



CITY OF KIRKLAND
City Manager's Office
123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager
From: Lorrie McKay, Intergovernmental Relations Manager
Date: October 5, 2016
Subject: CITY OF KIRKLAND 2017 STATE LEGISLATIVE PRIORITIES AGENDA

RECOMMENDATION:

It is recommended that the City Council adopts the attached resolution adopting the 2017 State Legislative Priorities Agenda (Attachment A). As requested at Council's October 4 meeting, language in the Metropolitan Parks District priority was revised and a priority related to updates to the Public Records Act was added. By adopting the consent calendar this resolution is approved.

BACKGROUND DISCUSSION:

At its October 4, 2016 regular meeting, the City Council discussed the proposed draft 2017 State Legislative Priorities Agenda and it recommended revisions to the draft. A redline version, showing Council's requested revisions, is attached (Attachment B). It is the goal of Council's Legislative Workgroup to have the City's 2017 legislative priorities adopted by Council at its regular meeting on October 18, before it hosts its annual legislative breakfasts with the City's delegation.

The regular 2017 legislative session is a long, 105-day session. The three month session will begin on Monday, January 9 and end on Friday, April 21.

The City's annual Legislative Agenda consists of three segments: general principles; its top legislative "priorities;" and selected issues/items which the City may "support" (i.e., not priority items). This memo only addresses the proposed top legislative priorities for 2017. Staff will return to Council at a future meeting with items/issues identified for Council's consideration on its Support Items Agenda.

Summary of Revisions

General Principles: The general principles promote the Council's goals and protect the city's ability to provide basic municipal services to its residents. There are no revisions proposed to the general principles.

2017 Legislative Priorities: Council requested two revisions to the legislative priorities draft.

The first recommended revision was to the priority in support of allowing jurisdictions the option to cap a Metropolitan Park District. Councilmember Asher requested staff replace the word "cap" with "set a lower taxing limit for..." The revised priority now reads as follows:

- Kirkland supports allowing local jurisdictions the option to set a lower taxing limit for a Metropolitan Park District (MPD).

The second recommended revision was related to the discussion about potentially including proposed changes to the Public Records Act (PRA) and whether such proposals should be added to the priority agenda. At the October 4 meeting, Council considered and discussed three concepts in this regard.

1. Exempt non-appointed volunteers
2. Establish a charge for electronic records
3. Create a path to predictability on fines

Councilmember Asher expressed strong support for the importance of including an exemption from the Public Records Act for non-appointed volunteers. Councilmember Asher mentioned that Councilmember Nixon was aware that the Department of Enterprise Services is working on this issue and is already circulating a bill draft for comment. Staff will validate this and as suggested, it is likely that the City could get behind this bill.

On the remaining two proposed changes to the PRA (establish a charge for electronic records, and create a path to predictability on fines), Councilmember Asher offered that the City may be able to put an expression to these concepts, but was unaware of any draft bill language under development. As a participant in the large PRA stakeholder process being convened by Representatives McBride, Councilmember Nixon spoke to the legislative landscape of the Public Records Act and changes that are being discussed within the stakeholder group.

Councilmember Nixon was cautiously optimistic that the stakeholder group may be able to develop a consensus bill addressing the notion of a nominal charge for the base cost of processing a request and also a small per record charge for electronic records. The idea being to discourage people from making arbitrarily large requests because they're perceived as being free. The intent is to encourage people to focus their requests for public records.

With regard to the notion of creating a path to predictability on fines, Councilmember Nixon - communicated that this has been part of the stakeholder groups' discussions in the form of things like capping PRA fines and such. However, the possibility for a consensus bill to address this issue is proving difficult. The prospects of legislative success on creating a path to predictability on fines in the 2017 session are very small.

Councilmember Nixon mentioned that, should the stakeholder group reach agreement on some sort of consensus bill, it wouldn't be drafted until late November. This timing likely would not allow Council's Legislative Workgroup to discuss specifics with the City's legislative delegation. Councilmember Nixon cautioned against adopting a position that "blanket agrees" with whatever decision comes out of this stakeholder process. Rather, once agreed to concepts and draft language come out of the process, and City once staff have an opportunity to carefully review and consider the proposal, it is likely that the City will be able to support it.

Councilmember Asher suggested that Council's work on developing the City's legislative priorities is to express what the Council would like to see implemented in whatever form can ultimately be agreed to. Councilmember Asher advocated that while all three of these changes being discussed may not be ready to be circulated as bill language, they are (as expressed)

ready for inclusion on the City's legislative agenda. Upon hearing no objection, Councilmember Asher proposed a motion to add these three concepts under a Public Records Act legislative priority to the City's 2017 legislative agenda. Councilmember Sweet seconded the motion and it carried unanimously. The additional priority reads as follows:

- Kirkland supports updates to the Public Records Act that will:
 - Exempt non-appointed volunteers from records requests, except for responsive records already retained by the jurisdiction
 - Establish a nominal fee for filing records requests and a per document charge for electronic records
 - Create a path to predictability on fines for jurisdictions that make good faith efforts to comply with records requests.

Deputy Mayor Arnold requested that Council's Legislative Workgroup to take a look at potential public safety ballot measures to see if there are proactive steps that might be taken to avoid the unintended consequences that occurred around the Aquatics and Recreation Center ballot measure.

Further, Deputy Mayor Arnold requested that Council's Legislative Workgroup include a support item on the draft Legislative Support Items Agenda to be brought before Council in January. The item would be to support Pierce County's request to the legislature that its unincorporated areas be eligible to receive the Annexation Sales Tax Credit, in order to incentivize annexation.

NEXT STEPS:

2017 Legislative Priorities Agenda

With these revisions, it is recommended that the City Council adopts the attached resolution adopting the 2017 State Legislative Priorities Agenda as final. Additional changes to the agenda can be made at any time at future Council meetings as issues and events evolve.

Council's Legislative Workgroup will hold its annual legislative coffees/breakfasts with the City's state delegation in November and December.

2017 Legislative Support Items Agenda

The 2017 Support Item Agenda will be prepared for Council's consideration in January 2017, allowing the City's ally organizations time to develop their respective 2017 legislative priorities.

Attachments: A. Final 2017 Legislative Priorities Agenda
B. Redline changes to the Draft 2017 Legislative Priorities discussed Oct. 4, 2016



CITY OF KIRKLAND 2017 LEGISLATIVE AGENDA

General Principles

Kirkland supports legislation to promote the City Council's goals and protect the City's ability to provide basic municipal services to its citizens.

- Protect shared state revenue sources available to the City, including the State Annexation Sales Tax Credit, and provide new revenue options and flexibility in the use of existing revenues.
- Support long-term sustainability efforts related to City financial, environmental and transportation goals.
- Oppose unfunded mandates.
- Oppose any further shifting of costs or services from the State or counties to cities.

City of Kirkland 2017 Legislative Priorities

- Kirkland supports new funding and policy tools to address homelessness and create more affordable housing, such as:
 - Restore the Housing Trust Fund (HTF) to pre-recession levels
 - Add affordable housing to the list of eligible projects that can be funded by REET 1 and REET 2
 - Extend document recording fee for housing (eliminate sunset) and increase the fee
- Kirkland supports allowing Kingsgate Park and Ride to be used for an affordable housing Transit Oriented Development.
- Kirkland supports adequate and sustainable funding to maintain high-quality statewide training for law enforcement personnel.
- Kirkland supports allowing local jurisdictions the option to set a lower taxing limit for a Metropolitan Park District (MPD).
- Kirkland supports capital or transportation budget funding for a multimodal safety improvement project connecting the Cross Kirkland Corridor with the Redmond Central Connector.
- Kirkland supports allowing both the state and local governments the option of replacing the property tax cap, currently fixed at 1 percent, with a cap that is indexed to both population growth and inflation.
- Kirkland supports updates to the Public Records Act that will:
 - Exempt non-appointed volunteers from records requests, except for responsive records already retained by the jurisdiction
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- Kirkland supports allowing Kingsgate Park and Ride to be used for an affordable housing Transit Oriented Development.
- Kirkland supports adequate and sustainable funding to maintain high-quality statewide training for law enforcement personnel.
- Kirkland supports allowing local jurisdictions the option to ~~cap-set a lower taxing limit for an MPD~~ (Metropolitan Park District) (MPD).
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RESOLUTION R-5215

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING A CITY OF KIRKLAND LEGISLATIVE AGENDA TO BE ADDRESSED TO THE 2017 SESSION OF THE STATE LEGISLATURE.

1 WHEREAS, actions of the State Legislature in respect to local
2 government issues, services and funding have a profound impact upon
3 the ability of local governments to provide adequate local services; and
4

5 WHEREAS, the Kirkland City Council supports legislation that
6 promotes the City Council's goals and protects the City's ability to
7 provide basic municipal services to its residents; and
8

9 WHEREAS, the City of Kirkland seeks to protect shared state
10 revenue sources available to the City, including the State Annexation
11 Sales Tax Credit, and provide new revenue options and flexibility in the
12 use of existing revenues; and
13

14 WHEREAS, the Kirkland City Council supports long-term
15 sustainability efforts related to City financial, environmental and
16 transportation goals; and
17

18 WHEREAS, the Kirkland City Council opposes the imposition of
19 unfunded mandates that draw on City resources and opposes any
20 further shifting of costs or services from the State or counties to cities;
21 and
22

23 WHEREAS, the Kirkland City Council believes it appropriate to
24 set forth its position as to issues affecting local government operations
25 coming before the State Legislature during its 2017 session, including
26 issues which the City Council requests the State Legislature to consider.
27

28 NOW, THEREFORE, be it resolved by the City Council of the City
29 of Kirkland as follows:
30

31 Section 1. The "General Principles" and "City of Kirkland 2017
32 Legislative Priorities" set forth in the "City of Kirkland 2017 Legislative
33 Agenda," attached as Exhibit A and by this reference incorporated, are
34 adopted as the City's recommendations to the State Legislature during
35 its 2017 session.
36

37 Section 2. The City administration shall transmit the 2017
38 Legislative Agenda, including any subsequent changes or updates, to
39 members of the State Legislature representing the legislative districts in
40 which Kirkland is located, together with other members of the State
41 Legislature and to the Association of Washington Cities, the Sound Cities
42 Association and other ally organizations.
43

44 Passed by majority vote of the Kirkland City Council in open
45 meeting this ____ day of _____, 2016.

46
47

Signed in authentication thereof this ____ day of _____,
2016.

MAYOR

Attest:

City Clerk



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