



BOARD OF YAKIMA COUNTY COMMISSIONERS

Regular Meeting
Work Session

Monday, February 27, 2023, at 9:00 am
BOCC Conference Room, Room 232, 128 N 2nd Street, Yakima, WA 98901 or Zoom

2/27/2023 - Minutes

1. CALL TO ORDER

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

PRESENT: Chair LaDon Linde, Commissioner Amanda McKinney, Commissioner Kyle Curtis, Legal Counsel Don Anderson, Clerk of the Board Julie Lawrence, Brian Hedengren (Human Services), Human Services Director Esther Magasis, Joe Poire (Broadband Consultant), Financial Services Director Craig Warner, and guests.

2. PUBLIC COMMENT

No Public Comment Received.

3. HUMAN SERVICES

Esther explained Agreement 41-2023 with WizeHive, which Human Services utilizes for an online grant application platform for larger, more complex grants. WizeHive will provide support for the upcoming RFP for mental health sales tax funds.

Brian Hedengren explained that the Department of Housing and Urban Development has reviewed and accepted Yakima County's HOME Consortium 2022 Annual Action Plan. The program year runs from July through June, so Agreement 42-2023 will release the funds for program year 2022 to Yakima County.

4. BROADBAND DISCUSSION

Joe Poire and Esther Magasis gave the Board a recap of the broadband grant application process thus far. \$42 billion in federal funding will be available in Broadband Equity Access Deployment (BEAD), which is part of the Jobs Act. Washington State will receive about \$950 million of that funding, but Yakima County alone is estimating \$130 million needed for its broadband projects, and inflation will likely drive costs up even further. The County has identified underserved areas, broken out those areas into smaller sections, and examined which price points and demographics served would be the best fit for securing different types of grants. The County has since submitted an application, and the State Broadband Office was supposed to award grants this week, but that may not end up happening on schedule.

One area of concern for grant applicants is the required match funding. A 25% match is required for any federal grants, and a 10% match would be required for state grants, but Yakima County's match has been voided due to being a "distressed county". Commissioner McKinney explained that the Board has set aside \$10 million in ARPA funding for broadband match funds, but these funds must be "committed" by the end of 2024 and spent by the end of 2026. With continued broadband grant delays, this could prove challenging.

It is not yet known if the Board could reallocate that funding between 2024 and 2026 if needed. Esther concurred that she has faced similar challenges in Human Services with vague terminology about how grant

funding must be used. She also noted that many rural counties who are most in need of services like broadband sometimes don't even bother to apply for these types of grants because they lack the staff and budget to allocate toward trying to secure and administer the grant funding.

Another concern is that broadband providers can "challenge" an entity's project area, claiming that they already offer adequate service in that area and that it is not unserved or underserved; this has happened with Kittitas County. However, as providers are self-reporting, they may be exaggerating their actual coverage. Additionally, Joe explained that counties cannot challenge a provider on residents' behalf – they would have to be notified of the need to self-report if their coverage does not align with what a provider may claim; thus, it would prove incredibly difficult for a county to prove a provider wrong.

Moving forward, Yakima County will need to work on developing a 5-year action plan in order to receive federal funding. Washington State University and the Washington State Broadband Office are now offering local support to help with this; Yakima County also contracted with Joe before this support was offered in order to get a head start on the grant application process. Esther also confirmed that she would reach out to the Board with a list of agencies that need to be contacted to fill out a broadband worksheet; the Commissioners will then respond with lists of any other agencies they can think of who also need to be included. The worksheets need to be completed by the end of April.

Joe also requested an additional work session with the Board to discuss how the broadband "business" will function: who will own the infrastructure, how providers will be able to use it, and how the County will handle the management of it. The Board agreed to schedule a time in March.

5. Continued ARPA DISCUSSION

Craig Warner shared an ARPA Interest Expense Allocation Summary spreadsheet with the Board, adding that the ARPA funds will likely accrue another \$1 million or so depending on how quickly the funds are spent. Commissioner McKinney suggested that the broadband expenses that were going to be taken from ARPA interest, be taken from the \$10 million allotted for broadband match funding instead; the other Commissioners concurred. This would increase estimated available interest funds to about \$1.2 million.

Craig noted that Granger and Tieton still have yet to respond about flock camera requests, and the Commissioners stated that they would like to see this resolved in the near future; however, they anticipate that the requests will likely be minimal.

Commissioner McKinney suggested funding the previously-approved Superior Court remodel project through lost revenue (all counties were allowed to set aside up to \$10 million in ARPA funds for lost revenue) instead of the consensus ARPA pool. Craig noted that while this is possible, he is concerned that the jail has already been operating at a loss and is projected to continue to need these funds (the Department of Corrections accounted for almost \$3 million of the lost revenue originally during the pandemic).

Commissioner McKinney observed that it will likely become more apparent after this legislative session whether or not the state will begin to partner with local governments to help with correctional facility needs. In the meantime, the Board agreed to use \$1 million in lost revenue and a little over \$900,000 from the consensus ARPA pool for the Superior Court project.

The Board continued allocating consensus and individual ARPA funds to various projects, opting to keep minimal amounts of their individual funds in reserve to allocate later on as needed. Craig suggested sending out letters not only to the applicants who would not be receiving funding, but also to the applicants who were selected, informing them that the Board would be in touch soon with further details.

Commissioner McKinney MOTION: To Approve the List of ARPA Allocations as Shown Onscreen and Send Letters to Both Unselected and Selected ARPA Applicants

Commissioner Curtis SECOND

Motion Passes Unanimously.

Commissioner McKinney confirmed that Craig would send a copy of this list to the Yakima Herald when ready, per Phil Ferolito's request.

Discussion on Donating 1% of Funds Received for LATCF to the National Center for Public Lands – Commissioner McKinney: Craig explained that Yakima County received an additional \$3.4 million in LATCF funds (Local Assistance and Tribal Consistency Fund) alongside the \$48.7 million in ARPA funds; this smaller allocation can be used for any of the County's needs, including debt service, but excluding lobbying. The Board already utilized about \$460,000 of these funds to pay off the note on the Squire/Ingham property, which was purchased largely for water rights and a future park; this leaves the County with about \$3 million left. Commissioner McKinney then explained that NACO (National Association of Counties) wants to create a foundation to make it easier for counties to bring concerns to congressional delegates. They have asked each county in Washington State to donate 1% of their LATCF money to fund this foundation so that it can offer help to counties and specifically work to ensure that PILT (Payment in Lieu of Tax) is not taken away by the Legislature. Commissioner Linde noted that this would only total about \$34,000 for Yakima County.

Commissioner McKinney MOTION: To Donate 1% of Yakima County's LATCF Funds to NACO

Commissioner Curtis SECOND

Motion Passes Unanimously.

Commissioner McKinney confirmed that she would reach out to Eric Johnson about a formal resolution; Craig noted that NACO will probably prepare a draft resolution that all counties will be able to use as a template.

6. COMMISSIONER UPDATES/ GENERAL DISCUSSION

Performance Evaluations – Commissioner Linde: Commissioner Linde briefly recapped the discussion at Friday's Work Session for Commissioner McKinney's benefit. Commissioner McKinney voiced her support, acknowledging the potential benefits for employees when performance evaluations are utilized well. Commissioner Curtis concurred, noting the need to start from the top down (Commissioners to direct reports, etc.) and utilize existing features in WorkDay. Commissioner Linde confirmed the need to work with Human Resources on a policy and on performance evaluation training for managers, and expressed a desire to have all of this complete before the end of the year. He stated that he would reach out to HR to work on developing a timeline for next steps.

Executive/Closed Session Form – Julie Lawrence: Julie Lawrence briefly recapped the discussion at Friday's Work Session for Commissioner McKinney's benefit. She noted the updates to the form that had been made per the Commissioners' direction on Friday: an added signature line for Corporate Counsel, and checkboxes indicating which Commissioner has been notified of the session. The Commissioners approved the final version of this form.

Senator Cantwell and Murray FY 2024 Congressionally Directed Spending Request Application (3/10/23 Deadline) & Next Steps for BOCC – Commissioner Curtis: In response to Commissioner Curtis' question, Commissioner McKinney provided more detail on this process.

Letter of Support – MBDA (Minority Business Development Agency) Grant – Commissioner McKinney: Commissioner McKinney noted that the Board had offered a letter of support for this same purpose in the past, and YCDA had asked that the Board send an updated letter.

Commissioner McKinney MOTION: To Sign the Letter of Support for the MBDA Grant as Shown Onscreen

Commissioner Curtis SECOND

Motion Passes Unanimously.

Board/Committee Updates: Commissioner McKinney shared highlights from her trip to Washington, D.C., and the Board had a brief discussion about providing testimony before the legislature. They opted to move the rest of Commissioner Updates to a future work session due to time constraints.

7. NEW BUSINESS

The Commissioners had no new business to discuss.

8. ADJOURN

Commissioner McKinney MOTION: To Adjourn

Commissioner Curtis SECOND

Motion Passes to Adjourn. Meeting Adjourned at 11:32 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