

**CITY COUNCIL STUDY SESSION**

State Legislative Interim Update

Genesee Adkins, Chief of External Affairs, 452-7849

Lacey Jane Wolfe, Assistant Director of Intergovernmental Relations, 452-2055

*City Manager's Office*

Briahna Murray, Gordon Thomas Honeywell

*City Manager's Office (consultant)*

**DIRECTION NEEDED FROM COUNCIL****INFORMATION  
ONLY**

No action is required; this is an informational briefing. The State Legislature addresses a range of policy issues of interest to the City. Council may wish to provide direction to staff regarding legislative proposals.

**RECOMMENDATION**

N/A

**BACKGROUND & ANALYSIS**

The below information builds on the presentation that Council received on July 11 regarding interim activities that impact the City of Bellevue's state legislative program. The City's government relations team meets with stakeholders and legislators to keep up to date on legislative discussions.

**Updating Bellevue Legislators on The Next Right Work**

The City of Bellevue's government relations team has met with legislators from the 48<sup>th</sup> and 41<sup>st</sup> legislative districts to provide them each with briefings on the Council's direction to city staff on The Next Right Work provided at the July 5<sup>th</sup> council meeting. The Next Right Work touches on many of the same topics that were discussed during the 2022 session, including middle housing types, and that are anticipated to be discussed during the 2023 session. Legislators are interested in remaining up to date on this work over the interim months.

**Association of Washington Cities (AWC) Initiates its Housing Solutions Workgroup**

The Association of Washington Cities (AWC) has hired BDS Consulting to serve as the facilitator for its Housing Solutions Workgroup. The workgroup is tasked with developing a set of proactive housing solutions to help address the pressing need for more affordable and available housing in our communities. This small group of city elected officials and staff will work through a facilitated process to develop policy proposals to present to the Legislature. This workgroup will also work with invited legislators and stakeholders across the housing development and advocacy spectrum.

The City of Bellevue advanced Emil King, Community Development Planning Director, as a potential Workgroup member. AWC received over 30 applicants to serve on the workgroup, of which 15 would be selected. Workgroup members were announced last week, and Emil King was along them. He and

the other members will hold their first meeting August 10, followed by 5 additional meetings in September and October.

The City's government relations team has become aware that in addition to the Association of Washington Cities' Housing Solutions Workgroup, there are several other stakeholder organizations that are convening interim workgroups, including one legislator-only workgroup being led by Lieutenant Governor Denny Heck. It's unclear how recommendations from all the workgroups will culminate in a consensus proposal prior to the 2023 session.

### **House Bill 1220 Advisory Committee**

The Legislature approved [House Bill 1220](#) during the 2021 legislative session, which makes several changes to the required housing element of local jurisdictions' comprehensive plans. The new law tasks the Department of Commerce with providing an inventory and analysis of existing and projected housing needs that identify the number of housing units necessary to manage projected growth, including estimates on the number of units needed for moderate, low, very low, and extremely low-income households, emergency housing, emergency shelters, and permanent supportive housing. The Department has convened an advisory committee to conduct this work. The allocation guidance and allocation tool are currently now available. These tools were developed to help communities work together to divide the forthcoming countywide housing needs to the local jurisdiction level. The Department is collecting feedback on these drafts until August 26. The documents can be found on the [HB 1220 project webpage](#) under the "Projected Housing Needs" document tab.

### **Bipartisan Infrastructure Law (BIL) Local/State Funding Split Workgroup**

The 2022 Legislature directed the Joint Transportation Committee (JTC) to convene a workgroup to develop recommendations on the distribution of federal-aid highway formula program funding to state and local governments in future biennia. This formula funding is distinctly different from the many competitive grant programs that the City of Bellevue plans to take advantage of. This workgroup, which includes representatives from the Association of Washington Cities (AWC), the Washington State Association of Counties (WSAC), and the Washington State Department of Transportation (WSDOT), has been meeting throughout the interim. The committee also includes representatives from a regional transportation planning organization (RTPO) and metropolitan planning organization (MPO). The Committee will issue a report to the Legislature by September 30, 2022.

The BIL included a continuation of current formula funding program and established several new formula funding programs. The Move Ahead Washington (MAW) transportation package enacted by the State Legislature during the 2022 session split this funding between the state and local level for the 2021-23 state fiscal year, with a more generous allocation going toward the state. This workgroup is intended to recommend the split between the state and local level for 2023 and into the future.

### **Regionalization of Police Training**

On July 21, Washington State Governor Jay Inslee joined state and local law enforcement leaders to announce a proposed expansion of the Criminal Justice Training Commission (CJTC). All law enforcement officers in the state must complete a 720-hour Basic Law Enforcement Academy (BLEA)

training course, which is currently offered in Burien and Spokane; most officers attend the training in Burien. The Governor announced a proposal to establish more regional training campuses and expand the number of training slots of available. This proposal is intended to help address the officer shortage and facilitate recruitment of officers more representative of the communities they serve. Additionally, having training facilities closer to law enforcement agencies will benefit the continued education of officers. The proposed new training locations include Bellingham, Pasco, Vancouver, and Everett. Senator John Lovick (44<sup>th</sup> District) announced his intention to introduce this proposal during the 2023 legislative session. To read the Governor's press release, [click here](#).

### **Attorney General's Office Releases Model Use of Force Policy**

Under legislation adopted in 2022, the Legislature directed the Washington State Attorney General to release a model use of force policy for law enforcement officers by July 1, 2022. Law enforcement agencies may use this model policy or adopt their own consistent with the law's standards. The model policy may be [found here](#).

### **Association of Washington Cities (AWC) Legislative Agenda Development**

Each year, the Association of Washington Cities convenes a Legislative Priorities Committee to develop the Association's legislative agenda. The committee's recommendation will be considered by the AWC Board for review and adoption in the fall. The Legislative Priorities Committee has met three times to develop the current draft of the legislative agenda (below). The Committee will receive feedback on these priorities and meet one more time on September 7 before finalizing a recommendation to submit to the Board.

The draft includes two tiers of priorities: priority issues and significant issues. Priority issues are those issues the committee believes should be major priorities for AWC during the session. These issues might be distinguished from the "Significant Issues" category because they would affect a significant number of cities, would have a major impact on cities, or would require substantial effort to secure passage. "Significant issues" are important issues for cities that the committee recommends be part of the active legislative program for AWC. However, they are issues that do not rise to the level of importance of the "Major Priority Issues." This could be because the issues may not affect as many cities, or the impacts would not be as significant.

#### **AWC Recommended Priority Issues:**

##### *Public safety vehicular pursuits*

- Support clarification of the ability to conduct vehicular pursuits to address concerns about impacts to public safety and allow for effective and safe pursuit of dangerous suspects when appropriate. Cities will continue to support safety measures and training for officers who engage in vehicular pursuits.

##### *Infrastructure funding*

- Fully fund the PWAA, including allowing the current revenue diversions to sunset at the end of fiscal year 2023 and refraining from further transfers to other infrastructure programs or other non-infrastructure accounts

- Explore expanding state funding opportunities to assist with maintenance and operations of local infrastructure

#### *Affordable housing*

- Develop proactive approach to create new tools/incentives/revenues for cities to use to increase housing supply and address affordability

#### *Blake decision response*

- Support additional investments to help cities with the costs created by the changes resulting from the Blake decision on how possession of controlled substances is handled by the criminal justice system including funding to help offset the costs of processing criminal conviction vacations and repaying legal financial obligations as well as support for ongoing costs for diversion programs and municipal court costs
- Support more state investment in alternative response teams; treatment facilities, and to provide social workers, treatment providers and system navigators to help direct people to treatment
- Support clarification regarding the crime of possession of a controlled substance so individuals, law enforcement, and treatment providers can respond appropriately. Revise the current system of two referrals prior to criminal charges so that it can be more effectively administered across the state.

#### AWC Recommended Significant Issues:

##### *Water rights*

- Resolve the outstanding issues related to the *Foster* case and ease access to municipal water rights

##### *Transportation funding*

- Identify sustainable, ongoing transportation funding, including a Road Usage Charge (RUC), as a revenue source for transportation funding needs, with specific dedicated revenue directed to cities

##### *Real Estate Excise Tax (REET) authority and flexibility*

- Expand cities' ability and flexibility to use REET for additional capital needs including maintenance as well as to support affordable housing. Options include additional REET authority and the ability to set a progressive rate model similar to the one the state has adopted.

##### *Public Safety funding*

- Support a continuation of the \$20 million in funding provided in 21-23 biennium to offset costs associated with implementing police reform and other public safety focused legislation

##### *GMA planning*

- Engage in the GMA reform conversation and look to secure dedicated planning funding in recognition of proposed new responsibilities in areas such as climate change and salon recovery that cities can support

##### *Zoning mandates*

- Actively defend against preemption of local land use authority, but supporting zoning and land use policies that help cities provide more equitable access to housing in our cities

##### *Public records*

- Explore ways to reduce the impacts of abusive and costly public records requests and litigation

##### *Revise the property tax cap*

- Revise the property tax cap to tie it to inflation, up to 3% and population growth factors so that local elected officials can adjust the local property tax rate to better resources city services

#### *Culverts*

- Support that state resources be provided for locally owned culverts as part of the State's overall resolution to the culvert injunction

#### **Next Steps for Bellevue this Summer and Fall**

Over the next few months Bellevue staff will continue to work with the Association of Washington Cities (AWC), with state lawmakers, and with other local stakeholders in refining these and other areas of interest through formal and informal channels. Staff will coordinate with City department directors over the late summer and early fall to develop a holistic picture for the legislative session ahead, with a goal of having the City Council provide input on a draft agenda which can be adopted in its final form in the fall. That timeline would provide us with additional time in advance of session to build support with partners and explore solutions and opportunities with lawmakers to address Bellevue's key interests.

#### **POLICY & FISCAL IMPACTS**

The State Legislature addresses a range of policy issues of interest to the City.

#### **OPTIONS**

N/A

#### **ATTACHMENTS & AVAILABLE DOCUMENTS**

N/A

#### **AVAILABLE IN COUNCIL LIBRARY**

N/A