

Mayor and Council Communication

DATE: 05/21/24

M&C FILE NUMBER: M&C 24-0447

LOG NAME: 17PID18 MIDYEARAMENDFY24

SUBJECT

(ALL) Conduct Public Benefit Hearing Concerning the Following Matters Related to Fort Worth Public Improvement District No. 18 – Tourism: (1) Expansion of the Fort Worth Public Improvement District No. 18 – Tourism to Include One Additional Hotel, and (2) the 2023-2024 Assessment for the Additional Hotel Property; Adopt the Resolution Authorizing and Expanding the Fort Worth Public Improvement District No. 18 – Tourism to Include One Additional Hotel Property; Approve Revised 2023-2024 Assessment Roll; and Adopt Ordinance Levying Special Assessments on the Additional Hotel Property for Fiscal Year 2023-2024

(PUBLIC HEARING - a. Report of City Staff: Lacey Ruiz; b. Public Comment; c. Council Action: Close Public Hearing and Act on M&C)

RECOMMENDATION:

It is recommended that the City Council:

1. Conduct Public Benefit Hearing Concerning the following matters related to Fort Worth Public Improvement District No. 18 – Tourism: (1) Expansion of the Fort Worth Public Improvement District No. 18 – Tourism to include one additional hotel property, and (2) the 2023-2024 Assessment for the additional hotel;
2. Adopt the attached Resolution (i) making certain findings concerning the nature and advisability of the special improvements and services to be provided for the benefit of the additional hotel to be included in the Fort Worth Public Improvement District No. 18 – Tourism, the estimated costs of such improvements and services, the method of assessment, the boundaries of the Fort Worth Public Improvement District No. 18 – Tourism, and the apportionment of costs between the Fort Worth Public Improvement District No. 18 – Tourism and the City, as a whole; and (ii) authorizing and expanding the Fort Worth Public Improvement District No. 18 – Tourism to include one additional hotel;
3. Approve the attached, revised 2023-2024 assessment roll.
4. Adopt the attached ordinance levying special assessments on the additional hotel property for Fiscal Year 2023-2024;
5. Direct the City Secretary to record a copy of the Assessment Ordinance in the real property records of the appropriate county no later than the seventh (7th) day after adoption by the City Council.

DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to conduct a second public hearing concerning the expansion of Fort Worth Public Improvement District 18 - Tourism (Tourism PID) to include one additional hotel property and the 2023-2024 assessment for the additional hotel property, along with certain actions related thereto. The City Council conducted the first public hearing on May 14, 2024, finding that the Petition to Expand the Tourism PID met the requirements set forth in Chapter 372 of the Texas Local Government Code (Code), approving the filling of the revised 2023-2024 assessment roll, and setting this public hearing.

On August 29, 2017, the City Council adopted Resolution No. 4837-08-2017, establishing the Tourism PID (Establishing Resolution). The City Council subsequently adopted Resolution Nos. 5264-08-2020 (August 18, 2020), 5382-04-2021 (April 13, 2021), 5467-09-2021 (September 14, 2021), and 5561-04-2022 (April 12, 2022).

EXPANSION OF THE TOURISM PID

Boundaries:

The current boundaries of the Tourism PID consist of noncontiguous areas authorized under Section 372.0035 of the Texas Local Government Code (Code) consisting solely of hotel properties with 100 or more rooms ordinarily used for sleeping within the City of Fort Worth. A list of the hotels that are included within the boundaries of the Tourism PID is included in the Original and Expansion Resolutions, copies of which are attached to this M&C within the Petition.

Senate Bill 804, 87th Texas Legislature (2021), which went into effect on June 14, 2021, revised Section 372.0121 of the Code to clarify the ability of cities to add new hotels into an existing Tourism PID. One of the new provisions affects the way in which the City calculates (or recalculates) the percentage threshold for adding new hotels into the Tourism PID. SB 804 requires the City to update and recalculate each of the percentage thresholds set forth below every time a new hotel property is added to the Tourism PID. Conversely, the prior version of Section 372.0121 only required the City to calculate the impact that the new hotel property had on the pre-existing thresholds. For example, under SB 804, the City has to update and recalculate the appraised value of each and every existing property in the Tourism PID each time that a new hotel is added; whereas, under the prior legislation, the City simply carried forward the values of the existing hotel properties from the year the hotel properties entered into the Tourism PID.

Section 372.0121 of the Code allows the City Council to include additional properties in the Tourism PID if (i) the property is a hotel and (ii) a sufficient number of the record owners of the real property currently included and proposed to be included in the Tourism PID have consented to be included in the Tourism PID by signing the original petition to establish the district or by signing a petition or written consent to include property in

the Tourism PD. The number of consenting record owners is sufficient if (1) the record owners own more than 60% of appraised value of taxable real property liable for assessment in the Tourism PID; and either (i) constitute more than 60% of all record owners of taxable real property liable for assessment in the Tourism PID, or (ii) own, in aggregates, more than 60% of the area of all taxable real property liable for assessment in the Tourism PID. If the addition of the new property results in these numbers dropping at or below the 60% threshold, then the property may not be added.

Inclusion of the Bowie House hotel, located at 3700 Camp Bowie Blvd., Fort Worth, Texas 76107 (Bowie House) meets the above-stated elements and, therefore, may be considered by the City Council for inclusion into the Tourism PID.

The Stay Express Hotel Fort Worth, situated at 2000 Beach Street, Fort Worth, Texas 76103 (Stay Express) is no longer eligible for inclusion in the Tourism PID boundary due to its room count falling below 100. Therefore, it will be excluded from the original petition.

First, the Bowie House and the Stay Express are hotel properties.

The proposed inclusion of the Bowie House hotel, and the concurrent removal of the Stay Express from the Tourism PID are in compliance with the stipulated criteria. The Bowie House qualifies as a hotel property, and the owner or a duly authorized representative has submitted a petition for its inclusion within the Tourism PID. Following these modifications, the adjusted percentages for the appraised value of taxable real property liable for assessment rise to 80.54%, the area of taxable real property to 69.63%, and the fraction of record owners liable for assessment to 66.67%. These figures remain above the statutory threshold of 60.00%, thereby meeting the required conditions for the adjustment of the Tourism PID's composition.

Nature of the Improvements:

The goals of the Tourism PID focus on increasing the economic impact and enhancing competitiveness in conventions, meetings, leisure and sports tourism and increasing tourism-related economic activity at all times, including during economic downturns and as inventory grows. The Tourism PID projects include incentives and sales efforts, convention and sports marketing and promotion, site visits and familiarization tours, community arts grants, convention services, event funding application, operations, research, and administration, all of which benefit the hotels within the Tourism PID.

Method of Assessment and Apportionment of Costs:

The assessment rate will be an amount equal to 2.00% of the consideration received from the occupancy of any sleeping room furnished by a hotel located within the Tourism PID, with such assessment to be collected in the same manner and in accordance with the same procedures as those established for the collection of the City's Hotel Occupancy Tax, as set forth in Chapter 32, Article II of the City Code, as amended. The entire costs of each improvement and service will be paid from the above-stated assessments and no City funds will be used to pay any portion of such costs unless such funding is approved by the City Council on a case-by-case basis.

Costs of the Improvements and Services:

The total costs for the adopted services and improvements for the life of the Tourism PID (approximately four years) will be \$29,810,000.00, which includes an estimated cost of \$7,000,000.00 for the Fiscal Year 2023-2024 budget. Assessments for this Fiscal Year began on October 1, 2023.

Advisability:

Staff recommends that the City Council find that these improvements and services are advisable because they will promote the interests of the City and confer a special benefit on the assessed properties within the expanded boundary of the Tourism PID.

Staff recommendation:

Staff recommends that City Council adopt the attached resolution authorizing and expanding the Tourism PID to include the above-stated one additional hotel property, along with the corresponding assessment ordinance.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that approval of these recommendations will have no material effect on City funds.

Submitted for City Manager's Office by: William Johnson 5806

Originating Business Unit Head: Robert Sturns 2663

Additional Information Contact: Lacey Ruiz 2608