

MAY 28 2019

GIG HARBOR TRANSPORTATION BENEFIT DISTRICT  
GIG HARBOR, WASHINGTON

RESOLUTION NO. 2019-1

**A RESOLUTION OF THE GOVERNING BOARD OF THE GIG HARBOR TRANSPORTATION BENEFIT DISTRICT PROVIDING FOR A BALLOT PROPOSITION TO BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE DISTRICT ON NOVEMBER 5, 2019 TO IMPOSE A TWO-TENTHS OF ONE PERCENT (0.2%) SALES AND USE TAX WITHIN THE DISTRICT FOR A PERIOD OF TEN YEARS TO FUND SPECIFIED TRANSPORTATION IMPROVEMENTS.**

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WHEREAS, Chapter 36.73 RCW and RCW 35.21.255 authorize the City Council to establish a transportation benefit district within the City's jurisdiction for the purpose of acquiring, constructing, improving, providing, and funding transportation improvements within the district that are consistent with existing state, regional, and local transportation plans and necessitated by existing or reasonably foreseeable congestion levels; and

WHEREAS, the City Council of the City of Gig Harbor found it to be in the best interest of the City to establish a citywide Transportation Benefit District for the construction of capital projects related to motorized travel set forth in the City's Transportation Improvement Program; and

WHEREAS, in Ordinance No. 1392, the City Council of the City of Gig Harbor established the Gig Harbor Transportation Benefit District as authorized by RCW 35.21.225 and subject to the provisions of chapter 36.73 RCW and Ordinance No. 1392; and

WHEREAS, the Gig Harbor Transportation Benefit District includes the entire City of Gig Harbor as the boundaries currently exist or as they may be adjusted in the future; and

WHEREAS, pursuant to RCW 36.73.030(3), the members of the City Council, acting ex officio and independently, constitute the governing body of the Gig Harbor Transportation Benefit District; and

WHEREAS, the City's six-year (2019-2024) Transportation Improvement Program ("TIP") identifies projects that constitute transportation improvements that may be funded by the District, including those set forth on Exhibit A, attached hereto and incorporated herein (collectively the "TBD Projects"); and

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

WHEREAS, after conducting a public hearing, the governing board of the Gig Harbor Transportation Benefit District finds it in the best interest of the district to submit to the voters of the district a ballot proposition to authorize a 0.2% sales and use tax within the district for ten years for the purposes of constructing transportation improvements that benefit motorized vehicle travel in the City of Gig Harbor, consistent with Chapter 36.73 RCW;

NOW, THEREFORE, THE GOVERNING BOARD OF THE GIG HARBOR TRANSPORTATION BENEFIT DISTRICT HEREBY RESOLVES AS FOLLOWS:

**Section 1. Findings; Description of Gig Harbor Transportation Benefit District Projects.**

A. The Governing Board hereby finds that the best interests of the inhabitants of the District require the District to impose a sales and use tax of two-tenths of one percent (0.2%) pursuant to RCW 36.73.040(3)(a) and RCW 82.14.0455 for the purpose of providing a portion of the funds necessary to construct Gig Harbor Transportation Benefit District projects.

B. The Gig Harbor Transportation Benefit District projects consist of transportation improvement projects related to motorized vehicle travel in whole or in part described in the City's six-year (2019-2024) Transportation Improvement Program. If a project includes improvements for both motorized and non-motorized travel, the funds may only be used toward the portion of the project related to motorized travel. Eligible projects are set forth on Exhibit A.

C. 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 projects shall be deemed a part of the costs of the projects.

D. The Governing Board shall determine the application of moneys available for the projects so as to accomplish, as nearly as may be, all of the projects. In the event that the proceeds of sales and use taxes authorized herein, plus any other money of the District legally available therefor, are insufficient to accomplish all of the projects, the Governing Board shall use the available funds for paying the cost of those portions of the projects deemed by the Governing Board most necessary and in the best interest of the District.

E. The Governing Board shall determine the exact locations and specifications for the elements of the projects as well as the timing, order and manner of implementing or completing the projects. The Governing Board may alter, make substitutions to and amend the Transportation Benefit District's projects and project list in accordance with the material change policy adopted by the Board and the notice, hearing and other procedures described in chapter 36.73 RCW, including RCW 36.73.050(2)(b), as the Governing board determines in the best interests of the District so long as such projects benefit motorized vehicle travel and are included in the City of Gig Harbor's then-current six-year Transportation Improvement Program.

F. If the Governing Board shall determine that it has become impractical to acquire, construct, or implement all or any portion of the 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 Governing Board shall not be required to acquire, construct, or implement such portions. If all of the projects have been acquired, constructed, implemented or duly provided for, or found to be impractical, the Board may 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 program in accordance with the material change policy adopted by the Board and the notice, hearing and other procedures described in chapter 36.73 RCW, including RCW 36.73.050(2)(b), in each case as the same may be amended from time to time.

**Section 2. Proposition.** It is hereby found and declared that the best interests of the District require the submission to the qualified electors of the District of the proposition whether the District shall impose a sales and use tax within the limitations established in RCW 82.14.0455 for their approval or rejection at a special election to be held on November 5, 2019. For the purpose of providing funds necessary to pay costs of Gig Harbor Transportation Benefit District projects, the Pierce County Auditor, as ex officio supervisor of elections in Pierce County, Washington, is hereby requested to call and conduct such special election to be held within the District on such day and to submit to the qualified electors of the District for their approval or rejection, a proposition to impose a sales and use tax of two-tenths of one percent (0.2%) of the selling price in the case of a sales tax, or value of the article used, in the case of the 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 District, for a period of ten years. Upon approval of the voters of the proposition hereinafter set forth, the District may use proceeds of such sales and use tax for the purpose of paying costs of Gig Harbor Transportation Benefit District projects in accordance with the requirements of Chapter 36.73 RCW. The Clerk of the District is hereby authorized and directed to certify said proposition to said official in the following form:

Name of Jurisdiction: Gig Harbor Transportation Benefit District

Proposition #: Proposition No. 1

Short Title: Sales And Use Tax For Transportation Improvements

Ballot Title: The Governing Board of the Gig Harbor Transportation Benefit District adopted Resolution No. 2019-1 concerning a sales and use tax to fund transportation improvements. This proposition would authorize a tax of two-tenths of one percent (0.2%) on taxable sales and use in accordance with RCW 82.14.0455 to help pay costs of capital projects related to motorized vehicle travel identified in the

Gig Harbor Transportation Improvement Program. This tax would expire after ten years.

Should this proposition be approved?

Response:         Yes  
                       No

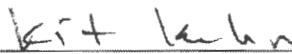
**Section 3. Voters' Pamphlet "For" and "Against" Statement Committees.** The Chair shall appoint up to three members each to the "for" statement and "against" statement committees, subject to approval by the Board.

**Section 4. Corrections.** The Clerk of the District 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.

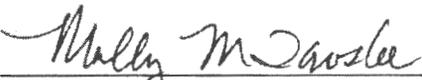
**Section 5. Severability.** If any section, sentence, clause or phrase of this resolution should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this resolution.

RESOLVED by the Governing Board of the Gig Harbor Transportation Benefit District and APPROVED by the Chair this 13th day of May, 2019.

APPROVED:

  
\_\_\_\_\_  
KIT KUHN, CHAIR

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
CLERK, MOLLY TOWSLEE

FILED WITH THE CLERK: 05/08/19  
PASSED BY THE GOVERNING BOARD: 05/13/19  
RESOLUTION NO: 2019-1

**Potential TBD Project List - May 2019**

	Project Name	Cost	2019-2024 TIP Project No.	Connect the Gig Project No.	TIF Project No.
1	Stinson Ave Improvements (Pioneer Wy to Rosedale St)	\$741,000	2	2	--
2	Stinson Ave/Rosedale St Intersection Improvements	\$600,000	3	1	1
3	Stinson Ave/Harborview Dr Intersection Improvements	\$1,800,000	7	5	5
4	38 <sup>th</sup> Avenue Improvements (Ph 1A-Southern City Limits to Briarwood Ln)	\$3,500,000	4	19	14
5	38 <sup>th</sup> Avenue Improvements (Ph 1B-Briarwood Ln to 50th St)	\$2,500,000	5	19	14
6	38 <sup>th</sup> Avenue Improvements (Ph 1C-50th St to 56th St)	\$2,000,000	6	19	14
7	38 <sup>th</sup> Avenue Improvements (Ph 2-56th St to Hunt St)	\$6,400,000	16	19	14
8	Metering of Roundabout at Borgen Blvd/Burnham Dr/Canterwood Dr/SR-16 WB Ramps	\$700,000	15	8	2
9	Wollochet Dr Right Turn Lane at SR-16 EB Off Ramp	\$400,000	10	15	11
10	Pioneer Wy/SR-16 WB On-Ramp Right Turn Slip Lane	\$800,000	9	--	--
11	Wollochet Dr Interchange Improvements (Kimball Dr to SR-16 EB Off Ramp)	\$18,000,000	27	16	12
12	Hunt St/Skansie Ave Intersection Improvements	\$1,500,000	13	17	13
13	Burnham Drive Improvements (Ph 1-Harborview Dr to Harbor Hill Dr)	\$2,225,000	18	22	--
14	50 <sup>th</sup> St Improvements	\$3,400,000	17	3	3
15	Skansie Ave Improvements (Rosedale St to Hunt St)	\$6,500,000	26	38	--
16	Hunt St/Soundview Dr Intersection Improvements	\$1,000,000	19	4	4
17	Wollochet Dr/Wagner Wy Intersection Improvements	\$925,000	11	6	6
18	Vernhardson St Roadway Improvements	\$3,750,000	28	9	8
19	Rosedale St/Skansie Ave Intersection Improvements	\$2,200,000	24	13	10
		<b>Total = \$58,941,000</b>			