

PROPOSED BY: \_\_\_\_\_  
INTRODUCTION DATE: \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

***WHATCOM COUNTY RESOLUTION OF INTENT PURSUANT TO WASHINGTON  
STATE LEGISLATIVE SUBSTITUTE HOUSE BILL 1406***

**WHEREAS**, in the 2019 Regular Session, the Washington State Legislature approved, and the Governor signed, Substitute House Bill 1406 (Chapter 338, Laws of 2019) (“SHB 1406”); and

**WHEREAS**, Whatcom County is a participating county that currently imposes a qualifying local sales and use tax in accordance with requirements of SHB 1406; and

**WHEREAS**, Whatcom County and its city partners within the county have discussed that cities will not levy the sales and use tax authorized under SHB 1406; and

**WHEREAS**, Whatcom County and partner cities will coordinate a plan for the additional revenue; and

**WHEREAS**, the tax will be credited against state sales taxes collected within Whatcom County and therefore, will not result in higher sales and use taxes within the County yet will represent an additional source of funding to address housing needs in the County; and

**WHEREAS**, the rate of the tax calculated by the State Department of Revenue for Whatcom County may not exceed .0146%; and

**WHEREAS**, SHB 1406 authorizes the legislative body of a county to impose a local sales and use tax for the following purposes: acquisition, construction or rehabilitation of affordable housing which may include new units of affordable housing within an existing structure, and/or for facilities providing supportive housing, and for the operations and maintenance costs of new units of affordable or supportive housing; and

**WHEREAS**, Whatcom County has a population of four hundred thousand or less, the moneys collected may also be used for providing rental assistance to tenants; and

**WHEREAS**, the tax must be used to assist persons whose income is at or below sixty percent of the Whatcom County area median income; and

**WHEREAS**, the County has a need for supportive and affordable housing units and has determined that imposing the sales and use tax to address this need will benefit its citizens; and

**WHEREAS**, the tax imposed by Whatcom County under SHB 1406 expires twenty years after the date on which the tax is first imposed; and

**WHEREAS**, in order for a county to impose the tax, within six months of the effective date of SHB 1406, or January 28, 2020, the legislative body must adopt a resolution of intent to authorize the maximum capacity of the tax; and

**WHEREAS**, within twelve months of the effective date of SHB 1406, or July 28, 2020, a county must adopt legislation to authorize the maximum capacity of the tax; and

**WHEREAS**, this resolution constitutes the resolution of intent required by SHB 1406; and

**WHEREAS**, the Whatcom County Council now desires to declare its intent to impose a local sales and use tax as authorized by SHB 1406 as set forth herein;

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

the Whatcom County Council declares its intent to adopt legislation to authorize the maximum capacity of the sales and use tax authorized by SHB 1406 within one year of the effective date of SHB 1406, or by July 28, 2020; and

all Whatcom County officials, their agents, and representatives are hereby authorized and directed to undertake all action necessary or desirable from time to time to carry out the terms of, and complete the actions contemplated by, this resolution. All acts taken pursuant to the authority of this resolution but prior to its effective date are hereby ratified; and

this resolution shall take effect immediately upon its passage and adoption.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

\_\_\_\_\_  
Dana Brown-Davis, Clerk of the Council

\_\_\_\_\_  
(Current Chair's Name), Council Chair

WHATCOM COUNTY EXECUTIVE  
APPROVED AS TO FORM:

WHATCOM COUNTY, WASHINGTON

\_\_\_\_\_  
Civil Deputy Prosecutor  
Executive

\_\_\_\_\_  
(Current Executive's Name), County

( ) Approved ( ) Denied

Date Signed: \_\_\_\_\_