

**PROSSER TRANSPORTATION BENEFIT DISTRICT
RESOLUTION NO. 11-TBD-07**

**A RESOLUTION OF THE CITY OF PROSSER,
WASHINGTON, TRANSPORTATION BENEFIT
DISTRICT APPROVING A MATERIAL CHANGE
POLICY.**

WHEREAS, Chapter 36.73 RCW and RCW 35.21.255 authorize the City of Prosser 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, the City Council of the City of Prosser found it to be in the best interests of the City to establish a citywide Transportation Benefit District consistent with Chapter 36.73 RCW, to protect the City's long term investments in that infrastructure, to reduce the risk of transportation facility failures and improve safety, to continue optimal performance of the infrastructure over time, and to avoid more expensive infrastructure replacements in the future; and

WHEREAS, in Ordinance No. 2650, the City Council of the City of Prosser established a Transportation Benefit District as authorized by RCW 35.21.225 and subject to the provisions of RCW 36.73; and

WHEREAS, pursuant to RCW 36.73.030(3), the members of the City Council, acting ex officio and independently, constitute the governing body of the Transportation Benefit District; and

WHEREAS, pursuant to RCW 36.73.160 the Board of the City of Prosser Transportation Benefit District shall develop a material change policy to address major plan changes that affect project delivery or the ability to finance the plan; NOW, THEREFORE,

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


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 Transportation Benefit District's ("TBD's") original finance plan for such improvement, the TBD Board 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 Chair 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 Chair who shall convene a meeting of the governing board for discussion.

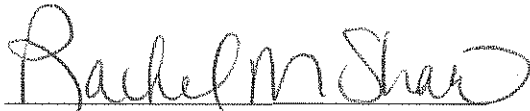
1.3 Material Change to Schedule. In the event the schedule of a transportation improvement materially changes in a way that significantly impacts other TBD projects or funding or schedule changes exceed three hundred and sixty-five (365) days, TBD staff shall consult with and review such changes with the Board Chair who shall convene a meeting of the governing board for discussion.

1.4 Definition of material Changes. "Material changes" as used in sections 1.2 and 1.3 above means a change, knowledge of which would, more likely than not, have affected the governing body's decision regarding the project. The board Chair in consultation with the Vice Chair shall have the authority to determine whether material changes have occurred that require a meeting of the governing body.

PASSED this 11th day of October, 2011 and signed in authentication of its passage this 12th day of October, 2011.


Morgan Everett, Chair

ATTEST:



Rachel M. Shaw
City Clerk, Secretary

APPROVED AS TO FORM:



Howard M. Saxton, III
City Attorney