



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: Erin J. Leonhart, Intergovernmental Relations Manager
Date: February 9, 2009
Subject: 2009 LEGISLATIVE UPDATE 3 – FEBRUARY 17, 2009

The 2009 Legislative Session is in its sixth week. The first legislative cut-off date, when bills must have progressed out of their committee of origin, is February 25th. This is an update on the City's interests as of February 9th. A matrix with the current status of topics on the legislative agenda will be available at the meeting on February 17th.

RECOMMENDATION

It is recommended that Council:

1. Authorize the Mayor to sign a letter to accompany Kirkland's federal appropriations requests (Attachment A); and
2. Authorize the Mayor to sign a letter to Governor Gregoire, Senator Haugen and Representative Clibborn (Co-Chairs of the Joint Transportation Committee) in support of the least costly replacement alternative to SR 520 that arose from the ESSB 6099 Mediation process (Attachment B).

KING COUNTY BUDGET ISSUES

King County is projecting a \$60 million shortfall in the budget for METRO Transit. This shortfall is equivalent to 500,000 – 600,000 service hours. To sustain transit services, King County is seeking authority to increase Motor Vehicle Excise Tax by 1%. Additional information is available in the attached memorandum from Public Works (Attachment C).

King County is also pursuing legislation to collect 0.3% sales and use tax specifically for public safety without a public vote, which is currently required. Any additional information about this topic will be presented during the Council meeting.

ANNEXATION

Senate Bill 5321, relating to extending a local sales and use tax for annexation has multiple sponsors, including Senator Tom. As of this memorandum, there has been no further action on this bill.

According to the Association of Washington Cities (AWC) and Kirkland's legislative advocate, a proposal is being developed that would mandate annexations in King County. Any additional information about this topic will be presented during the Council meeting.

CLIMATE CHANGE & ENVIRONMENT

House Bill 1490 establishes land-use and development patterns to achieve and support state and federal greenhouse gas emissions reduction requirements. It has multiple sponsors including Representative Goodman. Further information from the bill's sponsor indicated that the increased density related to transit stations would not apply to Kirkland. AWC is working with the sponsor of this bill (Rep. Nelson), impacted cities and other interests to amend this bill. As of this memorandum, there has been no further action on this bill.

House Bill 1165 and Senate Bill 5279 (Secure Medicine Return Bill) establishes a producer-provided medicine return program that is convenient, safe and secure for residents throughout the state. The bill has multiple sponsors including Representatives Hunter and Goodman and Senator Oemig. Substitute House Bill 1165 passed out of the Environmental Health Committee and has been referred to Appropriations.

EMINENT DOMAIN

Senate Bill 5910 and House Bill 1332 would grant authority of a watershed management partnership (Cascade Water Alliance) to exercise powers of its forming governments, including eminent domain. The Senate version of this bill was changed from SB5254 because Senator Prentice, the original sponsor, asked to be removed from the bill. HB1332 passed the House Judiciary Committee unanimously on February 9th.

HOMELESSNESS & HOUSING

House Bill 1141 exempts state & local taxes on affordable housing projects receiving public funding. This bill is scheduled for executive session on February 11th.

House Bill 1173 creates the Affordable Housing for All program with the goal of providing decent, affordable housing for all economic segments by the year 2020 and establishes the goal to end homelessness by 2019. As of this memorandum, there has been no further action on this bill.

House Bill 1360 creates the Residential Infrastructure Program and would dedicate future state Real Estate Excise Tax above a growth factor into the program to provide loans to eligible jurisdictions and grants to nonprofit organizations for public infrastructure projects (or land related to infrastructure) that supports increased capacity for dense, affordable residential development in areas near transit service. Executive action was taken on this bill on February 5th but its current disposition is unknown, update at the Council meeting.

INFRASTRUCTURE AND ECONOMIC DEVELOPMENT

House Bill 1109 amends provisions of local infrastructure financing in multiple ways including, increasing state contribution to \$10.5 million and eliminating the limitation of one revenue development area per county. This bill is scheduled for public hearing in the Community & Economic Development & Trade Committee on February 12th at 10am.

House Bill 1744/Senate Bill 5630 expands use of Real Estate Excise Tax (REET) funds and "harmonizes" the existing first and second ¼ percent REET, so that both, for example, can be used for land acquisition. This bill has multiple sponsors including Rep. Springer and is scheduled for public hearing in the House Local Government and Housing Committee on February 9th at 1:30pm.

House Bill 1947 allows for regulation and preservation of urban streets through a local option street utility. This bill has been referred to the House Transportation Committee.

NON-MOTORIZED TRANSPORTATION

House Bill 1403/Senate Bill 5387 requires vehicle-activated traffic control devices to routinely and reliably detect motorcycles and bicycles. This bill has multiple sponsors including Rep. Goodman.

House Bill 1491/Senate Bill 5335 requires that vehicles passing pedestrians & bicycles allow a minimum distance of three feet. This bill has multiple sponsors including Rep. Goodman and is scheduled for public hearing in the House Transportation Committee on February 12th at 3:30.

House Bill 1535 requires that thoroughfare through construction and maintenance worksites must be provided for pedestrians, bicycles and persons with disabilities. This bill is scheduled for public hearing in the House Transportation Committee on February 12th at 3:30.

Attachments

A – Letter to Congressional Delegation in Support of Federal Appropriations Requests (for leave-behind packets, not to be mailed)

B – Letter to Governor Gregoire, Senator Haugen and Representative Clibborn Re: SR-520

C – Memorandum from Public Works about King County Metro 1% MVET request

February 18, 2009

DRAFT

The Honorable Patty Murray
United States Senate

The Honorable Maria Cantwell
United States Senate

The Honorable Jay Inslee
United States Representative, 1st District

Dear Senators Murray and Cantwell and Congressman Inslee:

The City of Kirkland is pleased to submit federal appropriations requests for four projects that are vital to the continued safety, security, and economic vitality of our community. Every local government in Washington State is facing the challenge of having to satisfy increasing demands for services within very real resource constraints. Kirkland is working hard to meet this challenge by forging business and community partnerships to build a collaborative response to growing needs in areas such as economic development and emergency preparedness. We hope to enhance this collaborative approach with our federal government partnership so that we can achieve success by leveraging multiple resources to accomplish our mutual goals.

As you know, Kirkland is facing significant challenges related to growth and economic development. We view our Totem Lake urban center as a major growth center in the coming years. However, gaps in the transportation network in Totem Lake create a major obstacle to sustained growth. The **NE 120th Street extension** is a critical missing link in that area's transportation network. Once completed, the new roadway will vastly improve traffic circulation in the Totem Lake area and increase exposure and access to adjacent businesses. The new roadway will also improve emergency vehicle access to the surrounding areas.

Kirkland recognizes the importance of non-motorized transportation as a commuting option as well as a part of active living – both contribute to the vitality of our community. The **116th non-motorized improvement project** is another critical missing link in Kirkland's transportation network. The proposed project includes new storm water facilities/stream enhancements, bike lanes and a separated multi-purpose gravel pedestrian/equestrian pathway; completing a regionally significant north/south corridor linking the City of Kirkland bike route along NE 70th Street from Redmond, the pedestrian/bike bridge across I-405 at NE 60th Street, and the existing City of Bellevue's non-motorized improvements south to SR 520.

Our City is also confronting increasing risks and threats posed by aging infrastructure, natural disasters, terrorism, and the protection of high profile businesses and business leaders who live in and around our community. To meet these challenges, the City requires **critical emergency response equipment**, including emergency back-up generators at the City's community centers and urban search and rescue equipment. This project enhances community safety by equipping Kirkland to respond to immediate threats to public safety.

Our request for assistance with **emergency services training** helps fund essential training for first responders including tactical training in responding to critical emergency situations, particularly those that

may take place in highly populated gathering places. This highly specialized training includes team instruction in disaster recovery following a major structural collapse and intervention during active school shooter or terrorist attacks, crowd control, and dignitary protection. This training is important for Kirkland's community safety, particularly in light of the number of active corporate leaders that live on the eastside and host gatherings of high profile dignitaries in our community.

On behalf of the City of Kirkland, I would like to thank you for considering these requests. We look forward to continuing our partnership with you as we move forward with the completion of these projects.

Sincerely,
KIRKLAND CITY COUNCIL

James Lauinger
Mayor

February 18, 2009

DRAFT

The Honorable Christine Gregoire
Office of the Governor
PO Box 40002
Olympia, WA 98504-0002

The Honorable Mary Margaret Haugen
The Honorable Judy Clibborn
Co-Chairs, Joint Transportation Committee
3309 Capitol Boulevard SE
PO Box 40937
Olympia, WA 98504-0937

Dear Governor Gregoire, Senator Haugen and Representative Clibborn:

The City of Kirkland urges support for the least costly replacement alternative to SR 520 that arose from the ESSB 6099 Mediation process. We understand other Eastside communities have expressed the same opinion. Kirkland appreciates the opportunity to participate in the process to resolve west side design issues. During this process we were supportive of alternatives which recognized costs as a key variable and yet kept the essential transportation benefits of the project.

Kirkland has been a supporter of SR 520 replacement for many years, and has expressed that support in the Trans-Lake process as well as the ESSB 6099 Mediation process. During the latter process, we were asked which of the Westside interchange options we prefer and why. We were also asked if changes to the other options could make them more acceptable. After careful review, and with cost/benefit as a primary consideration, we strongly support Option A. Regarding the second question on the acceptability of other options, the year of technical and cost analysis on both Options K and L indicate to us they are not financially or environmentally viable.

Thank you for the opportunity to participate in the mediation process and we look forward to continued collaboration in this very important process. SR 520 is a transportation asset with significant economic, educational and cultural benefits to our region.

Sincerely,
KIRKLAND CITY COUNCIL

By James L. Lauinger, Mayor

cc: Jennifer Zeigler, Policy Advisor, OFM
Barbara Gilliland, Parametrix

**CITY OF KIRKLAND****Department of Public Works****123 Fifth Avenue, Kirkland, WA 98033 425.587.3800****www.ci.kirkland.wa.us**

To: Dave Ramsay, City Manager

From: Daryl Grigsby, Public Works Director
David Godfrey, P.E., Transportation Engineering Manager

Date: February 5, 2009

Subject: King County Metro 1% MVET request

Metro Transit is facing an increasing gap between revenues and expenses. This is caused in part by the decrease in sales tax revenue due to the economic downturn. It is also caused by increased ridership –an increase that spiked with higher fuel prices but which has persisted even as oil prices declined. For example, Route 245 which runs between Kirkland and Factoria via NE 70th Street in South Rose Hill, Microsoft/Overlake and Bellevue Community College has seen an 85% increase in ridership over the past 3 years. The volatility of sales tax is also part of the cause of the shortfall because in order to sustain periods of weaker sales tax revenue larger reserves must be maintained. Historically, Motor Vehicle Excise Tax is a more stable source of funding than is sales tax.

Metro estimates that the gap between revenue and expenses will be about \$60 million in 2010 but is forecast to increase in future years. Because most of Metro's costs are made up of the wages and benefits of drivers and mechanics, cutting costs means cutting service. A \$60 million gap is equivalent to between 500,000 to 600,000 hours of service. By way of comparison, this is about 17% of the total system hours. If Metro were to make cuts in service of this magnitude, some of them would be on routes that serve Kirkland. Likely candidates would be the lowest ridership peak-hour only routes, but Metro has not indicated how cuts would be made.

A 1% increase in MVET is expected to generate approximately \$120-\$145 million per year. Metro would use this funding for three purposes: filling the gap between revenue and expenses, funding service and capital necessary for their portion of the Alaskan Way Viaduct project (about \$15 million per year in service) and for new service.

If the legislature were to grant King County the authority for a 1% MVET increase, it is likely that the King County Council would put the increase to the voters for approval.