



SCA Public Issues Committee AGENDA

November 12, 2014 – 7:00 PM
Renton City Hall

1. **Welcome and Roll Call** – Mayor Bernie Talmas, Woodinville, Chair 2 minutes
2. **Public Comment** – Mayor Bernie Talmas, Woodinville, Chair 10 minutes
3. **[Approval of minutes – October 8, 2014 meeting](#)** 2 minutes
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4. **Chair’s Report** – Mayor Bernie Talmas, Woodinville, Chair 5 minutes
5. **Executive Director’s Report** – Deanna Dawson, SCA Executive Director 10 minutes
6. **[Appointments to Area Agency on Aging and Puget Sound Clean Air Agency](#)** 3 minutes
ACTION ITEM
Page 22
Deanna Dawson, Executive Director
(2 minutes recommendation, 1 minute action)
7. **[Military Bases and Regional Centers](#)** 7 minutes
ACTION ITEM
Page 24
Doreen Booth, Policy Analyst
(2 minute update, 5 minute discussion and potential action)
8. **[Arlington/Marysville Manufacturing Industrial Center Request](#)** 7 minutes
ACTION ITEM
Page 26
Doreen Booth, Policy Analyst
(2 minute update, 5 minute discussion and potential action)
9. **[Youth and Community Athletic Facilities](#)** 7 minutes
ACTION ITEM
Page 28
Lyset Cadena, Senior Policy Analyst
(2 minute update, 5 minute discussion and potential action)

- 10. School Siting**
POTENTIAL ACTION ITEM 10 minutes
Page 36
Doreen Booth, Policy Analyst
(5 minute update, 5 minute discussion and potential action)
- 11. Sustainable Public Health Funding**
POTENTIAL FUTURE ACTION ITEM 15 minutes
Page 41
Doreen Booth, Policy Analyst
(5 minute update, 10 minute discussion and potential action)
- 12. Property Tax Cap**
POTENTIAL FUTURE ACTION ITEM 10 minutes
Page 47
Lyset Cadena, Senior Policy Analyst
(5 minute update, 5 minute discussion and potential action)
- 13. Recreational Immunity**
POTENTIAL FUTURE ACTION ITEM 10 minutes
Page 52
Deanna Dawson, Executive Director
(5 minute update, 5 minute discussion and potential action)
- 14. "TIGER CUBS" Grants**
POTENTIAL FUTURE ACTION ITEM 10 minutes
Page 73
Lyset Cadena, Senior Policy Analyst
(5 minute update, 5 minute discussion and potential action)
- 15. Upcoming Events**
a) SCA Annual Meeting and Dinner – Wednesday, December 3, 2014 –5:30 PM
Renton Pavilion Event Center
b) SCA Public Issues Committee Meeting – Wednesday, December 10, 2014 – 7:00 PM
Renton City Hall
- 16. For the Good of the Order**
- 17. Adjourn**

Sound Cities Association

Mission

To provide leadership through advocacy, education, mutual support and networking to cities in King County as they act locally and partner regionally to create livable vital communities.

Vision

To be the most influential advocate for cities, effectively collaborating to create regional solutions.

Values

SCA aspires to create an environment that fosters mutual support, respect, trust, fairness and integrity for the greater good of the association and its membership.

SCA operates in a consistent, inclusive, and transparent manner that respects the diversity of our members and encourages open discussion and risk-taking.



SCA Public Issues Committee

DRAFT MINUTES

October 8, 2014 – 7:00 PM

Renton City Hall

1055 S Grady Way, Renton WA 98057

1. Welcome and Roll Call

PIC Chair Mayor Bernie Talmas, Woodinville, called the meeting to order at 7:02 PM. 28 cities had representation ([Attachment A](#)). Guests present included Bob Keller, Sammamish City Council; Bill Peloza, Auburn City Council; John Stilin, Redmond City Council; Tom Vance, Sammamish City Council; Layne Barnes, Maple Valley City Council; Benson Wong, Mercer Island City Council; Diane Carlson, King County; Edie Gilliss, City of Seattle.

2. Public Comment

Chair Talmas asked if any member of the public had any public comment. Seeing none, Chair Talmas closed the public comment portion of the meeting.

3. Approval of the September 10, 2014 Minutes

Councilmember Chris Roberts, Shoreline, moved, seconded by Councilmember Kate Kruller, Tukwila, to approve the September 10, 2014 meeting minutes.

The motion passed unanimously.

4. Chair's Report

Chair Talmas reported that the SCA Leadership met with King County Executive Dow Constantine earlier in the day and the SCA Finance Committee met with Dwight Dively, Director of King County Office of Performance, Strategy and Budget (PSB) on Monday, October 6, 2014 to discuss the 2015/2016 biennial budget for the county. Chair Talmas noted that both meetings included productive, frank, and open discussions surrounding the county budget. While this topic will be covered later in the agenda, Chair Talmas highlighted that SCA has had a significant effect and the county is paying attention to SCA members' concerns. Chair Talmas emphasized that it continues to be crucial that SCA members stay united and continue relaying the messages on impacts of the King County budget to the cities of King County.

Chair Talmas reported that the PIC Operating Policies state that the Chair of the PIC is to appoint the nominating committee members for the next year in October. The nominating committee consists of one representative from each of the four regional caucuses: North, Snoqualmie Valley, South, and South Valley. The current PIC Nominating Committee consists of two new members; Mayor Leanne Guier, Pacific, and Councilmember Ed Prince, Renton, (both appointed in 2014) and two more experienced members, Council President Hank Margeson, Redmond, and Councilmember Ross Loudonback, North Bend. Chair Talmas announced that in order to keep a good mixture of experienced and new members, he has reappointed the

existing PIC Nominating Committee members to serve an additional term. Chair Talmas stated that next year, it is likely that there will be a vacancy in either the North or Snoqualmie Valley caucus. PIC members joined Chair Talmas in applause, thanking the members of the PIC Nominating Committee for all their hard work.

5. Executive Director's Report

Deanna Dawson, SCA Executive Director, reported that more detail will be given later in the agenda on the 2015/2016 King County biennial budget and Metro transit issues. Dawson highlighted that the County Council has put further Metro cuts on hold, and from all signals will not be making additional cuts in 2015, barring new information. SCA has been putting pressure on the County Council to look at the cuts already made and search for ways to backfill and restore service in those areas. This is especially important in communities that are not getting good service currently. Dawson noted that SCA thanks the Council for its responsiveness to the concerns being raised by SCA and our cities.

Dawson reported that the Economic Development Council of Seattle and King County (EDC), formerly enterpriseSeattle, has given a seat on their Executive Committee to SCA. Some, but not all, of SCA member cities are members of the EDC and have seats on their Board. Dawson reported that SCA has a reciprocal membership with the EDC, and she has a seat on their Board as well. Many of the decisions at the EDC are made by that smaller Executive Board. Dawson noted that the SCA Board discussed this issue at its September meeting and agreed that it would be best to have an elected official in that role, rather than staff and that the member be a SCA Board member, and someone whose city is a member of the EDC. The SCA Board has therefore recommended that the member be Mayor Nancy Backus, Auburn, and she will be attending her first meeting tomorrow, October 9, 2014. Dawson noted that Mayor Backus will be a strong voice for SCA on the EDC Executive Committee, and ensure that the organization is listening to the needs of cities.

Dawson gave an update on the school siting item that was continued from last month. Staff is still working on this item, and she is hopeful that it will come back to the PIC at its next meeting.

Dawson provided an update on Board of Health Secure Medicine Take Back Regulations. Dawson reported that on September 30, 2014, Alameda County's pioneering drug disposal law was upheld in federal court. Dawson continued that this is very important to King County as the Board of Health here adopted a similar measure on June 12, 2013. Dawson highlighted that Mayor David Baker, Kenmore, was instrumental in this moving forward. King County will now be able to move ahead with the Secure Medicine Take Back Program which will result in medicine take back sites being located at pharmacies throughout King County. Combined with the recent DEA draft ruling allowing approved pharmacies to take back controlled substances, the ruling will lead to improved public health through the appropriate disposal of medicines and the reduction of preventable deaths from drug overdoses.

Dawson gave an update on sustainable funding for Public Health. In September PIC members discussed the public health shortfalls for both the current year and the 2015-2016 biennium and heard about the proposed health department clinic closures resulting from that shortfall.

Members asked SCA staff to bring back a resolution supporting sustainable funding options for public health services for their consideration. Staff is working on this, and working on what options there may be to provide sustainable funding for public health. Dawson reported that Patty Hayes, Interim Director of Public Health – Seattle and King County, has asked that SCA staff to sit on a Public Health roundtable where public health-related legislation is vetted. Dawson continued that at the September meeting of the roundtable, Representative Pollet reviewed his proposed E-cig / vaping legislation. The bill would require retailers to pay a \$250 retailer license fee. It would also enable a vapor product excise tax, generally paralleling the tax on cigarettes – a portion of those funds would be used for public health services. The legislation would address a number of areas, including prohibiting sales to persons under age 21, labeling and disclosure of nicotine content in vaping products and requiring child resistant packaging for vapor products containing nicotine. She noted SCA staff will bring back more information and potentially a position supporting such legislation in November.

Dawson reported that since the September PIC meeting, Federal Way has worked out a partnership with King County to keep the Federal Way Public Health clinic open on a temporary 2 year basis, and Auburn and community groups are working hard on partnerships to keep the Auburn Public Health clinic open as well. But even if these efforts are successful, there is a large funding gap in public health.

Dawson commented on the pre-PIC workshop concerning issues that small cities are facing. When other burning topics for a pre-PIC workshop are not apparent, SCA will conduct a meeting with small cities to discuss issues and challenges currently facing small cities.

Dawson reported that she and Snoqualmie Mayor Matt Larson, SCA Vice President and Board member, have been meeting and will continue to meet with SCA member cities. Dawson noted that they are learning a lot and look forward to hearing more about members' needs.

6. Area Agency on Aging for Seattle and King County Appointments

Chair Talmas reported that the PIC Nominating Committee did not receive nominations for the appointment to the Area Agency on Aging for Seattle and King County. Chair Talmas asked that PIC members help spread the word about this opportunity and SCA staff will send out another call for nominations.

Chair Talmas reported that the Area Agency on Aging for Seattle and King County, AAA, has requested that SCA nominate an elected official to serve on the Agency's Advisory Council. The mission of the AAA is to develop a community that promotes quality of life, independence and choice for older people and adults with disabilities in King County.

Chair Talmas stated any member interested in serving or who has questions, should contact SCA staff.

Mayor Dave Hill, Algona, inquired on the meeting schedule. Doreen Booth, SCA Policy Analyst, replied that the meetings are scheduled on the second Friday of the month from 12pm-2pm.

7. Military Bases and Regional Centers

Doreen Booth, SCA Policy Analyst, provided a brief overview of the item. Pierce County Executive Pat McCarthy requested that PSRC's Growth Management Policy Board consider whether military facilities should be designated as regional employment centers in Vision 2040 and Transportation 2040. Booth briefly reviewed the proposal and read the SCA's GMPB caucus's proposed motion aloud. Booth explained that implementation of the proposal would result in two military facilities, JBLM and Naval Base Kitsap being designated as regional centers with the remaining facilities designated as countywide centers.

Mayor Bernie Talmas, Woodinville, noted that such designation could lead to more fighting over limited dollars.

Council President Hank Margeson, Redmond, GMPB's caucus chair, noted there are eight existing manufacturing industrial centers in the Puget Sound region. He noted that there are many differences between military facilities and such centers, including access to federal funds for military bases and the lack of land use control on military bases. Council President Margeson reported that the caucus is sensitive to military facilities and recognizes they can drive economic activity and are job centers but feel like existing center designations are not appropriate; that we are trying to fit a square peg into round hole. The caucus would like to have a more deliberate, thoughtful planning process around this issue, including bringing more stakeholders to the table.

Council President Hank Margeson, Redmond, moved, seconded by Councilmember Kate Kruller, Tukwila, to bring back to the next meeting of the PIC, the following potential policy position:

SCA supports deferring the consideration of designating military facilities as regional centers to the Vision 2040 update in 2018. This would allow the region the opportunity to consider the questions around designating military facilities within a larger planning context. SCA recognizes that military facilities are regional economic drivers and that the facilities have impacts on the communities adjacent to them, however, more work needs to be done prior to considering such regional center designations, including greater public outreach efforts and the implementation of PSRC's Regional Centers Report.

Mayor Matt Larson, Snoqualmie, noted that military bases have a lot of employees but the money they make generates economic activity outside the base. He asked if PSRC's federal transportation funds would be used for on base projects. Doreen Booth responded that the federal dollars would not go into the base but cities that host the facilities could apply for funds for roads accessing the bases. For example, the city of Lakewood could apply for funds for roads accessing JBLM on lands outside the base. Booth further noted all jurisdictions the change might apply to already have regional centers (Everett, Seattle, Pierce County, Lakewood, Kitsap County, and Bremerton). The proposed change would not add new applicants for funds but add potential project locations into the funding process.

Councilmember Kruller, asked for a direct answer, does the designation affect funding of other projects? Booth noted this was hard to answer; if bases were designated, then there could be additional projects in the mix that could score higher than other projects and be funded.

Councilmember Kruller noted that Tukwila was concerned that a process and criteria exist for centers designations and if the criteria is bad, the criteria should be changed; it should not be bent to accommodate something that does not fit.

Council President Margeson agreed that maybe military facilities do not fit into existing center designations and maybe some other designations need to be created.

Councilmember Tom Stowe, Beaux Arts Village, asked for clarification of who raised the issue – it was noted that it was Pierce County Executive Pat McCarthy.

Councilmember Barry Ladenburg, SeaTac, noted that it was challenging do long-term planning around military bases. He noted that local jurisdictions have little or no control over whether bases close, for example.

Councilmember Tom Odell, Sammamish, agreed, and questioned how the designation and dollars spent in developing an area would be treated if a base were to close.

Mayor Talmas noted that the position advocated by the caucus was not that of denying the designation altogether, but rather that it should go through the normal process at PSRC rather than being moved forward at this time. He noted the concern that such military centers could be competing for transportation dollars. Talmas further noted that since cities cannot control what occurs on base, funds could be devoted to off base access and potentially wasted if the base were to close.

Council President Margeson noted the timing for updating Transportation 2040 is 2018. The caucus is suggesting this be considered as part of that regular update.

Deputy Mayor Catherine Stanford, Lake Forest Park, suggested calling out the planning process year 2018 in the motion. Council President Margeson agreed.

The motion passed unanimously.

8. Arlington/Marysville Manufacturing Industrial Centers

Doreen Booth, SCA Policy Analyst, provided an overview of the item. The cities of Arlington and Marysville are jointly pursuing PSRC designation of a new regional manufacturing industrial center (MIC). Booth reviewed the main criteria for MIC designation; the existence of 10,000 jobs with at least 20,000 jobs planned for, and noted that the proposal does not meet the minimum requirement. The area has been designated as a manufacturing industrial center in local comprehensive plans, and in countywide planning policies through actions of the Snohomish County Council and Snohomish County Tomorrow countywide planning organization. Booth noted the Letter of Intent from Arlington and Marysville addresses three key requests:

1. Request that PSRC accept the application when it is submitted.
2. Request that PSRC quickly engage in a policy discussion to create a multiple tier centers framework.

3. Request that the cities be included in the regional discussion.

Booth noted that there are two other potential manufacturing industrial centers that are waiting until they reach the minimum employment criteria to apply for an MIC designation: Sumner-Pacific MIC and the South Tacoma (Nalley Valley) MIC.

Booth briefly reviewed the Regional Centers Report and discussed PSRC's 2017 scheduled proposal to look at creating tiers within regional growth centers. She noted that the proponents want to speed up that work. Arlington and Marysville expressed the need for timely action to ensure that the infrastructure is in place to capture current economic development opportunities. The current opportunities relate to suppliers for the 777x and 787 aerospace projects.

Booth then read the SCA GMPB's caucus recommendation aloud.

Deanna Dawson, SCA Executive Director, asked Mayor Leanne Guier, Pacific, for her city's position on this item, given that Pacific could also be eligible for the new status being advocated for by Arlington/Marysville.

Mayor Guier stated that Pacific agrees with the position proposed by the caucus. Pacific agrees that areas should meet the current minimum criteria. With all the development going on in Sumner, the Sumner/Pacific MIC designation may not be far off.

Council President Hank Margeson, Redmond, moved, seconded by Councilmember Tom Stowe, Beaux Arts Village, to bring back to the next meeting of the PIC, the following potential policy position:

SCA supports maintaining the Puget Sound Regional Council's (PSRC) current Manufacturing Industrial designation policy, including the existing employment threshold of 10,000 jobs. SCA also supports PSRC maintaining the scheduled implementation of PSRC's Regional Centers Report, recognizing that the creation of tiers within regional centers designations may be recommended by that work.

Council President Margeson noted that at the October GMPB meeting, University Place gave a presentation on their regional growth center application. They finally met the threshold after 13 years of work. The designation will be approved by the GMPB next month. He noted that is how center designations are supposed to work; cities put in the work needed and apply when they meet the criteria. Council President Margeson said that if there is future justification for having tiers, PSRC can implement them but that justification does not exist now. Accepting the Arlington/Marysville application would be changing the rules in the middle of the game.

Doreen Booth noted that she talked to Mayor Suzette Cooke, Kent, who said that Kent has spent a great deal of money out of its general fund over the years to make infrastructure improvements supporting Kent's Manufacturing Industrial Center. She noted other cities should do the same.

Council President Margeson said that if Arlington/Marysville had designated industrial land available, companies looking for such properties would come to them.

Councilmember Tom Odell, Sammamish, noted that the pressure is starting to build for the aircraft that will follow Boeing's 737. The next small airplane project will be huge and may be part of Arlington/Marysville's thinking in such a designation. He noted we will want to make sure King County has an opportunity to participate in the aircraft project, and that all jurisdictions are treated fairly.

Councilmember Kate Kruller, Tukwila, stated Tukwila thought we should hold true to the criteria. She also noted it was worth studying the multi-tier proposal, but that that work had not yet been done.

Councilmember Barry Ladenburg, SeaTac, noted that the proposal is trying to get jobs to local areas. He noted that there is more money coming to the area. Councilmember Ladenburg suggested maybe moving up the timing of PSRC studying this issue in order to not delay the work.

Council President Margeson noted that idea was also brought up at the GMPB meeting. PSRC staff noted they wanted to see all the comprehensive plans adopted first, followed by a centers market study. Given their workload and budget, PSRC said they did not have the staff to move the project up in the timeline and additional resources would be required to do so.

The motion passed unanimously.

9. Youth and Community Athletic Facilities

Lyset Cadena, SCA Senior Policy Analyst, gave a briefing on the request from the Washington Recreation and Park Association to submit a letter of support to the Governor supporting re-establishing competitive grant funding for the Youth Athletic Facilities program administered by the Recreation and Conservation Office. The Recreation and Conservation Office (RCO) is a small state agency that manages grant programs to create outdoor recreation opportunities, protect the best of the state's wildlife habitat and farmland, and help return salmon from near extinction. The RCO supports several organizations, one of them being the Recreation and Conservation Funding Board. The Recreation Conservation Funding Board (Board) was established by Initiative 215 in 1964 and helps finance recreation and conservation projects throughout the state.

Cadena mentioned the Board administers several grant programs, one of them being Youth Athletic Facilities. The Youth Athletic Facilities program provides funding to acquire, develop, equip, maintain, and improve community athletic facilities. The grant program was approved by Washington voters as part of Referendum 48, which helped fund the Seattle Seahawks stadium. An initial \$10 million was contributed by the Seattle Seahawks "team affiliate" in December 1998.

Cadena stated that during the Recreation and Conservation Office (RCO) budget process, the RCO asked communities to submit letters of interest for youth athletic facilities. The RCO

received interest from 193 agencies and organizations asking for nearly \$40 million in state grants to fix local athletic fields and other outdoor sporting facilities. The state has no other grant program that can meet these needs. The Recreation Conservation Funding Board is requesting a capital budget appropriation of \$12 million to fund the Youth Athletic Facilities grant program with general obligation funds.

Mayor Matt Larson, Snoqualmie, asked for clarification on the funding mechanism for the RCO when it was created in 1964. Cadena stated that the RCO currently receives funding from the gas tax imposed on boaters, but that the \$12 million is specifically for the Youth and Community Athletic Facilities program. This program does not have current funding and was funded with money from the Seattle Seahawks team affiliate in 1998.

Mayor Dave Hill, Algona, asked whether the additional funding will be made available to small cities. Cadena answered that funding would be allocated through a competitive grant process made available to all local jurisdictions and non-profit organizations.

Councilmember Kate Kruller, Tukwila, mentioned that the \$40 million ask in grants from agencies and organizations are inadequate to address the needs of communities. More grant dollars are needed to enhance community fields.

Deputy Mayor Catherine Stanford, Lake Forest Park, moved, seconded by Mayor Nancy Backus, Auburn, to bring back to the next meeting of the PIC, the following potential policy position:

SCA supports re-establishing competitive grant funding for the "Youth Athletic Facilities" program administered by the Recreation and Conservation Office (RCO).

This support may be expressed through a letter to the Governor stressing support for this program.

Council President Hank Margeson, Redmond, pointed to page 60 in the PIC packet that summarized the grants for sports fields program. He mentioned that finding fields in local communities have become challenging and pointed to the list of organizations that submitted grant requests. Council President Margeson stated that these organizations have an impact in local communities.

Councilmember Marlla Mhoon, Covington, asked for clarification on whether funding for the Board was part of the voter's initiative that passed in 1964. Cadena answered that the Board is funded based on the initiative the voters passed and they administer several grant programs. The Youth Athletic Facilities program is one of several grant programs the Board administers.

Councilmember Mhoon asked whether it was the intent of the voter to fund the Youth Athletic Program and now it's not being funded. Cadena answered that the Youth Athletic Program was not intended to be funded from the initiative that created the Board. The Youth Athletic Program was funded from the initial \$10 million from the Seahawks.

Councilmember Amy Ockerlander, Duvall, stated that without grant funding many communities will lose their fields. There is huge demand for sports facilities and cities do not have the money to support these sports facilities. Ockerlander also mentioned that if cities build new fields, it would bring new revenue to the community and help the economic base by attracting more teams to those cities.

Mayor Hill asked for a clarification on whether the \$12 million additional money would be in addition to the \$60 million the Recreation and Conservation Office receives. Cadena answered that the Recreation and Conservation Office budget supports several organizations, one of them being the Recreation Conservation Funding Board. Under the Recreation Conservation Funding Board is the Youth Athletic Facilities program. The \$60 million pays for the support efforts of the Recreation and Conservation Office and the \$12 million would be a separate amount of money dedicated to the Youth Athletic Facilities program.

Councilmember Toby Nixon, Kirkland, asked how the Board reached the \$12 million figure. Councilmember Nixon also stated that the \$12 million figure is not enough and should be larger.

Dawson indicated that staff would report back on this.

Deputy Mayor Stanford mentioned that Councilmember Ockerlander did an eloquent job of stating the need. There are many projects in our communities that would benefit from funding. Deputy Mayor Stanford stated she was unsure how the Board reached the \$12 million figure when the need is \$40 million. She is unsure how many other funds are available to fund these types of facilities and maybe the letter should include language suggesting finding a sustainable funding source for the program. Deputy Mayor Stanford also noted that often it takes more than one grant source to fund a project.

Mayor Larson mentioned that Snoqualmie has been unsuccessful in securing grants to fund athletic facilities. He also stated that most of the time these grants require a 2 to 1 matching funds. Mayor Larson reported that 35% of the population in Snoqualmie is younger than 18 years old and many of the children using the fields in Snoqualmie are not from that community. Mayor Larson stated that the \$12 million will not spread very far and we need to ask for more funding.

Councilmember Mhoon asked whether a letter of support would reduce funding to protect salmon recovery. Cadena answered that the \$12 million would be allocated in the capital budget as a line item dedicated to the Youth Athletic Fields program.

Councilmember Kruller discussed the success of Starfire Sports, a youth sporting facility in Tukwila, a facility that is always packed with people from across the region and is the practice field for the Seattle Sounders FC. Starfire Sports began as the dream of one family in Normandy Park and is now a regional facility that is operated as a nonprofit partnership with the City of Tukwila.

The motion passed unanimously.

10. King County Executive Proposed 2015/2016 Biennial Budget

Chair Talmas introduced the item. He noted that the County Council would be adopting the budget prior to the next PIC meeting. This is an opportunity for PIC members to give feedback to the SCA Board on what priorities they had, so that the Board could in turn communicate those issues to the County Council. This is also an opportunity for members to ask questions, which SCA staff will work with the County to answer.

Treasurer Gerend reported that SCA met with King County Executive Dow Constantine and Dwight Dively, Director of King County Office of Performance, Strategy and Budget (PSB) on October 6, 2014 to discuss the 2015/2016 biennial budget for the county.

Treasurer Gerend noted that the King County Biennial Budget is \$8.9 billion, not including the capital budget.

Deanna Dawson, SCA Executive Director, gave PIC members 3 handouts: 1) questions about the budget submitted by SCA staff; 2) questions and comments submitted by Treasurer Gerend; and 3) a matrix of responses to those questions prepared by Dively. She also drew members' attention to a staff memo on Metro contained in the PIC packet on pages 74-82. She noted that Dively and Diane Carlson from the County were revising the matrix of responses, and that the final version would be distributed after the meeting electronically.

Treasurer Gerend noted that many questions were answered in the two hour meeting with SCA's Finance Committee. He noted it was impressive SCA received the responses so quickly. Treasurer Gerend explained how King County puts together its budget; departments prepare their own budgets which are then put together as the King County budget. It is important that SCA members on regional committees provide input during the year so that members' input can be part of a department's proposed budget. Gerend also noted that King County has been responsive and want SCA to continue to be involved.

Dawson walked the PIC through the discussion with Dively and concerns raised to date by cities. She started by noting that cities had raised many concerns regarding Metro funding, particularly with regards to reserve funds and policies. Cities want the Council both to avoid making the 2015 cuts, but also to restore service for some of the cuts made in 2014. The Executive's budget contains \$6 million in the biennium for alternative services. This is a good start, but it is unclear how much service could be restored with this and the amount may need to be increased.

Cities also raised a number of concerns about public health funding. A long-term sustainable funding source needs to be secured. Cities are concerned about potential clinic closures. This is a countywide issue, not just an issue for Federal Way and Auburn. Cities also raised concerns about fees to farmers markets increasing dramatically.

On a more general level, cities have raised questions about overhead rates (the amount, and consistency), reserve policies across departments, and overall transparency. She quoted a

question asked by a City Manager: “It’s hard to get a handle on exactly what financial condition the County is in given the conflicting info and perspectives being aired. This seems to be true for Metro, Regional Animal Care, Public Health and the King County Sheriff’s Office. This in turn makes it hard for us to plan and adopt our own budgets. What’s your advice?”

In the meeting with Dively, he walked SCA members through the budget. In response to the question about how the County is doing financially, he noted that this was dependent on the fund. Funds that had dedicated funding sources were doing well. Funds dependent on sales taxes (e.g. Metro) were volatile. And funds that were dependent on federal and state funding (e.g., public health) were in trouble. Property tax dependent funds are not keeping pace with inflation, due to the 1% cap. Dively also noted that people are spending a smaller percentage of their income on taxable goods than in times past. These factors contribute to a structural gap in the County’s general fund.

In the meeting with SCA Dively discussed the County’s overhead charges. Dively explained to SCA that the County charges many overhead rates (e.g., Executive Office, Council, HR, Risk Management) consistently across the departments on a per employee basis. But those departments may not allocate the charge internally on the same basis. For example, the public health department allocates these charges out to its different divisions on a salary basis. In that department, this has the effect of making the overhead rate go up for the EMS division both because they are not facing the same layoffs that other divisions are, and also because their employees (paramedics, doctors) tend to have higher salaries. The public health/EMS budget also appears to have a higher than normal overhead this year due to a previous undercharge for work stations that is being corrected. Some cities have questioned whether this is properly charged as overhead rather than coming out of the contingency fund, and this is being looked into.

Dively also noted that other internal service funds may be charged differently depending on use (IT, facilities). Per Dively, the County is working to build additional financial policies this year, to have more consistency between departments.

Dively discussed the public health budgetary challenges with SCA. The funding challenges are largely due to two drivers: decreases in Medicaid Administrative Claiming (down to \$6 million from \$12 million) and State Flexible funding (same level as 2001). Poor accounting in public health masked some of these issues from being discovered and addressed earlier. The department thought it could use revenues/reserves brought in through environmental health to cover shortfall, and thought they had a fund balance they did not have. As Dively described it, they “spent twice and collected once.” Dively noted that there were decentralized finance divisions within public health, and that this issue was being reviewed and addressed. SCA also discussed the farmers market issue with Dwight, as noted previously in the discussion. This is an area that is being reviewed. SCA leadership also discussed this issue in their meeting earlier in the day with Executive Constantine.

Dively also discussed the Metro budget in his meeting with SCA. Their discussion focused largely on the reserve policies at Metro. Dively described the 5 reserve funds at Metro in order of (in his words) least controversial to most controversial:

- 1) Operating reserve (now 30 days of operating expenses, was 15 days from 2011 – 2014);
- 2) Bond reserve– Set by Council at 1 year of Debt service;
- 3) Capital reserve– Set by Council to cover cost of capital commitments (max 6 years);
- 4) Revenue Fleet Replacement – Set by Council at 30% of the projected replacement costs of the entire revenue vehicle fleet. (This is being reviewed by Council now. It was also the subject of criticism in the peer review report. The Council is considering reducing this to 20%); and
- 5) Revenue Stabilization Reserve – Created in 2011 by Council, per the adopted policies “Funds in the Transit Revenue Stabilization Reserve shall be used to moderate future fare increases and to mitigate the impact of cost increases and revenue declines. “ No ceiling or floor was established in the adopted policies. The Executive has proposed amending this policy to have the fund contain 50% of the next year’s projected sales tax revenues to ensure that cuts would not have to be made in a recession. (See SCA memo.)

Dawson noted that in discussions with the Executive earlier, he had noted that the fleet replacement fund was used by Metro not just for replacing fleet, but also for fleet maintenance. Councilmember Tom Odell, Sammamish, asked whether fleet maintenance should be covered by operational reserves instead of the revenue fleet reserve fund. Dawson responded that as discussed with the Executive earlier, some of these “reserves” may be being used for purposes that are not what would normally be understood as a “reserve.” This topic is expected to be addressed further in the written responses being prepared by the County to SCA questions. It may also be a topic that the Regional Transit Committee (RTC) may wish to review.

Dawson noted that cities were questioning the proposed amended policy on the revenue stabilization reserve, and questioning why Metro would be cutting service in order to build up reserves. This is also an issue that the County Council appears to be asking.

Dawson asked for members to provide feedback on these and other issues. In addition to commenting at the meeting, members are encouraged to follow up via email or call.

Mayor Matt Larson, Snoqualmie, mentioned that the Executive made a point of noting that the last two votes for Metro failed and Metro is constantly in crisis. The Executive wants to build up the reserve to keep up with the system needs. Dawson noted that cities were questioning this rationale, noting that Metro had been able to weather the last recession without making cuts, and only making cuts now as revenues were increasing.

Mayor Talmas, Woodinville, noted that he had asked the Executive earlier in the day if this isn’t the right time to use reserves. Dawson noted that based on the budget numbers, Metro would not need to dip into reserves in 2015/2016 to avoid making cuts. Talmas noted that the Executive had responded to his question by saying this was a policy decision for the Council to make.

Mayor Dave Hill, Algona, was impressed as to how candid the county staff was. Mayor Hill mentioned talking to his congressional delegation about changes in funding for Medicare. He noted that while the federal government may be having to pay out less, this was resulting in a lack of local funding. It wasn't a true cost savings, but rather a shift to who was bearing the cost.

Mayor Hill went on to express difficulty with making comparisons when every department is allowed to pay different overhead rates. Dawson clarified that the different departments appeared to be charged the same rate for general overhead. The differences were in how the departments were asking their internal divisions to pay that cost.

Councilmember Chris Roberts, Shoreline, discussed the top two line items in the budget, the cost of the Sherriff's Department and the cost of the jail. He noted these costs need to be kept under control and wanted to see SCA raising these questions. Dawson noted that there were a couple of questions asked on public safety in the questions submitted to the County, and agreed that this was an issue that should be pressed further.

Deputy Mayor Dan Grausz, Mercer Island asked if Metro's use of reserve funds was typical for County departments. He questioned the high levels of reserves at Metro, and wondered if other departments were similarly high in reserves. Dawson noted that Dwight Dively had indicated that the high levels of reserves proposed for the revenue stabilization reserve was due to Metro being heavily dependent on sales tax, which is volatile. Deputy Mayor Grausz asked about the capital reserve. He wondered if other capital reserve funds also contained funding for all projects. Dawson agreed that this was something to follow up on getting answered.

Councilmember Kruller liked that King County is being transparent. She noted that the County had made a big deal about utilizing LEAN processes, and asked whether that process was being used consistently across departments. Mayor Talmas commented that in SCA's meeting with the Executive earlier in the day, he had noted that the LEAN processes had been successful in helping the County address budgetary challenges. Councilmember Kruller noted that it appeared that there was a lack of consistency between departments on reserves and other financial policies that should be addressed. Dawson noted that Dively had made comments in their meeting about the need for greater consistency between departments. She noted that the SCA meeting with Dively had given her and the Finance Committee greater confidence as it was apparent that Dively and his team were trying to get on top on financial issues in the various departments. Larson stated that this issue had also come up in conversations with the Executive.

Councilmember Odell felt the discussions need to continued, and the issues of Metro's reserves explored further. He appreciated the work towards more transparency as that has been an issue with Metro.

Councilmember Barry Ladenburg, SeaTac, noted that Metro is a division within the transportation department, and that its fleet replacement is separate from other areas at the

County which may cause inefficiencies. He also noted that having Metro and Sound Transit separate may also create inefficiencies in this area. He wondered whether the County's policies on reserves were being driven by a desire for a higher bond rating.

Councilmember Marlla Mhoon, Covington, agreed that perhaps the amount of reserves may be related to a bond rating. She also noted the transit system needs to be sustainable. She shared that a company can lay people off but that may not be as easy for government. Councilmember Mhoon felt we need to look at stability. She noted we are not in a recession right now, but it's a cycle and we will be again. Mhoon noted that we should not spend reserves while the economy is going well.

Councilmember Tom Stowe, Beaux Arts Village, agreed with the comments of Councilmember Roberts related to jail and Sherriff's Department costs. Dawson agreed to follow up on concerns about Sheriff and jail costs.

Deputy Mayor Grausz said that for Mercer Island, the areas of the budget most in play are Metro, the Sherriff's Department, and Public Health. Mercer Island has lost confidence in Metro, and feels very burned by the whole Prop 1 campaign. Mercer Island was hit very hard by the September cuts, and lost 75% of its service. They would like the County not just to avoid future cuts, but also to address those communities hit hardest by prior cuts, which may not have been necessary. Dawson agreed, and noted that expansion of the \$6 million in the proposed budget for alternative services may need to be expanded to address these needs.

Mayor Nancy Backus, Auburn, stated that Auburn has been working with the Executive to find opportunities for keep the Auburn Public Health clinic open for two years while long term sustainable funding options are found. Mayor Backus noted there will be impacts to EMS services and emergency rooms as clinics close. She also noted that costs will be higher in the long term.

Chair Talmas reminded members to send additional comments to Deanna Dawson and to keep talking to your King County Councilmembers.

11. Metro Transit Service & SCA Ad Hoc Committee Update

Lyset Cadena, SCA Senior Policy Analyst, noted that SCA Executive Director Deanna Dawson had previously highlighted the transit service issues and Metro budget. The King County Council had introduced two ordinances. The first ordinance dealt with the 30% reserve in the revenue fleet replacement fund; this ordinance would reduce the 30% reserve to 20%. The second ordinance would establish a permanent ongoing transit audit function.

Cadena also discussed the Seattle ballot measure. She noted that because the 2015 cuts were now likely off the table, Seattle would use funds obtained through the levy (if successful) to add additional service.

Cadena stated that the SCA ad hoc transit committee has not met since August but is in the process of deciding how to proceed in light of two new developments – the Peer Review Report

and action from the King County Council to defer the February 2015 service reductions. Cadena asked the PIC members for feedback on areas of concern for the committee to focus on. Deanna Dawson, SCA Executive Director, mentioned that during the SCA Board's meeting with the Executive there was discussion about a new Regional Transit Task Force (RTTF). The new RTTF would involve many stakeholders beyond cities and SCA would be involved in the planning discussions. Mayor Matt Larson, Snoqualmie, stated that the new RTTF would be revisiting the productivity criteria. Mayor Bernie Talmas, Woodinville, mentioned that the new RTTF would be a more streamlined committee, and not as lengthy a process as in the past.

Deputy Mayor Dan Grausz, Mercer Island, stated that Mercer Island bus service was decimated after the September 2014 service reductions. Many community meetings and council meetings were held to discuss the impacts of the September 2014 service reductions. Deputy Mayor Grausz mentioned Mercer Island is meeting with Metro later this month to come up with an analysis of Mercer Island's needs. Mercer Island would like to reinstate the September 2014 cuts, but the city recognizes it might have to include improvements to bus service on the Island to make it more efficient. Deputy Mayor Grausz also noted that park and rides on the Island were full. He noted that Metro is a regional system, but solutions may need to be city specific due to geography and citizen needs. SCA can be an advocate to get Metro to work with individual cities.

Dawson stated that the \$6 million for alternative transit service in the Executive's budget may not be sufficient; SCA could ask the Council to add additional funding for these types of services to address the needs of communities like Mercer Island.

Councilmember Marlla Mhoon, Covington, stated we are asking the State and the King County Council for more money and asked where is all this money is going to come from. Councilmember Mhoon reminded members that the voters turned down a funding mechanism for Metro. Dawson agreed, but noted that the amount of funds in reserves currently may be sufficient to address some of this need.

12. AWC Draft Legislative Agenda

Deanna Dawson, SCA Executive Director, gave a brief overview of AWC's draft Legislative Agenda. Dawson asked members to provide feedback to AWC on issues that their cities might have concerns with or issues that were not addressed that should be. Dawson noted that at the Joint AWC/SCA event on October 22, AWC would be talking about new strategies to help cities be more effective in Olympia.

Dawson noted that transportation was still a major concern for cities. SCA will be holding a conversation on October 31 to discuss member cities priorities on transportation. She noted that the SCA leadership team had discussed transportation with the Executive earlier in the day and that he had indicated that King County will not be making funding for Metro a part of its 2015 legislative session "ask," although the County was still committed to working toward a statewide transportation package.

Dawson reviewed the list of AWC priorities, and asked members for feedback.

Mayor Matt Larson, Snoqualmie, noted he was pleased to hear the County Executive say he would push for lifting the 1% property tax cap. Mayor Larson noted there has been a great deal of compounded loss over the years and he would like to push for jurisdictions to have the option to raise property taxes more than 1%.

Councilmember Chris Roberts, Shoreline, a member of the AWC Legislation Committee, noted that this handout is just the major priority list. AWC sent a request out today for other priorities to be sent to AWC by October 10. Councilmember Roberts noted that it is expected that more state-shared revenues to cities will be reduced this session. AWC is pushing for a new partnership between the state and the cities. Councilmember Roberts noted all cities are not supportive of an increase in the 1% property tax cap and encouraged cities to share their preference with AWC and legislators.

Councilmember Ross Loudonback, Snoqualmie, stated that at a recent Snoqualmie Valley Governments candidate's forum, legislators were clear there is no additional funding coming from the state this year. Councilmember Loudonback also reminded members that the 1% property tax came about because some jurisdictions had continual "emergencies" that led to a 6% annual increase. He felt we still needed to have a cap on increases.

Councilmember Amy Ockerlander, Duvall, made a case for the need to restore the Public Works Trust Fund. She also noted that Duvall's administration is proposing to increase every tax the city imposes to balance the budget.

Deputy Mayor Catherine Stanford, Lake Forest Park, felt it was advisable for SCA to consider supporting an increase in the property tax cap. She noted there are some pitfalls but also opportunities to ensure pitfalls are addressed in the language of the bill.

Councilmember Toby Nixon, Kirkland, stated the Kirkland City Council was unanimously in support of AWC's draft Legislative Agenda, including lifting the 1% property tax cap, and noted Kirkland will include some of the AWC items on their legislative agenda. Councilmember Nixon noted that Kirkland felt the property tax increase should be based on population growth and inflation, not a fixed amount, but tied to a growth factor.

Councilmember Barry Ladenburg, SeaTac, had concerns with the wording of the property tax item. He also suggested public disclosure request issues related to costs of meeting such requests should be addressed.

Council President Hank Margeson, Redmond, felt that SCA should take an active role in the AWC agenda. He noted that the McCleary decision is clouding everything that happens in the state and further noted that nothing substantial will happen until McCleary is resolved. Council President Margeson stated the Legislature needs to solve the McCleary issues first before addressing any other issues. SCA could help coalesce all of the cities legislative agendas.

Councilmember Tom Odell, Sammamish, supports the AWC agenda. He noted that AWC represents the entire state and we need to look out for ourselves and present a united message

in King County. Councilmember Odell agreed with Council President Margeson that McCleary should be addressed early by the legislature.

Dawson indicated that SCA would defer to AWC to bring issues of statewide concern to the legislature. Unless members requested, SCA would not take its own position on any of these items. Mayor Larson asked for feedback on whether SCA members would like to bring back for consideration a position of support for raising the 1% property tax cap. Members agreed that they would like to have such a position brought back for consideration at the November meeting. Dawson asked whether the proposed position should be in support of inflation plus population growth, as suggested by Kirkland. There was no consensus at the table. Some preferred that approach, while others preferred to have a fixed cap. Staff will bring back alternative options for PIC to consider next month.

13. Upcoming Events

The next SCA Networking Dinner will be a joint event with Association of Washington Cities (AWC) on Wednesday, October 22, 2014 at 5:30 PM at the Renton Pavilion Event Center.

An SCA conversation regarding Transportation Funding is scheduled for Friday, October 31, 2014 from 9:00 AM to 11:00 AM in the Clarke Room (Room 102) at the Mercer Island Community and Event Center.

The next Public Issues Committee Meeting is scheduled for Wednesday, November 12, 2014 at 7:00 PM at Renton City Hall.

14. For the Good of the Order

Chair Talmas asked if any member had comments for the good of the order. Seeing none, Chair Talmas closed this portion of the meeting.

15. Adjourn

The meeting was adjourned at 9:06 PM.

**2014 Roll Call – Public Issues Committee Meeting
October 8, 2014**

City	Representative	Alternate	Other	Staff
Algona	Dave Hill	Dawn Dofelmire		
Auburn	Nancy Backus	Bill Pelosa		
Beaux Arts	Tom Stowe	Richard Leider		
Black Diamond	Janie Edelman	Tamie Deady		
Bothell	Andy Rheaume	Tom Agnew		
Burien	Nancy Tosta	Stephen Armstrong		
Carnation	Jim Berger	Lee Grumman		
Clyde Hill	Barre Seibert	George Martin		
Covington	Marlla Mhoon	Margaret Harto/Jeff Wagner		
Des Moines	Melissa Musser	Jeanette Burrage		
Duvall	Amy Ockerlander	Scott Thomas		
Enumclaw	Mike Sando	Liz Reynolds		
Federal Way	Dini Duclos	Jeanne Burbidge		
Hunts Point	Joseph Sabey			
Issaquah	Tola Marts	Stacy Goodman		
Kenmore	David Baker			
Kent	Bill Boyce	Dennis Higgins		
Kirkland	Toby Nixon	Shelley Kloba		
Lake Forest Park	Catherine Stanford	Tom French		
Maple Valley	Erin Weaver	Layne Barnes		
Medina	Michael Luis			
Mercer Island	Dan Grausz	Benson Wong		
Milton	Jim Manley	Debra Perry		
Newcastle	Lisa Jensen	John Drescher		
Normandy Park	Shawn McEvoy	Susan West		
North Bend	Ross Loudenback	Ken Hearing		
Pacific	Leanne Guier	Vic Kave		
Redmond	Hank Margeson	John Stilin		
Renton	Ed Prince	Denis Law		
Sammamish	Tom Odell	Bob Keller	Tom Vance	
SeaTac	Barry Ladenburg	Mia Gregerson		
Shoreline	Chris Roberts	Chris Eggen		
Skykomish	Henry Sladek			
Snoqualmie	Kingston Wall	Matt Larson		
Tukwila	Kate Kruller	Verna Seal		
Woodinville	Bernie Talmas	Susan Boundy-Sanders		
SCA				Deanna Dawson Kristy Burwell Lyset Cadena Doreen Booth

Electeds present are highlighted in gray. Cities represented are **bolded**.



November 12, 2014
SCA PIC Meeting

Item 6:

Recommendation from the PIC Nominating Committee Regarding Vacancies on the Area Agency on Aging Advisory Council (AAA) and the Puget Sound Clean Air Agency (PSCAA) Advisory Council.

Action Item

Staff Contact

Deanna Dawson, Executive Director, office 206-433-7170, deanna@soundcities.org

SCA PIC Nominating Committee Representatives

Chair Hank Margeson, Redmond Council President; Ed Prince, Renton Councilmember; Leanne Guier, Mayor of Pacific; Ross Loudanback, North Bend City Councilmember.

Potential Action:

To recommend to the SCA Board of Directors the appointment to the following committees:

- 1) Mayor David Baker, Kenmore, Area Agency on Aging Advisory Council for an appointment ending 12/31/15.
- 2) Deputy Mayor Dan Grausz, Mercer Island, Puget Sound Clean Air Agency Advisory Council for an appointment ending 6/30/16.

Background

The PIC Nominating Committee met telephonically on Monday, November 3, 2014 in order to consider and recommend applicants for two committees. There was one applicant for the Area Agency on Aging Advisory Council and two applicants for the Puget Sound Clean Air Agency Advisory Council. Mayor David Baker, Kenmore applied for the Area Agency on Aging Advisory Council. Deputy Mayor Dan Grausz, Mercer Island, and Councilmember Debi Wagner, Burien; applied for the Puget Sound Clean Air Agency (PSCAA) Advisory Council. After considering the two nominations for the PSCAA Advisory Council, the advisory committee voted to recommend Deputy Mayor Dan Grausz for the position.

Area Agency on Aging Advisory Council

The Area Agency on Aging for Seattle and King County, AAA, has requested that SCA nominate an elected official to serve on the Agency's Advisory Council. The nominee will be forwarded by the County Executive to the King County Council for confirmation. The elected official position on the Advisory Council was previously held by Ava Frisinger, former mayor of Issaquah.

The Advisory Council comprises 27 members who are appointed by the three sponsors: King County, Seattle Human Services Department, and United Way. Members serve for up to three two-year terms. This appointee's term will be through December 31, 2015.

Puget Sound Clean Air Agency Advisory Council

On September 25, 2014, the Puget Sound Clean Air Agency (PSCAA) Board of Directors created a seat on their Advisory Council for a King County city representative from a city outside Seattle (Resolution 1307). The PSCAA also created seats for Pierce, Kitsap and Snohomish county cities. These seats were in direct response to SCA's policy adopted on July 16, 2014 requesting seats on the Advisory Council.

The Advisory Council is comprised of individuals representing large and small business, area sources, suburban cities, education, transportation, health and science, tribal interests, fire officials, the environmental community, ports and the public-at-large. The role of the Advisory Council is to provide counsel and input on agency programs and regulations, and to provide guidance related to the implementation of the [2014-2020 Strategic Plan](#). The appointee's term will be through June 30, 2016.



November 12, 2014
SCA PIC Meeting

Item 7:

Military Bases and Regional Center Designation
Growth Management Planning Board (GMPB)

ACTION ITEM

SCA Staff Contact

Doreen Booth, Policy Analyst, doreen@soundcities.org, 206-433-7147

Growth Management Policy Board (GMPB) SCA Members:

Council President Hank Margeson, Redmond (caucus chair); Mayor Bernie Talmas, Woodinville; Councilmember Terri Briere, Renton; Councilmember John Holman, Auburn (alternate); Councilmember Jason Walker, Duvall (alternate); Councilmember Chris Roberts, Shoreline (alternate).

Action:

To recommend the following policy position to the SCA Board of Directors:

Sound Cities Association (SCA) supports deferring the consideration of designating military facilities as regional centers to the Vision 2040 update scheduled for 2018. This would allow the region the opportunity to consider the questions around designating military facilities within a larger planning context. SCA recognizes that military facilities are regional economic drivers and that the facilities have impacts on the communities adjacent to them, however, more work needs to be done prior to considering such regional center designations, including greater public outreach efforts and the implementation of PSRC's Regional Centers Report.

Background

At the October 8 Public Issues Committee (PIC), members had a discussion about the request from Pierce County Executive Pat McCarthy to consider whether military facilities should be regionally recognized as employment centers in the VISION 2040 and Transportation 2040 frameworks. The Growth Management Planning Board's SCA caucus recommended that the request be considered as part of the Vision 2040 Update scheduled for 2018. The staff report from the October meeting can be found beginning on page 26 of the [October 8 packet](#).

Public Issues Committee members had a number of concerns about the proposed designation and agreed with the caucus recommendation that concerns raised could be better addressed in a more thorough review process associated with the scheduled Vision 2040 update in 2018.

Questions raised included the following: how to designate a regional center when there is no land use control on military bases; concerns about where and how federal funds could be spent with regard to military facilities; concerns about potential infrastructure investments if a base were to be closed; concerns about the limited stakeholder involvement; and concerns related to the potential for increased competition for limited dollars, especially if other funds were available for infrastructure accessing military facilities. Minutes from the October 8 PIC meeting can be found [here](#).

Next Steps

The Growth Management Policy Board will hear from Washington State Department of Commerce staff at the November 6, 2014 GMPB meeting. That presentation is in response to some of the questions raised at the October GMPB meeting. Additional information that may be of value to the PIC's decision-making will be brought forward to the November PIC meeting. The action of the PIC and the SCA Board of Directors will inform the SCA caucus's vote on this item which will likely be scheduled at the GMPB in February. Final action on the proposal to designate military facilities as regional centers will take place at the Puget Sound Regional Council Executive Board after GMPB action.



November 12, 2014
SCA PIC Meeting

Item 8:

Arlington / Marysville Manufacturing Industrial Center Designation
Growth Management Planning Board (GMPB)

ACTION ITEM

SCA Staff Contact

Doreen Booth, Policy Analyst, doreen@soundcities.org, 206-433-7147

Growth Management Policy Board (GMPB) SCA Members:

Council President Hank Margeson, Redmond (caucus chair); Mayor Bernie Talmas, Woodinville; Councilmember Terri Briere, Renton; Councilmember John Holman, Auburn (alternate); Councilmember Jason Walker, Duvall (alternate); Councilmember Chris Roberts, Shoreline (alternate).

Action:

To recommend the following policy position to the SCA Board of Directors:

SCA supports maintaining the Puget Sound Regional Council's (PSRC) current Manufacturing Industrial designation policy, including the existing employment threshold of 10,000 jobs. SCA also supports PSRC maintaining the scheduled implementation of PSRC's Regional Centers Report, recognizing that the creation of tiers within regional centers designations may be recommended by that work.

Background

At the October 8 Public Issues Committee (PIC), members had a discussion about the request from Arlington and Marysville to PSRC to accept a Letter of Intent related to a manufacturing industrial designation for the Arlington / Marysville area. The letter of intent outlined three key requests: (1) that PSRC accept the application when it is submitted; (2) that PSRC quickly engage in a policy discussion to create a multiple tier centers framework; and (3) that the cities be included in the regional discussion. The Growth Management Planning Board's SCA caucus recommended that PSRC implement its current Manufacturing Industrial Designation Policy and work on a tiers framework as scheduled. The staff report from the October meeting can be found beginning on page 47 of the [October 8 packet](#). Minutes from the October 8 PIC meeting can be found [here](#).

The city of Pacific is currently awaiting designation for a Sumner / Pacific manufacturing industrial center. Pacific Mayor Guier noted at the October PIC meeting that her city agrees with the proposed position; that potential manufacturing industrial centers should meet the current minimum criteria.

Next Steps

The Growth Management Policy Board will have a discussion on the Arlington / Marysville request at the December GMPB meeting and if the board desires, take action on the request at that meeting. The action of the PIC and the SCA Board of Directors will inform the SCA caucus's vote on this item. Final action on the proposal to accept or deny the request will take place at the Puget Sound Regional Council Executive Board subsequent to a GMPB decision.



November 12, 2014
SCA PIC Meeting

Item 9:

Youth and Community Athletic Fields
Letter of Support

Action Item

SCA Staff Contact

Lyset Cadena, Senior Policy Analyst, lyset@soundcities.org, 206-433-7169

Action:

To recommend the following policy position to the SCA Board of Directors:

SCA supports re-establishing competitive grant funding for the "Youth Athletic Facilities" program administered by the Recreation and Conservation Office (RCO).

At the October 8 Public Issues Committee meeting (PIC), members had a discussion about the request from the Washington Recreation and Park Association (WRPA) to submit a letter of support to the Governor supporting the Recreation Conservation Funding Board's (Board) budget request of \$12 million to fund Youth Athletic Facilities. The staff report from the October meeting can be found beginning on page 57 of the [October 8 packet](#). A sample letter of support which may be used as a template by the SCA Board to convey their position is included in [Attachment A](#).

Public Issues Committee members had a number of questions about the funding mechanism for Youth Athletic Facilities grants including how the RCO reached the \$12 million figure, and if funding for the Youth Athletic Facilities grants would compete with other grant programs administered by the Board.

Background

The Youth Athletic Facilities program provides funding to acquire, develop, equip, maintain, and improve community athletic facilities. The grant program was approved by Washington voters as part of Referendum 48, which helped fund the Seattle Seahawks stadium. An initial \$10 million was contributed by the Seattle Seahawks "team affiliate" in December 1998.

The primary focus of the program is the athletic facility needs of people through the age of 18 who participate in sports and athletics. An athletic facility is a facility dedicated to the purposes of sports and athletics. Athletic facilities exclude playgrounds, tot lots, vacant lots, open or undeveloped fields, and level open space used for non-athletic play.

The \$10 million initial donation and subsequent appropriations (including \$2.5 million in the 2006 Capital Budget; and \$3.63 million for four earmarked projects in the 2013-15 Capital Budget) have allowed for \$17 million to be allocated toward Youth Athletic Facilities.

During the Recreation and Conservation Office (RCO) budget process, the RCO asked communities to submit letters of interest for youth athletic facilities. The RCO received interest from 193 agencies and organizations asking for nearly \$40 million in state grants to fix local athletic fields and other outdoor sporting facilities. Unfortunately, the state has no grant program other than the Youth Athletic Fields program that can meet these needs. The state's two other grant programs that could potentially fund sports field renovations also fund a broad mix of local parks projects and those two programs have far more demand than money available. There is a growing demand for new sports such as ultimate Frisbee, lacrosse, disc golf, and other emerging sports. Local parks departments are seeing more demand than ever for fields, stacking multiple teams on one practice field, and cities often go decades without the resources to upgrade fields.

The Board is requesting a capital budget appropriation of \$12 million to fund the Youth Athletic Facilities grant program with general obligation funds. These grant dollars will be used to renovate ball fields and other outdoor athletic facilities for local sports. Information on the RCO budget request can be found in [Attachment B](#). The Board initially considered asking for \$3.63 million which is similar to the appropriation that was received in the 2013-2015 Capital Budget. After further consideration, the Board decided to ask for \$12 million due to the high interest from agencies and communities for athletic fields.

Next Steps

If the PIC and the SCA Board of Directors approve the position, staff will prepare a letter to the Governor outlining SCA's support for the budget request. The SCA Board may wish to sign-on to a letter of support along with other organizations or submit their own letter of support similar to the letter of support submitted by the City of Renton ([Attachment C](#)). The letter will be submitted to the Governor and the Legislature as part of the Recreation Conservation Funding Board's budget request.

The Recreation Conservation Funding Board's budget request will be considered during the 2015-2017 Capital Budget discussions and will compete with other capital budget requests, including those to fund new schools, acquisition and maintenance of public lands, and grants and loans to local governments and community groups for public works projects.

Attachments

- A. [Youth Athletic Facilities letter of support template](#)
- B. [Youth Athletic Facilities Budget Request](#)
- C. [City of Renton Letter of Support](#)

The Honorable Governor Jay Inslee
Office of the Governor
PO Box 40002
Olympia, WA 98504

RE: Youth and Community Athletic Facilities Grant Program Funding for the 2015-17
Capital Budget

Dear Governor Inslee,

We are joining together to convey our strong support for a recommendation that you include \$12 million in your 2015-17 Capital Budget for the Youth and Community Athletic Facilities (YAF) competitive grant program. It is our understanding that funding for YAF also received a strong endorsement from the Governor's Blue Ribbon Task Force on Outdoor Recreation, which made this one of their key near-term recommendations.

We think this \$12 million allocation would be an outstanding way to support healthy citizens and communities, contribute to economic development, give our youth access to the outdoors, and help local parks and recreation agencies develop and maintain all-weather athletic fields and facilities in a state that has its share of unpredictable weather.

Clearly, there is a tremendous need for this competitive grant program. YAF has not received competitive grant funding since 2006, meaning local parks and recreation agencies get very little support for all-weather fields that can cost several million dollars to build and maintain. We do have the very successful Washington Wildlife and Recreation Program (WWRP), but its "local parks" category is badly over-subscribed, is limited in how much development funding it can grant, and is designed to cover a broad mix of projects beyond just athletic fields.

Governor, at the same time we have seen a sharp downturn in state funding for community athletic fields, we are challenged by a sharp uptick in demand for these fields. That is due to increasing populations, more interest than ever in traditional sports, the understanding that we need to make fields available to diverse communities at all income levels, and the growing popularity of non-traditional sports such as ultimate Frisbee and lacrosse. The need for this competitive grant was demonstrated when the Recreation and Conservation Office asked for letters of interest and received hundreds of letters totaling tens of millions of dollars in projects.

When we invest in community athletic fields, we invest in several things that serve the state's interest. These fields provide an outlet to outdoor recreation for all youth, especially those from diverse and lower-income communities. Community athletic fields help people of all ages stay active and healthy, combating obesity, preventing disease, and helping us conserve our health care dollars. All-weather fields also make good business sense for the state, better enabling our local communities draw major tournaments and visitors who spend money in our stores, eat at our restaurants, stay at our hotels, and get a sampling of the unparalleled beauty of this great state.

Governor, we see the \$12 million proposal for the Youth and Community Athletic Fields program as a very good investment, healthy communities, economic development, and outdoor recreation decision for the State of Washington. Please include it in your 2015-17 Capital Budget.

Sincerely,

Cc: David Schumacher, Budget Director
Nona Snell, Capital Budget Coordinator
Matt Steuerwalt, OFM Policy Director
JT Austin, OFM Policy Advisor
Jim Cahill, OFM
Miguel Perez-Gibson, Legislative Director

Grants for Sports Fields



ISSUE: STRONG NEED TO IMPROVE ATHLETIC FIELDS

In 2014, communities across Washington asked for nearly \$40 million in state grants to fix local athletic fields and other outdoor sporting facilities. Unfortunately, the state has no grant program that can meet these needs.

The Washington State Recreation and Conservation Funding Board is requesting a capital appropriation of \$12 million to fund the Youth Athletic Facilities grant program with general obligation bond funds. This grant program will be used to renovate ball fields and other outdoor athletic facilities for local, competitive sports.



WHY NOW?

Washington Residents Use their Ball Fields

Participating in sports is popular in Washington with 83 percent of residents engaging in some level of activity.¹ However, funding for maintaining fields and building new ones is not keeping pace. The state's two other grant programs that fund sports field renovations amongst a broad mix of local parks projects have far more demand than money available.

More Fields Means Healthier Families

About one-third of children and one-quarter of adults in the United States are overweight or obese, reducing overall health and increasing health care costs. Increasing participation in sports is one way to get more Washingtonians to improve their health.

Recreation Means Dollars to the State

Having modern, all-weather fields not only helps keep people active and healthy, it's good business. Regional and national tournaments draw thousands of people to Washington – people who stay in hotels, spend in stores, and eat at restaurants.

Emerging Sports Are Left Out

There is a growing demand for new sports such as ultimate Frisbee, lacrosse, disc golf, and more. Local parks departments are seeing more demand than ever for fields, stacking multiple teams on one practice field, and often going decades without the resources to upgrade them. Emerging sports have difficulty getting field time when competing with more traditional baseball and soccer.

BUDGET REQUEST

\$12 million capital appropriation to fund the Youth Athletic Facilities grant program with general obligation bond funds.

WHO WOULD BE ELIGIBLE FOR FUNDING?

- Cities
- Counties
- Park districts
- Native American tribes
- Non-profit sports organizations.

MATCHING RESOURCES

Local communities are required to match state funding. To date, \$17 million in state funding has brought in more than \$34 million local matching funds.

CONTACT

Wendy Brown
(360) 902-3021
TDD (360) 902-1996
Wendy.Brown@rco.wa.gov

¹ Statewide Comprehensive Outdoor Recreation Plan, 2013
November 12, 2014

Grants for Sports Fields

DEMAND FOR THE PROGRAM

The Youth Athletic Facilities grant program, administered by the Recreation and Conservation Funding Board, has received periodic funding since 1997. In 2014, the board gauged interest in the program by asking communities to submit grant requests and was overwhelmed with the requests (see list of applicants below). Requests ranged from archery ranges to skateboarding areas to softball fields.

Aberdeen	Island County	Port Angeles
Asotin County Little League	Issaquah	Puyallup
Auburn	Issaquah Soccer Club	Quillayute Valley School District
Baseball Beyond Borders	Kelso School District Kenmore	Rainier Valley Football Association
Beacon Hill Youth Soccer	Kent	Redmond
Bellevue	Key Peninsula Metropolitan Park	Renton
Bellingham	District	Richland
Blackhills Community Soccer Complex	Kirkland	Rochester Youth Soccer Association
Bothell	Lacey	Sammamish Rowing Association
Boys & Girls Clubs of King County	Lake Washington Youth	San Juan Island Park and
Boys & Girls Clubs of	Soccer Association	Recreation District
Snohomish County	Lakewood	Seattle
Bremerton	Liberty Lake	Shoreline
Budd Bay Rugby	Long Beach	Skagit County
Burien	Longview	Skamania County
Camas	Longview School District	Skokomish Indian Tribe
Camas Little League	Lower Elwha Klallam Tribe	Skookum Archers Club & Range
Camas-Washougal Bath Ruth	Lynden	Sky River Soccer Club
Baseball	Lynnwood	Snohomish County
Camp Fire Central Puget Sound	Mason County	Snoqualmie
Castle Rock	Mercer Island	Spokane
Centralia	Metropolitan Park District of Tacoma	Spokane County
Central Whidbey Soccer Club	Monroe	South Whidbey Parks and
Chehalis	Miracle League of Vancouver	Recreation District
Clark County	Montesano School District	Stanwood
Colfax	Moses Lake	Stevens County 4-H
Colfax Community Track and Field	Mount Vernon	Terra Sol Sports Alliance
Confederated Tribes of the	Mountlake Terrace	Toutle Lake School District
Colville Reservation	Muckleshoot Tribe	Tukwila
Covington	Normandy Park	Twin City Youth Football
Des Moines	North Bend	Organization
Duvall	Olympic Peninsula Rowing	Twisp
Eastmont Metropolitan Park	Association	Union Gap
District	Oak Harbor	University Place
Edmonds	Olympia	Vancouver
Enumclaw	Orcas Island Park and Recreation	Vancouver Lake Crew
Everett	District	Washington State Archery
Federal Way	Orting	Association
Fife	Pasco	Washington Timbers Football Club
Friends of Lake Sammamish	Pasco Little League	West Richland
State Park	Pateros	Westport
Hercules Running Rebels	Peninsula Metropolitan Park	Wilkeson
Hoquiam Girls Fastpitch Association	District	Woodland Community Swimming
Ilwaco	People Organized to Operate	Pool Committee
Ingraham High School Track Team	Leisure Activities	Woodland High School
November 12, 2014	Pierce County	Yelm
September 2014	Item 9: Youth Athletic Facilities	

Denis Law
Mayor

City of
Renton



Mayor's Office

October 29, 2014

The Honorable Governor Jay Inslee
Office of the Governor
PO Box 40002
Olympia, WA 98504

**RE: Youth and Community Athletic Facilities Grant Program Funding for the 2015-17
Capital Budget**

Dear Governor Inslee:

The Youth and Community Athletic Facilities (YAF) grant program would give the City of Renton the ability to improve the quality and longevity of its existing athletic facilities, and the opportunity to develop new technologically advanced facilities, allowing for year-round use and inclusivity of all abilities.

The City of Renton is a community rich in cultural and socio-economic diversity with approximately 87 different languages spoken in Renton schools by students and their families. Demand is high for traditional and non-traditional youth athletic programs and activities. In addition to hosting traditional sports such as soccer, baseball and football; we also provide athletic field space to promote our cultural and recreational diversity with programs and leagues such as cricket, rugby and lacrosse. In 2014, the City of Renton partnered with 13 youth-based organizations that utilized our athletic fields creating over 26,000 park visits and experiences.

The City of Renton strives to continue to raise the bar when providing opportunities to stay active and healthy in an effort to combat childhood obesity and adult chronic diseases. Enhancing our community athletic facilities allows citizens of all ages to stay active and engage in recreational activities, which promotes healthy lifestyles while supporting our "I CANN" Initiative (Community Activity and Nutrition Network).

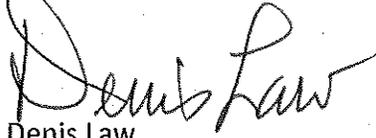
When we invest in community athletic fields, we invest in our community. All weather fields make good business sense for Renton; the ability to use the fields year round enables us to draw major sports tournaments that increase commerce and have a positive economic impact in our Renton community.

We see the \$12 million proposal for the youth and community athletic fields program as a very good investment decision for promoting healthy communities, encouraging economic development and supporting outdoor recreation for the State of Washington.

Governor Jay Inslee
Page 2 of 2
October 29, 2014

Thank you for considering our request to include this funding in the state's 2015-17
Capital Budget.

Sincerely,



Denis Law
Mayor

Renton Benson Bruins Youth Football
Agalelei Elkington, President

Renton Little League Youth Baseball
Larry Namba, President

Newcastle Youth Baseball Club
Sandra Worth, President

Greater Renton Tukwila Youth Soccer Association
Don Sando, Board Member and Field Coordinator

Serevi Youth Rugby of Renton
Joshua Young, Director of Youth Programs

cc: David Schumacher, Budget Director
Nona Snell, Capital Budget Coordinator
Matt Steuerwalt, OFM Policy Director
JT Austin, OFM Policy Advisor
Jim Cahill, OFM
Miguel Perez-Gibson, Legislative Director



November 12, 2014
SCA PIC Meeting

Item 10:
School Siting Guidance Policy
Potential Future Action Item

SCA Staff Contact

Doreen Booth, Policy Analyst, Doreen@soundcities.org, 206-433-7147

Other staff:

Rob Odle, Planning Director, Redmond

GMPC Members:

Maple Valley Councilmember Layne Barnes (caucus chair); Shoreline Deputy Mayor Chris Eggen; Sammamish Councilmember Tom Odell; Renton Councilmember Ed Prince; Covington Mayor Pro Tem Jeff Wagner; Issaquah Councilmember Tola Marts; Mercer Island Councilmember Debbie Bertlin (alternate); Black Diamond Councilmember Tamie Deady (alternate); Pacific Mayor Leanne Guier (alternate); Redmond Councilmember John Stilin (alternate).

Potential Future Action:

The PIC supports bringing the following policy position back to the next PIC meeting for action:

The Sound Cities Association supports the proposed Countywide Planning Policy PF-19A as follows:

Plan, through a cooperative process between jurisdictions and school districts, that public school facilities are available to meet the needs of existing and projected residential development consistent with adopted comprehensive plan policies and growth forecasts.

Cooperatively work with each school district located within the jurisdiction's boundaries to evaluate the school district's ability to site school facilities necessary to meet the school district's identified student capacity needs. Use school district capacity and enrollment data and the growth forecasts and development data of each jurisdiction located within the school district's service boundaries. By January 2016 and every two years thereafter, determine if there is development capacity and the supporting infrastructure to site the needed school facilities. If not, cooperatively prepare a strategy to address the capacity shortfall. Potential strategies may include:

- Shared public facilities such as play fields, parking areas and access drives;
- School acquisition or lease of appropriate public lands;
- Regulatory changes such as allowing schools to locate in additional zones or revised development standards; and

- School design standards that reduce land requirements (such as multi-story structures or reduced footprint) while still meeting programmatic needs.

In 2017, and every two years thereafter, King County shall report to the GMPC on whether the goals of this policy are being met. The GMPC shall identify corrective actions as necessary to implement this policy.

Background

A proposed policy position on school siting first came before the Public Issues Committee (PIC) on June 11, 2014. The policy proposed on June 11, as modified by the PIC, can be found in [Attachment A](#). Detailed background information on the position and the history of school siting as related to Countywide Planning Policies can be found beginning on page 121 of the [June 11, 2014 PIC Packet](#). As a brief reminder, [a School Siting Task Force](#) recommended a School Siting Report to Executive Constantine in April of 2012. The Task Force unanimously agreed on key recommendations for school siting in King County that call for future schools to be sited in urban areas and rural towns, rather than in areas designated as rural. The idea that cities and school districts should collaborate on school siting was one of the recommendations of the report. This proposed policy addresses the recommendation: “The Growth Management Planning Council (GMPC) should develop policies and adopt a work program that commits jurisdictions to working together to identify future school sites within the UGA. These policies shall direct jurisdictions to use zoning and other land use tools to ensure a sufficient supply of land for siting schools.”

The proposed policy PF-19A is one of 20 policies in the Public Facilities section beginning of page 45 of the [Countywide Planning Policies \(CPPs\)](#). The overarching goal of the Public Facilities section states, “County residents in both Urban and Rural Areas have access to the public services needed in order to advance public health and safety, protect the environment, and carry out the Regional Growth Strategy.” Policies in this section of the CPPs address ten policy areas including Urban and Rural Level Services, Collaboration Among Jurisdictions, Energy, and Locating Facilities and Services. The proposed policy PF-19A is in the “Locating Facilities and Services” section. The other two policies in that section address the locating of schools and other community facilities and institutions in the rural and urban growth areas and one policy, PF-19, specifically addresses the School Siting Task Force Report.

New Policy

The school siting policy proposed on November 12 sets out a collaborative approach between school districts and jurisdictions when siting school facilities. This appears to address PIC members’ concerns about imposing requirements on cities and not on school districts. This version of the policy does the following: recognizes that one jurisdiction may contain several school districts (and that the intent of the policy is to work with each school district); identifies the shared need to site the school facilities needed to serve students; incorporates the school district planning framework with the local jurisdiction’s growth forecasts and planning data; and sets an annual local review process and a biannual GMPC check-in (with a requirement for

corrective action at the GMPC level as necessary). The SCA caucus of the GMPC supports the proposed policy.

Existing City / School District Collaborations

One of the concerns raised by staff and PIC members in June related to difficulties cities and school districts might have in undertaking collaborative planning. There are many examples of cities and school districts working together already in school siting and collaborative planning. Following are examples of city and school district collaborations in King County.

Tahoma School District and Maple Valley. Tahoma is building a new high school on land purchased from King County but recently annexed by the City. The City has worked with the District to amend the City's Comprehensive Plan to allow a designation that permit schools on the proposed school site; amend the Zoning Code to accommodate the District's siting needs; and is in the process of selling a parcel (currently vacant land that is part of a larger parcel reserved for future park use) of land adjacent to the school site to the District so that the District will have sufficient land to construct the school and related fields and parking. Without the City's collaborative efforts, the District simply would not have been able to move forward with planning a school on this site (which is centrally located within the City).

Lake Washington and Sammamish. The City of Sammamish was very proactive with the Lake Washington School District with regard to the development of the City's Town Center Plan. The District owns undeveloped property within the Town Center planning area. The City brought the District in to the discussions early in the process, identified opportunities for comment and points of contact, and worked with the District to develop flexible zoning standards for the school site in order to preserve future options for development.

Enumclaw and Enumclaw School District

The City of Enumclaw permits, under a joint use agreement, the Enumclaw School District to use a City-owned Stadium facility for the District's athletic programs.

Renton and Renton School District

The City of Renton and Renton School District won an AWC Smart Communities Award for their collaborative planning. The Meadow Crest Early Learning Center and Meadow Crest Accessible Playground are components of the "Sunset Area Community Reinvestment Strategy," one of the priorities for the city. Part of a collaborative effort between the City of Renton, Renton School District, Renton Housing Authority, Neighborhood House, Renton Technical College and private sector partners, the redevelopment includes the learning center and accessible playground, replacement of public housing units, development of market-rate housing, a new library, new parks, nutrition and health care services, educational opportunities, job training and enhanced public safety programs. The Meadow Crest Accessible Playground is on land that is owned by the City of Renton.

Several districts have Interlocal agreements with cities for joint use of sports facilities (both city and district owned).

Impact Fees

Cities and school districts also work together on capital facilities plans to include provisions for the collection of school impact fees; at least 17 King County cities collect school impact fees on behalf of school districts. The Highline School District will be working with jurisdictions in its service area on collecting impact fees (King County and Kent currently collect impact fees on behalf of the Highline School District - 4 other cities served by Highline do not collect impact fees). The collaboration set out in the proposed policy could occur as part of impact fee discussions between cities and districts.

It is the hope that existing collaborations like those outlined here will help those cities in implementing PF-19A in the coming years and provide collaborative examples for other cities to use.

Next Steps

The PIC will likely take final action on the proposed PF-19A at the December 10 PIC meeting. Action on the proposed school siting guidance policy, an amendment to the countywide planning policies, is scheduled for the December 17 GMPC meeting. Changes to the countywide planning policies are required to go through an approval process at the King County Council and then are sent out to cities for ratification. It is likely that the school siting policy would be ratified and in place by mid-2015.

Attachment:

- A. [School Siting Policy Recommended on June 11, 2014](#)

Attachment A
School Siting Policy recommended at July 9, 2014 PIC meeting

The following policy is the version recommended at the July 9, 2014 PIC meeting.

Work cooperatively with public school districts to ensure there is sufficient capacity to accommodate each district's projected student population and to support school siting consistent with PF-18 and PF-19. To accomplish these goals, all jurisdictions should:

Meet annually with each school district located within its boundaries to accomplish the following:

- o Analyze demographic trends, jurisdictional growth targets and other data and information used to compile student projection numbers;
- o Review the district's plans for accommodating its projected student population; and
- o Discuss the district's strategy for addressing any shortfalls, including: temporary or portable classrooms; renovations or conversions of existing schools; and new schools.

Prepare a plan jointly with each school district to address capacity needs in districts where there is an identified shortfall that cannot be addressed with existing facilities or sites. Innovative strategies for providing adequate capacity should be considered. Examples of such strategies include:

- Shared public facilities such as fields, parking lots, and access;
- School district acquisition or lease of undeveloped or underutilized public properties;
- Land use tools to increase the supply of land available for public schools within the UGA, such as allowing schools in additional zoning classifications, the creation of special district overlays for public purposes, and flexible development standards for school projects; and
- School designs that reduce the need for land such as: smaller building footprints, multi-story buildings, reduced parking, and centralized district amenities.

The GMPC shall annually review all joint plans to determine if the goals of this policy are being met. If the goals of this policy are not being met, the GMPC shall consider remedial actions as necessary. Such actions may include but are not limited to: developing new or amended policies, joint legislative strategies, or reconvening the School Siting Task Force or a similar work group.



November 12, 2014
SCA PIC Meeting

Item 11:

Sustainable Public Health Funding
Board of Health (BOH)
POTENTIAL FUTURE ACTION ITEM

SCA Staff Contact

Doreen Booth, Policy Analyst, doreen@soundcities.org, 206-433-7147

Board of Health (BOH) SCA Members:

Mayor David Baker, Kenmore (caucus chair); Councilmember Largo Wales, Auburn; Mayor Shari Winstead (alternate)

Potential Future Action Item:

To bring back to the next PIC meeting the proposed policy position:

The Sound Cities Association (SCA) recognizes that public health services are needed to ensure the health and safety of all of our residents. SCA supports increased statewide funding for public health through additional revenue streams dedicated to public health. These sources may include but are not limited to taxes on e-cigarettes / vaping devices with funding dedicated to public health.

Background

In September the Public Issues Committee (PIC) had a briefing and discussion on the existing and future shortfalls in Public Health – Seattle & King County (PHSKC). Information from that briefing can be found beginning on page 23 of the [September 10, 2014 PIC packet](#). The Public Health – Seattle & King County shortfall for the 2015/2016 biennium is estimated at \$30 million. At the September 10, 2014 PIC meeting, members asked that SCA staff bring back a position supporting sustainable public health funding to the PIC. As members heard in September, the lack of sustainable funding for public health has been problematic for a number of years, a fact that can be seen in two policy positions previously taken by SCA.

Suburban Cities' members agree that additional funding for public health is needed. To that end, the Suburban Cities Association supports the request of the Joint Selection Committee on Public Health Funding for \$50 million state funds annually in new monies for public health needs throughout Washington State. Our membership believes public health services are a function of the state and county governments, and therefore requests that a distribution be made at the

county level proportionate to the need to increase the counties' existing efforts toward effective outcomes. (March 28, 2007)

Suburban Cities Association recognizes that stable and dedicated public health funding is needed to protect our community. It further acknowledges that it must be a funding source that does not run counter to the interests of cities, such as a county-wide utility tax. (January 16, 2009)

Funding for some public health services has been unsustainable since the passage of Initiative 695 in 1999, which resulted in elimination of the motor vehicle excise tax (MVET) by the State Legislature. A portion of these revenues had been dedicated to public health funding. Since then the state has partially backfilled the loss of MVET revenue for local public health with contributions from the state's General Fund, but flexible funding is at risk each year given shortfalls in the state's budget. When funding is at risk, the same programs are faced with cuts year after year. It is for this reason that SCA has in the past, and continues, to seek sustainable funding for public health.

While SCA is supportive of sustainable public health funding and while several SCA cities are helping to bring funding to the table to avoid clinic closures in the next biennium, we also recognize that turning to cities to help fund public health is not a long term solution. Cities are still dealing with their own budget woes and asking cities to support public health with financial contributions is not a movement towards a sustainable model. Rather, countywide or statewide actions that generate on-going revenue for public health are the answer. One recent announcement by King County Executive Dow Constantine, a proposed 2015 levy for "A Best Starts for Kids" - a regional investment in healthy children and communities, could provide sustainable funding for some portion of the public health budget. It is likely that such an investment would not close the funding gap in PHSKC. Other state actions are needed.

Divisions of Public Health

The PHSKC is made up of five major divisions: Environmental Health Services, Emergency Medical Services, Jail Health Services, Community Health Services, and Prevention Services. [Attachment A](#) is an organization chart outlining the divisions. [The Environmental Health Services](#) (EHS) division is funded by permit fees and is a sustainable division. [The Emergency Health Services division](#) is funded by a voter approved levy – in November 2013 King County voters approved a 6-year, 33.5 cent levy that will raise \$696 million over 6 years for the EMS/Medic One program. Jail Health Services (JHS) are a function of the general government and are required services with the cost of the service dependent on the number of jail inmates. The JHS division does have an unspecified \$1 million reduction in the 2015/2016 biennial budget. That leaves two divisions, the Community Health Services division and the Prevention division, to bear the brunt of the lack of sustainable funding.

It is the Community Health Services division that houses the public health clinics, including the three major areas being proposed for cuts in the 2015/2016 biennium; 1) Primary Care; 2) Women, Infants & Children and Maternity Support Services (WIC/MSS) and Family Planning;

and 3) Regional Services and Administration. These programs have already seen cuts in past years and many other programs in the Community Health Services division have been cut or eliminated in recent years. These types of community health programs are usually on the chopping block each time a crisis occurs.

On-Going Activities

As noted earlier, King County Executive's proposed "Best Start for Kids" levy will provide some amount of funding to the public health department. More details of this levy will be provided as they become available. There are a few potential statewide funding opportunities being discussed now. Those opportunities include the following:

E-cigarette / Vaping Legislation – Representative Gerry Pollet has outlined a bill that would tax e-cigarette / vaping devices in a similar manner to cigarettes. The bill would allow the revenues lost as cigarette sales give way to e-cigarette / vaping devices to be re-captured. One option being examined by the Representative's office is a 64% excise tax on all e-cigarette products that is separate from the retail fee license of \$250 for cigarettes and a separate one for e-cigarettes. According to Representative Pollet's office, most likely such a tax will start with generating \$8-10 million for local public health organizations in the first biennium, but would increase quickly to approximately \$30 million or more in the next biennium under this distribution. Other features of Representative Pollet's proposed bill are: Prohibiting sales of vapor products to persons under 21 years old, and considering whether to extend to cigarettes as well, labeling and disclosure requirements for e-cigarettes / vaping ads and packaging; requiring child resistant packing, banning internet sales of vapor products and requiring school district policies to prohibit vapor products. A fact sheet about Electronic Smoking Devices and E-Liquids is attached for your information ([Attachment B](#)).

Governor Request Legislation – The Governor is expected to put a youth substance abuse prevention bill before the legislature this year. The bill may contain provisions to tax vaping devices at a fair amount that would assist to prevent youth access and abuse.

Communicable Disease Funding Request – The Washington State Department of Health has requested \$54.2 million in the Governor's budget for communicable disease funding, allocating \$10 million to the Washington State Department of Health and \$44.2 million to local health jurisdictions. This funding would to cover current funding gaps in communicable disease that were identified over the past two years as part of extensive and sustained work effort undertaken by the state's public health community. The Governor's budget is a work in progress, and will be released sometime before December 20, 2014. The request by the State Department of Health comes in part through the work of the Foundational Public Health Services (FPHS) Policy Workgroup. The scope and goal of the FPHS policy workgroup is to propose governance and financing solutions that ensures appropriate funding for FPHS statewide – a more detailed charter can be found [here](#). King County is represented on the FPHS Policy Workgroup by King County Councilmember Joe McDermott; a roster of all Workgroup members can be found [here](#).

Next Steps

Representative Pollet's office is expected to have a draft of a bill in the coming weeks. By law, Governor Inslee's budget must be released by December 20, 2014. SCA staff will continue to bring any public health funding efforts forward to the PIC members.

Attachments:

- A. [Public Health Organization Chart](#)
- B. [Electronic Smoking Devices and E-Liquids](#)



**PUBLIC HEALTH
DIRECTOR/HEALTH
OFFICER**
Patty Hayes, Interim

CHIEFS OF SERVICE
Ben Sanders, MD
Dorene Hersh
Moffett Burgess, DD

(Medicine, Nursing,
Dental, Pharmacy)

**CHIEF
ADMINISTRATIVE
OFFICER**
Michael Gedeon

CHIEF OF STAFF
Cyndi Schaeffer

PREPAREDNESS
Carina Eisenboss

**POLICY,
COMMUNITY
PARTNERSHIPS,
COMMUNICATIONS**
Marguerite Ro,
Interim

**ASSESSMENT, POLICY
DEVELOPMENT AND
EVALUATION**
Marguerite Ro

**ENVIRONMENTAL
HEALTH SERVICES
DIVISION**
Ngozi Oleru

- Solid Waste & Vector Control
- Waste Water
- Plumbing & Gas Piping
- Food Protector
- Local Hazardous Waste
- Healthy Community Planning

**JAIL HEALTH
SERVICES**
Bette Pine

- Primary medical care
- Mental health and crisis response
- Urgent dental care
- Community release planning

**COMMUNITY
HEALTH SERVICES
DIVISION**
TJ Cosgrove, Interim

- Clinical Programs
 - Primary Care
 - Family Planning
 - Dental
 - Immunization
- Clinical Support
 - Pharmacy
 - Interpretation
- Parent Child Health (PCH)
- Women Infants & Children (WIC)
- Community Partnerships
- School-based Health Centers
- Health Care for the Homeless

**EMERGENCY
MEDICAL SERVICES
DIVISION**
James Fogarty

- Advanced Life Support Services
 - 5 Fire-Based
- Basic Life Support
 - 30 Fire Dept
- Regional Support Services
 - Medical Direction & Regional EMS Quality Improvement
 - Regional EMS Training Services & EMS Online
 - Planning & Evaluation
 - Community Services Programs
 - Regional Administration & Finance

**PREVENTION
SERVICES
DIVISION**
David Bibus,
Interim

- Communicable Disease/ Epidemiology & Immunizations
- TB Prevention & Control
- HIV/STD Prevention & Control
- Chronic Disease Prevention
 - Healthy Aging svcs
 - Tobacco
 - Breast, Colon, & Cervical Cancer
 - Violence & Injury
 - Obesity
 - Asthma prevention
- Medical Examiner's Office
- Public Health Lab
- Vital Statistics

HUMAN RESOURCES Don Moritz Interim HRD

FINANCE Eben Sutton, Interim

KCIT-PH Lisa Hillman KCIT

CONTRACT, PROCUREMENT, REAL ESTATE Dan Brandes

BUSINESS STANDARDS AND ACCOUNTABILITY Carole Bartolini

Rev. 08/2014

Electronic Smoking Devices and E-Liquid

Electronic smoking devices come in a variety of styles and names that include [e-cigarettes](#), [e-hookah](#), [vape pens](#), and [personal vaporizers](#). Most of these products resemble cigarettes, cigars, or pipes. These devices operate by vaporizing a solution containing nicotine, flavors and other chemicals that is inhaled by the user. Many of these products allow the user to refill the spent cartridge with liquid nicotine, otherwise known as e-liquid or e-juice.



Standard E-Cigarette



Vape Pen



E-Liquid (nicotine)

Health Concerns

E-cigarettes are unregulated and pose a potential [risk](#) to users. They can contain harmful substances, such as propylene glycol and nicotine.

- Nicotine is toxic, highly addictive and has negative effects on brain development in adolescence.
- Refilling cartridges may increase risk of nicotine exposure via inhalation, ingestion, and skin contact.
- Nicotine content may vary and not deliver the content advertised on the label.
- Short and long-term effects to users and non-users (through secondhand smoke) are unknown.

Marketing to Kids

- E-cigarette manufacturers use [big tobacco industry marketing tactics](#) that appeal to youth. An example can be seen in a recent [Sports Illustrated Swimsuit Edition](#).
- E-cigarettes are often aggressively placed in convenience stores near candy.
- E-juice comes in a wide variety of youth attractive flavors such as chocolate, cola, vanilla, cherry.

Youth E-Cigarette Use

E-cigarettes are popular among youth. National use rate among high school students doubled in one year (4.7% in 2011 and 10% in 2012). According to the 2012 Washington State Healthy Youth Survey:

1. About 19,000 youth in Washington State said they used an e-cigarette in 2012. Of those, about 6,000 did not smoke any other tobacco products.
2. Every day, 19 youth begin using e-cigarettes.
3. In the last 30 days, 2% of eighth graders, 4% of 10th graders and 7% of 12th graders used e-cigarettes.

Taxing E-Cigarettes can Decrease Their Use

[Research](#) shows that tax increases on unhealthy products can reduce their use. For example, a 10% increase in cigarette cost reduces the number of youth who smoke by six to seven percent. We expect that might see decrease use in e-cigarettes when taxing strategies are implemented.

Not Proven Effective as Cessation Aid

E-cigarette advocates often say that e-cigarettes help them quit cigarette smoking. However, there are no long-term, population level studies that support this claim.

- Unlike several regulated cessation aids (e.g. nicotine patch), e-cigarettes are unregulated and do not have consistent levels of nicotine.
- Inconsistent levels of nicotine in the same product make it difficult to tax e-cigarettes.
- A [recent study](#) shows the use of e-cigarettes does not discourage, and may even encourage conventional cigarette use among adolescents.





November 12, 2014
SCA PIC Meeting

Item 12:

Lifting the 1% Property Tax Cap

Potential Future Action Item

SCA Staff Contact

Lyset Cadena, Senior Policy Analyst, lyset@soundcities.org, 206-433-7169

Potential Future Action:

To bring the following policy position back to the next PIC meeting for possible action:

While cities understand and appreciate property owners' concerns about rising costs and increased property taxes, in some jurisdictions the current 1% property tax cap has created an ever widening structural gap between revenues, and the costs of providing needed services to residents and making prudent investments in infrastructure. SCA therefore supports legislation to lift the 1% property tax revenue limit.

Background

At the October 8 Public Issues Committee meeting (PIC), members had a discussion about the Association of Washington Cities' (AWC) draft legislative agenda, which includes support for lifting the 1% property tax cap. During the discussion on October 8, interest was expressed in bringing back a position supporting raising the 1% property tax cap.

Property Tax

The property tax is applied annually to the assessed value of all property unless it is specifically exempt by law. Property taxes fund important public priorities such as public schools, fire protection, and public library service. Property taxes are the largest source of tax revenue for local governments and the third largest source of revenue for the state General Fund.

In King County the property tax dollar is divided as follows:

- 2 cents to the Port of Seattle;
- 8 cents to other districts;
- 18 cents to King County;
- 18 cents to cities and towns; and
- 54 cents to schools.

Property Tax Lid

In November 2001, the voters passed Initiative 747. The initiative decreased the allowable change in property taxes levied from six percent to one percent. Initiative 747 was later found to be unconstitutional by the state Supreme Court but the legislature quickly passed legislation that enacted the same limitations that were found in Initiative 747.

The rate of increase for property taxes collected by cities is limited to a 1% increase over prior year collections. For example, if a city collects \$1,000,000 in property taxes one year, it would be limited to collecting \$10,000 more the following year for a total of \$1,010,000, not including increases related to new construction.

Implications of a 1% property tax limitation

Under the 1% property tax limitation, cities have been dealing with a gap between revenue and the cost of services to residents. The costs for many cities are rising 3-5% a year and it is difficult for cities to keep up with the rising costs of providing services to residents.

The implication of this disparity between revenue growth and expenditure growth is that cities expenses will continue to grow faster than revenue. This means that there is less money available in a city's General Fund to cover expenses and any shortfalls. In addition to sales tax, several other city revenue sources have declined the last few years, such as real estate excise tax used for maintaining or improving the city's transportation infrastructure. This decline places pressure on the General Fund to "bail out" these other funds as resources decline in those funds. The disparity becomes magnified during an economic recession, when property tax revenues are depressed and sales tax revenues decline.

Some cities would not choose to raise taxes beyond the 1% limit, even if the cap were lifted. Indeed, some cities have not taken the 1% increase. Support for this position would not require cities to raise property taxes. Rather, it would give an option to those cities (and other jurisdictions) that need the additional revenue.

Property Tax Cap Options

During the October 8 PIC discussion, there was no consensus on a preferred approach to lifting the property tax cap. PIC members could consider a number of approaches in discussing this item, such as:

- Support raising the 1% property tax revenue limit and let the Legislature decide the appropriate level;
- Support raising the 1% property tax revenue limit and replacing it with a cap such as 2%, 3%, or 6%;
- Support raising the 1% property tax revenue and replacing it with a cap indexed to both population growth and inflation; or
- Support raising the 1% property tax revenue and replacing it with some other index.

AWC Position ([Attachment A](#))

AWC supports revisiting the local government 1% property tax revenue limit to determine if there is a better local option approach that will balance the public's desire for property tax limitations with the reality of keeping pace with funding service needs. AWC wants to work on a property tax option that is not a requirement and allows for flexibility.

King County Position

While King County has not yet adopted its legislative agenda, there appears to be strong support from both the Executive and Council to similarly support an increase in the 1% property tax cap. This support was referenced by the Executive in his budget address, and in SCA meetings with both the Executive, and Councilmembers. Support for this proposal will also likely be included in the Washington State Association of Counties (WSAC) legislative agenda.

Attachment

- A. [AWC Legislative Agenda](#)



AWC Legislative Committee Meeting September 16, 2014 (DRAFT) Summary and Recommendations

Below are some brief observations of the discussion, followed by proposed Committee recommended priorities to the AWC Board.

- The Committee agreed with most staff recommendations that these items should comprise our priorities and no NEW ones were suggested.
- Based on the discussions there was a general understanding that several of the issues can be “grouped” together
- The Committee wants to be engaged in putting meat on the bones on several items (examples include making sure we have the right mix of local option transportation items and what the list of cost-driver solutions looks and feels like).
- The Committee understands the challenges of maintaining and restoring shared revenue and infrastructure resources, but urges AWC to not keep advocating for these absent some new ideas – including to be actively engaged in consideration of new revenues for the state.
 - The Committee asked to be a part of figuring out how best to do this over the coming months and staff agreed.
- AWC and city officials at home need to better articulate the consequences of funding cuts and the benefits of continued or restored funding.
- AWC needs to figure out how best to engage the Committee both during the November meeting and after the 10/3 Board meeting. They have useful strategy input and suggestions.

Based on the Committee’s discussions, staff has prepared the following recommendations (still in no particular order) to forward to the Board of Directors for consideration for adoption as AWC’s 2015 Legislative Agenda priorities.

Maintain Existing State-shared Revenue

Work to maintain existing state shared revenue and oppose any further cuts. Cities are willing to work with the State to explore ways to ensure that this funding remains available to the jurisdictions that rely upon it. In addition, continue to seek restoration of diverted liquor taxes and removal on the cap on liquor profits.

Exploring new revenue options and greater flexibility:

Cities will explore the possibility of new revenue opportunities to fund needed local services and look at options for creating greater flexibility within existing funding sources. Options may include:

Lift the 1% Property Tax Cap

Cities support revisiting the local government 1% property tax revenue limit to determine if there is a better local option approach that will balance the public’s desire for property tax limitations with the reality of keeping pace with funding service needs.

Greater Authority and Flexibility for REET

Explore potential REET changes as an option for enhancing needed infrastructure funding and maintenance

Maintain and Restore Funding for Infrastructure

Stop divestment in programs that support basic local infrastructure, and have the State commit to a pathway to restore historic levels of investment and partnership in these key programs. Cities and the State must continue to partner on emerging infrastructure challenges to build strong communities and economic opportunities that generate jobs and revenue. Cities are willing to work with the State to explore ways to fund this important priority.

Transportation Funding

AWC supports a multimodal statewide transportation revenue package with a direct distribution of gas tax at historical percentages; an array of local transportation revenue options; and increased funding for important state grant programs (TIB, FMSIB, Safe Routes to School, Bike/Ped, Complete Streets).

In the event, however, that a statewide transportation package does not pass, AWC will advocate for new and enhanced local transportation revenue options and for the state and will seek to refrain it from transferring funds out of programs that benefit locals, such as TIB, to state transportation programs.

In addition, AWC will advocate for and support improved freight rail safety including additional funding at both the State and Federal levels.

Marijuana

Preserve existing local regulatory authority over marijuana related businesses and share marijuana excise tax revenue with cities to address criminal justice needs and other local impacts.

- Cities oppose any preemption of local authority over traditional land use, licensing, local taxes and fees, and other regulatory functions in regards to marijuana production or distribution.
- To support the success of I-502 and diminish the impact of the illegal market, cities need a share of anticipated I-502 revenues to cover efforts on education and criminal justice.
- Cities support reconciling the recreational and medical marijuana markets to ensure legitimate patient access, enforceability and compliance with federal expectations.

State Imposed Cost Drivers

- Cities oppose creation of NEW cost drivers without accompanying revenue.
- Cities will seek opportunities to address existing cost drivers and promote changes that would eliminate or lower the impact of such cost drivers.

The following issues were discussed, but based on Committee discussion and staff recommendations, they were deemed not yet ready to be advanced as priorities at this time.

- Clarify city utility tax authority on water & sewer districts serving city customers
- Public Defense Funding



November 12, 2014
SCA PIC Meeting

Item 13:

Recreational Immunity

Potential Future Action Item

SCA Staff Contact

Deanna Dawson, SCA Executive Director, deanna@soundcities.org, 206-433-7170

Potential Future Action:

To bring the following policy position back to the next PIC meeting for action:

SCA supports legislation to clarify the scope of recreational immunity in Washington State, and clarify that potential dual purposes of land does not reduce the scope of immunity provided by RCW 4.24.210

The Washington State Supreme Court has created a disincentive for recreational facility investments in its recent interpretation of RCW 4.24.210, the state's recreational immunity statute. The Court's interpretation of the nature and role of bicycling and bicycle paths, as applied to RCW 4.24.210, creates the type of potential liability for local government, policymakers, and private landowners that discourages any investments in bicycling or other recreational trails and facilities and encourages decisions to revoke existing access privileges. This outcome is counter to the recreational, economic, and health policies and objectives of the state that underlie RCW 4.24.210.

Background

The City of Mercer Island has asked the PIC to consider taking a position in support of legislation that would clarify the scope of recreational immunity in Washington State. The Washington State Supreme Court recently issued an opinion in Camicia v. Howard S. Wright Construction Co. and City of Mercer Island that has liability implications for cities across King County, and the State. Legislation has been proposed to clarify the scope of recreational immunity, to protect cities from liability for unintentional injuries, and to encourage investments in trails.

Recreational Immunity Statute: RCW 4.24.210

Washington's former recreational use immunity statute, RCW 4.24.210, provides:

[A]ny public or private landowners or others in lawful possession and control of any lands whether designated resource, rural, or urban, or water areas or channels and lands adjacent to such areas or channels, ***who allow members of the public to use them for the purposes of outdoor recreation***, which terms includes, but is not limited to, . . . hunting, fishing, camping, picnicking, swimming, hiking, bicycling, skateboarding or other nonmotorized wheel-based activities, hang gliding, paragliding, rock climbing, the riding of horses or other animals, clam digging, pleasure driving of off-road vehicles,

snowmobiles, and other vehicles, boating, nature study, winter or water sports, viewing or enjoying historical, archeological, scenic, or scientific sites, without charging a fee of any kind therefor, ***shall not be liable for unintentional injuries to such users.*** (Emphasis added.)

This statute is an exception to the common law on premises liability. The legislature enacted RCW 4.24.210 in 1967 to immunize landowners who open up their property to the public for the purpose of “outdoor recreation” from liability for most injuries. In so doing, the legislature expressly stated that its intent was to “encourage owners or others in lawful possession and control of land and water areas or channels to make them available to the public for recreational purposes by limiting their liability toward persons entering thereon.” RCW 4.24.200 (statement of purpose). Recreational use immunity is an affirmative defense- the defendant claiming that it is immune has the burden of proving that it is immune under the statute.

Mercer Island Case – Camicia v. Howard S. Wright Construction Co. and City of Mercer Island

The I-90 bicycle trail was built by the Washington State Department of Transportation (WSDOT) in the 1980s and runs from Seattle to Mercer Island across Lake Washington and to other areas in Puget Sound. To prevent motor vehicles from entering the trail, WSDOT installed wooden posts at some locations where the trail intersects city streets. In 2000, WSDOT conveyed to the City a portion of the I-90 bicycle trail and the quitclaim deed described the property as “for road/street purposes only, and no other use shall be made of said property without obtaining prior written approval of the grantor. It is also understood and guaranteed that the grantee shall not revise either the right of way lines or the access control without prior written approval from the grantor.” Despite the language in the quitclaim deed, the City maintains and operates the I-90 bicycle trail as a recreational facility.

In 2006, Susan Camicia was bicycling along the I-90 trail and had an accident. She sued the construction company who had installed the fencing she collided with, and the City of Mercer Island.

The City moved for summary judgment, asserting immunity under Washington’s recreational use immunity statute, RCW 4.24.210. The statute provides for “public or private landowners or other in lawful possession and control of any lands who allow the public to use them for the purposes of outdoor recreation, without charging a fee, are immune from liability for unintentional injuries to such users.”

Camicia argued that the recreational immunity statute does not apply because the City failed to show that (1) it owned the trail; (2) it had the legal authority to open or close its portion of the trail; and (3) immunity otherwise applied to the trail, which Camicia characterized as a regional public transportation route.

The trail court granted summary judgment to the City. The Court of Appeals reversed, holding that material issues of fact precluded summary judgment. Evidence in the record suggested

that WSDOT had viewed the trail as a “transportation facility.” Because the “public purpose” of the trail was disputed, the Court held that summary judgment was granted improperly.

The City appealed. The Washington State Association of Municipal Attorneys (WSAMA) filed an amicus brief, arguing that making immunity a “question of fact” is tantamount to no immunity at all.” Br. of Amicus Curiae, WSAMA at 5. ([Attachment A](#))

The Supreme Court granted review and affirmed the Court of Appeals, holding that recreational use immunity could not be determined as a matter of law because there were disputed issues of fact as to whether the trail served a recreational purpose as opposed to a transportation purpose. Supreme Court Opinion can be found [here](#).

In its opinion, the Court noted that “Extending the reach of RCW 4.24.210 to land that is open to the public for purposes other than recreation simply because some recreational use occurs not only undermines the statute's plain language and the legislature's intent but would also unjustly relieve the government of its common-law duty to maintain roadways in a condition reasonably safe for ordinary travel.” The Court went on to state that “reasonable minds could differ” as to whether the I-90 trail was “opened for the purpose of recreational use.” The Court went on to state that “it is not enough for the City to show that the I-90 trail was opened for bicycling” because “bicycling is not necessarily a recreational activity.”

Proposed Legislation

In response to this decision, Representative Senn has proposed legislation that would clarify that potential dual purposes of land do not reduce the scope of immunity provided by RCW 4.24.210. The legislation would specifically state that “the state supreme court has created a disincentive for recreational facility investments in its recent interpretation of RCW 4.24.210, the state's recreational immunity statute. The court's interpretation of the nature and role of bicycling and bicycle paths, as applied to RCW 4.24.210, creates the type of potential liability for local government, policymakers, and private landowners that discourages any investments in bicycling or other recreational trails and facilities and encourages decisions to revoke existing access privileges. This outcome is counter to the recreational, economic, and health policies and objectives of the state that underlie RCW 4.24.210.” The full text of the proposed legislation can be found in [Attachment B](#).

The statute as amended would clarify that landowners who allow the public to use their land for the purposes of outdoor recreation, without charging a fee of any kind, are not liable for unintentional injuries to the users. The statute would also make clear that the applicability of the statute is “not limited by potential or actual alternative, nonrecreational purposes or uses of the underlying land.” The statute would also include a finding that demand for bicycling facilities, like all forms of recreation in the state, is increasing and will continue to increase with the state's population, and that the state “should enact policies that remove disincentives for state agencies, local governments, and private landowners to invest in recreational infrastructure.”

Attachments

- A. [WSAMA Amicus Brief](#)
- B. [Proposed Legislation to RCW 4.24.210](#)

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NO. 85583-8

RECEIVED BY E-MAIL

IN THE SUPREME COURT
OF THE STATE OF WASHINGTON

CITY OF MERCER ISLAND,

Petitioner,

v.

SUSAN CAMICIA,

Respondent.

FILED
APR 05 2011
CLERK OF THE SUPREME COURT
STATE OF WASHINGTON

BRIEF OF AMICUS CURIAE, WASHINGTON STATE
ASSOCIATION OF MUNICIPAL ATTORNEYS,
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ORIGINAL

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COURT RULES

RAP 13.4(b)(2)1

I. INTRODUCTION

Washington State Association of Municipal Attorneys (“WSAMA”) joins in and supports the arguments raised in the City of Mercer Island’s Petition for Review. Division I’s decision limits the scope of the immunity that Recreational Land Use Statute, RCW 4.24.210, provides, and conflicts with established precedent that applies RCW 4.24.210 to bicycle trails. Division I’s decision threatens the protections afforded by statute to landowners across the state, public and private, who provide immeasurable public benefit by gratuitously leaving open their land for recreational purposes. WSAMA urges this court to accept review pursuant to RAP 13.4(b)(2).

II. STATEMENT OF THE CASE

WSAMA incorporates by reference the Statement of the Case contained in Mercer Island’s Petition for Review.

III. ARGUMENT

RCW 4.24.210(1)¹ provides immunity for landowners who open their land free for recreational purposes. There is no limitation placed in

¹ “(1) Except as otherwise provided in subsection (3) or (4) of this section, any public or private landowners or others in lawful possession and control of any lands whether designated resource, rural, or urban, or water areas or channels and lands adjacent to such areas or channels, who allow members of the public to use them for the purposes of outdoor recreation, which term includes, but is not limited to, . . . **bicycling** . . . without charging a fee of any kind therefor, shall not be liable for unintentional injuries to such users.” (Emphasis added.)

this statute with respect to the type of recreational use involved. Nor does the statute limit the immunity of owners who make their land available for free recreational uses dependent upon the consistency of the recreational use with the instrument by which the owner came into title to the property, or any limitations upon such owner's fee simple interest.

The Court of Appeals decision presents an anomaly. If Mercer Island had come into a fee interest in the property on which plaintiff was injured with no restrictions, the Court of Appeals would have affirmed summary judgment in Mercer Island's favor. After all, Ms. Camicia was injured during the course of a *designated* recreational use, on a recreational trail. But the Court of Appeals was apparently concerned that Mercer Island's property interests were limited by language in the quit claim deed it received from the Washington State Department of Transportation (WSDOT). The Court found a question of fact as to whether Mercer Island had the right to open this property up for recreational purposes—as Mercer Island admittedly did, bicycling being an obvious recreational use of property.

The Court of Appeals decision places the cart before the horse in at least two ways. First, Ms. Camicia does not have standing to assert that, under the deed from WSDOT to Mercer Island, Mercer Island could not have made the land legally available for the very recreational use she was

making of the property. Second, by virtue of the statute's plain language, immunity depends only upon the fact that the owner *did* make the land on which the injury occurred open for free—the additional requirements imposed by Division I are newly-minted, from whole cloth.

With respect to the first point, it has been held that deed covenants cannot be enforced by a nonparty who has no personal stake in enforcing the covenant. *Lakewood Racquet Club v. Jensen*, 156 Wn. App. 215, 232 P.3d 1147 (2010); *see also Timberland Homeowners Ass'n, Inc. v. Brame*, 79 Wn. App. 303, 901 P.2d 1074 (1995). In *Donald v. City of Vancouver*, 43 Wn. App. 880, 719 P.2d 966 (1986), the court held that taxpayers do not have standing to enforce deed conditions subsequent that land be used as a public park, when the city attempted to convey a portion of the park to a hotel. While it may be possible that a citizen has standing to assert that he or she *can* use dedicated property, *see Donald v. City of Vancouver*, 43 Wn. App. 880, 885, 719 P.2d 966 (1986) and *Sweeten v. Kauzlarich*, 38 Wn. App. 163, 166, 684 P.2d 789 (1984), it seems doubtful that any person would have standing to argue in court that she did *not* have any rights to recreational use of property.²

² Of note, Camicia never actually made this argument. This argument was both raised and resolved by Division I, with no participation by either party.

With respect to the second point, Division I did a great disservice to the public, landowners, and the legislature by injecting non-statutory criteria into the analysis. No case suggests that chain of title, source of funds, or third party opinions carry weight—indeed, precedent is to the contrary. *See, e.g., Gaeta v. Seattle City Light*, 54 Wn. App. 603, 608, 774 P.2d 1255 (1989) (“We find the proper approach in deciding whether or not the recreational use act applies is to view it from the standpoint of the landowner or occupier.”). This grey area between immunity and endless liability is a strong disincentive to any property owner considering opening land to the public.

To be clear, Division I’s analysis is novel. The cases cited by Camicia are readily distinguishable. *Tennyson v. Plum Creek Timber Co., L.P.*, 73 Wn.App. 550, 872 P.2d 524 (1994), for example, involved a contractor—who was simply doing work on a property—and obviously had no authority to open and close it to the public. *See id.* at 557 (“The ‘possession and control’ requirement clearly indicates a broader, more permanent interest in the land than was present here. As in *Labree*, the agreements between Plum Creek and the contractors were for purposes of excavation.” Additional citations omitted. Here, in contrast, Mercer Island undisputedly owned the property and the evidence one-sidedly proves that it could open and close it as it deemed fit (and the usual

incidents of ownership were present). And in *Cultee v. City of Tacoma*, 95 Wn.App. 505, 977 P.2d 15 (1999), there was a dispute about whether recreational users were allowed on the property in the first place. There was testimony that the land was not actually “open to the public.” There is no similar evidence in this case; the I-90 trail is open and available to the public—a gratuitous benefit reaped by perhaps thousands of people every day, much like Spokane, Washington’s Centennial Trail.³

RCW 4.24.200 states the intention of the legislature in creating recreational immunity:

The purpose of RCW 4.24.200 and 4.24.210 is to encourage owners or others in lawful possession and control of land and water areas or channels to make them available to the public for recreational purposes by limiting their liability toward persons entering thereon and toward persons who may be injured or otherwise damaged by the acts or omissions of persons entering thereon.

Making immunity a “question of fact” is tantamount to no immunity at all. The purposes of immunity are not served by forcing the immune party to undertake expensive discovery and trial in order to claim it. *See, e.g., Harlow v. Fitzgerald*, 457 U.S. 800 (1982). The point here is that immunity does not count for very much if the immune person is not

³ See <http://spokanecentennialtrail.org/>.

immune from harassing and time-consuming discovery and trial, as well as from judgments.

In this case, Ms. Camicia was making use of land made available for her free use for bicycling. Bicycling is a statutorily enumerated recreational use. How Mercer Island came into title to the property, and whether the WSDOT could have prevented Mercer Island from using the property for recreational purposes (or that WSDOT even intended to do so) are not relevant to statutory immunity.

The Court of Appeals decision implies that recreational areas, if used by some for a non-recreational purpose, lose their identity under RCW 4.24.210. In this, Division I errs. RCW 4.24.210 makes no distinction between bicycling as a recreation and bicycling as a healthy choice to get to work. Thus, even though Ms. Camicia was indeed “recreating” at the time of her injury, that fact should make no difference here.

IV. CONCLUSION

Amicus curiae Washington State Association of Municipal Attorneys respectfully requests this Court to accept review, and reverse the decision of the Court of Appeals, and reinstate the trial court’s judgment.

//

RESPECTFULLY SUBMITTED this 28th day of March, 2011.

*Milton G. Rowland by
D.B.H.*

Milton G. Rowland, WSBA #15625

D.B.H.

Daniel B. Heid, WSBA #8217

Attorneys for Amicus, Washington State
Association of Municipal Attorneys

RECEIVED
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SUPREME COURT OF THE STATE OF WASHINGTON

Mercer Island,

No. 85583-8

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Petitioner,

CERTIFICATE OF SERVICE
OF MOTION AND BRIEF OF
AMICUS CURIAE WASHINGTON
STATE
ASSOCIATION OF MUNICIPAL
ATTORNEYS

v.

Susan Camicia,

Respondent.

I, Megan Stockdale, hereby certify and declare under penalty of perjury under the laws of the State of Washington, that on the date below set forth, I sent, postage pre-paid, a true and correct copy of the Motion for Leave to File Brief of Amicus Curiae and the Brief of Amicus Curiae Washington State Association of Municipal Attorneys in Support of Petitioner, concerning the above entitled matter to:

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Keating, Bucklin & McCormack
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Seattle, WA 98104

Peter S. Holmes
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Seattle City Attorney's Office
600 Fourth Avenue, 4th Floor
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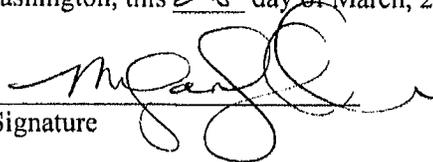
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John Budlong
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100 Second Avenue South, Suite 200
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at the above addresses, on the 28th day of March, 2011.

SIGNED at Auburn, Washington, this 28th day of March, 2011.

Signature



ORIGINAL

BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: H-0044.2/152nd draft

ATTY/TYPIST: ML:akl

BRIEF DESCRIPTION: Clarifying that potential dual purposes of land does not reduce the scope of immunity provided by RCW 4.24.210.

AN ACT Relating to clarifying that potential dual purposes of land does not reduce the scope of immunity provided by RCW 4.24.210; amending RCW 4.24.210; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** (1) The legislature finds that there is a great public value in encouraging bicycling as an outdoor recreational activity. The encouragement of bicycling is consistent with the state's public health goals, such as reducing obesity, and historical and ongoing efforts to improve outdoor recreational opportunities in Washington. Modern and plentiful bicycle trails and other related facilities also add to the quality of life in Washington that assists local companies recruit and retain talented employees. Finally, as evidenced by RCW 43.43.390, bicycling is an important alternative component of the state's transportation infrastructure. As such, bicycling, by design, serves the dual purpose of recreation and transportation.

(2) The legislature further finds that, like all forms of recreation in the state, the demand for bicycling facilities is increasing and will continue to increase with the state's population. The state should enact policies that remove disincentives for state agencies, local governments, and private landowners to invest in recreational infrastructure.

(3) The legislature further finds that the state supreme court has created a disincentive for recreational facility investments in its recent interpretation of RCW 4.24.210, the state's recreational immunity statute. The court's interpretation of the nature and role of bicycling and bicycle paths, as applied to RCW 4.24.210, creates the type of potential liability for local government, policymakers, and private landowners that discourages any investments in bicycling or other recreational trails and facilities and encourages decisions to revoke existing access privileges. This outcome is counter to the recreational, economic, and health policies and objectives of the state that underlie RCW 4.24.210.

(4) It is therefore the intent of the legislature to overrule the state supreme court's holding in *Camicia v. Howard S. Wright Construction Company*, No. 85583-8 (January 30, 2014) and establish the changes made to RCW 4.24.210 by section 2 of this act as the state policy on how the immunity provided by RCW 4.24.210 applies to bicycling as an activity and to land that may serve additional purposes beyond recreation.

Sec. 2. RCW 4.24.210 and 2012 c 15 s 1 are each amended to read as follows:

(1)(a) Except as otherwise provided in subsection (3) or (4) of this section, any public or private landowners, hydroelectric project owners, or others in lawful possession and

control of any lands whether designated resource, rural, or urban, or water areas or channels and lands adjacent to such areas or channels, who allow members of the public to use them for the purposes of outdoor recreation, ~~((which))~~ without charging a fee of any kind, is not liable for unintentional injuries to the users.

(b) The applicability of this section is not limited by potential or actual alternative, nonrecreational purposes or uses of the underlying land.

(c) For the purposes of this section, the term "outdoor recreation" includes, but is not limited to, the cutting, gathering, and removing of firewood by private persons for their personal use without purchasing the firewood from the landowner, hunting, fishing, camping, picnicking, swimming, hiking, ~~((bicycling,))~~ skateboarding or other nonmotorized wheel-based activities, aviation activities including, but not limited to, the operation of airplanes, ultra-light airplanes, hanggliders, parachutes, and paragliders, rock climbing, the riding of horses or other animals, clam digging, pleasure driving of off-road vehicles, snowmobiles, and other vehicles, boating, kayaking, canoeing, rafting, nature study, winter or water sports, viewing or enjoying historical, archaeological, scenic, or scientific sites~~((, without charging a fee of any kind therefor, shall not be liable for unintentional injuries to such users))~~.

(d) The term "outdoor recreation" also includes bicycling in any area other than a state highway, county road, city street, or designated bicycle lane located within a state highway, county road, or city street, regardless of whether the activity or location also serves a transportation purpose.

(2) Except as otherwise provided in subsection (3) or (4) of this section, any public or private landowner or others in lawful possession and control of any lands whether rural or

urban, or water areas or channels and lands adjacent to such areas or channels, who offer or allow such land to be used for purposes of a fish or wildlife cooperative project, or allow access to such land for cleanup of litter or other solid waste, shall not be liable for unintentional injuries to any volunteer group or to any other users.

(3) Any public or private landowner, or others in lawful possession and control of the land, may charge an administrative fee of up to twenty-five dollars for the cutting, gathering, and removing of firewood from the land.

(4)(a) Nothing in this section shall prevent the liability of a landowner or others in lawful possession and control for injuries sustained to users by reason of a known dangerous artificial latent condition for which warning signs have not been conspicuously posted.

(i) A fixed anchor used in rock climbing and put in place by someone other than a landowner is not a known dangerous artificial latent condition and a landowner under subsection (1) of this section shall not be liable for unintentional injuries resulting from the condition or use of such an anchor.

(ii) Releasing water or flows and making waterways or channels available for kayaking, canoeing, or rafting purposes pursuant to and in substantial compliance with a hydroelectric license issued by the federal energy regulatory commission, and making adjacent lands available for purposes of allowing viewing of such activities, does not create a known dangerous artificial latent condition and hydroelectric project owners under subsection (1) of this section shall not be liable for unintentional injuries to the recreational users and observers resulting from such releases and activities.

(b) Nothing in RCW 4.24.200 and this section limits or expands in any way the doctrine of attractive nuisance.

(c) Usage by members of the public, volunteer groups, or other users is permissive and does not support any claim of adverse possession.

(5) For purposes of this section, the following are not fees:

(a) A license or permit issued for statewide use under authority of chapter 79A.05 RCW or Title 77 RCW;

(b) A pass or permit issued under RCW 79A.80.020, 79A.80.030, or 79A.80.040; and

(c) A daily charge not to exceed twenty dollars per person, per day, for access to a publicly owned ORV sports park, as defined in RCW 46.09.310, or other public facility accessed by a highway, street, or nonhighway road for the purposes of off-road vehicle use.

--- END ---



November 12, 2014
SCA PIC Meeting

Item 14:

“TIGER CUBS” - Transportation Improvement Generating Economic Recovery for Cities Underfunded Because of Size Act of 2013

Letter of Support

Potential Future Action Item

SCA Staff Contact

Lyset Cadena, Senior Policy Analyst, lyset@soundcities.org, 206-433-7169

Potential Future Action:

To bring the following policy position back to the next PIC meeting for action:

SCA supports reauthorization of the TIGER grant program and Congressman Rick Larsen’s “TIGER CUBS” legislation that would allow cities between 10,000 and 50,000 population to apply for federal competitive transportation grants with the following amendments:

- The population threshold should be modified to include cities under 60,000; and
- Funding for “TIGER CUBS” be in addition to “TIGER” grants funding.

Background

MAP-21

MAP-21, the Moving Ahead for Progress in the 21st Century Act, was signed into law by President Obama on July 6, 2012. MAP-21 was the first long-term highway authorization enacted since 2005 and funded surface transportation programs at over \$105 billion for fiscal years 2013 and 2014.

MAP-21 refined many of the highway, transit, bike, and pedestrian programs and policies established in 1991. MAP-21 created a performance-based and multimodal program to address the challenges facing the U.S. transportation system. These challenges include improving safety, maintaining infrastructure condition, reducing traffic congestion, improving efficiency of the system and freight movement, protecting the environment, and reducing delays in project delivery.

In July, the U.S. Congress passed the Highway and Transportation Funding Act of 2014 which extended MAP-21 through May 2015.

TIGER Grants

The Transportation Investment Generating Economic Recovery, or TIGER Discretionary Grant program, provides an opportunity for the USDOT to invest in road, rail, transit and port projects

that promise to achieve critical national objectives. It was created as a supplementary grant program included in the American Recovery and Reinvestment Act of 2009 during a time where traditional transportation earmarks were being eliminated. Since 2009, Congress has dedicated more than \$4.1 billion for six rounds to fund projects that have a significant impact on the Nation, a region or a metropolitan area. About a quarter of TIGER funding has been set aside for rural communities, with the bulk of the remainder going to large cities and statewide projects.

TIGER grants can fund port and freight rail projects and provide capital funding directly to any public entity, including municipalities, counties, port authorities, tribal governments, and MPOs.

In each round of TIGER, USDOT receives many applications to build and repair critical pieces of freight and passenger transportation networks. Applicants must detail the benefits their project would deliver for five long-term outcomes: safety, economic competitiveness, state of good repair, livability and environmental sustainability. USDOT also evaluates projects on their expected contributions to economic recovery, as well as their ability to facilitate innovation and new partnerships. Many smaller jurisdictions do not have the resources to compete for TIGER grants with cities such as New York and San Francisco even though they face many of the same transportation challenges.

Since 2009 Washington State has been awarded 12 TIGER grants.

H.R. 2944

In August 2013, Congressman Rick Larsen introduced H.R. 2944, Transportation Improvement Generating Economic Recover for Cities Underfunded Because of Size Act of 2013 or TIGER CUBS Act. The legislation makes supplemental appropriations of \$500 million for FY 2014 to the USDOT for the TIGER competitive grant program. It earmarks \$100 million of the \$500 million for projects in cities with populations between 10,000 and 50,000. The TIGER CUBS Act will make sure small cities have a fair shot at transportation dollars.

Cities such as Burien, Cheney, Edmonds, Lake Stevens, Puyallup, Redmond, Shoreline, and Tukwila ([Attachment A](#)) have written letters of support to Congress supporting the “TIGER CUBS” legislation with the following amendments:

- The population threshold should be modified to include cities under 60,000; and
- Funding for “TIGER CUBS” be in addition to “TIGER” grants funding.

Attachments

- A. [Letters of Support from Burien, Redmond, Shoreline, and Tukwila](#)



Burien

Washington, USA

400 SW 152nd Street • Suite 300 • Burien, WA 98166

Phone: (206) 241-4647 • FAX (206) 248-5539

www.burienwa.gov

June 19, 2014

The Honorable Patty Murray
United States Senate
154 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Maria Cantwell
United States Senate
311 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Jim McDermott
United States House of Representatives
1035 Longworth House Office Building
Washington, D.C. 20515

Dear Senators Murray and Cantwell, and Representative McDermott:

We are writing to urge you to support Senator Boxer's efforts to enact a Moving Ahead for Progress in the 21st Century (MAP-21) reauthorization bill before the end of 2014.

As you know well, the current federal transportation legislation, MAP-21, expires on September 30th, and the revenues that support the bill may be exhausted before that date. Without a Congressional MAP-21 reauthorization bill this year, the federal-state-local transportation partnership will suffer, resulting in local and state projects in Washington being delayed or even cancelled.

On May 12th, the Senate Environment and Public Works Committee, which Senator Boxer chairs, unanimously passed S.2322, which reauthorizes MAP-21 for 6 years. The bill provides new, long-term funding authorization, which will give our state and local governments the certainty and stability we need to improve and develop Washington's transportation infrastructure. A MAP-21 reauthorization bill may even energize our state legislature to pass the long-stalled, statewide transportation revenue package.

As the bill moves through the appropriations process, an amendment that would assist the City of Burien is the inclusion of Rep. Larsen's "TIGER CUBS" legislation, H.R.2944, introduced in House in August 2013.

The TIGER CUBS legislation earmarked \$100M in TIGER competitive grants to cities between 10,000 and 50,000 in population; Burien's population being about 48,000. We are very appreciative of Senator Murray's TIGER competitive grant program and Burien is not interested in reducing TIGER grants. Rather, we support Rep. Larsen's legislation as an add-on to the original TIGER program, as it will enable smaller jurisdictions to compete for grants against cities of similar size.

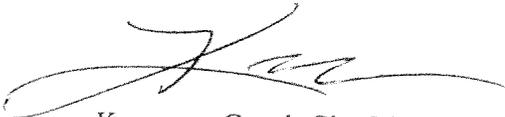
The Puget Sound Regional Council (PSRC) reports that Map-21 delivered \$1.3 billion in five Federal Highway Administration programs to Washington State in the past two years through the following accounts:

- the Surface Transportation Program- STP
- the National Highway Performance Program
- the Transportation Alternatives Program
- the Congestion Mitigation and Air Quality Improvement Program – CMAQ, and
- the Highway Safety Improvement Program

This is vital, federal transportation partnership funding, the loss of which will have a negative and chilling effect on state and local efforts to address our transportation needs.

We urge you and your Congressional colleagues to find common ground on the reauthorization of MAP-21 and pass a new, 6-year federal transportation funding bill into law this year.

Sincerely,



Kamuron Gurol, City Manager
City of Burien

cc: Congressman Rick Larsen
Sheila Babb, Katie Whittier, Senator Murray's Seattle office
Sara Crumb, Senator Cantwell's Seattle office
Olivia Robinson, Rep. McDermott's Seattle office

City of Redmond letter that can be used as a template

September 15, 2014

The Honorable Patty Murray
United States Senator
154 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Maria Cantwell
United States Senator
311 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Suzan Delbene
U.S. Representative, 1st Congressional District
318 Cannon House Office Building
Washington, D.C. 20515

RE: *Support for reauthorization of "TIGER" program and Congressman Larsen's "TIGER CUBS" Act*

Dear Senators Murray and Cantwell and Congresswoman Delbene:

I am writing in support of continued progress on transportation funding reauthorization legislation. I appreciate efforts to provide federal road and transit funding through May 2015, however, programs and projects in Washington State and across the nation will suffer without a long-term transportation funding solution.

Additionally, I strongly support continued funding of the "TIGER" (Transportation Investment Generating Economic Recovery) program that has been available on a competitive basis and support amending legislation (H.R. 2944) sponsored by Congressman Rick Larsen (D-2nd District). Congressman Larsen's amendment to the TIGER program, dubbed the "TIGER CUBS" (Cities Underfunded Because of Size) legislation would enable \$100 million of the TIGER funds to be set aside for cities with populations between 10,000 and 50,000. Furthermore, I would ask for Congress to structure a TIGER CUBS program in such a way as to *add* \$100 million in funding, if not more, to keep the program strong and improve it for some of the nation's smaller cities.

I join with other cities you may have heard from, such as Shoreline, in asking that the 50,000 population level be modified to 60,000 so that our city can qualify for such a program. The City of Redmond has a day-time population of 55,000, and cities of our size face challenges in competing nationally for funds from a program such as TIGER, yet we face many of the same transportation infrastructure challenges as larger cities. Congressman Larsen's legislation, in amended form, would allow cities such as ours more access to federal funding, by competing against jurisdictions in our own size category.

In summary, I urge Congress to work towards a long-term reauthorization solution, while setting aside funding for the TIGER and TIGER CUBS programs to allow projects with economic benefits to compete for jobs-creation funding on a national level.

Sincerely,

John Marchione
Mayor

Cc: Congressman Larsen
Uriel Ybarra, Senator Murray's Seattle Office
Tommy Bauer, Senator Cantwell's State Outreach Director
Julien Loh, District Director for Congresswoman Delbene



SHORELINE
CITY COUNCIL

Keith A. McGlashan
Mayor

Chris Eggen
Deputy Mayor

Will Hall

Doris McConnell

Chris Roberts

Jesse Salomon

Shari Winstead

December 6, 2013

The Honorable Rick Larsen
U.S. House of Representatives
2113 Rayburn House Office Building
Washington D.C. 20515

Dear Congressman Larsen:

On behalf of the citizens of Shoreline, I am writing to thank you for introducing H.R. 2944, The TIGER-CUBS Act and to request a modification in the eligibility requirements for cities as you further the legislation.

We've met with your office in the past about the TIGER program and share your goal of designating a portion of TIGER funds to communities that can't compete under the current program. However, limiting eligibility to cities below 50,000 would exclude Shoreline from qualifying for access to this program. We respectfully request you reconsider the population designation listed in your legislation and increase the maximum population size to cities under 100,000 in population.

Shoreline is a primarily residential community with just under 54,000 residents, who commute either North to Everett, South to Seattle, or to the Eastside. Improving access to transit and reducing the number of cars on the road is a primary transportation goal for our City – and one that we are uniquely positioned to accomplish. However, we have applied for TIGER funding in two prior rounds and despite excellent scores from the reviewing agency, have failed to win funding as our projects simply can't compete with projects of statewide and national significance.

Shoreline has major infrastructure needs ahead of it that can't be met without strong funding partners at multiple levels of government. We have two light rail stations coming to our community within the next decade. Our needs involve preparing our community for rail transit, rebuilding arterial streets to connect to rail and bus rapid transit, facilitating transit oriented development in our community and ensuring that we build transit access to the educational, residential and business districts within our community.

The role that federal financial partners play in our infrastructure future is proven by our SR-99 project. We have secured \$130 million in funding for the

redevelopment of SR-99 and expect to have construction completed in 2015. This project was funded by more than 20 different agencies and about half of the total investment was federal funding either directed to the City or passed through to WSDOT or PSRC. The project has reduced accidents by more than 60% along the first portion of the project, created close to 1,000 new residential units along the route – many designated as senior and income assisted units – and brought over \$500 million in direct private sector investments to the route.

Federal funds, combined with regional, state and local funds, have resulted in thousands of jobs, leveraged half a billion dollars in private investment and built a transit infrastructure connecting Shoreline residents with Seattle and Everett.

Your support for federal transportation funding is very much appreciated by our City. And we strongly agree with the goals you have with regard to your TIGER CUBS legislation. We would very much like to support this bill and ask that you consider modifying the population criteria to qualify additional cities in Washington State.

The next decade will bring new opportunities to the City of Shoreline, including light rail and economic development connected to the SR-99 infrastructure. We look forward to continuing our partnership with you to continue to help Shoreline grow.

We appreciate your genuine interest in the needs of our community. You are an integral partner in our future and your continued support is important to our success. We look forward continuing the discussion of how we may best partner on this important topic.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith A. McGlashan". The signature is fluid and cursive, written over a white background.

Keith A. McGlashan
Mayor



City of Tukwila

6200 Southcenter Boulevard • Tukwila, Washington 98188

Jim Haggerton, Mayor

October 3, 2014

The Honorable Patty Murray
United States Senate
154 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Maria Cantwell
United States Senate
311 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Adam Smith
United States House of Representatives
2264 Rayburn House Office Building
Washington, D.C. 20515

Dear Senator Murray, Senator Cantwell and Representative Smith:

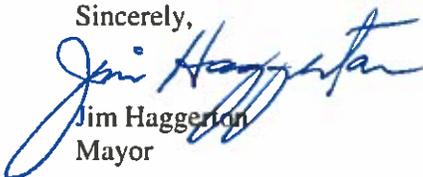
I am writing today in support for continued funding of the TIGER (Transportation Investment Generating Economic Recovery) program. While we were unsuccessful in this latest round of funding, we realize how valuable such a program is for cities across the United States.

In addition, the City of Tukwila strongly supports Congressman Rick Larsen's "TIGER CUBS" legislation, H.R. 2944, introduced in August of 2013. This legislation would allocate \$100 million for transportation project in cities with between 10,000 and 50,000 residents. The funding for the TIGER CUBS program should be in addition to the \$500 million available for the TIGER program to ensure that cities of all sizes have access to much-needed transportation dollars.

Tukwila has 20,000 residents at night and an excess of 150,000 during the day. We qualify as a small city and often have difficulties competing nationally for funding from programs such as TIGER, even though our infrastructure actually serves the population of a medium-sized city. Access to a program such as TIGER CUBS will help to level the field for smaller cities such as Tukwila and we strongly support this effort.

Thank you for your continued work to ensure a long-term reauthorization solution for transportation infrastructure funding. On behalf of the City of Tukwila, we hope that you will make the TIGER CUBS program, and the additional funding, part of this conversation.

Sincerely,



Jim Haggerton
Mayor

cc: Congressman Rick Larsen