

**GRANDVIEW CITY COUNCIL
SPECIAL MEETING MINUTES
DECEMBER 8, 2008**

1. CALL TO ORDER

Mayor Norm Childress called the special meeting to order at 5:30 p.m. in the Council Chambers at City Hall.

Present were: Mayor Childress and Councilmembers Mike Bren, Pam Horner, Diana Jennings, Jan McDonald, Bill Moore, Jesse Palacios and Joan Souders. Councilmember Jesse Palacios was absent.

Staff present were: City Administrator Scott Staples and City Clerk Anita Palacios.

Present on behalf of the 15th District Legislative Delegation were Senator Jim Honeyford, Representative Bruce Chandler and Representative Dan Newhouse.

2. 2009 State Legislative Agenda

Mayor Childress presented the 2009 State Legislative Agenda that was developed by the Cities of Grandview, Prosser and Sunnyside, as follows:

ECONOMIC DEVELOPMENT

The cities supported legislation that would make additional economic development tools and projects available to local governments.

- ▶ **Walter Clore Center Grant Request:** The cities supported the Walter Clore Center's \$4.1 million request for construction funding. The Clore Center, which was a nonprofit organization supported by a large coalition of public agencies and private companies, would provide additional economic development to the region through tourism, public education, and direct and indirect job creation. It would take advantage of the region's rich agricultural and past and present.
- ▶ **LIFT Funding:** The cities supported expansion to allow more than one city per county to benefit from the program and additional state funding for the LIFT Program. Each city faces economic development challenges and desires tools that could be tailored to their needs.
- ▶ **Grandview Downtown Revitalization:** The cities supported the efforts of the City of Grandview to secure \$2.2 million in state capital budget funds to support this project to stimulate private investment and create jobs.

RECREATION

The cities supported legislation that provides for additional local, regional, and state recreation facilities and programs.

- ▶ **Recreation and Conservation Office (RCO) Grant Request:** The cities supported funding for the top ranked RCO projects recommended in the Governor's budget. Prosser's \$1 million pool expansion and renovation project was currently second on the RCO list for funding. The project was desperately needed to keep the 50-year-old Prosser pool in operation. Completion of the project would benefit the residents of all three cities.

CITY REVENUE AUTHORITY

The cities opposed efforts to limit their revenue authority, supported efforts to streamline revenue collections, and supported efforts to provide cities with additional local government revenue options, such as a street utility.

TORT REFORM

The cities supported efforts by the state to reduce liability costs, which would add a greater degree of certainty to business and government budgets and improve the economic environment. Specifically, the cities supported state legislation to amend state tort statutes to remove unreasonable municipal and private sector liabilities.

COMMUNITY SAFETY

The cities supported bills that would make it easier for them to combat gang violence.

- ▶ **Graffiti:** Graffiti was a major problem facing our cities that was directly linked to gang activity. The cities supported bills that would provide tougher penalties for those engaging in graffiti and bills that would make it more difficult for juveniles to acquire materials needed to engage in graffiti. The cities supported bills that would restrict the sale of spray cans, wax and grease pencils, and certain markers to those who cannot provide a valid photo identification and are 18 years of age or older.

TRANSPORTATION

The cities supported legislation that provides additional funding for local and regional transportation projects, including additional local funding options. All three cities were currently struggling to afford street maintenance and street expansion projects.

- ▶ **Maintain and Expand Public Works Trust Fund Funding:** The cities supported continued funding for the Public Works Trust Fund and support expansion of the program.

WATER QUALITY AND QUANTITY

The cities supported the protection and preservation of municipal water rights and drinking water sources, and affirmation of the needs of growing communities to have sufficient resources to efficiently serve expanding populations. In the area of planning for and implementation of water quality programs, the programs should consider the costs and benefits of implementation for individual communities.

GENERAL GOVERNMENT

Public Disclosure: The cities opposed public disclosure legislation that would further burden cities with the labor intensive, expensive, and difficult task of expanding public disclosure further. The cities supported a re-evaluation of public disclosure laws that take into account and restrict overly burdensome requests for information.

Taping of Executive Sessions: The cities opposed bills that would require the taping of executive sessions. Such legislation would limit the ability of cities to effectively function in handling items such as personnel issues, land acquisitions, and matters of litigation. One of the biggest concerns with this legislation was that tapes from an executive session could be discoverable during legal matters, stifling important conversation in the sessions themselves. Open conversations in the sessions were critically important in handling the day-to-day functions of local government.

Unfunded Mandates: The cities opposed additional requirements of cities imposed without the funding, or funding authority, to support them. When this occurs, cities must reduce services to handle the mandates, despite interest by their constituents in expanding services.

Retirement Contributions: The cities supported a longer-term and more stable approach by the state to public employer retirement contributions. The cities were concerned by the significant fluctuations in retirement contributions required of cities from year-to-year.

Driving While License Suspended (3rd degree), Operating Without a License and Identification: These charges account for about 30% of our court docket. Requested that the law be changed to classify these as traffic infractions. The judge would then impose a fine or dismiss if they obtained a license thus reducing city court costs, increasing city court revenue, and streamlining the process.

Fiscal Aid for Distressed Cities and Counties: Increases the City/County Assistance Account for low tax base cities and counties and establish a floor to prevent distributions to qualifying cities from dropping below a certain amount. The cities continued to support legislation that would establish a permanent source of revenue that would replace the dollars lost to cities with the impact of I-695, as was promised by the legislature now approximately eight (8) years ago.

Mitigate Medical Costs for Offenders:

- Remove the two-year sunset provision that clarifies the charging entity is responsible for offender medical costs.
- Pass legislation expanding how the extraordinary criminal justice account could be used for extraordinary offender medical costs.
- Support additional funding for offender medical costs.

Attorney-Client Privilege: The cities opposed any legislation that limits a public agency's attorney-client privilege to only communications related to an actual lawsuit, and only while the lawsuit was pending in court. This drastically narrows the privilege and restricts records that could be claimed as an attorney work product.

Sales tax options: The cities supported legislation to allow cities to levy the 3 percent voter-approved public safety sales tax, independent of county action, and removing supplanting language and the requirement that one-third of funds be spent solely for criminal justice purposes.

Long-term care costs: The cities supported legislation that would reform regulations related to the obligation by a city to pay medical costs for retired LEOFF 1 employees.

City Administrator Staples began the discussion by providing an update on the City's downtown revitalization project. He indicated that the Public Works Director had received a telephone inquiry from a representative of the Governor's office inquiring as to the readiness of the project and requesting additional information with respect to the completion of engineering design and environmental work. He speculated that with the Governor's budget to be released next week it was possible that they were doing some last minute inquiries.

Rep. Chandler acknowledged that the Governor met with President-Elect Obama last week in Washington, D.C., to present the state's stimulus proposals and they might be looking to include that project on the list. Project readiness was a requirement to be placed on the list.

City Administrator Staples noted that following the last meeting with the local Legislators, a delegation of City representatives met with five different senators to discuss the project. The responses received from the senators were positive and they seemed to like the idea that the project would stimulate private investment and create jobs.

Senator Honeyford expected that the entire legislative session would focus on the budget deficit. He explained that one-third of the budget deficit was caused by the current economic situation and two-thirds was caused by overspending. The state has received more revenue every year, but the expenditures have exceeded the revenue.

Rep. Chandler added that the State's tax revenue in the next biennium would be 5% more than it has ever been in the history of the State with anticipated \$1.5 billion new revenue. Expenditures in the last biennium were 15%. He explained that the Legislature exercises control over approximately 20% of the general fund budget. The forthcoming budget process would require a more thorough and fundamental review.

Rep. Chandler stated that he received more than 2000 e-mails in over two weeks from 15th District constituents opposing the engine displacement tax to fight global warming. That legislation would have placed a tax on vehicles based on engine size and would have cost RV or large pickup owners approximately \$700 per year. It was a move to encourage people to drive smaller vehicles. He noted that it was likely to be reintroduced during the next session.

City Administrator Staples questioned whether the City/County Assistance Account could be eliminated.

Rep. Chandler noted that the backfill money has been something that the Legislature has never liked funding.

Rep. Newhouse added that during this upcoming budget cycle almost all funding would be at risk.

Rep. Chandler explained that there would be some pension system proposals that could be a problem for local government as well as the state, particularly earlier retirement for law enforcement and firefighters that would affect contribution rates. There has been some decline in investment revenue, but it has not been dramatic. The State had some investments in firms that dealt with mortgage-backed securities, but the exposure was \$24 million out of a \$70 billion portfolio, but contribution rate increases should be expected.

Rep. Newhouse asked for feedback regarding the gang bill that was passed during the last legislative session. He advised that he was currently working on a bill that would make it illegal for minors to purchase spray paint.

City Administrator Staples advised that he would have the Police Chief and City Attorney contact the Legislators with specific comments. He added that there was a high level of frustration with the juvenile court system.

Mayor Childress suggested a summit with state, county and city representatives to discuss juvenile justice issues. He expressed concern of promoting economic development in the region with the blight caused by gangs and graffiti.

Rep. Chandler commented that the "march" was very positive and that type of proactive activity was extremely valuable. He noted the importance of community-wide engagement and graffiti removal.

Rep. Newhouse was proud that our communities were not ignoring the gang problem, but standing up and calling attention to it in a positive way.

Rep. Chandler suggested the Citizens for Safe Communities and the need to intercept gang activity County-wide.

Mayor Childress stated that the Council supported the Citizens for Safe Communities and during the budget process contributed a donation to their efforts. He noted the accomplishments of Grandview United and their efforts to oppose gang violence in the community.

Discussion took place regarding mandatory minimum sentencing for juveniles who were convicted of a gang related offense.

Senator Honeyford indicated that he participated on the gang task force and the group would not consider increased sentencing. He noted that the civil injunction piece that was removed may be reinstated which would be another tool that would be helpful.

Councilmember Jennings suggested the creation of a listserv for networking prevention and intervention strategies regarding gang issues. She also mentioned the need to change the way special ed. students receive infractions within the school system. She indicated that special ed. students were within a protected category so infractions that they receive would not be equal to students who were not special ed. She felt that a severe infraction should carry the same penalty for every student.

Mayor Childress voiced his opposition to the legislative proposal to require taped executive sessions and the unfunded mandate such a bill would cost the City in the storage, retention and management of tapes.

Rep. Chandler explained that the State Attorney General Rob McKenna intended to introduce another bill in 2009 to require public agencies to tape record executive sessions in certain circumstances. He indicated that the bill would have significant changes from the previous bill.

Rep. Chandler believed the State budget process would be a big challenge, but not a crisis. He added that Central Washington was better positioned than any other part of the State and Washington State was better positioned than any other state in the country to stabilize its economy, and to grow and expand its opportunities. He was optimistic and felt it was an opportunity to make some systemic changes in the way State government operates with a more transparent budgeting process and to remove politics from the capital and transportation budgets. He acknowledged the need to remove politics from the funding process for capital and

transportation projects and that these projects need to be funded based upon their merit. He noted the importance of funding projects that help communities move forward. He expressed concern with the effort to remove the Public Works Trust Fund and CERB Board authority.

Senator Honeyford added that the budget four years ago was bailed out because the economy grew and the shortfall anticipated did not materialize because of the increased revenues.

Rep. Chandler concluded that no matter how fast revenue grows, it would not keep up with the rate of growth in spending and a lot of that was due to collective bargaining agreements.

3. ADJOURNMENT

The meeting adjourned at 7:00 p.m.

Mayor Norm Childress

Anita Palacios, City Clerk