

**CITY OF WEST RICHLAND
RESOLUTION NO. 23-20**

**A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON,
AUTHORIZING THE MAYOR TO SIGN AND EXECUTE A TRANSPORTATION
IMPACT FEE MITIGATION AGREEMENT**

WHEREAS, the City Council has adopted Ordinance No. 12-92 codified as West Richland Municipal Code Chapter 16.14 to insure that impacts on the City's transportation system will be mitigated as development occurs so that the citizens of the City, both those present and those moving into the City, will continue to enjoy the high quality of life and living environment which currently exists, and

WHEREAS, the expansion and improvement of the City's transportation system are necessary to meet demands prompted by development; and

WHEREAS, the City Council has adopted Ordinance 02-10, establishing and implementing requirements and formulas for use in mitigating development impacts on the City's transportation system; and

WHEREAS, Ordinance 02-10, section 7. Credits, establishes credits against the Developer's Transportation Impact Fee for the value of dedicated land and constructed roadway improvements that are included in the City's Six-Year Transportation Improvement Plan and or serve the goals and objectives of the Transportation Element of the Capital Improvement Plan; and

NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF WEST RICHLAND, WASHINGTON, does hereby resolve as follows:


Section 1. The City Council of West Richland, Washington authorizes the Mayor to sign and execute the Transportation Impact Fee Mitigation Agreement as shown in exhibit 'A'.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, this 2nd day of June, 2020.


Brent Gerry, Mayor

ATTEST:


Julie Richardson, City Clerk

APPROVED TO FORM:


Bronson Brown, City Attorney WSRA# 33673

**WHEN RECORDED RETURN TO:
City of West Richland
3100 Belmont Blvd., Suite 106
West Richland, WA 99353**

**TRANSPORTATION IMPACT FEE
MITIGATION AGREEMENT**

Benton County Parcel Nos. 1-0297-100-0001-011 & 1-0297-100-0001-012

THIS AGREEMENT is entered into this 10TH day of June, 2020, by and between the **City of West Richland**, Hereinafter referred to as the "City", and Frank Tiegs LLC, referred to as the "Developer" of Benton County Parcel Nos. 1-0297-100-0001-011 & 1-0297-100-0001-012 located in Section 2, T 9 N, R 27 E, W.M.

Under the terms of this agreement, the parties do hereby agree as follows:

- 1) The Developer shall receive a credit against the developments Transportation Impact Fee, as defined by Ordinance 02-10, or amended by Council for the following items;
 - a. Developer shall construct approx. 1,071 linear feet of Keene Road Phase 6 as a 46' wide asphalt pavement roadway (3" HMA, 4" CSTC, 10" of CSBC with Mirafi HP370 geotextile or City Engineer approved equal), approx. 1,287 linear feet of a 12' wide asphalt pavement pathway (2" HMA & 4" CSTC) on eastern side of Keene Road, concrete curb and gutter, storm drainage, streetlights, etc. per City standards as shown in attached Exhibit "A". Credit based only on difference between local roadway standard section and aforementioned Keene Road section. Credit also based on difference between 5' concrete sidewalk and 12' wide asphalt pathway.
- 2) The City and the Developer agree that the total credit value for the aforementioned improvements to Keene Road in Section 1a is estimated to be \$79,865.95.
- 3) The City shall issue the Developer a Transportation Impact Fee credit of \$79,865.95 to be applied to future building permit(s) associated with Benton County Parcel Nos. 1-0297-100-0001-011 & 1-0297-100-0001-012.
- 4) Per WRMC 12.04.050(c), after the satisfactory completion and acceptance of roadway improvements by the City, the person responsible for the construction

of the roadway improvements shall be required to post a maintenance bond or other surety acceptable to the City in the amount of five percent of the construction costs of the roadway improvements. Said maintenance bond is used at the discretion of the City to cover the cost to correct design defects and or failures in workmanship through the one-year maintenance period (one-year maintenance period begins once City accepts roadway improvements). The City hereby approves the Developer to utilize any unused Transportation Impact Fee Credit identified in Section 2a above as an acceptable surety to meet the Developers maintenance bond obligations.

City of West Richland

[Signature]
Brent Gerry, Mayor

ATTEST:

[Signature]
Julie Richardson, City Clerk

APPROVE TO FORM:

[Signature]
Bronson Brown, City Attorney

Frank Tiegs, LLC

[Signature]
Frank Tiegs, President

STATE OF WASHINGTON)
 :ss
County of Benton)

On this day personally appeared before me FRANK TIEGS, to me known to be the President of FRANK TIEGS, LLC, Washington State limited liability company that executed the foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument on behalf of said limited liability company.

GIVEN under my hand and official seal this 10th day of June, 2020

Teresa M. Fritz
NOTARY PUBLIC in and for the State of Washington
residing at Richland
My Commission Expires: 4-29-22

