COUNTY ENGINEERS' AND PUBLIC WORKS DIRECTORS'

DESK REFERENCE

WASHINGTON STATE COUNTY ROAD ADMINISTRATION BOARD OLYMPIA, WASHINGTON





Introduction -- County Engineer's and Public Works Director's Desk Manual

The County Road Administration Board (CRAB) continues to develop resource materials to support the work performed within the Office of the County Engineer. Work on these resources is an ongoing CRAB effort in order to provide both current information as well as develop new resources as legal and technical issues arise.

This <u>County Engineer's and Public Works Director's Desk Reference</u> (Desk Reference) is intended primarily for use by individuals already possessing a working knowledge of counties and county road issues. Most of the covered topics include only basic information that may not eliminate the need for additional research.

While printing a hard-copy of the Desk Reference will provide the reader with a useful reference document, it has been designed to be used primarily as a computer "desktop" electronic document. When opened on a computer that is also connected to the internet, the embedded hot-links provide immediate access to supplemental internet resources. The goal is to provide a tool that simplifies research.

All reference material provided by CRAB is intended to be general guidance and should not be used to replace qualified legal review pertaining to the application of laws, rules, policies, and contracts. No training or reference material should ever replace "due diligence" when investigating the full extent and applicability of laws, rules, policies, and contracts. This is especially true due to issues and requirements that are unique within the context of an individual county's codes, policies, contracts, and operational circumstances.

CRAB welcomes comments and recommendations that improve content, accuracy, and clarity. <u>CRAB requests your assistance in identifying any "broken" hot-links that you may come across</u> <u>during use of the Desk Manual.</u>

Any questions or comments about the information contained in this document, or requests for the inclusion of additional topics and supplemental information, should be directed to the County Road Administration Board (360-753-5989), or by email to "Engineering@crab.wa.gov".

Desk Manual / Desk Reference Change Record SUMMARY

(see <u>Section 8.6.0</u> for details)

January 2010 -

Initial release of the new "County Engineers' and Public Works Directors' Manual" Book II (Reference Manual). The new Book II eliminated the previous version of Book II that contained all CRAB WACs and forms in a printed format.

March 2010 -

Update to the January 2010 Book II release

November 2010 -

Original release date for the full revised version of the Desk Manual. The new Desk Manual replaced all previous versions of the "County Engineers' and Public Works Directors' Manual" Book I and Book II, including January 2010 and March 2010 listed above.

List of subsequent Desk Manual updates:

May 2011, November 2011, October 2012, September 2013, October 2014, March 2016, October 2016

November, 2017 -

The content of the Desk Manual was modified significantly, with the new format being renamed the "Desk Reference". The Desk Reference is a condensed version intended to focus on key information and web-links, with limited detail or explanation. A parallel project is in process to expand support resources through the CRAB web-library both replacing and enhancing previous Desk Manual content.

List of subsequent Desk Reference updates: (see <u>Section 8.6.0</u> for details) April 2018, May 2019, April 2021

To verify the most recent release of the <u>Desk Reference</u> and other training and support materials, refer to the CRAB Website (Engineering \rightarrow Resources)

COUNTY ENGINEERS' AND PUBLIC WORKS DIRECTORS'

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Section 1	Counties and County Roads	
1.1 Count	y Governance and Transportation	
	· · · · ·	
Count	y Governance	1.1.1

Supp Res TOC

County Governance - Constitution of the State of Washington

Article XI - County, City, and Township Organization

County Governance - Statutory

<u>Title 36 RCW</u> - Counties <u>RCW 36.32.120</u> - Powers of legislative authorities

Commission Form

All non-charter counties must adopt this form of government (often referred to as the "plural executive" form of government. The board of county commissioners share administrative and, to some extent, legislative functions with the independently elected county officials.

<u>RCW 36.32</u> - County Commissioners <u>RCW 36.32.055</u> - Five-member commission ...

Home Rule Form

<u>Constitution</u> of the State of Washington: Article XI - County, City, and Township Organization, Section 4 "Any county may frame a 'Home Rule' charter for its own government ..."

Current 7 counties with Home-Rule Charters:

	Original Adoption Date
<u>Clallam</u>	1977 - limited
<u>Clark</u>	2015 - limited
<u>King</u>	1969 - full
Pierce	1981 - full
<u>San Juan</u>	2006 - limited
<u>Snohomish</u>	1980 - full
Whatcom	1979 - full

Open Meetings and Public Records

1.1.2 Supp Res TOC

Open Government

RCW 42.30Open Meetings ActRCW 42.30.010- Legislative DeclarationRCW 42.30.030- Meetings Declared Open and PublicRCW 42.30.110- Executive SessionsRCW 42.30.205- training (open meetings)RCW 42.56.150- training (public records)RCW 42.56.152- training - public records officersRCW 42.56.580- public records officer requirements

Washington State Attorney General's Office <u>Open Government</u> <u>Open Government Resource Manual</u> <u>Open Government Training</u>

See also Municipal Research and Services Center guidance on Open Public Meetings Act

Public Records

RCW 36.80.040 - Records to be kept (office of county engineer) in the county."

RCW 42.56 - Public Records Act

RCW 42.56.030 - (public access to records) RCW 42.56.010 - Definitions RCW 42.56.070 - Documents and indexes to be made public

<u>RCW 40.14</u> - Preservation and Destruction of Public Records <u>WAC 434-615-010</u> - Public records as public property

See also:

Secretary of State - Washington State Archives <u>Records Management - Local Government</u>

Municipal Research and Services Center guidance on: <u>Public Records Act</u>

Washington State Attorney General Model Rules on Public Disclosure

County Officials		1	.1.3
	<u>Supp R</u>	les	TOC

Elected Officials

Counties differ significantly from cities in the number of independently elected officials, with each having unique constitutional and statutory responsibilities. Although home rule charter counties have the ability to change the status and function of some of the county elected officials, certain limitations are provided in the state constitution.

County Assessor (RCW 36.21)

County Auditor (RCW 36.22)

County Prosecuting Attorney (RCW 36.27)

County Sheriff (RCW 36.28)

County Treasurer (RCW 36.29)

County Clerk (RCW 36.23)

County Coroner (RCW 36.24)

<u>District Court Judges</u> <u>Title 3 RCW</u> - District Courts - Courts of Limited Jurisdiction <u>RCW 3.34</u> - District Court Judges

Superior Court Judges <u>Title 2 RCW</u> - Courts of Record <u>RCW 2.08</u> - Superior Courts <u>Appointed Officials</u> - In addition to the County Engineer, the following list of appointed officials is limited to those specifically referenced in RCW and WAC:

Clerk of the Board

- RCW 36.22.010 (6) Duties of the County Auditor as the clerk of the board
- o RCW 36.32.110 Allows appointment other than County Auditor

County Administrator

 Locally established title, with no specific RCW or WAC reference other than pertaining to local/regional staffing for public assistance programs (<u>RCW 74.04</u>)

Emergency Management Director

o <u>RCW 38.52</u> and <u>WAC 118-30</u>

Planning Director

- o <u>RCW 36.70</u> Planning enabling act
- <u>RCW 36.70.030</u> Appointment of planning director by Planning Commission OR -<u>RCW 36.70.040</u> - Creation of planning department by Board of County Commissioners, and appointment of a director
- o <u>RCW 36.70A</u> (GMA) no specific reference to this staff title
- o <u>RCW 47.26.121</u> Member of TIB

Purchasing Agent

- <u>RCW 36.32.235</u> Purchasing Departments (over 400,000 population)
- o <u>RCW 36.32.240</u> Purchasing Departments (under 400,000 population)
- <u>RCW 36.32.260</u> In any county having a purchasing department the board of county commissioners shall appoint a county purchasing agent

Risk Manager

- o RCW 48.62 and WAC 200-100 county self-insurance authority and requirements
- <u>RCW 48.62.031</u> Self-insurance program requires appointment of risk manager (may be contracted)
- <u>RCW 72.09.300</u> County shall form a local law and justice council, and the county risk manager shall be a member

Public Works Director

- Title is common within municipal governments (position locally created)
- o <u>RCW 47.26.121</u> Member of TIB

1.2 General County and County Road Information

1.2.0

Supp Res TOC

Public Lands (data source = WA Recreation and Conservation Office, (Public Land Inventory)

County Population (data source = OFM <u>Population Data</u>)

County Road Inventory (data source = <u>CRAB Annual Reports</u>)

Washington Data Book (<u>http://www.ofm.wa.gov/databook/default.asp</u>)

Miscellaneous Maps and Associated Web-Link References

Counties and County Seats (<u>http://geology.com/county-map/washington.shtml</u>)

Rivers/Lakes and Topography (<u>http://geology.com/state-map/washington.shtml</u>)

Temperature maps (<u>http://www.wrcc.dri.edu/anom/was_anom.html</u>)

Rural Arterial Program Regions Regions

Washington Department of Transportation Regions

Regional and Metropolitan Transportation Planning Organizations RTPO - (<u>http://www.wsdot.wa.gov/planning/Regional/</u>) MPO - (<u>http://www.wsdot.wa.gov/planning/metro</u>)

- Watersheds / Water Resource Inventory Areas (https://ecology.wa.gov/Water-Shorelines/Water-supply/Wateravailability/Watershed-look-up)
- Washington Department of Fish and Wildlife Regions (<u>http://wdfw.wa.gov/about/regions/</u>)
- Department of Ecology Regions (<u>https://ecology.wa.gov/About-us/Get-to-know-us/Contact-us</u>)

Freight System (<u>http://www.wsdot.wa.gov/Freight/fgtS/</u>)

1.3 County Web-site Links

1.3.0

Supp Res TOC

			County	Public Works	Road Map	Road Standards
					•	
1	Adams	NE	<u>Adams</u>	Adams PW	<u>Map</u>	Road Stnds
2	Asotin	SE	<u>Asotin</u>	Asotin PW	<u>Map</u>	Road Stnds
3	Benton	SE	Benton	Benton PW	<u>Map</u>	Standard Plans
4	Chelan	NE	<u>Chelan</u>	<u>Chelan PW</u>		
5	Clallam	NW	<u>Clallam</u>	Clallam PW	<u>Map</u>	
6	Clark	SW	<u>Clark</u>	Clark PW	<u>Map</u>	CCC 40.350.030
7	Columbia	SE	<u>Columbia</u>	Columbia PW		Road Stnds
8	Cowlitz	SW	<u>Cowlitz</u>	Cowlitz PW	<u>Map</u>	Design Stnds
9	Douglas	NE	<u>Douglas</u>	Douglas Trans	<u>Map</u>	Road Stnds
10	Ferry	NE	<u>Ferry</u>	Ferry PW		
11	Franklin	SE	<u>Franklin</u>	Franklin PW	<u>Map</u>	Design Stnds
12	Garfield	SE	<u>Garfield</u>	Garfield PW	<u>Map</u>	Road Stnds
13	Grant	NE	<u>Grant</u>	Grant PW	<u>Map</u>	Road Stnds
14	Grays Harbor	SW	Grays Harbor	<u>GraysH PW Div</u>	<u>Map</u>	GHCC 12.02
15	Island	NW	<u>Island</u>	Island PW	<u>Map</u>	
16	Jefferson	NW	<u>Jefferson</u>	Jefferson PW	<u>Map</u>	
17	King	PS	<u>King</u>	King RoadServ	<u>Map</u>	Road Stnds
18	Kitsap	NW	<u>Kitsap</u>	Kitsap PW	<u>Map</u>	Road Stnds
19	Kittitas	SE	<u>Kittitas</u>	Kittitas PW	<u>Map</u>	Road Stnds
20	Klickitat	SE	Klickitat	Klickitat PW	<u>Map</u>	Transportation Stnds
21	Lewis	SW	<u>Lewis</u>	Lewis PW	<u>Map</u>	Road Stnds
22	Lincoln	NE	<u>Lincoln</u>	Lincoln PW	<u>Map</u>	
23	Mason	SW	<u>Mason</u>	Mason PW	<u>Map</u>	<u>MCC 16.48</u>
24	Okanogan	NE	<u>Okanogan</u>	Okanogan PW		Road Stnds
25	Pacific	SW	Pacific	Pacific PW	<u>Map</u>	Road Stnds
26	Pend Oreille	NE	Pend Oreille	PendOreille PW	<u>Map</u>	Road Stnds
27	Pierce	PS	<u>Pierce</u>	Pierce PW	<u>Map</u>	Road Stnds
28	San Juan	NW	<u>San Juan</u>	<u>San Juan PW</u>	<u>Map</u>	Standard Plans
29	Skagit	NW	<u>Skagit</u>	<u>Skagit PW</u>	<u>Map</u>	Road Stnds
30	Skamania	SW	<u>Skamania</u>	<u>Skamania PW</u>		<u>SCC 12.01</u>
31	Snohomish	PS	Snohomish	Snohomish PW	<u>Map</u>	Development Stnds
32	Spokane	NE	<u>Spokane</u>	Spokane PW		Road Stnds
33	Stevens	NE	<u>Stevens</u>	Stevens PW		
34	Thurston	SW	Thurston	Thurston PW	<u>Map</u>	Road Stnds
35	Wahkiakum	SW	<u>Wahkiakum</u>	Wahkiakum PW	<u>Map</u>	
36	Walla Walla	SE	Walla Walla	Walla Walla PW	<u>Map</u>	Road Stnds
37	Whatcom	NW	Whatcom	Whatcom PW	<u>Map</u>	Road Stnds
38	Whitman	NE	<u>Whitman</u>	Whitman PW	<u>Map</u>	
39	Yakima	SE	<u>Yakima</u>	<u>Yakima Co.</u> <u>Road</u>	<u>Map</u>	Stnd Plans

Section 2 Office of the County Engineer

2.1 County Engineer's Responsibilities

Introduction to the Office of the County Engineer 2.1.1.0

Supp Res TOC

County Engineer as a:

Public Official

RCW 36.80.010 - Employment of road engineer.

RCW 36.80.020 - Qualifications -- Bond

(see also <u>RCW 42.08</u> - Official bonds)

RCW 36.75.020 - County Roads -- County legislative authority as agent of state

Professional Engineer

<u>RCW 36.80.020</u> - Qualifications <u>RCW 18.43</u> - Engineers and Land Surveyors <u>Title 196 WAC</u> - Board of Registration for Professional Engineers and Land Surveyors

Member of a County Department

Due to the scope and scale of departmental responsibilities, the position of County Engineer within the organization's structure may vary due to:

- o Combined with or separate from the Public Works Director
- Road Department versus multi-purpose Public Works Department
- o With or without members of the staff holding "assistant" titles
- o The number of licensed professional engineers on staff
- o Level of accounting and other administrative skills of other staff
- Rural versus urban service focus

See also Section 2.2.0 for "delegation of authority"

Reading and Application of RCWs, WACs, and Other Rules 2.1.1.1 Supp Res TOC

Reading and Application of RCWs, WACs, and Other Rules

The RCWs and WACs are not scripts that make all questions easy to answer.

- Applied through literal reading
- Interpretation must be made in the context of all RCWs and WACs
- At times interpreted and clarified by:
 - o Case Law
 - Attorney General Opinions (<u>AGO</u>)
- The County Prosecuting Attorney is your legal advisor for interpretation and application of law

Any printed laws or rules, or summaries thereof, always have the potential for obsolescence due to continual potential for new and/or amended language. No training or reference material is intended to replace "<u>due diligence</u>" when investigating the full extent and applicability of established rules and past practices. This is especially true due to issues and particular requirements that may be unique due to individual county's codes and policies.

See also Municipal Research and Services Center - <u>County Codes</u> - for access to existing local codes

Since many local codes specifically refer to, supplement, or otherwise implement state law, a common challenge for counties is ensuring that their own codes are updated each time a change in state law occurs. At those times a local code appears to be in conflict with state law, the immediate operational impact may not be obvious or quickly resolved.

Road Purpose			1.1.2
	<u>Supp R</u>	es	<u>TOC</u>

In developing a response to the question "can I expend County Road Funds on ______", the following three principles must be applied:

- Article II, Section 40 (18th amendment), of the state <u>constitution</u> restricts the use of motor vehicle fees and excise taxes (fuel tax) to only highway purposes. (See also the Joint Transportation Committee "<u>Transportation Resource Manual</u>" for additional details pertaining to the 18th Amendment)
- 2. The local Road Levy (property tax) is imposed only on properties in the unincorporated areas of the county, and must be used solely for the benefit of the unincorporated area.
- The state must first create and grant authority to counties to act before a county may exercise a governmental authority. A county may not create and implement any local code or take any action unless clearly permitted to do so by the state through RCW (including, but not limited to <u>RCW 36.82.070</u>)

Three additional factors that influence the application of the first three:

4. Comingled revenue sources in the Road Fund

RCW 36.82.010 - "County Road Fund" created

"There is created in each county of the state a county fund to be known as the 'county road fund.' Any funds which accrue to any county for use upon county roads, shall be credited to and deposited in the county road fund"

Comingled funds --- Each individual revenue deposited in the Road Fund receives the aggregated legal protections of every other revenue deposited in the fund.

Within the context of principle #3, there is extremely limited permission in statue to create accounts in order to separate Road Fund revenues for different purposes. Other than these very specific statutory permissions, the Road Fund is to be managed as a single financial resource.

- 5. Access to and use of road related revenues are subject to ongoing compliance with all applicable laws, rules, and required procedures.
- 6. Other revenue sources, such as local option taxes, grants, and fees, all have unique rules, but they cannot be used in a way that would conflict with #1, #2, and #3.

Protection of Road Funds - RCW 47.08.110

"It shall be unlawful and a misdemeanor, unless...by... law... a felony or gross misdemeanor, to divert or use, or authorize, permit or participate in the diversion or use of any moneys in the county road fund... for any other purpose or in any other manner than that authorized by law."

Revised Code of Washington (RCW)

Supp Res TOC

2.1.2

- <u>Title 36 RCW</u> Counties
- <u>RCW 36.32</u> County Commissioners
- RCW 36.33 County Funds
- <u>RCW 36.33A</u> Equipment Rental & Revolving Fund
 See also <u>Section 4.2.0</u>
- <u>RCW 36.40</u> Budget
- RCW 36.54 Ferries -- County Owned
- <u>RCW 36.55</u> Franchises on Roads and Bridges
- <u>RCW 36.73</u> Transportation Benefit Districts
- RCW 36.75 thru 36.87 Roads and Bridges
 - <u>RCW 36.75</u> Roads and bridges -- General provisions.
 - <u>RCW 36.75.020</u> County Roads -- "All of the county roads shall be established, laid out, constructed, ... and maintained by the legislative authority ... Such work shall be ... under the supervision and direction of the county engineer."
 - <u>RCW 36.76</u> Roads and bridges -- Bonds.
 - o RCW 36.77 Roads and bridges -- Construction.
 - <u>RCW 36.77.065</u> County forces construction projects
 - o <u>RCW 36.78</u> Roads and bridges -- County road administration board.
 - <u>RCW 36.78.020</u> Definitions -- "Standards of good practice."
 - o <u>RCW 36.79</u> Roads and bridges -- Rural arterial program.
 - o <u>RCW 36.80</u> Roads and bridges -- Engineer.
 - <u>RCW 36.81</u> Roads and bridges -- Establishment.
 - <u>RCW 36.82</u> Roads and bridges -- Funds -- Budget.
 - <u>RCW 36.82.070</u> Purpose for which road fund can be used
 - <u>RCW 36.83</u> Roads and bridges -- Service districts.
 - RCW 36.85 Roads and bridges -- Rights-of-way.
 - RCW 36.86 Roads and bridges -- Standards.
 - RCW 36.87 Roads and bridges -- Vacation.
- <u>RCW 36.88</u> County Road Improvement Districts
- <u>Title 39 RCW</u> Public contracts and indebtedness
 - RCW 39.04 Public Works
 - o RCW 39.12 Prevailing Wage
 - o <u>RCW 39.80</u> Contracts for architectural and engineering services
- <u>RCW 46.90</u> (WAC 308-330) Washington Model Traffic Ordinance
- <u>RCW 47.36.060</u> Traffic Control Devices

Washington Administrative Code (WAC)

2.1.3 Supp Res TOC

<u>RCW 34.05</u> – Administrative Procedure Act

"Agency" means any state board, commission, department, institution of higher education, or officer, authorized by law to make rules ...

"Rule" means any agency order, directive, or regulation of general applicability ...

WAC 1-21-005 - Purpose

This chapter implements ... the provisions of the Administrative Procedure Act on agency rule making

Selected State Agencies and Associated WAC Titles

Title 25 WAC - Archeology and Historic Preservation, Department of
Title 48 WAC - Auditor
Title 136 WAC - County Road Administration Board
Title 173 WAC - Ecology, Department of (see also title 197, 372, and 508)
Title 196 WAC - Board of Registration for Engineers and Land Surveyors
Title 197 WAC - Ecology, Department of (council on environmental policy)
Title 220 WAC - Fish and Wildlife, Department of
Title 226 WAC - Freight Mobility Strategic Investment Board
Title 296 WAC - Labor and Industries, Department of
Title 308 WAC - Licensing, Department of
Title 372 WAC - Ecology, Department of (Water Pollution)
Title 399 WAC - Commerce, Department of (Public Works Board)
Title 458 WAC - Revenue, Department of
Title 467 WAC - Traffic Safety Commission
Title 468 WAC - Transportation, Department of
Title 479 WAC - Transportation Improvement Board
Title 508 WAC - Ecology, Department of (water resources)

CRAB WACs		2.1.4
	Supp Re	es TOC

The following WACs pertain to the exercise of responsibility and authority of the County Road Administration Board, under <u>Title 136 WAC</u>:

- WAC 136-01 thru -04 CRAB general organization and policies (see also Section 6)
 - <u>136-01</u> (organization)
 - <u>136-02</u> (SEPA)
 - <u>136-03</u> (records)
 - o <u>136-04</u> (annual certification of good practices)
- WAC 136-11 thru -70 Standards of Good Practice (see detail on the following pages)
 - o <u>136-11</u> (maintenance management)
 - <u>136-12</u> (County Engineer vacancy or change)
 - <u>136-14</u> (priority programming)
 - <u>136-15</u> (six-year program)
 - <u>136-16</u> (annual construction program)
 - <u>136-18</u> (county forces construction -previously known as Day Labor)
 - \circ <u>136-20</u> (inspection of bridges)
 - <u>136-25</u> (traffic law enforcement)
 - o <u>136-28</u> (accident reports)
 - <u>136-40</u> (accommodation of utilities)
 - \circ <u>136-50</u> (adoption of written policies)
 - \circ <u>136-60</u> (county road logs)
 - o <u>136-70</u> (pavement management)
- WAC <u>136-100</u> thru -210 Rural Arterial Program (see also <u>Section 3.2.8</u>)
- <u>WAC 136-300</u> County Arterial Preservation Program (see also <u>Section 3.2.9</u>)
- <u>WAC 136-400</u> County Ferry Capital Improvement Program (see also <u>Section 3.2.10</u>)
- <u>WAC 136-500</u> Emergency Loan Program (see also <u>Section 3.2.11</u>)

2.1.5 Supp Res TOC

United States Code (USC)

The United States Code is the codification by subject matter of the general and permanent laws of the United States. It is divided by broad subjects into 50 titles and published by the Office of the Law Revision Counsel of the U.S. House of Representatives.



Code of Federal Regulations (CFR)

The Code of Federal Regulations (CFR) is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government.



Federal Register

Published by the Office of the Federal Register, National Archives and Records Administration (NARA), the Federal Register is the official daily publication for rules, proposed rules, and notices of Federal agencies and organizations, as well as executive orders and other presidential documents.

Legislative information from the Library of Congress "<u>How Our Laws Are Made</u>"



Washington State Legislature

2.1.6

Supp Res TOC



Washington State Legislature - Home Page

Legislative Sessions (State <u>Constitution</u>, Article II, Section 12, and <u>RCW 44.04.010</u>) Odd-numbered years - Begin 2nd Monday in January for 105-days Even-numbered years - Begin 2nd Monday in January for 60-days

Legislative Members

House, Senate, and Committees - Agendas

Legislative Committees

Current and past legislative bill information

Accessing "live" and "recorded" legislative meetings (TVW website)

Refer to "media archives" to access recordings of past meetings

Accessing copies of Session Laws from individual legislative sessions

Note: Information needed to access specific session law can be found following each RCW section. The example below refers to the most recent amendment of this statutory section:

- 2002 Session Law, Chapter 9, Section 1

36.80.010 - Employment of road engineer

The county legislative authority of each county shall employ a county road engineer on either a full-time or part-time basis, or may contract with another county for the engineering services of a county road engineer from such other county.

[2002 c 9 § 1; 1997 c 147 § 1; 1991 c 363 § 85; 1984 c 11 § 1; 1980 c 93 § 1; 1969 ex.s. c 182 § 6; 1963 c 4 § 36.80.010.

Initiative Process

Refer to Washington Secretary of State - Elections and Voting (select "initiatives and referenda" topics)

Risk Management

2.1.7 Supp Res TOC

Risk – anything that could prevent the achievement of a goal

- Risk of ... event, harm, loss, error, etc.
- Frequency (likelihood of occurrence)
- Severity (cost or impact of occurrence)
- Risk should not to be confused with "liability" (being responsible)
 - it is possible to experience "cost" without being "liable"
 - it is possible to be "liable" without experiencing "cost"

Manage Risk – A combination of techniques is used

- Avoid or otherwise eliminate the risk
- Reduce the likelihood of an incident occurring
- Reduce the magnitude or significance of an incident
- React to an incident to minimize reoccurrence
- Transfer risk through regulation, policy, and contracts

Risk Management 5-Step Process

- 1. Identify and Analyze Loss Exposures
- 2. Examine Risk Management Alternatives
- 3. Developing a Risk Management Strategy
- 4. Implement the Strategy
- 5. Evaluate, Monitor and Improve

Legal Action and Liability

- Tort --- a civil wrong or wrongful act
- Responsibility (liability) due to:
 - Applicable laws, rules, standards, and policies
 - Case law (recognized court decisions)
 - Historical practice and precedent
- Resolution based on:
 - o Establishing right versus wrong -- and/or --
 - Applying a business decision to minimize cost
- Joint and Several <u>RCW 4.22.070</u>
 - When a claimant is determined to have no fault, all defending parties (two or more) assigned some portion of fault are jointly and severally liable for total damages. The winning plaintiff in such a case may collect the entire judgment from any one of the parties, or from any and all of the parties in various amounts until the judgment is paid in full. In other words, if any of the defendants do not have enough money or assets to pay their share of the award, the other defendant(s) must make up the difference.
- Section 1983 Federal Civil Rights Act

Any action in which it is determined that a person's civil rights or civil liberties have been impacted are subject to a claim and lawsuit under this Act.

- Traditional Rules for Road Liability
 - (1) Must be a "defect" in or closely proximate to road
 - (2) Defect must be unusual or an extraordinary condition or hazard
 - (3) County must receive "notice" of defect
 - Actual (county was aware of the defect)
 - Constructive (county should have been aware of the defect)
 - County created the defect
 - (4) County has option to repair defect or to otherwise warn of its presence
 - (5) Warning signs required only if
 - Required by law
 - Road defect is inherently dangerous or misleading
 - (6) No duty to repair or warn of open and apparent road defects (obvious)

<u>Immunity</u>

Recreational Immunity

<u>RCW 4.24.210</u> - Liability of owners or others in possession of land and water areas for injuries to recreational users - limitations

Discretionary Immunity

The authorized exercise of judgment by the public organization, usually at the legislative authority level, not mere implementation of a judgment at the operational level. The public body must show decision involved making of policy, including evidence of the process by which the decision was reached.

Equine Activities

RCW 4.24.540 - Limitations on liability for equine activities - exceptions

See also US Code <u>Title 23</u>, <u>Section 409</u> regarding collection and analysis of traffic data

Risk Management Resources

- <u>http://www.nhtsa.gov/</u> National Highway Traffic Safety Administration
- <u>http://trafficsafety.org/</u> Network of Employers for Traffic Safety
- <u>http://www.primacentral.org/peri/</u> Public Entity Risk Institute
- <u>http://www.primacentral.org/</u> Public Risk Management Association
- <u>http://www.wcrp.info</u> Washington Counties Risk Pool
- <u>http://www.wsdot.wa.gov/Business/Construction/SpecificationsAmendmentsGSPs.htm</u>
 WSDOT Insurance Specifications
- <u>http://www.lni.wa.gov/</u> Washington State Labor and Industries
- <u>http://www.wsp.wa.gov/</u> Washington State Patrol
- <u>http://www.dol.wa.gov/</u> Washington State Department of Licensing
- <u>http://chooseclear.com/</u> Clear Risk Solutions (formerly Canfield Solutions)
- <u>http://www.iihs.org/</u> Insurance Institute For Highway Safety
- <u>http://www.rims.org/</u> Risk and Insurance Management Society
- <u>http://www.mrsc.org/Subjects/Legal/legal.aspx</u> Municipal Research and Services Center, Legal Topics
- <u>http://www.mrsc.org/Subjects/Governance/governance.aspx</u> Municipal Research and Services Center, Governance

2.2 Organization Management

2.2.0

Supp Res TOC

Delegation of Authority

What is the legal role versus day-to-day supervisory role of the County Engineer within the County's organization? (Pertains to matters of legal authority and responsibility -- not of personal preference)

- Who has the Authority & Responsibility assignment:
- Delegation through "Chain of Command"
 - Summarized via organizational chart
 - Supervisor-Subordinate relationship
 - Delegation usually detailed via job description
 - Delegation should be clear, including review and oversight protocols
- Delegation through "Transfer of Authority"
 - o Individual(s) taking action must possess both
 - the responsibility being considered for transfer
 - the authority to transfer the responsibility
 - Individual(s) must Retain
 - Ability to review performance / compliance
 - Ability to withdraw delegation
 - o Individual receiving the delegated authority must be
 - Qualified to perform the function
 - Capable (time and skill) to successfully perform the function

Labor Management

See also Municipal Research and Services Center for guidance on

Fair Labor Standards Act Sexual Harassment Personnel Performance Evaluations Employee Freedom of Speech Family Medical Leave Act Hiring Procedures Whistleblowing

See also - WA Department of Labor and Industries - Workplace Rights

- WA Public Employment Relations Commission
- U.S. Equal Employment Opportunity Commission (EEOC)
- U.S. Department of labor Fair Labor Standards Act (FLSA)
- U.S. Department of Commerce HR Policy Library
- Free Management Library http://managementhelp.org/

See also APWA Accreditation & Self Assessment

2.3.0

Supp Res TOC

Budget, Accounting, & Reporting System (BARS)

<u>RCW 43.09.200</u> - Local government accounting -- Uniform system of accounting "The state auditor shall formulate, prescribe, and install a system of accounting and reporting for all local governments, which shall be uniform for every public institution, and every public office, and every public account of the same class. ..."

Accounting Basis

- Single entry accounting / cash basis
- Double entry / modified accrual (Generally Accepted Accounting Principles (GAAP))
 - Guidance established by the Governmental Accounting Standards Board (GASB)

Most common types of funds within County operations

- Governmental fund types include the general fund, special revenue funds, debt service funds, capital projects funds, and permanent funds.
 - Example: Road Fund
- Proprietary fund types include enterprise funds and internal service funds. Examples: ER&R Fund (internal service) Solid Waste Fund (enterprise)
- Fiduciary fund types include pension (and other employee benefit) trust funds, investment trust funds, private-purpose trust funds, and agency funds. Example: Pooled investment trust fund on behalf of Special Purpose Districts

Internal Control

Internal control is a process of checks-and-balances implemented in order to assure that administrative records accurately describe all financial transactions. Common terminology and concepts associated with "internal control" include:

- Financial Records (open / available / accurate / reliable)
- Financial Transactions (risk of error or loss)
- Management Control / Regulatory Compliance

Separation of Duties

Separation of duties has as its primary objective the prevention of fraud and errors. No one person should handle more than one type of function without proactive review:

Accounting Terminology	Operational Example
authorization	decision to purchase
custody	receipt of acquired item
payment	write / issue checks
record keeping	accounting of transaction
reconciliation	audit of transaction

Reports

Financial Reports

BARS is a fixed Chart of Accounts wherein revenues and expenditures are tracked using a specific account codes. General focus is on the actual revenues and expenditures in comparison to budgeted amounts (budget status).

Management Reports

Reports that combine and compare "financial" information with "performance" information. Assigning project numbers, work order numbers, etc., can facilitate generation of a variety of managerial reports.

<u>Assets</u>

Inventoried assets include consumable items (office supplies, nuts and bolts, fuel, etc.) and capital assets (vehicles/equipment, land, infrastructure, etc.). In addition to the "good business" reasons for proactive inventory management, Counties are legally required (<u>RCW 36.32.210</u>) to maintain inventories of capital assets, regardless of accounting methodology.

Measuring the status of assets through:

- Acquisition cost / Expected life
- Capitalization threshold / Capital expense
- Depreciation schedule / Depreciated value
- Surplus / Salvage Value

Interfund Transactions

Most common interfund transactions involving the County Engineer:

- Overhead (personnel benefits, pre-established "fee" structure for general governmental services, etc.)
- Indirect Costs (must have an indirect cost allocation plan)
- Internal Service Charges (for office space, computers, etc.)
- ER&R Fund (fleet operations and consumable materials)
- Reimbursable Work (for other divisions / departments)
- Interfund Loans
- Direct Transfers (i.e. traffic policing)

Greatest potential for problem

<u>RCW 43.09.210</u> - Local government accounting -- Separate accounts for each fund or activity

"Separate accounts shall be kept ... All service rendered ... or property transferred ... shall be paid for at its true and full value ... and no department, public improvement, undertaking, institution, or public service industry shall benefit in any financial manner whatever by an appropriation or fund made for the support of another."

--- one fund benefiting another ---

(the following are excerpts from a SAO presentation (June 23, 2011))

- "Can't transfer dedicated funds without a benefit or service to that fund ..."
- "In order to be equitable, the charges must be:
 - Only for the cost of the services actually provided
 - o Only for each fund/department's proportionate share
 - Calculated using measurable, logical and documented allocation factors that are current and accurate ..."

2.4 **Purchasing and Contracts**

2.4.0

Supp Res TOC

Note: Most counties have additional limitations and procedural requirements (local codes) that supplement and/or further restrict statutory provisions.

Refer to Municipal Research and Services Center (MRSC), <u>Purchasing and</u> <u>Contracting</u> for Local Governments webpage. (see also the "<u>County Bidding Book</u>" – available through the MRSC publications webpage)

Key statutory references -

 RCW 36.32.235 thru 270 (County / Competitive Bids)

 RCW 36.32.235 (counties with purchasing departments, with population of 400,000 or more)

 RCW 36.32.240 (counties with purchasing departments, with population less than 400,000)

 Title 39 RCW - Public Contracts and Indebtedness

 RCW 39.04 - Public Works

 RCW 39.12 - Prevailing Wage

 RCW 39.80 - Architectural and Engineering Services

Terminology

Process required is one of the following: Minimal competition / Informal competition / Formal competition

Purchase of "things" within certain financial limits Direct Purchase / Quotes / Bids / Negotiated

Limited Public Works Process - contracts under \$50,000

• <u>RCW 39.04.155</u> (see subsection (3))

Request for Qualifications (RFQ) and Request for Proposals (RFP)

- Price to be included and considered in requests for services (except engineering / architectural)
- Engineering/Architectural services selection based on "most-qualified" with a negotiated price following selection (<u>RCW 39.80</u>)

Decision-making - may consider

- Best value (if advertisement includes criteria and decision making process)
- o Sole Source (<u>RCW 39.04.280</u>)
- Local Sales Tax benefit (<u>RCW 39.30.040</u>)

Public Work

RCW 39.04.010 - Definitions

"... all work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the state or of any municipality ..."

"Ordinary Maintenance" is not defined within RCW. Within the context of rules pertaining to the application of "prevailing wage", the Department of Labor and Industries (LNI) defines it as:

<u>WAC 296-127-010</u> (7)(b)(iii) "Ordinary maintenance ... is defined as work not performed by contract and that is performed on a regularly scheduled basis (e.g., daily, weekly, monthly, seasonally, semiannually, but not less frequently than once per year), to service, check, or replace items that are not broken; or work not performed by contract that is not regularly scheduled but is required to maintain the asset so that repair does not become necessary. ..."

Alternate Purchasing Methods

RCW 39.10 - Alternative public works contracting procedures

Design-build procedure

A contract between a public body and another party in which the party agrees to both design and build the facility, portion of the facility, or other item

General contractor/construction manager

A firm with which a public body has selected and negotiated a maximum allowable construction cost to provide services during the design phase and to act as construction manager and general contractor during construction

Job order contract

A contract in which the contractor agrees to a fixed period, indefinite quantity delivery order contract which provides for the use of negotiated, definitive work orders for public works as defined in <u>RCW 39.04.010</u>.

Capital Projects Advisory Review Board (<u>CPARB</u>) was created to oversee the application of the above (housed within the Department of Enterprise Services)

<u>RCW 36.32.250</u> allows the use of Small Works Roster process (procedural requirements described in <u>RCW 39.04.155</u>)

See also Municipal Research and Services Center, <u>Small Works Roster Manual</u> for Local Governments.

Individual counties may implement and utilize Small Works Rosters. As an alternative, various entities jointly utilize a Small Works Roster through Municipal Research and Services Center (MRSC). (www.mrscrosters.org):

Interlocal Agreements

Interlocal Agreements are contracts between governmental entities, generally authorized by <u>RCW 39.34</u> - Interlocal cooperation act

Not to be confused with less formal agreements

- memorandum of agreement (MOA)
- memorandum of understanding (MOU)

Engineering / Architectural Services

While the Interlocal Cooperation Act (<u>RCW 39.34</u>) provides for a great deal of flexibility for intergovernmental service provision:

(<u>AGO 2011-2</u>) "Cities, counties, and special districts cannot contract directly with another agency for architectural and engineering services without first complying with the procurement procedures set forth in <u>RCW 39.80</u>, except where the legislature has granted specific statutory authority to do so."

RCW 35.77.020 (2) grants authority for a county to perform engineering for a city

Work for Cities

<u>RCW 35.77.020</u> - Agreements with county for planning, establishment, construction, and maintenance

<u>RCW 35.77.030</u> - Agreements with county for planning, establishment, construction, and maintenance ... contracts, bids

- o may expend from Road Fund, with full reimbursement from the city
- o conducted by county through its normal road work procedures
- use of county forces limited to \$10,000, except:
 - in emergency situation
 - bids unobtainable or county can perform at lower cost than bid results

RCW 47.24.050 - Aid on streets by state or county ...

o similar authorization as generally stated in 35.77.020 and .030

Emergency Response

Purchasing in the context of local waiver of competitive bidding <u>RCW 39.04.280</u> - Competitive Bidding Requirements - Exemptions

Purchasing in the context of a disaster

RCW 38.52 - Emergency Management

RCW 38.52.010 - Definitions

"(6)(a) "Emergency or disaster" as used in all sections of this chapter except <u>RCW 38.52.430</u> shall mean an event or set of circumstances which: (i) Demands immediate action to preserve public health, protect life, protect public property, ... or (ii) reaches such a dimension or degree of destructiveness as to warrant the governor declaring a state of emergency pursuant to <u>RCW 43.06.010</u>.

RCW 38.52.070 - Local Organizations ...

"(2) In carrying out the provisions of this chapter each political subdivision, in which any disaster as described in <u>RCW 38.52.020</u> occurs, shall have the power to enter into contracts and incur obligations necessary to combat such disaster, protecting the health and safety of persons and property, and providing emergency assistance to the victims of such disaster. ..."

Mutual Aid Agreements is a specific application of interlocal agreement authority See also <u>Section 4.7.0</u> - Emergency Response

Section 3 Program and Project Planning

3.1 General Planning and Financial Issues

Plan, Implement, Report

3.1.1

Supp Res TOC

Repeating Calendars

- (1) Local, state, and federal fiscal years
 - County Fiscal Year = Calendar Year
 - Washington State Fiscal Year = July 1st through June 30th (biennium begins on July 1st of odd numbered years).
 - Federal Fiscal Year October 1st through September 30th.

Note: the name of the "fiscal year" is the date (year) at end of the accounting period

- (2) Three distinct administrative tasks must occur within each county fiscal year
 - reporting the results from the previous year
 - implementing the current year's program
 - planning for the following year(s)
- (3) Long-range planning in most cases for transportation purposes the required formal planning horizon is six years.
 - repeating plan-implement-report is a continuous exercise (annual review and adoption)
 - long-range planning should always influence short-term decision-making and actions
 - challenge to connect long-range plans with the budgeting process and dynamic operations

	Revenues	3.1.2
-		

Property Taxes	3.	1.2.1
Supp R	es	TOC

When dealing with property taxes, some of the common terminology includes:

- Ad valorem tax A tax based on the value of property
- Levy The act of imposing taxes, assessments or charges, OR, the total amount of taxes, assessments or charges imposed by a governmental unit
- Levy Rate The rate necessary to raise the amount of taxes for any taxing district within the county, expressed in dollars and cents per one thousand dollars assessed value
- Levy Limit The restriction on the amount that a district's property tax levy may increase over the highest lawful levy since 1985
- Lid-lift A ballot measure, wherein the voters authorize the district to increase their levy rate beyond the levy limit
- Note: Most of the above information taken from the Washington State Department of Revenue - <u>Operations Manual - Property Tax Levies</u>, otherwise known as the "<u>Levy Manual</u>" - available at the DOR web-site / publications / property tax

Revenue collected as a result of property taxes is highly regulated, with specific limitations.

	regular property tax levy rates <u>CW 84.52.043</u>)	Max allowed per \$1,000	Levy Shift Max	
Senior Districts	County Current Expense	\$ 1.80	\$ 2.475	\$4.05
	County Road	\$ 2.25 *		combined
	City / Town	\$ 3.375 **		
	State Common School	\$ 3.60 ***		
Junior plus Senior Districts, less state		\$ 5.90 ****		
Junior plus Senior	Districts, including state	\$ 9.50		

- * County Road Levy includes amount diverted to the Current Expense fund
- ** Exceptions apply when part of fire or library district
- *** Statewide equalized rate
- **** State, Ports, PUDs, EMS, Affordable Housing, Conservation Futures, County Ferry Districts, Criminal Justice, and Transit levies are not subject to this limit. (Other exceptions also apply)
- See also: <u>WAC 458-19</u> pertaining to levies, limitations, and refunds DOR - <u>Highest Lawful Levy</u> calculation (levy forms)

Taxation Decisions by the Legislative Authority versus a Voted Ballot Measure

RCW 84.52.010 - Taxes levied or voted in specific amounts ...

"(1) Except as is permitted under <u>RCW 84.55.050</u>, all taxes must be levied or voted in specific amounts. ..."

Note: <u>RCW 84.55.050</u> allows for an increase in the amount of property tax levied by a taxing district, otherwise restricted under other statutory limitations, through a public vote.

Levy Shift

A levy shift is literally the shifting of taxing authority from the Road District (unincorporated area taxation only) to the general county levy (county-wide taxation). While there are numerous procedural steps required prior to implementing a levy shift, the result of such action does not carry any limitations on the use of resulting funds other than those normally assigned to general county government purposes. (RCW 84.52.043)

See also WA Department of Revenue Levy Manual, Section 6.4

Road Levy Diversion

As described in <u>RCW 36.82.040</u>, once collected the road levy is deposited into the road fund and used exclusively for road purposes. However, "diversion" of a portion of the road levy literally means that a portion of this revenue is never deposited in the road fund. Within <u>RCW 36.82.040</u> there are two exceptions listed:

- <u>RCW 36.33.220</u> allows use of diverted road levy for any service provided <u>in</u> the unincorporated area
- <u>RCW 39.89</u> allows for the financing of community revitalization

RAP Eligibility

Even though a portion of the Road Levy diverted within the authority of <u>RCW</u> <u>36.33.220</u> can be used for any unincorporated area service, if the diverted Road Levy is used for anything other than traffic law enforcement the county immediately loses eligibility for Rural Arterial Program funds (<u>RCW 36.79.140</u>). Exception to this includes only counties:

- with a population of less than eight thousand; or,
- that expend these funds pursuant to a voter-approved action under <u>RCW</u> <u>84.55.050</u> (voter approved levy for a specific purpose); or,
- that established community revitalization under <u>RCW 39.89</u>

See also: Section 2.1.1.2 - Road Purpose Section 3.3.1 - Traffic Law Enforcement WA Department of Revenue Levy Manual, Section 6.8 BARS Manual, Accounting, Revenues, Section 3.6.5, Diversion of County Road Property Tax

Fuel Tax	3.1.2	
	Supp Res	TOC

RCW 82.38.020 Definitions

"(14) 'Fuel' means motor vehicle fuel or special fuel."

"(22) 'Motor vehicle fuel' means gasoline and any other inflammable gas or liquid ..."

"(29) 'Special fuel' means diesel fuel, propane, natural gas, kerosene, biodiesel, and any other combustible liquid or gas ..."

See <u>Section 4.2.0</u> regarding tax exemption on Special Fuel

<u>RCW 82.38</u> - Pertains to the establishment and collection of fuel tax

<u>RCW 46.68</u> - Pertains to the distribution of transportation related revenues, including fuel tax

The Fuel Tax is a major revenue source for financing transportation programs and projects in the state. (Note: 1-cent of fuel tax (2019) = approximately \$33M)

RAP is a competitive grant program – see <u>Section 3.2.8</u> Rural Arterial Program - <u>RCW 46.68.090</u> (2)(j)

CAPP is a grant program based on a distribution formula – see <u>Section 3.2.9</u> County Arterial Preservation Program - <u>RCW 46.68.090</u> (2)(i)

General Fuel Tax Distribution – see also CRAB Website regarding Fuel Tax

- 10% split **equally** between the 39 counties
- o 30% split based on "equivalent" **population**
- o 30% split based on system maintenance and replacement costs
- o 30% split based on financial **needs** ("costs" compared against selected revenues)

The General Distribution to counties is based on the above 10-30-30-30, subject to:

- RCW <u>46.68.122</u> and <u>46.68.124</u> (allocation factors provided by CRAB by Sept. 1st each year)
- RCW <u>46.68.120</u> deductions prior to distribution
 - CRAB and WSDOT-Local Programs administration
 - Island counties (RCW <u>46.68.080</u>)
 - Studies (study money)
- RCW <u>47.56.725</u> deduction for county ferries
- RCW <u>47.30.050</u> Expenditures for paths and trails minimum amount
- RCW <u>28A.520.010</u> & <u>.020</u> (Federal Forest)
- RCW <u>84.33</u> (Timber Excise Tax)
- Road Levy collections

County by County Comparison (location of collections versus expenditures)

See also the Joint Transportation Committee, <u>Transportation Resource Manual</u>

Other Revenues		3.	1.2.3
	Supp R	es	TOC

Specifically noted as a part of the County Fuel Tax "needs" factor calculation:

- Federal Forest Funds (RCW <u>28A.520.010</u> and <u>28A.520.020</u>) (similar to "payment in lieu of taxes" (PILT))
 - US Forest Service <u>Secure Rural Schools</u>
 - Washington State Assoc. of Counties Timber Program helpful links

See also MRSC <u>County Timber Revenues</u> for more information.

- State Timber Excise Tax (<u>RCW 84.33</u>)
 - o In lieu of annual property tax on full "timbered" value
 - Annual property tax collected on "stumpage" value, plus,
 - Excises tax on the value of timber when harvested
 - The County Treasurer distributes total excise tax revenue per the formula contained in <u>RCW 83.33.081</u>

Grants

- Rural Arterial Program (RAP)
- Transportation Improvement Board (TIB) (<u>http://www.tib.wa.gov/</u>)
- Federal (surface transportation) (<u>http://www.wsdot.wa.gov/LocalPrograms/ProgramMgmt/funding.htm</u>)
- Freight Mobility Strategic Investment Board (FMSIB) (http://www.fmsib.wa.gov/)

Loans

- Emergency Loan Program (<u>ELP</u>)
- Interfund Loans (short term uses) see SAO BARS manual, 'Interfund transactions'
- Public Works Board
 - o http://www.commerce.wa.gov/building-infrastructure/pwb-home-page/

Other Potential Financial Resources

- County Road Improvement District (CRID or RID) (<u>RCW 36.88</u>)
- Transportation Benefit District (TBD) (RCW 36.73)
- <u>Local Option Taxes</u> Information contained within the Joint Transportation Committee's <u>Transportation</u> <u>Resource Manual</u> (see "local taxes" section)

See also Municipal Research and Services Center - Finance

- County Timber Revenues
- Impact Fees
- Levy Lid Lift
- Real Estate Excise Tax
- A Revenue Guide for Washington Counties

Priority Arrays

Setting Priorities

- Priority Arrays
 - Criteria List
 - Criteria Weighting
 - Ranking
 - Relationship between multiple programmatic priority arrays
- > Can you define and separate proposed actions?
 - Critical
 - Needed
 - Wanted
 - Wish List
- > What factors influence your ability to implement?
 - Whose plan is this
 - General plan or specific expectation
 - Timing and coordination factors
 - Financing plan and cash flow
 - Natural resources regulations
 - Authority to proceed
 - Weather

Priority Programming

It is very common that independent priority programs (priority arrays) exist for each of the programmatic areas listed under <u>Section 3.2</u>. The broad use of the term "priority programming" also includes the priority relationships <u>between</u> each of the program areas.

Each priority array should include:

Asset Inventory (objective measure) Location Condition Existing planned action (what and when) Objective factors that influence the prioritization process Adopted level of service standards Legal obligations Financial constraints Subjective factors that influence the prioritization process Prioritized programs or project types Prioritized geographic areas Financial opportunities (outside funding assistance)

Priority Programming as a part of the Six-Year Road Program

While the term "priority programming" generally refers to any project and program rating, ranking, and selection process, it also has specific meaning pertaining to development of the six-year transportation program (<u>WAC 136-15</u>), which includes:

WAC 136-15-050 - Adoption and submittal of six-year program

"A six-year program shall be adopted by resolution of the county legislative authority ... The resolution of adoption shall include reference to availability of:

- 1) A priority array as required by <u>WAC 136-14-050;</u>
- 2) An engineer's bridge condition report as required by WAC 136-20-060; ..."

WAC 136-14 - Priority Programming (standard of good practice)

- Required activities guiding development of Six-Year and Annual Road Programs
- Required for arterial system / recommended for local access roads
- Shall include consideration of:
 - o Traffic volumes
 - Roadway conditions
 - o Geometrics
 - Safety and accident history
 - Matters of local significance
- Bridges see WAC 136-20 Inspection of Bridges
- Summary of county's established methodology shall be submitted to CRAB
- (Priority Array) Minimum update by June 1st odd-numbered years

See also Section 3.2.11

Financial Planning

The requirement of a "fiscally constrained" program is associated with development of the statewide STIP (federally funded projects) for the first four years of the Six-Year Program. This limitation does not apply to the requirements of <u>WAC 136-15-030</u> (six-year program revenue and expenditure analysis) which states:

"The road fund revenue and expenditure analysis shall include the county's best estimates of future road fund revenues and expenditures over each year of the six-year program period. ..."

Finalization and adoption of prioritized project lists will certainly have a financial element. Since project cost estimates are a major part of final adoption, in order to minimize cost surprises at the time of adoption it is recommended that as priority arrays are developed they include financial elements as early as possible.

3.2 Various Programs

Land Use Plan / Transportation Plan

Growth Management Act (GMA)

RCW 36.70A - Growth Management - planning by selected counties and cities WAC 365-196 - Growth Management Act - procedural criteria ... RCW 36.70A.020 - Planning Goals RCW 36.70A.040 - Who must plan ... RCW 36.70A.070 - Comprehensive Plans - mandatory elements RCW 36.70A.070 (6)(a) - transportation element shall include:

Non-GMA Planning

RCW 36.70 - Planning enabling act RCW 36.70.010 - Purpose and intent RCW 36.70.020 - Definitions

See also Municipal Research and Services Center guidance on:

Planning (general planning and growth management issues) **Comprehensive Planning / Growth Management** Transportation Plans and Plan Elements **Development Regulations and Zoning** Environment Concurrency Planner's Pocket Reference

State Transportation Plans

Statewide Transportation Policy Goals - RCW 47.04.280 Regional Transportation Planning Organizations - RCW 47.80 Statewide Transportation Plan - RCW 47.01.071 Statewide Multimodal Transportation Plan - RCW 47.06.040 Highway System Plan - RCW 47.06.050 (1) State Ferry System Plan - RCW 47.06.050 (2) Bicycle Transportation and Pedestrian Walkways - RCW 47.06.100 Freight Mobility Plan - RCW 47.06.045 High Capacity & Regional Transportation Planning - RCW 47.06.120 Marine Ports and Navigation - RCW 47.06.070 Public Transportation Plan - RCW 47.06.110 Technical Transportation Workforce - RCW 47.06.043 Aviation Plan - RCW 47.06.060 State Freight Rail Plan - RCW 47.06.080 Intercity Passenger Rail Plan - RCW 47.06.090

3.2.1 Supp Res TOC

Safety Management System (SMS)		3	3.2.2
	Supp R	es	<u>TOC</u>

A Safety Management System (SMS) is a systematic process for providing objective information that helps agencies identify and prioritize safety needs and choose cost-effective strategies to improve the safety of their transportation systems. The purpose of a SMS is to provide consistent and accurate information to decision-makers based on actual conditions.

Chapter 9 - WSDOT Traffic Manual

http://www.wsdot.wa.gov/Publications/Manuals/M51-02.htm

9.1 - General --- "The Safety Management System (SMS) is a systematic process designed to assist decision makers allocate limited transportation safety resources. Through SMS, the state defines, prioritizes, and measures the effectiveness of safety efforts."

Federal Highway Administration

Implementing Local Agency Safety Management Highway Safety Improvement Program Local and Rural Road Safety Program Data and Analysis Tools Pedestrian & Bicycle Safety Tools to Diagnose and Solve the Problem Intersection Safety Roadway Departure Safety Roadway Safety Data Program Road Safety Audits Tools and Technology Systemic Approach to Safety

While a strongly recommended process, no specific state or federal requirements exist at this time for a general system of this type. However, federal and state safety project grant programs generally require use of data and analysis that is common to a functional safety management system in order for funding applications to be successful.

Note: With CRAB's release of Mobility 4.1.0, this software contained a "Systemic Safety Project Selection Tool (SSPST)". The SSPST was based on a process developed through FHWA, <u>Systemic Approach to Safety</u>. This component assisted users with identifying and planning safety improvement projects, based on user-selected crash types, facility types and risk factors. This tool will be discontinued when CRAB completes migration to GisMo in 2021. With the advent of Gis-Mo, CRAB will be working on providing some functionality for systemic safety; inquire with staff if interested.

Non-Motorized Program		3.2.3
Supp	Res	TOC

To be classified as part of the "county road system", it is reasonable to argue that a Road Fund investment on a non-motorized facility is allowed, if:

- 1. There is a clear connection with the purpose and functioning of a county road;
- 2. It is designed to create or improve the operation and safety of a county road system facility (i.e. separating conflicts); and,
- 3. There are ongoing operational investments in order to sustain it as a part of the county road system.

A 2014 court decision provided some guidance on this topic, summarized and posted on the MRSC website, <u>Bike Trails for Transportation or Recreation</u>.

Following are various statutory references pertaining to non-motorized functions and facilities.

<u>RCW 36.81.121</u> - Perpetual advanced six-year plans for coordinated transportation program, expenditures — Nonmotorized transportation — Railroad right-of-way.

"(2) Each six-year transportation program forwarded to the secretary in compliance with subsection (1) of this section shall contain information as to how a county will expend its moneys, including funds made available pursuant to chapter <u>47.30 RCW</u>, for nonmotorized transportation purposes."

RCW 36.75.240 - Sidewalks and pedestrian paths or walks ...

RCW 36.82.145 - Bicycle paths ... county road fund ...

RCW 47.30 - Trails and paths

47.30.005	- Definitions
-----------	---------------

47.30.010 - Recreational trail interference

47.30.020 - Facilities for nonmotorized traffic -- Joint usage of rights-of-way

47.30.030 - Facilities for nonmotorized traffic -- Expenditure of available funds

<u>47.30.040</u> - Establishing paths and trails -- Factors to be considered

47.30.050 - Expenditures for paths and trails -- Minimum amount

47.30.060 - Expenditures deemed to be for highway purposes

47.30.070 - Bicycle, equestrian, pedestrian paths as public highways

While <u>RCW 47.30</u> clearly requires a minimum level of expenditure towards trails and paths, it is important to note that the source of revenue being set aside for this "minimum" level of expenditure is Fuel Tax. Regardless of what the statutory language appears to say, or could be interpreted to say, use of Fuel Tax is highly restricted by the State's Constitution, and statutory language cannot contradict, modify or replace these legal restrictions.

See also - Section 2.1.2, Road Purpose

- The Joint Transportation Committee,

Transportation Resource Manual, 18th Amendment

Surface Water Management (SWM)		3	3.2.4	
Su	pp R	es	TOC	

While county roads rely on properly functioning surface water systems (both natural and created drainage and flood control systems), there are legal limitations on the use of the Road Fund to pay for surface water management activities. Expenditure of Road Funds can only be for a "county road purpose". This should never be confused with a "general county purpose", a created and specially financed (surface water) "county department", the allowable functions of an independent or county sponsored "special purpose district", or a "private purpose".

Title 36 RCW - Counties

<u>RCW 36.89</u> - Highways - open spaces - parks - other public facilities - storm water control

RCW 36.94 - Sewerage, water, and drainage systems

Attorney General Opinion - AGO 1956-238 (1956)

- <u>RCW 36.43</u> Does not give counties the power to drain private property merely because of the county issuing a building permit
- County road funds may not be used to drain private property, except as it is incidental to road drainage

Stormwater Management

<u>Stormwater</u> - Department of Ecology <u>NPDES</u> - Stormwater Final Rules - EPA

Flood Hazards

Flood Information and Resources - Department of Ecology WAC 173-145 - Administration of the flood control assistance account (FCAAP)

See also Municipal Research and Services Center guidance on Storm and Surface Water Management

<u>Title 85 RCW</u> - Diking and Drainage <u>Title 86 RCW</u> - Flood Control <u>Title 87 RCW</u> - Irrigation

Maintenance Management System (MMS)

3.2.5 Supp Res TOC

- <u>RCW 36.80.030</u> Duties of the Engineer
 - "... shall have supervision ... of establishing, laying out, constructing, altering, improving, repairing, and maintaining all county roads of the county."
- <u>RCW 36.78.121</u>

"The county road administration board, or its successor entity, shall establish a standard of good practice for maintenance of transportation system assets ..."

WAC 136-11 Maintenance Management

<u>136-11-010</u> - Purpose and authority

<u>136-11-020</u> - Goal

<u>136-11-030</u> - Objectives

<u>136-11-040</u> - Maintenance management requirements

- (1) ... inventory of significant maintenance features ...
- (2) ... Work activity guidelines shall be defined ...
- (3) ... annual work program and budget ...
- (4) ... resources needed to accomplish the annual work program ...
- (5) Work scheduling procedures ...
- (6) Work accomplishment and expenditure ...
- <u>136-11-050</u> Annual review

<u>136-11-060</u> - County Road Administration Board assistance

See CRAB Website for additional information:

Maintenance Management webpage

CRAB Required Reportiing

December 31st submittal - Work Plan and Budget for MMS

April 1st submittal - Annual Certification for MMS

Pavement Management System (PMS)	3	8.2.6
Supp	Res	TOC

RCW 46.68.090 - Distribution of Statewide Fuel Taxes

(2)(i) - "For distribution to the county arterial preservation account ... The county road administration board shall adopt reasonable rules and develop policies to implement this program and to assure that a pavement management system is used."

WAC 136-70 - Pavement Management System (Standard of Good Practice)

<u>136-70-010</u> - Purpose

136-70-020 - Definition

136-70-030 - Application

<u>136-70-040</u> - Pavement Management System Requirements

136-70-050 - Alternative Pavement Management System Requirements

136-70-060 - Statewide Pavement Condition Data File

136-70-080 - County Road Administration Board Assistance

<u>136-70-090</u> - Use of pavement management system data for distribution of county arterial preservation account fund

Pavement Management Components

Inventory Data (Roadlog segments) Monitoring Data (pavement condition ratings) Database (Roadlog) Data Analysis (running PMS program) System Outputs (reports and maps) Feedback (from engineering and maintenance staff)

See also Northwest Pavement Management Association (<u>NWPMA</u>) - Resource page

National Bridge Inspection Standards (NBIS) 3.2.7

Supp Res TOC

WSDOT Local Agency Guidelines - Chapter 34

34.2 Bridge Condition Inspection Program

Bridge Inspection Program is required for agencies that want to qualify for (Highway Bridge Program) HBP funds.

National Bridge Inspection Standards (NBIS)

Washington State Bridge Inspection Manual

WAC 136-20 - Standard of good practice - inspection of bridges on county roads

WAC 136-20-060 - Engineer's report.

Rural Arterial Program (RAP)

3.2.8 Supp Res TOC

- <u>RCW 36.79</u> Roads and Bridges Rural Arterial Program
 - o .030 (regions)
 - o .040 (apportionment formula)
 - o .080 (selection of priority improvement projects)
 - o .120 (matching funds)
 - o .150 (allocation of funds and funding increases)
- WAC 136-100 thru -210 Rural Arterial Program
 - o <u>136-100</u> (administration)
 - o <u>136-130</u> (regional prioritization)
 - o <u>136-150</u> (eligibility)
 - o <u>136-161</u> (submittal / selection)
 - o <u>136-163</u> (emergent / emergency)
 - <u>136-165</u> (increasing project funds)
 - o <u>136-167</u> (withdrawals / termination / lapsing)
 - o <u>136-170</u> (CRAB/County contract)
 - o <u>136-180</u> (vouchers)
 - o <u>136-210</u> (design standards)
- CRAB / County Contract County Certification
 - The county is in compliance with the provisions of <u>WAC 136-150</u>
 - If the project is reconstruction in scope, the county will gain approval from WSDOT for all deviations from the design standards
 - If the project is 3R (resurfacing, restoration, and rehabilitation) in scope, the county will document its design considerations for the proposed improvements
 - The project will be constructed in accordance with the Final Prospectus, the CRAB/County Contract, and the plans and specifications
 - It will notify the CRABoard when a contract has been awarded and/or when construction has started, and when the project has been completed.
 - It will reimburse the RATA in the event a project post audit reveals improper expenditure of RATA funds.

RAP Eligibility

Inappropriate use of Road revenues for non-road purposes carries with it, at a minimum, immediate loss of eligibility for Rural Arterial Program funds (<u>RCW</u> <u>36.79.140</u> / <u>WAC 136-150-010</u>). Specific exceptions and clarifications include:

- Counties with a population of less than eight thousand; or,
- Counties that expend these funds pursuant to a voter-approved action under <u>RCW 84.55.050</u> (voter approved levy for a specific purpose)
- Community revitalization under <u>RCW 39.89</u>
- Counties that consist entirely of islands, for marine facilities, including mooring buoys, docks, and aids to navigation. (<u>RCW 36.82.070</u>) See Certification of Road Fund Expenditures for Marine Navigation and Moorage (<u>WAC 136-150-025</u>)

County Arterial Preservation Program (CAPP)		3.2.9
	Sunn Reg	s TOC

Supp Res 100

RCW 46.68.090 - Distribution of Statewide Fuel Taxes

(2)(i) - "For distribution to the county arterial preservation account ... The county road administration board shall adopt reasonable rules and develop policies to implement this program and to assure that a pavement management system is used."

- WAC 136-300 Administration of the County Arterial Preservation Program
 - 136-300-010 Purpose and authority
 - o 136-300-020 Adoption of rules
 - 136-300-030 Delegation of authority
 - o <u>136-300-040</u> Staff services and facilities
 - 136-300-050 Distribution of County Arterial Preservation Account funds 0
 - 136-300-060 Annual county arterial preservation programs
 - 136-300-080 Allowable activities within CAPP 0
 - 136-300-090 Submittal of annual report
- Requirements
 - o Employ a pavement management system
 - See Section 3.2.6 Pavement Management System
 - Submit annual CAPP Program along with Annual Construction Program
 - o Report annual accomplishment of both CAPA funded and non CAPA funded work
 - Report both CAPA eligible and non CAPA eligible Maintenance Management 0 costs
- Allowable Activities
 - Implementation of computerized systems to do PMS
 - o Direct and attributable indirect costs associated with paved surface preservation and rehabilitation activities on existing roadways, including maintenance management
 - Resurfacing work associated with the reconstruction and/or widening of 0 existing paved arterials
 - Note --- while the term "county arterials" is not specifically defined in statute, WAC 136-300-050 (1)(a) clarifies that all urban and rural paved roadways that have a federal classification of arterial or collector satisfy the intent of legislative program scope, which is consistent with RCW 46.26.090 pertaining to TIB.

See CRAB Website for additional information:

County Arterial Preservation Program webpage CRAB Required Reporting – December 31st – CAPP Program April 1st – CAPP Accomplishments Report

14-Yr Ferry Plan and County Ferry Capital Improvement Program (CFCIP) 3.2.10

Supp Res TOC

- Ferry Capital (14-year ferry system long range capital improvement plan)
 - o <u>RCW 36.81.121(1)</u>
 - Six-Year Plans to include county ferries, docks, and related facilities
 - First six years of the 14-year ferry plan
 - o <u>RCW 36.54.015</u>
 - Counties operating ferries shall prepare a 14-year long range capital improvement plan
 - WAC 136-400 Administration of the County Ferry Capital Improvement Program
 - o Pierce, Skagit, Wahkiakum, and Whatcom eligible
 - See CRAB website for <u>county ferry program</u> information
- WAC 468-22 County ferry franchises, tolls, and financial assistance
 - o <u>RCW 47.56.720</u> Wahkiakum County
 - o <u>RCW 47.56.725</u> Pierce, Skagit, and Whatcom counties

Emergency Loan Program (ELP)

3.2.11

Supp Res TOC

- Emergency Loan Program
 - o <u>RCW 36.78.130</u> Emergency Revolving Loan Program
 - WAC 136-500 Administration of the Emergency Loan Program
 - See CRAB website for <u>Emergency Loan Program</u> information
 - County eligibility must be eligible to participate in RAP, must have a current Certificate of Good Practice and, have a population under 800,000
 - Eligible work "...must be the result of a natural or man-made event that results in the closure or substantial restriction of use of the roadway by the traveling public. Work of an emergency nature is beyond the scope of work done by a county in repairing damage normally or reasonably expected from seasonal or other natural conditions."

Six-Year Comprehensive Transportation Program

Supp Res TOC

3.2.12

- Six-Year Program
 - o <u>RCW 36.81.121</u>
 - o <u>WAC 136-15</u>
- Revenue and Expenditure Analysis
 - o <u>WAC 136-15-020</u> & <u>WAC 136-15-030</u>
 - Financial analysis of all Road Fund revenues and expenditures
 - Analysis to show financial resources available for construction

Note: The concept of "fiscally constrained" is associated with development of the statewide STIP (federally funded projects in the first four years). This limitation does not apply to the requirements of <u>WAC 136-15-030</u> which states:

"The road fund revenue and expenditure analysis shall include the county's best estimates of future road fund revenues and expenditures over each year of the six-year program period. ..."

See also FHWA - Financial Planning and Fiscal Constraint

<u>Metropolitan and Regional Planning Organizations (MPO / RTPO)</u> <u>State Transportation Improvement Plan (STIP)</u> <u>FHWA FAST Act</u> website.

• Listing of Projects

• WAC <u>136-15-010</u>, <u>136-15-020</u>, & <u>136-15-040</u>

- Bridges
 - o WAC 136-20-060
 - Attach written findings of the bridge inspection effort
- Ferry Capital (14-year ferry system long range capital improvement plan)
 - o <u>RCW 36.81.121(1)</u>
 - o <u>RCW 36.54.015</u>
 - o WAC 136-400
- Bicycle and Pedestrian facilities (Paths and Trails)
 - o <u>RCW 36.81.121(2)</u>
 - o <u>RCW 47.30</u>
- Public Hearing
 - o <u>WAC 136-15-020</u>
- RAP Projects
 - o WAC 136-15-045
- Adoption prior to budget
 - o <u>WAC 136-15-050</u>
 - Adopting resolution shall reference
 - Priority array (<u>WAC 136-14-050</u>)
 - Bridge condition report (<u>WAC 136-20-060</u>)
- Submittal to CRAB
 - o <u>WAC 136-15-050</u>

Annual Construction Program (ACP)

3.2.13 Supp Res TOC

- Annual Construction Program
 - o <u>RCW 36.81.130</u>
 - o WAC 136-16
 - Annual declaration of intent, implemented through the budget
 - o Otherwise known as the Annual Road Program, or TIP
- Minimum Contents
 - o WAC 136-16-020
- Miscellaneous and Alternate Projects
 - o WAC 136-16-025
 - May include an item for "miscellaneous unspecified" not to exceed 10% of the total program
 - May include a list of alternate projects
- Maintenance
 - o <u>RCW 36.81.130</u>
 - o WAC 136-16-035
 - Parallel to the financial plan required as a part of the Six-Year Program
 - Submitted to the legislative authority as a part of the October county engineer recommendation
 - Submitted as a part of both the "annual budget" and "maintenance management" to CRAB -- not required on the ACP form
- Submitted to Legislative Authority by 1st Monday in October
 - o <u>WAC 136-16-010</u>
 - "no later than" submittal requirement for recommended:
- Adoption prior to budget
 - o <u>RCW 36.81.130</u>
 - o WAC 136-16-018
 - Becomes void unless adopted prior to the budget
- Submittal to CRAB
 - <u>WAC 136-16-040</u> Submittal required within 30 days of adoption or December 31st, whichever comes first, including a copy of the adopting resolution
- Amended Program
 - WAC 136-16-042 requires unanimous vote (of those members present)
- Road Equipment Purchases
 - o <u>WAC 136-16-030</u>
 - Include all major road equipment purchases and planned repairs
 - Include recognition of miscellaneous minor equipment
 - "Alternate" and "unforeseen" can account for up to 15% additional
- Annual Construction Report
 - o <u>WAC 136-16-050</u>

County Forces Construction (CFC) - See Section 3.2.13 for details

County Forces Construction

3.2.14 Supp Res TOC

- Intention to utilize County Forces for Road Construction initially declared as a part of the Annual Construction Program
 - o <u>RCW 36.81.130</u>
 - WAC 136-16-022 (annual road program)
- <u>RCW 36.77.065</u> (permission to utilize county forces and limitations)
- WAC 136-18 Standard of good practice construction by county forces
- See Annual Construction Program (December 31st submittal), "CFC Limits"
- Advertising <u>RCW 36.77.070</u>
 - o Before project
 - Following project completion
 - Required if greater than \$10,000
 - Subject to fine if not accomplished

County Forces Limit pertains to the total of all county forces "road construction project costs" in a given calendar year, excluding "...those costs assigned to the right-of-way account, ancillary operations account, preliminary engineering account, and construction engineering ..." (<u>RCW 36.77.065</u> (1) (b))

It is common for a county to assign public works/road crew employees to perform construction work ("public works" per <u>RCW 39.04.010</u> (4)) for other county departments or entities (parks, facilities, drainage utility, etc.), with the Road Fund being reimbursed for the cost of the work performed. This <u>is not</u> County Forces Construction since the work performed is not road construction. In addition, this type of work <u>does not</u> receive the permissive benefit of <u>RCW 36.77.065</u> for county employees to perform. Other county public purchasing rules must be applied.

For projects that are accomplished through use of county forces, the "project costs" include work of all subcontractors and materials, regardless of whether subcontractor work or material supply is acquired through competitive bidding. In this type of situation, the county would be considered the "prime contractor" since it cannot separate its role in all work being performed.

Phased Projects – Separate Utility – CFC Phases, Seek CRAB staff guidance!

Special Provision -- <u>RCW 36.77.065</u> (7) -- Electrical Work -- County Forces may not be utilized on electrical work exceeding \$40,000, including the prohibition of dividing the "project" into work elements to avoid this cost limitation. Project work of this type commonly associated with traffic control features and systems.

3.3	Annual Budget		3.3.0	
		Supp R	es	TOC

Budget Process

RCW 36.40.010 - Estimates to be filed by county officials

"On or before the <u>second Monday in July</u> of each year, the county auditor or chief financial officer designated in a charter county shall notify in writing each county official ... to file ... on or before the <u>second Monday in August</u> ... both of the probable revenues from sources other than taxation, and of all expenditures ... for the ensuing fiscal year."

RCW 36.40.050 - Revision by county commissioners.

"The budget shall be submitted by the auditor or chief financial officer designated in a charter county to the board of county commissioners on or before the <u>first Tuesday in September</u> of each year. The board shall thereupon consider the same in detail, making any revisions or additions it deems advisable." <u>RCW 36.82.160</u> - County road budget — Road budget to be prepared — Estimates of expenditures.

"Each county legislative authority, with the assistance of the county road engineer, shall prepare and file with the county auditor on or before the second Monday in August in each year, detailed and itemized estimates of all expenditures required in the county for the ensuing fiscal year."

<u>RCW 36.82.170</u> - County road budget - budget as adopted filed with department of transportation

Adopted Budget

The adopted budget is a formal listing of approved "maximum" expenditure authority, as well as predicted revenues. While a budget document may list expenditures to a high level of detail, actual budgetary expenditure authority, or "budget control", is usually established at the bottom line of the fund level.

While "budget control" may provide a high level of flexibility for administrative adjustments without the legal requirement for a formal budget amendment, maintaining respect for the original legislative authority review and approval, and associated public process, is very important.

See also -- SAO / BARS Manual -- Budgeting - (Cash) / (GAAP)

Biennial Budget

RCW 36.40.250 - Biennial budgets ...

"In lieu of adopting an annual budget, the county legislative authority of any county may adopt an ordinance or a resolution providing for biennial budgets with a mid-biennium review and modification for the second year of the biennium. ..."

Note: Exercise of the "biennial budget" authority does not relieve the county from annual compliance and reporting protocols.

Traffic Law Enforcement	3	3.3.1
Supp F	les	<u>TOC</u>

NOTE: While <u>RCW 36.79.140</u> uses the terminology "traffic law enforcement", this statute is specifically referring to Article II, Section 40, of the State Constitution. The terminology used in the constitution is "policing ... of public highways". The reader is advised that these two terms are considered identical in meaning both within this document and for purposes of CRAB regulatory activities.

While there are no specific definitions of "traffic law enforcement" in RCW, the following list is intended to be guidance as to what would generally be considered as traffic law enforcement activities (<u>WAC 136-25</u> - standard of good practice - traffic law enforcement expenditures):

- Speed limit and other traffic law enforcement
- Collision investigation documenting/reporting
- o Oversize vehicle (weight, length, width, and height) enforcement;
- Special traffic emphasis patrols
- Facilitating the removal of abandoned vehicles from the county road and rights-of-way
- o Facilitating the removal of roadway and right-of-way obstructions
- o Investigating illegal littering and dumping on county road rights-of-way
- o Sign damage investigation and enforcement
- o Road condition enforcement, including mud, water, debris, or spills
- Rights-of-way encroachment investigation and enforcement
- Maintenance and construction zone traffic enforcement
- Road department vehicle collision investigation
- o Other activities clearly related to county road law enforcement needs

The evaluation of whether use of Road Fund resources are considered allowable traffic law enforcement costs is based exclusively on:

- Was the activity performed on a county road or within a county road right-of-way or work zone?
- > Was documentation created that summarizes the purpose and outcome of the activity?
- Was a cost accounting system used (records and procedures) that documents the traffic law enforcement costs?

There are three methods by which financial resources, which would otherwise be allocated to normal road operations (construction, maintenance, etc.), can be made available and used for traffic law enforcement:

- Budgeted Road Fund Expenditures (Direct Transfers, Payments for Service)
- Road Levy Diversion
- Road Levy Shift

See also - Section 2.1.1.2 - Road Purpose Section 3.1.2.1 - Property Taxes AGO 2017 No. 1

Section 4 **Operational Topics**

4.1 Design & Construction

4.1.0

Supp Res TOC

Procedural Issues

Contractors

<u>RCW 39.06</u> - Public works - registration, licensing, of contractors <u>RCW 39.04.350</u> - Bidder responsibility criteria ... <u>Debarred</u> - LNI list of contractors not allowed to bid Dept. of Labor & Industries - <u>Awarding Agencies' Responsibilities</u> FHWA - <u>Suspension / Debarment</u>

County Road Project (CRP) Resolution

<u>RCW 36.75.050</u> - "...The board shall by resolution ... order the survey, establishment, construction, alteration, or improvement of county roads ..."

Federal Funding

Delegated authority to WSDOT from FHWA (<u>stewardship agreement</u>) <u>Certification Acceptance</u> (CA) <u>Local Agency Guidelines</u> (LAG)

For use of private consulting firm, see <u>RCW 39.80</u> - Contracts for architectural and engineering services

FHWA - <u>Disadvantaged Business Enterprise</u> Program (DBE) / <u>WSDOT-DBE</u> WSDOT - Equal Opportunity – <u>Minority, Small, Veteran and Women's Business</u> <u>Enterprise Program</u>

Engineering Process

Technical Resources WSDOT <u>Publications</u> Library <u>AASHTO Bookstore</u> Federal Highway Administration - <u>Roads and Bridges</u> WSDOT / APWA <u>Standard Specifications</u> <u>Specifications, Amendments, and GSPs</u> Local Agency <u>General Special Provisions</u> (GSPs)

Roadway Classification

<u>RCW 36.86.070</u> - Classification of roads ... Federal functional classification

Design Standards

<u>RCW 43.32</u> - County roads design standards <u>RCW 36.86</u> - Roads and bridges - standards <u>RCW 36.75.240</u> - Sidewalks and pedestrian paths or walks - bicycle paths, lanes, routes, and roadways - standards WSDOT Local Agency Guidelines (LAG) - Chapter 42

WSDOT Bridge Design Manual

WSDOT Hydraulics Manual and Highway Runoff Manual

WSDOT - Deviation Guidelines

AASHTO - A Policy on Geometric Design of Hwys and Streets - "<u>Green Book</u>" Guidelines for Geometric Design of Very <u>Low-Volume Local Roads</u> See also Municipal Research and Services Center - <u>County Road Standards</u>

See also Multicipal Research and Services Center - County Ro

Supplemental Factors Affecting Design

- Context Sensitive Design
- Practical Design
- <u>Complete Streets</u> - Sustainable Transportation
- Value Engineering

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- ADA Design and Technical Assistance

FHWA

WSDOT

- <u>Context Sensitive Solutions</u>

- Tools for Sustainable Communities

Prevailing Wage

RCW 39.04.010 - Definitions

"(4) ... All public works, including maintenance when performed by contract shall comply with chapter <u>39.12</u> RCW. ..."

RCW 39.12 - Prevailing wages on public works

Department of Labor & Industries (LNI) website - <u>Prevailing Wage</u> guidance <u>WAC 296-127</u> - Prevailing Wage Dept. of Labor & Industries - <u>Awarding Agencies' Responsibilities</u>

Federal Funding

<u>WAC 296-127-025</u> - Applicability of joint federal-state standards WSDOT website - <u>Federal Wage</u> United States Department of Labor website - <u>Davis Bacon</u>

Exemptions:

WAC 296-127-018 - production and delivery of gravel, concrete, asphalt WAC 296-127-026 - owner operators and employees of public agencies

See also Municipal Research and Services Center - Prevailing Wage Issues

Bonds - Retainage - Payments

<u>RCW 39.08</u> - Contractor's bond
 <u>RCW 39.76</u> - Interest on unpaid public contracts
 <u>RCW 60.28</u> - Lien for labor, materials, taxes on public works
 See also Municipal Research and Services Center - <u>Retainage and Bonding Issues</u>

Indirect Costs / Overhead

FHWA --- Federal Aid Essentials for Local Public Agencies ---Developing an Indirect Cost Allocation Plan

4.2 Maintenance

Operations

Four quantifiable resource components for performance of maintenance activities:

- Labor
- Equipment
- Material
- Administration / Overhead direct and indirect costs associated with acquisition and allocation of the above three resource components

Three maintenance function types:

- Routine normal day-to-day planned and budgeted activities that keep roads operational
- Preventive planned and budgeted activities intended to restore items to good condition
- Reactive unanticipated failures of road surfaces, loss of signs, debris on road, etc.

Washington Department of Labor and Industries (<u>L&I</u>) <u>Safety Standards for Construction</u>

Washington Department of Licensing Commercial Driver License (CDL)

WSDOT

<u>Vehicle Operator's Handbook</u> <u>Maintenance Operations</u> (links to various resources)

See also MRSC guidance on:

Weeds and Other Nuisance Vegetation Snow and Ice on Public Right of Way

<u>RCW 36.87.100</u> and <u>.110</u> make reference allowing counties to establish a road maintenance classification system. It is recommended the county consider formally establishing such a system for a number of other operational and liability benefits.

Fleet and Inventory Management

<u>RCW 36.33A</u> – Equipment Rental & Revolving Fund

RCW 36.33A.030 - Administration of fund.

 The terms and charges for sale of all ER&R materials and supplies shall be determined by the county engineer, or other appointee of the legislative body
 RCW 36.75.280 - Centralized repair and storage of machinery, equipment, supplies, etc.

Internal Service Fund

- To be used for activities that provide goods and services to other funds or departments or other governments on the cost reimbursement basis
- If the contributed nonmonetary assets were originally acquired with restricted resources, the government must monitor their usage and disposal to assure that one fund does not benefit from another (RCW 43.09.210)
- Contributed capital to be managed for the benefit of the contributing fund
- Requires 100% recovery of:
 - all costs to manage contributed capital until fully consumed or otherwise disposed of; OR,
 - all costs to manage contributed capital plus adequate fund contributions for future asset replacement

See also Public Fleet Managers Association (PFMA)

One-Call Locate

Local governments fall within the definition of underground facility operators See also: <u>RCW 19.122</u> - Underground utilities.

<u>Washington Utility Coordinating Council (WUCC)</u> <u>Washington 811</u> UTC - Call before you dig

Fuel Tax Exemption

RCW 82.38.020 Definitions

"(14) '**Fuel**' means motor vehicle fuel or special fuel."

"(22) '**Motor vehicle fuel**' means gasoline and any other inflammable gas or liquid ..."

"(29) '**Special fuel**' means diesel fuel, propane, natural gas, kerosene, biodiesel, and any other combustible liquid or gas ..."

<u>RCW 82.38</u> – (fuel tax)

RCW 82.38.080 - Exemptions

(1)(a) sales of **special fuel** to the state of Washington, any county, or any municipality are exempt from payment of the tax when the fuel is used for street and highway construction and maintenance purposes in motor vehicles owned and operated by the state, county, or municipality

Department of Licensing - Fuel Tax Refunds

Counties are not exempt from paying motor vehicle fuel tax (RCW 82.36.240)

4.3 Traffic Management

4.3.0 Supp Res TOC

Traffic Codes and Standards

RCW 47.36.060 - Traffic devices on county roads and city streets

 Local authorities ... shall place and maintain such traffic devices ... as are necessary to ... regulate, warn, or guide traffic.
 RCW 46.90 (WAC 308-330) - Washington model traffic ordinance

RCW 46.61 - Rules of the road

RCW 47.36.020 - Traffic control signals

Manual on Uniform Traffic Control Devices (MUTCD) Adoption within the State of Washington - <u>WSDOT MUTCD</u> <u>WAC 468-95</u> - Manual on uniform traffic control devices for streets and highways <u>FHWA MUTCD</u> webpage

Speed Limits

<u>RCW 46.61.400</u> - Basic rule and maximum limits <u>RCW 46.61.415</u> - When local authorities may alter maximum limits 85th Percentile - <u>WSDOT Speed Limits</u>

Railroad At-Grade Crossings

<u>RCW 81.53</u> - Railroad - crossings UTC -- <u>Railroad Safety</u> <u>WAC 448-62-150</u> - Grade crossing petitions

RCW 36.75.300 - Primitive roads - classification and designation

Institute of Transportation Engineers

Technical Resources <u>ITE Technical Library</u> <u>Traffic Calming</u> <u>Trip and Parking Generation</u> <u>Standards</u>

Federal Highway Administration

Implementing Local Agency Safety Management Highway Safety Improvement Program Local and Rural Road Safety Program Data and Analysis Tools Pedestrian & Bicycle Safety Tools to Diagnose and Solve the Problem Intersection Safety Roadway Departure Safety

(May 2021)

Roadway Safety Data Program Road Safety Audits Tools and Technology Systemic Approach to Safety

AASHTO - Highway Safety Manual

National Highway Traffic Safety Administration - Road Safety

Accidents, Records, and Investigations

<u>WAC 136-28</u> - Standards of Good Practice - ... county road accident reports
Washington State Patrol - <u>Collision Reports</u>
WSDOT - <u>Transportation Data</u> - See Collision Data
Washington Traffic Safety Commission - <u>Resources / Materials</u>
State of Washington - Safety Plans

<u>Target Zero</u>
<u>Highway Safety Performance Plan</u>

Department of Licensing - <u>Driving Safety and Accidents</u>
AASHTO

Desktop Reference for <u>Crash Reduction Factors</u>
National Highway Traffic Safety Administration

<u>Fatality Analysis Reporting System</u> (FARS)

Engineering, Enforcement, and Education (the 3-E's)

4-E's within K-12 - Engineering, Enforcement, Education, <u>and Encouragement</u>
4-E's within safety operations -

Engineering, Enforcement, Education, and Emergency Medical Services

Washington Traffic Safety Commission - <u>Programs and Priorities</u> Federal Highway Administration (FHWA) - <u>Transportation Safety Planning</u> Transportation Safety Planning <u>(TSP) - Resources</u>

Supplemental Information

FHWA - <u>Highway Performance Monitoring System</u> (HPMS)

US Code, <u>Title 23</u>, <u>Section 409</u> - provides legal protection for agencies that proactively collect and analyze traffic and accident data for safety program and project development

4.4 Right-of-Way Management		4.4	4.0
	Supp R	les	TOC

Actions to determine the legal status of right-of-way and the roadways thereon are case specific and commonly require court involvement in order to separate fact from claim.

What is right-of-way? --- See MRSC, What is the Nature of a Public Right-of-Way?

County Road versus County Right-of-Way

While "road" and "right-of-way" cannot be truly separated as a functional matter, they are very different legal concepts, generally described as follows:

- Acquire or vacate a property interest right-of-way, easement, etc.
- Establish or abandon an operational function road, trail, etc.

Road right-of-way:

Cannot be considered separate, fee simple land since

- It cannot be sold to any willing buyer since the public interest can only be vacated and returned to the original underlying owner
- Other than new rights-of-way within plats, acquisition of right-of-way does not go through any subdivision process

Cannot simply be considered an easement since

- The public entity controls all use
- The land is no longer taxed since it becomes a public asset

<u>RCW 84.36.210</u> - Public right-of-way easements <u>RCW 36.87.090</u> - Vacation of road unopened for five years ...

Road Establishment, Vacation, and Jurisdiction Transfers

Road Establishment and Vacation

RCW 36.32.120- Power of legislative authoritiesRCW 36.75.040- Power of county commissionersPrescriptive RightsRCW 36.75.070RCW 36.75.080- Highways worked seven years are county roadsRCW 36.81- Road and bridges - establishmentRCW 36.85- Roads and bridges - rights-of-wayRCW 36.86- Roads and bridges - standardsRCW 36.87- Roads and bridges - vacationRCW 36.87- Vacation of subdivision ...

Primitive Roads

<u>RCW 36.75.300</u> - Primitive roads - classification and designation

Right-of-Way centerlines not to be used for corporate boundaries

RCW 36.75.203

RCW 35.02.170 / RCW 35A.14.410 / RCW 35.21.790 / RCW 35A.21.210

Jurisdiction Transfer - State Highway / County Road

<u>RCW 36.75.090</u> - Abandoned state highways (otherwise known as "turnback") <u>RCW 47.17.001</u> - Criteria for changes to system <u>RCW 47.01.425</u> - Jurisdictional transfers <u>WAC 468-710</u> - Route jurisdiction transfer rules, regulations and

requirements

Jurisdiction Transfer - Incorporations and Annexations

<u>RCW 36.93</u> - Local governmental organization - boundaries - review boards
 <u>RCW 35.02</u> - Incorporation proceedings
 <u>RCW 35A.03</u> - Incorporation as noncharter code city (governed by <u>RCW 35.02</u>)
 <u>RCW 35.13</u> - Annexation of unincorporated areas
 <u>RCW 35A.14</u> - Annexation by code cities
 See Municipal Research and Services Center, Annexation and Incorporation

Jurisdiction Transfer – Intergovernmental Disposition of Property <u>RCW 39.33.010</u>

Utility Accommodation

Title 468 WAC - Department of Transportation

WAC 468-34 - Utility line - franchises and permits

<u>WAC 136-40</u> - Standards of Good Practice - accommodation of utilities on county roads <u>RCW 36.55</u> - Franchises on roads and bridges – <u>Rental/Fee for ROW use</u> by Utilities <u>RCW 80.36</u> - Telecommunications

RCW 80.36.040 - Use of road, street, and railroad right-of-way ...

See also Municipal Research and Services Center guidance pertaining to <u>Telecommunications</u>, including information about the associated federal rules.

Right-of-Way and Road Use Permits

County authority to manage rights-of-way

RCW 36.75.040 - Powers of county commissioners

RCW 36.75.130 - Approaches to county roads ...

RCW 36.75.270 - Limitation of type or weight of vehicles

(see also <u>RCW 46.44.080</u>)

Removal of a non-permitted use or obstruction authorized - <u>RCW 9.66</u> - Public nuisance <u>RCW 9.66 010</u> - Public nuisance See also Municipal Research and Services Center guidance on <u>Right-of-way Use Permits</u> and <u>Special Events Permits</u>

Use of unopened right-of-way for access - requires either:

- Construction and establishment of a new county road as a part of the development process; OR,
- Approval of a "private" right to use the right-of-way for development and maintenance of a "driveway"

Surveying

Board of Professional Registration (BORPELS)

<u>Title 196 WAC</u> and <u>RCW 18.43</u> regarding engineers and land surveyors See also Publications - <u>Board position on incidental surveying practice</u>

RCW 58.24 - State agency for surveys and maps ...

<u>WAC 332-120</u> - Survey monuments - removal or destruction <u>RCW 58.09</u> - Surveys - recording <u>RCW 58.09.130</u> - Monuments disturbed by construction activities ... <u>RCW 58.20</u> - Washington coordinate system

Specific Reference to "Engineer" and "survey"

RCW 36.80.040 - Records to be kept

RCW 36.81.030 - Deeds and waivers

RCW 36.81.050 - Engineer's report

RCW 58.09.090 - When record of survey not required

RCW 84.40.170 - Plat of irregular tracts ... surveys ...

Noxious Weeds

Washington State Noxious Weed Control Board

RCW 17.10 - Noxious weeds - control boards WAC 16-750 - State noxious weed list ... WAC 16-752 - Noxious weed control Links to <u>County Noxious Weed Control Boards</u>

See also MSRC Weeds and Other Nuisance Vegetation

Tax Title

Opportunities to acquire property interests (coordination with County Treasurer): <u>RCW 84.60</u> - Lien of taxes, <u>RCW 84.64</u> - Lien foreclosure, and, <u>RCW 36.35</u> - Tax title lands

4.5 Environmental Regulations

4.5.0 Supp Res TOC

Regulatory Programs

Office of Regulatory Innovation and Assistance - Regulatory Handbook

WSDOT - Environmental Manual

Washington State

Department of Ecology - Regulatory Programs Local Clean Air Agencies Department of Fish & Wildlife - Permits Department of Natural Resources - Rules and Resources Department of Archeology & Historic Preservation - DAHP Compliance Department of Agriculture - Licenses, Permits, Certifications

Federal

US Army Corps of Engineers - <u>Regulatory</u> US Fish & Wildlife Service - <u>Permits</u> National Marine Fisheries Service (NOAA) - Protected Species - <u>Permits</u> Federal Energy Regulatory Commission - <u>FERC Online</u> Environmental Protection Agency - <u>Laws and Regulations</u>

See also Municipal Research and Services Center guidance on

<u>Critical Areas</u> <u>Flood Hazard Management Planning</u> <u>Shoreline Management Act</u> <u>Wetlands</u> <u>Water Resources and Water Quality</u>

State and National Environmental Policy Acts (SEPA / NEPA)

State Environmental Policy Act (SEPA) <u>RCW 43.21C</u> - State environmental policy <u>WAC 197-11</u> - SEPA rules DOE <u>SEPA</u> Webpage

> See also Municipal Research and Services Center guidance on State Environmental Policy Act

National Environmental Policy Act (NEPA) United States Code (42 USC 4321) <u>US Code Main Page</u> (select Title 42, and chapter with section 4321)

EPA Administration of NEPA - <u>NEPA</u> Webpage

Fish Passage

<u>RCW 77.15.320</u> - Unlawful failure to provide, maintain, or operate fishway for dam or other obstruction

Department of Fish and Wildlife -

Fish Passage Design Guidance and Standards Hydraulic Project Approval (HPA) Hydraulic Code <u>RCW 77.55</u> - Construction projects in state waters <u>WAC 220-660</u> - Hydraulic code rules WSDOT <u>Culvert Injunction</u>

Greenhouse Gases

EPA WA Dept. of Ecology MRSC

- Greenhouse Gas Emissions
- Mandatory Reporting --- see also WAC 173-441
- Climate Change

4.6 Local Development and Development Review

4.6.0 Supp Res TOC

Codes, Policies, and Standards

<u>RCW 36.70B.040</u> - Determination of consistency

Requires a proposed project be consistent with the comprehensive plan and associated development regulations

RCW 36.70B.170 through .210 - Development agreements

Title 58 RCW - Boundaries and plats

Subdivisions

While the following statutory references are the basis of land subdivisions, the county's land use plan and land development codes most likely describe both permitted and non-permitted land subdivisions, as well as all procedural steps required for review and approval.

Title 58 RCW - Boundaries and plats

RCW 58.04 - Boundaries

- RCW 58.08 Plats recording
- RCW 58.10 Defective plats legalized
- RCW 58.17 Plats subdivisions dedications
- RCW 58.18 Assessor's plats
- RCW 58.19 Land development act

Impact Mitigation

Case law that clearly limits conditioning of developments only for:

- Directly related and quantifiable impacts
- Fair share for cumulative impacts, so long as others assessed similarly

<u>RCW 43.21C</u> - State environmental policy <u>RCW 58.17.110</u> - Approval or disapproval of subdivision and dedication ... <u>RCW 82.02</u> - .050 through .110 (impact fees) <u>RCW 36.32.510</u> - Right-of-way donations ... <u>RCW 58.17.165</u> - ... final plat ... dedication

RCW 58.17.130 - Bond in lieu of actual construction ...

See also MRSC guidance on:

Impact Fees Latecomer Agreements Development Agreements Development Regulations and Zoning Smart Growth and Sustainable Development

4.7 E	Emergency Response		4.7.0
		Supp Res	<u>TOC</u>

Declaration of Emergency

Each formal action by the county legislative authority (or when allowed, action by a designated official), should contain the following within the declaration document:

- Legal basis for the declaration
- Description of the incident or situation warranting action
- Scope of response
- Beginning and ending time of emergency authority
- Who has authority to act under the declaration, delegation of authority

RCW 36.32 - County Commissioners

- 36.32.235 Competitive bids ...
- 36.32.270 Competitive bids exemptions (refers to 39.04.280)
- <u>36.32.280</u> Regulation of watercourses
- <u>36.32.290</u> Regulation of watercourses removal of obstructions
- <u>36.32.300</u> Regulation of watercourses trees may be removed ...

RCW 36.40 - Budget

- <u>36.40.140</u> Emergencies subject to hearing
- <u>36.40.180</u> Emergencies subject to hearing nondebateable emergencies

RCW 38.52 - Emergency Management

- 38.52.010 Definitions
- <u>38.52.020</u> Declaration of policy and purpose
- 38.52.070 Local organizations ... emergency powers
- <u>38.52.390</u> Contracts ... for emergency management activities

WAC 118-30 - Local emergency management ...

- RCW 39.04 Public works
 - <u>39.04.020</u> Plans and specifications ... emergencies
 - <u>39.04.280</u> Competitive bidding ... Exceptions
 - <u>39.04.290</u> Contracts for ... engineering ...

<u>RCW 39.28</u> - Emergency public works

39.28.010 - Definitions

<u>39.28.030</u> - (powers of municipalities)

<u>RCW 39.80</u> - Contracts for architectural and engineering services <u>39.80.060</u> - Procurement ... exception for emergency work RCW 43.06 - Governor

43.06.010 - General powers and duties (see sub-section 12)

<u>RCW 43.21C</u> - State environmental policy

<u>43.21C.110</u> - (exempt in emergencies) <u>43.21C.210</u> - Certain actions during state of emergency ... <u>WAC 197-11-880</u> - Emergencies

<u>RCW 77.55</u> - Construction projects in state waters <u>77.55.011</u> - Definitions <u>77.55.021</u> - (8) (emergency permit) <u>WAC 220-660-030</u> - Definitions <u>WAC 220-660-050</u> (4) (emergency HPA)

Emergency Response Plan

<u>RCW 38.52.070</u> - Local organizations ... establishment, operation ... <u>WAC 118-30-040</u> - Responsibilities of political subdivisions <u>WAC 118-30-060</u> - Emergency plan

Mutual Aid

RCW 38.52 - Emergency Management

RCW 38.52.010 - Definitions

"(6)(a) "Emergency or disaster" as used in all sections of this chapter except <u>RCW 38.52.430</u> shall mean an event or set of circumstances which: (i) Demands immediate action to preserve public health, protect life, protect public property, ..., or (ii) reaches such a dimension or degree of destructiveness as to warrant the governor declaring a state of emergency pursuant to <u>RCW 43.06.010</u>.

The concept of Mutual Aid is based on the authority between governments to execute Interlocal Agreements. <u>RCW 39.34</u> - Interlocal cooperation act

Highways & Local Programs (WSDOT) administers a mutual aid program available to all counties - <u>Emergency Relief Program</u>

National Incident Management System (NIMS) / Incident Command System (ICS)

FEMA / NIMS supplemental guidance and training

- o Supporting Guides & Tools
- o Incident Command System Resources
- o <u>Training</u>

Additional guidance and support resources are available through the Washington Military Department, <u>Emergency Management Division</u>

5.1 CRAB Required Reporting

5.1.0 Supp Res TOC

<u>CRAB Reports Due by December 31st</u> (C.A.R.S – CRAB Annual Reporting System)

- Annual Construction Program (<u>WAC 136-16-040</u>)
 - Listing of all proposed PE, right-of-way, and construction projects
 - Listing of major equipment purchases and planned repairs
 - Include submittal of adopting resolution
- County Arterial Preservation Program (<u>WAC 136-300-060</u>) Listing of all proposed arterial preservation projects and activities
- Pavement Management Certification (<u>WAC 136-70-070</u>) Reporting County's compliance with PMS requirements
- Budget Summary (various)
 Supporting documentation pertaining to various compliance issues
- Maintenance Management Work Plan/Budget (WAC <u>136-11-040</u> & WAC <u>136-11-050</u>) Listing of planned activities and supporting data
- Engineer's Certification of Above Forms
 Allows electronic submission of above forms, with a single signature form

Copy of Non-CRAB Form Due by December 31st (C.A.R.S)

• Copy of adopted Six-Year Program, including a copy of the adopting resolution

CRAB Reports Due by February 1st (C.A.R.S)

(Note: Documentation of adopted road levy, and its intended use, for the current year)

- Road Levy Certification (<u>WAC 136-150-021</u>)
 Documentation pertaining to RAP eligibility determination
- Engineer's Certification of Above Form
 Signature form allowing electronic submission of above form

CRAB Reports Due by April 1st (C.A.R.S)

- Traffic Law Enforcement Certification (<u>WAC 136-150-022</u>) Documentation pertaining to RAP eligibility determination
- Fish Passage Barrier Expenditures (<u>WAC 136-150-023</u>) Documentation pertaining to RAP eligibility determination and general compliance with RCW
- Annual Construction Report (<u>WAC 136-16-050</u>)
 Documenting road construction activities compliance with Annual Construction
 Program and County Forces Construction limitations
- Annual County Arterial Preservation Program Report (<u>WAC 136-300-090</u>) Documenting all CAPP eligible work including PMS and MMS activities
- Annual Certification (<u>WAC 136-04-030</u>)
 - Summary of required compliance issues associated with issuance of Annual Certificate of Good Practice
 - If required, includes explanation regarding projects not originally listed on Annual Construction Program
 - Includes a copy of the bridge inspection report
 - WSDOT Local Programs submits letter documenting each county's compliance with NBIS
- Annual Certification Maintenance Management (<u>WAC 136-11-050</u>) Documenting MMS developed and implemented
- Ascertaining the expenditures for marine navigation and moorage purposes (<u>WAC 136-150-025</u>) Counties entirely consisting of islands San Juan and Island counties only
- Engineer's Certification of Above Forms
 Allows electronic submission of above forms, with a single signature form
- Annual Ferry System Operations Report (only required of four counties operating ferries

 Whatcom, Skagit, Pierce, Wahkiakum)
 Data used for Fuel Tax distribution calculations

CRAB Reports Due by May 1st

- County Road Log (<u>WAC 136-60-030</u>) (electronically in GisMo)
- Road Log Action Record (<u>WAC 136-60-050</u>) (electronically in GisMo)
- Road Log Summary Record (<u>WAC 136-60-050</u>) (electronically in GisMo)
- Engineer's Certification of the Above (<u>C.A.R.S</u>)

County Annual Financial Report

RCW 43.09.230 - Local Government Accounting - annual reports

"The state auditor shall require from every local government financial reports covering the full period of each fiscal year, in accordance with the forms and methods prescribed by the state auditor ... Such reports shall be prepared, certified, and filed with the state auditor within one hundred fifty days after the close of each fiscal year."

WSDOT Report Due by May 31st

- <u>RCW 36.75.260</u> Annual report to Secretary of Transportation
 - County / City / State revenue and expenditure data compiled by WSDOT
 - Beginning in 2012 (reporting 2011 financial information), transportation revenues and expenditures are reported to WSDOT through an online application -- <u>Local Highway Finance Tracking</u> (LHFT) system
 - Beginning in 2019 WSDOT is asking Cities and Counties to now submit their annual road and street financial report through SAO's online filing system at <u>https://portal.sao.wa.gov/SAOPortal/Login?appUrl=%2fLGCS%2f</u>
 - WSDOT reports compiled data to FHWA (report known as the 536 Report due to use of FHWA form number 536)

Refer to FHWA - Guide to Reporting Highway Statistics

- Chapter 11 Receipts and Expenditures of Local Governments
- USDOT required to "promote and undertake development, collection, and dissemination of technological, statistical, economic, and other information relevant to domestic and international transportation. ... engage in studies to collect data concerning highway planning, development, financing, construction, operation, modernization, maintenance, safety, and traffic conditions and to publish the results of such research ..."

5.3 Annual Audits and Special Audits

5.3.0 Supp Res TOC

Project Audits

Specific Scope - based on the terms of the grant agreement Multi-project - based on funding source (collection of grant agreements)

Whistleblower

Specific Scope (likely confidential investigation) - starts with an allegation of wrongdoing

State Auditor Audits (<u>RCW 43.09.260</u> - Audit of local governments)

- Financial
- Accountability
- Single Federal Audit
- Performance (not a standard part of annual audit)

Final <u>audit documents</u> are available through the State Auditor's Office Website.

Focus of Audits (based on Generally Accepted Auditing Standards - GAAS)

- Internal Control -- Ability to catch and correct problems
- Legal Compliance -- Federal and other grant requirements
- Financial Statements -- Whether they present fairly the financial position of governmental activities
- o Accountability
 - Compliance with various governing laws, regulations, policies, and procedures
- o Performance
 - Efficient and effective use of public resources
 - Results in "recommendations" rather than "findings"

Findings and Management letters

- Magnitude of Internal Control Deficiency
 - (n/a)
 - Inconsequential
 - (neither)
 - Material
- Likelihood of Internal Control Deficiency
 - (n/a)
 - Remote
 - (neither)
 - More than Remote
- More than Remote & Not Inconsequential = Management Letter
- More than Remote & Material = Finding
- Anything else = verbal notice

Government Auditing Standards - prepared and distributed by the U.S. Government Accountability Office (GAO), referred to as "The Yellow Book" or the acronym <u>GAGAS</u>

Section 6 County Road Administration Board

6.0 CRAB Organization

6.0.0

Supp Res TOC

CRAB was created in 1965 as a regulatory agency. While compliance remains a significant function, support and assistance is the preferred methodology to achieve this.

CRAB, as an Authorized State Agency:

RCW 36.78.070 - Duties of board

"The county road administration board shall:

(1) Establish by rule, standards of good practice for the administration of county roads ...;

(2) Establish reporting requirements for counties with respect to the standards of good practice ...;

(3) Receive and review reports from counties and reports from its executive director to determine compliance ...;

(4) Advise counties on issues relating to county roads ... and assist counties in developing uniform and efficient transportation-related information technology resources;

(5) Report annually ... to the state department of transportation and to the chairs of the house and senate transportation committees ...;

(6) Administer the rural arterial program ... the county arterial preservation account ..."

<u>CRABoard</u>

<u>RCW 36.78.030</u> - Board created -- Number -- Appointment -- Terms -- Vacancies. "There is created hereby a county road administration board consisting of nine

members who shall be appointed by the executive committee of the Washington state association of counties. ..."

<u>RCW 36.78.040</u> - Composition of board -- Qualifications of members.

"Six members of the county road administration board shall be county legislative authority members and three members shall be county engineers. ... Not more than one member of the board shall be from any one county."

See CRAB website for listing of current CRABoard Members

<u>Title 136 WAC</u> pertains to the exercise of responsibility and authority of the County Road Administration Board, as adopted by this board:

- WAC 136-01 thru -04 CRAB general organization and policies (4)
- WAC 136-11 thru -70 Standards of Good Practice (13)
- WAC 136-100 thru -210 Rural Arterial Program (10)
- WAC 136-300 County Arterial Preservation Program
- WAC 136-400 County Ferry Capital Improvement Program
- WAC 136-500 Emergency Loan Program (ELP)

CRAB Responsibilities

Regulatory

Standards of Good Practice Certificate of Good Practice Official County Visits

Funding Programs

Rural Arterial Program County Arterial Preservation Program County Ferry Capital Improvement Program Emergency Loan Program Management of data necessary for the distribution of Fuel Tax

Assistance

Executive and Administrative Management Services Engineering and Maintenance Management Services Information Management Services

Advocacy

CRAB Web-Site – Quick Links

Supp Res TOC

ABOUT US **County Road Administration Board** CRABoard **CRAB Staff** Budget **Board Meetings** Oversight Accountability Compliance Standards of Good Practice Reports Accessibility Policy Laws and Rules Laws and Rules Partner Agencies Partner Agencies PROGRAMS **Rural Arterial Program Active Project Status RAP Regional Worksheets RAP Regions** Active Project Reimbursement Schedule Completed Projects 2010 - Present **County Arterial Preservation Program CAPP** Program **County Ferry Capital Improvement Program CFCIP** Program **Emergency Loan Program ELP** Program Revenues Revenues

ENGINEERING

Engineering Services

Administrative Organization Compliance C.A.R.S Reporting System County Transportation Performance Metrics

Operations

County Forces Construction Construction Maintenance Regional Road Maintenance ESA Program Environmental Storm Water Permits

Resources

New County Engineer Desk Reference Manual Engineer Training Model Documents BOCC Training

SERVICES

Design Systems

UAS Operations Road Design Conference Design systems Training Pinnacle Series LMS

Information Services

Road Log 2020 Information Services Strategic Plan Gis-Mo Asset Management Software Pavement Management CRAB Software Gis-Mo Training

Applications

VisRate SignRate

EVENTS

CRAB Event Calendar

COUNTIES

County Engineers

County Map

Desk Reference Supplemental Resources	7.1.0
	<u>TOC</u>

Under Construction

	Sub-Section Name	Date
<u>1.1.1</u>	County Governance	
1.1.2	Open Meetings	
<u>1.1.3</u>	County Officials	
1.2.0	General County and County Road Information	
1.3.0	County Web-site Links	
<u>2.1.1.0</u>	Introduction to the Office of the County Engineer	
<u>2.1.1.1</u>	Reading and Application of RCWs, WACs, and Other Rules	
2.1.1.2	Road Purpose	
<u>2.1.2</u>	Revised Code of Washington	
2.1.3	Washington Administrative Codes (WAC)	
2.1.4	CRAB WACs	
2.1.5	Federal Laws and Administrative Codes	
<u>2.1.6</u>	Washington State Legislature	
<u>2.1.7</u>	Risk Management	
<u>2.2.0</u>	Organization Management	
<u>2.3.0</u>	Accounting and Financial Administration	
2.4.0	Purchasing and Contracts	
<u>3.1.1</u>	Plan, Implement, Report	
<u>3.1.2.1</u>	Property Taxes	
<u>3.1.2.2</u>	Fuel Tax	
<u>3.1.2.3</u>	Other Revenues	
<u>3.1.3</u>	Priority Arrays	
<u>3.2.1</u>	Land Use Plan	
<u>3.2.2</u>	Safety Management System (SMS)	
<u>3.2.3</u>	Non-Motorized Program	
<u>3.2.4</u>	Surface Water Management (SWM)	
<u>3.2.5</u>	Maintenance Management System (MMS)	
<u>3.2.6</u>	Pavement Management System (PMS)	
<u>3.2.7</u>	National Bridge Inspection Standards (NBIS)	
<u>3.2.8</u>	Rural Arterial Program (RAP)	
<u>3.2.9</u>	County Arterial Preservation Program (CAPP)	
<u>3.2.10</u>	14-Yr Ferry Plan and County Ferry Capital Imp. Program	
<u>3.2.11</u>	Six-Year Comprehensive Transportation Program	
<u>3.2.12</u>	Annual Construction Program (ACP)	
<u>3.2.13</u>	County Forces Construction (CFC)	

3.3.0	Annual Budget
3.3.1	Traffic Law Enforcement
0.0.1	
4.1.0	Design & Construction
4.2.0	Maintenance
4.3.0	Traffic Management
4.4.0	Right-of-Way Management
<u>4.5.0</u>	Environmental Regulations
4.6.0	Local Development and Development Review
<u>4.7.0</u>	Emergency Response
<u>5.1.0</u>	CRAB Required Reporting
<u>5.2.0</u>	Year-end Fiscal Closeout
<u>5.3.0</u>	Annual Audits and Special Audits
<u>6.0.0</u>	County Road Administration Board
7.0.0	Desk Reference Supplemental Resources
<u>7.1.0</u>	CE/PWD Training Modules
<u>7.2.0</u>	Desk Reference Supplemental Materials
<u>8.1.0</u>	Acronyms
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<u>8.6.0</u>	Desk Manual / Desk Reference Change Record

Section 8 Quick Reference

	Acronym	S	8.1.0
See als	so <u>GovSp</u>	eak (a guide to government acronyms and abbreviations) <u> Transportation Acronym Guide</u>	TOC
	2-R	Resurfacing and Restoration	
	3-R	Resurfacing, Restoration, and Rehabilitation	
	4-R	Resurfacing, Restoration, Rehabilitation, and Reconstruction	
	<u>811</u> US	National 811 - Call before you dig	
	<u>811</u> UNC	Utility Notification Center (WA)	
	<u>811</u> WA	Washington 811 - Call before you dig	
	AADT	Annual Average Daily Traffic	
	AAG	Assistant Attorney General	
	AAR	Association of American Railroads	
	AASHTO	American Association of State Highway and Transportation Offic	ials
	<u>ACHP</u>	Advisory Council on Historic Preservation	
	ACOE	Army Corp of Engineers (US)	
	ACP	Asphalt Concrete Pavement	
	ACP	Annual Construction Program	
	ACR	Annual Construction Report	
	<u>ADA</u>	Americans with Disabilities Act	
	ADT	Average Daily Traffic	
	<u>AG</u>	Attorney General	
	AGC	Associated General Contractors of America	
	<u>AGC</u> - WA	Associated General Contractors of Washington	
	<u>AGC</u> - INW	Inland Northwest Chapter - Associated General Contractors	
	AGO	Attorney General Opinions (WA)	
	<u>AI</u>	Asphalt Institute	
	<u>ANSI</u>	American National Standards Institute	
	<u>API</u>	American Petroleum Institute	

<u>APWA</u>	American Public Works Association
APWA WA	American Public Works Association - Washington State Chapter
ARRA	American Recovery and Reinvestment Act (of 2009)
<u>ARRA</u>	Asphalt Recycling and Reclaiming Association
<u>ARTBA</u>	American Road and Transportation Builders Association
ASCE	American Society of Civil Engineers
ASCE Reg 8	American Society of Civil Engineers - Region 8 (includes Washington)
<u>ASTM</u>	American Society for Testing and Materials
ATB	Asphalt Treated Base
ATSSA	American Traffic Safety Services Association
AVR	Average Vehicle Ridership
<u>AWC</u>	Association of Washington Cities
AWSC	All Way Stop Controlled
<u>AWWA</u>	American Water Works Association
BARS	Budgeting, Accounting, and Reporting System – <u>Cash</u> , <u>GAAP</u>
BASUB	Basic and Sub-account numbers used in BARS
B/C	Benefit Cost Ratio
BFRC	Benton-Franklin Regional Council
<u>BIA</u>	Bureau of Indian Affairs (US)
BIAW	Building Industry Association of Washington
BIM	Bridge Inspection Manual.
BIM	Building Information Modeling
BLA	Boundary Line Adjustment
<u>BLM</u>	Bureau of Land Management (US)
BMP	Best Management Practice
BRAC	Bridge Replacement Advisory Committee
BROS	Bridge Replacement Off System
BRR	Bridge Replacement and Rehabilitation
BRR BST	
	Bridge Replacement and Rehabilitation

<u>CA</u>	Certification Acceptance
CAD	Computer Aided Design
CADD	Computer Aided Drafting and Design
CAFR	Comprehensive Annual Financial Report
САРА	County Arterial Preservation Account
<u>CAPP</u>	County Arterial Preservation Program
<u>CARS</u>	CRAB Annual Reporting System
CATEX	Categorical Exclusion
<u>CDL</u>	Commercial Driver's License
CE	Categorical Exclusions (NEPA) / Categorical Exemptions (SEPA)
<u>CERB</u>	Community Economic Revitalization Board
<u>CFC</u>	County Forces Construction
<u>CFCIP</u>	County Ferry Capital Improvement Program
<u>CFGS</u>	County Freight and Goods System
CFP	Capital Facilities Plan
<u>CFR</u>	Code of Federal Regulations
<u>CDTC</u>	Chelan-Douglas Transportation Council
CIP	Capital Improvement Program
CLAS	Collision Location and Analysis System
<u>CLCF</u>	County Location Coding Form
<u>CMAQ</u>	Congestion Mitigation and Air Quality Program
<u>COE</u>	(US Army) Corps of Engineers
COG	Council of Governments
<u>CPARB</u>	Capital Projects Advisory Review Board
<u>CPI</u>	Consumer Price Index
<u>CRAB</u>	County Road Administration Board
CRID	County Road Improvement District
CRP	County Road Project
CSBC	Crushed Surfacing Base Course
CSTC	Crushed Surfacing Top Course
CVEO	Commercial Vehicle Enforcement Officer
<u>CWCOG</u>	Cowlitz-Wahkiakum Council of Governments

CY Calendar Year

DAHP	Department of Archaeological and Historic Preservation
DB	Design - Build
DBB	Design - Bid - Build
DBB	Disadvantaged Business Enterprise
	Department of Enterprise Services (WA)
<u>DES</u> DFO	Disaster Field Office
DHV	Design Hourly Volume
<u>DNR</u>	Department of Natural Resources (WA)
DNS	Determination of Non-Significance
DOC	Department of Commerce (WA)
DOC	Department of Corrections (WA)
DOE	Department of Ecology (WA)
DOE	Department of Energy (US)
DOI	Department of the Interior (US)
DOL	Department of Licensing (WA)
DOL	Department of Labor (US)
DOR	Department of Revenue (WA)
DOSH	Division of Occupational Safety and Health (LNI)
DOT	Department of Transportation (see WSDOT and USDOT)
DPA	Deputy Prosecuting Attorney
DPW	Department of Public Works
<u>DRS</u>	Department of Retirement Systems (WA)
DS	Determination of Significance
DSHS	Department of Social and Health Services (WA)
EA	Environmental Assessment
EEO	Equal Employment Opportunity
EEOC	Equal Employment Opportunity Commission
EIS	Environmental Impact Statement
EMD	Emergency Management Division (WA)

EMS	Emergency Medical Services
<u>E0</u>	Executive Order (WA Governor)
EOC	Emergency Operations Center
EOE	Equal Opportunity Employer
<u>EPA</u>	Environmental Protection Agency (US)
ER	Emergency Relief
ER&R	Equipment Rental & Revolving
<u>ESA</u>	Endangered Species Act
FA	Federal Aid
FARS	Fatality Analysis Reporting System
FAS	Federal Aid Secondary
FAST	Federal FAST Act
FAUS	Federal Aid Urban Systems
FCAAP	Flood Control Assistance Account Program
FEIS	Final Environmental Impact Statement
FEMA	Federal Emergency Management Administration
FERC	Federal Energy Regulatory Commission
FFY	Federal Fiscal Year
FGTS	Freight and Goods Transportation System
FHWA	Federal Highway Administration
FIFO	First-in-First-out
<u>FLH</u>	Federal Lands Highway
<u>FLSA</u>	Fair Labor Standards Act
FMSIB	Freight Mobility Strategic Investment Board
FONSI	Finding of No Significant Impact
<u>FRA</u>	Federal Railroad Administration
<u>FTA</u>	Federal Transit Administration
FY	Fiscal Year
GAAP	Generally Accepted Accounting Principles
GAAS	Generally Accepted Auditing Standards

GAGAS	Generally Accepted Governmental Auditing Standards
<u>GAO</u>	Government Accountability Office
<u>GASB</u>	Governmental Accounting Standards Board
GC/CM	General Contractor / Construction Manager
<u>GFOA</u>	Government Finance Officers Association
GIS	Geographic Information Systems
<u>GMA</u>	Growth Management Act
<u>GOIA</u>	Governor's Office of Indian Affairs
GPS	Global Positioning System
<u>GSP</u>	General Special Provisions
GVW	Gross Vehicle Weight
<u>HCM</u>	Highway Capacity Manual
HCS	Hazard Communication Standard
НСТ	High Capacity Transit
HMA	Hot Mix Asphalt
HOV	High Occupancy Vehicle
<u>HPA</u>	Hydraulic Project Approval
HPMS	Highway Performance Monitoring System
HSS	Highways of Statewide Significance
HTC	House Transportation Committee
<u>HUD</u>	Housing and Urban Development
IACC	Infrastructure Assistance Coordinating Council
IBC	International Building Code
<u>ICS</u>	Incident Command System
<u>ICC</u>	International Code Council
IEUCC	Inland Empire Utility Coordinating Council
<u>IMSA</u>	International Municipal Signal Association
<u>IRWA</u>	International Right of Way Association
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
ITE	Institute of Transportation Engineers

ITS	Intelligent Transportation System
<u>JARPA</u>	Joint Aquatic Resource Permits Application
JLARC	Joint Legislative Audit and Review Committee
<u>JTC</u>	Joint Transportation Committee
<u>L&I</u>	Department of Labor and Industries (WA)
LA	Local Agency
<u>LAG</u>	Local Agency Guidelines
<u>LBP</u>	Local Bridge Program
LCVMPO	Lewis-Clark Valley Metropolitan Planning Organization
<u>LEAP</u>	Legislative Evaluation and Accountability Program
<u>LHFT</u>	Local Highway Finance Tracking (log-in screen)
LID	Low Impact Development
LID	Local Improvement District
LIFO	Last-in-First-out
<u>LNI</u>	Department of Labor and Industries (WA)
LOS	Level of Service
<u>LP</u>	(WSDOT) Local Programs
LPA	Local Public Agency
LS	Land Surveyor
<u>LTAP</u>	Local Technical Assistance Program (T2)
MAP-21 MDNS	Moving Ahead for Progress in the 21 st Century Mitigated Determination of Non-Significance
MMS	Maintenance Management System
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
<u>MPO</u>	Metropolitan Planning Organization
MRSC	Municipal Research and Services Center
<u>MSDS</u>	Material Safety Data Sheet (OSHA <u>Chemical Database</u>)
<u>MTO</u>	Model Traffic Ordinance

MTP	Metropolitan Transportation Plan
MUTCD	Manual on Uniform Traffic Control Devices
MUTCD WA	Manual on Uniform Traffic Control Devices (for Washington State)
MVET	Motor Vehicle Excise Tax
<u>MVF</u>	Motor Vehicle Fuel
MVF	Motor Vehicle Fund
MVFT	Motor Vehicle Fuel Tax
MSVWBE	Minority, Small, Veteran and Women's Business Enterprise

NAAQS	National Ambient Air Quality Standards
NACE	National Association of County Engineers
NACO	National Association of Counties
<u>NAFA</u>	National Association of Fleet Administrators (NAFA Fleet Management Association)
NAFA PSC	NAFA - Puget Sound Chapter
<u>NARA</u>	National Archives and Records Administration
NAT	Notice of Action Taken
<u>NBI</u>	National Bridge Inventory
<u>NBIS</u>	National Bridge Inspection Standards
NCEES	National Council of Examiners for Engineering and Surveying
NCHRP	National Cooperative Highway Research Program
NCPP	National Center for Pavement Preservation
<u>NEC</u>	National Electrical Code
<u>NEPA</u>	National Environmental Policy Act
NER	Northeast Region (RAP)
NEWRTPO	Northeast Washington Regional Planning Organization
<u>NFPA</u>	National Fire Protection Association
<u>NHS</u>	National Highway System
<u>NHTSA</u>	National Highway Traffic Safety Administration
<u>NIMS</u>	National Incident Management System
<u>NMFS</u>	National Marine Fisheries Service (See NOAA Fisheries)

NOAA	National Oceanographic and Atmospheric Administration	
<u>NOAA</u> Fish	(National Marine Fisheries Service) NOAA Fisheries	
NOA	Notice of Application	
NOI	Notice of Intent	
NPDES	National Pollutant Discharge Elimination System	
<u>NTSB</u>	National Transportation Safety Board	
NWPMA	Northwest Pavement Management Association	
<u>NUNC</u>	Northwest Utility Notification Center	
NWR	Northwest Region (RAP)	
OA	Obligation Authority	
<u>0E0</u>	Office of Equal Opportunity (WA)	
<u>OFM</u>	Office of Financial Management (WA)	
OJT	On-the-Job Training	
OCOG	Okanogan Council of Governments (RTPO)	
O&M	Operations and Maintenance	
<u>OMB</u>	Office of Management and Budget (US)	
<u>OSHA</u>	Occupational Safety and Health Administration (US)	
<u>OST</u>	Office of the State Treasurer	
<u>OWSC</u>	Office of the Washington State Climatologist	
PCC	Portland Cement Concrete	
PCR	Pavement Condition Rating	
PDEIS	Preliminary Draft Environmental Impact Statement	
PE	Preliminary Engineering	
PE	Professional Engineer	
<u>PL</u>	Public Law	
PERC	Public Employment Relations Commission (WA)	
PERS	Public Employees Retirement System (WA)	
PFMA	Public Fleet Managers Association	
PILT	Payment in Lieu of Taxes	
PLS	Professional Licensed Surveyor	

PMS	Pavement Management System		
PS&E	Plans, Specifications, and Estimates		
PSR	Puget Sound Region (RAP)		
PSRC	Puget Sound Regional Council		
РТВА	Public Transportation Benefit Area		
PUD	Public Utility District		
<u>PWB</u>	Public Works Board		
PWTF	Public Works Trust Fund (Public Works Board)		
QUADCO	Quad County Regional Transportation Planning Organization		
R&D	Research and Development		
<u>RAP</u>	Rural Arterial Program		
RATA	Rural Arterial Trust Account		
<u>RCW</u>	Revised Code of Washington		
<u>REET</u>	Real Estate Excise Tax		
RFP	Request for Proposal		
RFQ	Request for Qualifications		
<u>RID</u>	(County) Road Improvement District		
ROD	Record of Decision		
ROW	Right-of-Way		
RPM	Raised Pavement Markers		
RR	Railroad		
RTA	Regional Transit Authority		
<u>RTPO</u>	Regional Transportation Planning Organization		
R/W	Right-of-Way		
<u>SAFETEA-</u> LU	Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users		
<u>SAO</u>	State Auditor's Office		
<u>SBE</u>	Small Business Enterprise		

<u>SDS</u>	Safety Data Sheets (OSHA Chemical Database)		
SEIS	Supplemental Environmental Impact Statement		
<u>SEPA</u>	State Environmental Policy Act		
SER	Southeast Region (RAP)		
<u>SF</u>	Special Fuel		
<u>SHPO</u>	State Historic Preservation Officer		
SIP	State Implementation Plan		
<u>SMA</u>	Shoreline Management Act		
SMS	Safety Management System		
SMSA	Standard Metropolitan Statistical Area		
SOV	Single Occupancy Vehicle		
<u>SRTC</u>	Spokane Regional Transportation Council		
<u>STC</u>	Senate Transportation Committee		
<u>STIP</u>	Statewide Transportation Improvement Program		
<u>STP</u>	Surface Transportation Program		
SWM	Surface Water Management		
SWPPP	Storm Water Pollution Prevention Plan		
SWR	Southwest Region (RAP)		
SWRTC	Southwest Washington Regional Transportation Council		
<u>T2</u>	Technology Transfer (LTAP)		
TAC	Technical Advisory Committee		
<u>TBD</u>	Transportation Benefit District		
ТСР	Traffic Control Plan		
TDM	Transportation Demand Management / Travel Demand Management		
TEA-21	Transportation Equity Act for the 21 st Century		
ΤΙΑ	Transportation Improvement Account (see TIB)		
<u>TIB</u>	Transportation Improvement Board		
TIGER	Transportation Investment Generating Economic Recovery (grants)		
TIP	Transportation Improvement Program		
<u>TLE</u>	Traffic Law Enforcement		
ТМА	Transportation Management Area		

ТРА	Transportation Partnership Account	
TRAC	Washington State Transportation Center	
<u>TRB</u>	Transportation Research Board	
<u>TRC</u>	Traffic Records Committee (WA)	
TRPC	Thurston Regional Planning Council	
TS&L	Type, Size, and Location	
TSM	Transportation System Management	
<u>TVW</u>	Television Washington	
UBC	Uniform Building Code	
ULID	Utility Local Improvement District	
<u>UNC</u>	Utility Notification Center	
<u>USC</u>	United States Code	
USACE	US Army Corps of Engineers	
<u>USDOL</u>	US Department of Labor	
<u>USDOT</u>	U.S. Department of Transportation	
<u>USFS</u>	United States Forest Service	
<u>USFWS</u>	United States Fish and Wildlife Service	
<u>USGS</u>	United States Geological Survey	
UTC	Utilities and Transportation Commission	
VE	Value Engineering	
VIN	Vehicle Identification Number	
VMT	Vehicle Miles Traveled	
<u>WAC</u>	Washington Administrative Code	
WAC	Weighted Average Cost	
<u>WACO</u>	Washington Association of County Officials	
<u>WAPA</u>	Washington Association of Prosecuting Attorneys	
<u>WAPA</u>	Washington Asphalt Paving Association	
<u>WASHTO</u>	Western Association of State Highway and Transportation Officials	
WASPC	Washington Association of Sheriffs and Police Chiefs	

WCOG	Whatcom Council of Governments	
WCRP	Washington Counties Risk Pool	
WDFW	Washington Department of Fish and Wildlife	
WFOA	Washington Finance Officers Association	
<u>WHUF</u>	Washington Highway Users Federation	
WRAC	Water Resources Advisory Committee	
<u>WRIA</u>	Water Resource Inventory Area	
WISAARD	WA Info System for Architectural and Archaeological Records Data	
<u>WISHA</u>	Washington Industrial Safety and Health Act	
WRCIP	Washington Rural Counties Insurance Program	
<u>WSAC</u>	Washington State Association of Counties	
WSACE	Washington State Association of County Engineers	
<u>WSBIM</u>	(Washington State) Bridge Inspection Manual	
WSBIS	Washington State Bridge Inventory System	
<u>WSDOT</u>	Washington State Department of Transportation	
WSDOT LP	WSDOT - Local Programs	
WSEMA	Washington State Emergency Management Association	
<u>WSF</u>	Washington State Ferries	
<u>WSGRTA</u>	Washington State Good Roads and Transportation Association	
<u>WSP</u>	Washington State Patrol	
<u>WSR</u>	Washington State Register	
<u>WSSA</u>	Washington State Sheriffs Association	
<u>WSTA</u>	Washington State Transit Association	
<u>WSTC</u>	Washington State Transportation Commission	
<u>WTA</u>	Washington Trucking Associations	
<u>WTP</u>	Washington Transportation Plan	
<u>WTSC</u>	Washington Traffic Safety Commission	
<u>WUCC</u>	Washington Utilities Coordinating Council	
<u>WUTC</u>	Washington Utilities and Transportation Commission	
WWVMPO	Walla Walla Valley Metropolitan Planning Organization	

YVCOG Yakima Valley Conference of Governments

Definitions

8.2.0 <u>TOC</u>

Office of Administrative Hearings, Glossary for Administrative Hearings

Archaeology and Historic Preservation, Dept. of, Excavation and Removal Permit Definitions

Washington State Courts, Glossary of Terms

Ecology, Department of	Shoreline Management Act Flood Plain Management Ground Water Management Dam Safety Ground Water Quality Surface Water Quality National Pollutant Discharge Elimination System Toxics Cleanup Program Model Toxics Control Act Solid Waste Handling Air Pollution Sources SEPA (WAC 197-11-700 thru -799)
Fish and Wildlife, Department of	Hydraulic Project Approval
Labor & Industries, Department of	Contractor information Apprenticeship General Safety and Health Standards Prevailing Wage Safety Standards for Construction Work Hearing Loss Prevention
Washington State Legislature,	Glossary of Legislative Terms

Office of Minority and Women's Business Enterprises, Definitions

Natural Resources, Department of

Surface Mine Reclamation Forest Protection Aquatic Lands Public Access and Recreation Survey Monuments Land Boundary Surveys Plats

Washington State Noxious Weed Board, Definitions

Revenue, Department of

Valuation of Real Property Property Tax Real Estate Excise Tax Real Property Personal Property

Washington Secretary of State, Corporations, Glossary of Terms

Utilities and Transportation Commission,

General Definitions Solid Waste Handling Hazardous Liquid Pipelines Gas Companies Railroad Companies - Operations Railroad Companies - Clearances Electric Companies Water Companies Telephone Companies

WSDOT,

<u>Transportation Acronym Guide</u> <u>Local Agency Guidelines</u> (LAG), Glossary <u>various technical manuals</u> (glossaries within documents)

Washington Fuel Tax Legislation, Definitions

Office of Financial Management, State Administrative & Accounting Manual (SAAM) - Glossary

Seattle <u>Right-of-Way Improvements Manual</u>, Glossary

FEMA National Incident Management System (NIMS)

Web-Based Resources	8.3.0
	<u>TOC</u>

The following listings are intended to include web sites containing general information and access to a variety of other internet based resources directly related to county road functions (also refer to the list of "acronyms" contained within this document for web links to state, regional, and national organizations, and other technical resources):

CRAB - County Road Administration Board

Also refer to the Section 8.4.0.

MRSC - Municipal Research and Services Center

The Municipal Research and Services Center (MRSC) is a non-profit, independent organization. Mission: "working together for excellence in local government through professional consultation, research and information services."

Economic Development Environment Finance Governance Legal Management Parks and Recreation Personnel Planning Public Safety Public Works and Utilities Transportation

Access Washington

Web portal to all State of Washington agencies, services, and general information.

USA.Gov

Web portal to all federal agencies, services, and general information.

WSAC - Washington State Association of Counties

The Washington State Association of Counties (WSAC) works to advocate for local government needs and support critical county services for a century. WSAC members include elected county commissioners, council members and executives from all of Washington's 39 counties. WSAC works with many partners and affiliate organizations, including county engineers, public health officials, planners, emergency managers, county administrators, clerks of county boards and councils, county extension agents, parks and recreation managers, human service managers, and others.

WSACE - Washington State Association of County Engineers

The mission of the Washington State Association of County Engineers, as an affiliate member of the WSAC is to enhance leadership effectiveness by providing more opportunities for professional development, building professional relationships, and advocating stewardship of the environment and infrastructure with which we have been entrusted, for the benefit of present and future generations.

AWC - Association of Washington Cities

The Association of Washington Cities (AWC) is a private, non-profit, non-partisan corporation that represents Washington's cities and towns before the state legislature, the state executive branch and with regulatory agencies. AWC staff focuses on five service areas: legislative representation, educational training, publications and resources, technical assistance, and member programs.

NACO - National Association of Counties

The association was formed to stimulate the continuing improvement of county government; to speak nationally for county government; to contribute to the knowledge and awareness of the heritage and future of county government; to serve as a liaison between the nation's counties and other levels of government; and to achieve public understanding of the role of counties in the federal system.

NACE - National Association of County Engineers

As an affiliate of NACO, NACE has membership open to county engineers or county road officials.

Training Resources

Federal Highway Administration - Professional Development http://www.fhwa.dot.gov/resources/training.cfm

National Highway Institute http://www.nhi.fhwa.dot.gov/

Washington State Department of Transportation, Local Technical Assistance Program (LTAP) <u>http://www.wsdot.wa.gov/LocalPrograms/Training/default.htm</u>

Washington State Department of Labor and Industries - Safety

Washington Military Department - Emergency Management <u>http://mil.wa.gov/training-and-exercise</u>

Washington State Department of Licensing - CDL http://www.dol.wa.gov/driverslicense/cdltraining.html

Evergreen Safety Council <u>http://www.esc.org/</u>

Public Employees Relations Commission (Washington) <u>http://perc.wa.gov/training/</u>

American Public Works Association Education & Events

American Society of Civil Engineers http://www.asce.org/continuing_education/

Asphalt Institute

http://www.asphaltinstitute.org/education/

American Traffic Safety Services Association - Training

County Development Institute of Washington - Courses

Massachusetts Institute of Technology - Open Course Ware http://ocw.mit.edu/index.htm

Washington Finance Officers Association <u>http://www.wfoa.org/training-header/</u>

Washington State Attorney General - Open Government http://www.atg.wa.gov/OpenGovernmentTraining.aspx

WSDOT Technical Manuals

Bridge Design Bridge Inspection Construction Design **Emergency Relief Procedures Environmental** Geotechnical Design Highway Runoff **Hydraulics** Local Agency Guidelines (LAG) Maintenance MUTCD / MUTCD WA modifications Materials **Right-of-Way** Safety Procedures Sign Fabrication Standard Plans **Standard Specifications** Traffic Utilities Work Zone Traffic Control

List-Serve Subscriber Services

DOE - http://listserv.ecology.wa.gov/scripts/wa-ECOLOGY.exe?A0=ECOLOGY-WAC-TRACK DOL - (select specific license type) - http://www.dol.wa.gov/business/ Federal Register - https://public.govdelivery.com/accounts/USGPOOFR/subscriber/new L&I - <u>News Releases</u> Legislature - <u>https://public.govdelivery.com/accounts/WALEG/subscriber/new</u> WDFW - <u>Mailing Lists</u> WSDOT - <u>https://public.govdelivery.com/accounts/WADOT/subscriber/new</u> SAO - <u>News and Alerts</u> (Note: search for "listserv" or "email notice" on various agency websites)

Desk Manual / Desk Reference Change Record8.6.0

<u>TOC</u>

To confirm the most recent date of section amendments and associated supplemental materials, refer to the <u>CRAB Website Engineering / Resources / Desk Reference Manual</u>.

DESK MANUAL CHANGE RECORD SUMMARY

January 2010 - Initial release of the new "County Engineers' and Public Works Directors' Manual" Book II (Reference Manual)

March 2010 - Update to the January 2010 Book II release

November 2010 - Original release date for the full revised version of the Desk Manual, replacing all previous versions of the Desk Manual.

Additional updates to the Desk Manual were released:

May 2011, November 2011, October 2012, September 2013, October 2014, March 2016, and October 2016

DESK REFERENCE CHANGE RECORD SUMMARY

November 2017 (amends and replaces the October 2016 Desk Manual in its entirety)

- Update Introduction and Change Record
- Repair of various broken web-links and update to selected link titles
- TOC updated to match various section changes and added page numbering
- Condense content, retaining most internet links and eliminating most narrative

April 2018

- Update Introduction and Change Record
- Repair of various broken web-links and update to selected link titles
- 1.1.1 add original adoption dates for county charters
- 3.1.2.1 add link to DOR "highest Lawful Levy" form
- 4.1.0 add link to WSDOT "ADA Design and Technical Assistance"

May 2019

- Update Change Record
- Repair of various broken web-links and update to selected link titles
- Update CRAB website references due to new CRAB website launch 12/18
- 7.0.0 Retool Section 7 CRAB Web-Site to conform with new CRAB website format
- 3.3.1 add link to "AGO 2017 No. 1"
- 2.1.4 add "change" to CE vacancy SoGP

May 2021

- Update Change Record
- Repair of various broken web-links and update to selected link titles
- Update CRAB website references due to CRAB website migration to WaTech in 2020
- 2.1.1.0 add link to new state agency, Board of Registration for Professional Engineers and Land Surveyors (BORPELS)
- 2.1.4 add new CRAB rules WAC 136-500, Emergency Loan Program
- 2.3.0 add info on indirect costs(plans), interfund loans, direct transfers
- 2.4.0 update Limited Public Works Process, \$35,000 to \$50,000
- 3.1.2.2 update fuel tax note "1-cent =..."
- 3.1.2.3 add to Loans section, ELP, interfund loans
- 3.2.2 replace note
- 3.2.8 update some language to be more consistent with the WAC rules
- 3.2.11 add new section, Emergency Loan Program
- 3.2.14 add language regarding phased projects
- 4.4.0 add Jurisdiction Transfer Ch. 39.33.010 RCW and link, link to Fee/rental of ROW by utilities
- 5.3.0 add Single Federal Audit
- 6.0.0 add WAC 136-500 Emergency Loan Program
- 7.0.0 Retool Section 7 CRAB Web-Site to conform with new CRAB website format