

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF KITTITAS
STATE OF WASHINGTON**

RESOLUTION NO: 2015-083

**RESOLUTION TO APPROVE THE NON-DISCRIMINATION AGREEMENT BETWEEN
KITTITAS COUNTY AND FEDERAL HIGHWAY ADMINISTRATION AND THE
TITLE VI ANNUAL ACCOMPLISHMENT UPDATE REPORT FOR 2014**

WHEREAS, The Federal Highway Administration (FHWA) requires that any local agency that receives any federal grants, loans, contracts, property, discounts or other Federal assistance extended by Washington State Department of Transportation (WSDOT) enter into a Non-Discrimination Agreement (NDA) with WSDOT; and

WHEREAS, The FHWA requires a new NDA be submitted if the chief executive officer has changed since the last NDA or update report; and

WHEREAS, The 2013 NDA and update report was signed by Paul Jewell on March 18, 2014, who is no longer the Kittitas County Board of Commissioners chairman; and

WHEREAS, WSDOT requires an updated Title VI Annual Accomplishment Update Report because Kittitas County received federal funds during the 2014 reporting period; and

NOW, THEREFORE BE IT RESOLVED: The Kittitas County Board of County Commissioners hereby authorizes the chairman of the Board to sign the attached Non-Discrimination Agreement between Kittitas County and Washington State Department of Transportation and the Title VI Annual Accomplishment Update Report for 2014.

ADOPTED this 5th day of May, 2015



**BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**



Gary Berndt, Chairman



Obie O'Brien, Vice-Chairman



Paul Jewell, Commissioner

Washington State Department of Transportation (WSDOT)

Recipient: Kittitas County

Reporting Year 2014

Reporting Period February 1, 2014 to January 31, 2015

As stipulated in this agency's Title VI Program Non-Discrimination Agreement, WSDOT's approval letter to that agreement, and WSDOT's Highways and Local Programs Local Agency Guidelines Manual (Chapter 28), the annual accomplishment and update report for the reporting period reflected above is hereby submitted.

Current Chief Executive Officer:

Name: Gary Berndt

Title: Chairman of the Board, Kittitas County Board of Commissioners

Planning or Public Works Director:

Name: Mark Cook

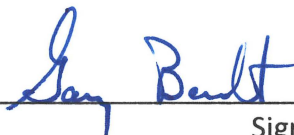
Title: Public Works Director

Title VI Coordinator:

Name: Douglas D'Hondt

Title: County Engineer

SUBMITTED by:



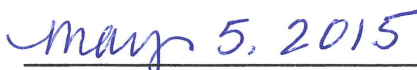
Signature

Gary Berndt

Typed / Printed Name

Chairman of the Board, Kittitas County Board of Commissioners

Title



Date

**Non-Discrimination Agreement
Annual Report
Population Under 100,000**

**1. Report any changes in the organizational structure since the last reporting period.
(Example: New Title VI Coordinator, new planning or public works directors, etc.)**

a. Report should identify the changes in the racial/gender composition of those persons involved in the transportation decision making, including planning and advisor staff.

b. If no changes have been made, please indicate that accordingly.

The position responsible for initiating and monitoring Title VI activities has not changed; it is still the County Engineer. There have not been any changes in racial/gender composition of those persons involved in transportation decision making, including planning advisor staff. Key persons involved in transportation decision making include:

Douglas P. D'Hondt, County Engineer	Male, White, USA birthplace
Mark Cook, Public Works Director	Male, White, USA birthplace
Janette D. Ollivier, Transportation Manager	Female, White, USA birthplace
Roy Chance, Construction Manager	Male, White, USA birthplace

The most current Public Works organization chart is presented in Attachment A. The County Engineer, who has Title VI Coordinator responsibilities, has direct access to the chief executive officer, who is the Chair of the Kittitas County Board of Commissioners.

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

Washington State Office of Financial Management data indicates the following demographics for Kittitas County:

April 1, 2013 Kittitas County, Washington People Quick Facts – 2012 estimate						
	Total	White	Black	AIAN ¹	API ²	Two or More Races
Washington	6,817,770	5,583,953	258,262	123,975	549,347	302,233
% of total pop.		81.9%	3.8%	1.8%	8.06%	4.4%
Kittitas	41,500	38,540	401	448	912	1,199
% of total pop.		92.9%	1.0%	1.1%	2.2%	2.9%

3. Describe any required Title VI activities and/or studies conducted that provided data relative to minority persons, neighborhoods, income levels, physical environment, and travel habits.

¹ AIAN: American Indian and Alaska Native.

² API: Asian and Pacific Islander.

The Average Daily Traffic (ADT) level and pavement condition is estimated for all county roads every other year at a minimum and used to prioritize future transportation improvements.

a. How was the information utilized or Title VI provisions and needs applied in each study or activity?

The Average Daily Traffic (ADT) level and pavement condition is used annually to prioritize future transportation improvements. All county roads are included in this analysis, considering all population groups – including minority, women, low-income, and limited English proficiency population groups equally. Title VI provisions will be met through any contracts associated with this activity.

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

a. How were special language needs assessed? List the special language needs assessments conducted.

All public meeting agendas, minutes, public announcements, project notices, and other materials related to public outreach are posted on the County's website and can be translated into 43 different languages by clicking the translate button at the bottom of the webpage.

b. What outreach efforts did you utilize to ensure that minority, women, low-income, and LEP population groups were provided equal opportunity to participate in those outreach activities. (Examples: provided materials in other languages, met with local social service agencies, advertised in a minority publication).

The County's webpages and all documents on the County's website can be translated into 43 different languages by clicking the translate button at the bottom of the webpage.

There are only two local newspapers in Kittitas County. Kittitas County advertises its open houses and public meetings in both of these two newspapers. In 2014, outreach activities included:

- Annual Comprehensive Plan Amendment Open Houses and public hearings.
- Transportation Improvement Program and Annual Construction Program Open Houses.
- GMA Shoreline Master Program public meetings.
- All Terrain Wheel Vehicle usage public meetings.

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- QUADCO Regional Transportation Plan Stakeholder meetings.

All open houses and public meetings are held in accessible locations. All population groups – including minority, women, low-income, and limited English proficiency population groups are encouraged to participate. Open houses and public meetings are held in both Upper County and Lower County, or the neighborhood where the project is taking place to encourage all population groups to participate, including minority, women, low-income, and limited English proficiency population groups. Holding the open houses in several locations makes it easier for persons who could not afford to drive long distances participate or who have limited schedules.

Advertisements requesting qualifications for contractual services include the following statements:

“Kittitas County encourages disadvantaged business enterprise CONSULTANT firms to respond.”

“The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 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.”

Bid documents include Title VI requirements, indicating that the County provides equal opportunity for all population groups – including minority, women, low-income, and limited English proficiency population groups to participate. The specific wording Kittitas County uses is from WSDOT’s Local Agency Manual and WSDOT’s General Special Provisions (GSPs).

- c. **List the special language services provided – note the professional language service provided including the name of the service, date provided, number of persons served, and any other relevant information.**

No special language services were requested for these activities.

- d. **List any costs incurred for translations and interpreters for each activity.**

No translators or interpreters were requested for each of these activities.

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- 5. 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.)**
- a. Include dollar value of each**

Description of Contract	Vendor	Amount of Contract	Date Signed
No. 6 Rd. R/W Topographic Survey	Cruse & Associates	\$19,695	6/18/2014
No. 6 Rd. Improvement Project	J-U-B Engineers	\$194,900	5/20/2014
Kittitas Highway Safety Improvements	J-U-B Engineers	\$668,110	10/7/2014
2014 Kittitas County Annual Striping project	Stripe Rite, Inc.	\$218,848	5/20/2014
Highway Runoff Safety Program	Belsaas and Smith	\$618,324	5/6/2014
Old Highway 10 Bridge Railing Repairs	KPFF Consulting Engineers	\$39,963	1/21/2014
Huntzinger Rd. Guardrail Repair contract	Frank Gurney, Inc.	\$22,055	8/6/2014

- b. Other than advertising in your local legal publication, what outreach was made to DMWBE firms that a contracting opportunity existed within your agency?**

In addition to advertising in the local legal publication the Ellensburg Daily Record, projects are typically advertised in the Seattle Daily Journal of Commerce and the Northern Tribune, depending on the complexity and type of services needed for the project. Advertising is the only method of outreach to all persons and firms.

- c. Identify the DMWBE contracts that were awarded and their dollar amount.**

DMWBE Firm Name	Contract Amount	Project Name
Northstar Enterprises	\$154,385	Kittitas Highway Safety Improvements
AAA Contractors	\$20,670	Kittitas Highway Safety Improvements
Desert Winds	\$28,000	Kittitas Highway Safety Improvements
Gilbert Patterson	\$54,070	Kittitas Highway Safety Improvements
The Bag Lady	\$5,652	Kittitas Highway Safety Improvements
M2 Industrial	\$165,300	Kittitas Highway Safety Improvements
SAE2 Consulting Engineering	\$67,000	Kittitas Highway Safety Improvements

- d. Is there a Title VI Non-Discrimination statement included in all contracts and public notices?**

Yes

e. How did your organization ensure that minority, women, and disadvantaged firms were provided equal opportunity to participate in the contracting arena?

All advertising for contractual services include the following statements:

“Kittitas County encourages disadvantaged business enterprise CONSULTANT firms to respond.”

“The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 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.”

All bid advertisements include the required Title VI language as provided for in WSDOT's General Special Provisions (GSPs).

- 6. 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). Note the following:**
- a. How impacts were minimized/mitigated.**
 - b. Also include a statement, if applicable, on projects that specifically benefit community cohesion such as: adding sidewalks, improving access to properties that improve access for EJ populations.**

There were no transportation projects that impacted Environmental Justice populations with displacements, increased noise, bisecting neighborhoods or other similar impacts. The transportation improvements that the county performed in 2014 included:

- Striping county roads.
- Annual chip seal program - all County roads that are paved are chip sealed about once every seven years.
- Kittitas Highway Safety Improvements – the County portion of this road from Mile Post 1.03 to Mile Post 5.64.

All other programmed transportation projects are in the engineering design phase and do not include roadway capacity increases that could impact Environmental Justice populations. The projects under design in 2014 were:

- Westside Road Safety Improvements and Reconstruction.
- North Fork Manastash Creek Bridge and Restoration.
- No. 6 Rd Phase 2 (Mile Post 3.59 to Mile Post 5.10).

- 7. If Right of Way has been acquired for a transportation project. Please describe:**
- c. Identify the number of minority, low-income, elderly and disabled persons affected.**
 - d. The efforts that were made to address Limited English Proficiency issues (including use and cost of translators, outreach efforts for each reported activity).**
 - e. Describe any concerns raised by minorities and women regarding appraisals, negotiations, relocation assistance, and payments. What actions were taken to resolve those issues?**

No right of way or construction easements were acquired in 2014.

- 8. List and describe any Title VI related complaints, as a result of transportation activities and projects. Include:**
- f. What was the allegation or concern?**
 - g. Procedures used**
 - h. Action taken**
 - i. Resolution**

No complaints were recorded in 2014.

Attachment A
Public Works Organization Chart

0106 – Public Works Department Organizational Chart

