

ORDINANCE NO. 2011-31

AN ORDINANCE OF THE CITY OF LEAGUE CITY, TEXAS
CREATING A HOTEL OCCUPANCY TAX ADVISORY
BOARD, DESIGNATING ITS MEMBERSHIP, DEFINING
ITS POWERS AND DUTIES, AND CONTAINING FINDINGS
AND PROVISIONS RELATED TO THE FOREGOING
SUBJECT.

WHEREAS, by virtue of the authority conferred upon it under Chapter 351 of the Texas Tax Code, the City of League City, Texas (the "City") does levy a hotel occupancy tax within the City, the proceeds of which are utilized to promote, among other things, tourism and the convention and hotel industry located within the City; and

WHEREAS, pursuant to Section 351.101 of the Texas Tax Code, the City may, but is not obligated to, delegate the management and supervision of programs and activities funded by the hotel occupancy tax to a third party; and

WHEREAS, pursuant to Ordinance No. 2009-35 the City did authorize entering into an agreement with Destination League City Convention and Visitors Corporation ("DLC"), a Texas non-profit corporation, to manage and supervise the programs and activities funded with revenues from the City's hotel occupancy tax for the period beginning October 1, 2009 and ending September 30, 2010; and

WHEREAS, DLC has forfeited its right to conduct business within the State of Texas due to an involuntary dissolution for failure to comply with state law requirements for periodic filing of reports as required under the Texas Business Organizations Code; and

WHEREAS, the City wishes to create a City-appointed board or commission to assume, in part, the duties and responsibilities previously held by DLC and to continue the task of providing recommendations to the City Manager for the future expenditure of hotel occupancy tax proceeds in accordance with state law;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS:

SECTION 1. Findings.

The City Council of the City of League City adopts the preceding preamble paragraphs as if repeated verbatim herein and finds them as matters of fact.

SECTION 2. Creation of Board.

The City Council, by virtue of the authority vested under Article II, Section 17, of the Charter of the City of League City, Texas, and Chapter 2 of the Code of Ordinances of the City of League City, Texas, hereby creates a Hotel Occupancy Tax Advisory Board, which shall consist of seven (7) members appointed by the Mayor and confirmed by the City Council. Appointees to the Hotel Occupancy Tax Advisory Board shall serve for a term of two (2) years, with the initial term commencing from the date of their selection for a period of two (2) years, or until January 1 of every odd numbered year, whichever

comes first. Appointees to all positions must meet the qualification requirements of Section 2-383 of the Code of Ordinances, except for the terms and conditions of said section pertaining to residency requirements. In addition, the appointees must meet the following qualification requirements, to-wit: appointees to Positions 1 and 2 must be an agent or representative of a hotel or motel located within the City; appointees to Positions 3 and 4 must be an agent or representative of a business located within the City; appointees to Positions 5 and 6 must be an agent or representative of an organization located within the City whose primary mission is the promotion of the arts and/or historic preservation; the Position 7 appointment shall be filled by the City's Economic Development Manager or City Manager's designee. The Hotel Occupancy Tax Advisory Board shall conduct regular meetings to be held at such times and places as shall be designated, from time to time, by resolution of the board. Four (4) members of the board shall constitute a quorum for the conduct of matters pertaining to the purposes of the board.

SECTION 3. Powers of the Board.

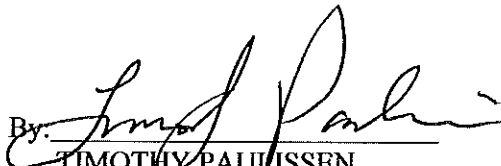
The Hotel Occupancy Tax Advisory Board shall review proposals for utilization of City hotel occupancy tax proceeds and shall make recommendations to the City Manager for proposed annual City budget expenditures of such tax proceeds. In the performance of its duties, and consistent with the provisions of Section 2-395 of the Code of Ordinances, the City Manager shall assign appropriate staff support for the Hotel Occupancy Tax Board in order to satisfy its administrative functions, including but not limited to the scheduling of board meetings and preparation and posting of meeting agendas, keeping all minutes of meetings of the board, preparation and review of requests for proposals or qualifications for projects to be funded in whole or in part with City hotel occupancy tax proceeds, processing of funding applications and payment requests, oversight of projects, maintenance of all records of the board and all such other administrative services as may be necessary to assist the board in the performance of their duties.

SECTION 4. All ordinances and agreements and parts of ordinances and agreements in conflict herewith are hereby repealed to the extent of the conflict only.


PASSED on first reading this 14th day of June, 2011.

PASSED on second reading this 28th day of June, 2011.

PASSED AND ADOPTED the 28th day of June, 2011.

By: 
TIMOTHY PAULISSEN
Mayor

ATTEST:

By: 
BARBARA F. LONG
City Secretary