



INFORMATIONAL MEMORANDUM

TO: **Finance & Governance Committee**

FROM: **Laurel Humphrey, Legislative Analyst**
Cheryl Thompson, Executive Assistant, Mayor's Office

DATE: **March 7, 2023**

SUBJECT: **Board & Commission Appointments**

ISSUE

On January 9, 2023, the City Council requested a committee review of the current process for Board & Commission appointments.

BACKGROUND

The city is assisted in several operational areas by boards and commissions comprising members of the community. Residents and business representatives serve an important function by volunteering their time and expertise as members. In most cases, members are appointed by the Mayor and confirmed by the City Council. Operational information about boards and commissions is located in the Municipal Code, the By-Laws of each group, and in the [Boards & Commissions Handbook](#).

Recruitment

Vacancies are currently promoted on the City website, social media, community events, word-of-mouth, in the City Administrator Report and in the Hazelnut and/or e-Hazelnut. The Mayor, Councilmembers and currently seated members play an important role in recruitment by spreading the word to constituents across the city and by making a personal ask to qualified individuals. The Equity and Social Justice Commission provided input on equitable outreach in 2019. The annual member review and recruitment process is described in further detail in the attached Administrative Policy.

Appointment Process

In 2019, the Community Development and Neighborhoods Committee reviewed the appointment and reappointment process, and made several suggested changes:

- Online application
- Statement of Interest section on application form
- Optional personal/demographic section on application form
- Requiring reapplication form for those interested in additional terms

These changes were incorporated, and a new Administrative Policy was created to “establish and provide consistent procedures for the review and selection of community members to serve on boards, commissions, and committees.

Qualifications, Requirements & Representations

Boards and commissions have varying requirements regarding community residency or business affiliation. Members are subject to Tukwila Municipal Code Chapter 2.05, Code of Ethics for Employees and Appointed Officials. Members must sign a Conflict of Interest Disclosure Form and Ethics, Open Public Meetings Act, Public Records Act and Equity Policy Training Certification Form within 90 days of appointment or reappointment. This year, a new central repository has been created so that the Mayor's Office can quickly verify that forms for all board and commission members have been completed and are on file.

Term Limits

There are currently no term limits for any of the City's Boards and Commissions. A cursory review of other Washington cities revealed this is more often the case, although an example of a city that does include term limits is Burien, which is a Council/Manager form of government. In Burien, board and commission members "may not serve more than two consecutive full terms. After a two-year absence, members may be reappointed subject to the membership requirements stated above." (BMC 2.50.020(6)). Staff does not currently recommend imposing term limits due to the challenge in finding volunteers in a city of this size.

Social Security Number Requirement

During the City Council's initial discussion, a question was raised regarding the requirement for applicants to provide a social security number. This is a requirement of the third-party vendor used to conduct the background checks for all of the city's volunteers. Social security numbers are redacted from Council meeting packets and are not disclosable upon records requests.

Mayor's Selection Process

When an application is received a copy of the application is provided to the Mayor. In the past, depending on the application, the Mayor has contacted the applicant directly to discuss their interests or sought a staff liaison to do so. In those instances where the Mayor makes contact, he then reaches out to staff to contact the applicant to discuss the Board or Commission and determine if the appointment would be a good fit for the applicant. The Mayor then asks staff for a recommendation. On occasion the Mayor has asked staff to schedule an interview with the applicant. On those occasions the Mayor has included the staff liaison and the Chair of the Commission in the interview process.

Specifically, when a term is ending, the incumbent is asked to complete a reappointment application if they are interested in being reappointed. Reappointment Applications are sent out in early-mid September each year, with a deadline to respond by October 15. At the same time an ad is submitted for the October Hazelnut that advertises all positions where the term is ending with a deadline to submit an application by November 15. The ad for the October Hazelnut is due mid-September. Between October 15 and November 15 staff liaisons are advised on the members that submitted Reappointment Applications and asked to provide feedback about the reappointments to the appointing authority, considering factors like attendance regularity, objectivity, and effectiveness. After November 15 the Executive

Assistant provides the Mayor with the any Reappointment Applications received, and any new applications received for those positions. The Mayor reviews that information as part of the decision-making process, along with appropriate staff liaison, and provides his recommendations to the Executive Assistant to prepare an Memo to Council. When considering reappointment, the Mayor considers factors such as attendance, participation and effectiveness. Historically, Mayor Ekberg has recommended reappointment, however there have been times where he decided not to reappoint and found out the individual didn't reapply, or has appointed a new member to a position rather than the incumbent who had sought reappointment.

RECOMMENDATION

Staff is seeking committee feedback on the appointment process as outlined in the attached administrative policy.

ATTACHMENTS

Administrative Policy 100-17



Board, Commission and Committee Appointment Process

Purpose: To establish and provide consistent procedures for the review and selection of community members to serve on City boards, commissions and committees.

Definitions

- Board: A semi-autonomous body established pursuant to a city ordinance.
- Commission: A body established pursuant to state statute and a city ordinance to study and recommend action to the City Council with the exception of the Civil Service Commission.
- Committee: A body appointed by the City Council with a specified task or function.

Policy and Procedures: Advisory bodies provide guidance to decision-makers and bring public participation into government activities. The City of Tukwila's boards, commissions and committees provide invaluable service to the City.

Authority: The Mayor of Tukwila and the Tukwila City Council are specifically empowered by state law and the Tukwila Municipal Code to fill by appointment all boards, commissions and committees in compliance with the Revised Code of Washington and the Tukwila Municipal Code. The Mayor's Office is responsible for the oversight and administration of the process by which the advisory boards, commissions and committee program is managed.

Appointment Criteria: To be considered for appointment each applicant must meet at least one of the following criteria:

- Be a resident of the City of Tukwila for a resident or community position;
- Be employed in the City of Tukwila for a business representative position;
- Be a Tukwila School District Representative for a school district position; or
- Be a High School Student in the City of Tukwila for a student representative position.

Applicants must also successfully complete a background check.

Qualifications vary for each board, commission and committee and are specifically outlined in the Tukwila Municipal Code.

Appointment Process: Interested applicants must submit a completed Boards, Commissions and Committees application to the Mayor's Office. Applications are available on the city's website at www.tukwilawa.gov/departments/mayors-office/boards-and-commissions.

Applications for the Arts Commission, Community-Oriented Policing Citizens Advisory Board, Equity and Social Justice Commission, Human Services Advisory Board, Library Advisory Board, Landmark Advisory Board, Park Commission, Planning Commission, SeaTac Airport Stakeholder Round Table and Special Committees appointed by the Mayor: When an application is received, an email is sent to the applicant acknowledging receipt of the application and letting them know the application is under review. A background check is conducted and once complete the application is sent to the staff liaison for the

Board or Commission the applicant is interested in. A copy of the application is also provided to the Mayor. The Mayor may contact the applicant directly, ask the staff liaison to contact the applicant or schedule an interview with the applicant. If an interview is scheduled with the applicant, the Council President is invited to participate.

When the Mayor has determined the applicant to recommend for appointment the Executive Assistant will schedule the appointment recommendation to go before Council for confirmation at an upcoming Regular Council Meeting. An Informational Memorandum recommending the appointment is prepared and distributed to the City Council by email and internal mail no fewer than three weeks before the scheduled Council Meeting. A copy of the application with address, phone number and emails redacted is attached to the Informational Memorandum. After the councilmembers have had a few days to review the memo, a letter is sent to the applicant notifying them that the Mayor has recommended their appointment, pending confirmation of the City Council and inviting them to attend the upcoming Council meeting where their confirmation is on the agenda.

Applications for Civil Service Commission: When an application is received an email is sent to the applicant acknowledging receipt of the application and letting them know the application is under review. A background check is conducted and once complete the application is sent to the staff liaison for the Civil Service Commission. A copy of the application is also provided to the Mayor. The Mayor may contact the applicant directly, ask the staff liaison to contact the applicant or schedule an interview with the applicant. Per RCW 41.08.030 and 41.12.030 appointments to the Civil Service Commission are made by the Mayor and do not go before City Council for confirmation.

Applications for the Lodging Tax Advisory Committee (LTAC): When an application is received an email is sent to the applicant acknowledging receipt of the application and letting them know the application is under review. A background check is conducted and once complete the application is sent to the staff liaison for LTAC. The staff liaison will coordinate with the Councilmember serving as LTAC Chair as LTAC appointments are made by the City Council. An Informational Memorandum recommending the appointment is prepared and distributed to the City Council by email and internal mail approximately three weeks before the scheduled Council Meeting. A copy of the application with address, phone number and emails redacted is attached to the Informational Memorandum. After the councilmembers have had a few days to review the memo, a letter is sent to the applicant notifying them that the Council President has recommended their appointment, pending confirmation of the full City Council and inviting them to attend the upcoming Council meeting where their confirmation is on the agenda.

Applications for Special Committees appointed by Council: When an application is received an email is sent to the applicant acknowledging receipt of the application and letting them know the application is under review. A background check is conducted and once complete the application is sent to the staff liaison for the Committee. The staff liaison will notify the Council President and/or relevant standing Committee Chair and schedule the appointment to go through the Council's legislative process, which may include a standing Council Committee.

Appointee Requirements: Every member of an advisory board, commission or committee must sign a Conflict of Interest Disclosure Form and Ethics, OPMA, PRA and Equity Training Certification Form within 90 days of appointment or reappointment. Forms and links to the trainings are located in the Boards and Commissions Handbook.

Applicants Not Appointed: If an applicant applies for a position and is not appointed, they are sent a letter thanking them for applying, notifying them they were not appointed, providing information on any vacant positions, if applicable, and letting them know that their application will be kept on file for one year.

Resignations: When a member resigns from their position before the end of the term, the vacancy is advertised, and a new member is appointed to serve the remainder of the term. A letter is sent to the member thanking them for their service.

Vacant Positions: Vacant positions are advertised in the Hazelnut newsletter, on TukTV, on the City's website, on social media and in the City Administrator's report in the City Council meeting packets.

Reappointment Process: Terms for positions range between two years and six years depending on the Board or Commission. All positions expire December 31 at the end of the term. In September of each year the Mayor's Office will contact all incumbent members with terms expiring at the end of the year to determine if they are interested in reappointment. If the incumbent is interested in being reappointed, they will complete the Reappointment Application and submit it to the Mayor's Office by October 15. The Mayor's Office will notify the Board, Commission and Committee staff liaisons which incumbents have applied for reappointment. The staff liaison will have until November 15 to provide any feedback about the reappointments to the appointing authority, considering factors like attendance regularity, objectivity, and effectiveness. All positions with terms ending will be advertised in the October edition of the Hazelnut newsletter and through other City venues with applications due by November 15. All applications, both reappointment and new, will be reviewed and an Informational Memorandum with appointment and reappointment recommendations will be provided to City Council no later than December 7. All appointments and reappointments for terms that expire December 31 are scheduled for the first Council meeting in January.

Recognition: The Mayor will send a letter of appreciation and thanks to each member of a board, commission or committee upon the completion of a term.

Records: The Mayor's Office shall maintain records of persons who have applied for a vacancy on a given board, commission or committee for one (1) year after each filing period. If a position should become vacant during that timeframe, the applicant will be considered for the position.

Current Boards, Commissions and Committees

	<i>Term Length</i>	<i>Appointment Authority</i>	<i>Governing Legislation</i>
Arts Commission	4 years	Appointed by Mayor Confirmed by Council	TMC 2.30
Civil Service Commission	6 years	Appointed by Mayor	RCW 41.08 RCW 41.12 TMC 2.42
Board of Ethics	1 year	Comprised of the Chair from each of the Commissions	TMC 2.97.040
Community-Oriented Policing Citizens Advisory Board (COPCAB)	4 years	Appointed by Mayor Confirmed by Council	TMC 2.39
Equity & Social Justice Commission	2 years	Appointed by Mayor Confirmed by Council	TMC 2.29
Human Services Advisory Board	3 years	Appointed by Mayor Confirmed by Council	TMC 2.34
Landmark Commission	3 years	Appointed by Mayor Confirmed by Council	TMC 16.60
Library Advisory Board	2 years	Appointed by Mayor Confirmed by Council	TMC 2.33
Lodging Tax Advisory Committee (LTAC)	1 year	Appointed by Council	TMC 2.35
Park Commission	3 years	Appointed by Mayor Confirmed by Council	TMC 2.32
Planning Commission	4 years	Appointed by Mayor Confirmed by Council	RCW 35A.63 TMC 2.36
SeaTac Airport Stakeholder Round Table (StART)	2 years	Appointed by Mayor Confirmed by Council	StART Operating Procedures

Board, Commission and Committee Appointment Process	Initiating Department: Mayor's Office
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Effective Date:

Supersedes:

Mayor's Office Approval Signature:

1/24/2022

9/12/2019

