


# Agenda Summary Report (ASR)

## Franklin County Board of Commissioners

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|---|--|
| <b>DATE SUBMITTED:</b> August 24, 2020  | <b>PREPARED BY:</b> Kathleen Neuman, Associate Engineer  |
| <b>Meeting Date Requested:</b> September 1, 2020  | <b>PRESENTED BY:</b> Craig Erdman, County Engineer  |
| <b>ITEM:</b> (Select One) <input checked="" type="checkbox"/> Consent Agenda <input type="checkbox"/> Brought Before the Board<br>Time needed:  |  |
| <b>SUBJECT:</b><br>Resolution to approve the 2020 Annual Update and Accomplishment Report for Franklin County Nondiscrimination Agreement and Policy Statement between Franklin County and Washington State Department of Transportation.   |  |
| <b>FISCAL IMPACT:</b><br>There will be no fiscal impact from the execution this report.   |  |
| <b>BACKGROUND:</b><br><br>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.<br><br>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.<br><br>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.<br><br>No significant changes have occurred in the Title VI NDA report at this time. |  |
| <b>RECOMMENDATION:</b> Approve attached resolution.   |  |
| <b>COORDINATION:</b> The report was prepared under the supervision of the Craig Erdman, County Engineer and reviewed by Matt Mahoney, Public Works Director.  |  |
| <b>ATTACHMENTS: (Documents you are submitting to the Board)</b><br><br>1. Resolution<br>2. FFY 2020 Annual Update and Accomplishment Title VI NDA Report  |  |
| <b>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)</b><br><br>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**

***2020 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, 2020.

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

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Chair 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, 2020**

(Report Submission Date)

**FFY 2020**

(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 2020.*

**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, 2020 Population of Cities, Towns, and Counties Used for Allocation of Selected State Revenues [1] and the U.S. Census Bureau's State and County QuickFacts: Franklin County, Washington webpage (2019 population estimates, as of July 1, 2019) [2].*

|  |        |
|--|--------|
| <b>Franklin County Population [1]:</b> | 96,760 |
| Unincorporated [1]:                    | 13,500 |
| Incorporated [1]:                      | 83,860 |
| City of Connell [1]:                   | 5,500  |
| City of Kahlottus [1]:                 | 165    |
| City of Mesa [1]:                      | 495    |
| City of Pasco [1]:                     | 77,100 |

**Race and Hispanic Origin [2]:**

|   |       |
|---|-------|
| White alone, percent (a)                                      | 89.9% |
| Black or African American alone, present (a)                  | 2.8%  |
| American Indian and Alaska Native alone, present (a)          | 1.7%  |
| Asian alone, percent (a)                                      | 2.4%  |
| Native Hawaiian and Other Pacific Islander alone, present (a) | 0.4%  |
| Two or More Races, percent:                                   | 2.7%  |
| Hispanic or Latino, percent (b)                               | 53.6% |



White alone, not Hispanic or Latino, percent 39.9%

(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]**

|   |          |
|---|----------|
| Veterans, 2014-2018                                 | 3,603    |
| Foreign born persons, percent, 2013-2017            | 22.6%    |
| Female Population                                   | 48.4%    |
| Population Age 65 Years or Older                    | 9.7%     |
| Median Household Income (in 2017 dollars) 2013-2017 | \$62,002 |
| Persons in poverty, percent                         | 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 thirteen (13) public hearings/public notices in the course of the reporting period. They are summarized below:

| Topic  | Date          | Spanish interpreter<br>Advertised to be present or<br>Available upon request?                           |
|--|---------------|---|
| Amending Section 10.08.020 – Franklin County code the Speed Limit Ordinance 04-2019  | 08/06/2019    | Advertised in Spanish & Advertised that a Spanish Interpreter will be available upon request – not used |
| Determination of Significance & Request for Comments on Scope of EIS - to garner public input regarding the Washington Department of Fish & Wildlife Wolf Post-Recovery Plan Development, Environmental Impact Study Scope | 08/27/2019    | Available – not used  |
| Amending Public Records Request Fee Schedule   | 10/08/2019    | Available – not used  |
| Amend DARE Trust fund – Sheriff's Office   | 10/22/20219   | Available upon request  |
| 2020 Budget Workshops  | 10/22-25/2019 | Available – not used  |
| Public Works Declaring Surplus of County Owned Property  | 10/29/2019    | Advertised in Spanish & Advertised that a Spanish Interpreter will be available upon request – not used |
| Final 2020 Franklin County Budget (convened)   | 12/03/2019    | Available – not used  |

|   |            |   |
|---|------------|---|
| Final 2020 Franklin County Budget (reconvened)                              | 12/10/2019 | Available – not used  |
| Franklin County Redistricting Plan  | 01/28/2020 | Available – not used  |
| Budge Fund Balance 114 Crime Victim Budget                                  | 02/11/2020 | Available – not used  |
| CDBG Final Review on the Basin City Water & Sewer Project                   | 02/25/2020 | Advertised in Spanish & Advertised that a Spanish Interpreter will be available upon request – not used |
| Franklin County Redistricting Plan (Postponed due to COVID-19)              | 03/17/2020 | Advertised in Spanish & Advertised that a Spanish Interpreter will be available upon request – not used |
| Amending Section 10.08.020 – Franklin County code the Speed Limit Ordinance | 06/23/2020 | Advertised in Spanish & Advertised that a Spanish Interpreter will be available upon request – not used |
| 2021-2026 Transportation Improvement Program (TIP)                          | 06/23/2020 | Advertised in Spanish & Advertised that a Spanish Interpreter will be available upon request – not used |

*Of the meetings, six (6) were advertised in both English/Spanish. 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, updates to the Speed Ordinance, CDBG Final Review, 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 has recently updated their web page to Google translate to Spanish. The Public Works Website contains our department's public hearings, bid opportunities, road closures, construction activities, maps, and permitting.*

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 |
|-----|----------------------------------|-----------------|-------------------------|-------------------|---------------|---------------------|-----------------------|
| 618 | Safety – Rumble Strips           | HSIP-000S(494)  | Construction - Contract | 09/10/2019        | 100%          | 0%                  | \$55,440              |
| 619 | Safety – Flexible Guidepost      | HSIP-000S(050)  | Construction - Contract | 09/10/2019        | 100%          | 0%                  | \$123,860             |
| 620 | Hailey Railroad/Highway Crossing | RAIL-2011(051)  | Construction - Contract | 10/01/2019        | 100%          | 0%                  | \$52,760              |



|     |   |                |                          |            |                  |                  |           |
|-----|---|----------------|--------------------------|------------|------------------|------------------|-----------|
|     | 2018 Magnesium Chloride Application - Delcer  |                | Materials – Award Letter | 10/22/2019 | 0%               | 100%             | \$28,500  |
| 621 | Safety – Countywide Intersection Improvements | HSIP-000S(497) | Construction - Contract  | 02/04/2019 | 100%             | 0%               | \$276,667 |
|     | On-Call Material Testing                      |                | Services                 | 02/18/2020 | 0%               | 100%             | As Needed |
|     | 2020 Miscellaneous Materials                  |                | Materials – Award Letter | 02/18/2020 | 0%               | 100%             | As Needed |
|     | 2020 Magnesium Chloride Application           |                | Services – Award Letter  | 03/31/2020 | 0%               | 100%             | \$126,525 |
|     | On-Call General Engineering Services          |                | Services - Consultant    | 6/23/2020  | To be determined | To be determined | As Needed |
|     | Striping Paint                                |                | Materials – Award Letter | 6/30/2019  | 0%               | 100%             | \$75,040  |

*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).*

*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 618, CRP 619, CRP 620, CRP 621, On-Call Material Testing and the On-Call General Engineering Services utilized the OMWBE web page.*

*No DBE/UDBE contracts were advertised or awarded during this reporting period; however, Construction Ahead DBA Pavement Surface Control (PSC) is the prime contractor for CRP 618, CRP 619, CRP 620, and CRP 621 projects is a certified DBE contractor specializing in the installation of traffic signs, flexible guidepost, and rumble strip construction work.*

*Franklin County Public Works has 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 seven (7) landowners for the Pasco-Kahlotus Road Reconstruction and Overlay II project and one (1) landowner for the Coyan Bridge Replacement project.*

*Right-of-way for the Pasco-Kahlotus Reconstruction/Overlay II project consist of acquiring strip takes along an existing rural road and temporary construction easements. 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 eleven (11) landowners in total for this project.*

*Right-of-way for the Coyan Bridge #200-9.93 Replacement project consist of replacing a failing timber bridge with a concrete girder bridge. To correct a site distance issue at the bridge, approximately 700' on both sides of the bridge the roadway's profile will be adjusted. A temporary construction easement (TCE) was acquired from one (1) landowner.*

*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 2020. 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.*



## Title VI Complaint Log

| Case Number | Complainant/<br>Address | Filing Date | Basis | Status | Disposition |
|-------------|-------------------------|-------------|-------|--------|-------------|
|             |                         |             |       |        |             |
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