

ORDINANCE NO. 30210

AN ORDINANCE APPROVING AND ADOPTING THE FINAL SERVICE PLAN FOR 2016-17, THE FINAL 2016 ASSESSMENT PLAN, AND THE 2016 ASSESSMENT ROLL (TO BE KEPT ON FILE WITH THE CITY SECRETARY); ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND THE METHODS OF ASSESSING SPECIAL ASSESSMENTS FOR THE SERVICES AND IMPROVEMENTS TO PROPERTY IN THE TOURISM PUBLIC IMPROVEMENT DISTRICT (DISTRICT); CLOSING THE HEARING AND LEVYING A SPECIAL ASSESSMENT ON PROPERTY IN THE DISTRICT FOR SERVICES AND IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT DURING 2017; PROVIDING FOR REIMBURSEMENT OF CITY ADMINISTRATIVE COSTS FOR OPERATIONAL OVERSIGHT OF THE DISTRICT; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE 2016 ASSESSMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (the "Act") allows for the creation of public improvement districts; and

WHEREAS, on June 13, 2012, City Council established the Tourism Public Improvement District (the District) pursuant to the Act, finding that the petition satisfied the Act's requirements and the supplemental services and improvements were feasible and conferred a special benefit to the property in the District, designated the Dallas Tourism Public Improvement District Corporation as the manager of the District and authorized a contract for management services; and approved the District Service Plan, by Resolution No. 12-1581; and

WHEREAS, City Council has subsequently authorized the renewal of the District on August 10, 2016 by Resolution No. 16-1250 as shown on the attached **Exhibit A - Map of the District**; and

WHEREAS, on September 9, 2015, City Council authorized the Service Plan for 2015-16 and 2015 Assessment Plan by Ordinance No. 29868; and

WHEREAS, City Council must review the proposed Service Plan for 2016-17 and hold a public hearing to receive comments and pass on any objections to the 2016 Assessment Plan raised by any owner of property located within the District, and, at the conclusion of the hearing to levy the assessment for the purpose of providing supplemental services and improvements; and

WHEREAS, on August 15, 2016, information about this item was presented to the Economic Development Committee; and

WHEREAS, on August 24, 2016, the City Council authorized a public hearing to be held on September 14, 2016, to receive comments on the proposed 2016 Assessment Plan and approval of the final Service Plan for 2016-17; and

WHEREAS, the Dallas Tourism Public Improvement District Corporation provided City staff with the proposed District Service Plan for 2016-17 and 2016 Assessment Plan as shown in **Exhibits B and C**; and

WHEREAS, City Council desires to authorize and adopt the Assessment Roll that was filed with the City Secretary and subject to public inspection in the City's official records prior to the public hearing; and

WHEREAS, City Council finds that the supplemental services and improvements described in the Service Plan and Assessment Plan are feasible and advisable and will serve the needs and desires of the hotel property owners and that the apportionment of the cost among the hotel properties with 100 or more rooms for the services and improvements based on a 2% rate on hotel room nights sold are reasonable and adequate.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That City Council shall adopt an ordinance approving and adopting the final Service Plan for 2016-17, the final 2016 Assessment Plan and the 2016 Assessment Roll (to be kept on file with the City Secretary); establishing classifications for the apportionment of costs and the methods of assessing special assessments for the services and improvements to property in the Tourism Public Improvement District (District); closing the hearing and levying a special assessment on property in the District, for services and improvements to be provided during 2017; providing for reimbursement of city administrative costs for operational oversight of the District; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2016 assessment; and providing for an effective date.

SECTION 2. That the recitals and findings listed above are true and correct and that the action of the City Council closing the public hearing in these proceedings is hereby ratified and confirmed.

SECTION 3. That the TPID assessment will be levied on hotels with 100 or more rooms ("qualifying hotels") located within the TPID territory attached hereto as **Exhibit A-1**. The proposed cost of the services and improvements to be provided shall be assessed in a manner that results in imposing equal shares of the cost of the services on qualifying hotels that are similarly benefitted. The apportionment of the cost of the services against property in the TPID territory must be made on the basis of special benefits accruing to the property because of the services and improvements provided.

SECTION 3. (Continued)

Accordingly, those qualifying hotels that sell more rooms shall pay a greater portion of the assessment since those properties benefit more from the promotion and marketing services provided by the district. The total cost of the services and improvements to be provided shall be apportioned at a rate of 2% of room-nights sold at qualifying hotels located within the TPID territory until the budget for services and improvements for the year is collected. Rooms that are not subject to the City's hotel occupancy tax shall not be included for the TPID assessment. There are no exempt jurisdictions or entities that meet the definition of "qualifying hotels". City-owned hotels such as the Omni are subject to this assessment.

SECTION 4. That City Council hereby authorizes and adopts the final Service Plan for 2016-17, the final 2016 Assessment Plan and the 2016 Assessment Roll (to be kept on file with the City Secretary apportioning the total cost of the services and improvements to be assessed against property in the District for fiscal year ending December 31, 2016, of approximately \$16,528,576. The Assessment Roll apportions the assessment against each parcel of land in the District and is subject to public inspection in the City's official records.

SECTION 5. That notice of City Council's intention to consider the proposed assessments at a public hearing on September 14, 2016 at 1:00 p.m. in the City Council Chamber, 1500 Marilla Street, Dallas, Texas was published in the official newspaper of the City of Dallas, Texas before the 10th day before the date of the hearing. The notice stated: (1) the date, time and place of the hearing; (2) the general nature of the services and improvements; (3) the cost of the services and improvements; (4) the boundaries of the District; and (5) that written or oral objections will be considered at the hearing.

SECTION 6. That Dallas City staff mailed to the owners of property liable for assessment notice of the hearing as the ownership appears on the City tax roll. The notice contained the information required by the Act. The notice was mailed before the 10th day before the date of the hearing to the last known address of the property owner on the City tax roll. The failure of the property owner to receive notice does not invalidate the proceeding.

SECTION 7. That City Council finds that the assessments should be made and levied against the respective parcels of property within the District and against the owners thereof, and are substantially in proportion to the special benefits accrued to the respective parcels of property by means of the services and improvements in the District for which such assessments are levied, and further finds that in each case the property assessed is specially benefited by means of the said services and improvements in the District, and further finds that the apportionment of costs of the services and improvements is in accordance with the law in force in this City and the State, and that the proceedings of the City heretofore held with reference to the formation of the District and the imposition of assessments for said services and improvements are in all respects valid and regular.

SECTION 8. That there shall be and is hereby levied and assessed against the parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sums of money as listed in the Assessment Roll on file with the City Secretary and subject to public inspection, and the several amounts assessed against the same, and the owners thereof.

SECTION 9. That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight percent (8%) per annum, provided, however, that such interest rate shall not exceed the maximum amount allowed by law, together with reasonable fees and the costs of collection, if incurred, are hereby declared to be and are made a first and prior lien against the property assessed, superior to all other liens and claims except liens and claims for state, county, school district and municipality ad valorem taxes and are a personal liability of and charge against the owners of the property regardless of whether the owners are named. The lien is effective from the date of this ordinance until the assessment is paid and may be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body.

SECTION 10. That the assessments levied herein shall be due and payable in full on or before January 31, 2017. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof, including, costs and fees, shall be enforced by the governing body in the same manner that an ad valorem tax lien against real property may be enforced by the governing body. The owner of the assessed property may pay at any time the entire assessment, with interest that has accrued on the assessment, on any lot or parcel.

SECTION 11. That all assessments levied are a personal liability and charge against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

SECTION 12. That as part of the assessment levied herein, and as a part of the service plan, the District shall reimburse to City, administrative costs for the day to day operations conducted by city staff for the District, which amount shall be paid by the District to City upon receipt of an invoice; and that the Chief Financial Officer be authorized to establish Fund 0694, Dept. ECO, to support recovery of the costs incurred by the Office of Economic Development for such day to day operational costs incurred.

SECTION 13. That the Chief Financial Officer is hereby authorized to accept and deposit any and all revenues received from the District in Fund 0694, Dept, ECO, Unit 9884, Revenue Source 7399; and that the Chief Financial Officer be authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 0694, Dept. ECO, Unit 9884, to General Fund 0001, Dept. ECO, Unit 1161 and Unit 1163, Object 5011, to reimburse the Office of Economic Development for administrative costs incurred for the day to day operational oversight of the District.

SECTION 14. That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code, as amended.

SECTION 15. That this ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

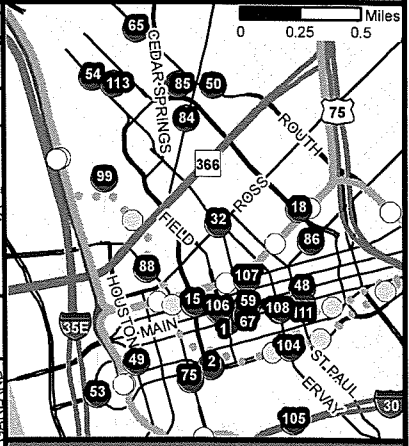
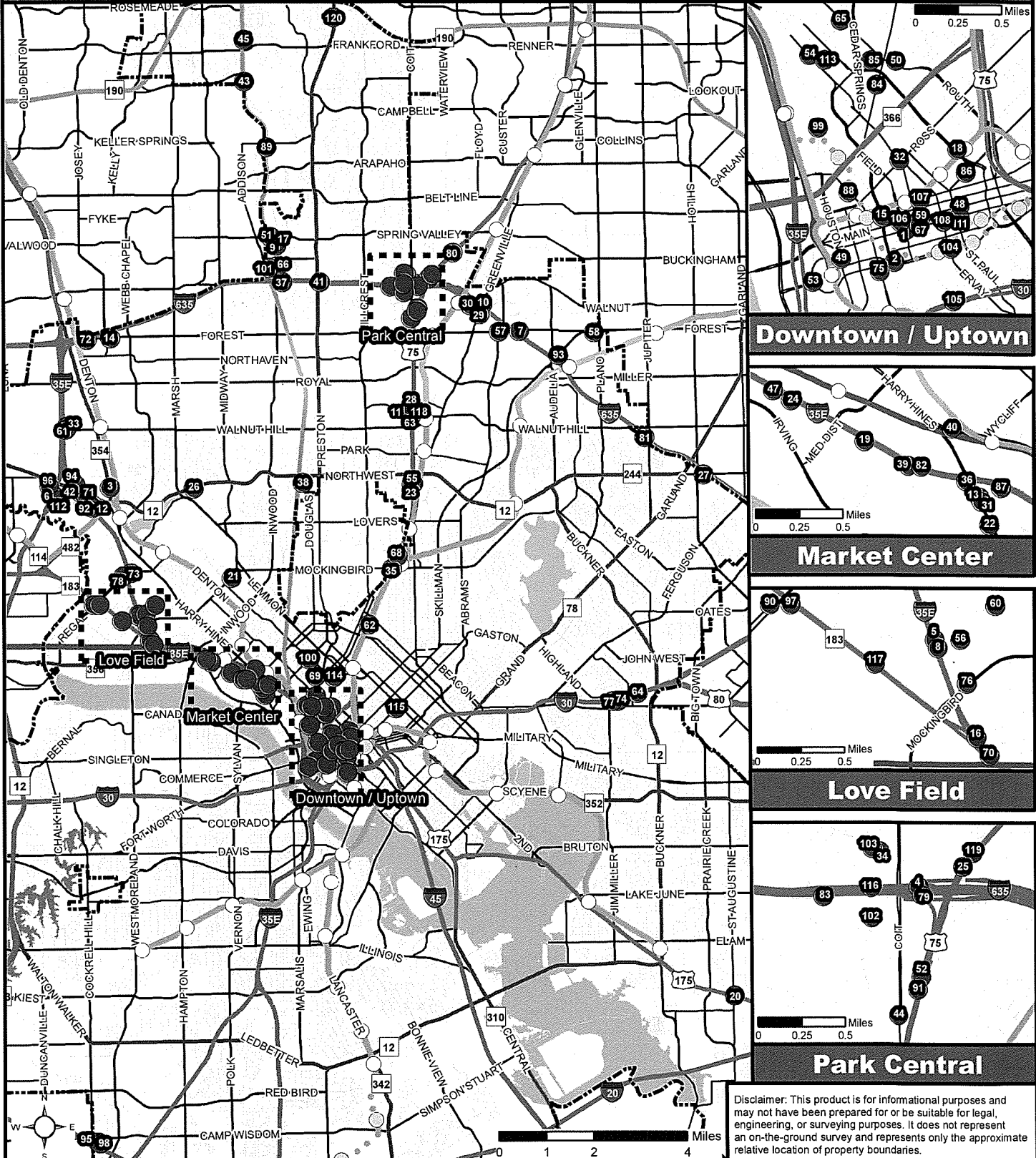
APPROVED AS TO FORM

CHRISTOPHER D. BOWERS
INTERIM CITY ATTORNEY

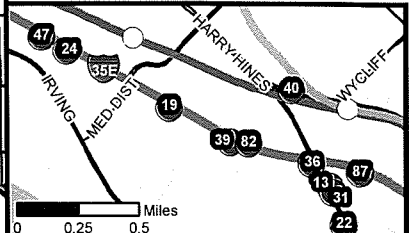
By: 
Assistant City Attorney

Passed and correctly enrolled _____ SEP 14 2016

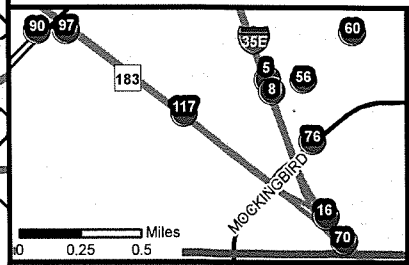
Tourism PID Hotels



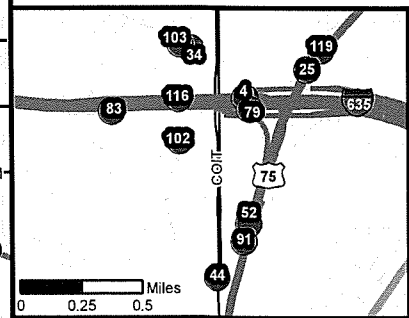
Downtown / Uptown



Market Center



Love Field



Park Central

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

DALLAS ECONOMIC DEVELOPMENT
 Research & Information Division
 214.670.1685
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Legend

● Tourism PID Hotel	— DART Light Rail	— Tollway	■ Escarpment
○ Rail Station	— Commuter Rail	— Highway	■ Flood Plain
○ Future Station	•••• Future DART Light Rail	— Arterial	■ Lake
	— Freeway	— Local Road	□ City of Dallas

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Exhibit A-1

Hotels Properties that Comprise the Tourism PID

Hotel Name	Street Address	Rooms
Hyatt Regency Dallas	300 Reunion Boulevard	1,120
La Quinta Inn & Suites Dallas Downtown	302 South Houston Street	120
Rosewood Crescent	400 Crescent Court	220
Sheraton Dallas Hotel	400 North Olive Street	1,840
TownePlace Suites Dallas Downtown	500 South Ervay Street	132
Omni Dallas Hotel	555 South Lamar Street	1,001
Dallas Marriott City Center	650 North Pearl Street	416
Lorenzo Hotel	1011 South Akard Street	237
Crowne Plaza Dallas Downtown	1015 Elm Street	293
Homewood Suites by Hilton Dallas Downtown	1025 Elm Street	130
Aloft Dallas Downtown	1033 Young Street	193
Sterling Hotel Dallas	1055 Regal Row	360
Westin Dallas	1201 Main Street	323
Love Field Hotel and Suites	1241 West Mockingbird Lane	348
Adolphus Hotel	1321 Commerce Street	422
Magnolia Hotel Dallas Downtown	1401 Commerce Street	329
The Joule	1530 Main Street	160
Knights Inn Market Center	1550 Empire Central	111
Ramada Dallas Love Field	1575 Regal Row	201
Hilton Garden Inn Downtown	1600 Pacific Avenue	171
Motel 6 Dallas - Market Center	1625 Regal Row	130
Hampton Inn & Suites Downtown	1700 Commerce Street	176
AC Hotels by Marriott Dallas Downtown	1712 Commerce Street	120
Residence Inn Dallas Downtown	1712 Commerce Street	121
Fairmont Dallas	1717 North Akard Street	545
Springhill Suites Dallas Downtown/West End	1907 North Lamar Street	148
Curio Collection Statler Hotel & Residences	1914 Commerce Street	161
Hotel Indigo	1933 Main Street	170
DoubleTree by Hilton Hotel Dallas Market Center	2015 Market Center Boulevard	227
Sheraton Suites Market Center Dallas	2101 North Stemmons Freeway	251
Fairfield Inn & Suites Dallas Medical Market Center	2110 Market Center Boulevard	116
The Ritz-Carlton, Dallas	2121 McKinney Avenue	218
Courtyard Dallas Medical/Market Center	2150 Market Center Boulevard	184
Hilton Anatole	2201 North Stemmons Freeway	1,608
Renaissance Dallas Hotel	2222 North Stemmons Freeway	514
Holiday Inn Express & Suites Dallas	2225 Connector Drive	100
Holiday Inn Express & Suites Dallas Stemmons	2287 West Northwest Highway	103
MCM Elegante Dallas	2320 West Northwest Highway	197
Hilton Garden Inn Dallas/Market Center	2325 North Stemmons Freeway	240
Hotel ZaZa Dallas	2332 Leonard Street	167

Exhibit A-1

Hotel Name	Street Address	Rooms
Country Inn & Suites by Carlton Dallas Love Field	2383 Stemmons Trail	110
Studio 6 Dallas Northwest #6035	2395 Stemmons Trail	189
La Quinta Inn & Suites Dallas I35 Walnut Hill Lane	2421 Walnut Hill Lane	121
W Dallas - Victory	2440 Victory Park Lane	252
Dallas Marriott Suites Medical/Market Center	2493 North Stemmons Freeway	265
Motel 6 Dallas - Galleria #4657	2660 Forest Lane	114
Embassy Suites by Hilton Dallas Market Center	2727 North Stemmons Freeway	248
Homewood Suites Dallas Market Center	2747 North Stemmons Freeway	137
Unnamed Hotel @ The Lexi	2815 North Harwood Street	110
Rosewood Mansion on Turtle Creek	2821 Turtle Creek Boulevard	143
Hyatt House Dallas/Uptown	2914 Harry Hines Boulevard	141
Le Meridien Dallas, The Stoneleigh	2927 Maple Avenue	170
Courtyard Dallas Northwest	2930 Forest Lane	146
Warwick Melrose Hotel Dallas	3015 Oak Lawn Avenue	184
Dream Dallas	3207 McKinney Avenue	128
DoubleTree by Hilton Hotel Dallas Love Field	3300 West Mockingbird	244
Embassy Suites by Hilton Dallas Love Field	3880 West Northwest Highway	248
element Dallas East	4005 Gaston Avenue	151
Townhouse Suites	4150 Independence Drive	108
Super 7 Inn Dallas Southwest	4220 Independence Drive	128
La Quinta Inn & Suites Dallas Uptown	4440 North Central Expressway	101
Holiday Inn Dallas Market Center	4500 Harry Hines Boulevard	200
Hyatt Place Dallas North by the Galleria	5229 Spring Valley Road	121
The Highland Dallas	5300 East Mockingbird Lane	198
Hilton Dallas Lincoln Centre	5410 Lyndon B Johnson Freeway	500
Hilton Dallas/Park Cities	5954 Luther Lane	224
Holiday Inn Express & Suites North Dallas at Preston	6055 Lyndon B Johnson Freeway	103
Magnolia Hotel Dallas Park Cities	6070 North Central Expressway	300
Residence Inn Dallas Market Center	6950 North Stemmons Freeway	142
Crowne Plaza Dallas Market Center	7050 North Stemmons Freeway	354
Residence Inn Dallas Park Central	7642 Lyndon B Johnson Freeway	139
Wyndham Dallas Suites Park Central	7800 Alpha Road	295
The Grand Hotel	7815 Lyndon B Johnson Freeway	145
Hawthorn Suites by Wyndham Park Central	7880 Alpha Road	114
Candlewood Suites Dallas Market Center	7930 North Stemmons Freeway	150
Best Western Plus Dallas Hotel & Conference Center	8051 Lyndon B Johnson Freeway	197
Ramada Dallas North	8102 Lyndon B Johnson Freeway	200
Budget Suites of America Empire Central/Dallas	8150 North Stemmons Freeway	408
InTown Suites Dallas/Market Center Extended Stay	8201 Brookriver Drive	135
Hyatt House Dallas/Lincoln Park	8221 North Central Expressway	155

Exhibit A-1

Hotel Name	Street Address	Rooms
DoubleTree by Hilton Hotel Dallas Campbell Centre	8250 North Central Expressway	300
La Quinta Inn & Suites Dallas Love Field	8300 John W Carpenter Freeway	102
Stay Express Inn Dallas Fair Park Downtown	8303 East R L Thornton Freeway	102
Motel 6 Dallas - Fair Park #4616	8510 East R L Thornton Freeway	105
Lamplighter Motel	9001 East R L Thornton Freeway	107
Extended Stay America - Dallas - Vantage Point Dr.	9019 Vantage Point Drive	134
Super 8 Dallas Love Field Market Center	9229 John W Carpenter Freeway	110
InTown Suites Dallas Northeast Extended Stay	9355 Forest Lane	145
Budget Suites of America North Dallas	9519 Forest Lane	348
Super 7 Inn	9626 C F Hawn Freeway	118
Studio 6 Dallas Garland/Northeast #5003	9801 Adleta Court	126
La Quinta Inn & Suites Dallas North Central	10001 North Central Expressway	127
Budget Suites of America Loop 12/Dallas	10222 North Walton Walker Boulevard	282
Anchor Motel	10230 Harry Hines Boulevard	126
Hampton Inn & Suites Dallas	10310 North Central Expressway	124
Courtyard Dallas Central Expressway	10325 North Central Expressway	160
Express Studios	10326 Finnell Street	146
Residence Inn Dallas Central Expressway	10333 North Central Expressway	103
Super 7 Inn Dallas	10335 Gardner Road	100
InTown Suites Garland Extended Stay	10477 Metric Drive	135
Hampton Inn & Suites Dallas North I-35 at Walnut Hill	11069 Composite Drive	113
Regency Hotel	11350 Lyndon B Johnson Freeway	236
Extended Stay America - Dallas - Coit Rd.	12121 Coit Road	133
Extended Stay America - Dallas - Greenville Ave.	12270 Greenville Avenue	116
Studio 6 Dallas Richardson/North #5010	12301 North Central Expressway	133
Hyatt Place Dallas/Park Central	12411 North Central Expressway	126
Candlewood Suites Dallas Park Central	12525 Greenville Avenue	122
Executive Inn	12670 East Northwest Highway	120
The Westin Dallas Park Central	12720 Merit Drive	536
Embassy Suites by Hilton Dallas Park Central	13131 North Central Expressway	279
La Quinta Inn & Suites Dallas North	13175 North Central Expressway	124
The Westin Galleria Dallas	13340 Dallas Parkway	448
Le Meridien Dallas by the Galleria	13402 Noel Road	258
Red Roof Inn - Dallas Richardson	13685 North Central Expressway	121
Candlewood Suites Dallas Galleria	13939 Noel Road	134
Embassy Suites by Hilton Dallas Near the Galleria	14021 Noel Road	150
Staybridge Suites Dallas Addison	16060 Dallas Parkway	129
Crossland Economy Studios - Dallas - North Addison - Tollway	17425 Dallas Parkway	120
Extended Stay America - Dallas - Frankford Road	18470 North Dallas Parkway	118
InTown Suites Dallas North, Plano Extended Stay	19059 Preston Road	121

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Exhibit B

Tourism Public Improvement District (PID) Service Plan														
Fiscal Year	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	13-year Total
Assessment Revenue	\$ 16,528,576	\$ 17,355,005	\$ 18,222,755	\$ 19,133,893	\$ 20,090,588	\$ 21,095,117	\$ 22,149,873	\$ 23,257,367	\$ 24,420,235	\$ 25,641,247	\$ 26,923,309	\$ 28,269,474	\$ 29,682,948	\$ 292,770,388
Categories	%													
Incentives & Sales Efforts	42.5%	\$ 7,024,645	\$ 7,375,877	\$ 7,744,671	\$ 8,131,905	\$ 8,538,500	\$ 8,965,425	\$ 9,413,696	\$ 9,884,381	\$ 10,378,600	\$ 10,897,530	\$ 11,442,406	\$ 12,014,527	\$ 124,427,415
Marketing (Promotion/Advertising)	35.0%	\$ 5,785,002	\$ 6,074,252	\$ 6,377,964	\$ 6,696,863	\$ 7,031,706	\$ 7,383,291	\$ 7,752,456	\$ 8,140,078	\$ 8,547,082	\$ 8,974,436	\$ 9,423,158	\$ 9,894,316	\$ 102,469,636
Site Visits & Familiarization Tours	10.0%	\$ 1,652,858	\$ 1,735,501	\$ 1,822,276	\$ 1,913,389	\$ 2,009,059	\$ 2,109,512	\$ 2,214,987	\$ 2,325,737	\$ 2,442,023	\$ 2,564,125	\$ 2,692,331	\$ 2,826,947	\$ 29,277,039
Event Funding Application Pool	7.5%	\$ 1,239,643	\$ 1,301,625	\$ 1,366,707	\$ 1,435,042	\$ 1,506,794	\$ 1,582,134	\$ 1,661,240	\$ 1,744,302	\$ 1,831,518	\$ 1,923,094	\$ 2,019,248	\$ 2,120,211	\$ 21,957,779
Operations/Research/Administration	5.0%	\$ 826,429	\$ 867,750	\$ 911,138	\$ 956,695	\$ 1,004,529	\$ 1,054,756	\$ 1,107,494	\$ 1,162,868	\$ 1,221,012	\$ 1,282,062	\$ 1,346,165	\$ 1,413,474	\$ 14,638,519
Total Expenses	100.0%	\$ 16,528,576	\$ 17,355,005	\$ 18,222,755	\$ 19,133,893	\$ 20,090,588	\$ 21,095,117	\$ 22,149,873	\$ 23,257,367	\$ 24,420,235	\$ 25,641,247	\$ 26,923,309	\$ 28,269,474	\$ 292,770,388

Note: Expenditures are limited to actual collections, which can not exceed the 2% fee on each occupied room as defined in the petition.

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Exhibit C

Tourism Public Improvement District 2016 Assessment Plan

The cost of the services and improvements provided by the Tourism Public Improvement District ("District") will be levied by special assessment against Dallas hotels located within the District territory with 100 or more rooms ("qualifying hotels") based on hotel room nights sold. The total cost of the services and improvements to be provided shall be apportioned at a rate of 2% of room-nights sold at qualifying hotels until the budget for services and improvements for the year is reached. Rooms that are not subject to the City's hotel occupancy tax shall not be included for the District assessment.



PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

SEP 14 2016

DATE ADOPTED BY CITY COUNCIL _____

30210

ORDINANCE NUMBER _____

SEP 17 2016

DATE PUBLISHED _____

ATTESTED BY: