

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Discussion of Resolution No. 430 - Authorizing Placement of a Ballot Measure on the November 6, 2018 General Election Ballot to Authorize a Sales and Use Tax in the Amount of Two-Tenths of One Percent (0.2%) for a Period of Not More Than Twenty Years to Fund Sidewalk Expansion and Accelerate Repair Funding
<b>DEPARTMENT:</b>	Public Works Administrative Services
<b>PRESENTED BY:</b>	Randy Witt, Public Works Director Sara Lane, Administrative Services Director
<b>ACTION:</b>	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

**PROBLEM/ISSUE STATEMENT:**

In June 2017, the City began a year-long process to create a Sidewalk Prioritization Plan. Starting with the 2011 Pedestrian System Plan as the baseline, the Sidewalk Prioritization Plan uses updated criteria to identify needs and prioritize sidewalk improvements based on safety, equity, proximity, and connectivity. The City Council has discussed the City's progress on development of the Sidewalk Prioritization Plan and the ADA Transition Plan on several occasions beginning in 2016.

On April 23, 2018, staff was asked to develop a resolution to place a voter approved Transportation Benefit District (TBD) sales tax increase of 0.2 percent on the November 2018 ballot for funding new sidewalks and/or accelerating work on the ADA Transition Plan. On June 4<sup>th</sup> the Council approved the 2018 Sidewalk Prioritization Plan as the basis for developing a list of projects to fund, and on June 18<sup>th</sup> the Council discussed policy issues relating to a ballot measure for a voter approved sales tax increase. The guidance provided during that discussion is incorporated into proposed Resolution No. 430.

Tonight, Council will discuss proposed Resolution No. 430 relating to a potential ballot measure for a TBD 0.2 percent sales and use tax to fund sidewalk expansion, repairs and retrofits. The resolution is scheduled to return to Council for adoption on July 30, 2018.

**RESOURCE/FINANCIAL IMPACT:**

While this policy discussion does not have immediate financial impact, the imposition of the TBD sales tax at a rate of 0.2 percent would generate approximately \$2 million in its first year. If approved by the voters, the sales tax increase would generate approximately \$59 million over 20 years. Staff estimates election costs associated with placing the sales tax measure on the ballot at approximately \$60,000.

### **RECOMMENDATION**

No action is required tonight. Staff recommends that the City Council discuss proposed Resolution No. 430 and provide guidance to staff on the proposed resolution. Proposed Resolution No. 430 is scheduled to be brought back to Council for adoption on July 30, 2018.

Approved By:        City Manager ***DT***    City Attorney ***MK***

## **BACKGROUND**

In June 2017, the City began a year-long process to create a Sidewalk Prioritization Plan. Starting with the 2011 Pedestrian System Plan as the baseline, the Sidewalk Prioritization Plan uses updated criteria to identify needs and prioritize sidewalk improvements based on safety, equity, proximity, and connectivity.

The Council discussed the City's progress on development of the updated Sidewalk Prioritization Plan on several occasions, and on April 23, 2018 staff was asked to develop a resolution to place a voter approved Transportation Benefit District (TBD) sales tax increase of 0.2 percent on the November 2018 ballot for funding new sidewalks and/or accelerating work on the ADA Transition Plan. The staff report for this discussion can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2018/staffreport042318-8b.pdf>.

On June 4, 2018, the Council reviewed and approved the 2018 Sidewalk Prioritization Plan and map as the basis for developing a list of projects to fund. The staff report for this discussion can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2018/staffreport060418-9a.pdf>.

A summary of updated 2018 Sidewalk Prioritization Plan results are:

Priority	Score Range	Number of Projects	Approx. mileage	Est. Cost (millions)
High	12 to 18	33	16	\$95
Medium	8 to 11	55	31	\$183
Low	2 to 7	50	23	\$136
Total	N/A	138	70	\$414

As can be seen in the table above, just the high priority projects have an estimated cost of \$95 million. The 2018 Sidewalk Prioritization Plan and Prioritization Matrix will be used as the basis for developing a list of projects to fund with revenues from the TBD sales tax, future grant applications, and uncommitted City funds.

On June 18, 2018, Council discussed policies related to development of TBD sales tax ballot measure. The staff report for this discussion can be found at the following link: <http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2018/staffreport061818-9a.pdf>. In that conversation, the Council provided guidance on the framework of the proposed resolution and ballot measure that has been incorporated into proposed Resolution No. 430 (Attachment A).

## **DISCUSSION**

The Shoreline TBD was established for the purpose of acquiring, constructing, improving, providing, and funding transportation improvements that are in the City's Transportation Master Plan. Transportation Benefit Districts in Washington State have

specific authority to impose certain fees and taxes dedicated to support transportation improvements within the districts.

On June 18<sup>th</sup>, the Council provided guidance that a resolution be drafted with a framework that includes:

- A 0.2 percent sales and use tax rate for a term of 20 years,
- A list of projects that doesn't exceed 70%, and preferably using 50-60%, of the anticipated revenue, and
- Dedicated funding for sidewalks, with the majority of funding dedicated to the expansion of the City's pedestrian network through the construction of new sidewalks and a small amount or percentage dedicated to accelerate sidewalk repair and retrofits.

### **Sales and Use Tax**

Transportation Benefit Districts are authorized to impose a sales tax up to 0.2% with voter approval. A rate of 0.2% would generate approximately \$2 million in the first year and \$59 million over the 20 year period based on the City's sales tax collection projections in the 10 Year Financial Sustainability model. While the City's model is conservative, it does not attempt to predict cyclical volatility associated with economic downturns that can significantly impact sales tax collections.

State TBD statutes allows a term exceeding 10 years when the sales tax is dedicated to support debt service, matching the term of the tax to the term of the debt, conservatively interpreted to up to 20 years. The following table reflects the estimated revenue generated by the additional sales tax over the 20 year period, the estimated debt that could be supported by the revenue, and the estimated average annual cost per household:

<b>Sales Tax Rate</b>	<b>Estimated Revenue over 20 Years</b>	<b>Estimated Debt Supported over 20 Years</b>	<b>Average Annual Cost Per Household*</b>
0.2%	\$59 million	\$42 million	\$81*

\*Construction and Auto Sales have been excluded from the calculation

The following table reflects the sales tax rates for some other cities in the region including those with voter approved sales tax for a TBD:

## City/Town Sales Tax Rates & Components

Effective April 1 - June 30, 2018

Data compiled by MRSC from WA Department of Revenue

CITY/TOWN	COUNTY	TOTAL SALES TAX RATE	TBD
Bellevue (RTA)	King	10.0%	
Bothell (King)	King	10.0%	
Bothell (Snohomish)	Snohomish	10.3%	
Brier	Snohomish	10.3%	
Edmonds	Snohomish	10.3%	
Everett (RTA)	Snohomish	9.7%	
Kenmore	King	10.0%	
Kirkland	King	10.0%	
Lake Forest Park	King	10.0%	
Lynnwood	Snohomish	10.4%	0.1%
Mill Creek	Snohomish	10.4%	
Mountlake Terrace	Snohomish	10.3%	
Mukilteo	Snohomish	10.4%	0.1%
Redmond (RTA)	King	10.0%	
Sammamish (RTA)	King	10.0%	
Seattle	King	10.1%	0.1%
Shoreline	King	10.0%	
Woodinville (RTA)	King	10.0%	
Woodway	Snohomish	10.3%	

### Project List

In the Council discussion on June 18<sup>th</sup>, some interest was expressed at considering a list of projects that is less than or equal to the 70% of the anticipated revenue for a 20 year term. A bonding structure with a series of bond issues over a total 20 year term is estimated to support \$42 million in projects. The difference between that and the total estimated revenue are the interest and issuance costs.

To facilitate this conversation, the table below shows choice points at 50% (~\$21 million), 60% (~\$25 million) and 70% (~\$30 million) of the anticipated revenue that will directly support projects for a 20 year term. Although not required, Resolution No. 430 can include a list of projects that the City intends to complete with the sales tax proceeds if approved by voters. In reviewing the project list below and Council's previous discussions, staff recommends that Resolution No. 430 include the list of projects up through 20<sup>th</sup> Ave NW (project #4). This project list includes 11 projects with a cumulative projected total cost of \$27.8 M, approximately 66% of the anticipated revenue to complete projects. Attachment B is a map of the projects listed below up to 100% of the anticipated available revenue (through project #92).

As mentioned at the last Council meeting, staff retained an engineering firm to prepare a conceptual cost estimate for five "test" street segments as a check on the project costs. That work found the earlier estimates were low and using the information staff have updated the list using either the estimate for the street tested or an average cost

per lineal foot of the five test street applied to the remaining streets. The table below show the updated list with 50%, 60% and 70% points highlighted.

Prioritized Sidewalk Segments for Ballot Measure										
Project #	STREET	FROM	TO	Side(s)	Total LF	Cost	Cumulative \$	Tot. Score	Adj. Score	Quad
98	15th Ave NE	NE 150th St	NE 160th St	1	2473	\$ 3,758,000	\$ 3,758,000	17	17.0	SE
57	Meridian Ave N	N 194th St	N 205th St	1	2326	\$ 3,451,000	\$ 7,209,000	16	16.0	NE
21	8th Ave NW	North side of Sunset Park	Richmond Beach Rd NW	1	1899	\$ 2,886,000	\$ 10,095,000	15	15.0	NW
34	Dayton Ave N	N 178th St	N Richmond Beach Rd	1	1512	\$ 2,884,000	\$ 12,979,000	15	15.0	NW
73	19th Ave NE	NE 196th St	NE 205th St	1	1600	\$ 2,432,000	\$ 15,411,000	15	15.0	NE
58	1st Ave NE	NE 192nd St	NE 195th St	1	563	\$ 856,000	\$ 16,267,000	7	14.5	NE
40	Westminster Way N	N 145th St	N 153rd St	1	1691	\$ 2,497,000	\$ 18,764,000	14	14.0	SW
85	5th Ave NE (Note 1)	NE 175th St	NE 185th St	2	3535	\$ 962,000	\$ 19,726,000	13	13.9	NE
48	Linden Ave N	N 175th St	N 185th St	1	2130	\$ 2,934,000	\$ 22,660,000	14	13.8	NW
84	24th Ave NE	15th Ave NE	25th Ave NE	1	2288	\$ 3,476,000	\$ 26,136,000	12	13.5	NE
4	20th Ave NW	Saltwater Park entrance	NW 195th St	1	1118	\$ 1,699,000	\$ 27,835,000	5	13.4	NW
67	N 165th St	Interurban Trail	Meridian Ave N	1	2054	\$ 3,121,000	\$ 30,956,000	13	13.1	SE
55	Ashworth Ave N	N 175th St	N 185th St	1	2323	\$ 3,531,000	\$ 34,487,000	13	13.2	NE
41	NW 195th St	3rd Ave NW	Linden Ave N	1	2776	\$ 2,658,000	\$ 37,145,000	13	13.0	NW
56	Ashworth Ave N	N 195th St	N 200th St	1	1054	\$ 1,601,000	\$ 38,746,000	13	13.0	NE
92	NE 175th St	15th Ave NE	22nd Ave NE	1	2224	\$ 3,379,000	\$ 42,125,000	12	12.5	SE NE
	15th Ave NE	NE 171st St	NE 175th St							
	NE 171st St	22nd Ave NE	25th Ave NE							
38	Greenwood Ave N	N 155th St	N 160th St	1	1057	\$ 1,606,000	\$ 43,731,000	10	12.2	SW
94	NE 168th St	15th Ave NE	25th Ave NE	1	2140	\$ 3,251,000	\$ 46,982,000	9	12.1	SE
54	Ashworth Ave N	N 155th St	N 175th St	1	4722	\$ 7,175,000	\$ 54,157,000	12	12.0	SE
Note 1 - For the portion not built by ST (about 175th to 182nd), with \$2M ST contribution deducted										
		50% Available bond proceeds (~\$21M)								
		60% Available bond proceeds (~\$25M)								
		70% Available bond proceeds (~\$30M)								
		100% Available bond proceeds (~\$42M)								

### Alternative for Ballot Measure Resolution

As stated previously, staff recommends using projects listed through project number 4, 20th Ave NW from Saltwater Park entrance to NW 195th St. which utilizes 66% of the anticipated available revenue. Should Council want to keep 20th Ave NW on the list and reduce the percentage of revenue identified, the Council could consider moving 8th Ave (#21) or Dayton Ave (#34) down (for geographic equity), improve only one side of 5th Ave (#85) or stop at Linden Ave. (#48).

### Revenue Collected Beyond the Project List

The revenue projections and project list costs are conservative in order to ensure that the City doesn't overcommit to the community or in the debt issuance. As a result, it is likely that additional revenue will be available to deliver more projects. Staff will prioritize the completion of the projects included specifically in the proposed resolution first, and when they are complete, will recommend projects to the City Council for completion based upon the 2018 Pedestrian System Plan and Prioritization Matrix and Council priorities as part of future Capital Improvement Project budget update processes.

### Accelerated Funding for Sidewalk Repairs and Maintenance

In the Council discussion on June 18<sup>th</sup>, the Council guidance was to allow flexibility for a small amount of this funding to go to repairs and retrofits of the City's existing

sidewalks. Staff recommends that this amount be determined through the budget process based upon the sales tax collections from future biennium. As such, proposed Resolution No. 430 does not state a specific allocation percentage for sidewalk repair and maintenance. Council could choose to use all or a portion of any collections beyond projections to accelerate the sidewalk repair program. This could be done in conjunction with the discussion on revenue collected beyond the project list. Alternatively, Council could direct that a small percentage of the projected sales tax revenue be directed to repairs at this time or Council could do both options.

### **Definition of sidewalk**

As Council considers proposed Resolution No. 430 (Attachment A), it may be helpful to understand what could be considered a sidewalk within this bond measure. The traditional understanding of sidewalk for most people includes a curb and a gutter with a sidewalk. The City standard also includes an amenity zone providing separation between the curb and the sidewalk. A slight modification of this standard is a separated paved walkway without a curb and often behind a ditch or other surface water feature. While these are the two main standards, there could be opportunities to install improvements that create safer pedestrian facilities without a traditional curb and gutter. As an example, a wide paved shoulder adjacent to roadway potentially using pinned curb to separate pedestrians from motorists may be a more cost effective alternative than the traditional curb, gutter and sidewalk.

It is also important to note, that the Sidewalk Advisory Committee (SAC) reviewed and discussed such alternative sidewalk treatments as part of their work effort. The SAC recommendation on this issue included such flexibility and is for the City to use a “Right Solution/Right Location” framework for sidewalk treatments. The standard designs should remain, but staff will also look at alternatives that makes sense for the location. Regardless of design, any facilities built would meet ADA standards to serve all users. More information on the SAC’s recommendation can be found within Attachment G of the June 4, 2018 staff report adopting the 2018 Sidewalk Prioritization Plan. Decisions on the “Right Solution/Right Location” would be made during the design of the sidewalk projects.

### **Ballot and Voter Pamphlet Requirements**

If the Council decides to move forward with placing the sales tax ballot measure on the November ballot, the title of the ballot measure and the voters’ pamphlet are required to adhere to the following requirements:

#### **Ballot Title**

The ballot title for the proposed sales and use tax consists of three elements:

- a. An identification of the enacting legislative body and a statement of the subject matter;
- b. A concise description of the measure; and
- c. A question for the voting public.

The ballot title must be approved by the City Attorney and must conform to the requirements and be displayed substantially as provided under RCW 29A.72.050, except that the concise description must not exceed 75 words. Any person who is dissatisfied with the ballot title may at any time within 10 days from the time of the filing

of the ballot title with King County Elections, appeal to King County Superior Court. The currently proposed ballot title in proposed Resolution No. 430 is as follows:

**CITY OF SHORELINE, WASHINGTON  
(SHORELINE TRANSPORTATION BENEFIT DISTRICT)  
PROPOSITION 1  
SALES AND USE TAX FOR  
SIDEWALK AND PEDESTRIAN IMPROVEMENTS**

The City Council of the City of Shoreline, Washington adopted Resolution 430 concerning a sales and use tax to fund sidewalk transportation improvements. If approved, this proposition would authorize a sales and use tax of 0.2% within the City pursuant to RCW 82.14.0455, for a term of 20 years, to repay indebtedness issued from time to time to construct, maintain, rehabilitate, repair and/or preserve sidewalks and pedestrian improvements in the City in order to improve pedestrian access and safety and/or the condition and life cycle of the City's sidewalk pedestrian system.

Should this proposition be:

Approved



Rejected



Staff is still working on small edits to language of the ballot proposition and may continue to provide updates to the City Council prior to final adoption of proposed Resolution No. 430 on July 30, 2018.

*Voters' Pamphlet*

For the primary and general election, King County publishes a voters' pamphlet. Districts placing measures on the ballot are automatically included in the voters' pamphlet.

The City must provide an explanatory statement of the ballot title for the voter's pamphlet. The statement describes the effect of the measure if it is passed into law, and cannot intentionally be an argument likely to create prejudice either for or against the measure. The explanatory statement is limited to 250 words, must be signed by the City Attorney, and submitted to King County Elections by August 10, 2018. City staff are working with the City's Bond Counsel to finalize the proposed voters' pamphlet content.

The City is also responsible for appointing committees to prepare statements in favor of and in opposition to the ballot measure. There is a limit of three members per committee. The committee appointments must be filed by August 10, 2018. Assuming that the Council moves forward with adoption of proposed Resolution No. 430, staff has scheduled for Council to make appointments to these committees at the City Council meeting on August 6, 2018. Staff is recommending that Council direct staff to begin advertising for interested parties to submit applications on July 17, 2018.



The statements in favor of or in opposition to the ballot measure must be submitted by the Pro and Con committees to King County Elections no later than August 14, 2018. These statements are limited to 200 words. Rebuttal statements by each of the respective committees must be submitted to the County no later than August 16, 2018. Rebuttal statements are limited to 75 words.

### **NEXT STEPS**

If Council directs staff to continue to move forward with a proposed voter approved sales tax increase of 0.2 percent for sidewalk maintenance and expansion, the next steps in the process would be as follows:

- Continued Council discussion of proposed Resolution No. 430 and potential action on July 30, 2018.
- If the proposed resolution is adopted, staff would solicit interested persons and Council would appoint Pro and Con committees for the Voters' Pamphlet on August 6, 2018.
- City staff would then execute the Communication Plan regarding the ballot measure.

### **STAKEHOLDER OUTREACH**

In addition to the year-long engagement of the SAC, staff held two public workshops that informed both the SAC and staff recommendations for funding. The public has also been informed through articles in the City's newsletter *Currents*. Informational sessions are planned with community groups in the remainder of spring and summer to share the outcome of SAC's work and the sidewalk funding plan.

### **COUNCIL GOALS ADDRESSED**

This item addresses the following 2018-2020 City Council Goals:

*Goal 2: Improve Shoreline's infrastructure to continue the delivery of highly-valued public services:*

Action Step 1 – Identify and advocate for funding, including grant opportunities, to support construction of new and maintenance of existing sidewalks and other non-motorized facilities, and

Action Step 8 - Update the Transportation Master Plan (TMP) Pedestrian System Plan and sidewalk prioritization process and move the Master Street Plan from the TMP to Title 12 of the Shoreline Municipal Code.

*Goal 4: Expand the City's focus on equity and inclusion to enhance opportunities for community engagement:*

Action Step 3 – Ensure continued compliance with federal and state anti-discrimination laws, including Title VI of the Civil Rights Act, the Civil Rights Restoration Act, Title II of the Americans with Disabilities Act, and Washington's Law Against Discrimination, so as to ensure all Shoreline residents benefit from the City's programs and activities.

### **RESOURCE/FINANCIAL IMPACT**

While this policy discussion does not have immediate financial impact, the imposition of the TBD sales tax at a rate of 0.2 percent would generate approximately \$2 million in its first year. If approved by the voters, the sales tax increase would generate approximately \$24 million for 10 years or \$59 million over 20 years. Staff estimates election costs associated with placing the sales tax measure on the ballot at approximately \$60,000.

### **RECOMMENDATION**

No action is required tonight. Staff recommends that the City Council discuss proposed Resolution No. 430 and provide guidance to staff on the proposed resolution. Proposed Resolution No. 430 is scheduled to be brought back to Council for adoption on July 30, 2018.

### **ATTACHMENTS**

- Attachment A: Proposed Resolution No. 430
- Attachment B: Map of Projects Recommended for Consideration with a Ballot Measure

**RESOLUTION NO. 430**

**A RESOLUTION OF THE CITY OF SHORELINE, WASHINGTON, PROVIDING FOR A BALLOT PROPOSITION TO BE SUBMITTED TO THE QUALIFIED VOTERS OF THE CITY AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 6, 2018, TO AUTHORIZE A SALES AND USE TAX TO BE IMPOSED WITHIN THE BOUNDARIES OF THE CITY UPON ALL TAXABLE RETAIL SALES AND USES IN THE AMOUNT OF TWO-TENTHS OF ONE PERCENT FOR A PERIOD OF NOT MORE THAN TWENTY YEARS, COMMENCING NOT EARLIER THAN APRIL 1, 2019, FOR THE PURPOSE OF FINANCING THE COSTS OF CONSTRUCTING, MAINTAINING, REHABILITATING, REPAIRING AND/OR PRESERVING SIDEWALKS IN THE CITY.**

WHEREAS, chapter 36.73 RCW enables cities and counties to create transportation benefit districts to finance and carry out transportation improvements necessitated by economic development and to improve the performance of transportation systems; and

WHEREAS, pursuant to chapter 36.73 RCW, on June 25, 2009 the Shoreline City Council approved Ordinance No. 550 creating the Shoreline Transportation Benefit District (the “District”) with boundaries coterminous with the City of Shoreline, Washington (the “City”); and

WHEREAS, the District was originally organized as a legally separate municipal entity and taxing authority from the City; and

WHEREAS, on October 22, 2015, the City Council approved Ordinance No. 726, whereby the Council assumed the rights, powers, immunities, functions and obligations of the District, as allowed by Second Engrossed Substitute Senate Bill 5987, Section 302 (July 15, 2015), and as a result, the District was absorbed into the City and is no longer considered a legally separate entity; and

WHEREAS, the City Council has identified the sales and use tax as an authorized source of revenue identified in chapter 36.73 RCW to finance the transportation capital improvements identified in the “Washington Transportation Plan for 2007–2026” and/or the City’s Transportation Plan; and

WHEREAS, RCW 36.73.040(3)(a) gives transportation benefit districts the authority to impose a sales and use tax in accordance with RCW 82.14.0455 in the amount of two-tenths of one percent (0.2%) for a period exceeding ten years if the moneys received under such section are dedicated for the repayment of indebtedness incurred in accordance with the requirements of chapter 36.73 RCW; and

WHEREAS, with voter approval, the City (acting through its assumed powers of the District) may impose a sales and use tax upon the occurrence of any taxable event within the boundaries of the City/District to finance transportation improvements; and

WHEREAS, in June 2017, through an open solicitation for volunteers, the City Manager appointed 15 citizens to serve on the Sidewalk Advisory Committee to help analyze how to prioritize installation of new sidewalks and repairs of existing sidewalks and ramps, alternative pedestrian treatments, and fund repair of existing sidewalks and installation of new sidewalks in the City; and

WHEREAS, the work included holding 12 Sidewalk Advisory Committee meetings, four subcommittees meetings, two open houses, and two Council dinner meetings, preparing a video about Shoreline sidewalks, and developing a Sidewalk Prioritization Plan Frequently Asked Questions that was shared with the public; and

WHEREAS, on May 10, 2018, the Sidewalk Advisory Committee held their last meeting and culminated its year-long efforts into a Final Recommendations Memorandum to the City Manager; and

WHEREAS, on June 4, 2018, based on the work of the Sidewalk Advisory Committee, the Council reviewed and approved the 2018 Sidewalk Prioritization Plan (as it may be amended, supplemented, and restated from time to time as the “Sidewalk Prioritization Plan”) as the basis for developing a list of projects to fund with revenues from a possible transportation benefit district sales and use tax, future grant applications, and uncommitted City funds; and

WHEREAS, projects related to public transportation as described in the Sidewalk Prioritization Plan are included in the definition of a transportation improvement project pursuant to RCW 36.73.015(6) and are eligible transportation benefit district projects; and

WHEREAS, if approved by the voters, the sales and use tax will apply to persons who shop and thereby use the sidewalks and roads in the City and not just to City residents; and

WHEREAS, the sales and use tax is estimated to generate an average of \$2,000,000.00 of revenue per year, which will be used entirely to finance the cost to construct and maintain sidewalks and related infrastructure identified in Section 2 of this resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON AS FOLLOWS:

**Section 1. Current Purpose and Need.** The City Council hereby finds that the best interests of the inhabitants of the City require the City (acting through its assumed powers of the District) to submit to the qualified voters of the City/District, at a general election to be held on November 6, 2018, a proposition authorizing the imposition of a sales and use tax in the amount of two-tenths of one percent (0.2%) pursuant to RCW 36.73.040(3)(a), 36.73.065(1) and 82.14.0455 for the purpose of providing revenue necessary to finance the transportation improvement projects described in Section 2 of this resolution (“Projects”).

**Section 2. Description of Transportation Improvement Projects.** The revenues from a sales and use tax will be dedicated for the repayment of indebtedness issued from time to time in one or more series to finance the following Projects:

- The construction, maintenance, rehabilitation, repair and/or preservation of sidewalks and pedestrian improvements in the City in order to improve pedestrian access and safety and/or the extension of the condition and life cycle of the City's sidewalk pedestrian system. The sidewalks to be constructed, maintained, rehabilitated, repaired and/or preserved include:

<u>No.</u>	<u>Street</u>	<u>From</u>	<u>To</u>
98	15 <sup>th</sup> Ave NE	NE 150 <sup>th</sup> St	NE 160 <sup>th</sup> St
57	Meridian Ave N	N 194 <sup>th</sup> St	N 205 <sup>th</sup> St
21	8 <sup>th</sup> Ave NW	North side of Sunset Park	Richmond Beach Rd NW
34	Dayton Ave N	N 178 <sup>th</sup> St	N Richmond Beach Rd
73	19 <sup>th</sup> Ave NE	NE 196 <sup>th</sup> St	NE 205 <sup>th</sup> St
58	1 <sup>st</sup> Ave NE	NE 192 <sup>nd</sup> St	NE 195 <sup>th</sup> St
40	Westminster Way N	N 145 <sup>th</sup> St	N 153 <sup>rd</sup> St
85	5 <sup>th</sup> Ave NE	NE 175 <sup>th</sup> St	NE 185 <sup>th</sup> St
48	Linden Ave N	N 175 <sup>th</sup> ST	N 185 <sup>th</sup> St
84	24 <sup>th</sup> Ave NE	15 <sup>th</sup> Ave NE	25 <sup>th</sup> Ave NE
4	20 <sup>th</sup> Ave NW	Saltwater Park entrance	NW 195 <sup>th</sup> St

- The construction, maintenance, rehabilitation, repair and/or preservation of other sidewalks in the City, including those identified in the Sidewalk Prioritization Plan and related Prioritization Matrix (as it may be amended, supplemented, and restated from time to time), and to provide for related pedestrian improvements as set out in the City's American with Disabilities Act Transition Plan through the City's annual budget.

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.

The City Council shall determine the application of moneys available for the Projects so as to accomplish, as nearly as may be practical, all of the Projects. In the event that the proceeds of sales and use taxes authorized herein, plus any other money of the City legally available therefore, are insufficient to accomplish all of the Projects, the City Council shall use the available funds for paying the cost of those portions of the Projects deemed by the City Council most necessary and in the best interests of the City.

The City Council 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 City Council may alter, make substitutions to, and amend the Projects as it determines is in the best interests of the City consistent with the general descriptions provided above.

If the City Council 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 City Council 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 City Council may apply the sales and use tax proceeds (including earnings thereon) or any portion thereof to other pedestrian improvements then identified in the Transportation Improvement Plan adopted by the Council, as it may be amended, supplemented, and restated from time to time.

**Section 3. Sales and Use Tax.** If approved by a majority of voters voting at the election, the City Council for the City shall fix and impose a sales and use tax as authorized by RCW 36.73.040(3)(a) and RCW 82.14.0455 upon taxable events at the rate of two-tenths of one percent (0.2%) of the selling price (in the case of sales tax) and the value of the article used (in the case of the use tax). Revenues of the sales and use tax shall be dedicated for the repayment of indebtedness issued from time to time in one or more series to pay for costs of the Projects described in Section 2 of this resolution. The sales and use tax shall be imposed for a period not exceeding twenty (20) years. The tax shall be in addition to any other taxes authorized by law and shall be collected from those persons who are taxable by the state under chapter 82.08 and 82.12 RCW, as amended, upon the occurrence of any taxable event within the boundaries of the City. The City Council may reduce the amount of the sales and use tax in the manner provided by law.

**Section 4. Findings of Fact.**

1. The District was permitted to place a ballot measure before the voters and, upon receipt of voter approval, is so authorized pursuant to RCW 36.73.040(3)(a) to impose a sales and use tax in accordance with RCW 82.14.0455.
2. The provisions of Ordinance No. 550 adequately state the purpose and need for the District in the City.
3. Pursuant to Ordinance No. 726, the City assumed the rights, powers, immunities, functions and obligations of the District, as allowed by Second Engrossed Substitute Senate Bill 5987, Section 302 (July 15, 2015), and as a result, the District was absorbed into the City and is no longer considered a legally separate entity.
4. The City, acting through its assumed powers, will now place a ballot measure before the voters pursuant to RCW 36.73.040(3)(a) to impose a sales and use tax in accordance with RCW 82.14.0455.

**Section 5. Ballot Measure.** The Director of Elections of King County, Washington (the "Director"), as ex officio supervisor of elections in King County, Washington, is hereby requested to call and conduct an election in the City to be held on November 6, 2018, for the purpose of submitting to the qualified electors of the City for their approval or rejection, a proposition in accordance with state law and in substantially the following form:

**CITY OF SHORELINE, WASHINGTON  
(SHORELINE TRANSPORTATION BENEFIT DISTRICT)  
PROPOSITION 1  
SALES AND USE TAX FOR  
SIDEWALK AND PEDESTRIAN IMPROVEMENTS**

The City Council of the City of Shoreline, Washington adopted Resolution 430 concerning a sales and use tax to fund sidewalk transportation improvements. If approved, this proposition would authorize a sales and use tax of 0.2% within the City pursuant to RCW 82.14.0455, for a term of 20 years, to repay indebtedness issued from time to time to construct, maintain, rehabilitate, repair and/or preserve sidewalks and pedestrian improvements in the City in order to improve pedestrian access and safety and/or the condition and life cycle of the City's sidewalk pedestrian system.

Should this proposition be:

Approved



Rejected



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

The City Clerk 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 City 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 at the November 6, 2018 general election.

**Section 6. Voters' Pamphlet.** The Council finds and declares it to be in the best interests of the City to have information regarding the aforesaid proposition included in local voters' pamphlets, and authorizes the appropriate costs thereof to be charged to and paid by the City, and further authorizes and directs the City Attorney and City Clerk to provide such information to the Director and to take such other actions as may be necessary or appropriate to that end.

**Section 7. 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.

**ADOPTED BY THE CITY COUNCIL ON JULY 30, 2018.**

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Mayor Will Hall

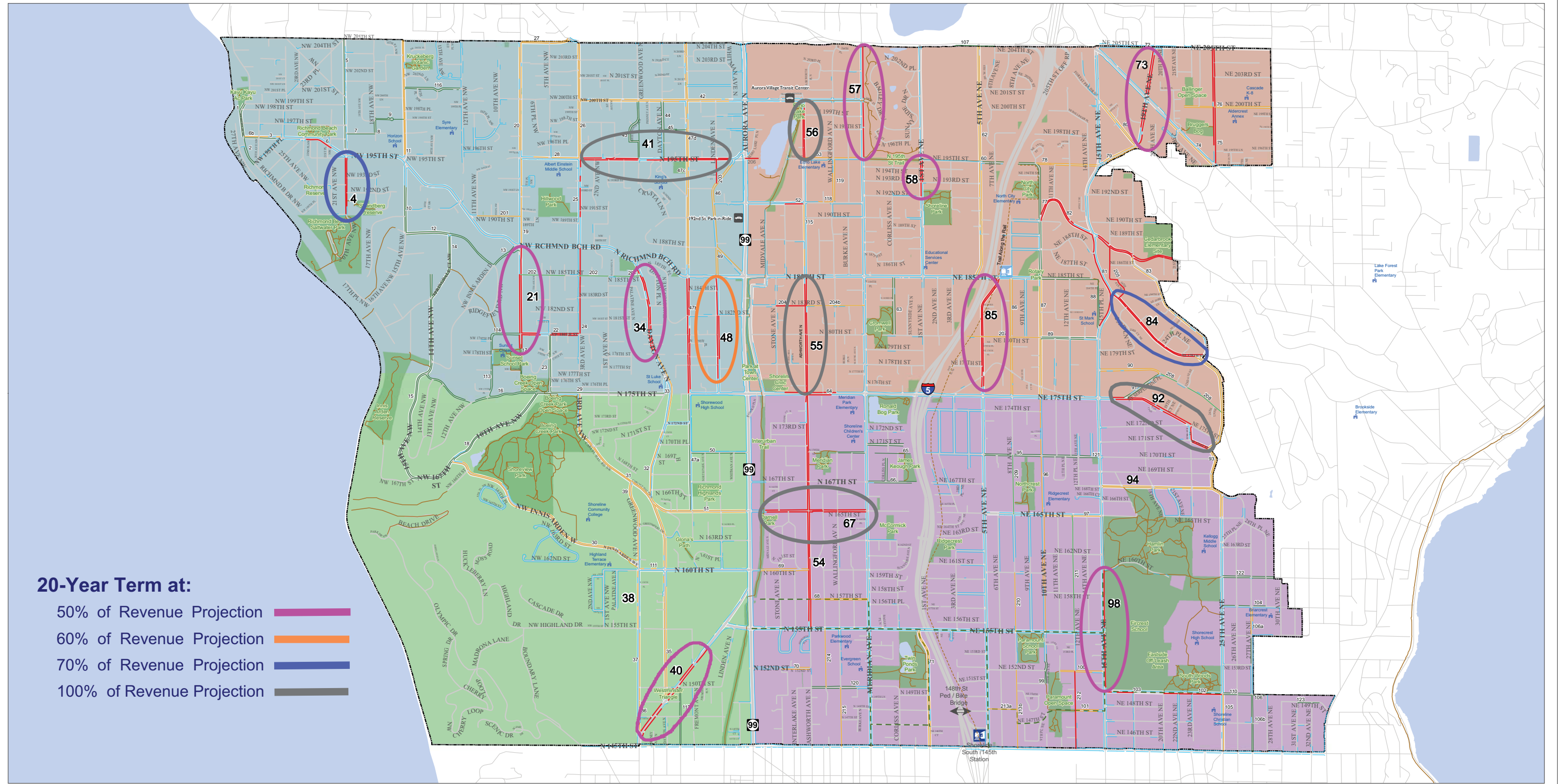
**ATTEST:**

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Jessica Simulcik Smith  
City Clerk

DRAFT





Date: 6/1/2018

Request: 15064



Geographic Information System

## Prioritized Sidewalk Segments Supporting a Ballot Measure

with Project Numbers and Quadrant Overlay

July 16, 2018