

2023 AWC Legislative Agenda – AWC Board Adopted

Priority Issues

1. 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 process criminal conviction vacations and repaying legal financial obligations as well as support for ongoing costs for diversion programs and municipal court impacts.
- Support more state investment in alternative response teams, treatment facilities for adults and juveniles, treatment in jails, as well as funding 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.

2. Public safety vehicular pursuits

- Support clarification of the ability to conduct vehicular pursuits using a reasonable suspicion standard in order to address concerns about impacts to public safety and allow for effective and safe pursuit of suspects when there is an immediate threat to public safety. Cities will continue to support safety standards and training for officers who engage in vehicular pursuits.

3. Infrastructure funding

- Fully fund the Public Works Assistance Account (PWAA), including allowing the current revenue diversions to sunset at the end of fiscal year 2023 and refraining from further transfers or diversions of funds to other infrastructure programs or other non-infrastructure accounts.
- Explore expanding state funding opportunities to assist with maintenance and operations of local infrastructure.

4. Housing affordability & availability & accessibility

- Support a proactive approach to create new tools/incentives/revenues for cities to use to support increasing housing supply and addressing affordability. Cities need resources to encourage development of housing at all income levels and particularly state funding to support housing for the lowest income levels.

5 Behavioral health

- Support creating greater access to behavioral health services including substance abuse treatment and dual diagnosis treatment facilities.
- Support continued state funding to help communities establish alternative response programs like co-responder programs, diversion programs, and others that provide options beyond law-enforcement for responding to situations with individuals suffering from behavioral health issues.

Significant Issues

1. 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 serve their

communities. The current 1% cap has created a structural deficit in our revenue and expenditure model, resulting in a reliance on regressive revenues and artificially restricting the use of property taxes to fund community needs.

2. Transportation Funding

- Identify sustainable, ongoing transportation funding, including Road Usage Charge (RUC), as a revenue source for cities' unique transportation funding needs, with a specific dedicated revenue directed to cities. Funding should recognize the unique challenges both urban and rural communities experience and their unique needs including funding for maintenance of existing transportation infrastructure.

3. Public Safety Funding

- Support a continuation of the \$20 million in funding provided in 2021-2023 biennium to offset costs associated with implementing police reform and other public safety focused legislation.
- Support state funding for law enforcement training including the Basic Law Enforcement Academy and development of regional law enforcement training opportunities.

4. Public Records Act

- Explore ways to reduce the impact of abusive public records requests and litigation.

5. Real Estate Excise Tax (REET) authority and flexibility

- Expand cities' ability and flexibility to use REET for additional capital needs including maintenance and operations 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.

6. Zoning Mandates

- Actively defend against preemption of local land use authority, but support zoning and land use policies that create flexibility and incentives to help cities provide more equitable access to housing in our cities recognizing that the one-size fits all approaches do not work across all of Washington's cities.

7. Culverts

- Support that State funding be provided for repairing and replacing fish-blocking locally owned culverts as a part of the State's overall resolution to the culvert injunction.

8. Water rights

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

9. GMA Planning & permitting

- 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 salmon recovery that cities can support.
- Support efforts to adjust how cities and regions plan for growth including adopting realistic growth targets and greater flexibility in adjusting UGAs to account for population growth.
- Support efforts to further streamline the planning and permitting process including looking at how to streamline legal challenges and appeals of land use and permitting decisions.
- Reform SEPA to exempt housing developments that are consistent with a city's comprehensive plan and development regulations.

- Ensure any legislation to increase UGAs balances the need for flexibility with the underlying intent of the Growth Management Act to concentrate growth in cities to most cost effectively provide services.

Support issues

1. Producer Responsibility for Packaging

- Support proposals to establish a product stewardship framework for packaging.

2. Net Ecological Gain

- Support efforts to make progress on incorporating ecological improvement over time into environmental regulations rather than no net loss, while also defending against legal exposure and unfunded mandates.

3. Body worn cameras and dash cameras

- Support local efforts to implement use of body cameras and dash cameras as a tool to increase transparency during law enforcement interactions with members of the public. Explore updates to the Public Records Act to further protect privacy and reduce the costs associated with use of camera technology.

4. Open Public Meetings Act

- Support a permanent policy that allows cities to have the option to hold fully virtual meetings without a physical location.

5. Liability

- Protect against liability expansion and new policies that would drive additional claims and litigation increasing costs especially in the area of law enforcement and public safety.

6. Revise local official ethics requirements

- Support a change to create parity between state and local limitation on gifts to public officials to allow for city officials to accept item of limited value similar to state officials.

7. Opioid settlement funds

- Support equitable use of any state opioid settlement funds in a manner that helps to address opioid impacts in local communities.

8. Childcare

- Support policies that expand access to childcare in Washington.
- Support policies that expand access to preschool including Universal Pre-K.

9. Revenue Options

- Support efforts to review and revise both state and local tax structures such that they rely less on regressive revenue options. Changes to the state tax structure should not negatively impact cities' revenue authority and should allow cities revenue flexibility to address their community's needs.
- Support efforts to authorize cities to use fire benefit charges as a less regressive option to help fund city operated fire services.

10. State infrastructure bank

- Support the creation of a state-sponsored financing cooperative option that focuses on low interest (less than market rate) public infrastructure financing.

11. Business & Occupation Tax on royalties

- Support clarification of how to apply B&O taxes to business revenue related to royalties.

12. Audits

- Allow cities to contract with qualified private audit firms to conduct annual audits in compliance with statutory audit requirements.

13. Truck parking

- Identify a collaborative solution with county, state, trucking, and port stakeholders to expand availability of truck parking and prevent unfunded mandates for cities.

14. Broadband

- Support service expansion to ensure affordable broadband access to all of Washington's residents.

15. Housing Trust Fund

- Increase Housing Trust Fund (HTF) grants for cities and towns, especially for projects in small and medium sized jurisdictions in rural parts of the state
- Support matching or exceeding 2022 budget for HTF, land banking, and Rapid Acquisition Program to create enough permanent supportive housing units for unhoused community members who are disabled.

16. Condominium liability

- Remove barriers to condominium development and ownership.

17. Multi-family Property Tax Exemption

- Repeal 2026 sunset of MFTE program for otherwise ineligible cities and continue to explore opportunities to enhance this tool.

18. Rent restrictions

- Support repeal of state preemption of local regulations related to rent control but monitor statutory reform of statewide rental rate restrictions, such as rent control or capping rent increases

Monitor Issues

1. Elections

- Support policies that preserve local control and input regarding how local elections are administered.
- Support policies that expand access to voting while balancing increased administrative burdens and costs for local government and avoiding increased opportunities for litigation.
- Monitor proposals to change municipal elections from odd to even numbered years particularly as the change impacts timing for revenue related ballot measures.

2. Collective bargaining

- Support reviewing and revising existing binding interest arbitration requirements to clarify and empower local agencies to discipline law enforcement officers who violate agency policies and state and local laws.

3. Pension contributions

- Support sustainable and predictable pension contribution rates based on the State Actuary's recommendations. Oppose benefit enhancements that will result in rate increases for public employers. Oppose significant rate reductions that may offer short term budget savings but could result in significant additional costs in the long-term.

4. Employer liability and costs

- Support sustainable employer related costs for state mandated benefit programs like Workers Compensation and Paid Family Medical Leave and avoid overly burdensome regulations and requirements that could impact workforce costs and availability.

- Oppose policy proposals that create new and burdensome liability for public employers that would increase costs and litigation and reduce ability to provide services to residents.