



## Jason Brinkley County Judge

101 South Dixon Street  
Gainesville, Texas 76240

Phone: (940)668-5435  
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April 27, 2020

To: All Cooke County Hotel Occupancy Tax Grant Participants:

Thank you for your interest and participation in the application procedures for the 2020 Cooke County Hotel Occupancy Tax grant process. Attached you will find the necessary documents to initiate your request.

The first set of documents (first attachment, three pages) entitled "Hotel Occupancy Tax Use Guidelines under Texas State Law" provides you with a brief synopsis of instructions and deadlines. Please read this information thoroughly before you complete the application.

The second attachment consisting of six pages is the actual application for your request. Please be as thorough as possible and complete the entire Application. If some of the questions do not apply to your entity, indicate with an NA (Not Applicable). Once the application has been received in the County Judge's Office, it will be considered as complete.

The last attachment is the Post Event/Project Form, which you will need to complete ONLY if you are successful in receiving Hotel Occupancy Tax funds from Cooke County. There are a total of four pages. If funding is awarded to your entity, all of the information will be required within 60 days after your event/project/program and must be submitted to the County Judge's Office. Failure to comply with the 60 day reporting deadline could affect future grant awards. In addition, receipts are required for all expenditures of the Hotel Occupancy Tax funds and must be submitted with the Post Event/Project Form. If receipts do not accompany the Post Event/Project Form, your entity may be required to reimburse the County for these expenditures.

If you have any questions regarding the application process, please feel free to call the County Judge's Office at 940.668.5435. This is the first year of this program and as such some of this process is subject to change. Thank you again for your interest in this program and promoting tourism in Cooke County.

Thank you,

Jason Brinkley

# HOTEL OCCUPANCY TAX USE GUIDELINES UNDER TEXAS STATE LAW

## 2020 Allocation Schedule

**Public Notice:** The application for allocation of Cooke County 2019 Hotel Occupancy Tax funds will be advertised on the County website and/or other local media venues beginning on April 27, 2020.

**Application Due Date:** June 12, 2020 by 5:00 p.m.

**Approval Date:** Applications are reviewed and will be presented for Commissioners Court consideration during the June budget workshops and at the first regular meeting in July, 2019.

The purpose of the Cooke County Hotel Occupancy Tax funding is to assist and support qualified events/programs/projects, not to be majority funds provider for the entity. It should be the intention of the applicant to become self-sustaining. If you are applying for multiple events/programs/projects, it is important you capture that information on the application form.

Funds will be available for 2018 from the Cooke County Hotel Occupancy Tax fund for assistance of 501(c) nonprofits with events/programs/projects to promote tourism in Cooke County. Some funds may be reserved to meet existing tourism-related activities which have been previously approved by the Cooke County Commissioners Court, and the Court reserves the right to reduce or partially fund requests based on review of applications received and funds available.

Cooke County reserves the right to independently survey hotels, motels, inns, and bed-and-breakfast establishments for any entity receiving Hotel Occupancy Tax revenues. If it appears there is little or no benefit from the applicant's event/program/project, it shall be noted for future funding requests.

**State Law:** By law of the State of Texas, Cooke County collects a Hotel Occupancy Tax (hereinafter known as HOT) from hotels, motels, bed & breakfasts, and inns located in the within Cooke County. Under state law, the revenue from the HOT may be used only for specific tourism-related purposes. Tax funds may only be used if **both parts** of the following two-part test are met. **Part One** requires that usage of the HOT funds directly enhances and promotes the tourism and/or convention and hotel industry by being expended to attract out-of-town visitors who will likely spend the night in a **Cooke County** lodging venue; and **Part Two (under Chapter 352 of the Tax Code)** states that the use of these funds is limited to the following:

- i. **Convention Centers and Visitor Information Centers:** the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing operation and maintenance of convention center facilities, visitor information centers, or other similar facilities that serve the purpose of attracting visitors and tourist to the county;

- ii. **Registration of Convention Delegates:** the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants;
- iii. **Advertising, Solicitations and Promotions that Directly Promote Tourism and the Hotel and Convention Industry:** advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to the county or its vicinity;
- iv. **Promotions of the Arts that Directly Promote Tourism and the Hotel and Convention Industry:** that the encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms; and
- v. **Historical Restoration and Preservation Activities that Directly Promote Tourism and the Hotel and Convention Industry:** historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums.

*For more details on Chapter 352 of the Hotel Occupancy Tax Code, please go to the State Comptrollers website at [www.window.state.tx.us/taxinfo/hotel](http://www.window.state.tx.us/taxinfo/hotel) and click on the link "Chapter 352 Tax Code (County)".*

All Cooke County Hotel Occupancy Tax application policies and procedures are intended to strictly support statutes and guidelines set forth by the State of Texas.

**County Policy:** Cooke County accepts applications from groups and businesses whose program fits into one or more of the above categories. All requests for funds should be submitted in writing accompanied by the official application. The applicant may be asked to be present when their paperwork is reviewed to answer any additional questions regarding the application. The final decision of your request will be determined by Commissioners Court at the first regular meeting in July.

**Application Submission Deadlines:** Application packets, along with any required supporting documentation must be fully completed and submitted to the Cooke County Judge's Office, 101 S. Dixon, Gainesville, Texas 76240 by the close of business (5:00 p.m.) on June 12, 2020. Applications may not be faxed; however, they may be submitted via email to [jason.brinkley@co.cooke.tx.us](mailto:jason.brinkley@co.cooke.tx.us). **Late submissions will not be accepted.** A copy of all completed applications will be available for public viewing in the Cooke County Judge's office.

**All applications submitted by deadline will be reviewed by Commissioners Court.** The Cooke County Judge's Office will send notification letters to applicants informing them of the decision by the Cooke County Commissioners Court. Correspondence may include requirements of other materials due and deadlines for submission of same. The decision of the Cooke County

Commissioners Court, both as to the grant or denial of funding and as to the amount of funding will be final. Applicants receiving funding are in effect entering into an agreement with Cooke County and are required to execute all subsequent documentation as described. Failure to receive funding in one budget year does not prevent a re-submission in the next budget year. Primarily, events/programs/projects will be evaluated on the overall quality of the plan, the visitor appeal, and the administrative ability of those making the request. Among the criteria evaluated, but not limited to, will be:

### **QUALITY**

High artistic and/or programmatic quality as perceived by peers, critics, or others.

Innovative and creative originality.

Effective use of community resources.

Quality of marketing materials, marketing plan, and reach of marketing effort.

### **VISITOR APPEAL**

Organizations commitment to attract visitors from outside the area to encourage overnight stays.

Verifiable information regarding past success (prior attendance figures, demographics, etc.)

Days and hours of operation and relation to potential off-peak seasons.

Number of programs, events, and opportunities for visitor participation.

### **ADMINISTRATIVE ABILITY**

History of organizational growth and stability long-range and short-range planning.

Governing or oversight board which meets regularly.

Budgets and financial accountability.

Community involvement, use of community resources including cooperation with other entities.

Diverse funding sources.

**Eligibility and Priority for Hotel Tax Funds:** Priority will be given to those events/programs/projects based on their ability to generate overnight visitors to Cooke County. If an event will not generate any meaningful hotel night activity, it is not eligible for receipt of hotel occupancy tax funds. Events can prove this potential to generate overnight visitors by:

a) Historic information on the number of room nights used during previous years of the same events/programs/projects;

b) Current information on the size of a room block that has been reserved at area hotels to accommodate anticipated overnight guests attending the event/program/project requesting hotel tax funds;

c) Historical information on the number of guests at hotel or other lodging facilities that attended the funded event/program/project; and/or

d) Examples of marketing of the events/programs/projects that are likely to generate and encourage overnight visitors to local lodging properties.

**Use of Local Vendors:** Cooke County encourages all event/program/project organizers to patronize Cooke County businesses.

**Use of Revenues from Event:** A portion of the revenues from any event/program/project receiving any type of funding assistance from the HOT funds should be channeled back into the future costs of operating that same event or the continued operation of the project. No other outside event(s), project, charity, etc., sponsored by the host organization may profit from the Cooke County's funding of a particular event/program/project unless outlined in the proposed budget.

**Post Event Report, Invoices, and Proofs of Payment:** These materials must be submitted not later than sixty (60) days following the event/program/project and should be submitted to the Cooke County Judge. The post event report should mirror the budget presented in the applicant's original application, and **proofs of payment must be original receipts or copies of receipts that reflect actual monies expended.** If applicant did not spend the total amount of funding received or were unlawfully used, then that amount must be returned or repaid to Cooke County. Cooke County Commissioners Court may also request a verbal follow-up report during a regular scheduled meeting if deemed necessary.

**Contract/Agreement Responsibilities:** Once an application for HOT funds is approved by Cooke County, a contract exists between the county and the successful applicant. This contract/agreement may be terminated by Cooke County upon thirty (30) days notice of noncompliance with the terms of the contract/agreement or noncompliance with state statutes. Any expended HOT funds under these circumstances shall be re-funded to Cooke County.

All reports, questions, or correspondence related to the expenditure of Hotel Occupancy Tax must be submitted to the Cooke County Judge's Office, 101 S. Dixon St. Gainesville, Texas 76240. The phone number is 940.668.5435.

***Thank you for your interest in promoting the tourism industry in Cooke County. Remember, the Cooke County Hotel Occupancy Tax is very limited to its use as outlined in State Law. These statutes are the basis on which decisions will be made as to the use of this tax. Please do not hesitate to call if you need assistance. Again, that number is 940.668.5435.***

# Application for Hotel Occupancy Tax (HOT) Funds – 2020

NOTE: Complete all blanks as applicable, including NA when the question does not pertain to you.

## Organization Information

Date of Application: \_\_\_\_\_

Name of Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Contact Phone: \_\_\_\_\_

Home: \_\_\_\_\_ Cell: \_\_\_\_\_ Work: \_\_\_\_\_

Email/Website: \_\_\_\_\_

Non-Profit: \_\_\_\_\_ Yes \_\_\_\_\_ No

Federal Tax ID Number: \_\_\_\_\_

Current Operating Budget for Proposed Event/Program/Project: \$ \_\_\_\_\_  
(Attach Copy)

Current Annual Operating Budget for Applying Entity: \$ \_\_\_\_\_  
(Attach copy)

Previous Year's Operating Budget for Applying Entity: \$ \_\_\_\_\_  
(Attach copy)

Next Year's Projected Annual Operating budget for Applying Entity: \$ \_\_\_\_\_  
(Attach copy)

Fiscal Year of Organization: \_\_\_\_\_ Date Established: \_\_\_\_\_

## Proposal Information

1. Does your Event/ Project/Program pass **Part One** of the statutory test, defined specifically as **directly** enhancing and promoting tourism in Cooke County **AND directly** promoting the overnight accommodation industry in Cooke County by increasing overnight stays?  
\_\_\_\_\_ Yes \_\_\_\_\_ No
2. Does your Event/Project/Program pass Part Two of the statutory test, defined specifically as limiting the use of Hotel Occupancy Tax funds to one or more of the following categories: (1) Facilities that serve the purpose of attracting visitors and tourist to the county; (2) Registration of convention delegates; (3) Advertising and conducting solicitations/promotional programs to attract tourists and convention delegates to the county; (4) Promotion of the arts; (5) Historical preservation projects or activities.

\_\_\_\_\_ Yes \_\_\_\_\_ No

If the answer to one of the above two questions is no, you are not eligible for HOT funds and need not continue.

Duration of Event/Project/Program: From: \_\_\_\_\_ To: \_\_\_\_\_

Amount Requested for Event/Project/Program: \$ \_\_\_\_\_

Date Payment Requested: \_\_\_\_\_

Primary Location of Event/Project/Program: \_\_\_\_\_

Other Sources of Funding for Event/Project/Program: \_\_\_\_\_

Check Which Categories Apply to Your Funding Request:

\_\_\_\_\_ Historic Preservation

\_\_\_\_\_ Promotion of the Arts

\_\_\_\_\_ Enhancement of Tourism

\_\_\_\_\_ Event/Program/Project  
(Promoting Overnight Stays)

\_\_\_\_\_ Cost Associated with Facility

Previous year's number of attendees: Local: \_\_\_\_\_ Out of Town: \_\_\_\_\_

This year's projected number of attendees: Local: \_\_\_\_\_ Out of Town: \_\_\_\_\_

How many years have you received HOT funds: \_\_\_\_\_

How many years have your received HOT funds for this event/project/program: \_\_\_\_\_

List the year (up to three years), the amount of HOT funding received, and the purpose:

Year: \_\_\_\_\_ Amount: \_\_\_\_\_ For: \_\_\_\_\_

Year: \_\_\_\_\_ Amount: \_\_\_\_\_ For: \_\_\_\_\_

Year: \_\_\_\_\_ Amount: \_\_\_\_\_ For: \_\_\_\_\_

Purpose and Goal of your Organization and Who Benefits from Your Success:

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Description or Name of Event/Project/Program:

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List current board members, officers, administrative staff, and numbers of members and/or volunteers in organization (provide attachment if necessary):

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**Events/Programs (if applicable):**

How many years have you held this event/program: \_\_\_\_\_

How many people attending this event/program will use Cooke County hotels, motels, or bed & breakfasts (estimate): \_\_\_\_\_

How many nights will they stay: \_\_\_\_\_

Do you reserve a room block for his event/program: \_\_\_\_\_Yes \_\_\_\_\_No

If so, how many rooms: \_\_\_\_\_

How do you measure the impact of your event/program on area overnight facilities:

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Indicate all promotion efforts your organization is coordinating by placing the amount of funding in the blank committed to each media outlet:

\$ \_\_\_\_\_ Paid Advertisement    \$ \_\_\_\_\_ Newspaper    \$ \_\_\_\_\_ Radio  
\$ \_\_\_\_\_ TV    \$ \_\_\_\_\_ Press Releases to Media    \$ \_\_\_\_\_ Direct Mailings  
\$ \_\_\_\_\_ Distribution of Brochures    \$ \_\_\_\_\_ Other (describe) \_\_\_\_\_

How do you intend to advertise or promote your event/project/program in another city or county:

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**Historic Preservation (if applicable):**

Please describe how your historical restoration and preservation activities directly promote tourism and the overnight accommodations industry (add attachments if necessary):

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**Promotion of the Arts (if applicable):**

Please describe how your activities related to this subject directly promote tourism and the overnight accommodations industry (add attachments if necessary):

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**Enhancement of Tourism (if applicable):**

Please describe how your activities related to this subject directly promote tourism and the overnight accommodations industry (add attachments if necessary):

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**Signature Event or Activity Promoting Overnight Stays (if applicable):**

Please describe how our activities related to this subject directly promote tourism and the overnight accommodations industry (add attachments if necessary):

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**Facility That Attracts Visitors or Tourist (if applicable):**

Please describe how our activities related to this subject directly promote tourism and the overnight accommodations industry (add attachments if necessary):

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Anticipated increase in number of visitors as a result of this funding: \_\_\_\_\_

Reason for increase (what will this funding help you accomplish: \_\_\_\_\_

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Do you have an itemized budget on how you plan to use the requested Hotel Occupancy Tax?:

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please provide information as an attachment.

Do you have a marketing/advertising plan, including target audience?:

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please provide information as an attachment.

Do you have a profit/loss statement or expenditure budget for the event/project/program?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please provide information as an attachment.

If you are applying under the request for advertising funds, will you be utilizing various advertising media to promote your event at least 50 miles outside of Cooke County?

\_\_\_\_\_ Yes \_\_\_\_\_ No

Is the event/project/program at least two days in length to encourage overnight stays?

\_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ N/A

Your request for Cooke County Hotel Tax funds represents \_\_\_\_\_% of your total budget for your event/project/program.

Will there be an admission charge for this activity?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, what is the admission fee: \$ \_\_\_\_\_

Does the proposed event/project/program plan to become self-supporting in the future?:

\_\_\_\_\_ Yes \_\_\_\_\_ No

What type of tracking process do you use to determine and justify the number of overnight visitors you are attracting?

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**Answer the following questions only if the funding request is for or part of a permanent facility:**

Name of event/project/program for which you are requesting funds. If your request is for multiple events/projects/programs, please list each separately and funding requested for each.

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\_\_\_\_\_  
\_\_\_\_\_

Expected annual attendance: \_\_\_\_\_

An estimated percentage of the number of annual visitors that are staying in Cooke County overnight accommodations: \_\_\_\_\_%

**APPLICANT CERTIFICATION**

**I hereby certify and affirm that (1) I have read the entire information in this application packet and understand and will comply with all provisions therein; that (2) I will abide by all relevant local, state, and federal laws/regulations regarding the use of Hotel Occupancy Tax.**

**Certified by: (signature)** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**COOKE COUNTY POST EVENT/PROJECT REPORT FORM**  
**HOTEL OCCUPANCY TAX FUNDING**  
**2020**

Cooke County collects a Hotel Occupancy Tax (HOT) from hotels, motels, and bed & breakfast inns which are located in Cooke County. By the laws of Texas, the revenue from the HOT may be used only to directly promote tourism and the convention and hotel industry. The use of HOT funds is limited to:

- i) the acquisition of sites for and the construction, improvement, enlarging, equipping, repairing operation and maintenance of convention center facilities, visitor information centers, or facilities that serve the purpose of attracting visitors and tourist to the county;
- ii) the furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants;
- iii) advertising and conducting solicitations and promotional programs to attract tourists and convention delegates or registrants to Cooke County;
- iv) the encouragement, promotion, improvement, and application of the arts, including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture photography, graphic and craft arts, motion picture, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms, and
- v) historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums.

Cooke County accepts applications from groups and businesses meeting the above criteria and wishing to receive HOT funds. **All entities that are approved for such funds must submit a Post Event/Project Report Form within 60 days of each funded event.** The report must be accurately completed which will then be reviewed by the Cooke County Judge's Office to determine how well the entity met its goals and be used in consideration of future hotel occupancy tax funding requests. Priority will be given to those that demonstrate an ability to generate overnight visitors to Cooke County. **A copy of all invoices and proofs of payment must be attached.** If the total amount of the Hotel Occupancy Tax funds were not used or were unlawfully used, then those funds must be returned or repaid to Cooke County with this Post Event/Project Report. Questions may be directed to Judge Jason Brinkley, County Judge at 940.668.5435.

Cooke County expects that all HOT funds approved for all successful applicants will be spent and/or encumbered as outlined in the application and within the timeframes indicated. If for some justified reason these funds are not spent as indicated in the application, a written explanation must be submitted to Cooke County within the 60 day deadline as indicated above.

***NOTE: FAILURE TO SUBMIT THIS FORM MAY RESULT IN INELIGIBILITY FOR FUTURE FUNDING FROM THE COOKE COUNTY HOTEL OCCUPANCY TAX.***

**POST EVENT REPORT FORM**

**ORGANIZATION INFORMATION**

Date: \_\_\_\_\_

Name of Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Contact Phone Number: \_\_\_\_\_

**PROJECT OR EVENT**

Name of Event/ Project/Program: \_\_\_\_\_

Date of Event/Project/Program: \_\_\_\_\_

Primary Location of Event/Project/Program: \_\_\_\_\_

Primary Purpose of Funded Event/Project/Program: \_\_\_\_\_

Amount Received from Hotel Occupancy Tax Funds: \$ \_\_\_\_\_

Amount Used from Hotel Occupancy Tax Funds: \$ \_\_\_\_\_

How Were the Funds Actually Used? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Actual percentage of funded Event/Project/Program costs covered by hotel occupancy tax: \_\_\_\_\_%

How many years have you held this Event/Project/Program (if applicable)

\_\_\_\_\_

How many people did you predict would attend this year because of this Event/Project/Program?  
(Number submitted in application for hotel occupancy tax funds):

How many room nights (estimate) were generated in Cooke County hotels, motels or bed & breakfasts  
by attendees of this Event/Project/Program? \_\_\_\_\_

If this Event/Project/Program has been funded by hotel occupancy tax in the last three years, how  
many room nights (estimate) were generated in Cooke County hotels, motels, or bed & breakfasts by  
attendees of this Event/Project/Program?

Last Year \_\_\_\_\_

Two Years Ago \_\_\_\_\_

Three Years Ago \_\_\_\_\_

What method did you use to determine the number of people who booked rooms in Cooke County  
hotels, motels, or bed & breakfasts (e.g.; room block usage information, survey of hoteliers, etc.)?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Was a room block established for this Event/Project/Program at an area hotel (hotels)?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, did the room block fill? \_\_\_\_\_ Yes \_\_\_\_\_ No

If the room block did not fill, how many rooms were picked up? \_\_\_\_\_

Please check all efforts your organization actually used to promote this Event/Project/Program and  
how much was actually spent in each category:

\_\_\_\_\_ Newspaper - \$ \_\_\_\_\_

\_\_\_\_\_ Radio - \$ \_\_\_\_\_

\_\_\_\_\_ TV - \$ \_\_\_\_\_

\_\_\_\_\_ Press Releases - \$ \_\_\_\_\_

\_\_\_\_\_ Direct Mail - \$ \_\_\_\_\_

\_\_\_\_\_ Other - \$ \_\_\_\_\_

What new marketing initiatives did you utilize to promote hotel and convention activity for this Event/Project/Program?

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Please attach samples of documents showing how various venues in Cooke County were recognized in your advertising or promotional campaign.

**Please attach at least one sample of all forms of advertising/promoting used in your campaign. If the sample itself does not indicate the medium (radio, TV, print, or mail) used or where the advertising took place (e.g. a city's newspaper, or a radio spot that does not indicate the city where the spot was played), please include other information that would show location of the advertising and medium utilized.**

What businesses in Cooke County did you utilize?

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**NOTE: IT IS EXTREMELY IMPORTANT THAT YOU SUBMIT A COPY OF AN INVOICE FOR ALL EXPENDITURES WHEN USING THE HOTEL OCCUPANCY TAX FUNDS FOR YOUR ENTITY.**

Submitted by: \_\_\_\_\_ Date: \_\_\_\_\_  
Print Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

Please Submit to: Cooke County Judge's Office  
101 S. Dixon Street  
Gainesville, Texas 76240  
Email: [jason.brinkley@co.cooke.tx.us](mailto:jason.brinkley@co.cooke.tx.us)  
Telephone: 940.668.5435