



## MEMO

**DATE:** September 23, 2022

**TO:** Snohomish County Council and Executive Somers

**FROM:** Josh Weiss, State Lobbyist, Partner  
Annika Vaughn, State Lobbyist

**CC:** Lacey Harper, Executive Director, County Executive's Office

**RE:** Legislative Agenda Development Process and Results

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### **Introduction**

The 2023 legislative session will be a "long" 105-day session focused on adopting the 2023-25 biennial budgets. The political landscape will be somewhat unpredictable due to significant legislative turnover, the national political context, and uncertainty in the economy. It is important to establish a narrowly focused list of priorities that our delegation will support before session begins.

### **Agenda Development Process and Preliminary Feedback**

Over the interim, GTHGA met with staff from County departments to identify potential legislative topics of interest for the 2023 legislative session. We asked staff to consider which items should be led by WSAC affiliates and which items should be Snohomish County lead issues. We also asked County departmental staff to take the first draft at updating the County's policy document to ensure our understanding of issue-specific policy positions is accurate for the long session. Staff addressed several topics; based on preliminary feedback from the Executive's office and Council, we have narrowed the draft list of priorities to five topics, outlined briefly in the following section. Pending Council approval, we will work with Council and staff to refine these priorities over the next several weeks until our briefing with the Snohomish County legislative delegation.

### **Draft 2023 Legislative Priorities**

#### **Behavioral Health, Public Safety, and Housing**

- *State v. Blake* Response (Using 128<sup>th</sup>/Admiralty Way as an example)
- Funding for Behavioral Health and Housing

#### **Economic and Workforce Development**

- Regional Apprenticeship Pathways (RAP) Program
- Building economic strength through manufacturing– House Bill 1170

#### **Budget Requests**

- AquaSox Baseball Stadium Upgrade and Feasibility Study for Indoor/Outdoor Sports Facility – Capital Requests
- Funding Afghan and Ukrainian Refugee Support – Operating Request



### Urban Planning

- Incentivize Annexation of Unincorporated Urban Growth Areas (Using 128<sup>th</sup>/Admiralty Way as an example)
- Support Funding for Infrastructure Grants

### Feedback from Department Staff

We discussed many other relevant policy topics and ideas with County departmental staff throughout the agenda development process. Several of these topics will be included in the County's 2023 Policy Document, which guides internal direction on legislation. Feedback from staff is outlined in depth below:

### Public Works

We have worked closely with Snohomish County Public Works staff on several legislative hot topics, including transportation, emissions reductions, and other land use and environmental issues. This work will continue into the 2023 legislative session, both on budget and policy items.

### *Transportation*

In addition to advancing the County's Regional Priority List, our transportation advocacy in the last several years has focused on strengthening our relationships with transportation budget writers and improving our legislators' understanding of the County's projects and regional connectivity. The abundance of regional needs has sometimes overshadowed the importance of critical local projects, including improvements that will connect state and county investments.

Staff suggested placing greater emphasis on highlighting our County projects in our future legislative efforts, including interim outreach. Staff will be assessing the timeline for County projects in the context of funding received in the 2022 legislative session.

We also anticipate that the Legislature will need to revisit transportation projects awarded funding in the 2022 transportation budget and "Move Ahead Washington" revenue package. Much of this funding was not programmed, including several of the County's priority projects that received funding. With much of the funding coming from the Climate Commitment Act, which will come online in 2023, the Legislature will potentially encounter issues with cash flow. We may need to consider internally prioritizing projects that received funding last session to prepare for programming discussions in the 2023 legislative session.

### *Solid Waste and Emissions Reductions*

The 2022 Legislature introduced several bills relating to methane emissions reductions and electrification of public infrastructure/tools that would have impacted Snohomish County. County staff remain concerned by several aspects of past proposals, including poor cost-benefit ratios, failure to acknowledge of past environmental work and improvements, lack of funding for implementation, and inadequate replacements for existing infrastructure or equipment.

County staff will be revising the Policy Document to ensure we have fleshed out statements on these policy areas that acknowledge logistical and financial constraints on these proposals. Solid waste is anticipated to be an area of significant interest in the 2023 legislative session.

### Human Services

The Human Service Department addressed several legislative items of statewide significance. Many of these efforts will be led by WSAC Affiliate Organizations, including ACHS; however, there may be



opportunities to highlight Snohomish County-specific struggles or elements within our legislative advocacy. Topics include:

- Managed Care Organization (MCO) network adequacy
- Staffing/workforce concerns
- 988 Implementation
- Implementation of the Long-Term Care Trust Act and preparing the network
- Access to childcare and capacity for early learning services
- Food insecurity/food distribution networks; free and reduced lunch
- Fragmentation of funding
- Mobile home relocation assistance
- Federal funding cliff
- CASA funding

Two issues were identified as particularly relevant to our lobbying efforts:

#### *Refugee Services*

The County received \$5.558 million in 2022 to continue operating the Afghan Refugee Welcoming Center and housing assistance program. Since then, the County now also anticipates providing services to Ukrainian Refugees. The County faces several problems: funding is not sufficient to expand services to additional refugees, the appropriation is limited to serve Afghan refugees, and the County is not able to utilize the entire appropriation within the fiscal year. GTHGA met with County staff to explore potential non-legislative adjustments that would enable the county to utilize the appropriation for Ukrainian refugees. We also explored submitting a reappropriation request in the 2023 legislative session. GTHGA briefed the Senate Ways and Means Chief of Staff on this issue, who relayed that the language cannot be adjusted without legislative action. We anticipate placing this issue on the County's 2023 legislative agenda.

#### *988/Crisis Response System*

The last several legislative sessions, the Legislature has passed legislation and allocated resources to revamping and building out the 988/crisis response system. Several pieces of this system are already online in Snohomish County, and some of these components already operate under a "no wrong door" behavioral health treatment model. Facilities include the Denney Behavioral Health Treatment Center and the Carnegie Resource Center.

Lead democrat legislators on these efforts include Snohomish County delegation member Rep. Lauren Davis (D- Shoreline), Rep. Tina Orwall (D- Des Moines), and Sen. Manka Dhingra (D- Redmond). These legislators have been heavily influenced by the Arizona model of crisis response, which incorporates several crisis and recovery centers, open 24/7 under the "no wrong door" model, that are dispersed regionally for equitable access to care. This system relies on built out treatment and supportive housing to ensure that individuals being released from crisis and evaluation centers have access to follow up treatment and/or housing. We can anticipate that legislative proposals on this issue are likely to reflect this model.

GTHGA and Ms. Harper met in late June with Human Services staff to ensure that we are coordinated and prepared to respond to any problematic proposals next session. Human Services staff expressed concern about protecting aspects of the existing crisis response system that are working well and avoiding buildout of the crisis system while the state and local governments lack beds and supportive housing. There is concern that the Legislature will make significant investments in the crisis stabilization system and require counties to operate these facilities, despite lacking the



necessary beds and housing to accommodate treatment expansion. There are problems outside of capital funding that prevent acquisition of housing and expansion of treatment services. We will be monitoring legislative proposals on this topic and will continue to share the County's concerns as appropriate.

#### Planning and Development Services

The Legislature has considered, and will continue to consider, several bills that affect the County's planning responsibilities under the GMA, SEPA, and other planning statutes. Last session, there was positive legislative action related to County planning responsibilities, including legislation extending the GMA comprehensive plan update cycle from 8 to 10 years, and funding for the implementation of planning updates.

#### *Returning Legislative Issues*

Some key bills did not pass, including House Bill 1099, incorporating climate change within the GMA, and House Bill 1117, establishing a salmon recovery goal of the GMA. House Bill 1099 laid out specific, quantitative planning requirements for counties for 2024 comprehensive plan updates, including planning for vehicle miles traveled reductions, greenhouse gas emissions reductions, and a resiliency sub-element. This concept is almost guaranteed to return in the 2023 legislative session.

To anticipate any future action, PDS staff indicated that the County will be incorporating a climate change element in the 2024 comprehensive plan update. The climate change element will be drafted using requirements under the most recent version of House Bill 1099 and guidance under the Puget Sound Regional Council's (PSRC) Vision 2050. This work is likely to get ahead of any potential legislative mandates on this topic; however, we will be monitoring the Legislature's work in 2023 to ensure that GMA proposals maintain a realistic implementation timeline and avoids conflicts with the County's work. Several Snohomish County legislators interested in the intersection between planning responsibilities and climate change; it may be beneficial to provide an update on the County's progress developing this element, as appropriate.

#### *MFTE/Urban Planning Solutions*

Snohomish County has the largest unincorporated UGA in the state. Snohomish County cities have declined to annex the most urban pieces of the unincorporated area, requiring the County to provide city-level urban services to thousands of residents. These areas have urban needs, including transportation and transit infrastructure expansion, affordable housing, behavioral health treatment, public safety, and more; however, several tools to address these needs are limited to cities or the largest counties. Additionally, legislators lack an understanding of the County's uniquely urban UGA.

Staff discussed running legislation that would allow the County to utilize the Multifamily Tax Exemption (MFTE) for affordable housing. Counties are authorized to use this program on a limited basis, and the statute is currently written to accommodate needs of King and Pierce Counties. The legislation was amended as recently as the 2021 legislative session, and legislators continue to be open to tweaking the program to ensure it is a useful and effective housing tool.

The County also discussed supporting other incentives that affect the UGA, including funding to plan for middle housing, legislation encouraging or incentivizing zoning around transit, incentives for open space and urban greenspace, and annexation incentives, including the annexation sales tax credit that expired in the early 2010s.



Staff also suggested strategies to improve the delegation's understanding of the urban character of the County's UGA, including creating a video or taking legislators on tours of the area. We anticipate this topic to be on the County's 2023 legislative agenda.

#### *Other Topics*

PDS staff also shared several other areas of legislative interest, listed below. These topics are likely to fall within the County's policy document as items to track.

- Riparian habitat legislation/ impacts to critical areas
- SEPA implementation issues
- Building code regulations/cost of housing
- Low-income housing rehabilitation
- Missing middle zoning
- Streamlining permitting timelines
- Planning incentives:
  - o Inclusionary/incentive zoning around transit
  - o Open space and urban greenspace
  - o Public/private partnerships

#### Department of Conservation and Natural Resources

The Legislature considers several budget and policy proposals related to natural resources, land use, and the environment every session. With significant county interest and potential opportunity in these proposals, we will continue to be nimble in our response to legislative proposals in this area. DCNR identified several areas of potential interest, including farmland preservation, salmon recovery, funding for the Savvy Septic program, streamlining grant processes, land conservation and restoration, fairgrounds funding and expansion opportunities, and RCO grants. A few specific areas are highlighted below:

#### *Floodplains by Design*

The County will be submitting a \$10 million to \$19 million request in the Floodplains by Design capital budget grant program in the 2023 legislative session. This request is a culmination of several years of planning work and investment. The Nature Conservancy, one of the key advocates for this program, will no longer be leading advocacy efforts for this program. Considering the size and importance of this request, the group discussed the County taking the lead on advocacy efforts for this program to ensure full project funding. However, in July, the Floodplains by Design project list was released, and the County's project ranked #3 on the list. This positions the project extremely favorably to receive full funding in 2023.

#### *Stanwood Dike Restoration*

The City of Stanwood has a failing dike that presents a significant flood risk to the City. If the dike were to fail, flooding would also block the only land entrance to Camano Island, via SR-530. The Stillaguamish Tribe has taken a leadership role in planning efforts to address the concern, and the City and County will be meeting with WSDOT to ensure they are coordinated on this effort. We have heard from other stakeholders that the City will be pursuing a request for this project in the 2023 legislative session, which the County may want to support.



### Economic Development and Workforce

The County's Economic Development and Workforce Department will support several legislative priorities led by statewide and regional economic development associations, including WEDA, the Hospitality Association, and Economic Alliance Snohomish County. Items to support include:

- Establishment of a state Restaurant Revitalization Fund
- Establishment of the Washington Workforce Innovation Fund
- Grants for Innovation in Clean Energy
- Proposals for mixed use development along transit lines
- Supporting Lynnwood in their request for funding a Master Plan Strategy

There were a few possibilities for County-led requests:

- Establishing an advanced manufacturing corridor designation along I-5
- Funding for an Export Plan to provide technical support and assistance for small businesses
- Feasibility study for an indoor/outdoor sports facility
- Pre-K sales tax program

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