

RESOLUTION NO. R-2024-046

WHEREAS, the City of Round Rock (“City”) collects a municipal hotel occupancy tax (“HOT”) pursuant to Chapter 351 of the Texas Tax Code (the “Code”); and

WHEREAS, Sec. 351.101 of the Code provides that revenue from the HOT may be used only to promote tourism and the convention and hotel industry, and that use is limited to (among other uses) the encouragement, promotion, and improvement of the arts, including instrumental and vocal music, drama, and other arts and related to the presentation, performance, execution, and exhibition of these major art forms (the “Performing Arts”); and

WHEREAS, the City has received a request from Penfold Theatre Company (“Penfold”) for a grant from HOT funds; and

WHEREAS, Penfold is a local organization whose stated purpose is to produce, promote, perform and exhibit Performing Arts as described in Sec. 351.101 of the Code; and

WHEREAS, Penfold is currently negotiating a lease agreement (the “Lease Agreement”) with R.C. Center Limited Partnership (the “Landlord”) for the lease space located at 2120 and 2132 N. Mays and 2199 N. IH 35, Round Rock, Texas 78664, which is suitable for the Performing Arts; and

WHEREAS, the City Council has determined that the grant agreement is in the public interest and that the investment of HOT revenues through grants pursuant to and in accordance with the terms, conditions and guidelines of the Code is a public purpose and will promote the Performing Arts in the City, promote tourism and the convention and hotel industry in the City, and benefit the City and its citizens; and

WHEREAS, the City Council desires to enter into a grant agreement with Penfold, Now
Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City, a Grant Agreement for the Encouragement of the Performing Arts with Penfold Theatre Company, a copy of same being attached hereto as Exhibit “A” and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 22nd day of February, 2024.

CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:

MEAGAN SPINKS, City Clerk