

STATE OF TEXAS §

COUNTY OF TRAVIS §

TO: THE MAYOR AND CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS

APPROVAL OF PETITION AND VERIFICATION OF SIGNATORY AUTHORITY

Appraisal District Listed Hotel Name: _____

Appraisal District Listed Hotel Address: _____

Appraisal District Listed Hotel Owner: _____

Appraisal District Listed Hotel Owner Address: _____

Services to be Provided: Pflugerville Tourism Public Improvement District (PTPID)

I, the undersigned, am a duly authorized “qualified petitioner” on behalf of the Hotel identified above, which is the record owner of real property that would be liable for assessment under the proposed City of Pflugerville Tourism Public Improvement District.

By executing this **Approval of Petition and Verification of Signatory Authority**, I am requesting establishment of the Pflugerville Tourism Public Improvement District. I hereby certify on behalf of the hotel that the individual and/or position identified below as the “qualified petitioner” is authorized to enter into binding agreements concerning the operation of the hotel on behalf of the owner of the hotel. I also certify that I am either the owner of the hotel, the general manager of the hotel, a regional manager of the hotel who oversees the operation of the hotel, or an employee of a management company who oversees the operation of the hotel, and that I have the authority to legally bind the hotel and to execute the Tourism Public Improvement District petition on the hotel’s behalf.

By virtue of the same (singular) signature below, I do request on behalf of the Hotel that the City Council of the City of Pflugerville, Texas, initiate and establish the Pflugerville Tourism Public Improvement District (PTPID) under the Public Improvement District Assessment Act, V.T.C.A. Local Government Code, Chapter 372 (The ‘Act’), so that the powers granted under the Act may be exercised by the City of Pflugerville.

Name of “Qualified Petitioner”: _____ *** Print Name**
(e.g.; Name of Hotel Owner, Hotel GM, Hotel Regional Manager, or Hotel Management Company employee)

Signature of “Qualified Petitioner”: _____

Title of “Qualified Petitioner”: _____
(e.g.; Hotel Owner, Hotel GM, Hotel Regional Manager, Hotel Management Company Employee)

Name of Entity Employing “Qualified Petitioner”: _____
(e.g.; name of hotel ownership group, name of hotel, or name of hotel management company)

Date: _____

Note: The Qualified Petitioner further represents, affirms, and certifies that, with respect to the creation and implementation of the Pflugerville Tourism Public Improvement District, the City is fully entitled to rely on the warranty and representation set forth in this form for purposes of creation of the proposed Pflugerville Tourism Public Improvement District unless and until the City receives written notice from the hotel or its ownership group of a change. The hotel and its ownership group acknowledge that they are solely responsible for ensuring that the City is provided with an updated form within ten (10) business days of any change to qualified petitioner signatory authority.

In support of this petition, the petitioners show and understand the following:

- (1.) **District Name.** The proposed district shall be known as the “Pflugerville Tourism Public Improvement District.”
 - **District Location.** The District is located wholly within the City of Pflugerville, TX (the “City”), a Texas home rule municipality. The proposed assessment district shall solely include non-contiguous or contiguous hotel properties with 70 or more rooms within the City of Pflugerville as shown on the attached list marked Exhibit "A".
- (2.) **Purpose of the District.** The purpose of the District shall be to enhance services, undertake certain improvements, in particular, special supplemental services relating to District marketing, business recruitment, and promotional activities authorized by the Act for improvement and promotion of the district, including the provision of incentives by the renewed Pflugerville Tourism Public Improvement District Corporation through the Pflugerville Convention and Visitors Bureau to organizations to encourage them to bring their large and city wide meetings to Pflugerville and to fund marketing by the Pflugerville Tourism Public Improvement District Corporation through the Pflugerville Convention and Visitors Bureau to increase hotel stays within the City.
- (3.) **Method of Assessment.** The proposed method of assessment, which may specify included or excluded classes of assessable property, is based on the sale of hotel nights by the hotels with 70 or more rooms that are located within the District as determined by the Pflugerville City Manager. The annual assessment rate for all hotel properties with 70 or more rooms within the District shall not exceed two percent of the price paid to hotels for a room in a hotel, which reflects the special benefits accruing to the property because of the services and improvements provided by the District.
- (4.) **Estimated Cost: No Bonded Indebtedness.** During a proposed ten (10) year period, the estimated annual cost of improvements and services provided by the District are estimated to range from \$361,200 to \$560,340 annually; however, in no event shall the assessment rate exceed two percent of the price paid to hotels for a room in a hotel. The district shall not incur bonded indebtedness. See the attached preliminary ten (10) year Service Plan indicating the total estimated collections. The Service Plan and assessment rate are subject to annual review by the Pflugerville Tourism Public Improvement District Corporation and are subject to an annual public hearing and approval by the Pflugerville City Council.
- (5.) **Apportionment of Cost Between the District and the Municipality as a Whole.** The District shall pay the cost of the supplemental services described in this petition by assessment against the hotels with 70 or more rooms within the district.
- (6.) **District Management.** The District shall be overseen by the Pflugerville Tourism Public Improvement District Corporation, a nonprofit corporation created under Texas law and tax-exempt under the provisions of section 501(c) of the Internal Revenue Code. The said corporation will carry liability insurance in amounts and covering risks approved by the City and will indemnify the City against losses resulting from acts or omissions of the manager, agents, and board members of the corporation. The Pflugerville City Council will review and approve annually the Service Plan and Assessment Plan, determine and levy assessments and conduct other functions as required by the Act, and the Pflugerville Tourism Public Improvement District Management Corporation will oversee the management of the District pursuant to a contract with the City. The Pflugerville Tourism Public Improvement District Management Corporation shall have the authority to make minor adjustments of up to ten percent of the funds within approved budget categories of the adopted service plan.
- (7.) **Advisory Board.** An advisory body may be established to develop and recommend an improvement plan to the governing body of the municipality. However, the district shall be managed through a contract between the City and the Pflugerville Tourism Public Improvement District Management Corporation.
- (8.) **District Dissolution.** The District shall automatically dissolve in ten years unless renewed or dissolved through the petition and approval process as provided by the Act.

- (9.) **Request for Establishment of the Pflugerville Tourism Public Improvement District.** The persons signing this petition request and concur with the establishment of the District and authorize the Pflugerville Tourism Public Improvement District Management Corporation to implement the detailed provisions and conditions of the District, except that assessments will not exceed two percent of the price paid to hotels for a room in a hotel and the initial term will not exceed ten years.
- (10.) **Sufficiency of Petition.** This petition will be sufficient if it is signed by:
- (a) The qualified petitioners of real property liable for assessment under the proposal who constitute:
 - a. More than 60 percent of the appraised value of hotel property liable for assessment under the proposal, as determined by the current roll of the appraisal district in which the property is located; and
 - b. More than 60 percent of:
 - i. All hotels that are liable for assessment under the proposal; or
 - ii. The area of all real property that is liable for assessment under the proposal.
- (11.) **Action Requested.** The petitioners hereby request that the City Council do the following:
- (a) Determine that this petition meets the requirements of the Act;
 - (b) Make findings by resolution as to the advisability of the nature of the proposed improvements and/or services, the estimated cost, the boundaries of the improvement district, the method of assessment, and the apportionment of costs between the proposed district and the City as a whole;
 - (c) Give proper notice and hold a public hearing on the advisability of establishing the district and providing the proposed improvement and/or services;
 - (d) Adopt a resolution as soon as practicable authorizing establishment of the improvement district in accordance with its findings as to the advisability of the improvements and/or services;
 - (e) Take any and all other steps necessary to the establishment of the district; and
 - (f) Work with the Pflugerville Tourism Public Improvement District Management Corporation regarding other details and provisions to implement the district.
- (12.) **Headings.** The headings of the paragraphs contained in this Petition are for the convenience of the reader and do not constitute a part of this Petition. This petition may be executed in multiple counterparts.

Exhibit A
Listing of Hotels Within District With 70 or more rooms

Home2Suites by Hilton/Tru by Hilton Pflugerville – 179 rooms
18700 Hill Top Commercial Drive
Pflugerville, TX 737-610-5151

Courtyard by Marriott- 147 rooms
16100 Impact Way, Pflugerville, TX 512-220-2525

Holiday Inn Express- 86
18616 Hill Top Commercial Drive, Pflugerville TX 512-601-6000

Best Western Pflugerville- 70 rooms
16101 Impact Way, Pflugerville, TX 512-600-3300

La Quinta Inn & Suites by Wyndham Pflugerville &
1408 Town Center Drive Building 1 512-212-4008
Hawthorn Extended Stay by Wyndham Pflugerville - 100 rooms
1408 Town Center Drive Building 2 Pflugerville, TX 512-212-5004

Exhibit B: Pflugerville Tourism Public Improvement District Proposed Service Plan

| Budget Year | Est. % YOY Increase | Annual Projected Budget | Marketing & Sales | Research & Administration | Contingency |
|--------------------|----------------------------|--------------------------------|------------------------------|--------------------------------------|--------------------|
| | | 100% | 85% | 10% | 5% |
| FY27 | 5% | \$ 361,200 | \$ 307,020 | \$ 36,120 | \$ 18,060 |
| FY28 | 5% | \$ 379,260 | \$ 322,371 | \$ 37,926 | \$ 18,963 |
| FY29 | 5% | \$ 398,223 | \$ 338,490 | \$ 39,822 | \$ 19,911 |
| FY30 | 5% | \$ 418,134 | \$ 355,414 | \$ 41,813 | \$ 20,907 |
| FY31 | 5% | \$ 439,041 | \$ 373,185 | \$ 43,904 | \$ 21,952 |
| FY32 | 5% | \$ 460,993 | \$ 391,844 | \$ 46,099 | \$ 23,050 |
| FY33 | 5% | \$ 484,043 | \$ 411,436 | \$ 48,404 | \$ 24,202 |
| FY34 | 5% | \$ 508,245 | \$ 432,008 | \$ 50,824 | \$ 25,412 |
| FY35 | 5% | \$ 533,657 | \$ 453,608 | \$ 53,366 | \$ 26,683 |
| FY36 | 5% | \$ 560,340 | \$ 476,289 | \$ 56,034 | \$ 28,017 |
| Totals | | \$ 4,543,135 | \$ 3,861,665 | \$ 454,313 | \$ 227,157 |

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO THE CITY OF PFLUGERVILLE, TEXAS

CONCERNING THE FOLLOWING HOTEL PROPERTY
(insert hotel property address)

As the purchaser of the real property described above, you are obligated to pay assessments to the City of Pflugerville, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Services") undertaken for the benefit of the property within the Pflugerville Tourism Public Improvement District (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED SERVICES, WHICH MUST BE PAID IN FULL WITH EVERY PAYMENT BY THE HOTEL OF LOCAL HOTEL OCCUPANCY TAX REMITTANCES TO THE MUNICIPALITY. YOUR FAILURE TO PAY THE ASSESSMENT MAY RESULT IN PENALTIES AND INTEREST BEING ADDED TO WHAT YOU OWE, AND MAY INCLUDE THE PURSUIT OF ANY OTHER REMEDY THAT IS AUTHORIZED UNDER SECTION 372.0035(d), LOCAL GOVERNMENT CODE.

The amount of the assessment is 2 percent of all taxable room night sales. Hoteliers typically pass this 2 percent TPID assessment onto the hotel guests in the form of a two percent TPID fee on each taxable room night folio.

Information about the calculation of the assessment may be obtained from the City of Pflugerville. The exact assessment rate will be approved each year by the Pflugerville City Council in the annual service plan update for the district. More information about the assessments, including the assessment rate and due dates, may be obtained from the City of

Pflugerville. The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

Date: _____

Signature of Hotel Purchaser: _____