AGENDA
City of Lynnwood
Transportation Benefit District (TBD) Board
Council Chambers, City Hall
19100 44th Avenue W, Lynnwood, WA, 98036

Special Meeting
November 7, 2011
6:00 P.M.

10  Call to Order
11
12  20  Roll Call
13
14  30  Approval of Minutes – Regular Meeting February 14, 2011
15
16  40  Public Hearing on Ordinance #4 of the City of Lynnwood Transportation Benefit
17  District adopting the 2012 budget
18  A  Public Hearing
19  B  Consideration, discussion, and possible action on said Ordinance
20
21
22  50  Consideration, discussion, and possible action on Resolution #4 - Amend the TBD
23  Charter
24
25  60  Adjournment
26
27

Regular TBD Board meetings are held on the second Monday of February and the second Monday of August of each year in the City of Lynnwood City Council Chambers starting at 6:00PM. In addition to the regular Board meetings, special Board meetings may be scheduled from time to time.
City of Lynnwood
Transportation Benefit District Board

**Item 30**

Special Meeting
November 7, 2011
6:00 P.M.

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**TITLE:** Approval of Minutes – Regular Meeting February 14, 2011

**DEPARTMENT:** Public Works

**DEPARTMENT CONTACT:** Jeff Elekes and David Mach

**BACKGROUND:** At the May 24, 2010 Business Meeting, City Council approved Ordinance #2837, which amended the Lynnwood Municipal Code enacting a new chapter, Transportation Benefit District (TBD), effectively establishing the district. The governing board of the TBD is the Lynnwood City Council acting in an ex officio and independent capacity per RCW 36.73.020(3).

The February 14, 2011 TBD meeting was the sixth meeting of this newly formed entity.

**ACTION:** Approve the meeting minutes from the February 14, 2011 Regular Meeting.

**ATTACHMENTS:**

1) February 14, 2011 Regular Meeting Minutes
10. CALL TO ORDER – The Regular Meeting of the City of Lynnwood Transportation Benefit District (TBD) Board, held in the Council Chambers of Lynnwood City Hall, was called to order by Board President Simmonds at 6:00 p.m. on February 14, 2011.

20.

ROLL CALL
Board President Loren Simmonds
Board Vice Pres. Ted Hikel
Board Member Kimberly Cole (absent)
Board Member Ed dos Remedios
Board Member Lonergan-Dreke
Board Member Mark Smith
Board Member Jim Smith

Others Attending:
Public Works Director Franz
Deputy PW Director Elekes
Project Manager Mach
Assistant Finance Director Haugan
City Attorney Larson
Council Assistant Beth Morris

30. APPROVAL OF MINUTES

Motion made by Board Vice President Hikel, seconded by Board Member dos Remedios, to approve the minutes of the Special Meeting of January 10, 2011. Motion passed unanimously (6-0).

40. PUBLIC HEARING – ORDINANCE #3 OF THE CITY OF LYNNWOOD TRANSPORTATION BENEFIT DISTRICT ADOPTING THE 2011 BUDGET

A. Public Hearing

Board President Simmonds read the appropriate Introductory Statement explaining the purpose, process, and order of speaking for the meeting.

The public hearing was opened at 6:03 p.m.

Staff Presentation:

Public Works Director Bill Franz discussed why staff is recommending that what little money they have should go toward paving at this point. He explained that it is a matter of fiscal responsibility due to the investment they have in paving streets and sidewalks. The City has about 300 lane miles of road at an investment of about $230 million. There are about 205 miles of sidewalk at an investment of about $110 million. According to the Pavement Management System that we’ve been working on over the last several years we should be investing about $1.2 to $1.5 million a year in overlays to keep an acceptable Pavement Condition Index (PCI). This year, since it is the first year of the TBD, the total funds that will be available for paving are about $700,000. He
reviewed the Street Paving Curve and how repairing relatively good pavement saves a lot of money compared to letting the pavement get to a poor condition where it is more expensive to repair.

He suggested that a similar curve for the sidewalk pavement has a much less severe slope. This is because most of the sidewalks are not driven on and most are paved with concrete so they are a little stouter to start with. If we were to do nothing on the streets, they very quickly would degrade to the point of having to make huge and costly repairs in order to repair the pavement. Fortunately, because of the nature of sidewalks we do have more time. He summarized that it is fiscally responsible to recommend that the City puts the money into what is necessary to preserve our largest and most crucial investment in infrastructure, which is our streets. He committed that staff would continue to try to get block grants and other grants to put in sidewalks. If they get an opportunity to get a grant and to use some TBD funds as a match for that grant they will come back to the Board and make that recommendation.

Deputy Public Works Director Elekes explained that in 2006-2009 they did a fair amount of field work doing reconnaissance on all of the City’s streets. He showed the impact on the PCI of skipping one year of paving in 2010 which resulted in the overall index dropping by almost five points. He gave other examples with the Pavement Management System model showing how fast pavement slips down the curve if you skip even one or two years.

Project Manager David Mach reviewed Ordinance #3. He explained how they arrived at the Total Revenue and Total Expenditures on page 40A-2. He stated that staff would come back in August with a proposed budget for 2012.

Board President Simmons solicited any written materials that had been submitted. There were none.

Public Testimony and Comment:
None

TBD Board Discussion:

Board Member dos Remedios expressed concerns about the expenditures for administration and insurance. Copies of the memo to Mayor Gough and Interim Finance Director Dugan dated January 7, 2011 and titled, “Invoice for City of Lynnwood 2010 Costs Related to the Transportation Benefit District” were distributed. Director Franz explained that per the RCW, since the TBD is a different and separate entity than the City of Lynnwood, separate accounts for each fund must be created and all service rendered by or property transferred from one department to another shall be paid for at its true and full value by the TBD. Also the Interlocal Agreement requires that TBD funding shall be first applied to the reasonable charges incurred in establishing and staffing the TBD. Board Member dos Remedios asked if the Public Works budget
would then be reduced by $48,000. Director Franz was not sure, but clarified that when the TBD Board pays the bill it will go to the General Fund of the City of Lynnwood.

Board Member Lonergan-Dreke said she had the same question and added that she would look forward to seeing the money that has been billed to the TBD come back before Council to determine where those funds will go. She spoke in support of using that money for overlays.

Board Vice President Hikel asked if it was true that the insurance money must come out of the TBD budget because it is solely a TBD expense. Staff affirmed this. Board Vice President Hikel commented that the legal fees paid were used to pay the City Attorney who is also the Board Attorney so that portion would not be eligible for Board to use elsewhere. City Attorney Larson thought that the money would be put into the City’s General Fund because General Fund monies were used to pay the expenses that are being reimbursed. So then it will be in the General Fund and can be used for any General Fund purpose. Board Vice President Hikel asked if after the TBD started receiving payments for the license renewals they would have ongoing money to pay for expenses that come up. City Attorney Larson affirmed that they would be required to do that once they had revenues. Staff clarified that they would not be paid twice.

The public testimony portion of the Public Hearing was closed at 6:31 p.m.

B. Consideration, discussion, and possible action on said Ordinance

Motion made by Board Member dos Remedios, seconded by Board Vice President Hikel, to adopt Ordinance No. 3, “AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, TRANSPORTATION BENEFIT DISTRICT ADOPTING A ONE-YEAR BUDGET FOR THE CITY OF LYNNWOOD, WASHINGTON, TRANSPORTATION BENEFIT DISTRICT FOR THE YEAR ENDING DECEMBER 31, 2011; AND PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY, AND SUMMARY PUBLICATION.”

Board Member dos Remedios said he looked forward to sending $46,000 back to the TBD in the coming year.

Board Member Mark Smith stated he would be voting against the motion. He expressed dismay that the focus on the Transportation Plan continues to be on roads only. He stated that there is a dedicated revenue stream for roads, but there is none for sidewalks. Lynnwood is the third most obese city in Snohomish County with 102 miles of missing sidewalks. There was an amendment that was repealed for 20% of these funds to go to non-motorized transportation projects. That would give us a very small pot of matching funds for grants as they always require matching funds. He expressed appreciation for the work that staff has done on this. He understands the need for overlays and paving, but he believes there is an equal and just as important need for sidewalks for the safety of residents.
Upon a roll call vote, the motion passed (4-2) with Board Members Hikel, Lonergan-Dreke, Simmonds, and dos Remedios voting in support and Board Members Mark Smith and Jim Smith voting against the motion.

50. PRESENTATION AND DISCUSSION: STATUS UPDATE OF PUBLIC OUTREACH PROCESS

Director Franz explained that they were unable to do the public outreach they had anticipated because of budget cuts and the fact that the staffing in the department that would handle this was cut in half. He apologized for not being able to follow through with this item.

Board Member Lonergan-Dreke thanked Director Franz for being upfront and said she clearly understood the situation. Postponing this was not a concern to her.

Board Vice President Hikel suggested that Council members could do a simple outreach in the fall. He referred to other cities, such as Bellevue, who have done large-scale bond issues that included both road work and sidewalks with voter approval.

Board President Simmonds recommending looking to the citizens’ survey, the visioning project, and the branding project that have already been done to see if there are any comments that have been made relating to this. Those could be worked into any future presentations and considerations that we might make. Secondly, he encouraged staff to stay in communication with the TBD over the months until their next meeting with any new information they might come across.

60. PRESENTATION AND DISCUSSION: TRANSPORTATION BENEFIT DISTRICT WEBSITE

David Mach gave a presentation on the TBD website. He explained how to find the website and oriented the Board with the information that can be found on the site.

Board Member Jim Smith had the following recommendations:
- Put a link on the homepage directly to the TBD website.
- On the TBD home page, include information about other revenue sources that are being considered. Also include the meeting starting time (6:00 p.m.).

Board Member dos Remedios concurred with having a presence on the City of Lynnwood home page.

70. ADJOURNMENT

Board President Simmonds announced that the next meeting would be at 6:00 p.m. on August 8, 2011.

Motion made by Board Member Mark Smith, seconded by Board Vice President Hikel, to adjourn the meeting at 6:50 p.m. Motion passed unanimously.
The meeting was adjourned at 6:50 p.m.

Loren Simmonds, TBD Board President

Lorenzo Hines
Finance Director, acting as Board Treasurer
City of Lynnwood  
Transportation Benefit District Board  

Item 40A  
Special Meeting  
November 7, 2011  
6:00 P.M.  

TITLE: Conduct a Public Hearing on Ordinance #4 of the City of Lynnwood Transportation Benefit District to adopt the 2012 budget  

DEPARTMENT: Public Works  

DEPARTMENT CONTACT: Jeff Elekes and David Mach  

BACKGROUND: Staff has developed a draft 2012 TBD budget for the Board’s review, comment, and possible adoption. The following provides background on how the revenue and expenditure projections were developed:  

2011 Revenue Status Update  
The $20 vehicle registration fee went into effect on July 1, 2011. As of September 30, 2011, $123,611.40 has been collected as shown in detail as follows:  

<table>
<thead>
<tr>
<th>Month</th>
<th>Revenue (Actual)</th>
<th>Revenue (2011 Budget)</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 2011</td>
<td>$237.60 (Note 1)</td>
<td>$0</td>
</tr>
<tr>
<td>June 2011</td>
<td>$13,147.20 (Note 1)</td>
<td>$0</td>
</tr>
<tr>
<td>July 2011</td>
<td>$26,829.00</td>
<td>$10,480.00</td>
</tr>
<tr>
<td>August 2011</td>
<td>$43,777.80</td>
<td>$26,840.00</td>
</tr>
<tr>
<td>September 2011</td>
<td>$39,619.80</td>
<td>$41,380.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$123,611.40</strong></td>
<td><strong>$78,700.00</strong></td>
</tr>
</tbody>
</table>

Note 1: The fee was effective with registrations that expired on or after July 1, 2011, however, customers renew their tabs before they expire which is why revenue was received prior to July 1, 2011.  

As of September 30, 2011, actual revenue was $44,911.40 higher than that which was anticipated in the 2011 budget. This is partially because customers renew their tabs before they expire (see note 1 above). Additionally, revenue fluctuates significantly from month to month because car sales fluctuate from month to month. At this point in the year, it is difficult to determine if the actual revenue for 2011 will be close to the 2011 budgeted amount of $190,000.
2012 Revenue Projection

In developing 2012 revenue projections, staff obtained 12-month vehicle registration data counts from the Department of Licensing. Based on the numbers provided, staff anticipates the following 2012 revenue:

(12-month vehicle registration data count) * ($20) - (1% fee for DOL) = Anticipated 2012 annual TBD revenue

Actual values are shown as follows:
(25,340) * ($20) - ($5,068) = $502,000 (rounded to the nearest $1000)

Monthly revenue projections are shown in the following table and chart:

<table>
<thead>
<tr>
<th>Month</th>
<th>%</th>
<th>Vehicles</th>
<th>Revenue</th>
<th>Less 1% DOL Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan</td>
<td>9.6</td>
<td>2432.64</td>
<td>$48,652.80</td>
<td>$48,166.27</td>
</tr>
<tr>
<td>Feb</td>
<td>8.3</td>
<td>2103.22</td>
<td>$42,064.40</td>
<td>$41,643.76</td>
</tr>
<tr>
<td>Mar</td>
<td>7.9</td>
<td>2001.86</td>
<td>$40,037.20</td>
<td>$39,636.83</td>
</tr>
<tr>
<td>Apr</td>
<td>7.5</td>
<td>1900.5</td>
<td>$38,010.00</td>
<td>$37,629.90</td>
</tr>
<tr>
<td>May</td>
<td>6.5</td>
<td>1647.1</td>
<td>$32,942.00</td>
<td>$32,612.58</td>
</tr>
<tr>
<td>Jun</td>
<td>8</td>
<td>2027.2</td>
<td>$40,544.00</td>
<td>$40,138.56</td>
</tr>
<tr>
<td>Jul</td>
<td>6.9</td>
<td>1748.46</td>
<td>$34,969.20</td>
<td>$34,619.51</td>
</tr>
<tr>
<td>Aug</td>
<td>6.8</td>
<td>1723.12</td>
<td>$34,462.40</td>
<td>$34,117.78</td>
</tr>
<tr>
<td>Sep</td>
<td>9.5</td>
<td>2407.3</td>
<td>$48,146.00</td>
<td>$47,664.54</td>
</tr>
<tr>
<td>Oct</td>
<td>9.4</td>
<td>2381.96</td>
<td>$47,639.20</td>
<td>$47,162.81</td>
</tr>
<tr>
<td>Nov</td>
<td>9.7</td>
<td>2457.98</td>
<td>$49,159.60</td>
<td>$48,668.00</td>
</tr>
<tr>
<td>Dec</td>
<td>9.9</td>
<td>2508.66</td>
<td>$50,173.20</td>
<td>$49,671.47</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100</strong></td>
<td><strong>25340</strong></td>
<td><strong>$506,800.00</strong></td>
<td><strong>$501,732.00</strong></td>
</tr>
</tbody>
</table>

TBD 2012 Projected Revenue

Annual Total = $502,000
2012 Expense Projection

The TBD’s administrative expenses consist of staff time (Public Works, Finance, and Legal), public meeting notices, and meeting minute recording/development. Administrative expenses are highest in the months closest to the TBD meetings.

In developing the TBD’s annual projected administrative expenses, staff used actual 2011 expenses as a basis. The numbers were then adjusted based on additional time anticipated for developing the 2011 end of the year report. Monthly administrative expense projections are shown in the following table and chart:

<table>
<thead>
<tr>
<th>Month</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>Feb</td>
<td>$3,500.00</td>
</tr>
<tr>
<td>Mar</td>
<td>$200.00</td>
</tr>
<tr>
<td>Apr</td>
<td>$200.00</td>
</tr>
<tr>
<td>May</td>
<td>$200.00</td>
</tr>
<tr>
<td>Jun</td>
<td>$200.00</td>
</tr>
<tr>
<td>Jul</td>
<td>$200.00</td>
</tr>
<tr>
<td>Aug</td>
<td>$200.00</td>
</tr>
<tr>
<td>Sep</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>Oct</td>
<td>$2,500.00</td>
</tr>
<tr>
<td>Nov</td>
<td>$200.00</td>
</tr>
<tr>
<td>Dec</td>
<td>$200.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$11,600.00</strong></td>
</tr>
</tbody>
</table>

![2012 Projected Administrative Expenses](image)

Annual Total = $11,600

Additional TBD expenses include insurance coverage through the Cities Insurance Association of Washington (CIAW). The annual premium is $2,200. The total TBD 2012 projected expenses are summarized as follows:
($11,600) Administrative
($2,200) CIAW Insurance
($13,800) Total Expenses

The amount of revenue available for projects is calculated as follows:

\[
\frac{\text{Revenue}}{\text{Expenses}} = \frac{\$502,000}{\$13,800} = \$488,200 \text{ Available for Projects}
\]

**2012 TBD Projects**

Projects identified in TBD Ordinance #2 for potential TBD funding include:

1) City of Lynnwood Street Fund 111
2) Pavement Overlay Program
3) Traffic Signal Rebuild Program
4) Traffic Signal Reconstruction: Scriber Lake Road at 196th Street SW
5) 48th Avenue W Sidewalk: 183rd Place SW to 180th Street SW

Staff recommends that the available revenue be used for the following two projects:

<table>
<thead>
<tr>
<th>#</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Pavement Overlay Program</td>
<td>$403,200.00</td>
</tr>
<tr>
<td>2</td>
<td>48th Avenue W Sidewalk (183rd Place SW to 180th Street SW)</td>
<td>$85,000.00</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>$488,200.00</strong></td>
</tr>
</tbody>
</table>

Candidate pavement overlay projects include the following:

1) 212th Street SW (44th Avenue W to 52nd Avenue W)
2) 184th Street SW (33rd Avenue W to Alderwood Mall Parkway)
3) Alderwood Mall Parkway (Maple Road to Alderwood Mall Boulevard)

If adopted by the TBD Board, TBD Ordinance #4 adopts a one year budget for the TBD for the year ending December 31, 2012.

A Public Hearing is being held to give the TBD Board an opportunity to hear comments from the public and also as required by Chapter 36.73 RCW. The meeting was advertised in the Everett Herald and on the TBD web site which can be viewed at the following: http://www.ci.lynnwood.wa.us/tbd.

**ACTION:** Conduct a public hearing.

**ATTACHMENTS:**

1) TBD Ordinance #4
CITY OF LYNNWOOD
TRANSPORTATION BENEFIT DISTRICT

ORDINANCE NO. 4

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, TRANSPORTATION BENEFIT DISTRICT ADOPTING A ONE YEAR BUDGET FOR THE CITY OF LYNNWOOD, WASHINGTON, TRANSPORTATION BENEFIT DISTRICT FOR THE YEAR ENDING DECEMBER 31, 2012; AND PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY, AND SUMMARY PUBLICATION.

WHEREAS, on May 24, 2010 the Lynnwood City Council did establish the Lynnwood Transportation Benefit District; and,

WHEREAS, Chapter 36.73 RCW requires the Transportation Benefit District to adopt an annual budget; and,

WHEREAS, the Transportation Benefit District Board provided notice and conducted a public hearing on November 7, 2011, regarding a proposed budget for fiscal year 2012; NOW, THEREFORE,

THE BOARD OF THE CITY OF LYNNWOOD, WASHINGTON, TRANSPORTATION BENEFIT DISTRICT, DO ORDAIN AS FOLLOWS:

Section 1. The 2012 Budget for the Lynnwood Transportation Benefit District for the year ending December 31, 2012 totaling $502,000 is hereby adopted.
Section 2. Revenues and Expenditures. The budget sets forth totals of estimated revenues and estimated expenditures of the Transportation Benefit District as summarized below:

<table>
<thead>
<tr>
<th>Revenue</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Washington State Department of Licensing</td>
<td>$502,000</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td>$502,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insurance - purchased through CIAW</td>
</tr>
<tr>
<td>Administration - legal and staff support</td>
</tr>
<tr>
<td>Transportation Improvement - Overlay Program, identified in the City of Lynnwood Six Year Transportation Improvement Plan</td>
</tr>
<tr>
<td>Transportation Improvement - 48th Avenue W Sidewalk 183rd Place SW to 180th Street SW, identified in the City of Lynnwood Six Year Transportation Improvement Plan</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
</tr>
</tbody>
</table>

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase or word of this ordinance.

Section 4. Effective Date. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

PASSED this 7th day of November, 2011 and signed in authentication of its passage this __________ day of ______________________, 2011.

Loren Simmonds  
TBD Board President

ATTEST:  
APPROVED AS TO FORM:

Lorenzo Hines  
Finance Director, acting as Board Treasurer  
Rosemary Larson  
City Attorney, acting as Board Attorney

FILED WITH ADMINISTRATIVE SERVICES: __________
PASSED BY THE TRANSPORTATION BENEFIT DISTRICT BOARD: __________
PUBLISHED: __________
EFFECTIVE DATE: __________
ORDINANCE NUMBER: __________

40A-6
City of Lynnwood
Transportation Benefit District Board

Item 40B

Special Meeting
November 7, 2011
6:00 P.M.

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**TITLE:** Consideration, discussion, and possible action on Ordinance #4 of the City of Lynnwood Transportation Benefit District to adopt the 2012 budget

**DEPARTMENT:** Public Works

**DEPARTMENT CONTACT:** Jeff Elekes and David Mach

**BACKGROUND:** See materials from the public hearing item 40A.

**ACTION:** Consider, discuss, and possibly adopt TBD Ordinance #4.

**ATTACHMENTS:** TBD Ordinance #4 (see item 40A)
City of Lynnwood
Transportation Benefit District Board

Item 50

Special Meeting
November 7, 2011
6:00 P.M.

TITLE: Consideration, discussion, and possible action on Resolution #4 - Amend the TBD Charter

DEPARTMENT: Public Works

DEPARTMENT CONTACT: Jeff Elekes and David Mach

BACKGROUND: At the July 12, 2010 Special TBD Board meeting, the TBD Board adopted Resolution #1, enacting the TBD charter. The charter was modeled after the City of Edmond's charter which has been in effect since February 2009. The charter outlines operating procedures including the following:

1) Purpose of the TBD
2) Powers and indemnification
3) Roles/responsibilities of its officers
4) Establishes the time and place for regular meetings

Section 5.06 outlines the roles and responsibilities of the District’s Treasurer (the city’s Finance Director). However, it does not specify the Treasurer’s authority to pay the District’s expenditures. Staff recommends revising the roles and responsibilities of the District’s Treasurer to include authority to pay the District’s expenditures and to fund the District’s approved projects. From time to time the District receives invoices for payment for miscellaneous items such as: meeting notice publication, meeting minute recording/development, and annual insurance premiums.

Additionally, section 6.01 of the TBD charter specifies that Regular TBD Board meetings are to be held on the second Monday of February and the second Monday of August of each year at 6:00 p.m. Staff recommends revising the second Regular TBD Board meeting date from the second Monday of August to the second Monday of October of each year. Doing so will provide staff with two more months of revenue data. This additional data will be helpful in developing a more accurate annual budget for the following year. In order to maintain a fairly even spread between regular meetings (five to seven months), staff also recommends postponing the first Regular TBD Board meeting date from the second Monday of February to the second Monday of March of each year.

ACTION: Consider, discuss, and possibly adopt Resolution #4.

ATTACHMENTS: TBD Resolution #4
LYNNWOOD TRANSPORTATION BENEFIT DISTRICT

RESOLUTION NO. 4

A RESOLUTION OF THE CITY OF LYNNWOOD,
WASHINGTON, TRANSPORTATION BENEFIT DISTRICT
AMENDING THE DISTRICT'S CHARTER.

WHEREAS, on May 24, 2010 the Lynnwood City Council did establish the Lynnwood Transportation Benefit District; and,

WHEREAS, in Resolution No. 1, the Board of the City of Lynnwood Transportation Benefit District adopted a charter stating operating procedures for the district, provided for the indemnification of the district officers, employees, and agents, and established the time and place for regular meetings of the district's Board; and

WHEREAS, the Board of the City of Lynnwood Transportation Benefit District desires to clarify the roles and responsibilities of the District's Treasurer to include authority to pay the District's expenditures; and

WHEREAS, the Board of the City of Lynnwood Transportation Benefit District desires to revise the second Regular TBD Board meeting date from the second Monday of August to the second Monday of October of each year in order to consider additional revenue data prior to developing an annual budget for the following year; NOW, THEREFORE,

THE BOARD OF THE CITY OF LYNNWOOD, WASHINGTON,
TRANSPORTATION BENEFIT DISTRICT, DOES HEREBY RESOLVE AS FOLLOWS:

Section 5.06 of the City of Lynnwood Transportation Benefit District Charter is hereby amended as follows:

Section 5.06 Treasurer. The Treasurer of the District shall be the City's Finance Director. The Finance Director is required by the Statute to serve as Treasurer and is not subject to removal by the Board. The Treasurer shall receive and faithfully keep all funds of the District and deposit the same in such bank or banks as may be designated by the District Board of Directors. The Treasurer, or the Treasurer's designee, shall pay the District's expenses in amounts up to $5,000.00 and consistent with the District's approved budget, from the District's revenues. The Treasurer is authorized to fund the District's approved transportation projects from the District's revenues remaining after payment of the District's expenses. The Treasurer shall also discharge such other duties as may be prescribed by the District Board of Directors.
Furthermore, Section 6.01 of the City of Lynnwood Transportation Benefit District Charter is hereby amended as follows:

**Section 6.01 Board Meetings.** Regular Board meetings shall be held on the second Monday of March and the second Monday of October of each year, at 6:00 p.m., at the Lynnwood City Council Chambers, City Hall, 19100 44th Avenue W., Lynnwood, WA 98036. Special Board meetings shall be held from time to time pursuant to 42.30.080 RCW.

PASSED this *7*th day of November, 2011 and signed in authentication of its passage this _______ day of ____________________, 2011.

Loren Simmonds
TBD Board President

ATTEST:

APPROVED AS TO FORM:

______________________________
Lorenzo Hines
Finance Director, acting as Board Treasurer

______________________________
Rosemary Larson
City Attorney, acting as Board Attorney

FILED WITH ADMINISTRATIVE SERVICES: _________
PASSED BY THE TRANSPORTATION BENEFIT DISTRICT BOARD: _________
RESOLUTION NUMBER: ____________