

## **RESOLUTION NO. R-2019-**

**A RESOLUTION** adopting a material change policy for the City of Yakima TBD.

**WHEREAS**, on January 10, 2017, the City Council created the City of Yakima Transportation Benefit District ("TBD") with boundaries coterminous with the boundaries of the City of Yakima, all in accordance with Chapter 36.73 RCW; and,

**WHEREAS**, January 10, 2017 the City Council assumed the rights, powers, immunities, functions, and obligations of a transportation benefit district ; and,

**WHEREAS**, on March 21, 2017 the City Council amended the TBD Project list which identifies projects within the City that constitute transportation improvements that may be funded by the TBD ; and,

**WHEREAS**, on December 5, 2017 the City Council established an annual \$20 vehicle license fee to fund transportation improvements on the approved TBD Project list; and,

**WHEREAS**, RCW 36.73.160 requires adoption of a material change policy to address major plan changes that affect project delivery or the ability to finance the plan; now, therefore,

### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YAKIMA:**

A material change policy, as required by Chapter 36.73 RCW, is hereby established and adopted as follows:

Section 1. Material Change to Cost. In the event an approved transportation improvement project exceeds its original cost by more than twenty percent (20%), the City Council shall hold a public hearing to solicit comments from the public regarding how the cost change should be resolved.

Section 2. Material Change to Scope. In the event the scope of a transportation improvement project materially changes from that originally anticipated at project approval, the City Manager shall consult with the Director of Public Works about the scope of such changes. The City Manager shall determine whether or not to place the issue on the agenda for a meeting of the City Council for discussion. If the scope change will result in an increase in cost by more than twenty percent (20%), the City Council shall hold a public hearing to solicit comments from the public regarding how the change of scope should be resolved.

Section 3. Material Change to Schedule. In the event that the schedule of a transportation improvement project will result in an extension of any specific project schedule by more than ninety (90) days, or, in the event that the schedule change of a transportation improvement project will result in an increase in cost by more than twenty percent (20%), the City Council shall hold a public hearing to solicit comments from the public regarding how the schedule change should be resolved.

Section 4. Definition of Material Change. "Material Change" as used in this policy means a change, knowledge of which would, more likely than not, have affected the governing body's decision regarding the project. The City Manager in consultation with the Director of Public Works shall have the authority to determine whether material changes have occurred that require a meeting of the City Council.

**ADOPTED BY THE CITY COUNCIL** this 4<sup>th</sup> day of June, 2019.

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Kathy Coffey, Mayor

ATTEST:

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Sonya Claar Tee, City Clerk