

**CITY OF LAKE FOREST PARK  
TRANSPORTATION BENEFIT DISTRICT  
SPECIAL MEETING MINUTES  
MAY 14, 2009**

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

**Staff present:** John Hawley, Finance Director; Bob C. Sterbank, Attorney for District;  
Susan Stine, District Clerk

**Others present:** Five visitors

## CALL TO ORDER

Board Chair Ed Sterner called the Transportation Benefit District special meeting to order at 7:15 p.m. on May 14, 2009.

### **Adoption of Agenda**

Board member Thompson moved adoption of the agenda as proposed. Board member Kiest seconded. The motion carried unanimously.

## Consent Calendar

Thompson moved adoption of the consent calendar as follows:

## 1. December 4, 2008 Transportation Benefit District Meeting Minutes

*Board member Stanford seconded. The motion carried unanimously.*

## **Board Business/Open Comment**

## Resolution 2/

Following a brief discussion, Thompson moved to amend Resolution 2/Adopting an Agreement with the City of Lake Forest Park for the Provision of Services and Insurance as follows:

1     Attachment 1

2     Page 1, line 44:

3     “...City Ordinance No. 983, Chapter 36.73 RCW, the Charter of the TBD and the  
4     provisions of the....”

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6     *Stanford seconded. The motion to amend carried unanimously.*

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8     Discussion followed regarding the District’s relationship with city staff, its financial  
9     accountability, legal advice and the authority of the District.

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12     **Motion—Request for Attorney Review of Legislation Pertaining to Transportation  
13     Benefit District**

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15     Tracy requested that the Board consider the motion that he made at the December 4, 2008  
16     Transportation Benefit District Board meeting (as shown in the December 4, 2008 TBD  
17     minutes on page 3, line 40 through page 4, line 20) which was amended and placed on  
18     the December 11, 2008 agenda for further consideration. The motion as amended  
19     follows:

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21     *“Tracy moved* the following:

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

27       a) The definition of “transportation improvement”,  
28       b) Restrictions on the application of district funds to transportation improvements,  
29       c) Whether district funds can be used for transportation improvements on property  
30       not owned by the city,  
31       d) Whether district funds can be used in conjunction with other entities, whether  
32       public or private, to implement transportation improvements, and  
33       e) Whether district funds can be used for planning and engineering studies related to  
34       transportation improvements and what limitations may apply to such studies;

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

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39     Additionally, the board requests its attorney to advise the board regarding legal  
40     requirements for the proper accounting of fund revenues, the requirements for an annual  
41     report, and the fulfillment of audit requirements.

42

43     *The advice is to be submitted under attorney/client privilege.*”

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45     *Kiest seconded.*

1 Following a brief discussion, *the motion carried unanimously.*

4 Schedule Next Board Meeting

6 The board members agreed to schedule its next meeting for Thursday, June  
7 11, 2009.

10 ADJOURNMENT

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

14   
15 Susan Stine, District Clerk

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19 20 Ed Sterner, Board Chair