

CITY OF LYNNWOOD  
TRANSPORTATION BENEFIT DISTRICT BOARD SPECIAL MEETING MINUTES  
June 10, 2015

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2 10. CALL TO ORDER – The June 10, 2015 Special Meeting of the City of Lynnwood  
3 Transportation Benefit District (TBD) Board, held in the Council Chambers of Lynnwood  
4 City Hall, was called to order by Board President Simmonds at 7:00 p.m.  
5

6 20.

ROLL CALL

Board President Loren Simmonds  
Board Vice President Sid Roberts  
Board Member Van AuBuchon  
Board Member Benjamin Goodwin  
Board Member M. Christopher Boyer  
Board Member Ruth Ross  
Board Member Ian Cotton (absent)

OTHERS ATTENDING

Public Works Director Bill Franz  
Deputy PW Director Elekes  
Project Manager David Mach  
Council Assistant Beth Morris  
City Attorney Rosemary Larson

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8  
9 Board President Simmonds read the Introductory Statement reviewing the formation and  
10 function of the TBD and the purpose of the meeting.  
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12 30 APPROVAL OF MINUTES – MAY 4, 2015 SPECIAL MEETING; MAY 11, 2015  
13 SPECIAL MEETING; AND MAY 26, 2015 SPECIAL MEETING  
14

15 *Motion made by Board Member Boyer, seconded by Board Vice President Roberts, to*  
16 *approve the minutes of: May 4, 2015 Special Meeting; May 11, 2015 Special Meeting; and*  
17 *May 26, 2015 Special Meeting. Motion passed unanimously.*  
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19 40. CITIZEN COMMENTS AND COMMUNICATIONS  
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21 Ted Hikel, 3820 – 191<sup>st</sup> Place SW, Lynnwood, WA 98036, stated that the suit he brought  
22 against the Lynnwood TBD seeking a declaratory judgment did not prevail in court. He was  
23 not seeking any monetary judgment or settlement. He asserted the attorney for the Board  
24 made personal attacks on both himself and his attorney. His action was brought to achieve  
25 two ends: to ensure that the Board President will include Citizen Comments as a regular  
26 item on the agenda and that whenever the Board is contemplating final action on any agenda  
27 item, the statements, “possible final action,” will be included. His expectation is that the  
28 members of the Board will assure the public that these measures will be followed.  
29

30 Mr. Hikel then referred to item 50 on the agenda and noted that just eight months ago the  
31 citizens of Lynnwood turned down the request on the ballot to extend sales tax. He hopes the  
32 Board will take this into consideration. If anything is to be put on the ballot he hopes there  
33 will first be a public hearing on it.  
34

1 Board President Simmonds asked Mr. Hikel to provide a copy of his statement, but he  
2 explained he did not have one available, but it was on the recording.

3  
4 Maria Ambalada, 4515 – 176<sup>th</sup> Street SW, Lynnwood, WA, spoke against levying taxes on  
5 the citizens again without giving back to them. She acknowledged that the project is very  
6 important, but she recommended alternative funding by getting citizens to organize in order  
7 to raise money. This will also help to improve the participation within neighborhoods. She  
8 expressed concern about how the Board could pay back the license tab fees that were  
9 increased.

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11 50. PRESENTATION, DISCUSSION, AND POSSIBLE FINAL ACTION OR OTHER  
12 DISPOSITION: TRANSPORTATION FUNDING STATUS AND NEEDS, POTENTIAL  
13 FUNDING SOURCES AND NEXT STEPS FOR POTENTIAL FUNDING, INCLUDING  
14 BUT NOT LIMITED TO OPTIONS FOR POSSIBLE BALLOT MEASURE  
15

- 16 • Possible motion relating to potential ballot measure resolution for increased sales tax  
17 and/or increased or decreased vehicle registration fee funding options  
18

19 Board President Simmonds stated there was a Confidential Client Memo that was submitted  
20 by the City Attorney which could only be discussed in an Executive Session. Since there  
21 was not one advertised tonight, it would need to be at a future meeting.  
22

23 Public Works Director Bill Franz referred to a report in the Board packet which lays out the  
24 full range of potential funding options from doing nothing up to the full amounts that are  
25 allowed by the legislature for TBDs. It also provides information for potential election dates  
26 and action dates.  
27

28 Board President Simmonds asked if the Board agrees that additional funding is needed for  
29 transportation. There was consensus by the Board that additional funding is needed. Board  
30 President Simmonds asked if the Board wished to consider those revenue mechanisms  
31 allowed under the TBD understanding that further TBD revenue measures require a public  
32 vote. Board Vice President Roberts commented that it was the Board's responsibility to  
33 consider all options.  
34

35 Board President Simmonds asked when the Board wished to go out for a vote, regardless of  
36 what might actually be presented to the people.

- 37 • Board Member AuBuchon said he thought there were potential transportation  
38 funding sources available that don't require a vote such as utilizing revenues flowing  
39 into the City's General Fund. Board Member Boyer commented that the TBD (unlike  
40 the Council) does not have authority over the General Fund. Board Member  
41 AuBuchon acknowledged that, but noted that the City Council could prioritize the  
42 City's existing budget to help the TBD meet its needs for transportation funding.  
43 Board President Simmonds expressed concern about mixing responsibilities of the  
44 Council and the TBD. City Attorney Larson replied that the City Council would have  
45 the authority over the General Fund. She clarified that Board Member AuBuchon  
46 appeared to be interested in having the Council consider General Fund options as  
47 opposed to having the TBD Board go out for a vote, or that both should be

1 considered. Board Member AuBuchon agreed and added that raising taxes was not  
2 the only option available to the TBD. Board President Simmonds concurred, but  
3 explained that meeting as the TBD Board, they were meeting to discuss the options  
4 available to Board. That would not preclude the Council from exploring other  
5 options available to them at a Council meeting.

- 6 • Board Vice President Roberts commented that the TBD Board had the ability to ask  
7 the Council to discuss options at another time. He stated he was most comfortable  
8 tonight talking about the full range of options. He added that he was not interested in  
9 raising the tab fees under any circumstances. He clarified that the TBD Board does  
10 not have the authority to raise taxes anyway; they just have the authority to put it on  
11 the ballot. Regarding the previous ballot measure, he thought that they shouldn't  
12 have gone out for 0.2%; if they had asked for less the results might have been  
13 different. He stated he would like to discuss all the options in order to determine the  
14 next step.
- 15 • Board President Simmonds explained that the Board needed to decide if and when  
16 they were interested in going out for a vote because there is a timeline of  
17 requirements that have to be met if it is going to be on the ballot in 2015.
- 18 • Board Member Boyer spoke in support of moving forward now. Staff has been very  
19 clear that the roads are deteriorating and the longer they wait the more costly it will  
20 be to fix them.
- 21 • Board Member Ross spoke in support of asking the public's support for a minimal  
22 raise in the sales tax. She thought the result would be better if they also eliminate the  
23 \$20 tab fee. That way the people who actually live in Lynnwood would be getting  
24 something in return. She reminded the Board that there are many others out there  
25 reaching for this same pot of money. If the City isn't careful, Lynnwood's citizens'  
26 money will go everywhere else except Lynnwood.
- 27 • Board Vice President Roberts explained that Community Transit is planning to go  
28 for 0.3% He thinks it is too much and has let them know that. Additionally, Sound  
29 Transit will likely be back at the next main election asking for a sales tax increase.  
30 He thinks this is important for the Board to be aware of. He recommended that the  
31 transportation funding issue be solved by several methods and not just one, noting  
32 that there is no way just one of the options would be enough.

33  
34 Board President Simmonds stated that the people of Lynnwood should not carry the burden  
35 of all of the road maintenance that this city needs because the overwhelming majority of  
36 traffic that goes through Lynnwood is non-residents. He believes this is only going to get  
37 worse because Sound Transit is anticipating 20,000 more people a day will be riding to  
38 Seattle from Lynnwood. He believes that the City has a responsibility to try to go out for a  
39 vote whether it succeeds or not, but noted there is nothing "tax happy" about it. They are just  
40 trying to lead the city forward when they do not have all of the resources that are desperately  
41 needed.

42  
43 Board Member Goodwin asked about possibly waiting until Community Transit has a  
44 measure on the ballot and putting one on at the same time. If so, what can be done in the  
45 meantime by way of the other options to look at other funding sources? He spoke in support  
46 of making a decision tonight rather than putting it off and requiring more meetings.  
47

1 Board Vice President Roberts commented that there would be advantages and disadvantages  
2 to watching someone else run. He also expressed concern that since several of the Council  
3 members are running for reelection this could easily be used as an issue. He commented on  
4 the difference in costs between the February election and the November election with the  
5 February election being much more costly.

6  
7 Board President Simmonds commented that if there is even a possibility that the Board  
8 wants to do it this year they need to have staff start working on the matter. That doesn't  
9 mean the Board would necessarily approve it, but they do need to take some action.  
10 Additionally, he thought if they wanted the best representation of how the community really  
11 feels about an issue, it would be best to put it out at a general election. He recommended  
12 moving forward with a vote at the general election, and suggested they discuss what options  
13 they want to consider so that no later than August 4 they will have made a decision.

14  
15 Board Member Goodwin commented that the further they push it out, the further behind  
16 they are going to get. He agreed that the general election would be the best time to put it out  
17 for a vote, and noted that it would be up to the citizens to make the final decision.

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19 Board Vice President Roberts noted that Community Transit has across-the-board legislative  
20 support in Olympia for the legislation they are proposing. The legislature has said they don't  
21 want Community Transit to go to any special elections, only a general election. Therefore, if  
22 Community Transit doesn't get the authority in time, and they miss the deadline to get it on  
23 the ballot in November, it wouldn't be on there until the next November.

24  
25 Board President Simmonds asked the Board if they wanted to hold a hearing prior to final  
26 deliberations. Board Member Boyer asked if there was time for a public hearing given the  
27 tight timeline. Board President Simmonds replied there would be, but they might have to  
28 vote on it the same night. Board Member Boyer spoke in support of holding a public  
29 hearing.

30  
31 Public Works Director Franz proposed that staff prepare a resolution which would  
32 ultimately, after being deliberated and passed, set an election date of November 4. In the  
33 draft resolution staff could put the parameters of the sales tax. The TBD could hear public  
34 comments, deliberate, and make a decision. If it is positive to go forward, there would need  
35 to be one more meeting prior to August 4 in order to establish pro and con committees. City  
36 Attorney Larson concurred, and added that the resolution would leave open all the options  
37 with respect to the amount of any sales tax increase. The Board could decide on that after the  
38 public hearing.

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40 Board President Simmonds solicited additional Board input for staff on the resolution.  
41 Board Member Boyer commented that there appeared to be a fair amount of support at the  
42 last meeting to ask for 0.15% sales tax increase while doing away with the \$20 tab fee.  
43 Board Vice President Robert noted that was before they learned some more information  
44 about the way they should proceed with that, but said they could discuss it. Public Works  
45 Director Franz added that they could notice an executive session that evening so they could  
46 hear from the City Attorney on that issue.

1 *Motion made by Board Member Boyer, seconded by Board Member Ross, to hold a Special*  
2 *Meeting (which will include a Public Hearing and an Executive Session, if needed), on*  
3 *Wednesday, July 8 at 7:00 p.m. in the City Hall Council Chambers. Motion passed*  
4 *unanimously.*

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6 60. ADJOURNMENT

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8 *Motion made by Board Member Boyer, seconded by Board Member Ross, to adjourn the*  
9 *meeting. Motion passed unanimously.*

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11 The meeting was adjourned at 7:56 p.m.

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Sonja Springer, Finance Director

  
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Loren Simmonds, TBD Board President



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