

# CIRCUIT EVENTS LOCAL ORGANIZING COMMITTEE

100 CONGRESS AVENUE, SUITE 1300  
AUSTIN, TEXAS 78701-2744

July 3, 2013

## ***Via First Class Mail***

Office of the Comptroller  
Attn: Philip Ashley, Fiscal Management  
P. O. Box 13528, Capitol Station  
Austin, Texas 78711-3528

## ***Via Hand Delivery***

Texas Comptroller of Public Accounts  
Attn: Philip Ashley, Fiscal Management  
Lyndon B. Johnson State Office Bldg.  
111 East 17<sup>th</sup> Street  
Austin, Texas 78711-3528

***RE: Request for Reimbursement from the Event Trust Fund Established for MotoGP Race Event***

Dear Madams/Sirs:

This letter and enclosures are delivered to you by Circuit Events Local Organizing Committee, a Texas non-profit corporation ("***CELOC***") pursuant to the Events Trust Fund program under Tex. Rev. Civ. Stat. Art. 5190.14, Sec. 5C (the "***Act***") and 34 Texas Administrative Code Rule 2.200 *et seq.* (the "***Rules***"), in furtherance of the purposes of and to request reimbursements of qualifying costs and expenses from the Event Trust Fund account (the "***Fund***") established under the Act in support of the MotoGP Race (the "***Event***"), by letter dated January 17, 2013 from Mr. Martin A. Hubert, Deputy Comptroller, to Mr. Marc Ott, City Manager for the City of Austin, Texas, which Event was held on April 19 - 21, 2013, in Austin, Texas.

CELOC, in its capacity as the "local organizing committee" under the Act, as designated agent of the City of Austin for purposes of the Event and administration of the Fund (under that certain Agreement between CELOC and the City of Austin, dated December 18, 2012, as authorized by the Board of Directors of CELOC at its meeting of December 10, 2012, respectfully submits this request for reimbursement of qualified costs and expenses for the 2013 Event from the Fund established under the Act in support of the MotoGP Event held on April 19 - 21, 2013, in Austin, Texas.

In support of this reimbursement request, CELOC includes the following attachments:

1. An invoice dated June 21, 2013, to CELOC from Circuit of the Americas ("***COTA***") in the amount of \$2,108,227.19 submitted in accordance with the Event Support and Reimbursement Agreement dated December 12, 2012;
2. A spreadsheet specifying the qualifying costs and expenses submitted to CELOC by COTA, following the format required by your office, which is (a) organized by type(s) of expenditure, with references to the Event Support Contract provision and Act provision (b) listing whether the obligation is evidenced by invoice, contract or receipt number, (c)

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listing the invoice, contract of receipt date(s), (d) listing the vender(s), (e) providing expense descriptions and (f) listing the disbursement amount(s);

3. Documentation for each line item cost or expense obligation on the spreadsheet is evidenced by the particular invoice, contract provision or receipt for that particular line item, while not included in this package, will be made available for inspection upon request; and,

4. Evidence of the payment of each line item cost or expense obligation on the spreadsheet while not included in this package, the particular check or wire transfer receipt for that particular line item is available for inspection upon request.

5. Required Certificate of Trust Disbursement Request from the City of Austin as required under 34 TAC Sec. 2.204(i), signed by Mr. Marc Ott, City Manager; Required Affidavit from CELOC as to internal cash controls; and Application for Texas Identification Number from CELOC.

While the included listed and substantiated qualifying costs and expenses submitted with this request total \$2,108,227.19, we understand that the requested reimbursements out of the Fund are (i) subject to review and approval by the comptroller's office and (ii) are further limited to the actual funds in the Fund account, which we understand will be \$1,975,811 per Mr. Martin A. Hubert's January 17, 2013 letter establishing the Fund. And, although we are confident that the amounts included in the enclosed spreadsheet will be approved as qualifying reimbursable amounts by the Comptroller's office, in the event that an aggregate amount of costs or expenses are not so approved, resulting in approved expenses less than the anticipated \$1,975,811 Fund account balance, then CELOC anticipates submitting additional and supplemental qualified costs and expenses in amounts to utilized the full Fund account balance.

Also, as required by the rules under 34 TAC Section 2.204 (the "**Reimbursement Rules**"), CELOC submits and certifies as follows:

1. The costs and expenses submitted herein have been used to finance the costs of the Event related to (i) applying or bidding for selection as the site of the Event, (ii) making preparations necessary and desirable for the conduct of the Event, and (iii) conducting the Event. (34 TAC Section 2.204(a))

2. Any reimbursement received by CELOC from the Fund will not be used to make payments that are not directly attributable to allowable costs described in the Reimbursement Rules and CELOC understand that such payments are subject to verification requests by the Comptroller. (34 TAC Section 2.204(b))

3. CELOC has previously (prior to the Event) submitted a copy of the Event Support Contract (as described in 34 TAC Section 2.100(4)) between CELOC and Dorna Sports, S.L. for the Event to the Comptroller. (34 TAC Section 2.204(c))

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4. CELOC, as designated agent for and on behalf of the City of Austin, has wired the Local Increment amount of \$272,526 to the Comptroller to be deposited into the Fund account and matched by the Comptroller, at a multiplier of 6.25, with state funds. Thus, the City of Austin, as the endorsing municipality will not be subject to withholding of local tax funds under a withholding plan. (34 TAC Section 2.204(c) and (d))

5. The City of Austin, as the only endorsing municipality for the Event, will not be receiving reimbursements out of the Fund directly from the Comptroller, therefor neither the Texas Taxpayer Identification Number nor the Comptroller Form AP-152 are necessary. (34 TAC Section 2.204(e)(1))

6. The amount requested to be reimbursed is \$1,975,811, the full balance anticipated to be in the Fund, provided that as noted above, CELOC has submitted total qualifying expenses of \$2,108,227.19, understanding that the submitted qualifying expenses to be reimbursed is limited to the Fund balance. (34 TAC Section 2.204(e)(2))

7. The costs and expenses submitted herein have been used to finance the costs of the Event related to (i) applying or bidding for selection as the site of the Event, (ii) making preparations necessary and desirable for the conduct of the Event, and (iii) conducting the Event and include costs and expenses for traffic and safety planning, temporary facilities to accommodate the large crowds anticipated, traffic engineering services to create a traffic plan to accommodate the large number of vehicles anticipated for the Event and the sanction fee to secure and hold the event payable to Dorna Sports, S.L (34 TAC Section 2.204(e)(3))

8. The costs and expenses listed in this reimbursement request do not include expenses to solicit the relocation of a professional sports franchise located in this state and, to the undersigned's knowledge, no expenses have been utilized and no monies from the Fund will be utilized to solicit the relocation of a professional sports franchise located in this state (34 TAC Section 2.204(e)(4))

9. CELOC requests that all approved reimbursements of the qualifying costs and expenses submitted with this request be made by direct deposit into the depository account of CELOC at PlainsCapital bank in Austin, Texas. Wiring instruction for that account will be provided upon request. (34 TAC Section 2.204(e)(5))

10. A detailed list of expenditures for reimbursement is included on the enclosed spreadsheet, together with copies of the invoices for such expenditures and supporting documentation showing payment of such invoices. (34 TAC Section 2.204(e)(6) – (8))

11. The costs and expenses listed in this reimbursement request do not include payroll expenditures of CELOC or, to the knowledge of the undersigned, Circuit of the Americas, LLC, there for the requirement of 34 TAC Section 2.204(e)(9) is not applicable.

12. No costs sought for reimbursement from the trust fund are being reimbursed by any other entity.

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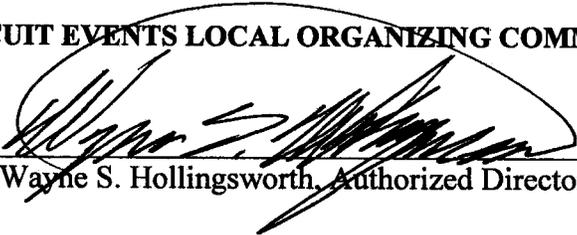
13. None of the items sought for reimbursement from the trust fund are disallowed or prohibited costs as described in TAC Section 2.205(b).

If you have any questions or comments or require additional information regarding this request or the enclosed material, please do not hesitate to call me.

Sincerely,

**CIRCUIT EVENTS LOCAL ORGANIZING COMMITTEE**

By:



Wayne S. Hollingsworth, Authorized Director

**Enclosures**

cc: Martin A. Hubert, Deputy Comptroller (w/ Enclosures)  
Robert Wood, Comptroller's Office, Director of Economic Development (w/ Enclosures)  
Sam Bryant, CELOC Director (w/ Enclosures)  
Ford Smith, CELOC Director (w/ Enclosures)  
Rodney Gonzalez, CELOC Director (w/ Enclosures)  
Steve Sexton, President, Circuit of the Americas

WSH:dp

Internal Use

Event Name: 2013 MotoGP Invoices Subject to METF Reimbursement

Order	Invoice, Contract or Receipt Number <sup>1</sup>	Invoice, Contract or Receipt Date <sup>2</sup>	Vendor	Expense Description (Specifically describe what was purchased)	Debursement Amount Requested	CLEOC Event Support
1	0480031	4/1/13	Dorma	2013 sanction fee	1,125,000.00	Sanction Fee
2	0054412-1	5/7/13	Dell Will Customs Brokers	MotoGP imports/freight	1,125,000.00	Subtotal- Sanction Fee
3	IVC12620	5/7/13	American Warehousing	MotoGP transportation and labor services fee	22,500.00	Race Requirements
4	2013-3-20	3/18/13	TS Sports	7 rental video boards- payment #1	35,759.00	Race Requirements
5	201304-2	4/10/13	TS Sports	7 rental video boards- payment #2	70,720.81	Race Requirements
					70,720.81	Race Requirements
					199,700.62	Subtotal- Race Requirements
6	13-42392	04/21/13	Austin-Travis County EMS	EMS standby services	15,160.00	Traffic and Safety Plan
7	13-42391	04/20/13	Austin-Travis County EMS	EMS standby services	15,160.00	Traffic and Safety Plan
8	13-42389	04/19/13	Austin-Travis County EMS	EMS standby services	15,160.00	Traffic and Safety Plan
9	1156	5/1/2013	Travis County Fire Rescue	fire dept support	49,200.00	Traffic and Safety Plan
10	1351	4/19/13	Capital Medical Service	EMT/paramedics- deposit	56,505.00	Traffic and Safety Plan
11	1352	4/30/13	Capital Medical Service	EMT/paramedics- balance	56,505.00	Traffic and Safety Plan
12	466759-001	04/25/13	Highway Technologies	assistance in traffic mobilization	60,620.00	Traffic and Safety Plan
13	050713	5/7/2013	Vasta and Associates	traffic control, planning and staffing	60,734.66	Traffic and Safety Plan
					329,044.66	Subtotal- Traffic and Safety Plan
14	MGP042113-S	4/24/13	Innovative Staffing	event security	37,189.02	Event Staffing
15	CC041813	4/25/13	Innovative Staffing	event command center	1,647.25	Event Staffing
16	MGP042113	4/24/13	Innovative Staffing	event staff and guest services	68,238.50	Event Staffing
17	4076-1436373	4/19/13	ABM	MotoGP event janitorial services	48,274.09	Event Staffing
18	2013 Moto-1	4/9/13	Ecology Solutions of TX, Inc	MotoGP event cleaning services- payment #1	26,750.00	Event Staffing
19	2013 Moto-2	4/22/13	Ecology Solutions of TX, Inc	MotoGP event cleaning services- payment #2	26,750.00	Event Staffing
20	2013 Moto-3	4/24/13	Ecology Solutions of TX, Inc	additional MotoGP event cleaning services	21,268.00	Event Staffing
					230,116.86	Subtotal- Event Staffing
21	1005	03/25/13	Sharfer Sports	tent rentals	69,321.76	Temporary Hospitality Facilities
22	13278195	05/08/13	Aggreko	generators for temp facilities	64,596.15	Temporary Hospitality Facilities
23	42738	04/17/13	Active Deployment Services	large temp restroom trailers	20,000.00	Temporary Hospitality Facilities
24	114-1233883	04/30/13	United Site Services	portable restrooms	76,447.14	Temporary Hospitality Facilities
					230,365.05	Subtotal- Temp Hospitality Facilities
					2,108,227.19	Total- MotoGP

Each listed invoice represents a qualified reimbursement cost or expense described under 34 TAC Rule §2.204(a)(1), (2) or (3) and required to be paid by CELOC under Sections 2(a), (b) or (c) of each of the Event Support Contract, and the Event Support and Reimbursement Agreement for the Event.

Note that all listed costs and expenses were incurred prior to or during the Event even though Invoice or Receipt Dates may be dated after the Events.



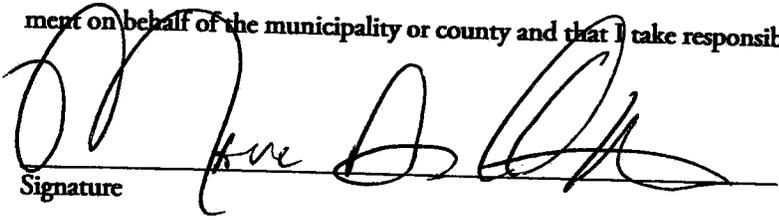
# Required Certification of Trust Fund Disbursement Request

34 Tex. Admin. Code Section 2.204(i) effective February 26, 2013

Section 2.204(i) says that each disbursement request must be accompanied by a certification completed by the endorsing municipality or endorsing county as expressed below. The certification must be signed by an official of the endorsing municipality or endorsing county who is authorized to bind the municipality or county. An endorsing municipality or endorsing county may not delegate to another person or entity its obligation to approve a disbursement request or sign the certification required by this subsection.

Regarding the Events trust fund disbursement request in the amount of \$1,975,811, for the  
MotoGP Race Event {name of event}

I, Marc Ott {name of authorized official}, approve of each cost submitted for disbursement from the trust fund. I certify that each cost is necessary to fulfill obligations under the event support contract. I certify that the funds will not be used for the purpose of soliciting the relocation of a professional sports franchise located in this state; and that no costs sought for disbursement from the trust fund are also being reimbursed by another entity. I also certify that I have the authority to make this certification statement on behalf of the municipality or county and that I take responsibility for the disbursement being requested.

  
Signature

City Manager, City of Austin  
Title

2/12/13  
Date



Susan Combs

# Affidavit to be COMPLETED by any/all Municipality, County, and/or LOC endorsing a Major Events Trust Fund, Events Trust Fund, or Motor Sports Trust Fund

## AFFIDAVIT

[Affidavit to be signed and sworn (notarized) by each Endorsing Municipality, Endorsing County, and Local Organizing Committee (if applicable)]

I, Wayne S. Hollingsworth, an authorized representative of: Circuit Events Local Organizing Committee, a [local organizing committee (nonprofit corporation), endorsing municipality or endorsing county] (circle one) ("Requestor") that is receiving funding through the Major Events Trust Fund, Events Trust Fund, or Motor Sports Trust Fund ("the Act"), hereby swear and affirm that, to the best of my knowledge, the Requestor has designed and implemented internal controls, processes and procedures to help the Requestor ensure that the Requestor and its use of these funds complies with all applicable laws, rules, and written guidance from the Texas Comptroller's office. I further swear and affirm that I, or my duly authorized employee, representative, or agent, have reviewed the information, and that all of the statements made and information provided therein, including statements made and information provided in any attachments are true, complete, and correct to the best of my knowledge. All other information submitted as part of this request for participation is being represented by me as true and correct, and I am unaware of any information contained therein that is false, misleading, or fraudulent. Information provided includes but is not limited to:

- (1) a letter from the municipality or county requesting participation in the trust fund program and signed by a person authorized to bind the municipality or county;
- (2) a letter from the site selection organization on organization letterhead selecting the site in Texas;
- (3) an economic impact study or other data sufficient for the Comptroller's office to make the determination of the incremental increase in tax revenue associated with hosting the event in Texas, including a listing of any data for any related activities;
- (4) a Request Worksheet to Establish an Events Trust Fund form and any attachments; and
- (5) an Event Support Contract (if available - else due no later than date of event's first activities).

I understand that I am receiving funding under the Act for the purposes of facilitating this event: MotoGP Race Event on these dates: April 19 - 21, 2013

I understand that non-compliance with reporting requirements could be treated as a violation of the statute and/or program rules resulting in the possible withholding of disbursement funding.

I understand that it is a felony offense under Section 37.10, Texas Penal Code, to knowingly make a false entry in, or false alteration of, a governmental record, or to make, present, or use a governmental record with knowledge of its falsity, when the actor has the intent to harm or defraud another.

I understand that the offense of perjury, under Section 37.02, Texas Penal Code, is committed when a person, with intent to deceive and with knowledge of the statement's meaning, makes a false statement under oath or swears to the truth of a false statement previously made and the statement is required or authorized by law to be made under oath.

I understand my obligation to provide information about event expectations, performance, and expenses that are true and accurate to the best of my knowledge and ability. I also understand my obligation to immediately report any known or suspected waste, fraud, and abuse of funds received under the Act to the Texas State Auditor's Office at 1-800-892-8348. I hereby swear and affirm that I have read the entire affidavit, and I understand its contents.

Wayne S. Hollingsworth  
 Affiant Signature  
 Secretary, Circuit Events Local  
 Title and Name of Organization Organizing Committee

Wayne S. Hollingsworth  
 Printed Name  
June 28, 2013  
 Date

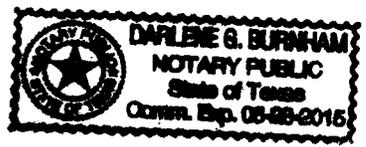
Sworn and subscribed before me by the said

Wayne S. Hollingsworth  
 (Printed Name of Recipient's Authorized Representative)

this 28<sup>th</sup> day of June, 2013.

Notary Public, State of Texas

Notary's printed name: Darlene Burnham My commission expires 6/28/15 (Seal)



For Comptroller's use only

# Application for Texas Identification Number

• See instructions on back

1. Is this a new account?  YES Mail Code 000  NO Enter Mail Code \_\_\_\_\_ Agency number 9 0 2  
 Complete Sections 1 - 5 Complete Sections 1, 2 & 5

**Section 1**

2. Texas Identification Number (TIN) - Indicate the type of number you are providing to be used for your TIN  
 1 - Employer Identification Number (EIN)  
 2 - Social Security number (SSN) Enter the number indicated  4  5  2  7  2  7  3  9  7  
 3 - Comptroller's assigned number (FOR STATE AGENCY USE ONLY)

3. Are you currently reporting any Texas tax to the Comptroller's office such as sales tax or franchise tax?  
 YES  NO If "YES," enter Texas Taxpayer Number \_\_\_\_\_

**Section 2**

Payee Information (Please type or print)

4. Name of payee (Individual or business to be paid)  
Circuit Events Local Organizing Committee

5. Mailing address where you want to receive payments  
100 Congress avenue, Ste. 1300

6. (Optional) \_\_\_\_\_

7. (Optional) \_\_\_\_\_

8. (Optional) \_\_\_\_\_

9. City Austin State T X ZIP Code 7 8 7 0 1 - 2 7 4 4

10. Payee telephone number (Area code and number) ( 5 1 2 ) 4 3 5 - 2 3 0 6 SIC code \_\_\_\_\_ Security type code ( 0, 1, 2 ) Zone code \_\_\_\_\_

**Section 3**

11. Ownership Codes - Check only one code by the appropriate ownership type that applies to you or your business.

I - Individual Recipient (not owning a business)  L - Texas Limited Partnership: If checked, enter the Texas File Number \_\_\_\_\_

S - Sole Ownership (Individual owning a business): If checked, enter the owner's name and Social Security number (SSN)  
 Owner's name \_\_\_\_\_  
 SSN  2 \_\_\_\_\_

P - Partnership: If checked, enter two partner's names and Social Security numbers (SSN). If a partner is a corporation, use the corporation's Employer Identification Number (EIN).  
 Name \_\_\_\_\_  
 SSN/EIN  \_\_\_\_\_

T - Texas Corporation: If checked, enter the Texas File Number \_\_\_\_\_

A - Professional Association: If checked, enter the Texas File Number \_\_\_\_\_

C - Professional Corporation: If checked, enter the Texas File Number \_\_\_\_\_

O - Out-of-State Corporation

G - Governmental Entity

U - State agency / University

F - Financial Institution

R - Foreign (out of U.S.A.)

N - Other: If checked, explain. Texas Non-Profit Corporation (TX File No. 801433440)

**Section 4**

12. Payment Assignment?  YES  NO Note: A copy of the assignment agreement between payees must be attached.  
 Assignee name \_\_\_\_\_  
 Assignee TIN \_\_\_\_\_ Assignment date \_\_\_\_\_

**Section 5**

13. Comments \_\_\_\_\_

14. **sign here** [Signature] Date 6-28-13  
 Agency name \_\_\_\_\_ Prepared by \_\_\_\_\_ Phone (Area code and number) \_\_\_\_\_

15. \_\_\_\_\_