

Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: August 22, 2022	PREPARED BY: Kathleen Neuman, Project Manager
Meeting Date Requested: August 30, 2022	PRESENTED BY: Craig Erdman, Director/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 2022 Title VI Accomplishments & Goals Report and Standard Title VI/Non-Discrimination Assurances 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 will prepare a yearly report of Title VI accomplishments for the past year and goals for the next year. 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. In addition, the United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination Assurances needs to be submitted along with the report.	
RECOMMENDATION: Approve attached Resolution.	
COORDINATION: The report was prepared under the supervision of the Craig Erdman, Director/County Engineer and discussed with Keith Johnson, County Administrator.	
ATTACHMENTS: (Documents you are submitting to the Board) <ol style="list-style-type: none">1. Resolution2. 2022 Title VI Accomplishment & Goals Report3. Standard Title VI Assurances	
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) <ol style="list-style-type: none">1. Resolution and signed Standard Title VI Assurances (Kathleen Neuman)	

I certify the above information is accurate and complete.



Craig Erdman, Director/County Engineer

FRANKLIN COUNTY RESOLUTION NO. _____

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

***STANDARD TITLE VI / NON-DISCRIMINATION ASSURANCES AND 2022 TITLE VI
ACCOMPLISHMENTS & GOALS REPORT BETWEEN FRANKLIN COUNTY AND
WASHINGTON STATE DEPARTMENT OF TRANSPORTATION AND AUTHORIZATION FOR
CHAIRMAN TO SIGN***

WHEREAS, Title VI of the Civil Rights Act of 1964 and other Federal Nondiscrimination statutes prohibit discrimination based on race, color, and national origin 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 USDOT Standard Title VI Assurances is required to accompany said annual report; and

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

FRANKLIN COUNTY RESOLUTION NO. _____

NOW, THEREFORE, BE IT RESOLVED that the attached Title VI Accomplishment and Goals Report and USDOT Standard Title VI Assurances are hereby approved for submittal to the Washington State Department of Transportation.

BE IT FURTHER RESOLVED, that the Chairman of the Board of Franklin County Commissioners be, and hereby is, authorized to sign the Standard Title VI Assurances between Washington State Department of Transportation and Franklin County on behalf of Franklin County.

APPROVED this _____ day of August, 2022.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chair

Chair Pro Tem

Member

Attest

Clerk of the Board



Report for August 31, 2021 through August 31, 2022

TITLE VI ACCOMPLISHMENTS & GOALS REPORT

This outline is for LPA and other governmental entities to report Title VI activities that occurred over the past year and report Title VI goals for the upcoming year. Reports must be returned on or before due date to meet eligibility requirements for federal funding. Send to TitleVI@WSDOT.wa.gov

DUE DATES: Refer to Section 28.3 for scheduled reporting period and due date

Contact Information

Name and title of administrator (signature on Standard Assurances): **CLINT DIDIER, Chair of the Board**

Mailing Address: 1016 North 4th Avenue, Room A102

City: Pasco WA Zip Code: 99301 County: Franklin

Phone #: 509-546-5853 email address: cdidier@franklincountywa.gov

Name and title of head of transportation-related services: **Craig Erdman, Director/County Engineer**

Mailing Address: 3416 Stearman Avenue

City: Pasco WA Zip Code: 99301 County: Franklin

Phone #: 509-545-3514 email address: cerdman@franklincountywa.gov

Name and title of designated Title VI coordinator*: **Craig Erdman, Director/County Engineer**

Mailing Address: 3416 Stearman Avenue

City: Pasco WA Zip Code: 99301 County: Franklin

Phone #: 509-545-3514 email address: cerdman@franklincountywa.gov

*When the Title VI coordinator changes, notify TitleVI@WSDOT.wa.gov within 30 days.

To comply with Title VI requirements, each annual report submission must include signed Standard Assurances (USDOT1050.2A).

Accomplishments

1. Have there been any changes to the approved Title VI Plan that have not been reported to OEO? If Yes, please submit an update to the Title VI Plan with a new signature.

No

2. Organization, Staffing, Structure – Describe the Title VI Program reporting structure including the Title VI Coordinator, Administrative Head, and transportation-related staff. The list should include name, race, color, and national origin of each individual. Include the same details if your LPA has a volunteer or appointed board related to transportation decision making.

See Attachment “A”

The Board of County Commissioners have signing authority for the annual Title VI Standard Assurances and function as the Administrative Head. Craig Erdman, Director/County Engineer serves as the Title VI coordinator for Franklin County Public Works Department, which is responsible to administer Federal transportation funds.

Board of County Commissioners	Race	Color	National Origin
Clint Didier, Chair of the Board	Caucasian	White	American
Rocky Mullen, Chair Pro-Tem	Caucasian	White	American
Brad Peck, Board Member	Caucasian	White	American
Title VI Coordinator			
Craig Erdman, Director/Public Works	Caucasian	White	American

3. Community Demographics – Using a map of the LPA’s boundaries, describe the demographics of the LPA’s service area (e.g., race, color, national origin, low-income). List, by individual languages, the percent of the population(s) that is limited English proficient.

See Attachment “B”

The following data was procured from the Washington State Office of Financial Management’s April 1, 2022 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 (2021 population estimates, as of July 1, 2021) [2].

Franklin County Population [1]:	99,750
Unincorporated [1]:	14,195
Incorporated [1]:	85,555
City of Connell [1]:	4,840
City of Kahlotus [1]:	145

<i>City of Mesa [1]:</i>	390
<i>City of Pasco [1]:</i>	80,180

Race and Hispanic Origin [2]:

<i>White alone, percent (a)</i>	89.5%
<i>Black or African American alone, present (a)</i>	2.9%
<i>American Indian and Alaska Native alone, present (a)</i>	1.9%
<i>Asian alone, percent (a)</i>	2.5%
<i>Native Hawaiian and Other Pacific Islander alone, present (a)</i>	0.5%
<i>Two or More Races, percent:</i>	2.8%
<i>Hispanic or Latino, percent (b)</i>	54.1%
<i>White alone, not Hispanic or Latino, percent</i>	39.3%

(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, 2016-2020</i>	4,205
<i>Foreign born persons, percent, 2016-2020</i>	22.7%
<i>Female Population</i>	48.3%
<i>Population Age 65 Years or Older</i>	9.9%
<i>Median Household Income (in 2020 dollars) 2016-2020</i>	\$66,904
<i>Persons in poverty, percent</i>	12.4%

Types of Language Spoken at Home [data.census.gov]:

<i>English only</i>	52.5%
<i>Spanish</i>	44.4%
<i>Other Indo-European languages</i>	1.7%
<i>Asian and Pacific Islander languages</i>	1.2%
<i>Other languages</i>	0.3%

4. Complaints – Provide a copy of the LPA’s Title VI complaint log, including new Title VI complaints received during this reporting period and any still pending. Include the basis of the complaint (race, color, national origin) and describe the disposition (status/outcome).

See Attachment “C” – there was not any known complaints received by the County regarding transportation activities during this reporting time.

Franklin County Public Works currently have three (3) administrative/engineering staff that are fluent in Spanish. Of the three staff members, two are directly involved with the public as lead inspectors for the County transportation projects.

5. Planning – Describe the transportation planning activities performed this reporting period. Describe the actions taken to promote Title VI compliance regarding transportation planning, including monitoring and review processes, community involvement, their outcome or status. Include examples of community outreach.

Franklin County transportation projects has been identified and adopted through multiple successive six-year transportation improvement programs (TIPs), most recently in 2022. A public hearing is held prior to the adoption of each of these programs that identify upcoming projects. The public hearings are published in both English and Spanish in you official newspaper and on

the County's website. A Spanish translator is 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 that is posted year round on the County's Public Works Department website.

Franklin County Public Works, typically, mails letters to residents located within the project site. In addition, the department post construction updates on website to keep residents informed on current projects status.

6. Right-of-way actions – Describe activities during this reporting period associated with the purchase, sale, lease/use, or transfer of real property (related to highway transportation/public right-of-way use). Include demographic information of affected populations. For example, the race, color, national origin of affected property/business owners(s)/tenant(s).

There were not any right-of-way appraisals or acquisitions performed during this reporting period.

7. Identify right-of-way appraisers and acquisition staff (used during this reporting period) by race, color, national origin.

Franklin County uses consultants for their right-of-way needs – currently, the County is not contracted with any consultants for right-of-way needs.

8. Studies and Plans – Were any transportation studies (including environmental reviews) conducted or transportation plans completed during this reporting period? Identify the data source(s) and provide data summary (Title VI/Environmental Justice Analysis) relative to ethnicity, race, languages spoken, neighborhoods, income levels, physical environments, and/or travel habits. Explain how data was used in these studies/reviews/plans.

Environmental project reviews were completed for two (2) federal aid projects. The NEPA Categorical Exclusion Documentation Form was completed and submitted to WSDOT Local Programs and FHWA. Part 4, Section 13 addresses Environmental Justice, both projects met exemptions for further analysis and study in this area.

The two projects were

- **Muse Drive Bridge #211-0.85 Replacement**
- **Ironwood Road Bridge #636-4.87 Replacement**

9. Project Location and Design – Provide a list of construction projects that began during this reporting period. Using a map of the LPAs service area, identify project locations, and a brief description of the projects' benefits/burdens to affected populations. If possible, provide a map that overlays projects with the racial composition of affected neighborhoods.

CRP	Contract Name	Fed. Aid Number	Type of Execution	Date of Execution	Benefits/Burden Description
625	Safety-Guardrail/Curve Improvements at Blanton Rd, R-170, & Columbia River Road	HSIP-000S(551)	Construction - Contract	12/07/21	<i>Benefits</i> – This safety project added/updated guardrail, slope flattening, and safety features to predetermined rural locations. <i>Burden</i> – The travel lane was reduced to one lane while installing the centerline rumble strip and guardrail for approximately 4 days.
624	Safety-LED Signs, Dynamic Signals, & Reflector Posts	HSIP-000S(552)	Construction - Contract	05/31/22	<i>Benefits</i> – This safety project adds/updates permanent road signs on the side of the rural roadway (stop, stop ahead, speed radar, etc.) <i>Burden</i> – There is little to no effect on the traveling public due to all work is located on the shoulder of the road.
	2022 Crack Sealing	-	Service - Contract	05/03/22	<i>Benefits</i> – This annual maintenance project places crack seal on predetermined locations. Helping to slow down the deterioration of the roads. <i>Burden</i> – The travel lane was reduced to one lane while placing the crack seal.

10. Other Public Meetings – List other public meetings held during this reporting period. Identify efforts used to encourage citizen participation at those meetings. Detail dates, times, locations, attendance, and provide examples of outreach materials.

Topic	Date	Spanish interpreter Advertised to be present or Available upon request?
Vacation of private access easement	08-03-2021	Available – not used
SUB 2021-05 Spencer Estates Phase 4	08-17-2021	Available –not used
CUP 2021-06 Accessory Dwelling Nelson	08-24-2021	Available –not used
Budget for American Rescue Plan Act	10-05-2021	Available –not used
Redistricting Discussion	10-19-2021	Available –not used
Surplus Declaration of County Owned Property	10-26-2021	Available –not used
CUP 2021-08 Baker-Daily Winery	11-04-2021	Available – not used
CUP 2021-09, 10, 11 ADT Construction	11-23-2021	Available – not used
CUP 2021-12 Old Apostolic Lutheran Church Tri-Cities	11-23-2021	Available – not used
Franklin County 2022 budget	11-30-2021	Available – not used
Establishing a Sales Tax for Chemical Dependency or Mental Health Treatment	12-07-2021	Available – not used
Redistricting map choice – meeting held at night	01-04-2022	Advertised in Spanish & and Spanish Interpreter will be available upon request –not used

Topic	Date	Spanish interpreter Advertised to be present or Available upon request?
Redistricting map choice - continuation	01-11-2022	Available – not used
CUP 2021-13 Mirror Ministries	01-18-2022	Available – not used
2022-2027 Amendment to the Transportation Improvement Plan	01-25-2022	Advertised in Spanish & and Spanish Interpreter will be available upon request –not used
Zone Change 2021-01 Columbia River West Area – Clifford-Eby	01-25-2022	Available –not used
CUP 2021-14 Maria Espinosa	05-03-2022	Available – not used
CUP 2022-01 Christopher Hart	05-03-2022	Available –not used
Vacation of Portion of Cottonwood Drive	05-31-2022	Advertised in Spanish & and Spanish Interpreter will be available upon request –not used
SUB 2022-02 Kohler Subdivision	06-21-2022	Available –not used
SUB 2022-03 River Crest Long Plat	06-21-2022	Available –not used
CUP 2022-02 Additional Asphalt Storage Tank - Ergon	07-12-2022	Available –not used
Adopt 6 year Transportation Improvement - STIP	07-12-2022	Advertised in Spanish & and Spanish Interpreter will be available upon request –not used

Identify members of the LPA's transportation planning and/or advisory groups by race, color, and national origin.

Franklin County's transportation planning is the development of the Six-Year Transportation Improvement Plan that is prepared by Public Works staff and adopted by the elected Board of Commissioners.

Race	Color	National Origin
5 – Caucasian	5 – White	5 - American

Specify methods used to collect demographic information from the transportation-related public meetings. (Self-identification surveys, notes by staff, etc.) Include summaries of Public Involvement Forms collected at each meeting, listing the demographics of those who attended by meeting.

There has not been any data collected at the transportation public meetings – historically, there has not been any attendance or comments on the phone for these meetings.

List any language assistance services requested. For which languages? Who provided the service? In addition, list vital documents translated during the reporting period and identify the languages.

Franklin County utilizes staff members when an interpreter is needed for public meetings.

The three (3) public meetings addressing transportation activities (STIP and vacate) were advertised and posted on the Public Works website in Spanish.

11. Transportation-related Construction and Consultant Contracts (if applicable) – Briefly describe the process used to advertise and award construction contracts during this reporting period. Include the process for negotiated contracts (e.g., consultants).

Franklin County Public Works advertises their contracts and request for proposals/qualification through either advertising in the newspaper(s) or utilizing 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 and RFQ/RFPs on the Washington State Office of Minority & Women's Business Enterprises Bids & Contracting Opportunities' web page.

Construction projects are publicly opened and awarded to the lowest responsive bid and responsible bidder.

Consultant's RFQ/RFP are distributed to a selection committee (engineering staff). The committee reviews and scores the submitted packet(s) and short list (if applicable) the consultants that will be interviewed. The selection committee then conducts interviews with the selected consultants. Individually, the selection committee ranks the consultant. Based on the consultant's score, rank, and follow-up discussion the consultant is selected. If federal funds are not involved, Professional Service consultants follow a similar process but possibly more streamlined.

12. Describe the actions taken to promote construction contractor/consultant compliance with Title VI by construction contractors/consultants, including monitoring and review processes, and their outcomes/status (e.g. what Title VI language was included in contracts and agreements; were contractors and consultants reviewed to ensure compliance; what Title VI responsibilities are explained to contractors and consultants?)

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

Franklin County Public Works advertises their federal contracts and request for proposals/qualification utilizing the Title VI language as laid out in the WSDOT's Local Agency Guidelines (LAG).

During the preconstruction meeting or first meeting with the consultant, they are reminded that Franklin County by entering into contract with the County that themselves and their subs are will not discriminate against on the grounds of race, color, and national origin.

13. List construction, right-of-way, and consultant contracts with your LPA/MPO/entity for this report period with dollar value of each. Identify funding sources (federal, state, local, other), and how many were awarded to certified disadvantaged contractors (as a prime contractor/consultant).

CRP	Name of Contract	Fed. Aid Number	Type of Execution	Awarded to DBE Prime/ Consultant DBE	Date of Execution	Federal Share	County/ State Share	Contract Dollar Value
605	Pasco-Kahlotus Reconstruction/ Overlay II	STPR-F115(003)	Construction - Contract	No	05/18/21	1,163,728	1,645,980	2,809,708
625	Safety-Guardrail/Curve Improvements at Blanton Rd, R-170, & Columbia River Road	HSIP-000S(551)	Construction - Contract	Yes-PSC	12/07/21	256,029	0	256,029
624	Safety-LED Signs, Dynamic Signals, & Reflector Posts	HSIP-000S(552)	Construction - Contract	Yes-PSC	05/31/22	442,015	0	442,015
629	Muse Drive Bridge #211-0.85 Replacement	BROS-01AH(001)	Services - Consultant		05/04/21	248,500	0	248,500
630	Ironwood Bridge #636-4.87 Replacement	BROS-2011(053)	Services - Consultant		05/25/21	170,500	0	170,500
627	Glade North Road Pavement Rehabilitation I	STPR/STPUL-Z911(001)	Services - Consultant		07/05/22	19,463	3,037	22,500
628	Hollingsworth Bridge #460-6.25 Replacement	BROS-2011(054)	Services - Consultant		07/05/22	43,500	0	43,500
	2022 Crack Sealing		Service - Contract		05/03/22		114,940	114,940

14. Education & Training – Describe actions taken to promote Title VI compliance through education and trainings, including monitoring and review processes, and their outcomes/status.

Our Title VI Coordinator, Craig Erdman, completed the online Title VI Basics for LPA's, WSDOT

List Title VI training/webinars your Title VI Coordinator attended this reporting period. Include dates and entity that conducted the training.

No new training was taken during this reporting period.

When was Title VI internal training provided to staff? Who conducted the training? What was the subject of the training? Provide the job titles and race/color/national origin of attendees.

None was provided during this reporting period.

List other civil rights training conducted locally. Provide dates and a list of participants by job title and Title VI role, if applicable.

No other training was provided.

Title VI Goals for Upcoming Year

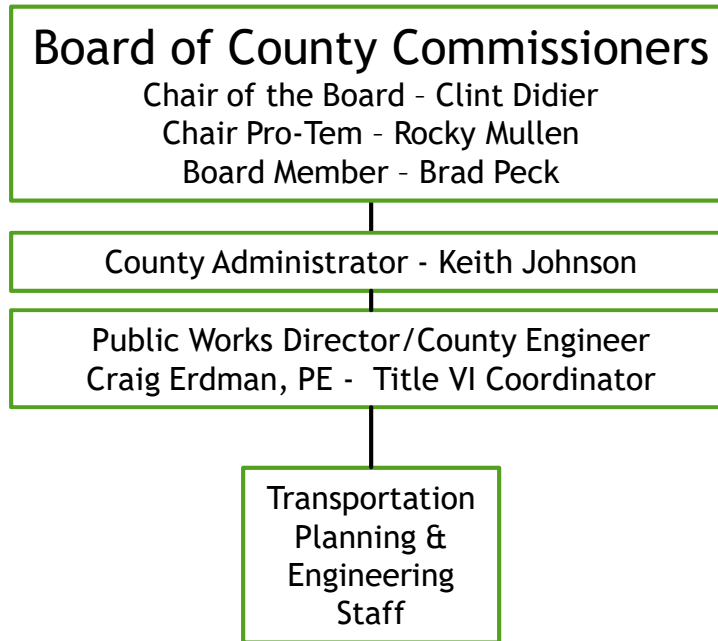
What area(s) of Title VI does your agency plan to focus on in the upcoming year? Describe by particular program area what your agency hopes to accomplish. Include any significant problem areas to focus on and plans to address those.

Franklin County Public Works has identified three (3) areas that will be the focus for improvement this upcoming reporting year.

- **Implement internal Title VI training in our department.**
- **Collecting demographics data at transportation planning activates.**
- **Advertise transportation public hearings and open houses in local Spanish newspaper.**

ATTACHMENT A

FRANKLIN COUNTY TITLE VI DEPARTMENT ORGANIZATION CHART



As a recipient of federal financial assistance, Franklin County, is obligated to adhere to, and is committed to achieving full compliance with Title VI of the Civil Rights Act of 1964 and all related nondiscrimination laws.

ATTACHMENT "B" - FRANKLIN COUNTY

MAP OF RACE AND ETHNICITY BY COUNTY SUBDIVISION

WHITE	38.9%
HISPANIC	52.5%
BLACK	3.4%
ASIAN	1.8%
MIXED	2.0%
OTHER	1.4%

WHITE	61.2%
HISPANIC	31.4%
BLACK	1.3%
ASIAN	2.8%
MIXED	3.0%
OTHER	0.3%

WHITE	68.2%
HISPANIC	28.0%
BLACK	1.4%
ASIAN	0.2%
MIXED	1.0%
OTHER	1.2%

WHITE	35.3%
HISPANIC	58.4%
BLACK	2.5%
ASIAN	1.9%
MIXED	1.5%
OTHER	0.5%

Road Data © OpenStreetMap

SOURCE: STATISTICALATLAS.COM



ATTACHMENT "C"

Title VI Complaint Log

Case Number	Complainant/ Address	Filing Date	Basis	Status	Disposition
There have been no known Title VI related complaints received by County as a result of transportation activities and projects during this fiscal reporting year.					



**CONDADO DE FRANKLIN
AVISO DE AUDIENCIA PÚBLICA GENERAL**

**APROBACIÓN DEL
PROGRAMA DE MEJORAMIENTO DE TRANSPORTE DE
SEIS AÑOS PARA 2023-2028**

POR EL PRESENTE ANUNCIO SE NOTIFICA que una audiencia pública se llevará a cabo por la Junta de Comisionados del Condado de Franklin el **martes, 12 de julio del 2022 a las 9:00 am.**, o tan pronto como sea posible. La audiencia será en la sala de los Comisionados en el Palacio de Justicia del Condado de Franklin, 1016 North Fourth Avenue, Pasco, Washington.

Unase a nosotros en YouTube – Franklin County WA Commissioners Meeting (fecha corriente)
<https://www.co.franklin.wa.us/commissioners/meeting.php>

También puede comentar llamando a 509-546-5859. Su llamada irá a continuación y será respondida en el orden recibido.

El propósito de la audiencia pública es revisar el programa de mejoramiento de transporte propuesto para el Condado de Franklin para el periodo del 2023-2028. Como parte de la asignación de fondos de la Administración Federal de Carreteras, cada estado debe presentar un plan Estatal de Mejoramiento de Transporte de Seis Años (STIP). El Departamento de Transporte del Estado de Washington (WSDOT) compila su plan usando los Planes de Mejoramiento del Transporte regionales presentados por las jurisdicciones locales.

El Plan de Mejoramiento de Transporte del Condado de Franklin para el 2023-2028 cubre los proyectos previstos para los próximos seis años, independientemente de la fuente de financiamiento. Por la sección 36.81.121 RCW, la Junta de Comisionados del Condado de Franklin llevará a cabo una reunión pública para considerar el Plan de Mejoramiento de Transporte propuesto y escuchar el testimonio a favor o en contra a su adopción.

Los planes para el 2023-2028 están disponibles por el Departamento de Obras Públicas del Condado de Franklin en el 3416 Stearman Avenue, Pasco, Washington, 509-545-3514 y en el sitio web del Condado: www.co.franklin.wa.us/public_works/index.html. Comentarios de las enmiendas del programa existente los puede hacer oralmente o por escrito en la audiencia pública y también por correspondencia siempre y cuando sean recibidos antes de la audiencia pública.

El Condado de Franklin garantiza la plena conformidad con el título VI de la ley de derechos civiles de 1964 prohibiendo la discriminación contra cualquier persona por motivos de raza, color, origen nacional o sexo en la provisión de beneficios y servicios derivados de sus programas de asistencia federal y actividades.

El sitio será accesible para personas con discapacidades, para acomodaciones especiales llame con anticipación al (509) 545-3514.

Un intérprete estará disponible. La sala de los Comisionados es accesible con sillas de ruedas. Arreglos para acomodar razonablemente las necesidades especiales, incluyendo accesibilidad para discapacitados o intérprete, se harán al recibir peticiones con 24 horas de anticipación previo a la audiencia. Por favor de llamar a la oficina de los Comisionados al (509) 545-3535.

ENMIENDAS PROPUESTAS A LA EXISTENTE

2022 - 2027 SEIS AÑOS PROGRAMA DE MEJORAMIENTO DE TRANSPORTE

Aviso por este medio es dado que una audiencia pública se realizará por la Junta de Comisionados del Condado de Franklin en **Martes, 25 de Enero de 2022 a las 9:00 AM** en sala de reuniones de los Comisarios en la corte de condado, 1016 Norte Cuarto Avenue, Pasco, Washington, con el fin de tomar testimonio relativo a la modificación de lo existente programa del 2022 - 2027 Seis Años Programa de Mejoramiento de Transporte. "Cada condado perpetuamente tendrán planes avanzados disponibles mirando hacia el futuro por no menos de seis años como guía en la realización de un programa coordinado de transporte" (RCW 36.81.121(1)).

Las enmiendas al plan 2022-2027 están disponibles en el Departamento de Obras Públicas Condado de Franklin en 3416 Stearman Avenue, Pasco, Washington, 509-545-3514 y en el sitio web del Condado: <http://www.co.franklin.wa.us/publicworks/index.php>. Comentarios sobre las modificaciones al programa existente pueden ser entregadas oralmente o por escrito en la audiencia pública y por escrito la correspondencia a ser entregada antes de la fecha y hora de la audiencia pública.

Condado de Franklin garantiza la plena conformidad con el título VI de la ley de derechos civiles de 1964 prohibiendo la discriminación contra cualquier persona sobre la base de raza, color, origen nacional o sexo en la provisión de beneficios y servicios derivados de sus programas de asistencia federal y actividades.

El sitio es accesible a las personas con discapacidad y para personas con discapacidad se puede organizar con anticipación llamando al (509) 545-3514.

Un intérprete en español estará disponible. Cámaras de los Comisarios son sillas de ruedas. Arreglos para acomodar razonablemente las necesidades especiales, incluyendo accesibilidad para discapacitados o intérprete, se hará al recibir 24 horas de antelación. Póngase en contacto con la oficina de los Comisarios en (509) 545-3535.

**CONDADO DE FRANKLIN
AVISO DE AUDIENCIA
PETICION PARA DESALOJAR
UNA SECCION DEL DERECHO-DE-PASO DE COTTONWOOD DRIVE**



DADA ESTA NOTIFICACION una petición ha sido presentada en la oficina del Consejo de Comisionados del Condado de Franklin (Board of County Commissioners) la cual solicita que una sección del derecho-de-paso de Cottonwood Drive sea desalojada de la siguiente manera:

Toda la porción del derecho de paso de Cottonwood Drive ubicada en el Barrio Sudoeste de la Sección 19, Municipio 11 Norte, Rango 29 Este, W.M., Condado de Franklin, Washington, al norte del derecho de paso del norte de West Dogwood Road como que se muestra en el Proyecto de Carreteras del Condado (County Road Project,CRP)-145, hoja 4 de 4, del registro y archivo en la oficina del Departamento de Obras Públicas del Condado de Franklin (Franklin County Public Works Department).

VEA LA ILUSTRACIÓN ADJUNTA

Proporcionada, el derecho de acceso a la propiedad para los servicios públicos de acuerdo a RCW 36.87.140.

Por lo tanto, se ordena por el Consejo que la audiencia de dicha petición de desalojamiento se lleve a cabo por el Consejo de Comisionados del Condado de Franklin (Board of County Commissioners of Franklin County) en la sala de los comisionados localizada en el Palacio de Justicia en 1016 North 4th Avenue, en Pasco, Washington, el **martes 31st mayo del 2022, alas 9:00AM.**

Un intérprete de español estará disponible a petición. Los comentarios se pueden hacer públicamente llamando al 509-546-5859 durante la reunión, por correo electrónico a publicworks@franklincountywa.gov, o por correo al Departamento de Obras Publicas del Condado de Franklin (Franklin County Public Works) en el 3416 Stearman Ave., Pasco, WA 99301. Dichos comentarios tendrán que ser recibidos con 10 días de anticipación a la audiencia. Disposición para necesidades especiales, incluyendo accesibilidad para discapacitados o intérprete, estarán disponibles para las personas que las soliciten con anticipación de 24 horas. Por favor de contactar la Oficina de los Comisionados al (509) 545-3535.

Fecha: **Mayo 5, 2022**

Craig Erdman, P.E.

Ingeniero del Condado (County Engineer)

The United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination

Assurances

DOT Order No. 1050.2A

The **FRANKLIN COUNTY** (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through Washington State Department of Transportation (WSDOT), is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including the Washington State Department of Transportation."

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard

to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal-Aid Highway Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The **FRANKLIN COUNTY**, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, **FRANKLIN COUNTY** also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the [WSDOT] access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the [WSDOT]. You must keep records, reports, and submit the material for review upon request to [WSDOT], or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

FRANKLIN COUNTY gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Federal Highway Administration. This ASSURANCE is binding on Washington State Department of Transportation, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Federal-Aid Highway Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

(Name of Recipient)

by _____
(Signature of Authorized Official)

DATED _____

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Washington State Department of Transportation, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Washington State Department of Transportation to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Washington State Department of Transportation, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Washington State Department of Transportation may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment,

unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Washington State Department of Transportation may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the **FRANKLIN COUNTY** will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, United States Code, the Regulations for the Administration of Washington State Department of Transportation, and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the **FRANKLIN COUNTY** all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto **FRANKLIN COUNTY** and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the **FRANKLIN COUNTY**, its successors and assigns.

The **FRANKLIN COUNTY**, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the **FRANKLIN COUNTY** will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the **FRANKLIN COUNTY** pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, **FRANKLIN COUNTY** will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the **FRANKLIN COUNTY** will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the **FRANKLIN COUNTY** and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by **FRANKLIN COUNTY** pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, **FRANKLIN COUNTY** will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, **FRANKLIN COUNTY** will there upon revert to and vest in and become the absolute property of **FRANKLIN COUNTY** and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).