

AGENDA REQUEST FORM

**Return completed form and complete agenda item to the Clerk of the Board
Yakima County Commissioners' Office, Room 232**

Prepared by:
Deborah Clausing, Operations Manager

Department: Prosecuting Attorney

Requested Agenda Date: 07-20-21

Presenting: 

Board of County Commissioners Record Assigned

18 2 - 2 0 2 1

APPROVED FOR AGENDA:
 Consent Regular
Board of County Commissioners Determined

Document Title:
Resolution calling for an election of the levy renewal of a county special purpose sales and use tax for criminal justice and public safety purposes.

Action Requested: *Check Applicable Box*


PASS RESOLUTION EXECUTE or AMEND **AGREEMENT** CONTRACT or GRANT
 ISSUE PROCLAMATION PASS ORDINANCE OTHER _____

Describe Fiscal Impact:
Should the levy not be place on the ballot and be approved, Yakima County and participating municipalities stand to lose \$13,333,500 in revenue.

Background Information:
At the November 2, 2004 General Election the voters for Yakima county approved Proposition No. 1, imposing a local sales and use tax for criminal justice purposes in an amount equal to three-tenths of one percent (0.3%). Collection commenced in 2005 and continuing through 2010, which was then subsequently re-approved in 2009 and commenced in 2011-2016, and was again re-approved to commence in 2017-2022, pursuant to the provisions of RCW 82.14.

Summary & Recommendation:
Recommend approval.

Motion:

Department Head/ Elected Official

Signature

AGREEMENT Attached Is Approved as to Form
Corporate Counsel Initial _____

Late Agenda Requests Require BOCC Chairman Signature:

IF BOARD OF YAKIMA COUNTY COMMISSIONERS

**IN THE MATTER OF CALLING FOR AN
ELECTION OF THE LEVY RENEWAL OF A
COUNTY SPECIAL PURPOSE SALES AND
USE TAX FOR CRIMINAL JUSTICE AND
PUBLIC SAFETY PURPOSES**

RESOLUTION

18 2 - 2 0 2 1

WHEREAS at the November 2, 2004 General Election the voters for Yakima county approved Proposition No. 1, imposing a local sales and use tax for criminal justice purposes in an amount equal to three-tenths of one percent (0.3%) for collection commencing in 2005 and continuing through 2010, which was then subsequently reapproved by the voters in 2009 to commence in 2011 continuing through 2016, which was then again reapproved by the voters in 2016 to commence in 2017 continuing through 2022 pursuant to the provisions of RCW 82.14 (“the Act”); and,

WHEREAS the public safety tax generates approximately \$13,333,500 in annual revenue 40 percent of which is distributed on a per capita basis to cities and towns and 60 percent of which is retained by the County to support county-wide law enforcement, public safety and criminal justice services; and,

WHEREAS the annual distribution of criminal justice sales tax proceeds is approximately as follows:

Yakima County	\$8,000,000	Sunnyside	543,000
Grandview	354,000	Tieton	41,000
Granger	130,000	Toppenish	288,000
Harrah	21,000	Union Gap	199,500
Mabton	73,500	Wapato	160,000
Moxee	133,500	Yakima	3,005,000
Naches	31,000	Zillah	101,000
Selah	253,000		

WHEREAS the Act provides that at least “one-third” of all money received under this section shall be used solely for the criminal justice purposes...[which] are defined as activities that substantially assist the criminal justice system (RCW 82.14.340); and furthermore, the remaining two-thirds will also be used for criminal justice purposes by Yakima County and the participating municipalities;

WHEREAS revenue from the public safety tax has been used to fund criminal justice system positions in Yakima county, city and town police officers; Yakima County Prosecutor’ Office employees; Yakima County court system employees in Superior, District and Juvenile Court; City of Yakima prosecutor’s office employees; Department of Assigned Counsel employees; as well as providing additional law enforcement coverage hours; and criminal justice purposes in all participating municipalities throughout the County; and,

WHEREAS proceeds from the public safety tax have been used to provide improved equipment for law enforcement agencies, and,

WHEREAS the County Law and Justice Committee consisting of the Sheriff, Prosecuting Attorney, County Clerk, Director of the Department of Assigned Counsel, and the Court Administrator, has recommended that the Board call an election on the question of renewal of the public safety tax one year prior to the expiration of the current tax in order to facilitate planning and provide a stable source of funding for local law enforcement; and,

WHEREAS the Board finds that the public safety tax has proven to be a successful and invaluable tool for addressing the criminal justice problems facing Yakima County and its cities and towns; and,

WHEREAS it is the judgment of the Board that in order to ensure public accountability, all jurisdictions receiving public safety tax funds shall maintain them in an account separate from other funds and prepare an annual report of all funds received, itemized expenditures, and revenue balance which shall be provided to the public at no charge; and,

WHEREAS the best interest of the people in Yakima County would be best served by submitting to the affected voters the determination whether or not to authorize continuation of the sales and use tax to fund public safety and criminal justice services; now, therefore,

BE IT HEREBY RESOLVED by the board of Yakima County Commissioners that a county wide election be held on November 2, 2021, for the purpose of submitting to the affected voters the determination of whether of not to authorize a sales and use tax at the rate of three-tenths of one percent (0.3%), to be levied beginning in 2023 without end, the proceeds to be shared by the County and the cities within the County for public safety and criminal justice purposes; and,

BE IT FURTHER RESOLVED that the Yakima County Auditor is hereby requested to place a proposition on the November 2, 2021, ballot in substantially the following form:

**PROPOSITION NO. 1
YAKIMA COUNTY
LOCAL SALES AND USE TAX FOR CRIMINAL JUSTICE PURPOSES**

The Board of Yakima County Commissioners adopted Resolution _____ concerning a proposition to help fund both Yakima County and the participating municipalities dealing with law and justice issues and other public safety and criminal justice services. This ballot proposition, if approved, will authorize the continued imposition within Yakima County of a sales and use tax equal to three-tenths of one percent (0.3%) for collection commencing 2023, to provide funds to assist and maintain public safety and further criminal justice purposes both for Yakima County and the participating municipalities.

Approved
Rejected

BE IT FURTHER RESOLVED that Yakima County dedicate one hundred percent of the County’s share of revenue generated by the proposed sales and use tax to County law enforcement and criminal justice purposes, as recommended by the County Law and Justice Committee. The Committee has recommended expenditures for the Sheriff, Prosecuting Attorney, Department of Assigned Counsel, County Clerk and Superior, Juvenile and District Courts; and,

BE IT FURTHER RESOLVED that the Clerk of the Board is directed to provide a copy of this resolution to the Yakima County Auditor, and each city and town council in Yakima County.

DONE JUL 20 2021

BOARD OF COUNTY COMMISSIONERS

Ron Anderson, Chairman

Amanda McKinney, Commissioner

LaDon Linde, Commissioner

Attest:

Julie Lawrence, Clerk of the Board

Linda Kay O’Hara, Deputy Clerk