


Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: August 26, 2019	PREPARED BY: Kathleen Neuman, Associate Engineer
Meeting Date Requested: September 10, 2019	PRESENTED BY: Craig Erdman, County Engineer 
ITEM: (Select One) <input checked="" type="checkbox"/> Consent Agenda <input type="checkbox"/> Brought Before the Board Time needed:	
SUBJECT: Resolution to approve the 2019 Annual Update and Accomplishment Report for Franklin County Nondiscrimination Agreement and Policy Statement between Franklin County and Washington State Department of Transportation.	
FISCAL IMPACT: There will be no fiscal impact from the execution this report.	
BACKGROUND: The Federal Highway Administration (FHWA) requires that each local agency receiving federal funds through WSDOT establish a Title VI program to prevent discrimination on federally-funded transportation projects. Franklin County established a Title VI program in May, 2006. Resolution 2019-028 - Franklin County Nondiscrimination Agreement and Policy Statement (NDA) between Franklin County and WSDOT is the current NDA policy. As part of the NDA policy, the County issues an annual report to WSDOT ensuring that NDA goals and practices are being met. This report is drafted and issued by the Title VI Coordinator, who is named by position in the program organizational chart. At this time, Craig Erdman, P.E., County Engineer, is the County's Title VI Coordinator. No significant changes have occurred in the Title VI NDA report at this time.	
RECOMMENDATION: Approve attached resolution.	
COORDINATION: The report was prepared under the supervision of the Craig Erdman, County Engineer and reviewed by Matt Mahoney, Public Works Director.	
ATTACHMENTS: (Documents you are submitting to the Board) 1. Resolution 2. FFY 2019 Annual Update and Accomplishment Title VI NDA Report	
HANDLING / ROUTING: (Once document is fully executed it will be imported into Document Manager. Please list <u>name(s)</u> of parties that will need a pdf) 1. Copy of Resolution (Kathleen Neuman)	

I certify the above information is accurate and complete.



Matt Mahoney, Public Works Director

FRANKLIN COUNTY RESOLUTION NO. _____

**BEFORE THE BOARD OF COMMISSIONERS
OF FRANKLIN COUNTY, WASHINGTON**

***2019 ANNUAL UPDATE AND ACCOMPLISHMENT REPORT FOR FRANKLIN
COUNTY NONDISCRIMINATION AGREEMENT AND POLICY STATEMENT
BETWEEN FRANKLIN COUNTY AND WASHINGTON STATE DEPARTMENT OF
TRANSPORTATION***

WHEREAS, Title VI of the Civil Rights Act of 1964 and other Federal Nondiscrimination statutes prohibit discrimination based on race, color, national origin and sex (gender) in the provision of benefits and services in programs and activities receiving Federal funds; and

WHEREAS, these federal regulations require the Washington State Department of Transportation (WSDOT) to ensure that all local agencies receiving United States Department of Transportation (USDOT) funds administered by WSDOT are in compliance with these regulations (23 CFR 200.9(b)(7), 49 CFR 21.3, 49 CFR 21.7); and

WHEREAS, the Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms “programs and activities” to include all programs and activities of Federal aid recipients, subrecipients, and contractors, whether such programs and activities are federally funded or not; and

WHEREAS, the Federal Highway Administration (FHWA) requires each local agency that receives Federal funds through WSDOT to establish a Title VI Program to prevent discrimination in the provision of benefits and services on federally funded transportation programs and activities; and

WHEREAS, the Board of Franklin County Commissioners, constituting the legislative authority of Franklin County, on January 22, 2019, adopted Resolution 2019-028 – Franklin County Nondiscrimination Agreement and Policy Statement Between Franklin County and Washington State Department of Transportation; and

WHEREAS, Franklin County is required, per the Title VI program and Non-discrimination Agreement (NDA), to submit an annual report to the Washington State Department of Transportation (WSDOT) for review by the Federal Highway Administration (FHWA), per 23 CFR 200 and 49 CFR 21; and

WHEREAS, such a report is to be compiled and submitted by the Title VI Coordinator; and

WHEREAS, the Board of Franklin County Commissioners has reviewed the proposed report, and finds its submission to WSDOT as being in the best interest of Franklin County;

NOW, THEREFORE, BE IT RESOLVED that the attached Title VI Annual Update and Accomplishment Report is hereby approved for submittal to the Washington State Department of Transportation.

FRANKLIN COUNTY RESOLUTION NO. _____

APPROVED this _____ day of September, 2019.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chairman

Chairman Pro Tem

Member

Attest

Clerk of the Board

ANNUAL UPDATE AND ACCOMPLISHMENT REPORT

For agencies under 100,000

Franklin County Public Works Department

August 31, 2019

(Report Submission Date)

FFY 2019

(Reporting Period)

Reference: WSDOT's Local Agency Guidelines Manual, Chapter 28

1. Report any changes in the organizational structure since the last reporting period.

The CEO duties of Franklin County are executed by the Chairman of the Board of County Commissioners. Standing practice has been for this position to rotate to a different commissioner each year, though the authority remains vested in the position. Currently, Robert Koch is the sitting Chairman for calendar year 2019. Commissioner Clint Didier replaced Rick Miller as a County Commissioner for District 3 this year and Derrick Braaten was hired as the County's Building & Planning Director.

2. Using the most current data available (through Census or Washington State Office of Financial Management), describe the demographics within your jurisdiction.

The following data was procured from the Washington State Office of Financial Management's April 1, 2019 Population of Cities, Towns, and Counties Used for Allocation of Selected State Revenues and the U.S. Census Bureau's State and County QuickFacts: Franklin County, Washington webpage (2018 population estimates, as of July 1, 2018), represented by [1] and [2], respectively.

Franklin County Population [1]:	94,680
Unincorporated [1]:	13,230
Incorporated [1]:	81,450
City of Connell [1]:	5,500
City of Kahlottus [1]:	165
City of Mesa [1]:	495
City of Pasco [1]:	75,290

Race and Hispanic Origin [2]:

White alone, percent (a)	89.9%
Black or African American alone, present (a)	2.9%
American Indian and Alaska Native alone, present (a)	1.7%
Asian alone, percent (a)	2.4%

<i>Native Hawaiian and Other Pacific Islander alone, present (a)</i>	0.4%
<i>Two or More Races, percent:</i>	2.6%
<i>Hispanic or Latino, percent (b)</i>	53.5%
<i>White alone, not Hispanic or Latino, percent</i>	40.0%

(a) Includes persons reporting only one race

(b) Hispanics may be of any race, so also are included in applicable race categories

Population Characteristics [2]

<i>Veterans, 2013-2018</i>	3,555
<i>Foreign born persons, percent, 2013-2017</i>	23.0%
<i>Female Population</i>	48.3%
<i>Population Age 65 Years or Older</i>	9.2%
<i>Median Household Income (in 2017 dollars) 2013-2017</i>	\$60,275
<i>Persons in poverty, percent</i>	13.4%

Franklin County did not have any required Title VI activities and/or studies conducted that provided data relative to minority persons, neighborhoods, income levels, physical environment, and travel habits for this reporting period.

3. List any Public outreach activities during the reporting period such as, public announcements and/or communications for meetings, hearings, project notices.

Franklin County had eleven (11) public hearings/public notices in the course of the reporting period. They are summarized below:

Topic	Date	Spanish interpreter Advertised to be present or Available upon request?
Franklin Conservation District's Proposal to Switch from a Special Assessment to a System of Rates and Charges for Natural resource Conservation of Lands in Franklin County	8/28/2018	Available – not used
2019 Preliminary Budget of Franklin County	10/22-24 and 10/29-30/ 2018	Available – not used
2019 Budget of Franklin County	12/04/ 2018	Available – not used
Increasing the Revenue and Expenditure bottom Lines of the 2018 Miscellaneous Franklin County TRAC Facility Fund	01/29/2019	Available – not used
Supplemental Budget Increase for Grant from Washington Health Care for Opioid Treatment in Corrections Facility	02/05/2019	Available – not used
Expending \$250,000 from the Franklin County Reserve Fund for Improvements and Repairs Needed in the Jail Facility	02/20/2018	Available – not used

Supplementing the 2019 Current Expense Fund Budget		
Declaration of Surplus via Public Auction	03/19/2019	Advertised in Spanish & Advertised that a Spanish Interpreter will be available upon request – not used
Repeal and Replace Section 10.08 of Franklin County Code – Speed Ordinance	04/09/2019	Advertised in Spanish Available – not used
Preliminary Approval for Short Plat 2019-03 Moore	04/30/2019	Available – not used
Amendment 1 to the 2019-2024 Transportation Improvement Program (TIP)	06/25/2019	Advertised in Spanish & Advertised that a Spanish Interpreter will be available upon request – not used
2020-2025 Transportation Improvement Program (TIP)	06/25/2019	Advertised in Spanish & Advertised that a Spanish Interpreter will be available upon request – not used

Of the meetings, four (4) were advertised in both English/Spanish and three (3) advised that a Spanish interpreter would be available at the hearing upon request. Interpreters are County employees and are readily available to translate when requested by members of the public in attendance.

Franklin County Public Works Department advertised and posted public notices for the Declaration of Surplus via Public Auction and activities involving the Transportation Improvement Plan in both English and Spanish. The Public Works Department will be making a commitment to advertise their public hearing in both English and Spanish. The Public Works Department is also committed to post future notices (road closures) on their website in both English and Spanish.

In an effort to address Limited English Proficiency issues, Franklin County Public Works is continuing the process of upgrading its website to allow the option of viewing all content in either English or Spanish, the predominant non-English language spoken in Franklin County. It is also in the process of having all announcements and communications transmitted in both languages.

4. **List all the transportation related contracts (Federal and others) that were executed during the reporting period.** (Please include construction, consultant agreements for planning, design, engineering, environmental, research, maintenance, etc.)

CRP	Contract Name	Fed. Aid Number	Type of Execution	Date of Execution	Federal Share	County/ State Share	Contract Dollar Value
617	Coyan Bridge #200-9.93	BROS-2011(049)	Consultant Agreement	08/14/2018	80.0%	20.0%	\$136,582
	On-Call Material Testing		Services – Contract	9/04/2018	0%	100%	Up to \$50,000

602	Juniper Dunes Recreation Area Access	FLAP-DTFH7016E00034BLM-L16AC00096	Construction - Contract	10/23/2018	100%	0%	\$2,084,968
	2018 Magnesium Chloride Application - Delcer		Materials – Award Letter	10/30/2018	0%	100%	\$27,815
614	Taylor Flats Bridge #903-3.46	STPR-E112(002)	Construction - Contract	12/04/2018	86.5%	13.5%	\$880,871
	County Shop Roof Repair		Construction – Contractor Agreement	12/11/2018	0%	100%	\$10,725
	2019 Miscellaneous Materials		Materials – Award Letter	03/06/2019	0%	100%	As Needed
	2019 Magnesium Chloride Application		Services – Award Letter	05/28/2019	0%	100%	\$115,000
	2019-01 Crack Sealing - Countywide		Construction – Contract	6/11/2019	0%	100%	\$120,090
	2019 Magnesium Chloride Application		Services – Award Letter	05/28/2019	0%	100%	\$115,000
	Striping Paint		Materials – Award Letter	6/25/2019	0%	100%	\$120,000

Franklin County Public Works advertises their contracts and request for proposals/qualification through either advertising in the newspaper(s) or in the small works roster maintained by the Municipal Research and Service Center (MRSC). The results are posted on our Public Works website and, if utilizing, a bid management system on the internet (QuestCDN). We are currently working toward providing all web content in English and Spanish.

Franklin County Public Works also post bid opportunities on the Washington State Office of Minority & Women's Business Enterprises Bids & Contracting Opportunities' web page. Both the CRP 602 – Juniper Dunes Recreation Area Access and CRP 614 – Taylor Flats Bridge #903-3.46 projects utilized the OMWBE web page.

No DBE/UDBE contracts were advertised or awarded during this reporting period; however, M2 Industrial of Ellensburg was a subcontractor for Rotschy on the CRP 614 – Taylor Flats Bridge #903-3.46 project is a certified DBE contractor specializing in guardrail construction work.

Franklin County Public Works has updated their standard contracts to include the Title VI Standard Assurance language into their Public Work's Standard Public Work/Personal Service contract.

The Public Works Department also continues to include the Title VI Non-Discrimination statement in their invitations to bid, request for proposals, and request for qualifications. This statement notifies all bidders that we will affirmatively insure that, in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin or sex in consideration for an award.

- 5. Summarize any transportation projects that identify potential impacts to minority and/or low-income Environmental Justice (EJ) populations (i.e., impacts such as displacements, increased noise, bisecting neighborhoods, et al).**

Franklin County did not have any transportation projects that identified potential impacts to minority or low-income Environmental Justice (EJ) populations during this reporting period.

- 6. If Right-of-Way has been acquired for a transportation project, please describe:**

Franklin County acquired right-of-way from five (5) landowners for the Pasco-Kahlotus Road Reconstruction and Overlay II project.

Right-of-way for the Pasco-Kahlotus Reconstruction/Overlay II project consist of acquiring strip takes along an existing rural road. The project aims to widen the existing road and reconstruct a section of the roadway's vertical profile to meet current design standards. Right-of-way was acquired from five (5) landowners.

All efforts taken to date have been in accordance with the WSDOT-approved right-of-way procurement policies and procedures. Franklin County Public Works has consulted with a right-of-way consultant that specializes in the acquisition of the appraisal, appraisal review, and acquisition of property.

The above mentioned project has been adopted through multiple successive six-year transportation improvement programs (TIPs), most recently in 2019. A public hearing has been held prior to the adoption of each of these programs. The public hearing was published in both English and Spanish and a Spanish translator was available, if needed. To date, no concerns from minorities or women have been raised with the County regarding any of these projects listed in the current TIP.

- 7. List and describe any Title VI related complaints, as a result of transportation activities and projects.**

No complaints relating to Title VI were received as a result of transportation activities and projects by Franklin County during this reporting period.