



## BOARD OF YAKIMA COUNTY COMMISSIONERS

Regular Meeting

Work Session

Monday, June 6, 2022, at 9:00 am

BOCC Conference Room, Room 232, 128 N 2nd Street, Yakima, WA 98901 or Zoom

6/6/2022 - Minutes

### 1. CALL TO ORDER

Meeting Called to Order at 9:02 a.m.

PRESENT: Chair Amanda McKinney, Commissioner LaDon Linde, Commissioner Ron Anderson, Legal Counsel Stefanie Weigand, Clerk of the Board Julie Lawrence, Deputy Clerk of the Board Erin Franklin, Facilities Director Brian Griff, David Crotty (HOK), Alan Bright (HOK), Joe Poire (Petrichor), Public Services Director Lisa Freund, Noelle Madera (Planning Department), Olivia Story (Planning Department), Planning Official Thomas "Tommy" Carroll, Financial Services Director Craig Warner, and guests.

### 2. PUBLIC COMMENT

No public comment.

### 3. HOK PRESENTATION - YSO RELOCATION INTO THE YCCC (20 Minutes)

David Crotty and Alan Bright from HOK shared a proposal for potentially moving the Sheriff's Office to the Yakima County Correctional Center to form a new Justice Center. A consultant would take digital scans of the existing YCCC building, and then come back and evaluate the building's systems to see what can be reused and what needs to be replaced. David noted that facilities used for emergency services have higher structural code requirements, so a structural engineer would determine any necessary enhancements. HOK would also analyze what other departments would be a good fit to share the space, as the Sheriff's Office wouldn't actually fill the entire facility. Additionally, HOK would have a food service consultant look at the current kitchen and warehouse areas being utilized by the Department of Corrections at the YCCC building, and make a recommendation about continuing to use that space, modifying it, or relocating it. The Board asked HOK to submit their amended proposal and to continue exploring all options regarding the kitchen and warehouse areas. Commissioner McKinney also suggested exploring the idea of leasing some of the space out in order to bring in additional income. Brian Griff confirmed with HOK and the Board that they would continue discussion at future work sessions.

### 4. YAKIMA COUNTY BROADBAND FEASIBILITY STUDY UPDATE (60 Minutes)

Joe Poire shared that the funding opportunity notice for state broadband grants will be released on June 14, 2022. The County could apply for up to \$25 million of the total \$140 million. The ability to match 10% of the grant funding would score us higher to receive funding, as would having private sector partnerships for the broadband project. Applications are due this summer, and grants will be awarded on November 1, 2022. Two other funding agencies under the Department of Commerce – the Public Works Board (potentially a \$5 million grant loan) and the Community Economic Revitalization Board (potentially a \$3 million grant loan) – are awaiting new federal rules and FCC maps before they release their schedules.

Joe explained that there are roughly five areas of Yakima County that have been identified by the broadband feasibility study as good locations for projects; local providers concurred with this assessment. The cost of each area is dependent on density of homes and proximity to infrastructure. It would total about \$101 million in construction to address all of these areas, so it would be necessary to pare down to which area would have the highest probability of securing funding – a location with anchor institutions (medical facilities, schools, etc.), and/or that would serve low income residents or agricultural workers. That would be the first area to start. Joe already sent a draft letter of intent to Commissioner McKinney that the Board collectively could use to appeal for

community partners willing to contribute to the project. He did note that the Grandview area and other areas to the southeast would not be included in this grant application because they will already be federally-funded.

Craig Warner confirmed that he would look into whether or not ARPA funding could be used for the 10% match, and suggested that the \$10 million revenue portion of ARPA could potentially be used. Commissioners Anderson and Linde asked to see the cost estimates for each individual area, and how many homes are in each area.

Commissioner McKinney clarified that the data from the study will also automatically rank the areas based on highest likelihood to receive grant funding for the least amount of County funding. Joe suggested that it might be wise to lease out the infrastructure to the private sector to cover costs and create a revenue stream to keep funding projects in additional areas. He also shared that Washington State will receive about \$400 million in broadband funding next year, to which Commissioner McKinney added that Yakima County is likely to score high in terms of needs assessment. More projects will be completed as more funding becomes available. Joe confirmed that he would follow up with the Board in July.

Joe and the Board highlighted the incredible work of Mike Martian and the GIS department, and Esther Magasis and the Human Services Department, in contributing to the feasibility study.

## 5. PUBLIC SERVICES (60 Minutes)

1. Short Term Rentals: Noelle Madera and Olivia Story followed up on the Board's questions from a previous work session. They compared the language in the City of Yakima's Code with Yakima County Code for parking requirements. The Commissioners requested that 19.22.070 YCC be referenced in relation to additional parking for accessory dwelling units. Noelle and Olivia also clarified that, in terms of agritourism, short term rentals are a residential use, whereas wineries are a commercial use. If a winery applied to be an agricultural tourist operation (ATO), it would allow for an overnight component but not be considered a short term rental under code, despite their ability to be advertised on the Airbnb platform.

They also explained that a winery within a house is a commercial use, not a short term rental. A winery that has a residential house on the property would qualify as a short term rental. Thus, according to the current discussions with the Planning Commission, an ATO with a residence could have up to 12 ATO overnight units and up to 5 short term rental units. The Board agreed to move forward with a public hearing, but hold off on final deliberations until discussions wrap up with the Planning Commission.

2. Discussion - Resolution for Emergency Powers Granted to Directors: Lisa Freund presented revisions for a proposed resolution for emergency powers granted to directors. The ability to declare a state of emergency would remain in the Board's hands; however, the Director of Public Services, the Yakima County Engineer, and the Director of Facilities Services would be empowered to declare that an emergency exists in order to immediately repair or restore essential County facilities, utilities, or infrastructure due to unforeseen circumstances, such as the result of a natural disaster (e.g. a landslide) or unanticipated failure (e.g. a pipe break). An emergency is defined as unforeseen circumstances beyond the control of Yakima County that either present a real, immediate threat to the proper performance of essential function or will likely result in material loss or damage to public or private property, bodily injury, or loss of life if immediate action is not taken. In these types of situations, the aforementioned directors could waive the competitive bidding requirements and award all necessary contracts to address the emergency. They would be required to draft a resolution finding the existence of the emergency and present it to the Board within two weeks following the award of the contract. The Commissioners each affirmed these revisions, and Lisa stated that this resolution would be submitted for final approval at an upcoming agenda.

3. Bi-Weekly Public Services Update: Thomas Carroll presented a request to increase land-use permit time extensions due to COVID-related delays to project development. He offered to work with Corporate Counsel to see if County Code needs to be updated, or if the Planning Department could simply draft a resolution regarding the proposed extensions. In response to Commissioner Anderson's question, Tommy clarified that permits are currently granted for 3 years, with the option of a single year extension. Tommy suggested adding an additional year's extension. In response to Commissioner McKinney's question, Tommy shared that there are only three projects with the potential to be affected by the current permit deadlines. Commissioner McKinney suggested that with such a small number, perhaps the County could review each situation on a case-by-case basis. The concern would be that projects will continue for such a long time that they may end up working off of outdated code or standards, or even keep getting extended indefinitely. Applicants could submit a document explaining the necessity of an extension, and Planning staff could use due diligence to review the project to ensure standards have not changed. Tommy explained that currently, after the 3-year permit deadline, applicants do write to him to request an extension.

Tommy and the Board agreed that any blanket rule regarding extensions would get likely get abused, so Tommy was directed to work with Corporate Counsel on drafting very specific parameters around receiving extensions, and present to the Board again at a future work session.

## 6. COMMISSIONER UPDATES/ GENERAL DISCUSSION

The Commissioners gave updates on individual committee/board assignments for the week of May 30, 2022-June 3, 2022.

Commissioner McKinney noted again that the proposed ARPA “advisory” committee would only have a sorting or screening role. Commissioner Linde confirmed that the group would not be making recommendations – only evaluating whether or not applications meet the standards of the ARPA criteria. He and Commissioner McKinney concurred that it would be more beneficial to have internal staff (such as Corporate Counsel, Financial Services, and other department heads) on the committee as opposed to training private citizens to evaluate these applications. Commissioner McKinney added that at next Friday’s work session, a draft community survey will likely be prepared in order to get important feedback from the public about their desired priorities for ARPA funding.

7. ADJOURN

Commissioner Anderson MOTION: To Adjourn

Commissioner Linde SECOND

Motion Passes to Adjourn. Meeting Adjourned at 10:48 a.m.

All work sessions are recorded and will be available to view on the BOCC website at <https://www.yakimacounty.us/AgendaCenter/Board-of-Commissioners-2> .

APPROVED DATE

DATE/Minutes

JUN 14 2022

BOARD OF YAKIMA COUNTY COMMISSIONERS

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Amanda McKinney, Chair

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LaDon Linde, Commissioner

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Ron Anderson, Commissioner  
*Constituting the Board of County Commissioners  
for Yakima County, Washington*

