

# SENATE BILL REPORT

## EHB 1086

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As of March 9, 2023

**Title:** An act relating to increasing local governments' ability to contract with community service organizations.

**Brief Description:** Increasing local governments' ability to contract with community service organizations.

**Sponsors:** Representatives Shavers, Ryu, Ramel, Lekanoff, Callan, Simmons, Timmons, Thai, Paul, Santos, Ormsby and Tharinger.

**Brief History:** Passed House: 2/6/23, 84-9.

**Committee Activity:** Local Government, Land Use & Tribal Affairs: 3/09/23.

### Brief Summary of Bill

- Authorizes a local government to contract with a community service organization for improvements to public spaces and maintenance services for an environmental justice stewardship or sustainability project.
- Amends the threshold for reimbursement of expenses based on value of work completed by community service organizations.
- Increases the limit on the yearly value of contracts that can be provided by a jurisdiction to community service organizations without competitive bidding to \$75,000.

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### SENATE COMMITTEE ON LOCAL GOVERNMENT, LAND USE & TRIBAL AFFAIRS

**Staff:** Maggie Douglas (786-7279)

**Background:** Public Works Contracts. State and local public works projects are subject to

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competitive bidding requirements. Public works projects may include any work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the state or municipality.

Municipalities, including cities, counties, school districts, park districts, or port districts, are subject to competitive bidding requirements for public work projects.

Contracts with Community Service Organizations for Public Improvements. Any county, city, town, school district, metropolitan park district, park and recreation district, port district, or park and recreation service area may contract with a community service organization for certain local improvement projects. These projects may include:

- drawing design plans;
- making improvements to a park, school playground, public square, or port habitat site;
- installing equipment or artworks; or
- providing maintenance services for a facility or facilities as a community neighborhood project or environmental stewardship project.

The contracting association may use volunteers in the project and may provide clothing, tools, meals, insurance coverage, and reimbursement of the volunteers' expenses. The local government may reimburse the community service organization for its expenses provided that the value of the work is at least three times as much as the payment to the organization.

The yearly total payments made to community service organizations under this exemption must not exceed the greater of \$25,000 or \$2 per resident residing within the boundaries of the jurisdiction.

**Summary of Bill:** The bill as referred to committee not considered.

**Summary of Bill (Proposed Striking Amendment):** A local government may contract with a community service organization for improvements to other public spaces in addition to locations identified above maintenance services for an environmental justice stewardship or sustainability project.

A local government may reimburse the community service organization for its expenses provided that the value of the work is at least twice as much, rather than three times as much, as the reimbursement payment to the community service organization.

The yearly total payments made to community service organizations under this exemption must not exceed the greater of \$75,000, rather than \$25,000.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony On Proposed Striking Amendment:** PRO: This is an important bill for rural districts. With the rise of material costs and lingering impacts of the pandemic, the \$25,000 limit is inadequate for small, rural districts. It costs \$26,000 to add dirt to one baseball field to decrease the lip between the infield and outfield. Raising the limit to \$75,000 gives some relief and flexibility for districts to contract with local service organizations. Costs are different now, especially after the COVID-19 pandemic and spike in inflation. This gives an opportunity for local public service organizations to meaningfully contribute to the betterment of their community and will positively impact small communities throughout the state. Community organizations have reported that they are choosing not to apply for these funds because it is difficult for them to meet the current three to one match requirement. A two to one match requirement will expand the universe of applicants and broaden the reach of community project.

**Persons Testifying:** PRO: Representative Clyde Shavers, Prime Sponsor; Larry Leveen, ForeverGreen Trails; Hamdi Mohamed, Port of Seattle Commissioner; Jenny Love, Friends of Normandy Park; Richard May, City of Blaine; Jay Cochran, North Whidbey Pool, Park & Rec..

**Persons Signed In To Testify But Not Testifying:** No one.