

ORDINANCE O-4588

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LODGING TAX ADVISORY COMMITTEE.

1 WHEREAS, as part of a review of the Kirkland Municipal Code  
2 ("KMC") by Councilmember Toby Nixon, it was recommended that  
3 Article II of Chapter 5.19 of the KMC related to the Lodging Tax Advisory  
4 Committee be amended to revise and update the name of the  
5 committee.

6  
7 NOW, THEREFORE, the City Council of the City of Kirkland do  
8 ordain as follows:

9  
10 Section 1. Kirkland Municipal Code Section 5.19.210 is amended  
11 to read as follows:

12  
13 **5.19.210 Tourism development committee Lodging tax**  
14 **advisory committee.**

15 A tourism development committee lodging tax advisory committee is  
16 hereby declared to have been established and created by the city council  
17 on July 3, 2001. The purpose of the Tourism development committee  
18 ("TDC") lodging tax advisory committee ("LTAC") is to perform the  
19 functions of a lodging tax advisory committee under RCW 67.28.1817  
20 and also to be an ongoing advisory committee to the Kirkland city  
21 council, with duties as described in this chapter or as directed by the  
22 city council, following procedures as provided in this chapter.

23  
24 Section 2. Kirkland Municipal Code Section 5.19.220 is amended  
25 to read as follows:

26  
27 **5.19.220 Membership.**

28 The TDC LTAC shall be comprised of seven voting members, each  
29 appointed by the Kirkland city council. The Kirkland city council may  
30 appoint nonvoting members to the TDC LTAC. Members of the TDC  
31 LTAC are not required to be residents of the city of Kirkland.

32 (a) Voting members shall be as follows:

33 (1) One member shall be a Kirkland city council member, who shall  
34 serve as chair;

35 (2) Three members shall be representatives of businesses required to  
36 collect tax under this chapter;

37 (3) Three members shall be persons involved in activities authorized to  
38 be funded by revenue received under this chapter.

39 (b) The term of membership shall be through March 31st of the year  
40 following appointment; provided, that a member's term shall not expire  
41 until the appointment of a new member is effective. By statute, eligibility  
42 for appointment under subsection (a)(2) or (a)(3) of this section is  
43 mutually exclusive. The city council shall review the membership of the  
44 advisory committee annually and make changes as appropriate. Each  
45 year, organizations representing businesses required to collect the  
46 lodging tax, organizations involved in activities authorized to be funded

47 by lodging tax revenue, and local agencies involved in tourism  
48 promotion may submit recommendations for membership on the TDC  
49 LTAC.

51 Section 3. Kirkland Municipal Code Section 5.19.230 is amended  
52 to read as follows:

53  
54 **5.19.230 Duties.**

55 (a) A city proposal shall be submitted to the TDC LTAC for review and  
56 comment if the city proposes an increase in the rate of the tax imposed  
57 under this chapter, the repeal of an exemption from a tax imposed  
58 under this chapter, or a change in the use of revenue received under  
59 this chapter. The TDC LTAC shall submit comments on such a proposal  
60 to the city council in a timely manner through generally applicable public  
61 comment procedures. Comments from the TDC LTAC shall include an  
62 analysis of the extent to which the proposal will accommodate activities  
63 for tourists or increase tourism, and the extent to which the proposal  
64 will affect the long-term stability of the lodging tax fund created under  
65 this chapter.

66 (b) The TDC LTAC should submit its comments on the proposal no more  
67 than forty-four days after its receipt of the proposal. However, failure of  
68 the TDC LTAC to submit comments shall not prevent the city from acting  
69 on the proposal once forty-five days have elapsed since the proposal  
70 was submitted to the TDC LTAC. The city is not required to submit an  
71 amended proposal to the TDC LTAC.

72 (c) In addition to the foregoing, the TDC LTAC will submit a report to  
73 the city's director of finance and administration as to whether the  
74 proposed budget for lodging tax revenue and lodging fund expenditures  
75 is consistent with long-term stability of the lodging tax fund.

76  
77 Section 4. Kirkland Municipal Code Section 5.19.240 is amended  
78 to read as follows:

79  
80 **5.19.240 Quorum.**

81 A quorum of the TDC LTAC shall be a majority of persons currently  
82 serving as voting members of the TDC LTAC. A quorum must be present  
83 in order for a vote to be taken on a recommendation to go to the city  
84 council.

85  
86 Section 5. Kirkland Municipal Code Section 5.19.250 is amended  
87 to read as follows:

88  
89 **5.19.250 Procedure.**

90 (a) All business of TDC LTAC shall be guided by "Robert's Rules of  
91 Order."

92 (b) The chair shall propose an agenda for meetings, shall preside at all  
93 meetings, and shall vote on matters being voted on by TDC LTAC. The  
94 chair shall be responsible for assuring that TDC LTAC reports are  
95 presented to the city on time and shall select a member to record  
96 decisions of TDC LTAC that establish policies or recommendations.

97 (c) TDC LFAC may select a vice-chair or a temporary chair to act in the  
98 absence of the chair.

99 (d) TDC LFAC may adopt a written policy of TDC LFAC practices, not  
100 inconsistent with this chapter or other direction of city council.

101  
102 Section 6. Kirkland Municipal Code Section 5.19.270 is amended  
103 to read as follows:

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105 **5.19.270 Expenses.**

106 The members of the TDC LFAC shall receive no compensation and are  
107 not eligible for reimbursement of expenses incidental to service on the  
108 TDC LFAC. TDC LFAC may request specific support necessary to carry  
109 out its responsibilities by a request made, in advance, to the city  
110 manager.

111  
112 Section 7. Kirkland Municipal Code Section 5.19.280 is amended  
113 to read as follows:

114  
115 **5.19.280 Removal.**

116 A member of TDC LFAC may be removed during their term by the city  
117 council only for sufficient cause. Sufficient cause means:

- 118 (a) Absence for two consecutive meetings without prior excuse from  
119 the chair; or
- 120 (b) Violation of the public trust or malfeasance.

121  
122 Section 8. If any provision of this ordinance or its application to  
123 any person or circumstance is held invalid, the remainder of the  
124 ordinance or the application of the provision to other persons or  
125 circumstances is not affected.

126  
127 Section 9. This ordinance shall be in force and effect five days  
128 from and after its passage by the Kirkland City Council and publication  
129 pursuant to Section 1.08.017, Kirkland Municipal Code in the summary  
130 form attached to the original of this ordinance and by this reference  
131 approved by the City Council..

132  
133 Passed by majority vote of the Kirkland City Council in open  
134 meeting this 2nd day of August, 2017.

135  
136 Signed in authentication thereof this 2nd day of August, 2017.

  
Amy Walen, Mayor

Attest:

Publication Date: August 7, 2017

  
Kathi Anderson, City Clerk

Approved as to Form:

Kevin Raymond  
Kevin Raymond, City Attorney

PUBLICATION SUMMARY  
OF ORDINANCE O-4588

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO LODGING  
TAX ADVISORY COMMITTEE.

SECTIONS 1 - 7. Updates the name of the lodging tax  
advisory committee to the tourism development committee.

SECTION 8. Provides a severability clause for the ordinance.

SECTION 9. Authorizes publication of the ordinance by  
summary, which summary is approved by the City Council pursuant to  
Section 1.08.017 Kirkland Municipal Code and establishes the effective  
date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to  
any person upon request made to the City Clerk for the City of Kirkland.  
The Ordinance was passed by the Kirkland City Council at its meeting  
on the 2nd day of August, 2017.

I certify that the foregoing is a summary of Ordinance O-4588  
approved by the Kirkland City Council for summary publication.

  
Kathi Anderson, City Clerk