

**TRANSPORTATION BENEFIT DISTRICT OF THE CITY OF AIRWAY HEIGHTS,
WASHINGTON**

RESOLUTION NO. 2022-001

A RESOLUTION OF THE GOVERNING BOARD OF THE TRANSPORTATION BENEFIT DISTRICT OF THE CITY OF AIRWAY HEIGHTS, WASHINGTON, PROVIDING FOR A BALLOT PROPOSITION TO BE SUBMITTED TO THE QUALIFIED VOTERS OF THE TRANSPORTATION BENEFIT DISTRICT OF THE CITY OF AIRWAY HEIGHTS, WASHINGTON AT THE GENERAL ELECTION TO BE HELD ON NOVEMBER 8, 2022, TO COLLECT A SALE AND USE TAX WITHIN THE BOUNDARIES OF THE TRANSPORTATION BENEFIT DISTRICT OF THE CITY OF AIRWAY HEIGHTS, WASHINGTON UPON ALL TAXABLE RETAIL SALES AND USES IN THE AMOUNT OF THREE-TENTHS OF ONE PERCENT FOR A PERIOD OF NOT MORE THAN TEN YEARS, COMMENCING NOT EARLIER THAN JANUARY 1, 2024, FOR THE PURPOSE OF FUNDING TRANSPORTATION IMPROVEMENTS, PLUS OPERATIONS AND MAINTENANCE OF CITY STREETS WITHIN THE TRANSPORTATION BENEFIT DISTRICT OF THE CITY OF AIRWAY HEIGHTS, WASHINGTON.

WHEREAS, chapter 36.73 RCW enables cities and counties to create transportation benefit districts; and

WHEREAS, pursuant to chapter 36.73 RCW and RCW 35.21.225, in April of 2013, the Airway Heights City Council approved Ordinance No. C-973 creating the Transportation Benefit District of the City of Airway Heights, Washington (the "District") with boundaries coterminous with the City of Airway Heights, Washington (the "City"); and

WHEREAS, the District is a municipal corporation and independent taxing authority duly organized and existing under and by the laws of the State of Washington; and

WHEREAS, the governing board of the District is the City Council of the City acting in an ex officio and independent capacity, with the authority to exercise the statutory powers set forth in Chapter 36.73 RCW; 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 up to three-tenths of one percent (0.30%), for a period of not more than ten years, upon the favorable vote of the qualified electors within the District for the purpose of funding transportation improvements; and

WHEREAS, a ballot measure to impose the tax at the rate of two-tenths of one percent was approved by the voters, and the District has been collecting the tax since 2013; and

WHEREAS, the District anticipates the continued growth of the City of Airway Heights, and the need for improvements to and maintenance of streets and transportation infrastructure;

WHEREAS, the cost of improvements to and maintenance of streets and transportation infrastructure are anticipated to exceed the revenues generated by the existing and authorized sales and use tax;

WHEREAS, the District desires to exercise its revenue authority and place a proposition before the District voters to increase the sale and use tax rate, and impose a sales and use tax at the rate of three-tenths of one percent as an allowable and feasible source of revenue identified in chapter 36.73 RCW to fund the City's Transportation Improvement Plan, including but not limited to general street maintenance and repairs and transportation infrastructure and the matters described on the attached Exhibit A; and

WHEREAS, the sales tax shall be used for the purpose of funding the "Transportation Improvement Plan" identified herein, and general street maintenance and repairs and transportation infrastructure.

NOW, THEREFORE, it is hereby resolved as follows:

1. **Findings.** The District hereby finds and declares it is in the best interests of the residents and visitors of the District to increase the sales and use tax rate, and impose a sales and use tax in the amount of three-tenths of one percent (0.30%) pursuant to RCW 36.73.040(3)(a) and RCW 82.14.0455 for the purpose of funding the "Transportation Improvement Plan" and general maintenance and repairs of City streets and transportation infrastructure.
2. **Financial Obligations.** The District declares that financial obligations for the "Transportation Improvement Plan" and general street maintenance and repairs and transportation infrastructure shall be funded and financed by the proposed sales tax which shall not exceed 0.30% of the *selling price* in the case of sales tax or *value* of the article used in the case of a use tax.
3. **Election.** At the general election within the District on Tuesday, November 8, 2022, the District desires to submit to the qualified electors of the District, for the ratification or rejection, the proposal to increase and the sales and use tax rate, and impose the District's proposed sale tax in order to fund the "Transportation Improvement Plan", including but not limited to general street maintenance and repairs and transportation infrastructure and the matters described on the attached Exhibit A.
4. **Form of Proposition.** The proposition to be submitted by the Spokane County Auditor by the District shall be in substantially the following form:

PROPOSITION NO. _____

TRANSPORTATION BENEFIT DISTRICT OF AIRWAY HEIGHTS, WASHINGTON
SALES AND USE TAX LEVY FOR TRANSPORTATION IMPROVEMENT PLAN

The Transportation Benefit District of Airway Heights, Washington has adopted Resolution No. 2022-001, concerning a sales and use tax for transportation improvements, maintenance, repair and infrastructure. This proposition would increase the sales and use tax to 0.30%, from 0.20% (a one cent increase per \$10 sale), to be collected within the District for a term of ten years, beginning not earlier than January 1, 2024, and ending not later than December 31, 2033.

Should this proposition be:

Approved? _____

Rejected? _____

5. **Authority.** In the event the above proposition is approved by the legally required majority vote of qualified electors of the District, the District shall thereafter be authorized to implement a sales tax for up to a ten year period to fund the "Transportation Improvement Plan" and general street maintenance and repairs and transportation infrastructure.
6. **Duties of the District.** Upon approval of the District, the secretary of the District is directed to deliver this Resolution to the Spokane County Auditor for the purpose of placing this matter before the qualified electors.
7. **Effective Date.** This Resolution shall be in full force and effect immediately upon its adoption by the District governing board.
8. **Corrections.** The secretary of the District is authorized and the codifiers of this resolution are authorized to make necessary clerical corrections to this resolution, including, but not limited to, the correction of scrivener's/clerical errors, references, resolution numbering, section/subsection numbers and any references thereto.
9. **Severability.** If any section, sentence, clause or phrase of this resolution should be held 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.

INTRODUCED AND PASSED by the governing board of the Transportation Benefit District of the City of Airway Heights, Washington on this 18th day of July, 2022.




Chait, Larry Bowman

ATTEST:

APPROVED AS TO FORM:



Albert Tripp, Secretary



Stanley M. Schwartz, District Attorney

Resolution No. 2022-001

EXHIBIT A

CITY OF AIRWAY HEIGHTS

SIX YEAR TRANSPORTATION IMPROVEMENT PLAN (2023-2028)

Presented for Council Study Session June 27, 2022

Project No.	Project	Start	End	Improvement Type	Project Cost Est.	Potential Funding Sources	Target Completion
Roadway Corridor/Intersection Improvements:							
2023-1	6th Ave/12th Ave, U.S. 2 Congestion Relief	Garfield	Hayford	New Construction	\$4,300,000	City/TIB/Dev	Oct-23
2023-2	Hayford Road/12th Ave Signal or Roundabout			Intersection Improvements	\$530,000	City/TIB/Dev	Oct-23
2023-3	U.S. Route 2 Boulevard Safety Project (partial)	Hayford	Deer Heights	Safety/Corridor Revitalization	\$250,000	City	Oct-23
2023-4	Craig Road/U.S. 2 Roundabout			Intersection Improvements	\$3,940,000	City/Dev	Oct-23
2023-5	6th Ave/12th Ave, U.S. 2 Congestion Relief	Craig	Russell	Corridor Revitalization	\$3,150,000	City/WSDOT(Ped)/STA	Oct-23
2024-1	21st Ave, U.S. 2 Congestion Relief (60%)	Hayford	Deer Heights	New Construction	\$5,180,000	City/SRTC/TIB/Dev	Oct-24
2024-2	McFarlane EBRT at Hayford			Intersection Improvements	\$200,000	City	Oct-24
2024-3	6th Ave/12th Ave, U.S. 2 Congestion Relief	Russell	Garfield	Corridor Revitalization	\$2,080,000	City/TIB/WSDOT(Ped)	Oct-24
2025-1	6th Ave/12th Ave, U.S. 2 Congestion Relief	Hayford	Deer Heights	Corridor Revitalization	\$240,000	City/TIB/WSDOT(Ped)	Oct-25
2025-2	U.S. Route 2 Boulevard Safety Project	Craig	Hayford	Safety/Corridor Revitalization	\$1,750,000	City/WSDOT/SRTC	Oct-25
2026-1	Hayford Road/21st Signal or Roundabout			Intersection Improvements	\$740,000	City/TIB/SRTC	Oct-26
2027-1	21st Ave, U.S. 2 Congestion Relief	Garfield	Hayford	New Construction	\$4,910,000	City/TIB/SRTC/Dev	Oct-27
2028-1	Russell Street Extension	Sprague	Deno	New Construction	\$5,900,000	City/SRTC/Dev	Oct-28
2028-2	21st Ave, U.S. 2 Congestion Relief	Craig	Lawson	New Construction	\$7,000,000	City/TIB/SRTC	Oct-28
2028-3	21st Ave, U.S. 2 Congestion Relief	Lawson	Garfield	New Construction	\$4,490,000	City/TIB/SRTC	Oct-28
Other Planned Projects:							
2023-6	21st Ave Lane Paving	Lyons	Hayden	Pavement Installation	\$460,000	City	Oct-23
2023-7	14th Avenue Chip Seal	Lawson	Campbell	Chip Seal	\$230,000	City	Oct-23
2023-8	18th Avenue Chip Seal	Russell	Lawson	Chip Seal	\$170,000	City	Oct-23
2023-9	21st Ave Lane Paving	Garfield	Lyons	Pavement Installation	\$400,000	City	Oct-23
2023-10	Lawson Resurfacing, U.S. 2 - 8th Ave.	Lyons	8th	Overlay	\$400,000	City/TIB	Oct-23
2023-11	Ped/Bike: U.S. 2 Missing Southerly	Lyons	Hayford	Ped/Bike	\$640,000	City/Dev/WSDOT Ped/TIB	Oct-23
2024-4	21st Ave Lane Paving	Russell	Garfield	Pavement Installation	\$410,000	City	Oct-24
2024-5	Lawson Resurfacing, McFarlane - 21st	McFarlane	21st	Overlay	\$310,000	City/TIB	Oct-24
2024-6	Ped/Bike: Lundstrom Street, City Hall	U.S. 2	12th	Ped/Bike	\$90,000	City/WSDOT (Ped)	Oct-24
2024-7	12th Avenue Chip Seal, Craig - 300 ft east of Craig	Craig	300 ft east	Chip Seal	\$50,000	City	Oct-24
2024-8	Sunset Elementary, King Street and 10th Sidewalk	Aspen(100'E)	King Street	Ped/Bike/Crossing	\$800,000	City/WSDOT (Ped)	Oct-24
2025-3	Lundstrom Chip Seal, 17th - 21st	17th	21st	Chip Seal	\$370,000	City	Oct-25
2026-2	Russell Street Chip Seal	U.S. 2	21st	Chip Seal	\$350,000	City	Oct-26
2028-4	US-2 Multimodal Enhancements	Lundstrom	Lawson	Bike/Ped/Intersection Imps	\$10,990,000	City/SRTC/WSDOT	Oct-26

EXPLANATORY STATEMENT

If approved, this measure would increase the present sales and use tax from two-tenths of one percent (0.20%) to three-tenths of one percent (0.30%), increasing the local sales tax rate from 9.1% to 9.2%. The three-tenths of one percent tax rate equates to 3 cents on a \$10 purchase. The sales tax rate would remain in place for 10 years, beginning January 1, 2024, and raise approximately \$935,000.00 annually. The sales tax will only be used to fund street maintenance and repairs, and transportation infrastructure improvements, including but not limited to the projects identified in the City of Airway Heights Transportation Improvement Plan. The tax will be collected from all taxable sales occurring within the City of Airway Heights.

For/Against Committee Member Appointment Form

Name of District: City of Airway Heights
District Contact Name: Albert Tripp
Email Address: Atripp@cawh.org Phone: 509-434-4885

Jurisdiction's responsibility:

1. Email completed form to pamphlet@spokanecounty.org by the resolution submittal deadline.
2. Provide committee members with statement submission requirements and deadlines. Committees are solely responsible for submitting voters' pamphlet statements to the Elections Division.

Deadlines are on page 13 of these administrative rules. Questions? Contact the Elections Office at pamphlet@spokanecounty.org or call 509.477.2320.

Information for inclusion in voters' pamphlet:

"For" Committee (1-3 members):

Committee Name: _____

Phone: _____ Email: _____ Web: _____

Committee Member #1: Justin R. Davis Email: Jdavis4154@gmail.com

Committee Member #2: Donald Mitchell Jr. Email: DonaldMitchelljr@msn.com

Committee Member #3: Doyle Inman Email: Dkinman@aol.com

"Against" Committee (1-3 members):

Committee Name: _____

Phone: _____ Email: _____ Web: _____

Committee Member #1: _____ Email: _____

Committee Member #2: _____ Email: _____

Committee Member #3: _____ Email: _____