

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: 2008 Legislative Priorities DEPARTMENT: City Manager's Office PRESENTED BY: Scott MacColl, Intergovernmental Program Manager

PROBLEM/ISSUE STATEMENT

The 2008 Legislative Session begins January 14th and as the mid-biennial year, or 'short session', runs just 60 days. Staff proposes the following legislative priorities for your review which, once adopted, provide policy direction to guide staff in determining support or opposition to specific legislation.

The City actively monitors legislative proposals at the state level, as our success in advancing the City's position in Olympia depends on providing accurate and timely information to legislators and their staff that illustrate the impacts of pending legislation on Shoreline. The City continues to work with the Association of Washington Cities (AWC), which provides a consistent voice and a strong presence for cities in Olympia. The City also continues to work with the National League of Cities (NLC) in a similar fashion on federal issues.

The draft 2008 Statement of Legislative Priorities is presented for your review and approval, and consists of policy statements which staff uses as guidance and direction during the upcoming legislative session. Staff utilizes these priorities to determine whether the City supports or opposes specific legislation and amendments. Key pieces of legislation that do not fall under the Council's Legislative Priorities will be presented to the Council for review. However, legislation changes very rapidly, sometimes within hours, and there usually is not time to review changes with the Council. The legislative priorities are therefore drafted as general policy positions to provide staff and our council representatives the flexibility to respond quickly to requests for information or input.

FINANCIAL IMPACT

The Governor recently released the Proposed 2008 Supplemental Budget, which proposes a relatively modest increase in spending of \$144 million, much of that to pay for storm damage. In addition, voters passed legislation authorizing the Rainy Day fund, and the budget includes \$430 million to set aside into that fund. Overall, the Governor's proposed budget addresses immediate concerns that cannot wait until the next biennial budget.

Once the Legislative Session begins, the House and Senate create their own alternative budgets which are used to negotiate a compromise budget between the Legislature and the Governor. The operating budget omnibus bill is usually the final piece of legislative business prior to final adjournment (sine die). Early expectations are that the session will end on time, in part due to the Democratic majorities in both the House and Senate, and in part due to 2008 being an election year. There is a 30-day 'blackout period' after the Legislative Session ends prior to candidates being able to raise money for election, which provides strong motivation to finish on time.


KEY PRIORITIES FOR 2008

Staff proposes that the City focus its legislative efforts in the following policy areas during the 2008 Legislative Session:

- Pursue Funding for the City's Capital Improvement Projects.
- Opposed unfunded mandates that would result in loss of existing revenue or revenue authority.
- Support city authority to provide municipal court services through interlocal agreements with other cities for the provision of court services and support ability to appoint part-time judges.
- Work with the State to ensure City participation in the redevelopment or other activities related to future uses of any surplus property on the Fircrest campus.
- Monitor health/human services legislation to ensure maintenance of the safety net for our most vulnerable residents and oppose legislation that would shift costs and responsibilities for these programs to cities and/or school districts without appropriate funding.
- Oppose any state preemption of local government authority to manage and franchise local public rights-of-way.
- Support increased infrastructure funding for economic development, and to repair and maintain utilities, streets and sidewalks.
- Support legislative opportunities to increase affordable housing.
- Support legislation to improve environmental sustainability including, but not limited to, carbon emission reduction, energy efficiency, alternative clean energy generation and improved surface water quality and habitat restoration.
- Support legislation that establishes a more realistic municipal property tax cap tied to inflation.

RECOMMENDATION

Staff recommends that Council adopt the proposed Statement of Legislative Priorities as listed above.

Approved By: City Manager  City Attorney ____

Attachments

A. Association of Washington Cities Legislative Issues



LEGISLATIVE ISSUES

AWC 2008 Legislative Priorities

MAJOR PRIORITIES

- I-747: Advance legislation that establishes a cap tied to the Implicit Price Deflator or 1%, whichever is greater.
- Annexation and City/County Governance Transition: Advocate for changes to annexation statutes that will better facilitate annexations, and explore legislative ideas to encourage cities and counties to better coordinate boundary, finance and governance transition issues.
- Infrastructure Funding – Increase Existing Grant and Loan Programs: Seek increased funding for infrastructure and economic development programs.
- LEOFF 1 Medical and Long-Term Care Costs: Seek legislation that provides financial assistance for cities in paying for these liabilities.
- Community Economic Revitalization Board (CERB) and Job Development Fund: Seek permanent funding for the CERB and the Job Development Fund.
- Gang Task Force Recommendations: AWC will support local option tools and funding for use by cities.



LEGISLATIVE ISSUES

OTHER PRIORITIES

- **REET:** Seek legislation that provides greater flexibility for REET by expanding the uses of the second quarter REET to match the first quarter.
- **Housing Affordability:** Seek passage of legislation addressing housing affordability through infrastructure funding and new fiscal incentives; oppose new mandates or pre-emptive zoning legislation; oppose elimination of impact fee authorities unless replaced with something that provides equal or more revenue.
- **Local Solutions to Climate Change:** Support proposals that provide cities with additional flexible tools to continue creating sustainable communities; engage in discussions about the most effective means to meet Greenhouse Gas Emission goals established in 2007; oppose new unfunded mandates and "one size fits all" solutions to sustainability challenges, and; provide outreach and education to cities
- **Mitigating Medical Costs for Offenders:** Seek passage of legislation to remove the 2-year sunset provision in Sec. 66 of SSB 5930; expand the uses of the extraordinary criminal justice account to include extraordinary medical costs for offenders; support individual city proposals to provide additional funds for offender medical costs.
- **Increase Local Funding Options for Public Safety:** Seek passage of legislation providing additional local funding options for public safety purposes, including jail construction.
- **Financial Assistance for Cities and Towns with an Insufficient Tax Base:** Explore options to expand financial assistance as opportunities are presented.
- **Municipal Phase II Stormwater Permit:** Oppose new conditions that exceed Federal minimum standards, advocate for funding assistance to help cities implement the permit, and consider legal/legislative remedies.
- **Public Health Financing:** Pursue legislation that increases funding for local health jurisdictions (LHJs) while working to ensure cities are not mandated to fund LHJs.
- **Puget Sound Clean-Up:** Stay actively engaged in development of the Puget Sound Partnership's ACTION AGENDA and advance proposals that help restore and protect the Sound while preserving local land use authority and spending priorities.
- **Local Infrastructure Finance Tool (LIFT):** Continue to message to legislature to expand LIFT, increase eligibility, and make technical corrections to this authority.



LEGISLATIVE ISSUES

- **Alternative Public Works Legislation:** Pursue modifications to Design-Build authority; repeal \$10M floor and broaden definition.
- **Filling a Vacancy in the Office of Mayor:** Pursue legislation to clarify that incumbent councilmembers in mayor-council cities are eligible to be appointed to fill a vacancy in the office of mayor without first having to resign their council seat.
- **Balancing Environmental Protection, Economic Development and Protection of Property Rights:** Continue to support efforts to provide greater deference to cities to determine how best to balance protection of property rights, local environmental resources and economic development, including potential clarification on how to find, consider and apply Best Available Science. Also engage is consideration of city eminent domain authorities to help insure appropriate existing community redevelopment tools are maintained.
- **Land Use/Gambling:** Defend cities' ability to fully ban gambling and seek legislation that provides cities the ability to zone or partially ban gambling facilities.
- **Outdoor Burning in Small Cities/Towns:** Seek relief for cities under 5,000 in population from the January 1, 2007 deadline banning residential burning.
- **Expedite Grant and Loan Programs:** Pursue/support legislation to accelerate the approval of proposed PWB project lists.
- **Bid Limit Flexibility:** Pursue legislation to increase current city bid limits and provide additional flexibility.

ENDORSE

- **Citizens Initiative Review:** Support creation of a Citizens Initiative Review panel of random citizens to review statewide initiatives and issue reports on their findings, for inclusion in voters' pamphlets.
- **Sex Offenders:** Vigorously resist any mandates unless sufficient funding is available; endorse expansion of monitoring tools; support services to victims; review sentencing enhancements
- **Liability for Fire Department Standards:** Clarify the statute to grant immunity to cities if response time goals are not met, or pass legislation similar to HB 2881 (introduced in 2004).
- **Public Disclosure of Victims' Records:** Support legislation exempting records of sexual assault on a child from public disclosure.
- **Civil Penalty for Malicious Mischief**
- **Limiting Liability for Local Government**
- **Enhanced Penalties for Eluding Police**
- **Courts of Limited Jurisdiction Work Group Recommendations**
- **Administrative Warrants Authority**
- **Creating a DUI Surcharge and Ignition Interlock Requirement**



LEGISLATIVE ISSUES

- Increasing Penalties for Assault of a Code Enforcement Officer
- The VA to Include Mental Health and Chemical Dependency in Their Medical Center
- Establishing Mandatory Minimums for DUI with Children in the Car
- Jail Booking Fees: Support proposal to create a due process procedure so cities can continue to collect jail booking fees.
- Victims Records Availability: Reaffirm the authority of local agencies to protect from disclosure sensitive criminal investigation records concerning sexual assault crimes.
- Elimination of Election Dates: Endorse a solution that local governments could generally support

STORNGLY DEFEND AGAINST

- Telecommunications and Statewide Franchise Agreements: Defeat legislation that eliminates authority of local governments to issue franchise agreements.
- Taping of Executive Sessions: Defeat legislation to require local governments to tape executive sessions.
- Pole Attachment Fees: Defend against any effort to implement a state pole attachment rate process.
- Requiring All Judges to Be Elected: Oppose efforts to require that all municipal court judges, regardless of the number of hours they work, be elected.
- Expanding Subject Matter Jurisdiction in Municipal Courts
- Changing the Requirements for, and Expanding Liabilities and Recoveries Under, a Wrongful Injury or Death Cause of Action
- Mandating that Cities Must Allow Tent Cities
- Commissioning Tribal Law Enforcement
- No Additional Diversion from the Public Works Trust Fund: Support more funding for infrastructure and economic development, not the redirecting of existing funds.
- Reject All Bids Legislation: Oppose legislation that erodes cities' ability to reject all contracting bids.
- Contracting Claims Legislation: Oppose legislative that erodes cities' ability to receive notice and manage contracts.
- Authority of Cities to Assume Water-Sewer Districts: Defend against efforts to eliminate the authority of cities to assume water-sewer districts.
- LEOFF 2 Benefit Enhancements: Oppose costly LEOFF 2 benefit enhancements.
- Municipal Business and Occupation Tax – AWC strongly opposes any further changes to the municipal B&O statutes that would reduce local authority regarding the implementation of this tax or result in additional revenue loss to cities.