



CITY OF KETCHUM, IDAHO

SPECIAL MEETING - CITY COUNCIL

Monday, March 14, 2022, 4:00 PM

191 5th Street West, Ketchum, Idaho 83340

AGENDA

PUBLIC PARTICIPATION INFORMATION

Public information on this meeting is posted outside City Hall.

We welcome you to watch Council Meetings via live stream.

You will find this option on our website at www.ketchumidaho.org/meetings.

If you would like to comment on a public hearing agenda item, please select the best option for your participation:

1. Join us via Zoom (*please mute your device until called upon*).
Join the Webinar: <https://ketchumidaho-org.zoom.us/j/84043180144>
Webinar ID: 840 4318 0144
2. Address the Council in person at City Hall.
3. Submit your comments in writing at participate@ketchumidaho.org (*by noon the day of the meeting*).

This agenda is subject to revisions. All revisions will be underlined.

CALL TO ORDER: By Mayor Neil Bradshaw

ROLL CALL:

COMMUNICATIONS FROM MAYOR AND COUNCILORS:

1. Public Comment

PUBLIC HEARING:

2. ACTION ITEM: Receive Update on the Ketchum Community Housing Action Plan & Conduct Public Hearing/Second and Third Reading for Local Option Tax Election Ordinance, as submitted by Carissa Connelly, Housing Strategist and Jade Riley, City Administrator.
 - a. Resolution 22-018
 - b. Ordinance 1235

ADJOURNMENT:

Lisa Enourato

From: Mallory Walker <mallwalk@mac.com>
Sent: Wednesday, March 09, 2022 3:10 PM
To: Participate
Cc: Greg Foley
Subject: Proposed LOT Tax for Workforce Housing

I respectfully request that the proposed LOT tax be restricted as follows:

1. Legally restrict the new tax to workforce housing.
2. Restrict funding to projects with 15 or fewer units. (No more BlueBirds)
3. Restrict occupants to people working full time and making no more than \$50,000 annually.
4. Test incomes annually for compliance.
5. Funds can be used throughout Blaine County.

Without strategic focus, I, and others, will not support the May referendum.

Mallory Walker

140 River Rock Road
Ketchum, ID 83340-1206
(Mail Address: Box 1206)
or

Apartment 3-D
3150 South Street, NW
Washington, DC 20007-4455

202-255-1374 (Mobile)

mallwalk@mac.com

Lisa Enourato

From: R Victor Bernstein <bernsteinrv@gmail.com>
Sent: Thursday, March 10, 2022 7:42 AM
To: Participate
Subject: LOT Survey

I am prohibited from taking the survey, even though I am certainly affected by the LOT proposal. While I am neither a permanent resident nor business owner, I do have a large stake in the success of Ketchum and the valley, owning a house (260 Spur Lane), and being in residence some 5-6 months per year.

Certainly every part of the proposal matters a good deal to me. And I pay LOT for applicable items.

Please open up the survey to people who have a genuine stake in Ketchum.

Victor Bernstein

--

R. Victor Bernstein. This is the private information of the sender. If you are not the intended recipient of this message, please delete it immediately.

Lisa Enourato

From: Curnow, John <jcurnow@limelighthotels.com>
Sent: Monday, March 07, 2022 3:27 PM
To: Participate; Amanda Breen; Jim Slanetz; Michael David; Courtney Hamilton; Neil Bradshaw
Subject: FW: Lodging and General Lot Increase
Attachments: RE: Lodging and General Lot Increase

Additional comments from lodging group.

JOHN CURNOW
GENERAL MANAGER
LIMELIGHT HOTEL KETCHUM

P: 208.726.0881
M: 970-309-7352

jcurnow@limelighthotels.com | www.limelighthotels.com | [Give A Flake](#)

******Please note - As of November 24, 2021 all guests age 12 and over, are required to show proof of vaccination and matching photo ID prior to checking in to the Limelight Hotel Ketchum or entering our Limelight Lounge and Restaurant. This is a corporate policy that has been established by our ownership group, the Aspen Skiing Company/Little Nell Hotel Group and it applies to all Limelight Hotels (Ketchum, Aspen & Snowmass) and The Little Nell Hotel in Aspen.***

***See our new vaccine policy [here](#)**

From: Best Western Plus Kentwood Lodge <Frontdesk@bwpkentwoodlodge.com>
Sent: Monday, March 7, 2022 2:07 PM
To: Jeff Bay <jeff.bay@haymaxhotels.com>; Jessica Maynard <Jessica@visitsunvalley.com>; mark@telluride.com; sara@alpinelodging.com; cforg@cox.net; Brooklynne.tyrolean@outlook.com; tyroleanlodgmg@outlook.com; mgr.habitatontrailcreek@gmail.com; Carla Rey <carla@hotelketchum.com>; abarnhardt@Knobhillinn.com; sseegott@knobhillinn.com; awilhelm@Issunvalley.com; info@svmlps.com; karenh@svmlps.com; d.fox@naturalretreats.com; pennays@gmail.com; kimberly@sunvalleyluxurylodgings.com; Lynn Stewart <lynn@hotelketchum.com>; jan@thehemingways-sunvalley.com; kmccormack@thunderspring.org; yadira.miranda@vacasa.com; Susanne.lally@vacasa.com; Sharla.smith.vacasa@gmail.com; jknight@viresorts.com
Cc: Scott Fortner <scott@visitsunvalley.com>; Curnow, John <jcurnow@limelighthotels.com>; Johnson, Tim <tjohnson1@limelighthotels.com>
Subject: RE: Lodging and General Lot Increase

Hello All,

Thank you all for your diligence in preparing this statement and being aware of all these moving parts.

I will agree as well with what both Jeff and John have stated.

I do feel all segments need to have contributions and skin in the game as has been stated.

When speaking to the council at one of the zoom meetings..I let them know I was not in agreement with taking any of the LOT funds out for housing at this time to make up for their and PnZ's choices in the past. Also, not in agreement to pass new quick policies that effect it just to get a project thru.

Please add our name and Hotel as a contributor as well.

Thnak you,

Cindy Forgeon

Best Western Plus Kentwood Lodge
208-726-4114

From: Jeff Bay <jeff.bay@haymaxhotels.com>

Sent: Monday, March 7, 2022 9:55 AM

To: Jessica Maynard <Jessica@visitsunvalley.com>; mark@telluride.com; sara@alpinelodging.com; Best Western Plus Kentwood Lodge <Frontdesk@bwpkentwoodlodge.com>; cforg@cox.net; Brooklynne.tyrolean@outlook.com; tyroleanlodgmgm@outlook.com; mgr.habitatontrailcreek@gmail.com; Carla Rey <carla@hotelketchum.com>; abarnhardt@Knobhillinn.com; sseegott@knobhillinn.com; awilhelm@Issunvalley.com; info@svmlps.com; karenh@svmlps.com; d.fox@naturalretreats.com; pennays@gmail.com; kimberly@sunvalleyluxurylodgings.com; Lynn Stewart <lynn@hotelketchum.com>; jan@thehemingways-sunvalley.com; kmccormack@thunderspring.org; yadira.miranda@vacasa.com; Susanne.lally@vacasa.com; Sharla.smith.vacasa@gmail.com; jknights@viresorts.com
Cc: Scott Fortner <scott@visitsunvalley.com>; John Curnow <jcurnow@limelighthotels.com>; Johnson, Tim <tjohnson1@limelighthotels.com>

Subject: RE: Lodging and General Lot Increase

Importance: High

Hi Jessica, John, Scott et al –

Thank you for preparing this. I believe that encapsulates the majority of our thoughts and concerns as a lodging community. I would humbly request that the letter come from the lodging association as a whole, and perhaps indicates the various partners that have contributed to this. I think it would have more weight to Council if perceived as being from several properties rather than just the Limelight. I'm happy to have my name and properties listed as a contributor to this document.

In addition, I'm greatly concerned that this legislation is being considered at the same time that the state of Idaho is proposing to move its ***sales tax to the highest in the nation***, this, combined with the additional LOT taxation structure will push our taxes far beyond what is outlined in the proposal being considered. It is imperative that Jade Riley prepares a new document outlining the impact and our place within our competitive set if the state of Idaho approves this tax increase. We also need to understand how the removal of all property taxes will affect revenues for the city from both the commercial, private, and short term rental property perspective –

<https://www.oregonlive.com/pacific-northwest-news/2022/03/idaho-proposes-to-eliminate-most-property-taxes-for-main-homes-raise-sales-tax-to-nations-highest.html#:~:text=The%20move%20will%20bump%20Idaho's,highest%20sales%20tax%20at%207.25%25.>

Respectfully –

Jeff

Jeff Bay C.H.A.
Managing Director

HayMax Hotels

Hotel Aspen | Molly Gibson Lodge | Hotel Ketchum | Tamarack Lodge

(P) 970.205.7006

(F) 970.920.1379

jeff.bay@haymaxhotels.com

From: Jessica Maynard <Jessica@visitsunvalley.com>

Sent: Friday, March 4, 2022 12:28 PM

To: mark@telluride.com; sara@alpinelodging.com; frontdesk@bwpkentwoodlodge.com; cforg@cox.net; Brooklynne.tyrolean@outlook.com; tyroleanlodgagem@outlook.com; mgr.habitatontrailcreek@gmail.com; Jeff Bay <jeff.bay@haymaxhotels.com>; Carla Rey <carla@hotelketchum.com>; abarnhardt@Knobhillinn.com; sseegott@knobhillinn.com; awilhelm@lssunvalley.com; info@svmlps.com; karenh@svmlps.com; d.fox@naturalretreats.com; pennays@gmail.com; kimberly@sunvalleyluxurylodgings.com; Lynn Stewart <lynn@hotelketchum.com>; jan@thehemingways-sunvalley.com; kmccormack@thunderspring.org; yadira.miranda@vacasa.com; Susanne.lally@vacasa.com; Sharla.smith.vacasa@gmail.com; jknights@viresorts.com
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Subject: Lodging and General Lot Increase

Good afternoon,

Sharing the note below from John Curnow regarding the City of Ketchum proposal of use of LOT funds for work force housing and % increase of LOT tax.

Please feel free to share any comments you would like to add to this letter or if you prefer, support separately.

Thank you – The VSV Team

Mayor and Council,

Thank you for exploring means to impact workforce housing now. Thank you for including all of Ketchum based business stakeholders in the broad community housing discussion and the “open houses” to gain insight and buy-in to strategies designed to tackle this important issue. I understand that you will be contemplating a couple of scenarios to change the General LOT contributions at this Monday’s City Council meeting. I have a couple of thoughts/asks for your consideration as you consider a ballot measure to bring to the voters this May.

- I support an increase to the General LOT from the segments of lodging, retail/restaurants, liquor by the glass and building materials/construction to fund a housing plan to be managed by the City of Ketchum. I believe the citizens of Ketchum should have a clear understanding that any increase, in these segments, will be “fenced” appropriately and directed only to build workforce housing. Can you clearly assure that these new tax dollars will go to housing and can the ballot language be so designed? I believe you are committed to make this happen.
- As I understand it, there are 2 scenarios being considered for the May ballot. One of these scenarios leaves the retail contribution at 0% increase. Lack of inventory for affordable employee housing is a universal issue in this valley and all business sectors are in need, will benefit, and therefore should participate. As a restaurant operator, I support some kind of increase in the retail segment. Please consider and discuss a 3rd option where Retail realizes an increase somewhere **between 0%-1%**. Retail generates a large amount of LOT revenues and retail is broad, encompassing so many different business types. I cannot see why there would not be wide support from the retail community as well as Ketchum residents if you are able to assure that the funds go to housing as I indicated above. In addition, we know that VSV research shows that 77% of the non-residents of Blaine Co. (the visitor) pays the LOT and 80% of non-residents of Ketchum (visitors +remaining Blaine Co residence) paying the LOT (see attached).
- I believe lodging can absorb a 2% increase in the General LOT contribution. Further, I believe all Ketchum based lodge managers and owners also support this increase to address housing needs. That increase, bringing the total per night lodging tax to 13%, keeps us in- line with competing resort communities which is very important.

- Again, I want to reiterate that the increased LOT should fall across all segments. All segments should understand that the additional \$\$ are directed 100% to workforce housing. Everyone needs skin in this game.

Thank you for discussing the above and for your time and energy around this topic.

JOHN CURNOW
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Lisa Enourato

From: Mark Westman <mark@telluride.com>
Sent: Monday, March 07, 2022 2:01 PM
To: Jeff Bay; Jessica Maynard; Sara Felton; frontdesk@bwpkentwoodlodge.com; cforg@cox.net; Brooklynne.tyrolean@outlook.com; tyroleanlodgagem@outlook.com; mgr.habitatontrailcreek@gmail.com; Carla Rey; abarnhardt@knobhillinn.com; sseegott@knobhillinn.com; awilhelm@lssunvalley.com; info@svmlps.com; karenh@svmlps.com; d.fox@naturalretreats.com; pennays@gmail.com; kimberly@sunvalleyluxurylodgings.com; Lynn Stewart; jan@thehemingways-sunvalley.com; kmccormack@thunderspring.org; yadira.miranda@vacasa.com; Susanne.lally@vacasa.com; Sharla.smith.vacasa@gmail.com; jknight@viresorts.com
Cc: Scott Fortner; Curnow, John; Johnson, Tim
Subject: RE: Lodging and General Lot Increase

I'd be happy to have my name and business added, as well.

Mark D. Westman, CFA
208.726.6616 (direct)
970.708.7939 (cell)
Mark@AlpineLodging.com



From: Jeff Bay <jeff.bay@haymaxhotels.com>
Sent: Monday, March 7, 2022 9:55 AM
To: Jessica Maynard <Jessica@visitsunvalley.com>; mark@telluride.com; sara@alpinelodging.com; frontdesk@bwpkentwoodlodge.com; cforg@cox.net; Brooklynne.tyrolean@outlook.com; tyroleanlodgagem@outlook.com; mgr.habitatontrailcreek@gmail.com; Carla Rey <carla@hotelketchum.com>; abarnhardt@Knobhillinn.com; sseegott@knobhillinn.com; awilhelm@lssunvalley.com; info@svmlps.com; karenh@svmlps.com; d.fox@naturalretreats.com; pennays@gmail.com; kimberly@sunvalleyluxurylodgings.com; Lynn Stewart <lynn@hotelketchum.com>; jan@thehemingways-sunvalley.com; kmccormack@thunderspring.org; yadira.miranda@vacasa.com; Susanne.lally@vacasa.com; Sharla.smith.vacasa@gmail.com; jknight@viresorts.com
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Lisa Enourato

From: Olin Glenne <og@sturtevents-sv.com>
Sent: Monday, March 07, 2022 5:45 PM
To: Participate
Subject: Comment on Community Housing Ballot Language

Dear Mayor and City Council,

As a retail business owner who is very in favor of a specific LOT for Workforce Housing project, while also having concerns about online competition as it relates to tax levels... I suggest the following Workforce Housing Funding Scenario;

- Retail .5%- \$978,801
- Lodging 2%- \$620,356
- Liquor 2%- \$283,550
- Building 1%- \$440,723

Estimated Total=\$2,323,257 annually

Along with the reasons discussed in tonight's council meeting, the reason for the retail bump is simply based on consumer decision making thresholds (something retailers consider constantly). That is, it's not likely for 8.5% to make a decision making difference vs 8.25% (or 8.0%). However, 8.75% or certainly 9%, likely crosses a threshold for a much larger group of buyers.

Thanks for listening.
Olin

The logo for Sturtevents, featuring the word "Sturtevents" in a stylized, cursive, orange font.

340 N Main/ PO Box 5300
Ketchum, ID 83340
208-726-4501
www.sturtevents-sv.com

Lisa Enourato

From: liz keegan <lizkeegan@yahoo.com>
Sent: Sunday, March 13, 2022 6:12 PM
To: Participate
Subject: Comments to Ketchum City Council Meeting March 14, 2022 on Proposed LOT for May 2022 Ballot

1. It is encouraging to see action being taken on increasing the LOT in Ketchum to use for workforce housing. I would like to advocate for additional increases beyond what is being proposed. The additional tax on lodging and short term rentals currently proposed at 2%, should be at least 4%. The additional tax on liquor by the drink should be increased to 4%, and the additional tax on building materials should be increased to 2%. I would assume these amounts would be reviewed on a regular basis and compared to other resort and mountain towns in Idaho and the Mountain West.

I recently rented a car in Florida. The taxes on the rental amounted to 41%! Florida is a low tax state for residents, relying on tourism for a major portion of its revenue. I did not see anyone baulking at rental car prices, as evidenced by the 45 minute wait to just get my reservation.

As the Council looks at ways to fund workforce housing, I would encourage you to consider buying deed restrictions. I would encourage you to be fully transparent on the revenue raised, the uses of the revenue and the positive impact to our local workers.

Thank you for the opportunity to comment.

Liz Keegan, Ketchum



City of Ketchum

March 14, 2022

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Conduct Public Hearing and Second/Third Reading for Local Option Tax Election Ordinance

Recommendation and Summary

Staff would request approval of Resolution 22-018 which calls for the special election on May 17, 2022; and Public Hearing/Second and Third Reading of Ordinance 1235 outlining changes to original LOT ordinance for both allowed uses and collection rates.

Suggested Motion #1: "I move to conduct the second and third reading and approval of Ordinance 1235 by number and title only."

Suggested Motion #2: "I move to approve Resolution 22-018."

OR

Suggested Motion #3: "I move to conduct the second reading of Ordinance 1235 by number and title only and file for third reading."

The reasons for the recommendation are as follows:

- The City Council expressed a desire for the creation of a Housing Action Plan to create additional workforce housing choices in Ketchum.
- Currently, Local Option Tax revenues cannot be used towards workforce housing projects/initiatives.
- Idaho has restricted cities from other traditional workforce housing tools such as inclusionary zoning, rent control, real estate transfer tax, or tax incentives.
- Currently, all city revenues are funding existing operational and capital improvement needs.
- Should City Council support the Housing Action Plan, funds would either need to come from a new LOT rate or reductions in other city areas.
- The city intends to hold a May 2022 election.

Introduction and History

Staff presented three rate change scenarios to City Council at the March 4 meeting. The discussion led to the following proposal:

- An additional one percent (1%) sales tax on retail sales
- An additional two percent (2%) sales tax on lodging, including short-term rentals (30 days or less)
- An additional two percent (2%) sales tax on liquor-by-the-drink sales
- An additional one percent (1%) sales tax on building material sales, excluding materials for workforce housing projects

Council agreed to add additional language to the ballot to designate new revenues generated from the additional LOT solely for the use of workforce housing provision and support.

City Council requested staff to reach out for feedback from the community on the proposed rates, specifically in the building community. A survey was distributed to 601 business license holders and 184 contractors and subcontractors, the ProjectKetchum.org notification list, and placed on the city website and social media. Results of the survey will be presented at the meeting.

Council also requested confirmation on the following items:

- Local option tax is required for building materials when the delivery point is Ketchum
- City will utilize the same approach reaching out to Amazon and other large internet sales providers that was used with AirBNB and other online rental operations, to ensure appropriate tax collection
- City staff will work with software provider, Caselle, to modify the program to separate sales tax collected on retail and liquor for accurate reporting

Analysis

In October of 2022, the city kicked off the process to create the Ketchum Housing Action Plan. Agnew-Beck Consulting was retained to assist with the creation of the plan as they have extensive similar experience in several western communities. In addition, the city retained Housing Strategist Carissa Connolly to serve as local project manager.

All elements of phase one have been completed with robust community engagement conducted to provide feedback on the findings. Several elements (50%) of Phase 2 have been completed (draft vision, strategic framework, goals/actions).

Staff completed the second round of three listening sessions with affected business owners regarding both the findings of the plan as well as the potential changes to LOT collection. Staff also conducted a focus group of Ketchum registered voters. Council reviewed the findings via a PowerPoint during its March 4 meeting. There was strong support for a draft Housing Action Plan as well as changes to LOT collection rates to fund the implementation. The main discussion point was whether any collection rate should occur to retail. If so, how much.

Sustainability Impact

Adequate community housing decreases the occurrence of trip generation and associated greenhouse gases.

Financial Impact

The chart below illustrates the current proposal and its fiscal impact based on the last full fiscal year.

		Current Proposal			
FY21 Sales	Current %	Potential Housing LOT Revenue		New Total Ketchum City LOT	Total w/ 6% State Tax
Retail**	2%	\$1,957,602	1%	3%	9%
Lodging	3%	\$620,356	2%	5%	13% (+2%)*
Liquor	3%	\$283,550	2%	5%	11%
Building***	2%	\$440,723	1%	3%	9%
		\$3,302,231			

*additional 2% state tax
 **excluding groceries and automobile purchases
 ***rebate on workforce housing

Attachments:

1. [Housing Local Option Tax Survey](#)
2. Ordinance 1235
3. Resolution 22-018

**CITY OF KETCHUM
ORDINANCE NUMBER 1235**

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, AMENDING ORDINANCE 712, AS PREVIOUSLY AMENDED, WHICH PROVIDES FOR THE IMPOSITION OF LOCAL OPTION TAXES (LOT); PROVIDING FOR A BALLOT; AMENDING KETCHUM MUNICIPAL CODE 3.12.050 TO ADD TO AUTHORIZED USES OF LOT FUNDS AND INCREASING CERTAIN LOT AMOUNTS AND DESIGNATING SUCH INCREASES TO AN AUTHORIZED USE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Ketchum is authorized to collect certain local option taxes (LOT) pursuant to Ordinance 712, as amended by Ordinances 1090, 1097, and 1108 (collectively City LOT Ordinance).

WHEREAS, the City of Ketchum has determined it is in the best interests of the public to amend the City LOT Ordinance to add an additional authorized use, Workforce Housing Provision and Support, to the list of purposes for which LOT revenues may be used.

WHEREAS, the City of Ketchum has determined it is in the best interest of the public to increase certain of the current rates of LOT and designate such increases solely to the authorized use of Workforce Housing Provision and Support.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO:

SECTION 1. BALLOT. The following ballot shall be submitted to the registered voters of the City of Ketchum at the May 17, 2022 election and the City LOT Ordinance shall be further amended as provided if that the ballot is approved by sixty percent (60%) of the registered voters that vote on such ballot:

SPECIAL NON-PROPERTY TAX ELECTION

**CITY OF KETCHUM
STATE OF IDAHO
May 17, 2022**

Local Option Tax

Shall the City of Ketchum support workforce housing by adopting proposed Ordinance No. 1235 to:

1. add “Workforce Housing Provision and Support” to the list of authorized purposes for which local option tax revenues may be used, and

City of Ketchum Ordinance No. 1235

2. increase the local option tax rates in the City of Ketchum by an additional one percent (1%) on retail sales tax, an additional two percent (2%) on hotel-motel room occupancy sales tax including on short term rentals (30 days or less), an additional two percent (2%) on liquor-by-the-drink sales tax, and an additional one percent (1%) on building materials sales tax, excluding materials for workforce housing projects?

The new revenues generated from such additions will solely be used for the purposes of Workforce Housing Provision and Support.

IN FAVOR	→ <input style="width: 50px; height: 30px; border: 1px solid black;" type="text"/>
AGAINST	→ <input style="width: 50px; height: 30px; border: 1px solid black;" type="text"/>

Ordinance No. 1235 was adopted by the Ketchum City Council on _____, 2022, but will only be effective upon approval of sixty percent (60%) of the registered voters that vote on this ballot.

SECTION 2. Ketchum Municipal Code 3.12.050, is amended as follows if approved by the registered voters of the City of Ketchum pursuant to the ballot designated above:

3.12.050: PURPOSES FOR WHICH THE REVENUES DERIVED FROM NONPROPERTY TAXES SHALL BE USED:

The nonproperty tax revenue derived from and collected under this chapter shall be used for the following purposes:

- A. Municipal transportation.
- B. Open space acquisition and recreation.
- C. Capital improvements: roads, water, sewer, parking, Ore Wagon Museum.
- D. Emergency services: police, fire, ambulance.
- E. City promotion, visitor information and special events.
- F. Property Tax relief.
- G. Direct costs to collect and enforce the tax.
- H. Maintaining and increasing air service to Friedman Memorial Airport
- I. Workforce housing provision and support.

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SECTION 3. The City LOT Ordinance is further amended to increase and add the following local option nonproperty tax rates:

- A. An additional one percent (1%) retail sales tax on each sale at retail.
- B. An additional two percent (2%) hotel-motel room occupancy sales tax on receipts from all short-term rental (30 days or less) charges for hotel rooms, motel rooms, condominium units, tourist homes, or other sleeping accommodations or living units.
- C. An additional two percent (2%) liquor-by-the-drink sales tax on all sales at retail of liquor-by-the-drink, including liquor, beer, wine, and all other alcoholic beverages, for consumption on the premises or at event or activity in the City of Ketchum.
- D. An additional one percent (1%) building materials sales tax on building supplies and materials, excluding such supplies and materials for workforce housing projects.
- E. All above-listed additions will solely be used for the authorized use of Workforce Housing Provision and Support.

SECTION 4. SEVERABILITY CLAUSE. If any paragraph, part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. PUBLICATION. This Ordinance shall be published once in the official newspaper of the City.

SECTION 6. REPEALER CLAUSE. All City code sections, ordinances or resolutions or parts thereof, which are in conflict herewith are hereby repealed.

SECTION 6. EFFECTIVE DATE. This Ordinance shall be in full force and effect on June 1, 2022, after voter approval, passage by City Council and Mayor, and publication according to law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, and approved by the Mayor this ____ day of ____, 2022.

Neil Bradshaw, Mayor

ATTEST:

Tara Fenwick
City Clerk

City of Ketchum Ordinance No. 1235

**CITY OF KETCHUM
RESOLUTION NO. 22-018**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, CALLING AN ELECTION FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY THE QUESTION OF ADOPTING A LOCAL OPTION TAX ORDINANCE AMENDMENT MODIFYING THE PURPOSES FOR WHICH LOCAL OPTION TAX REVENUES MAY BE USED TO ADD “WORKFORCE HOUSING PROVISION AND SUPPORT” AS AN AUTHORIZED USE, AND TO INCREASE AND ADD CERTAIN LOCAL OPTION TAXES ON RETAIL, LODGING, LIQUOR-BY-THE-DRINK, AND BUILDING MATERIALS; ESTABLISHING THE DATE OF THE ELECTION; PROVIDING FOR ADMINISTRATION OF THE ELECTION; APPROVING A FORM OF BALLOT PROPOSITION; PROVIDING FOR REGISTRATION OF VOTERS; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Ketchum, Idaho (the “City”), is a municipal corporation duly organized and operating under the laws of the State of Idaho; and

WHEREAS, Sections 50-1044 to 50-1049, inclusive, Idaho Code, as amended, authorize the voters of resort cities (as defined in Section 50-1044, Idaho Code) to authorize their city government to adopt, implement and collect local-option non-property taxes; and

WHEREAS, it has been determined by the City Council of the City (the “Council”) that the City is a resort city and has a population less than 10,000; and

WHEREAS, the Council has determined that visitors and travelers to the City place an undue burden upon the taxpayers of said City and that the question of the imposition of a local-option non-property tax has been presented to the voters of the City; and

WHEREAS, the City has adopted a local option tax ordinance, Ordinance 712, that was approved by voters on November 20, 1997, authorizing the collection of local option taxes as provided for under Title 50, Chapter 10, Idaho Code, and which was extended on November 8, 2011, by voter approval of Ordinance No. 1090 which amended Ordinance 712, to provide for an additional fifteen (15) years through December 31, 2027; and

WHEREAS, the Council has determined that it is desirable to seek voter approval to add a further purpose, workforce housing provision and support, for which the local option tax revenues derived may be used, and to increase and add certain local option nonproperty sales tax on retail, lodging, liquor-by-the-drink, and building materials; and

WHEREAS, the local-option non-property tax and its purposes cannot be adopted, implemented or collected without the assent of a sixty percent (60%) majority of the qualified electors of the City voting in an election called for such purpose; and

WHEREAS, the Council has determined to call and the County will conduct an election for the aforesaid purposes as required by Sections 50-1044 to 50-1046, Idaho Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KETCHUM as follows:

Section 1: LOCAL-OPTION NONPROPERTY TAX

A. The Council hereby finds, determines, and declares that the City of Ketchum has a population not in excess of 10,000 according to the most recent census and is a city that derives

the major portion of its economic well-being from people catering to recreational needs and meeting needs of people traveling to the destination City for an extended period of time; that the City has a significant economic dependence upon visitors and travelers passing through or staying in the community and the City; and, that said visitors and travelers require services of the City which place an undue burden upon the taxpayers of the City.

B. Subject to the approval of the local option non-property tax by the qualified electors voting at the election for which provision is hereinafter made, Ordinance No. 1235 adopted on _____ pursuant to the provisions of Sections 50-1046 to 50-1047, Idaho Code, as amended, shall take effect June 1, 2022, after the canvass of the returns of the regular election and compliance by the City with Section 50-1047, Idaho Code. Said Ordinance is attached hereto as Exhibit "A" and provides as follows:

- (A) The local option non-property tax revenue derived from and collected under the City Local Option Tax Ordinance, Ordinance 712 as extended by Ordinance 1090, shall be further amended to add the following purpose to Section 5: Workforce Housing Provision and Support.
- (B) The local option non-property sales taxes shall be increased by an additional one percent (1%) on retail sales, an additional two percent (2%) on lodging including short-term rentals (30 days or less), an additional two percent (2%) on liquor-by-the-drink sales, and an additional one percent (1%) on building materials, excluding such supplies for workforce housing projects.
- (C) The new revenues generated from the above-listed additions will solely be used for the purposes of Workforce Housing Provision and Support.

Section 2: SPECIAL ELECTION

A special election is hereby called within the City to be held on Tuesday, May 17, 2022, for the purpose of enabling the qualified electors of the City to vote upon the proposition set forth in Section 4 hereof. The ballot proposition for the special election shall be separate from any other ballot measure being submitted to the electors on the date of the election. Only those qualified electors of the City casting valid ballots upon the proposition set forth in Section 4 of this Resolution shall be counted in determining the number of qualified electors voting at or participating in the election.

Section 3: ADMINISTRATION OF ELECTION

The administration of the election shall be conducted in accordance with Chapter 4 of Title 50 of Idaho Code, Chapter 14 of Title 34 of Idaho Code, and in accordance with this Resolution. The supervision and administration of the election and election laws shall be by the County Clerk as chief elections officer, in accordance with Idaho Code §50-403.

Section 4: BALLOT PROPOSITION

The ballot proposition for the election shall be in substantially the following form:

INSTRUCTIONS: Vote on the following question by placing an X in the square according to the way you desire to vote on that question. If you, by mistake or accident, tear, deface, wrongly mark or otherwise mutilate this ballot, return it to the election judge and get another.

Local Option Tax

Shall the City of Ketchum support workforce housing by adopting proposed Ordinance No. 1235 to:

1. add “Workforce Housing Provision and Support” to the list of authorized purposes for which local option tax revenues may be used, and
2. increase the local option tax rates in the City of Ketchum by an additional one percent (1%) on retail sales tax, an additional two percent (2%) on hotel-motel room occupancy sales tax including on short-term rentals (30 days or less); an additional two percent (2%) on liquor-by-the-drink sales tax; and an additional one percent (1%) on building materials sales tax, excluding materials for workforce housing projects.

The new revenues generated from such additions will solely be used for the purposes of Workforce Housing Provision and Support.

IN FAVOR	→	<input type="text"/>
AGAINST	→	<input type="text"/>

Ordinance No. 1235 was adopted by the Ketchum City Council on _____, 2022, but will only be effective upon approval of sixty percent (60%) of the registered voters that vote on this ballot.

Section 5: QUALIFIED ELECTORS

Every person eighteen (18) years of age or older, who at the time of the specified election is a United States citizen who has been a legal and bona fide resident of the City for at least 30 days immediately preceding the date of the election, if properly registered as required by law, shall be qualified to vote at said election.

Section 6: REGISTRATION

All electors must be registered to vote at said election. Voter registration shall be conducted pursuant to the provisions of Section 34-1402, Idaho Code.

No qualified elector who is duly registered as a voter, and who continues to reside at the same address or within the same precinct in which he or she is registered, shall be required to re-register.

Persons who are eligible to vote may register for the election at the office of the Blaine County Clerk. Any elector who will complete his or her residence requirement or attain the requisite voting age during the period when the register of electors is closed may register prior to the closing of the register.

Any person who is eligible to vote may register on election day by appearing in person at the polling place established for the election, by completing a registration card, making an oath on the form prescribed by law, and providing proof of residence in the manner provided by Section 34-408A, Idaho Code, as amended.

Section 7: OFFICERS AUTHORIZED

The officers of the City are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 8: RATIFICATION

All actions heretofore taken, not inconsistent with the provisions of this Resolution, by the Mayor and Council directed toward the holding of the election called for herein, are hereby ratified, approved, and confirmed.

DATED this ____ day of _____ 2022.

CITY OF KETCHUM

ATTEST:

By
Neil Bradshaw, Mayor

Tara Fenwick, City Clerk