

**RESOLUTION NO. R-12-004-TBD**

**A RESOLUTION OF THE MAPLE VALLEY TRANSPORTATION BENEFIT DISTRICT, MAPLE VALLEY WASHINGTON, APPROVING A MATERIAL CHANGE POLICY**

WHEREAS, chapters 36.73 RCW and RCW 35.21.255 authorize the City of Maple Valley City Council to establish a transportation benefit district within the City's jurisdiction for the purpose of acquiring, constructing, improving, providing, and funding transportation improvements within the district that are consistent with existing state, regional, and local transportation plans and necessitated by existing or reasonably foreseeable congestion levels; and

WHEREAS, in Ordinance O-12-515, the City Council of the City of Maple Valley established the Maple Valley Transportation Benefit District ("District") as authorized by RCW 35.21.225 and subject to the provisions of RCW 36.73; and

WHEREAS, the District's Board ("Board") has established an annual \$20.00 vehicle license fee, and has approved certain transportation improvements to be funded with the revenue from the vehicle license fee, and

WHEREAS, RCW 36.73.160 requires the Board to adopt a policy to address major plan changes that affect project delivery or the ability to finance the plan, and address material changes to cost, scope, and schedule; the level of change that will require Board involvement; and how the Board will address those changes;

NOW, THEREFORE, BE IT RESOLVED by the Board of the Maple Valley Transportation Benefit District, City of Maple Valley, Washington, 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 Board shall hold a public hearing to solicit comments from the public regarding how the cost change should be resolved. District staff shall consult with the Board Chair prior to setting the public hearing.

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, District staff shall consult with the Board Chair about the scope of such changes. The Board Chair shall determine whether or not to convene a special meeting of the Board for discussion. If the scope change will result in an increase in cost by more than twenty percent (20%) the Board 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 Board shall hold a public hearing to solicit comments from the public regarding how the schedule change should be resolved.

PASSED by the Board of the Maple Valley Transportation Benefit District at a Special Meeting this 10th day of December, 2012.

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Noel T. Gerken, Board President

ATTEST:

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Shaunna Lee-Rice, Board Clerk

Approved as to form:

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Christy A. Todd, Board Attorney