



CITY OF KIRKLAND
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MEMORANDUM

To: David Ramsay, City Manager
From: Erin Leonhart, Intergovernmental Relations Manager
Date: February 4, 2010
Subject: 2010 LEGISLATIVE UPDATE 4

As of the February 16 Council meeting, the 2010 State Legislative session will be in its sixth week. February 16 will be the last day to consider bills in the house of origin. This is an update on the City's interests as of February 4. A status report from Gordon Thomas Honeywell for February 1 is attached to this memorandum (Attachment A). Reports from February 8 and 15 will be emailed to Council in advance of the meeting on February 16.

COUNCIL LEGISLATIVE COMMITTEE – FEBRUARY 1

The Council Legislative Committee (Mayor McBride, Council Member Asher, Council Member Marchione) met on February 1 to discuss the status of bills and other legislative issues as the first cut-off of the 2010 Legislative Session approached.

State Sales Tax Credit – Deputy Mayor Sweet and Council Members Marchione and Walen had very positive meetings with Legislators while in Olympia. (See additional information below.)

Fiscal Flexibility Package (HB2650, HB2749, HB2773/SB6424)

- o House Finance Committee working on a combined bill and looking for input from cities about which aspects to keep. Senate Bill 6424 (companion to HB2773, requested by Gov. Gregoire) has been referred to Senate Ways & Means. Hearing in Senate on Tuesday at 3:30pm. King County and the Association of Washington Cities asked for an elected official from Kirkland to testify; however, none were available due to the Council meeting that evening.
- o Greatest opposition has been to liberalizing use of Hotel-Motel Tax followed by concern about Utility Tax expansion.
- o Rep. Hunter is promoting utility tax expansion as a way to help Kirkland with annexation. I analyzed this with Finance & Public Works and the ability to tax water-sewer districts does not have as high a value as other options in the package. Councilmember Marchione phoned Representative Hunter and followed up with an email. Representative Springer asked about Kirkland's Real Estate Excise Tax and future projected gambling revenues on Tuesday and Intergovernmental Relations Manager, Erin Leonhart responded with information.

I-405 Tolling - Representative Eddy requested a letter indicating Kirkland's support of I-405 tolling. Staff emailed a letter to Representatives Eddy and Springer on Monday.

Eastside Human Services Forum - Deputy Parks Director Carrie Hite will be requesting Council support on a joint letter about funding for Washington Information Network 211 and Housing Trust Fund. Rough draft letters were provided to committee and are attached (Attachments B & C). Issues are within the

Legislative Agenda and previous Council action so the committee gave approval for the Mayor to sign when ready.

Stormwater Funding

- o House (Ormsby) and Senate (Ed Murray) bills will be dropped early next week
- o New recommended funding source - MTCA (Toxics Control Account), increase existing tax from 0.7% to approximately 2% on pollutants (oil, toxic chemicals, etc.)

Senate Growth Management Act (GMA) Extension Bill (SB 6611) – The Association of Washington Cities requested that Kirkland contact Senator Oemig in support of his amendment to make the proposed GMA extension to ten years ongoing instead of just this cycle. Councilmember Marchione phoned Senator Oemig and sent a follow up email. Since the meeting, Senator Oemig decided against the amendment out of concern that the bill would fail, whereby losing the temporary extension.

Federal Projects – Committee requested information about transportation projects submitted for ARRA/federal stimulus funds. Ray Steiger from Public Works is developing a reading file memo and information will be provided to the Legislative Committee in advance of the reading file.

State Route 520 Project – Seattle City Council sent a letter to the Governor and Chairs from Senate and House Transportation Committees. (See additional information below.)

Transportation Benefit District (TBD) Legislation (HB 2855) – This legislation would allow public transit agencies to impose up to \$20 on vehicle license fees within their service district. Includes a “no-stacking” provision that would limit the total addition per license to \$20 where a TBD is in place. The no-stacking provision does not apply to TBD’s in existence before July 1, 2010.

Sharmila Swenson, Congressman Inslee’s Office – Mayor McBride and Council Member Marchione met with Ms. Swenson to discuss Federal Appropriations Requests on February 2.

ANNEXATION SALES TAX CREDIT

Intergovernmental Relations Manager Erin Leonhart is continuing to work with legislators to seek clarification that the City can impose the annexation sales tax credit provided for in RCW 82.14.415 on the City’s revenues beginning in 2010 to pay the cost incurred preparing for the effective date, using the logic that the City “annexed” when the City Council approved Ordinance 4229 on December 15, 2009, formally accepting the annexation area to the City of Kirkland.

As directed by the City Council on January 19, staff from the City Manager’s Office and Finance and Administration Department developed talking points for City Council Members and a letter to Legislators from the 45, 48 and 32 Legislative Districts related to this issue. The letter was sent on January 25. The letter included an illustrative graph that was also presented to Council on February 1.

Representatives Springer and Hunter with Senator Tom are reconsidering an administrative fix instead of legislation. Also, Cindy Zehnder from Gordon Thomas Honeywell (formerly Governor Gregoire’s Chief of Staff) is discussing options with the Governor’s office and the Department of Revenue on Kirkland’s behalf. Ms. Zehnder is scheduled to meet with Representative Springer on February 4. Information has been provided to legislators and Ms. Zehnder.

STATE ROUTE 520 PROJECT

In response to an exchange between the City of Seattle and the State of Washington in which Seattle requested an addition 120 days to study west side options, a news conference was held on Thursday, February 4. The primary purpose was to underscore the urgency to proceed with replacement of the existing State Route 520 Bridge and express concerns about any further delays or studies. The news conference included a broad coalition of state and local government and business leaders, neighborhood

councils and transit groups emphasized the project needed to proceed due to safety issues, to create jobs and promote regional economic development.

Participants included elected leaders from the communities of Bellevue, Redmond, Kirkland (Deputy Mayor Sweet), Medina, Hunts Point, Beaux Arts Village; state legislators; and representatives from the Greater Seattle Chamber of Commerce, Bellevue Chamber of Commerce, Bellevue Downtown Association, AAA, King County Labor Council, Washington State Building & Construction Trades Council, and AFL-CIO.

Attachments



LEGISLATIVE REPORT

To: City of Kirkland

From: Briahna Taylor

Date: February 1, 2010

THANK YOU TO THE CITY FOR VISITING OLYMPIA!

Policy Cutoff Deadline is THIS WEEK. All bills that have not passed the policy committee by the following deadlines will no longer be up for consideration.

House: Tuesday, February 2, 2010

Senate: Friday, February 5, 2010

CONTENTS:

1. Upcoming this Week
2. Bill Tracking

TIB/ CRAB/ WSDOT Consolidation

Last week, the Governor's office agreed to not move forward with the TIB/CRAB/WSDOT consolidation and to instead work over the interim to see whether/how the transportation organizations can be streamlined.

Impact Fee Legislation

[House Bill 3067](#) obligates jurisdictions that collect impact fees to establish a process that allows building permit applicants to delay the payment impact fees until certain approvals have been granted by the jurisdiction. Specifies that applicants participating in the delayed payment process must record a covenant against title to the property that includes specific provisions for the payment of applicable impact fees.

[Senate Bill 5548](#) would have allows developers to get an impact fee credit for development completed by the developer that is not in the jurisdiction's transportation plans. GTH-GA worked with stakeholders to get this narrowed to transit improvements.

1. UPCOMING THIS WEEK

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GMA Comprehensive Plan Deadline Extensions, [Senate Bill 6611](#) – SENATE HEARING MONDAY

Legislation extending the deadline for cities and counties to update their comprehensive plans is up for a hearing in the Senate Government Operations Committee on Monday, February 1, 2010. The City drafted a letter of support for last week's house hearing on the legislation. GTH-GA recommends letters of support be sent to the Senate Committee as well.

Fiscal Flexibility – SENATE HEARING TUESDAY

The Senate Committee will hear the fiscal flexibility legislation on Tuesday at 3:30PM. The Senate Government Operations Committee will hear [Senate Bill 6164](#) and [Senate Bill 6424](#), the latter of which is Governor-request legislation.

Last week's hearing on fiscal flexibility in the House went well. The House Committee is developing language to be included in the House Governor-request. This language would include:

- Eliminate the non-supplant clauses:
 - .1 % criminal justice sales tax for cities and counties
 - .3 % public safety sales tax for cities and counties
- Allow county council/commission authority for the .3% public safety sales tax through 2014. Voter approval required post 2014.
- Allow the city council authority to levy .1% of the .3% public safety tax after 2010. Retain the current 85-15 split. Voter approval required post 2014.
- Allow the second quarter REET to be used for the same purposes as the first quarter through 2014.
- Allow both quarters of the REET to be used for park maintenance and operation expenditures and maintenance of capital facilities through 2014.
- Expand the gambling tax to include public safety. It is currently authorized for law enforcement only.
- County utility tax in the entire unincorporated areas (not just UGA).

Concerning Infrastructure Financing for Local Governments – [House Bill 2985](#)

Increases the total "state contribution" for the Local Revitalization Financing program by \$1.95 million, and dedicates the increase to six named demonstration projects for 2010. The hearing is Monday at 1:30PM.

REET Legislation – [House Bill 1744](#)

This legislation is carrying over from last year's legislative session. The prime sponsor of the legislature is Rep. Mark Erick (1st District). The bill provides for REET harmonization and also indicates that REET revenues can be used on park maintenance and operations. These same concepts are expected to be put forth in the fiscal health package, however, it appears that this legislation will also serve as a vehicle for REET. The hearing on this legislation is Monday at 1:30PM.

Transportation Benefit District Governance – [Senate Bill 6774](#)

The legislation provides an alternative governance structure for a TBD that includes an area within more than one jurisdiction. A multi-jurisdiction TBD may be governed by the governing

body of the metropolitan planning organization serving the district. Senate Bill 6774 will be heard on Monday at 3:30PM.

Concerning Maintenance Inspections of On-site Sewage Systems – [House Bill 2870](#)

Requires local boards of health to offer the option to property owners to self-inspect their on-site sewage systems. The bill will be heard Tuesday at 3:30PM.

Consolidating the Growth Management Hearings Boards – [House Bill 2442](#)

Consolidates the powers, duties, and functions of the three regional Growth Management Hearings Boards into a single Growth Management Hearings Board. Reduces the total number of Growth Management Hearings Board members from nine to seven. Specifies that petitions for review before the consolidated Growth Management Hearings Board must be heard and decided by a regional panel of three board members. Hearing is scheduled for Tuesday at 8:00AM.

Changing Remedies under the Public Records Act – [House Bill 2910](#)

Makes discretionary the awarding of costs by a court to a person who prevails in court, against an agency in any action seeking the right to inspect or copy any public record or the right to receive a response to a public record request within a reasonable amount of time.

Eliminates court awards to a person who prevails against an agency in a PRA action an amount of not less than \$5 but not to exceed \$100 for each day that he or she was denied the right to inspect or copy the public record.

Imposes a fine of not less than \$5 but not to exceed \$100 on the responsible agency which shall be deposited in the Archives and Records Management Account.

The bill will be heard Tuesday at 1:30 PM

Special Meetings under the Open Public Meetings Act – [Senate Bill 6741](#)

Senate Bill 6741 allows notice for special meetings in the Open Public Meetings Act to be made electronically by posting a hyperlink to the meeting agenda on a prominent location on the agency's website. Legislation will be heard Tuesday at 1:30PM.

Authorizing Counties to Impose Local Sales and Use Tax for Criminal Justice Purposes – [Senate Bill 6680](#)

Senate Bill 6680 makes the .3 sales and use tax for criminal justice purposes councilmatic, rather than voter approval, and remove non-supplant language. Sunsets in 2015. These concepts are also included in the House fiscal health package. The bill is scheduled for a hearing on Tuesday at 1:30PM.

2. BILL TRACKING

Bill Tracking

GTH-GA has started this year's bill tracking. While legislation from last year will carry over into this next legislative session, we are starting the bill tracking with those bills that have been filed this year. Very few bills that were introduced last legislative session will move this session. GTHGA will identify those bills that were introduced last year that are likely to move and add them to this bill tracking sheet the first two weeks of the legislative session.

Below is a link to all legislation that GTH-GA is monitoring on behalf of the City. If there is legislation you would like added or removed from this please contact GTH-GA.

[Monitored Legislation](#)

This link updates in REAL-TIME. GTH-GA suggests that you bookmark it and refer to it anytime you would like to view the tracking list.

If there is any legislation and/or notes that you would like added to the bill tracking lists, please let us know.

January 29, 2010

Dear Senator/Representative _____:

The Eastside Human Services Forum is deeply concerned about the future of the **Washington Information Network 211**. 211 provides a critical service for disaster response and uses a centralized resources database to identify services for callers in need of the spectrum of human services in Washington State, including, among others, emergency shelter, counseling, food banks, and eviction prevention.

Support for WIN 211 must be maintained at the \$1 million level. This relatively small state contribution is leveraged many times over by the services WIN 211 provides.

- Calls to 211 increased by 20% in 2008 compared to 2007, and in 2009 there was an additional 10% increase over 2008's call volume. Last year, in King County alone, WIN 211 answered more than 170,000 calls for help. The trend is expected to continue in 2010 as the effects of the recession linger.
- It's becoming harder to keep up with the many changes taking place as human and social services and programs are cut due to funding constraints at the same time demand for these services is higher than ever as a result of the economic recession. WIN 211 provides a centralized resource for residents who would have no other way of knowing what programs are (still) available and what the eligibility requirements are.
- WIN 211 provides both English and non-English speakers with access to these critical services.
- In King County, WIN 211 is intended to have a primary role in a planned system for coordinated entry for (homeless) shelter and housing, which has been in the making for years. 211 is slated to be the initial gatekeeper, but will not be able to serve that function without adequate funding.
- 211 is a lifeline for our *rural communities* in particular. With fewer services available in rural areas, many people in the rural parts of Washington State rely on 211 as a main source of help.
- Recently, King County 211 logged a record high of 2,500 calls in a single day.

It took an enormous amount of planning, effort and support to make a statewide integrated 211 system a reality in Washington State. **More of your constituents than ever before know about-- and count on-- the fact that they can now pick up the phone and reach information and referral specialists.** 211 is an essential component in our statewide disaster response activities. **It would be senseless to dismantle such a vital resource that can be sustained with \$1 million in support.**

Sincerely,

Board Chair, Eastside Human Services Forum

January 25, 2010

Dear Senator/Representative _____:

On behalf of the Eastside Human Services Forum (EHSF), I am writing to encourage you to support two bills that are high priorities in East King County for preventing and ending homelessness. First, we support restoring the **Housing Trust Fund** to \$200 million to keep pace with the need for affordable housing. As you know, East King County continues to have the *lowest* proportion of affordable housing compared to other regions in King County, while the need is nearly as great as other areas. Among East King county cities, the average percentage of rental housing that is affordable to low income households earning 50% or less of median income is 7.4%, *far below* the King County average of 33.8%. (Source: *King County 2008-2009 Benchmarks Report: Affordable Housing*). The 2009 Eastside median condominium price of \$340,000 is nearly \$45,000 greater than the “affordable” price for a median income family. (Source: *Housing 101 East King County from A Regional Coalition for Housing, Sept. 2009. Available online at www.archhousing.org/FINAL_9-15-09.pdf.*)

With the current economic recession leaving more people without jobs, or losing their homes due to the mortgage crisis, the wise approach is to invest more now in affordable housing, rather than deal with an increased homeless population in the near future. Building housing also stimulates the economy; for every \$1 invested in affordable housing, an additional \$10-\$15 of economic benefit is generated for the surrounding community.

As the Gates Foundation has reported, research shows that it takes more than a roof overhead to break the cycle of homelessness; it takes an array of services tailored to a family’s unique situation. In 2004, the **Washington Families Fund** [WFF] became the nation’s first reliable, long-term source of funding for support services to homeless children and their families.

And, it’s working! The recently released 5-year report shows that 73% of 1,009 homeless families served were able to move into permanent housing. By the time they completed WFF programs, the number of families who were employed increased by 54%. Private sector partners are supporting WFF, leveraging legislative dollars. Let’s continue to invest in making a real difference. Support the Washington Families Fund to reach many more families in the coming years.

The decisions being made now have the potential to support economic recovery and stabilize investments we know to be successful, such as the Housing Trust Fund and the Washington Families Fund. The more families we have in secure housing and the more people employed, the more our economy and communities will thrive. Thank you for your consideration.

Sincerely,

Board Chair, Eastside Human Services Forum