

1 **LYNNWOOD TRANSPORTATION BENEFIT DISTRICT**

2
3 **RESOLUTION NO. 2**

4
5 A RESOLUTION OF THE CITY OF LYNNWOOD,
6 WASHINGTON, TRANSPORTATION BENEFIT DISTRICT
7 APPROVING A MATERIAL CHANGE POLICY.
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10 WHEREAS, Chapter 36.73 RCW and RCW 35.21.255 authorize the City of Lynnwood
11 City Council to establish a Transportation Benefit District within the City's jurisdiction for the
12 purpose of acquiring, constructing, improving, providing, and funding transportation
13 improvements within the district that are consistent with existing state, regional, and local
14 transportation plans and necessitated by existing or reasonably foreseeable congestion levels; and
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16 WHEREAS, the City Council of the City of Lynnwood found it to be in the best interests
17 of the City to establish a citywide Transportation Benefit District consistent with Chapter 36.73
18 RCW, to protect the City's long term investments in that infrastructure, to reduce the risk of
19 transportation facility failures and improve safety, to continue optimal performance of the
20 infrastructure over time, and to avoid more expensive infrastructure replacements in the future;
21 and
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23 WHEREAS, in Ordinance No. 2837, the City Council of the City of Lynnwood
24 established a Transportation Benefit District as authorized by RCW 35.21.225 and subject to the
25 provisions of RCW 36.73; and
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27 WHEREAS, pursuant to RCW 36.73.030(3), the members of the City Council, acting ex
28 officio and independently, constitute the governing body of the Transportation Benefit District;
29 and
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31 WHEREAS, pursuant to RCW 36.73.160 the Board of the City of Lynnwood
32 Transportation Benefit District shall develop a material change policy to address major plan
33 changes that affect project delivery or the ability to finance the plan; NOW, THEREFORE,
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35 THE BOARD OF THE CITY OF LYNNWOOD, WASHINGTON,
36 TRANSPORTATION BENEFIT DISTRICT, DOES HEREBY RESOLVE AS FOLLOWS:
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38 **1.1 Material Change to Cost.** In the event a transportation improvement exceeds its original
39 cost by more than twenty percent (20%) as identified in the Transportation Benefit District's
40 ("TBD's") original finance plan for such improvement, the TBD Board shall hold a public
41 hearing to solicit comments from the public regarding how the cost change should be
42 resolved. TBD staff shall jointly consult with the Board President and Vice President prior
43 to setting the public hearing.
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1 **1.2 Material Change to Scope.** In the event the scope of a transportation improvement
2 materially changes beyond that originally anticipated at project approval, TBD staff shall
3 consult with and review the changes with the Board President. The Board President jointly
4 with the Vice President shall determine whether or not to convene a meeting of the
5 governing board for discussion.
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7 **1.3 Material Change to Schedule.** In the event the schedule of a transportation improvement
8 materially changes in a way that significantly impacts other TBD projects or funding or
9 schedule changes exceed ninety (90) days, TBD staff shall consult with and review such
10 changes with the Board President. The Board President jointly with the Vice President shall
11 determine whether or not to convene a meeting of the governing board for discussion.
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13 PASSED this 12th day of July, 2010 and signed in authentication of its passage this 14th
14 day of July, 2010.
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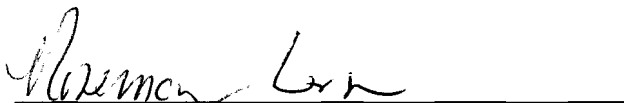
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19 Loren Simmonds
20 TBD President

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23 ATTEST:

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27 Patrick L. Dugan
28 Interim Finance Director, acting as
29 Board Treasurer
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APPROVED AS TO FORM:

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33 Rosemary Larson
34 City Attorney, acting as Board Attorney
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FILED WITH ADMINISTRATIVE SERVICES: _____

PASSED BY THE TRANSPORTATION BENEFIT DISTRICT BOARD: 7-12-10

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