Consent Agenda
Commissioners Office

JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA REQUEST

TO: **Board of County Commissioners**

FROM: **Adiel McKnight, Executive Assistant**

DATE: October 23. **, 2023**

SUBJECT: **AGREEMENT** re: 2024 Hotel Motel (Lodging Tax) Grant Funding; In the Amount of $275,000; Tourism Coordinating Council

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STATEMENT OF ISSUE:

This agreement provides grant funding for 2024 to certain non-profit agencies for the promotion of tourism and ongoing preservation of Jefferson County's heritage. The Lodging Tax Advisory Committee met on September 19, 2023 and reviewed request for proposals. This funding has been budgeted from the Hotel Motel (Lodging Tax) Fund, and approved by the Board of County Commissioners on October 2, 2023.

FISCAL IMPACT:

Tourism Coordinating Council $275,000

RECOMMENDATION:

Approve and sign the agreement.

REVIEWED BY:

Mark McCauley
Mark McCauley, County Administrator

Date: 10/18/23

AGREEMENT FOR 2024 HOTEL-MOTEL FUNDING FOR TOURISM SERVICES TOURISM COORDINATING COUNCIL

This Agreement is by and between JEFFERSON COUNTY (hereinafter known as "COUNTY" and the JEFFERSON COUNTY TOURISM COORDINATING COUNCIL (hereinafter known as "TCC").

WHEREAS, the TCC is established by the Board of County Commissioners through Resolution No. 78-03 and its members are appointed by Board of County Commissioners; and

WHEREAS, the COUNTY desires to promote tourism by providing information to guests, support and staff to information centers in unincorporated Jefferson County, as well as workshops, conferences and materials to enhance productivity of visitor information centers in the promotion of the tourism industry, as authorized by Chapter 67.28 RCW and Jefferson County Code Chapter 3.25; and

WHEREAS, the Jefferson County Lodging Tax Advisory Committee reviewed and recommended funding the lodging tax proposal by the Tourism Coordinating Council to implement a strategy for the unincorporated area of Jefferson County to promote tourism activities;

IN CONSIDERATION of the mutual covenants and agreements herein it is agreed by the parties as follows:

SECTION 1: SERVICES TO BE PERFORMED

The TCC shall use its capabilities and utilize up to $275,000 of funding provided under this agreement to continue and update the ongoing performance of the following tourism promotion services, as outlined below:

1. Fulfilling County Ordinance 02-0622-98 year-round, tourism promoter targeting regional and global promotions on behalf of Jefferson County, consistent with the proposed TCC Lodging Tax services and budget, a copy of which is incorporated herein and attached hereto as Exhibit A.

2. Strategically target regional and global tourism promotions on behalf of the entire County. Be the focal point for community involvement, act as a clearinghouse for community organizations, and participate in planning and strategizing for tourism promotion.

3. Coordinate with the City of Port Townsend, State of Washington, United States Government and other public and private agencies in the use of Hotel Motel Tax funds and the promotion of tourism activities.

SECTION 2: RESPONSIBILITIES OF THE TOURISM COORDINATING COUNCIL:

1. On or before January 31; April 30; July 31; October 31, 2024; and January 31, 2025, provide to the COUNTY: see Exhibit C, attached hereto and incorporated;
   - A quarterly report of the marketing, services, programs and activities of the under this Agreement for the prior quarter;
   - A quarterly financial statement detailing revenues, expenses and cash balances for the prior quarter; and for the final quarter report, the financial statement shall also include a detailed financial statement for all 2024.

2. Submit orders and invoices from marketing vendors to the County Administrator's Office for payment by the County out of budgeted funding allocated for TCC activities consistent with this Agreement.

3. For a minimum of six (6) years, maintain documented proof of payments made, contracts executed, and other expenditures authorized under this Agreement. Upon reasonable notice, provide access to County or State representatives to audit those records.

4. Funding provided by this Agreement may only be expended on the services described in Section 1 of this Agreement. Any monies used for other services or purposes shall be refunded to Jefferson County. Any monies under-expended of the total funding allocated under this Agreement shall be retained in the Fund 125 Hotel/Motel fund balance.

5. By **February 28th** of each year provide the following information on Exhibit B, attached hereto and incorporated by reference for the previous year.
   a. Each festival, event, or tourism facility owned and/or operated by TCC.
   b. The amount of lodging tax revenue allocated for expenditure (whether actually expended or not) by the TCC on each festival, event or tourism facility.
   c. Estimated number of tourists served at each festival, event or tourism facility. ("Tourist" includes persons traveling more than 50 miles to the location of the event, festival or facility and overnight stays in the area).
   d. Estimated lodging stays. ("Lodging" refers to commercial lodging such as hotels, motels, resorts, bed and breakfasts, or commercial campgrounds).
   e. Measurements that demonstrate the impact of increased tourism attributable to the event, festival or facility.

SECTION 3: RESPONSIBILITY OF JEFFERSON COUNTY

1. The COUNTY will provide the TCC funding from Hotel-Motel Tax receipts to be used in support of their responsibilities as defined under this agreement.

2. Said funding is in the sum of $275,000 for 2024. Payment is to be predicated on submittal of reports defined in Section 2. Except as provided below in Paragraph 3, payment will be made by the COUNTY upon receipt of an invoice on the next available billing cycle.

3. The County shall establish a Fund 125 revolving checking account, and the County Administrator's Office may use it to pay time-sensitive orders and invoices for services consistent with this Agreement, and that require payment sooner than a normal County billing cycle.

SECTION 4: TERM

This Agreement shall be for a term of one year, commencing on January 1, 2024 and ending on December 31, 2024, except for the reports referenced in Section 2, due January 31, 2025 and February 28, 2025.

SECTION 5: ASSIGNMENT

Either party to the agreement shall not assign this Agreement, except by signed amendment.

SECTION 6: MODIFICATION

This Agreement may be modified by mutual written agreement executed by both parties.

SECTION 7: TERMINATION

The Agreement may be terminated, in whole or in part, by the County upon thirty (30) days written notice in the event expected or actual revenue from the Hotel-Motel Tax is reduced or limited in any way, or for non-performance of duties under this Agreement, or for any reason. The TCC may terminate this Agreement upon thirty (30) days written notice to the COUNTY. In the event of termination under this clause, the County shall be liable to pay only for services rendered prior to the effective date of termination.

SECTION 8: COMPLIANCE WITH LAWS

The TCC shall comply with all Federal, State, and local laws and ordinances applicable to the work to be done under this Agreement. This Agreement shall be interpreted and construed in accord with the laws of the State of Washington and venue shall be in Jefferson County, Washington.

SECTION 9: DISCRIMINATION PROHIBITED

The TCC with regard to the services to be completed under this agreement, will not discriminate on the grounds of age, sex, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability, unless based upon a bona fide occupational qualification in the selection and retention of employees, materials, supplies, contractors or subcontractors.

SECTION 10: INTEGRATED AGREEMENT

This agreement together with attachments or addenda represents the entire and integrated agreement between the County and the TCC and supersedes all prior negotiations, representations, or agreements written or oral. This agreement may be amended only by written instrument signed by both the County and the TCC.

APPROVED and signed this day of , 2023

Attest:

Carolyn Gallaway, CMC
Clerk of the Board

JEFFERSON COUNTY BOARD OF COMMISSIONERS

Greg Brotherton, Chair

Approved as to Form:

P.C. Hunsucker
10/18/2023
Philip C. Hunsucker,
Chief Civil Deputy Prosecutor

TOURISM COORDINATING COUNCIL

Authorized Official

EXHIBIT A

Proposed 2022 Tourism Coordinating Council Lodging Tax Services and Budget

1. Itemized List of Proposed Tourism Promotion Services

Organization (or Event) Name: Jefferson County - Tourism Coordinating Council

In the following space or on a separate sheet of paper, please specify each proposed tourism promotion, facility, event or activity, including quantities and costs (see examples at bottom of page).

Proposed budget vs. actual

TCC Budget 2024 Proposal

Updated:	9/7/2023 20:14
	Budget
Advertising Collateral	**55,500**
Lodging List Placement in Getaway Guides	6,000
Changes to Lodging List for Act. Map Reprint -	2,000
Opportunities	10,000
Regional Map Offerings	10,000
Brochure + Distribution	6,000
Web Hosting, Domain Reg. & Social Media Sub.	6,000
Ad Creative Services	15,500
Advertising - Marketing	**126,500**
Spring/Fall Campaigns	28,000
Digital Marketing	29,500
FAM Tour Support	4,000
Olympic Culinary Loop	10,000
Oly Peninsula Tourism Summit Collaboration	2,000
WTA Participation	6,000
Year-Around TCC Campaigns	17,000
Value Seasons TCC Campaigns	30,000
Olympic Peninsula Tourism Comm. + Programs	**65,000**
OPTC	35,000
Collaborative Strat. Mngt. Plan - Interp & implem	30,000
Professional Services	**53,000**
Coordination of Marketing, Budget, etc.	45,000
Travel, Postage, Copies, Office Expenses, etc.	8,000
TOTAL Est. Budgeted Totals	**300,000**
TOTAL BUDGET	300,000

TCC Budget 2023 progress

Updated:	9/8/2023 12:34	
	Budget	*actual*
Advertising Collateral	**54,000**	31114
Lodging List Placement in Getaway Guides	6,000	6075
Changes to Lodging List for Act. Map Reprint	1,000	1000
Opportunities	10,000	4000
Regional Map Offerings	10,000	10452
Brochure + Distribution	6,000	0
Web Hosting, Domain Reg. & Social Media Sub.	6,000	2324
Ad Creative Services	15,000	7264
Advertising - Marketing	**124,250**	64353
Spring/Fall Campaigns	28,000	13975
Digital Marketing	29,250	8468
FAM Tour Support	3,000	0
Olympic Culinary Loop	10,000	10000
Oly Peninsula Tourism Summit Collaboration	2,000	0
WTA Participation	6,000	1000
Year-Around TCC Campaigns	16,000	17815
Value Seasons TCC Campaigns	30,000	13094
Olympic Peninsula Tourism Comm. + Prog	**65,000**	41832
OPTC	35,000	19332
Collaborative Strat. Plan - Sustainable Tourism	30,000	22500
Professional Services	**51,750**	28337
Coordination of Marketing, Budget, etc.	44,500	25956
Travel, Postage, Copies, Office Expenses, etc.	7,250	2381
TO Est. Budgeted Totals	**295,000**	165636
TOTAL BUDGET	295,000	165636

Exhibit B
Jurisdiction Lodging Tax Reporting Form – To Be Submitted to Jefferson County Administrator's Office No Later than February 28th of each Year

Lodging Tax Reporting Form

Organizations receiving funding to promote festivals, special events and tourism-related activities through tourism-related facilities owned or sponsored by non-profit organizations or the local jurisdiction are required to complete this form for **EACH** activity.

1 Organization Name: ______ Reporting Year: ______

2 Sponsor Type (Check One): ◯ 501(c)(3) ◯ 501(c)(6) ◯ Local Jurisdiction ◯ Other (Explain): ______

3 Activity Name: ______

4 Activity Type (Check One): ◯ Event/Festival* ◯ Facility* ◯ Marketing*

5 Activity Start Date*: ______

6 Activity End Date*: ______

7 Total Cost of Activity: $ ______

8 Amount Requested: $ ______

9 Amount Awarded: $ ______

10 Overall Attendance*
- a) Projected* ______
- b) Actual* ______
- c) Methodology (Check One): ◯ Direct Count* ◯ Indirect Count* ◯ Representative Survey* ◯ Informal Survey* ◯ Structured Estimate* ◯ Other (explain): ______

11 Number of Attendees Who Traveled 50 Miles or More*
- a) Projected* ______
- b) Actual* ______
- c) Methodology (Check One): ◯ Direct Count* ◯ Indirect Count* ◯ Representative Survey* ◯ Informal Survey* ◯ Structured Estimate* ◯ Other (explain): ______

12 Number of Attendees Who Traveled from Another State or Country*
- a) Projected* ______
- b) Actual* ______
- c) Methodology (Check One): ◯ Direct Count* ◯ Indirect Count* ◯ Representative Survey* ◯ Informal Survey* ◯ Structured Estimate* ◯ Other (explain): ______

13 Number of Attendees Who Stayed Overnight in Unpaid Accommodations*
- a) Projected* ______
- b) Actual* ______
- c) Methodology (Check One): ◯ Direct Count* ◯ Indirect Count* ◯ Representative Survey* ◯ Informal Survey* ◯ Structured Estimate* ◯ Other (explain): ______

14 Number of Attendees Who Stayed Overnight in Paid Accommodations*
- a) Projected* ______
- b) Actual* ______
- c) Methodology (Check One): ◯ Direct Count* ◯ Indirect Count* ◯ Representative Survey* ◯ Informal Survey* ◯ Structured Estimate* ◯ Other (explain): ______

15 Number of Paid Lodging Nights*
- a) Projected* ______
- b) Actual* ______
- c) Methodology (Check One): ◯ Direct Count* ◯ Indirect Count* ◯ Representative Survey* ◯ Informal Survey* ◯ Structured Estimate* ◉ Other (explain): ______

***See Lodging Tax Yearly Reporting Definitions/Instructions**

Name of Individual Who Prepared Report: ______

Phone #: ______ E-Mail Address: ______

RETURN THIS FORM TO:

Jefferson County Administrator's Office
1820 Jefferson Street
P.O. Box 1220
Port Townsend, WA 98368
jeffbocc@co.jefferson.wa.us

DEADLINE: February 28th of Each Reporting Year

LTAC Yearly Reporting
Definitions/Instructions

Activity Type: Event/Festival: Short-term activity occurring between specific dates (e.g., 4th of July celebration, local marathon)
Facility: Municipally-owned facility that operates some or all of the year (e.g., county historical museum, convention center)
Marketing: Activity that provides information to encourage visitors to an area; is typically a year-round activity but may also operate for less than a full year.

Activity Date: Activity beginning and ending dates.

Actual: Persons estimated to have **actually** participated in event/festival or visiting a facility. For marketing activity, enter the number of persons estimated to have **actually** visited area as result of marketing activity.

Projected: Persons **expected** to participate in event/festival or visiting a facility. For marketing activity, enter the number of persons **expected** to visit area as result of marketing activity.

Methodology: Select the methodology used to estimate the actual number of visitors/participants.
Direct Count: Actual count of visitors using methods such as paid admissions or registrations, clicker counts at entry points, vehicle counts or number of chairs filled. A direct count may also include information collected directly from businesses, such as hotels, restaurants or tour guides, likely to be affected by an event.
Indirect Count: Estimate based on information related to the number of visitors such as raffle tickets sold, redeemed discount certificates, brochures handed out, police requirements for crowd control or visual estimates.
Representative Survey: Information collected directly from individual visitors/ participants. A representative survey is a highly structured data collection tool, based on a defined random sample of participants, and the results can be reliably projected to the entire population attending an event and includes margin of error and confidence level.
Informal Survey: Information collected directly from individual visitors or participants in a non-random manner that is not representative of all visitors or participants. Informal survey results cannot be projected to the entire visitor population and provide a limited indicator of attendance because not all participants had an equal chance of being included in the survey.
Structured Estimate: Estimate produced by computing known information related to the event or location. For example, one jurisdiction estimated attendance by dividing the square footage of the event area by the international building code allowance for persons (3 square feet).
Other: (please describe)

Overall Attendance: Total projected and estimated actual attendance recorded for event, facility or resulting from marketing activity.

Total Attendees Traveling 50 miles or more:

Total: Total projected and estimated actual number of visitors traveling more than 50 miles to attend event or facility. For marketing organizations, report visitors traveling more than 50 miles to visit area.

Of total, attendees who traveled from another state or country: Of the total projected and estimated actual number of visitors traveling more than 50 miles to attend event or facility or visit area, report projected and estimated actual number of visitors who traveled from another state or country.

Attendees who stayed overnight:

Paid Accommodations: Total projected and estimated actual number of visitors staying in paid lodging establishments such as hotels, motels, bed and breakfasts, etc.

Unpaid Accommodations: Total projected and estimated actual number of visitors staying in unpaid accommodations such as family and friends.

Paid Lodging Nights: Total projected and estimated actual number of paid lodging nights. One Lodging night = one or more persons occupying one room for one night.

EXHIBIT C 1st QUARTER

Due by April 30th to afmcknight@co.jefferson.wa.us

Organization:

Contact person:

Mailing Address:

Phone Number/Email:

1. LTAC Funds received from the County 1st QTR:

ORGANIZATION	Amount Awarded by JeffCo	Received From JeffCo	Overspent (+) Underspent (-) of LTAC funds	Refund Required	TOTAL 1st QTR LTAC FUNDS SPENT

2. LTAC funds spent by your organization 1st QTR (include 200 word limit regarding activities and funds spent with an itemized statement and supporting documentation ie: invoices paid, receipts from payment,):

3. LTAC funds balance remaining 1st QTR:

4. Please attach your organization's report for all revenue, marketing, services, programs and activities of the prior quarter.

This report and any attachments may be subject to disclosure as a public record under the Public Records Act, RCW Chapter 42.56. A minimum of six years, you must maintain documented proof of payments made, contracts executed and other expenditures authorized under your Agreement with Jefferson County. Upon reasonable notice, you must be able to provide access to County or State representatives to audit those records.

EXHIBIT C 2nd QUARTER

Due by July 31st to afmcknight@co.jefferson.wa.us

Organization:

Contact person:

Mailing Address:

Phone Number/Email:

1. LTAC Funds received from the County 2nd QTR:

ORGANIZATION	Total Amount Awarded by JeffCo	Total Received From JeffCo	Overspent (+) Underspent (-) of LTAC funds	Refund Required	TOTAL 1st QTR LTAC FUNDS SPENT	TOTAL 2nd QTR LTAC FUNDS SPENT

2. LTAC funds spent by your organization 2nd QTR (include 200 word limit regarding activities and funds spent with an itemized statement and supporting documentation ie: invoices paid, receipts from payment,):

1. LTAC funds balance remaining 2nd QTR:

2. Please attach your organization's report for all revenue, marketing, services, programs and activities of the prior quarter.

This report and any attachments may be subject to disclosure as a public record under the Public Records Act, RCW Chapter 42.56. A minimum of six years, you must maintain documented proof of payments made, contracts executed and other expenditures authorized under your Agreement with Jefferson County. Upon reasonable notice, you must be able to provide access to County or State representatives to audit those records.

EXHIBIT C 3rd QUARTER

Due by October 31st to afmcknight@co.jefferson.wa.us

Organization:

Contact person:

Mailing Address:

Phone Number/Email:

1. LTAC Funds received from the County 3rd QTR:

ORGANIZATION	Total Amount Awarded by JeffCo	**Total** Received From JeffCo	Overspent (+) Underspent (-) of LTAC funds	Refund Required	TOTAL 1st QTR LTAC FUNDS SPENT	TOTAL 2nd QTR LTAC FUNDS SPENT	TOTAL 3rd QTR LTAC FUNDS SPENT

2. LTAC funds spent by your organization 3rd QTR (include 200 word limit regarding activities and funds spent with an itemized statement and supporting documentation ie: invoices paid, receipts from payment,):

2. LTAC funds balance remaining 3rd QTR:

3. Please attach your organization's report for all revenue, marketing, services, programs and activities of the prior quarter.

This report and any attachments may be subject to disclosure as a public record under the Public Records Act, RCW Chapter 42.56. A minimum of six years, you must maintain documented proof of payments made, contracts executed and other expenditures authorized under your Agreement with Jefferson County. Upon reasonable notice, you must be able to provide access to County or State representatives to audit those records.

EXHIBIT C 4th QUARTER

Due by January 31st to afmcknight@co.jefferson.wa.us

Organization:

Contact person:

Mailing Address:

Phone Number/Email:

1. LTAC Funds received from the County 4th QTR:

ORGANIZATION	Total Amount Awarded by JeffCo	**Total** Received From JeffCo	Overspent (+) Underspent (-) of LTAC funds	Refund Required	TOTAL 1st QTR LTAC FUNDS SPENT	TOTAL 2nd QTR LTAC FUNDS SPENT	TOTAL 3rd QTR LTAC FUNDS SPENT	TOTAL 4th QTR LTAC FUNDS SPENT

2. LTAC funds spent by your organization 4th QTR (include 200 word limit regarding activities and funds spent with an itemized statement and supporting documentation ie: invoices paid, receipts from payment,):

3. LTAC funds balance remaining 4th QTR:

4. Please attach your organization's report for all revenue, marketing, services, programs and activities of the prior quarter.

This report and any attachments may be subject to disclosure as a public record under the Public Records Act, RCW Chapter 42.56. A minimum of six years, you must maintain documented proof of payments made, contracts executed and other expenditures authorized under your Agreement with Jefferson County. Upon reasonable notice, you must be able to provide access to County or State representatives to audit those records.