

Whatcom County

Local Voters' Pamphlet

November 6, 2012 General Election



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Dear Whatcom County Voter:

Every election is important, but none more important than when selecting the leaders who will lead at the highest levels of our government. Past elections have shown us that the turnout in presidential election years bring the largest turnouts of any other elections. The voters realize the importance. I hope you will be one of those who accepts the challenge to play a role in this selection process.

The Washington State Constitution tells us in Section 19 Freedom of Elections: “All elections shall be free and equal, and no power . . . shall . . . prevent the free exercise of the right of suffrage.” The citizens of our state, our country, have no greater right than to have the power to elect the leaders of our country, our state, our local government. It is my duty, as Auditor in Whatcom County, to see that you have this right should you choose, and it is your obligation, should YOU choose, to exercise this right.

All the members of the Whatcom County Auditor’s staff take seriously their roles in providing you the means to achieve your right to vote. Whether it is in seeing you are properly registered, you are issued your ballot, and your returned ballot is counted, they stand ready to serve you. I hope you will give us the opportunity to do that.

Sincerely,

A handwritten signature in black ink that reads "Debbie Adelstein".

Debbie Adelstein
Whatcom County Auditor



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Participating Jurisdictions:
Public Utility District 1, Whatcom County, Port of Bellingham, City of Bellingham, Lynden Transportation Benefit District,
Lynden Regional Parks and Recreation District
Cover photo courtesy of Bellingham Whatcom County Tourism

Voter Information

How can I register to vote?

Choose **one** of the following options:

- Complete the registration form online at www.vote.wa.gov [only if you have a Washington State Driver's License or a Washington State I.D. card].
- Complete the mail-in voter registration form and mail it to your county of residence.
- Complete the form in person at the Whatcom County Auditor's Office, Election Division.

When is the last day I can register to vote?

You may register at any time; however, the registration must be postmarked or received at least 29 days before an election in order to vote in *that* election.

If you are not currently registered to vote in the State of Washington, you may register in person at the Election Division of the Auditor's Office no later than 8 days before an election.

What do I need to do to change my name?

You must complete a new registration form. We will use your new signature to update your registration record.

When would a registration need to be canceled?

- If you have moved out of Whatcom County, your signature is required to cancel your voter registration.
- If a family member has passed away, contact the Election Division and a form will be mailed for you to complete.

How do I change my mailing and/or residence address?

Updating your record is easy!

Address Change Within Whatcom County

Choose **one** of the following options:

- Online at www.vote.wa.gov
- Call the Election Division at the Auditor's Office at (360) 676-6742 or TTY (360) 738-4555
- E-mail the Auditor's Office at: elections@co.whatcom.wa.us
- Complete and mail a new voter registration form

Address Change Outside Whatcom County

Choose **one** of the following options:

- Online at www.vote.wa.gov
- Complete and mail a new voter registration form

A new voter registration card will be mailed after your address change is processed.

Questions?

If you have questions, please feel free to call the Whatcom County Auditor's Office, Election Division at (360) 676-6742 or TTY (360) 738-4555, Monday through Friday, 8:30 a.m. – 4:30 p.m. or e-mail the Auditor's Office at: elections@co.whatcom.wa.us

Voting Instructions

Step 1: Mark your ballot and remove the stub.

Step 2: Put your voted ballot in the white secrecy envelope.

Step 3: Put the secrecy envelope in the purple return envelope.

Step 4: Sign the voter declaration, seal the envelope, and return it to the Auditor's Office. If you are unable to sign your name, you may make a mark in the presence of two witnesses who will verify your act.

- If you vote more than one vote for any office or measure it is an overvote and no votes for that office or measure will be counted.
- If you do not want to vote for a particular office or measure, you may leave it blank; your other votes will still be counted.
- Contact the Auditor's Office for replacement options if your ballot is damaged or lost.
- **If you make a mistake:** Draw a line through the incorrect choice like this:
John Doe ←→, or YES ←→, or NO ←→.
You then have the option of making another choice, if you wish. **Do not erase!**
- To write-in a name not on the ballot, connect the arrow and write in the name of the candidate on the line provided.

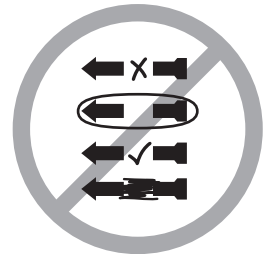
CORRECT



Use blue or black ink to connect the arrow by your choice with a single line.

Do NOT use a felt tip pen or pencil.

INCORRECT



Accessible Voting Unit

What is an Accessible Voting Unit?

An accessible voting unit (AVU) is federally required. It is equipped with visual and audio technology that allows voters with impaired vision and/or physical disabilities to vote a secret ballot. The AVU is an accurate and secure way to vote.

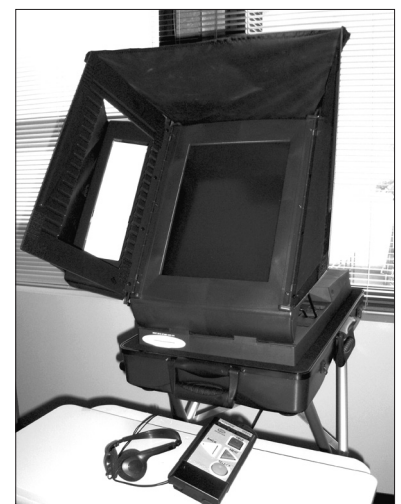
Where will the AVU be located?

The AVU will be located at the Whatcom County Auditor's Office, Whatcom County Courthouse, 311 Grand Ave., Suite 103, Bellingham, WA.

When can I vote using the AVU?

You may vote beginning Friday, October 19, 2012. The AVU will be available to vote in the Auditor's Office Mon. – Fri., 8:30 a.m. – 4:30 p.m.

The AVU will be available on Election Day, Tuesday, November 6, 2012, from 8:30 a.m. – 8:00 p.m.



Returning Your Ballot

By Mail

Your ballot will count if your envelope is postmarked by Election Day, November 6, 2012. 1st class postage is required.

OR

If You Do Not Wish to Return Your Ballot by Mail

You can drop your ballot off as soon as you vote at one of the following ballot drop sites (no postage is required).

Whatcom County Auditor's Office

Whatcom County Courthouse
311 Grand Ave., Suite 103
Bellingham, WA

HOURS: Monday – Friday 8:30 a.m. to 4:30 p.m.
Election Day Only 8:30 a.m. to 8:00 p.m.

Courthouse Drive-Up Ballot Drop Box

South courthouse parking lot
Accessible from Grand Avenue only
201 Grand Avenue, Bellingham

OPEN: Friday, Oct. 19
CLOSE: 8:00 p.m. Election Day, Tuesday, Nov. 6

Blaine Library Drop Box

610 3rd St.

Deming Library Drop Box

5044 Mt. Baker Highway

Everson WECU Drop Box

106 E. Main St.

Ferndale City Hall Drop Box

2095 Main St.

Lynden Library Drop Box

216 4th St. (behind building)

Meridian Middle School Drop Box

861 Ten Mile Rd.



Western Washington University

Viking Union, Room 714
Bellingham, WA

OPEN: Monday, Nov. 5 8:00 a.m. – 5:00 p.m.
Tuesday, Nov. 6 7:00 a.m. – 8:00 p.m.

Washington State Law Prohibits Ballots Deposited After 8:00 p.m. on Election Day From Being Counted.

Good Things to Know



If You Don't Receive Your Ballot by Friday, October 26,

Don't delay - contact the Election Division right away!

Phone: (360) 676-6742 or TTY (360) 738-4555
Monday – Friday 8:30 a.m. – 4:30 p.m.

E-Mail: elections@co.whatcom.wa.us

MyVote

Go to: **MyVote.wa.gov**

MyVote gives you ***personalized*** voter information:

- Your candidates and ballot measures
- Ballot drop boxes and voting centers
- Your ballot status
- Elections in which you have voted
- Your districts and elected officials

True or False?



1. I have to vote for every office and measure on my ballot.
2. I forgot to tear off the top stub of my ballot; my ballot won't be counted.
3. I put my ballot in the purple return envelope, signed and dated the declaration, sealed the envelope and then noticed I forgot to put my ballot in the white secrecy envelope. My ballot isn't going to get counted.
4. The Auditor's staff is ready to assist and provide the answers to your voting questions.
5. I have to return my ballot by mail.
6. I'll never know if my ballot has been received by the Auditor's Office.

Answers:

1. *False.* If you don't want to vote for a particular office or measure, you may leave it blank; your other votes will still be counted.
2. *False.* Your ballot will be counted.
3. *False.* Your ballot will still be counted.
4. *True.* Staff is always happy to help you in a pleasant, courteous manner.
5. *False.* You may deposit your ballot in one of the ballot drop boxes located throughout the county. No postage is required. (see page 87 for ballot drop box locations)
6. *False.* You can go to the Auditor's website at **www.vote.wa.gov/whatcom** to find out if your ballot has been received.

Sample Ballot
Whatcom County, Washington
General Election - November 6, 2012

Not all districts or measures on this sample will appear on your ballot. Only the district and measures that you're entitled to vote on will appear.

To Vote: Use either blue or black ink. Do not use a felt tip pen or pencil. Connect the Head and Tail of the arrow that points to your choice with a **Single Line as shown.**

To Correct A Mistake: Draw a line through the incorrect choice like this: ~~John Doe~~. You then have the option of making another choice if you wish.

Write-In: To vote for a person not on the ballot, connect the arrow and write in the name of the person on the line provided.

In any race you choose to vote, vote for only one candidate.

State Measures	
<p>Proposed by Initiative Petition Initiative Measure No. 1185</p> <p>Initiative Measure No. 1185 concerns tax and fee increases imposed by state government. This measure would restate existing statutory requirements that legislative actions raising taxes must be approved by two-thirds legislative majorities or receive voter approval, and that new or increased fees require majority legislative approval. Should this measure be enacted into law?</p>	<div>YES</div> <div>NO</div>
<p>Proposed by Initiative Petition Initiative Measure No. 1240</p> <p>Initiative Measure No. 1240 concerns creation of a public charter school system. This measure would authorize up to forty publicly-funded charter schools open to all students, operated through approved, nonreligious, nonprofit organizations, with government oversight; and modify certain laws applicable to them as public schools. Should this measure be enacted into law?</p>	<div>YES</div> <div>NO</div>
<p>Passed by the Legislature and Ordered Referred by Petition Referendum Measure No. 74</p> <p>The legislature passed Engrossed Substitute Senate Bill 6239 concerning marriage for same-sex couples, modified domestic-partnership law, and religious freedom, and voters have filed a sufficient referendum petition on this bill. This bill would allow same-sex couples to marry, preserve domestic partnerships only for seniors, and preserve the right of clergy or religious organizations to refuse to perform, recognize, or accommodate any marriage ceremony. Should this bill be:</p>	<div>APPROVED</div> <div>REJECTED</div>
<p>Proposed to the Legislature and Referred to the People Initiative Measure No. 502</p> <p>Initiative Measure No. 502 concerns marijuana. This measure would license and regulate marijuana production, distribution, and possession for persons over twenty-one; remove state-law criminal and civil penalties for activities that it authorizes; tax marijuana sales; and earmark marijuana-related revenues. Should this measure be enacted into law?</p>	<div>YES</div> <div>NO</div>

<p>Proposed to the People by the Legislature Amendment to the State Constitution Engrossed Senate Joint Resolution No. 8221</p> <p>The Legislature has proposed a constitutional amendment on implementing the Commission on State Debt recommendations regarding Washington's debt limit. This amendment would, starting July 1, 2014, phase-down the debt limit percentage in three steps from nine to eight percent and modify the calculation date, calculation period, and the term general state revenues. Should this constitutional amendment be:</p>	<div>APPROVED</div> <div>REJECTED</div>
<p>Proposed to the People by the Legislature Amendment to the State Constitution Senate Joint Resolution No. 8223</p> <p>The Legislature has proposed a constitutional amendment on investments by the University of Washington and Washington State University. This amendment would create an exception to constitutional restrictions on investing public funds by allowing these universities to invest specified public funds as authorized by the legislature, including in private companies or stock. Should this constitutional amendment be:</p>	<div>APPROVED</div> <div>REJECTED</div>
<p>Advisory Vote of the People Advisory Vote No. 1 Engrossed Senate Bill 6635</p> <p>The legislature eliminated, without a vote of the people, a business and occupation tax deduction for certain financial institutions' interest on residential loans, costing \$170,000,000, in its first ten years, for government spending. This tax increase should be:</p>	<div>REPEALED</div> <div>MAINTAINED</div>
<p>Advisory Vote of the People Advisory Vote No. 2 Substitute House Bill 2590</p> <p>The legislature extended, without a vote of the people, expiration of a tax on possession of petroleum products and reduced the tax rate, costing \$24,000,000, in its first ten years, for government spending. This tax increase should be:</p>	<div>REPEALED</div> <div>MAINTAINED</div>

Port of Bellingham	
Port of Bellingham Proposition No. 1 Number of Port Commissioners	
The Commissioners of the Port of Bellingham adopted Resolution No. 1310, concerning a proposition to increase the number of Port Commissioners. This proposition would increase the number of Commissioners of the Port District from three (3) Commissioners to five (5) Commissioners. Should this proposition be approved?	
YES	←
NO	←
Federal - Partisan Office	
President and Vice President	
Barack Obama/Joe Biden <small>Democratic Party Nominees</small>	←
Mitt Romney/Paul Ryan <small>Republican Party Nominees</small>	←
Gary Johnson/James P. Gray <small>Libertarian Party Nominees</small>	←
Virgil Goode/James N. Clymer <small>Constitution Party Nominees</small>	←
Jill Stein/Cheri Honkala <small>Green Party Nominees</small>	←
Peta Lindsay/Yari Osorio <small>Socialism & Liberation Party Nominees</small>	←
James Harris/Alyson Kennedy <small>Socialist Workers Party Nominees</small>	←
Ross C. (Rocky) Anderson/Luis J. Rodriguez <small>Justice Party Nominees</small>	←
Write-In	←

“READ: Each candidate for President and Vice President is the official nominee of a political party. For other partisan offices, each candidate may state a political party that he or she prefers. A candidate’s preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate”

Federal - Partisan Offices	
U. S. Senator	
Maria Cantwell <small>(Prefers Democratic Party)</small>	←
Michael Baumgartner <small>(Prefers Republican Party)</small>	←
Write-In	←
Federal - Partisan Office	
U.S. Representative Congressional District 1	
John Koster <small>(Prefers Republican Party)</small>	←
Suzan DelBene <small>(Prefers Democratic Party)</small>	←
Write-In	←
U.S. Representative Congressional District 2	
Rick Larsen <small>(Prefers Democratic Party)</small>	←
Dan Matthews <small>(Prefers Republican Party)</small>	←
Write-In	←

State of Washington - Partisan Offices	
Governor	
Jay Inslee <small>(Prefers Democratic Party)</small>	←
Rob McKenna <small>(Prefers Republican Party)</small>	←
Write-In	←
Lieutenant Governor	
Brad Owen <small>(Prefers Democrat Party)</small>	←
Bill Finkbeiner <small>(Prefers Republican Party)</small>	←
Write-In	←
Secretary of State	
Kim Wyman <small>(Prefers Republican Party)</small>	←
Kathleen Drew <small>(Prefers Democratic Party)</small>	←
Write-In	←
State Treasurer	
Jim McIntire <small>(Prefers Democratic Party)</small>	←
Sharon Hanek <small>(Prefers Republican Party)</small>	←
Write-In	←
State Auditor	
James Watkins <small>(Prefers Republican Party)</small>	←
Troy Kelley <small>(Prefers Democratic Party)</small>	←
Write-In	←
Attorney General	
Bob Ferguson <small>(Prefers Democratic Party)</small>	←
Reagan Dunn <small>(Prefers Republican Party)</small>	←
Write-In	←
Commissioner of Public Lands	
Peter J. Goldmark <small>(Prefers Democratic Party)</small>	←
Clint Didier <small>(Prefers Republican Party)</small>	←
Write-In	←
State of Washington - Nonpartisan Office	
Superintendent of Public Instruction	
Randy I. Dorn	←
Write-In	←
State of Washington - Partisan Offices	
Insurance Commissioner	
Mike Kreidler <small>(Prefers Democratic Party)</small>	←
John R. Adams <small>(Prefers Republican Party)</small>	←
Write-In	←

State of Washington	
State Senator District 40	
Kevin Ranker (Prefers Democratic Party)	←
John Swapp (Prefers Independent-Gop Party)	←
Write-In	←
State Representative District 40 Position 1	
Kristine Lytton (Prefers Democratic Party)	←
Brandon Robinson (States No Party Preference)	←
Write-In	←
State Representative District 40 Position 2	
Jeff Morris (Prefers Democratic Party)	←
Howard A. Pellett (Prefers Green Party)	←
Write-In	←
State Representative District 42 Position 1	
Jason Overstreet (Prefers Republican Party)	←
Natalie McClendon (Prefers Democratic Party)	←
Write-In	←
State Representative District 42 Position 2	
Vincent Buys (Prefers Republican Party)	←
Matthew Krogh (Prefers Democrat Party)	←
Write-In	←
Public Utility District 1 Nonpartisan Office	
Commissioner District 2	
Brad L. Stone	←
Paul D. Kenner	←
Write-In	←
State Judicial - Nonpartisan Offices	
State Supreme Court Justice Position 2	
Susan Owens	←
Write-In	←
State Supreme Court Justice Position 8	
Steve Gonzalez	←
Write-In	←
State Supreme Court Justice Position 9	
Sheryl Gordon McCloud	←
Richard B. Sanders	←
Write-In	←

Court of Appeals Div 1 District 3 Position 1	
Mary Kay Becker	←
Write-In	←
Whatcom County Judicial Nonpartisan Office	
Superior Court Judge Position 2	
Dave Grant	←
Deborra Garrett	←
Write-In	←
City of Bellingham	
City of Bellingham Proposition No. 1 Low-Income Housing Levy	
The City of Bellingham Council adopted Ordinance No. 2012-06-033 concerning property taxes for low-income housing assistance.	
This proposition would fund housing and housing services for people with low or very low incomes, including those with disabilities, veterans, seniors, and families with children by (a) authorizing an increase in the City's regular property tax levy by up to \$0.12/\$1,000 to \$2.62/\$1,000 of assessed value as allowed by RCW 84.55; and (b) authorizing a regular property tax levy of up to \$0.24/\$1,000 of assessed value under RCW 84.52.105, each for seven years, generating approximately \$3,000,000 annually.	
Should this proposition be approved?	
YES	←
NO	←
City of Lynden	
Lynden Transportation Benefit District Lynden, Washington Proposition No. 1 Sales and Use Tax for Transportation Improvements	
The Board of the Lynden Transportation Benefit District, Lynden, Washington, adopted Resolution No. 2012-1 concerning a sales and use tax to fund certain transportation improvements. This proposition would authorize a sales and use tax of two tenths of one percent (0.002) to be collected from all taxable retail sales within the Transportation Benefit District in accordance with RCW 82.14.0455 for a term of ten years, or until such District is dissolved, whichever is earlier, for the purpose of paying or financing costs of necessary transportation improvement projects listed in Resolution No. 2012-1 and identified in the City of Lynden Transportation Improvement Plan:	
Should this proposition be approved?	
YES	←
NO	←
Lynden Regional Parks and Recreation District 3	
Lynden Regional Parks and Recreation District Proposition No. 1 Indoor Recreation Facility Acquisition Bonds - \$9,500,000	
The Board of Commissioners of Lynden Regional Parks and Recreation District, passed Resolution No. 6 concerning this proposition which authorizes the District to purchase a new turnkey indoor recreation facility, to issue \$9,500,000 of general obligation bonds maturing within a maximum term of 30 years to finance acquisition of such facility, and to levy property taxes annually in excess of regular property tax levies to repay such bonds, all as provided in Resolution No. 6. Should this proposition be:	
APPROVED	←
REJECTED	←

Brad L. Stone*(Nonpartisan)***Elected Experience:** No information submitted**Other Professional Experience:** 18 years experience in the residential and commercial building industry**Education:** UNC-Charlotte**Community Service:** Current President of the PTA at Sunnyland Elementary School; Current Member of the Board of Directors at Bellingham Childcare and Learning Center**Statement:** My wife, Hannah and I moved to Whatcom County 7 years ago for a higher quality of life and a wonderful community in which to raise our two children. It is important to me that the place we call home is protected and well served.

I will bring a new perspective, prudent consideration, and thorough analysis to the decisions facing the PUD. These choices will impact farmers' irrigation needs, reliable service for industry, safe clean drinking resources, and alternative energy.

As a former business owner, I know that as Whatcom County continues to grow we must ensure that the growth is managed well, with fiscal responsibility and stewardship. With 18 years of experience as a contractor, I know how important well-planned infrastructure is for our economy. As Commissioner, I will listen to you and bring new ideas to ensure our community thrives.

For more information: (360) 815-4392
brad.stone@comcast.net**Paul D. Kenner***(Nonpartisan)***Elected Experience:** I've served as a commissioner of Public Utility District No. 1 of Whatcom County since 1980.**Other Professional Experience:** Top executive at Snapper Shuler Kenner Insurance (30 employees at offices in Lynden and Bellingham) since 1974. Finalist, 2006 Business Person of the Year (Northwest Business Monthly). Served in U.S. Coast Guard.**Education:** Graduated from University of Washington with a degree in Business Administration.**Community Service:** Served as board president of Whatcom Family YMCA, board president of Lynden Chamber of Commerce and president of Whatcom Community College Board of Trustees. Currently member of Mt. Baker Rotary Club and board member of Whatcom Business Alliance.**Statement:** I'm proud to have collaborated with fellow commissioners and PUD No. 1 staff members in supporting key Whatcom County industries while also protecting the environment and conserving resources. We've maintained the lowest industrial water rates in the state while also reducing water consumption by 3 million gallons per day. These low rates help retain family-wage jobs at Alcoa Intalco Works and Phillips 66 Ferndale Refinery.

My private-sector experience has proven beneficial since PUD No. 1 is a \$15 million business with 22 employees. We currently supply three electrical customers. We also provide industrial-grade water to 10 industrial customers, two cities and 50 irrigation customers, plus potable water and fire protection for a large industrial park. Sound financial management has enabled us to operate without seeking property taxes from residents.

PUD No. 1 is working with various local, state and tribal interests to secure quality water for our farmers, water associations with high nitrate levels and growing cities that need increased water rights. We also work with the Nooksack Salmon Enhancement Association on fish and wildlife habitat recovery efforts. I've been honored to serve as your commissioner for Whatcom County PUD No. 1 since 1980 and would appreciate your vote.

For more information: (360) 354-4488
pkenner@sskinsurance.com

Dave Grant

(Nonpartisan)



Legal/Judicial Experience: Judge, Whatcom County District Court, trial judge hearing criminal and civil trials since 2005. Presiding Judge responsible for overseeing court administration since 2009. Superior Court Elected Judge Pro Tempore since 2007. Deputy Prosecutor, Whatcom County Prosecutor's Office, 1986 – 2005, 12 years criminal trial prosecutor; 6 years civil attorney advising and litigating cases for elected officials, county departments, and the people of Whatcom County.

Other Professional Experience: Police Officer, Lincoln, Nebraska.

Education: Law Degree, University of Nebraska; Master's Degree, Criminal Justice, Michigan State University; Bachelor's Degree, Criminal Justice, University of Nebraska.

Community Service: Whatcom Dispute Resolution Center; District & Municipal Court Judges' Association; Washington Pilots Association.

Statement: Judge David Grant has been an outstanding District Court judge for over 7 years; appointed by the County Council and re-elected twice by citizens. He has presided over hundreds of criminal and civil trials. He developed new programs and procedures for District Court addressing domestic violence, mental health, mediation, and computerized access; all done within budget.

Judge Grant is uniquely qualified to preside over Superior Court cases from day one. As a prosecutor, he spent 18 years practicing law in trial and appellate courts, including the Washington Supreme Court. He is experienced in land use, industrial permitting, and environmental laws. He is experienced in weighing the individual liberty and community safety interests at stake in criminal trials. Being a trial judge, he knows civil law and litigation.

Judge Grant values and protects our rights and liberties, and is committed to upholding our laws and Constitution. He brings to court fairness, common sense, and respect for the rule of law and for all people. Grant is a proven, hardworking, and impartial judge. He would be honored to have your vote.

Judge Grant's endorsements include: Judges Moynihan, Swedberg, Elich, Lewis, Bobbink; Attorney General McKenna; Prosecutor McEachran; Public Defenders; Sheriff Elfo; Police Chiefs.

For more information: (360) 201-3087
grantforsuperiorcourt@gmail.com
www.grantforsuperiorcourt.com

Deborra Garrett

(Nonpartisan)



Legal/Judicial Experience: Whatcom County Superior Court: 30 years of experience in business, family, civil, and criminal law; represented abused children and other crime victims; served as judge *pro tem* and arbitrator. Successfully argued appeals in Washington Court of Appeals, Washington Supreme Court, and U.S. Supreme Court.

Other Professional Experience: President, Whatcom County Bar Association; Disciplinary case hearing officer, Washington State Bar Association.

Education: Graduate, Pennsylvania State University and George Washington University Law School.

Community Service: Coach, Meridian High School mock trial team (2001-present); pro bono (volunteer) attorney, Womencare Shelter (1980-present) and YWCA; Board of Directors: St. Francis Foundation, Law Advocates (volunteer attorney program), Pickford Film Center.

Statement: Most Superior Court cases involve families, businesses, real estate, employment, and injuries to people. Deborra has practiced in all these areas of law, and she is committed to the rights and liberties of all members of our community.

Deborra was awarded the Washington State Bar Association's "Local Hero" award for protecting the privacy rights of Whatcom County library patrons and "Pro Bono" award for outstanding work as a volunteer attorney. She successfully represented Mothers Against Drunk Driving in a case before the Washington Supreme Court. Deborra has been rated consistently at "the highest level of professional excellence" and is respected by her colleagues and clients for her legal skills, hard work, and common sense.

Deborra's dedication to our community shows in her far-reaching community service. In addition to her volunteer work with teens and nonprofits, she has served for 25 years with Law Advocates, 8 years on the Bellingham Planning Commission, 3 years on the Mayor's Neighborhood Advisory Commission, and on many local and state judicial committees.

Hundreds of local citizens have endorsed Deborra including judges, mayors, state legislators, city and county council members, small business owners, attorneys, and your friends and neighbors. For information, visit www.dgarrettforjudge.com and www.votingforjudges.org.

For more information: (360) 733-0127
info@dgarrettforjudge.com
www.dgarrettforjudge.com

Port of Bellingham, Washington Proposition No. 1 Number of Port Commissioners

The Commissioners of the Port of Bellingham adopted Resolution No. 1310, concerning a proposition to increase the number of Port Commissioners. This proposition would increase the number of Commissioners of the Port District from three (3) Commissioners to five (5) Commissioners. Should this proposition be approved?

YES _____ NO _____

Explanatory Statement

This measure, if approved, would increase the number of Port Commissioners from three to five and would result in the creation of five Port Commissioner districts. The two new Commissioners would be elected in the November, 2013, general election.

Statement For:

We support Proposition No. 1 to increase the number of Port Commissioners from 3 to 5 commissioners and ask you to vote for this change. Many Whatcom County citizens requested that the public be given the opportunity to vote on this measure.

Our county's population has increased substantially since the Port's inception in 1920 warranting additional representatives today. The Port has significant economic development responsibilities throughout Whatcom County which includes; Bellingham International Airport (the 3rd busiest in WA next to Sea-Tac & Spokane), 2,046 marina slips, over 100 employees, a \$25 million operating budget, \$20 million range in capital costs, an asset value of \$382 million and are now responsible for one of the largest waterfront redevelopment projects in the Northwest. The added expense of 2 more commissioners is minimal in the overall picture of the Port's multi-million dollar budget.

We and many others believe more transparency, public discussion and better decisions will result with more representation.

Rebuttal of Statement Against:

Nearly all elected boards and commissions, using our tax dollars, have at least 5 members-county, cities, school boards, special districts-most have 7 members. Five commissioners will provide broader representation of our county citizenry. The cost will be 1/4 of 1% of the ports annual operation and capital budget--a small amount to pay for the best decisions. Please vote yes for 5 port commissioners.

Statement Against:

The Port of Bellingham was established and is maintained to aid in the transportation needs and economic development of Whatcom County. It requires a commission which can act in a business like manner resisting the constantly changing politics of the day. The Port must be fiscally responsible to the citizens. The annual cost of increasing the number of Port Commissioners from 3 to 5 is in excess of 100,000 dollars. In the current economic down turn that money could be better spent achieving goals that will benefit the residents of Whatcom County. With a 5 member commission the Commissioners would be able to meet 1 on 1 without calling a public meeting, shutting the public out of much of the discussion. For residents wanting to meet with the Commission, scheduling time with 3 commissioners is difficult, scheduling time with 5 would be nearly impossible. Because of the difficulty in getting a large commission to act expeditiously on matters requiring prompt action, a 5 member commission would most likely need to increase the discretionary authority of the Port's Executive Director. In conclusion, we ask that you reject increasing the Port of Bellingham Commission from 3 commissioners to 5.

Rebuttal of Statement For:

No statement submitted

City of Bellingham Proposition No. 1 Low-Income Housing Levy

The City of Bellingham Council adopted Ordinance No. 2012-06-033 concerning property taxes for low-income housing assistance.

This proposition would fund housing and housing services for people with low or very low incomes, including those with disabilities, veterans, seniors, and families with children by (a) authorizing an increase in the City's regular property tax levy by up to \$0.12/\$1,000 to \$2.62/\$1,000 of assessed value as allowed by RCW 84.55; and (b) authorizing a regular property tax levy of up to \$0.24/\$1,000 of assessed value under RCW 84.52.105, each for seven years, generating approximately \$3,000,000 annually.

Should this proposition be approved? YES _____ NO _____

Explanatory Statement

This levy would fund production and preservation of homes, rental assistance, support services, and down payment assistance for low-income households. Two-thirds of the funding would assist very low-income households, and the remaining third would assist low-income households. A family of two earning less than \$27,150 annually is very low-income, and a family of two earning less than \$43,400 is low-income. Funding priorities would be set forth in an Administrative and Financing Plan adopted by the City Council following recommendations by a citizen advisory committee to the Mayor and Council. The plan will be coordinated with existing City housing programs.

Statement For:

Vote Yes on Prop One!! The Bellingham Home Fund!! Everyone should have a home they can afford.

Our community can provide **seniors** on fixed incomes with safe, secure homes. We can build more homes affordable for very low-income **working families** and **people who are disabled**. We can help **veterans** return to their community in homes they can afford. **AND** we can reduce the public costs of homelessness! **"Affordable" means one-third** of monthly income for rent; more than one-third is not affordable.

There's a huge, urgent need. Thousands of Bellingham families pay rent that takes over half their income. Rents have gone way up, but wages have not. Long low-income housing waiting lists include too many veterans, seniors, children, and people with disabilities. Hundreds of these households are homeless. Affordable homes to rent are in short supply. We need more supply to meet these needs.

That's where the **Bellingham Home Fund** will help. The Bellingham Home Fund will build, preserve or assist at least 1,300 homes benefitting 8,500 or more families for decades to come. **AND** it will produce environmentally friendly housing and much needed construction jobs for local contractors. Check out Proposition One's many endorsements and details at www.BellinghamHomeFund.org.

Rebuttal of Statement Against:

Proposition 1 will help very low-income seniors, veterans, families and people with disabilities who cannot afford housing. The need is confirmed by a taskforce's report, recent surveys, census data and housing wait-lists. The 426 households, including 286 children, on the homeless housing waitlist have incomes averaging \$4,944 annually. The public housing waitlist is over 1,600 families. City Council and an advisory board will ensure that Proposition 1 primarily assists our lowest income and most vulnerable.

Statement Against:

This tax increase request appears on the ballot before the study documenting the need for the increase has been completed. Shouldn't the Council have waited until we know we need the money before asking us to tax ourselves?

The draft study of need indicates that 64 out of every 100 households in Bellingham make less than the median income in Bellingham. This mathematical impossibility illustrates why we should not vote for this measure until the "bugs" have been worked out of the City's research.

A family of four with an income of more than \$54,000 per year qualifies for rent subsidies. Does that family really need your tax money?

Inappropriately shifting the tax money to purposes not allowed by the law has already been discussed. As one manager assured the City Council, "We're not going to be able to target with a levy between 50% and 80%, (but) we can do some shifting of federal funds...there's strategic ways to do that." Should we be discussing how to manipulate tax law?

Fifty-four percent of Bellingham households are defined as "low income." Most of those households will pay this tax through increased rent, meaning the levy will disproportionately impact our poorest citizens.

Rebuttal of Statement For:

You don't make housing more affordable by making it more expensive. Homelessness is emotional for all but appeals to emotion cannot help when government has already begun to "strategize" inappropriate funding shifts away from the most needy. \$21 million in new taxes will raise rents on low income wage earners and stifle jobs growth. Those most in need must be helped. We should not write a blank check without a spending plan already in place.

**Lynden Transportation Benefit District
Lynden, Washington
Proposition No. 1
Sales and Use Tax for Transportation Improvements**

The Board of the Lynden Transportation Benefit District, Lynden, Washington, adopted Resolution No. 2012-1 concerning a sales and use tax to fund certain transportation improvements. This proposition would authorize a sales and use tax of two tenths of one percent (0.002) to be collected from all taxable retail sales within the Transportation Benefit District in accordance with RCW 82.14.0455 for a term of ten years, or until such District is dissolved, whichever is earlier, for the purpose of paying or financing costs of necessary transportation improvement projects listed in Resolution No. 2012-1 and identified in the City of Lynden Transportation Improvement Plan:

Should this proposition be approved? Yes _____ No _____

Explanatory Statement

Proposition No. 1 represents an effort by the Lynden Transportation Benefit District to fund certain transportation improvement projects within the City of Lynden. A vote to approve Proposition No. 1 will authorize the collection of a two tenths of one percent (0.002) sales and use tax on taxable events within the Transportation Benefit District for a period of ten years, or until the District is dissolved, whichever is earlier. Collected funds will be used to pay for the transportation improvement projects listed in Lynden Resolution No. 2012-1 and identified in the City of Lynden's Six-Year (2012-2017) Transportation Improvement Program.

Statement For:

The Lynden City Council has established a Transportation Benefit District to provide for construction, reconstruction and maintenance of the streets in the city – streets that are a major asset to every citizen, school and business. Faced with the reduction of income in a challenging economy coupled with the increasing costs of providing essential services to a growing community, the City is unable to address responsible maintenance with current revenue sources.

The activities to be funded by the Transportation Benefit District allow a maintenance program to prevent major future expenses to rebuild streets, as well as provide connection to improve traffic and emergency response access within the city.

The sales tax proposed will be paid by all who shop in Lynden and share in the use of our road system. The proposed increase will bring the total sales tax in Lynden up to the level of Bellingham and Ferndale. The proceeds of the increase will be used exclusively in Lynden.

Statement Against:

No statement submitted

Rebuttal of Statement Against:

No statement submitted

Rebuttal of Statement For:

No statement submitted

**Lynden Regional Parks and Recreation District
 Proposition No. 1
 Indoor Recreation Facility Acquisition Bonds - \$9,500,000**

The Board of Commissioners of Lynden Regional Parks and Recreation District, passed Resolution No. 6 concerning this proposition which authorizes the District to purchase a new turnkey indoor recreation facility, to issue \$9,500,000 of general obligation bonds maturing within a maximum term of 30 years to finance acquisition of such facility, and to levy property taxes annually in excess of regular property tax levies to repay such bonds, all as provided in Resolution No. 6. Should this proposition be:

Approved _____ Rejected _____

Explanatory Statement

Proposition 1 authorizes the Board of Commissioners of Lynden Regional Parks and Recreation District to purchase a turn key indoor recreation facility in downtown Lynden and to issue \$9,500,000 of general obligation bonds to finance acquisition of such facility. This facility would include an aquatic area for competition and recreation, gymnasium(s), wellness center and multi-purpose rooms, and will be complete with necessary furniture and equipment. This facility will provide additional recreational opportunities to the residents of the Lynden Park and Recreation District and would be completed to all District specifications prior to the sale of bonds.

Statement For:

Lynden Regional Park and Recreation District residents have a wonderful opportunity to enhance the recreation, health and economic aspects of our community. The proposed bond issue will fund construction of a new Lynden YMCA that includes a swimming pool. It then can continue to offer swimming lessons, fitness classes and equipment, plus teach youngsters the basic skills of sports. Everyone, regardless of age, income or background, can benefit from the YMCA.

The current YMCA building is badly deteriorating. The swimming pool was built as an outdoor facility in 1960; the building covering the pool was added in 1978. Maintenance and repair costs have steadily risen. Important systems and equipment need to be replaced. Safety issues aren't being resolved. It's not financially prudent to pour more money into this aging facility. Also, the population of Lynden has tripled since 1978. The current facility isn't meeting our growing community's needs.

We support construction at the former Delft Square, gutted by fire in 2008. It will cost much less to completely renovate this site rather than building elsewhere. This also will remove an eyesore and revitalize downtown Lynden. For more information, visit www.newLyndenYMCA.com. Please vote yes for a new Lynden YMCA.

Rebuttal of Statement Against:

No statement submitted

Statement Against:

No statement submitted

Rebuttal of Statement For:

No statement submitted

COMPLETE TEXT

RESOLUTION NO. 1310 PORT OF BELLINGHAM, WASHINGTON

A RESOLUTION of the Port Commission of the Port of Bellingham submitting proposition to a vote by the qualified voters of the Port District whether the number of Commissioners of the Port District should be increased from three (3) Commissioners to five (5) Commissioners.

WHEREAS, the laws of the State of Washington, RCW 53.12.115, authorize the Port Commission of the Port of Bellingham to resolve that a ballot proposition may be submitted to the qualified voters of the Port District to determine whether there should be an increase in the number of Port Commissioners from three (3) to five (5).

NOW, THEREFORE, BE IT RESOLVED by the Port Commission of the Port of Bellingham, Whatcom County, Washington as follows:

Section 1. Finding. The Port Commission determines that it shall submit the proposition whether the number of Port Commissioners of the Port District should be increased from the current three (3) Commissioners to five (5) Commissioners for voter approval or rejection at the next district general election to be held on November 6, 2012. The Port Commission further determines that this issue should be decided at the general election to be held on November 6, 2012 because it is anticipated that the general election to be held on November 6, 2012 will have the greatest voter turnout.

Section 2. Authorization For Election. The Whatcom County Auditor, as ex-officio supervisor of elections in Whatcom County, is hereby requested to find and to call and conduct such election within the Port District on such day and to submit to the qualified electors of the Port District for their approval or rejection, at the general election to be held on November 6, 2012, a proposition providing for the increase in the number of Port Commissioners.

Section 3. Approval of Form of Ballot Proposition. The Secretary of the Port of Bellingham is hereby authorized and directed to certify said proposition to the Auditor of Whatcom County, State of Washington, in the following form to be placed on the ballot for the 2012 General Election in that form or substantially similar as to properly place the proposition before the qualified voters:

PROPOSITION NO. 1 PORT OF BELLINGHAM, WASHINGTON NUMBER OF PORT COMMISSIONERS

The Commissioners of the Port of Bellingham adopted Resolution No. 1310, concerning a proposition to increase the number of Port Commissioners. This proposition would increase the number of Commissioners of the Port District from three (3) Commissioners to five (5) Commissioners. Should this proposition be approved?

Yes.....[]

No.....[]

Section 4. Qualified Voters. The persons entitled to vote on the above-mentioned proposition shall be those registered voters within the boundaries of the Port District.

Section 5. Required Affirmative Vote For Passage. The aforementioned proposition would pass if a majority of the registered voters at the aforementioned elected voted "yes" on the aforementioned proposition.

ADOPTED by the Port Commission of the Port of Bellingham at a regular meeting thereof held this 19th day of June, 2012.

PORT COMMISSION OF THE PORT OF BELLINGHAM

By: Scott Walker, Commission President; Jim Jorgensen, Commission Vice-President; Michael McAuley, Commission Secretary; Diane McClain, Secretary.

CERTIFICATION: Michael McAuley, Secretary, Port Commission

COMPLETE TEXT

ORDINANCE NO. 2012-06-033

AN ORDINANCE OF THE CITY OF BELLINGHAM RELATING TO LOW-INCOME HOUSING; REQUESTING THAT A SPECIAL ELECTION BE HELD CONCURRENT WITH THE NOVEMBER 6, 2012 GENERAL ELECTION FOR SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF A PROPOSITION TO LIFT THE LIMIT ON REGULAR PROPERTY TAXES UNDER CHAPTER 84.55 RCW FOR LOW-INCOME HOUSING; DECLARING THE EXISTENCE OF AN EMERGENCY UNDER CHAPTER 84.52.105 AND REQUESTING VOTER APPROVAL OF AN ADDITIONAL PROPERTY TAX FOR VERY LOW-INCOME HOUSING; PROVIDING FOR THE EXPIRATION OF THE ADDITIONAL LEVIES AT THE END OF SEVEN YEARS; SETTING FORTH THE BALLOT PROPOSITION; DESIGNATING A CITIZEN LEVY ADVISORY COMMITTEE; AND PROVIDING FOR IMPLEMENTATION OF PROGRAMS WITH FUNDS DERIVED FROM THE TAXES AUTHORIZED.

WHEREAS, Equity and Social Justice is a legacy that the City Council has adopted for the City of Bellingham;

WHEREAS, Supporting safe, affordable housing, supporting services for lower-income residents, and providing access to problem-solving resources are the strategic commitments the City Council has made to ensure Equity and Social Justice;

WHEREAS, a healthy community is one in which all members have access to basic needs such as safe, secure and affordable homes and, despite the recent decline in home purchase prices, homes remain unaffordable for a significant percentage of Bellingham residents;

WHEREAS, households face a severe burden when housing costs (including utilities) exceed 50 percent of household income;

WHEREAS, U.S. Census data has estimated that there are 7,400 low-income households in Bellingham that face a severe housing cost burden by paying more than 50 percent of their income on housing costs;

WHEREAS, over 1,000 low-income elderly households in Bellingham pay more than 50 percent of their income on housing costs and face challenges in repairing their homes without financial assistance;

WHEREAS, at any point in time, 500 people are homeless in Whatcom County, according to the annual Point-in-Time Count, and 20 percent of all people experiencing homelessness in Bellingham are children under 10 years of age, with adverse childhood experiences that have profound and long-lasting negative consequences;

WHEREAS, local housing affordability efforts save public money by reducing expenses for social services, emergency room medical care, triage, law enforcement and other costs associated with temporary and chronic homelessness, with two local programs recently documenting that housing services resulted in increased access to mental health services and a 90 percent reduction in criminal justice costs;

WHEREAS, recent investments of new, but very limited, grant funds resulted in significant reductions in local homelessness, with 37 percent fewer homeless persons with disabilities, 65 percent fewer homeless veterans, and 41 percent fewer homeless persons overall;

WHEREAS, the Bellingham Housing Authority has 1,608 families on the waiting list for public housing, 72 percent of which earn less than 30% of the Area Median Income and 44 percent are families with disabilities;

WHEREAS, the Bellingham Housing Authority has 400 households on the waiting list for rental assistance vouchers, with an average waiting time to receive assistance of more than four years;

WHEREAS, nearly one-third of Bellingham's housing stock is over 50 years old, requiring repair, maintenance and weatherization that is often not affordable to low-income households;

WHEREAS, local wages are not keeping pace with Bellingham's housing costs, with average apartment rent increasing 17 percent while average wages increased only 5 percent since 2004;

WHEREAS, according to the U.S. Census, the median value of homes increased 96 percent from 2000 to 2010, while median family income increased just 23 percent;

WHEREAS, more affordable housing options near employment centers are good for the environment, preventing long commutes with associated pollution, commuting expenses, traffic congestion and road widening costs;

WHEREAS, the Countywide Housing Affordability Taskforce (CHAT) concluded its 18 month study and deliberation about housing affordability with a set of conclusions that included among its top six recommendations the creation of additional local revenue sources that assist in the delivery of homes affordable to low-income households;

WHEREAS, the proposed Bellingham Home Fund will result in \$21,000,000 in local funding that will be used as matching money to leverage other private and public funding for housing affordability, serving an estimated 8,500 families over the useful life of the properties that will be assisted with the Bellingham Home Fund;

WHEREAS, as a condition of receiving federal funding for low-income housing, the City of Bellingham administers an affordable housing program with citizen oversight, including preparation of five-year strategic plans, performance measures and outcomes, and annual action plans;

WHEREAS, the City of Bellingham can efficiently administer the proposed Bellingham Home Fund in conjunction with its existing programs that manage federal funding for housing affordability;

WHEREAS, Chapter 84.55 RCW generally limits the dollar amount of regular property taxes that a city may levy in any year, but RCW 84.55.050 allows a city to levy taxes exceeding such limit by majority approval of the voters and allows a city to include in the ballot proposition a limit on the purpose for which the additional taxes levied will be used and to provide for the expiration of the additional taxing authority;

WHEREAS, the proposed additional levy is within the limitations imposed by RCW 84.52.043;

WHEREAS, RCW 84.52.105 authorizes a city to impose additional regular property tax levies to finance affordable housing for very low-income households when specifically authorized to do so by a majority of the voters of the taxing district voting on a ballot proposition authorizing the levy; and

WHEREAS, RCW 35.21.685 authorizes a city to assist in the development or preservation of publicly or privately owned housing for persons of low income by providing loans or grants of general municipal funds to the owners or developers of the housing, including loans or grants to finance the acquisition, construction or rehabilitation of low-

income housing, and to provide rental assistance and other supportive services, to low-income persons;

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. Findings. The City Council makes the following findings and declares as follows:

- A. The City's Consolidated Plan and Housing Element of the Comprehensive Plan identify insufficient safe, sanitary, and decent housing affordable to low- and very low-income households to meet the present and anticipated needs of such households, including homes affordable for local working people, U.S. military veterans, families with children, people with limited or fixed incomes including senior citizens and people having a disability.
- B. Affordable rental housing for low-income households, including the homeless, other persons with special needs, families and seniors, often requires a commitment of City funds for development or preservation, or other forms of assistance.
- C. Promoting and preserving home ownership for low-income households contributes to the stability of families and neighborhoods; helps preserve the physical condition of residential properties; and addresses the shortage of safe, sanitary, affordable housing both by maintaining and enhancing the supply of owner-occupied housing and by limiting the demand for scarce low-income rental housing that otherwise would exist from households unable to afford to purchase homes or to maintain existing homes.
- D. The additional taxes to be levied under this ordinance will enable the City to provide for the housing needs of low- and very low-income households and thereby work to fulfill the purposes of federal, state and City laws and policies, including, without limitation, the federal HOME Investment Partnerships Act, federal Community Development Block Grant, the State Growth Management Act and the City's Comprehensive Plan.
- E. An emergency exists with respect to the availability of housing that is affordable to very low-income households in the City of Bellingham.

Section 2. Definitions. The following terms used in this ordinance shall have the definitions stated below, unless the context otherwise clearly requires:

- A. "Affordable housing" means residential housing for rental or private individual ownership which, as long as the same is occupied by low-income households, requires payment of monthly housing costs, including utilities, other than telephone, of no more than 30 percent of the household's income.
- B. "Low-income housing" means housing that will serve "low-income households."
- C. "Household" means a single person, family or unrelated persons living together.
- D. "Low-income household" means a household with income less than or equal to eighty percent (80%) of median income.
- E. "Median income" means annual median family income for the statistical area or division thereof including Bellingham for which median family income is published from time to time by the U.S. Department of Housing and Urban Development, or successor agency, with adjustments according to household size.

- F. "Very low-income household" means a household with income less than or equal to 50 percent of median income.

To the extent permitted by applicable State law, income determinations may take into account such exclusions, adjustments and rules of computation as may be prescribed or used under federal housing laws, regulations or policies for purposes of establishing income limits, or as may be established in City housing and community development plan documents consistent with federal laws, regulations or policies.

Section 3. Proposition to Authorize Levy of Additional Regular Property Taxes; Affordable Housing Plan.

The City submits to the qualified electors of the City a proposition as authorized by RCW 84.55.050(1), to exceed the levy limitation on regular property taxes contained in Chapter 84.55 RCW for property taxes levied in 2012 through 2018 for collection in 2013 through 2019, respectively. The proposition would also authorize an additional property tax levy for very low-income housing under RCW 84.52.105. The proposition would raise approximately \$3,000,000 per year totaling an estimated \$21,000,000 in aggregate over a period of up to seven years.

- A. The proposition would permit the City to increase its regular property tax levy by up to \$0.12 per \$1,000 of assessed valuation, resulting in a regular property tax levy of \$2.62 per \$1,000 for collection in 2013. All the levy proceeds shall be used for the purposes specified in Section 5 of this ordinance.
- B. The proposition would also authorize the City to impose an additional regular property tax levy of up to \$0.24 per \$1,000 of assessed valuation for very low-income housing pursuant to RCW 84.52.105. The limitations in RCW 84.52.043 shall not apply to the tax levy authorized by this part. All the levy proceeds shall be used for the purposes specified in Section 5 of this ordinance and may not be imposed by the City Council until the City adopts an affordable housing financing plan as set forth in Section 6 of this ordinance.
- C. The taxes authorized by this proposition will be in addition to the maximum amount of regular property taxes the City would have been limited to by RCW 84.55.010 in the absence of voter approval under this ordinance, plus other authorized lid lifts. Thereafter, such levy amount would be used to compute limitations for subsequent years as allowed by chapter 84.55 RCW. Pursuant to RCW 84.55.050(5), the maximum regular property taxes that may be levied in 2019 for collection in 2020 and in later years shall be computed as if the limit on regular property taxes had not been increased under this ordinance.

Section 4. Levy Revenues.

- A. Unless otherwise directed by ordinance, all revenues collected from the additional taxes authorized pursuant to this ordinance shall be deposited initially in the Low-Income Housing Fund to be used as set forth in Section 5 and as described in the Low Income Housing Administrative and Financing Plans, as may be adopted by the City Council under Sections 5 and 6 of this ordinance. The Finance Director is authorized to create other subfunds or accounts within the Low-Income Housing Fund as may be needed or appropriate to implement the purposes of this ordinance.

- B. Pending expenditure for the purposes authorized in this ordinance, amounts deposited in the Low-Income Housing Fund pursuant to this ordinance may be invested in any investments permitted by applicable law. All investment earnings on the balances shall be deposited into the Low-Income Housing Fund. Amounts received by the City from payments with respect to loans, recovery of grants, insurance proceeds or proceeds of sale or disposition of property ("program income") shall be deposited into the Low-Income Housing Fund unless otherwise specified by ordinance. Any investment earnings and program income derived from revenues collected from the additional taxes authorized pursuant to this ordinance shall be used for the purposes set forth in this ordinance and as authorized by the City Council.

Section 5. Administration; Use of Proceeds.

- A. The levy funds shall be used to pay for affordable housing for low and very low-income households, pay for affordable housing programs, and otherwise to provide for the housing needs of low and very low-income households; provided that all funds raised from the levy authorized by RCW 84.52.105 shall be dedicated to affordable housing for very low-income households.
- B. The Planning and Community Development Department, or such other department as may be designated by ordinance, shall administer programs funded with the additional taxes authorized pursuant to this ordinance. Any programs adopted by the City Council for use of the funds derived under this ordinance shall be referred to as "Housing Levy Programs." Housing Levy Programs shall be implemented consistent with the Low Income Housing Administrative and Financing Plan, as may be adopted by the City Council and as may thereafter be amended from time to time.
- C. Anticipated Housing Levy Programs are shown in Exhibit 1, attached hereto. The City Council, upon recommendation of the Citizen Advisory Committee described in Section 7 of this ordinance, or upon recommendation of the Mayor or on its own motion, may review the allocations to particular Housing Levy Programs and make changes to the programs, including additions and deletions of programs and/or in the timing of or amount of funds allocated to any program, consistent with the purposes of this ordinance and applicable law. Administration funding shown on Exhibit 1 is intended to be used for administration of the use of levy proceeds for all programs, including but not limited to developing the Low Income Housing Administrative and Financing Plan, preparing and reviewing loan and grant applications, monitoring and auditing performance and compliance with loan, grant and program requirements, and paying for financial accounting, legal, and other administrative services necessary to implement the Housing Levy Programs.

Section 6. Low Income Housing Administrative and Financing Plan.

- A. The Director of Planning and Community Development, or other such person as may be designated by the Director or the Mayor, shall prepare a Low Income Housing Administrative and Financing Plan ("Plan") covering all of the Housing Levy Programs. The Plan shall cover the period commencing in 2013 and continue through 2019; shall specify the plan for use of funds raised by the levy authorized by RCW 84.52.105; shall be consistent with either the locally adopted or state-adopted comprehensive housing affordability strategy, required under the Cranston-Gonzalez national

affordable housing act (42 U.S.C. Sec. 12701, et seq.), as amended; and shall be approved by City Council prior to the additional property tax levy being imposed pursuant to RCW 84.52.105.

- B. The expenditure of all funds raised pursuant to this ordinance shall be as set forth in the Plan adopted by City Council. The City Council reserves the right to amend the Plan as it may in the future be determined as necessary or appropriate. The Plan should be done in coordination with the Consolidated Plan and Annual Action Plans required by HUD for expenditure of HOME and CDBG funds for the benefit of low income housing and community development needs in the City.
- C. The City Council shall appropriate from the Low-Income Housing Fund, as part of the City budget or supplementally, such monies derived from the levies authorized in this ordinance as it deems necessary to carry out the Housing Levy Programs.
- D. The Mayor, or other such person as may be designated by the Mayor, is authorized, for and on behalf of the City, to select projects for funding and to approve, make and modify loans, grants or other expenditures to carry out the Housing Levy Programs, provided that such authority is subject to the appropriation of sufficient funds and consistent with the Plan approved by City Council pursuant to Sections 5 and 6. The Mayor and his or her designees are further authorized, for and on behalf of the City, to execute and deliver such documents and instruments as he or she may determine to be necessary or appropriate to implement the financing of specific projects or to otherwise carry out the Housing Levy Programs.

Section 7. Citizen Advisory Committee.

The Community Development Advisory Board ("CDAB"), established pursuant to BMC 2.46.010, shall advise the City Council, Mayor and the Director of Planning and Community Development regarding the Housing Levy Programs authorized by this ordinance. CDAB shall advise the Mayor and City Council on the Low Income Housing Administrative and Financial Plan prepared pursuant to Section 6 of this ordinance. CDAB shall also assist in monitoring the progress, performance and accomplishment of Housing Levy Programs, and report such findings to the Mayor and City Council, including any problems and recommendations on actions to be taken so that the Housing Levy Programs are conducted in a timely and efficient manner for the benefit of low-income households.

Section 8. Election - Ballot Title.

The City Council hereby requests that the Whatcom County Auditor, as *ex officio* supervisor of elections, submit to the qualified electorate of the City for a vote, at the November 6, 2012 general election, a proposition substantially in the form set forth in this ordinance. The City Clerk is directed to certify to the Whatcom County Auditor the ballot proposition to the electorate of the City in the form substantially as follows:

PROPOSITION NO. 1 Low-Income Housing Levy

The City of Bellingham Council adopted Ordinance No. 2012-06-033 concerning property taxes for low-income housing assistance.

This proposition would fund housing and housing services for people with low or very low incomes, including those with disabilities, veterans, seniors, and families with children by (a) authorizing an increase in the City's regular property tax levy by up to \$0.12/\$1,000 to \$2.62/\$1,000 of assessed

value as allowed by RCW 84.55; and (b) authorizing a regular property tax levy of up to \$0.24/\$1,000 of assessed value under RCW 84.52.105, each for seven years, generating approximately \$3,000,000 annually. Should this proposition be approved?

Yes? ☐

No? ☐

Section 9. Corrections.

The Bellingham City Attorney's Office or the Auditor or her designee is authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener's or clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 10. Severability.

If any section, sentence, clause or phrase of this resolution should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this resolution.

PASSED by the Council this 18th day of June, 2012. Terry Bornemann, Council President.

APPROVED by me this 22nd day of June, 2012. Kelli Linville, Mayor.

ATTEST: John R. Carter, Finance Director. **APPROVED AS TO FORM:** Peter Ruffato, Office of the City Attorney. Published: June 22, 2012.

EXHIBIT 1 2013 HOUSING LEVY PROGRAMS

Program	Total Funding (7 Years)	Estimated Housing Produced/Households Assisted	Program Description/Affordability Levels
Production and Preservation of Homes	\$15,980,000	429 homes (serving 8,500 families over the useful life of these properties).	<ul style="list-style-type: none"> Homes for people working at minimum wage, veterans, seniors on fixed incomes, and people exiting homelessness (households at or below 30% of median income) Homes for local workers, working families up to 60% of median income Affordable and specialized homes for veterans, people with disabilities, and seniors. Rehabilitation and weatherization to increase affordability and preserve existing affordable homes
Rental Assistance and Support Services	\$1,880,000	800 homes	<ul style="list-style-type: none"> Supportive services matched to specialized homes for disabled veterans and chronically homeless individuals to help them retain their homes and reduce costly care in hospital emergency department and other inappropriate systems of care Temporary and long-term assistance to families and individuals to help preserve their housing, prevent eviction and homelessness (targeted households at or below 50% of median income)
Low-income homebuyer assistance	\$940,000	50 homes	<ul style="list-style-type: none"> Assistance to low-income homebuyers, including programs that promote long-term affordability of ownership housing (targeted to households at or below 80% of median income)
Acquisition and Opportunity Loans	\$940,000	50 homes	<ul style="list-style-type: none"> Short-term loans for strategic purchases of buildings or land for rental or homeownership housing development that will serve low-income households
Administration	\$1,260,000	n/a	

COMPLETE TEXT

LYNDEN TRANSPORTATION BENEFIT DISTRICT RESOLUTION NO. 2012-1

A RESOLUTION OF THE BOARD OF THE LYNDEN TRANSPORTATION BENEFIT DISTRICT, LYNDEN, WASHINGTON, PROVIDING FOR A BALLOT PROPOSITION TO BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE DISTRICT ON NOVEMBER 6, 2012 TO IMPOSE A TWO- TENTHS OF ONE PERCENT (.002) SALES AND USE TAX WITHIN THE DISTRICT FOR A PERIOD OF TEN YEARS TO FUND TRANSPORTATION IMPROVEMENTS

WHEREAS, the City of Lynden ("City") approved Ordinance No. 1423 on July 16, 2012, establishing the Lynden Transportation Benefit District ("TBD") pursuant to Chapter 36.73 Revised Code of Washington (RCW); and

WHEREAS, on July 16, 2012, after giving proper notice, the City conducted a public hearing in accordance with RCW 36.73.050; and

WHEREAS, with voter approval, the TBD may impose a sales and use tax upon the occurrence of any taxable event within the boundaries of the TBD to fund transportation improvements; and

WHEREAS, the City's Six Year (2012-2017) Transportation Improvement Plan identifies projects that constitute transportation improvements; and

WHEREAS, projects from the City of Lynden's Six Year (2012-2017) Transportation Improvement Plan may be funded by the TBD include; Overlays to preserve streets, 17th Street Extension, Pedestrian Trails and Bridges, and Arterial Reconstruction – 3rd to 7th between Front and Grover Streets; and

WHEREAS, the governing board of the TBD (TBD Board) now desires to fund and implement certain enumerated transportation improvements (TBD Projects), through the imposition by the TBD of a two-tenths of one percent (.002) sales and use tax in accordance with RCW 82.14.0455, consistent with Chapter 36.73 RCW, upon voter approval thereof; and

**NOW, THEREFORE, THE BOARD OF THE LYNDEN
TRANSPORTATION BENEFIT DISTRICT, LYNDEN,
WASHINGTON, HEREBY RESOLVES AS FOLLOWS:**

Section 1. Findings; Description of the TBD Projects.

The Board hereby finds that the best interests of the inhabitants of the TBD require the imposition of a sales and use tax of two-tenths of one percent (0.002) pursuant to RCW 36.73.040(3)(a) and RCW 82.14.0455 for the purpose of providing funds necessary to finance TBD projects.

The City's Six-Year (2012-2017) Transportation Improvement Program identifies projects that constitute transportation improvements. Transportation improvements that may be funded by the TBD, include; Overlays to preserve streets, 17th Street Extension, Pedestrian Trails and Bridges, and Arterial Reconstruction – 3rd to 7th between Front and Grover Streets.

The cost of all necessary design, engineering, financial, legal and other consulting services, inspection and testing, administrative and relocation expenses and other costs incurred in connection with the foregoing TBD Projects shall be deemed a part of the cost of the TBD Projects.

The Board shall determine the application of moneys available for the TBD Projects so as to accomplish, as nearly as practical, all the TBD Projects. In the event that

the proceeds of sales and use taxes authorized herein, plus any other money of the TBD legally available therefore, are insufficient to accomplish all of the TBD Projects, the TBD Board shall use the available funds to pay the cost of those portions of the TBD Projects deemed by the TBD Board most necessary and in the best interests of the inhabitants of the TBD.

The TBD Board shall determine the exact locations and specifications for the elements of the TBD Projects as well as the timing, order and manner of implementing or completing the TBD Projects. The TBD Board may alter, make substitutions to, and amend the TBD Project descriptions as it determines is in the best interests of the public and the TBD District consistent with the general descriptions provided above and in accordance with the material change policy adopted by the TBD Board, and the notice, hearing and other procedures described in Chapter 36.73 RCW, including RCW 36.73.050(2)(b), as necessary.

If the TBD Board shall determine that it has become impractical to acquire, construct, or implement all or any portion of the TBD Projects by reason of changed conditions, incompatible development, costs substantially in excess of the amount of sales and use tax proceeds estimated to be available, or acquisition by a superior governmental authority, the TBD Board shall not be required to acquire, construct, or implement such portions of a TBD Project. If all of the TBD Projects have been acquired, constructed, implemented or duly provided for, or found to be impractical, the TBD Board may either dissolve the TBD in accordance with RCW 36.73 or apply the sales and use tax proceeds (including earnings thereon) or any portion thereof to other transportation improvements then identified in the City's Six-Year Transportation Improvement Plan in accordance with the material change policy adopted by the TBD Board and the notice, hearing and other procedures described in Chapter 36.73 RCW, including RCW 36.73.050(2)(b), as necessary.

Section 2: Proposition

It is hereby found and declared that the best interests of the inhabitants of the TBD require the submission to the qualified electors of the TBD the proposition whether the TBD shall impose a sales and use tax within the limitations established in RCW 82.14.0455 for ratification or rejection at a special election to be held on November 6, 2012. For the purpose of providing funds necessary to pay or finance costs of the TBD Projects, the Whatcom County Auditor, as ex officio supervisor of elections in Whatcom County, Washington, is hereby requested to call and conduct such special election to be held within the TBD for approval or rejection, a proposition to impose a sales and use tax in the amount of two-tenths of one percent (.002) of the selling price (in the case of a sales tax), or value of the article used (in the case of a use tax). The tax is in addition to any other taxes authorized by law and shall be collected from those persons who are taxable by the state under Chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the boundaries of the TBD, for a period of ten years, or until the TBD is dissolved, whichever comes first.

Upon approval of the voters of the proposition hereinafter set forth, the TBD may use proceeds of such sales and use tax for the purpose of paying or financing costs of the TBD Projects in accordance with the requirements of Chapter 36.73 RCW. The City Clerk, serving as Secretary of the TBD Board, is hereby authorized and directed to certify said proposition to said official in the following form:

LYNDEN TRANSPORTATION BENEFIT DISTRICT
LYNDEN, WASHINGTON
SALES AND USE TAX FOR
TRANSPORTATION IMPROVEMENTS

The Board of the Lynden Transportation Benefit District, Lynden, Washington, adopted Resolution No. 2012-1 concerning a sales and use tax to fund certain transportation improvements. This proposition would authorize a sales and use tax of two tenths of one percent (0.002) to be collected from all taxable retail sales within the Transportation Benefit District in accordance with RCW 82.14.0455 for a term of ten years, or until such District is dissolved, whichever is earlier, for the purpose of paying or financing costs of necessary transportation improvement projects listed in Resolution No. 2012-1 and identified in the City of Lynden Transportation Improvement Plan:

Should this proposition be approved?

Yes? ☐

No? ☐

Section 3. Corrections

The City Clerk, serving as the Secretary of the TBD is authorized to make necessary clerical corrections to this resolution including, but not limited to , the correction of scrivener's or clerical errors, references, resolution numbering, section/subsection numbers and any references thereto.

Section 4: Severability.

If any section, sentence, clause or phrase of this resolution should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this resolution. The TBD Board hereby declares that it would have passed this resolution and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional.

PASSED by the Board of the Lynden Transportation Benefit District, Lynden, Washington, at a regular open meeting thereof held this 6th day of August, 2012.

This resolution shall be in full force and effect on August 6, 2012.

PASSED BY THE TRANSPORTATION BENEFIT DISTRICT BOARD BY AN AFFIRMATIVE VOTE, 5 IN FAVOR AND 0 AGAINST, THIS 6th DAY OF AUGUST, 2012. Scott Korthuis, Chair.

ATTEST: W. Verwolf, City Clerk. APPROVED AS TO FORM: Evan Jones for Robert Carmichael, City Attorney.

COMPLETE TEXT

LYNDEN REGIONAL PARKS AND RECREATION DISTRICT,
WASHINGTON
GENERAL OBLIGATION BONDS

RESOLUTION NO. 6

A RESOLUTION of the Board of Commissioners of Lynden Regional Parks and Recreation District, Washington, providing for a form of the ballot proposition and specifying certain other details concerning submission to the qualified electors of the District at a special election to be held therein on November 6, 2012 of propositions authorizing the District to issue its general obligation bonds in the aggregate principal amount of not to exceed \$9,500,000 for the purpose of providing funds to purchase a new turnkey indoor recreation facility.

WHEREAS, the best interests and welfare of the inhabitants of the Lynden Regional Parks and Recreation District, Washington (the "District") requires the District to purchase a new turnkey indoor recreation facility (the "Project"); and

WHEREAS, in order to provide all or a part of the funds to enable the District to undertake the Project, it is deemed necessary and advisable that the District issue and sell its unlimited tax general obligation bonds to provide funds for such purposes; and

WHEREAS, the Constitution and laws of the State of Washington provide that the question of whether or not such bonds may be issued and sold for such purposes must be submitted to the qualified electors of the District for their ratification or rejection;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE LYNDEN REGIONAL PARKS AND RECREATION DISTRICT, WASHINGTON, DOES RESOLVE, as follows:

Section 1. Findings. This Board of Commissioners (the "Board") hereby finds and declares that the best interest of all the people of the District requires the District to carry out the plans hereinafter provided at the time or times and in the order deemed most necessary and advisable by the Board.

Section 2. Authorization of Park Project and Bonds. The District shall undertake the acquisition of a turnkey Indoor Recreation Facility to be situated at Delft Square.

Such acquisition shall include all the amenities of the existing facility including a combination aquatic facility for competition and recreation, gymnasium(s), wellness center and multi-purpose rooms, and shall be complete with all necessary furniture, equipment and appurtenances.

The District shall determine the application of available moneys to the Project so as to accomplish, as nearly as may be, the project provided for in this section. If the District shall determine that it has become impracticable to accomplish such Project or portions thereof by reason of changed conditions or needs, incompatible development, costs substantially in excess of those estimated, or acquisition by a superior governmental authority, the District shall not be required to accomplish such Project and may apply bond proceeds as set forth in this section.

If the Project has been completed, or its completion duly provided for, or its completion found to be impractical, the District may apply the bond proceeds or any portion thereof to other capital purposes of the District, or to payment of principal of or interest on the bonds, as the Board in its discretion shall determine.

In the event that the proceeds of sale of the bonds, plus any other moneys of the District legally available, are insufficient to accomplish the Project provided for by this section, the District shall use the available funds for paying the cost of planning for the Project for which the bonds were approved deemed by the Board most necessary and in the best interest of the District, and may apply unexpended Bond proceeds to the payment of principal or interest on the bonds.

Section 3. Authorization of Bonds. For the purpose of providing all or a part of the funds necessary to pay the cost of the Project, together with incidental costs and costs related to the sale and issuance of the bonds, the District shall issue and sell its unlimited tax general obligation bonds in the principal amount of not to exceed \$9,500,000. The balance of the cost of the Project shall be paid out of any money which the District now has or may later have on hand which are legally available for such purposes. None of said bond proceeds shall be used for the replacement of equipment or for any other than a capital purpose. Such bonds shall be issued in an amount not exceeding the amount approved by the qualified electors of the District as required by the Constitution and laws of the State of Washington or exceeding the amount permitted by the Constitution and laws of the State of Washington. After voter approval of the bond proposition and in anticipation of the issuance of such bonds, the District may issue short term obligations as authorized and provided by Chapter 39.50 RCW.

Section 4. Details of Bonds. The bonds provided for in Section 3 hereof shall be sold in such amounts and at such time or times as deemed necessary and advisable by this Board and as permitted by law, shall bear interest at a rate or rates not to exceed the maximum rate permitted by law at the time the bonds are sold, and shall mature in such amounts and at such times within a maximum term of thirty (30) years from date of issue, but may mature at an earlier date or dates, as authorized by this Board and as provided by law. Said bonds shall be general obligations of the District and, unless paid from other sources, both principal thereof and interest thereon (including original issue discount) shall be payable out of annual tax levies to be made upon all the taxable property within the District without limitation as to rate or amount and in excess of any constitutional or statutory tax limitations. The exact date, form, terms and maturities of said bonds shall be as hereafter fixed by resolution of the Board of Commissioners. After voter approval of the bond proposition or propositions and in anticipation of the issuance of such bonds, the District may issue short term obligations as authorized and provided by Chapter 39.50 RCW.

Section 5. Bond Election. It is hereby found and declared that the best interests of the District requires the submission to the qualified electors of the District of the proposition of whether the District shall issue the Bonds at a special election to be held on the 6th day of November, 2012.

The Whatcom County Auditor as ex officio supervisor of elections in Whatcom County, Washington is hereby requested to call and conduct the special election to be held by all mail-in ballot within the District and to submit to the qualified electors of the District the proposition set forth below. The Secretary of the Board is hereby authorized and directed to certify the proposition to said officials in the following form:

PROPOSITION NO. 1
LYNDEN REGIONAL PARKS AND RECREATION DISTRICT
INDOOR RECREATION FACILITY ACQUISITION BONDS -
\$9,500,000

The Board of Commissioners of Lynden Regional Parks and Recreation District, passed Resolution No. 6 concerning this proposition which authorizes the District to purchase a new turnkey indoor recreation facility, to issue \$9,500,000 of general obligation bonds maturing within a maximum term of 30 years to finance acquisition of such facility, and to levy property taxes annually in excess of regular property tax levies to repay such bonds, all as provided in Resolution No. 6. Should this proposition be:

APPROVED?..... ☐
REJECTED?..... ☐

APPROVED by the Board of Commissioners of Lynden Regional Parks and Recreation District, Washington, at a regular meeting thereof held the 2nd day of August, 2012. LYNDEN REGIONAL PARKS AND RECREATION DISTRICT, WASHINGTON: Terry DeValois, Chairman and Commissioner; Ronald VanSoest, Commissioner; Geraldine Beecher, Commissioner; Kevin Burke, Commissioner; Robert Bandarra, Commissioner.

ATTEST and CERTIFICATION: Robert Bandarra, Secretary of the Board, District Secretary.