



# BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6220  
February 7, 2023  
Regular Business

## AGENDA BILL INFORMATION

<b>TITLE:</b>	AB 6220: WA State Legislative Session Update	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
<b>RECOMMENDED ACTION:</b>	Receive update on the 2023 legislative session and approve letter of opposition to HB1110 regarding increasing middle housing in areas traditionally dedicated to single-family detached housing. <b>Adopt revisions to the 2023 State Legislative Priorities.</b>	

<b>DEPARTMENT:</b>	City Manager
<b>STAFF:</b>	Jessi Bon, City Manager Merrill Thomas-Schadt, Sr. Management Analyst Robbie Cunningham-Adams, Management Analyst
<b>COUNCIL LIAISON:</b>	n/a
<b>EXHIBITS:</b>	1. City of Mercer Island 2023 Legislative Priorities 2. <b>Revised</b> Draft City Letter Opposing HB1110 3. <b>Proposed Revisions to City of Mercer Island 2023 Legislative Priorities</b>
<b>CITY COUNCIL PRIORITY:</b>	n/a

<b>AMOUNT OF EXPENDITURE</b>	\$ n/a
<b>AMOUNT BUDGETED</b>	\$ n/a
<b>APPROPRIATION REQUIRED</b>	\$ n/a

## EXECUTIVE SUMMARY

The purpose of this agenda bill is to provide an update on the 2023 state legislative session.

- The 2023 Washington State Legislature Regular Session began in January 2023 and is scheduled to end April 23, 2023.
- Following the guidance of the City’s adopted 2023 legislative priorities (Exhibit 1), city staff and the city’s lobbyists are closely monitoring and advocating for the city’s priorities.
- This update provides progress on achieving the City’s priorities and a list of notable proposed bills in the legislature city staff are tracking.
- **Adopt recommended revisions to the 2023 State legislative priorities (Exhibit 3).**

## BACKGROUND

On November 1, 2022, the City Council adopted the City’s legislative priorities for the 2023 State legislative session (see Exhibit 1 or [AB 6178](#)).

These City is focused on five legislative priorities:

- Funding for basic infrastructure and capital projects
- Support for mental and behavioral health services
- Policing for a safe Mercer Island
- Support for housing availability
- Preserving and protecting the environment.

The City executed a contract with Federici, Esser & Gallagher for lobbyist services to assist with the state legislative session ([AB 6114](#)).

## ISSUE/DISCUSSION

The legislative session moves at a fast pace, and staff anticipate significant updates to the information presented below between the publishing of this agenda bill and the presentation to City Council.

### **Police Bills**

The City is supporting [HB 1363](#) related to police pursuits. The bill will reintroduce the ‘reasonable suspicion standard’ and includes language specific to the protocol and procedures related to pursuits. The bill does not prohibit cities from adopting more restrictive pursuit standards or limitations. This bill is supported by the Mercer Island Chief of Police and addresses one of the City’s adopted Legislative Priorities for this session.

### **“Blake Fix” / Controlled Substances**

The City is tracking two versions of “Blake Fix” bills. One is [HB 1613/SB 5467](#), which responds to the *Blake* decision by making drug possession a gross misdemeanor with a focus on directing individuals to treatment in lieu of jail. It uses a DUI type model to require probation and treatment with clear penalties for willful failure to complete treatment.

The other is [SB 5536](#), which responds to the *Blake* decision by making drug possession a gross misdemeanor with an emphasis on encouraging pretrial diversion. The bill also makes treatment facilities essential public facilities for siting and permitting purposes.

### **Capital Budget Requests**

The City has prioritized support for funding which aids large capital projects at the Luther Burbank Park waterfront. The City is supporting the Washington Trust for Historic Preservation in their efforts to secure full funding of the Heritage Capital Program and will continue to track and testify at other opportunities to support Recreation & Conservation Office programs related to the Luther Burbank Park dock replacement project.

### **Public Works Assistance Account**

The City is supporting [SB 5303](#), which if passed will establish the Public Works Assistance Revolving Account. This is one of the City’s highest priorities and will create a permanent revolving fund for low interest infrastructure loans. If the bill passes it will require a constitutional amendment and therefore would be before the voters in November 2024. The companion to this bill is SJR 8201, which relates to amending the Washington State Constitution.

### **Marine Patrol Unit Replacement**

The City continues to receive regional support for funding the replacement of two of its three Marine Patrol vessels. The cities of Renton and Medina and the Town of Yarrow Point have transmitted letters of support to their legislators, and more are expected from Hunts Point and Bellevue.

### **Revising the Property Tax Cap for Local Governments**

[HB 1670](#) proposes to revise the property tax cap for local governments to account for inflation and population growth up to three percent.

### **Notable Housing and Land Use Bills Proposed this Session**

City staff and lobbyists are tracking many bills, including the selection below pertaining to housing and land use.

- [HB 1026](#) Eliminating design review boards for residential development.
- [HB 1110/SB 5190](#) Mandates new middle housing density in single-family neighborhoods.
- [HB 1517/SB 5466](#) Promoting transit-oriented development around rapid transit stations (such as Sound Transit Light Rail).
- [HB 1276/SB 5235](#) Mandates removal of certain restrictions on ADU construction.
- [HB 1337](#) Mandates removal of certain restrictions on ADU construction, more extensive changes than HB 1276 / SB 5235.
- [HB 1517/SB 5466](#) Promoting transit-oriented development. Mandates increased density around rapid-transit stations.
- [HB 1296/SB 5290](#) Concerning consolidating local permit review processes. Section one of the proposal would bar site plan review of interior alterations under certain conditions, including that the project does not add bedrooms. The rest of the bill is focused on a new grant program to local governments to streamline their permitting process, as well as creating a task force.
- [HB 1351/SB 5456](#) Prohibiting the imposition of minimum parking requirements except under certain circumstances.
- [HB 1245/SB 5364](#) Mandates cities amend their codes and development regulations to allow for lot splitting, and restricts city's ability to regulate frontage, easements, parking, and right-of-way.
- [HB 1293](#) Streamlining development regulations through creating certain exemptions to SEPA.
- [HB 1351/SB 5456](#) Prohibiting the imposition of minimum parking requirements except under certain circumstances.

### **Draft Council Letter on HB 1110**

In consultation with Council leadership, city staff have a drafted a letter (Exhibit 2) stating the City's official opposition to HB 1110, regarding increasing middle housing in areas traditionally dedicated to single-family detached housing, and the rationale for the opposition.

### **Revisions to City of Mercer Island 2023 State Legislative Priorities**

The adopted 2023 State Legislative Priorities are silent on advocating for funding to support city operations. There are a number of bills introduced in the legislative session that would provide resources to support city operations. Staff recommend revising the 2023 Legislative Priorities to including language regarding funding to support operations so that the City Manager and City lobbyists may advocate for those bills. The proposed revisions are in Exhibit 3.

## NEXT STEPS

If the Council approves the letter in opposition to HB 1110, staff will finalize and share the letter with City's lobbyists and state legislators.

If Council adopts the revised 2023 State Legislative Priorities, staff will redistribute the Priorities to the City Council, staff, City's lobbyists, and state legislators. Staff will also update the City's website with the revised language.

## RECOMMENDED ACTION

1. Approve letter of opposition to HB1110, regarding increasing middle housing in areas traditionally dedicated to single-family detached housing, substantially in the form attached as Exhibit 2.
2. Adopt the revised 2023 State Legislative Priorities as presented in Exhibit 3.