

March 26, 2020

Governor Jay Inslee
PO Box 40002
Olympia, WA 98504-0002

Governor Inslee:

On behalf of Washington's 281 cities and towns, I want to thank you for your leadership and support during the COVID-19 emergency. We have appreciated the consideration that you have shown local government as you and your Administration respond.

We are very appreciative of your recent action to provide modifications to the Open Public Meetings Act and Public Records Act during the emergency. These actions will be very helpful to mayors, councilmembers and their cities as they balance the need for transparency with public health and safety. We need and would ask for some additional clarification and flexibility around "necessary and routine" matters as reason to hold meetings. City councils conduct a wide variety of business that can continue during the emergency but may not be interpreted as "necessary and routine". Flexibility is needed during our emergency response.

As you continue to evaluate and take additional steps to address this emergency, we have identified several items for your consideration. These are policy areas where cities need additional clarification or support to help with our shared response.

Financial reporting to State Auditor and audit requirement delays

- AWC respectfully requests that the annual financial reporting deadline of May 29 be postponed for up to 90 days to allow city staff time to adequately respond to the emergency and give the important financial reporting requirements the attention that they require.
- Additionally, AWC requests that currently scheduled financial and compliance audits conducted by the State Auditor's Office (SAO) be postponed until the state of emergency has ended for the same reason.

April election timing

- Provide clarification as soon as possible on whether or not April elections will be held as scheduled. RCW 84.09.030 requires Assessors to fix the boundaries for 2021 tax collections as they exist as of August 1. Should the decision be made to cancel April elections, AWC requests that an emergency accommodation be made to allow property tax boundary determinations to be postponed from the current date of August 1 to ten days after certification of the next election. This accommodation will allow ballot measures with property tax implications to be moved to a subsequent election and still allow for the changes to be included in the 2021 property tax collections. Without this change, waiting for August or November elections will result in a year-long delay in collecting taxes within the new boundaries.

Toll or temporarily suspend permitting review and approval requirements

- Several land use and permit review statutes include deadlines and public meeting requirements that will likely not be achievable in the current emergency. AWC has identified the following key statutes that we request be suspended or tolled until the end of the emergency declaration. There are many other statutes with related deadlines; a blanket suspension on land use statutory deadlines may be appropriate. We can share the comprehensive list if desired.

- RCW 58.17.095 (public hearing on the proposed subdivision shall be held if any person files a request for a hearing within 21 days of the publishing of notice)
- RCW 58.17.140 (preliminary plats shall be approved, disapproved, or returned to applicant for modification/correction within 90 days from date of filing; final plats within 30 days)
- RCW 36.70B.070 (project permit applications (28 days), notice to applicant)
- RCW 36.70B.080 (development regulations requirements (120 days to process a completed permit application subject to damages))
- RCW 36.70B.110 (notice of application, public comments, hearing, appeal deadlines)

Public Disclosure F-1 reporting delay

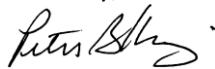
- Elected officials are required to file a Personal Financial Affairs statement (F-1) with the Public Disclosure Commission on April 15 per RCW 42.17A and Title 390 WAC. Given that many elected officials are focused on responding to and supporting their community during the emergency, AWC requests that the deadline be postponed for up to 90 days.

AWC also respectfully requests you consider a mechanism to provide emergency financial support to cities which may find themselves struggling to cover basic and emergency essential services. We ask that any relief help cover costs related to overtime pay for first responders and emergency housing needed to quarantine any first responders exposed to the virus. This could take the form of grants or low/no interest loans to cover public safety and essential operations.

In addition to these measures, we would like to address any consideration of postponing collection of state and local property taxes due in April. As you are aware, property tax revenue is one of the most important revenue sources for cities in our state. It is an even more important source with the economic impact of COVID-19 on retail sales tax collections. Cities across the state are already expressing concern about their ability to cover the costs of emergency response while continuing to provide essential government services. For those reasons, we ask that collection of local property taxes not be delayed and continue to be collected and distributed on schedule.

Again, we thank you for your leadership and support. Together we will get through this emergency. We appreciate your consideration of these requests.

Sincerely,



Peter B. King
CEO

c: Keith Phillips, Policy Director
Kathryn Leathers, General Counsel
Nick Streuli, External Relations Director

