



CASHMERE CITY COUNCIL MEETING
MONDAY, AUGUST 26, 2024, 6:00 P.M., CITY HALL

THE PUBLIC CAN ATTEND IN PERSON, CALL-IN OR LOG-IN TO ZOOM TO PARTICIPATE IN THE CITY COUNCIL MEETING. PLEASE CALL-IN OR LOGIN 5 MINUTES PRIOR TO THE MEETING.

**To Join the Meeting Go To <https://zoom.us>
Meeting ID: 882 719 9871 Passcode: 788276
Audio Only: PH# 1-(253)-215-8782**

AGENDA

CALL TO ORDER - ROLL CALL – FLAG SALUTE

ANNOUNCEMENTS

PUBLIC COMMENT PERIOD (For Items Not on the Agenda)

APPROVAL OF AGENDA

CONSENT AGENDA

1. Minutes of August 12, 2024, Regular Council Meeting
2. Payroll and Claims Packet Dated August 26, 2024

BUSINESS ITEMS

1. Public Hearing on the Six-Year Transportation Improvement Program 2025-2030
2. Workshop on Cashmere Transportation Benefit District Formation Process

PROGRESS REPORTS

ADJOURNMENT

TO ADDRESS THE COUNCIL, PLEASE BE RECOGNIZED BY THE MAYOR AND STATE YOUR NAME WHEN YOU BEGIN YOUR COMMENTS
Americans with Disabilities Act (ADA) accommodations provided upon request (48-hour notice required)

MINUTES OF THE CASHMERE CITY COUNCIL MEETING
MONDAY AUGUST 12, 2024, AT CASHMERE CITY HALL – In-Person and Digital

OPENING

Mayor Fletcher opened the regular City Council meeting at 6:00 p.m. at City Hall. Clerk-Treasurer Kay Jones took minutes.

The public can attend the council meeting in person, by phone, or by digital conference.

ATTENDANCE

	<u>Present</u>	<u>Not Present</u>
Mayor:	Jim Fletcher	
Council:	John Perry Shela Pistorosi Jayne Stephenson Jeff Johnson	Chris Carlson
Staff:	Kay Jones, Clerk-Treasurer Steve Croci, Director of Operations	

ANNOUNCEMENTS

PUBLIC COMMENT

No public comment.

APPROVAL OF AGENDA

MOVED by Councilor Perry and seconded by Councilor Stephensen to approve the agenda as presented. Motion carried 4-0.

CONSENT AGENDA

Minutes of July 22, 2024, Regular Council Meeting

Payroll and Claims Packet Dated August 12, 2024

Claims Direct Pay and Check #43643 and #43645 through #43676 totaling \$206,143.47

Payroll Direct Pay and Check #43606 through #43642 totaling \$115,693.55

Manual Check #43605 through #43644 not needing prior approval

Voided check # 43587 totaling \$1,107.34

Set Public Hearing for August 26, 2024, on the Six-Year Transportation Improvement Program

MOVED by Councilor Perry and seconded by Councilor Johnson to approve the items on the Consent Agenda. Motion carried 4-0.

PROPERTY ANNEXATION REQUEST FROM COREY VAN LITH FOR 5633 EVERGREEN DR.

Corey Van Lith submitted a letter requesting to annex property at 5633 Evergreen Drive into the Cashmere City Limits.

Consideration of this letter starts a process including public notices, public-hearing, and coordination with Chelan County Assessor's office. The initial action is to meet with the proponents of the annexation and discuss the boundary of the area to be annexed, zoning, and assumption of any existing city indebtedness.

Mr. Van Lith stated that he wants to annex his five-acre property into the city, where he intends to build townhouses, which will be connected to city utilities. He is still in the design phase, but there is potential for forty, plus units.

MOVED by Councilor Pistoresi and seconded by Councilor Stephenson to approve the request by Corey Van Lith and Maria C Barros to annex 5633 Evergreen Drive and authorize the mayor to start the process. Motion carried 4-0.

PERTEET INC. TASK AUTHORIZATION #7 CASHMERE CLIMATE CHANGE RESILIENCY ELEMENT PROJECT

New goals of the Growth Management Act require that climate change and resiliency elements be incorporated into the city's next land use comprehensive plan, which is due to be updated by the end of 2026. Washington Department of Commerce is providing up to \$100,000 to incorporate these elements. For the 2024-2025 state budget biennium, the city is requesting \$35,000 to address three of the seven deliverables. Perteet Inc. will be providing the planning services outlined in Task Authorization #7.

MOVED by Councilor Stephenson and seconded by Councilor Perry to accept grant funding from the Department of Commerce for climate planning and approve Perteet Task Authorization #7 in the amount of \$23,933 for planning services. Motion carried with 3 voting in favor and Councilor Stephenson voting no.

MODIFICATION OF THE CITY-WIDE ROADWAY MAINTENANCE PROJECT FOR ADDITIONAL CRACK SEALING

Quality Paving was contracted to perform citywide roadway maintenance. An additional 100,000 linear feet of crack sealing was approved while crews were here doing the work. The additional quantity was at the contract's unit bid price of \$0.40 per linear foot (\$40,000 plus \$3,360 tax). The Transportation Improvement Board (TIB) agreed to pay 95% of the additional quantity, the same percentage as the original agreement between the TIB and the city. The city is responsible for \$2,168.

MOVED by Councilor Pistoresi and seconded by Councilor Stephenson to approve additional quantities for the crack sealing and authorize the mayor to sign documents.

FIRST AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT FOR GENERATOR AND ELECTRICAL QUICK CONNECTIONS

The first amendment to the Interlocal Cooperation Agreement for Generator and Electrical Quick Connections project is to extend the completion date and revise the budget. The council previously approved the Local/City match.

MOVED by Councilor Perry and seconded by Councilor Johnson to approve the ILA with Chelan County for the commitment of additional funds for the Generator and Electrical Quick Connections project and allow the mayor to sign documents.

DISCUSSION ON DRAFT SIX-YEAR TIP

Director Croci discussed the draft Transportation Improvement Plan and the order in which the projects were prioritized. Croci explained that collector streets are eligible for grant funding but must be on the Six-Year TIP to qualify for funding.

The consensus of the council was to reprioritize Evergreen Road Improvements from priority #14 to priority #8.

Mayor Fletcher stated that the projects on the TIP are the projects that the Transportation Benefit District sales tax must be spent on.

PROGRESS REPORTS

Mayor Fletcher reported on Cashmere's jail stats that are increasing. The city's average daily population is 1.89 and the average days of stay are 11.19. The increase is due to drug-related arrests. Since drug charges have been decriminalized and are now misdemeanors, the local jurisdictions are responsible for the jail fees instead of the state. Jail costs continue to increase which is why new tax revenue is needed.

Director Croci reported that the city crew is cutting trees in the cemetery and trimming brush throughout the city. The water department is working with the contractor on completing the SCADA project and working at replacing the large 3" and 4" water meters so they can also be read remotely.

ADJOURNMENT

Mayor Fletcher adjourned the meeting at 7:00 PM

James Fletcher, Mayor

Attest:

Kay Jones, Clerk-Treasurer

Staff Summary

Date: 8/22/2024
To: City Council
From: Steve Croci, Director of Operations
RE: Six-Year Transportation Improvement Program

The six-year Transportation Improvement Program is a short-range planning document that is annually updated based on needs and policies identified in the Cashmere's Transportation Comprehensive Plan with considerations identified in the Land Use, Water and Sewer Comprehensive plans. Transportation projects are paid by the Capital Fund (302) and coordinated with water and sewer projects. The water and sewer components of these projects have been included within the new water and sewer rate study. When applicable grant opportunities are pursued, particularly on Federally classified roads.

Staff Recommendation:

MOVE to approve Resolution 06-2024 the Six Year Transportation Improvement Program for the ensuing six calendar years, 2025 through 2030.

RESOLUTION NO 06-2024

WHEREAS, pursuant to the requirements of RCW 35.77.010, laws of the State of Washington, the City of Cashmere has prepared a revised and extended Six-Year Transportation Improvement Program for the ensuing six calendar years, 2025 through 2030, and

WHEREAS, pursuant further to said law, the City Council of the City of Cashmere, being a legislative body of said city, did hold a public hearing on said Six-Year Transportation Improvement Program at 6:00 p.m. at the Cashmere City Hall on the 26th day of August 2024, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cashmere that the revised and extended Six-Year Transportation Improvement Program for the ensuing six calendar years, 2025 through 2030, in the form attached hereto and incorporated herein, be and the same is hereby adopted; and

BE IT FURTHER RESOLVED that a copy of said revised and extended Six-Year Transportation Improvement Program for the ensuing six calendar years, 2025 through 2030, together with a copy of this resolution, be filed with the Secretary of the Department of Transportation of the State of Washington.

Passed by the City Council of the City of Cashmere this 26th day of August 2024.

CITY OF CASHMERE

By: _____
James Fletcher, Mayor

Attest:

By: _____
Kay Jones, City Clerk-Treasurer

Six Year Transportation Improvement Program

Agency: Cashmere
Co. No.: 04 **County Name:** Chelan Co.
City No.: 0165 **MPO/RTPO:** CDTC

2025 to **2030**
Adoption Date: 8/26/2024
Resolution: 45444

Functional Class	Priority Number	Project Identification A. PIN/Federal Aid No. B. Bridge No. C. Project Title D. Street/Road Name or Number E. Beginning MP or Road - Ending MP or Road F. Describe Work to be Done	Project Costs in Thousands of Dollars				Environ. Type	Federally Funded Projects Only R/W	Required Date (MM/YY)
			Phase Start (mm/dd/yyyy)	State Funds	Local Funds	Total Funds			
1	2		9	13	14	15	20	21	
09	01	South Douglas Street Preservation South Douglas Street From: Cottage Ave Grind and overlay, minor drainage improvements To: Parkhill Street	1/1/2025	530	300	530	CE	No	
09	02	Meadow Sweet Pl & Julie Ann Ct Preservation Cottage Avenue From: Mission Cr. Rd Full depth reclamation, paving To: End of Road	1/1/2025	530	300	530	CE	No	
09	03	Maple Street Rail Road Crossing Maple Street From: Mission Street Install sidewalks at Railroad Crossing To: Railroad Street	1/1/2026	500	300	500	CE	No	
				500	500	500			

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			Phase Start (mm/dd/YYYY)	State Funds	Local Funds	Total Funds			
1	2								
09	04	Olive Street Improvements Olive Street From: Railroad Avenue To: Rank Road Fill in sidewalk gaps and add illumination. Cross walk improvements at Chase St.	9	13	14	15	20	No	
			1/1/2026	600	75	675	CE		
				600	75	675			
02	05	School Zone Sidewalk Replacement Tigner road From: Footall stadium Replace failed sidewalk and curb To: Tennis courts	1/1/2026	100	25	125	CE	No	
				600	75	675			
				100	25	125			
02	06	Maple Street Sidewalk Maple Street From: Elberta Street Install sidewalks on west side of roadway To: Riverside Ave	1/1/2026	50	5	55	CE	No	
				50	5	55			
				50	5	55			

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			Phase Start (mm/dd/yyyy)	State Funds	Local Funds	Total Funds			
1	2								
02	07	Norman & Douglas Street Preservation Norman & Douglas Streets From: Vine St. Grind and overlay, minor drainage improvements To: Elberta St.	9	13	14	15	20	No	
02	08	Evergreen Road Improvements Evergreen Road From: Pioneer Ave. Reconstruct Evergreen Road. Project elements include curb, gutter, sidewalk, paving, illumination, drainage, landscaping, water & sewer To: Kimber Road	1/1/2028	3000	850	3850	CE	Y	
09	09	Fisher Street Improvements Fisher Road From: Pioneer Avenue Resurface roadway To: End of Fisher St.	1/1/2029	3000	850	3850	CE	No	
02	10	Cottage Ave Pavement Preservation Cottage Avenue From: Highway 2/97 Resurface roadway To: Applets	1/1/2030	2346	414	2760	CE	No	
				2346	414	2760			

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			Phase Start (mm/dd/yyyy)	Fund Source Information				
			9	13	14	15	20	21
02	11	Pioneer Ave. Pavement Preservation Pioneer Avenue From: Division Street Resurface roadway To: Evergreen Road	1/1/2030	1403	247	1650	CE	No
09	12	Rank Road Improvements Rank Road From: Olive Street Reconstruct roadway and intersection with Olive St. Project elements include land acquisition, curb, gutter, sidewalk, paving, illumination, and drainage To: Kennedy Road	1/1/2031	1403	247	1650	CE	Y
09	13	Kennedy Road Improvements Kennedy Road From: Rank Road Reconstruct roadway and intersection with Rank Rd. Project elements include land acquisition, curb, gutter, sidewalk, paving, illumination, and drainage To: End of Kennedy Road	1/1/2031	1800	1375	1375	CE	Y
				1375	1375			

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			Phase Start (mm/dd/yyyy)	State Funds	Local Funds	Total Funds	Envir. Type	R/W Required Date (MM/YY)
1	2							
09	14	West Pleasant Improvements West Pleasant Avenue From: Division Street Resurface roadway To: End of W. Pleasant Ave	1/1/2032	13	14	15	20	21 Yes
02	15	Sunset, Division, Railroad Intersection Improvements Sunset, Division, Railroad From: Sunset Highway Reconstruct intersection with roundabout. Project elements include land acquisition, curb, gutter, sidewalk, paving, illumination, drainage, and landscaping To: Railroad	1/1/2032	1250	1250	1250	CE	Y
				220	220			
				1250	1250			

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			Phase Start (mm/dd/yyyy)	State Funds	Local Funds	Total Funds		
1	2		3					
09	16	Mill Road Improvements Mill Road From: Sunset Highway Reconstruct Roadway To: 1000' East of Sunset Highway	9	13	14	15	20	21
				625	625	625	CE	No
02	17	Riverfront Road Hill Riverfront Road From: City Lift Station Stabilize riverside bank and repair road. To: Old lagoon building	1/1/2034		1250	1250	CE	Yes
				625	625	625	CE	Yes
09	18	Prospect St. Improvements Prospect Avenue From: Aplets Way Resurface roadway To: End of W. Prospect St.	1/1/2035		200	200	CE	Yes
				1250	200	200	CE	Yes
				200	200	200		

Six Year Transportation Improvement Program

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			Phase Start (mm/dd/yyyy)	Fund Source Information				
			9	13	14	15	20	21
02	19	Sidewalk Ramps Neighborhoods north of railroad tracks From: Wenatchee River Install sidewalk ramps at all intersections To: Railroad Tracks	1/1/2036				CE	No
			7999	9771	17770			

Staff Summary

Date: Aug 22, 2024

To: City Council

From: Transportation Benefit District Formation Process - Workshop

The memorandum from Julie Norton outlines six documents and the process to consider adoption of a Transportation Benefit District (TBD).

Summary of process to establish a TBD.

City Council

1. Sets a public hearing about creating a TBD.
2. After the public hearing, approve or reject an Ordinance establishing a Cashmere Transportation Benefit District (CTBD)
3. Approves an inter local agreement between the City of Cashmere and the CTBD

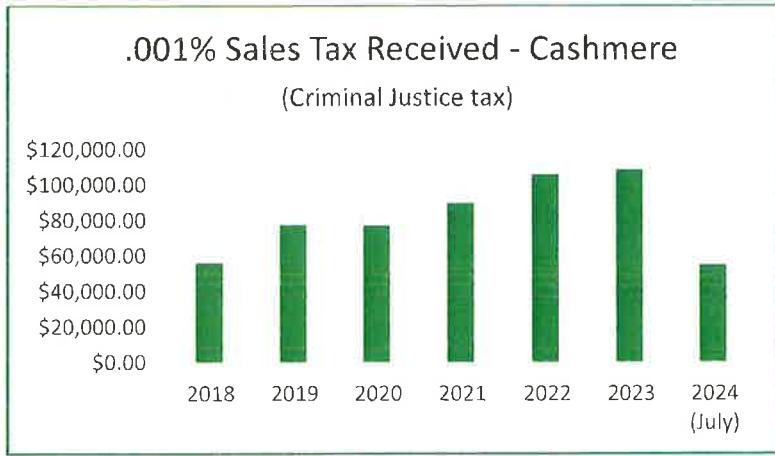
The CTBD is formed

4. The CTBD Board, approves
 - a. The interlocal agreement
 - b. set bylaws for the CTBD.
 - c. Adopt policy regarding material changes in project costs.
 - d. Adopt a resolution levying a sales tax of one-tenth cent
 - e. Approves interlocal agreement with State Dep. Of Revenue for collection of sales taxes.

Staff Recommendation:

Set a public hearing on _____ to consider an Ordinance to establish a Transportation Benefit District

Example of sales tax collected in Cashmere for Criminal Justice (.001%)



JULIE K. NORTON
jnorton@omwlaw.com

MEMORANDUM

DATE: August 19, 2024

TO: Kay Jones, City Clerk-Treasurer
Mayor James Fletcher
City of Cashmere

FROM: Julie K. Norton, City Attorney

RE: Cashmere Transportation Benefit District Formation Process

Attached for your review, modification and use are the initial documents for the establishment and initial operation of a transportation benefit district (TBD). The packet includes:

1. An ordinance of the City of Cashmere establishing the Cashmere Transportation Benefit District (CTBD) as Chapter 2.74 of the Cashmere Municipal Code. Once the Ordinance number is decided, please include the number in other documents (i.e. the interlocal agreement) that reference the ordinance. Alternatively, if you provide me with the Ordinance number, I can make changes and re-send the remaining attachments.
2. An interlocal agreement ("ILA") between the City and the CTBD providing for the provision of services to the CTBD by City employees. As a reminder, the formation of the CTBD results in the creation of a separate entity. Washington law requires each fund or entity to assume its own costs and charges, so the ILA establishes legal "consideration" for the provision of services by to the CTBD.
3. Resolution adopting Bylaws and Bylaws for the new CTBD.
4. A resolution authorizing imposition of an additional sales and use tax in the amount of one-tenth of one percent in accordance with RCW 36.73.065(6) and RCW 82.14.0455. It is my understanding from our conversation that you intend to impose the sales tax as permitted by

statutes referenced above (in an amount that can be approved by the Board) rather than a vehicle license fee. This is the maximum increase permitted by statute without a vote.

5. A resolution adopting a material change policy. This is required by statute to be adopted by the CTBD.
6. A notice of public hearing related to formation of the CTBD. As you may be aware, the City is required to schedule a public hearing to accept testimony regarding the proposed formation of the TBD at a regular council meeting. Once the City determines the hearing date, you should fill in the date in the attached notice. In order to provide proper notice of the hearing, the notice of the hearing must be published in the official newspaper of the City at least ten days prior to the hearing.

At the public hearing, the City is required to hear the objections of any person and, after the public hearing may adopt an ordinance in the form attached establishing the CTBD.

The City Council agenda could also contain approval of an interlocal agreement with the CTBD. The CTBD would execute the interlocal agreement following formation at a subsequent meeting of the CTBD.

The next requirement is a meeting of the CTBD to adopt its bylaws, adopt a resolution levying the sales tax increase that you intend to seek, and adoption of a material change policy, and the ILA (attachments 2 through 5).

Since the Councilmembers are the ex officio members of the CTBD, there are two ways to handle the CTBD meeting. If time is at issue, you could provide special notice of the CTBD meeting so that it will occur at the close of the Cashmere City Council meeting. If you go this route, the City Council would adjourn its meeting after creating the CTBD and the CTBD meeting would begin. Alternatively, if it feels uncomfortable to be publishing a notice for a meeting for an entity that does not yet exist, you could wait and hold a meeting of the CTBD at any date in the future. As you may be aware, public entities that do not have a regular meeting date established by resolution or ordinance must give special notice of that meeting. Since your CTBD meetings will be infrequent, it probably makes more sense to simply provide special notice in accordance with the Open Public Meetings Act as required. My recommendation is to wait until after the CTBD is officially formed to schedule a first meeting of the CTBD (rather than conduct the CTBD meeting at the conclusion of the City Council meeting that forms the CTBD).

Once the CTBD has been formed and adopted the Resolutions and agreements enclosed, the only other meeting that would be required of the CTBD would be for purposes of approving an interlocal agreement with the state for the collection of your levy proceeds. This agreement is typically provided by the state, so it has not been included in this packet.

Finally, the CTBD may be “assumed” by or taken over by the City after it has been in operation for over six (6) months. Most cities prefer to assume the operations of their TBDs so that they do not have to operate two separate entities. We can provide assistance with this process if needed or desired.

As always, I am available to answer any questions you may have or work with you to revise the attached documents to suit your needs.

Attachments

1

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CASHMERE, WASHINGTON ESTABLISHING THE CASHMERE TRANSPORTATION BENEFIT DISTRICT NO. 1, SETTING FORTH THE PURPOSE AND AUTHORITY OF THE DISTRICT, AND SPECIFYING THAT THE BOUNDARIES OF THE DISTRICT WILL COINCIDE WITH CITY BOUNDARIES.

WHEREAS, RCW 35.21.225 authorizes the legislative authority of a city to establish a transportation benefit district (TBD) for the purpose of acquiring, constructing, improving, providing, and funding transportation improvements within the TBD, subject to the provisions of Chapter 36.73 RCW; and

WHEREAS, transportation improvements are defined in RCW 36.73.015 to include projects contained in the transportation plan of a city, and which also includes investment in new or existing highways of statewide significance, principal arterials of regional significance, high capacity transportation, public transportation, and other transportation projects and programs of regional or statewide significance including transportation demand management (TBD Projects); and

WHEREAS, TBD Projects may also include the operation, preservation, and maintenance of the previously mentioned facilities or programs; and

WHEREAS, the City of Cashmere (City) Capital Facilities Plan (CFP), as now existing and as it may exist in the future, includes elements that constitute and will constitute a “transportation plan” as contemplated by RCW 36.73.015; and

WHEREAS, the City’s “transportation plan” set forth in the CFP currently includes evidence indicating a need for a coordinated, cost-efficient approach to arterial street resurfacing improvements and other improvements that may be funded by a TBD (CFP Projects); and

WHEREAS, the City Council finds that the CFP Projects are transportation improvements within the meaning of RCW 36.73.015 and therefore also are TBD Projects; and

WHEREAS on [REDACTED] the City Council conducted a public hearing in accordance with RCW 36.73.050, after giving proper Notice describing the proposed formation of the TBD, the TBD Projects and activities to be funded by the TBD; and

WHEREAS, the City Council finds that the City can most effectively undertake CFP Projects if it forms and works in conjunction with a TBD; and

WHEREAS, the City Council finds it to be in the best interests of the City to establish a citywide TBD to mutually fund, undertake, and implement TBD/CFP Projects, as proposed or hereafter adopted, consistent with Chapter 36.73 RCW and the City’s CFP (i.e. transportation plan), and to contract with the TBD to enable the City to provide management and staffing of the TBD’s operations; and

WHEREAS, the City Council further desires to establish a governing body for the TBD comprised of the City Council acting in an *ex officio* and independent capacity and to provide for the continuing operations of the TBD;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CASHMERE DO ORDAIN AS FOLLOWS:

Section 1. Findings. The City council finds it is in the public interest to help provide an adequate level of funding for transportation improvements through establishment of a transportation benefit district (TBD).

Section 2. Creation of a New City Code Chapter Providing for the Formation of a Transportation Benefit District. A new Chapter 2.74 of the Cashmere Municipal Code is hereby added to read as follows:

**Chapter 2.74
Transportation Benefit District**

Sections:

2.74.010	Formation of Transportation Benefit District
2.74.020	Geographic Limits and General Authority of District.
2.74.030	Powers and Operations of District
2.74.040	Governing Board
2.74.050	Transportation Improvements Funded
2.74.060	Annual Report to Public
2.74.070	Assumption or Dissolution of District

2.74.010 Formation of a Transportation Benefit District

The City, pursuant to RCW 35.21.225 and Chapter 36.73 RCW, hereby establishes and creates a TBD to be known and referred to as the Cashmere Transportation Benefit District (CTBD), subject to the following:

2.74.020 Geographic Limits and General Authority of District.

There is hereby created the CTBD with geographical boundaries comprised of the corporate limits of the City, as those boundaries may be adjusted in the future. CTBD shall be a quasi-municipal corporation and an independent taxing "authority" within the meaning of Article VII, section 1 of the Washington State Constitution, and a "taxing district" within the meaning of Article VII, section 2 of the Washington State Constitution. CTBD shall constitute a body corporate and possess all the usual powers of a corporation for public purposes as well as all other powers that may now or hereafter be specifically conferred by statute, including but not limited to the authority to hire employees, staff, and services, to enter into contracts, to acquire, hold, and dispose of real and personal property, and to sue and be sued.

2.74.030 Powers and Operations of District

- A. The CTBD shall possess and exercise all the powers of a transportation benefit district authorized pursuant to Chapter 36.73 RCW, as existing or hereafter amended. This section shall be liberally construed to permit the accomplishment of the District's purpose. The District's powers include, without limitation the

power to: request voter approval of, and thereafter impose and collect, a sales and use tax in accordance with RCW 82.14.0455, or a vehicle fee in excess of \$20.00 up to \$100.00 as allowed by RCW 82.80.140; impose an *ad valorem* tax pursuant to RCW 36.73.060; issue general obligation and/or revenue bonds in the manner and subject to the restrictions set forth in RCW 36.73.070; form a local improvement district and impose assessments therefor; take those actions allowed, and subject to the limitations of RCW 36.73.0810, contract for street and highway improvements, and operations; exercise the power of eminent domain in the same manner as authorized for the City; and, accept and use gifts and grants.

- B. Consistent with RCW 36.73.020(4), the secretary/treasurer of the CTBD shall be the City Clerk/Treasurer. As such the Clerk/Treasurer shall establish those funds and accounts of behalf of the CTBD as required and shall disburse funds and pay claims as approved by the CTBD Board and prepare and maintain such accounts as are appropriate and/or required by state or federal law.
- C. The City Attorney will serve as legal advisor to the CTBD board, except where separate council is engaged by the CTBD.
- D. Other City employees shall carry out the operations of the CTBD as agreed by the CTBD and the City. Such employees and the contracts of the CTBD shall be overseen and administrated by the Mayor and/or his/her designee.
- E. The CTBD may contract with the City for operations, services and materials, office space and equipment, and to undertake and/or fund CFP/TBD Projects undertaken jointly or by one entity or the other.
- F. Public works contract limits applicable to the City of Cashmere shall apply to the CTBD.

2.74.040 Governing Board

- A. Consistent with RCW 36.73.020(3), the governing board of the CTBD (the "CTBD Board") shall be the members of the Cashmere City Council acting in an ex officio and independent capacity. The CTBD Board shall have the authority to exercise the statutory powers set forth in Chapter 36.73 RCW and other applicable provisions of Washington State law.
- B. The CTBD Board shall adopt governing bylaws setting forth requirements and procedures of the Board.
- C. As required by RCW 36.73.160(1), as the same may be amended from time to time, the CTBD Board shall develop a material change policy to address major plan changes that affect CTBD Project delivery or the ability to finance the plan for funding and implementing the CTBD Projects.

2.74.050 Transportation Improvements Funded.

The funds generated by the CTBD shall be used for the CTBD Projects identified at the time of adoption of this Ordinance, or as modified or amended using procedures set forth herein, and/or allowed by state law. The CTBD Projects may be amended in accordance with the material change policy described in Section 2.74.040(C) CMC and in accordance with the Notice, hearing and other procedures described in Chapter 36.73 RCW, including RCW 36.73.050(2)(b), as the same may be amended from time to time.

2.74.060 Annual Report to the Public.

As required by RCW 36.73.160(2), as the same may be amended from time to time, the CTBD shall issue an annual report, indicating the status of transportation improvement costs, transportation improvements expenditures, revenues, and construction schedules, to the public and to newspapers of record in the CTBD.

2.74.070 Assumption or Dissolution of District

The District may, at any time following formation, be assumed by the City pursuant to the authority and procedures set forth in Chapter 36.73 RCW, as existing or hereafter amended. The CTBD shall be dissolved pursuant to the procedures set forth in Chapter 36.73 RCW, when all indebtedness, if any, of the CTBD has been retired and when all of the CTBD’s anticipated responsibilities have been satisfied. Notice of any dissolution shall be provided in accordance with RW 86.73.170

Section 3. Severability; Construction. If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall Not affect the validity of the remaining portions of this ordinance. If the provisions of this ordinance are found to be inconsistent with the provisions of the Cashmere Municipal Code, this ordinance is deemed to control. This ordinance shall be liberally construed to permit the accomplishment of the CTBD’s purposes and objectives.

Section 4. Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

Approved this _____ day of _____, 2024

APPROVED:

MAYOR JAMES FLETCHER

ATTEST/AUTHENTICATED:

KAY JONES, CITY CLERK-TREASURER

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

JULIE K. NORTON

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
ORDINANCE NO. _____

SUMMARY OF ORDINANCE NO. _____

of the City of Cashmere, Washington

On the ____ day of _____, 2024, the City Council of the City of Cashmere Washington, passed Ordinance No. _____. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF CASHMERE, WASHINGTON ESTABLISHING THE CASHMERE TRANSPORTATION BENEFIT DISTRICT NO. 1, SETTING FORTH THE PURPOSE AND AUTHORITY OF THE DISTRICT, AND SPECIFYING THAT THE BOUNDARIES OF THE DISTRICT WILL COINCIDE WITH CITY BOUNDARIES.

The full text of this Ordinance will be mailed upon request.

DATED this ____ day of _____, 2024.

CITY CLERK KAY JONES

2

**AN INTERLOCAL AGREEMENT BETWEEN
THE CITY OF CASHMERE, WASHINGTON,
AND
THE CASHMERE TRANSPORTATION BENEFIT DISTRICT**

This Agreement between the City of Cashmere, Washington ("City"), and the Cashmere Transportation Benefit District ("TBD"), each of whom is organized as a Municipal Corporation under the laws of the state of Washington, is dated this _____ day of _____, 2024.

WHEREAS, Chapter 39.34 RCW (Interlocal Cooperation Act) permits local governmental units to make the most efficient use of their powers by enabling them to cooperate on the basis of mutual advantage; and

WHEREAS, the City is empowered to operate, maintain, construct, and reconstruct, public street infrastructure within its City limits in accordance with the powers granted pursuant to RCW 35A.11.020 and Chapter 35A.47 RCW; and

WHEREAS, pursuant to Ordinance No. [REDACTED], the City established the TBD and authorized funding for any purpose allowed by law, including to operate the TBD and to make transportation improvements consistent with existing state, regional, and local transportation plans; and

WHEREAS, the TBD may, by resolution, authorize a measure to be voted upon by citizens authorizing certain projects to be funded if the ballot proposition is approved; and

WHEREAS, if the ballot proposition is approved by the voters it will be necessary to have an agreement in place to enable the parties to this Agreement to implement and construct the projects funded by the TBD;

NOW, THEREFORE,

The parties have entered into this Agreement in consideration of the mutual benefits to be derived and to coordinate their efforts through the structure provided by the Interlocal Cooperation Act, RCW Chapter 39.34.

1. Purpose and Interpretation. The City is empowered by Title 35A to construct, reconstruct, maintain and preserve City streets and other related public infrastructure either by contract or through the use of City forces. The TBD has been constituted in accordance with State law to provide a source of funding for the maintenance and preservation of streets and construction of other transportation related infrastructure within the City limits of the City. The TBD has no employees and its officers are City Council Members serving in an ex officio capacity. In order to make the most efficient use of public monies, to avoid duplication of

effort, and to coordinate their efforts, the parties have entered into this Agreement. In the event of ambiguity or the need for guidance arises, this Agreement shall be interpreted in accordance with Chapter 36.73 RCW, the Bylaws of the TBD and the provisions of the Governmental Accounting Act and RCW 43.09.210 as the same exists or shall hereafter be amended. In the event that any provision of this Agreement is held to be in conflict with existing statute or any future amendment thereof, such provisions shall be severable, and the remaining provisions of this agreement shall remain in full force and effect.

2. **Obligations of the TBD.** In accordance with the requirements of Chapter 36.73 RCW, City Ordinance No. [REDACTED], Resolution of the TBD, and the TBD Bylaws, the TBD agrees to:

a. Provide to the City all funding received from any and all lawful sources which the TBD in its sole discretion may levy for the purpose of completing the TBD's authorized projects.

b. Continue the annual provision of funding for the projects approved by the TBD, so long as the TBD remains in existence. Such funding shall be in accordance with the provisions of Ordinance No. 16-669 and any amendment thereto, Resolutions, the Bylaws of the TBD, and Chapter 36.73 RCW.

c. If a measure to the voters is approved that provides for the funding of the TBD, the TBD shall reimburse the City for all costs associated with placing the measure on the ballot.

3. **Obligations of the City.** The City shall:

a. Provide all staff and necessary related support to the TBD. The costs of such support shall be accounted for as a part of the City's annual report to the TBD. TBD funding shall first be applied to the reasonable charges incurred in establishing and staffing the TBD. Annual services provided may include the services provided by City staff and contract employees that serve the TBD and any associated costs, including, but not limited to the preparation of an annual work plan, finance plan, reporting, advertising, design, contracting, construction management, accounting, legal, and any and all other actual charges or City/TBD agreed upon percentage of charges associated with the proper application of TBD funding in accordance with law and ordinance. In consideration of the benefits derived by the City, overhead charges such as utilities, information technology, office supplies, and equipment shall be a contribution of the City to the parties' joint goals and objectives and need not be directly charged back to the TBD.

b. Maintain for the period established by the State Archivist retention schedule, financial records, kept in accordance with generally accepted accounting practice and governmental accounting requirements, as necessary to document that any and all funding received through the TBD is used only for the projects authorized in accordance with law and ordinance.

c. Immediately alert the TBD of any material changes in scope, schedule, or cost increases of 20% or greater to improvements funded in part or whole with TBD funds.

d. Utilize funding provided for projects shown on the TBD's annual work plan in accordance with the TBD's material change policy, law, and ordinance.

4. **Ownership.** Streets and related transportation infrastructure preserved, maintained and constructed with TBD funds are and shall remain the property of the City. No joint property ownership is contemplated under the terms of this agreement.

5. **No Joint Board.** No provision is made for a joint board. The TBD shall exercise its function in accordance with its enabling legislation and Bylaws, using staff as provided by the City, pursuant to law and to this agreement.

6. **Insurance; Indemnity.**

a. The parties agree to participate in the Washington Cities Insurance Authority (WCIA) insurance pool in accord with their respective agreements with WCIA. The original charge or premium for the TBD will be borne by the City as a cost to be covered under Section 3(a) and shall be paid for with funds received from or through the TBD. In the event that either or both cease to participate in the WCIA pool, the party or parties agree to obtain comparable coverage.

b. Each party agrees to indemnify and hold harmless the other party, its officers, agents, and employees from any claim, loss, or liability arising from or out of the other party's negligent, tortuous, or illegal actions under this agreement.

7. **Termination.** This Agreement shall terminate or expire as follows:

a. This Agreement may be terminated by either party upon the provision of one hundred and eighty (180) calendar days notice. A final reconciliation of costs, payment, and a current report of completed activities shall be completed by Cashmere within such a period following the notice by either party.

b. Unless sooner terminated by either party, this Agreement shall expire on the date when the District is automatically dissolved in accordance with provisions of 36.73.170 RCW, as the same exists or is hereafter amended, or assumed in accordance with the provisions of Chapter 36.74 RCW.

[The remainder of this page left blank intentionally]

8. **Effective Date.** This Agreement shall be effective upon the last authorizing signature affixed hereto and when listed by subject on the City's website or other electronically retrievable public source as required by RCW 39.34.040.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first written above.

CITY OF CASHMERE

By: _____
JAMES FLETCHER, MAYOR

Attest: _____
KAY JONES, CITY CLERK-TREASURER

CASHMERE TRANSPORTATION BENEFIT DISTRICT

By: _____
BOARD PRESIDENT

Attest: _____
KAY JONES, BOARD CLERK

**APPROVED AS TO FORM
OFFICE OF THE CITY ATTORNEY**

JULIE K. NORTON

3A

RESOLUTION NO. _____

A RESOLUTION OF THE GOVERNING BOARD OF THE CASHMERE TRANSPORTATION BENEFIT DISTRICT ADOPTING GOVERNING BYLAWS.

WHEREAS, the City Council of the City of Cashmere created the Cashmere Transportation Benefit District ("CTBD") with the passage of Ordinance No. _____, codified as Chapter 2.74 of the Cashmere Municipal Code ("CMC"); and

WHEREAS, pursuant to RCW 36.73.020 and CMC 2.74.020, the governing board of the Cashmere Transportation Benefit District ("Board") consists of the members of the Cashmere City Council, acting *ex officio* and independently; and

WHEREAS, in order to provide for the efficient conduct of the Board's business and the business of the CTBD, the Board desires to adopt governing bylaws establishing requirements and procedures of the Board,

NOW, THEREFORE, THE GOVERNING BOARD OF THE CASHMERE TRANSPORTATION BENEFIT DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Board hereby adopts the Bylaws attached to this Resolution as Exhibit A and incorporated herein as if set forth in full.

Section 2. This Resolution shall be effective immediately upon passage by the Board.

RESOLVED this _____ day of _____, 2024.

APPROVED:

BOARD PRESIDENT

ATTEST/AUTHENTICATED:

KAY JONES, BOARD CLERK

3B

**BYLAWS
OF THE
CASHMERE TRANSPORTATION BENEFIT DISTRICT**

**ARTICLE I
MEMBERSHIP**

Section 1.1 Membership. Each member of the Cashmere City Council shall be an ex officio member of the Board of the District.

**ARTICLE II
OFFICERS AND COMMITTEES**

Section 2.1 Offices Established. The officers of the Board shall be a President, Vice President, and Treasurer. Such other officers and assistant officers as may be deemed necessary may be elected or appointed by the Board. No person may simultaneously hold more than one office. In addition to the powers and duties specified below, the officers shall have such powers and perform such duties as the Board may prescribe.

Section 2.2 Officers Designated. The President and Vice President shall be elected by majority vote of the Board. The Treasurer shall be the City of Cashmere Clerk-Treasurer or Finance Director (as applicable).

Section 2.3 Powers and Duties. The officers of the Cashmere Transportation Benefit District ("District") shall have the following duties:

(a) President. The President shall serve as the ceremonial head of the District and shall preside over all Board meetings. The President shall, subject to the control of the Board, exercise general supervision, direction, and control of the business and affairs of the District. On matters decided by the District, unless otherwise required under Interlocal Agreement or by these Bylaws, the signature of the President alone is sufficient to bind the District. The President shall be the District's registered agent for purposes of service of process.

(b) Vice President. The Vice President shall serve in the absence of the President as the ceremonial head of the District and shall preside over Board meetings in the President's absence and shall otherwise execute the President's powers and duties.

(c) Treasurer. The Treasurer shall receive and faithfully keep all funds of the District and deposit the same in such bank or banks as may be designated by the District Board. The Treasurer shall also discharge such other duties as may be prescribed by the District Board.

(d) Clerk. The Clerk shall prepare and maintain all District records, prepare all applicable meeting notices, keep minutes of all Board proceedings, and perform such other duties as may be prescribed by the Board from time to time.

Section 2.4 Establishment of Committees. The Board may, by resolution, designate from among its members one or more committees, each consisting of at least two members, to represent the Board and, where consistent with these Bylaws, applicable ordinance, and Chapter 36.73 RCW, to act for and on behalf of the Board. The designation of any such committee and the delegation thereto of authority shall not operate to relieve any member of the Board from any responsibility imposed by law. All actions of the District require the vote of the Board.

Section 2.5 Removal From Office. Upon reasonable prior notice to all Board members of the alleged reasons for dismissal, the Board, by an affirmative vote of the majority of the quorum, may remove any officer of the Board from his or her office whenever in its judgment the best interests of the District will be served thereby. An officer so removed shall continue to serve on the Board.

ARTICLE III MEETINGS

Section 3.1 Regular Board Meetings. Regular Board meetings shall be held annually on _____ in the City of Cashmere City Council Chambers. At any regular meeting of the Board, any business may be transacted and the Board may exercise all of its powers.

Section 3.2 Special Board Meetings. Subject to the applicable state law, special meetings of the Board may be held at any place and at any time whenever called by the President or by a majority of the members of the Board.

Section 3.3 Notice of Regular Board Meetings. Subject to applicable state law, no notice of regular meetings shall be required, except for the first regular meeting after any change in the time or place of such meeting adopted by resolution of the Board as above provided. Notice of such changed, regular meeting shall be given by personal communication over the telephone to each Board member at least 24 hours prior to the time of the meeting or by at least three days' notice by mail, telegram or written communication. If mailed, notice shall be mailed by United States mail, postage prepaid, to the last known address of each Board member. In addition, the District shall routinely provide reasonable notice of such changed meetings to the City of Cashmere and to any individual specifically requesting such notice in writing.

Section 3.4 Notice of Special Board Meetings. Notice of all special meetings of the Board shall be given by the Clerk or by the person or persons calling the special meeting by

delivering personally or by mail written notice at least 24 hours prior to the time of the meeting to each Board member, and to each local newspaper of general circulation and to each radio or television station that has requested notice of meeting of the City Council with the City of Cashmere as provided in RCW 42.30.080. In addition, the District shall provide notice of special meetings to the Mayor of the City of Cashmere and to any individual specifically requesting such notice in writing. The time and place of the special meeting and the business to be transacted must be specified in the notice. Final disposition shall not be taken at a special meeting on any matter not referenced in the notice.

Section 3.5 Waiver of Notice. Notice as provided in Sections 3.3 and 3.4 hereof may be dispensed with as to any member of the Board who, at or prior to the time the meeting convenes, files with the Board of the District a written waiver of notice or who is actually present at the meeting at the time it convenes. Such notice may also be dispensed with as to special meetings called to address an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, where time requirements of such notice would make notice impractical and increase the likelihood or severity of such injury or damage. Notice concerning proposed amendments to Bylaws, and votes on such amendments, may not be waived.

Section 3.6. Procedure. Except as otherwise provided herein or by context, the Cashmere City Council Rules of Procedure shall govern Board proceedings. PROVIDED, that such rules may be waived or modified by majority vote. PROVIDED FURTHER, that failure to follow said rules will not in itself constitute sufficient grounds for invalidating any Board action.

Section 3.7. Proxies Prohibited. Votes may be cast at Board meetings only by members of the Board in attendance at the meeting either in person or by electronic means. Voting by proxy shall be prohibited.

ARTICLE IV AMENDMENTS TO BYLAWS

Section 4.1 Proposals to Amend Bylaws. Any Board member may introduce a proposed amendment to the Bylaws (which may consist of new Bylaws) at any regular meeting, or at any special meeting.

Section 4.2 Board Consideration of Proposed Amendments. If notice of a proposed amendment to the Bylaws, and information including the text of the proposed amendment and a statement of its purpose and effect, is provided to members of the Board 15 days prior to any regular Board meeting or any special meeting of which 15 days' advance notice has been given, then the Board may vote on the proposed amendment at the same meeting as the one at which the amendment is introduced. If such notice and information is not so provided, the Board may not vote on the proposed amendment until the next regular Board meeting or special meeting of which 15 days' advance notice has been given and at least 15 days prior to

which meeting such notice and information is provided to Board members. Germane amendments to the proposed amendment within the scope of the original amendment will be permitted at the meeting at which the vote is taken.

Section 4.3 Board Approval of Amendments to Bylaws. Resolutions of the District approving amendments to the Bylaws by affirmative vote of a majority of the Board may be implemented at such time as selected by the District in the Resolution without further action. Copies of the all amendments to the Bylaws shall be filed with the District Clerk as public records.

**ARTICLE V
ADMINISTRATIVE PROVISIONS**

Section 5.1 Books and Records. The District shall keep current and complete books and records of account and shall keep minutes of the proceedings of its Board and its committees. The District Clerk shall serve as its secretary for such purposes.

Section 5.2 Principal Office. The principal office and mailing address of the Cashmere Transportation Benefit District shall be located in Cashmere, Washington, as specified by resolution.

**ARTICLE VI
APPROVAL OF BYLAWS**

Approved by Resolution No. _____ adopted by the Cashmere Transportation District Board of Directors on _____, 2024.

4

RESOLUTION NO. ____

A RESOLUTION OF THE GOVERNING BOARD OF THE CASHMERE TRANSPORTATION BENEFIT DISTRICT ESTABLISHING AN ADDITIONAL SALES AND USE TAX OF ONE-TENTH OF ONE PERCENT WITHIN THE BOUNDARIES OF THE CASHMERE TRANSPORTATION BENEFIT DISTRICT FOR THE PURPOSE OF FINANCING THE COSTS ASSOCIATED WITH TRANSPORTATION IMPROVEMENTS IN THE DISTRICT AS AUTHORIZED BY RCW 36.73.065 AND RCW 82.14.0455; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Cashmere City Council created the Cashmere Transportation Benefit District ("District") with the passage of Ordinance No. _____, now codified as Chapter 2.74 of the Cashmere Municipal Code ("CMC"); and

WHEREAS, RCW 36.73.065, RCW 82.14.0455, and CMC 2.74 authorize the District to impose, by majority vote of its governing body, a one-tenth of one percent (0.1%) sales and use tax to fund transportation improvement projects so long as the District encompasses the entire territory of the jurisdiction forming the District; and

WHEREAS, the District boundaries are commensurate with and incorporate the corporate boundaries of the City of Cashmere; and

WHEREAS, the revenue generated from the additional sales and use tax shall be dedicated to construction, maintenance, and operation costs of transportation projects, ranging from roads and transit services to sidewalks and transportation demand management; and

WHEREAS, the Board of the Cashmere Transportation Benefit District finds it to be in the best interests of the District and its citizens to impose a 0.1% sales and use tax to fund transportation improvement projects for the purpose of preserving, maintaining, operating, constructing, or reconstructing the transportation infrastructure within the District and the City of Cashmere and funding transportation improvements within the District that are consistent with state, regional and local transportation plans and necessitated by reasonably foreseeable congestion levels.

NOW, THEREFORE, THE BOARD OF THE CASHMERE TRANSPORTATION BENEFIT DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Incorporation of Recitals. The recitals or "Whereas" provisions set forth above are incorporated herein as if set forth in full as findings in support of this Resolution.

Section 2. Adoption of a 0.1% Sales & Use Tax. Pursuant to RCW 36.73.065 and RCW 82.14.0455, there is hereby imposed an additional sales and use tax to be collected from persons who are taxable by the state under Chapters 82.08 and 82.12 RCW upon the

occurrence of any taxable event within the District. The amount of the additional tax shall be one-tenth of one percent (0.1%) of the selling price, in the case of the sales tax, or the value of the article used, in the case of the use tax. The tax imposed by this section shall apply for a period of ten (10) years from the date the tax is first collected within the District and shall thereafter cease to be imposed unless renewed with the affirmative vote of the voters voting at an election or a majority vote of the Board.

Section 3. Use of Funds. The funds collected from the additional sales and use tax shall be used for the purposes set forth in CMC 2.74.040. The transportation improvements and activities to be funded by the additional sales and use tax shall be established by separate resolution of the District Board.

Section 4. Notice to Department of Revenue. The Board Clerk is hereby requested to submit this Resolution to the Washington State Department of Revenue and to request that the Department take all necessary steps to implement and collect the tax, imposed by this Resolution as soon as possible.

Section 5. Severability. If any section, sentence, clause or phrase of this Resolution should be held to be invalid or unconstitutional by a court, board or tribunal of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Resolution.

Section 6. Effective Date. This resolution shall take effect and be in full force immediately upon its passage.

RESOLVED THIS ____ day of _____, 2024

APPROVED:

BY: _____
BOARD PRESIDENT

ATTEST/AUTHENTICATED

JKAY JONES, BOARD CLERK

5

RESOLUTION NO. _____

**A RESOLUTION OF THE GOVERNING BOARD OF THE CASHMERE,
TRANSPORTATION BENEFIT DISTRICT, ADOPTING A MATERIAL
CHANGE POLICY.**

WHEREAS, pursuant to RCW 36.73.160 and Section 2.74.020(C) of the Cashmere Municipal Code, the Board is required to adopt a material change policy that, at a minimum, considers the impacts and appropriate remedies if transportation improvements contained in its annual plan exceed the original cost estimate for an improvement by more than twenty percent (20%), and,

WHEREAS, the Board of the Cashmere Transportation Benefit District deems it appropriate to adopt a policy for addressing material changes, as well as informing the Board and the public of other significant changes in transportation improvement costs contained in its annual plan,

NOW, THEREFORE, THE BOARD OF THE CASHMERE TRANSPORTATION BENEFIT DISTRICT HEREBY RESOLVES AS FOLLOWS:

Section 1. Material Change. In the event that the cost of a transportation improvement listed on the Cashmere Transportation Benefit District's ("CTBD's") annual plan exceeds by twenty percent (20%) or more the estimated cost for such improvement, the BTBD Board shall hold a public hearing regarding the change in costs and what, if any, action should be taken. The CTBD staff shall consult with the Board President when it has reasonable cause to believe that a listed transportation improvement is likely to exceed its original cost by twenty percent (20%) and consult with the Board President regarding setting a public hearing.

Section 2. Material Change in Scope. In the event the scope of a transportation improvement materially changes beyond the originally anticipated project shown in the annual plan, CTBD staff shall provide a written report to the CTBD Board. The CTBD staff shall consult with the Board President who shall determine whether or not to convene a meeting of the CTBD Board for discussion of the change.

Section 3. Material Change to Schedule. In the event the schedule for a transportation improvement listed on the annual plan materially changes in a way that could reasonably be anticipated to significantly impact other CTBD projects, funding or scheduling in excess of ninety (90) days, the CTBD staff shall provide a written report to the CTBD Board. The CTBD staff shall consult with the CTBD Board President regarding whether or not to convene a discussion of the change.

Section 4. The CTBD Board President shall determine whether or not to convene a meeting of the CTBD Board for discussion of material changes in scope or schedule. Nothing herein shall be interpreted to prohibit the CTBD Board from convening a meeting for discussion of any change in cost, scope or scheduling.

RESOLVED this ____ day of _____, 2024.

APPROVED:

BOARD PRESIDENT

ATTEST/AUTHENTICATED:

KAY JONES, BOARD CLERK



**NOTICE OF PUBLIC HEARING
REGARDING THE CREATION OF A
TRANSPORTATION BENEFIT DISTRICT**

Pursuant to RCW 36.73.050, the City Council of the City of Cashmere will hold a public hearing on the ____ day of _____, 2024, at 7:00 PM, or as soon thereafter as this matter may be heard, at the Cashmere City Council Chambers at 101 Woodring St, Cashmere, Washington. This public hearing will consider the establishment of a Transportation Benefit District, its boundaries and functions, and the activities proposed to be funded.

Among the proposed functions or activities to be considered by the City Council will be the construction of improvements in accordance with the City's Transportation Improvement Plan as well as the improvement, operation, maintenance, and protection of existing public streets and ways. Among the funding sources to be considered include imposition of an additional sales and use tax in the amount of one-tenth of one percent in accordance with RCW 36.73.065(6) and RCW 82.14.0455, as well as any other lawful funding sources available to the District pursuant to Chapter 36.73 RCW.

All interested persons are invited to attend or if unable to attend, may mail or bring in written comments to City Hall. Cashmere City Hall is accessible to all persons. Anyone requiring translation or other special services are requested to contact City Hall at 509-782-3513 at least 24 hours prior to the meeting.