

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

IN THE MATTER A REPEALING SPOKANE)
COUNTY RESOLUTION NOS. 04-0211, 09-)
0465, 09-0585, 20-1030, AND 21-0048)
REGARDING THE ESTABLISHMENT OF A)
TOURISM PROMOTION AREA AND OTHER)
MATTERS RELATED THERETO)

R E S O L U T I O N
REPEALING
ORDINANCE ADOPTED UNDER
RESOLUTION NOS. 04-0211, 09-0465, 09-
0585, 20-1030, AND 21-0048 REGARDING
THE ESTABLISHMENT OF A TOURISM
PROMOTION AREA

WHEREAS, pursuant to the Constitution and laws of the State of Washington, Spokane County, Washington is a class A county duly organized and existing ("County"); and

WHEREAS, pursuant to the provisions of RCW 36.01.030, the powers of Spokane County can only be exercised through the Board of County Commissioners of Spokane County, Washington ("Board" or "Board of County Commissioners"); and

WHEREAS, pursuant to the provisions of RCW 36.32.120(6), the Board has the care of County property and the management of County funds and business; and

WHEREAS, in 2003 the Washington State Legislature recognized the importance of tourism promotion and passed Engrossed Substitute Senate Bill No. 6026, subsequently codified as chapter 35.101 RCW. Chapter 35.101 RCW authorized the establishment of a Tourism Promotion Area by a county and the imposition of a charge (special assessment) on the furnishing of lodging by lodging businesses to fund tourism promotion therein; and

WHEREAS, pursuant to the provisions of RCW 35.101.080, the Board of County Commissioners adopted Ordinance No. 04-0211 which established a Tourism Promotion Area having certain boundaries to include the unincorporated area of Spokane County, the City of Spokane, and City of Spokane Valley. Ordinance No. 04-0211 also established charges on operators of Lodging Business within the Tourism Promotion Area on the furnishing of lodging. Ordinance No. 04-0211 was subsequently amended by Resolution Nos. 09-0465, 09-0585, 20-1030 and 21-0048. In conjunction with the establishment of the Tourism Promotion Area, Spokane County, the City of Spokane, and City of Spokane Valley also executed an Interlocal Agreement. Under the Interlocal Agreement as ultimate modified, any signatory to the Interlocal Agreement could terminate the Tourism Promotion Area by notifying the other signatories. Consistent with the Interlocal Agreement, on November 5, 2021 the City of Spokane Valley notified Spokane County and the City of Spokane of its intent to terminate the Interlocal Agreement establishing the Tourism Promotion Area as of 11:59 P.M. on December 31, 2022. As a result of the City of Spokane Valley's determination, legal counsel has advised the Board of County Commissioners that Spokane County, through the Board of County Commissioners, must repeal Spokane County Resolution Nos. 04-0211, 08-0465, 09-0585, 20-1030 and 21-0048 which established the Tourism Promotion Area and other matters related thereto including the establishment of charges on operators of certain lodging businesses located within the Tourism Promotion Area. The effect of this action will be to terminate the Tourism Promotion Area as of 11:59 P.M. on December 31, 2022.; and

WHEREAS, the Board of County Commissioners held a public hearing in person and virtually on Tuesday, May 10, 2022 at 2:00 P. M. to consider repealing effective 11:59 P.M. on December 31, 2022, Spokane County Resolution Nos. 04-0211, 08-0465, 09-0585, 20-1030 and 21-0048 which established a Tourism Promotion Area and other matters related thereto including the establishment of charges on operators of certain Lodging Businesses within the Tourism Promotion Area.; and

WHEREAS, after considering (i) all public testimony submitted at the public hearing as well as (ii) the advice of legal counsel that as a result of the City of Spokane Valley's notification to Spokane County and City of Spokane that they were terminating the Interlocal Agreement establishing the Tourism Promotion Area as of 11:59 P.M. on December 31, 2022 the Spokane County needed to repeal, effective 11:59 P.M. on December 31, 2022, Spokane County Resolution Nos. 04-0211, 08-0465, 09-0585, 20-1030 and 21-0048 which established a Tourism Promotion Area and other matters related thereto including the establishment of charges on operators of certain Lodging Businesses within the Tourism Promotion Area the Board desires repeal effective 11:59 P.M. on December 31, 2022, Spokane County Resolution Nos. 04-0211, 08-0465, 09-0585, 20-1030 and 21-0048 which established a Tourism Promotion Area and other matters related thereto including the establishment of charges on operators of certain Lodging Businesses within the Tourism Promotion Area.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Spokane County, Washington, pursuant to the provisions of chapter 35.101 that effective as of 11:59 P.M. on December 31, 2022, the Board does hereby repeal Spokane County Resolution Nos. 04-0211, 08-0465, 09-0585, 20-1030 and 21-0048 which established a Tourism Promotion Area and other matters related thereto including the establishment of charges on operators of certain Lodging Businesses within the Tourism Promotion Area. The effect of this action will be to terminate the Tourism Promotion Area as of 11:59 P.M. on December 31, 2022. The Washington State Department of Revenue has previously been advised of this action.

BE IT FURTHER RESOLVED by the Board of County Commissions of Spokane County, Washington, that the Board has individually reviewed and does hereby adopt each recital stated above in support of their action.

PASSED AND ADOPTED this 10th day of May, 2022.

BOARD OF COUNTY COMMISSIONERS
OF SPOKANE, COUNTY, WASHINGTON

MARY L. KUNEY, Chairperson

ATTEST:

AL FRENCH, Vice-Chair

Ginna Vasquez, Clerk of the Board

JOSH KERNS, Commissioner