

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Executive Office		June 1 '93		6/8/93	Introduction
Division Head:				6/22/93	Finance/Council
Dept. Head:					
Prosecutor:					
Purchasing/Budget:					
Executive:	aps				

**SUBJECT:**

Change in status of County Fair from County managed operation to private contracted operation.

**ATTACHMENTS:**

Proposed ordinance, Fair Association Articles of Incorporation, and asset listings.

**SUMMARY STATEMENT:**

*Please complete sections of box as appropriate & explain the item below.*

Related County contract #:	Should Clerk schedule a hearing? NO / / YES / / Requested date:
Amount budgeted for this item/project: \$N/A - pass-through state funding.	Is it (or will it be) within budget? YES /_/ NO /_/ (Please explain below)
Budget line item number(s):	

The proposed ordinance changes the status of the County Fair from County-owned and operated to a private contract operation. This proposal clarifies the status of the County Fair and its operation. The Northwest Washington Fair is one of the most successful County Fairs in the state of Washington. Much of that success derives from the management of the Fair by the Fair Association. The County itself is not in a position to effectively manage this type of operation, since many of our administrative requirements negatively impact the current operation.

**ORIGINATOR'S RECOMMENDED ACTION:**

Pass as recommended.

**COMMITTEE ACTION TAKEN:**

**COUNCIL ACTION TAKEN:**

6/8/93: Council introduction  
 6/22/93: Adopted unanimously

ORDINANCE NO. 93-031

**ASSIGNMENT AND CLARIFICATION OF  
MUTUAL AUTHORITY AND RESPONSIBILITY  
REGARDING THE CONDUCT OF THE NORTHWEST  
WASHINGTON FAIR**

WHEREAS, Whatcom County and the Northwest Washington District Fair Board have been successfully carrying out the County Fair responsibilities for a number of years under an informal arrangement; and

WHEREAS, it is in the County's interest to clarify by ordinance the relationship of the parties carrying out the County Fair responsibilities; and

WHEREAS, the County and the Fair Board would like to develop a written agreement clarifying the respective roles and responsibilities in conducting the Fair;

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that:

The Whatcom County Fair, organized under RCW 15.76, shall be operated and conducted by the Northwest Washington Fair Association, a Section 501.C.3 of the Internal Revenue Code, non-profit corporation organized under the Washington Non-Profit Corporation Act through a written contract with Whatcom County effective July 1st, 1993.

The Northwest Washington Fair Association, as a result of operating the County Fair, shall be eligible to receive the County's allocation of the State Fair Fund pari-mutual revenues to be collected and disbursed under contract through the County Current Expense Fund. The Northwest Washington Fair Fund shall be closed at the end of the current fiscal year.

Any current employees of the Fair shall be transferred to and employed by the Northwest Washington Fair Association at comparable rates of salary and similar benefits levels. Any Northwest Washington Fair Fund cash and other assets currently being used by the Fair shall be transferred to the Northwest Washington Fair Association for the purpose of operating and conducting the County Fair. The County lease for real property with the City of Lynden for the Fairgrounds will be assigned to the Fair Association. The Northwest Washington Fair Association will continue to enjoy the use of the property and will continue to comply with all the requirements of the lease. When required the Association will renegotiate the lease with the city of Lynden.

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3  
4 The outstanding bond issue liability in Whatcom County General Obligation  
5 Bonds for 1977 and 1982 will remain the responsibility of the Northwest Washington Fair  
6 and the Association will continue to provide for repayment to the County as required in  
7 the respective bond repayment schedules.

8  
9 The Northwest Washington Fair Association shall require in its articles of  
10 incorporation, that upon dissolution of the Association, all real property assets used to  
11 conduct the Fair will be transferred to the County, or other organization mutually agreed  
12 upon by the Association and the County, to be used exclusively for public purposes.

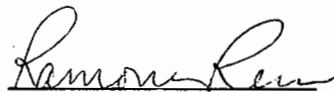
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14 BE IT FURTHER ORDAINED, the County Executive is hereby authorized to  
15 enter into an agreement with the Northwest Washington Fair Association to conduct the  
16 County Fair specifying the aforementioned terms and conditions for a period not to  
17 exceed twenty-five (25) years.

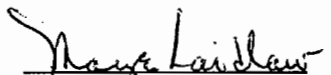
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19 BE IT FINALLY ORDAINED, that if any portion of this ordinance is found to  
20 be unlawful, all remaining portions shall remain in effect. All rights, contracts,  
21 agreements, claims and obligations shall remain and be continued without interruption  
22 through the contracting of the Fair operation.

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24 ADOPTED this 22 day of June, 1993.

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27 ATTEST:

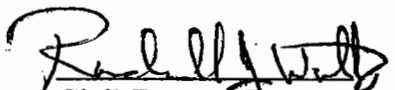
WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

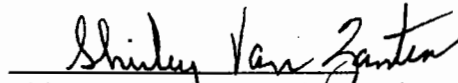
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30 Ramona Reeves, Council Clerk

  
Marge Paidlaw, Chair

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33 APPROVED AS TO FORM:

Approved      ( ) Denied

34  
35   
36 Civil Deputy Prosecutor

  
Shirley Van Zanten, Executive  
Date: 6-23-93