



Snohomish County Elections
A Division of the Auditor's Office

Ballot Measure Cover Sheet
Receipt of Resolution Calling for an Election

Please complete this form and submit with your resolution by the deadline date. Materials may be submitted via mail, email, fax, or in person. Call 425-388-3321 with questions about submitting a resolution or completing this form.

District Information

District Name: City of Stanwood

Contact Person Name: Lisa Sokolik

Contact Phone & email: 360-454-5213 lisa.sokolik@ci.stanwood.wa.us

Election Information

Election Date: November 8, 2022

Type of Measure: Sales and Use Tax Renewal
(e.g., Levy, Bond, Levy Lid Lift, etc.)

Pass/Fail Requirements: Simple Majority
(e.g., Simple Majority, 60% plus minimum turnout, etc.)

Attorney Information

Name: Nikki Thompson, Partner Firm: Thompson, Guildner & Associates, Inc. P.S.

Phone & email: (253) 332-3496 nikkit@trustedguidancelaw.com

Have you included:

- Resolution signed by governing body?
- Explanatory Statement (not to exceed 200 words) with a letter from the district's attorney attesting that it was prepared by him/her?
- Pro and Con Committee Appointment Forms?

Explanatory statements and pro/con statements are printed in the local voters' pamphlet for every election.

Elections Office Use

Snohomish County Auditor
AUG 1 '22 PM 2:02
RCUD MS

Lisa Sokolik
Person Delivering Resolution

M. SENTER
Staff Receiving Resolution

3000 Rockefeller Avenue, M/S 505 | Everett, Washington 98201-4046 | (425) 388-3444
elections@snoco.org | www.snoco.org/elections

RESOLUTION 2022-10

A RESOLUTION OF THE CITY OF STANWOOD, WASHINGTON, PROVIDING FOR A BALLOT PROPOSITION TO BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY ON NOVEMBER 8, 2022, TO RENEW A SALES AND USE TAX WITHIN THE BOUNDARIES OF THE CITY UPON ALL TAXABLE RETAIL SALES AND USES IN THE AMOUNT OF TWO-TENTHS OF ONE PERCENT (0.2%) FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF THE COSTS ASSOCIATED WITH TRANSPORTATION IMPROVEMENTS IN THE CITY IDENTIFIED HEREIN FOR A PERIOD OF TEN (10) YEARS.

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, the City of Stanwood (the "City") approved Ordinance No. 1328 on November 19, 2012, establishing Stanwood Transportation Benefit District (the "District") pursuant to Chapter 36.73 RCW; and,

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

WHEREAS, pursuant to Ordinance 1406, in January 2016, the City Council assumed the rights, powers, immunities, functions and obligations of the District, as allowed by RCW 36.74.020, and as a result, the District was absorbed into the City and is no longer considered a legally separate entity; and,

WHEREAS, RCW 36.73.040(3) gives transportation benefit districts the authority to impose taxes, fees, charges, and tolls to carry out the purposes of the District; and,

WHEREAS, the City has identified a sales and use tax, in accordance with RCW 82.14.0455, as the authorized source of revenue to finance the transportation capital improvements identified in the City's Six-year Capital Improvements Plan or as hereafter amended, (the "TBD Projects"); and,

WHEREAS, the sales and use tax placed on taxable retail sales within the District, in the amount of two-tenths of one percent (0.2%) would be in effect for a period of ten years upon a favorable vote of the qualified electors within the District; and,

WHEREAS, it is the intent of the City to allocate funds from the voter approved sales and use tax in a manner that generally balances the use of the funds equitably among the TBD Projects during the 10-year period of the levy;

NOW, THEREFORE THE CITY OF STANWOOD CITY COUNCIL AS THE GOVERNING BOARD OF THE STANWOOD TRANSPORTATION BENEFIT DISTRICT, HEREBY RESOLVES AS FOLLOWS:

Section One. Findings – Description of the TBD Projects. The City hereby finds that the best interests of the inhabitants of the City require the City to renew a sales and use tax of two-tenths of one percent (0.2%) pursuant to RCW 36.73.040(3)(a), RCW 36.73.065 and RCW 82.14.0455 for the purpose of providing a portion of the funds necessary to finance the TBD Projects.

The TBD Projects consist of the transportation improvement projects described in the City's Six-year Capital Improvements Plan (or as hereafter amended).

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 City 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 City legally available therefore, are insufficient to accomplish all of the TBD Projects, the City shall use the available funds for paying the cost of those portions of the TBD Projects deemed by the City most necessary and in the best interest of the City.

The City 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 City may alter, make substitutions to, and amend the TBD Project descriptions as it determines is in the best interests of the City and in accordance with the material change policy adopted by the City 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 City 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, or acquisition by a superior governmental authority, the City shall not be required to acquire, construct, or implement such portions.

Section Two. Ballot Measure. The Snohomish County Auditor (the "Director"), as ex officio supervisor of elections in Snohomish County, Washington, is hereby requested to call and conduct an election to be held within the District on November 8, 2022, 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 STANWOOD, WASHINGTON
(STANWOOD TRANSPORTATION BENEFIT DISTRICT)
PROPOSITION 1
SALES AND USE TAX FOR
TRANSPORTATION IMPROVEMENTS**

The Stanwood City Council adopted Resolution 2022-10 concerning a tax to fund transportation improvements. This proposition would renew a sales and use tax of two-tenths of one percent (0.2%) to be collected from all taxable retail sales in accordance with RCW 82.14.0455 for 10 years. Funds would be used to pay costs associated with transportation improvement projects identified in the City of Stanwood's Six-year Capital Improvements Plan.

Should this proposition be approved?

Yes?

No?

Section Three. Notice. For purposes of receiving notice of the exact language of the ballot proposition required by RCW 29A.36.080, the City Council hereby designates the City Attorney as the individual to whom such notice should be provided. The City Attorney is authorized to approve changes to the ballot title, if any, deemed necessary by the Director.

Section Four. Corrections. 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 references thereto.

Section Five. Authorization. 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 renewed, as provided in this resolution, to the electors at the November 8, 2022 election.

Section Six. Voter's 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 that the City Attorney and City Clerk provide such information to the Director and to take such other actions as may be necessary or appropriate to that end.

Section Seven. 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.

PASSED by the City Council of Stanwood, Washington, at a regular open public meeting thereof held this 14th day of July 2022.

CITY OF STANWOOD



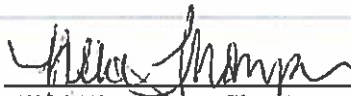
Sid Roberts, Mayor

Attest:



Lisa Sokolik, City Clerk

Approved as to form:



Nikki Thompson, City Attorney



Nikki Thompson
Emily Guildner
Grant Weed
Thom Graafstra
Erin Lewis
Anna Thompson

**THOMPSON GUILDNER
& ASSOCIATES INC. P.S.**
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360.568.3119
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Sent Via Email

August 1, 2022

City of Stanwood
Attn: Lisa Sokolik - City Clerk
10220 270th St. NW
Stanwood, WA 98292

Dear Ms. Sokolik:

Thompson, Guildner & Associates serves as City Attorney for the City of Stanwood. In that capacity, we have been asked to prepare an explanatory statement for the upcoming Transportation Benefit District 0.2% local sales tax ballot measure. The following statement has been prepared by my office and is ready to be transmitted to Snohomish County Elections Department with the ballot materials:

Explanatory Statement

If approved, this measure would keep the two-tenths of one percent (0.2%) currently included in the local sales tax rate (9.3%) to fund costs of preserving streets in the City of Stanwood and constructing street improvement projects. The sales tax rate would remain in place for 10 years and raise approximately \$550,000 annually for paving streets and improvement projects. The funds to be generated from this ballot measure can only be used for qualifying safety and maintenance services, and capital projects included in the current six-year Transportation Improvement Plan. All consumers making purchases subject to sales tax in Stanwood would be taxed equally under this existing tax rate regardless of where they reside. If this measure is approved, a consumer's \$50 taxable purchase would continue to be taxed 4.65 cents as a result of maintaining this tax rate.

If you have any questions, please feel free to reach out.

Sincerely,

Nikki C. Thompson

Snohomish County Auditor

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