



City of DuPont 2023 Legislative Priorities and Agenda

As the City and the state begin to recover from the COVID 19 pandemic and the civil unrest of the last few years, the City turns its attention to new challenges. Crime is on the rise across the region and the nation and many police reform measures, while well intentioned, have had the unintended consequences of creating obstacles to ethical and effective law enforcement. This has affected even medium and smaller cities, like DuPont, with a degradation of public safety. Equally challenging is historic inflation coupled with a significant lack of affordable housing, ageing infrastructure, and significant legislative/regulatory impediments to municipal financial growth.

This session, the City is requesting the legislature, and joining with our regional partners in these requests, to enact common-sense reforms to public safety legislation, provide regulatory and legislative changes for inflation relief, put in place legislative solutions to increase the availability of affordable housing, and to remove or defer impediments to financial growth.

- **Public Safety:**
 - **Blake Related Legislation:** The legislature amending the elements of criminal drug possession to require evidence of intent is an appropriate response to the *Blake* case. However, additional changes, have made enforcement and prosecution of drug possession effectively impossible and has essentially decriminalized drug possession in the State. Allowing possession of dangerous drugs has led to skyrocketing rates of the anti-social and criminal activity that results from unregulated drug use. This is dangerous to our citizens and lacks compassion for those in the throes of drug addiction. The City fully supports and adopts the position of the Pierce County Prosecutor in this matter.
 - **Vehicle Pursuit Legislation:** HB 1054 has eliminated the ability for law enforcement to engage in vehicle pursuits in practically all circumstances. As a result, criminals are emboldened to simply ignore police attempting to conduct lawful traffic stops. Since HB 1054 went into effect, the City has seen “eluding” (failure to stop after an officer has initiated a lawful traffic stop) increase exponentially. Prior to this law, eluding incidents were very rare. After July of 2021, after the law went into effect, the Dupont Police Department reported seven (7) eluding incidents that year. In 2022 they reported fourteen (14) as of November. This legislation hinders solving crimes, allows criminals to easily evade consequences and creates a public hazard as fleeing vehicles often engage in dangerous driving while escaping. The City fully supports and adopts the position of the Pierce County Prosecutor in this matter.



- **Behavioral Health Resources:** many of the law enforcement reforms seen over the last two years have been implemented with the intention to establish alternatives to law enforcement response to individuals experiencing a behavioral health crisis. The City supports interventions by behavioral health experts in these types of situations and requests the legislature provide greater access to such services and funding to help the City establish these types of alternative responses. The City supports and adopts the Association of Washington Cities (AWC) position in this matter.
- **Residential and Public Uses:**
 - **Remediation of City Owned Property:** The City of DuPont was founded as a company town for the DuPont Powder Works munitions plant in the early 1900's. As a residual of these activities, a large geographical area within the City, titled the "Old Fort Lake Subdivision" is subject to a Department of Ecology Consent Decree and Restrictive Covenants precluding residential, school, and park development. These restrictions have resulted in significant constraints on not only private property owners, but also the City's utilization of its own property within the area. The City has reviewed relevant environmental documents and believes the remaining contamination be cost-effectively removed to allow the City to develop parks and recreation opportunities for its citizens and by doing so will create catalysts for private development of adjacent private property for residential and public school uses. The City is requesting \$3 million to facilitate the remediation of two city-owned parcels.
 - **Affordable Housing:** A lack of affordable housing in the region coupled with historic inflation driven interest rates has reached crisis point in Western Washington. The City is a member of the South Sound Housing Affordability Partners and fully supports and adopts the legislative agenda of that organization to help alleviate these issues.
 - **Rental and Utility Assistance:** DuPont asks Legislators to consider other rental-assistance and relief programs that can aid the lowest-income renters during this time of severe inflationary pressures in their ability to pay their utilities. The City also supports financial support to those property owners who could lose their home due to foreclosure.



- **Fiscal Items:**
 - **Community Center:** With the abatement of the worst of the COVID 19 pandemic allowing regular community gatherings and in person activities again, the City's historical community center is an ageing building requiring significant upgrades to make it a viable multi-use building. The City is seeking assistance in securing approximately \$2 million to revitalize the Community Center.
 - **Defer or remove permitting requirements, unfunded mandates, and costs that will further exacerbate the problems cities and counties face at a local level:** DuPont urges the Legislature to defer or remove costs and unfunded mandates that are difficult or impossible to meet and/or comply with during the current economic environment. Examples include permitting requirements, reporting requirements, etc. Additionally, future costs such as pensions may need to be re-evaluated, and anticipated increases in pension contribution rates may need to be deferred.
 - **Raising the 1% Property Tax Cap:** Revise the statutory property tax cap to be tied to inflation and population growth, enabling the City to adjust the property tax rate to better provide essential public services. The artificial cap on such rates is not tied to any changing economic reality and severely impedes the City's ability to raise necessary revenue. The City supports and adopts AWC's position on this matter. See HB 1362 as an example of proposed legislation to address this issue.
- **Infrastructure:** the City, like many Washington cities, has significant infrastructure challenges as it looks to a future with an expanding population and increased residential development. The City supports and adopts AWC's position on fully funding the Public Works Assistance Account (PWAA) and to return diverted revenue streams to this account and investment in infrastructure projects on a City and regional level.
- **Margin Tax:** while a replacement of the current Business and Occupation tax with a revenue neutral "Margin Tax" structure is currently in the exploratory/workshop phase, the City cannot support this initiative. Specifically, the City strongly rejects any removal of its authority to apply occupation taxes under the current B&O structure. Many cities, including DuPont, do not have an environment conducive to extensive retail and sales revenue tax and rely on occupation taxation of large facilities (e.g., warehousing) that do not provide any sales tax revenue as they are not a point of sale for goods they store. Any proposed new tax structure must either include occupation taxing or have a way to make up that revenue.



- ***Nisqually Bridge Project:***

- **Nisqually River Delta and I-5 Mounts Rd to Tumwater:** This project is a key regional legislative priority for South Sound Military & Communities Partnership (SSMCP). It is a transportation issue, environmental and climate issue, and cultural issue as it relates to the Nisqually Tribe, particularly as it relates to fish passage. Preliminary findings of the USGS hydrologic study finding that I-5 will be over topped by Nisqually River flooding. USGS lead scientist, Eric Grossman stated, *“It is not if, but when”*. The combination of global warming leading to sea level rise, channel reorientation, more prolific rain events, and snowmelt will result in the 100-year flood occurring 4-5 times more frequently than historic norms (22–23-year event). The science tells us that in as little as 17 years, flooding events will become much more frequent in the Nisqually Delta with the ox bow on the Nisqually River reaching the highway. This would result in more frequent events such as the 1996 Chehalis flood, but on the Nisqually Delta. Recommendation: The Nisqually River Delta and I-5 Mounts Rd to Tumwater projects be combined as on.