



SCA Public Issues Committee Minutes

July 11, 2012 – 7:00 P.M.
Renton City Hall
Council Chambers, 7th Floor
1055 S. Grady Way – Renton, WA 98057

Welcome and Roll Call

Mia Gregerson, Chair, called the meeting to order at 7:03 p.m. Twenty-three cities had representation. See [attachment A](#) to these minutes. Guests included John Stilin, Redmond; Beth Mountsier, KCC staff; Bill Peloza, Auburn; Chris Eggen, Shoreline; Carol Gillespie, King County AFIS; David Cline, Tukwila; Don Gerend, Sammamish; and Diane Carlson, King County.

Approval of Minutes of the June 13, 2012 Meeting

Dave Hill, Algona, moved for the approval of the June 13, 2012 PIC Minutes; the motion was seconded by Kingston Wall, Snoqualmie and approved unanimously.

Executive Director's Report

Deanna Dawson, SCA Executive Director, reported that members had expressed an interest in meeting again with the Port to have an opportunity to drill down on issues, particularly on the arena proposal and its impact on the region. She has had contact with Port staff regarding a request for possibly putting together a dinner which they expressed enthusiasm for some sort of joint meeting. ED Dawson will circulate information as it becomes available.

ED Dawson gave a follow-up on the Membership Survey and thanked those that have expressed a willingness to participate. Dawson asked that those that haven't yet responded to please contact Ella Williams (ella@suburbancities.org) as soon as possible.

ED Dawson reported that under state law and the interlocal agreement, cities that have a population of 80,000 or more are entitled to their own seat on the PSRC Executive Committee; Kirkland has reached that threshold and will be given a seat later this month. There will be a corresponding decrease in a seat to suburban cities at large. This will also impact SCA in terms of who serves on the Operations Committee as Councilmember Sternoff currently holds the alternate seat on that committee. ED Dawson has broached the issue of additional representation on the committee for SCA with PSRC. The next opportunity to change the number of seats will come in September 2013, with discussions at the Operations Committee to begin in early 2013. It appears that it might be appropriate to add additional seats for cities at large in Pierce and Snohomish Counties, which will be included in the discussion.

ED Dawson brought the subject of whether to cancel the August PIC meeting this year as it typically has been in the past. Her recommendation is to hold the meeting because of a number of topics that were to be reported on in the current meeting should be addressed in August.

ED Dawson gave a report on the RPC caucus meeting held earlier in the day. SCA representation included Mayor Lewis, Caucus Chair; Dini Duclos, Federal Way as Vice Caucus Chair; John Marchione, Redmond; Matt Larson, Snoqualmie; Will Hall, Shoreline and Denis Law, Renton. One of the issues discussed was what issues should be on the RPC agenda. Caucus Chair Lewis has asked that it be brought to PIC to gain direction at the next meeting from member cities on what issues they would like on the agenda. ED Dawson went on to explain that a major issue for all of the cities is solid waste and the solid waste interlocal. At the RPC meeting, it was noted that the County Executive will be putting forward a rate proposal which includes a 15% increase over current rates; \$125 per ton instead of the current \$109 per ton. RPC members expressed concern with the rate increase as well as frustration that there are new projects included and restoration of funding for programs that have been eliminated in the past.

According to the staff report from RPC earlier in the day, the "key driver" for the increased rate proposal is that it assumes at this time that the solid waste interlocal between cities and the counties has not been signed off on. The new rate proposal assumes that bonds to support transfer station upgrades must be repaid by the end of the term of the current interlocal. The negotiations on this interlocal have broken down and in fact have ceased. The primary sticking point at this time is liability. There are a variety of state and federal environmental laws that can create significant liability concerns with regard to solid waste. The city negotiation team put forth a proposal on how to address liability in the new ILA which would require a fair sharing of the liability risk between the cities and the county. The proposal included a provision that the County would purchase insurance to guard against risk, if insurance were available at an economically viable price, for the County to create a liability reserve using rate revenue and use solid waste rates to pay out any liability before city and county general funds would be reached. There was a unified support for this proposal among members at the RPC. The Caucus anticipates that this will come back before RPC and would like PIC to take a position.

Pete Lewis made a motion that at its next meeting, the PIC consider adoption of a position in support of the City position on liability for the solid waste interlocal, which would allow for a fair sharing of liability between the cities and the county. As a part of this motion, also direct SCA staff to prepare a briefing for cities on this position. The motion was seconded by Tom Vance.

Marlla Mhoon, Covington, asked if she were correct in her understanding that the county was in general agreement with these proposals, but did not want to include the language in the interlocal. ED Dawson confirmed that this was consistent with her understanding of the parties' positions.

Bernie Talmas, Woodinville, said that he would like a copy of the proposal soon so that he can present it to his council. Dave Hill, Algona, requested that members receive a copy as soon as possible. Hank Margeson, Redmond, commented that it goes a long way to protect cities. If the proposal is not included in the ILA, it is not binding.

Chris Eggen, Shoreline, commented that he would like to notify city representatives of a presentation from the county by experts in this field at 10:00 a.m. on Friday, July 13 at the King Street Center.

Pete Lewis moved that in the meantime, that SCA Board President Denis Law submit a letter to County Executive Dow Constantine urging that the County come back to the negotiating table, and negotiate in good faith to reach an agreement that fairly allocates liability between the cities and the county. The letter should also include a show of support for minimizing or eliminating solid waste rate increases, by reducing system costs. Dave Hill seconded the motion, which was approved unanimously after the following discussion:

Chris Roberts, Shoreline, shared his concern about debating the issue without enough information to take to his council. Pete Lewis responded that the motion is simply to authorize a letter be sent to the

County Executive tasking him to come to the table to work out the issue of liability, and to address the shared concerns of cities.

Members expressed comfort in having a letter sent to demonstrate that the cities were concerned about the liability issue, and asking the county to negotiate on the issue. Some concerns were raised about getting too deeply into the issue of what the rate should be without additional information.

Hank Margeson expressed his appreciation for Pete Lewis and his taking the issue on. He added that Redmond is in full support of the motion; however, recognizes the concerns around the table. Pete Lewis moved to amend the motion to clarify the intent of the letter, and to ensure that the letter was to be focused on the issue of liability. The motion was seconded by Marilla Mhoon. A vote was taken on the motion and friendly amendment and approved unanimously.

ED Dawson reported that Vice Chair of RLSJ John Partridge invites everyone to the RLSJ meeting for July, which will be held at the SCORE facility on July 26th at 7:30 a.m. The topic will be gun violence.

The final topic that ED Dawson brought to the group was a request for feedback on PIC agenda and procedures and asked that if there are suggestions on improving the process.

Chair's Report

Mia Gregerson, PIC Chair, distributed copies of "First-class Airport, Poverty-class Jobs"; a study conducted by Puget Sound Sage, OneAmerica, Church Council of Greater Seattle, Faith Action Network and Working Washington. The report brings attention to issues regarding airline contractor employees, the wages that they are receiving and lack of health benefits.

Automated Fingerprint Identification System (AFIS) Levy Renewal

At the June 13, 2012 meeting of the PIC, the PIC voted unanimously to consider taking a policy position in support of continued funding for the Automated Fingerprint Identification System (AFIS) Program at their July meeting. At the request of the PIC, members were joined by AFIS Regional Manager Carol Gillespie and AFIS Advisory Committee Chair David Cline (Tukwila City Administrator) to provide the most up to date information on the status of the AFIS program and to answer questions.

David Cline and Carol Gillespie spoke about the programs recent success including: the program now has the ability to match palm prints (using this new technology, a suspect was recently identified within a few days of the crime in a case involving the assault of a 12 year old girl in Shoreline) and the program continues to complete its objectives on time and under budget. David Cline specified that that this is not a new levy; it is a status quo renewal. This levy renewal will provide the revenue needed to maintain existing services.

Mayor Lewis, Auburn, seconded by Mayor Crispo, Newcastle moved that the PIC submit the following policy position to the SCA Board of Directors for Adoption:

AFIS is a regional program that provides enhanced fingerprint technology and services to all law enforcement agencies in King County. It is levy-funded, and requires periodic voter approval to continue funding. Without sustained funding, the responsibility for funding criminal identification would revert to each local city's police department, placing an additional fiscal burden on cities. The current levy expires at the end of 2012. The AFIS Advisory Committee has recommended that a levy rate of \$0.0592 per \$1,000/assessed valuation (AV), which would continue program funding for the next six years, 2013-2018.

The AFIS Program promotes efficiency and effectiveness in law enforcement through regional sharing of services. It has proven itself to be an invaluable tool for information sharing and criminal identification. SCA supports continued regional funding of the AFIS program, and urges the King

County Council to place the renewal of the Automated Fingerprint Identification System (AFIS) property tax levy on the ballot for approval at the General Election on November 6, 2012.

Mayor Hill inquired whether supplantation has occurred in the past regarding the AFIS Levy. David Cline clarified that 100% of the revue raised for AFIS has been spent on the AFIS program. There was a cost savings in 2009, which allowed the county to reallocate funds. Councilmember Rich Zwicker cautioned that it could be perceived, as a 'bait and switch' is there a guarantee it won't happen again? Cline responded that the revenue raised for AFIS will be for day to day operations. Mayor Lewis reiterated that it's a county-wide position, if they want to change the funding structure; it needs to be brought up in another forum. The motion was unanimously approved.

SCA King Conservation District (KCD) Funding Subcommittee – Future Funding for KDC

Mayor Matt Larson of Snoqualmie, Mayor Dave Hill of Algona, and Councilmember Chris Eggen of Shoreline served on the SCA King Conservation District (KCD) Funding Subcommittee, which was formed at the June 13, 2012 PIC meeting to address current and future KCD funding issues. At the subcommittee's request, SCA was joined by Sara Hemphill, the Executive Director of the King Conservation District and Joanna Richey, Assistant Division Director of the King County Water Land Resources Division, and Michael Huddleston King County Council Municipal Relations Director during a study session prior to the PIC.

The SCA King Conservation District (KCD) Funding Subcommittee met on June 25, 2012 and July 6, 2012 to discuss recent developments with the Cary vs. Mason Washington State Supreme Court decision, the current and future funding structure of the KDC, SCA's role, and potential next steps. Mayor Hill, Chair of the SCA King Conservation District (KCD) Funding Subcommittee, provided an update to the PIC on the subcommittee's recommendations regarding the current and future funding of the KCD. Chair Hill provided PIC members with a copy of the following draft principals:

DRAFT Principles re: KCD:

- 1) SCA recognizes the value of the King Conservation District (KCD), and supports continued funding of the KCD;*
- 2) SCA supports the continuation of WRIA funding through the KCD in 2013, and the future;*
- 3) Given the current economic climate and the heavy tax burdens on property owners in our communities, SCA supports a revenue neutral direction for the KCD at this time. Should future funding for programs currently funded through KCD come through an alternative source, SCA would support a proportional decrease in revenues collected by KCD. For example, if the King County Flood Control District were to fund the WRIAs in the future, SCA would support a corresponding decrease in revenue collection for the KCD;*
- 4) SCA supports continued funding of the KCD Jurisdictional Grant Program. The current processes for grant application and compliance may place unduly onerous burdens on cities. SCA supports reducing these administrative burdens in order to maximize the value of grants to cities;*
- 5) SCA supports the creation of a formal advisory committee to provide direction to the KCD in the future. Such a body would ensure that KCD expenditures provide value to taxpayers throughout the County- from rural, urban, and suburban communities alike. Representation on this advisory committee should include proportional representation from elected officials in the Suburban Cities.*

Mayor Hill, Algona, seconded by Mayor Lewis, Auburn moved that SCA have an opportunity to take a position the draft KCD principals at the August PIC Meeting. The motion was unanimously approved.

King County Regional Water Quality Committee (RWQC) – Combined Sewer Overflow Plan

King County Executive Constantine transmitted his recommended Combined Sewer Overflow (CSO) Control Plan to the King County Council on June 15, 2012. The Regional Water Quality Committee (RWQC) is anticipated to take action on the plan in August or September. In April, SCA held a study session to review and provide feedback on the draft CSO plan. Caucus Chair Bill Pelozza worked with King County staff to collaboratively draft a white paper ([attachment B](#) to these minutes) to provide additional background on the history of funding CSO's in King County, including SCA's role.

Mayor Dave Hill expressed concern that solid waste rates and other utility rates are going up as well. Vice Chair Margeson, inquired whether there have been any changes since the Robinswood Agreement in 1998. He also suggested that CSO's with the highest incidence of overflowing should be dealt with first. Beth Mountsier responded that the Robinswood agreement is when the capacity charge went into effect; as well as, when the region took a 'growth pays for growth' approach to funding the system. The Robinswood agreement was an 'all for one and one for all' approach to funding CSO's as well as additional capacity requirements due to inflow and infiltration. The County doesn't have any choice; the Washington State Department of Ecology (Ecology) had directed an Administrative Agreed Order (AAO) that requires King County to control its remaining CSOs to no more than one overflow event per year by 2030. The Executive is proposing a Water Quality Assessment and Environmental Benefit Study that will prioritize actions to improve the water quality in these areas. Mayor Pete Lewis requested that staff forwarded a copy of the Robinswood Agreement to PIC members.

Members expressed concern about what the actual price tag will be for this plan? Are we facing another situation like Brightwater? Beth Mountsier noted that the Plan could be reduced as much as half or could increase as much as double the estimated \$711 million (in 2012 dollars). She spoke about partnerships with Seattle and Green Stormwater Infrastructure projects that will reduce cost. Several members expressed concern regarding who is paying for what. Councilmember Marla Mhoon noted that at the SCA CSO study session it was clear that Seattle is paying an additional cost for their uncontrolled CSO's. Beth Mountsier reiterated that Seattle ratepayers are paying for CSO's; as well as, the conveyance system and inflow and infiltration. Mayor Talmas noted that this is a sensitive issue for Woodinville because of the recent history with Brightwater. His council would have a difficult time approving a rate increase. Councilmember Chris Roberts expressed concern that a small city or a medium city, in a similar position, might not have the support of the other cities. Councilmember Jamie Perry cautioned that if suburban cities direct Seattle to pay for their own problems then we are open ourselves to not getting help when we need it, that's one of the benefits to taking a regional approach to funding the regional wastewater system. The SCA RWQC Caucus Chair, Councilmember Pelozza noted that the CSO plan is an extremely complex document. It was challenging to condense the plan into a three-page white paper.

Vice Chair Margeson questioned, why is the County finding themselves in this situation (did they fall behind)? Beth Mountsier responded that the federal government is treating all the agencies across the country the same. The County has been making investments in controlling CSO's.

Councilmember Andy Rheame questioned why the CSO plan is funding stormwater projects and if the federal government kicking in any money. Councilmember Rheame also noted that 90% of stormwater goes untreated, local outfalls have similar characteristics to Seattle's CSO's. Beth Mountsier replied that there isn't any money being provided for sewage or stormwater. Councilmember Henry Sladek stated that as an organization SCA needs to engage with our regional representatives to message that we are spending a significant amount of money on this plan.

King County Regional Transit Committee (RTC) – Update on the Alternative Services Plan and Linking Transit and Development: Future Growth of the System

Monica Whitman, Senior Policy Analyst for the SCA provided a brief update on the recent success of the Alternative Services Plan and highlighted opportunities for member cities to get involved in determining where future investments in transit will be made. The SCA RTC caucus has been working diligently on the development of the Alternative Services Plan. At their June meeting, the RTC accepted, by Motion, the Metro Five-Year Implementation Plan for Alternatives to Traditional Transit Service Delivery. The SCA RTC caucus, with support for the staff working group, will be sending a letter to the Reagan Dunn, Chair of the RTC and the King County Council expressing support for the plan and highlighting key principals for SCA including: that costs for end users should not be increased; one size does not fit all for local jurisdictions; Metro should continue to explore and expand upon options for alternative services delivery; and Pilot projects should be started sooner rather than later.

The next step for the RTC (and for Metro) will be to look at how the system will be expanded in the future. Metro is hosting a number of workshops to come up with a list of recommendations for linking Transit and Development: Future Growth of the System. The next workshop is scheduled for August 8th, 9:00 – 11:00 AM at King Street Center in the 8th floor conference room. Monica Whitman stressed the importance of continued input from local jurisdictions, particularly with the loss of 40/40/20.

At the request of the SCA Regional Transit Committee Caucus, Metro will be presenting on the update to the Strategic Plan and Guidelines: Future Growth at an upcoming SCA Study Session, which has been scheduled for August 8, 2012 at 6:00 PM, prior to the PIC.

Informational Items

Chair Gregerson highlighted that there are three informational items included in the July PIC meeting packet.

- 1) PSRC Growth Management Policy Board (GMPB) – Update on 2012 Committee
- 2) South Central Action Area Caucus Group – Puget Sound Action Agenda Update
- 3) PSRC Transportation Policy Board (TPB) – T2040 Prioritization Update

Chair Gregerson reminded members that information items are intended to provide members with written materials only, where no action is anticipated to be taken or discussion needed at this time. Chair Gregerson encouraged members to take share this information with their cities and to contact the appropriate SCA staff person, listed at the top of each agenda item, for addition information.

Upcoming Events

Chair Gregerson noted that the next SCA Networking Dinner will be held on Wednesday, September 19, 2012 5:30 p.m. at the Snoqualmie Ridge Golf Course; Michael Young, President of the University of Washington will be the speaker.

The next SCA Public Issues Committee will be held, Wednesday, August 8, 2012 at 7:00 p.m. and the September meeting will be held on Wednesday, September 19, 2012 at 7:00 p.m. King County Metro will join SCA at 6:00 p.m. for a Study Session prior to the PIC meeting to discuss Linking Transit and Development: Future Growth of the system.

For the Good of the Order

Tom Vance expressed a concern that illegal fireworks, particularly those sold in neighboring unincorporated King County is negatively impacting his city. He inquired about how other jurisdictions handle similar issues and asked if this is something SCA could address with the County. An extensive discussion followed regarding how several cities handle the sale and use of fireworks.

Tom Vance made the motion to direct SCA staff to begin the process of working with the County to ban the sale of fireworks in unincorporated King County in areas adjacent to cities with firework bans. Dave Hill seconded the motion. The motion passed with two cities opposing; Jamie Perry, Kent and Kingston Wall, Snoqualmie.

Tola Marts brought to the group that King County is discussing a restructure of Public Safety Answering Point (PSAP) and reducing the number from 12 to 6. Following a brief discussion on the issue ED Dawson suggested that a study session be planned in the near future and that staff would work with RJCP to arrange that.

Pete Lewis thanked the south cities for their assistance with a four-alarm fire that was taking place at that time. Andy Rheume commented on Information Item 2: South Central Action Area Caucus Group – Puget Sound Action Agenda Update. He requested that this item be brought back to the PIC as a discussion item and possible future study session. He stressed the importance of coordinating with our Local Integrating Organization (LIO) – the South Central Action Area to pursue funding for retrofitting stormwater facilities. He also mentioned that the Puget Sound Partnership would receive additional funding from the federal government if the Puget Sound were to be targeted for restoration and protection, similar to Chesapeake Bay. Amy Ockerlander stated that the near term actions have been identified; however, there isn't sufficient funding available. She suggested that an upcoming Study Session on the Action Agenda would be beneficial.

Monica Whitman, SCA staff, reviewed the schedule for upcoming study sessions. SCA will be hosting a study session on King County Metro: Linking Development – Future Growth in August, a discussion regarding PSAP in September, and will plan to schedule a study session on the Puget Sound Partnership Action agenda in October.

Chris Roberts stated that Shoreline is in support of the AFIS levy but they are in discussion with their city attorney and city manager whether it is proper to take a position on a levy issue.

Adjourn

The meeting was adjourned at 8:57 p.m.