

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. —2009—433

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	AD	10/16/09	<div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">RECEIVED</div> <div style="font-size: 1.2em; font-weight: bold;">NOV 02 2009</div> <div style="font-size: 1.1em; font-weight: bold;">WHATCOM COUNTY COUNCIL</div>	11/10/09	Council-Intro
Division Head:	JW	10/16/09		11/24/09	Finance/Council-Adopt
Dept. Head:	MD	10/20/09			
Prosecutor:	RW	10/23/09			
Purchasing/Budget:	MC	10/28/09			
Executive:	PK	1/2-09			

TITLE OF DOCUMENT:

Ordinance amending Whatcom County Code to incorporate additional supplantation language.

ATTACHMENTS:

Memo, Ordinance, WCC proposed change.

SEPA review required? () Yes () NO	Should Clerk schedule a hearing? () Yes () NO
SEPA review completed? () Yes () NO	Requested Date:

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.)*

Amending Whatcom County Code, Chapter 3.37, section 3.37.050 “use of funds” to incorporate language from State statute, as approved in 2SSB 5433 passed in 2009, that allows for supplantation of existing funding and referenced in RC.W 82.14.460.

COMMITTEE ACTION:

11/24/2009: Forwarded to Council for approval
Brenner & Kelly will not support

COUNCIL ACTION:

11/10/2009: Introduced
11/24/2009: Council Adopted 4-2 Nelson & Brenner opposed and Kelly out of the room
Ord. 2009-072

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Ord. 2009-072

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.*

1 Date prepared: October 6, 2009
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4 **SPONSORED BY: CONSENT**
5 **PROPOSED BY: HEALTH**
6 **INTRODUCTION DATE: NOVEMBER 10, 2009**

7
8 **ORDINANCE NO. 2009-072**
9

10 **AMENDING COUNTY CODE, CHAPTER 3.37, SECTION 3.37.050 "USE OF FUNDS", TO**
11 **INCORPORATE ADDITIONAL SUPPLANTATION LANGUAGE**
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14 **WHEREAS**, Washington State Law was enacted in 2005 to authorize counties to
15 impose an additional one-tenth of one percent sales tax to provide new or expanded
16 chemical dependency, mental health, and therapeutic court services; and
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18 **WHEREAS**, Whatcom County passed ordinance no. 2008-027 in July 2008 with
19 specified use of additional sales tax monies solely for the purpose of providing new or
20 expanded chemical dependency or mental health treatment services and for the operation
21 of new or expanded therapeutic court programs; and
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23 **WHEREAS**, recognizing the current economic challenges experienced by counties,
24 Washington State Law was amended in 2009 to allow for supplantation of existing funding
25 with the additional sales tax monies following a diminishing scale of up to fifty percent for
26 the 2010 calendar year, up to forty percent for the 2011 calendar year, up to thirty percent
27 for the 2012 calendar year, up to twenty percent for the 2013 calendar year and up to 10
28 percent for the 2014 calendar year; and
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30 **WHEREAS**, Whatcom County is currently experiencing economic challenges due to
31 decreased revenues; and
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33 **WHEREAS**, Whatcom County is experiencing reduced state funding for mental
34 health and chemical dependency services; and
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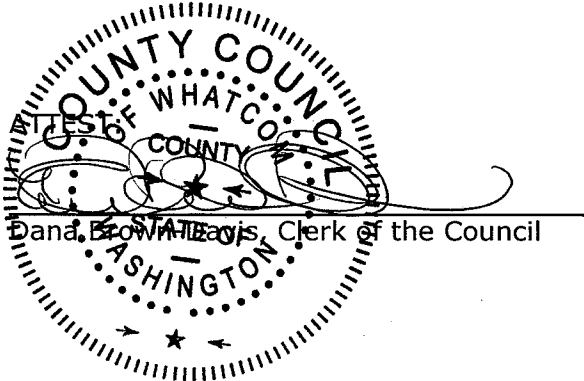
36 **WHEREAS**, Whatcom County citizens are negatively impacted by the reduced
37 mental health and chemical dependency services as a result of this reduced state funding;
38 and
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40 **WHEREAS**, supplantation of existing funding would mitigate the negative impact of
41 reduced services to Whatcom County citizens; and
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43 **WHEREAS**, Whatcom County ordinance no. 2008-027 does not allow for
44 supplantation of existing funding.
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1 **NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that County
2 Code, Chapter 3.37, section 3.37.050 be amended to allow for supplantation of existing
3 funding as authorized by the State of Washington and referenced in RCW 82.14.460.
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6 **ADOPTED** this 24th day of November, 2009.



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19 APPROVED AS TO FORM:

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Civil Deputy Prosecutor

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Seth Fleetwood, Council Chair

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON


Pete Kremen, County Executive

() Approved () Denied

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Date Signed: 12.9.09

Exhibit A

3.37.050 Use of funds.

Monies deposited into the chemical dependency/mental health program fund shall be used solely for the purpose of providing new or expanded chemical dependency or mental health treatment services and for the operation of new or expanded therapeutic court programs, and as otherwise authorized by the laws of the state of Washington as referenced in RCW 82.14.460. Monies collected under this chapter ~~shall not~~may be used to supplant existing funding for these programs as authorized by the laws of the State of Washington as referenced in RCW 82.14.460. (Ord. 2008-027 Exh. A).