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Snoqualmie and schools move closer on impact fees

October 26, 2011

By Staff

Officials from Snoqualmie and the Snoqualmie Valley School District are closer to an agreement on collecting impact fees from housing development for 2012. But the district won't get any money for 2011.

The city and the school district still haven't reached a compromise regarding the agreement's indemnity clause. Snoqualmie officials don't want the city to be held liable for any lawsuit challenging the fee's collection or a capital project paid for by the fees. But district officials say that would be an unusual exemption.

"The representatives from the city did share with us their intent to recommend to the [Snoqualmie City] Council collection of the full impact fee amount for 2012," Joel Aune, superintendent of Valley schools, said after an Oct. 18 meeting with city officials. "At this point, it's all but too late to do anything about 2011."

Late last year, school officials asked cities in the district to approve a 300 percent increase in impact fees for 2011 to \$8,140. Homebuilders objected to the jump, which the district said was needed to help build a new middle school. North Bend and Sammamish approved the fees.

Snoqualmie City Council delayed a vote on collecting the fees until after district voters passed a \$56 million bond to build a new middle school. When that failed twice, the council shelved making a decision on the fees.

The city's move toward collecting fees in 2012 is long overdue, Aune said.

Before a final agreement is reached, the city and district must resolve concerns in the interlocal agreement regarding the degree to which the city would be responsible for any lawsuits regarding impact fees.

"The city is basically saying to the school district, 'We want to be held harmless against any lawsuit of any kind originated from the work that we do around capital facilities,'" school board president Dan Popp said.

"We should not participate or bear any expense related to our collection of school impact fees under an ordinance they provide to us and which is for their sole financial benefit. This has to be in the interlocal agreement," City Attorney Pat Anderson wrote in an email to city officials in August.

But the district's lawyers maintain that the proposed agreement is standard, Aune said. The district does not know what the city's full proposal looks like yet, he said.

One of the things the city seeks is changing the timing of collection of impact fees, from when permits are issued to when the sale closes.

Delaying the collection makes it easier for housing developers to build and sell homes, according to the Master Builders Association of King and Snohomish Counties.

A 2011 study by the Washington Center for Real Estate Research at Washington State University found that delaying collection didn't affect the ability of the Kent, Issaquah and Lake Washington school districts to pursue capital projects.

"The city remains firm that it does make a difference, impacting [builders'] ability to get credit and impacts their ability for cash flow, etc.," Popp said. "I don't know. I'm not an accountant for a contractor, so I couldn't tell you."

Popp said a resolution hinges on whether the district feels comfortable with a new agreement and the conditions the council seeks.

Snoqualmie Councilwoman Kathi Prewitt said during the Oct. 19 school board meeting that the City Council is composed of district parents and grandparents entrusted with defending the interest of all taxpayers of Snoqualmie.

School board member Scott Hodgins said knowing that the city will collect the fees next year is good enough for him.

Popp's reaction was a bit more tempered.

"I'm a little less excited about that than Scott is," Popp said.

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