

**ENUMCLAW TRANSPORTATION BENEFIT DISTRICT (TBD)
RESOLUTION NO. 2015.02**

A RESOLUTION OF THE ENUMCLAW TBD, KING COUNTY, WASHINGTON, PROVIDING FOR A BALLOT PROPOSITION TO BE SUBMITTED TO THE QUALIFIED VOTERS OF THE DISTRICT AT AN ELECTION TO BE HELD ON NOVEMBER 3, 2015, AUTHORIZING AN ADDITIONAL SALES AND USE TAX WITHIN THE DISTRICT AT THE RATE OF ONE-TENTH OF ONE PERCENT FOR A PERIOD NOT TO EXCEED TEN YEARS, COMMENCING JANUARY 1, 2016, FOR THE PURPOSE OF PAYING FOR OR FINANCING THE COST OF TRANSPORTATION IMPROVEMENTS; SETTING FORTH THE TEXT OF THE BALLOT PROPOSITION; DIRECTING PROPER DISTRICT OFFICIALS TO TAKE NECESSARY ACTIONS; AND PROVIDING FOR OTHER PROPERLY RELATED MATTERS.

Whereas, the City of Enumclaw has established through Ordinance No. 2524 a Transportation Benefit District, 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, under RCW 36.73.015(3) and Enumclaw Municipal Code Chapter 3.22, transportation improvements include, among other things, projects contained in the transportation plan of the state, a regional transportation planning organization, a county or a city, and may include investment in transportation projects and programs of regional and statewide significance; and

Whereas, the Board of the Enumclaw TBD now desires to fund and implement the transportation improvements through the imposition by the District of a one-tenth of one percent sales and use tax in accordance with RCW 82.14.0455, consistent with Chapter 36.73 RCW, upon voter approval thereof.

Now, therefore, the Board of the Enumclaw Transportation Benefit District, King County, Washington do hereby resolve as follows:

Section 1 – Description of TBD Projects: The specific TBD Projects to be paid or financed for in whole or in part with proceeds of the sales and use tax described in this resolution consist of the transportation improvement projects identified within Exhibit A herein. 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 costs of the TBD Projects.

The Board shall determine the application of moneys available for the TBD Projects so as to accomplish, as nearly as may be, all of the TBD 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 TBD Projects, the Board shall use the available funds for paying the cost of those portions of the TBD Projects deemed by the Board most necessary and in the best interest of the District.

The 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 Board may alter, make substitutions to, and amend the TBD Project descriptions as it determines is in the best interests of the District and 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.

If the 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, lack of matching funds, or acquisition by a superior governmental authority, the Board shall not be required to acquire, construct, or implement such portions. If all

of the TBD 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, plus any other money of the District legally available therefor (including earnings thereon), or any portion thereof, to other transportation improvements then identified in the City's currently adopted 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 – Calling of Election: The Board hereby finds and declares that the best interests of the District require the submission to the qualified voters of the District a proposition of whether the District shall impose a sales and use tax within the limitations established in RCW 82.14.0455 for their approval or rejection. The Board thereby requests that the Director of Records and Elections of King County, as ex officio Supervisor of Elections in King County (“Director of Elections”), call and conduct a special election in the District, in the manner provided by law, to be held therein on November 3, 2015, for the purpose of submitting to the voters of the District, for their approval or rejection, a proposition whether the District shall impose a sales and use tax at the rate of one-tenth of one percent of the selling price in the case of a sales tax, or value of the article used in the case of the use tax. If approved, this sales and use tax shall be collected for a period not exceeding ten years, or if dedicated to the repayment of indebtedness incurred in accordance with the requirements of Chapter 36.73 RCW, until such time that indebtedness (including obligations issued to refund that indebtedness) shall have been fully redeemed and retired. The tax is in addition to any other taxes authorized by law and shall be collected from those persons who are taxable under the state chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the boundaries of the District.

Resolution No.: 2015.02

Draft No: 1

Draft Date: 5-5-15

Resolution Requested By: TBD Board

Section 3 – Ballot Proposition: The Clerk of the Board is hereby authorized and directed to certify, no later than August 4, 2015, to the Director of Elections, a copy of this resolution and the following proposition to be submitted to the qualified electors at that election, in substantially the following form:

ENUMCLAW TRANSPORTATION BENEFIT DISTRICT
ENUMCLAW, WASHINGTON
PROPOSITION 1
SALES AND USE TAX FOR
TRANSPORTATION IMPROVEMENTS

The Board of Enumclaw Transportation District, Enumclaw, Washington, adopted Resolution No. 15-02 concerning a sales and use tax to fund transportation improvements. This proposition would authorize collection of a sales and use tax at a rate of 0.1% of all taxable retail sales within the District, in accordance with RCW 82.14.0455, for a period not exceeding ten years, for the purpose of paying for or financing the costs of transportation maintenance and improvement projects identified in Resolution No. 15-02. Should this proposition be approved?

YES.....

NO

For purposes of receiving notice of the exact language of the ballot proposition required by RCW 29A.36.080, the Board hereby designates: (a) the Clerk of the Board; and (b) the Attorney for the District, as the individuals to whom such notice should be provided. The President of the Board and Clerk of the District are each authorized individually to approve changes to the ballot title, if any, deemed necessary by the Director of Elections.

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 reference thereto.

The proper District officials are authorized to perform such duties as are necessary or required by law to submit the question of whether the sales and use tax shall be imposed, as provided in this resolution, to the electors of the District at the November 3, 2015, general election.

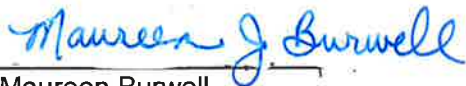
Section 4 - Severability: If any provision of this resolution shall be declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be separable from the remaining provisions and shall in no way affect the validity of the other provisions, or of the imposition or collection of the tax authorized herein.

DONE IN REGULAR AND OPEN SESSION this 13 day of July 2015.



Jim Hogan, President

Attested:



Maureen Burwell
Board Clerk

Approved as to form:



Michael J. Reynolds
Attorney for Transportation Benefit District

Exhibit A

TBD Transportation Improvement Projects 2016-2025

The specific District improvements to be paid for and/or financed with proceeds of the sales and use tax consist of the following transportation improvement projects, abbreviated descriptions of which are incorporated as follows as may be amended from time to time.

2016-2025 Maintenance Projects:

These projects are intended to address localized pavement repair needs and to extend the life of existing pavements. The locations and extent of these projects will be determined on a year-to-year basis as part of the annual TBD budget process.

- Crack sealing program.
- Asphalt patching and repairs.
- Slurry seal treatment.

2016-2021 Concrete Patching, Asphalt Overlay, and Reconstruction Projects:

These projects are intended to address streets that have deteriorated to a condition that cannot be corrected by maintenance activities, but require more extensive treatments. The proposed list of projects is attached along with a location map.

2022-2025 Concrete Patching, Asphalt Overlay, and Reconstruction Projects:

These improvements will consist of projects from the 2016-2021 list not completed by the end of 2021 and additional projects to be determined by a system-wide re-evaluation of pavement condition as adopted by the TBD board in accordance with Resolution 2015.02 and District procedures. The pavement condition re-evaluation would be conducted in 2021.

2016-2021 Project List

STREET NAME	FROM	TO	REHAB. STRATEGY	Year
BLAKE ST	ROOSEVELT AVE (SR	GRIFFIN AVE (SR 164)	RECONT/ART	2017
BLAKE ST	ROOSEVELT AVE (SR	GRIFFIN AVE (SR 164)	RECONT/ART	2017
McHUGH AVE	HANSEN ST (262nd Ave	PORTER ST (SR 169)	RECONT/ART	2017
McHUGH AVE	COLE ST (266th Ave SE)	HANSEN ST (262nd Ave	RECONT/ART	2017
MOUNTAIN VILLA DR	DICKSON AVE	ROOSEVELT AVE (SR	RECONST/LOCA	2017
RAILROAD ST	MYRTLE AVE	MARSHALL AVE	THIN OVLY	2017
RAILROAD ST	MARSHALL AVE	WASHINGTON AVE	THIN OVLY	2017
RAILROAD ST	WASHINGTON AVE	BATTERSBY AVE	THK OVLY	2017
ADAMS AVE	WELLS ST	JENSEN ST	RECONST/LOCA	2019
CHINOOK AVE	CINKOVICH ST	PORTER ST (SR 169)	THK OVLY	2019
CHINOOK AVE	COLE ST	BAILEY ST	THK OVLY	2019
DIVISION ST	South End (cul-de-sac)	LINCOLN AVE	THK OVLY	2019
DIVISION ST	INITIAL AVE	MONTGOMERY AVE	RECONST/LOCA	2019
DIVISION ST	LOWELL AVE	McHUGH AVE	THK OVLY	2019
ELMONT AVE	LORAIN ST	FLORENCE ST	RECONST/LOCA	2019
ELMONT AVE	PIONEER ST	HARDING ST	RECONST/LOCA	2019
FREDRICKSEN ST	KIBLER AVE	WILSON AVE	RECONST/LOCA	2019
GOSSARD ST	GRIFFIN AVE (SR 164)	KIBLER AVE	THK OVLY	2019
INITIAL AVE	HARDING ST	GARFIELD ST	THK OVLY	2019
INITIAL AVE	PIONEER ST	HARDING ST	RECONST/LOCA	2019
JAMES ST	KIBLER AVE	WILSON AVE	THK OVLY	2019
JAMES ST	WILSON AVE	LOWELL AVE	RECONST/LOCA	2019
KIBLER AVE	GOSSARD PL	OLYMPIC PL	FULL PATCH	2019
KIBLER AVE	McKINLEY ST	CLOVERCREST ST	THK OVLY	2019
KIBLER AVE	FLORENCE ST	McKINLEY ST	THK OVLY	2019
KIBLER AVE	LORAIN ST	FLORENCE ST	THIN OVLY	2019
KIBLER AVE	GARFIELD ST	LORAIN ST	THK OVLY	2019
KIBLER AVE	HARDING ST	GARFIELD ST	THK OVLY	2019
RAINIER AVE	CEDAR ST	GRIFFIN AVE (SR 164)	RECONST/LOCA	2019
STEVENSON AVE	GARRETT ST	FIRST ST	PCC PATCH	2019
WARNER AVE	NOBLE FIR CIR (Private)	HWY 410 (SR 410)	THK OVLY	2019
WARNER AVE	BIRCH DR (Private)	NOBLE FIR CIR (Private)	THK OVLY	2019
WARNER AVE	BERNINGER ST	BIRCH DR (Private)	THK OVLY	2019
WASHINGTON AVE	WELLS ST	PORTER ST (SR 169)	PCC PATCH	2019
COLE ST	HWY 410 (SR 410)	ROOSEVELT AVE	THK OVLY	2021
DICKSON AVE	BLAKE ST	MOUNTAIN VILLA DR	THIN OVLY	2021
EDITH AVE	DIVISION ST	LAFROMBOISE ST	THK OVLY	2021
FRANKLIN ST	STEVENSON AVE	1433 FRANKLIN ST	THK OVLY	2021
GARFIELD ST	GRIFFIN AVE (SR 164)	KIBLER AVE	RECONST/LOCA	2021
HIGHPOINT ST	LOIS LN (south)	SILVER SPRINGS AVE	THIN OVLY	2021
LAFROMBOISE ST	INITIAL AVE	MONTGOMERY AVE	PCC PATCH	2021
LAFROMBOISE ST	MONTGOMERY AVE	GRIFFIN AVE (SR 164)	PCC PATCH	2021
LEOS PL	WARNER AVE	South End (cul-de-sac)	THK OVLY	2021
LINCOLN AVE	FLORENCE ST	McKINLEY ST	THIN OVLY	2021
LINCOLN AVE	LORAIN ST	FLORENCE ST	THK OVLY	2021
LINCOLN AVE	GARFIELD ST	LORAIN ST	THK OVLY	2021
LINCOLN AVE	HARDING ST	GARFIELD ST	THIN OVLY	2021
LORAIN ST	GRIFFIN AVE (SR 164)	KIBLER AVE	THIN OVLY	2021
MARSHALL AVE	PARK ST	DIVISION ST	THK OVLY	2021
McHUGH AVE	FLORENCE ST	OLD WEST CITY LIMITS	THIN OVLY	2021
McHUGH AVE	HARDING ST	GARFIELD ST	THIN OVLY	2021
McHUGH AVE	HARDING ST (257TH PI	HARDING ST	THK OVLY	2021
McHUGH AVE	DIVISION ST (260th Ave	HARDING ST (257TH PI	THIN OVLY	2021
McHUGH AVE(LENGTH?)	WEBER ST	261ST PL SE	THK OVLY	2021
MONROE AVE	WELLS ST	PORTER ST	PCC PATCH	2021
MONROE AVE	PIONEER ST	HARDING ST	THIN OVLY	2021
MONTGOMERY AVE	GRIFFIN AVE (SR 164)	DIVISION ST	PCC PATCH	2021
PARK ST	MARSHALL AVE	WASHINGTON AVE	THIN OVLY	2021
PIONEER ST	ELMONT AVE	STEVENSON AVE	THIN OVLY	2021
PIONEER ST	STEVENSON AVE	INITIAL AVE	THIN OVLY	2021
PIONEER ST	INITIAL AVE	MONTGOMERY AVE	THIN OVLY	2021
PORTER ST	NIELSON AVE	MONROE AVE	RECONST/LOCA	2021
SEMANSKI ST	ELMONT AVE	MAY CT	THIN OVLY	2021
STEVENSON AVE	PIONEER ST	HARDING ST	THIN OVLY	2021
THIRD ST	STEVENSON AVE	GRIFFIN AVE (SR 164)	THK OVLY	2021
WARNER AVE	WINTER PL	244TH AVE SE	THK OVLY	2021
WATSON ST N	JEWELL ST	BONDGARD AVE E	THIN OVLY	2021

Pavement Maintenance Schedule
2016-2021

Year

- 2017
- 2019
- 2021

City Limits

Streets

