August 22, 2014

NOTICE

LAKEWOOD TRANSPORTATION BENEFIT DISTRICT
BOARD MEETING

AND

LAKEWOOD CITY COUNCIL STUDY SESSION

Notice is hereby given that the Lakewood Transportation Benefit District Board will be meeting on Monday, August 25, 2014, at 7:00 p.m., at Lakewood City Hall, Council Chambers, 6000 Main Street SW, Lakewood, Washington.

The purpose of the meeting is to conduct a public hearing by the Transportation Benefit District Board to receive public testimony and comments on a proposed $20 annual vehicle license fee tab and various transportation street improvement projects.

Following the Transportation Benefit District Board meeting, the Lakewood City Council will hold a Study Session at the same location.

Alice M. Bush, MMC
City Clerk

6000 Main Street SW • Lakewood, WA 98499-5027 • (253) 589-2489 • Fax: (253) 589-3774
www.cityoflakewood.us
August 22, 2014

NOTICE

LAKEWOOD CITY COUNCIL ATTENDANCE

AT

I-5 COMMUTE ACT TOUR

Notice is hereby given that on Tuesday, August 26, 2014, the Lakewood City Council will be attending the I-5 Commute Act Tour beginning at 1:00 p.m. The City Council will meet at Lakewood City Hall, 6000 Main Street SW, Lakewood, Washington to begin the tour.

Alice M. Bush, MMC
City Clerk
Call to Order

Roll Call

(4) Approval of the meeting minutes of July 21, 2014.

(6) This is the date set for a public hearing by the Transportation Benefit District Board on a proposed $20 annual vehicle license fee tab and various transportation street improvement projects.

Adjournment
CALL TO ORDER

Acting Chair Whalen called the meeting to order at 9:17 p.m.

ROLL CALL

Board members Present: 6- Acting Chair Jason Whalen; Board Members Mary Moss, Mike Brandstetter, John Simpson, Marie Barth and Paul Bocchi.

Board members Excused: 1– Chair Don Anderson.

ITEMS FOR DISCUSSION:

Approval of the meeting minutes of July 14, 2014.

BOARD MEMBER MOSS MOVED TO APPROVE THE JULY 14, 2014 TRANSPORTATION BENEFIT DISTRICT BOARD MINUTES AS PRESENTED. SECONDED BY BOARD MEMBER SIMPSON. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

Motion No. TBD 2014-01 setting Monday, August 25, 2014, at approximately 7:00 p.m., as the date for a public hearing by the Transportation Benefit District Board on a proposed $20 annual vehicle license fee tab and various transportation street improvement projects.

Discussion ensued on options 1 and 2 of a proposed ordinance and how a sunset of an annual vehicle license tab fee would work regard to the sunset date of the Transportation Benefit District.
BOARDMEMBER BRANDSTETTER MOVED TO SET MONDAY, AUGUST 25, 2014, AT APPROXIMATELY 7:00 P.M., AS THE DATE FOR A PUBLIC HEARING BY THE TRANSPORTATION BENEFIT DISTRICT BOARD ON A PROPOSED $20 ANNUAL VEHICLE LICENSE FEE TAB AND VARIOUS TRANSPORTATION STREET IMPROVEMENT PROJECTS. SECONDED BY BOARD MEMBER BARTH. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:35 p.m.

____________________________________
JASON WHALEN, ACTING CHAIR

ATTEST:

____________________________________
ALICE M. BUSH, MMC
CLERK OF THE BOARD
NOTICE OF
PUBLIC HEARING

Notice is hereby given that on Monday, August 25, 2014, at approximately 7:00 p.m., or soon thereafter, the Transportation Benefit District Board will hear public testimony and receive additional information on a proposed $20 annual vehicle license fee tab and various transportation street improvement projects including:

- Steilacoom Boulevard-Lakewood Dr to W of South Tacoma Way
- Pacific Highway - 108th to SR 512
- 100th - Lakeview to South Tacoma Way
- New LED Street Lights
- Signal Projects
- Minor Capital Projects
- Neighborhood Traffic Safety
- Personnel, Engineering, Professional Services
- Chip Seal Program - Local Access Roads
- Lakewood Dr - 100th to Steilacoom Blvd
- Lakewood Dr - Fleet Creek to N. City Limits
- Main Street - Gravelly Lake Drive to 108th St
- 59th - Main Street to 100th
- 59th - 100th to Bridgeport
- 108th - Bridgeport to Pacific Highway
- 108th - Main Street to Bridgeport
- Custer - Steilacoom to John Dower
- 88th - Steilacoom to Custer
- 100th - 59th to Lakeview

If you have comments about this matter and want them to be known and considered, they must be presented at the hearing, or written comments can be submitted to the Clerk of the Board, 6000 Main Street SW, Lakewood, WA 98499, prior to the hearing.
The public hearing will take place at City of Lakewood, Council Chambers, 6000 Main Street SW, Lakewood, Washington.

For further information, please contact Assistant City Manager of Finance and Administrative Services Tho Kraus, 253-983-7706 or Public Works Director, Don Wickstrom, 253-983-7737.

Alice M. Bush, MMC
City Clerk

(TBD Motion 2014-01)
To: Mayor and City Councilmembers

From: Tho Kraus, Assistant City Manager/Finance & Administrative Services, Don Wickstrom, Public Works Director, Heidi Ann Wachter, City Attorney

Through: John J. Caulfield, City Manager

Date: August 25, 2014

Subject: Public Hearing on Proposed $20 Annual Vehicle License Fee and Various Transportation Improvement Projects

The Transportation Benefit District Board (TBD) set August 25, 2014 as the date for a Public Hearing on implementation of a $20 vehicle licensing fee for the TBD. The TBD Board finds that an annual vehicle license fee in the amount of $20 is the best way to preserve, maintain, operate, construct, or reconstruct the transportation infrastructure of the City of Lakewood and fund transportation improvements within the District that are consistent with existing state, regional or local transportation plans necessitated by existing or reasonably foreseeable congestion levels.

The TBD Board has discussed the transportation infrastructure needs of the City of Lakewood and available financing to address these needs. The TBD Board has reached consensus that a set of projects presented as “Package 1 – General Government Contributions, Grants, Vehicle License Fee” is an appropriate measure to take at this time. These projects would be funded by a $20 vehicle license fee in conjunction with general fund money ($4.08M and $5.06M, respectively, for a total of $9.1M). Under RCW 82.80.140 & RCW 46.17.350 the $20 vehicle license fee will be charged for the following:

- Auto stage, six seats or less
- Commercial trailer
- For hire vehicle, six seats or less
- Mobile home (if registered)
- Motor home
- Motorcycle
- Passenger car
- Sport utility vehicle
- Tow truck
- Trailer, over 2000 pounds (but if private use single axel, it’s exempt)
- Travel trailer; and
- Each vehicle subject to grow weight license fees with a scale weight of six thousand pounds or less
The following vehicles are exempt from the $20 vehicle license fee:

- Campers, as defined in RCW 46.04.085
- Farm tractors or farm vehicles, as defined in RCW 46.04.180 and 46.04.181
- Mopeds, as defined in RCW 46.04.304
- Off-road and non-highway vehicles, as defined in RCW 46.04.365
- Private use single-axle trailer, as defined in RCW 46.04.422
- Snowmobiles, as defined in RCW 46.04.546; and
- Vehicles registered under chapter 46.87 RCW and the international registration plan.

Without the $20 vehicle license fee, the City would have to identify and reallocate $4.08M in city resources with the consequence of impact to current services, seek that amount from outside sources without assurance of success or accept the declining condition of the roadways.

<table>
<thead>
<tr>
<th>Project # / Name</th>
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<td></td>
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<td>$745,000</td>
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<tr>
<td>3 Pacific Highway - 108th to SR 512</td>
<td>$478,000</td>
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<tr>
<td>4 100th - Lakeview to South Tacoma Way</td>
<td>$480,000</td>
</tr>
<tr>
<td>xx Chip Seal Program - Local Access Roads</td>
<td>$1,500,000</td>
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<tr>
<td><strong>Total Pavement Preservation - Current Projects</strong></td>
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<tr>
<td>New LED Street Lights</td>
<td>$ -</td>
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<tr>
<td>Signal Projects</td>
<td>$300,000</td>
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<tr>
<td>Minor Capital Projects</td>
<td>$100,000</td>
</tr>
<tr>
<td>Neighborhood Traffic Safety</td>
<td>$65,000</td>
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<tr>
<td>Personnel, Engineering, Professional Services</td>
<td>$2,656,000</td>
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<td><strong>Total - Other</strong></td>
<td>$3,121,000</td>
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<tr>
<td>5 Lakewood Dr - 100th to Steilacoom Blvd</td>
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<td>6 Lakewood Dr - Fleet Creek to N. City Limits</td>
<td>$ -</td>
</tr>
<tr>
<td>7 Main Street - Gravelly Lake Drive to 108th St</td>
<td>$ -</td>
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<tr>
<td>8 59th - Main Street to 100th</td>
<td>$ -</td>
</tr>
<tr>
<td>9 59th - 100th to Bridgeport</td>
<td>$ -</td>
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<tr>
<td>10 108th - Bridgeport to Pacific Highway</td>
<td>$ -</td>
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<tr>
<td>11 108th - Main Street to Bridgeport</td>
<td>$ -</td>
</tr>
<tr>
<td>12 Custer - Steilacoom to John Dower</td>
<td>$ -</td>
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<tr>
<td>13 88th - Steilacoom to Custer</td>
<td>$ -</td>
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<tr>
<td>14 100th - 59th to Lakeview</td>
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<td><strong>Total Pavement Preservation - New Projects</strong></td>
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<tr>
<td><strong>Total - Package 1</strong></td>
<td>$6,529,000</td>
</tr>
</tbody>
</table>
ORDINANCE NO.

AN ORDINANCE of the City of Lakewood Transportation Benefit District, authorizing a vehicle license fee of twenty dollars and identifying projects to be funded.

WHEREAS, on August 6, 2012 the City of Lakewood established the Transportation Benefit District by adopting Ordinance No. 550, as authorized by RCW 35.21.255 and subject to the provisions of Chapter 36.73 RCW; and

WHEREAS, RCW 36.73.065 authorizes a transportation benefit district to impose, by majority vote of the district’s governing board, up to $20 of the vehicle license fee authorized in RCW 82.80.140; and

WHEREAS, in accordance with RCW 82.80.140, the new $20 vehicle license fee may not be collected until six months after approval of this action by the governing board; and

WHEREAS, a public hearing was held on August 25, 2014, regarding the adoption of the proposed annual vehicle license fee in the amount of $20 and selection of projects; and

WHEREAS, the Board of the City of Lakewood, Transportation Benefit District, which is the governing board of the District, finds it is in the best interest of the District to establish an annual vehicle license fee in the amount of $20 for the purpose of preserving, maintaining, operating, constructing, or reconstructing the transportation infrastructure of the City of Lakewood and funding transportation improvements within the District that are consistent with existing state, regional or local transportation plans necessitated by existing or reasonably foreseeable congestion levels.

NOW, THEREFORE, THE BOARD OF THE CITY OF LAKEWOOD TRANSPORTATION BENEFIT DISTRICT DOES ORDAIN as follows:

Section 1. Fee Established. An annual vehicle license fee in the amount of $20 is established, consistent with RCW 36.73.065 to be collected by the Washington Department of Licensing on qualifying vehicles, as set forth in RCW 82.80.140 and Chapter 36.73 RCW.

Section 2. Projects. The projects listed herein shall be funded with the revenue generated:

- Steilacoom Boulevard-Lakewood Dr to W of South Tac Way
- Pacific Highway - 108th to SR 512
- 100th - Lakeview to South Tacoma Way
- New LED Street Lights
- Signal Projects
- Minor Capital Projects
- Neighborhood Traffic Safety
- Personnel, Engineering, Professional Services
- Chip Seal Program - Local Access Roads
- Lakewood Dr - 100th to Steilacoom Blvd
- Lakewood Dr - Fleet Creek to N. City Limits
- Main Street - Gravelly Lake Drive to 108th St
• 59th - Main Street to 100th
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• 88th - Steilacoom to Custer
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Section 3. Notification to DOL. The City of Lakewood Transportation Benefit District Governing Board requests that the City Clerk for the City of Lakewood notify the Washington State Department of Licensing (DOL) of the vehicle license fee established in Section 1 of this ordinance and to request that DOL take all the steps necessary to implement collection of this fee in accordance with RCW 82.80.140.

Section 4: Term. This ordinance shall expire consistent with provisions of the LMC Chapter 12A.16, currently or as later amended, upon the dissolution of the Lakewood Transportation Benefit District.

Section 5. Publication, Effective Date. This ordinance shall take effect five days after passage and publication of a summary consisting of the title in the official newspaper of the City of Lakewood.

Section 6: Savings Clause. This Ordinance does not affect any existing right acquired or liability or obligation incurred under the sections this Ordinance or under any rule or order adopted under those sections, nor does it affect any proceeding instituted under those sections.

Section 7: Effective Date. This ordinance shall take place five (5) days after its publication or publication of a summary of its intent and contents.

ADOPTED by the City Council this ___ day of _____, 2014.

CITY OF LAKEWOOD

Don Anderson, Chair of Board

Attest:

Alice M. Bush, MMC, TBD Clerk

Approved as to Form:

Heidi A. Wachter TBD Attorney
Transportation Benefit District Questions and Answers

What is a Transportation Benefit District (TBD)?
A Transportation Benefit District (TBD) is a quasi-municipal corporation and independent taxing district created for the sole purpose of acquiring, constructing, improving, providing, and funding transportation improvements within the district. State law has allowed Transportation Benefit Districts for more than 20 years to address transportation needs. The law was modified in 2007. A City (or County) may now implement up to a $20 per vehicle fee with City Council (or County Commissioner) approval under Chapter 36.73 RCW. There are approximately 60 cities with TBD’s in Washington State.

Who can create a TBD?
The legislative authority of a county or city may create a TBD by ordinance following the procedures of the Revised Code of Washington (RCW) Chapter 36.73.

When and how did the City Council establish a TBD?
After the notice for a public hearing proposing a TBD was published in the newspaper and posted in the legally required places, the City Council held a public hearing on July 16, 2012 regarding whether to establish a TBD for the city. After the hearing, the City Council considered local transportation needs compared to available funding and voted to adopt an ordinance (City Ordinance No. 550) establishing the TBD. The ordinance created a new chapter in the Lakewood Municipal Code, Chapter 12A.16.000 Transportation Benefit District. The new code chapter identifies the TBD’s purpose, location, governing board, funding mechanism, use of funds, and end-date.

Who governs the Lakewood TBD?
The TBD Board governs the TBD. Under state law, the TBD Board for a citywide TBD must consist of all members of the City Council, who as TBD Board members must take on an independent role.

When did the TBD Board start?
The TBD Board held its first meeting and public hearing on March 25, 2013.

What are the boundaries of the Lakewood TBD?
The physical boundaries of Lakewood TBD are identical to the Lakewood City limits.

What will the TBD fees fund?
The TBD fees can only be used for authorized transportation purposes. The TBD Board has discussed the transportation infrastructure needs of the City of Lakewood and available financing to address these needs. At the TBD Board meeting held on Monday, July 14, 2014, the Board reached consensus that a set of projects presented as “Package 1 – General Government Contributions, Grants, Vehicle License Fee” is necessary to protect the state of the City’s streets.

“Package 1 – General Government Contributions, Grants, Vehicle License Fee”
The projects listed below shall be funded with the revenue generated:
- Steilacoom Boulevard-Lakewood Dr to W of South Tac Way
- Pacific Highway - 108th to SR 512
- 100th - Lakeview to South Tacoma Way
- New LED Street Lights
- Signal Projects
- Minor Capital Projects
- Neighborhood Traffic Safety
- Personnel, Engineering, Professional Services
• Chip Seal Program - Local Access Roads
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How much is the TBD fee?
The TBD fee authorized by Lakewood is $20 per year for each qualifying vehicle license—the same amount many cities are using. A greater amount cannot be charged unless voters specifically approve it in a ballot measure. (No such measure is proposed by the Lakewood TBD Board or City Council.)

Can I “opt out” of the $20 Transportation Benefit District fee?
No. Unlike the Washington State Parks donation, the Transportation Benefit District Fee is mandatory for all vehicles subject to the fee under RCW 82.80.140, and renewing their tabs for addresses in the Lakewood City limits.

Can the $20 fee be waived for special circumstances?
Yes. The fee can only be waived for a qualifying veteran exemption as indicated on the Department of Licensing vehicle record.

What types of vehicles are subject to the TBD fee?
Based on state law, the following vehicle types are subject to the TBD fee:

• Auto stage, six seats or less
• Commercial trailer
• For hire vehicle, six seats or less
• Mobile home (if registered)
• Motor home
• Motorcycle
• Passenger car
• Sport utility vehicle
• Tow truck
• Trailer, over 2000 pounds (but if private use single axel, it’s exempt).
• Travel trailer
• And for each vehicle subject to grow weight license fees with a scale weight of six thousand pounds or less

What types of vehicles are exempt from the TBD fee?
The following vehicle types are exempt from the TBD fee:

• Campers, as defined in RCW 46.04.085;
• Farm tractors or farm vehicles, as defined in RCW 46.04.180 and 46.04.181;
• Mopeds, as defined in RCW 46.04.304;
• Off-road and nonhighway vehicles, as defined in RCW 46.04.365;
• Private use single-axle trailer, as defined in RCW 46.04.422;
• Snowmobiles, as defined in RCW 46.04.546; and
• Vehicles registered under chapter 46.87 RCW and the international registration plan.

Are TBD revenues required to be spent as they are collected?
No. The governing body must develop a plan that specifies the transportation improvements to be provided or funded by the TBD. As part of this plan, the TBD’s governing board can indicate if the funds will be used immediately, or if they will be collected for a specified period. Typically, funds that are collected for a specified period before being expended are used to fully fund large projects, when bonding, or serve as a match for state or federal funds that may only become available in a future time frame.

What other requirements should I be aware of?
If project costs exceed original costs by more than 20 percent, a public hearing must be held to solicit public comment regarding how the cost change should be resolved.

The TBD Board must issue an annual report to include the status of project costs, revenues, expenditures, and construction schedules.

The TBD must be dissolved upon completion of the project(s) and the payment of debt service.

Who can I contact about other fees on my Vehicle License Tab Renewal Notice?
For fees related to the Department of Licensing (DOL) (for example: weight based fee, license plate replacement fee, reflective coating fee, etc.), please contact DOL's Vehicle Customer Service Center at 360.902.3770.

For the $5 voluntary donation related to Washington State Parks, please contact the Washington State Park Headquarters at 360.902.8844.

City contact information
Brent Champaco
Communications Manager
6000 Main Street SW Lakewood, WA 98499
bchampaco@cityoflakewood.us
253-983-7761

Additional TBD Information
• Department of Licensing
• For more information on vehicle registration fee funded TBDs and the type of vehicles subject to fees, please see the Washington State Department of licensing web site at:
  • http://www.dol.wa.gov/vehicleregistration/localfees.html
• For Washington State TBD law, see the following:
  • http://apps.leg.wa.gov/rcw/default.aspx?cite=36.73
Public Hearing on Proposed $20 VLF and Various Transportation Improvement Projects

Lakewood Transportation Benefit District
August 25, 2014
Background

- TBD set August 25, 2014 as date for Public Hearing on implementation of $20 vehicle licensing fee.

- The TBD Board finds that an annual vehicle license fee in the amount of $20 is the best way to preserve, maintain, operate, construct, or reconstruct the transportation infrastructure of the City of Lakewood and fund transportation improvements within the District that are consistent with existing state, regional or local transportation plans necessitated by existing or reasonably foreseeable congestion levels.
Background

- The TBD Board has discussed the transportation infrastructure needs of the City of Lakewood and available financing to address these needs.

- The TBD Board has reached consensus that a set of projects presented as “Package 1 – General Government Contributions, Grants, Vehicle License Fee” is an appropriate measure to take at this time.

- These projects would be funded by a $20 vehicle license fee in conjunction with general fund money ($4.08M and $5.06M, respectively, for a total of $9.1M).
$20 Vehicle License Fee Charged
- RCW 82.80.140 & RCW 46.17.350

- Auto stage, six seats or less
- Commercial trailer
- For hire vehicle, six seats or less
- Mobile home (if registered)
- Motor home
- Motorcycle
- Passenger car
- Sport utility vehicle
- Tow truck
- Trailer, over 2000 pounds (but if private use single axel, it’s exempt)
- Travel trailer; and
- Each vehicle subject to grow weight license fees with a scale weight of six thousand pounds or less
Exempt from $20 Vehicle Licensing Fee

- Campers, as defined in RCW 46.04.085
- Farm tractors or farm vehicles, as defined in RCW 46.04.180 and 46.04.181
- Mopeds, as defined in RCW 46.04.304
- Off-road and non-highway vehicles, as defined in RCW 46.04.365
- Private use single-axel trailer, as defined in RCW 46.04.422
- Snowmobiles, as defined in RCW 46.04.546; and
- Vehicles registered under chapter 46.87 RCW and the international registration plan.
If No $20 Vehicle Licensing Fee

- City would have to identify and reallocate $4.08M in city resources with the consequence of impact to current services, seek that amount from outside sources without assurance of success or accept the declining condition of the roadways.
## Package 1 Projects

<table>
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<tr>
<th>Project # / Name</th>
<th>Funded</th>
<th>Unfunded</th>
<th>Total Cost</th>
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<td>$1,500,000</td>
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<td>New LED Street Lights</td>
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<td>$390,000</td>
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<td>Minor Capital Projects</td>
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<td>Neighborhood Traffic Safety</td>
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<td>Personnel, Engineering, Professional Services</td>
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<td><strong>$9,140,000</strong></td>
<td><strong>$15,669,000</strong></td>
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</table>
Ordinance Highlights

• Fee may not be collected until 6 months after approval of ordinance.
• Specific projects listed.
• Fees collected by Washington State Department of Licensing.

• Ordinance shall expire consistent with provisions of the LMC Chapter 12A.16, currently or as later amended, upon the dissolution of the Lakewood Transportation Benefits District.
TBD Questions & Answers

- What is a Transportation Benefit District (TBD)?
- Who can create a TBD?
- When and how did the City Council establish a TBD?
- Who governs the Lakewood TBD?
- When did the TBD Board start?
- What are the boundaries of the Lakewood TBD?
- What will the TBD fees fund?
- What are the Package 1 Projects funded by general government contributions, grants and vehicle license fee?
- How much is the TBD fee?
- Can I “opt out” of the $20 Transportation Benefit District fee?
- Can the $20 fee be waived for special circumstances?
- What types of vehicles are subject to the TBD fee?
- What types of vehicles are exempt from the TBD fee?
- Are TBD revenues required to be spent as they are collected?
- What other requirements should I be aware of?
- Who can I contact about other fees on my Vehicle License Tab Renewal Notice?
TBD Questions & Answers

City Contact Information
Brent Champaco, Communications Manager
6000 Main Street SW Lakewood, WA 98499
bchampaco@cityoflakewood.us
253-983-7761

Additional TBD Information
• Department of Licensing
• For more information on vehicle registration fee funded TBDs and the type of vehicles subject to fees, please see the Washington State Department of licensing web site at:
  • http://www.dol.wa.gov/vehicleregistration/localfees.html
• For Washington State TBD law, see the following:
  • http://apps.leg.wa.gov/rcw/default.aspx?cite=36.73
Next Steps

September 2, 2014 Regular City Council Meeting
Authorize an annual $20 vehicle license fee and various transportation improvement projects.
End of Presentation

• Questions?