

**WOODLAND  
TRANSPORTATION BENEFIT DISTRICT**

**RESOLUTION NO. 739**

A RESOLUTION OF THE WOODLAND TRANSPORTATION BENEFIT DISTRICT BOARD PROVIDING FOR A BALLOT PROPOSITION TO SUBMIT TO QUALIFIED VOTERS ON NOVEMBER 2, 2021, TO AUTHORIZE A SALES AND USE TAX TO BE IMPOSED WITHIN THE BOUNDARIES OF THE DISTRICT UPON ALL TAXABLE RETAILS SALES AND USES IN THE AMOUNT OF TWO-TENTHS OF ONE PERCENT (0.2%) TO FINANCE ALL OR A PORTION OF THE COSTS ASSOCIATED WITH TRANSPORTATION IMPROVEMENTS IN THE DISTRICTS IDENTIFIED HEREIN

RECITALS:

1. The City of Woodland established a transportation benefit district as authorized by the Revised Code of Washington (RCW) 35.21 .225 and subject to the provisions of RCW 36.73 through the adoption of Ordinance No. 1623 on June 20, 2016 for the purpose of acquiring, constructing, improving, providing, and funding transportation improvements within the district that are consistent with any existing state, regional, and local transportation plans and necessitated by existing or reasonably foreseeable congestion levels (see Woodland Municipal Code 3.16); and
2. The City Council of the City of Woodland found it to be in the best interest of the City to establish a citywide transportation benefit district for the preservation and maintenance of the City's transportation infrastructure; and
3. The Woodland voters defeated the ballot measure to fund the transportation benefit district in November 2017 by a vote of 47.45% yes to 52.55% no; and
4. The City Council thereafter, on June 18, 2018, abolished the Woodland Transportation Benefit District and the City Council absorbed powers of the district and the City was vested with all the rights of the TBD; and
5. The continuing growth of the City of Woodland, and the steady wear and tear on existing roads, makes it critical that the City adopt and systematic approach the maintenance of the existing roads as well as fund new roads to meet the demands of growth; and
6. The current necessary transportation improvement projects are identified in the City of Woodland Transportation Improvement Program for years beginning 2021 and ending 2026, dated June 1, 2020 and current funding levels are insufficient to meet even the minimum demands of the need to maintain current roads and the need to fund roads needed to meet the projected growth; and
7. RCW 36.73.040 (3)(a) authorizes transportation benefit districts to impose a sales and use tax in accordance with RCW 82.14.0455(1) in an amount not exceeding two-tenths of

one percent (0.2%) for a period of ten (10) years upon a favorable vote of the qualified electors within the district for the purpose of financing certain transportation improvements; and

8. The City Council has determined once more to ask the voters for their approval of a ten year plan to meet the demands for the City's roads; and therefore

THE CITY OF WOODLAND TRANSPORTATION BENEFIT DISTRICT DOES RESOLVE AS FOLLOWS:

**Section 1. Purpose.** The governing board of the Woodland Transportation Benefit District finds that it is in the best interest of the district to submit to the qualified voters of the district, at an election on November 2, 2021, a proposition authorizing the City of Woodland Lake Transportation Benefit District to impose a sales and use tax of two-tenths of one percent (0.2%) pursuant to RCW sections 36.73.040(3)(a), 36.73.065(1), and 82.14.0455 for the purpose of raising revenue to acquire, invest in, construct, improve, provide, operate, preserve, maintain and/or fund transportation improvements in the district, and to impose such sales and use tax if approved by an affirmative vote of a majority of the district voters voting at the election.

**Section 2. Revenues.** The revenues received from this portion of the sales and use tax shall only be expended on transportation projects approved by the Board of the District. The governing board of the TBD shall determine the application of moneys available for the TBD projects so as to accomplish projects.

**Section 3. Material change policy.** The governing board may alter, make substitutions to, and amend the projects as it determines 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 RCW Chapter 36.73, including and without limitation RCW 36.73.050(2)(b) as amended.

**Section 4. Considerations regarding transportation improvements.** The governing board finds that the transportation improvements which will reduce risk of transportation facility failure and improve safety, improve travel time, improve air quality, increase daily and peak-period trip capacity, improve modal connectivity, improve freight mobility, provide cost-effective investment, provide for optimal performance of the transportation system through time, and improve accessibility for, or other benefits to, persons with special transportation needs are in the best interests of the City.

**Section 5. Ballot Measure.** The Auditors of Cowlitz County and Clark County, as ex-officio supervisor of elections, are hereby requested to conduct an election in the City of Woodland Transportation Benefit District, in the manner provided by law, to be held on November 2, 2021, for the purpose of submitting to the qualified electors of the Transportation Benefit District, a proposition in accordance with RCW 29A36.071 and in substantially the following form:

City of Woodland Transportation Benefit District  
Woodland, Washington  
Sales and Use Tax for

Transportation Improvements

The City of Woodland Transportation Benefit District Board adopted Resolution No. \_\_\_\_\_ concerning a sales and use tax to fund transportation improvements. This proposition would authorize the establishment of a sales and use tax of two-tenths of one percent (0.2%) to be collected from all taxable retail sales and uses within the district in accordance with RCW 82.14.0455 for a term of ten (10) years for the purpose of paying costs of transportation improvements identified in the City's Transportation programs.

Shall this proposition be approved?

Yes

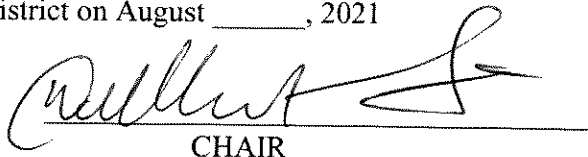
No

**Section 6. Authorization.** The clerk of the City of Woodland Transportation Benefit District is authorized and directed to present this resolution to the Auditors of Cowlitz County and Clark County, Washington in accordance with RCW 29A.04.321 and as provided by law.

**Section 7. Corrections.** The clerk of the City of Woodland Transportation Benefit District is authorized to make necessary clerical corrections to this resolution, including but not limited to the corrections of scrivener's and clerical errors, references, numbering, section and subsection number and any references thereto, and to make corrections and revisions consistent with the requirements of the offices of the Cowlitz County Auditor and the Clark County Auditor which do not change the substantive meaning of this resolution.

**Section 8. 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.

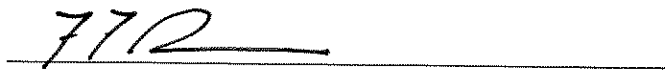
Adopted by the Transportation Benefit District on August \_\_\_\_\_, 2021

  
CHAIR

ATTEST:

  
GEORGINA ANDERSON, Deputy Clerk-Treasurer

APPROVED AS TO FORM:

  
FRANK F. RANDOLPH, City Attorney