

AMENDMENT TO AN INTERLOCAL AGREEMENT BETWEEN KITTITAS COUNTY AND THE CITIES OF ELLENSBURG, ROSLYN, AND CLE ELUM FOR A CONSOLIDATED LODGING TAX GRANT PROCESS

This Agreement is made and entered into this 24<sup>th</sup> day of May, 2016, by and between the cities of Ellensburg, Roslyn, and Cle Elum, Washington municipal corporations (the "Cities" or "City"), and Kittitas County, a political subdivision of the State of Washington (the "County")(collectively "Municipalities").

WHEREAS, Ch. 67.28 RCW provides for the collection and use of lodging tax revenues by local jurisdictions subject to certain conditions as set forth therein; and

WHEREAS, the four municipalities in Kittitas County collect and distribute lodging taxes for tourism promotion through an application and grant process; and

WHEREAS, the four municipalities in Kittitas County entered into an Interlocal Agreement for such application and grant process in 2013; and

WHEREAS, each municipality wishes to amend said Interlocal Agreement as provided herein.

NOW, THEREFORE, it is hereby agreed as follows:

1. Section 2(D)(2) and (3) shall be amended to read as follows:

**2) LTAC Work Group Review.** The County will compile the ratings, rankings, and recommendations into a master list based on averages along with the applications and submit them to a combined county-wide LTAC work group which will be comprised of three members from the LTAC of each participating municipality (or appointees if there is no LTAC) for consideration. The master list of rankings based on the averages will be considered final and shall not be changed by the work group, except for final funding recommendations. The County will act as Chair of the work group. After submission:

- a. The work group will hold a public meeting where it will provide an opportunity for applicants to make a presentation before the work group and answer any questions from work group members.
- b. Applicants which do not receive an average rating of 50 points or greater according to the ranking process described above (Review, Ranking and Recommendations by LTAC's) shall be ineligible for funding consideration and shall not make a presentation.
- c. The work group will review the recommendations, deliberate publicly, and make final funding recommendations based upon the master list. All decisions will be made by simple majority vote. In the event of a tie vote,

the application or motion will be deemed to have been rejected or failed, respectively.

- d. Any meeting of the work group requires a quorum of seven (7) members to meet.

**3) Legislative Decision.** The County will submit the work group's final recommendations for funding events and projects to each funding jurisdiction's legislative body for final decision and action. If a legislative body does not approve the work group's final recommendations, the legislative body must notify the chair of the work group in writing with specific objections. The work group will reconvene in a public meeting to reconsider the final recommendations. After reconsideration, the county will re-submit the work group's final recommendation to each funding jurisdictions for final decision and action.

2. Sections 2(E) and (F) shall be amended to read as follows:

**(E) Contracts for Grant Recipients.** All grantees will be required to enter into a single grant contract which clearly communicates the responsibilities and expectations of the grantee as well as the amount and authorized use of the funding as approved by each legislative body. Contracts should be approved by all participating entities prior to being utilized. As with the other coordination and streamlining, the County shall be the contracting agency.

**(F) Streamlined Reimbursement Process.** Grant reimbursement requests from recipients will be sent to the Kittitas County Auditor for review for consistency of the grant authorization and contract prior to issuing a reimbursement. Each participating entity's share will then be billed by the County to the specific city according to each city's requirements. The city will then send payment to the County to replenish the fund. The County will perform this service at no administrative cost to the other participants.

3. Section 4 shall be amended to read as follows:

**4. Disputes.** In the event that a dispute arises under this Agreement, it shall be determined by a Dispute Board in the following manner: Each party to this Agreement shall appoint one member to the Dispute Board. The members so appointed shall jointly appoint an additional member to the Dispute Board. The Dispute Board shall review the facts, agreement terms and applicable statutes and rules and make a determination of the dispute. The determination of the Dispute Board shall be final and binding on the parties hereto. Appeals from grant recipients regarding reimbursement decisions made by the County shall be handled as disputes and determined by the Dispute Board in the same manner as previously described.

4. All other provisions shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed as of the date first written above.

CITY OF ELLENSBURG

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney

CITY OF ROSLYN

\_\_\_\_\_  
Mayor

CITY OF CLE ELUM

\_\_\_\_\_  
Mayor

KITTITAS COUNTY

*Chie D. Stos*  
\_\_\_\_\_  
Chairman 8/16/16

*[Signature]*  
\_\_\_\_\_  
Vice-Chairman

*[Signature]*  
\_\_\_\_\_  
Commissioner



\_\_\_\_\_  
Clerk of the Board

Approved as to form:

\_\_\_\_\_  
Prosecuting Attorney