

1  
2  
3  
4  
5  
6  
7       CITY OF LAKE FOREST PARK  
8       TRANSPORTATION BENEFIT DISTRICT  
9       SPECIAL MEETING MINUTES  
10      DECEMBER 4, 2008

11      **Board Members present:** Dwight Thompson, Alan Kiest, Ed Sterner, Sandy Koppenol,  
12        Don Fiene, Donovan Tracy, Catherine Stanford

13  
14      **Staff present:** John Hawley, Finance Director; Rosemary Larson, Attorney for District;  
15        Susan Stine, District Clerk

16  
17      **Others present:** Six visitors

18      **CALL TO ORDER**

19  
20      Board Member Dwight Thompson called the Transportation Benefit District special  
21        meeting to order at 7:15 p.m. on December 4, 2008.

22  
23      **Adoption of Agenda**

24  
25      Thompson requested the addition of Resolution 1/Establishing Organizational Rules of  
26        Procedure under Board Business/Open Comment.

27  
28      Tracy requested addition of an agenda item under Board Business/Open Comment in the  
29        form of a motion to request the city attorney to review legislation pertaining to  
30        Transportation Benefit District.

31  
32      Board Member Kiest moved adoption of the agenda as amended. Thompson seconded.  
33       The motion carried unanimously.

34  
35      **Consent Calendar**

36  
37      Sterner moved adoption of the consent calendar as follows:

38       1. November 20, 2008 Transportation Benefit District Meeting Minutes

39  
40      Thompson seconded. The motion carried unanimously.

1   **Board Business/Open Comment**

2   **Resolution 1/Establishing Organizational Rules of Procedure**

4   Thompson noted his proposed addition to the draft resolution as follows:

6   “Be it further resolved, that regular meetings of the Transportation Benefit District Board  
7   will be held on the second Thursday of each month at 7 p.m.; and”

9   There was no objection to Attorney Rosemary Larson’s suggestion that the address of the  
10   Board’s meeting place be included in the resolution.

13   Fiene said that he would prefer to review the council rules prior to adopting language  
14   indicating that the council rules would be followed by the Board.

16   **Fiene moved** to amend Resolution 1 as follows:

18   “~~Be it further resolved, that the Council Rules, which may be amended from time to time,~~  
19   ~~will provide guidance to the Board for the conduct of its business.”~~

21   **Thompson seconded. The motion to amend carried unanimously.**

23   Discussion followed regarding the addition specifying the regular meeting schedule.

25   Following discussion, **Sterner moved** to amend Resolution 1 as follows:

27   “Be it further resolved, that the *Board shall elect a* City Councilmember *to* elected to  
28   serve as the Mayor *pro tempore* will also serve as the Board Chair; and”

30   **Thompson seconded. The motion to amend carried unanimously.**

33   **Stanford moved** adoption of Resolution 1 as amended. **Thompson seconded. The**  
34   **motion carried unanimously.**

37   **Nominations for Board Chair**

39   Thompson opened nominations for Board Chair.

41   **Fiene nominated** Ed Sterner for the position of Board Chair. **Thompson seconded.**

44   Hearing no further nominations, **Thompson moved to elect Sterner as Board Chair by**  
45   **unanimous vote.**

1     There being no objection, Sterner was elected by unanimous approval.

2  
3     The meeting continued with Sterner as chair.

4  
5  
6     **Board Business—Open Comment**

7     **Ordinance 1/Establishing Revenue Sources; Authorizing Collection of Fees**

8  
9     Kiest expressed his interest in exploring other potential funding mechanisms authorized  
10 by state statute. Discussion followed regarding those options, and Larson noted that two  
11 options require voter approval and the third can be approved by the Board.

12  
13  
14     **Board Business—Closed Comment**

15     **Ordinance 1/Establishing Revenue Sources; Authorizing Collection of Fees**

16  
17     Stanford moved adoption of Ordinance 1/Establishing Revenue Sources; Authorizing  
18 Collection of Fees. Koppenol seconded. The motion carried unanimously.

19  
20  
21  
22     **Board Business—Open Comment**

23     **Motion—Pertaining to Appointment of District Attorney**

24  
25     Tracy noted that he would present two motions pertaining to legal services for the  
26 District.

27  
28     Tracy moved that the Transportation Benefit District Board appoint the Lake Forest Park  
29 City Attorney to serve as the attorney for the District.

30  
31     Kiest seconded.

32  
33     Following discussion, the motion carried unanimously.

34  
35     **Motion—Request for Attorney Review of Legislation Pertaining to Transportation  
36 Benefit District**

37  
38     Tracy moved the following:

39  
40     “The Board of the Lake Forest Park Transportation Benefit District hereby requests the  
41 board’s attorney to review Chapter 36.73 RCW, related legislation and administrative  
42 codes, analyses performed by interested parties, such as the Association of Washington  
43 Cities, and other sources deemed appropriate and advise the board regarding:

44       a) The definition of “transportation improvement”,  
45       b) Restrictions on the application of district funds to transportation improvements,

1                   c) Whether district funds can be used for transportation improvements on property  
2                   not owned by the city,  
3                   d) Whether district funds can be used in conjunction with other entities, whether  
4                   public or private, to implement transportation improvements, and  
5                   e) Whether district funds can be used for planning and engineering studies related to  
6                   transportation improvements and what limitations may apply to such studies;

7  
8                   Additionally, the board requests its attorney to review Ordinance No. 983 to determine  
9                   whether any modifications are appropriate based on the above review;

10  
11                  Additionally, the board requests its attorney to advise the board regarding legal  
12                  requirements for the proper accounting of fund revenues, the requirements for an annual  
13                  report, and the fulfillment of audit requirements.”

14                  **Kiest seconded.**

15  
16                  Following discussion, **Kiest moved** to amend the motion as follows:

17  
18                  “The advice is to be submitted under attorney/client privilege.”

19                  **Fiene seconded.**

20  
21                  Following discussion, **the motion to amend carried unanimously.**

22  
23                  Following further discussion, board members agreed to place the motion as amended on  
24                  the December 11, 2008 Transportation Benefit District Board agenda for further  
25                  consideration following further review with the attorney.

26  
27                  ADJOURNMENT

28  
29                  There being no objection, the meeting was adjourned at 7:52 p.m.

30  
31  
32                  \_\_\_\_\_  
33  
34                  \_\_\_\_\_  
35                  \_\_\_\_\_  
36                  Susan Stine, District Clerk

37  
38                  \_\_\_\_\_  
39                  \_\_\_\_\_  
40                  \_\_\_\_\_  
41                  Ed Sterner, Board Chair