



AGENDA

County Road Administration Board
April 27-28, 2017
CRAB Office - Olympia Washington

Thursday 1:00 PM

1 Call to Order

2 Vice Chair's Report - Brian Stacy, P.E.

- A. Approve April 27-28, 2017 Agenda
- B. Approve Minutes of January 26-27, 2017 CRABoard Meeting
- C. Introduce New Board Members Commissioner Bob Koch and Commissioner Helen Price Johnson
- D. Introduce New Staff Member Michael Kochick
- E. CRABoard By-Laws

Action	Enclosure
Action	Enclosure
Info	Enclosure

Info	
Update	

3 Rural Arterial Program - Randy Hart, P.E.

- A. Program Status Report
- B. RAP Project Actions Update
- C. Spokane County - Bigelow Gulch Update
- D. Resolution 2017-002 Apportion RATA Revenues to Regions
- E. Resolution 2017-003 Allocate Estimated Revenue to Projects
- F. Columbia County - Additional Extension Request
- G. Kittitas County - Westside Road Waiver Status
- H. Thurston County - Additional Extension Request

Info	Enclosure
Info	Enclosure
Info	Enclosure
Action	Enclosure
Action	Enclosure
Action	Enclosure
Action	Enclosure
Action	Enclosure

2:00PM Public Hearing

- A. WAC 136-18-070 - Repeal Section
- B. WAC 136-12 Standards of Good Practice - Vacancy in Position of County Engineer

Action	Enclosure
Action	Enclosure

4 County Ferry Capital Improvement Program

- A. Skagit County Presentation

Action	Enclosure
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5 Compliance Report - Derek Pohle, P.E.

Info	Enclosure
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6 Resolution 2017-004 Annual Certification - Jay Weber

Action	Enclosure
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RECESS

5:30 PM Dinner at Anthony's Homeport

Friday 8:30AM

7 Call to Order

8 Deputy Director's Report - Walt Olsen, P.E.

- A. County Engineers/PWD Status
- B. County Visits Completed Since January 2017
- C. County Audits
- D. Other Activities
- E. Information Services Update

Info	Enclosure
Info	Enclosure
Info	Enclosure
Info	Enclosure
Info	Enclosure

9 Director's Report - Jay Weber

- A. CRABoard Positions
- B. Current Budget Status
- C. 2017-19 Proposed Budget Update

Info	Enclosure
Info	Enclosure
Info	Enclosure

10 AGO Opinion on Traffic Law Enforcement

Info	Enclosure
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11 Intergovernmental Policy Manager - Jeff Monsen, P.E.

Info	Enclosure
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12 WSACE Report - Gary Rowe, PE

Info	
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13 Executive Director Recruitment Update

Info	
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ADJOURN

Vice Chair's Signature: _____

Attest: _____

**Minutes
County Road Administration Board
January 26-27, 2017**

CRAB Office – Olympia, Washington

Members Present: Brian Stacy, PE, Pierce County Engineer, Vice-Chair
Andrew Woods, PE, Columbia County Engineer, Second Vice-Chair
Rob Coffman, Lincoln County Commissioner
Al French, Spokane County Commissioner
Lisa Janicki, Skagit County Commissioner
Kathy Lambert, King County Council Member
Mark Storey, PE, Whitman County Engineer

Staff Present: Jay Weber, Executive Director
*Walt Olsen, PE, Deputy Director
*Jeff Monsen, PE, Intergovernmental Policy Manager
*Randy Hart, PE, Grant Programs Manager
*Derek Pohle, PE, Compliance & Data Analysis Manager
Karen Pendleton, Executive Assistant
Rhonda Mayner, Secretary

Guests: **Angie Anderson, DES
**Ashley Harris, DES

**Present January 26, 2017 only
**Present January 27, 2017 only*

CALL TO ORDER

Vice-Chair Stacy called the County Road Administration Board quarterly meeting to order at 1:01 p.m. on Thursday, January 26, 2017, at the CRAB Office in Olympia.

CHAIR'S REPORT

Approve January 26-27, 2017 Agenda

Councilmember Lambert moved and Commissioner French seconded to approve the agenda as presented. **Motion carried unanimously.**

Approve Minutes of October 27-28, 2016 CRABoard Meeting

Commissioner French moved and Commissioner Janicki seconded to approve the minutes of the October 27-28, 2016 CRABoard meeting. **Motion carried unanimously.**

Elect New Second Vice-Chair

Vice-Chair Stacy noted that former Chair Dale Snyder was no longer a Board member due to his loss in the November elections. The Board By-laws state that officers are to

be elected at the July meeting each year, and that the Vice-Chair shall perform the duties of the Chair during the absence of the Chair. The Board concurred with this interpretation, and did not elect any new officers at this meeting. They will review the By-laws and make changes at the April 2017 CRABoard meeting.

EXECUTIVE DIRECTOR'S REPORT

2016 Annual Report

Mr. Weber noted that the report has been posted on the CRAB website, e-mailed to all county contacts, and mailed to the legislators and staff on the transportation committees.

Current Budget Status

Mr. Weber reviewed CRAB's current budget status. He noted negative variances due to recent retirement buy-outs, but those will diminish and equalize by the end of the biennium. The agency is well under budget in personnel and CAPA.

2015-17 Supplemental Budget Update

Mr. Weber reported that as usual, the unexpended balance in RAP was reduced, but has been promised to be re-instated in the 2017-19 budget.

2017-19 Proposed Budget

The Governor's proposed budget includes the buy-out for Mr. Weber's retirement. If upheld by the legislature, this means that CRAB's budget will be increased by the amount of the buy-out.

Mr. Weber noted that Thurston County appears to continue to divert Road Funds to unspecified law enforcement purposes. Staff will continue to monitor the situation, and is still waiting for the Attorney General's Opinion on the issue.

RURAL ARTERIAL PROGRAM

Program Status Report

Mr. Hart reviewed the Rural Arterial Program status report. 1,035 of 1,142 projects have been completed. Anticipated revenue to the end of the 2015-17 biennium is \$562,386,379. RAP expenditures to date total \$536,093,863. RAP obligations remaining to active projects through the 2015-17 biennium total \$117,737,274. The RATA fund balance as of December 31 was just over \$15.5 million.

Regional Meetings Update

Mr. Hart reported that meetings were held in November, December and January in all five regions. Items discussed included RAP balance and spending plans, project progress reporting, RAP Online, CARS and annual reporting status, and an overview of RAP WAC rules.

Resolution 2017-001 - Apportion RATA Funds to Regions

Mr. Hart presented Resolution 2017-001 - Apportion RATA Funds to Regions, which

authorizes the accrued amount of \$5,370,365 now credited to RATA for October through December 2016 be apportioned to the regions by the established 2015-2017 biennium regional percentages after setting aside \$121,125 for administration. Following questions and discussion, Second Vice-Chair Woods moved and Commissioner Coffman seconded to approve Resolution 2017-001 - Apportion RATA Funds to Regions. **Motion carried unanimously.**

Project Request Actions Taken by Staff

Mr. Hart reported that Lincoln County requested a change in milepost designation for their Rocklyn Road Section 2 project, revising the milepost limits from 4.13–6.24 to 5.94-8.05. At the time of prospectus submittal and later RAP funding, the beginning of the road was located at the intersection with Coffee Pot Road. After RATA funding the limits were moved to the city limits of Harrington at SR 23.

CRAB staff found the revision had no impact to the scope of work and cost for the RAP-funded project. A contract amendment revising the milepost designation was offered to and signed by the county.

Potential Allocation of RATA Funds

Mr. Hart noted that revenue forecasts for 2007-2013 were overly optimistic, since there was a downturn in revenue. Beginning in 2013 the revenue has increased, though not as aggressively as earlier forecasts. Estimated 2017–2019 RATA revenue as of November 2016 is \$41 million and includes the \$1,094,000 RATA share of the new Connecting Washington funding fuel tax increase. Connecting Washington revenue is budgeted separately from the RATA, and as the 2017 legislature is just beginning, there is no guarantee at this time that these and other additional Motor Vehicle Account transfers will be available for project programming purposes.

The anticipated end of 2015–17 RATA balance is \$18.7 million. Expected spending of RATA funds in the 2017–19 biennium is \$45 million, based on the previous five years' average. Since estimated revenue is about \$41 million, this will bring the balance down to approximately \$14.7 million at the end of the 2017–19 biennium, depending on project accomplishment.

Current projects that are under-funded by approximately \$26 million in RATA would carry a total of \$43 million in RATA if fully funded. The counties plan to spend \$20 million of this in 2017-19, \$20 million in 2019–21 and the remaining \$3 million later. These projects were funded initially in the last two years, and the counties would likely delay some of them to 2019–20 if not fully funded this year. A delay would not force them into lapsing.

If the Board chooses to fund new projects (after partially funded projects), the estimated amount of \$18 million would be available for allocation; \$14 million in the first year of the biennium and \$4 million later. CRAB staff would schedule construction reimbursements for new projects in the 2021-23 biennium, approximately four years after approval. Turned-back funds from withdrawals and underruns may be re-allocated at any time the Board deems appropriate.

The balance has dropped to \$14-15 million after every construction season for the last three years. This should continue, as a number of projects are awaiting the start of construction soon.

Allocating to partially funded projects at the April 2017 meeting will assure the program continues without interruptions and maintains the forecast of expenditures as presented. Some of the projects could be delayed if necessary to maintain a \$12 million balance. Any additional allocations to new projects could be made in the second year of the biennium or later, after the outlook for estimated 2021–23 project activity is more clear.

Vice-Chair Stacy called for a brief recess.

DEPUTY DIRECTOR'S REPORT

County Engineers/Public Works Directors

Mr. Olsen noted that on November 3, 2016, Grays Harbor County appointed Rob Wilson, PE, as County Engineer, effective October 31, 2016, after the resignation of PWD/County Engineer Joe Seet, PE.

Stevens County appointed Jason Hart as Public Works Director/Acting County Engineer, effective December 20, 2016. Stevens County is attempting to contract with Pend Oreille County Engineer Don Ramsey, PE, until a licensed professional civil engineer is hired.

County Visits completed since October 2016

Mr. Olsen noted visits to Chelan, Ferry, Stevens and Lincoln Counties. Numerous contacts with County Engineers took place in other venues.

State Auditor's Report

The 1997 State Auditor Office (SAO) audit of CRAB concluded that the minutes of the Board meetings needed specific mention of SAO audits of the counties and of any findings that might relate to the statutory responsibilities of CRAB. The minutes also need to reflect any recommendations from the CRABoard to staff in response to the audits. This report details our staff procedures to satisfy the SAO.

Staff has reviewed 14 audit reports representing ten counties since the October 2016 Board meeting. Four audits contained a total of four findings issued and none involved County Road Funds in some form. Any audits with county name in bold print revealed substantive findings involving County Road Funds.

2015 Audits

Report #	Entity/Description	Report Type	Audit Period	Date Released	New Find#	Co. Rd?	PrevFind#	Status
1018265	Adams County	Accountability	01/01/2015 to 12/31/2015	12/29/2016				
1018274	Adams County	Financial	01/01/2015 to 12/31/2015	12/29/2016				
1018319	Yakima County	Accountability	01/01/2015 to 12/31/2015	12/29/2016	1	NCR		
1018124	Okanogan County	Accountability	01/01/2015 to 12/31/2015	12/27/2016				
1018209	Stevens County	Accountability	01/01/2014 to 12/31/2015	12/27/2016				
1018056	Douglas County	Accountability	01/01/2015 to 12/31/2015	12/5/2016				
1017761	Whitman County	Financial and Federal	01/01/2015 to 12/31/2015	11/28/2016	1	NCR		
1017861	Whitman County	Financial	01/01/2015 to 12/31/2015	11/28/2016	1	NCR	1	NCR
1018001	Kittitas County	Accountability	01/01/2015 to 12/31/2015	11/28/2016			1	NCR
1018007	Asotin County	Accountability	01/01/2015 to 12/31/2015	11/28/2016				
1018008	Asotin County	Financial	01/01/2015 to 12/31/2015	11/28/2016				
1018051	Whitman County	Accountability	01/01/2015 to 12/31/2015	11/28/2016	1	NCR	1	NCR
1017834	Jefferson County	Accountability	01/01/2015 to 12/31/2015	11/17/2016				
1017775	Island County	Accountability	01/01/2015 to 12/31/2015	10/27/2016				
				TOTALS	4		3	
NCR	Non-County Road							
CR-FC	County Road-Fully Corrected							
CR-PC	County Road-Partially Corrected							

Activities

Mr. Olsen reviewed a list of his activities since the October 2016 CRABoard meeting.

REQUEST FOR PUBLIC HEARING

Mr. Pohle presented staff's recommended changes to Chapter 136-12 WAC – Vacancy in Position of County Engineer, most of which add the words “or change” to the existing “vacancy” to the reporting requirements; and Chapter 136-18 WAC – Construction by County Forces, which removes a special reporting section, 136-18-070, that is no longer necessary. Staff is requesting that the Board hold a public hearing on April 27, 2017 at 2:00 pm on these WACs.

Following questions and discussion, Second Vice-Chair Woods moved and Mr. Storey seconded to hold a public hearing on April 27, 2017 at 2:00 pm on WAC 136-12 and 136-18-070 as amended. **Motion carried unanimously.**

Mr. Pohle suggested that since he already had the floor, he continue with his report before yielding to Mr. Monsen. The Board concurred.

STAFF REPORTS

Compliance and Data Analysis

Mr. Pohle noted that staff continues to monitor an audit finding in Skamania County and to support the county's staff on a consultative basis.

He reported that 38 counties submitted the six annual reports due to CRAB by December 31 in the new required electronic format, CARS (CRAB Annual Reporting System). Clallam County requested an extension for one form due to a personnel issue, and submitted it on January 10.

He reminded the Board that all counties are required to have responded to and/or processed at least 90% of the county road collision reports submitted to them for coding by December 31 of each year. For 2016, 36 counties were compliant as required, with the others becoming compliant on January 6, 9 and 18, 2017.

Mr. Pohle reported that Okanogan County has not adopted a valid Road Log as of December 31, 2016 as promised by Commissioner Campbell at the October 2016 CRABoard meeting. There were delays associated with the county's failure to properly advertise hearings on the issue. Mr. Olsen noted that Okanogan County Engineer Josh Thomsen has advised that he should be able to have a complete and certified Road Log to the Board within the next six weeks.

He reported on his activities since the October 2016 CRABoard meeting.

Intergovernmental Policy

Mr. Monsen reported on his activities since the October 2016 CRABoard meeting.

He reported that 12 participants from nine counties attended the County Engineers' Training held at the CRAB offices December 6-8, 2016. Staff conducted a training in Lincoln County November 8-9 with 14 participants from five counties.

He gave a brief history of the County Ferry Capital Improvement Program (CFCIP). He noted that a county may request that the Board issue a call for projects every four years, and 2017 is such a year. Commissioner Janicki mentioned that Skagit County is looking into the purchase of an all-electric ferry for their Anacortes to Guemes Island run.

Vice-Chair Stacy recessed the meeting at 4:24 p.m. The meeting will resume January 27, 2017 at 8:30 a.m.

**County Road Administration Board
Friday, January 27, 2017**

CALL TO ORDER

The meeting was called to order by Vice-Chair Stacy at 8:30 a.m. on January 27, 2017.

NEOGOV PRESENTATION

Ms. Anderson and Ms. Harris demonstrated the use of the State's online application processes to the Board.

WORK SESSION

The Board developed a timeline for advertisement of the Executive Director's position, interviewing and hiring; set a starting salary of \$125,000; and determined to develop an updated position description prior to the April 2017 CRABoard meeting.

Vice-Chair Stacy adjourned the CRABoard meeting at 10:46 a.m.

Chairman

ATTEST: _____



Washington State
Association of Counties

206 Tenth Avenue SE
Olympia, WA 98501
P: 360-753-1886
F: 360-753-2842

February 13, 2017

Jay Weber
County Road Administration Board
PO Box 40913
Olympia, WA 98504-0913

Dear Mr. Weber,

The Board of Directors of the Washington State Association of Counties (WSAC) has appointed the following WSAC Member to fill the seat recently vacated by Douglas County Commissioner, Dale Snyder.

- Bob Koch, Franklin County Commissioner

If you have any questions, please contact WSAC Communications & Member Services Director, Derek Anderson, at (360) 489-3020 or danderson@wsac.org.

Sincerely,

A handwritten signature in black ink that reads "Eric B. Johnson".

Eric B. Johnson
WSAC Executive Director

cc:

Helen Price Johnson, Island County Commissioner



Washington State
Association of Counties

206 Tenth Avenue SE
Olympia, WA 98501
P: 360-753-1886
F: 360-753-2842

February 13, 2017

Jay Weber
County Road Administration Board
PO Box 40913
Olympia, WA 98504-0913

Dear Mr. Weber,

The Board of Directors of the Washington State Association of Counties (WSAC) has appointed the following WSAC Member to fill the seat recently vacated by Lewis County Commissioner, Bill Schulte.

- Helen Price Johnson, Island County Commissioner

If you have any questions, please contact WSAC Communications & Member Services Director, Derek Anderson, at (360) 489-3020 or danderson@wsac.org.

Sincerely,

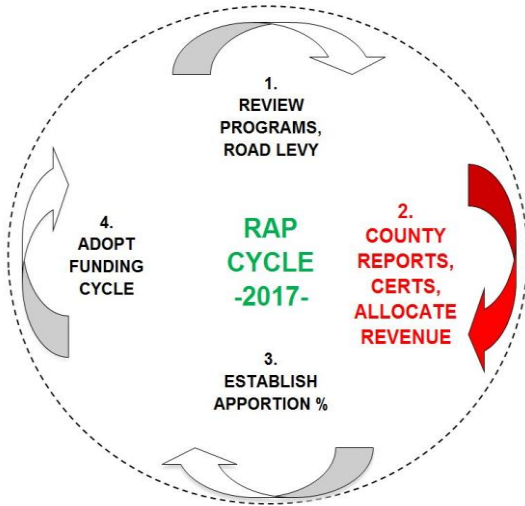
A handwritten signature in black ink that reads "Eric B. Johnson".

Eric B. Johnson
WSAC Executive Director

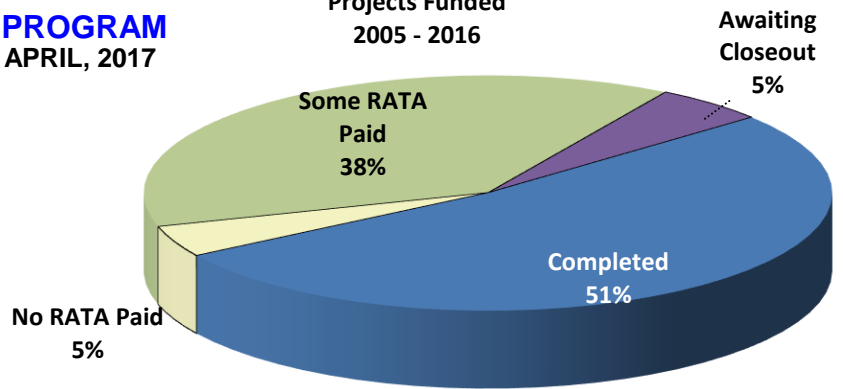
cc:

Helen Price Johnson, Island County Commissioner

RURAL ARTERIAL PROGRAM
APRIL, 2017



Projects Funded 2005 - 2016



PROJECT STATUS:

Billing Phase	'83-'05	'05-'07	'07-'09	'09-'13 (Two Biennia)	'13-'15	Current Biennium '15-'17	TOTAL
Completed	930	27	38	29	13	2	1039
Awaiting Closeout			2	2	7		11
Some RATA paid	1	1	4	11	29	35	81
No RATA Paid					1	8	9
TOTAL	931	28	44	42	50	45	1140

FUND STATUS:

Anticipated Revenue to end of '15 - '17 Biennium:

Fuel tax receipts and interest through June, 2015	522,051,074
Estimated fuel tax receipts, interest and MVA Transfers July 2015 thru June 2017	39,066,605
Total estimated revenue	561,117,679

RAP Expenditures to date:

To Completed Projects	492,174,624
To Projects in Design or Under Construction	36,462,938
Administration	10,697,648
Total RATA spent	539,335,211

RAP Obligations:

RATA Balance on Active Projects	85,891,732
RATA \$ yet to allocate to Partially funded projects -	25,959,489
Requests for reimbursement - pending	306,197
Estimated remaining administration through 2015- 2017 biennium	121,125
Total RATA obligated	112,278,543

QTR 1 - 2017 RATA ACTIVITY:

MONTH	BEGINNING BALANCE	MVFT REVENUE	INTEREST + Cash Rcpts	PROJECT PAYMENTS	#	ADMIN CHARGES	ENDING BALANCE
January	\$15,552,790.50	\$1,673,204.22	\$6,741.02	(1,511,127.66)	30	(37,297.33)	\$15,684,310.75
February	\$15,684,310.75	\$1,515,001.39	\$7,927.01	(1,137,784.81)	26	(39,882.91)	\$16,029,571.43
March	\$16,029,571.43	\$1,518,677.59	\$8,350.20	(467,774.37)	22	(43,274.19)	\$17,045,550.66
TOTALS:		\$4,706,883.20	\$23,018.23	(3,116,686.84)	78	(120,454.43)	

County Road Administration Board – April 27, 2017

Project Actions Taken by CRAB Staff – Quarter 1, 2017

Wahkiakum County - Combination of Elochoman Valley Road (RAP # 3509-02) and Clear Creek Fish Passage (RAP # 3515-01) Projects.

The Elochoman Valley Road project (funded in 2009) requires realignment where it ties in to the Clear Creek Fish Passage culvert replacement project (funded in 2015). The details of the new alignment with its related right of way, environmental and cultural impacts, could not be established until the location of the Clear Creek Fish Passage structure could be determined. Since the Elochoman project was facing lapsing, the county requested (per its letter dated February 28, 2017) that the projects be combined into one CRAB / County contract. The new lapsing date, associated with the most recently funded portion, is now April 16, 2021. This provides ample time to design both segments and gives the county the cost advantage of combined construction. The combined contract was offered by the CRAB director on March 9, 2017, and executed on April 4, 2017. The county plans to advertise for construction bids in spring of 2018.

Bigelow Gulch 4 - Status Report

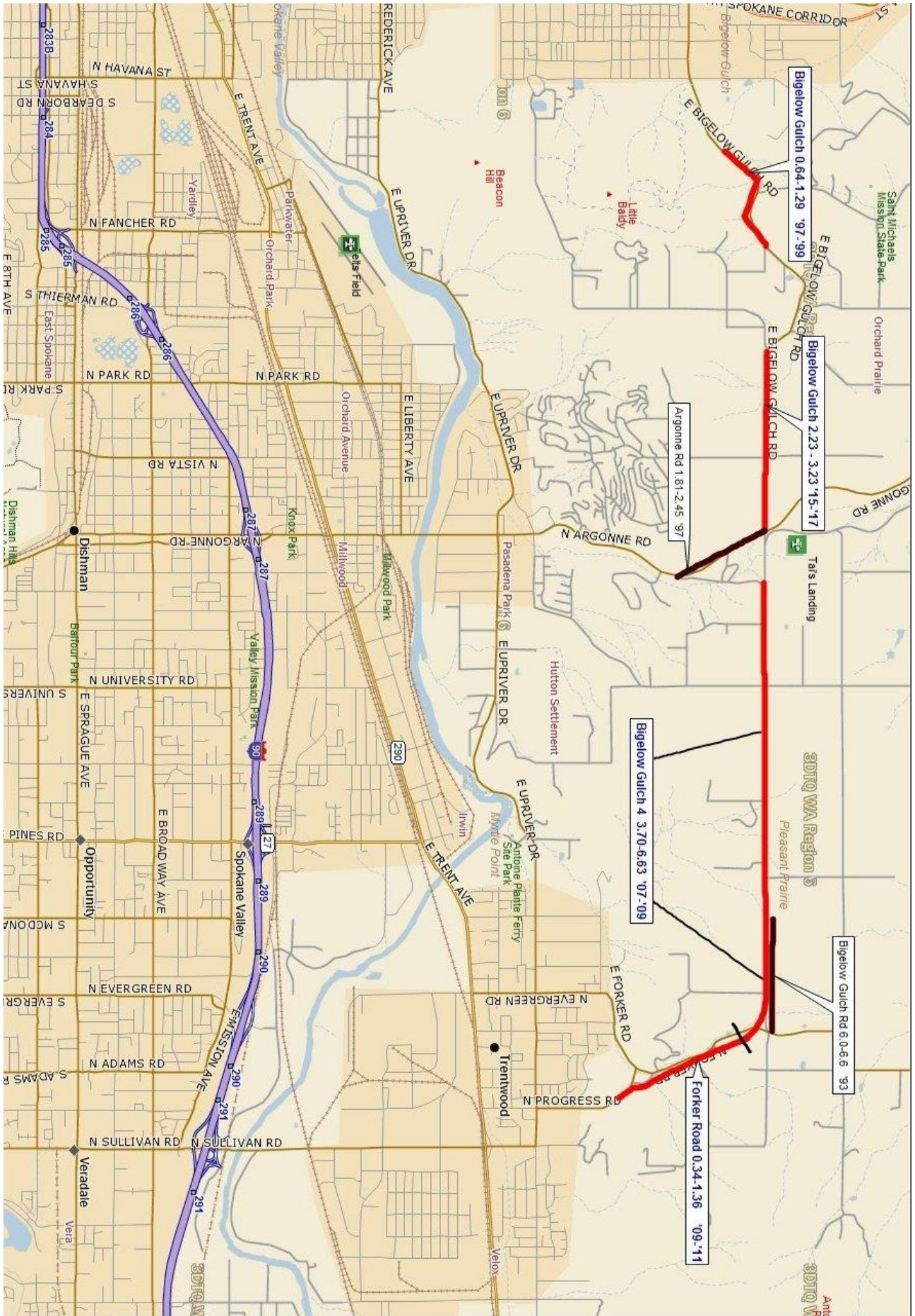
Spokane County, RAP project # 3207-01

Background:

At the April 16, 2015 CRABoard meeting, Spokane County requested a time extension to commence Bigelow Gulch 4 construction. At that time, Federal approval of the NEPA document was being held up in a court process which was outside the county's control. The county had no assurances when the NEPA would be approved. The CRABoard, instead, held lapsing in abeyance and asked the county to provide an update at its April 2016 meeting. The county provided this update noting the NEPA was still tied up in court, but anticipated it would be released soon.

Project development since April 2016:

The NEPA document is no longer bound in court (as of June 1, 2016) and the county has pursued design. Construction is anticipated to start in summer of 2017. The county plans to construct the Bigelow Gulch 4 project in two segments, 1; the crossing structure / intersection with Forker Road, 2; the new alignment of Bigelow Gulch Road 4, tying in with Forker Road, which is also RATA funded. Forker Road is scheduled to commence construction in 2018.



**RESOLUTION 2017-002
 APPORTION RATA FUNDS TO REGIONS**

WHEREAS RCW 36.79.030 establishes the Northeast, Northwest, Puget Sound, Southeast and Southwest Regions in Washington State for the purpose of apportioning Rural Arterial Trust Account (RATA) funds; and

WHEREAS RCW 36.79.040 specifies the manner in which RATA funds are to be apportioned to the five regions; and

WHEREAS the CRABoard established regional apportionment percentages for the 2015 - 2017 biennium at its meeting of July 16, 2015; and

WHEREAS RCW 36.79.050 states that the apportionment percentages shall be used once each calendar quarter by the board to apportion funds credited to the rural arterial trust; and

WHEREAS RCW 36.79.020 authorizes expenditure of RATA funds for costs associated with program administration;

NOW THEREFORE, BE IT RESOLVED that the accrued amount of \$4,729,901 deposited to the RATA in January, February and March, 2017 be apportioned to the regions by their 2015 - 2017 biennium regional percentages after setting aside \$121,125 for administration.

<u>REGION</u>	<u>DISTRIBUTION PERCENT</u>	<u>CURRENT APPORTION</u>	<u>BIENNIAL APPORTION (2015 - 2017)</u>	<u>PRIOR PROGRAM (1983 - 2015)</u>	<u>PROGRAM TO DATE</u>
ADMIN.		121,125	807,500	10,988,815	11,796,315
NORTHEAST	43.77%	2,017,261	14,242,381	218,444,246	232,686,626
NORTHWEST	10.89%	501,896	3,543,512	58,510,781	62,054,293
PUGET SOUND	6.82%	314,319	2,219,169	37,001,227	39,220,396
SOUTHEAST	23.62%	1,088,593	7,685,744	120,553,549	128,239,294
SOUTHWEST	<u>14.90%</u>	686,708	<u>4,848,332</u>	<u>76,552,456</u>	81,400,788
TOTAL	100.00%	4,729,901	33,346,638	522,051,074	555,397,712

Adopted by the CRABoard on April 27, 2017

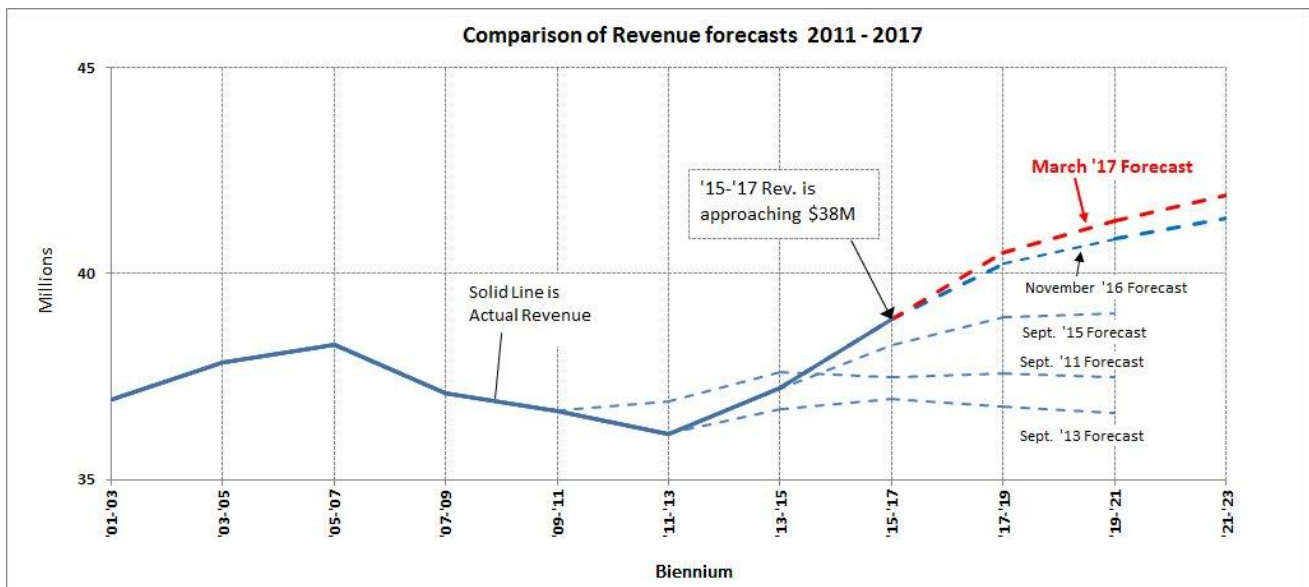
Chair's Signature

ATTEST

County Road Administration Board – April 27, 2017
Allocation to 2017 – 2019 biennium RAP Projects
WAC 136-161-020

Per WAC 136-161-020 (6): “The county road administration board reviews the rank-ordered arrays in each region and, based upon the Rural Arterial Trust Account (RATA) funds projected to be allocable for the next project program period (see WAC [136-161-070](#)), selects and approves specific projects for RATA funding.”

Revenue Estimates: At its January 26, 2017 meeting the CRABoard reviewed the November 2016 revenue estimates for the 2017 - 2019 biennium and found the revenue was expected to be about 42,000,000, after adding interest and \$1,094,000 of new Connecting Washington transfer from the Motor Vehicle Account. The March 2017 estimate shows RATA revenue increasing slightly. There are no assurances at this time if or how much of Connecting Washington funds will be available during the 2017-2019 biennium. Current substitute Senate and House bills include Connecting Washington funding for the RATA at \$4,844,000 in proviso language.



Anticipated RATA balance: The anticipated end of 2015 – 2017 biennium RATA balance reported in January was \$18,700,000. Due to slower reimbursement rates in February and March the estimate is now closer to \$20,000,000. Further reimbursement to counties in the 2017 – 2019 biennium (based on spending history) will lower this balance to about \$17,150,000. This balance will be lower or higher based on project accomplishment.

Current Balance:	17,700,000	} 2015 - 2017
Est. Revenue through June '17:	4,950,000	
Est. Spending through June '17:	2,500,000	
Balance ending '15 - '17 biennium:	20,150,000	
Balance beginning '17 - '19 biennium:	20,150,000	} 2017 - 2019
Est. spending 2017 - 2019:	45,000,000	
Est. Revenue 2017 - 2019:	42,000,000	
Ending Balance 2017 - 2019:	17,150,000	

Funding partially funded projects: Current projects that are short funded by ~26,000,000* RATA, would carry a total of 43,000,000 RATA if fully funded. The counties plan to spend 20,000,000 of this in 2017-2019, 20,000,000 in 2019 – 2021 and the remaining 3,000,000 later. These projects were funded initially in the last two years, and the counties would likely delay some of them (from 2017 to 2019 – 2020) if not fully funded this year. A delay would not force them into lapsing.

Funding new projects: If the CRABoard chooses to fund new projects (after partially funded projects), the estimated amount of \$18,000,000 would be available for allocation, 14,000,000 in the first year of the biennium and 4,000,000 later. Per WAC 136-161-070 (4), the CRABoard can allocate no more than 90% of estimated revenue in the first year of the biennium and the remainder “at such time as deemed appropriate” by the board. CRABstaff would schedule construction reimbursements for new projects in the 2021 -2023 biennium, ~ 4 years after approval. This 4-year period is typical for project-delivery times. Turned-back funds from withdrawals and underruns can be re-allocated at such time the CRABoard deems appropriate.

Summary: The RATA balance has cycled between \$20M to \$14M before and after each construction season for the last 4 years. A lower balance is anticipated, as a number of projects are awaiting the start of construction soon, particularly for Spokane County, which has \$14,250,000 of RATA funds (includes \$2,330,000 short funded on one project) obligated to Bigelow Gulch. The county plans to construct the projects in **2018 through 2021**, in four sections.

Allocating to partially funded projects at the April 2017 meeting will assure the program continues without interruptions and maintains the forecast of expenditures as presented. Some of the projects could be delayed, if necessary, to maintain a \$12,000,000 balance.

Additional allocations to new projects could be made at this meeting or later. The counties are aware that any new funding would be scheduled for construction reimbursements beginning in 2021 and later.

Recommendation: Based on the stable and rising RATA balance, increasing revenue estimate, and the ability to program construction reimbursements of new projects in 2021 and later, staff recommends adoption of Resolution 2017-003 To Approve 2017 – 2019 RAP Projects (below), which allocates 90% of available RATA revenue.

*County limit capacity allows only ~23,000,000 to be allocated to partially funded projects on the new array.

RESOLUTION 2017-003
TO APPROVE 2017 - 2019 RAP PROJECTS
AND ALLOCATE 90% of ESTIMATED 2017 - 2019 RATA REVENUE

WHEREAS the CRABoard met in accordance with WAC 136-161-070 to approve Rural Arterial Program projects and allocate Rural Arterial Trust Account funds, and

WHEREAS in accordance with WAC 136-161-070, the CRABoard is authorized to allocate estimated RATA revenue to proposed RAP projects, and

WHEREAS the RATA amounts allocated to projects in the first year of the biennium are limited to no more than ninety percent of the net amount estimated to be allocable to each region for the project program period, with the remaining percentage allocated at such time as deemed appropriate by the County Road Administration Board, and

WHEREAS the best available estimate of 2017 - 2019 biennium revenues, including interest, and funds turned back through withdrawal or underrun, indicate that the following approximate amounts are available in the first year of the biennium for allocation to projects on the 2017 - 2019 arrays in the five regions:

<u>REGION</u>	<u>A</u> <u>Est. Fuel Tax</u> <u>'17 - '19</u>	<u>B</u> <u>Turned-Back</u> <u>Funds</u>	<u>A+B</u> <u>Total \$</u> <u>Available</u>	<u>Previously</u> <u>Allocated</u>	<u>90%</u> <u>Available Funds</u> <u>to Allocate</u>
Northeast	18,383,400	1,059,665	19,443,000		17,498,700
Northwest	4,573,800	-	4,573,000		4,115,700
Puget Sound	2,864,400	750,312	3,614,000		3,252,600
Southeast	9,920,400	992,019	10,912,000		9,820,800
Southwest	6,258,000	1,578,812	7,836,000		7,052,400
	42,000,000	4,380,808	46,378,000	-	41,740,200

NOW, THEREFORE, BE IT RESOLVED, that the County Road Administration Board hereby approves the following projects in the five regions and allocates 90% of the est. 2017- 2019 fuel tax funds and turned-back funds to the listed projects in the amounts shown.

<u>County</u>	<u>RoadName</u>	<u>Project</u> <u>Type</u>	<u>TOTAL</u> <u>COST</u>	<u>RATA</u> <u>REQ</u>	<u>PREVIOUS</u> <u>FUNDING</u>	<u>NEW</u> <u>FUNDING</u>	<u>TOTAL</u> <u>FUNDING</u>	<u>Partial</u>
NORTHEAST REGION:								
Pend Oreille	Flowery Trail	2R	2,230,000	1,500,000	750,000	750,000	1,500,000	
Douglas	Douglas North Road	2R	1,202,000	1,081,800	750,000	331,800	1,081,800	
Adams	Cunningham	2R	1,025,000	922,500	750,000	172,500	922,500	
Lincoln	Sprague Hwy Sec 1	2R	833,000	500,000	188,000	312,000	500,000	
Spokane	Bigelow Gulch Road	RC	5,648,000	2,579,100	248,383	2,330,717	2,579,100	
Chelan	Wenatchee Heights Road	RC	2,509,000	2,258,100	561,300	1,696,800	2,258,100	
Ferry	Boulder Creek Sec. 1	3R	1,900,000	1,710,000	974,100	735,900	1,710,000	
Douglas	Crane Orchard Road	3R	2,663,000	2,100,600	786,900	1,313,700	2,100,600	
Okanogan	Old 97	3R	2,000,000	1,800,000	1,650,500	149,500	1,800,000	
Whitman	Almota Road (Phase 3)	3R	4,460,000	3,450,000	1,630,900	1,819,100	3,450,000	
Grant	4-NE (Hiawatha to W-shore Dr.)	RC	1,326,000	1,193,400	225,600	967,800	1,193,400	
Chelan	West Cashmere BR Replace	FA	16,692,000	2,500,000	-	803,200	803,200	P
Spokane	Argonne Road	2R	901,000	750,000	-	169,283	169,283	P

<u>County</u>	<u>RoadName</u>	<u>Project Type</u>	<u>TOTAL COST</u>	<u>RATA REQ</u>	<u>PREVIOUS FUNDING</u>	<u>NEW FUNDING</u>	<u>TOTAL FUNDING</u>	<u>Partial</u>
Grant	Stratford Road (12-NE to 16-NE)	2R	1,200,000	750,000	-	750,000	750,000	
Adams	Lind-Hatton	2R	402,000	361,800	-	361,800	361,800	
Okanogan	Omak-Riverside Eastside Rd	2R	833,000	749,700	-	749,700	749,700	
Adams	Cunningham	2R	1,035,000	901,000	-	750,000	750,000	P
Lincoln	Duck Lake	2R	1,202,000	829,600	-	750,000	750,000	P
Ferry	Customs Road North Section	2R	830,000	747,000	-	152,527	152,527	P
Stevens	Swenson South	3R	2,300,000	1,950,000	-	1,231,410	1,231,410	P
Whitman	Hume Road	RC	2,955,000	2,500,000	-	254,293	254,293	P
TOTAL NEW NE REGION FUNDING						16,552,030		

NORTHWEST REGION:

San Juan	Orcas Road	3R	2,875,000	2,587,500	2,400,000	187,500	2,587,500	
Island	Boon Road	3R	3,048,000	2,046,000	1,761,921	284,079	2,046,000	
Skagit	FRANCIS ROAD	3R	1,425,000	900,000	93,300	806,700	900,000	
Clallam	Dry Creek Road	3R	1,150,000	1,035,000	559,509	475,491	1,035,000	
Kitsap	Seabeck Highway # 2	3R	2,867,000	1,800,000	521,000	1,000,000	1,521,000	P
San Juan	Douglas Road	3R	2,052,000	1,000,000	-	812,500	812,500	P
Whatcom	East Smith Road	2R	1,350,000	1,000,000	-	549,430	549,430	P
TOTAL NEW NW REGION FUNDING						4,115,700		

PUGET SOUND REGION:

Pierce	304 Street East	2R	671,000	603,900	-	603,900	603,900	
Snohomish	84 St NE	IS	935,000	584,100	-	584,100	584,100	
Snohomish	Index Galena Road	RC	22,827,000	1,200,000	-	1,200,000	1,200,000	
Pierce	Orting Kapowsin Highway East	3R	2,710,000	539,800	-	539,800	539,800	
Pierce	Olson Dr KPN	3R	533,100	277,600	-	277,600	277,600	
TOTAL NEW PS REGION FUNDING						3,205,400		

SOUTHEAST REGION:

Columbia	Lower Hogege Road	3R	2,355,000	2,119,500	1,592,600	526,900	2,119,500	
Benton	Nine Canyon Road 3	RC	3,500,000	3,150,000	2,496,500	653,500	3,150,000	
Yakima	Summitview Rd. -- 3	RC	3,925,000	3,532,500	2,471,079	1,061,421	3,532,500	
Asotin	Snake River Road	2R	2,813,000	2,400,000	1,097,160	1,000,000	2,097,160	P
Garfield	Gould City Mayview Phase 4	3R	1,748,200	1,572,800	407,800	1,000,000	1,407,800	P
Walla Walla	Mill Creek Road	RC	2,513,400	1,916,000	994,000	922,000	1,916,000	
Klickitat	Courtney Road	2R	1,130,000	990,000	263,000	727,000	990,000	
Franklin	Pasco-Kahlotus Road	RC	2,088,000	1,620,000	847,000	773,000	1,620,000	
Columbia	Kellogg Hollow Rd - Starbuck BR	FA	3,476,000	627,500	-	627,500	627,500	
Columbia	Rose Gulch Road - Vern. Smith BR	FA	2,362,000	472,500	-	354,580	354,580	P
Klickitat	Trout Lake Highway	2R	1,243,000	1,118,700	-	673,000	673,000	P
Benton	Hanks Road Phase I	RC	1,556,000	1,400,000	-	746,500	746,500	P
Yakima	Independence Road	3R	1,886,000	1,685,700	-	755,399	755,399	P
TOTAL NEW SE REGION FUNDING						9,820,800		

<u>County</u>	<u>RoadName</u>	<u>Project Type</u>	<u>TOTAL COST</u>	<u>RATA REQ</u>	<u>PREVIOUS FUNDING</u>	<u>NEW FUNDING</u>	<u>TOTAL FUNDING</u>	<u>Partial</u>
SOUTHWEST REGION:								
Clark	NE MANLEY ROAD	3R	2,159,000	1,853,100	1,553,100	300,000	1,853,100	
Lewis	North Fork Road	RC	2,990,000	2,600,000	1,955,300	644,700	2,600,000	
Mason	Highland Culvert	DR	380,000	324,000	289,972	34,028	324,000	
Grays Harbor	Garrard Creek Road Realignment	RC	1,460,000	1,287,000	235,833	1,000,000	1,235,833	P
Wahkiakum	Clear Creek Fish Passage	DR	1,061,000	500,000	278,028	221,972	500,000	
Cowlitz	South Cloverdale Road	3R	1,750,000	1,300,000	217,243	1,000,000	1,217,243	P
Thurston	Vail Road SE	3R	2,500,000	1,800,000	186,443	1,000,000	1,186,443	P
Pacific	Parpala Road	3R	600,000	540,000	412,968	127,032	540,000	
Wahkiakum	Elochoman Valley Road - 2R	2R	380,000	342,000	201,972	140,028	342,000	
Wahkiakum	East Valley Road	3R	530,000	431,500	-	431,500	431,500	
Lewis	Jackson Hwy S	DR	620,000	499,500	-	355,300	355,300	P
Mason	North Island Drive - Culvert Replacer	DR	820,000	500,000	-	500,000	500,000	
Mason	North Shore - Cady Creek	DR	600,000	500,000	-	465,972	465,972	P
Pacific	North Nemah Road	3R	556,000	500,400	-	500,400	500,400	
Pacific	Stringtown Road Culvert	DR	555,000	499,500	-	331,468	331,468	P
TOTAL NEW SW REGION FUNDING						7,052,400		

Partially funded from earlier Biennium

Project Types:

RC = Reconstruction

3R = Rehabilitation

2R = Resurface and Restore

DR = Drainage

IS = Intersection

FA = Federal Aid Bridge

Allocation Summary:

NE Region 16,552,030

NW Region 4,115,700

PS Region 3,205,400

SE Region 9,820,800

SW Region 7,052,400

Total Allocated: 40,746,330

Unallocated NE BR \$ 946,670

Unallocated PS Reg \$ 47,200

Adopted by the CRABoard on April 27, 2017

Chair's Signature

ATTEST

ADDITIONAL CONSTRUCTION LAPSING TIME EXTENSION

TUCANNON ROAD, MP 12.95 – 15.55
COLUMBIA COUNTY RAP PROJECT 0707-01

I. Nature of Request:

Columbia County has requested, per the engineer's April 6, 2017 letter, an additional construction time extension for the RAP funded Tucannon Road project. The project lapsed on April 11, 2017, after the county had already received a 2 year construction time extension. CRAB's WAC rules allow that "The CRABoard may in its discretion determine that for the public safety, health or general welfare, an additional extension is necessary." The county therefore requests the CRABoard take additional action to extend the lapsing date, to August 11, 2017.

II. Background:

Tucannon Road was submitted for funding on September 1, 2006, requesting \$1,327,500 in RATA funding. The CRABoard allocated full funding to the project on April 19, 2007. The project proposes to widen Tucannon road from 19 feet to 32 feet, and provide a stronger base and paved surface. The project will correct the geometry of horizontal curves, upgrade the approach and bridge rail for three bridges, mitigate roadside safety issues and replace a 42" culvert with a larger sized structure to increase flow capacity. To date, the county has incurred \$409,771 in project costs and received \$368,794 in RATA reimbursements.

III. Project development:

The original construction lapsing date for Tucannon Road was April 19, 2013, six years after CRABoard approval of funding. The county met this milestone by commencing construction of a box culvert within the project on April 11, 2013. Per WAC 136-170-030 (2) however, ".....all remaining phases of construction must commence within two years of commencement the first phase." The remaining phase - full roadway construction - did not commence within the two years. Therefore the county requested and was granted an initial extension (by the CRABoard, on April 16, 2015) to April 11, 2017.

The project lapsed again on April 11, 2017 since the county is awaiting final obligation of federal funding that the county needs to commence construction. This action is being delayed as the WSDOT does final review of the county's Plans Specifications and Estimates package. The county plans to advertise for construction bids the week of May 1, 2017 and open bids on May 24, 2017. Since the WAC allows for an additional extension by the CRABoard for the public safety, health or general welfare, Columbia County requests an additional extension of the project lapsing date to August 11, 2017 to accomplish these steps.

Timeline Summary:

<u>Action:</u>	<u>Date:</u>	<u>Engineer:</u>
• Funding:	April 19, 2007	Andrew Woods
• Construction start phase I	April 11, 2013	“
• Remaining Phases lapsed	April 11, 2015 (2 yrs)	“
• Phase Extended to April 11, 2017	April 16, 2015	“
• Lapse of first extension	April 11, 2017	“

IV. Pertinent WAC language:

WAC 136-167-040:

“...(3) If an approved project does not meet a required project development milestone, the county road administration board will, at its next regular meeting, withdraw RATA funds from the project.

(4) At any time up to ten days before such meeting, the county may, in writing, request an extension of the lapse date. The county road administration board may grant such an extension if it finds that the delay in project development was for reasons that were both unanticipated and beyond the control of the county, and subject to the following:

(a) A project extension will be granted one time only and will be no more than two years in length; and

(b) The county can demonstrate that the project was actively pursued for completion within the original CRAB/county contract terms and can be completed within a two year extension; and

(c) The request for an extension is based on unforeseeable circumstances that the county could not have anticipated at the time the project was submitted for RATA funding; and

(d) An approved time extension will not be grounds for the county to request an increase in the RATA funding of the project; and

(e) The executive director will determine a new lapse date, and all of the requirements listed above under subsections (1) and (2) of this section will apply except that further extensions will not be granted.

(5) The CRABoard may in its discretion determine that for the public safety, health or general welfare, an additional extension is necessary. If such a determination is made, the CRABoard may grant an additional extension and set the duration thereof.”

V. Staff Analysis and Recommendation:

The CRABoard must decide either to withdraw the Tucannon Road project from RATA funding, requiring the county to reimburse \$368,793.51 in RATA funds paid, or grant an additional time extension for the project. Staff finds that the county has diligently pursued the project, using \$37,688.97 in county funds to accomplish design and initial construction of the project. The remaining improvements will address structural failure caused by heavy farm to market haul traffic, improve sharp curves and eliminate roadside hazards. The county has submitted the request for an additional time extension in a timely manner, well in advance of actual project lapsing. Staff therefore recommends an additional extension to August 11, 2017, per WAC 136-167-040, which will allow the county to pursue construction of the remaining improvements.

COLUMBIA COUNTY PUBLIC WORKS

Andrew Woods, P.E. County Engineer • Seth Walker, P.E. Assistant County Engineer
County Road • Risk Management • GIS • Solid Waste • Fleet Management • Parks & Recreation

April 6, 2017

Mr. Jay Weber
Executive Director
County Road Administration Board
2404 Chandler Ct SW Suite 240
Olympia, WA 98504

RE: Tucannon Road Project; RAP Project #0707-01
Construction Lapsing Date Extension Request

Dear Mr. Weber:

Columbia County is requesting to extend phase lapsing for the above referenced project from April 11, 2017 to August 11, 2017. The Tucannon Road project is a 2.6 mile long project from mile post 12.95 to 15.55. Tucannon Road is a major collector that connects US Highway 12 to the Umatilla National Forest and is heavily used for recreational access. The properties are primarily used as irrigated alfalfa pasture and for grazing. The project will correct the geometry of horizontal curves, widen the roadway, upgrade the approach and bridge rail for three bridges, and replace a 42" culvert with a larger sized structure to increase flow capacity. Funding for the project is a combination of RAP (County Road Administration Board), STP (Federal), HSIP (Federal Safety Grant) and County funds.

At the April 2015 County Road Administration Board meeting, the Board approved the County's request for a two year extension of the construction lapsing date to April 11, 2017. The extension was granted due to unforeseen delays caused by environmental permitting which impacted the schedule for right of way (R/W) acquisition. After receiving the lapsing date extension, the County has diligently pursued the completion of the environmental permitting and R/W acquisition.

On May 18, 2015, WSDOT approved the Environmental Classification Summary (ECS) for the project. This approval completed the NEPA process for the project and allowed the County to begin the R/W acquisition process.

The following R/W acquisition milestones document the timeline for completing the R/W acquisition process following NEPA approval:

• Associated Appraisers begins appraisals	June 2015
• Appraisals completed and final R/W plans issued	November 2015
• R/W documentation submitted to WSDOT for review	January 22, 2016
• WSDOT approval to send offer letters to property owners	March 22, 2016
• Final R/W parcel acquired	December 23, 2016
• R/W Certified	February 7, 2017

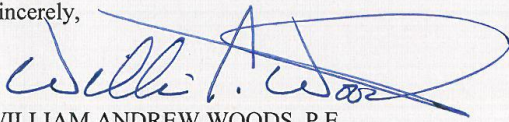
Continued ...

On February 17, 2017, the County submitted the Plans, Specifications and Estimate (PS&E) package to WSDOT for review. We have received comments back from WSDOT and made requested changes. However, we are still waiting for final obligation of the STP and HSIP funds needed for construction. By federal rules, we cannot advertise the project until these funds are obligated by the Federal Highway Administration (FHWA) and WSDOT. We anticipate receiving the final obligation prior to the Board's April meeting at the end of the month.

If the requested lapsing time extension is granted, and assuming the final obligation is approved, the County will begin advertising the project for bids the week of May 1, 2017 with a bid opening date of May 24, 2017. Construction will be completed in late September – early October of 2017.

Thank you for considering the County's request.

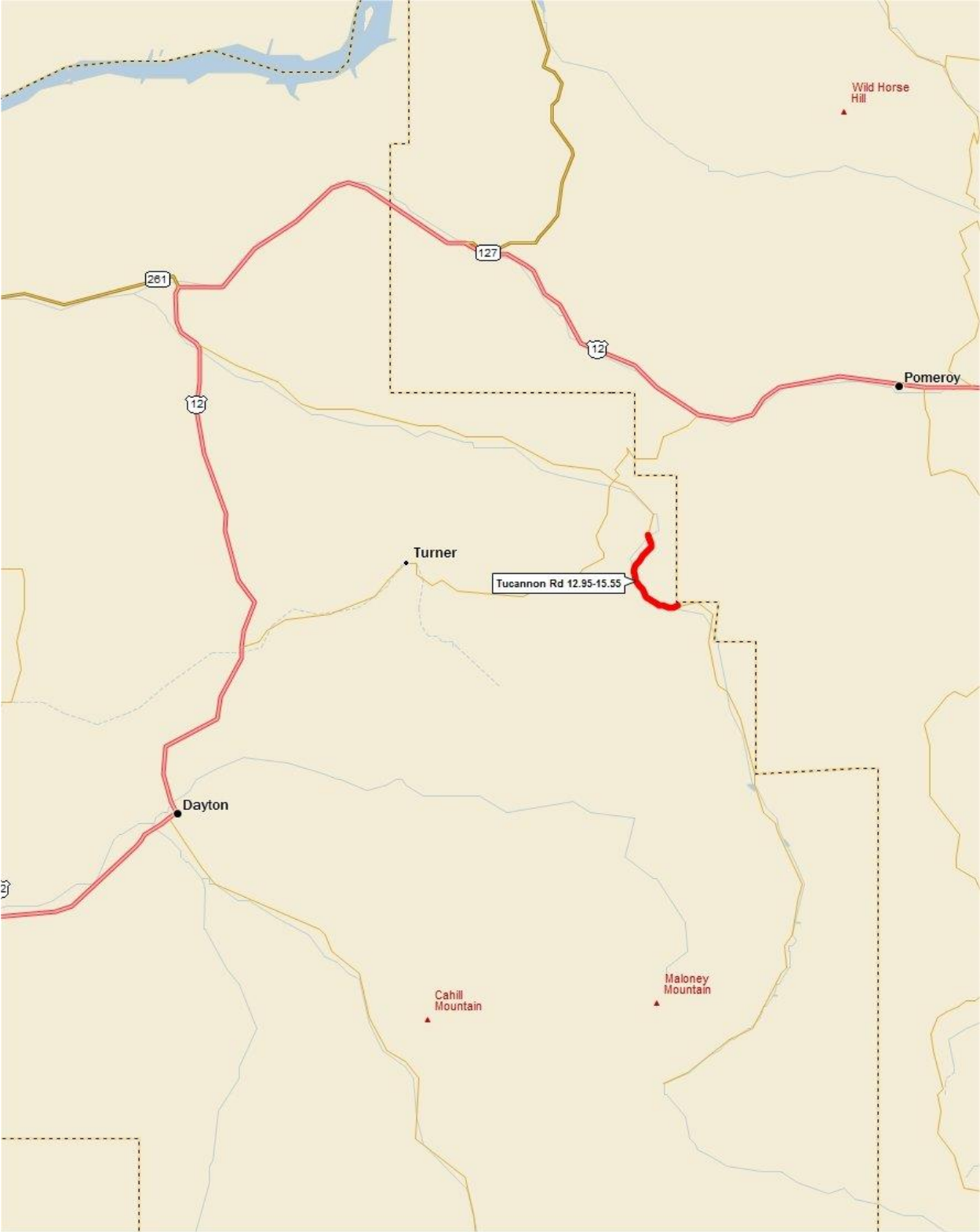
Sincerely,

A handwritten signature in blue ink, appearing to read "William A. Woods", is written over a horizontal line.

WILLIAM ANDREW WOODS, P.E.
Columbia County Engineer/Public Works Director

WAW:waw

CC: Board of County Commissioners



Wild Horse Hill

Pomeroy

Turner

Tucannon Rd 12.95-15.55

Dayton

Cahill Mountain

Maloney Mountain

261

127

12

12

**STATUS OF PREVIOUS WAIVED PAYBACK OF RATA FUNDS
AFTER SECOND PROJECT WITHDRAWAL**

WESTSIDE ROAD, MP 2.19 - 6.02, RAP PROJECT 1907-01, WITHDRAWN JULY 2, 2013
&
WESTSIDE ROAD, MP 2.19 - 4.12, RAP PROJECT 1915-02, WITHDRAWN FEBRUARY 7, 2017

I. Nature of CRABoard consideration:

The CRABoard must decide if Kittitas County may keep \$54,995 of RATA funds it retained (through CRABoard waiver of payback) from an earlier withdrawn Westside Road project, after the county has again withdrawn a second reduced-scope project on Westside Road.

II. Background:

Kittitas County withdrew its first CRAB funded (\$3,800,000 RATA) Westside Road project on July 2, 2013 citing growing and costly right of way and geometry issues. At the August 1, 2013 CRABoard meeting the county requested a waiver of payback for the \$106,052.07 RATA used for design. CRABstaff recommended \$54,995 of this amount be waived as useable on any potential future Westside Road project. The CRABoard delayed a final decision until its October 2014 meeting, when it would again consider the request based on the county adding a new Westside Road project on its upcoming 2014 – 2019 six-year road program. The second, reduced-scope, project was added to the program in December 2013 and submitted for RAP funding on September 1, 2014. The CRABoard approved the waiver of payback of \$54,995 at its October 2014 meeting. The second Westside Road project was funded (\$875,100 RATA) by CRAB on April 16, 2015 and subsequently withdrawn by the county per commissioner’s letter dated February 7, 2017 again citing extreme costs that would require \$2,500,000 in County Road Funds (see attached). No RATA funds were expended on the new project.

III. Timeline Summary:

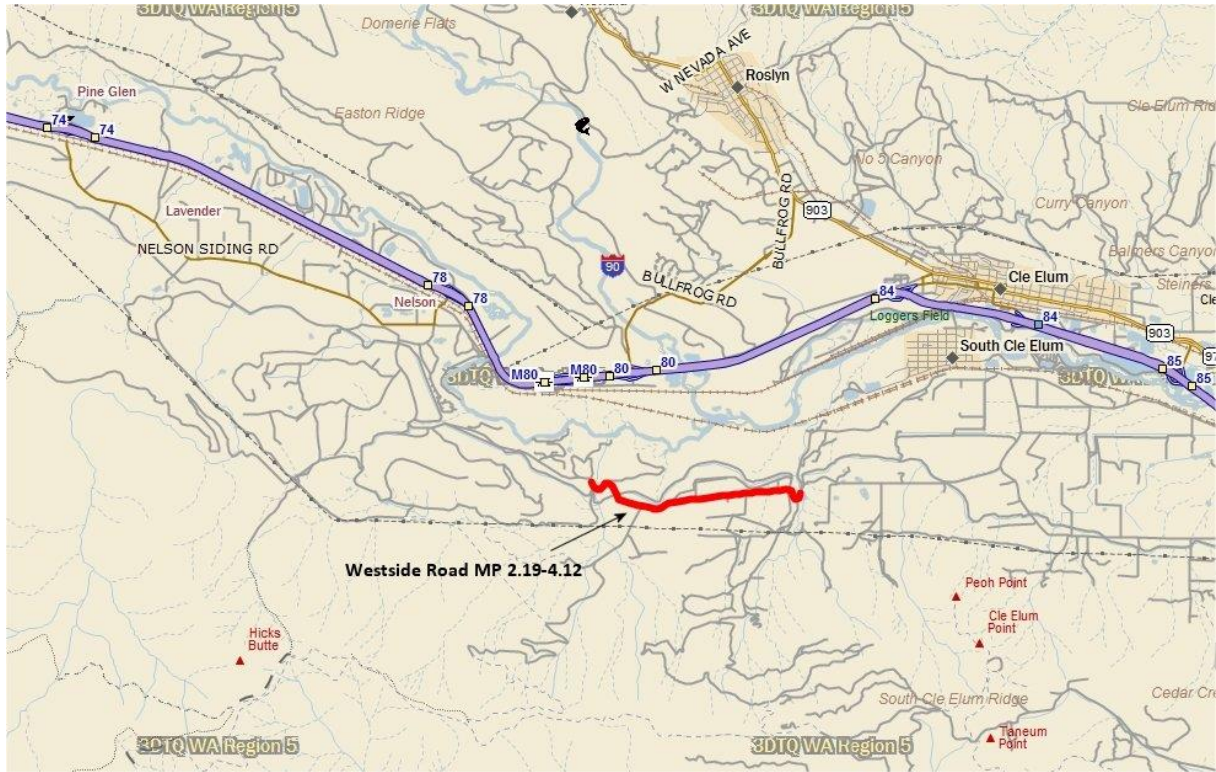
<u>Action:</u>	<u>Date:</u>	<u>County Engineer</u>
Initial Request (3,800,000)	September 1, 2006	Thomas Chini
Initial Funding \$700,000	April 19, 2007	Douglas D’Hondt
Second Funding \$846,500	April 16, 2009	“
Third Funding \$900,000	March 26, 2010	“
Scope Change	July 19, 2012	“
Final Funding \$1,353,500	April 18, 2013 (\$3,800,000 total)	“
Project Withdrawn	July 2, 2013	“
Request waiver of payback	August 1, 2013 (\$106,052.07 requested)	“
Staff update on 6 yr program	January 27, 2014	“
Approval of Waiver request	October 27, 2014 (\$54,995 approved)	“
Initial Funding - new project	April 16, 2015 (\$875,100)	“
Withdrawal of second project	February 7, 2017	Gregory Huck

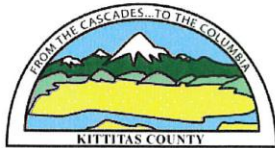
IV. Staff Findings:

- Staff has been to the project site numerous times; as early as 2004 when the Nelson Siding Road (adjacent to Westside Road) was proposed for RAP funding, at initial field review, during scope change discussions in 2012 and as part of the submittal of the newer proposal.
- Discussions with the county during those times have indicated that the original scope was not sufficiently considered prior to submittal. The county has employed 5 different county engineers, 2004 to date
- The original project was withdrawn in July of 2013, citing higher than anticipated costs.
- The CRABoard delayed its decision on the county's request for waiver of payback of \$106,052.07 in RATA funds, contingent on the county proposing a new project on its six year program.
- On October 27, 2014, after a new reduced-scope project appeared on the county's six year program the CRABoard approved a waiver of payback of \$54,995 RATA funds and amended the CRAB-County Contract accordingly.
- Although a new project was proposed in the county's 2014 – 2019 six year program, and funded by the CRABoard on April 16, 2015, the county has not claimed any RATA reimbursement of costs.
- The county's February 7, 2017 withdrawal letter indicates:
 - The new project will require approximately \$2,500,000 in county funds to accomplish.
 - The county is making "No formal request" to retain the waived \$54,995 at this time.
 - Acknowledgement that the CRABoard's approval of waiver was based on the ability of the County to apply the completed design efforts towards future projects.
 - Although the possibility of future projects on Westside Road exists, the county does not intend to actively pursue projects along Westside Road in the near future.

V. Recommendation:

Staff recommends that the CRABoard rescind the October 27, 2014 approved waiver of payback of \$54,995 in RATA funds for Westside Road, RAP project 1907-01, and require the county to reimburse that amount to the RATA.





Kittitas County, Washington
BOARD OF COUNTY COMMISSIONERS

District One
Paul Jewell

District Two
Laura Osiadacz

District Three
Obie O'Brien

February 7, 2017

Jay Weber
Executive Director
County Road Administration Board
2404 Chandler Ct. SW, Ste. 240
Olympia, WA 8504-0913

Re: Westside Road Project, RAP Project Number 1915-02

Dear Mr. Weber,

Kittitas County is formally turning the grant funds for Westside Road back to CRAB for the amount requested of \$1,026,000. RATA currently authorized is for the amount of \$875,100. No RATA funds have been paid on for this project to date.

A letter dated July 2nd, 2013 from the Kittitas County Board of County Commissioners to Executive Director Jay Weber turned back money for a previously scoped project in the amount of \$3,800,000 and requested retainage of design money amounting to \$106,052. This turn back was based on the fact that the cost of the project had been found to be significantly higher than originally proposed. The basis of the request for retainage was due to the design funding already spent would be utilized for construction of future projects. The letter also identified that survey, wetland delineation, and archaeologic studies were completed, and a draft alignment and road widening design was available for future designs.

Following this retainage request CRAB required Kittitas County to return \$51,057 and allowed the county to retain \$54,995 of the aforementioned \$106,052 reimbursed design funds. This was formally documented under amendment number three, RAP Project Number 1907-01 and adopted by Kittitas County Resolution Number 2014-158

The estimated cost identified in the current project prospectus for RAP Project Number 1915-02, falls vastly short of the required funding necessary to complete the identified improvements within the prospectus. Additionally, as suggested in the letter dated July 2nd, 2013 Kittitas County has not been able to secure any additional funding from various Federal and State sources allowing us to supplement and incrementally improve the road.

We believe at this time it is in the best interest of Kittitas County to no longer continue pursuing the completion of this project, or to complete the project utilizing approximately \$2,500,000 of

County reserve funds. Therefore, Kittitas County is turning back the funds to CRAB.

No formal request to retain the \$54,995 will be submitted at this time. We acknowledge that the decision allowing the County to retain this portion of the previously reimbursed funding was based on the ability of the County to apply the completed design efforts towards future projects. Although Kittitas County does not intend to actively pursue projects along Westside Road in the near future, the possibility to use the previously completed work on future projects still exists. With that, we ask the County Road Administration Board to please consider upholding the previous retainage decision and not require the remaining \$54,995 to be returned to CRAB.

Should you require additional information or have any questions, please contact Lucas Huck County Engineer at 509-962-7523.

Respectfully Submitted,



Paul Jewell
Board of County Commissioners, Chairman

ADDITIONAL CONSTRUCTION LAPSING TIME EXTENSION

DELPHI ROAD, MP 5.55 – 7.31
THURSTON COUNTY RAP PROJECT 3409-01

I. Nature of Request:

Thurston County has requested, per its March 8, 2017 letter, an additional construction time extension for the RAP funded Delphi Road project. The project lapsed on April 16, 2017, after the county had already received a 2-year construction time extension. CRAB's WAC 136-167-040 (5) allows that "The CRABoard may in its discretion determine that for the public safety, health or general welfare, an additional extension is necessary." The county therefore requests the CRABoard take additional action to extend the lapsing date two years further, to April 16, 2019.

II. Background:

Delphi Road was submitted for funding on September 1, 2008, requesting \$2,000,000 in RATA funding. The CRABoard allocated \$210,943 in RATA funding on April 16, 2009, \$400,000 on March 26, 2010, \$1,300,000 on April 18, 2013 and the final \$89,057 to full funding on April 16, 2015. The project proposes to widen Delph road from 20 feet to 32 feet, provide a stronger base and paved surface, improve the alignment, and clear the roadside of safety hazards. To date, the county has received \$265,000.50 in RATA reimbursements for design of the project.

III. Project development:

A. First lapsing occurrence:

The original construction lapsing date for Delph Road was April 16, 2015, six years after CRABoard approval of funding. An extension to April 16, 2017 was requested by the county on October 27, 2014 citing delays caused by new environmental regulations. These required additional investigation for protection of prairie soils and Mozama Pocket Gopher habitat. This also delayed the start of the right of way phase. The county noted that the adjacent DNR-owned property would take significant time to negotiate and the DNR could give no assurances about a timeline for its review. This request was approved by the CRAB director on November 3, 2014.

B. Scope reduction:

On April 8, 2015 the county requested a reduction in length of the project from 1.85 miles to 1.76 miles. An adjacent property owner was refusing to negotiate with county right of way staff. Cost of condemnation was estimated by the county to be more expensive than the worth of the property. After field review and analysis by CRABstaff, the scope reduction request was approved by the CRAB director.

C. Second lapsing occurrence:

The second lapsing date arrived April 16, 2017 and the county has requested an additional extension. Since May, 2014 the county has developed a complete project impact area, completed survey for easement proposal and applied for DNR easement in April 2016. The county

reviewed DNR's easement document and suggested several minor changes involving indemnification, insurance, waste cleanup and non-compliance clauses. The county's Prosecuting Attorney and Risk Management Offices recommended not agreeing to the easement as originally proposed by the DNR.

The county cites two options in its March 8, 2017 letter: 1; continue negotiation with DNR to obtain an easement document the county can accept, or 2; modify the roadway design to fit within the existing 1938 DNR easement. It is not known how much longer the ongoing negotiation will take. Modifying the design will require a scope change to the horizontal alignment improvements originally proposed in the RAP prospectus. The county does plan to move forward with negotiations with DNR, and also develop an alternate design in case these negotiations fail. The county will pursue construction at the earliest opportunity. In consideration of these potential outcomes the county requests an additional extension of construction lapsing to April 16, 2019.

Timeline Summary:

<u>Action:</u>	<u>Date:</u>	<u>Engineer:</u>
• Initial CRAB Funding:	April 16, 2009	Dale Rancour
• Construction lapsing extension	November 3, 2014	Scott Lindblom
• Scope Reduction	May 18, 2015	Scott Lindblom
• Request additional extension	March 8, 2017	Scott Davis
• Lapsing of Construction (2 nd time)	April 16, 2017	Scott Lindblom

IV. Pertinent WAC language:

WAC 136-167-040 Lapsing of RATA allocation for approved projects.

“...(3) If an approved project does not meet a required project development milestone, the county road administration board will, at its next regular meeting, withdraw RATA funds from the project.

(4) At any time up to ten days before such meeting, the county may, in writing, request an extension of the lapse date. The county road administration board may grant such an extension if it finds that the delay in project development was for reasons that were both unanticipated and beyond the control of the county, and subject to the following:

(a) A project extension will be granted one time only and will be no more than two years in length; and

(b) The county can demonstrate that the project was actively pursued for completion within the original CRAB/county contract terms and can be completed within a two year extension; and

(c) The request for an extension is based on unforeseeable circumstances that the county could not have anticipated at the time the project was submitted for RATA funding; and

(d) An approved time extension will not be grounds for the county to request an increase in the RATA funding of the project; and

(e) The executive director will determine a new lapse date, and all of the requirements listed above under subsections (1) and (2) of this section will apply except that further extensions will not be granted.

(5) The CRABoard may in its discretion determine that for the public safety, health or general welfare, an additional extension is necessary. If such a determination is made, the CRABoard may grant an additional extension and set the duration thereof.”

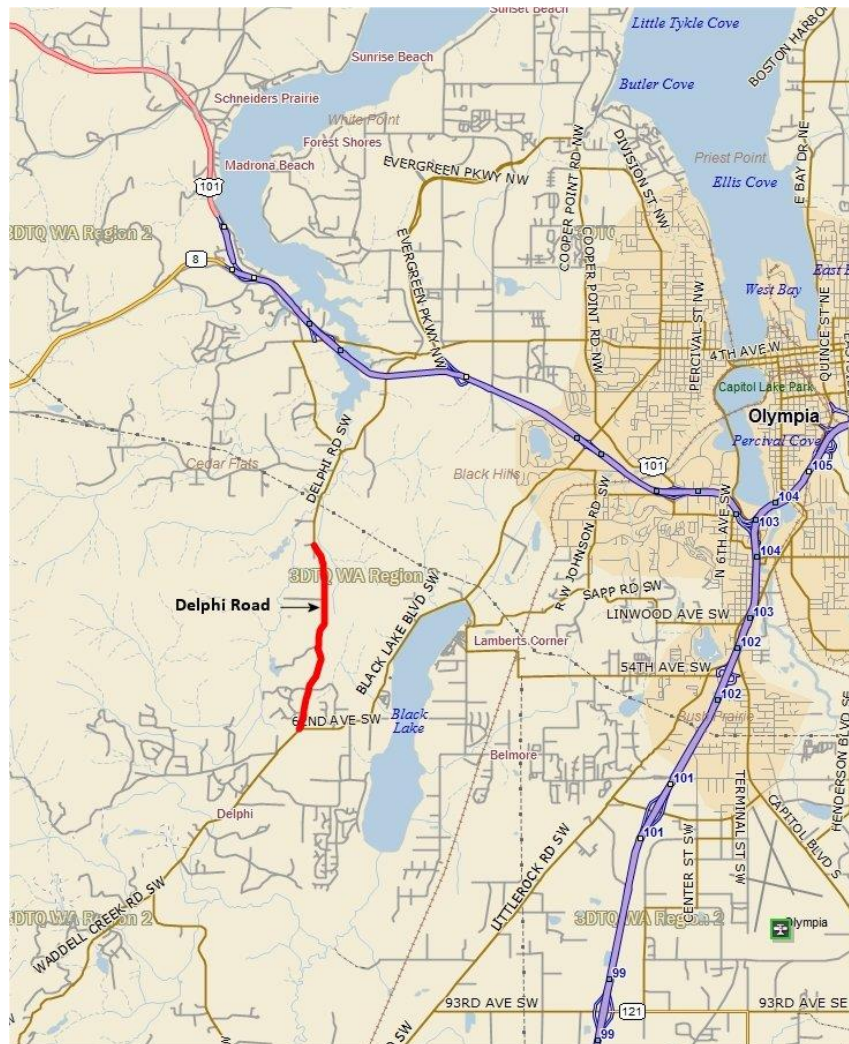
V. Staff Analysis and Recommendation:

The CRABoard must decide either to withdraw the Delphi Road project from RATA funding, requiring the county to reimburse \$265,000.50 in RATA funds paid, or grant the additional time extension for the project requested by the county.

Staff finds:

- The county has diligently pursued the design of the project.
- The project will: reconstruct the road base, adjust vertical and horizontal alignment from existing 35 mph to 40 mph standard, repave the surface, widen the roadway from 20 feet (with shoulders 0 to 3 ft wide) to 32 feet, and mitigate numerous roadside safety issues.
- The county has submitted the request for an additional time extension in a timely manner, well in advance of actual project lapping.
- An additional extension to the construction lapping date will allow the county to retain its RATA funding while it continues to move the project to construction.

Staff recommends an additional construction lapping extension of Thurston County's Delphi Road RAP project to April 16, 2019 per WAC 136-167-040 (5).





COUNTY COMMISSIONERS

John Hutchings
District One

Gary Edwards
District Two

Bud Blake
District Three



PUBLIC WORKS

An Accredited Agency of the
American Public Works Association

Scott Lindblom, P.E.
Interim Director

March 8, 2017

Mr. Jay Weber
Executive Director
County Road Administration Board
2404 Chandler Court SW
Suite 240
Olympia, WA 98502

PROJECT: Delphi Road, CRP # 61451, CRAB Project #3409-1

SUBJECT: Request for Additional Extension

Dear Mr. Weber:

This is a request to extend the time for calling for bids for the subject project by two years. Delphi Road was awarded funding April 16, 2009 with an anticipated call for bids by April 16, 2015. A previous extension to call for bids by April 16, 2017 was provided based upon environmental permitting and Right Of Way acquisition delays. This second extension request is due to difficulties in acquiring right of way from the Department of Natural Resources (DNR).

The Department of Natural Resources owns a large amount of property near the middle of the subject project as shown in Exhibit A. The DNR section is approximately 30% of the total project length, and comprises about 13% of the Right Of Way need.

The County's initial contact with DNR was in October of 2013, beginning the ROW negotiation process. By May 2014, the County had prepared the complete property impact area and turned in the DNR easement application. Two years of negotiations yielded a recorded survey to support a new easement in April 2016. Subsequently DNR provided the easement document for the County's first review. This document was reviewed by the County, and revisions were requested. Although several minor changes were made, the majority of the revisions were refused. Changes the county was requesting involved indemnification, insurance, waste cleanup, and non-compliance clauses. The County's Prosecuting Attorney's and Risk Management Offices both recommended not agreeing to this easement.

There are two possible paths to proceed with this project and both require additional time:

- Continue negotiations with DNR, seeking an easement document that the County may reasonably accept; or
- Modify our roadway design to fit within the existing DNR easement that was signed in 1938

The easement negotiations have already taken nearly one year, and have resulted in an impasse, and it is not known how long or if a satisfactory easement can be reached.

Modifying the design in order to remain within the 1938 easement limits may result in scope modification and design deviations to horizontal curves within the limited easement area.

Both approaches require additional time, therefore the County is requesting a two year extension to allow the required call for bids to be moved to April 16, 2019. The County intends to continue moving forward negotiating with DNR, and also preparing an alternate design that will remain within the existing easement in the event of unsuccessful DNR negotiations. If all issues are completed prior to this extended date, the County will call for bids at an earlier date.

Please contact Steven Johnson with any questions or comments. He can be contacted at (360) 867-2332 or johnsos@co.thurston.wa.us

Sincerely,



Scott Davis, P.E.
Acting County Engineer

- cc. Steven Johnson, P.E., Project Manager
Theresa L. Parsons P.E.,(for file)
Scott Lindblom PE, Interim Public Works Director



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: County Road Administration Board

- Preproposal Statement of Inquiry was filed as WSR _____ ; or
 Expedited Rule Making--Proposed notice was filed as WSR _____ ; or
 Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
 Supplemental Notice to WSR _____
 Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject) WAC 136-18-070 Special reporting construction by county forces project to the county road administration board.

Hearing location(s): County Road Administration Board
2404 Chandler Court SW, Ste 280
Olympia, WA 98504

Submit written comments to:

Name: Karen Pendleton
Address: 2404 Chandler Court SW, Ste 240
Olympia, WA 98504-0913
e-mail karen@crab.wa.gov
fax (360) 350.6094 by (date) April 21, 2017

Date: April 27, 2017 Time: 2:00 PM

Assistance for persons with disabilities: Contact

Karen Pendleton by April 21, 2017
TTY (800) 883.6384 or (360) 753.5989

Date of intended adoption: April 27, 2017
(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The CRABoard finds that WAC 136-18-070 is obsolete therefore will repeal this section.

Reasons supporting proposal:

Statutory authority for adoption: 36.78

Statute being implemented:

Is rule necessary because of a:

- Federal Law? Yes No
 Federal Court Decision? Yes No
 State Court Decision? Yes No
 If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: February 15, 2017

TIME: 10:06 AM

WSR 17-05-106

DATE
February 8, 2017

NAME (type or print)
Jay P. Weber

SIGNATURE

TITLE
Executive Director

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) County Road Administration Board

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Derek Pohle	Thurston County	(360) 753.5989
Implementation....Derek Pohle	Thurston County	(360) 753.5989
Enforcement..... Jay Weber	Thurston County	(360) 753.5989

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:
Address:

phone () _____
fax () _____
e-mail _____

X No. Explain why no statement was prepared.

N/A

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:
Address:

phone () _____
fax () _____
e-mail _____

X No: Please explain: N/A

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 136-18-070

Special reporting construction by county forces project to the county road administration board.



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: County Road Administration Board

Preproposal Statement of Inquiry was filed as WSR _____; or
 Expedited Rule Making--Proposed notice was filed as WSR _____; or
 Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

Original Notice
 Supplemental Notice to WSR _____
 Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject) WAC 136-12 – Standards of Good Practice-Vacancy in Position of County Engineer

Hearing location(s): County Road Administration Board
2404 Chandler Court SW, Ste 280
Olympia, WA 98504

Submit written comments to:

Name: Karen Pendleton
Address: 2404 Chandler Court SW, Ste 240
Olympia, WA 98504-0913
e-mail karen@crab.wa.gov
fax (360) 350.6094 by (date) April 21, 2017

Date: April 27, 2017 Time: 2:00 PM

Assistance for persons with disabilities: Contact

Karen Pendleton by April 21, 2017
TTY (800) 883.6384 or (360) 753.5989

Date of intended adoption: April 27, 2017
(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The CRABoard finds that amending WAC 136-12 will better define the process which the County takes in reporting a vacancy or change in the position of County Engineer.

Reasons supporting proposal:

Statutory authority for adoption: 36.78

Statute being implemented:

Is rule necessary because of a:

Federal Law? Yes No
 Federal Court Decision? Yes No
 State Court Decision? Yes No
 If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: **February 15, 2017**
TIME: **10:06 AM**

WSR 17-05-105

DATE
February 8, 2017

NAME (type or print)
Jay P. Weber

SIGNATURE

TITLE
Executive Director

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) County Road Administration Board

Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Derek Pohle	Thurston County	(360) 753.5989
Implementation....Derek Pohle	Thurston County	(360) 753.5989
Enforcement..... Jay Weber	Thurston County	(360) 753.5989

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

N/A

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain: N/A

Chapter 136-12 WAC
STANDARDS OF GOOD PRACTICE—VACANCY OR CHANGE IN POSITION OF COUNTY
ENGINEER

AMENDATORY SECTION (Amending WSR 02-18-018, filed 8/22/02, effective 9/22/02)

WAC 136-12-010 Purpose and authority. The laws of the state of Washington make detailed provisions in chapter 36.80 RCW, for the employment of a county engineer in each county. This chapter specifies that the county legislative authority of each county shall employ a county road engineer on either a full-time or part-time basis, or by contracting with another county for the engineering services of a county road engineer; that he/she shall be a registered and licensed professional civil engineer under the laws of this state; that he/she shall have supervision, under the direction of the county legislative authority, of all activities related to the county roads of the county, including maintenance; that he/she shall certify to the county legislative authority all bills with respect to county roads; that he/she shall keep complete public records of all road department activities; that he/she shall prepare plans and specifications for all construction work on the county road system; give an official bond to the county conditioned upon faithfully performing all the duties and accounting for county property entrusted to him or her.

AMENDATORY SECTION (Amending WSR 14-17-035, filed 8/13/14, effective 9/13/14)

WAC 136-12-020 Procedure during vacancy or change. (~~It is unavoidable that vacancies will occur from time to time in the position of county engineer.~~) When a vacancy or change occurs in the office of county engineer due to resignation, retirement, death or for any other reason, the county legislative authority shall take immediate steps to find a replacement, either by promotion from within the organization if a competent and eligible person is available, or by advertisement for, and interview of, qualified applicants. The county legislative authority or county executive shall, in writing, by electronic email or official letter, within five working days, notify the county road administration board of the vacancy or change, and of the procedure to be followed during the period of vacancy. The notice to the county road administration board shall state that the legislative authority or county executive has reviewed the requirements within this chapter.

AMENDATORY SECTION (Amending WSR 02-18-018, filed 8/22/02, effective 9/22/02)

WAC 136-12-045 Notification of hiring. When final arrangements for the employment of a new county engineer have been made, the county legislative authority or the county executive shall, within five working days, notify the county road administration board in writing and shall include the following information: Name of new county engineer, Washington registration number, start date, and contact information, including an email address (~~if~~) when available. In addition, the notification shall include a copy of the organization chart detailing the responsibilities of the county engineer if there is an adopted change, WAC 136-50-051, and a copy of the appointment resolution, letter of appointment, or copy of the meeting minutes of the legislative authority recording the appointment.

AMENDATORY SECTION (Amending WSR 09-23-044, filed 11/9/09, effective 12/10/09)

WAC 136-12-060 Failure to comply. In the case of vacancy or change, if notification is not received within the time frame established in WAC 136-12-045, the matter of the vacancy will be considered at the next regular meeting of the county road administration board. The county road administration board may require that all construction by county forces projects be shut down and/or that all distribution of gas tax funds to the county cease: Provided however, that it may continue to grant reasonable extensions in the event the affected county can give adequate proof or demonstrate at the next regularly scheduled board meeting that a diligent effort has been made to secure the services of a qualified engineer.

County Ferry Capital Improvement Program (CFCIP) - WAC 136-400 Project Application Guidance

General:

The following CFCIP project application guidance summary is not intended to replace or otherwise amend the language of WAC 136-400. Implementation of the CFCIP, including all critical dates and performance standards, will be based entirely on the current version of WAC 136-400.

The CRABoard reserves to itself the exercise of discretion as allowed in WAC 136-400.

County Eligibility:

- Counties eligible to apply for county ferry capital improvement funds are Pierce, Skagit, Wahkiakum, and Whatcom.
- For the project to be eligible it must be included in both the county's six-year transportation program and its ferry system fourteen-year long range capital improvement plan.
- Any county holding an approved and executed county ferry capital improvement program contract is ineligible to submit a project funding application for additional ferry capital improvement funds until the existing contract is fully performed or has been mutually terminated.

Eligible Projects:

- ❖ Purchase of new vessels
- ❖ Major vessel refurbishment (e.g., engines, structural steel, controls) that substantially extends the life of the vessel
- ❖ Facility refurbishment/replacement (e.g., complete replacement, major rebuilding or redecking of a dock) that substantially extends the life of the facility
- ❖ Installation of items that substantially improve ferry facilities or operations
- ❖ Construction of infrastructure that provides new or additional access or increases the capacity of terminal facilities

Project Development Calendar and Procedural Steps:

Year A = 2016, 2020, 2024, etc.

Year B = 2017, 2021, 2025, etc.

Year C = 2018, 2022, 2026, etc.

Year D = 2019, 2023, 2027, etc.

Note: The following procedural steps require an affirmative action to take place in order for the subsequent step to proceed

Year A (or earlier) actions:

- Project planning and engineering adequate for:
 - o inclusion in 6-year and 14-year documents and their adoption
 - o creation of a county ferry district (subject to counties financial plan)
 - o submission of project funding request to the Public Works Board or any other available revenue source

Year B actions:

- County requests CRABoard to issue call for projects at Spring meeting
- CRABoard may act on a call for projects at the Spring meeting, but must act on request no later than Summer meeting
- If a call for projects is approved, project applications must be submitted no later than December 31st

Year C actions:

- Technical Review Committee completes its review and develops a written report no later than 30 days prior to the CRABoard Spring meeting
- CRABoard reviews the committee report and may act at the Spring meeting, but must act no later than Summer meeting
- If approved by the CRABoard, a CFCIP project funding request is included in the CRAB agency biennial budget request submitted late summer

Year D actions:

- State Legislature reviews CRAB CFCIP budgetary request
- If approved by the Legislature and Governor, CFCIP funds available for project expenditures beginning July 1st, or upon execution of the CRAB/County contract, whichever occurs last

CFCIP Project Cost Sharing:

County Ferry District	County / Other (*)	CFCIP (*)
Greater than 30%	0%	Remaining project balance (less than 70%)
Greater than 5%, but less than or equal to 30%	20% minimum	Less than or equal to 50%
Less than or equal to 5%	65% minimum	Less than or equal to 30%
No District	65% minimum	Less than or equal to 30%

(*) - CFCIP maximum project share is \$10,000,000 per project and \$500,000 per year cost reimbursement



GUEMES FERRY REPLACEMENT PROJECT

COUNTY FERRY CAPITAL IMPROVEMENT PROGRAM

WAC 136-400

- Eligible Counties
 - Pierce, Skagit, Wahkiakum, and Whatcom
- Request Call For Projects
 - CRAB Spring Board Meeting
- Applications Due
 - December 31st 2017
- Maximum Award
 - \$10 Million
 - Allocation is \$500,000 a year over a 20-year period



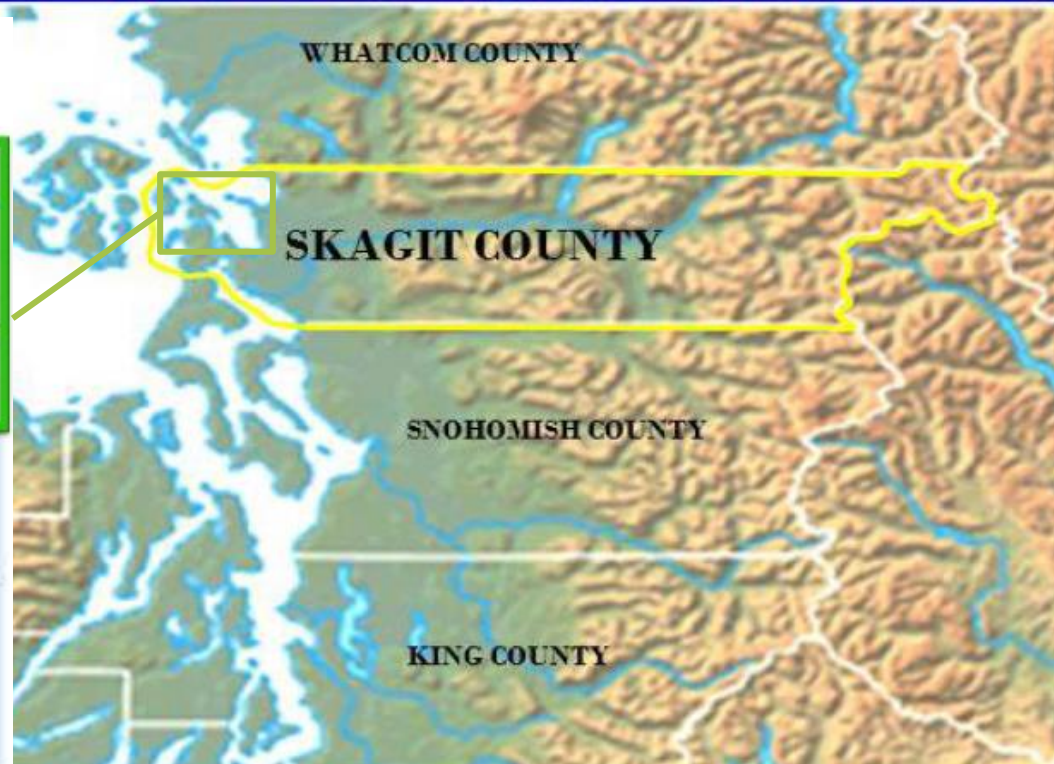
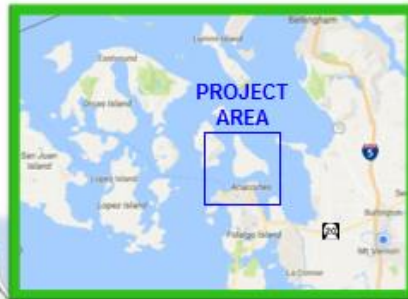
GUEMES FERRY REPLACEMENT PROJECT





GUEMES FERRY REPLACEMENT PROJECT

**SKAGIT COUNTY
FERRY
REPLACEMENT
PROJECT**



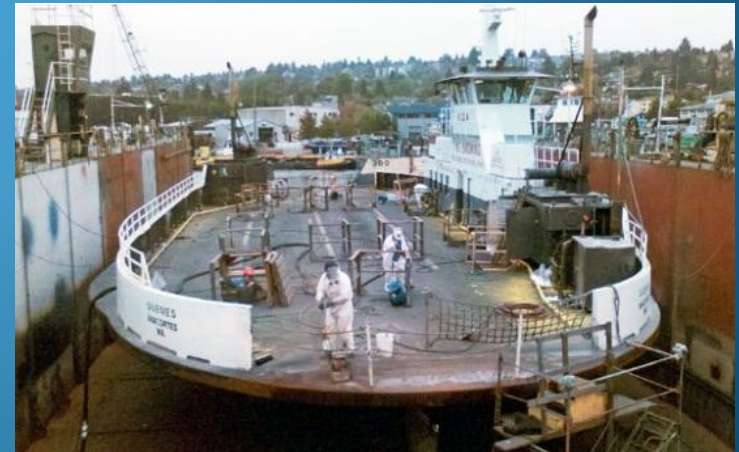
LOCATION



GUEMES FERRY REPLACEMENT PROJECT

STATISTICS

- 38 Years Old
- 9,500 Runs Yearly
- Serves 200,000 Vehicles Yearly
- Serves 400,000 Passengers Yearly





GUEMES FERRY REPLACEMENT PROJECT

PROJECT SUMMARY

- Replacement of the Guemes Ferry
- Researching Alternative Energy Propulsion Systems
- Goal of Reducing Harmful Greenhouse Emissions
- Reducing Maintenance and Fuel Cost
- Improving Level Of Service



GUEMES FERRY REPLACEMENT PROJECT




TIMELINE

- 2012 - Added to Fourteen-Year Ferry Plan
- 2013 - Ferry Replacement Plan
- 2016 - Propulsion Study
- 2017 - Design Study
- 2018 - Final Replacement Design
- 2019/20 - Construction



GUEMES FERRY REPLACEMENT PROJECT

TRANSPORTATION PLANNING

- 2016-2029 Fourteen-Year Ferry Plan
 Yes
- 2016-2021 Six-Year Transportation Improvement Program
 Yes
- Incorporated into the County's Comprehensive Plan
 Yes



GUEMES FERRY REPLACEMENT PROJECT

PRELIMINARY COST ESTIMATE

- Conventional Replacement
 - \$16,000,000
- Zero Emissions Replacement
 - \$18,000,000
- **TOTAL ESTIMATED COST**
 - **\$16,000,000 - \$18,000,000**



GUEMES FERRY REPLACEMENT PROJECT

FINANCIAL PLAN

- Public Works Trust Fund
- Ferry District
 - Senate Bill 5403
- County Bonds
- Ferry Fare Surcharge
- Ferry Boat Program
 - Skagit County Estimated Yearly Allocation
 - \$300,000



GUEMES FERRY

REPLACEMENT PROJECT

PURSUIT OF FUNDING

- 2014 Puget Sound Clean Air Agency
- 2015 Maritime Administration (MARAD)
- 2015 Build America – Transportation Invest. Center
- 2016 Clean Energy Fund 2
- 2017 Economic Development Grant
- 2017 Surface Transportation Grant (Apply)
- 2017 EPA - Diesel Emission Reduction Program (Apply)
- 2017 Volkswagen Settlement (Apply)



GUEMES FERRY REPLACEMENT PROJECT

MOVING FORWARD

- 2017 - Design Study & Preliminary Design
- 2017 - Request Call For Projects (CRAB)
- 2017 - Select Final Design
- 2017 - Submit Application to CRAB
- 2018 - Technical Review CRAB
(Approves!)
- 2019 - State Budget Approved
- 2019/20 - Construct a New Ferry



GUEMES FERRY REPLACEMENT PROJECT

SKAGIT COUNTY'S REQUEST...

CALL FOR PROJECTS!



COMPLIANCE & DATA ANALYSIS MANAGER'S REPORT

Prepared by Derek Pohle, PE

CRABoard Meeting – April 27-28, 2017

Reporting Period: February 2017 thru April 2017

COMPLIANCE

STANDARDS OF GOOD PRACTICE

February 1, 2017 required submittals: Road Levy Certification

35 of the 39 counties submitted the required form by the February 1 deadline. Asotin and Lewis Counties notified CRAB staff that circumstances beyond the County Engineer's control would likely delay submittal of the road levy certifications a few days beyond the deadline. Columbia and Wahkiakum Counties were delinquent without notice.

April 1, 2017 required submittals:

Annual Certification

CAPP Accomplishments report

Annual Construction report

Fish Passage Barrier Removal Cost Report

Marine Navigation and Moorage Cert.

Traffic Enforcement Expenditures Certification

Annual Certification for Maintenance Management

County Ferry System Report

38 of the 39 counties' required submittals were submitted to CRAB by the deadline. The remaining county submitted their forms by the next business day. There are three issues of note. First, last year about 15% of counties had yet to update their Bridge and Inspection reports to contain the statutory minimum requirements. That has improved this year to only three counties, and CRAB staff will continue to work with these counties in an effort to bring these reports up to minimum requirements. Second, several counties are inconsistent in documenting their County Forces Construction projects on the Annual Construction Report. Mostly this has to do with project advertisement dates. CRAB staff will continue to work with these counties. Lastly, there are a few counties that are still over-diverting Road Levy in excess of the amount established by Resolution during the budget process.

Bridge Inspection Certification – WAC 136-20-040

The Director of Highways and Local Programs has certified to CRAB that all counties have current inspections on file with the Department.

Vacancy in Position of County Engineer:

Stevens County: Jim Whitbread's last day at the county was December 15th, 2016. The BOCC designated Jason Hart as Acting County Road Engineer per WAC 136.12 for six months, in conformance with the Standard of Good Practice for Vacancy in the position of County Engineer. The County is actively seeking a part-time County Engineer.

Spokane County: Mitch Reister, PE, submitted his resignation effective March 31, 2017. The County has appointed Chad Coles, PE, as County Engineer effective April 1, 2017 in conformance with the Standard of Good Practice for Vacancy in the position of County Engineer.

Snohomish County: Pursuant to the passing of Owen Carter, the Council designated Steven Thomsen, PE, as Acting County Road Engineer per WAC 136.12 for six months, in conformance with the Standard of Good Practice for Vacancy in the position of County Engineer. Mr. Thomsen has filed with this office a letter of designation of duties to appropriate members of his staff. The County is actively seeking a County Engineer.

Per the SAO's recommendation, I hereby certify that I have reviewed all of the above compliance reporting with the Deputy Director.

Therefore, based on the April 1 submittals, SAO audit reviews for 2015 and 2016, and the performance of the 39 counties during the year 2016, I recommend that all 39 counties receive their Certificates of Good Practice for fiscal year 2017.

COUNTY AUDITS – For Fiscal Year 2015 & 2016

Skamania County – CRAB staff has been monitoring a continuing Finding which effects the Road Fund. For at least three consecutive audits, the SAO has issued a Finding that the county's financial condition continues to decline and is at risk of not being able to meet its current obligations and maintain services. CRAB staff continues to support county Public Works staff on a consultative basis.

PROPOSED WAC RULE AMENDMENTS – Public Hearing

Chapter 136-12 WAC – Vacancy in Position of County Engineer – See Attached

Chapter 136-18 WAC – Construction by County Forces – See Attached

Staff recommends that the CRABoard approve the proposed WAC rule amendments as presented.

OTHER ACTIVITIES OF THE C&DA MANAGER

- CARS/CAMS integration for counties meetings
- Culvert inventory working group meetings
- Lewis County visit
- Skamania County CE training for the BOCC
- Clark County Visit
- CARS phase two planning meeting
- WSACE western district roundtable
- Meeting with Thurston County – TLE inquiry, response to AGO
- Development of model policy – Approval of Work for Other Public Agencies and County Departments. WAC 136-50-054

2016 ANNUAL CERTIFICATION

Management & Administration:

Operations:

	Engineer Duties	Engineer Vacancy	Accident Reports	Priority Prog. tech.	Revised Policies Attached	Const. Expend. in '16 Prog.	County Forces Limit	Actual County Forces	Bridge Report Submitted
Adams	Y	N	Y	Y	N	Y	823	550	Y
Asotin	Y	N	Y	Y	N	Y	809	0	Y
Benton	Y	N	Y	Y	N	Y	1,788	7	Y
Chelan	Y	N	Y	Y	N	Y	1,269	31	Y
Clallam	Y	N	Y	Y	N	Y	1,266	100	Y
Clark	Y	N	Y	Y	N	Y	3,397	442	Y
Columbia	Y	N	Y	Y	N	Y	808	9	Y
Cowlitz	Y	N	Y	Y	N	Y	1,270	2	Y
Douglas	Y	N	Y	Y	N	Y	1,282	10	Y
Ferry	Y	N	Y	Y	Y	Y	810	160	Y
Franklin	Y	N	Y	Y	N	Y	1,275	0	Y
Garfield	Y	N	Y	Y	N	Y	807	127	Y
Grant	Y	N	Y	Y	N	Y	1,305	718	Y
Grays Harbor	Y	Y	Y	Y	Y	Y	1,270	8	Y
Island	Y	N	Y	Y	Y	Y	1,270	425	n/a
Jefferson	Y	N	Y	Y	N	Y	1,262	0	Y
King	Y	N	Y	Y	N	Y	3,519	7	Y
Kitsap	Y	N	Y	Y	N	N/exp.	1,812	417	Y
Kittitas	Y	Y	Y	Y	N	Y	1,267	162	Y
Klickitat	Y	N	Y	Y	N	Y	815	541	Y
Lewis	Y	Y	Y	Y	N	N/exp.	1,278	148	Y
Lincoln	Y	N	Y	Y	N	Y	824	544	Y
Mason	Y	N	Y	Y	N	Y	1,269	68	Y
Okanogan	Y	N	Y	Y	N	Y	1,279	72	Y
Pacific	Y	N	Y	Y	Y	Y	807	522	Y
Pend Oreille	Y	N	Y	Y	N	Y	809	254	Y
Pierce	Y	N	Y	Y	Y	Y	3,495	12	Y
San Juan	Y	N	Y	Y	N	N/exp.	805	455	Y
Skagit	Y	N	Y	Y	N	Y	1,278	0	Y
Skamania	Y	N	Y	Y	Y	Y	804	0	Y
Snohomish	Y	Y	Y	Y	N	N/exp.	3,461	2,426	Y
Spokane	Y	N	Y	Y	N	Y	3,458	329	Y
Stevens	Y	Y	Y	Y	N	N/exp.	1,283	264	Y
Thurston	Y	N	Y	Y	N	Y	1,811	1,549	Y
Wahkiakum	Y	N	Y	Y	N	Y	805	65	Y
Walla Walla	Y	N	Y	Y	N	Y	1,276	0	Y
Whatcom	Y	N	Y	Y	N	Y	1,798	57	Y
Whitman	Y	N	Y	Y	Y	Y	1,287	426	Y
Yakima	Y	N	Y	Y	N	N/exp.	1,821	35	Y

Note: Questions were answered "Yes" or "No". Where a "No" answer requires an explanation, a letter was provided.

2016 ANNUAL CERTIFICATION

Section F: Due Dates

COUNTY	2016 Six -Year Program		2016 Annual Const. Prog.		2016 CAPP Program	2016 Road Fund Budget		2016 MM Wrk Pln & Budget
	WAC 146-15-050 Due 12/31/15		WAC 146-16-040 Due 12/31/15		WAC 146-300-060 Due 12/31/15	Due 12/31/15		WAC 146-11-040 Due 12/31/15
	DATE		DATE		DATE	DATE		DATE
	Leg Approval	Sent to CRAB	Leg Approval	Sent to CRAB	Sent to CRAB	Leg Approval	Sent to CRAB	Sent to CRAB
Adams	12/7/15	12/24/15	12/21/15	12/24/15	12/24/15	12/21/15	12/24/15	12/24/15
Asotin	8/10/15	12/21/15	8/10/15	12/21/15	12/21/15	12/21/15	12/21/15	12/21/15
Benton	7/28/15	12/21/15	10/13/15	12/21/15	12/21/15	12/21/15	12/21/15	12/21/15
Chelan	12/18/15	12/18/15	12/18/15	12/18/15	12/18/15	12/18/15	12/18/15	12/18/15
Clallam	11/24/15	12/23/15	12/1/15	12/23/15	12/23/15	12/1/15	12/23/15	12/23/15
Clark	11/10/15	11/30/15	12/15/15	12/29/15	12/29/15	12/15/15	12/29/15	12/29/15
Columbia	12/2/15	12/29/15	12/2/15	12/29/15	12/29/15	12/29/15	12/29/15	12/29/15
Cowlitz	12/8/15	12/28/15	12/22/15	12/28/15	12/28/15	12/22/15	12/28/15	12/28/15
Douglas	12/12/15	12/14/15	12/12/15	12/14/15	12/14/15	12/12/15	12/14/15	12/14/15
Ferry	11/2/15	12/31/15	11/9/15	12/31/15	12/31/15	12/21/15	12/31/15	12/31/15
Franklin	6/25/15	12/30/15	12/30/15	12/30/15	12/30/15	12/29/15	12/30/15	12/30/15
Garfield	12/14/15	12/15/15	12/14/15	12/15/15	12/15/15	12/14/15	12/15/15	12/15/15
Grant	9/22/15	12/22/15	11/24/15	12/22/15	12/22/15	12/7/15	12/22/15	12/22/15
Grays Harbor	6/22/15	6/23/15	12/7/15	12/15/15	12/15/15	12/7/15	12/15/15	12/15/15
Island	9/8/15	12/28/15	9/8/15	12/28/15	12/28/15	12/24/15	12/28/15	12/28/15
Jefferson	11/23/15	12/17/15	12/14/15	12/17/15	12/17/15	12/14/15	12/17/15	12/17/15
King	11/23/15	12/30/15	11/18/15	12/30/15	12/30/15	11/18/15	12/30/15	12/30/15
Kitsap	11/23/15	12/23/15	11/23/15	12/23/15	12/23/15	12/7/15	12/23/15	12/23/15
Kittitas	11/3/15	11/3/15	11/3/15	11/3/15	12/29/15	12/11/15	12/29/15	12/29/15
Klickitat	12/15/15	12/17/15	12/15/15	12/17/15	12/17/15	12/15/15	12/17/15	12/17/15
Lewis	11/16/15	11/30/15	11/16/15	11/30/15	12/28/15	12/21/15	12/28/15	12/30/15
Lincoln	12/7/15	12/23/15	12/7/15	12/23/15	12/23/15	12/21/15	12/23/15	12/23/15
Mason	10/20/15	10/21/15	10/20/15	10/21/15	12/29/15	12/17/15	12/17/15	12/29/15
Okanogan	6/23/15	6/30/15	12/8/15	12/31/15	12/31/15	12/28/15	12/31/15	12/31/15
Pacific	11/2/15	12/7/15	11/2/15	12/7/15	12/7/15	11/2/15	12/7/15	12/7/15
Pend Oreille	12/21/15	12/29/15	12/21/15	12/29/15	12/29/15	12/22/15	12/29/15	12/29/15
Pierce	11/10/15	12/30/15	11/10/15	12/30/15	12/30/15	11/16/15	12/30/15	12/30/15
San Juan	10/19/15	12/29/15	10/27/15	12/29/15	12/29/15	12/29/15	12/29/15	12/29/15
Skagit	12/28/15	12/29/15	11/30/15	12/29/15	12/29/15	12/28/15	12/29/15	12/29/15
Skamania	12/22/15	12/30/15	12/22/15	12/30/15	12/30/15	12/22/15	12/30/15	12/30/15
Snohomish	11/23/15	12/29/15	11/23/15	12/29/15	12/29/15	11/23/15	12/29/15	12/29/15
Spokane	5/26/15	12/24/15	5/26/15	12/24/15	12/24/15	12/7/15	12/24/15	12/24/15
Stevens	10/27/15	10/28/15	10/27/15	11/30/15	12/21/15	11/10/15	12/21/15	11/30/15
Thurston	10/6/15	12/31/15	12/11/15	12/31/15	12/31/15	12/23/15	12/31/15	12/31/15
Wahkiakum	12/1/15	12/29/15	12/1/15	12/29/15	12/29/15	12/22/15	12/29/15	12/29/15
Walla Walla	9/14/15	11/5/15	7/13/15	11/5/15	12/3/15	12/2/15	12/3/15	12/3/15
Whatcom	9/29/15	10/10/15	11/10/15	12/16/15	12/16/15	12/16/15	12/16/15	12/16/15
Whitman	7/20/15	7/22/15	12/7/15	12/21/15	12/21/15	12/14/15	12/24/15	12/16/15
Yakima	7/7/15	8/11/15	11/17/15	12/23/15	12/23/15	11/17/15	12/23/15	12/23/15

2016 ANNUAL CERTIFICATION

Section F: Due Dates

COUNTY	2016 Road Levy Certification		2015 Sheriff's Cert		2015 Fish Passage Cert		2015 Annual Const. Report	2015 CAPP Report
	WAC 146-150-021 Due 2/1/16		WAC 146-150-022 Due 4/1/16		WAC 146-150-023 Due 4/1/16		WAC 146-16-050 Due 4/1/16	WAC 146-300-090 Due 4/1/16
	DATE		DATE		DATE		DATE	DATE
	Leg Approval	Sent to CRAB	Leg Approval	Sent to CRAB	Leg Approval	Sent to CRAB	Sent to CRAB	Sent to CRAB
Adams	1/25/16	1/26/16	3/21/16	3/21/16	3/21/16	3/21/16	3/21/16	3/21/16
Asotin	1/28/16	1/28/16	3/31/16	4/4/16	3/31/16	4/4/16	4/4/16	4/4/16
Benton	1/26/16	1/28/16	3/29/16	3/30/16	3/29/16	3/30/16	3/30/16	3/30/16
Chelan	2/9/16	2/9/16	3/29/16	3/29/16	3/29/16	3/29/16	3/29/16	3/29/16
Clallam	1/26/16	1/27/16	3/29/16	3/31/16	3/29/16	3/31/16	3/31/16	3/31/16
Clark	1/28/16	1/29/16	3/9/16	3/29/16	3/15/16	3/29/16	3/29/16	3/29/16
Columbia	2/3/16	2/3/16	---	---	---	---	3/28/16	3/28/16
Cowlitz	2/2/16	2/2/16	---	---	3/24/16	3/31/16	3/31/16	3/31/16
Douglas	2/1/16	2/1/16	3/22/16	3/22/16	3/22/16	3/22/16	3/22/16	3/22/16
Ferry	2/1/16	2/1/16	---	---	---	---	3/30/16	3/30/16
Franklin	1/28/16	1/29/16	3/16/16	3/27/16	3/25/16	3/27/16	3/27/16	3/27/16
Garfield	1/25/16	1/25/16	---	---	---	---	3/31/16	3/31/16
Grant	1/26/16	1/27/16	3/29/16	3/29/16	3/29/16	3/29/16	3/29/16	3/29/16
Grays Harbor	1/25/16	1/27/16	3/14/16	3/17/16	3/14/16	3/17/16	3/17/16	3/17/16
Island	1/26/16	1/29/16	3/22/16	3/30/16	3/22/16	3/30/16	3/30/16	4/2/16
Jefferson	2/1/16	2/4/16	3/21/16	3/28/16	3/21/16	3/28/16	3/28/16	3/28/16
King	11/18/15	2/8/16	11/18/15	3/31/16	11/18/15	3/31/16	3/31/16	3/31/16
Kitsap	1/26/16	1/27/16	3/22/16	3/22/16	3/16/16	3/22/16	3/22/16	3/22/16
Kittitas	2/9/16	2/9/16	3/28/16	3/30/16	3/28/16	3/30/16	3/30/16	3/30/16
Klickitat	1/26/16	1/27/16	3/29/16	3/30/16	3/29/16	3/30/16	3/30/16	3/30/16
Lewis	2/4/16	2/11/16	3/23/16	3/30/16	3/23/16	3/30/16	3/30/16	3/30/16
Lincoln	1/18/16	1/21/16	3/15/16	3/24/16	3/17/16	3/24/16	3/24/16	3/24/16
Mason	2/9/16	1/27/16	3/22/16	3/24/16	3/22/16	3/24/16	3/24/16	3/24/16
Okanogan	1/27/16	1/29/16	3/29/16	3/31/16	3/30/16	3/30/16	3/30/16	3/30/16
Pacific	1/7/16	1/21/16	3/9/16	3/28/16	3/22/16	3/28/16	3/28/16	3/28/16
Pend Oreille	1/25/16	2/1/16	3/29/16	4/1/16	3/29/16	4/1/16	4/1/16	4/1/16
Pierce	11/16/15	1/20/16	3/11/16	3/30/16	3/30/16	3/30/16	3/30/16	3/30/16
San Juan	2/1/16	2/1/16	3/30/16	3/31/16	3/30/16	3/31/16	3/31/16	3/31/16
Skagit	1/15/16	1/26/16	3/17/16	3/21/16	3/17/16	3/21/16	3/21/16	3/21/16
Skamania	1/26/16	1/26/16	3/29/16	3/29/16	3/29/16	3/29/16	3/29/16	3/29/16
Snohomish	1/27/16	1/29/16	3/30/16	3/31/16	3/30/16	3/31/16	3/31/16	3/31/16
Spokane	2/2/16	2/2/16	4/1/16	4/1/16	3/29/16	4/1/16	4/1/16	4/1/16
Stevens	1/27/16	1/28/16	3/7/16	3/15/16	3/7/16	3/15/16	3/15/16	3/15/16
Thurston	1/25/16	2/1/16	3/30/16	4/1/16	3/24/16	4/1/16	4/1/16	4/1/16
Wahkiakum	1/19/16	1/27/16	---	---	---	---	3/28/16	3/28/16
Walla Walla	1/25/16	1/27/16	---	---	2/29/16	3/4/16	3/4/16	3/7/16
Whatcom	1/15/16	1/15/16	3/31/16	3/31/16	3/31/16	3/31/16	3/31/16	3/31/16
Whitman	1/19/16	1/26/16	3/21/16	3/30/16	3/21/16	3/22/16	3/30/16	3/30/16
Yakima	1/15/16	1/15/16	3/11/16	3/30/16	3/29/16	3/30/16	3/30/16	3/30/16

Section F: Due Dates

COUNTY	2015 MMS Certification	2015 Annual Certification		2015 Road Log Update	2016 PMS Cert for CAPA
	WAC 146-4-030 Due 4/1/16	WAC 146-4-030 Due 4/1/16		WAC 146-60-030 Due 5/1/16	WAC 146-70-090 Due 12/31/16
	DATE Sent to CRAB	DATE Leg Approval	DATE Sent to CRAB	DATE Sent to CRAB	DATE Sent to CRAB
Adams	3/21/16	3/21/16	3/21/16	1/6/16	12/28/16
Asotin	4/4/16	3/31/16	4/4/16	2/9/16	12/22/16
Benton	3/30/16	3/29/16	3/30/16	5/2/16	12/29/16
Chelan	3/29/16	3/29/16	3/29/16	4/21/16	12/18/16
Clallam	3/31/16	3/29/16	3/31/16	4/27/16	12/22/16
Clark	3/29/16	3/21/16	3/29/16	4/18/16	12/15/16
Columbia	3/28/16	3/28/16	3/28/16	4/28/16	12/30/16
Cowlitz	3/31/16	3/1/16	3/31/16	4/27/16	12/29/16
Douglas	3/22/16	3/22/16	3/22/16	4/1/16	12/14/16
Ferry	3/30/16	3/23/16	3/23/16	4/29/16	12/31/16
Franklin	3/27/16	3/28/16	3/30/16	4/11/16	12/31/16
Garfield	3/31/16	3/13/16	3/31/16	4/1/16	12/28/16
Grant	3/29/16	3/29/16	3/29/16	2/8/16	12/20/16
Grays Harbor	3/17/16	3/14/16	3/17/16	1/22/16	12/29/16
Island	3/30/16	3/22/16	3/30/16	1/15/16	12/31/16
Jefferson	3/28/16	3/21/16	3/28/16	4/26/16	12/21/16
King	3/31/16	11/18/15	3/31/16	3/8/16	12/28/16
Kitsap	3/22/16	3/16/16	3/22/16	2/22/16	12/21/16
Kittitas	3/30/16	3/28/16	3/30/16	1/2/16	12/27/16
Klickitat	3/30/16	3/29/16	3/30/16	4/22/16	12/23/16
Lewis	3/30/16	3/23/16	3/30/16	4/4/16	12/13/16
Lincoln	3/24/16	3/15/16	3/24/16	5/1/16	12/20/16
Mason	3/24/16	3/22/16	3/24/16	4/29/16	11/10/16
Okanogan	3/30/16	3/7/16	3/30/16	1/19/16	12/28/16
Pacific	3/28/16	3/22/16	3/28/16	4/18/16	12/16/16
Pend Oreille	4/1/16	3/29/16	4/1/16	4/12/16	12/30/16
Pierce	3/30/16	3/30/16	3/30/16	4/11/16	12/29/16
San Juan	3/31/16	3/30/16	3/31/16	5/1/16	12/28/16
Skagit	3/21/16	3/17/16	3/21/16	4/28/16	12/27/16
Skamania	3/29/16	3/29/16	3/29/16	4/6/16	12/22/16
Snohomish	3/31/16	3/30/16	3/31/16	1/4/16	12/29/16
Spokane	4/1/16	3/29/16	4/1/16	4/20/16	12/29/16
Stevens	3/15/16	3/15/16	3/15/16	2/23/16	12/22/16
Thurston	4/1/16	3/28/16	4/1/16	4/29/16	12/31/16
Wahkiakum	3/28/16	3/22/16	3/28/16	4/13/16	12/28/16
Walla Walla	3/4/16	2/29/16	3/4/16	12/3/15	10/27/16
Whatcom	3/31/16	3/31/16	3/31/16	4/12/16	12/27/16
Whitman	3/30/16	3/21/16	3/22/16	4/21/16	12/28/16
Yakima	3/30/16	3/29/16	3/30/16	1/15/16	12/19/16

COUNTY FORCES SUMMARY

2016 ANNUAL CERTIFICATION SUMMARY OF CONSTRUCTION EXPENDITURES (thousands of dollars)

	2016 PROGRAM/BUDGET		COUNTY FORCES (RCW 36.77.065)		2016 ACTUAL	
	CONTRACT	COUNTY FORCES	LIMIT based on program	LIMIT based on report	COUNTY FORCES	CONTRACT
Adams	2,843	756	823	823	550	1,492
Asotin	3,604	75	809	809	0	0
Benton	4,702	0	1,788	1,788	7	4,210
Chelan	1,771	147	1,269	1,269	31	1,135
Clallam	7,246	69	1,266	1,266	100	2,795
Clark	24,796	294	3,397	3,397	442	19,316
Columbia	3,169	0	808	808	9	797
Cowlitz	4,822	260	1,270	1,270	2	1,391
Douglas	8,155	0	1,282	1,282	10	2,737
Ferry	2,106	102	810	810	160	2,409
Franklin	2,080	0	1,275	1,275	0	106
Garfield	3,072	374	807	807	127	1,422
Grant	7,099	1,063	1,305	1,305	718	3,092
Grays Harbor	4,900	150	1,168	1,270	8	3,353
Island	4,324	40	1,168	1,270	425	1,939
Jefferson	3,463	0	1,262	1,262	0	823
King	2,248	65	3,519	3,519	7	878
Kitsap	14,314	810	1,812	1,812	417	15,123
Kittitas	2,903	441	1,267	1,267	162	1,732
Klickitat	5,640	200	815	815	541	3,809
Lewis	9,620	235	1,278	1,278	148	1,902
Lincoln	5,265	645	824	824	544	2,077
Mason	3,522	300	1,269	1,269	68	645
Okanogan	5,744	130	1,279	1,279	72	2,473
Pacific	1,483	400	807	807	522	1,202
Pend Oreille	3,820	230	809	809	254	0
Pierce	13,078	25	3,495	3,495	12	15,669
San Juan	3,452	706	805	805	455	1,426
Skagit	8,699	25	1,278	1,278	0	1,381
Skamania	2,238	0	804	804	0	235
Snohomish	16,644	3,140	3,461	3,461	2,426	11,780
Spokane	15,179	0	3,458	3,458	329	5,490
Stevens	2,383	195	1,283	1,283	264	2,826
Thurston	3,422	0	1,811	1,811	1,549	2,211
Wahkiakum	951	148	805	805	65	61
Walla Walla	1,381	0	1,276	1,276	0	1,576
Whatcom	6,673	1,240	1,798	1,798	57	4,314
Whitman	2,895	570	1,287	1,287	426	2,874
Yakima	17,741	0	1,821	1,821	35	11,416
Total	237,447	12,835	57,568	57,772	10,942	138,117



April 14, 2017

Mr. Jay P. Weber
Executive Director
County Road Administration Board
PO Box 40913
Olympia, WA 98504

Re: Inspection of County Bridges for previous thirty months

Dear Mr. Weber,

This letter is in response to your request dated March 7, 2017 requesting a list of county bridges that have not been inspected for the previous thirty months. Our Bridge Engineer has reviewed the inventory data and has confirmed that all counties have current inspections on file for all bridges in their inventories.

However, eight counties will be on a monitoring plan during 2017 to monitor their progress for meeting various FHWA bridge inspection requirements related to load ratings, bridge postings, bridge file components, and scour critical bridges.

So far, the above agencies have made great progress in ensuring compliance with the federal inspection requirements.

If you have any questions or concerns, please call Roman Peralta, Local Programs Bridge Engineer, at (360) 705-7870, or by e-mail at PeraltaR@wsdot.wa.gov.

Sincerely,

Kathleen B. Davis
Director
Local Programs

KBD:rgp:sas

RCD
4/17/17
RM

April 2017 CRABoard Meeting **Deputy Director's Report**

A. County Engineer Changes since January 2017

1. Stevens County appointed Jason Hart as Public Works Director/Acting County Engineer, effective December 20, 2016. Stevens County was in the process of contracting with Pend Oreille County for the services of County Engineer Don Ramsey, PE, until a licensed professional civil engineer could be retained, but could not reach an agreement. The county then retained an engineer from its on call consultant roster, but the engineer was not a licensed civil engineer. The county then began an RFQP process to find qualified applicants and are currently reviewing those applications for engineering services.
2. By letter on March 22, 2017, Snohomish County designated Steven Thomsen, PE as the Acting County Engineer after the passing of Owen Carter, PE, on February 24, 2017. Snohomish County had previously designated certain duties to other staff in Mr. Carter's absence.
3. By email on February 27, 2017, Mitch Reister, PE, announced his resignation as Spokane County Engineer, effective March 31, 2017. Spokane County appointed Chad Coles, PE, as County Engineer, effective April 1, 2017.

B. County Visits completed since January 2017

- Skagit County
- Lewis County (2)
- Thurston County
- Pend Oreille County

There were numerous contacts with County Engineers in other various venues.



Snohomish County

Public Works

3000 Rockefeller Ave., M/S 607
Everett, WA 98201-4046
(425) 388-3488
www.snoco.org

Dave Somers
County Executive

March 2, 2017

Jay Weber, P.E., Executive Director
County Road Administration Board (CRAB)
2404 Chandler CT SW, Suite 240
Olympia, WA 98502-0913

Re: Snohomish County Public Works County Engineer Interim Designations

Dear Jay:

In consideration of Owen Carter's passing, in the interim Steve Thomsen, P.E., Snohomish County Public Works Department Director will also become the Snohomish County Public Works County Engineer until further notice. Designations of the County Engineer's duties as related the Snohomish County Public Works Department are as follows:

Steven E Thomsen, P.E., Director, Public Works Department/County Engineer	Plats & Deeds
Douglas W McCormick, P.E., Director, Transportation & Environmental Services Division	Developer Reviews/Deviations Funding Documents
Janice L Fahning, P.E., Director, Engineering Services Division	Construction Plans & Right of Way Plans

If one or more of the Directors listed above are absent, the remaining Director(s) is/are responsible for the County Engineer duties under the authority of the absent Director(s).

Please include all three of us in communications pertaining to the responsibilities of County Engineer.

Feel free to contact me directly if you have any questions or concerns.

Sincerely,

Steven E. Thomsen, P.E.
Snohomish County Public Works Director/
Snohomish County Engineer

RECEIVED

BY: R Mayner

DATE: 3-13-17

- cc: Dave Somers, County Executive, Snohomish County Executive Office
- Ken Klein, Executive Director, Snohomish County Executive Office
- Walt Olsen, P.E., Deputy Director Engineering, CRAB
- Derek Pohle, P.E., Compliance and Data Analysis Manager, CRAB
- Doug McCormick, P.E., Div Director, Transportation & Environmental Services, Snohomish County Public Works
- Janice Fahning, P.E., Div Director, Engineering Services, Snohomish County Public Works



Snohomish County

Public Works

3000 Rockefeller Ave., M/S 607
Everett, WA 98201-4046
(425) 388-3488
www.snoco.org

Dave Somers
County Executive

March 24, 2017

Jay Weber, P.E., Executive Director
County Road Administration Board
2404 Chandler CT SW, Suite 240
Olympia, WA 98502-0913

Dear Jay:

On March 22, 2017 in consideration of Owen Carter's passing and pursuant to WAC 136-12-03, the Snohomish County Council approved Motion 17-098 (attached) designating me as the Acting County Engineer. This motion does not affect the delegation of the County Engineers duties I outlined in the March 2, 2017 letter I sent you.

Feel free to contact me directly if you have any questions or concerns.

Sincerely,

Steven E. Thomsen, P.E.
Snohomish County Public Works Director
Snohomish County Acting County Engineer

cc: Dave Somers, County Engineer, Snohomish County Executive's Office
Ken Klein, Executive Director, Snohomish County Executive's Office
Walt Olsen, P.E., Deputy Director Engineering, CRAB
Derek Pohle, P.E., Compliance and Data Analysis Manager, CRAB
Doug McCormick, P.E. Div. Director, Transportation & Environmental Services, Snohomish County Public Works
Janice Fahning, P.E. Div. Director, Engineering Services, Snohomish County Public Works

RECEIVED

BY: R. Mayner

DATE: 3/31/17

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

MOTION NO. 17-098

DESIGNATING AN ACTING COUNTY ENGINEER

WHEREAS, the position of County Engineer has become vacant; and

WHEREAS, when a vacancy occurs in the office of the County Engineer, WAC 136-12-020 requires the County legislative authority to take immediate steps to find a replacement; and

WHEREAS, if the County is unable to employ a new County Engineer immediately, WAC 136-12-030 requires the County legislative authority, by resolution, to designate an acting County Engineer; and

WHEREAS, WAC 136-12-030 limits the time period for the acting County Engineer to not exceed six months; and

WHEREAS, the County Engineer shall be a licensed professional civil engineer to perform engineering functions; and

WHEREAS, the current Public Works Director, Steven E Thomsen, is a licensed professional civil engineer and has previously held the position of County Engineer.

NOW, THEREFORE, ON MOTION, the Snohomish County Council hereby designates Steven E Thomsen as the acting County Engineer for a period not to exceed six months.

PASSED this 22nd day of March, 2017.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington


Chairperson

ATTEST:


Asst. Clerk of the Council

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

IN THE MATTER APPOINTING THE)
SPOKANE COUNTY ENGINEER AS)
PROVIDED FOR BY CHAPTER 36.80 RCW)

RESOLUTION

WHEREAS, pursuant to the provisions of RCW 36.32.120(6), the Board of County Commissioners of Spokane County, Washington (hereinafter sometimes referred to as the "Board") has the care of County property and the management of County funds and business; and

WHEREAS, pursuant to the provisions of chapter 36.80 RCW, the County legislative authority of each county shall employ a County Road Engineer on either a full time or part time basis. The County Engineer shall be a registered and licensed professional Civil Engineer under the laws of the State of Washington, duly qualified and experienced in highway and road engineering and construction. The County Engineer shall serve at the pleasure of the legislative authority; and

WHEREAS, the County Road Administration Board has adopted WAC regulations addressing vacancies in the position of County Engineer. WAC 136-12-045 provides in pertinent part:

When final arrangements for the employment of a new county engineer have been made, the county legislative authority or the county executive shall, within five working days, notify the county road administration board in writing and shall include the following information: Name of new county engineer, Washington registration number, start date, and contact information, including an e-mail address if available. In addition, the notification shall include a copy of the organization chart detailing the responsibilities of the county engineer"

; and

WHEREAS, the current County Engineer, Mitchell S. Reister, has submitted his letter of resignation to the Board of County Commissioners effective March 31, 2017.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of County Commissioners of Spokane County, pursuant to RCW 36.80.010 and RCW 36.80.020, that the Board does hereby appoint: —

Name:	Chad W. Coles
Washington Registration No.	29197
Contact Information: address	W. 1026 Broadway Avenue Spokane, WA 99260
e-mail	ccoles@spokanecounty.org
phone	(509) 477-7450

as the Spokane County Engineer, subject to the provisions of RCW 36.80.020, commencing April 1, 2017.

The Clerk of the Board of County Commissioners of Spokane County is requested to forward a copy of this Resolution to the County Road Administration Board.

This is to Certify this is a true and correct copy of the original document NO. 17-0244 on file in the County Commissioners minutes of 3-7-17 dated this 7th day of March, 2017
BY: Anna Vasquez
CLERK OF THE BOARD

PASSED AND ADOPTED this 7th day of March, 2017.

BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON



ATTEST:

Ginna Vasquez
Ginna Vasquez, Clerk of the Board

Al French
AL FRENCH, CHAIR

Josh Kerns
JOSH KERNS, VICE-CHAIR

Shelly O'Quinn
SHELLY O'QUINN, COMMISSIONER

RECEIVED

BY: R. Maysner

DATE: 3/13/17

C. County Audit Reports reviewed since January 2017

The 1997 State Auditor Office (SAO) audit of CRAB concluded that the minutes of the Board meetings needed specific mention of SAO audits of the counties and of any findings that might relate to the statutory responsibilities of CRAB. The minutes also need to reflect any recommendations from the CRABoard to staff in response to the audits. This report details our staff procedures to satisfy the SAO.

CRAB has reviewed eight audit reports representing eight counties since the January 2017 board meeting. One audit contained a total of one finding issued and none involved County Road Funds in some form. Any audit with a number in bold print under the "Co.Rd?" heading, revealed substantive findings involving County Road Funds.

2015-2016 Audits

Report #	Entity/Description	Report Type	Audit Period	Date Released	New Find#	Co. Rd?	PrevFind#	Status
1018792	Franklin County	Accountability	01/01/2015 to 12/31/2015	3/27/2017				
1018729	Walla Walla County	Accountability	01/01/2015 to 12/31/2015	3/20/2017				
1018637	Benton County	Accountability	01/01/2015 to 12/31/2015	3/16/2017				
1018613	Kitsap County	Accountability	01/01/2015 to 12/31/2015	3/6/2017				
1018629	Pierce County	Accountability	01/01/2015 to 12/31/2015	3/2/2017				
1018563	Spokane County	Accountability	01/01/2015 to 12/31/2015	2/27/2017				
1018497	Snohomish County	Accountability	07/01/2015 to 06/30/2016	2/23/2017				
1018459	Mason County	Accountability	01/01/2015 to 12/31/2015	2/2/2017	1			
				TOTALS	1		0	
NCR	Non-County Road							
CR-FC	County Road-Fully Corrected							
CR-PC	County Road-Partially Corrected							

D. Other Activities and Visits since January 2017

30 January	Traffic Safety Commission Grant Meeting	CRAB Office
31 January	Skagit County Ground Breaking Ceremony	Burlington
7 February	Meeting Senator Fortunato	Newhouse Bldg
8-10 February	Professional Development Conference	Suncadia
13 February	Lewis County Official Visit	Chehalis
14 February	Lewis County BoCC Visit Review	Chehalis
15 February	Transportation Commission Presentation	WSDOT HQ
15 February	WSAC Reception	Olympia
24 February	WSACE/CRAB Culvert Inventory Project Mtg	CRAB Office
27 February	Pierce Co. Asset Management Meeting	CRAB Office
4 March	Snohomish Co. Eng. Owen Carter's Funeral	Everett
8 March	Meeting w/TIB Exec Director Ashley Probart	CRAB Office
16 March	WSACE/CRAB Culvert Inventory Project Mtg	CRAB Office
21 March	GIS/Mo Planning Meeting	CRAB Office
22 March	CARS Phase II Planning Meeting	CRAB Office
24 March	Thurston County PWD Interviews	Tumwater
27-31 March	Vacation	Newport
5 April	Budget Process Review and Reporting Mtg	CRAB Office
8-13 April	NACE Annual Conference	Cincinnati OH
17 April	GIS/Mo Survey Follow up Meeting	CRAB Office
25 April	SACS Quarterly Meeting	CRAB Office

E. Information Technology Activities since January 2017

5 January Strategic Planning Meeting for Jan-Jun 2017
Developed the work plan for the next six months based on feedback reports received and upgrades required to meet software demands. See Attachment A.

25 January WSTC Grant Proposal Brainstorming Session
Developed ideas for the next round of Traffic Safety Commission grants and assigned draft responsibilities to team members. Consensus was to use \$100K to “obtain mobile data collection software, which would allow Washington State’s 39 counties to quickly and accurately collect field data and images to be used by decision makers when analyzing safety data and prioritize safety investments.”

30 January WSTC Draft Grant Proposal Review Meeting
Reviewed the draft proposal and made revisions for submittal on February 6, 2017.

6 February RFP Preparation Meeting
Started the RFP drafting process for a consultant to develop the mobile data collection software for use inside the Mobility database. Made section writing and review assignments.

1 March RFP Progress Meeting
During this meeting, we reached consensus that since we were also considering moving Mobility to a GIS based platform, that incorporating the mobile data collection into that effort would be the most effective and efficient process rather than build something that would only be beneficial for a two year period then be replaced by some other product. Began the planning process for the GIS version of Mobility (GIS/Mo). Assigned team members to research areas of interest and concern and develop survey of current GIS usage by counties. Decision to withdraw the grant application with WTSC was made by consensus of the team.

21 March GIS/Mo Planning Meeting
Developed the survey questions and reviewed information collected by team from various meetings with county, WSDOT and vendor representatives. Reviewed the GIS/Mo Enhancement Objectives and discussed the next steps. See Attachment B.

17 April GIS/Mo Planning Meeting
Reviewed the survey responses from the 16 responding counties and discussed the recent information received from vendors. Discussion of next steps and team assignments made.

WASHINGTON STATE

County Road Administration Board

2404 Chandler Court SW Suite #240 Olympia, WA 98504-0913 www.crab.wa.gov
360/753-5989 FAX 360/586-0386



March 10, 2017

Commissioner Obie O'Brien
WSAC President
206 Tenth Avenue SE
Olympia, WA 98501-1311

CRABoard Appointments

Dear Commissioner O'Brien:

It is time again to begin the process to fill the positions of three CRABoard members whose terms expire June 30, 2017. This year, Commissioner Al French, Spokane County, Commissioner Helen Price Johnson, Island County and Columbia County Engineer Andrew Woods, PE terms expire. Commissioner French has served on the Board since March 2016, Commissioner Price Johnson has served on the Board since February 2017, and Andrew Woods, PE has served on the Board since July 2007.

In compliance with state law (RCW 36.78.040), the three positions must be filled under the following populations:

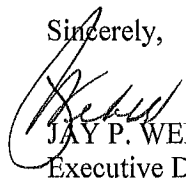
Commissioner French = population greater than 125,000
Commissioner Price Johnson = population between 20,000 and 125,000
County Engineer Woods = population fewer than 20,000

The only restriction is that no more than one member of the Board shall be from any single county. The WSAC Board of Directors is free to reappoint present members to the CRABoard, or to appoint replacements. There is no statutory limit on the number of terms served.

By copy of this letter, I am reminding WSACE President Doug Bramlette that he needs to make available to you two nominations for the position presently occupied by Andrew Woods.

If you have questions about any part of this process, please call me at 360.753.5989.

Sincerely,


JAY P. WEBER
Executive Director

Cc: Brian Stacy, PE, CRABoard Vice Chairman
Al French, Spokane County Commissioner
Helen Price Johnson, Island County Commissioner
Andrew Woods, PE, Columbia County
Eric Johnson, WSAC Executive Director
Doug Bramlette, PE, WSACE President

County Road Administration Board Agency BI Projections

Fund 102- Rural Arterial Trust Account Summary

<u>Category</u>	<u>BI Allotment</u>	<u>BITD Allotment</u>	<u>BITD Expenditures</u>	<u>BITD Variance</u>	<u>BI Variance</u>
Salaries and Wages	729,958	636,958	628,488	8,470	101,470
Employee Benefits	218,778	191,279	191,261	18	27,517
Goods and Other Services	34,560	32,936	23,516	9,420	11,044
Professional Service Contracts	0	0	18	(18)	(18)
Travel	16,104	13,091	5,468	7,623	10,636
Capital Outlays	600	600	3,202	(2,602)	(2,602)
Grants, Benefits & Client Services	56,094,000	52,922,000	36,238,048	16,683,952	19,855,952
Sum:	57,094,000	53,796,864	37,090,002	16,706,862	20,003,998
Sum without Grants:	1,000,000	874,864	851,953	22,911	148,047

<u>Category</u>	<u>BI Allotment</u>	<u>BITD Expenditures</u>	<u>April 2017</u>	<u>May 2017</u>	<u>June 2017</u>	<u>Variance</u>
Salaries and Wages	729,958	628,488	30,073	30,073	30,073	11,251
AA State Classified	729,958	621,408	30,073	30,073	30,073	18,331
AS Sick Leave Buy-Out	0	2,738	0	0	0	(2,738)
AT Terminal leave	0	4,343	0	0	0	(4,343)
Employee Benefits	218,778	191,261	8,767	8,767	8,767	1,216
BA Old Age and Survivors Insurance	44,786	38,128	1,757	1,757	1,757	1,387
BB Retirement and Pensions	80,182	69,473	3,168	3,168	3,168	1,205
BC Medical Aid & Industrial Insurance	3,704	3,090	145	145	145	179
BD Health, Life & Disability Insurance	79,632	70,231	3,286	3,286	3,286	(457)
BH Shared Leave Provided Sick Leave	10,474	8,917	411	411	411	324
BT Shared	0	1,421	0	0	0	(1,421)

<u>Category</u>	<u>BI Allotment</u>	<u>BITD Expenditures</u>	<u>April 2017</u>	<u>May 2017</u>	<u>June 2017</u>	<u>Variance</u>
BZ Other Employee Benefits	0	1	0	0	0	(1)
Professional Service Contracts	0	18	0	0	0	(18)
CJ Training Services	0	18	0	0	0	(18)
Goods and Other Services	34,560	23,516	361	231	772	9,680
EA Supplies and Materials	412	359	20	20	20	(7)
EB Communications/Telecommunications	1,728	670	35	35	35	953
EC Utilities	964	929	40	40	40	(85)
ED Rentals and Leases - Land & Buildings	7,079	7,202	0	0	0	(123)
EE Repairs, Alterations & Maintenance	14	18	0	0	0	(4)
EF Printing and Reproduction	310	285	10	10	10	(5)
EG Employee Prof Dev & Training	1,376	900	0	0	0	476
EH Rental & Leases - Furn & Equipment	166	218	7	7	7	(73)
EJ Subscriptions	76	181	6	6	6	(123)
EK Facilities and Services	516	470	9	9	9	19
EL Data Processing Services (Interagency)	3,733	3,137	125	0	0	471
EM Attorney General Services	104	249	50	50	50	(295)
EN Personnel Services	0	612	59	54	54	(779)
EP Insurance	72	213	0	0	0	(141)
ER Other Contractual Services	12,348	5,815	0	0	0	6,533
ES Vehicle Maintenance & Operating Cst	42	27	0	0	0	15
ET Audit Services	0	(0)	0	0	0	0
EW Archives & Records Management Svcs	34	26	0	0	0	8
EY Software Licenses and Maintenance	5,586	2,111	0	0	541	2,934
EZ Other Goods and Services	0	94	0	0	0	(94)
Travel	16,104	5,468	235	235	235	9,931
GA In-State Subsistence & Lodging	5,180	3,579	120	120	120	1,241

<u>Category</u>	<u>BI Allotment</u>	<u>BITD Expenditures</u>	<u>April 2017</u>	<u>May 2017</u>	<u>June 2017</u>	<u>Variance</u>
GC Private Automobile Mileage	3,214	422	40	40	40	2,672
GD Other Travel Expenses	2,766	182	10	10	10	2,554
GF Out-Of-State Subsistence & Lodging	544	45	0	0	0	499
GG Out-Of-State Air Transportation	100	10	0	0	0	90
GN Motor Pool Services	4,300	1,230	65	65	65	2,875
Capital Outlays	600	3,202	1,050	1,050	1,050	(5,752)
JA Noncapitalized Assets	400	2,857	1,050	1,050	1,050	(5,607)
JB Noncapitalized Software	200	345	0	0	0	(145)
Grants, Benefits & Client Services	45,055,000	36,238,048	1,500,000	1,500,000	5,816,952	(0)
NZ Other Grants and Benefits	45,055,000	36,238,048	1,500,000	1,500,000	5,816,952	(0)
Total Dollars	<u>46,055,000</u>	<u>37,090,002</u>	<u>1,540,486</u>	<u>1,540,356</u>	<u>5,857,849</u>	<u>26,307</u>
Total without Grants:	<u>1,000,000</u>	<u>851,935</u>	<u>40,486</u>	<u>40,356</u>	<u>40,897</u>	<u>26,326</u>

<u>Category</u>	<u>BI Allotment</u>	<u>BITD Expenditures</u>	<u>April 2017</u>	<u>May 2017</u>	<u>June 2017</u>	<u>Variance</u>
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Fund 108- Motor Vehicle Account Summary

<u>Category</u>	<u>BI Allotment</u>	<u>BITD Allotment</u>	<u>BITD Expenditures</u>	<u>BITD Variance</u>	<u>BI Variance</u>
Salaries and Wages	1,519,084	1,329,743	1,294,712	35,031	224,372
Employee Benefits	441,957	386,395	371,713	14,682	70,244
Goods and Other Services	326,123	314,197	310,691	3,506	15,432
Professional Service Contracts	0	0	218	(218)	(218)
Travel	75,836	61,345	56,978	4,367	18,858
Capital Outlays	31,000	25,000	38,328	(13,328)	(7,328)
Grants, Benefits & Client Services	10,706,000	10,706,000	10,706,219	(219)	(219)
Sum:	13,100,000	12,822,680	12,778,859	43,821	321,141
Sum without Grants:	2,394,000	2,116,680	2,072,640	44,040	321,360

<u>Category</u>	<u>BI Allotment</u>	<u>BITD Expenditures</u>	<u>April 2017</u>	<u>May 2017</u>	<u>June 2017</u>	<u>Variance</u>
Salaries and Wages	1,519,084	1,294,712	53,034	53,034	53,034	65,270
AA State Classified	1,087,665	846,495	35,462	35,462	35,462	134,784
AC State Exempt	413,615	365,280	17,572	17,572	17,572	(4,381)
AS Sick Leave Buy-Out	2,241	27,438	0	0	0	(25,197)
AT Terminal Leave	15,563	55,500	0	0	0	(39,937)
Employee Benefits	441,957	371,713	16,244	16,244	16,244	21,512
BA Old Age and Survivors Insurance	93,080	74,391	3,288	3,288	3,288	8,825
BB Retirement and Pensions	166,642	135,476	5,929	5,929	5,929	13,379
BC Medical Aid & Industrial Insurance	11,886	5,513	264	264	264	5,581
BD Health, Life & Disability Insurance	148,580	131,549	5,994	5,994	5,994	(951)
BH Hospital Insurance (Medicare)	21,769	17,610	769	769	769	1,852
BV Shared Leave Provided Annual Leave	0	7,162	0	0	0	(7,162)

<u>Category</u>	<u>BI Allotment</u>	<u>BITD Expenditures</u>	<u>April 2017</u>	<u>May 2017</u>	<u>June 2017</u>	<u>Variance</u>
BZ Other Employee Benefits	0	10	0	0	0	(10)
Professional Service Contracts	0	218	0	0	0	(218)
CJ Training Services	0	218	0	0	0	(218)
Goods and Other Services	326,123	310,691	3,862	2,084	8,573	913
EA Supplies and Materials	5,031	4,294	208	208	208	113
EB Communications/Telecommunications	21,054	8,023	369	369	369	11,924
EC Utilities	11,744	11,127	472	472	472	(799)
ED Rentals and Leases - Land & Buildings	86,301	86,219	0	0	0	82
EE Repairs, Alterations & Maintenance	168	9,454	0	0	0	(9,286)
EF Printing and Reproduction	3,774	3,414	87	87	87	99
EG Employee Prof Dev & Training	16,776	18,658	0	0	0	(1,882)
EH Rental & Leases - Furn & Equipment	2,014	1,778	81	81	81	(7)
EJ Subscriptions	923	2,170	25	25	25	(1,322)
EK Facilities and Services	6,286	5,625	95	95	95	376
EL Data Processing Services (Interagency)	35,456	37,558	1,495	0	0	(3,597)
EM Attorney General Services	1,258	2,977	300	300	300	(2,619)
EN Personnel Services	0	7,328	730	447	447	(8,952)
EP Insurance	880	2,547	0	0	0	(1,667)
ER Other Contractual Services	92,854	69,613	0	0	0	23,241
ES Vehicle Maintenance & Operating Cst	504	325	0	0	0	179
ET Audit Services	13,000	12,727	0	0	0	273
EW Archives & Records Management Svcs	420	308	0	0	0	112
EY Software Licenses and Maintenance	27,680	25,266	0	0	6,489	(4,075)
EZ Other Goods and Services	0	1,280	0	0	0	(1,280)
Travel	75,836	56,978	6,499	2,899	2,899	6,561
GA In-State Subsistence & Lodging	38,276	33,177	1,504	1,504	1,504	587

<u>Category</u>	<u>BI Allotment</u>	<u>BITD Expenditures</u>	<u>April 2017</u>	<u>May 2017</u>	<u>June 2017</u>	<u>Variance</u>
GC Private Automobile Mileage	10,904	6,398	500	500	500	3,006
GD Other Travel Expenses	3,356	2,011	125	125	125	970
GF Out-Of-State Subsistence & Lodging	1,100	544	1,600	0	0	(1,044)
GG Out-Of-State Air Transportation	200	120	2,000	0	0	(1,920)
GN Motor Pool Services	22,000	14,729	770	770	770	4,961
Capital Outlays	31,000	38,328	0	0	0	(7,328)
JA Noncapitalized Assets	17,000	34,197	0	0	0	(17,197)
JB Noncapitalized Software	14,000	4,132	0	0	0	9,868
Grants, Benefits & Client Services	10,706,000	10,706,219	0	0	200	(419)
NZ Other Grants and Benefits	10,706,000	10,706,219	0	0	200	(419)
Total Dollars	<u>13,100,000</u>	<u>12,778,859</u>	<u>79,639</u>	<u>74,261</u>	<u>80,950</u>	<u>86,291</u>
Sum without Grants:	<u>2,394,000</u>	<u>2,072,640</u>	<u>79,639</u>	<u>74,261</u>	<u>80,750</u>	<u>86,710</u>

<u>Category</u>	<u>BI Allotment</u>	<u>BITD Expenditures</u>	<u>April 2017</u>	<u>May 2017</u>	<u>June 2017</u>	<u>Variance</u>
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Fund 186- County Arterial Preservation Acct Summary

<u>Category</u>	<u>BI Allotment</u>	<u>BITD Allotment</u>	<u>BITD Expenditures</u>	<u>BITD Variance</u>	<u>BI Variance</u>
Salaries and Wages	818,797	720,013	661,464	58,549	157,333
Employee Benefits	260,720	227,349	211,409	15,940	49,311
Goods and Other Services	360,219	344,643	364,214	(19,571)	(3,995)
Professional Service Contracts	0	0	284	(284)	(284)
Travel	90,768	72,875	62,402	10,473	28,366
Capital Outlays	8,500	8,500	49,946	(41,446)	(41,446)
Grants, Benefits & Client Services	32,344,000	28,770,500	28,782,779	(12,279)	3,561,221
Interagency Reimbursements	(21,004)	(21,004)	(20,979)	(25)	(25)
Sum:	<u>33,862,000</u>	<u>30,122,876</u>	<u>30,111,518</u>	<u>11,358</u>	<u>3,750,482</u>
Sum without Grants:	<u>1,518,000</u>	<u>1,352,376</u>	<u>1,328,739</u>	<u>23,637</u>	<u>189,261</u>

<u>Category</u>	<u>BI Allotment</u>	<u>BITD Expenditures</u>	<u>April 2017</u>	<u>May 2017</u>	<u>June 2017</u>	<u>Variance</u>
Salaries and Wages	818,797	661,464	24,911	24,911	24,911	82,600
AA State Classified	798,747	661,464	24,911	24,911	24,911	62,550
AS Sick Leave Buy-Out	9,075	0	0	0	0	9,075
AT Terminal Leave	10,975	0	0	0	0	10,975
Employee Benefits	260,720	211,409	8,113	8,113	8,113	24,972
BA Old Age and Survivors Insurance	49,523	41,608	1,588	1,588	1,588	3,151
BB Retirement and Pensions	88,661	73,952	2,863	2,863	2,863	6,120
BC Medical Aid & Industrial Insurance	11,666	3,521	139	139	139	7,728
BD Health, Life & Disability Insurance	99,288	78,321	3,152	3,152	3,152	11,511
BH Hospital Insurance (Medicare)	11,582	9,731	371	371	371	738
BT Shared Leave Provided Sick Leave	0	4,262	0	0	0	(4,262)
BZ Other Employee Benefits	0	14	0	0	0	(14)

<u>Category</u>	<u>BI Allotment</u>	<u>BITD Expenditures</u>	<u>April 2017</u>	<u>May 2017</u>	<u>June 2017</u>	<u>Variance</u>
Professional Service Contracts	0	284	0	0	0	(284)
CJ Training Services	0	284	0	0	0	(284)
Goods and Other Services	360,219	364,214	6,237	2,694	5,575	(18,501)
EA Supplies and Materials	6,554	5,631	271	271	271	110
EB Communications/Telecommunications	27,419	10,455	512	512	512	15,428
EC Utilities	15,294	14,499	614	614	614	(1,047)
ED Rentals and Leases - Land & Buildings	112,393	112,351	0	0	0	42
EE Repairs, Alterations & Maintenance	218	283	0	0	0	(65)
EF Printing and Reproduction	4,588	4,448	100	100	100	(160)
EG Employee Prof Dev & Training	21,848	14,032	0	0	0	7,816
EH Rental & Leases - Furn & Equipment	2,622	2,316	101	101	101	3
EJ Subscriptions	1,201	2,827	60	60	60	(1,806)
EK Facilities and Services	8,194	7,330	123	123	123	495
EL Data Processing Services (Interagency)	46,426	48,942	1,948	0	0	(4,464)
EM Attorney General Services	1,638	3,880	300	300	300	(3,142)
EN Personnel Services	0	9,549	953	583	583	(11,668)
EP Insurance	1,146	3,319	0	0	0	(2,173)
ER Other Contractual Services	75,376	90,713	0	0	0	(15,337)
ES Vehicle Maintenance & Operating Cst	656	424	0	0	0	232
ET Audit Services	0	(0)	0	0	0	0
EW Archives & Records Management Svcs	546	402	0	0	0	144
EY Software Licenses and Maintenance	34,100	32,924	1,255	30	2,911	(3,020)
EZ Other Goods and Services	0	(112)	0	0	0	112
Travel	90,768	62,402	3,427	3,427	3,427	18,085
GA In-State Subsistence & Lodging	43,696	33,456	1,877	1,877	1,877	4,609
GC Private Automobile Mileage	14,202	6,579	500	500	500	6,124

<u>Category</u>	<u>BI Allotment</u>	<u>BITD Expenditures</u>	<u>April 2017</u>	<u>May 2017</u>	<u>June 2017</u>	<u>Variance</u>
GD Other Travel Expenses	4,370	2,309	150	150	150	1,611
GF Out-Of-State Subsistence & Lodging	1,900	709	0	0	0	1,191
GG Out-Of-State Air Transportation	250	156	0	0	0	94
GN Motor Pool Services	26,350	19,193	900	900	900	4,457
Capital Outlays	8,500	49,946	0	0	0	(41,446)
JA Noncapitalized Assets	5,500	44,562	0	0	0	(39,062)
JB Noncapitalized Software	3,000	5,384	0	0	0	(2,384)
Grants, Benefits & Client Services	32,344,000	28,782,779	1,200,000	1,200,000	1,161,221	0
NZ Other Grants and Benefits	32,344,000	28,782,779	1,200,000	1,200,000	1,161,221	0
Interagency Reimbursements	(21,004)	(20,979)	0	0	0	(25)
SA Salaries and Wages	(15,330)	(15,480)	0	0	0	150
SB Employee Benefits	(5,674)	(5,499)	0	0	0	(175)
Total Dollars	<u>33,862,000</u>	<u>30,111,518</u>	<u>1,242,688</u>	<u>1,239,145</u>	<u>1,203,247</u>	<u>65,402</u>
Total without Grants:	<u>1,518,000</u>	<u>1,328,456</u>	<u>42,688</u>	<u>39,145</u>	<u>42,026</u>	<u>65,685</u>

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Dollars in Thousands

	Fiscal Year 1 FTEs	Fiscal Year 2 FTEs	Total Annual FTE	Fiscal Year 1 Funds	Fiscal Year 2 Funds	Total Funds	Percent Share of RecSum
2015-17 Expenditure Authority	17.2	17.2	17.2	47,449	56,672	104,121	
Current Biennium Fund Totals	17.2	17.2	17.2				
102-1 Rural Arterial Trust Account-State				23,848	33,246	57,094	54.83%
108-1 Motor Vehicle Account-State				6,538	6,627	13,165	12.64%
186-1 County Arterial Preservation Acct-State				17,063	16,799	33,862	32.52%
8R Retirement Buyout Costs							
108-1 Motor Vehicle Account-State				2		2	
186-1 County Arterial Preservation Acct-State				(2)		(2)	
91E AG Legal Services Correction							
108-1 Motor Vehicle Account-State				(16)	(17)	(33)	100.00%
91K DES Central Services Correction							
108-1 Motor Vehicle Account-State					(24)	(24)	100.00%
91R OFM Central Services Correction							
108-1 Motor Vehicle Account-State				1	1	2	100.00%
AF County Arterial Preservation Pgm							
186-1 County Arterial Preservation Acct-State				(16,310)	(14,940)	(31,250)	100.00%

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	Fiscal Year 1 FTEs	Fiscal Year 2 FTEs	Total Annual FTE	Fiscal Year 1 Funds	Fiscal Year 2 Funds	Total Funds	Percent Share of RecSum
AH Increase Authority							
102-1 Rural Arterial Trust Account-State				(23,362)	(31,638)	(55,000)	100.00%
AI County Ferry Capital Improvement							
108-1 Motor Vehicle Account-State				(353)	(353)	(706)	100.00%
CWA Connecting Washington Investments							
102-1 Rural Arterial Trust Account-State					(2,188)	(2,188)	
186-1 County Arterial Preservation Acct-State					(1,094)	(1,094)	50.00%
					(1,094)	(1,094)	50.00%
G05 Biennialize Employee PEB Rate							
102-1 Rural Arterial Trust Account-State				11		11	
108-1 Motor Vehicle Account-State				2		2	18.18%
186-1 County Arterial Preservation Acct-State				6		6	54.55%
				3		3	27.27%
GL9 Non-Rep General Wage Increase							
102-1 Rural Arterial Trust Account-State				35		35	
108-1 Motor Vehicle Account-State				8		8	22.86%
186-1 County Arterial Preservation Acct-State				17		17	48.57%
				10		10	28.57%
HT3 Additive Preservation							
108-1 Motor Vehicle Account-State				(5,000)	(5,000)	(10,000)	100.00%
Total Carry Forward Level							
% Change from Current Biennium				2,455	2,513	4,968	
				(94.8)%	(95.6)%	(95.2)%	

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Dollars in Thousands

	Fiscal Year 1 FTEs	Fiscal Year 2 FTEs	Total Annual FTE	Fiscal Year 1 Funds	Fiscal Year 2 Funds	Total Funds	Percent Share of RecSum
Carry Forward Level Fund Totals	17.2	17.2	17.2				
102-1 Rural Arterial Trust Account-State				496	514	1,010	20.33%
108-1 Motor Vehicle Account-State				1,195	1,234	2,429	48.89%
186-1 County Arterial Preservation Acct-State				764	765	1,529	30.78%
Carry Forward plus Workload Changes Fund Totals	17.2	17.2	17.2				
102-1 Rural Arterial Trust Account-State				496	514	1,010	20.33%
108-1 Motor Vehicle Account-State				1,195	1,234	2,429	48.89%
186-1 County Arterial Preservation Acct-State				764	765	1,529	30.78%
92A State Data Center							
108-1 Motor Vehicle Account-State				1	(1)		
92D Audit Services							
108-1 Motor Vehicle Account-State				(13)		(13)	100.00%
92E Legal Services							
108-1 Motor Vehicle Account-State				4	3	7	100.00%
92J CTS Central Services							
108-1 Motor Vehicle Account-State				12	13	25	100.00%
92K DES Central Services							
108-1 Motor Vehicle Account-State					(2)	(2)	100.00%

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Dollars in Thousands

	Fiscal Year 1 FTEs	Fiscal Year 2 FTEs	Total Annual FTE	Fiscal Year 1 Funds	Fiscal Year 2 Funds	Total Funds	Percent Share of RecSum
92R OFM Central Services							
108-1 Motor Vehicle Account-State				(1)	(1)	(2)	100.00%
92S Workers Compensation							
108-1 Motor Vehicle Account-State				(1)		(1)	100.00%
9D Pension and DRS Rate Changes							
102-1 Rural Arterial Trust Account-State				6	6	12	25.00%
108-1 Motor Vehicle Account-State				12	12	24	50.00%
186-1 County Arterial Preservation Acct-State				6	6	12	25.00%
GCS Central Services Carryforward Adj							
108-1 Motor Vehicle Account-State				(2)		(2)	100.00%
Total Maintenance Level							
% Change from Current Biennium				(94.8)%	(95.5)%	(95.2)%	
Maintenance Level Fund Totals							
102-1 Rural Arterial Trust Account-State	17.2	17.2	17.2	502	520	1,022	20.33%
108-1 Motor Vehicle Account-State				1,207	1,258	2,465	49.03%
186-1 County Arterial Preservation Acct-State				770	771	1,541	30.65%

8R Retirement Buyout Costs

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Dollars in Thousands

	Fiscal Year 1 FTEs	Fiscal Year 2 FTEs	Total Annual FTE	Fiscal Year 1 Funds	Fiscal Year 2 Funds	Total Funds	Percent Share of RecSum
108-1 Motor Vehicle Account-State				39		39	100.00%
AL County Ferry Capital Improvement							
108-1 Motor Vehicle Account-State				353	353	706	100.00%
AM Rural Arterial Trust Capital							
102-1 Rural Arterial Trust Account-State				21,217	21,086	42,303	100.00%
AN County Arterial Preservation							
186-1 County Arterial Preservation Acct-State				12,692	12,898	25,590	100.00%
CWA Connecting Washington Investments				4,844	4,844	9,688	
102-1 Rural Arterial Trust Account-State				2,422	2,422	4,844	50.00%
186-1 County Arterial Preservation Acct-State				2,422	2,422	4,844	50.00%
G06 State Public Employee Benefits Rate				16	27	43	
102-1 Rural Arterial Trust Account-State				4	7	11	25.58%
108-1 Motor Vehicle Account-State				8	13	21	48.84%
186-1 County Arterial Preservation Acct-State				4	7	11	25.58%
GL9 Non-Rep General Wage Increase				36	94	130	
102-1 Rural Arterial Trust Account-State				9	23	32	24.62%
108-1 Motor Vehicle Account-State				18	47	65	50.00%
186-1 County Arterial Preservation Acct-State				9	24	33	25.38%
GLK Non-Rep Targeted Pay Increases							

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Dollars in Thousands

	Fiscal Year 1 FTEs	Fiscal Year 2 FTEs	Total Annual FTE	Fiscal Year 1 Funds	Fiscal Year 2 Funds	Total Funds	Percent Share of RecSum
186-1 County Arterial Preservation Acct-State				8	8	16	100.00%
GRP Capital Reappropriation							
102-1 Rural Arterial Trust Account-State				5,520	5,519	11,039	100.00%
2017-19 Total Proposed Budget				47,204	47,378	94,582	
% Change from Current Biennium				(0.5)%	(16.4)%	(9.2)%	
2017-19 Budget Fund Summary Totals							
102-1 Rural Arterial Trust Account-State	17.2	17.2	17.2	29,674	29,577	59,251	62.65%
108-1 Motor Vehicle Account-State				1,625	1,671	3,296	3.48%
186-1 County Arterial Preservation Acct-State				15,905	16,130	32,035	33.87%

8R Retirement Buyout Costs

Funding is provided for one-time staff retirement buyout costs.

92D Audit Services

Agency budgets are adjusted to reflect each agency's allocated share of charges for state government audits.

92E Legal Services

Agency budgets are adjusted to reflect each agency's anticipated share of legal service charges. The Attorney General's Office will work with client agencies to implement stricter policies and best practices regarding usage of legal services to achieve lower bills.

92J CTS Central Services

Agency budgets are adjusted to reflect each agency's allocated share of charges from the Consolidated Technology Services Agency (WaTech) for the Office of the Chief Information Officer, Office of Cyber Security, state network, enterprise systems, security gateways, and geospatial imaging services.

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92K DES Central Services

Agency budgets are adjusted to reflect each agency's allocated share of charges from the Department of Enterprise Services (DES) for campus rent, utilities, parking, and contracts; a capital project surcharge; financing cost recovery; public and historic facilities; real estate services; risk management services; small agency financial and human resource services; personnel service rates; the Perry Street child care center; and the department's enterprise applications.

92R OFM Central Services

Agency budgets are adjusted to reflect each agency's allocated share of charges from the Office of Financial Management (OFM) for the One Washington project and support for OFM's enterprise applications.

92S Workers Compensation

Agency budgets are adjusted to reflect each agency's estimated charges from the Department of Labor and Industries for workers' compensation.

AL County Ferry Capital Improvement

The County Ferry Capital Improvement Program continues payment of construction loans for replacement of the M/V Steilacoom ferry in Pierce County.

AM Rural Arterial Trust Capital

The Rural Arterial Program provides competitive grants to counties for projects on rural roads.

AN County Arterial Preservation

The County Arterial Preservation Program provides grants to counties for urban and rural arterial road preservation in amounts determined based on each county's total arterial lane miles.

CWA Connecting Washington Investments

Additional funding is provided to the Rural Arterial Trust Program and County Arterial Preservation Program as planned in the 2015 Connecting Washington investment package.

G06 State Public Employee Benefits Rate

Health insurance funding is provided for state employees who are not represented by a union, who are covered by a bargaining agreement that is not subject to financial feasibility determination, or who are not part of the coalition of unions for health benefits. The insurance funding rates for fiscal years 2018 and 2019 will be set in the omnibus operating budget.

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GL9 Non-Rep General Wage Increase

Funding is provided for wage increases for state employees who are not represented by a union or who are covered by a bargaining agreement that is not subject to financial feasibility determination. It is sufficient for a general wage increase of 2 percent, effective July 1, 2017; a general wage increase of 2 percent, effective July 1, 2018; and a general wage increase of 2 percent, effective January 1, 2019. This item includes both higher education and general government workers.

GLK Non-Rep Targeted Pay Increases

Funding is provided for classified state employees who are not represented by a union for pay increases in specific job classes in alignment with other employees.

GRP Capital Reappropriation

Unused expenditure authority from the 2015-17 biennium is reappropriated in the 2017-19 biennium.

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<u>Parameter</u>	<u>Entered As</u>
Biennium	2017-19
Agency	406
Version	T6
Version Option	T
Program	
Sub Program	
Without Codes	N
Include Supporting Text	Y

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Dollars in Thousands

	Fiscal Year 1 FTEs	Fiscal Year 2 FTEs	Total Annual FTE	Fiscal Year 1 Funds	Fiscal Year 2 Funds	Total Funds	Percent Share of RecSum
91E AGO Legal Services Correction							
108-1 Motor Vehicle Account-State				(16)	(17)	(33)	100.00%
91K DES Central Services Correction							
108-1 Motor Vehicle Account-State					(24)	(24)	100.00%
91R OFM Central Services Correction							
108-1 Motor Vehicle Account-State				1	1	2	100.00%
Total Maintenance Level				(15)	(40)	(55)	
% Change from Current Biennium							
AAS Capital Project Adjustments							
102-1 Rural Arterial Trust Account-State					(11,039)	(11,039)	100.00%
2015-17 Total Proposed Budget				(15)	(11,079)	59,165	
% Change from Current Biennium							
2015-17 Budget Fund Summary Totals							
102-1 Rural Arterial Trust Account-State					(11,039)	46,055	77.84%
108-1 Motor Vehicle Account-State				(15)	(40)	13,110	22.16%

91E AGO Legal Services Correction

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Agency budgets are adjusted to reflect updated estimates of anticipated usage of Attorney General's Office (AGO) legal services. This correction aligns the agency's funding with the central service allocations assumed in the 2016 supplemental operating budget.

91K DES Central Services Correction

Agency budgets are adjusted to update each agency's allocated share of the following charges from the Department of Enterprise Services (DES): small agency financial services, capital project surcharge, campus utilities, campus employee parking, financing cost recovery, public and historic facilities, and risk management administration. Additionally, small agency human resource clients are provided expenditure authority to pay for human resource services. This correction aligns the agency's funding with the central service allocations assumed in the 2016 supplemental operating budget.

91R OFM Central Services Correction

Agency budgets are adjusted to reflect central service charges from the Office of Financial Management (OFM). This correction aligns the agency's funding with the central service allocations assumed in the 2016 supplemental operating budget.

AAS Capital Project Adjustments

Capital project spending authority is adjusted for reappropriations, project savings, projects that have been advanced and projects that have been delayed.

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Dollars in Thousands

	Fiscal Year 1 FTEs	Fiscal Year 2 FTEs	Total Annual FTE	Fiscal Year 1 Funds	Fiscal Year 2 Funds	Total Funds	Percent Share of RecSum
2015-17 Expenditure Authority	17.2	17.2	17.2	47,449	56,672	104,121	
Current Biennium Fund Totals	17.2	17.2	17.2				
102-1 Rural Arterial Trust Account-State				23,848	33,246	57,094	54.83%
108-1 Motor Vehicle Account-State				6,538	6,627	13,165	12.64%
186-1 County Arterial Preservation Acct-State				17,063	16,799	33,862	32.52%
8R Retirement Buyout Costs							
108-1 Motor Vehicle Account-State				2		2	
186-1 County Arterial Preservation Acct-State				(2)		(2)	
91E AG Legal Services Correction							
108-1 Motor Vehicle Account-State				(16)	(17)	(33)	100.00%
91K DES Central Services Correction							
108-1 Motor Vehicle Account-State					(24)	(24)	100.00%
91R OFM Central Services Correction							
108-1 Motor Vehicle Account-State				1	1	2	100.00%
AF County Arterial Preservation Pgm							
186-1 County Arterial Preservation Acct-State				(16,310)	(14,940)	(31,250)	100.00%

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Dollars in Thousands

	Fiscal Year 1 FTEs	Fiscal Year 2 FTEs	Total Annual FTE	Fiscal Year 1 Funds	Fiscal Year 2 Funds	Total Funds	Percent Share of RecSum
AH Increase Authority							
102-1 Rural Arterial Trust Account-State				(23,362)	(31,638)	(55,000)	100.00%
AI County Ferry Capital Improvement							
108-1 Motor Vehicle Account-State				(353)	(353)	(706)	100.00%
CWA Connecting Washington Investments							
102-1 Rural Arterial Trust Account-State					(2,188)	(2,188)	
186-1 County Arterial Preservation Acct-State					(1,094)	(1,094)	50.00%
					(1,094)	(1,094)	50.00%
G05 Biennialize Employee PEB Rate							
102-1 Rural Arterial Trust Account-State				11		11	
108-1 Motor Vehicle Account-State				2		2	18.18%
186-1 County Arterial Preservation Acct-State				6		6	54.55%
				3		3	27.27%
GL9 Non-Rep General Wage Increase							
102-1 Rural Arterial Trust Account-State				35		35	
108-1 Motor Vehicle Account-State				8		8	22.86%
186-1 County Arterial Preservation Acct-State				17		17	48.57%
				10		10	28.57%
HT3 Additive Preservation							
108-1 Motor Vehicle Account-State				(5,000)	(5,000)	(10,000)	100.00%
Total Carry Forward Level				2,455	2,513	4,968	
% Change from Current Biennium				(94.8)%	(95.6)%	(95.2)%	

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Dollars in Thousands

	Fiscal Year 1 FTEs	Fiscal Year 2 FTEs	Total Annual FTE	Fiscal Year 1 Funds	Fiscal Year 2 Funds	Total Funds	Percent Share of RecSum
Carry Forward Level Fund Totals	17.2	17.2	17.2				
102-1 Rural Arterial Trust Account-State				496	514	1,010	20.33%
108-1 Motor Vehicle Account-State				1,195	1,234	2,429	48.89%
186-1 County Arterial Preservation Acct-State				764	765	1,529	30.78%
Carry Forward plus Workload Changes Fund Totals	17.2	17.2	17.2				
102-1 Rural Arterial Trust Account-State				496	514	1,010	20.33%
108-1 Motor Vehicle Account-State				1,195	1,234	2,429	48.89%
186-1 County Arterial Preservation Acct-State				764	765	1,529	30.78%
92A State Data Center							
108-1 Motor Vehicle Account-State				1	(1)		
92D Audit Services							
108-1 Motor Vehicle Account-State				(13)		(13)	100.00%
92E Legal Services							
108-1 Motor Vehicle Account-State				4	3	7	100.00%
92J CTS Central Services							
108-1 Motor Vehicle Account-State				12	13	25	100.00%
92K DES Central Services							
108-1 Motor Vehicle Account-State					(2)	(2)	100.00%

State of Washington
Office of Financial Management
Fund and FTE Detail by Fiscal Year

Agency: 406 - County Road Administration Board
Version: T7 - 2017-19 TRN Negotiated Conf Budget
Version Option: Transportation

4/24/17
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Dollars in Thousands

	Fiscal Year 1 FTEs	Fiscal Year 2 FTEs	Total Annual FTE	Fiscal Year 1 Funds	Fiscal Year 2 Funds	Total Funds	Percent Share of RecSum
92R OFM Central Services							
108-1 Motor Vehicle Account-State				(1)	(1)	(2)	100.00%
92S Workers Compensation							
108-1 Motor Vehicle Account-State				(1)		(1)	100.00%
9D Pension and DRS Rate Changes							
102-1 Rural Arterial Trust Account-State				6	6	12	25.00%
108-1 Motor Vehicle Account-State				12	12	24	50.00%
186-1 County Arterial Preservation Acct-State				6	6	12	25.00%
GCS Central Services Carryforward Adj							
108-1 Motor Vehicle Account-State				(2)		(2)	100.00%
Total Maintenance Level				2,479	2,549	5,028	
% Change from Current Biennium				(94.8)%	(95.5)%	(95.2)%	
Maintenance Level Fund Totals							
102-1 Rural Arterial Trust Account-State	17.2	17.2	17.2	502	520	1,022	20.33%
108-1 Motor Vehicle Account-State				1,207	1,258	2,465	49.03%
186-1 County Arterial Preservation Acct-State				770	771	1,541	30.65%

8R Retirement Buyout Costs

State of Washington
Office of Financial Management
Fund and FTE Detail by Fiscal Year

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Dollars in Thousands

	Fiscal Year 1 FTEs	Fiscal Year 2 FTEs	Total Annual FTE	Fiscal Year 1 Funds	Fiscal Year 2 Funds	Total Funds	Percent Share of RecSum
108-1 Motor Vehicle Account-State				39		39	100.00%
AL County Ferry Capital Improvement							
108-1 Motor Vehicle Account-State				353	353	706	100.00%
AM Rural Arterial Trust Capital							
102-1 Rural Arterial Trust Account-State				21,217	21,086	42,303	100.00%
AN County Arterial Preservation							
186-1 County Arterial Preservation Acct-State				15,172	15,418	30,590	100.00%
CWA Connecting Washington Investments				4,844	4,844	9,688	
102-1 Rural Arterial Trust Account-State				2,422	2,422	4,844	50.00%
186-1 County Arterial Preservation Acct-State				2,422	2,422	4,844	50.00%
GRP Capital Reappropriation							
102-1 Rural Arterial Trust Account-State				5,520	5,519	11,039	100.00%
2017-19 Total Proposed Budget				49,624	49,769	99,393	
% Change from Current Biennium				4.6%	(12.2)%	(4.5)%	
2017-19 Budget Fund Summary Totals	17.2	17.2	17.2				
102-1 Rural Arterial Trust Account-State				29,661	29,547	59,208	59.57%
108-1 Motor Vehicle Account-State				1,599	1,611	3,210	3.23%
186-1 County Arterial Preservation Acct-State				18,364	18,611	36,975	37.20%

State of Washington
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Dollars in Thousands

Fiscal Year 1 FTEs	Fiscal Year 2 FTEs	Total Annual FTE	Fiscal Year 1 Funds	Fiscal Year 2 Funds	Total Funds	Percent Share of RecSum
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8R Retirement Buyout Costs

Funding is provided for one-time staff retirement buyout costs.

92D Audit Services

Agency budgets are adjusted to reflect each agency's allocated share of charges for state government audits.

92E Legal Services

Agency budgets are adjusted to reflect each agency's anticipated share of legal service charges. The Attorney General's Office will work with client agencies to implement stricter policies and best practices regarding usage of legal services to achieve lower bills.

92J CTS Central Services

Agency budgets are adjusted to reflect each agency's allocated share of charges from the Consolidated Technology Services Agency (WaTech) for the Office of the Chief Information Officer, Office of Cyber Security, state network, enterprise systems, security gateways, and geospatial imaging services.

92K DES Central Services

Agency budgets are adjusted to reflect each agency's allocated share of charges from the Department of Enterprise Services (DES) for campus rent, utilities, parking, and contracts; a capital project surcharge; financing cost recovery; public and historic facilities; real estate services; risk management services; small agency financial and human resource services; personnel service rates; the Perry Street child care center; and the department's enterprise applications.

92R OFM Central Services

Agency budgets are adjusted to reflect each agency's allocated share of charges from the Office of Financial Management (OFM) for the One Washington project and support for OFM's enterprise applications.

92S Workers Compensation

Agency budgets are adjusted to reflect each agency's estimated charges from the Department of Labor and Industries for workers' compensation.

State of Washington
Office of Financial Management
Fund and FTE Detail by Fiscal Year

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Dollars in Thousands

AL County Ferry Capital Improvement

The County Ferry Capital Improvement Program continues payment of construction loans for replacement of the M/V Steilacoom ferry in Pierce County.

AM Rural Arterial Trust Capital

The Rural Arterial Program provides competitive grants to counties for projects on rural roads.

AN County Arterial Preservation

The County Arterial Preservation Program provides grants to counties for urban and rural arterial road preservation in amounts determined based on each county's total arterial lane miles.

CWA Connecting Washington Investments

Additional funding is provided to the Rural Arterial Trust Program and County Arterial Preservation Program as planned in the 2015 Connecting Washington investment package.

GRP Capital Reappropriation

Unused expenditure authority from the 2015-17 biennium is reappropriated in the 2017-19 biennium.

Opinion

Robert W. Ferguson

Attorney General of Washington

TAXATION—ROADS AND STREETS—HIGHWAYS—COUNTIES—Eligibility Of Counties To Receive State Fuel Tax Revenues Under The Rural Arterial Program

Counties lose eligibility to participate in the rural arterial program if the county chooses to divert revenues from the county road levy to pay for (1) civil or criminal traffic prosecutions, (2) court costs of adjudication, (3) indigent defense, (4) incarceration, and/or (5) coroner activities.

March 13, 2017

Jay W. Weber
Executive Director, County Road Administration Board
2404 Chandler Court SW Suite 240
Olympia, WA 98504-0913

Cite As:
AGO 2017 No. 1

Dear Director. Weber:

By letter previously acknowledged, you have requested our opinion on the following paraphrased question:

May any county retain its eligibility to participate in the rural arterial program under the limitations imposed by RCW 36.79.140 and article II, section 40 of the Washington Constitution if the county chooses to divert county road levy property tax for general government purposes, under RCW 36.33.220, to fund (1) civil or criminal traffic prosecutions, (2) court costs of adjudication (3) indigent defense (4) incarceration, and/or (5) coroner activities?

BRIEF ANSWER

No. Incarceration and coroner activities are not road purposes under article II, section 40. Costs related to prosecution, adjudication, and indigent defense of traffic offenses present a closer question, but it is most likely that these would also not be considered road purposes under the Washington Constitution and RCW 36.79.140.

BACKGROUND

In 1983, the legislature enacted the rural arterial program to improve county roads in rural areas. Laws of 1983, 1st Ex. Sess., ch. 49. The legislature also created a rural arterial trust account within the motor vehicle fund. Laws of 1983, 1st Ex. Sess., ch. 49, § 2. The rural arterial trust account is funded with a specified portion of fuel tax revenues. *See* RCW 46.68.090(2)(j). The legislature entrusted oversight and administration of the rural arterial trust account to the County Road Administration Board. *See, e.g.,* RCW 36.79.040-.050 (requiring Board to

apportion funds to five regions); RCW 36.79.060 (requiring Board to adopt rules and design standards); RCW 36.79.070 (allowing Board to contract with Department of Transportation to administer program).

At regular intervals, the Board prepares a recommended budget for expenditures from the trust account. RCW 36.79.130-140. By statute, only those counties that use funds for specified purposes are permitted to receive funds from the trust account:

Only those counties that during the preceding twelve months have spent all revenues collected for road purposes only for such purposes . . . including traffic law enforcement, as are allowed to the state by [a]rticle II, section 40 of the state Constitution or RCW 36.82.070(2) are eligible to receive funds from the rural arterial trust account

RCW 36.79.140.

There are three exceptions to the “road purposes” requirement for rural arterial funds eligibility. First, “[c]ounties with a population of less than eight thousand are exempt from this eligibility restriction[.]” RCW 36.79.140. Second, counties may expend revenues collected for road purposes on other governmental services after the voters authorize such expenditures under RCW 84.55.050. RCW 36.79.140. Third, the restriction does not apply to moneys diverted from the road district levy under RCW 39.89, which pertains to community revitalization financing. RCW 36.79.140. Your question does not turn on these exceptions because they do not encompass the five activities you ask about.

A separate statute permits counties to establish a “county road fund.” RCW 36.82.010. RCW 36.82.040 authorizes a county property tax to raise revenue related to county roads for deposit into this county road fund. In addition, funds accruing to the credit of a county from the state’s motor vehicle fund are to be paid to the county treasurer and deposited in the county road fund. RCW 36.82.050. As a result, a county road fund may have both property tax revenues collected by the county itself, as well as fuel tax revenues distributed to the county by the state.

Other statutes lay out the permissible purposes for the county road fund. In general, the permissible uses of the fund include the “construction, alteration, repair, improvement, or maintenance of county roads and bridges[.]” RCW 36.82.070(1). Another statute permits the legislative authority of a county to expend county road property tax revenues “for any service to be provided in the unincorporated area of the county” RCW 36.33.220. That statute also permits county road property tax revenues diverted under RCW 39.89 to be expended for county revitalization purposes as described in that chapter. RCW 36.33.220.

At issue in this opinion is whether counties’ use of funds is consistent with rural arterial program eligibility. According to your letter, at least one county has used money from its county road fund to pay for (1) civil or criminal traffic prosecutions, (2) court costs of adjudication, (3) indigent defense, (4) incarceration, and (5) coroner activities.

To our knowledge, until recently, no administrative rule or policy from the Board specifically interpreted the term “traffic law enforcement” in RCW 36.79.140. Concurrent with your opinion request, you provided a memorandum from the Thurston County Prosecuting Attorney to the Thurston County Sheriff dated from 1987. The memo asserted that the Board had acknowledged by phone conversation that the issue of how broadly traffic law enforcement could be interpreted was “difficult and unresolved.” The memo advised the Sheriff to adopt a “conservative” approach until resolution by the Board or legislature. The memo asserted that “the costs of prosecution could be funded with diverted road funds, but great care should be taken to assure that the proper use of such funds can be proven.” The memo also concluded that the more indirect certain uses of funds were from traffic law enforcement, the greater the need “for clear accounting justification” would grow.

We understand that the Board has now issued an administrative rule, WAC 136-25-030, defining 13 traffic enforcement activities “that can be funded by county road levy funds” consistent with maintaining rural arterial trust account eligibility. The activities that are the subject of this memo, including court related expenses, incarceration, and coroner activities, are not specifically mentioned as permissible activities under the administrative rule.

ANALYSIS

Because your question references multiple statutes with different requirements, we first clarify the scope of this opinion. We understand your overarching question to be related to whether certain counties qualify for rural arterial program funds based on certain activities they are engaging in with funds from a county road fund. This requires harmonizing the statutes relating to the rural arterial program with those relating to the county road fund.

The goal of statutory interpretation is to discern and carry out legislative intent. *Bennett v. Seattle Mental Health*, 166 Wn. App. 477, 483, 269 P.3d 1079 (2012). Understanding legislative intent requires looking at the language of the entire statute, related statutes, and the context of the statutory scheme. *Dep’t of Ecology v. Campbell & Gwinn, L.L.C.*, 146 Wn.2d 1, 11-12, 43 P.3d 4 (2002). A word or phrase is not read in isolation. *State v. Roggenkamp*, 153 Wn.2d 614, 623, 106 P.3d 196 (2005). Where possible, a court interprets statutes to avoid conflicts and “achieve a harmonious statutory scheme.” *American Legion Post 149 v. Dep’t of Health*, 164 Wn.2d 570, 585, 192 P.3d 306 (2008).

RCW 36.79.140 sets forth the eligibility for counties to receive rural arterial program funds from the state. To be eligible, counties for the preceding 12 months must have “spent all revenues collected for road purposes only for such purposes[.]” Included within this definition of road purposes is “traffic law enforcement.” This statute expressly references article II, section 40 of the Washington Constitution to define the scope of permissible road purposes and traffic law enforcement.

The question of whether the expenditures at issue defeat eligibility turns on the definition of “traffic law enforcement” in RCW 36.79.140. And because RCW 36.79.140 expressly incorporates the limitations of article II, section 40, your inquiry requires an interpretation of that constitutional provision. Interpretation of the constitution is the role of the courts. *Brownlee v. Clark*, 87 Wn.2d 478, 482, 553 P.2d 1344 (1976). Because the definition of “traffic law enforcement” is modified by the scope of article II, section 40, a review of Washington Supreme Court decisions is necessary to determine the limitations of the term “traffic law enforcement.” While the court has not addressed this exact issue, a body of law surrounding this constitutional provision provides some guidance on permissible and impermissible uses of highway funds.

In interpreting the term “traffic law enforcement,” we begin with the plain meaning of the phrase. *Campbell & Gwinn, L.L.C.*, 146 Wn.2d at 11-12. Dictionaries can be useful in ascertaining plain meaning. *See American Continental Ins. Co. v. Steen*, 151 Wn.2d 512, 518, 91 P.3d 864 (2004). One dictionary definition of “enforcement” is the compelling of the fulfillment of a law or order. *Webster’s Third New International Dictionary* 751 (2002). When viewed in isolation, the phrase “traffic law enforcement” could logically be interpreted broadly enough to encompass court proceedings prosecuting offenders of traffic laws, or possibly even the incarceration of those convicted of committing such crimes.

The phrase “traffic law enforcement” is then qualified by the clause “as are allowed to the state by [a]rticle II, section 40[.]” RCW 36.79.140. This requires review of the limitations of article II, section 40 to determine whether certain activities, regardless of whether they meet the definition of traffic law enforcement, standing alone, would be permissible under article II, section 40.

Section 40 includes the following highway purposes¹:

- (a) The necessary operating, engineering and legal expenses connected with the administration of public highways, county roads and city streets;
- (b) The construction, reconstruction, maintenance, repair, and betterment of public highways, county roads, bridges and city streets; including the cost and expense of (1) acquisition of rights-of-way, (2) installing, maintaining and operating traffic signs and signal lights, (3) policing by the state of public highways, (4) operation of movable span bridges, (5) operation of ferries which are a part of any public highway, county road, or city street;
- (c) The payment or refunding of any obligation of the State of Washington, or any political subdivision thereof, for which any of the revenues

¹ RCW 36.79.140 refers to “road purposes,” while article II, section 40 relates to “highway purposes.” The context of RCW 36.79.140 suggests that it refers to the same type of activities as article II, section 40. *See Campbell & Gwinn, L.L.C.*, 146 Wn.2d at 11. And the text of article II, section 40 expressly permits certain expenditures related to “county roads.”

described in section 1 may have been legally pledged prior to the effective date of this act;

- (d) Refunds authorized by law for taxes paid on motor vehicle fuels;
- (e) The cost of collection of any revenues described in this section[.]

Const. art. II, § 40.

The enumerated purpose within the text of article II, section 40 that is most similar to “traffic law enforcement” is “policing by the state of public highways.” Const. art. II, § 40(b)(3). It therefore seems that when the legislature used the term “traffic law enforcement,” it did so with “policing” in mind. Prosecution, incarceration, and coroner activities seem to extend beyond “policing.” Rather, they occur as a result or consequence of policing activities. However, because the legislature in RCW 36.79.140 used the term “traffic law enforcement” rather than “policing,” it may not have intended a parallel meaning.

Keeping the text of article II, section 40 in mind, it is important to review some of the guiding principles from our Supreme Court in construing that constitutional provision. To determine whether an expenditure of restricted funds is consistent with article II, section 40, the court looks to the “connection between the expenditure and the contemplated highway use.” *Freeman v. Gregoire*, 171 Wn.2d 316, 329, 256 P.3d 264 (2011) (*Freeman I*). In other words, the court will determine how attenuated the expenditure is from the various permissible highway purposes.

The use does not necessarily have to directly benefit the public highways. Both “direct” and “indirect” benefits to the public highways are permissible. *See id.* at 331. But at a certain point, an expenditure becomes no longer even an indirect benefit to the public highways. For example, the City of Seattle argued that the payment of a tort judgment resulting from a car accident caused by a government vehicle was a cost and expense of the operation of bridges. The court rejected the argument, concluding that payment of a tort judgment would not “contribute toward the safety, administration, or operation of our highway system,” but rather would decrease funds reserved for such purposes. *Automobile Club of Wash. v. City of Seattle*, 55 Wn.2d 161, 168-69, 346 P.2d 695 (1959).

Shortly thereafter, the court interpreted the constitutional requirement that funds be used “exclusively for highway purposes.” The court held that an expenditure for the relocation of utilities on a highway right-of-way, necessitated by a federal highway project, was not exclusively for highway purposes. *State Highway Comm’n v. Pac. Nw. Bell Tel. Co.*, 59 Wn.2d 216, 221-22, 367 P.2d 605 (1961).

Another case clarifies the statement in *Automobile Club* that indirect benefits to the highway system are permissible under article II, section 40. The Supreme Court rejected the argument that funding to create a public transportation plan was a highway purpose. *State ex rel. O'Connell v. Slavin*, 75 Wn.2d 554, 561, 452 P.2d 943 (1969). The court held that only those purposes mentioned in article II, section 40 itself are permissible, all of which contribute toward the safety, administration, or operation of the highway system. *Id.* Even though "taking traffic off the highway benefits the highway in one sense," that was not the sense that the creators of the initiative intended. *Id.* Rather, they wanted funding to secure the building and maintenance of more and better highways. *Id.*

Some of the later cases, however, show the breadth of permissible expenditures under article II, section 40. The court upheld expenditures for park and ride facilities, distinguishing them from the funding of public transportation. *State Highway Comm'n v. O'Brien*, 83 Wn.2d 878, 523 P.2d 190 (1974). These expenditures were upheld because they were "directly related to a more efficient and safer operation of the system[.]" *Id.* at 883.

An appropriation to determine the value of lanes on Interstate 90 to allow for potential transfer to Sound Transit was a necessary preliminary step in using highway lands and was a permissible indirect benefit to public highways. *Freeman I*, 171 Wn.2d at 331. The expenditure was for the "administration of highway lands." *Id.* at 331; *see also* Const. art. II, § 40(a).

In a follow-up case, the court also held that the lease of those two lanes did not violate the Washington Constitution. Article II, section 40 does not actually protect highways. *Freeman v. State*, 178 Wn.2d 387, 395, 309 P.3d 437 (2013) (*Freeman II*). Rather, it "protects certain taxes and revenues from uses other than highway purposes." *Id.* And the State received consideration for the transfer of the lanes, which it was statutorily permitted to transfer. *Id.* at 397, 412.

Though the case law shows a degree of unpredictability, some general principles can be drawn. A court will look to the connection between the expenditure and the highway use. The closer the expenditure to a legally permissible highway use, the more likely it is to be sustained. The valuation of highway lanes and creation of a park and ride were permissible. Payment of a tort judgment, funding of public transportation, and the movement of utilities on a right of way were not. A court will also look to whether the expenditures are benefiting the highways. Expenditures that are viewed as depleting funds in furtherance of nonhighway purposes will be viewed skeptically, even if those expenditures are incidentally related to the operation of highways. But the costs of efficiently administering or using the highways are permissible, such as in the valuing of highway lanes that may be transferred to light rail use or the construction of a park and ride. The analysis essentially comes down to the degree of relationship between the expenditure and a valid highway purpose, as well as the benefit to the highway system.

In applying these principles to the specific activities you have asked about, we address the activities in two groups. These correspond to the degree of relation or attenuation from highway or road purposes. We begin with coroner costs, which are presumably related to

roadway deaths, and incarceration for traffic offenses. Coroner costs are quite attenuated from road or highway purposes. Though deaths on roads and highways undoubtedly necessitate the services of the coroner, and could be argued to be a cost of the operation of the highways, this seems comparable to the prohibited payment for a tort judgment in *Automobile Club*, 55 Wn.2d at 168-69. Both a tort judgment and the hiring of a coroner unfortunately result from the existence of roads and highways. Nevertheless, those expenses do not benefit the roads themselves. It may be true that information garnered from a coroner is helpful for improving the safety of roads, but this still seems an attenuated connection from the sort of highway purpose for which the court looks. Nor can the coroner be interpreted to be a cost of “traffic law enforcement” in the ordinary sense of that phrase.

Similarly, the cost of incarceration would appear too attenuated from road or highway purposes to be permissible under article II, section 40. Though these costs could perhaps fit within the common meaning of enforcement of the traffic laws, the cost of punishment or rehabilitation of traffic offenders is unlikely to be the type of expense the voters intended when enacting article II, section 40. Incarcerating traffic offenders may indirectly benefit the highways, but the connection between administration and operation of the highways and the costs of incarceration is simply too remote. Though there may be an argument that this is an indirect and therefore permissible benefit to the highways due to incarceration of traffic offenders, it is more likely a court would rule that this cost is for a nonhighway related purpose.

The costs of prosecuting, defending, and adjudicating traffic offenders provide a somewhat closer question. These expenses could be deemed within the plain meaning of “traffic law enforcement” as the cost of prosecuting offenders is a means of enforcing traffic laws. While not policing itself, prosecution and other court costs are more similar to policing than incarceration or coroner expenses. But like incarceration, court costs are not directly related to road or highway purposes. Nor are they legal expenses connected with the administration of the roads in the way that, for example, valuing freeway lanes was connected to administration. See *Freeman I*, 171 Wn.2d at 331. These costs occur after the actual highway interaction between police and a motorist, and are a consequence or result of those policing efforts. They are removed physically and temporally from the actual highway offense.

Courts in at least two other states have addressed similar issues and approved some comparable expenditures. The Supreme Court of New Hampshire determined that the funding of the detective bureau for its enforcement of traffic laws, including the apprehension and prosecution of violators, from highway trust funds, was permissible. *Opinion of the Justices*, 117 N.H. 300, 302-03, 371 A.2d 1189 (1977). Such funding could occur “in the proportion that its traffic control activities bears to the total work of the bureau[.]” *Id.* at 302. And West Virginia’s highest court approved expenditures for traffic court, although it disallowed fees for police barracks. *Contractors Ass’n of West Virginia v. State Dep’t of Pub. Safety*, 189 W.Va. 685, 693-94, 434 S.E.2d 357 (1993).

Our courts, however, have not always followed other states in their interpretation of restricted highway funds. See *Automobile Club*, 55 Wn.2d at 167-68 (declining to follow cases

from other jurisdictions). Though there is some doubt about how a court would rule, we conclude that the most likely outcome is that a Washington court would find expenditures for the prosecution, defense, or court administration related to traffic offenses are not for highway purposes. First, these activities are not enumerated in the Washington constitutional provision. *See State ex rel. O'Connell*, 75 Wn.2d at 561. The closest permitted activity in article II, section 40's text is "policing by the state of public highways." Const. art. II, § 40(b)(3). But court costs are not policing; prosecution and related expenses may result from such policing, but are more properly considered a part of the justice system. Second, the connection between court costs and highway purposes is attenuated in time and geography. The prosecution for highway offenses occurs after the original traffic stop, and in a different location. Third, though these costs could be said to indirectly benefit the highways by punishing violators or encouraging compliance, it is unlikely that these are the kind of expenses that those who enacted article II, section 40 had in mind. For example, the 1944 Voter's Pamphlet for the passage of this constitutional amendment referred to spending fuel taxes to pay for "[s]everal hundred miles of good, paved, safe highway[.]"

Counterarguments exist, however. Prosecution of traffic offenses is within a plain meaning of "traffic law enforcement." It does provide a benefit to the highways by encouraging compliance with traffic laws and deterring violations. And our Supreme Court, unlike some other courts, permits some activities that provide indirect, rather than direct, benefits to the highways. Therefore, we cannot predict with certainty how a court would rule on this issue, though we think it more likely than not that a court would find such expenses not to be road purposes. The result could turn on particular facts, including the details of how exactly the funding was used and how good the accounting is that demonstrates the specific uses of the funds.

We considered, but rejected a potential alternative analysis. There are circumstances in which state law clearly allows counties to use revenue from the county road tax for purposes other than county roads. You mention RCW 36.33.220, which allows the use of county road funds for services to be provided in the unincorporated part of the county, and allows for community revitalization projects under RCW 39.89. It might therefore be argued that so long as the county is using county road tax revenues for legally authorized purposes the county remains eligible to receive state funds under the rural arterial program. Reading all the statutes at issue together, we do not believe that a county can qualify for rural arterial program funds merely by complying with the statutes related to the county road fund. Rather, the county must also comply with the eligibility requirements in RCW 36.79.140 if it wants to retain rural arterial program eligibility. That is the reading that best harmonizes the separate statutes. That is, while a county may, in its discretion, use county road tax funds for other legally-permissible purposes, under RCW 36.79.140 it loses its eligibility for state funds if it does so. A county cannot divert road funds to other purposes and then replenish them with state fuel tax revenues under RCW 36.79.140.

To illustrate, RCW 36.33.220 permits use of county road funds for services to be provided in the unincorporated part of the county. But to remain eligible for rural arterial program funds, expenditures from county road funds must comply with RCW 36.79.140 as

well. That statute requires expenditures to be for road purposes or traffic law enforcement, or else must be within one of the three exceptions in RCW 36.79.140. There is no exception in RCW 36.79.140 for non-road related expenditures in the unincorporated part of the county. This means that although such expenditures might be a permissible use of county road fund moneys, a decision to so use county road funds would eliminate eligibility for rural arterial program funds.

On the other hand, both RCW 36.79.140 and RCW 36.33.220 permit expenditures consistent with RCW 39.89, which pertains to certain community revitalization programs. Such expenditures are an express exception to the requirements in RCW 36.79.140 that a county spend road fund moneys on road or traffic enforcement purposes. A decision to spend money from the road fund in this manner would not jeopardize eligibility for rural arterial program funds. In sum, when the legislature wanted to permit non-road related uses of county road funds without destroying eligibility for the rural arterial program, it expressly said so in RCW 36.79.140. *See Jepson v. Dep't of Labor & Indus.*, 89 Wn.2d 394, 404, 573 P.2d 10 (1977) (“Where a statute provides for a stated exception, no other exceptions will be assumed by implication.”).

Your question does not refer to the Board’s new administrative rule on this issue, and we do not address the rule in detail. However, a few general remarks may be helpful. Agencies do not have the authority to promulgate rules that amend or change legislative enactments, but may “fill in the gaps” in legislation to effectuate a statutory scheme. *Pierce County v. State*, 144 Wn. App. 783, 836, 185 P.3d 594 (2008). The Board has been delegated rulemaking authority through RCW 36.79.060, and providing some guidance on the definition of “traffic law enforcement” is likely appropriate. However, some caution must be urged that interpretation of the scope of article II, section 40 is ultimately for the court, not the legislature or an administrative agency. *See State ex rel. O’Connell*, 75 Wn.2d at 562-63 (explaining that legislature’s declaration of purpose could not transform legislation into a constitutionally permissible highway purpose).

The activities that you asked about are likely not “traffic law enforcement” under RCW 36.79.140, as defined by reference to article II, section 40 of the Washington Constitution. Though counterarguments exist, the activities are probably too attenuated to be permissible under article II, section 40.

We trust that the foregoing will be useful to you.



ROBERT W. FERGUSON
Attorney General

JOSHUA WEISSMAN
Assistant Attorney General
360-664-9426

April 2017 -- CRABoard

Report from Jeff Monsen, P.E., Intergovernmental Policy Manager

County Visits

Skagit - 1/31
Kittitas - 2/8
Benton - 2/9
Lewis - 2/13
San Juan - 2/17
Jefferson - 2/22
Kitsap - 2/23
Clallam - 2/24
Skamania - 3/14
Clark - 3/15

Other meetings and activities

CARS Phase II planning mtg (CRAB) - 3/22
WSACE / Eastern WA Round-table (Ephrata) - 3/23
SAO (Olympia) - 4/12
County Ferry Consortium (Mt. Vernon) - 4/21

Office of the County Engineer Training

Customized training was held for Skamania (Stevenson), March 14th, with 7 participants, including all three County Commissioners

3-day training planned at CRAB, May 9-11, with 12 participants expected

Three separate customized trainings are planned for Clark - May 24th (Road Ops), May 24th & 25th (Admin/Eng), and May 31st (Council)

Two separate customized sessions are planned for Benton - June 14th (Ops/Admin/Eng), and June 15th (Admin/Eng)