.
- 5.5 The City may request an annual audited financial statement reflecting the financial position of the Recipient for the period of time this Agreement is in effect. The Recipient agrees to provide a current audit (current defined as no later than the last calendar year), such copy to be delivered within twenty (20) days upon receiving a request from the City Manager or Mayor.

SECTION 6. TRANSFER OF FUNDS

Upon compliance with all conditions precedent, the City Secretary shall remit to the Recipient hotel occupancy tax receipts as follows: **Lump-sum payment - \$1,500.00.**

SECTION 7. FORCE MAJEURE – SUFFICIENT FUNDS NOT AVAILABLE

The City’s obligation to make payment to Recipient pursuant to this Agreement is contingent upon anticipated receipt of a minimal amount of hotel occupancy tax from the collecting entities within the City. The dollar figure to be paid to the Recipient was based in part upon this anticipated, budgeted income. Recipient understands that other agreements have also been made by the City, providing for disbursement by third parties of a portion of hotel occupancy tax funds collected. Should it happen, by act of nature or other means outside the control of the City, that the actual hotel occupancy tax funds received are less than the anticipated and budgeted

funds, the City may, after notice to the Recipient, reduce the total obligated payment should the governing body determine that such action is necessary to fund any other third-party agreement(s).

SECTION 8. RETURN OF FUNDS UPON TERMINATION OF CONTRACT

Should this Agreement be terminated, the Recipient shall remit and return to the City, with a final accounting thereof, all unused and unspent hotel occupancy tax funds in its possession, within thirty (30) days from the date of such termination.

SECTION 9. INDEMNIFICATION

The Recipient agrees to indemnify the City, its officers, agents, and employees, from any and all claims, losses, causes of action and damages, suits and liability of every kind, including all expenses of litigation, courts costs and attorney fees, for injury to or death or any person, or for damage to any property arising from or in connection with the operations or actions of the Recipient, its officers, agents and employees carried out in furtherance of this Agreement.

SECTION 10. TERMINATION

If Recipient is in breach of this Agreement, the City may terminate the Agreement by providing ten (10) days' written notice to Recipient to cure the breach. If the breach is not cured within the time provided, the City Manager or Mayor may immediately declare Agreement terminated.

SECTION 11. NON-RENEWAL

It is understood and agreed that the Recipient is not entitled to any right of automatic renewal of this Agreement for the ensuing year, or years, since such option under the Act rests exclusively with the City Council.

SECTION 12. NOTICE

All communications required by this Agreement between the City and the Recipient shall be in writing and addressed to the attention of the City Manager, 2751 State Highway 35 Bypass, Rockport, TX 78382 or to the Recipient at Rockport-Fulton Chamber of Commerce, ATTN: Seafair Committee Chair, 319 Broadway, Rockport, TX 78382.

SECTION 13. COMPLIANCE WITH LAWS

In performing its duties under this Agreement, the Recipient shall at all times comply with the City of Rockport Code and all the State of Texas Acts. (See Section 1.)

SECTION 14. PROHIBITION AGAINST DISCRIMINATION

In the performance of this Agreement, the Recipient shall not discriminate against any employee or applicant for employment because of an individual's race, color, religion, national origin, sex, or mental or physical disability. Violation of this provision may be regarded as a material breach of this Agreement.

SECTION 15. CONTROLLING LAW

It is understood and agreed that in the event any provision of this Agreement is inconsistent with the requirements of the Act, or any other applicable state law, the requirements of the law will control and supersede the terms set forth herein.

SECTION 16. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties, relative to the hotel occupancy tax funds made the basis hereof.

IN WITNESS WHEREOF, the parties have herein unto set their hands on duplicate originals, in the City of Rockport, Aransas County, Texas on this ____ day of _____ 2022.

CITY OF ROCKPORT

**ROCKPORT-FULTON CHAMBER
OF COMMERCE**

Tim Jayroe, Mayor

_____, Seafair
(Print Name) Committee Chair

ATTEST:

ATTEST:

Teresa Valdez, City Secretary

Beth Journeay, Interim President/Chief Executive
Officer

EXHIBIT “A”

	GRANT AMOUNT
Advertising	
TOTAL	\$1,500.00

EXHIBIT "B"

HOT FUNDING EXPENSE REPORT FY 2022-2023			
Description of Expense	Approved Budget	Amount of Expense	*Number of Heads in Beds
Total Reimbursement Request			

***Must attach supporting documentation.**

Hotel Occupancy Tax Funding ApplicationDate: 5-20-2022**Organization Information**Name of Organization: Rockport-Fulton Chamber of CommerceAddress: 319 BroadwayCity, State, Zip: Rockport, TXContact Name: Sandy Jumper Contact Phone Number: 361-729-6445HOT Contract Email: tourism@1rockport.orgWeb Site Address for Event or Sponsoring Organization: www.rockportseafair.comType of Organization: ☐ Governmental ☒ Non-Profit ☐ Private/ For-ProfitTax ID #: 74-1066091 Organization's Creation Date: Charter 1952, Seafair was created in 1974Purpose of Organization: To impact the economy and support the community**Event Information**Name of Event or Project: SEAFAIRDate of Event or Project: October 7-9, 2022Primary Location of Event or Project: Aransas County Navigation District Festival GroundsAmount Requested: \$ 1500How will the funds be used Advertising in San Antonio, Houston, Austin and Dallas/Fort Worth markets.

Primary Purpose of Funded Activity/Facility: Impact the economy in a slow period and provide a venue for Non-Profit organizations to fundraise.

Percentage of Hotel Tax Support of Related Costs

1.5 Percentage of Total Event Costs Covered by Hotel Occupancy Tax

_____ Percentage of Total Facility Costs Covered by Hotel Occupancy Tax for the Funded Event

_____ Percentage of Staff Costs Covered by Hotel Occupancy Tax for the Funded Event

If staff costs are covered, estimate percentage of time staff spends annually on the funded event(s) compared to other activities _____%

Which Category or Categories Apply to Funding Request, and Amount Requested Under Each Category:

- ☐ **1) Convention Center or Visitor Information Center:** 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. Amount requested under this category: \$ _____
- ☐ **2) Registration of Convention Delegates:** the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants. Amount requested under this category: \$ _____
- ☒ **3) Advertising, Solicitations and Promotions that directly promote tourism and the Hotel & Convention Industry:** to attract tourists and convention delegates or registrants to the municipality or its vicinity. Amount requested under this category: \$ _____ \$1500.00
- ☐ **4) Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry:** 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 picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms: Amount requested under this category: \$ _____

- ☐ **5) Historical Restoration and Preservation Activities that Directly Promote Tourism and the Hotel and Convention Industry:** historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums. Amount requested under this category: \$ _____

- ☐ **6) Sporting Event Expenses that Substantially Increase Economic Activity at Hotels:** Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the municipality or its vicinity. Amount requested under this category: \$ _____

How many individuals are expected to participate in the sporting related event? _____

How many of the participants at the sporting related event are expected to be from another city or county? _____

Quantify how the sporting related event will substantially increase economic activity at hotels within the city or its vicinity?

- ☐ **7) Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations:** a) the commercial center of the city; b) a convention center in the city; c) other hotels in or near the city; and d) tourist attractions in or near the city. Amount requested under this category: \$ _____

What sites or attractions will tourists be taken to by this transportation? _____

Will members of the general public (non-tourists) be riding on this transportation? _____

What percentage of the ridership will be local citizens? _____

- ☐ **8) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality.** Amount requested under this category: \$ _____

What tourist attractions will be the subject of the signs?

Questions for All Funding Request Categories:

1. How many years have you held this Event or Project: 45
2. Expected Attendance: 10,000-15,000 Prior year's attendance: 10,000-15,000
3. How many people attending the Event or Project will use City of Rockport hotels? 1/3 of Attendees
4. Number of nights will they stay: 2-3

Do you reserve a room block for this event at an area hotel and if so, for how many rooms and at which hotels: No

5. List other years (over the last three years) that you have hosted your Event or Project with amount of assistance given from and the number of hotel rooms used:

Event Date	Assistance Amount		Number of Hotel Rooms Used
	City HOT Funds	Others	
2018_____	\$1500_____	\$_____	_____
2019_____	\$1250_____	\$_____	_____
2021_____	\$1500_____	\$_____	_____

6. How will you measure the impact of your event on area hotel activity (e.g.: room block usage information, survey of hoteliers, etc.)? Online sales, Zip Codes, Hotel occupancy
7. Please list other organization, government entities, and grants that have offered financial support to your project: Area businesses provide sponsorship
8. Will the event charge admission? Do you anticipate a net profit from the event? If there is a net profit, what is the anticipated amount and how will it be used? Yes. Profits help support the operations of the Rockport-Fulton Chamber of Commerce.
9. Please list all promotion efforts your organization is coordinating, and the amount financially committed to each media outlet: **Please see attached**

Newspaper: \$_____

Radio: \$_____

TV: \$_____

Other Paid Advertising: \$_____

Number of Press Releases to Media _____

Number Direct Mailings to out-of-town recipients _____

Other Promotions Please See attached _____

10. Will you include a link to local hotels on your website for booking during this event?

Yes _____

11. Will you negotiate a special rate or hotel/event package to attract overnight stays? No, all accommodations will be promoted equally.

12. What new marketing initiatives will you utilize to promote hotel and convention activity for this event? Digital Advertising

13. What geographic areas does your advertising and promotion reach? Corpus Christi, Houston, Austin, Dallas/Fort Worth, San Antonio and Victoria

14. How many individuals will your proposed marketing reach who are located in another city or county? Over 1 Million

15. If the funding requested is related to a permanent facility (e.g., museum, visitor center):

Expected Attendance Monthly/Annually: _____

Percentage of those in attendance that are staying at area hotels/lodging facilities: _____%

Please Submit to:

City of Rockport

City Secretary

tvaldez@cityofrockport.com

**Rockport-Fulton Chamber of Commerce
Seafair Budget**

	Canceled COVID		No Carnival Excellent Weather
	Budget 2020	Budget 2021	Actual 2021
Revenues:			
Event Contributions	63,000	30,000	32,162
Beverage Sales	-	-	2,590
Sponsors	24,000	34,000	34,000
Entry and ticket sales (not in 201	91,000	90,900	104,164
Vendor fees	38,500	20,000	31,550
Raffle and Games	700	-	-
Auction Sales	-	300	1,000
Miscellaneous	750	750	722
Event Merchandise Sales	8,000	8,000	6,113
Less cost of merchandise sold	(2,250)	(2,250)	(3,510)
Total Revenues	223,700	181,700	208,790
Expenses			
Advertising & Promotion	14,700	10,000	12,470
Bank fees	225	225	88
Contract Services	22,200	22,200	21,645
Donations & Event Funding	-	-	-
Dues, Lists & Subscriptions	100	-	129
Entertainment	34,350	25,000	25,999
Food, Bev. & Meals	22,000	5,000	3,051
Insurance	7,500	9,000	8,508
Maintenance & Repair	1,000	1,000	280
Mileage & Travel	150	-	-
Postage, Shipping & Freight	300	300	1,822
Printing & Publications	350	350	2,388
Prizes, Gifts & Awards	3,000	3,500	3,320
Rentals & Fees	45,000	46,500	48,227
Supplies	5,300	2,500	3,300
Tax & License	462	462	200
Utilities	1,200	700	466
Web Site Maintenance	-	-	-
Total Expenses	157,837	126,737	131,892
NET INCOME	65,863	54,963	76,899

	Shane & The Saints - Friday	Jason Boland - Friday	Jason Boland - Friday
	Spazmatics - Saturday	Spazmatics - Saturday	Spazmatics - Saturday
	Tejano - Sunday	Hilda Lamas - Sunday	Hilda Lamas - Sunday
Entertainment		85 degrees	
	Canceled due to COVID	through out, no rain, hot and muggy	Excellent weather thru weekend
Weather			

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 27, 2022

AGENDA ITEM: 16

Deliberate and act on Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Rockport Yacht Club for the 2023 Nautical Flea Market.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: KH

BACKGROUND: At the July 26, 2022, City Council Meeting, the Rockport Yacht Club application requesting funding from Hotel Occupancy Tax for the 2023 Nautical Flea Market for Fiscal Year 2022-2023 was received by the City Council. Deliberation and action regarding allocations was held on July 26, 2022, regarding requested Hotel Occupancy Tax funding for Fiscal Year 2022-2023. The proposed Agreement remains the same as the previous year except verbiage was added to track “heads in beds” per State statutes.

See the accompanying agreement for additional details.

FISCAL ANALYSIS: Budget account 6602044. Disbursement of these funds will be made upon submittal of Fiscal Year 2022-2023 HOT Funding Expense Report and subsequent approval by the City Council.

STAFF RECOMMENDATION: Staff recommends Council approve the Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Rockport Yacht Club for the 2023 Nautical Flea Market in the amount of \$1,800.00, as presented.

**CITY OF ROCKPORT
AND
ROCKPORT YACHT CLUB, INC.**

**An Agreement Concerning the Use of
Funds from the Hotel Occupancy Tax
Single-Sum Payment
Nautical Flea Market 2023**

**STATE OF TEXAS §
 §
COUNTY OF ARANSAS §**

This Agreement is made by and between the City of Rockport, a Texas home rule municipal corporation, hereinafter called “City,” and Rockport Yacht Club hereinafter called “Recipient.”

SECTION 1. LEGAL AUTHORITY

The City collects a local hotel occupancy tax as authorized by Chapter 351 of the Texas Tax Code (“Act”). Pursuant to the Act, the City expends funds collected for the purpose of advertising with any media outlet that is outside 75 miles of the City of Rockport (Resolution No. 09-15) and encouraging the growth of tourism and convention and hotel activity in the City as codified in Chapter 94, Article IV, Hotel Occupancy Tax of the City of Rockport Code of Ordinances (“Code”). The City may, by contract, allow Recipient to expend hotel occupancy taxes for such purposes.

SECTION 2. TERM OF AGREEMENT

Conditioned upon City Council approval, this Agreement shall become effective on the date signed by Recipient. This Agreement shall continue until Recipient has fulfilled all obligations to account for proper expenditure of hotel occupancy tax funds.

SECTION 3. SERVICES TO BE PROVIDED

The City hereby agrees to pay to Recipient, from money actually received by the City from local hotel occupancy tax, the sum of **ONE THOUSAND EIGHT HUNDRED DOLLARS (\$1,800.00)**. Subject to the terms and conditions hereof, Recipient agrees to expend such funds received for advertising and promoting tourism for the out-of-town visitor market from which the hotel industry within the City derives direct tourist income benefits from the Nautical Flea Market.

SECTION 4. INDEPENDENT CONTRACTOR

It is expressly understood and agreed by and between the parties that Recipient is engaged as an independent contractor and is not an officer, agent or employee of the City.

SECTION 5. MANAGEMENT OF FUNDS

- 5.1 It is understood and agreed by and between the parties that a fiduciary duty is created in the Recipient with respect to expenditure of the revenue provided.
- 5.2 The Recipient shall maintain complete and accurate financial records of each receipt and expenditure of the hotel occupancy funds and, upon request of the City Council or other person, shall make the records available for inspection and review during normal business hours, in accordance with the provisions of the Texas Public Information Act (Texas Government Code, Chapter 552).
- 5.3 Hotel occupancy funds may be spent by the Recipient for only those expenditures shown on the Hotel Occupancy Tax Application (See Exhibit “C”) and approved by the City Council and shown to be directly related to the promotion of tourism and the hotel industry. (See Exhibit “A”.)
- 5.4 Recipient shall prepare and file with the City Secretary a post event financial report, on a form prescribed by the City (See Exhibit "B"), no later than 60 days after the event for which hotel occupancy tax funds were spent by the Recipient. This report shall identify a budget comparison of the hotel occupancy funds received by contract and the uses thereof as defined in the overall budget. It shall show the amount budgeted by category item and the actual expenditures of such. It shall compare the projected attendance and heads in beds from the application submitted prior to the event with the actual attendance and number of heads in beds generated by the event.
- 5.5 The City may request an annual audited financial statement reflecting the financial position of the Recipient for the period of time this Agreement is in effect. The Recipient agrees to provide a current audit (current defined as no later than the last calendar year), such copy to be delivered within twenty (20) days upon receiving a request from the City Manager or Mayor.

SECTION 6. TRANSFER OF FUNDS

Upon compliance with all conditions precedent, the City Secretary shall remit to the Recipient hotel occupancy tax receipts as follows: **Lump-sum payment - \$1,800.00.**

SECTION 7. FORCE MAJEURE – SUFFICIENT FUNDS NOT AVAILABLE

The City’s obligation to make payment to Recipient pursuant to this Agreement is contingent upon anticipated receipt of a minimal amount of hotel occupancy tax from the collecting entities within the City. The dollar figure to be paid to the Recipient was based in part upon this anticipated, budgeted income. Recipient understands that other agreements have also been made by the City, providing for disbursement by third parties of a portion of hotel occupancy tax funds collected. Should it happen, by act of nature or other means outside the control of the City, that the actual hotel occupancy tax funds received are less than the anticipated and budgeted

funds, the City may, after notice to the Recipient, reduce the total obligated payment should the governing body determine that such action is necessary to fund any other third-party agreement(s).

SECTION 8. RETURN OF FUNDS UPON TERMINATION OF CONTRACT

Should this Agreement be terminated, the Recipient shall remit and return to the City, with a final accounting thereof, all unused and unspent hotel occupancy tax funds in its possession, within thirty (30) days from the date of such termination.

SECTION 9. INDEMNIFICATION

The Recipient agrees to indemnify the City, its officers, agents, and employees, from any and all claims, losses, causes of action and damages, suits and liability of every kind, including all expenses of litigation, courts costs and attorney fees, for injury to or death of any person, or for damage to any property arising from or in connection with the operations or actions of the Recipient, its officers, agents and employees carried out in furtherance of this Agreement.

SECTION 10. TERMINATION

If Recipient is in breach of this Agreement, the City may terminate the Agreement by providing ten (10) days' written notice to Recipient to cure the breach. If the breach is not cured within the time provided, the City Manager or Mayor may immediately declare Agreement terminated.

SECTION 11. NON-RENEWAL

It is understood and agreed that the Recipient is not entitled to any right of automatic renewal of this Agreement for the ensuing year, or years, since such option under the Act rests exclusively with the City Council.

SECTION 12. NOTICE

All communications required by this Agreement between the City and the Recipient shall be in writing and addressed to the attention of the City Manager, 2751 State Highway 35 Bypass, Rockport, TX 78382 or to the Recipient at Rockport Yacht Club, Inc., Attn: George Krapfel, 722 Navigation Circle, Rockport, TX 78382.

SECTION 13. COMPLIANCE WITH LAWS

In performing its duties under this Agreement, the Recipient shall at all times comply with the City of Rockport Code and all the State of Texas Acts. (See Section 1.)

SECTION 14. PROHIBITION AGAINST DISCRIMINATION

In the performance of this Agreement, the Recipient shall not discriminate against any employee or applicant for employment because of an individual's race, color, religion, national origin, sex, or mental or physical disability. Violation of this provision may be regarded as a material breach of this Agreement.

SECTION 15. CONTROLLING LAW

It is understood and agreed that in the event any provision of this Agreement is inconsistent with the requirements of the Act, or any other applicable state law, the requirements of the law will control and supersede the terms set forth herein.

SECTION 16. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties, relative to the hotel occupancy tax funds made the basis hereof.

IN WITNESS WHEREOF, the parties have herein unto set their hands on duplicate originals, in the City of Rockport, Aransas County, Texas on this ____ day of _____ 2022.

CITY OF ROCKPORT

ROCKPORT YACHT CLUB, INC.

Tim Jayroe, Mayor

(Printed Name), _____
(Title)

ATTEST:

ATTEST:

Teresa Valdez, City Secretary

Director of Public Relations

EXHIBIT “A”

CATEGORY	GRANT AMOUNT
Sporting Event Expenses	\$1,800.00
TOTAL	\$1,800.00

EXHIBIT "B"

HOT FUNDING EXPENSE REPORT FY 2022-2023			
Description of Expense	Approved Budget	Amount of Expense	*Number of Heads in Beds
Total Reimbursement Request			

***Must attach supporting documentation.**

Hotel Occupancy Tax Funding Application

Date:

5/31/2022**Organization Information**

Name of Organization:

Rockport Yacht Club

Address:

722 Navigation Circle

City, State, Zip:

Rockport Tx 78382

Contact Name:

Shannon Carney

Contact Phone Number:

361-205-1965

HOT Contract Email:

ryctx@sbcglobal.net

Web Site Address for Event or Sponsoring Organization:

www.rockportyachtclub.org

Type of Organization:

☐ Governmental

Non-Profit



Private/ For-Profit

Tax ID #:

19121577605

Organization's Creation Date:

1969

Purpose of Organization:

Recreational & safe boating and related activities to include - Cruising, Racing, Youth Sailing Educational Program, Water Safety & Education, Youth Sailing Regatta**Event Information**

Name of Event or Project:

RYC Nautical Flea Market

Date of Event or Project:

May 6 & 7, 2023

Primary Location of Event or Project:

Rockport Harbor

Amount Requested: \$

1800⁰⁰

How will the funds be used:

Advertising and Promotional material to raise awareness of the event as well as highlighting amenities of the area as the event is held on a weekend,

Primary Purpose of Funded Activity/Facility:

Raise funds to support our Youth Sailing Program which ~~is in it~~ reaches the community as well as youth from out of town. The R/C also organizes educational programs for adult members of the community.

Percentage of Hotel Tax Support of Related Costs

50% Percentage of Total Event Costs Covered by Hotel Occupancy Tax

0 Percentage of Total Facility Costs Covered by Hotel Occupancy Tax for the Funded Event

0 Percentage of Staff Costs Covered by Hotel Occupancy Tax for the Funded Event

If staff costs are covered, estimate percentage of time staff spends annually on the funded event(s) compared to other activities N/A %

Which Category or Categories Apply to Funding Request, and Amount Requested Under Each Category:

- ☐ 1) **Convention Center or Visitor Information Center:** 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. Amount requested under this category: \$ _____
- ☐ 2) **Registration of Convention Delegates:** the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants. Amount requested under this category: \$ _____
- ☒ 3) **Advertising, Solicitations and Promotions that directly promote tourism and the Hotel & Convention Industry:** to attract tourists and convention delegates or registrants to the municipality or its vicinity. Amount requested under this category: \$ _____
- ☐ 4) **Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry:** 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 picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms: Amount requested under this category: \$ _____

- ☐ **5) Historical Restoration and Preservation Activities that Directly Promote Tourism and the Hotel and Convention Industry:** historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums. Amount requested under this category: \$ _____

- ☒ **6) Sporting Event Expenses that Substantially Increase Economic Activity at Hotels:** Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the municipality or its vicinity. Amount requested under this category: \$ 1800.00

How many individuals are expected to participate in the sporting related event? 3000-3500

How many of the participants at the sporting related event are expected to be from another city or county? ~85%

Quantify how the sporting related event will substantially increase economic activity at hotels within the city or its vicinity?

As this event is held on a Saturday & Sunday, there is the opportunity for the public to attend our event & then partake in the other tourist activities on offer around the harbor. We also have vendors who stay for Fri - Sun.

- ☐ **7) Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations:** a) the commercial center of the city; b) a convention center in the city; c) other hotels in or near the city; and d) tourist attractions in or near the city. Amount requested under this category: \$ _____

What sites or attractions will tourists be taken to by this transportation? _____

Will members of the general public (non-tourists) be riding on this transportation? _____

What percentage of the ridership will be local citizens? _____

- ☐ **8) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality.** Amount requested under this category: \$ _____

What tourist attractions will be the subject of the signs?

Questions for All Funding Request Categories:

1. How many years have you held this Event or Project: 22 years
2. Expected Attendance: 3300 Prior year's attendance: 2500
3. How many people attending the Event or Project will use City of Rockport hotels? ~75%
- Number of nights will they stay: 1-2

Do you reserve a room block for this event at an area hotel and if so, for how many rooms and at which hotels:

N/A

4. List other years (over the last three years) that you have hosted your Event or Project with amount of assistance given from and the number of hotel rooms used:

Event Date	Assistance Amount		Number of Hotel Rooms Used
	City HOT Funds	Others - RA	
<u>May 1-2, 2021</u>	<u>\$ 1800</u>	<u>\$ 0</u>	<u>~45%</u>
<u>May 4-5 2019</u>	<u>\$ 1500</u>	<u>\$ 0</u>	<u>~80%</u>
<u>May 5-6 2018</u>	<u>\$ 1500</u>	<u>\$ 0</u>	<u>~70%</u>

5. How will you measure the impact of your event on area hotel activity (e.g.: room block usage information, survey of hoteliers, etc.)?

Survey of the persons attending the event
and survey of the vendors at the event

6. Please list other organization, government entities, and grants that have offered financial support to your project:

None

7. Will the event charge admission? Do you anticipate a net profit from the event? If there is a net profit, what is the anticipated amount and how will it be used?

We charge \$5⁰⁰/person but under 12 yoa. are free. We do anticipate a net profit between \$10,000 to \$18,000. All profits go to the running of the Educational programs - Youth Sailing, Junior & Senior Regattas - as well as maintenance of facilities to conduct these programs.

8. Please list all promotion efforts your organization is coordinating, and the amount financially committed to each media outlet:

Newspaper: \$ 400.00
 Radio: \$
 TV: \$ 7450.00
 Other Paid Advertising: \$ 450.00

Number of Press Releases to Media 2
 Number Direct Mailings to out-of-town recipients over 100 - other yacht clubs & club visitors

Other Promotions Facebook ads, Instagram, Chamber of Commerce Calendar inclusion

9. Will you include a link to local hotels on your website for booking during this event?

Yes.

10. Will you negotiate a special rate or hotel/event package to attract overnight stays?

Not at this time but possible in the future

11. What new marketing initiatives will you utilize to promote hotel and convention activity for this event?

Advertising on swap meet calendars, Mail outs to visitors to our club from throughout the year, Facebook advertising campaigns

12. What geographic areas does your advertising and promotion reach?

Most of the state of Texas

13. How many individuals will your proposed marketing reach who are located in another city or county? Tens of thousands

14. If the funding requested is related to a permanent facility (e.g., museum, visitor center):

Expected Attendance Monthly/Annually: N/A

Percentage of those in attendance that are staying at area hotels/lodging facilities: N/A %

Please Submit to:

City of Rockport

City Secretary

tvaldez@cityofrockport.com

Marketing Plan for Nautical Flea Market 2023

1. TV Advertising- Local and cable in Texas Regions
2. Social Media- Buy/Sell/Trade sites , Boating & Fishing Forums, local tourist information sites
3. Press Releases- Local and Regional news outlets
4. Sports Publications- Statewide magazines
5. Direct mailing- Yacht clubs located within the State of Texas as well as club visitors from throughout the year

Schedule of Activities/Events relating to the NFM 2023

1 Jan 2023- appoint chair and activity chairs

Feb – April 2023- Organize teams, Recruit prior and new vendors, obtain permits, create and post signage, contract advertising and tv promotion, obtain security

May 5, 2023- Set up and host vendors

May 6, 2023- Open to the Public from 10a – 5pm

May 7, 2023- Open to the Public from 10a – 4pm

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 27, 2022

AGENDA ITEM: 17

Deliberate and act on Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Texas Maritime Museum for advertising and tourism promotion.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: KH

BACKGROUND: At the July 26, 2022, City Council Meeting, , Justin Parkoff, Executive Director of the Texas Maritime Museum, presented the Fiscal Year 2022-2023 budget request to the City Council. Deliberation and action regarding allocations was held on July 26, 2022, regarding requested Hotel Occupancy Tax funding for Fiscal Year 2023-2023. The proposed Agreement remains the same as the previous year except for the amount funded and verbiage was added to track “heads in beds” per State statutes.

See the accompanying agreement for additional details.

FISCAL ANALYSIS: Budget account 6602002. Disbursement of funds will be made according to Section 6 of the Agreement.

STAFF RECOMMENDATION: Staff recommends Council approve the Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the Texas Maritime Museum for advertising and tourism promotion in the amount of \$75,000.00, or \$18,750.00 per quarter, as presented.

**CITY OF ROCKPORT
AND
TEXAS MARITIME MUSEUM**

**An Agreement Concerning the Use of
Funds from the Hotel Occupancy Tax**

STATE OF TEXAS §
 §
COUNTY OF ARANSAS §

This Agreement is made by and between the City of Rockport, a Texas home rule municipal corporation, hereinafter called “City,” and the Texas Maritime Museum, a private non-profit association, hereinafter called “Museum,” acting by and through its duly elected officers.

SECTION 1. LEGAL AUTHORITY

The City collects a local hotel occupancy tax as authorized by Chapter 351 of the Texas Tax Code (“Act”). Pursuant to the Act, the City expends funds collected for the purpose of advertising with any media outlet that is outside 75 miles of the City of Rockport (Resolution No. 09-15) and encouraging growth of tourism and convention/hotel activity in the City as outlined in Chapter 94, Article IV, Hotel Occupancy Tax of the City of Rockport Code of Ordinances (“Code”).

SECTION 2. TERM OF AGREEMENT

This Agreement shall become effective on October 1, 2022, and terminate on September 30, 2023.

SECTION 3. SERVICES TO BE PROVIDED

As authorized under the Act, the City hereby agrees to pay to the Museum **SEVENTY-FIVE THOUSAND DOLLARS (75,000.00)** of the money actually received by the City from local hotel occupancy tax. Subject to the terms and conditions herein, the Museum agrees to expend such funds received for advertising and promoting tourism for the out-of-town visitor market from which the hotel industry within the City derives direct tourist income benefits.

SECTION 4. INDEPENDENT CONTRACTOR

It is expressly understood and agreed by and between the parties that the Museum is engaged as an independent contractor and is not an officer, agent or employee of the City.

SECTION 5. MANAGEMENT OF FUNDS

5.1 The Museum shall maintain a separate financial account of the hotel occupancy tax funds received from the City and may not commingle the funds with any other account. It is understood and agreed by and between the parties that, upon budget approval by the City,

a fiduciary duty is created in the Museum with respect to expenditure of the revenue provided.

- 5.2 The Museum shall maintain complete and accurate financial records of each receipt and expenditure of the hotel occupancy funds and upon request of the City Council or other person, shall make the records available for inspection and review during normal business hours in accordance with the provisions of the Texas Public Information Act (Texas Government Code, Chapter 552).
- 5.3 Hotel occupancy funds may be spent by the Museum for day-to-day operations including supplies, salaries, office rental, travel expenses, and other administrative costs, only if such expenditures were shown on the Hotel Occupancy Tax Application (See Exhibit "C") and approved by the City Council and shown to be directly related to promotion of tourism and the hotel industry. (See Exhibit "A".)
- 5.4 The Museum shall submit an annual report of activities and provide therein a projected line item budget to the City Council for approval that will include itemized personnel costs by singular job descriptions and capital outlay expenses if any. Such report and budget shall be provided no later than June 1st of each year for the next fiscal year.

The budget shall provide a complete financial plan and shall contain the following:

- (1) A budget message explanatory of the tourism/promotional activity contracted, which message shall contain an outline of the plan of the activity and, in the following years, set forth the reasons for the salient changes from the previous year (as applicable) and any major budgetary revisions. Any subsequent budgetary revision exceeding 25% of any line item, or 10% of the entire budget, or \$10,000.00 will require City Council approval. All items of expenses shall contain detailed narratives as to the basis of the expenditure.
- (2) A consolidated statement of anticipated receipts and expenditures for all funds.
- (3) Anticipated revenues shall be placed in parallel columns and display therein the:
 - a) Actual amount for the last completed year;
 - b) Estimated amount for the current fiscal year;
 - c) Proposed amount for the ensuing fiscal year.
- (4) Planned expenditures shall be placed in parallel columns opposite the various items of expenditures and display the:
 - a) Actual amount of such items of expenditures for the last completed fiscal year;
 - b) Estimated amount for the current fiscal year; and
 - c) Proposed amount for the ensuing fiscal year.
- 5.5 Fiscal quarterly financial reports, on a form prescribed by the City (See Exhibit "B"), are required to be submitted to the City Secretary no later than sixty (60) days after the end of

each fiscal quarter. These reports shall identify a budget comparison of the hotel occupancy funds received by agreement and the uses thereof as defined in the overall budget. It shall show the amount budgeted for the fiscal year by category item and the actual expenditures of such within the fiscal year quarter being reported. It shall compare the projected attendance and heads in beds from the Application submitted with the actual number of heads in beds generated. In addition, all administrative expenses shall be reported in detail comparing the current fiscal year expenses projection, the current fiscal year actual expenses and the percent of the fiscal year projection.

- 5.6 The Museum shall upon request submit an audited financial report to the City, showing in detail the disbursement and use of hotel occupancy funds paid to the Museum pursuant to this Agreement, no later than sixty (60) days after the end of each fiscal year of this Agreement. In addition, the City reserves the right to request an annual audited financial statement reflecting the financial position of the entire Museum for the duration of this Agreement. The Museum agrees to provide a current audit (current defined as no later than the last fiscal year), such copy to be delivered within twenty (20) days upon receiving a request from the City Manager or Mayor.

SECTION 6. TRANSFER OF FUNDS

Upon compliance with all conditions precedent, the City Secretary shall remit to the Museum **SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00)** of the hotel occupancy tax receipts in four (4) quarterly payments of **EIGHTEEN THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$18,750.00)** each. The Museum shall receive its first quarterly payment on the effective date hereof or the date of final execution of this Agreement, whichever is later. Each quarterly payment thereafter shall be made to the Museum within ten (10) business days after receipt of the required quarterly report, but not sooner than the 31st day after the end of each calendar quarter, and after approval of said report by the City Council. The City Council may not approve any quarterly report or portion thereof if it determines that any reported expense in the reporting quarter was an improper use of funds or outside the authorized use of hotel occupancy tax and may reduce subsequent quarterly payments by the amount determined improper or unauthorized.

SECTION 7. FORCE MAJEURE – SUFFICIENT FUNDS NOT AVAILABLE

The City's obligation to make quarterly payments to the Museum pursuant to this Agreement is contingent upon anticipated receipt of a minimal amount of hotel occupancy tax from the collecting entities within the City. Based upon this anticipated, budgeted income, the total dollar figure to be paid to the Museum pursuant to this Agreement was determined. Other agreements have also been made by the City with local organizations, providing for disbursement of a portion of hotel occupancy tax funds collected. Should it happen, by act of nature or other means outside the control of the City, that the actual hotel occupancy tax funds received are less than the anticipated and budgeted funds, then in that event the City, upon prior notice to the Museum, may unilaterally reduce the payment(s) to be made pursuant to this Agreement. Unless otherwise agreed by the City, any reduction in payments pursuant hereto shall be made from the final (fourth) quarter payment. The City shall reduce the actual payment pro rata by a percentage of the amount obligated as it relates to the total hotel occupancy tax dollars actually received.

SECTION 8. RETURN OF FUNDS UPON TERMINATION OF CONTRACT

Should this Agreement be terminated by either party hereto or by its own terms, and unless express agreement is otherwise made, the Museum shall remit and return to the City, with a final accounting thereof, all unused and unspent hotel occupancy tax funds in its possession, within thirty (30) days from the date of such termination.

SECTION 9. INDEMNIFICATION

The Museum agrees to indemnify the City, its officers, agents, and employees, from any and all claims, losses, causes of action and damages, suits, and liability of every kind, including all expenses of litigation, courts costs and attorney fees, for injury to or death of any person, or for damage to any property arising from or in connection with the operations or actions of the Museum, its officers, agents and employees carried out in furtherance of this Agreement.

SECTION 10. INSURANCE

The Museum shall maintain a comprehensive general liability insurance policy, with an insurance company or companies authorized to do business in the State of Texas, which shall include bodily injury, property damage, contractual and automobile liability coverage with a minimum of not less than \$500,000.00. In addition, workers' compensation insurance coverage shall be provided by the Museum in accordance with state law.

SECTION 11. TERMINATION

If either party materially breaches this Agreement, the other party may terminate the Agreement by providing thirty (30) days' written notice to the defaulting party. Should a dispute arise regarding the existence of a material breach, either party may request that the issue be presented to a licensed mediator.

SECTION 12. NON-RENEWAL

It is understood and agreed that the Museum is not entitled to any right of automatic renewal of this Agreement for the ensuing year, or years, since such option under the Act rests exclusively with the City Council.

SECTION 13. NOTICE

All communications required by this Agreement between the City and the Museum shall be in writing and addressed to the attention of the City Manager, 2751 State Highway 35 Bypass, Rockport, TX 78382 or to the President of the Texas Maritime Museum, 1202 Navigation Circle, Rockport, TX 78382.

SECTION 14. COMPLIANCE WITH LAWS

In performing its duties under this Agreement, the Museum shall at all times comply with the City of Rockport Code and all the State of Texas Acts. (See Sections 1 & 5.)

SECTION 15. PROHIBITION AGAINST DISCRIMINATION

In the performance of this Agreement, the Museum shall not discriminate against any employee or applicant for employment because of an individual's race, color, religion, national origin, sex, or mental or physical disability. Proven breach of this provision may be regarded as a material breach of this Agreement allowing for termination.

SECTION 16. CONTROLLING LAW

It is understood and agreed that in the event any provision of this Agreement is inconsistent with the requirements of the Act, or any other applicable state law, the requirements of the law will control and supersede the terms set forth herein.

SECTION 17. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties relative to the hotel occupancy tax funds made the basis hereof.

IN WITNESS WHEREOF, the parties have herein unto set their hands on duplicate originals, in the City of Rockport, Aransas County, Texas, on this ____ day of _____ 2022.

CITY OF ROCKPORT

TEXAS MARITIME MUSEUM

Tim Jayroe, Mayor

_____, President
(Print Name)

ATTEST:

ATTEST:

Teresa Valdez, City Secretary

Justin Parkoff, Executive Director

EXHIBIT “A”

CATEGORY	AMOUNT REQUESTED	GRANT AMOUNT
Advertising	\$25,000.00	
Curatorial	\$9,000.00	
Salaries	\$27,000.00	
Education	\$5,000.00	
Office Supplies	\$4,000.00	
Website Maintenance	\$5,000.00	
TOTAL	\$75,000.00	\$75,000.00

EXHIBIT “B”

HOT FUNDING EXPENSE REPORT FY 2022-2023							
Description of Expense	Approved Budget	1st Quarter Expenses	2nd Quarter Expenses	3rd Quarter Expenses	4th Quarter Expenses	TOTAL	* Number of Heads in Beds
TOTAL REQUESTED							

***Must attach supporting documentation.**

Description of Administrative Expenses	Current Fiscal Year Administrative Expenses Projection	Fiscal Year Administrative Actual Expenses	Percentage of Fiscal Year Projections
TOTALS			

Hotel Occupancy Tax Funding Application

Date: May 20, 2022

Organization Information

Name of Organization: Texas Maritime Museum

Address: 1202 Navigation Circle

City, State, Zip: Rockport, TX 78382

Contact Name: Justin Parkoff Contact Phone Number: 210-249-1900

HOT Contract Email: curator@texasmaritimemuseum.org

Web Site Address for Event or Sponsoring Organization: texasmaritimemuseum.org

Type of Organization: ☐ Governmental ☒ Non-Profit ☐ Private/ For-Profit

Tax ID #: 74-2097680 Organization's Creation Date: 1987, doors opened 1989

Purpose of Organization: The mission of the Texas Maritime Museum is to educate and excite the public about maritime history and its importance to the development and current livelihood of our great state.

Event Information

Name of Event or Project: Texas Maritime Museum

Date of Event or Project: July 1, 2022 - June 30, 2023

Primary Location of Event or Project: 1202 Navigation Circle, Rockport, TX 78382

Amount Requested: \$ 75,000⁰⁰

How will the funds be used: Advertising, office supplies, website, salaries, and applicable operating expenses.

- Please see Exhibit A for proposed 2022-2023 budget.

Primary Purpose of Funded Activity/Facility:

The continued development of tourism and assistance with
costs related to fundraising.

Percentage of Hotel Tax Support of Related Costs

33 Percentage of Total **Event Costs** Covered by Hotel Occupancy Tax

31 Percentage of Total **Facility Costs** Covered by Hotel Occupancy Tax for the Funded Event

36 Percentage of **Staff Costs** Covered by Hotel Occupancy Tax for the Funded Event

If staff costs are covered, estimate percentage of time staff spends annually on the funded event(s) compared to other activities 75 %

Which Category or Categories Apply to Funding Request, and Amount Requested Under Each Category:

- Please see Exhibit B for 2022-2023 budget request.

- ☐ **1) Convention Center or Visitor Information Center:** 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. Amount requested under this category: \$ _____
- ☐ **2) Registration of Convention Delegates:** the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants. Amount requested under this category: \$ _____
- ☒ **3) Advertising, Solicitations and Promotions that directly promote tourism and the Hotel & Convention Industry:** to attract tourists and convention delegates or registrants to the municipality or its vicinity. Amount requested under this category: \$ 24,750.00
- ☒ **4) Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry:** 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 picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms: Amount requested under this category: \$ 27,000.00



5) Historical Restoration and Preservation Activities that Directly Promote Tourism and the Hotel and Convention Industry: historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums. Amount requested under this category: \$ 23,250.00



6) Sporting Event Expenses that Substantially Increase Economic Activity at Hotels: Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the municipality or its vicinity. Amount requested under this category: \$ -

How many individuals are expected to participate in the sporting related event? -

How many of the participants at the sporting related event are expected to be from another city or county? -

Quantify how the sporting related event will substantially increase economic activity at hotels within the city or its vicinity?

-
-
-



7) Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations: a) the commercial center of the city; b) a convention center in the city; c) other hotels in or near the city; and d) tourist attractions in or near the city. Amount requested under this category: \$ -

What sites or attractions will tourists be taken to by this transportation? -
-
-

Will members of the general public (non-tourists) be riding on this transportation? -

What percentage of the ridership will be local citizens? -



8) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality. Amount requested under this category: \$ -

What tourist attractions will be the subject of the signs?

-
-
-

Questions for All Funding Request Categories:

- How many years have you held this Event or Project: 33
- Expected Attendance: 11,500-12,000 Prior year's attendance: 10,186
13,500+ with wine festival
- How many people attending the Event or Project will use City of Rockport hotels? N/A

Number of nights will they stay: _____

Do you reserve a room block for this event at an area hotel and if so, for how many rooms and at which hotels:

No, the museum is one of many attractions that bring people into Rockport rather than a singular event,

- List other years (over the last three years) that you have hosted your Event or Project with amount of assistance given from and the number of hotel rooms used:

Please see Exhibit C for other hot funds.

Event Date	Assistance Amount		Number of Hotel Rooms Used
	City HOT Funds	Others Arkansas Fulton	
<u>2019-2020</u>	<u>\$ 75,000</u>	<u>\$ 13,564</u>	<u>N/A</u>
<u>2020-2021</u>	<u>\$ 71,400</u>	<u>\$ 24,253 / 5000</u>	<u>N/A</u>
<u>2021-2022</u>	<u>\$ 66,250</u>	<u>\$ 23,965 to date</u>	<u>N/A</u>

- How will you measure the impact of your event on area hotel activity (e.g.: room block usage information, survey of hoteliers, etc.)?

The museum collects zip codes from patrons on all admissions and special events. This data give travel percentages from all cities.

- Please list other organization, government entities, and grants that have offered financial support to your project:

Arkansas County, HEB, Margaret Sue Rust Foundation,
Nystrom Family Foundation, Ed Rachel Foundation, Castaways.

- Will the event charge admission? Do you anticipate a net profit from the event? If there is a net profit, what is the anticipated amount and how will it be used?

Admission is charged. Approximate net profit of \$ 30,500 will be used for museum repairs and general operations.

8. Please list all promotion efforts your organization is coordinating, and the amount financially committed to each media outlet:

Newspaper: \$ 2,000
 Radio: \$ 0
 TV: \$ 8,500
 Other Paid Advertising: \$ 11,000

Number of Press Releases to Media 2
 Number Direct Mailings to out-of-town recipients 0

Other Promotions N/A

9. Will you include a link to local hotels on your website for booking during this event?
Local hotels will be posted on our website and Facebook
10. Will you negotiate a special rate or hotel/event package to attract overnight stays?
Only for special events such as wine festival or guest lectures.
11. What new marketing initiatives will you utilize to promote hotel and convention activity for this event?
Better online ticket sales through Eventbrite, new targeted areas such as Rio Grande Valley, increased social media platforms, diverse online festival advertising selling, etc.
12. What geographic areas does your advertising and promotion reach?
 ① Rio Grande Valley, Austin, San Antonio, Houston (primary targets)
 ② Winter Texans on email list, Dallas, Fort Worth (secondary)
13. How many individuals will your proposed marketing reach who are located in another city or county? 1 million +
14. If the funding requested is related to a permanent facility (e.g., museum, visitor center):
 Expected Attendance Monthly/Annually: Monthly Avg. 848 / 12,000 yearly / 13,500 with wine festival
 Percentage of those in attendance that are staying at area hotels/lodging facilities: 53 %

Please Submit to:
 City of Rockport
 City Secretary
tvaldez@cityofrockport.com

EXHIBIT A

July 2022 - June 2023

Proposed Budget for the Texas Maritime Museum**Income:**

Admissions	40,000.00
Contributions income	7,500.00
Cookbook Sales	500.00
Educational Events	6,500.00
Fundraiser Income	230,000.00
Grants	98,000.00
Hotel/Motel Tax Income	98,000.00
Interest Income	3,000.00
Membership Dues	15,000.00
Museum Store Transfer	6,000.00
Total	505,500.00

Expenses:

Advertising/Promotions	25,000.00
Bank Service Charge	5,000.00
Collection Management	500.00
Contract Services (Serenity Allen \$15K+Clean Sweep same)	21,000.00
Curatorial Exhibits	30,000.00
Dues	1,000.00
Educational Programs	33,000.00
Employee Health Insurance (Humana)	15,000.00
Fundraiser Expenses (3 events) less advertising	110,000.00
Legal Accounting (Review only/no audit)	3,000.00
Maintenance	30,000.00
Museum Development	5,000.00
Museum Insurance	26,000.00
Office Supplies	8,500.00
Payroll Expenses (see spreadsheet for information)	137,022.00
Utilities	25,000.00
Total Projected Expenses	475,022.00

NET Income **30,478.00**

EXHIBIT B

BUDGET REQUEST-TMM

CATEGORY	REQUESTED FOR YEAR 2022-2023	GRANTED
Advertising	\$25,000.00	
Curatorial	\$9,000.00	
Salaries	\$27,000.00	
Education	\$5,000.00	
Office Supplies	\$4,000.00	
Website Maintenance	\$5,000.00	
Total	\$75,000.00	

EXHIBIT C

TEXAS MARTIME MUSEUM
LIST OF OTHER HOT FUNDS ACQUIRED FOR 3 YEARS

1. ARANSAS COUNTY:

2019/ 3rd quarter- July-Sept.	\$4,471.29
2019/ 4th quarter- Oct.-Dec.	\$5,854.00
2020/ 1st quarter- Jan.-March	\$2,166.21
2020/ 2nd quarter- April-June	\$1,072.45

\$13,563.95

2020/ 3rd quarter- July-Sept.	\$2,873.92
2020/ 4th quarter- Oct.-Dec.	\$9,476.58
2021/ 1st quarter- Jan.-March	\$4,273.30
2021/ 2nd quarter- April-June	\$7,630.01

\$24,253.81

2021/ 3rd quarter- July-Sept.	\$12,860.68
2021/ 4th quarter- Oct.-Dec.	\$6,372.60
2022/ 1st quarter- Jan.-March	\$3,732.48
2022/ 2nd quarter- April-June	\$0.00

\$22,965.76

2. FULTON:

2020/ 3rd quarter- April-June	\$0.00
2020/ 4th quarter- July-Sept.	\$5,000.00
2021/ 1st quarter- Oct.-Dec.	\$0.00
2021/ 2nd quarter- Jan.-March	\$0.00

\$5,000.00

Additional Hotfunds Assistance 2019-2021 **\$65,783.52**

Projected Fundraiser Expense Budget

27th Annual Mah Jongg Tournament - January 28-30, 2023

Expense	Cost
Reception Food	\$300.00
Reception Supplies	\$150.00
Rockport Country Club (2 days of lunch)	\$6,000.00
Tournament Supplies	\$200.00
Butler Tables & Chairs	\$1,500.00
Gifts	\$395.24
Petty Cash	\$1,250.00
Mah Jongg Credit Card Charge	\$26.99
Chair Gifts	\$130.00
Projected Total Costs	\$9,952.23

Projected Fundraiser Expense Budget

26th Annual Rockport Wine Festival - May 25 & 27th 2023

Expense	Cost
Albin Exterminating	\$200.00
Bands	\$34,000.00
Beer Disributors	\$3,000.00
Black Tile Affairs Catering	\$12,500.00
Butler - Tents	\$18,000.00
Comfort Station	\$2,000.00
Ground Security	\$1,300.00
Ice	\$700.00
Fast Signs	\$600.00
Jack's Rental & Demo	\$1,000.00
M.W. Periscope Wine Glasses	\$2,600.00
Republic Wine Distribution	\$20,000.00
Rockport Printing	\$4,200.00
ROTC	\$1,000.00
Spanky's	\$4,000.00
Supplies	\$3,000.00
TABC Licence	\$300.00
Valet Service	\$1,000.00
Weather Insurance	\$3,500.00
Yard Clean Up Crew	\$400
Projected Total Costs	\$113,300.00

TEXAS MARITIME MUSEUM
MARKETING PLAN PROPOSAL

2022-2023

Marketing requires an understanding of five basic principles to be most effective:

- Product
- Public
- Price
- Production
- Promotion

We know what we are selling, who we are trying to access, where it will be sold, and how it will be produced, which takes us to the step of promoting. The Texas Maritime Museum has established an effective marketing plan to further our mission of exciting and educating the tourists regarding Texas' maritime history and providing ample opportunities to promote tourism in Aransas County. For the upcoming fiscal year our marketing plan will be accomplished through the following goals established under key criteria for soliciting hotel occupancy funds:

I. Planning for the Future:

The Texas Maritime Museum initiated a new revitalization campaign in 2021 called "Full Ahead". This campaign includes a more concise mission statement and vision for the museum's future, enabling our organization to change its direction. The museum is moving forward by showcasing the broader story of the Texas Gulf Coast rather than just local maritime history. The importance that maritime culture has had upon Texas' history, development, and current economic prosperity cannot be understated. To achieve this expanded narrative, the museum is undergoing an extensive internal rehabilitation with expanded themes.

What does "Full Ahead" mean? Planning for the future through a revitalization campaign of the museum's exhibits. The intent of the Board of Trustees is to build upon the museum's successful thirty-three-year

foundation. Current exhibits are being updated to be more engaging. New significant exhibits are being added to broaden the maritime story of the full Texas Coast.

“Full Ahead” Goals:

- 1) Promote tourism to our community. Increase financial support of the Texas Maritime Museum through regular and repeat visitor attendance and membership.
- 2) Improve our educational impact by broadening the Texas maritime story by incorporating new significant exhibits into the museum.
- 3) Ensure future reaccreditation with the American Alliance of Museums by modifying existing exhibits to meet accessibility standards and incorporating cultural diversity in the maritime stories.
- 4) Embrace technology as a means of improving the experience of the museum visitor, frequently refreshing exhibits, and strengthening the story of “why” is maritime important to Texas.

II. Advertising, Solicitations, and Promotions that Directly Promote Tourism and the Hotel/Convention Industry:

June thru November 2023: Educational Events will begin with the assistance of other non-profit organizations and the Educator, Shelly Knostman. The executive director, Justin Parkoff, Ph.D., and Shelly will be collaborating to provide innovative and interactive activities, summer camps, events, and exhibits for children/adult audiences.

June through the present, 2023: The Texas Maritime Museum is opening a permanent exhibit on the second floor dedicated to the maritime battles in Texas of the American Civil War. This exhibit consists of numerous models, interactive displays, and historical artwork depicting these battles.

December 2023: As mentioned in the last report the annual La Belle Ball has been renamed the Maritime Gala (25th) to recognize the revitalization of the museum, the ball will be renamed the 24th Maritime Gala. This new name recognizes the expanded mission and vision of the Texas Maritime Museum. The black-tie event is being developed by the Board of Trustees/staff.

January 2023: The Texas Maritime Museum's 26th Annual Mah- Jongg Tournament will be held in 2023 at the Rockport Country Club. This event continues to attract players from all over the state of Texas as well as, out of state.

May 2023: The 26th Annual Rockport Wine Festival will be the largest fundraiser for the museum and continues to attract visitors from across the nation and on an international level. The detailed zip code report requires accurate data to be collected and entered into an EXCEL spreadsheet at the conclusion of the festival Tickets may be purchased for the event on the Museum website prior to the event. A market plan to promote the event through digital media, television, radio, small print, and large-scale printing will be created by March 2023.

III. Promotion of the Arts that Directly Promote Tourism and the Hotel and Convention Industry:

As stated in Section I, the Texas Maritime Museum is expanding our exhibits by working with a team of experts in the field of maritime research. This team includes marine archaeologists Dr. Justin Parkoff, Amy Borgens, Dr. Sam Cuellar, Professor Tom Oertling, and well-published historians Andrew Hall, Edward Cotham Jr., and Donald Frazier. The team includes the renowned marine artist Dr. Peter J. Rindlisbacher who has dedicated most of his career to carefully researching and accurately painting some of the most important events and periods in Texas' rich history. These encompass the numerous seas battles that took place along our coast during the Texas Navy Period and the Civil War Union's extensive blockade of Texas. The diversity also delves into other documented periods of Texas' history. This started with the early Native American Karankawa coastal trade, Spanish and American colonization, the western river steamboat cotton trade, the golden age of the Morgan steamers, and the massive offshore industries that dot our coastline.

A. The Texas Maritime Museum holds the original watercolors of the Texas Lighthouses painted by Mr. Harold Phenix in 1990. This exhibit has been a source of attraction since the opening of the Museum in 1989 and especially from the Hill Country and his former home sites. The entire oil painting collection, a total of 13

is award-winning and helps in perpetuity for Harold (deceased 2009) and his family. A true ambassador for the Museum and in-house artist forever. In addition to our original Phenix collection, two more paintings were donated by Joanie Phenix and are now on display. Paintings of the Smith House and the Fulton Mansion can be found in the Museum Library.

B. The original oil painting, Marion Meat Packing which is showcased in the Museum on the first floor depicts Rockport/Fulton in the 1880s. The history of exploration and development of the coastal region is told by this 4 x 6 life-size original.

IV. Historical Restoration and Preservation Activities that Directly Promote Tourism and the Hotel and Convention Industry:

As the official accredited maritime museum of Texas, the Texas Maritime Museum is working closely on historic conservation and preservation projects tied to inland waterways and coastal projects. The museum works closely with the State Governor's Texas Historical Commission, the U.S. Naval History and Heritage Command, and other educational institutions such as the Center for Maritime Archaeology and Conservation at Texas A&M University and the Maritime Studies Program at Texas A&M Galveston. By working with these entities, the Texas Maritime Museum has become more involved in active maritime projects around the state which bring in numerous rotating exhibits that directly promote tourism. These exhibits are educational, but more importantly, interactive to both children and adults alike, offering a more fulfilling and engaging maritime experience that promotes equality and accessibility for a diverse audience.

TEXAS MARITIME MUSEUM**2022-2023 PROPOSED ADVERTISING/MARKETING****NEWSPAPER/PRINT MEDIA:**

- Festival of Texas – Spring
- Rockport Pilot
- Austin Community Impact Newspaper with Central Austin Edition over 1.5 million distributions to households in Austin
- Our Digital Logline – throughout Texas and various states
- Billboard 77 miles from Rockport (on route from San Antonio to Rockport)

TV:

- Streaming TV advertisements package using Tegna throughout the Rio Grande Valley, Austin, Houston, San Antonio. Non-Skippable ads before on-demand TV streams.
- KIII Channel live interviews during morning show from the museum week of the festival
- Pre-Recorded KIII Interview from the museum

WEB ADVERTISEMENT:

- Tegna banner and display advertisements across multiple news website properties around the state (focused on Houston, Austin, San Antonio, and the Rio Grande Valley)
- Tourtexas.com banner advertisement
- Facebook and Instagram – paid ads for events, lectures, and inviting visitors to the museum
- KIII-TV website ads
- Eventbrite
- Festival Net
- YouTube – KIII Interview/Info about festival

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 27, 2022

AGENDA ITEM: 18

Deliberate and act on Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the University of Texas Marine Science Institute/Mission Aransas National Estuarine Research Reserve for advertising and tourism promotion of the Bay Education Center

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: KH

BACKGROUND: At the July 26, 2022, City Council Meeting, Adriana Reza with the Bay Education Center presented the application requesting funding for the Bay Education Center from Hotel Occupancy Tax for Fiscal Year 2022-2023. Deliberation and action regarding allocations was held on July 26, 2022, regarding requested Hotel Occupancy Tax funding for Fiscal Year 2022-2023. The Agreement is the same as last year's Agreement except verbiage was added to track "heads in beds" per State statutes.

See the accompanying agreement for additional details.

FISCAL ANALYSIS: Budget account 6602003. Disbursement of funds will be made according to Section 6 of the Agreement.

STAFF RECOMMENDATION: Staff recommends Council approve the Fiscal Year 2022-2023 Hotel Occupancy Tax Agreement with the University of Texas Marine Science Institute/Mission Aransas National Estuarine Research Reserve for advertising and tourism promotion of the Bay Education Center in the amount of \$15,000.00, or \$3,750.00 per quarter, as presented.

**CITY OF ROCKPORT
AND
UNIVERSITY OF TEXAS MARINE SCIENCE INSTITUTE/MISSION
ARANSAS NATIONAL ESTUARINE RESEARCH RESERVE**

**An Agreement Concerning the Use of
Funds from the Hotel Occupancy Tax
for the
Bay Education Center**

**STATE OF TEXAS §
 §
COUNTY OF ARANSAS §**

This Agreement is made by and between the City of Rockport, a Texas home rule municipal corporation, hereinafter called “City,” and the University of Texas Marine Science Institute/Mission Aransas National Estuarine Research Reserve, a federal and state partnership, hereinafter called “NERR-BEC,” acting by and through its advisory board.

SECTION 1. LEGAL AUTHORITY

The City collects a local hotel occupancy tax as authorized by Chapter 351 of the Texas Tax Code (“Act”). Pursuant to the Act, the City expends funds collected for the purpose of advertising with any media outlet that is outside 75 miles of the City of Rockport (Resolution No. 09-15) and encouraging growth of tourism and convention/hotel activity in the City as outlined in Chapter 94, Article IV, Hotel Occupancy Tax of the City of Rockport Code of Ordinances (“Code”).

SECTION 2. TERM OF AGREEMENT

This Agreement shall become effective on October 1, 2022, and terminate on September 30, 2023.

SECTION 3. SERVICES TO BE PROVIDED

As authorized under the Act, the City hereby agrees to pay to the NERR-BEC **FIFTEEN THOUSAND DOLLARS (\$15,000.00)** of the money actually received by the City from local hotel occupancy tax. Subject to the terms and conditions herein, NERR-BEC agrees to expend such funds received for advertising and promoting tourism for the out-of-town visitor market from which the hotel industry within the City derives direct tourist income benefits.

SECTION 4. INDEPENDENT CONTRACTOR

It is expressly understood and agreed by and between the parties that NERR-BEC is engaged as an independent contractor and is not an officer, agent or employee of the City.

SECTION 5. MANAGEMENT OF FUNDS

- 5.1 The NERR-BEC shall maintain a separate financial account of the hotel occupancy tax funds received from the City and may not commingle the funds with any other account. It is understood and agreed by and between the parties that, upon budget approval by the City, a fiduciary duty is created in the NERR-BEC with respect to expenditure of the revenue provided.
- 5.2 The NERR-BEC shall maintain complete and accurate financial records of each receipt and expenditure of the hotel occupancy funds and upon request of the City Council or other person shall make the records available for inspection and review during normal business hours in accordance with the provisions of the Texas Public Information Act (Texas Government Code, Chapter 552).
- 5.3 Hotel occupancy funds may be spent by the NERR-BEC for day-to-day operations including supplies, salaries, office rental, travel expenses, and other administrative costs, only if such expenditures were shown on the Hotel Occupancy Tax Application (See Exhibit "C") and approved by the City Council and shown to be directly related to promotion of tourism and the hotel industry. (See Exhibit "A".)
- 5.4 The NERR-BEC shall submit an annual report of activities and provide therein a projected line item budget to the City Council for approval that will include itemized personnel costs by singular job descriptions and capital outlay expenses if any. Such report and budget shall be provided no later than June 1st of each year for the next fiscal year.

The budget shall provide a complete financial plan and shall contain the following:

- (1) A budget message explanatory of the tourism/promotional activity contracted, which message shall contain an outline of the plan of the activity and, in the following years, set forth the reasons for the salient changes from the previous year (as applicable) and any major budgetary revisions. Any subsequent budgetary revision exceeding 25% of any line item, or 10% of the entire budget, will require City Council approval. All items of expenses shall contain detailed narratives as to the basis of the expenditure.
- (2) A consolidated statement of anticipated receipts and expenditures for all funds.
- (3) Anticipated revenues shall be placed in parallel columns and display therein the:
 - a) Actual amount for the last completed year;
 - b) Estimated amount for the current fiscal year;
 - c) Proposed amount for the ensuing fiscal year.
- (4) Planned expenditures shall be placed in parallel columns opposite the various items of expenditures and display the:
 - a) Actual amount of such items of expenditures for the last completed fiscal year;
 - b) Estimated amount for the current fiscal year; and

c) The proposed amount for the ensuing fiscal year.

- 5.5 Fiscal quarterly financial reports, on a form prescribed by the City (See Exhibit "B"), are required to be submitted to the City Secretary no later than sixty (60) days after the end of each fiscal quarter. These reports shall identify a budget comparison of the hotel occupancy funds received by agreement and the uses thereof as defined in the overall budget. It shall show the amount budgeted for the fiscal year by category item and the actual expenditures of such within the fiscal year quarter being reported. It shall compare the projected attendance and heads in beds from the Application submitted with the actual number of heads in beds generated. In addition, all administrative expenses shall be reported in detail comparing the current fiscal year expenses projection, the current fiscal year actual expenses and the percent of the fiscal year projection.
- 5.6 The NERR-BEC shall upon request submit an audited financial report to the City, showing in detail the disbursement and use of hotel occupancy funds paid to the NERR-BEC pursuant to this Agreement, no later than sixty (60) days after the end of each fiscal year of this Agreement. In addition, the City reserves the right to request an annual audited financial statement reflecting the financial position of the entire NERR-BEC for the duration of this Agreement. The NERR-BEC agree to provide a current audit (current defined as no later than the last fiscal year), such copy to be delivered within twenty (20) days upon receiving a request from the City Manager or Mayor.

SECTION 6. TRANSFER OF FUNDS

Upon compliance with all conditions precedent, the City Secretary shall remit to the NERR-BEC **FIFTEEN THOUSAND DOLLARS (\$15,000.00)** of the hotel occupancy tax receipts in four (4) quarterly payments of **THREE THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$3,750.00)** each. The NERR-BEC shall receive its first quarterly payment on about the effective date hereof or the date of final execution of this Agreement, whichever is later. Each quarterly payment thereafter shall be made to the NERR-BEC within ten (10) business days after receipt of the required quarterly report, but not sooner than the 31st day after the end of each calendar quarter, and after approval of said report by the City Council. The City Council may not approve any quarterly report or portion thereof if it determines that any reported expense in the reporting quarter was an improper use of funds or outside the authorized use of hotel occupancy tax and may reduce subsequent quarterly payments by the amount determined improper or unauthorized.

SECTION 7. FORCE MAJEURE – SUFFICIENT FUNDS NOT AVAILABLE

The City's obligation to make quarterly payments to the NERR-BEC pursuant to this Agreement is contingent upon anticipated receipt of a minimal amount of hotel occupancy tax from the collecting entities within the City. Based upon this anticipated, budgeted income, the total dollar figure to be paid to the NERR-BEC pursuant to this Agreement was determined. Other agreements have also been made by the City with local organizations, providing for disbursement of a portion of hotel occupancy tax funds collected. Should it happen, by act of nature or other means outside the control of the City, that the actual hotel occupancy tax funds received are less than the anticipated and budgeted funds, then in that event the City, upon prior notice to the NERR-BEC, may unilaterally reduce the payment(s) to be made pursuant to this Agreement. Unless

otherwise agreed by the City, any reduction in payments pursuant hereto shall be made from the final (fourth) quarter payment. The City shall reduce the actual payment pro rata by a percentage of the amount obligated as it relates to the total hotel occupancy tax dollars actually received.

SECTION 8. RETURN OF FUNDS UPON TERMINATION OF CONTRACT

Should this Agreement be terminated by either party hereto or by its own terms, and unless express agreement is otherwise made, the NERR-BEC shall remit and return to the City, with a final accounting thereof, all unused and unspent hotel occupancy tax funds in its possession, within thirty (30) days from the date of such termination.

SECTION 9. INDEMNIFICATION

The NERR-BEC agree to indemnify the City, its officers, agents, and employees, from any and all claims, losses, causes of action and damages, suits, and liability of every kind, including all expenses of litigation, courts costs and attorney fees, for injury to or death of any person, or for damage to any property arising from or in connection with the operations or actions of the NERR-BEC, its officers, agents and employees carried out in furtherance of this Agreement.

SECTION 10. INSURANCE

The NERR-BEC shall maintain a comprehensive general liability insurance policy, with an insurance company or companies authorized to do business in the State of Texas, which shall include bodily injury, property damage, contractual and automobile liability coverage with a minimum of not less than \$500,000.00. In addition, workers' compensation insurance coverage shall be provided by the NERR-BEC in accordance with State law.

SECTION 11. TERMINATION

If either party materially breaches this Agreement, the other party may terminate the Agreement by providing thirty (30) days' written notice to the defaulting party. Should a dispute arise regarding the existence of a material breach, either party may request that the issue be presented to a licensed mediator.

SECTION 12. NON-RENEWAL

It is understood and agreed that the NERR-BEC are not entitled to any right of automatic renewal of this Agreement for the ensuing year, or years, since such option under the Act rests exclusively with the City Council.

SECTION 13. NOTICE

All communications required by this Agreement between the City and the NERR-BEC shall be in writing and addressed to the attention of the City Manager, 2751 State Highway 35 Bypass, Rockport, TX 78382 or to the University of Texas Marine Science Institute/Mission Aransas National Estuarine Research Reserve, ATTN: Jace Tunnell, Reserve Director, 750 Channel View Drive, Port Aransas, TX 78383.

SECTION 14. COMPLIANCE WITH LAWS

In performing its duties under this Agreement, the NERR-BEC shall at all times comply with the City of Rockport Code and all the State of Texas Acts. (See Sections 1 & 5.)

SECTION 15. PROHIBITION AGAINST DISCRIMINATION

In the performance of this Agreement, the NERR-BEC shall not discriminate against any employee or applicant for employment because of an individual's race, color, religion, national origin, sex, or mental or physical disability. Proven breach of this provision may be regarded as a material breach of this Agreement allowing for termination.

SECTION 16. CONTROLLING LAW

It is understood and agreed that in the event any provision of this Agreement is inconsistent with the requirements of the Act, or any other applicable State law, the requirements of the law will control and supersede the terms set forth herein.

SECTION 17. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties, relative to the Hotel Occupancy Tax funds made the basis hereof.

IN WITNESS WHEREOF, the parties have herein unto set their hands on duplicate originals, in the City of Rockport, Aransas County, Texas on this ____ day of _____ 2022.

CITY OF ROCKPORT

**UNIVERSITY OF TEXAS MARINE SCIENCE
INSTITUTE/MISSION ARANSAS NATIONAL
ESTUARINE RESEARCH RESERVE**

Tim Jayroe, Mayor

(Print Name)

(Print Title)

ATTEST:

ATTEST:

Teresa Valdez, City Secretary

(Name & Title)

EXHIBIT “A”

CATEGORY	GRANT AMOUNT
Programmatic & Visitor Operations	\$15,000.00
TOTAL	\$15,000.00

EXHIBIT “B”

HOT FUNDING EXPENSE REPORT FY 2022-2023							
Description of Expense	Approved Budget	1st Quarter Expenses	2nd Quarter Expenses	3rd Quarter Expenses	4th Quarter Expenses	TOTAL	* Number of Heads in Beds
TOTAL REQUESTED							

*Must attach supporting documentation.

Description of Administrative Expenses	Current Fiscal Year Administrative Expenses Projection	Fiscal Year Administrative Actual Expenses	Percentage of Fiscal Year Projections
TOTALS			

Hotel Occupancy Tax Funding ApplicationDate: 5/16/2022**Organization Information**Name of Organization: Bay Education CenterAddress: 121 Seabreeze DrCity, State, Zip: Rockport, Texas 78383Contact Name: Jace Tunnell Contact Phone Number: 361-244-8665HOT Contract Email: jace.tunnell@austin.utexas.eduWeb Site Address for Event or Sponsoring Organization: http://missionaransas.org/Type of Organization: ☒ Governmental ☐ Non-Profit ☐ Private/ For-ProfitTax ID #: 74-6000203 Organization's Creation Date: 2006Purpose of Organization: To enhance the public awareness and appreciation of the ecological and economic importance of the Mission/Aransas Watershed and surrounding bays.**Event Information**Name of Event or Project: Bay Education CenterDate of Event or Project: ongoingPrimary Location of Event or Project: 121 Seabreeze DrAmount Requested: \$ 15,000

How will the funds be used: Funds will be utilized to help programmatic and visitor operations that enable us to enhance visitors' experience. Our operation adds value to the visitor experience in downtown Rockport and the beach area.

Primary Purpose of Funded Activity/Facility:

Earth, environmental and marine science education

Percentage of Hotel Tax Support of Related Costs

_____ Percentage of Total **Event Costs** Covered by Hotel Occupancy Tax

100 Percentage of Total **Facility Costs** Covered by Hotel Occupancy Tax for the Funded Event

_____ Percentage of **Staff Costs** Covered by Hotel Occupancy Tax for the Funded Event

If staff costs are covered, estimate percentage of time staff spends annually on the funded event(s) compared to other activities _____%

Which Category or Categories Apply to Funding Request, and Amount Requested Under Each Category:

- ☒ **1) Convention Center or Visitor Information Center:** 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. Amount requested under this category: \$ \$15,000
- ☐ **2) Registration of Convention Delegates:** the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants. Amount requested under this category: \$ _____
- ☐ **3) Advertising, Solicitations and Promotions that directly promote tourism and the Hotel & Convention Industry:** to attract tourists and convention delegates or registrants to the municipality or its vicinity. Amount requested under this category: \$ _____
- ☐ **4) Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry:** 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 picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms: Amount requested under this category: \$ _____

- ☐ **5) Historical Restoration and Preservation Activities that Directly Promote Tourism and the Hotel and Convention Industry:** historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums. Amount requested under this category: \$ _____

- ☐ **6) Sporting Event Expenses that Substantially Increase Economic Activity at Hotels:** Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the municipality or its vicinity. Amount requested under this category: \$ _____

How many individuals are expected to participate in the sporting related event? _____

How many of the participants at the sporting related event are expected to be from another city or county? _____

Quantify how the sporting related event will substantially increase economic activity at hotels within the city or its vicinity?

- ☐ **7) Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations:** a) the commercial center of the city; b) a convention center in the city; c) other hotels in or near the city; and d) tourist attractions in or near the city. Amount requested under this category: \$ _____

What sites or attractions will tourists be taken to by this transportation? _____

Will members of the general public (non-tourists) be riding on this transportation? _____

What percentage of the ridership will be local citizens? _____

- ☐ **8) Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality. Amount requested under this category: \$ _____**

What tourist attractions will be the subject of the signs?

Questions for All Funding Request Categories:

1. How many years have you held this Event or Project: 7
2. Expected Attendance: approx. 4,000/yr Prior year's attendance: 3,350
3. How many people attending the Event or Project will use City of Rockport hotels? unknown

Number of nights will they stay: unknown

Do you reserve a room block for this event at an area hotel and if so, for how many rooms and at which hotels:

4. List other years (over the last three years) that you have hosted your Event or Project with amount of assistance given from and the number of hotel rooms used:

Event Date	Assistance Amount		Number of Hotel Rooms Used
	City HOT Funds	Others	
<u>2019-2020</u>	\$ <u>15,000</u>	\$ <u> </u>	<u> </u>
<u>2020-2021</u>	\$ <u>13,000</u>	\$ <u> </u>	<u> </u>
<u>2021-2022</u>	\$ <u>15,000</u>	\$ <u> </u>	<u> </u>

5. How will you measure the impact of your event on area hotel activity (e.g.: room block usage information, survey of hoteliers, etc.)?

We will work with the Chamber to provide data to them that captures out of town visitors.

6. Please list other organization, government entities, and grants that have offered financial support to your project:

The University of Texas Marine Science Institute/ Mission-Aransas NERR will provide the

bulk of operational and support money.

7. Will the event charge admission? Do you anticipate a net profit from the event? If there is a net profit, what is the anticipated amount and how will it be used?

No

8. Please list all promotion efforts your organization is coordinating, and the amount financially committed to each media outlet:

Newspaper: \$ _____
 Radio: \$ _____
 TV: \$ _____
 Other Paid Advertising: \$ _____

Number of Press Releases to Media Press releases are done throughout the year as programs occur

Number Direct Mailings to out-of-town recipients _____

Other Promotions Social Media and News Releases

9. Will you include a link to local hotels on your website for booking during this event?
 NO

10. Will you negotiate a special rate or hotel/event package to attract overnight stays?
 No

11. What new marketing initiatives will you utilize to promote hotel and convention activity for this event?

The Bay Education Center promotes the city of Rockport. All advertising done through social media and press

releases mention the city of Rockport as the location of the event, program, or activity.

12. What geographic areas does your advertising and promotion reach?
 UNKNOWN

13. How many individuals will your proposed marketing reach who are located in another city or county? UNKNOWN

14. If the funding requested is related to a permanent facility (e.g., museum, visitor center):

Expected Attendance Monthly/Annually: approx. 4,000/yr

Percentage of those in attendance that are staying at area hotels/lodging facilities: unknown %

Please Submit to:

City of Rockport

City Secretary

tvaldez@cityofrockport.com

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 27, 2022

AGENDA ITEM: 19

Deliberate and act on report from Pan American Civic Association for marketing expenditures made for 2022 The Little Bay Labor Day Music Festival.

SUBMITTED BY: City Secretary Teresa Valdez

APPROVED FOR AGENDA: KH

BACKGROUND: At the Special City Council Meeting held on June 8, 2021, Jim Luna presented his Fiscal Year 2021-2022 budget request to the City Council. Budget deliberations were held through the summer to finalize the City's Fiscal Year 2021-2022 Budget, with formal adoption at the September 14, 2021, City Council Meeting. Upon approval of the Fiscal Year 2021-2022 Budget, the City Council awarded the Pan American Civic Association \$1,500.00 in funding for the 2022 Little Bay Labor Day Music Fest.

The Labor Day Music Fest was cancelled in September due to weather uncertainties and has been rescheduled to October 29, 2022. Mr. Luna has submitted the report for marketing expenditures because the City's Fiscal Year ends September 30, 2022.

The accompanying documentation is submitted by the Pan American Civic Association for payment.

FISCAL ANALYSIS: Charged to account 6602098. The budgeted amount is \$5,000.00 and YTD expenses are \$0.

STAFF RECOMMENDATION: Staff recommends approval of the report from Pan American Civic Association for marketing expenditures made for the 2022 Labor Day Music Fest and authorize disbursement of funds in the amount of \$5,000 from the Hotel Occupancy Tax Fund for the event pursuant to the contract Agreement, as presented.

PAN AMERICAN CIVIC ASSOCIATION
301 FLAG LAKE DRIVE
CLUTE, TX 77531

TERESA VALDEZ
CITY SECRETARY
CITY OF ROCKPORT
ROCKPORT, TX 78382

Re: Exhibit "A" Marketing Expenses – HOT Funds

Ms Valdez:

Due to weather uncertainties, it was necessary to reschedule "The Little Bay Labor Music Festival" to October 29, 2022. Marketing will continue so the City of Rockport will benefit more than double the exposure. Marketing expense list and invoices to date are included.

Thank You

Sincerely

Miguel Muñoz
CEO/Treasure



EXHIBIT "A"

DATE	INVOICE #	DESCRIPTION	TOT BUDGET	TOT EXPENSE
07/03/22	9000368226	iHeart Media Radio		\$ 280.00
07/08/22	100	Tejano Gold Count Down Radio/Domingo Live		\$ 1,500.00
07/08/22	100	TV Show Rudy Trevino		
07/08/22	1519	Creative Design & Marketing		\$ 650.00
07/11/22	354	Tejano Nation Multi Media		\$ 120.00
07/15/22	1277	Tejano Backstage Magazine		\$ 350.00
07/19/22	9000368226	iHeart Media Radio		\$ 280.00
07/20/22	220711	KOPY Radio		\$ 400.00
07/20/22	336-022	KHMC Magic Tejano 95 Radio Victoria, TX		\$ 400.00
07/25/22		Fierro Radio San Antonio, Houston, Dallas		\$ 800.00
08/05/22	9000384221	iHeart Media Radio		\$ 240.00
08/05/22	9000384221	iHeart Media Radio		\$ 240.00
08/12/22	16723	Coastal Bend Publishing		\$ 150.00
08/12/22	26294	Coastal Bend Publishing		\$ 385.00
08/16/22	9000389445	iHeart Media Radio		\$ 420.00
08/19/22	10105013	Rockport Pilot Newspaper		\$ 350.63
08/23/22	9000394715	iHeart Media Radio		\$ 420.00
08/23/22	1556	Creative Design & Marketing		\$ 120.00
08/24/22	179	Victoria Club 106.9 Bo Corona Entainment		\$ 250.00
08/28/22	900038563	iHeart Media Radio		\$ 600.00
		Total	\$ 5,000.00	\$ 7,955.63

CITY COUNCIL AGENDA
Regular Meeting: Tuesday, September 27, 2022

AGENDA ITEM: 21

Conduct a Joint Public Hearing with the Planning & Zoning Commission to consider a request for a Conditional Use Permit to allow the use of a manufactured home on the property, while they rebuild their home that was recently burned, located at 157 Kluge Trail; also known as McCombs, part of Lots 55 & 56, being 3.494 acres, City of Rockport, Aransas County, Texas and currently zoned R-1 (1st Single Family Dwelling District)

SUBMITTED BY: Community Planner / Assistant Director of Building and Development,
Carey Dietrich

APPROVED FOR AGENDA: KH

BACKGROUND: Richard Kretschmann is seeking approval for a Conditional Use Permit (CUP) in order to allow the use of a manufactured home (MH) on his property while they reconstruct their home that was recently burned. The MH is currently set up on the property as Mr. Kretschmann states they were not aware they needed a CUP in order to reside in the MH while they rebuild.

A public notice regarding this item was published in The Rockport Pilot in the Saturday, September 3, 2022, edition and mailed out to Seven (7) property owners within a 200-foot radius of the property. No letters For or Against the request have been received at time of JPH.

Please see the accompanying conditional use application for detail information.

FISCAL ANALYSIS: N/A

STAFF RECOMMENDATION: Not an action item, public hearing only.



JOINT PUBLIC HEARING
Rockport City Council
and
Planning & Zoning Commission

NOTICE is hereby given that the Rockport City Council and the Planning & Zoning Commission will hold a Joint Public Hearing on Tuesday, September 27, 2022, at 6:30 p.m., at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, to consider a request for a Conditional Use Permit to allow the use of a manufactured home on the property, while they rebuild their home that was recently burned, located at 157 Kluge Trail; also known as McCombs, part of Lots 55 & 56, being 3.494 acres, City of Rockport, Aransas County, Texas and currently zoned R-1 (1st Single Family Dwelling District).

Members of the public can view the meeting remotely via live stream at the address that will be provided on the City Council Agenda of September 27, 2022, and posted on the City's website www.cityofrockport.com.

Public participation is valued and citizens wishing to express their views during the Joint Public Hearing can electronically submit a Citizen Participation Form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation>, or if attending the meeting in person register at the meeting before the meeting begins. Using the same form, citizens can also provide written comments to the City Secretary by 4:00 p.m. on the day of the meeting. The Mayor will read the comments and they will be summarized in the minutes of the meeting.

The City encourages citizens to participate and make their views known at this Joint Public Hearing. For further information on this request, please contact the Building Department at (361) 790-1125.

POSTED the 30th day of August 2022, on the bulletin board at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas, and on the website www.cityofrockport.com.

PUBLISHED in *The Rockport Pilot* in the Saturday, September 3, 2022, Edition, in accordance with the City of Rockport Code of Ordinances.

CITY OF ROCKPORT, TEXAS


Teresa Valdez, City Secretary

STAFF REPORT

Building & Development Services | Carey Dietrich, Community Planner
 2751 SH 35 Bypass, Rockport, TX 78362
 Phone: (361) 790-1125, x. 226 | Email: communityplanner@cityofrockport.com

**PROPERTY ADDRESS/LOCATION**

157 Kluge Tr

APPLICANT/PROPERTY OWNER

Richard Kretschmann, Owner

PUBLIC HEARING DATE

Tuesday, September 27, 2022

P&Z DATE

Monday, October 3, 2022

CITY COUNCIL DATE(S)

1st Reading - Tuesday, October 11, 2022
 2nd Reading - Tuesday, October 25, 2022

BRIEF SUMMARY OF REQUEST

Property owner Richard Kretschmann is seeking approval for a Conditional Use Permit (CUP) in order to allow the use of a manufactured home (MH) on his property while they reconstruct their home that was recently burned. The MH is currently set up on the property as Mr. Kretschmann states they were not aware they needed a CUP in order to reside in the MH while they rebuild.

A public notice regarding this item was published in The Rockport Pilot in the Saturday, September 3, 2022, edition and mailed out to Seven (7) property owners within a 200-foot radius of the property. No letters For or Against the request have been received at time of JPH.



MAP SOURCE: Pictometry

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-1 (1 st Single Family Dwelling District)	Previously Single Family Residential Dwelling	N – R-1 (1 st Single Family Dwelling District) with SFD S - R-1 (1 st Single Family Dwelling District) with SFD E – R-1 (1 st Single Family Dwelling District) vacant land W – Not in City Limits	Manufactured Home moved onto property	3.494 acres

STAFF RECOMMENDATION**APPROVE****APPROVE WITH CONDITIONS****DENY****COMPATIBILITY with the ZONING ORDINANCE**

There can be no future development without approval of the CUP.

The Current Future Land Use Map suggests Residential Use

PROPERTY HISTORY

The property is not in a Special Flood Hazard Area.

ATTACHMENTS
(CIRCLE)

SUBMITTED PLANS

PUBLIC HEARING PETITION/
APPLICATION FORM

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO STANDARDS

OTHER (DESCRIBE)



**CITY OF ROCKPORT
ZONING AND LAND DEVELOPMENT APPLICATION**

INSTRUCTION: Please fill out completely. If more space is needed, attach additional pages. Please print or use typewriter.

- A. REQUESTING: Rezoning [] Conditional Permit [☒]
Planned Unit Development (P.U.D.) by Conditional Permit []
- B. ADDRESS AND LOCATION OF PROPERTY 157 Kluge Trl
Rockport, TX, 78382
- C. CURRENT ZONING OF PROPERTY: R1
- D. PRESENT USE OF PROPERTY: None
- E. ZONING DISTRICT REQUESTED: _____
- F. CONDITIONAL USE REQUESTED: ☒
- G. LEGAL DESCRIPTION: (Fill in the one that applies)
- Lot or Tract McCombs Lot 55 + 56 Block _____
 - Tract _____ of the _____
Survey as per metes and bounds (field notes attached)
 - If other, attach copy of survey or legal description from the Records of Aransas County or Appraisal District.
- H. NAME OF PROPOSED DEVELOPMENT (if applicable) _____
- I. TOTAL ACREAGE OR SQ. FT. OF SITE(S): 3.494 acres
- J. REASON FOR REQUEST AND DESCRIPTION OF DEVELOPMENT:
(Please be specific)
- MANUFACTURED HOME RK
Need electricity permit for trailer on the
property while rebuilding dwelling that
was destroyed during a structure fire.
for 4 years.

K. OWNER'S NAME: (Please print) Richard J. Kretschmann
 ADDRESS: 157 Kluge Trl
 CITY, STATE, ZIP CODE: Rockport, TX, 78382
 PHONE NO 830-708-7709

L. REPRESENTATIVE: (If Other Than Owner) _____
 ADDRESS: _____
 CITY, STATE, ZIP CODE: _____
 PHONE NO _____

NOTE: Do you have property owner's permission for this request?
 YES ☒ NO ☐

M. FILING FEE:

REZONING	\$150.00 + \$10.00 PER ACRE
PLANNED UNIT DEVELOPMENT	\$200.00 + \$10.00 PER ACRE
P.U.D. REVISION	\$200.00 + \$10.00 PER ACRE
CONDITIONAL PERMIT	\$150.00 + \$10.00 PER ACRE

(Make check payable to the City of Rockport)

- Submit application and filing fee to the Department of Building & Development, City of Rockport; 2751 S.H. 35 Bypass, Rockport, Texas 78382.

Signed: _____
 (Owner or Representative)

(FOR CITY USE)

Received by: CO Date: 8/24/22 Fees Paid: \$ 190.00/xx

Submitted Information (____ accepted) (____ rejected) by: _____

If rejected, reasons why: _____

Receipt No. _____



INSTRUCTIONS CITY OF ROCKPORT

1. Complete the application form and return it to the Building & Development Department, 275 S.H. 35 Bypass, Rockport, TX with the required filling fee.
2. Official notice of a public hearing to consider the request will be posted on the City Hall bulletin board and published in the official city newspaper at least 15 days prior to the hearing. The owner/applicant and any representative will be notified of the hearing date by mail.
3. The public hearing will be held jointly before the Planning & Zoning Commission & City Council. After which the Planning & Zoning Commission will hold a separate meeting at a posted time and place.
4. Recommendations for the Planning & Zoning Commission will be submitted to the City Council. The City Council will make final determination at their next available meeting.
5. We suggest that the applicant or a representative be present at the public hearings, at the Planning & Zoning meeting and at the City Council meeting to answer any questions that might arise.



EVENT CALENDAR
RE-ZONING – CONDITIONAL USE – PUD
 (Refer to City of Rockport Zoning Ordinance for specific details)

WEEK 1

Submit application of Re-zoning, Conditional Permit or PUD (Planned Unit Development).

Submit survey with legal description, if required.

Submit request for street/alley closures, if any.

WEEK 2

WEEK 3

Joint Public Hearing with City Council* and Planning and Zoning Commission.

Public Hearing on street/alley closed, if any.

WEEK 4

Planning and Zoning Commission Meeting (no public hearing).

WEEK 5

City Council* receives report from Planning and Zoning Commission; possible first reading of Ordinance to Re-zone.

City Council* takes action on request for road closures, if any.

WEEK 6

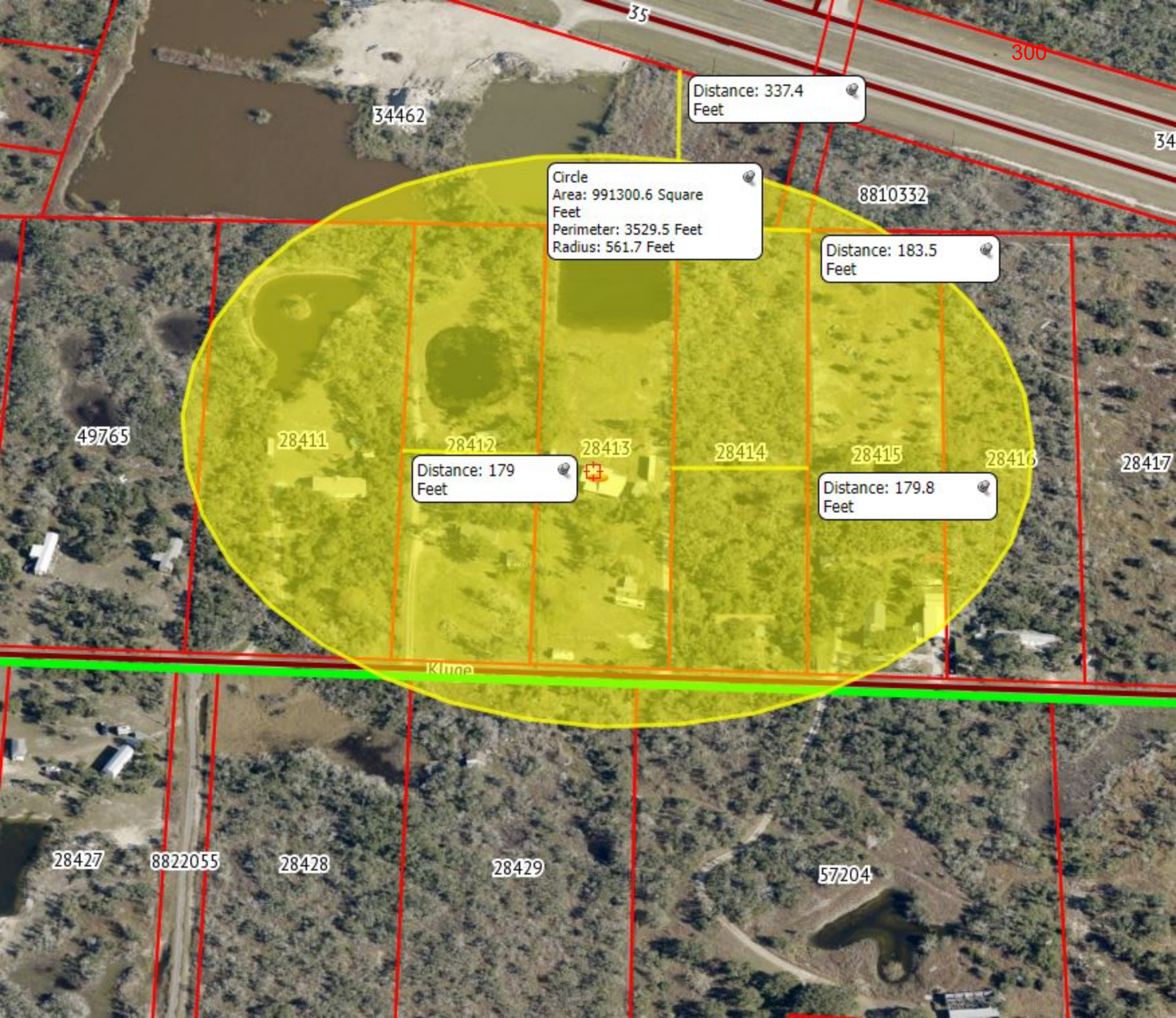
WEEK 7

City Council* meeting; possible second (and final) reading of ordinance to rezone.

If re-zoning and road closures granted, submit request to plat or re-plat property to the Planning and Zoning Commission (generally, one meeting, no public hearing required, except for true re-plat – then 15 day advertisement for public hearing).

Submit tree plan (tree survey or site plan with trees is okay) to Tree Committee (one meeting, no public hearing required).

After approval received for re-zoning, road closures re-plat and tree plan- REQUEST BUILDING PERMIT. Approximately two weeks for review of construction plans, drainage, utilities, etc. before Building Permit issued (longer if tree plan is submitted with application for building permit).



Distance: 337.4 Feet

Circle
Area: 991300.6 Square Feet
Perimeter: 3529.5 Feet
Radius: 561.7 Feet

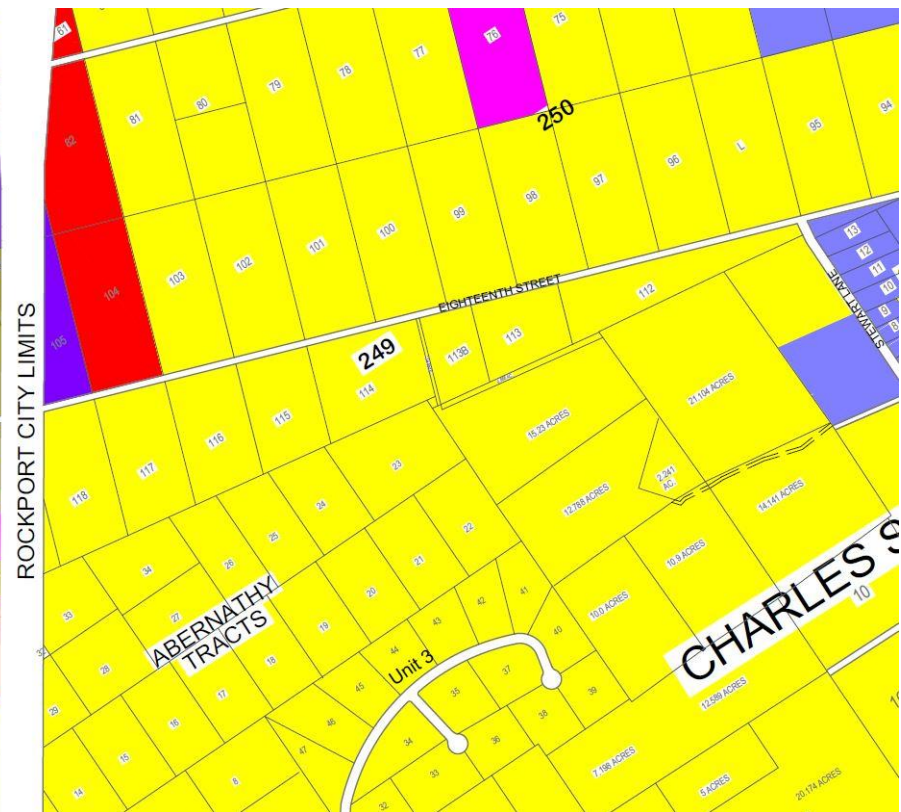
Distance: 183.5 Feet

Distance: 179 Feet

Distance: 179.8 Feet

Klinge

302



FUTURE LAND USE MAP EXHIBIT



CITY COUNCIL AGENDA
Regular Meeting: September 27, 2022

AGENDA ITEM: 23

Deliberate and act to reject all bids received on, or before August 31, 2022, for the Nassau Drive Bulkhead Replacement.

SUBMITTED BY: Building & Development/Public Works Director, Michael S. Donoho, Jr.

APPROVED FOR AGENDA: KH

BACKGROUND: The existing concrete bulkhead along the north side of Nassau Drive, located in the Key Allegro subdivision between the Casa Allegro Condos and the property located at the address 77 Nassau Drive, was previously damaged due to wave action and erosion associated with Hurricane Harvey. The proposed project will remove and replace approximately 210 linear feet of concrete bulkhead.

On August 31, 2022, bids were opened and reviewed. Derrick Construction was the only bid received. Their bid package has been reviewed and it has been determined that the total base bid submitted did not fall within an acceptable price range compared to the Engineer's estimate for the project.

Given that only one bid was submitted for the project, the engineer does not have enough evidence to conclusively determine if the unit prices as bid, are fair and just with the current market. Derrick Construction will be encouraged to participate in the rebidding of the project.

FISCAL ANALYSIS:

STAFF RECOMMENDATION: Staff recommends rejecting the bid and rebidding the project in the next few weeks.



September 9, 2022

Derrick Construction Company, Inc.
250 S. Cove Harbor
Rockport, Texas 78382

Re: GLO CDBG-DR 20-065-090-C252 – Nassau Drive Bulkhead Replacement

Subject: Bid Proposal Rejection

To Whom It May Concern,

Urban Engineering would like to thank you for participating in the request for bid proposals for the above referenced project that was opened and read aloud on August 31, 2022. Upon review of Section 1A3[1] – Proposal for Unit Price Bid, Urban Engineering has concluded that the Total Base Bid of \$600,763.00 for the project does not fall within the acceptable price range when compared to the Engineering's opinion of probable cost.

Given that Derrick Construction Company, Inc. was the sole bidder on the above referenced project, Urban Engineering does not have enough evidence to conclusively determine if the unit prices, as were bid, are fair and just with the current market. In protecting the interest of our client, Urban Engineering has decided to reject the bid proposal.

The project will be re-bid in the upcoming weeks and Derrick Construction Company Inc. is encouraged to participate. Please note, that if there are any cost saving methods that can be implemented to reduce costs, these should be taken into consideration for the upcoming re-bid.

Should you have any additional questions or concerns regarding this matter, please don't hesitate to contact me directly at (361) 854-3101 or via email at scotte@urbaneng.com.

Sincerely,

URBAN ENGINEERING

A handwritten signature in blue ink that reads 'Scott A. Evers'.

Scott A. Evers, P.E.