

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:			RECEIVED SEP 02 2003 WHATCOM COUNTY COUNCIL	9/9/03	Introduction
Division Head:				9-23-03	FINANCE/COUNCIL
Dept. Head:					
Prosecutor	RSW	5/2/02			
Purchasing/Budget:					
Executive:		9/2/03			

SUBJECT: Ordinance amending Ordinance 2000-022 and Whatcom County Code 2.130

ATTACHMENTS:
 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	Dewey Desler
Health	
Hearing Examiner	
Jail	
Juvenile	
Parks	
Planning	
Prosecutor	
Public Works	
Sheriff	
Superior Court	
Treasurer	
Other	

COUNCIL ACTION TAKEN:

2003 - 314 9/9/2003: Introduced
 9/23/03: Adopted 5-1, Brenner opposed, Roy absent, Ord.
 #2003-046

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number
 (this item): **ORD.# 2003-046**

SPONSORED BY: Executive

PROPOSED BY: Executive

INTRODUCTION DATE: 9/9/03

ORDINANCE NO. 2003-046

ORDINANCE AMENDING ORDINANCE 2000-022 AND
WHATCOM COUNTY CODE 2.130

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, on May 30, 2000 the Whatcom County Council established the formation of the Whatcom County Rural County Sales and Use Tax advisory committee by Ordinance 2000-022 to review all funding requests and provide the Whatcom County Council with project funding priority, and

WHEREAS, the Rural Sales Tax advisory committee recommended the establishment of an Economic Development Investment program to more effectively implement the purposes of RCW 82.14.370, and

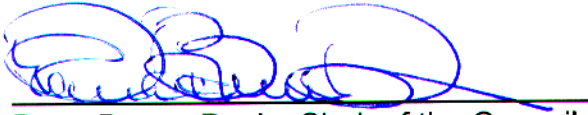
WHEREAS, the Whatcom County Council desires to amend the name, purpose, function, membership and organization of this committee to support the implementation of the Economic Development Investment program.

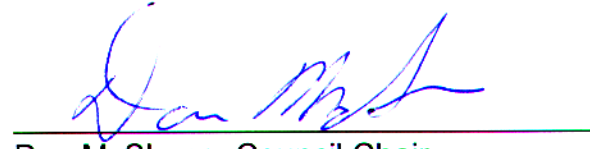
NOW, THEREFORE, BE IT ORDAINED that the Whatcom County Council hereby amends Ordinance 2000-022 changing the name of the committee to the Whatcom County Economic Development Investment Board and amends Whatcom County Code 2.130, as outlined in Exhibit A to this ordinance.

ADOPTED this 23 day of Sept., 2003.

ATTEST:


WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Dana Brown-Davis, Clerk of the Council


Dan McShane, Council Chair

APPROVED AS TO FORM:

Approved Denied


Civil Deputy Prosecutor

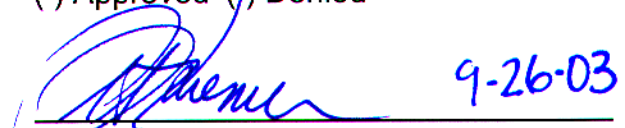
 9-26-03
Pete Kremen, County Executive

EXHIBIT A

2.130 ECONOMIC DEVELOPMENT INVESTMENT BOARD

Sections:

- 2.130.010 Established.**
- 2.130.020 Purpose.**
- 2.130.030 Function.**
- 2.130.040 Membership - Term of Office.**
- 2.130.050 Organization – Meetings.**
- 2.130.060 Committee Staffing.**

2.130.010 Established.

There is hereby established the Whatcom County Economic Development Investment Board (EDI Board).

2.130.020 Purpose.

The board is created to make recommendations to the Whatcom County Council to invest in public facilities, consistent with RCW 82.14.370, that further the goals for promoting the ongoing operation of business in Whatcom County:

1. Increase the number of family wage jobs available to the citizens of the county.
2. Retain existing businesses within the county.
3. Facilitate the expansion of existing businesses.
4. Attract new businesses to Whatcom County.
5. Sustain the EDI program through repayment of EDI loans.

2.130.030 Function.

At the inception of the tax collection, all revenue shall be deposited into the designated Rural County Public Facilities Fund. As soon thereafter as practical, the county may issue bonds in an amount that will be based on the estimated annual tax collections. All interest from the bonds, any additional taxes, or other revenues collected from this act or any subsequent or successor legislation shall be treated in a similar manner.

2.130.040 Membership-Term of Office.

- A. The EDI Board will consist of fourteen (14) members, which include:
1. The County Executive
 2. The Mayor of Bellingham
 3. Two mayors of small cities, designated by the Small Cities Caucus
 4. Chair of the County Council
 5. Director of Whatcom County Administrative Services

6. One member at large, appointed by the County Executive
7. One member of the agricultural community, appointed by the County Executive
8. One member of the timber community, appointed by the County Executive
9. One member of the fishing community, appointed by the County Executive
10. One member representing each of the following:
 - o Bellingham/Whatcom County Chamber of Commerce
 - o Bellingham/Whatcom County Economic Development Council
 - o Port of Bellingham
 - o Public Utility District

B. The Chairperson of the board 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 EDI Board shall be open and accessible to the public and shall be subject to the Open Public Meetings Act. The board shall determine its own meeting schedule. At every meeting, the board will schedule an open session to take public comment.

B. All EDI projects 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 board 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.

2.130.060 EDI Board Staffing.

The County Executive shall designate the staffing for the board