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## Schools, cities continue to disagree on impact fees

January 4, 2012

By Sebastian Moraga

They may not count as new year's resolutions, but the two municipalities and the school district in the Snoqualmie Valley know exactly what it is they want for 2012.

The Snoqualmie Valley School District wants to know if it can count on impact fee revenue from the cities of North Bend and Snoqualmie.

The cities want to know if they can count on being free from the threat of lawsuits stemming from the fees.

"We do not want to collect impact fees unless the cities are fully indemnified," Snoqualmie City Attorney Pat Anderson said. "The cities are united on that."

The indemnity would cover both cities from any claim or lawsuits based "on any basis that the impact fee were not legal," he added.

Anderson called the cities' requests very reasonable and common.

"It's not a matter of how common it is, it's whether it's correct or not and both cities believe it's correct," he said.

Over at the school district's offices, not everybody is so convinced.

School board president Dan Popp called the cities' suggestion that cities may not carry any impact fees whatsoever unless they receive indemnity a mistake.

"They argue those are separate concerns," Popp said. "To them, having a potential lawsuit is one thing and approving the dollar amount of the impact fees we indicate through the capital facilities plan is another."

Though Popp said the discussions were amiable and that the two sides are not at an impasse, not everybody agrees.

Anderson declined to describe the tenor of the discussions. District board member Scott Hodgins said he walked away from the meeting feeling that "we are going to have this problem every year."

"They want to review the plan to see if it's just or unjust regardless of whether we collect impact fees," Hodgins said. "That's the city saying they do not trust our educational plan."

Popp offered a less passionate assessment, saying city leaders told him they just don't want anyone forcing their hand.

Nevertheless, Popp said, the district hesitates to provide indemnity to cities. If the cities are immune to lawsuits, contractors may aim their litigation at the schools.

"The challenging position for the district," Popp said, "is that we would take on all the liability, without any assurance that they may approve the impact fees we say we need."

On the other hand, Anderson said, the school district is the sole beneficiary of the impact fees collected.

The next step of the negotiations, Popp said, will occur this month. Snoqualmie officials will talk it over at their Jan. 9 City Council meeting, Anderson said.

Popp defended the district’s position, saying school districts do not generate growth. Developers and cities do.

“We don’t ask people to bring their children into our schools, but we have to be prepared and have appropriate facilities for them,” he said.

Popp added that the money gathered through impact fees falls far short of being enough to run the facilities in the district.

“Not even close,” Popp said. “But that doesn’t mean the schools could not use the funds. Short of passing bonds, it’s one of the few ways we get money.”

Either way, a tough call looms for the district.

“What it amounts to,” Hodgins said, “is do we call their bluff?”

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Written by Sebastian Moraga · Filed Under [Local News](#)

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