



BOARD OF YAKIMA COUNTY COMMISSIONERS

Regular Meeting

Work Session

Monday, October 10, 2022, at 9:00 am

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

10/10/2022 - Minutes

1. CALL TO ORDER

Meeting Called to Order at 9:00 a.m.

PRESENT: Chair Amanda McKinney, Commissioner LaDon Linde, Commissioner Ron Anderson, Legal Counsel Don Anderson, Clerk of the Board Julie Lawrence, Deputy Clerk of the Board Erin Franklin, Yakima County Prosecuting Attorney Joe Brusic, Code Enforcement Manager John Walkenhauer, Public Services Director Lisa Freund, Human Services Director Esther Magasis, Water Resources Manager Joel Freudenthal, Long Range Planning Manager Noelle Madera, Financial Services Director Craig Warner, and guests.

2. PUBLIC COMMENT

No public comment.

3. YAKIMA COUNTY ENCAMPMENT AND REMOVAL POLICY DRAFT REVIEW (30 Minutes)

Don Anderson began by reviewing his process for drafting the Yakima County Encampment and Removal Policy. He explained that while he initially utilized Spokane County's ordinance for reference, he was later introduced to Pierce County's policy and found it to be a good alternative. He noted that adopting a policy is a much faster process than adopting an ordinance. Spokane County is also different from Yakima County in that they have the ability to send violators to a special "Community Court", similar to a mental health court; Yakima County Courts and the Sheriff's Office do not have those resources. Thus, while an ordinance has more of an enforcement component than a policy, Yakima County would struggle to enforce an ordinance, anyway. To Pierce County's credit, the ACLU signed off on their policy after going through litigation.

Don noted that there would be no cleanup of active camps – just abandoned sites. For a multitude of health and safety reasons, Code Enforcement personnel do not want to sort through the contents of abandoned camp sites in search of important personal items; however, the County would need to have a process for storage of these items in case an individual comes to claim them. Don's draft contains language specifying that the Human Services department would have input in this process.

Joe Brusic stated that he had reviewed the draft policy, and confirmed that lack of resources in both the courts and in law enforcement is the largest issue. Don noted that many of the cleanup areas have historically fallen within city limits, meaning that whether or not the County owns the land (e.g. the Greenway), any enforcement would be in the city's jurisdiction. He went on to assert that the County would need the buy-in of other entities, such as the Department of Transportation (for encampments along freeways) and the Department of Fish & Wildlife (for encampments in natural/protected areas), in order to take a coordinated approach to this issue. Commissioner McKinney concurred, stating that the reason the County has taken the lead on this policy was due to the fact that other agencies weren't. She noted that Lisa Freund and John Walkenhauer have already been spearheading these coordination efforts (such as with the Board of Health) because it is of great priority to the BOCC.

Commissioner Linde also concurred and asked if the City has a similar ordinance regarding illegal camping; Don responded that it is very basic. Lisa confirmed that Public Services (including Code Enforcement) has worked on developing a coalition with local entities to coordinate cleanup efforts in the Gap-to-Gap region. She stated that a further coalition of local jurisdictions is needed to address the specific issue of enforcement policies.

Esther Magasis noted that she provided feedback on Don's original draft, but she has not yet had an opportunity to contribute to the new draft based on Pierce County's policy. She detailed the work she and her department have done to partner with Code Enforcement thus far, and how she has written specific language into this year's RFP and contracts so that Coordinated Entry teams are required to work with the County on specified outreach projects. She would like to see more specific language added regarding the role of Human Services in this policy, dovetailing with Human Services' own structure and policies. Conversely, Commissioner McKinney, Joe, and Don all stated that they felt it prudent to be more broad in the legal document because it would be more difficult to make adjustments as needed; Human Services' internal policy documents could contain the particulars of relevant policies and procedures. Other counties did not include this language at all.

Joel Freudenthal stated that whether or not County-owned lands lie within city jurisdictions, we did make commitments to what the public purposes of those lands are (i.e. the County has certain proprietary interests as landowners). Illegal encampments and all the harmful environmental consequences thereof do not align with those purposes/interests. He listed a number of different approaches to implementing this policy: the enforcement approach, the public health and safety approach, the shame approach, and the compassion approach. Joel stated that it would be important to find out what resources and materials the County has available as the new policy is implemented, and thus to what degree each of those approaches might be effective.

John Walkenhauer noted that the County already has an ordinance in place that prohibits camping, fires, etc. on County land. He also shared concerns about language detailing the distance of encampments from fluctuating water lines, and the requirement that law enforcement be present at various points. He stated that efforts are being made by Code Enforcement and other local outreach partners to build connection with the homeless population, with the intention of getting people into better situations as opposed to criminalizing their encampments. Don Anderson restated his desire to see local jurisdictions form a coalition to implement a plan for enforcement so that this doesn't continue to fall on John's shoulders by default. Lisa echoed Joel and Don's statements and further detailed efforts of the existing coalition thus far.

4. PUBLIC SERVICES (15 Minutes)

Noelle Madera stated that the Planning Department was looking for clarification on how to proceed with the J Bell Agricultural Tourist Operation issue after the Public Hearing. The Commissioners stated that after the Public Hearing, they had directed the Planning Department to draft a resolution to be presented at a future agenda meeting. They confirmed that they could discuss the matter further and propose any desired changes during Agenda Review at a work session prior to the agenda meeting. Final approval would be decided at the agenda meeting.

5. ARPA DISCUSSION

Craig Warner confirmed that the County has contracted with Clifton Larson Allen through October 14th, and the firm is over 1/3 of the way through the applications, which are being sorted into three categories: those that fit the ARPA guidelines, those that do not fit the ARPA guidelines, and those that could fit but need additional information/clarification. Craig shared a spreadsheet from CLA providing detail about how each application fits specific ARPA guidelines, what category of project it would fall under, and what questions CLA has about the application (e.g. missing documents, etc.). He stated that the final list would help the Board determine which agencies to reach out to for their priority lists, as well; the Board decided to begin reaching out to any of these agencies that fall into the "yes" category and those that fall into the "yes with conditions" category that are only missing their W-9 forms.

Commissioner McKinney and Commissioner Linde discussed the wisdom of only allocating a certain amount of ARPA funding at a time over the next few years, when additional grant funding sources will become available, versus allocating the total amount of funding immediately, realizing that some entities are currently waiting on this ARPA funding as the final amount needed for their projects. Craig confirmed that he would provide another update on Monday, and possibly even as early as Friday. Julie Lawrence was directed to keep this as a recurring work session discussion item.

6. COMMISSIONER UPDATES/ GENERAL DISCUSSION

The Board did not discuss any updates.

7. NEW BUSINESS

The Board had no new business to discuss.

8. ADJOURN

Commissioner Anderson MOTION: To Adjourn

Commissioner Linde SECOND

Motion Passes to Adjourn. Meeting Adjourned at 10:22 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

OCT 18 2022

BOARD OF YAKIMA COUNTY COMMISSIONERS

Amanda McKinney, Chair

LaDon Linde, Commissioner

Ron Anderson, Commissioner

*Constituting the Board of County Commissioners
for Yakima County, Washington*

