

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1918

66th Legislature
2019 Regular Session

Passed by the House March 9, 2019
Yeas 96 Nays 0

Speaker of the House of Representatives

Passed by the Senate April 13, 2019
Yeas 45 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1918** as passed by House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1918

Passed Legislature - 2019 Regular Session

State of Washington

66th Legislature

2019 Regular Session

By Representative Santos

Read first time 02/06/19. Referred to Committee on Housing,
Community Development & Veterans.

1 AN ACT Relating to community preservation and development
2 authorities; amending RCW 43.167.010; adding new sections to chapter
3 43.167 RCW; and creating new sections.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that:

6 (1) Both state and local land use actions, such as the siting of
7 major public facilities, public works, and capital projects with
8 significant public funding, and other land use decisions, generally
9 aim to accrue broad benefits to the people of Washington and local
10 communities.

11 (2) The local stakeholder community which bears the
12 disproportionate costs of such a land use decision by absorbing the
13 deleterious impacts of the decision are often overlooked or
14 inadequately addressed. These impacts may include dislocation,
15 displacement, and the overall disintegration of an identifiable
16 existing community and its historical and cultural character.

17 (3) The preservation and restoration of the character of such a
18 community, and the community's historical and cultural character, are
19 important public policy goals that can be achieved through the
20 creation of community preservation and development authorities.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.167
2 RCW to read as follows:

3 (1) Community preservation and development authorities are hereby
4 created to restore or enhance the health, safety, and economic well-
5 being of communities adversely impacted by the construction of, or
6 ongoing operation of, multiple major public facilities, public works,
7 and capital projects with significant public funding or by other land
8 use decisions.

9 (2) Community preservation and development authorities must have
10 one or more of the following purposes:

11 (a) To revitalize, enhance, and preserve the unique character of
12 impacted communities;

13 (b) To mitigate the adverse effects of multiple major public
14 facilities projects, public works projects, or capital projects with
15 significant public funding, a secure community transition facility as
16 defined in RCW 71.09.020, or other land use decisions;

17 (c) To restore a local area's sense of community;

18 (d) To reduce the displacement of community members and
19 businesses;

20 (e) To stimulate the community's economic vitality;

21 (f) To enhance public service provisions;

22 (g) To improve the standard of living of community members; or

23 (h) To preserve historic buildings or areas by returning them to
24 economically productive uses that are compatible with or enhance
25 their historic character.

26 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.167
27 RCW to read as follows:

28 The definitions in this section apply throughout this chapter
29 unless the context clearly requires otherwise.

30 (1) "Community" means a group of people who reside or work in the
31 geographic area established by the community preservation and
32 development authority board or the proposal to create the authority
33 and who currently or historically share a distinct cultural identity
34 or local history.

35 (2) "Community preservation and development authority" or
36 "authority" means an authority created by members of an impacted
37 community.

38 (3) "Constituency" means the general membership of the community
39 preservation and development authority, which membership must be open

1 to all persons eighteen years of age and over who are residents,
2 property owners, employees, or business persons within the geographic
3 boundaries established by the authority or the proposal to create the
4 authority.

5 (4) "Impacted community" means a community that has been
6 adversely impacted by the construction of, or ongoing operation of,
7 multiple major public facilities, public works, and capital projects
8 with significant public funding or by other land use decisions.

9 (5) "Major public facilities project, public works project, or
10 capital project with significant public funding" means any capital
11 project whose total cost exceeds ten million dollars. On July 1,
12 2019, and on July 1st of each odd-numbered year thereafter, the
13 capital project cost threshold must be adjusted by the capital
14 project cost adjustment factor for inflation established by the
15 office of financial management.

16 **Sec. 4.** RCW 43.167.010 and 2009 c 516 s 1 are each amended to
17 read as follows:

18 (1) The residents, property owners, employees, or business owners
19 of an impacted community may propose formation of a community
20 preservation and development authority. The proposal to form a
21 community preservation and development authority must be presented in
22 writing to the appropriate legislative committee in both the house of
23 representatives and the senate. The proposal must contain proposed
24 general geographic boundaries that will be used to define the
25 community for the purposes of the authority. Proposals presented
26 after January 1, (~~(2008)~~) 2020, must identify in its proposal one or
27 more stable revenue sources that (a) have a nexus with the multiple
28 publicly funded facilities or other land use decisions that have
29 adversely impacted the community, and (b) can be used to support
30 future operating or capital projects that will be identified in the
31 strategic plan required under RCW 43.167.030.

32 (2) Formation of the community preservation and development
33 authority is subject to legislative authorization by statute. The
34 legislature must find that (a) the area within the proposal's
35 geographic boundaries meets the definition of "impacted community"
36 contained in (~~(section 2(4) of this act)~~) section 3(4) of this act
37 and (b) those persons that have brought forth the proposal are
38 members of the community as defined in (~~(section 2(1) of this act)~~)
39 section 3(1) of this act and, if the authority were approved, would

1 meet the definition of constituency contained in (~~section 2(3) of~~
2 ~~this act~~) section 3(3) of this act. For proposals brought after
3 January 1, (~~2008~~) 2020, the legislature must also find that the
4 community has identified one or more stable revenue sources as
5 required in subsection (1) of this section. The legislature may then
6 act to authorize the establishment of the community preservation and
7 development authority in law.

8 (3) The affairs of a community preservation and development
9 authority shall be managed by a board of directors, consisting of the
10 following members:

11 (a) Two members who own, operate, or represent businesses within
12 the community;

13 (b) Two members who reside in the community;

14 (c) Two members who are involved in providing nonprofit community
15 or social services within the community;

16 (d) Two members who are involved in the arts and entertainment
17 within the community;

18 (e) Two members with knowledge of the community's culture and
19 history;

20 (f) One member who is involved in a nonprofit or public planning
21 organization that directly serves the impacted community; and

22 (g) Two representatives of the local legislative authority or
23 authorities, as ex officio members.

24 (4) No member of the board shall hold office for more than four
25 years. Board positions shall be numbered one through nine, and the
26 terms staggered as follows:

27 (a) Board members elected to positions one through five shall
28 serve two-year terms, and if reelected, may serve no more than one
29 additional two-year term.

30 (b) Board members initially elected to positions six through
31 thirteen shall serve a three-year term only.

32 (c) Board members elected to positions six through thirteen after
33 the initial three-year term shall serve two-year terms, and if
34 reelected, may serve no more than one additional two-year term.

35 (5) With respect to an authority's initial board of directors:
36 The state legislative delegation and those proposing formation of the
37 authority shall jointly establish a committee to (~~develop a list of~~
38 ~~candidates to stand for election~~) select the members of the initial
39 board of directors once the authority has received legislative
40 approval as established in subsection (2) of this section. For the

1 purpose of (~~developing the list and~~) identifying those persons who
2 meet the criteria in subsection (3)(a) through (e) of this section,
3 community shall mean the proposed geographic boundaries as set out in
4 the proposal. (~~The board of directors shall be elected by the~~
5 ~~constituency during a meeting convened for that purpose by the state~~
6 ~~legislative delegation.~~)

7 (6) With respect to subsequent elections of an authority's board
8 of directors: A list of candidates shall be developed by the
9 authority's existing board of directors and the election shall be
10 held during the annual local town hall meeting as required in RCW
11 43.167.030.

12 NEW SECTION. **Sec. 5.** (1) The legislature finds that the Central
13 District is identified as the oldest surviving residential
14 neighborhood in Seattle where, historically, residents who faced
15 housing and economic discrimination elsewhere in the city could
16 settle and raise families, resulting in a richly diverse
17 multicultural community. The legislature also finds that the Central
18 District is widely recognized as the historical center of the Seattle
19 African American community which is reflected in the historic
20 buildings, institutions, and culture of the neighborhood. The
21 legislature further finds that the Central District has been
22 adversely impacted by public works, capital projects with significant
23 public funding, and other land use decisions which have contributed
24 to dislocation, displacement, and the disintegration of an
25 identifiable existing community and its historical and cultural
26 character. In addition, the legislature finds that members of the
27 community who meet the definition of constituency contained in
28 section 3(3) of this act have submitted a proposal to form a
29 community preservation and development authority to preserve,
30 restore, and enhance the unique, history, culture, and character of
31 the Central District.

32 (2) The legislature authorizes the establishment of the Central
33 District community preservation and development authority, which
34 boundaries are those contained in the Central District within the
35 city of Seattle, to preserve the unique character and history of the
36 area pursuant to section 2 of this act.

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