

RESOLUTION
LANCASTER COUNTY CONVENTION CENTER AUTHORITY
REGARDING AMERICAN RESCUE PLAN ACT FUNDS

No. 2 of 2021

WHEREAS, the Lancaster County Convention Center Authority (the “Authority”) is a public body corporate and politic organized and existing under the Third-Class County Convention Center Authority Act, Act of December 27, 1994, P.L. 1375, as amended and supplemented (the “Act”), of the Commonwealth of Pennsylvania (the “Commonwealth”); and

WHEREAS, the Authority receives eighty percent (80%) of revenues received from the Hotel Room Rental Tax (“HRRT”), as established in the Third-Class County Convention Center Act (“the Act”); and

WHEREAS, Discover Lancaster is the tourist promotion agency designated by the County of Lancaster (“the County”) to receive the remaining twenty percent (20%) of the collected HRRT, as established in the Act; and

WHEREAS, pursuant to a 2018 Memorandum of Understanding between the Authority and Discover Lancaster, Discover Lancaster provided an irrevocable letter to the County Treasurer directing that one hundred percent (100%) of HRRT revenues be paid to the Authority until December 31, 2023, and as a result did not receive a share of the HRRT in 2020; and

WHEREAS, Discover Lancaster receives one hundred percent (100%) of the County hotel excise tax;

WHEREAS, Lancaster County has experienced lost and declined HRRT since the onset of the Covid-19 pandemic in March 2020;

WHEREAS, the County has received American Rescue Plan Act (“ARPA”) funds for distribution in accordance with applicable federal regulations, which permit reimbursement of lost tax revenues due to the Covid-19 pandemic; and

WHEREAS, the Authority and the County benefit from a financially secure and robust tourist promotion agency that successfully markets and promotes Lancaster County as a travel destination to tourists and businesses; and

WHEREAS, it is anticipated that the County may distribute ARPA funds for lost HRRT to the Authority; and

WHEREAS, in the event the County distributes ARPA funds to the Authority for lost tax revenues, without explanation regarding the amount allocated for HRRT or excise tax, it will be incumbent for LCCCA and Discover Lancaster to agree on the distribution amount of ARPA funds to both entities;

WHEREAS, at an Authority meeting on October 28, 2021, the Executive Director of the Authority outlined potential strategies for distribution of the ARPA funds to the Authority and Discover Lancaster, which strategy included a distribution of approximately 22% of the received ARPA funds to Discover Lancaster and approximately 78% of the received ARPA funds to the Authority;


WHEREAS, the Authority will benefit from establishing a written memorandum of understanding with Discover Lancaster regarding distribution of ARPA funds received from the County so that funds can be distributed in a timely manner.

NOW, THEREFORE, BE IT RESOLVED, that:

1. Kevin R. Molloy, Executive Director and Sharron V. Nelson, Authority Chair, or either of them, are hereby authorized to act as agents for the Lancaster County Convention Center Authority to negotiate and execute all necessary documents related to its receipt and distribution of the aforementioned ARPA funds; and
2. All documents required for execution shall be in a form acceptable to the Solicitor of the Authority; and
3. The Secretary of the Authority is hereby directed to certify a copy of this Resolution and cause it to be filed with the records of the Lancaster County Convention Center Authority.

DULY ADOPTED this 18th day of November 2021, by the Board of Lancaster County Convention Center Authority, in lawful session duly assembled.

LANCASTER COUNTY CONVENTION
CENTER AUTHORITY


Sharron V. Nelson, Chair


Patrick Snyder, Secretary

Date: 11/18/2021