

Transportation Benefit District Public Hearing

Board Members

Craig Ottavelli,
President

Joe Hyer,
Vice President

Stephen Buxbaum

Doug Mah

Jeannine Roe

Karen Rogers

Rhenda Iris
Strub

Jane Kirkemo
Treasurer

Nicole Phillipson
Secretary

January 26, 2010
Olympia Council Chambers
6:00 p.m.

A G E N D A

1. Elect a President and Vice President for 2010
2. Approve Minutes of December 15, 2009 Transportation Benefit District Board Meeting
3. Present for Board approval the 2009 Annual Report regarding status of transportation improvement costs, expenditure, revenues, and construction schedules
4. Present and adopt resolution scheduling regular Board meetings for 2010
5. PUBLIC HEARING: Adopt 2010 Annual Plan for service regarding transportation improvement costs, scope, and construction schedules
6. PUBLIC HEARING: Re-adopt a material change policy



**TRANSPORTATION BENEFIT
DISTRICT BOARD
Olympia, Washington
December 15, 2009
MEETING MINUTES**

December 15, 2009, 6:20 P.M.

Board Members Present: President Craig Ottavelli, Vice President Joe Hyer, Boardmembers Jeff Kingsbury, Doug Mah, Karen Messmer, Jeannine Roe and Rhenda Iris Strub.

Staff Present: *Jane Kirkemo, Treasurer; Nicole Phillipson, Secretary; Annaliese Harksen, Assistant City Attorney*

The December 15, 2009 meeting of the Transportation Benefit District Board was called to order at 6:20 p.m.

Boardmember Mah moved, seconded by Vice President Hyer, to approve the Agenda. *The motion passed unanimously.*

1. Approval of Minutes of November 17, 2009 Transportation Benefit District Board Meeting

Boardmember Strub moved, seconded by Vice President Hyer, to approve the minutes. Vice President Hyer clarified that the Board was approving the amended minutes, not the minutes that had originally been posted in the electronic packet. ***The motion passed unanimously.***

2. Adoption of 2009 Budget (Jane Kirkemo, Treasurer)

Ms. Kirkemo reminded the Board that the budget for 2009 wasn't being adopted until December 15 because the OTBD didn't go into effect until October and has only received one month's worth of payment. After paying expenses, the OTBD will carry over all money to the 2010 budget. **Vice President Hyer moved, seconded by Boardmember Mah, to adopt the budget for 2009. *The motion passed unanimously.***

3. Oral Report on Update of Transportation Benefit District Implementation

Ms. Kirkemo updated the board that the revenues for the OTBD are lower than anticipated. Ms. Kirkemo discussed factors that could be involved in the low revenue collection. Ms. Kirkemo reminded the board on the calculation used to create the revenue estimate. Currently, four out of the five cities with active TBDs are collecting substantially lower revenues than anticipated. The Olympia TBD, along with the other cities' TBDs, is working with the Washington State Department of Licensing and the Washington State Department of Revenue to determine why revenue is lower than anticipated.

The meeting was adjourned at 6:26 p.m.

X

Nicole Phillipson
Board Secretary

DRAFT

**TRANSPORTATION BENEFIT DISTRICT BOARD**

Olympia, Washington

January 26, 2010

6:00 p.m.

Present for Board Approval of the 2009 Annual Report

STAFF CONTACT (s) Jane Kirkemo, 753-8325 or Nicole Phillipson, 570-3727**ORIGINATED BY:** Section 6.05 of the Charter**OTHERS NOTIFIED:** N/A**ATTACHMENTS:** 2009 Annual Report**BUDGET IMPACT/
SOURCE OF FUNDS:** N/A**PRIOR BOARD
REVIEW:** N/A

BACKGROUND: The Charter states, "the District, upon approval of the Board shall issue an annual report, indicating the status of transportation improvement costs, transportation improved expenditures, revenues and construction schedules, to the public and the newspapers of record in the District (the "Plan")."

**ANALYSIS
& OPTIONS:** The Olympia Transportation Benefit District only began collecting revenues in October 2009. There were no contracts for transportation projects. The net amount collected will be transferred to the City of Olympia Pavement Management program (as previously decided by the board). In 2011, the City of Olympia will send the Board their Plan on how the funds were spent.

- Adopted Charter Bylaws on February 10, 2009
- Adopted Charter on February 24, 2009
- Approved Interlocal Agreement between OTBD and Washington State Department of Licensing on June 16, 2009
- Approved Interlocal Agreement Between OTBD and the City of Olympia on October 13, 2009
- OTBD begins collecting \$20.00 fee in October 2009
- Total 2009 revenues recieved \$70,349.40
- Total 2009 expenses \$16,640.00

**TRANSPORTATION BENEFIT DISTRICT BOARD**

Olympia, Washington

January 26, 2010

6:00 p.m.

Adoption of Resolution Scheduling Regular Board Meetings**STAFF CONTACT (s):** Jane Kirkemo, 753-8499 or Nicole Phillipson, 570-3727**STAFF****RECCOMENDATION:** Adopt a resolution scheduling regular Board meetings.**ORIGINATED BY:** Section 6.01 of Charter, Section 2.1 of Charter Bylaws**OTHERS NOTIFIED:** Annaliese Harksen, 753-8003**ATTACHMENTS:** TBD Resolution-1**BUDGET IMPACT/
SOURCE OF FUNDS:** N/A**PRIOR BOARD
REVIEW:** N/A

BACKGROUND: The Charter and Bylaws require that beginning in its second year, regular Board meetings shall be scheduled by the Board through a resolution in January of each year.

**ANALYSIS
& OPTIONS:***Option 1:* Adopt TBD Resolution-1 as written.*Implications:* This satisfies the requirements of the Charter and Bylaws and schedules two regular Board meetings.*Option 2:* Amend TBD Resolution-1.*Implications:* Given that 2010 is the first full year of the TBD, the Board may choose to hold more frequent meetings in order to monitor revenue.

RESOLUTION NO. _____

A RESOLUTION OF THE OLYMPIA TRANSPORTATION BENEFIT DISTRICT BOARD ESTABLISHING REGULAR MEETINGS

WHEREAS, on December 16, 2008 the Olympia City Council did establish the Olympia Transportation Benefit District, and

WHEREAS, pursuant to the Olympia Transportation Benefit District (TBD) Charter at Section 6.01 and Bylaws at Section 3.1 , beginning in the TBD's second year, regular Board meetings shall be scheduled by the Board by resolution in January of each year;

NOW, THEREFORE, THE OLYMPIA TRANSPORTATION BENEFIT DISTRICT DOES RESOLVE:

Section 1. Regular meetings shall be held on the last Tuesday of January and the last Tuesday of September at 6:00 p.m. in the Olympia Council Chambers at Olympia City Hall, Olympia, Thurston County, Washington.

Section 2. Special Board meetings may be scheduled pursuant to the TBD Charter and Bylaws, in accordance with the law.

PASSED BY THE OLYMPIA TRANSPORTATION BENEFIT DISTRICT this ____ day of _____ 2010.

TBD PRESIDENT

ATTEST:

JANE KIRKEMO, TBD TREASURER

APPROVED AS TO FORM:

CITY ATTORNEY


TRANSPORTATION BENEFIT DISTRICT BOARD

Olympia, Washington

January 26, 2010

6:00 p.m.

Public Hearing and Adoption of 2010 Annual Plan for Service

STAFF CONTACT (s): Nicole Phillipson, 570-3727 or Jane Kirkemo, 753-8325

STAFF

RECOMMENDATION: Hold the public hearing and approve the 2010 Annual Plan for Service granting the proceeds to the City of Olympia to go towards projects identified in Ordinance TBD-1.

ORIGINATED BY: Section 3.7 of the Charter Bylaws

OTHERS NOTIFIED: *The Olympian* newspaper

ATTACHMENTS: Annual Plan for Service 2010

BUDGET IMPACT/

SOURCE OF FUNDS: \$400,000 from collection of \$20 license fee and use of fund balance

PRIOR BOARD

REVIEW: N/A

BACKGROUND: The Bylaws require the District to hold a public hearing to consider the adoption of its Annual Plan for Services. The Plan should identify transportation improvement costs, revenues and construction schedules.

**ANALYSIS
& OPTIONS:**

The Olympia Transportation Benefit District began collecting revenues in October 2009. The amount received is insufficient to contract for transportation improvement projects on our own. Therefore, the amount collected will be contracted to the City of Olympia Pavement Management CFP program (as previously decided by the Board). The City of Olympia will combine the TBD revenues with their funds to contract for projects. In 2011, the City of Olympia will send the Board their Plan on how the funds were spent.

This Plan assumes 2010 net available revenues of \$388,350 plus \$11,650 of fund balance for a budget of \$400,000. The net amount from 2009 was

\$53,709. By using \$11,650 for 2010, that leaves a fund balance of 42,059 or 10%. Because the district has only a 2 month history, staff is recommending leaving \$42,059 as a fund balance. The TBD will contract with the City of Olympia for \$400,000. If for some reason the revenues are less than anticipated, fund balance is the only option to make up a deficit.

Option 1: Hold the public hearing, take public comment and adopt a Plan for 2010 services.

Implications: This allows the public to comment on the 2010 plan for services and the Board to grant the proceeds to the City of Olympia for projects identified in Ordinance TBD-1.

Option 2: Hold the public hearing, take public comment but do not adopt the plan.

Implications: This would allow the public to comment but a special meeting of the board would have to be held to adopt the plan.



2010 Transportation Benefit District Plan for Service

<i>Year</i>	<i>Fund Type</i>	<i>Dollar Amount</i>
2010	Revenues (\$35,000 / Mo)	\$420,000
2010	*Expenses	-\$31,650
2010	Net Available	\$388,350
2009	Fund Balance	\$11,650
2010	Total Amount	\$400,000

The 2010 amount will be contracted to the City of Olympia's Pavement Management CFP Program.

**Expenses include salaries, insurance, legal advertising, web development, and supplies.*

**TRANSPORTATION BENEFIT DISTRICT BOARD**

Olympia, Washington

January 26, 2010

6:00 p.m.

Public Hearing and Re-adoption of the Material Change Policy

STAFF CONTACT (s): Nicole Phillipson, 570-3727 or Jane Kirkemo, 753-8325**STAFF****RECOMMENDATION:** Hold the public hearing and approve the Material Change Policy**ORIGINATED BY:** Section 3.7 of the Charter Bylaws**OTHERS NOTIFIED:** *The Olympian* newspaper**ATTACHMENTS:** Material Change Policy**BUDGET IMPACT/****SOURCE OF FUNDS:** N/A**PRIOR BOARD****REVIEW:** June 16, 2009

BACKGROUND: The Bylaws require the District hold a public hearing to consider adoption of its material change policy. The policy should cover material changes in cost, scope, and schedule.

ANALYSIS**& OPTIONS:**

The Olympia Transportation Benefit District Board initially passed the material change policy at the June 16, 2009 board meeting but did not hold a public hearing as required in the Bylaws.

Option 1: Hold the public hearing, take public comment and adopt the material change policy.

Implications: This allows the public to comment on the material change policy and the Board to adopt a policy to address changes in project cost, scope, and schedule.

Option 2: Hold the public hearing, take public comment but do not adopt the material change policy.

Implications: This would allow the public to comment but a special meeting of the board would have to be held to adopt the material change policy.

**OLYMPIA TRANSPORTATION BENEFIT DISTRICT
ADMINISTRATIVE POLICIES**

**POLICY NO. 1
MATERIAL CHANGE**

EFFECTIVE DATE: 6/17/09	
	APPROVED BY: TBD BOARD
REVISED: N/A	APPROVAL DATE: 6/16/09
SUPERSEDED: N/A	

- SECTION INDEX: 1 Material Change
- 1.1 Material Change to Cost
 - 1.2 Material Change to Scope
 - 1.3 Material Change to Schedule

1.1 Material Change to Cost. In the event a transportation improvement exceeds its original cost by more than twenty percent (20%) as identified in the TBD's original finance plan for such improvement, the governing body shall hold a public hearing to solicit comments from the public regarding how the cost change should be resolved. TBD staff shall consult with the Board President prior to setting the public hearing.

1.2 Material Change to Scope. In the event the scope of a transportation improvement materially changes beyond that originally anticipated at project approval, TBD staff shall consult with and review the changes with the Board President. The Board President shall determine whether or not to convene a meeting of the governing board for discussion.

1.3 Material Change to Schedule. In the event the schedule of a transportation improvement materially changes in a way that significantly impacts other TBD projects or funding or schedule changes exceed ninety (90) days, TBD staff shall consult with and review such changes with the Board President. The Board President shall determine whether or not to convene a meeting of the governing board for discussion.