

**CITY OF LAKE FOREST PARK
TRANSPORTATION BENEFIT DISTRICT
SPECIAL MEETING MINUTES
DECEMBER 4, 2008**

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

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

Others present: Six visitors

CALL TO ORDER

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

Adoption of Agenda

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

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

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

Consent Calendar

Sterner moved adoption of the consent calendar as follows:

1. November 20, 2008 Transportation Benefit District Meeting Minutes

Thompson seconded. The motion carried unanimously.

1 **Board Business/Open Comment**

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

3
4 Thompson noted his proposed addition to the draft resolution as follows:

5
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”
8

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.
11

12
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.
15

16 Fiene moved to amend Resolution 1 as follows:

17
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.”~~
20

21 Thompson seconded. The motion to amend carried unanimously.

22
23 Discussion followed regarding the addition specifying the regular meeting schedule.

24
25 Following discussion, Sterner moved to amend Resolution 1 as follows:

26
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”~~
29

30 Thompson seconded. The motion to amend carried unanimously.

31
32
33 Stanford moved adoption of Resolution 1 as amended. Thompson seconded. The
34 motion carried unanimously.
35

36
37 **Nominations for Board Chair**

38
39 Thompson opened nominations for Board Chair.
40

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

42
43
44 Hearing no further nominations, Thompson moved to elect Sterner as Board Chair by
45 unanimous vote.
46

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

15 **Kiest seconded.**
16

17 Following discussion, **Kiest moved** to amend the motion as follows:
18

19 “The advice is to be submitted under attorney/client privilege.”
20

21 **Fiene seconded.**
22


23 Following discussion, **the motion to amend carried unanimously.**
24


25 Following further discussion, board members agreed to place the motion as amended on
26 the December 11, 2008 Transportation Benefit District Board agenda for further
27 consideration following further review with the attorney.
28
29

30 ADJOURNMENT

31

32 There being no objection, the meeting was adjourned at 7:52 p.m.
33

34 
35 _____
36 Susan Stine, District Clerk
37

38 
39 _____
40 Ed Sterner, Board Chair
41
42
43