



CITY OF KIRKLAND
City Manager's Office
123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.ci.kirkland.wa.us

MEMORANDUM

To: David Ramsay, City Manager

From: Tracy Burrows, Sr. Management Analyst

Date: December 13, 2007

Subject: 2008 City of Kirkland Legislative Agenda

Recommendation:

It is recommended that the City Councilmembers review the draft proposal and provide comments back to staff. Based on Council's input, the proposed Legislative Agenda will be revised for Council consideration at the January 15th Council meeting.

Background:

The Legislative Committee of the Kirkland City Council has developed a draft Legislative Agenda in preparation for the 2008 Legislative Session, which convenes on January 14th, 2008. This draft legislative agenda focuses on issues related to municipal courts, housing, environmental stewardship, and annexation. We are anticipating that the State Legislators will pursue relatively modest legislative initiatives during this short legislative session. However, we are hopeful that there will be progress made on funding for affordable housing, achieving greenhouse gas emission reduction goals, and recognizing the status of municipal courts and appointed judges as an integral part of the State's overall judicial system.

There are several new additions to the proposed legislative agenda, including support for legislation that provides incentives for urban reforestation and that encourages schools to choose healthy, locally grown produce for their school menus.

City of Kirkland
Draft 2008 Legislative Agenda

LAW AND JUSTICE

Municipal Courts

Kirkland supports cities' ability to form municipal courts and is working to preserve all options for providing municipal court services in the future.

Local governments should have the authority to choose the court structure that best meets local needs, including municipal courts that feature cities contracting with neighboring cities to provide court services. The authority for these courts has recently been affirmed in the King County Superior Court decision in *City of Medina v. Melody Primm*. The community court structure allows the contracting cities to keep the court local, while realizing cost efficiencies that would not be possible if each city were required to have its own court. It also increases citizen access to court services by having the courts located closer to home. By reducing law enforcement travel time to and from court, it allows law enforcement personnel to spend more time ensuring public safety.

To maintain the efficiency and independence of these courts, cities should retain the ability to appoint municipal judges who work less than full time. In addition, State law should continue to allow cities to retain and direct municipal court revenues at the local level.

Municipal Courts should retain their current authority to determine whether or not to extend their jurisdiction to anti-harassment and domestic violence protection orders. The City of Kirkland opposes any requirements to take on these additional responsibilities without adequate funding for staffing and training.

PUBLIC SAFETY

Kirkland supports legislation that provides additional funding options for public safety purposes, including public safety facilities.

Cities expend substantial resources on fire protection, emergency medical services, law enforcement, and jail services. Homeland security responsibilities, including planning, training, mitigation, and emergency response increasingly fall on local governments as first responders. Kirkland considers the state a partner in local government efforts to create safe communities.

ANNEXATION

Kirkland supports legislation that extends the deadline for eligibility for the State annexation sales tax credit and that provides additional funding for annexation-related expenses.

Annexation of Kirkland's PAA presents complex service delivery and financial challenges. The Kirkland Council is committed to taking the time that is required to make informed and prudent decisions about whether annexation fits into Kirkland's future. To support this decision-making process, the City requests an extension of the 2010 deadline to commence annexation and retain eligibility for the State's annexation incentive funding. The City also

supports additional funding to support capital facilities needs and level of service standards for annexing cities.

ECONOMIC DEVELOPMENT/INFRASTRUCTURE

Local Infrastructure

Kirkland supports legislation that provides a new permanent source of funding for infrastructure.

Infrastructure is critical to the health, safety, and welfare of local communities and the citizens of the state. Infrastructure lays the foundation for economic well-being, growth, and quality of life of a community. Adequate infrastructure is required to accommodate Growth Management Act requirements, other state requirements, and a series of federal requirements administered by the state. Enhanced infrastructure funding is required to meet these requirements and ensure our communities excel.

The City of Kirkland supports new funding to address growth for economic development purposes, to repair an aging utility system and to upgrade streets and roads. The current state loan and grant programs are significantly under-funded and the need for an increase is great.

Kirkland supports local economic development incentives that help to attract, retain, expand and support economic activity that promotes prosperity and improves the quality of life in the community.

Condemnation Authority and Water Law

The City of Kirkland supports clear condemnation authority to Cascade Water Alliance. Clarification of the current statutes and granting of this authority is necessary as Cascade begins construction on the Tacoma/Cascade Regional Pipeline.

The City of Kirkland opposes changes to the municipal water law statutes that would jeopardize the ability of Cascade Water Alliance to be a regional water agency and meet obligations to Members. Cascade's status as a municipal and regional water provider must be protected.

Redistribution of Gas Tax

Kirkland supports legislation to implement a more equitable distribution of the state gas tax, with an increased share allocated to cities. Since 1991, the per capita gas tax distribution has declined significantly because the tax is not distributed equitably to growing municipal areas.

City population has grown 43% since 1990, compared to 3.5% in unincorporated areas. Washington's cities are home to nearly two-thirds of the state's population. Despite this, transportation funding is increasingly focused on state needs, while neglecting city streets. Nearly 90% of the state GDP is generated in the state's top nine metropolitan areas, yet funding to support transportation in these employment centers continues to decline. Future

gas tax distributions should ensure a fairer return to cities, which handle a disproportionate amount of the state's employment and commuter traffic. Cities that are meeting their Growth Management growth and density targets face significant transportation needs and should receive a proportionately higher percentage of the gas tax distribution.

HOUSING

Homelessness

Kirkland supports legislative action aimed at preventing homelessness and moving the homeless to stable, supported housing as quickly as possible. To accomplish these goals, the City supports the appropriation of funding for temporary rental assistance and supportive services, increased resources for mental health and substance abuse treatment services, and support services to young people who age out of the foster care system.

East King County lacks an adequate supply of shelter beds and transitional housing. From 2001-2002, there was a 42% increase in the number of families and individuals turned away from the Hopelink Family Shelter in Kenmore. The largest multi-service center in East County reports an average turn-away rate of 6 families for every family served in transitional housing.

Funding for Affordable Housing

Kirkland supports increasing the Housing Trust Fund to \$363 million through significant contributions to the Fund to support statewide public-private investment in low-income housing.

Lack of affordable housing is a significant problem throughout King County, including the City of Kirkland. About one third of the City's residents earn less than 80 percent of median income and face considerable difficulty in affording housing. According to the 2003 Kirkland Housing Needs Analysis, prepared by A Regional Coalition for Housing (ARCH), Kirkland's current housing market is most lacking in providing rental housing units priced appropriately for low-income households (those earning zero to 50 percent of median income) and ownership housing priced appropriately for median-income households (earning 80 – 120 percent of median income).

Washington State provides funding for low-income housing needs through the Housing Trust Fund (HTF). These monies help local housing providers to develop much needed affordable housing throughout the state. The state has increased funding for the Housing Trust Fund in recent years and should continue its investment in this vital fund.

In addition, the City of Kirkland supports a percent of the Housing Trust Fund being dedicated for emergency bridge funding and earnest money deposits. Properties are placed on the market in affluent real estate markets and due to quick sales and funding restrictions they are unattainable as affordable housing. To create diverse housing markets it is important to provide the tools and resources necessary to save potential affordable housing sites. One of the tools needed is bridge funding to ensure non-profits and local governments can enter into purchase options quickly

Inclusionary Zoning

Kirkland supports legislation that provides jurisdictions clear authority to require the inclusion of affordable housing in permitted housing developments.

Inclusionary zoning, also known as inclusionary housing, refers to city planning ordinances that require that a given share of new construction be affordable to people with low to moderate incomes. The term inclusionary zoning is derived from the fact that these ordinances seek to counter exclusionary zoning practices which aim to exclude affordable housing from a municipality through the zoning code. In practice, these policies involve placing deed restrictions on 10%-30% of new houses or apartments in order to make the costs of the housing affordable to lower income households. The mix of "affordable" and "market-rate" housing in the same neighborhood is seen as beneficial by many, especially in jurisdictions where housing shortages have become acute. Inclusionary zoning is becoming a common tool for local municipalities in the United States to help provide a wider range of housing options than the market provides on its own.

The City of Kirkland supports legislation that provides jurisdictions the authority to require inclusionary zoning. The City does not support legislation mandating inclusionary zoning be implemented.

TELECOMMUNICATIONS

Kirkland supports maintaining local franchising and opposes any legislation that would create a statewide franchise. Kirkland recognizes the importance and need for local governments to manage their rights-of-ways and be able to deliver local programming. We support telecommunications legislation that is balanced and addresses the concerns and interest of local government and telecommunication/ broadband providers.

Kirkland supports competition in video, telephone and broadband services and their social obligation to support public, education and government channels. Kirkland supports protecting consumers from monopoly pricing and providers.

Kirkland supports like services being treated alike with clear definitions and requirements. For example, in today's environment, cable and telephone companies are regulated differently even though they provide very similar services in today's marketplace.

Kirkland supports leasing of public rights-of-ways by telecommunication providers and the payments of video franchise fees.

GAMBLING

Kirkland supports legislation that would clarify that local governments have the ability to ban and zone gambling activities.

Local jurisdictions should have binding authority to determine the land use and zoning regulations that apply to gambling establishments. This is particularly important given the potential negative impacts of gambling establishments on the surrounding community.

ENVIRONMENT

Green House Gas Emissions

Kirkland supports legislation that builds on the land use and transportation planning that is already required of state and local governments to help accomplish the State's adopted greenhouse gas emissions reduction goals. This approach should be targeted at the more populous cities, counties and regions and mandated climate change planning should be fully funded by the State. Kirkland also supports legislation that provides monetary incentives for reducing vehicle miles traveled and increasing fuel efficiency through annual motor vehicle license fees.

The State of Washington has adopted the following goals for reduction in greenhouse gas emissions:

- a. By 2020, reduce emissions to 1990 levels;
- b. By 2035, reduce emissions to 25 percent below 1990 levels; and
- c. By 2050, reduce emissions to 50 percent below 1990 levels, or 70 percent below the state's expected emissions that year.

At the local level, progress towards these goals depends on reducing land use patterns that increase vehicle usage and maximizing land use patterns that encourage compact communities, in-filling, denser development, linkages with transit options, and projects that reduce vehicle miles traveled (VMT).

Local Farms - Healthy Kids

Kirkland supports legislation that will address: (1) establishing a state Farm to School Program, (2) improving state procurement policies to increase institutional purchasing from local farms, and (3) dedicating state funds to jump start school, food bank and other institutional purchases from local sources.

The local farms-healthy kids effort addresses two major challenges facing our state: concerns about the diet and health of our children, and the well-being of our small and mid-sized farms. By getting more locally grown produce into our schools and food banks, we can improve children's health and create new and thriving markets for our farmers.

Evergreen Cities

Kirkland supports the development of a statewide performance standards and grants program to enable cities and counties to restore their urban forests.

Kirkland supports local government efforts to retain urban forests through local ordinances, urban forest management plans, statewide grants and funding for local governments, and partnerships with volunteers to restore and maintain urban forests. Keeping existing trees and planting new ones enhances quality of life for people, increases property values and gives us cleaner water and habitat for birds and wildlife.

Capital Funding Requests:

Kirkland Public Safety Campus

Kirkland has a critical need for a new public safety campus that provides a wide range of services to citizens that are engaged in the criminal justice system. A recent space study undertaken by the City identified both severe overcrowding in the Police Department and a lack of key functional operational spaces in our current facilities. The campus will include a police station, municipal court, municipal jail, probation services, and crime lab. The Kirkland Public Safety Campus consolidates key services to manage transportation demand, decrease congestion, and reduce the cost and critical staff resources devoted to jail transport. The City is seeking an additional \$500,000 to help fund phase II activities related to land acquisition and site planning.

NORCOM

Kirkland, in partnership with 13 other eastside jurisdictions, formed a consolidated police, fire, and emergency medical services call-taking and dispatch agency in November of 2007 to consolidate and strengthen the interoperable communications and information sharing capabilities of these agencies. Kirkland supports NORCOM's efforts to seek additional funds to support implementation of new Computer Assisted Dispatch and Records Management Technology needed to consolidate the centers.