

# Memorandum



CITY OF DALLAS

DATE May 29, 2020

TO Honorable Mayor and Members of the City Council

SUBJECT **VisitDallas Renewal Contract - Responses to May 20, 2020 Briefing Questions**

On Wednesday, May 20, 2020, Convention and Events Services (CES) staff and VisitDallas leadership briefed Dallas City Council regarding the recommended terms and related hotel occupancy tax (HOT) ordinance amendments that form the basis for a proposed VisitDallas five-year contract renewal. CES staff provided an overview that outlined recommended contract terms, proposed governance changes and a restructured HOT ordinance that would go into effect from October 1, 2020 through September 30, 2025. CES staff also provided an update on the current and forecasted impact of COVID-19 to CES revenues, and effects on the local tourism industry.

In response to City Council input at the briefing meeting, staff will address the following items in the draft contract term sheet and the HOT ordinance revisions being prepared for the City Council agenda meeting on June 10, 2020:

- Review the full contract and incorporate potential revisions in the third contract year;
- Strengthen the terms regarding Dallas-focused advertising;
- Include terms for governance and board appointments by the City;
- Specify that any retainage will be maintained by the City and not VisitDallas;
- State that the City Council will annually allocate HOT funding for eligible arts and culture and historic preservation through the budget process; and
- Update the City's termination rights clause

Additionally, the information below and in the attached **Appendix** is provided in response to City Councilmembers' requests for information. Staff will update the City Council by memorandum on those items pending VisitDallas Board discussion.

## **1. Increase the Proposed Membership Rate for Non-Dallas Hotels and Partners**

Craig Davis, CEO and President of VisitDallas, will discuss refining the membership program and propose a new rate structure for non-Dallas businesses at the June 15, 2020 VisitDallas executive board meeting. Mr. Davis plans to coordinate a decision with the executive board during the meeting, have the larger board vote on the item on June 18<sup>th</sup>, and implement changes by August 1<sup>st</sup>.

**2. Provide the current breakdown of Regional Membership and Revenue**

	<b>Membership Total</b>	<b>Dues Revenue</b>
<b>Dallas Hotels</b>	141	\$518,086
<b>Non-Dallas Hotels</b>	42	\$153,348
<b>Totals</b>	183	\$671,434
<b>Dallas Percent</b>	77%	

**3. Re-evaluate Non-Dallas advertisements on the VisitDallas Website**

During the June 15<sup>th</sup> executive board meeting, Craig Davis will also propose excluding non-Dallas advertisement on the website, except for cases involving sporting event promotion. As with Item 1, decisions on changes to website advertising will be made by the larger board on June 18<sup>th</sup>, with an implementation schedule through August 1<sup>st</sup>.

**4. Provide listings of the VisitDallas Board, Leadership Council, and Cultural Committee Members**

A complete list of VisitDallas' Board of Directors, Leadership Council and their Cultural committees are listed in **Exhibit-A**.

**5. Provide the CES HOT Revenue and Distribution**

Below please find the forecasted HOT revenue for FY21 through FY25. Fiscal Year 2021 distribution in this table aligns with the existing ordinance and the VisitDallas Amended and Restated contract approved on November 13, 2019. Subsequent years align with the proposed VisitDallas pro-forma provided during the May 20<sup>th</sup> briefing. As noted in the briefing, distribution for other allowable uses will be approved by City Council during annual budget discussions.

Fiscal Year	Forecast	Kay Bailey Hutchison Convention Center Dallas		VisitDallas		Other Allowable Uses	
		Allocation	Amount	Allocation	Amount	Allocation	Amount
2021	\$ 51,708,362	67.40%	\$ 34,851,436	29.10%	\$ 15,047,133	3.50%	\$ 1,809,793
2022	\$ 58,875,981	67.40%	\$ 39,682,411	27.60%	\$ 16,249,771	5.00%	\$ 2,943,799
2023	\$ 65,273,606	67.40%	\$ 43,994,411	25.10%	\$ 16,383,675	7.50%	\$ 4,895,520
2024	\$ 71,697,091	67.40%	\$ 48,323,840	22.60%	\$ 16,203,543	10.00%	\$ 7,169,709
2025	\$ 76,946,651	67.40%	\$ 51,862,043	20.10%	\$ 15,466,277	12.50%	\$ 9,618,331
<b>5-Year Totals</b>	<b>\$ 324,501,691</b>	-	<b>\$ 218,714,140</b>	-	<b>\$ 79,350,399</b>	-	<b>\$ 26,437,153</b>

**6. Provide a list of allowable uses of HOT**

The table below outlines the current allowable uses for HOT in alignment with Texas State tax code Title 2, Subtitle D, Chapter 351, Subchapter B: Use and Allocation of Revenue.

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There is a two-part test for every expenditure of local hotel occupancy tax:

- A. Every expenditure must directly enhance and promote tourism and the convention and hotel industry
- B. Every expenditure of the hotel occupancy tax must clearly fit into one of the statutorily provided categories for expenditure of local occupancy tax revenues:
  - a) Funding the establishment, improvement, or maintenance of a convention center or visitor information center
  - b) Paying the administrative costs for facilitating registration
  - c) Paying for advertising, solicitations, and promotions that attract tourists and convention delegates to the city or its vicinity
  - d) Expenditure that promote the arts (capped at 15% HOT or 1% tax received on cost of room, whichever is greater)
  - e) Funding historical restoration or preservation programs (capped at 15%)
  - f) Funding certain expenses, including promotional expenses, directly related to a sporting event (only within counties with a population of under one million)
  - g) Funding the enhancement or upgrading of existing sports facilities or sports fields for certain municipalities (only in certain cities)
  - h) Funding transportation system for tourists
  - i) Signage directing tourists to sites and attractions that are visited frequently by hotel guests in the municipality

If you have additional questions, or require further information, please me contact me or Rosa Fleming, Director of CES.



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**January 2020**



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**February 2020**

## APPENDIX - A: VisitDallas Renewal Contract - Responses to May 20, 2020 Briefing Questions

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## APPENDIX - A: VisitDallas Renewal Contract - Responses to May 20, 2020 Briefing Questions

### VisitDallas Cultural Tourism Committee Members 2020 Roster

#### Visit Dallas

**Craig Davis**  
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**Wendy Richardson**  
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\*Denotes VisitDallas Board Member

\*\* Denotes VisitDallas Leadership Council Member