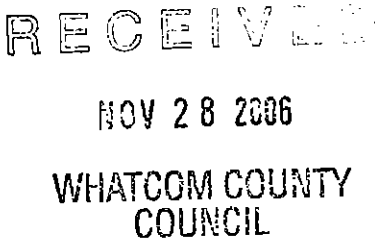


**WHATCOM COUNTY COUNCIL AGENDA BILL**

NO. 2006-466

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	dlg	11/22/065		12/5/06	Introduction
Division Head:				1/16/07	Public Hearing
Dept. Head:					
Prosecutor:	dlg	11/22/06			
Purchasing/Budget:					
Executive:	DK	11-27-06			

**TITLE OF DOCUMENT:** An Ordinance in the Matter of Approving a Change in Control of Guinness Communications, Inc. from Delta Cable Communications, Ltd. to Persona Communications Corp.

**ATTACHMENTS:**  
Ordinance & Memorandum

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

Should Clerk schedule a hearing? (X) Yes ( ) NO  
Requested Date: January 16, 2007 at 7:00 p.m., in the County Council Chambers of the Whatcom County Courthouse

**SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:** (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Pursuant to RCW 36.55.040 and Whatcom County Code 12.24.051, notice is hereby given of public hearing before the County Council on a proposed ordinance that, if adopted, would change control fo Guinness Communications, Inc., from Delta Cable Communications, Ltd., to Persona Communications Corp. The public hearing will be held during the County Council meeting scheduled for 7:00 p.m., January 16, 2007, in Council Chambers of the Whatcom County Courthouse, 311 Grand Avenue, Bellingham, Washington. Pursuant to RCW 36.55.050, the hearing may be adjourned from time to time by order of the County Council until action is taken by the Council upon the proposed ordinance.

**COMMITTEE ACTION:**

**COUNCIL ACTION:**

12/5/2006: Introduced  
1/16/2007: Council Adopted 7-0  
Ord. 2007-002

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:  
Ord. 2007-002

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: [www.co.whatcom.wa.us/council](http://www.co.whatcom.wa.us/council).

SPONSORED BY: Consent

PROPOSED BY: Executive/Public Works

INTRODUCTION DATE: December 5, 2006

ORDINANCE NO. 2007-002

AN ORDINANCE IN THE MATTER OF APPROVING  
A CHANGE IN CONTROL OF GUINNESS COMMUNICATIONS, INC.  
FROM DELTA CABLE COMMUNICATIONS, LTD.  
TO PERSONA COMMUNICATIONS CORP.

WHEREAS, Guinness Communications, Inc. was granted a non-exclusive franchise dated October 27, 1992, under Ordinance 92-076; and

WHEREAS, the franchise agreement in Section 17 addressed the need for consent in writing from the County Council prior to the sale, transfer, or assignment of any interest in the Franchise;

WHEREAS, Guinness Communications, Inc., hereafter referred to as "Guinness", is a company owned by a single shareholder, Delta Cable Communications Ltd.; and

WHEREAS, Delta Cable Communications Ltd., hereinafter referred to as "Delta", is intending to sell all of its shares in Guinness to Persona Communications Corp., hereinafter referred to as "Persona"; and

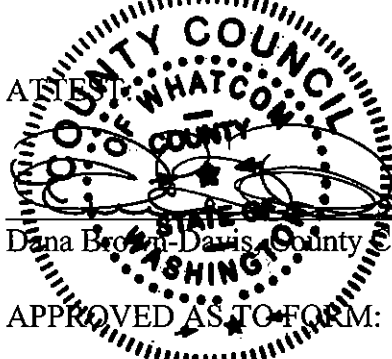
WHEREAS, while the Franchise itself is not being sold, transferred, or assigned, the control of the company which holds the Franchise is being transferred from Delta to Persona; and

WHEREAS, Delta has requested written consent from the Whatcom County Council to a change in control of Guinness from present ownership to Persona; and

WHEREAS, Persona appears, from information provided, to be a corporate entity that has the ability to direct the performance of Guinness according to the terms of the franchise agreement upon assuming control of Guinness;

NOW, THEREFORE, BE IT ORDAINED by the Council of Whatcom County, Washington that this change in control of Guinness be approved contingent upon the final closing of the sale of stock from Delta to Persona.

ADOPTED this 16 day of January, 2007.



ATTEST:

Dana Brown-Davis, County Clerk

APPROVED AS TO FORM:

Daniel L. Gibson  
Civil Deputy Prosecutor

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

Carl Weimer  
Carl Weimer, Council Chair

Approved  Denied

Pete Kremen  
Pete Kremen, County Executive

Date: 1-17-07