

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:			<div style="font-size: 2em; opacity: 0.5;">RECEIVED</div> <div style="font-size: 1.2em; margin-top: 10px;">MAY 09 2000</div> <div style="font-size: 1.1em; margin-top: 10px;">WHATCOM COUNTY COUNCIL</div>	5/16	Introduction
Division Head:				5/30/00	Finance / Council
Dept. Head:					
Prosecutor	KDW	5/2/00			
Purchasing/Budget:					
Executive:	<i>[Signature]</i>	5/9/2000			

SUBJECT: Ordinance establishing an advisory committee and criteria for rural county public facility projects to be funded by rural county sales and use tax.

ATTACHMENTS:

- Memorandum
- Ordinance
- Exhibit A

SEPA review required? () Yes () NO
 SEPA review completed? () Yes () NO

Should Clerk schedule a hearing? () Yes (x) NO
 Requested Date:

SUMMARY STATEMENT:

Distribution Request

Indicate those who should receive a copy after Council action. List specific names to the right.

ADS Facilities Management	
ADS Finance	
ADS Human Resources	
ADS Info Services	
Assessor	
Auditor	
Cooperative Extension	
District Court	
Executive	Francine Kincaid
Health	
Hearing Examiner	
Jail	
Juvenile	
Parks	
Planning	
Prosecutor	
Public Works	
Sheriff	
Superior Court	
Treasurer	
Other	

COUNCIL ACTION TAKEN:

2000 - 195 5/16/2000: Introduced
 5/30/2000: Amended and adopted 6-0, Hoag absent, Ord. #2000-022

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number (this item): **ORD # 2000-022**

**WHATCOM COUNTY
EXECUTIVE'S OFFICE**


County Courthouse
311 Grand Avenue, Suite #108
Bellingham, WA 98225-4082



Pete Kremen
County Executive

MEMORANDUM

TO: Marlene Dawson, Council Chair
Members of the Whatcom County Council

FROM: Pete Kremen, County Executive 

DATE: May 9, 2000

SUBJECT: Ordinance Establishing Advisory Committee and Criteria for Rural County Public Facility Projects to be funded by Rural County Sales and Use Tax

This proposed ordinance to establish an advisory committee for rural county public facility projects is based on Ordinance 99-032 imposing a rural county sales and use tax in Whatcom County. The enclosed ordinance is the result of a joint effort of the this administration, the cities of Whatcom County, the Port of Bellingham, and the Economic Development Council.

Revenue collected under RCW 8.14.370 may only be used for financing capital public facilities and Ordinance 99-032 established an account for all revenue collections and expenditures.

The establishment of this advisory committee will provide for the review of projects submitted for funding consideration. The committee will put forward funding priority recommendations consistent with Ordinance 99-032, by the second Monday in September of each calendar year, to the Whatcom County Council for your consideration.

I look forward to discussing this issue with you.

Enclosure

SPONSORED BY: Executive

PROPOSED BY: Executive

INTRODUCTION DATE: ~~5-16-00~~

ORDINANCE NO. 2000-022

ESTABLISHING WHATCOM COUNTY CODE 2.130, CREATING THE WHATCOM COUNTY RURAL COUNTY SALES AND USE TAX ADVISORY COMMITTEE

WHEREAS, pursuant to RCW 82.14.370, the Washington State Legislature in 1997 enacted a Sales and Use Tax for Rural Counties – Public Facilities in rural counties; and

WHEREAS, the Whatcom County Council on July 13, 1999 authorized Ordinance 99-032 imposing a Rural County Sales and Use Tax in Whatcom County; and

WHEREAS, monies collected under RCW 82.14.370 shall only be used for the purpose of financing capital public facilities in Whatcom County; and

WHEREAS, on July 13, 1999 the Whatcom County Council established the Rural County Public Facilities Fund by Ordinance 99-032 to account for all revenue collections and expenditures related to the Rural County Sales and Use Tax; and

WHEREAS, the Whatcom County Council desires to establish funding recommendations consistent with the intent of RCW 82.14.370, and

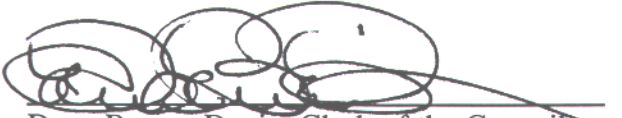
WHEREAS, the formation of an advisory committee to review all funding requests and provide the Whatcom County Council with project funding priority recommendations is consistent with Ordinance 99-032.

NOW, THEREFORE, BE IT ORDAINED that the Whatcom County Council hereby establishes Whatcom County Code 2.130, creating the Whatcom County Rural County Sales and Use Tax Advisory Committee as outlined in Exhibit A to this ordinance.

ADOPTED this 30 day of May, 2000.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Dana Brown-Davis, Clerk of the Council


Marlene Dawson, Council Chair

APPROVED AS TO FORM:

Approved () Denied


Civil Deputy Prosecutor

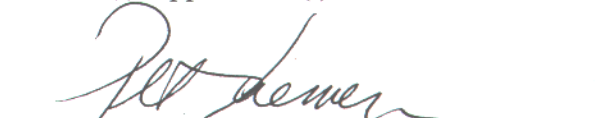

Pete Kremen, County Executive

EXHIBIT A

1
2
3 **2.130 RURAL COUNTY SALES AND USE TAX ADVISORY**
4 **COMMITTEE**
5

6 **Sections:**

7 **2.130.010 Established.**

8 **2.130.020 Purpose.**

9 **2.130.030 Function.**

10 **2.130.040 Membership – Term of Office.**

11 **2.130.050 Organization – Meetings.**

12 **2.130.060 Committee Staffing.**
13

14 **2.130.010 Established.**

15 There is hereby established the Whatcom County Rural County Sales
16 and Use Tax Advisory Committee (RCSUT).
17

18 **2.130.020 Purpose.**

19 The committee is created to make recommendations to the Whatcom County
20 Council to invest in capital projects, consistent with RCW 82.14.370, that
21 further the goals for promoting the ongoing operation of business in Whatcom
22 County: promoting the expansion of existing businesses in Whatcom County;
23 attracting new businesses; assisting in the development of new businesses from
24 within Whatcom County; providing higher wage jobs to the citizens of
25 Whatcom County; and promoting the development of communities of excellence
26 in Whatcom County.
27

28 **2.130.030 Function.**

29 At the inception of the tax collection, all revenue shall be deposited into the
30 designated dedicated Rural County Public Facilities Fund. As soon thereafter
31 as practical, the county shall issue bonds in an amount that will be based on the
32 estimated annual tax collections in 2000 or as adjusted by future legislative
33 action to service bond principal and interest. All interest from the bonds, any
34 additional taxes, or other revenues collected from this act or any subsequent or
35 successor legislation shall be treated in a similar manner. The proceeds of the
36 bonds may only be allocated by the means prescribed in this document.
37

38 **2.130.040 Membership-Term of Office.**

39 A. The Advisory Committee shall consist of:

- 40
41 1. Chair of the Whatcom County Council

2. City of Bellingham Mayor
3. Two mayors from the other incorporated cities of Whatcom County to be selected by majority vote of the small cities
4. Port of Bellingham representative shall be a designee of the port and consist of either a port commissioner or the executive director
5. Public Utility District No. 1 representative shall be a designee of the PUD and consist of either a PUD Commissioner or the Manager
6. Bellingham Whatcom Chamber of Commerce President
7. Bellingham Whatcom Economic Development Council President
8. Whatcom County Executive
9. At-large appointee by the Whatcom County Executive

B. The Chairperson of the committee shall be the Whatcom County Executive.

C. Due to the composition of this board, it is not subject to charter provision Section 3.23.

2.130.050 Organization – Meetings.

A. Meetings of the committee shall be open and accessible to the public and shall be subject to the Open Public Meetings Act. The committee shall determine its own meeting schedule, but shall meet at least once every month. At every meeting, the committee will schedule an open session to take public comment.

B. In order for projects to receive funding consideration, the advisory committee shall receive project proposals up to July 1 of each year. The projects, which must be public facilities in nature, shall be defined as publicly owned facilities that generate economic benefit to the citizens of Whatcom County. No investment shall be made in support of residential development.

C. The Whatcom County Council may establish additional criteria for the advisory committee to address in evaluating projects for funding priority that would enhance economically sustainable jobs and businesses, including jobs in agriculture, fisheries, and timber production, but not limited to:

1. **Job Creation:** Funding priority shall be given to projects that result in immediate or near term job creation or retention of jobs.
2. **Wages:** Preference shall be given to projects that generate/retain higher paying jobs. Evaluation should be made of average anticipated wages of the new/retained employees and benefits

available to employees.

3. **Desired Project Timeline:** Generally, projects shall be undertaken within twelve (12) months of funding and completed within twenty-four (24) months.
4. **Match:** Preference shall be given to projects that match rural county fund dollars. Funding priority will be given to projects that have a partnership(s) component.
5. **Other Criteria:** Other criteria as established by legislative actions taken subsequent to the adoption of this ordinance will be incorporated in the project funding criteria.

11 **2.130.060 Committee Staffing.**

12 The County Executive shall designate the staffing for the committee



WHATCOM COUNTY COUNCIL

RECEIVED

May 31, 2000

JUN 02 2000

MEMORANDUM

PETE KREMEN
COUNTY EXECUTIVE

TO: County Executive Pete Kremen
FROM: Marlene Dawson, Council Chair *MD*
SUBJ: Council Action at May 30, 2000 meeting.

The Council, at its May 30, 2000 meeting, took action as shown on the portion of minutes printed below:

OTHER ITEMS

1. ORDINANCE ESTABLISHING WHATCOM COUNTY CODE 2.130, CREATING THE WHATCOM COUNTY RURAL COUNTY SALES AND USE TAX ADVISORY COMMITTEE (AB2000-195)

Nelson moved approval.

McShane restated his motion to add language to section 2.130.020, "The committee is created...to invest in capital projects, consistent with RCW 82.14.370, that further...."

Motion to amend carried unanimously.

McShane stated he wanted to consider projects that would enhance economically sustainable jobs and businesses, including jobs in agriculture, fisheries, and timber production. He moved to amend packet page 69, section 2.1360.050(C) to include that priority.

Motion carried 4-2 with Nelson and Crawford opposed.

Desler asked the Council to consider an amendment to packet page 70, section 2.130.060 regarding committee staffing, "~~The Whatcom County Planning and Development Services Department shall provide the staffing for the committee. The County Executive shall designate the staffing for the committee.~~"

Imhof so moved.

Motion carried unanimously.

Motion to approve the amended ordinance carried unanimously.