

**RESOLUTION NO. 2023-009**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANDERA, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH SOCIAL HILL MUSIC, LLC AND THE RECOMMENDATION FOR FUNDING FROM THE HOTEL OCCUPANCY TAX FUND IN THE AMOUNT OF XXXXXXX; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Social Hill Media is a for profit company in Texas; and,

**WHEREAS**, Social Hill Media intends to live music each weekend in Bandera County; and,

**WHEREAS**, the Social Hill Media Series celebrates the culture and history Bandera through music which serves a public to citizens and visitors about the history of this region of Texas; and

**WHEREAS**, there are expected to be over 600 attendees to the series, composed of participants and spectators; and

**WHEREAS**, Social Hill Media is requesting hotel occupancy tax funding in the amount of \$XXXXXX to assist with marketing the series; and

**WHEREAS**, Texas Tax Code Section 351.101 authorizes the use of Hotel Occupancy Tax for expenses that promote tourism, advertising and promotional programs that attract tourists to the municipality or its vicinity, and expenses, including promotion expenses, directly related to a sporting event in which the majority of participants are tourists who substantially increase economic activity at hotels and motels within the municipality or its vicinity; and,

**WHEREAS**, the City Council hereby finds that expending the funds contemplated in the manner required by the Texas Tax Code is in the best interest of the City and its citizens, and serves a public purpose.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BANDERA, TEXAS:**

Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 2. The City Council of the City of Bandera, Texas hereby approves the request for funding in the amount of \$XXXXX to the Social Hill Media for advertising and other costs to be expended in conformance with Texas Tax Code Section 351.101, and authorizes the Mayor to execute the Event Agreement attached hereto as Exhibit A.

Section 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

**PASSED AND APPROVED this 26<sup>nd</sup> day of September, 2023.**

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Mayor, Rebeca Gibson

ATTEST:

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Jill Shelton, City Secretary