



CITY OF KIRKLAND
City Manager's Office
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www.ci.kirkland.wa.us

MEMORANDUM

To: Dave Ramsay, City Manager

From: Marilynne Beard, Assistant City Manager
Ellen Miller-Wolfe, Economic Development Manager

Date: September 25, 2009

Subject: LODGING TAX ADVISORY COMMITTEE

RECOMMENDATION:

City Council receives an update on the Lodging Tax Advisory Committee (LTAC) selection process and provides direction to staff for next steps.

BACKGROUND DISCUSSION:

At the August 4 and September 1 meetings, the City Council asked staff to prepare two reports regarding the LTAC. The first report was to include background on legal requirements for LTAC appointments and a discussion of the LTAC selection process including options for Council's consideration. The City Clerk has prepared a memo (see attached) on this subject. Four policy questions are posed at the end of the memo that summarize the direction needed by staff.

The second report requested by the City Council involved feedback from members of the LTAC regarding the current status of the committee and issues. Staff met with Councilmember Hodgson, chair of the LTAC and determined that the most expeditious way to obtain the feedback would be through individual interviews with LTAC members. A series of questions were developed by staff and the chair. A staff person from another department (not involved with LTAC) who is an experienced facilitator was asked to conduct the interviews. The results of the interviews were not available at the time that this packet was prepared. However, it is anticipated that a summary of the interviews can be made available to the City Council prior to the October 6 meeting to supplement the attached materials.



CITY OF KIRKLAND

Department of Finance & Administration

123 Fifth Avenue, Kirkland, WA 98033 425.587.3100

www.ci.kirkland.wa.us

MEMORANDUM

To: Dave Ramsay, City Manager

From: Tracey Dunlap, Director of Finance and Administration
Kathi Anderson, City Clerk

Date: September 28, 2009

Subject: Annual Review of Lodging Tax Advisory Committee Membership

RECOMMENDATION:

That the City Council consider a change to the appointment process for the Lodging Tax Advisory Committee (LTAC), to conform to the process currently used for other City boards and commissions. Council may also wish to discuss whether to adjust the annual term review to be consistent with the March 31 term dates of other boards, and whether to retain the current committee size.

BACKGROUND DISCUSSION

At the September 1, 2009 meeting, Council elected to re-examine the process for LTAC appointments.

LTAC Composition

Ordinance 3798, which created the LTAC, establishes the membership number and term of the LTAC and requires the City Council to review the membership on June 30 of each year. The purpose of the LTAC is to perform the functions described in RCW 67.28.1817 and KMC Chapter 5.19, and to be an ongoing advisory committee to the Kirkland City Council as to the use of the lodging tax fund revenue for tourism promotion. Membership of the LTAC is currently set at seven voting members appointed annually by City Council of which one shall be a City Council member, three members shall be representatives of businesses required to collect tax under this chapter (hotels/motels) and three members shall be involved in activities authorized to be funded by or that benefit from the expenditure of revenue from the lodging tax fund. The appointed Council representative serves as the chair.

The RCW sets the minimum number of LTAC members at five, requiring only two from each category in addition to the Councilmember who serves as the chair. Changing the term date or membership number would require staff to return with an Ordinance containing those revisions for Council consideration.

LTAC Terms and Appointments

The City's lodging tax ordinance designates June 30 as the date for yearly review of the LTAC membership. This date is roughly concurrent with the date the original ordinance was passed. Council's past practice for LTAC appointments has been to approve applicants nominated by local organizations or businesses as presented by staff at a regular council meeting.

All other board and commission appointments follow the process and timeline outlined in the City Council Policies and Procedures (see attached). Terms expire on March 31st and the annual board and commission recruitment and selection process is held during the first quarter of the year. Applicants are screened for eligibility and interviewed by the City Council.

The City Council can continue its current practice with regard to LTAC or change the timing and process to coincide with other board and commission appointments.

Current Recruitment

Following a recruitment which ended July 22, 2009, applications were received from the following nominated representatives, which were forwarded to Council under separate cover:

Representing hoteliers (3 seats)

Brian Flaherty, Vice President & General Manager, Woodmark Hotel, Yacht Club & Spa

Ryan Noel, General Manager, Courtyard by Marriott Hotel

Les Utley, General Manager, Heathman Hotel

Representing businesses (3 seats)

Shirley Day, Crab Cracker Restaurant, representing the Greater Kirkland Chamber of Commerce

Pat Howard, representing the Howard/Mandville Gallery & Pondera Winery

Daniel Mayer, representing the Kirkland Performance Center

Garett Slettebak, representing Pro-Motion Events

At the August 4 meeting, the City Council voted to reappoint Councilmember Hodgson as chair of the LTAC and deferred appointment of new members pending further study of issues raised at the meeting. Existing LTAC members continue to serve until they are replaced by the City Council. At the September 1 meeting, Council voted to reconsider their appointment process and their appointments.

The City Council needs to make LTAC appointments and also select a Councilmember to serve as Chair of the Committee. The present Chair is Councilmember Tom Hodgson.

Policy Questions

1. Should the membership of Kirkland's Lodging Tax Advisory Committee (LTAC) be changed consistent with state law, reducing the total members from seven to five?
2. Should the LTAC's terms be consistent with other boards and commissions, expiring on March 31 of the final year of the members' term? Should the current terms be adjusted so that appointments from current applicants expire in March of 2010 or 2011?
3. Should the LTAC selection process follow the same procedure as other Boards and Commissions including an interview process?
4. What process and timing does the Council want to use for completing the current appointment process for the LTAC?

5.1 APPOINTMENT AND REAPPOINTMENT POLICY

It shall be the policy of the Kirkland City Council to make appointments to official advisory boards or commissions generally in accordance with the following:

Applicability/Definition

For the purposes of this policy, the term advisory board shall include the following appointed bodies:

Cultural Council	Library Board
Design Review Board	Lodging Tax Advisory Council
Disability Board	Park Board
Human Services Advisory Committee	Planning Commission
Kirkland Senior Council	Transportation Commission

Eligibility

Relatives or family members of Councilmembers will not be eligible to serve on City advisory boards. Members of the family of a City employee who works in a department, that provides staff assistance or support to an advisory board, shall not be eligible to serve on that board .

Non-Discrimination

The Council shall not discriminate on the basis of an applicant's race, ethnic background, creed, age*, sex, marital status, sexual orientation, or sensory or physical handicap in the making of appointments.

*City Council has made age a qualification for specific seats on certain advisory bodies.

Concurrent Offices

At no time shall any person serve concurrently as a member of more than one of the above listed City boards.

Terms

Appointments shall be made for four-year terms. Terms shall expire on the 31st of March of the applicable year. A member being appointed to fill a vacant position shall be appointed to fill the vacancy for the remainder of the unexpired term.

Term Limitations

No individual shall serve more than two full four-year terms as a member of a City of Kirkland appointed advisory board.

Attendance

Appointees shall attend 80% of all meetings in any 12-month period for which there is no prearranged absence, but in any case shall attend no less than 60% of all meetings unless waived by the City Council.

Appointment / Reappointment

An open competitive process will be used to fill vacancies. City Council will initiate an open and competitive application process and solicit applicants for the position(s). All advisory board members completing their term and who are interested in reappointment will be required to go through the open competitive process.

Application Process

Openings for advisory board positions shall be widely advertised in local newspapers, as well as other means available and appropriate for this purpose. If an incumbent is eligible to apply for reappointment, this information shall be included in the announcement. Applicants shall be required to complete a City application form provided for this purpose, and to submit a completed application by the specified recruitment deadline. Late applications will not be accepted; however, the City Council may choose to extend an application deadline, if necessary, to obtain a sufficient number of applicants for consideration. Copies of all applications will be provided to the City Council.

Criteria for Reappointment

Information will be sought from the Board/Committee Chairs and the City Manager (or appropriate staff) when considering reappointments. Reappointments are based on the following criteria:

Minimum performance - attendance, incumbent reads the materials, has a basic understanding of the issues and participates in discussion.

Performance - has well-thought-out arguments, logically presented, and is a good advocate. Shows ability to analyze complex issues and to judge issues on substantive grounds. Understands difference between quasi-judicial and legislative matters.

Personal relations - has good understanding of relative roles of Council, Commissioners and staff and is sensitive to staff's job. Is generally respectful of others' viewpoints. Is a good team player, shows willingness to compromise, work toward a solution, without sacrificing his/her own principles.

Growth/improvement - has shown personal and/or intellectual growth in the position. Has shown improved performance, has taken advantage of continuing education opportunities or other indicia of growth or improvement.

Public benefit - reappointment provides a benefit to the commission as a body; provides or enhances balance on the commission geographically and/or philosophically.

CHAPTER
5**Appointment Process**

Upon receipt of applications, the Council may choose to interview all applicants or in the event of a large number of applicants, use a screening process to reduce the number of candidates for interview. The Council may establish criteria for screening. Preliminary screening may be performed by the Council serving as a committee of-the-whole, or by a Council subcommittee appointed by the Mayor for this purpose. In the event a subcommittee is utilized to screen applicants, non-subcommittee Councilmembers will be invited to convey their comments and questions regarding the qualifications of the applicants to the screening committee.

Interviews of applicants shall be conducted in open session. The chairperson of the respective advisory board (or a representative) will also be invited to attend the interviews, and may participate in the process to the degree desired by the Council. Upon completion of the interviews, the Council will convene in executive session to discuss the qualifications of candidates, as provided for by law. The Council shall make its appointment in open session. Following appointment, the appointee, as well as all other candidates, will be notified in writing of the Council's decision.