

CITY OF LYNNWOOD
TRANSPORTATION BENEFIT DISTRICT BOARD MEETING MINUTES
July 12, 2010

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2 10. CALL TO ORDER – The first meeting of the City of Lynnwood Transportation Benefit
3 District (TBD) Board, held in the Council Chambers of Lynnwood City Hall, was called to
4 order by Board Member Hikel at 6:30 p.m. on July 12, 2010. The flag salute was led by
5 Board Member Hikel.

6
7 20.

ROLL CALL

Board Member Ted Hikel, Chair
Board Member Stephanie Wright
Board Member Loren Simmonds
Board Member Jim Smith
Board Member Mark Smith (Absent)
Board Member Kerri Lonergan
Board Member Kimberly Cole

Asst. City Administrator Art Ceniza
Council Assistant Beth Morris

Others Attending:

Interim Finance Director Dugan, acting as
Board Treasurer
Economic Development Director Kleitsch
Public Works Director Franz
Deputy PW Director Elekes
Assistant Finance Director Haugan
City Attorney Larson
Project Manager Mach
Parks & Recreation Director Sordel

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9
10 Board Member Hikel explained that at the May 24, 2010 Business Meeting the City Council
11 approved Ordinance #2837, which amended the Lynnwood Municipal Code enacting a new
12 chapter, Transportation Benefit District (TBD), effectively establishing the district. The
13 governing board of the TBD is the Lynnwood City Council acting in an ex officio and
14 independent capacity per RCW 36.73.020(3). Board Member Hikel stated that he would be
15 acting as the Board Chair until they elected the Board President later in the meeting. He
16 stated that the purpose of the meeting was to review and possibly approve a charter, material
17 change policy, elect board officers, conduct a public hearing to obtain public comments on
18 Ordinance #1, and possibly adopt Ordinance #1.

19
20 30. REVIEW AND POSSIBLE APPROVAL OF THE FOLLOWING RESOLUTIONS:

21
22 Board Member Hikel introduced Public Works Director Franz and Project Manager Mach
23 who made the staff presentation for Resolutions #1 and #2. Public Works Director Franz
24 explained why this action was needed and how the tax and the needs are directly correlated.
25 Project Manager Mach reviewed the two resolutions contained in the Board's packet.

26
27 Board Member Lonergan asked what the anticipated annual revenue was for the \$20 car tab
28 excise fee. Project Manager Mach stated that it would be approximately \$420,000 per year.

29
30 A. Resolution #1 – TBD Charter

31
32 *Motion made by Board Member Simmonds, seconded by Board Member Stephanie*
33 *Wright, to adopt Resolution No. 1, "A RESOLUTION OF THE CITY OF LYNNWOOD,*

1 *WASHINGTON, TRANSPORTATION BENEFIT DISTRICT APPROVING AND*
2 *ADOPTING A CHARTER STATING OPERATING PROCEDURES FOR THE*
3 *DISTRICT, PROVIDING FOR INDEMNIFICATION OF DISTRICT OFFICERS,*
4 *EMPLOYEES, AND AGENTS AS ALLOWED BY LAW, AND ESTABLISHING THE*
5 *TIME AND PLACE FOR REGULAR MEETINGS OF THE DISTRICT'S BOARD."*
6

7 Board Member Simmonds explained the purpose of the charter and then offered an
8 amendment to change the starting time of the TBD meetings.
9

10 *Motion made by Board Member Simmonds, seconded by Board Member Wright, to*
11 *change the starting time to 6:00 p.m. on page 5 of 8, 30-A-6.*
12

13 Board Member Jim Smith spoke against the earlier starting time noting that they could
14 not start the Council meetings any earlier than 7:00 p.m. even if they finish the TBD
15 Board meetings early. He would rather keep the TBD Board starting time at 6:30 p.m.
16 and start the Council meetings late on those nights if they need to.
17

18 Staff commented that at least one of the meetings per year would probably be a public
19 hearing which would be difficult to do in a half hour. Board Member Jim Smith
20 commented that if it was a public hearing it would be even more of a reason to start at
21 6:30 p.m. for the benefit of public attendance.
22

23 Board Member Cole spoke in support of the amendment noting that in her experience
24 with boards they generally tend to run out of time. She noted that most boards meet
25 during the day so she did not feel that the earlier starting time would be an issue.
26

27 Board Member Wright spoke in support of moving the starting time to 6:00 p.m. and
28 offered to bring snacks to occupy their time in the event that they should finish early.
29

30 *Upon a roll call vote, the motion to amend carried 5-1 with Board Member Jim Smith*
31 *voting against the motion.*
32

33 Board Member Jim Smith renewed his objection to additional taxes to the public. He
34 emphatically stated that he is not willing to raise taxes until they have done everything
35 else they can to cut costs.
36

37 Board Member Hikel clarified that they have cut costs throughout the City. He clarified
38 that this motion simply puts in the groundwork for whatever they do in the future; it does
39 not institute any taxes at this time, but opens the door for discussion.
40

41 Board Member Cole asked for clarification about this motion. Board Member Hikel said
42 it was simply putting into place the mechanism where they have a TBD and later on they
43 could make a decision of that they might do. Board Member Cole discussed the need for
44 finding more funding for transportation projects. She agreed with Board Member Jim
45 Smith that the administration as well as the Council needs to look at spending very
46 seriously this year, but she didn't think that should affect this particular issue.
47

1 Board Member Jim Smith pointed out that the only purpose of having this board and
2 having these rules is to raise taxes. He reiterated that they have not done everything they
3 can as far as cutting back expenses.
4

5 *Upon a roll call vote, the motion to adopt Resolution No. 1 carried 5-1 with Board*
6 *Member Jim Smith voting against the motion.*
7

8 B. Resolution #2 – TBD Material Change Policy
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10 *Motion made by Board Member Stephanie Wright, seconded by Board Member Loren*
11 *Simmonds, to approve Resolution No. 2, “A RESOLUTION OF THE CITY OF*
12 *LYNNWOOD, WASHINGTON, TRANSPORTATION BENEFIT DISTRICT APPROVING*
13 *A MATERIAL CHANGE POLICY.”*
14

15 Board Member Simmonds moved to amend the following:
16

17 Page 30.B.2, Line 43 and 44: *The TBD staff shall consult with the Board President, in*
18 *consultation with the Board Vice President, prior to setting the public hearing.*
19

20 Page 30.B.3, Line 3 and 4: *The Board President, in consultation with the Board Vice*
21 *President, shall determine whether or not to convene a meeting of the governing board*
22 *for discussion.*
23

24 Page 30.B, Lines 9 and 10: *The Board President, in consultation with the Board Vice*
25 *President, shall determine whether or not to convene a meeting of the governing board*
26 *of discussion.*
27

28 *The motion to amend was seconded by Board Member Wright and carried.*
29

30 *The main motion to approve Resolution No. 2 as amended carried 5-1 with Board*
31 *Member Jim Smith voting against the motion.*
32

33 40. ELECTION OF BOARD OFFICERS
34

35 *Motion made by Board Member Stephanie Wright to nominate Loren Simmonds as*
36 *President of the City of Lynnwood Transportation Benefit District Board. Board Member*
37 *Kimberly Cole seconded the motion.*
38

39 Hearing no further nominations, Board Member Hikel closed the nominations for Board
40 President.
41

42 *The vote on the nomination of Loren Simmonds as President of the City of Lynnwood*
43 *Transportation Benefit District Board passed unanimously.*
44

45 Board President Simmonds assumed his new role at this point in the meeting and opened
46 nominations for Board Vice President.
47

1 *Motion made by Board Member Hikel to nominate Stephanie Wright as Vice President of*
2 *the City of Lynnwood Transportation Benefit District Board.*

3
4 *Motion made by Board Member Jim Smith to nominate Kimberly Cole as Vice President of*
5 *the City of Lynnwood Transportation Benefit District Board.*

6
7 Hearing no further nominations Board President Simmonds closed the nominations for
8 Board Vice President.

9
10 *Upon a roll call vote Board Member Stephanie Wright received 4 votes, Board Member*
11 *Kimberly Cole received 2 votes, and Stephanie Wright was declared the TBD Vice*
12 *President.*

13
14 50. PUBLIC HEARING ON ORDINANCE #1 OF THE CITY OF LYNNWOOD
15 TRANSPORTATION BENEFIT DISTRICT AUTHORIZING A VEHICLE LICENSE FEE
16 AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

17
18 A. Public Hearing

19
20 Board President Simmonds introduced the public hearing which opened at 7:04 p.m. He
21 stated that the purpose of the hearing was to hear testimony and to consider adoption of
22 an ordinance authorizing a \$20 vehicle license fee for Lynnwood and authorizing
23 certain projects to be funded. He reviewed the order of speaking and introduced Project
24 Manager David Mach who gave the staff presentation as contained on page 50-A-1 of
25 the Board packet.

26
27 Public Testimony:

28
29 Al Rutledge, 7101 Lake Ballinger Way, Edmonds, stated that the City of Edmonds
30 passed the \$20 fee last year. He noted that they used to start the meetings at 9:30 or
31 10:00 p.m. and not many people showed up. The last three meetings they started at 6:00
32 p.m. He urged the Board to allow enough time for the meetings. Edmonds is currently
33 discussing a \$70 fee (\$50 increase). He stated that a problem is that people don't show
34 up for the meetings, but they do show up to vote.

35
36 Questions and Answers: None

37
38 TBD Board Discussion:

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40 Board President Simmonds stated that he would like to hold open the public testimony
41 and bring it back again for additional public comments.

42
43 *Board Member Hikel made a scheduling motion, seconded by Board Vice President*
44 *Wright, to continue the public hearing to 6:00 p.m. on August 9, 2010. Motion passed*
45 *unanimously.*

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47 B. Possible Approval of Said Ordinance - Continued

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60. AUDIENCE COMMENTS - None

70. BOARD COMMENTS - None

80. ADJOURNMENT

Motion made by Board Member Hikel to adjourn the meeting at 7:14 p.m. The motion was seconded and passed unanimously.

The meeting was adjourned at 7:14 p.m.


Loren Simmonds, TBD Board President


Patrick Dugan
Interim Finance Director, acting as Board Treasurer