HOTEL OCCUPANCY TAX (HOT) GRANT PROGRAM FUNDING AGREEMENT

This Agreement made and entered into this, the 15th of November 2022, and between the **City of Dripping Springs**, Texas a general-law municipality located in Hays County, Texas ("City"), and **Friends of the Pound House Foundation**, ("Pound House") is understood and agreed to be as set forth herein.

RECITALS:

- **WHEREAS**, the City of Dripping Springs has been and remains a recognized destination for tourists, and as a result has developed a tourism industry which is beneficial to the City, its residents, and merchants; and
- **WHEREAS,** the continued promotion and growth of the tourism industry will enhance the City, and insure to its benefit; and
- **WHEREAS,** there is available a seven percent (7%) Hotel Occupancy Tax, authorized by state statute, the proceeds of which can be utilized by the City to promote tourism, and enhance the arts and historical preservation of the City; and
- **WHEREAS,** the City Council has deemed it to be in the best interest of Dripping Springs to accomplish the goals as set forth above, and to enact and approve a seven percent (7%) Hotel-Motel Occupancy Tax, the proceeds of which can be devoted to the foregoing purposes; and
- **WHEREAS**, the City Council deems it to be in the public interest to promote tourism and increased hotel occupancy through the execution of certain limited funding agreements that award grants financed by a portion of the proceeds from the collection of Hotel-Motel Occupancy Tax revenue; and
- **WHEREAS**, the City's Hotel Occupancy Tax Committee reviewed various funding proposals and made a recommendation regarding the grant described herein; and
- **WHEREAS,** the City Council approved the expenditure of the grant funds in the Fiscal Year 2023 Budget through the approval of Ordinance No. 2022-33 on September 20, 2022; and
- **WHEREAS,** the City Council awarded and approved the grant of these funds at a properly-conducted public meeting held on September 20, 2022.

NOW, THEREFORE, BE IT MUTUALLY AGREED AS FOLLOWS:

1. PARTIES

The parties to this Agreement shall be the City of Dripping Springs (City), and the Friends of the Pound House Foundation, a nonprofit corporation organized under the laws of the State of Texas.

2. FINDINGS

The parties hereby agree that the project(s) described in the Recipient's funding application ("Attachment "A") promotes tourism.

3. GRANT

The City hereby agrees to transfer as a grant a portion of the Fiscal Year 2023 Hotel Occupancy Tax funds to Pound House for the following: advertising, solicitation, promotional programs; historical restoration and preservation projects and activities; and signage in an amount of Seventy-one thousand, one hundred and ninety-eight dollars (\$71,198.00). The grant shall be payable in one lump sum payment no later than 30 days after the date this Agreement is signed by both parties.

4. SERVICES

In exchange for the grant described above, Pound House hereby agrees to utilize the grant funds in the amount of Seventy-one thousand, one hundred and ninety-eight dollars (\$71,198.00) for the purposes as described in Attachment A.

5. REQUIREMENTS

- 5.1 Recipient must ensure that all Dripping Springs lodging and their current contact information are listed on information provided to visitors, registrants, vendors, and event attendees, including visitor and event websites, funded by the grant. Also, all Dripping Springs hoteliers must be made aware of the historic site and any event, have access to mailing lists, and have sufficient time to participate in the bidding process for both primary bookings and overflow.
- 5.2 If grant funds are used for advertising, the City Administrator must approve the final advertising copy prior to publishing or distribution for appropriate representation of the City of Dripping Springs, and local lodging.
- 5.3 Promotional materials using grant funds are required to include the appropriate City of Dripping Springs branding as provided by the City Administrator. Also, any event sponsor signage is required to include the appropriate City of Dripping Springs brand; and
- **5.4** Recipient must provide the City Administrator with two copies of all printed materials created with grant funds.

6. DURATION

This Agreement is commencing on December 1, 2022 and ending on September 30, 2023. Recipient must expend the grant funds during the term of this Agreement or remit the remaining balance back to the City.

7. TERMINATION

This Agreement may be terminated by either party prior to performance with or without cause upon written notification to the other party. After the Recipient has commenced performance of the obligations provided for in this Agreement, the City may terminate the Agreement only in instances of breach by the Recipient, at which time the Recipient shall reimburse to the City the amount of the grant not yet expended. If the Recipient terminates this Agreement after having received funds from the City, the Recipient shall reimburse the City the complete amount of the grant provided for herein.

8. ACCOUNTING

Prior to the expiration of this Agreement, an agent of the Recipient will submit a Post Event Report Form as provided by the City describing the status of the project and explaining how the grant funds were used. The report shall include expenditures covered by the funds provided by this Agreement, visitor attendance data from event surveys, and estimated number of visitors overnight stays due to the event/expenditure. Following submission of the Post Event Form, an agent of the Recipient may be required to attend a City Council meeting to personally account for the expenditures made in accordance with this Agreement, if requested to do so by the City Administrator.

9. CONTACTS

For purposes of this Agreement, communications may be sent as follows:

To the City:

City of Dripping Springs Attn: Michelle Fischer PO Box 384 Dripping Springs, TX 78620 To the Recipient:

Friends of the Pound House Foundation
Attn: Betty Meyer
PO Box 1150
Dripping Springs, TX 78620

10. INDEMNIFICATION

The Recipient hereby releases, indemnifies, and holds the City, its employees, and agents, harmless for any damages, injuries, or other claims resulting from Recipient's actions or inactions, or the conduct of Recipient's agents, employees, or contractors.

11. INCLUSIVENESS

This document represents the entire understanding between the parties. This Agreement may only be amended in writing with the mutual consent of the parties.

12. SEVERABILITY

If any sentence, clause, or portion of this Agreement is deemed unenforceable by a court of competent jurisdiction, the remainder of the Agreement shall remain in full force and effect.

WHEREFORE PREMISES AND CONSIDERATION ACCEPTED, AND HEREBY AGREED:

CITY OF DRIPPING SPRINGS:	FRIENDS OF THE POUND HOUSE FOUNDATION:
Bill Foulds, Jr., Mayor	Betty Meyer, Vice President, Board of Trustees
Date	Date
ATTEST:	
Andrea Cunningham, City Secretary	

Attachment "A"

Pound House HOT Funding Application



Application Date: May 13, 2022

HOT GRANT FUNDING PROGRAM APPLICATION

Organizational Information

Name of Organization/Business: Friends of the Pound House Foundation

Address: PO Box 1150

City, State, Zip: Dripping Springs, TX 76820

Contact Name: Jenny Pack

Contact Phone/Email: info@phfmuseum.org

Website Address: phfmuseum.org

Type of Business/Organization: Museum

Non-Profit Status: 501c3

Tax ID Number: 742580000

Entity's Creation Date: January 1991

Purpose of Organization/Business:

Protect, preserve and develop the Pound House farmstead for the use, education, enjoyment and benefit of persent and future generations. The PHF Museum is a living depiction of early life in the Texas Hill Country, providing historical education, a destination point for visitors and agthering place for the community.

Event/Project Information

Name of Event/Project: 20222-23 Sustaining preservation and special preservation projects; signage; and advertising

Date of Event/Project: 2022-23 fiscal year

Location of Event/Project: 419 Founders Park Road, Unit B Dripping Springs, TX 76820

Description of Event/project:

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	B) Cortification of interpretive and way signage throughout the museum grounds to improve guest experience and inform outdoor exhibits. C) Advertising and promotional programs to attract to
Funding Amount Requested:	\$71,198.00
How funds will be used, including	itemized list of expenditures which can be attached separately:
Please see attached list	
Percentage of Total Event/Project	Cost Covered by HOT Funding: 50%
	r Categories apply to the Funding Request, and list the Amount Requested
	Information Center: construction, improvement, equipping, repairing, wention center facilities or visitor information centers or both.
Amount requested under this categ	30ry:
Registration of Convention Dele convention delegates or registrants	egates: furnishing of facilities, personnel, and materials for the registration of
Amount requested under this cates	gory:
Advertising, Solicitation, Promo to the municipality or its vicinity	tional programs to attract tourists and convention delegates or registrants
Amount requested under this categ	gory: \$4,000.00
encouragement, promotion, impro impact on tourism and the hotel/co hotel nights that are booked due to include instrumental and vocal m fields, painting, sculpture, photog	irectly Enhance Tourism and the Hotel & Convention Industry: the ovement, and application of the arts that can be shown to have some direct convention industry. The impact may be that the art facility or event can show their events or that guests at hotels attend the arts event. Eligible forms of art usic, dance, drama, folk art, creative writing, architecture, design and allied raphy, graphic and craft arts, motion picture, radio, television, tap and sound of the presentation, performance, execution, and exhibition of these major art
Amount requested under this cates	gory:
	vation projects or activities or advertising and conducting solicitation and rage tourists and convention delegates to visit preserved historical sites or
Amount requested under this categ	zory: \$59,198.00
	l expenses, directly related to a sporting event in which the majority of vent must substantially increase economic activity at hotels within the city
Amount requested under this cates	30ry:
How many individuals are expected	ed to participate in the sporting related event?

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How many 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.
Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations: 1) the commercial center of the city; 2) a convention center in the city; 3) other hotels in or near the city; and 4) 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?
Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality.
Amount requested under this category: \$8000.00
What tourist attractions will be the subject of the signs: The interpretive signage will share information about our outdoor exhibits throughout the museum grounds. The signs will inform the guests' experience, share historical information and impact the depth of our tours.
Way-signage on the grounds will direct visitors where to go to find information, restrooms and various other facilities on the grounds. This is a continuation of our signage project from last year.
Promotion and Preservation of Dark Skies. Construction and maintenance of infrastructure and the purchase and installation of hardware that reduces light pollution and sky glow.
Amount requested under this category: Describe Construction or Maintenance Project to include location, type of infrastructure and/or hardware to be installed:
City of Dripping Springs Fiscal Year 2022-2023

All Funding Requests Section must be completed for city t	o evaluate this applicati	on. Incomplete app	lications are subject	to automatic denial.
How many years have you he this Event/Project:	19 year	What is the exp of the Event/Pro	oected attendance oject:	50,000
How many people attending the	ne Event/Project will	use Dripping Spri	ngs hotels: UK	
How many nights will the atte	ndees be staying for t	he Event/Project:	UK	
Do you reserve a room block which hotels?	for this event/project	at an area hotel a	nd if so, for how n	nany rooms and at
List other years (over the last grant funding and the number			· Event/Project wi	th amount of HOT
Month/Year Held	Grant Amou		Number of Hot	el Rooms Used
	\$22,700.00 \$36,875.21		K K	
2019-20	330,073.21	-	TX .	
How will you measure the imp survey of hoteliers, etc)? Farmers Market tracks weekly attendance and go The museum also has data tending methods for all guests. We record guest cour Please list other organization,	athers information about out-of-tor	WIN guests. DSPF also count of the results of the r	is gate numbers and advertis	es to a wide geographic-span.
event/project:	,			
Humanities Texas, Sun We actively seek suppor				
FPHF is sustained enti	0 0	*	<u> </u>	
11111 10 Sustained entit	rely unough gre	ant randing a	ia private doi	idilorio.
Admission Fee for Event/Proj	ect: Free			
Anticipated Net Profit, if any:	\$0.00			
Please list all promotion effort to each media outlet:	ts your organization i	s coordinating, a	nd the amount fina	ancially committed
Newspaper:				

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Internet:
Radio:
TV:
Other Paid Advertising:
Number of Press Releases to Media:
Number of Direct Mailings to out-of-town recipients:
Other Promotions:
Will you include a link to the Dripping Springs Visitors Bureau or other source on your promotional handouts and in your website for booking hotel nights during this event/project?
Will you negotiate a special rate or hotel/event package to attract overnight stays?
What new marketing initiatives will you utilize to promote hotel and convention activity for this event/project?
We currently offer brochures and rack cards encouraging hotel guests to visit the museum as part of their Dripping Springs experience.
We also plan to partner with other local businesses and hotels to pull together "historic DS packages" which incorporate other businesses/areas,
such as downtown Mercer Street and the Mercer Street Walking tour map.
What geographical areas does your advertising and promotion reach? Hays, Travis and Comal Counties. Some events target a broader audience
state-wide. A ginificant number of our visitors are either from greater-Dallas
area; Fredericksburg; San Antonio,or resideout of state.
How many individuals will your proposed marketing reach who are located in another city of county? Unknown, but the digital marketing campaigns for our weekly and annual events reaches thousands.
If the funding requested is related to a permanent facility (e.g. museum, visitor center)? Expected Attendance Monthly/Annually: 2,000 monthly/ 50,000 Annually
Percentage of those in attendance that are staying at area hotel/lodging facilities: UK

Completed application with required attachments must be submitted to the City of Dripping Springs:

By Mail to: In Person to:

City of Dripping Springs City of Dripping Springs

Attn: City Administrator City Hall

PO Box 384 511 Mercer Street

Dripping Springs, TX 78620 City of Dripping Springs, TX 78620

Electronic Submission to:

mfischer@cityofdrippingsprings.com

I fully understand the Local HOT Grant Program Application and Guidelines established by the City of Dripping Springs. I intend to use this grant for the aforementioned Event/Project expenditure to forward the efforts of the City in *directly* enhancing and promoting tourism and the convention and hotel industry by attracting visitors from outside Dripping Springs into the city or its vicinity. I have attached to this application:

- proposed marketing plan for event/project
- schedule of activities for event/project
- a list of the organization/business board of directors
- proof of non-profit status (if applicable)
- proof of registered business with the State of Texas (if applicable), and

I understand that if I am awarded a Local HOT Grant by the City of Dripping Springs, I will be required to enter into a Local HOT Grant Program Agreement with the City and any deviation from the approved project and the Agreement may result in the partial or total withdrawal of the Local HOT Grant Program funds.

Friends of the Pound House Foundation

Business/Organization Name

May 13, 2022

Applicant's Signature

Date

POUND HOUSE FARMSTEAD

MARKET STRATEGY

A Sense of Place

Pound House Farmstead is a Founder's museum and time capsule of a bygone era. We tell the story of Dripping Springs from the settlement of the first families in 1854 through to the late 1940's. Cultural heritage tourism is one of the best parts of the tourism industry, and is a powerful economic development tool. Museums play a major role not only in the wider sphere of arts, but also within tourism and leisure. PHF Museum offers distinctive draw, which surrounding communities lack.

Research + Development



KNOW OUR TARGET MARKET

Continued tracking of annual data to meet our visitors' needs

* INCREASE ENGAGEMENT

Gate numbers have increased by 100-fold, now we want guests to discover more of the museum

MARKET RESEARCH

Professional consultants have been retained to improve visitor experience + draw more tourism

What are our goals?

- FINISH RESTORATION + REPAIR TO PRESERVE THE HISTORIC HOUSE BUILDING
- IMPLEMENT PROFESSIONAL CONSULTATION ON IMPROVING VISITOR EXPERIENCE
- **愛** UPDATE + REFRESH EXHIBITS
- **S** ATTRACT MORE VISITORS
- 20TH ANNVERSARY GRAND OPENING!

5 KEY ACTIONS TO REACH OUR GOALS

FUNDING

In addition to HOT Grants, we will continue robust grant acquisition and private donor funding to ensure the viability of our projects



UP OUR SOCIAL GAME



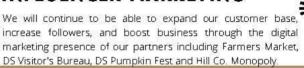
We will continue to grow our outreach and expand to broader markets with paid digital advertising of our own, in addition to 3rd party marketing plans. We will continue to broadcast through our newsletter, website and social platforms.

MAP IT OUT



Our self-guided maps will be distributed locally. In addition, we will continue our participation in the Texas Hill Country Passport program, spanning multiple Texas counties

INFLUENCER MARKETING





GAIN COLLABORATIONS



We will expand our brand awareness by continuing to build relationships with local entities who acquire our same values and vision.



Itemized List of Expenditures

HOT Grant 2022-23

ADVERITSING:

Texas Hill Country Monopoly	\$2,000.00
Vendor Booth	\$2000.00

PRESERVATION:

Collections Storage	\$3,900.00
Heritage Oak Tree Care	\$2,000.00
Tree trimming of all historic oak	\$1,680.00
Historic Rose Garden Maint.	\$1,500.00
Exhibit Development	\$25,200.00
Interior Building Repairs	\$14,420.00
Exterior Paint	\$4,050.00
Porch Repair	\$6,448.00

SIGNAGE:

Interpretative Signage (Grounds) \$8,000.00



Client: 8119477 Printed on: 4/27/2022

Pound Farmstead
Attn: Jennifer Pack
419 Founders Park Road
Drippping Springs, TX 78620
Mobile Phone: 562-682-7909
E-Mail Address: pioneer @drpoundfarmstead.org

Bartlett Tree Experts
Jo Harris - Representative
2200 Old Ranch Road 12, Unit A
San Marcos, TX 78666
Business: 512-392-1089
Mobile Phone: 512-507-3971
Fax Number: 512-392-7398

E-Mail Address: jharris@bartlett.com

The following program is recommended for certain trees and shrubs on your property. In addition to a thorough plant health care program, Bartlett Tree Experts recommends having a qualified arborist inspect your property periodically to assist you in identifying potential risks or hazardous conditions relating to your trees or shrubs. THIS IS NOT AN INVOICE.

Tree and Shrub Work:

Removal

Dismantle the declining 1 Mulberry located at the left side of house. Leave stump as close to grade as possible. Remove resulting debris.

Amount: \$1,890.00

Tax: \$155.93

Natural Pruning

Species	Location
1 Feature Live Oak	rear of Building
1 Live Oak, Quercus virginiana	right of building
13 Live Oaksgroup	left side of property
2 Live Oaks group	left rear of building out side of the fence

Go als:

- Improve clearance over grade8-10ft
- Improve clearance over drive 12-14 ft

Specifications:

- Reduce and/or remove live branches as needed, 2-6 inch diameter cut(s), 8-10Ft of clearance from Grade
- Reduce and/or remove live branches as needed, 2-6 inch diameter cut(s), 12-14ft of clearance from Roadway
- Remove all debris

Arborist Notes:

Note: remove 2-3 large dead lower limbs on the oaks

Amount: \$1,680.00

Client: 8119477	Printed on	: 4/27/ 2022
	Та	x: \$138.60
Total for 'Tree and Shrub Work'		: \$3,570.00 ax: \$294.53
	Total Amount:	\$3,570.00
	Total Ta	x: \$294.53
	Total:	\$3,864.53
authorizing the program. (Customer Signature)	(Date)	
(Bartlett Representative - Jo Harris)	(Date)	

To access a certificate of liability insurance for Bartlett Tree Experts, please navigate to http://www.bartlett.com/BartlettCOI.pdf

All accounts are net payable upon receipt of invoice.

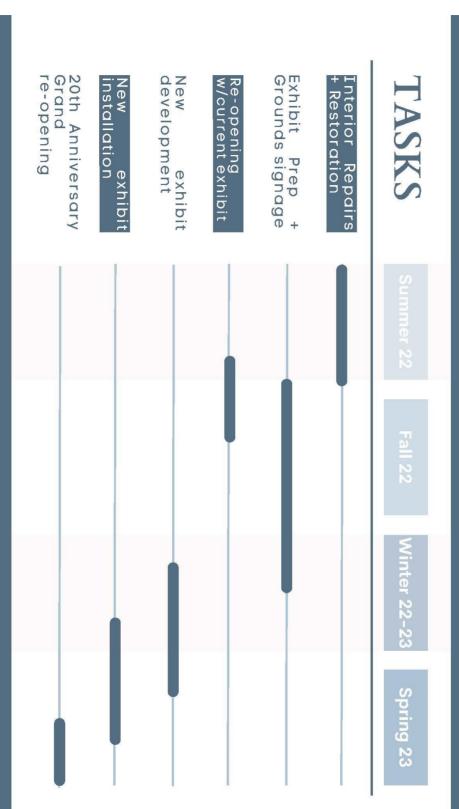
Work is done in accordance with ANSI A300 Tree Care Standards.

A Job Site Safety Analysis was completed for your property, please contact your arborist for further details.

Total	Cleanup and debris removal	EXCLUDE WIILEWASHED IOB WAIIS.	Paint exterior, same color scheme, and ramp, breezeway and front porch floors.	Repair floor joists as needed.	Remove old decking, install new decking with comparable size material for each area.	Ramp, breezeway and front porch decking replacement.	install brown fiber insulation board against root, over insulation and trim with wood where necessary.	Install insulation between rafters and in exterior wooden gables.	Repair dry rot at cistern cap.	Repair 7 ft. section of dividing wall in northeast room.	DO NOT PAINT log or rock walls.	Whitewash the interior walls up to ceiling height, paint ceiling joists and above exposed wood a medium brown.	To furnish the labor and materials for the following job descriptions.	Description of Work	Dripping Springs, Texas 78620	419-B Foundes Park Road	Pound House	Bill To:	markwilhelm7779Wgmail.com	Austin, Texas 78738	Suite 350-339	12400 St. Highway 71 W.	Customer ID Pour	Invoice	Pinnacle Rooting Proposal	
\$24,918.00	\$600.00		\$3,450.00			\$6,448.00		\$11,470.00					\$2,950.00										Pound House additions	89117	5/10/2022	The state of the s

FPHF

SCHEDULE OF ACTIVITIES



Friends of the Pound House Foundation

Board of Trustees 2022

Betty Meyer, President 8000 Mt. Sharp Road Wimberley, TX 78676 halbett13@aol.com 512-431-7839

Miles Mathews, Past President 144 Cats Eye Cove Dripping Springs, TX 78620 miles@hmwkglobal.com 512-940-8554

Echo Uribe, Vice President 3805 Lone Man Mountain Rd Wimberley, TX 78676 Poundfarm.echo@gmail.com 512-796-7895

Janet Hermann, Treasurer 365 Beckys Way Dripping Springs, TX 78620 jhermann@hotmail.com 773-259-7324

Laura Kirk, Secretary 629 Post Oak Dr. Dripping Springs, TX 78620 lbkirk@flash.net 512-751-6902

Evan Webb 1380 Pursley Rd. Dripping Springs, TX 78620 epwebb@gmail.com 512-743-5846

Wanda Mauldin 3716 Kandy Drive Austin, TX 78749 omesadieladywjm@gmail.com 512-789-5135 Maggie Castleman 4777 Bell Springs Road Dripping Springs, Texas 78620 512-633-7298 momsiecastleman44@gmail.com

Emily Hummel 12901 Staton Drive Austin, TX 78727 emhumm@gmail.com 512-784-7975

Timothy Graves 10305 Wildwood Hills Lane Austin, TX 78737 thgraves@icloud.com 512-964-9425

Marilyn West 1519 Trebled Waters Trail Driftwood, TX 78619 hereintexas@outlook.com 562-253-2610

Rebekah Johnson, Junior Board Member 267 Steamboat Crossing Dripping Springs, TX 78620 Rebekahjohnson721@gmail.com 512-541-0523

Jenny Pack, Executive Director 1519 Trebled Waters Trail Driftwood, TX 78619 pioneer@drpoundfarmstead.org 562-682-7909



January 16, 2014

FRIENDS OF THE POUND HOUSE FOUNDATION PO BOX 1150 DRIPPING SPGS, TX 78620-1150

According to the records of the Comptroller of Public Accounts, the following exemption(s) from Texas taxes apply to the above organization(s):

Franchise tax, as of 07-30-1990
Sales and use tax, as of 07-29-1991
(provide Texas sales and use tax exemption certificate Form 01-339 (Back) to vendor)
The entity is not exempt from hotel occupancy tax.

Texas taxpayer identification number: 17425800004

This exemption verification is not a substitute for the completed exemption certificates that are required when claiming exemption from Texas taxes. Vendors should be familiar with the requirements for accepting the certificates in good faith from their customers.

This exemption verification does not mean that the organization holds a <u>permit</u> for collecting or remitting any Texas taxes.

Exempt organizations must collect tax on most sales. For more information, please see our publication <u>Exempt Organizations</u>. <u>Sales and Purchases</u> (96-122). <u>Online registration is available</u>.

For information concerning sales taxpayer permit status, please use the <u>vendor search</u> we provide online.

Corporations that are registered in Texas with the Secretary of State must maintain a current registered agent and registered office address. Information is available from <u>Business and Nonprofit Forms page</u> of the <u>Secretary of State's Website</u>. Additionally, out-of-state corporations, limited liability companies, or limited partnerships transacting business in Texas may need to file a Certificate of Authority or Registration with the Texas Secretary of State. More information is available from the <u>Foreign or Out-of-State Entities page</u> on the Secretary of State's Website.

Our publications and other helpful information are available on our <u>website</u>. If you need more information, write to us at <u>exempt.orgs@cpa.state.tx.us</u>, or call us at (800) 252-5555.