



**CITY OF KIRKLAND**  
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## MEMORANDUM

**To:** Kurt Triplett, City Manager  
**From:** Lorrie McKay, Intergovernmental Relations Manager  
**Date:** February 8, 2011  
**Subject:** 2011 LEGISLATIVE UPDATE 2

### RECOMMENDATION:

City Council receives a second update on the 2011 legislative session.

### BACKGROUND DISCUSSION:

As of the February 15 Council meeting, the 2011 State Legislative session will be in its sixth week. February 21 is the last day to read in committee reports in house of origin, except House fiscal committees and Senate Ways & Means and Transportation committees. March 7 is the last day to consider bills in the house of origin. This is an update on the City's legislative interests as of February 8.

### COUNCIL LEGISLATIVE SUBCOMMITTEE:

The Council Legislative Subcommittee meets weekly on Friday's at 4pm (Mayor McBride, Council Member Asher, Council Member Marchione).

The Council Legislative Subcommittee met on February 4 to discuss the status of bills, other legislative issues and the upcoming AWC Legislative Action Conference being held on February 16 and 17.

### 2011 LEGISLATIVE PRIORITIES AND SUPPORT OF ALLIES:

A detailed matrix tracking the status of Kirkland's legislative priorities from Waypoint Consulting from February 4 is attached to this memorandum (Attachment A). Waypoint Consulting Group's February 4 detailed matrix tracking the status of selected legislative items of Kirkland's ally organizations is attached to this memorandum (Attachment B). Updated matrixes from February 11 of both Kirkland's legislative agenda and items from our allies will be emailed to Council in advance of the meeting on February 15.

<b>2011 Legislative Priority</b>	<b>Bill Number</b>	<b>Hearing Status</b>
Financial assistance for the construction of the Public Safety Building	HB 1497 – Dunshee SB 5467 – Kilmer	- Heard 1/27 & 2/1
Flexibility in the use of Real Estate Excise Tax	HB 1598 – Springer	- Heard 2/4
Annexation census requirements	HB 1336 – Springer SB 5505 – Hill	- Heard 1/26
Roadway pricing tools (tolling) on I-405	HB 1382 – Clibborn SB 5490 – Prentice	- Heard 2/2 Exec 2/8 - Tentative sched 2/16

New financing tools to support public/private partnerships		
Streamline SEPA process	HB 1713 – Upthegrove SB 5657 – Pridemore	- Heard 2/3
“Fiscal relief” bill to postpone various city reporting requirements.	HB 1478 – Springer SB 5360 – Swecker	- Heard 2/4 - Heard 2/3 Exec 2/8
Support the principles of growth management by assigning funding priority for infrastructure in communities with designated urban centers	HB 1335 - Springer SB 5243 - Tom	- Heard 2/1 - Heard 2/8
Eliminate cities' obligation to pay impact fees exempting low-income housing	HB 1398 - Fitzgibbon  SB 5524 - White	- Heard 1/26 Exec 2/3 Passed to Rules 2/8  - Heard 2/8
Fire benefit authority (HB 1230 & SB 5155)		

### 2011 Legislative Items to Support (Organizations)

### Bill Number

<b>Association of Washington Cities –</b> New tools to help cities recover, thrive and be efficient <ul style="list-style-type: none"> <li>- Pro-active public records proposals</li> <li>- Options for creating sustainable personnel related costs</li> <li>- Tools for combating gang activity</li> <li>- Street maintenance utility authority</li> </ul> Maintain essential state revenues and authorities for cities	HB 1033 – Eddy SB 5022 – Kilmer  HB 1034 – Takko SB 5025 – Hargrove  SB 5049 – Kline  HB 1139 – Armstrong SB 5062 – Pridemore  HB 1086 – Hunter HB 1497 – Dunshee SB 5467 – Kilmer
<b>Cascade Water Alliance –</b> <ul style="list-style-type: none"> <li>- Joint Municipal Utility Services</li> </ul>	HB 1332 – Eddy SB 5198 – Pridemore
<b>Environmental Priorities Coalition –</b> <ul style="list-style-type: none"> <li>- 2011 Clean Water for Jobs</li> </ul>	HB 1735 – Ormsby SB 5604 – Nelson
<b>Washington Fire Chiefs Association –</b> <ul style="list-style-type: none"> <li>- Simple majority for EMS levies</li> </ul>	HB 1476 – Haigh SB 5381 – Prentice
<b>Washington Association of Sheriffs and Police Chiefs –</b> <ul style="list-style-type: none"> <li>- Burglar Alarm Program information protection</li> </ul>	HB 1234 – Moscoso SB 5244 – Fraser
<b>Washington Bicycle Alliance–</b> <ul style="list-style-type: none"> <li>- Safe Routes to School</li> </ul>	HB 1071 – Moeller
<b>Washington Recreation and Parks Association –</b> <ul style="list-style-type: none"> <li>- REET</li> <li>- Washington Wildlife Recreation Program (WWRP)</li> </ul>	HB 1598 – Springer Governor's Capital Budget for 11-13 created PSSWWR grants
<b>Washington Low-Income Housing Alliance –</b> <ul style="list-style-type: none"> <li>- Maintain the State's investment in Housing Trust Fund</li> </ul>	Governor's Capital Budget for 11-13 proposes \$40M
<b>Washington Chapter of the American Planning Association –</b>	

<b>WRIA 8 –</b> - Funding support for Puget Sound Partnership agenda - Legislation that creates multipurpose Watershed Districts	HB 1332 – Eddy SB 5198 – Pridemore  HB 1735 – Ormsby SB 5604 – Nelson  HB 1497 – Dunshee SB 5467 – Kilmer
<b>Other Legislation to Support –</b> - Safe collection and disposal of unwanted drugs from residential sources	HB 1370 – Van de Wege SB 5234 – Kline

### BILL TRACKING:

A February 7 bill tracker from Waypoint Consulting is attached to this memorandum (Attachment C) showing the City's position on bills of interest. As Waypoint identifies bills with potential impact on or interest to the City of Kirkland, City staff actively review the bills, measuring them against our 2011 legislative agenda and provide recommended positions to the Legislative Subcommittee. New positions since the Council's February 1 meeting are highlighted in red. An updated bill tracker from February 11 will be emailed to Council in advance of the meeting on February 15.

### HEARINGS AND CORRESPONDENCE:

Bill	Cmte	Date	City Rep. / Action	SME
HB – 1382 (express toll lanes in I-405)	TR	2/2	<b>Mayor McBride</b>	Dave Godfrey
HB – 1469 (landscape conservation)	LG	2/2	Letter of Support	Eric Shields
HB – 1332 (joint municipal utility)	LG	2/2	Letter of Support	Juliana Elsom
SB – 5198 (joint municipal utility)	GOTE	2/3	Letter of Support	Juliana Elsom
HB – 1713 (SEPA Modifications)	Envir	2/3	Letter of Support	Paul Stewart
HB – 1370 (Unwanted Medical Waste)	Envir	2/3	Letter of Support	John MacGillvray
HB – 1598 (REET)	LG	2/4	<b>Dep. Mayor Sweet</b>	Kurt Triplett
SB – 5524 (exemption / impact fees for LIH)	FIHI	2/8	<b>CM Dave Asher</b>	Dawn Nelson
SB – 5604 (Clean Water Jobs)	WM	2/10	<b>CM Dave Asher</b>	Jenny Gaus
SB – 5638 (Levy Suppression Fix)	WM	2/10	Letter of Support	Jenny Gaus
SB – 5490 (express toll lanes in I-405)	TR	<i>Tentatively 2/16</i>		Dave Godfrey

#### Cmte (Committee) Legend

- TR = Committee on Transportation
- LG = Committee on Local Government
- GOTE = Committee on Government Operations, Tribal Relations and Elections
- Envir = Committee on Environment
- FIHI = Committee on Financial Institutions and Housing & Insurance
- HLTC = Committee on Health & Long-Term Care
- WM = Committee on Ways and Means

Attachments: Status of City's 2011 legislative priorities  
Status of Ally Support 2011 legislative priorities  
List of bills the City is tracking and positions

**City of Kirkland Legislative Priorities and Status: 2011 Legislative Session  
Updated 2.4.11**

**Attachment A**

	<b>Legislative Priority</b>	<b>Bill #</b>	<b>Prime Sponsor</b>	<b>Status</b>
1	Oppose new mandates and cost shifting			See bill tracker – monitoring status of all bills.
2	Financial assistance for the construction of the Public Safety Building	HB 1497  SB 5467	Eastside (Kirkland) Legislators	House Cap. Budget local community project request form filled out by Kirkland and back to lobbyists for review; request will come from Kirkland legislators to CB Chair.  Contact made last week with Senate CB Vice Chair Derek Kilmer. Meetings scheduled over next two weeks with House CB and Senate W/M members.
3	Flexibility in the use of Real Estate Excise Tax revenue for infrastructure and parks maintenance.	HB 1598	Rep. Springer	HB dropped 1/26 with Republican Asay as 2 <sup>nd</sup> . We have discussed bill with House Local Government Chair Dean Takko – Bill will be heard Feb. 4 @ 8am
4	Financial relief for annexation census requirements through the ability to use alternate enumeration methods such as the federal census.	HB 1336  SB 5505	Rep. Springer  Sen. Hill	HB 1336 heard Wed., 1/26 at 1:30 p.m. in H LG Cmte. Rep. Springer, Kurt Triplett & Burien City Manager testified in favor; no opposition; members liked the bill although OFM testified “with concerns.” Exec session not yet scheduled.  SB 5505 (Sen. Hill) dropped 1/24; hearing not yet scheduled.
5	Support legislation for roadway pricing tools that provides funding for high priority transportation routes, promotes multi-modal transportation modes and mitigates collateral impacts.	HB 1382  SB 5490	Rep. Clibborn  Sen. Prentice	HB 1382 (with Kirkland’s correction language) scheduled for hearing on 2/2 in H TR Cmte.  SB 5490 dropped 1/26, not yet scheduled for hearing.  Eastside city lobbyists are talking each week to ID targeted legislators for contact.
6	Preserve all options for future use of the BNSF corridor and state financial assistance to implement multiple uses.	NA		Per discussion with legislative committee in fall, it is not feasible to seek state funds this year, but JR and MR will monitor bills that would restrict possible uses of the corridor and continue to bring project to legislator’s attention for future action.

**City of Kirkland Legislative Priorities and Status: 2011 Legislative Session  
Updated 2.4.11**

**Attachment A**

7	New financing tools to support public/private partnerships including flexibility in the use of existing tax sources to support new development and to facilitate small business growth through the use of microloans.	NA		<p>Tax Increment Financing bill (and constitutional amendment) has been drafted by AWC and Washington Jobs Investment Coalition. Group meets regularly to plan legislative strategy. Bill had not been dropped as of 1/27. Committee referral undetermined at this point.</p> <p>Microloan component is not gaining traction due to constitutional restriction on lending of credit; however, low interest loans are available from the state to minorities and veterans through a program within the Treasurer's office.</p>
8	<p>Streamline SEPA process and eliminate duplicate and overlapping requirements of growth management and SEPA.</p> <p>"Fiscal relief" bill to postpone various city reporting requirements.</p>	<p>HB 1713</p> <p>HB 1478 SB 5360</p>	<p>Rep. Uptegrove</p> <p>Rep. Springer Sen. Swecker</p>	<p>Eric Shields talked with Rep. Springer last week re potential SEPA legislation Friday, 1/21. Bill not yet dropped.</p> <p>Fiscal relief HB scheduled for hearing in LG on 2/4; SB referred to GOE; not yet scheduled for hearing.</p>
9	Support the principles of growth management by assigning funding priority for infrastructure in communities with designated urban centers	<p>HB 1335</p> <p>SB 5243</p>	<p>Rep. Springer</p> <p>Sen. Tom</p>	<p>Bills will provide extra grant dollars and additional points in competitive scoring of grants and loans used to help communities carry out their responsibilities under GMA.</p> <p>HB scheduled in LG on 2/1; SB not yet scheduled.</p>
10	Amend RCW 82.02.060 to eliminate cities' obligation to pay impact fees from qualifying public funds when exempting low-income housing from impact fee requirements.	<p>HB 1398</p> <p>SB 5524</p>	<p>Rep. Fitzgibbon</p> <p>Sen. White</p>	<p>HB heard in Community Development &amp; Housing Cmte. on 1/26; Councilmember Sternoff testified in favor along with City Manager for Gig Harbor, AWC, Master builders and non-profit housing advocates. No one testified in opposition. SB not yet scheduled.</p>
11	Fire benefit authority			<p>Initial feedback from other interested stakeholders and from legislators is to make this longer-term goal. Utilize the Burien bill (HB 1230 / SB 5155) as a way to get issue/Kirkland perspective to LG committee members. Work with other cities and fire interests for development of legislation in 2012 session. Burien bill heard 1/26 in House Local Government.</p>

Legislative Support Issue	Bill #	Prime Sponsor	Status
Association of Washington Cities			
<p>Provide flexibility within current revenue and regulatory frameworks to respond to these challenging times</p> <ul style="list-style-type: none"> <li>• City fiscal flexibility package, such as greater flexibility in the expenditure of locally collected real estate excise tax (REET).</li> <li>• Fund, Flex, Repeal, Amend, Pause (FFRAP), such as delaying adoption of new storm water regulations until the existing ones are successfully implemented and funded.</li> </ul>			<p>See Top Priorities Sheet for Update...</p>
<p>Enact new tools to help cities recover, thrive and be efficient</p> <ul style="list-style-type: none"> <li>• Pro-active public record proposals that address some of the problems that come with the burgeoning public records requests.</li> <li>• Options for creating sustainable personnel related costs.</li> <li>• Additional tools for combating gang activity including funding for gang intervention and prevention activities.</li> <li>• Street maintenance utility authority.</li> </ul>	<p>SB 5022 HB 1033</p> <p>SB 5025 HB 1034</p> <p>SB 5049</p> <p>SB 5062 HB 1139</p>	<p>Sen. Kilmer Rep. Eddy</p> <p>Sen. Hargrove Rep. Takko</p> <p>Sen. Kline</p> <p>Sen. Pridemore Rep. Armstrong</p>	<p>Clarifying the statute of limitations for any court action for public records – Heard Sen. Judiciary 1/26, Heard Hse SGTA 1/20.</p> <p>Reducing penalties for denied public records requests by inmates – Heard Sen. HSC 1/13, Heard Hse SGTA 1/20</p> <p>Implementing recommendations of the sunshine committee. Exec session scheduled for Sen GOTR 2/1</p> <p>Providing agencies notice of a dispute under the public records act and an opportunity to cure error in the production of public records. Heard Sen GOTR 1/24, Heard Hse SGTA 1/20 and 1/27</p>



Environmental Priorities Coalition			
<ul style="list-style-type: none"> <li>Budget Solutions for our Environment – Develop a proactive approach that will improve the economy while maintaining environmental protections.</li> <li>2011 Clean Water Act/Working for Clean Water -- Fund job-creating projects across the state by building water infrastructure that will clean up our water ways.</li> </ul>	HB 1735	Rep. Ormsby	25 co-sponsors; introduced to Ways and Means on Feb. 1 <sup>st</sup> . SB 5604- Sponsored by Sen. Nelson with 10 co-sponsors.
Washington Fire Chiefs Association			
<ul style="list-style-type: none"> <li>Require simple majority elections (50% +1) for Emergency Medical Services levies and Benefit Charge elections.</li> <li>Provide funding for CBRNE/Funded Regional Hazardous Materials Teams.</li> <li>Mandate radio repeaters for use by emergency responders inside buildings larger than 10,000 square feet.</li> <li>Exempt major fire department capital equipment purchases from State sales tax or allow for some form of a rebate.</li> </ul>			Their website isn't up to date on bill numbers for 2011 – so hopefully you have seen these bills come across intros
Washington Association of Sheriffs and Police Chiefs			
<ul style="list-style-type: none"> <li>Burglar Alarm Program information protection – Amend RCW 42.56 to protect law enforcement false alarm program information from public disclosure that would compromise the security of properties.</li> <li>Require that red light cameras comport with federal standards and that fines are</li> </ul>	HB 1234 SB 5244	Rep. Moscoso Sen. Fraser	It doesn't look like WASPC ended up putting these on their agenda.

<ul style="list-style-type: none"> <li>equalized.</li> <li>Increase penalties for vehicle prowl.</li> </ul>			
<b>Washington Bicycle Alliance</b>			
Safe Routes to School – Protect existing funding and find ways to improve the program to better meet the demand created by schools.	HB 1071	Rep. Moeller	Creating a complete streets grant program. Exec action taken in Hse Trans 1/27
<b>Washington Recreation and Parks Association</b>			
<ul style="list-style-type: none"> <li>Real Estate Excise Tax -- Provide local-option legislation allowing cities and counties to use up to 25 percent of the revenue from the two local 1/4-percent Real Estate Excise Tax (REET) collections to be used for maintenance and operations of parks and recreational facilities.</li> <li>Washington Wildlife Recreation Program (WWRP) – Support the request by the Recreation and Conservation Funding Board, the Washington Wildlife and Recreation Council (WWRC), WRPA, and others to preserve a \$100 million 2011 Capital Budget funding level for the Washington Wildlife and Recreation Program (WWRP) Grant program.</li> </ul>			<p>See Top Priorities Update Sheet.</p> <p>The Governor’s proposed capital budget for 11-13 created the “Puget Sound Washington Wildlife and Recreation Grants” program, which selects certain projects off the WWRP ranked list.</p>
<b>Washington Low-Income Housing Alliance</b>			
<ul style="list-style-type: none"> <li>Maintain the State’s investment in Housing Trust Fund.</li> </ul>			The Governor’s proposed capital budget for the 11-13 biennium gives \$40m to the Housing Trust Fund.
<b>Washington Chapter of the American Planning Association</b>			
<ul style="list-style-type: none"> <li>Create a funding mechanism for Planned Action EIS -- Amend RCW 82.02.020 to</li> </ul>			

allow jurisdictions to impose a fee or charge on development for preparation of a Planned Action EIS.			
<b>WRIA 8</b>			
<ul style="list-style-type: none"> <li>Funding – Support legislation to establish a sustainable funding mechanism to implement the Puget Sound Partnership agenda including funding for projects, programs, permitting and monitoring related to storm water pollution in Puget Sound and throughout Washington State.</li> <li>Authorize legislation for creation of multipurpose Watershed Districts.</li> </ul>	HB 1332 SB 5198 HB 1735 SB 5604 HB 1497 SB 5467	Rep. Eddy Sen. Pridemore Rep. Ormsby Sen. Nelson Rep. Dunshee Sen. Kilmer	Watershed Bills: 1 <sup>st</sup> substitute bill passed on 1/28. Referred to Rules for scheduling. Scheduled for executive session on 2/8 in Senate Gov Ops. Storm Water: Introduced to Ways and Means on Feb. 1 <sup>st</sup> . Introduced to Ways and Means on Feb. 1 <sup>st</sup> Puget Sound Partnership in Capital Budgets
<b>Additional Legislation to Support</b>			
<ul style="list-style-type: none"> <li>Support brown grease to energy conversion legislation and programs.</li> <li>Support modification of the Washington State Department of Licensing’s (DOL) implementation of the Commercial Driver’s License process.</li> <li>Support legislation providing for the safe collection and disposal of unwanted drugs from residential sources through a producer provided and funded product stewardship program.</li> <li>Support an amendment to RCW 46.68.090 that would allocate gas tax revenues between counties and cities based on a per capita allocation rather than the current fixed percentages.</li> <li>Support legislation that would allow cities access to the State Department of Labor and Industries data as a means of verifying local business tax payments.</li> </ul>			

Bill	Title	Position
<i>Support</i>		
<a href="#">HB 1012</a>	Planning commissioners	Support
<a href="#">HB 1014</a>	Watersh mgmt partnerships	Support
<a href="#">HB 1018</a>	Bikes and motorists	Support
<a href="#">HB 1033</a>	Court actions/42.56.550	Support
<a href="#">HB 1034</a>	Inmate public record req.	Support
<a href="#">HB 1071</a>	Complete Streets grant prog	Support
<a href="#">HB 1139</a>	Public records dispute	Support
<a href="#">HB 1141</a>	City alternative fuel exemption	Support
<a href="#">HB 1223</a>	Street vacation hearings	Support
<a href="#">HB 1234</a>	Security alarms, crime watch	Support
<a href="#">HB 1332</a>	Utility services joint mgmt	Support
<a href="#">HB 1335</a>	<b>Growth mgmt/local progress</b>	Support
<a href="#">HB 1336</a>	<b>Census data/annexation</b>	Support
<a href="#">HB 1370</a>	Collection of unwanted medicines	<b>Support</b>
<a href="#">HB 1377</a>	Interest arbitration panels	<b>Support</b>
<a href="#">HB 1382</a>	<b>Express toll lanes/eastside</b>	Support
<a href="#">HB 1398</a>	<b>Low income housing/fee ex.</b>	Support
<a href="#">HB 1406</a>	Establishing the intrastate building safety mutual aid system	<b>Support</b>
<a href="#">HB 1452</a>	League fees	Support
<a href="#">HB 1457</a>	Business locate in vacant bldgs	Support
<a href="#">HB 1469</a>	Landscape conservation	Support
<a href="#">HB 1476</a>	Voting requirements for EMS levies	<b>Support</b>
<a href="#">HB 1478</a>	<b>Fiscal relief/cities &amp; towns</b>	Support
<a href="#">HB 1497</a>	<b>2011-2013 capital budget</b>	Support
<a href="#">HB 1598</a>	<b>Real Estate Excise Tax</b>	Support
<a href="#">HB 1713</a>	<b>Modifying the categorical exemptions for development under the SEPA</b>	<b>Support</b>
<a href="#">HB 1730</a>	Authorization of bonds issued by local gov	<b>Support</b>
<a href="#">HB 1735</a>	Clean water jobs thru storm water funding	<b>Support</b>
<i>Oppose</i>		
<a href="#">HB 1026</a>	Adverse possession actions	Oppose
<a href="#">HB 1082</a>	Shoreline & GMA acts	Oppose
<a href="#">HB 1088</a>	Cty/city moratoria authority	Oppose
<a href="#">HB 1111</a>	Fed, state & local govts	Oppose
<a href="#">HB 1160</a>	Adverse possession claims	Oppose
<a href="#">HB 1300</a>	Public record copying costs	Oppose
<a href="#">HB 1634</a>	Regarding underground utilities.	<b>Oppose</b>
<i>Undecided</i>		
<a href="#">HB 1098</a>	Traffic safety cameras	
<a href="#">HB 1099</a>	Traffic safety cameras	
<a href="#">HB 1126</a>	Criminal street gangs	
<a href="#">HB 1173</a>	Small works roster contracting procedures	
<a href="#">HB 1217</a>	Speed limits	
<a href="#">HB 1279</a>	Traffic safety/intersections	
<a href="#">HB 1462</a>	Affordable housing	
<a href="#">HB 1662</a>	appeal/shoreline mgmt act	
<a href="#">HB 1634</a>	Regarding underground utilities.	
<a href="#">HB 1735</a>	Clean water jobs thru storm water funding	