

ORDINANCE 3798

AN ORDINANCE OF THE CITY OF KIRKLAND, WASHINGTON, ESTABLISHING PROCEDURES FOR THE LODGING TAX ADVISORY COMMITTEE.

The City Council of the City of Kirkland do ordain as follows:

Section 1. The Kirkland Municipal Code is hereby amended by the additions of new sections to the newly created KMC Chapter 5.19 and to read as follows:

5.19.210 Lodging Tax Advisory Committee.

A Lodging Tax Advisory Committee is hereby declared to have been established and created by the City Council on July 3, 2001. The purpose of the Lodging Tax Advisory Committee ("LTAC") is to perform the functions of a lodging tax advisory committee under RCW 67.28.1817 and also to be an ongoing advisory committee to the Kirkland City Council, with duties as described in this Chapter or as directed by the City Council, following procedures as provided in this Chapter.

5.19.220 Membership.

The LTAC shall be comprised of seven voting members, each appointed by the Kirkland City Council. The Kirkland City Council may appoint non-voting members to the LTAC. Members of the LTAC are not required to be residents of the City of Kirkland.

(a) Voting members shall be as follows:

(1) One member shall be a Kirkland City Council Member, who shall serve as Chair.

(2) Three members shall be representatives of businesses required to collect tax under this Chapter.

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

(b) The term of membership shall be through June 30 of the year following appointment; provided that a member's term shall not expire until the appointment of a new member is effective. By statute, eligibility for appointment under (a)(2) or (a)(3) above is mutually exclusive. The City Council shall review the membership of the advisory committee annually and make changes as appropriate. Each year, organizations representing businesses required to collect the lodging tax, organizations involved in activities authorized to be funded by lodging tax revenue, and local agencies involved in tourism promotion may submit recommendations for membership on the LTAC.

5.19.230 Duties.

(a) A City proposal shall be submitted to the LTAC for review and comment if the City proposes an increase in the rate of the tax imposed under this Chapter, the repeal of an exemption from a tax imposed under this Chapter, or a change in the use of revenue received under this Chapter. The LTAC shall submit comments on such a proposal to the City Council in a timely manner through generally applicable public comment procedures. Comments from the LTAC shall include an analysis of the extent to which the proposal will accommodate activities for tourists or increase tourism, and the extent to

which the proposal will affect the long-term stability of the lodging tax fund created under this Chapter.

(b) The LTAC should submit its comments on the proposal no more than 44 days after its receipt of the proposal. However, failure of the LTAC to submit comments shall not prevent the City from acting on the proposal once 45 days have elapsed since the proposal was submitted to the LTAC. The City is not required to submit an amended proposal to the LTAC.

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

#### 5.19.240 Quorum.

A quorum of the LTAC shall be a majority of persons currently serving as voting members of the LTAC. A quorum must be present in order for a vote to be taken on a recommendation to go to the City Council.

#### 5.19.250 Procedure.

(a) All business of LTAC shall be guided by "Roberts Rules of Order".

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

(c) LTAC may select a vice-Chair or a temporary Chair to act in the absence of the Chair.

(d) LTAC may adopt a written policy of LTAC practices, not inconsistent with this chapter or other direction of City Council.

#### 5.19.260 Voting.

Each voting member is entitled to one vote. All matters establishing policies, recommendations or decisions shall be decided by a majority vote of voting members present.

#### 5.19.270 Expenses.

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

#### 5.19.280 Removal.

A member of LTAC may be removed during their term by the City Council only for sufficient cause. Sufficient cause means:

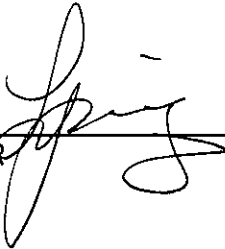
1. Absence for two consecutive meetings without prior excuse from the Chair; or
2. Violation of the public trust or malfeasance.

Section 2. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

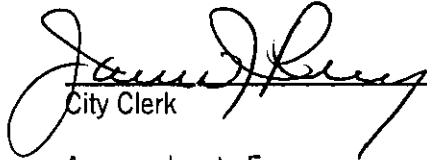
Section 3. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting  
this 4th day of September, 2001.

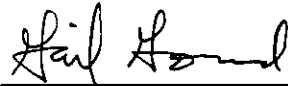
Signed in authentication thereof this 4th day of  
September, 2001.

MAYOR 

Attest:

  
City Clerk

Approved as to Form:

  
City Attorney  
Ord\LTAC