

ORDINANCE 18-2022

AN ORDINANCE ESTABLISHING THE OWENSBORO TOURIST AND CONVENTION COMMISSION; PROCEDURES PROVIDING FOR THE APPOINTMENT AND TERMS OF MEMBERS; POWERS OF COMMISSION; AND AUDIT OF COMMISSION'S BOOKS AND ACCOUNT.

WHEREAS, KRS 91A.350 authorizes cities of the home rule class, including Owensboro, to establish a tourist and convention commission for the purpose of promoting and developing convention and tourist activities and facilities; and

WHEREAS, KRS 91A.360 provides for the appointment and terms of members of tourist and convention commissions; and

WHEREAS, the Board of Commissioners wishes to establish a tourist and convention commission for the purpose of promoting and developing convention and tourist activities and facilities; and

WHEREAS, in order to avoid the duplication of services and maximize efficiency, the City intends for the tourist and convention commission to contract for services with the existing Owensboro Daviess County Convention & Visitors Bureau and the City of Owensboro.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF OWENSBORO, KENTUCKY, AS FOLLOWS:

Section 1. Pursuant to the authority granted by KRS 91A.350, the Board of Commissioners hereby establishes the Owensboro Tourist and Convention Commission (hereafter "the Tourist Commission"), to be comprised of seven (7) members.

Section 2. Members of the Tourist Commission are appointed by the Mayor, subject to the approval of the Board of Commissioners, as follows:

- A. Two (2) members shall be appointed from a list of three (3) or more names submitted by the hotel and motel association for Owensboro and one (1) member shall be appointed from a list of three (3) or more names submitted by the hotel and motel association for Daviess County, provided that if only one (1) local hotel and motel association exists which covers both Owensboro and Daviess County, then three (3) members shall be appointed from a list of six (6) or more names submitted by it. If no formal local city or county hotel and motel association is in existence upon the establishment of the Tourist Commission or upon the expiration of the term of a member appointed pursuant to this subsection, then up to three (3) members shall be appointed by the Mayor, subject to the approval of the Board of Commissioners, from persons residing within Owensboro and representing local hotels or motels. A local city or county hotel and motel association shall not be required to be affiliated with the Kentucky Hotel and Motel Association to be recognized as the official local city or county hotel and motel association.
- B. One (1) member shall be appointed from a list of three (3) or more names submitted by the local restaurant association or associations. If no formal local restaurant association or associations exist upon the establishment of the Tourist Commission or upon the expiration of the term of a member appointed pursuant to this subsection, then one (1) member shall be appointed by the Mayor, subject to the approval of the Board of

Commissioners, from persons residing within Owensboro and representing a local restaurant. A local restaurant association or associations shall not be required to be affiliated with the Kentucky Restaurant Association to be recognized as the official local restaurant association or associations.

- C. One (1) member shall be appointed from a list of three (3) or more names submitted by the Greater Owensboro Chamber of Commerce. If no local chamber of commerce is in existence upon the establishment of the Tourist Commission or upon the expiration of the term of a member appointed pursuant to this subsection, then one (1) member shall be appointed by the Mayor, subject to the approval of the Board of Commissioners, from persons residing within Owensboro and representing local businesses.
- D. Two (2) members shall be appointed by the Mayor subject to the approval of the Board of Commissioners.
- E. A candidate submitted for appointment to the Tourist Commission pursuant to Section 2.A. to 2.C. shall be appointed within thirty (30) days of receipt of the required list or lists.
- F. Vacancies in the Tourist Commission shall be filled in the same manner that original appointments are made.

Section 3. Members shall be appointed for terms of three (3) years; provided that initial appointments are staggered so that two (2) members are appointed for a term of three (3) years, two (2) members are appointed for a term of two (2) years, and three (3) members are appointed for a term of one (1) year. Subsequent appointments shall be for three (3) year terms. There is no limitation on the number of terms to which

a member may be reappointed. A member may be removed from office by action of the Mayor, as provided by KRS 65.007.

Section 4. The Tourist Commission shall elect from its membership a chairman and a treasurer, and may employ personnel and make contracts necessary to carry out the purpose of KRS 91A.345 to KRS 91A.394. The City intends for the Tourist Commission to contract for services with the Owensboro Daviess County Convention & Visitors Bureau and the City of Owensboro to avoid the duplication of services.

Section 5. The books of the Tourist Commission and its account as established in KRS 91A.390(2) shall be audited as provided in KRS 65A.030. The independent certified public accountant or Auditor of Public Accounts shall make a report to the Tourist Commission, to the associations submitting lists of names from which members are selected, to the Mayor, to the Board of Commissioners and to the State Auditor of Public Accounts. A copy of the audit report shall be made available by the Tourist Commission to members of the public upon request and at no charge.

INTRODUCED AND PUBLICLY READ ON FIRST READING, this the 2nd day of August, 2022.

PUBLICLY READ AND APPROVED ON SECOND READING, this the 16th day of August, 2022.

Thomas H. Watson, Mayor

ATTEST:

Beth Davis, City Clerk