

ORDINANCE NO. 4856

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO CHAPTER 2.28 "ROOM TAX - CONVENTION CENTER FUND" AND AMENDING SECTION 2.28.200 OF THE ELLENSBURG CITY CODE.

WHEREAS, as authorized by chapter 67.28 of the Revised Code of Washington (RCW), the City of Ellensburg established in Chapter 2.28 of the Ellensburg City Code (ECC) a lodging tax advisory committee (LTAC) for the purpose of reviewing and commenting on proposals for tourism promotion and tourism-related facilities, and engage in tourism planning and promotion activities, in Ellensburg; and

WHEREAS, the current membership of the LTAC consist of five (5) members selected as provided in ECC 2.28.200(B); and

WHEREAS, RCW 67.18.1817(1) requires that a lodging tax advisory committee consist of at least five members, of whom: (a) At least two members who are representatives of businesses required to collect tax under this chapter; and (b) at least two members who are persons involved in activities authorized to be funded by revenue received under the chapter; and

WHEREAS, at the March 11, 2020 Special Meeting of the Lodging Tax Advisory Committee the committee approved a motion to propose to the City Council increasing membership from five to seven, consisting of three members representative of businesses required to collect the tax, three members involved in activities authorized to be funded by the revenue received from the tax, and one Councilmember; and

NOW, THEREFORE, the City Council of the City of Ellensburg, Washington, do hereby ordain as follows:

Section 1. Section 2.28.200 of the Ellensburg City Code, as last amended by Ordinance 4327, is hereby amended to read as follows:

2.28.200 Lodging tax advisory committee.

A. There is hereby created a lodging tax advisory committee, whose duties shall be to serve the functions prescribed in RCW 67.28.1817, review and comment on proposals for tourism promotion and tourism-related facilities, and engage in tourism planning and promotion activities.

B. The lodging tax advisory committee shall consist of ~~five~~ seven members, appointed by the city council. One member shall be an elected official of the city, who shall serve as chair; ~~two~~ three members shall be representatives of businesses required to collect the tax, one of whom shall be appointed to a ~~one-year~~ term expiring December 31, 2020, and the other to a two-year term ~~the second member being appointed to a term expiring December 31, 2021, and the third~~

member being appointed to a term expiring December 31, 2022; and two three members shall be persons involved in activities authorized to be funded by revenue received from the tax, one of whom shall be appointed to a one-year term expiring December 31, 2020, and the other to a two-year term the second member being appointed to a term expiring December 31, 2021, and the third member being appointed to a term expiring December 31, 2022. After the expiration of the terms set forth herein, each member being reappointed or newly appointed shall serve a two-year term, or such portion thereof to complete the term of any member who resigns or is removed from the committee. The committee may include, but is not required to include, one nonvoting member who is an elected official of Kittitas County. The city council shall review the membership of the committee annually and make changes as appropriate. Vacancies on the committee shall be filled by the city council.

C. The city council shall submit to the lodging tax advisory committee, for its review and comment, proposals on: (1) the imposition of a tax under Chapter 67.28 RCW; (2) any increase in the rate of such a tax; (3) repeal of an exemption from such a tax; or (4) a change in the use of the revenue received from such a tax. The city council shall submit such a proposal to the committee at least 45 days before taking final action on any such proposal. Comments by the committee should include an analysis of the extent to which the proposal will accommodate activities for tourists or increase tourism, and the extent to which the proposal will affect the long-range stability of the special fund created for the lodging tax revenues. The committee shall submit a written recommendation to the city council within 45 days of receiving the proposal from the city council. The report shall be advisory to the city council, and shall not be binding upon the council. Failure of the committee to submit its report to the city council in a timely fashion prior to passage of the proposal shall not prevent the city council from acting on the proposal.

D. The committee is authorized to review applications for lodging tax funding and to make recommendations to the city council regarding which tourism promotion and tourism-related facility project applications the city should fund. However, this grant of authority shall not be construed to require the city council to submit such proposals to the committee for initial review in addition to the review process set forth in subsection (C) of this section. If any expenditures will constitute an amendment to the city's annual budget, the request shall be submitted to the committee prior to final approval by the city council. If the proposed expenditure under review by the committee falls within the limits of the city manager's contracting authority set forth in ECC 2.03.080, and is otherwise consistent with the annual budget, the committee's recommendation may be made to the city manager, who may either authorize the expenditure without further confirmation by the city council or instead forward the committee's recommendation to the council for further action.

E. The committee is authorized to engage in tourism planning and promotion activities. The duties of the committee shall include advising and making recommendations to the city council regarding tourism matters, developing tourism promotion strategies and plans, and identifying

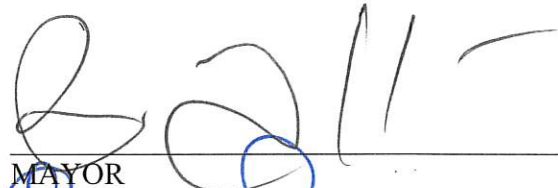
potential future uses of lodging tax revenue for tourism promotion and tourism-related facility projects. [Ord. 4327, 2002; Ord. 4234, 2000; Ord. 4111, 1997.]

Section 2. Severability. If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portion(s) of this ordinance.

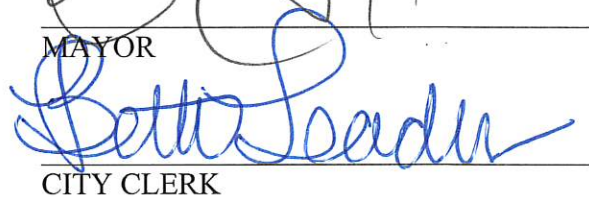
Section 3. Corrections. Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. Effective Date. This ordinance shall take effect and be in force five (5) days, after its passage, approval and publication.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the 20th day of July, 2020.


MAYOR

ATTEST:


CITY CLERK

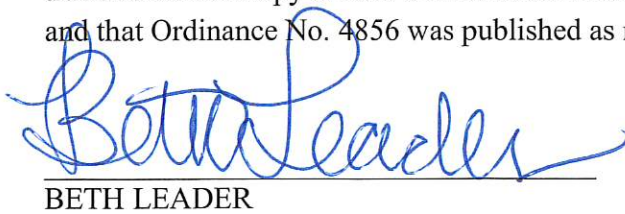
Approved as to form:



CITY ATTORNEY

Publish: 7-29-20

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4856 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4856 was published as required by law.


BETH LEADER