

KITTITAS COUNTY
Board of County Commissioners

AGENDA STAFF REPORT

AGENDA DATE: September 21, 2010

ACTION REQUESTED: Advertise for and conduct a public hearing on October 5, 2010, to take public testimony and to consider:

- the proposed ordinance amending Chapter 3.44 KCC based on recent changes in state law; and
- entering into an agreement with Washington State Department of Revenue for administration of the enhanced 911 excise taxes; and
- authorizing the signing of secrecy clause affidavits required by the Department of Revenue.

And if the Board of County Commissioners (BOCC) deems these three actions to be in the public's interest, to adopt the ordinance, sign the Department agreement, and give authorization to signing of the secrecy clause affidavits at the end of the public hearing

BACKGROUND: During the last State legislative session, Substitute Senate Bill 6846, the E911 Modernization Bill was passed. The bill will improve technology to the County's 911 analog equipment, provide KITTCOM the ability to receive digital data it is currently unable to receive, and provide the ability for KITTCOM to receive texts, video, and photos from the public. The Bill amends Chapter 82.14B RCW, including taxation of Voice over Internet Protocol phones and increasing the level of County tax per access line from \$.50 to \$.70 cents, taking effect January 2011. The County has to raise the local E911 excise tax to \$.70 for each access line or it will lose State funding for its enhanced 911 system.

The Bill also removed the administration of the County tax collection from the Counties to the Washington State Department of Revenue who will collect an administrative fee from the County's collected tax before redistributing the revenue to the County. The reason for the Department collecting the County excise tax as well as the State excise tax came at the request of service providers.

By October 15th, 2010, the County must adopt an amended Chapter 3.44 KCC reflecting the changes made by State legislature, as well as sign an agreement with the Department for administration of the collected 911 excise taxes, and authorize the signing of the secrecy clause affidavits required by the Department for individuals who

will be receiving the monthly information on the local portion of the E911 excise tax and its distribution.

INTERACTION: KITTCOM, Auditor's Office, Treasurer's Office and the Prosecuting Attorney's Office have worked on these documents.

RECOMMENDATION: Advertise for and conduct a public hearing on October 5, 2010, to take public testimony and consider the proposed ordinance, agreement, and secrecy clause affidavits and to adopt the ordinance, sign the agreement, and authorize the signing of the secrecy clause affidavits if the Board of County Commissioners deems it to be in the public's interest.

HANDLING: Put public notice in Daily Record for public hearing

Once documents are executed by BOCC:
Original of Ordinance - Clerk of the Board
Copy of Ordinance – to be attached to both originals of the Agreement with Washington State Department of Revenue
Copy of Ordinance – Information Services
Copy of Ordinance - Prosecutor
Copy of Ordinance – Auditor
Original of Agreement – Clerk of the Board - Both originals need to be sent to Washington State Department of Revenue (along with copies of the signed ordinance) for signature. When the County receives its signed original back, a copy of the Agreement needs to go to: Prosecuting Attorney's Office, Auditor's Office, and on the County website under interlocal agreements.
Copy of Secrecy Clause Affidavits – to all individuals who fall under the requirements set by the Department.

ATTACHMENT: Proposed Ordinance, Department of Revenue agreement with the County, copy of a secrecy clause affidavit. Public Notice for hearing done through BOCC public notice online system.

LEAD STAFF: Darlene Mainwaring, KITTCOM Director
Stephanie U. Happold, Deputy Prosecuting Attorney