

Effective Date: 03/05/12

Approval: _____

**CITY OF LEWISVILLE
POLICY STATEMENT**

TOPIC: 1.0 – ADMINISTRATION
REFERENCE: SECTION VI – HOTEL OCCUPANCY FUND REQUEST

I. HOTEL OCCUPANCY FUND REQUEST

A. Purpose

The City of Lewisville provides annual funding to Arts organizations from the Hotel Occupancy Tax fund as specified in the Hotel Occupancy Tax Law **Subchapter B. Use and Allocation of Revenue 351.101 (a) (4)**. The primary objective of the City of Lewisville is to develop a viable means of disbursement of Hotel Occupancy Tax Fund monies for the purpose of encouragement, promotion, improvement and application of the arts.

II. ART-RELATED GRANT PROGRAMS

A. Organization Eligibility

An Arts organization meeting all criteria listed below is eligible to apply for funding from the City of Lewisville Hotel Occupancy Tax Fund:

1. Non Profit tax-exempt arts organizations;
2. Proposing a program/event/exhibition to take place within the city limits of the City of Lewisville. Events may be held outside of the city limits of Lewisville with approval of the City Council;
3. Must have successfully fulfilled all prior contractual obligations to City of Lewisville;
4. Must have local (Lewisville resident) representation on Board of Directors; and
5. A representative of the Organization must have attended the pre-application training session to be scheduled annually.

B. Evaluation Criteria

Applications shall be reviewed and evaluated by the Arts Advisory Board to determine if the following criteria are being met:

1. Potential impact of the program on Tourism;
2. Benefit of the program to the community;
3. Opportunity for Lewisville residents to attend or participate in the program;
4. The capability of the organization to manage and produce the proposed program;
5. Validity of proposed budget as indicated by past financial performance; and
6. The artistic merit and quality of the proposed program.

C. Statement of the Objectives of the City of Lewisville for the Arts Organizations

It should be understood that each Arts organization requesting funding will be expected to meet the following Objectives set by the City of Lewisville:

1. Attract visitors to the City of Lewisville;
2. Enhance the image of the City of Lewisville;
3. Promote cultural opportunities that are inclusive of all members of our community and celebrate Lewisville's diversity;
4. Contribute to a quality of life in Lewisville that is attractive to residents, visitors, and businesses;
5. Increase Lewisville residents' involvement with the arts;
6. Encourage opportunities for Lewisville community gatherings; and
7. Additional consideration for activities that make use of facilities at the city-operated Medical Center of Lewisville Grand Theater.

D. Items Which Will Not Be Funded

1. Capital purchases (real property)
2. Mortgage Interest of Depreciation on Real Property

3. General Operating Funds
4. Debt from activity in prior fiscal years
5. Penalties and Interest Payments
6. Sales Tax
7. Expenses for Fundraising Activities
8. Expenses for Social Events, Receptions, Entertainment
9. Expenses for Political Action
10. Fines, Penalties or Costs of Litigation
11. Scholarships
12. Tips & Gratuities

E. Funding

Grant funding shall come from the Hotel Occupancy Fund, unless otherwise directed by City Council. Total arts-support funding shall not exceed the statutory limit as specified in the Hotel Occupancy Tax Law **Subchapter B. Use and Allocation of Revenue 351.101 (a) (4)**.

As part of the annual budget process, City Council has the option to place unallocated Hotel Fund revenue up to the statutory cap in a designated Arts Projects Fund, with said fund transfer to take place prior **to or** during the final 30 days of the budgeted fiscal year if Hotel Fund revenues meet or exceed budget projections.

F. Arts Support Grants

These grants shall be awarded annually at a funding level established by the City Council. In addition to the criteria already stated, applicants must have a minimum two-year history of providing arts programs to the residents of Lewisville, as measured from the date of application; or must previously have received an Arts Projects Grant for the submitted program. Final grant award **will** be approved by City Council as part of the annual budget process.

G. Arts Projects Grants

These grants may be awarded as deemed appropriate at a funding level established by the City Council. These grants are intended to provide start-up funding for arts programs or special events that otherwise would qualify for an Arts Supports Grant, or one-time funding for arts-related special projects. No applicants may receive an Arts Projects Grant more than once for the same program or project.

III. PUBLIC ART

A. Purpose

Public art displays can enhance community image and make Lewisville a more attractive place to live, visit or conduct business. As a result, the City of Lewisville will consider proposals related to placement of public art such as sculptures, fountains and murals.

B. Procedure

The Arts Advisory Board, as appointed by the Lewisville City Council, will have authority to receive and review public art proposals when the artwork in question is of a permanent or semi-permanent nature, is proposed for placement in a location likely to receive significant attention from visitors, and is valued at \$50,000 or more. Notwithstanding the provisions of this Policy, the City Council has full authority to act on Public Art proposals with or without input from the Arts Advisory Board.

C. Project Types

1. Purchase of Existing Artwork. Recommendation to Council shall include description and photos of the artwork, biographical information about the creating artist where appropriate, suggested location, plan for ongoing maintenance of the artwork, and a professional appraisal of value by an art appraiser certified in the specific art genre and medium being proposed.
2. Commissioned Artwork. Recommendation to Council shall include description of the purpose for the art project, suggested location, desired medium and the maximum amount to be spent on the art commission. Artist selection process will be detailed in a City Manager Directive. Final approval of the selected artwork must be received from City Council before work can be commissioned.
3. Loan/Donation of Artwork. City Council approval is required before the City can accept the loan or donation of public art valued at \$50,000 or more. Recommendation from the Board shall include description and photos of the artwork, biographical information about the creating artist where appropriate,

suggested location, plan for ongoing maintenance of the artwork, and a statement of value from the entity making the loan/donation.

D. Public Art Locations

Locations considered suitable for public art proposals include Old Town Park Plaza, Railroad Park, Lake Park, Lewisville City Hall, Medical Center of Lewisville Grand Theater, and city gateways or entry points. Other locations can be approved by City Council.

E. Funding

No dedicated funding is provided for the purchase or commission of Public Art. The Art projects Fund can be used for approved Public Art projects if approved by City Council. The Arts Advisory Board may operate as a fund-raising body only if asked by City Council to coordinate to conduct fund-raising for a specific project.

IV. GENERAL PROVISIONS

The City of Lewisville reserves the right to change, modify, amend, revoke or rescind all or part of this policy in the future.