

**JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA REQUEST**

TO: Board of County Commissioners

FROM: Adiel McKnight, Deputy Clerk of the Board

DATE: August 4, 2025

SUBJECT: DISCUSSION and POTENTIAL ACTION re: Lodging Tax Advisory Committee (LTAC) By-Laws

STATEMENT OF ISSUE:

The LTAC met on July 29, 2025 to review the draft LTAC By-Laws that were originally approved by the Board of County Commissioners (BoCC) on April 21, 2025. During the meeting, LTAC members raised two questions to pose to the BoCC. LTAC members requested that if revisions are made, that the BoCC should open the floor to allow for public comments.

The two questions posed are:

- 1) On page 6, on the Request for Proposals (RFP) process chart – “3 Choices for BoCC: (1) Reject LTAC recommendation proposal;”

Question: If the BoCC were to reject the recommendation proposal in full, what happens after that? Would the LTAC begin again at the beginning of the process by issuing a new RFP? Or would they “propose change to recommended proposal, then send back to LTAC for up to 45 days...”? Or would some other process ensue?

- 2) Page 9, Section 8:

Question: Does any language need to be added to clarify that the BoCC has authority to remove an LTAC member directly (or to reseal the entire board) even if a recommendation to remove a member has *not* been initiated or approved by the LTAC? Or is that authority inherent in the RCW?

The LTAC members are content if the BOCC decides to leave the By-Laws as they are, but they would appreciate clarity in the form of a memo.

ANALYSIS:

These by-laws will be the first for LTAC and reflect the direction that the BoCC seeks along with current operational needs and governance standards. Staff has worked with the Prosecuting Attorney’s Office for guidance.

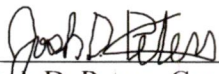
FISCAL IMPACT:

There is no fiscal impact.

RECOMMENDATION:

That the Board review the draft LTAC By-Laws and make edits if needed for adoption.

REVIEWED BY:



Josh D. Peters, County Administrator

7/30/2025

Date

2025

DRAFT (Clean Version)
Jefferson County LTAC By-Laws



DRAFT

Jefferson County
LTAC By-Laws

06/09/2025

Revised Draft By-laws, June 9, 2025

Jefferson County LTAC By-Laws

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1. AUTHORITY

Chapter 67.28 RCW governs Public Stadium, Convention, Arts, and Tourism Facilities in Washington State. RCW 67.28.080(2), “Municipality” means any *county*, city or town of the state of Washington. (Emphasis added).

The Jefferson County Lodging Tax Advisory Committee (JCLTAC or LTAC) was established on April 20, 1998 by Jefferson County Resolution [33-98](#). RCW [67.28.1817](#) requires:

Before proposing imposition of a new tax under this chapter, an increase in the rate of a tax imposed under this chapter, repeal of an exemption from a tax imposed under this chapter, or a change in the use of revenue received under this chapter, a municipality with a population of five thousand or more shall establish a lodging tax advisory committee under this section.

RCW [67.28.1817](#)(1).

2. ROLE OF THE LTAC

The LTAC was formed for the purpose of developing a comprehensive tourism development strategy and assisting in the administration of the lodging tax fund, including recommending annual expenditures consistent with Chapter [3.25](#) of the Jefferson County Code to the Board of County Commissioners (BoCC) through the annual budget cycle. JCC [3.25.020](#)(1).

Pursuant to RCW [67.28.1816](#)(2)(b)(ii), the local lodging tax advisory committee makes recommendations to the BoCC regarding how the local lodging tax revenue should be distributed.

Procedurally, the LTAC must select the candidates from amongst the applicants applying for use of revenues under chapter [67.28](#) RCW and provide a list of such candidates and recommended amounts of funding to the BoCC for final determination. RCW [67.28.1816](#)(2)(b)(ii).

The LTAC maintains a close relationship with the Tourism Coordinating Council (TCC), which is a separate BoCC advisory committee, governed by Jefferson County Resolution No. [26-0421-25R](#), and is tasked with making recommendations to the BoCC that help inform local tourism policy.

When prioritizing Requests for Proposals (RFPs) for lodging tax revenue, the LTAC shall take into consideration the TCC’s annual strategic plan approved by the BoCC. LTAC members are encouraged to consider their collective expertise and input from tourism industry professionals and other members of the public who may wish to provide public comment.

The County Administrator assigns a BoCC staff member to support LTAC. The staff member shall meet annually with the Chair to review staffing needs.

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3. DUTIES OF THE LTAC

Chapter [67.28](#) RCW limits how lodging tax revenue can be distributed in at least six ways.

First, RCW [67.28.1815](#) clearly states that the revenues must be used:

...solely for the purpose of paying all or any part of the cost of tourism promotion, acquisition of tourism-related facilities, or operation of tourism-related facilities.

Second, RCW [67.28.1815](#) requires that all lodging tax revenue be “credited to a special fund in the treasury of the municipality imposing such tax *and used solely for the purpose of paying all or any part of the cost of tourism promotion, acquisition of tourism-related facilities, or operation of tourism-related facilities.*” (Emphasis added.)

Third, chapter [67.28](#) RCW limits the types of entities than can receive lodging tax revenue. RCW [67.28.1816](#):

(1) Lodging tax revenues under this chapter may be used, directly by any municipality or indirectly through a convention and visitors bureau or destination marketing organization for:

- (a) Tourism marketing;¹
- (b) The marketing and operations of special events and festivals designed to attract tourists;
- (c) Supporting the operations and capital expenditures of tourism-related facilities owned or operated by a municipality or a public facilities district created under chapters 35.57 and 36.100 RCW; or

¹ “Tourism marketing” is not defined in Chapter [67.28](#) RCW. However, RCW [67.28.080](#)(6) defines “tourism promotion” as “activities, operations, and expenditures designed to increase tourism, including but not limited to advertising, publicizing, or otherwise distributing information for the purpose of attracting and welcoming tourists; developing strategies to expand tourism; operating tourism promotion agencies; and funding the marketing of or the operation of special events and festivals designed to attract tourists.”

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(d) Supporting the operations of tourism-related facilities owned or operated by nonprofit organizations described under 26 U.S.C. Sec. 501(c)(3) and 26 U.S.C. Sec. 501(c)(6) of the internal revenue code of 1986, as amended.

RCW [67.28.1816](#).

Fourth, chapter [67.28](#) RCW requires applicants for lodging tax funds to submit applications and “estimates of how any moneys received will result in increases in the number of people traveling for business or pleasure on a trip.” RCW [67.28.1816](#)(2). Subsection (2) says in full:

(2)(a) Except as provided in (b) of this subsection, applicants applying for use of revenues in this chapter must provide the municipality to which they are applying *estimates of how any moneys received will result in increases in the number of people traveling for business or pleasure on a trip*:

(i) Away from their place of residence or business and staying overnight in paid accommodations;

(ii) To a place fifty miles or more one way from their place of residence or business for the day or staying overnight; or

(iii) From another country or state outside of their place of residence or their business.

(b)(i) In a municipality with a population of five thousand or more, applicants applying for use of revenues in this chapter must submit their applications and estimates described under (a) of this subsection to the local lodging tax advisory committee.

(ii) The local lodging tax advisory committee must select the candidates from amongst the applicants applying for use of revenues in this chapter and provide a list of such candidates and recommended amounts of funding to the municipality for final determination. The municipality may choose only recipients from the list of candidates and recommended amounts provided by the local lodging tax advisory committee.

(c)(i) All recipients must submit a report to the municipality describing the actual number of people traveling for business or pleasure on a trip:

(A) Away from their place of residence or business and staying overnight in paid accommodations;

(B) To a place fifty miles or more one way from their place of residence or business for the day or staying overnight; or

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(C) From another country or state outside of their place of residence or their business. A municipality receiving a report must: Make such report available to the local legislative body and the public; and furnish copies of the report to the joint legislative audit and review committee and members of the local lodging tax advisory committee.

(ii) The joint legislative audit and review committee must on a biennial basis report to the economic development committees of the legislature on the use of lodging tax revenues by municipalities. Reporting under this subsection must begin in calendar year 2015.

(d) This section does not apply to the revenues of any lodging tax authorized under this chapter imposed by a county with a population of one million five hundred thousand or more.

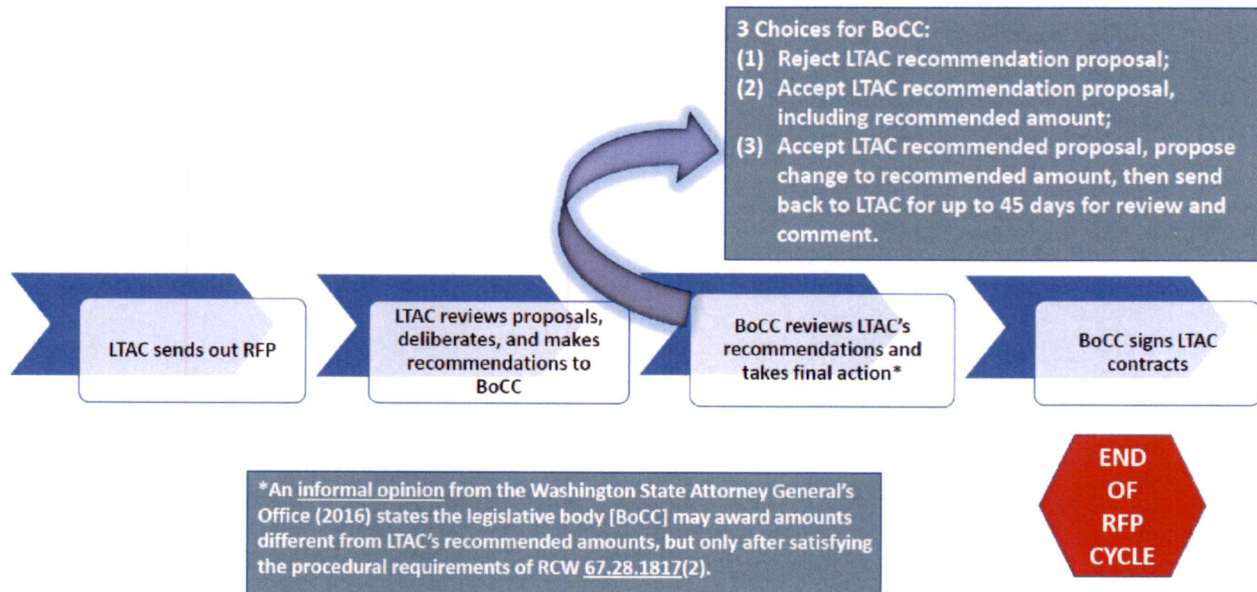
(Emphasis added).

Fifth, RCW [68.27.1817](#) requires that municipalities create local lodging tax advisory committees (LTAC), which receives the applications and estimates required by RCW [67.28.1816](#)(2). "The appointing authority shall review the membership of the advisory committee annually and make changes as appropriate." RCW [68.27.1817](#)(1).

Sixth, the LTAC reviews the applications and estimates and makes recommendations to the legislative authority of the municipality, which the municipality's legislative authority may change, after giving 45-days' notice and an opportunity to comment to the LTAC. RCW [68.27.1817](#)(2).

A visual interpretation of the LTAC RFP process is provided on the following page.

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The LTAC is an advisory body only and makes recommendations to the BoCC on lodging tax revenue distribution prior to final action by the BoCC. Before taking final action on a matter on which the LTAC has made a recommendation, the BoCC shall consider the LTAC's recommendations and other available information.

4. COMPOSITION OF THE LTAC

LTAC membership composition shall comply with all requirements of RCW [67.28.1817](#)(1), including at minimum:

- Consist of at least five (5) members, appointed by the BoCC;
- Include at least two members who are representatives of businesses required to collect tax under chapter [67.28](#) RCW;
- Include at least two members who are persons involved in activities authorized to be funded by revenue received under chapter [67.28](#) RCW; and
- Pursuant to RCW [67.28.1817](#)(1), "One member shall be an elected official of the municipality who shall serve as chair of the committee."

The number of members who are representatives of businesses required to collect tax under chapter [67.28](#) RCW shall equal the number of members who are involved in activities authorized to be funded by revenue received under chapter [67.28](#) RCW. RCW [67.28.1817](#)(1).

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Organizations representing businesses required to collect tax under this chapter, organizations involved in activities authorized to be funded by revenue received under this chapter, and local agencies involved in tourism promotion may submit recommendations for membership on the committee. RCW [67.28.1817](#)(1).

The LTAC member composition requirements are pursuant to RCW [67.28.1817](#)(1) and shall be consistent with JCC [3.25.020](#)(2) Lodging tax advisory committee.²

The BoCC shall review the membership of the LTAC annually and make changes as appropriate. RCW [67.28.1817](#)(1).

5. APPOINTMENT AND TERM OF MEMBERS OF THE LTAC

The LTAC Chair shall be the designated elected official from the county serving on the committee. This position has no term limits, however the BoCC shall review the county's designated member annually when setting committee assignments. The elected official from the county assigned to LTAC is Position 1.

The remaining member terms shall be appointed by the BoCC and shall have terms as follows:

- (a) Members listed as representatives of businesses required to collect tax. These are Positions 2 and 4.
- (b) Members listed as persons involved in activities authorized to be funded. These are Positions 3 and 5.

The initial board member terms shall be as follows:

² JCC 3.25.020 Lodging tax advisory committee currently reads as follows:

(2) Appointment. The JCLTAC shall consist of five members appointed by the board of county commissioners to serve three-year terms. Committee membership shall include two members from establishments required to collect the tax, two members representing activities authorized to be funded by said tax, and one member from the board of county commissioners, who shall serve as the chair of the committee. (Emphasis added).

If LTAC and BoCC adopt By-Laws that expand the "elected official" to a representative other than an elected BoCC member, the BoCC will also need to amend JCC [3.25.020](#)(2) for consistency.

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Positions 2 and 3 shall serve two-year (2) terms.

Positions 4 and 5 shall serve three-year (3) terms.

After the initial board members are appointed, all subsequent term limits shall be three-year (3) terms, equal in length, for Positions 2, 3, 4, and 5. LTAC member terms may serve consecutive terms, but shall not exceed two consecutive terms.³

All LTAC members are appointed by the BoCC.

As stated in Section 4 above, the BoCC shall review the LTAC membership annually and make changes as appropriate. RCW [67.28.1817\(1\)](#).

6. NO COMPENSATION FOR MEMBERS OF THE LTAC

LTAC members shall serve without compensation.

7. LTAC OFFICERS, THEIR DUTIES, AND THEIR TERM OF OFFICE

There shall be a Chair and Vice Chair. The LTAC Chair is the designated BoCC member. The Vice Chair shall be elected by the LTAC committee during the first meeting of each year. The LTAC may elect other officers by majority vote of the LTAC.

The Chair shall preside over the LTAC meetings and coordinate development of the agenda with the assigned staff member. The Chair shall sign all correspondence originated by the LTAC.

The Vice Chair shall preside over the LTAC meetings in the absence of the Chair.

The officers of the LTAC shall serve for one year from the date of election. The officers shall not serve for more than two consecutive terms.

³ Per BoCC Workshop discussion and public comment on June 2, 2025, consider whether the duration of LTAC member terms should be longer or whether LTAC members should be allowed to serve additional consecutive terms. Currently, Jefferson County Code (JCC) [3.25.020\(2\)](#) directs LTAC members to serve three-year terms, and therefore this provision has been edited for consistency. However, since RCW [67.28.1817\(1\)](#) does not impose specific LTAC term duration and term limits, LTAC may make a recommendation regarding term duration and term limits for consideration and approval by BoCC. As noted in footnote 2 above, if BoCC changes the three-year term duration, it should also instruct staff to bring forward proposed amendments to JCC [3.25.020\(2\)](#) for consistency.

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8. PROCEDURE FOR REMOVAL OF LTAC OFFICERS AND MEMBERS

The LTAC may remove LTAC officers, whom they elect by the following procedure: Any member of the LTAC may offer a motion for removal at a meeting. If the motion is seconded, it shall be considered and voted on at the next regular meeting or at a duly noticed special meeting of the LTAC. Approval of a motion to remove shall require a two-thirds majority of the members present and voting.

The LTAC may remove a member, by the following procedure: Any member of the LTAC may offer a motion for recommending removal at a meeting. If the motion is seconded, it shall be considered and voted on at the next regular meeting or at a duly noticed special meeting of the LTAC. Approval of a motion to recommend removal shall require a two-thirds majority of the members present and voting. The recommendation for removal is then put forth to the BoCC, who may remove a LTAC member for cause by majority vote of the BoCC. As stated in Section 19, a LTAC member who accrues three (3) consecutive, unexcused absences from regular or special meetings may be recommended to the BoCC for removal from the LTAC by the Chair with the concurrence of a majority of the members.

9. SUBCOMMITTEES OF THE LTAC

The Chair may appoint such standing and ad hoc sub-committees as may be considered useful and appropriate to investigate any matter of interest to the LTAC.

At the Chair's discretion, or by a majority vote of the LTAC voting members, an item may be transmitted to a subcommittee for review and comment. The Chair shall establish a deadline for subcommittee review, provide members with direction or any specific review questions, and schedule regular updates from the sub-committee, as necessary. If the sub-committee fails to meet the review deadline, the LTAC shall proceed to take action without sub-committee or Advisory Group comment.

No sub-committee shall contain more than two (2) LTAC members. No LTAC member who is not a member of a sub-committee may attend a sub-committee meeting; otherwise, all OPMA requirements would apply to the sub-committee meeting. If more than two (2) LTAC members are present at a sub-committee meeting, the sub-committee meeting shall be adjourned immediately.

Sub-committees may meet informally, without minutes; however, the sub-committee shall keep the LTAC Chair informed, and report to the full LTAC at each LTAC meeting which occurs while the sub-committee exists.

10. LTAC MEMBER ROLES AND RESPONSIBILITIES

LTAC members shall:

- Act as a participant, reviewer, and advisor regarding the LTAC's statutorily mandated duties.
- Serve at the pleasure of the BoCC, taking into account BoCC identified priorities.

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- Actively participate in the LTAC discussions and official LTAC comments.
- Keep the LTAC discussions and activities focused on topics relevant to the LTAC's duties.
- Attend regular and special meetings of the LTAC.
- Read background material, review agenda and notes for each meeting of the LTAC, and prepare questions and comments in advance of the meeting as needed.
- Be a respectful participant, treating others with respect and kindness.

11. REGULAR MEETING SCHEDULE

LTAC shall set a regular meeting schedule during their first meeting of the year.

LTAC Special Meetings will be set as needed or at the direction of the Chair. All special meetings are open to the public as required by Chapter [42.30](#) RCW, the Open Public Meetings Act (OPMA).

12. QUORUM REQUIREMENT

A quorum is required to be present before an official, regular or special meeting of the LTAC can take place. A simple majority of the members of the LTAC shall constitute a quorum.

13. VOTING

Each member shall be allowed one vote on items considered by the LTAC.

Proxy votes are not permitted.

If a proposal for funding is recommended by LTAC and forwarded to the BOCC, the number of votes for and against are included with the forwarded proposal.

Except in the event of breaking a tie vote, the Chair shall abstain from voting on recommendations to the BOCC.

14. CONFLICT OF INTEREST/APPEARANCE OF FAIRNESS FOR MEMBERS OF THE LTAC

Members of the LTAC shall not be disqualified from participating in any meetings, or in the preparation of any reports, recommendations or correspondence of the LTAC based on any potential or actual conflict of interest. A LTAC member is not prohibited from using their general expertise to educate the LTAC or provide general information to the LTAC on a decision item.

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However, members of the LTAC shall disclose personal or business interests that may conflict with a matter of discussion by the committee immediately that might tend to prejudice the member's participation in any meetings, reports, recommendations and correspondence of the LTAC.

The LTAC members shall comply with the code of ethics for municipal officers, chapter [42.23](#) RCW, in the performance of their duties. Specifically, at any time a proposal is received by the LTAC that appears to benefit any member of the committee that person shall recuse themselves from any decision related to that proposal.

15. REPORTS, RECOMMENDATIONS AND CORRESPONDENCE FROM THE LTAC

Reports, recommendations and correspondence from the LTAC shall be made by consensus, if possible, and will seek opportunities to develop group solutions and resolve conflicts. To reach a consensus decision, LTAC members will make proposals, hold additional discussion, and then the Chair will call for the consensus decision on the proposal.

If consensus is not possible, then reports, recommendations and correspondence shall be submitted to the BoCC on behalf of a majority of the members over the signature of the Chair. Minority reports, if any, shall be attached to, and forwarded with such reports, recommendations or correspondence without comment by the Chair.

Concerning items of less formal advice: after discussion in one or more meetings, the LTAC shall adopt, by consensus, a written report on the LTAC's findings.

16. COMPLIANCE WITH THE OPEN PUBLIC MEETING ACT IS REQUIRED

Because the Board is required to consider LTAC recommendations before taking final action, all meetings of the LTAC are subject to and shall conform with the provisions of the OPMA.

17. NOTICE OF EACH MEETING OF THE LTAC

A meeting of the LTAC will be either a regular meeting pursuant to the regular meeting schedule in [Section 11](#) or a special meeting.

A meeting of the LTAC that is not conducted in the place or the time posted in the regular meeting schedule is a special meeting. Special meetings shall comply with the special meeting notice requirements in OPMA, RCW [42.30.080](#).

For special meetings, RCW [42.30.080](#) requires at least 24-hour notice that specifies the time and place of the special meeting and the business to be transacted. Notice for a special meeting must be:

- Posted on Jefferson County's website;

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- Prominently displayed at the main entrance of Jefferson County's principal location, which is the Jefferson County Courthouse located at 1820 Jefferson Street, Port Townsend, WA 98368 and provide the meeting site, if it is not held at county's principal location; and,
- Delivered to each local newspaper of general circulation and local radio or television station that has on file with the Board a written request to be notified of such special meeting or of all special meetings.

18. AGENDA FOR EACH MEETING OF THE LTAC

The Chair shall place the interests of the committee above any personal interest. The Chair shall place items on the upcoming agenda, which shall allow for public comment prior to taking final action, consistent with RCW [42.30.240\(1\)](#).

The LTAC shall make the agenda of each regular meeting of the governing body available online no later than twenty-four hours in advance of the published start time of the meeting.

LTAC members wishing to review item(s) shall consult with the LTAC staff who will ask the Chair for permission to place the item(s) on a future agenda.

19. ABSENCES

LTAC members shall notify the Chair and the LTAC staff if the member is unable to attend a LTAC regular meeting. The Chair, with assistance the LTAC staff, shall document the excuse provided for the absences in question. If no excuse is given for a particular absence, it shall be considered unexcused.

At the start of each meeting, the Chair will ask the LTAC staff to call the roll of LTAC members. For any member absent, the Chair shall announce whether the member's absence is excused or unexcused. The LTAC staff will record the roll call, and notify the Chair if a quorum is present.

The LTAC staff will maintain an ongoing attendance record for all LTAC members and provide this record to all LTAC members, in writing, at least quarterly.

A LTAC member who accrues three (3) consecutive, unexcused absences from regular or special meetings may be recommended to the BoCC for removal from the LTAC by the Chair with the concurrence of a majority of the members.

20. CONDUCT OF EACH MEETING OF THE LTAC

- a. All meetings of the LTAC shall comply fully with OPMA, including but not limited to: (a) The limitation on taking action on items not listed on the notice for a special meeting; and, (2) OPMA's public comment requirements.

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- b. LTAC meetings shall follow procedural guidance set forth in Jefferson County Resolution Number [50-22](#), Open Public Meeting Act Guidelines for County Boards, Commissions & Committees.
- c. Members and visitors at the meetings will treat each other with respect, will not monopolize meeting time, and will listen to and try to understand each other's views.
- d. The meeting agenda shall be constituted as follows:
 - i. Call to Order and Roll Call
 - ii. Public Comment
 - iii. Approval/Correction of Minutes from Previous Meeting(s)
 - iv. Committee Reports
 - v. Staff Reports
 - vi. Old Business
 - vii. New Business
- e. Committee and Staff reports may be held in abeyance if they relate to old or new business items.
- f. No new agenda item(s) will be taken up ONE (1) HOUR AND THIRTY (30) MINUTES AFTER COMMENCEMENT OF THE MEETING. This does not apply to Special Meetings, where no new agenda items may be added, if not previously noticed on the Special Meeting Agenda.

21. RECORD OF MEETINGS OF THE LTAC

Regular and special meetings of the LTAC shall be electronically recorded by audio or video, and the recording shall be made available online for a minimum of six months.

22. MINUTES OF MEETINGS OF THE LTAC

The minutes of all regular and special meetings of the LTAC, except executive sessions, shall be promptly recorded and such records shall be open to public inspection. The LTAC staff member shall prepare minutes which shall be considered, revised (if necessary), and adopted by the LTAC ideally at its next regular or special meeting.

23. AMENDMENT OF THESE BY-LAWS

These By-laws may be amended by a majority vote of the LTAC members, provided the BoCC approves any By-law amendments by a majority vote.

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24. SAVINGS CLAUSE

Should any portion of these By-laws be declared unconstitutional or otherwise contrary to law, such decision shall not affect the validity of the remaining portion of these By-laws.

25. EFFECTIVE DATE

These Bylaws are effective upon immediately after approval by the BoCC.

(SIGNATURES FOLLOW ON THE NEXT PAGE)

DRAFT

Jefferson County LTAC By-Laws

ADOPTED THIS _____ DAY OF _____, 2025.

LODGING TAX ADVISORY COMMITTEE

Chair

ADOPTED this _____ day of _____ 2025.

JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS

Heidi Eisenhour, Chair

Greg Brotherton, Member

Heather Dudley-Nollette, Member