

# HOUSE BILL REPORT

## HB 2305

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### As Passed Legislature

**Title:** An act relating to contracts with community service organizations for public improvements.

**Brief Description:** Changing authority for contracts with community service organizations for public improvements.

**Sponsors:** Representatives Angel, Takko and Green.

#### **Brief History:**

##### **Committee Activity:**

Local Government: 1/18/12, 1/25/12 [DP].

##### **Floor Activity:**

Passed House: 2/1/12, 96-0.

Passed Senate: 3/1/12, 49-0.

Passed Legislature.

#### **Brief Summary of Bill**

- Authorizes port districts to contract with community service organizations for certain public works services without regard to competitive bidding laws.
- Authorizes community service organizations to make improvements under such contracts to port habitat sites.
- Authorizes community service organizations to enter into contracts for maintenance services for a facility or facilities as an "environmental stewardship project."

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### HOUSE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** Do pass. Signed by 9 members: Representatives Takko, Chair; Fitzgibbon, Vice Chair; Angel, Ranking Minority Member; Asay, Assistant Ranking Minority Member; Rodne, Smith, Springer, Tharinger and Upthegrove.

**Staff:** Ann Koepke (786-7291) and Ethan Moreno (786-7386).

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Background:**

Certain public entities, including a county, city, town, school district, metropolitan park district, park and recreation district, or park and recreation service area may contract with, without regard to competitive bidding laws for public works, a chamber of commerce, a service organization, a community, youth, or athletic association, or other similar association, for certain public works services. The entity providing the public works service must be located in and provide the service in the immediate neighborhood. These types of services include:

- drawing design plans;
- making improvements to a park, school playground, or public square;
- installing equipment or artworks; and
- providing maintenance services for a facility.

Public entities may enter into contracts with community service organizations for facility maintenance services under the auspices of community or neighborhood projects undertaken by the community service organization.

The consideration to be received by the public entity through the value of the service provided by the community service organization must have a value at least equal to three times that of the payment to the contracting organization. Payments made by a public entity under the authority of this section for all such contracts in one year may not exceed \$25,000 or \$2 per resident within the boundaries of the public entity, whichever is greater.

**Summary of Bill:**

The bill authorizes port districts to contract with community service organizations for certain public works services without regard to competitive bidding laws, authorizes community service organizations to make improvements under such contracts to port habitat sites, and authorizes community service organizations to enter into contracts for maintenance services for a facility or facilities as an "environmental stewardship project."

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Public agencies that own habitat and recreation sites often contract with local citizen groups to provide ongoing stewardship of those sites. State law already grants counties, cities, towns and metropolitan park districts, among others, the ability to bypass the typical competitive bidding laws in order to work with these types of groups. Port districts should have similar authority. For example, the Port of Tacoma manages 160 acres of wildlife habitat and open spaces through a partnership with the community group Citizens for a Healthy Bay. This group coordinates with other community groups to leverage volunteer

efforts and provide educational opportunities which makes this is a win/win experience for the community groups and the Port. This sort of collaboration could likely be extended to other environmental habitat sites throughout the state.

(Opposed) None.

**Persons Testifying:** Johan Hellman, Washington Public Ports Association.

**Persons Signed In To Testify But Not Testifying:** None.